

DRAFT MINUTES

Public Works, Parks and Planning Committee Meeting February 11, 2014

Elected Officials Present:

Council President, Diane Buckshnis
Council Member, Joan Bloom
Mayor, Dave Earling

Staff Present:

Phil Williams, Public Works Director
Rob English, City Engineer
Carrie Hite, Parks, Rec & Cultural Services Director
Rob Chave, Acting Development Services Director
Kernen Lien, Senior Planner

The committee convened at 8:20 p.m.

A. Docket of Proposed Comprehensive Plan Amendment and proposed re-zone for Unocal lower yard.

Councilmember Bloom began the discussion by asking about the existing zoning governing the former Unocal lower yard (MP2). Kernen Lien explained the differences between the MP1 and MP2 zones, which are similar except, for example, that the MP2 does not allow residential uses on the ground floor and permits ferry terminals. Councilmember Bloom expressed a concern with residential uses in the MP2 zone and asked Tim Smith, representing Washington State Ferries (WSF), if residential was a necessary use for the Unocal lower yard in order for DOT to use the property for the proposed Edmonds Crossing ferry terminal. Mr. Smith stated that commercial was a necessary use, but not residential, related to the DOT's planned future use of the property. Mr. Smith pointed out that any change in zoning to either P (Public) or OS (Open Space) would be problematic. The OS zone would result in halting the sale of the property from Chevron to WSDOT, since a ferry terminal would not be a permitted use. A change to P zoning would also trigger new negotiations and/or interfere with the sale because commercial uses necessary to help fund operation of a ferry terminal would be prohibited in that zone. A change to either zone would significantly reduce the value of the property. Rob Chave pointed out that a comprehensive plan amendment was not needed if the goal was simply to address whether or not residential uses were permitted; that could be accomplished by an amendment to the MP2 zoning rather than needing to create or apply a new zone or make a change in the plan designation. Mr. Smith indicated WSF might not object to such a change, but he could not make a commitment without further discussions within the agency.

A Chevron representative was present at the meeting and chose not to comment. Mayor Earling came forward and indicated that it was important that we involve all parties as there is much at stake, especially since we had an earlier meeting with the Department of Ecology about the Shoreline Master Program and the fact that there might be some "taking away" of property because of the increased setbacks. Council Member Buckshnis reiterated that it was important that both Unocal and WSF understand that the City Council had voted on having the SMP be an "INTERIM" designated document so that the recent issues relating to Marsh restoration and salmon recovery could continue to be studied.

The Committee agreed to continue the discussion until next month to enable further exploration of this idea, including possibly modifying the MP2 designation to not include residential.

ACTION: The discussion was continued to the March Committee meeting.

B. Authorization to advertise, a Request for Bid, for construction services for the Wastewater Treatment Plant Facility Upgrade

Mr. Williams provided background on the purpose of the project and how it will improve conditions at the WWTP. It was explained that the current employee locker rooms/bathrooms are needing major maintenance and repairs after 20 years of service. While making this investment it is desired to also re-balance the size of the men's and women's facilities. The women's lockers are bigger than necessary and the men's way too small. Moving several internal walls will allow that to happen. In addition the lunchroom facilities will be updated. All of this work will be done within the existing building footprint. Cost is estimated at \$338,000.

ACTION: Moved to consent agenda for approval.

C. Approval of Amendment of Interlocal Agreement between the City of Edmonds and the City of Lynnwood for the 76th Ave W Sewerline and Waterline Installation Project.

Mr. English explained that a sewer service lateral was damaged by Lynnwood's contractor during the installation of Lynnwood's sewer main. The lateral was repaired by the City's contractor during the watermain installation in 76th Ave. The ILA is being amended to include this scope of work and document Lynnwood's commitment to reimburse the City for the repair cost.

ACTION: Moved to consent agenda for approval.

D. 76th Ave W at 212th St. SW Intersection Improvements project Update.

Mr. Williams provided a summary of the proposed improvements at the intersection and how the traffic lanes on 76th Ave will be configured from 220th St to 196th St. Staff will make a presentation to the City Council on the project status at an upcoming City Council meeting. After the presentation, staff will have a public open house to receive comments on the project.

ACTION: Schedule a presentation at a future City Council meeting.

E. Interlocal Agreement with the City of Mountlake Terrace to formalize roles and responsibilities in regard to Edmonds' water, sewer, and storm utilities located within Mountlake Terrace's right of way.

Mr. English reviewed the boundaries between Edmonds, Mountlake Terrace and unincorporated Snohomish County on 228th St between 74th Pl and the Interurban Trail. The City will be replacing a sewermain in 228th St in preparation for the 228th corridor project and there is an existing watermain above the sewermain. The purpose of the ILA is to address the City's relocation of the watermain away from the sewermain and into the Mountlake Terrace right of way.

ACTION: Moved to consent agenda for approval.

F. Authorization for Mayor to sign Interlocal Agreements with Snohomish County for 2014 Pavement Preservation Program.

Mr. Williams provided an overview of the scope of work that will be performed under each Interlocal Agreement with Snohomish County. The ILA's will allow the City to use County crews and the County's annual pavement overlay contract to complete the 2014 pavement preservation program. The committee discussed a recent comment received from a resident on 2nd Ave regarding concerns about the proposed chip seal application. Mr. Williams reviewed how the streets were selected for the 2014 program and that the chip seal application will result in a more coarse surface than a traditional asphalt pavement overlay.

ACTION: Moved to consent agenda for approval.

G. Discussion of Legal Lot Issues

Kernen Lien introduced the issue of legal lots. In order for a lot to be developed (or redeveloped) within the City of Edmonds, the lot must be a legal lot (the most typical way a legal lot is established is through the subdivision process). Over the last few months, there have been a number of properties where the legal status of the lot is in question and property owners have not been able to move forward with development proposals. The City of Edmonds does not have a definition of legal lot nor a clear process within the code for determining legal lot status. A related issue that should be considered if a code update is pursued is "innocent purchaser." An innocent purchaser is someone who unknowingly purchased an illegal lot. Staff suggested a code amendment to establish a process for determining legal lot status, including a process for determining innocent purchaser. Jeff Taraday also indicated the City may want to consider establishing a process for a lot to be developed even if it is not a legal lot and does not fall into the innocent purchaser category.

Public Comments: Perry Martin commented on one of the situations with legal lot status the has been brought to the City's attention recently. Mr. Martin's sister owns a lot that was determined to be illegal by the City and she has been unable to sell the property. She currently needs the money to move into an assisted living facility, but due to the illegal lot status and lack of City process for rectifying the situation, she is unable to do anything with the property.

ACTION: Forwarded to Planning Board to develop recommended code language defining a legal legal lot and establishing a process for innocent purchaser for consideration before the full Council.

H. Authorization for Mayor to sign a grant agreement with the State Recreation and Conservation Office (RCO) for \$200,000 to complete the Final Feasibility Study for the Willow Creek Daylighting/Edmonds Marsh Restoration Project.

Mr. Williams provided a brief summary of the State RCO grant and how it will be used to continue work on the Willow Creek daylighting/Edmonds Marsh Restoration Project. Approval of the agreement will allow the City to access the grant funds.

ACTION: Moved to consent agenda for approval.

I. Authorize Mayor to sign Interlocal Agreement with Department of Fish and Wildlife.

ACTION: Moved to consent.

J. City Park Project Update.

ACTION: Moved to Council for full discussion. This will be presented on February 25, 2014.

K. Public Comments

The meeting adjourned at 9:40 pm.