

City of Langley
MEMORANDUM

DATE: October 1, 2008

TO: Members of the City Council

FROM: Paul Samuelson, Mayor
Larry Cort, Director of Community Planning

RE: DISCUSSION – Wharf Street Owners Design Exercise

On April 16, 2008, the City Council requested that the administration initiate two sets of meetings between the City and property owners and key stakeholders within the commercial stretch of the waterfront. One set of meetings would include the Wharf Street area and the second set would focus on First Street. The purpose of the meetings was to fully engage the property owners in working on potential design solutions and approaches that could be used to amend development codes in these two locations. A time frame of six months was suggested as a reasonable period to report back to the City Council.

Both sets of meetings kicked off in May and have progressed through the summer. After four meetings, the Wharf Street group completed its discussions in late August and the results will be presented at the October 6, 2008 Council meeting. We expect that the First Street group will wrap up its meetings by the end of October with a Council presentation to be scheduled soon thereafter.

Attendance at the Wharf Street Group included all property owners between and including the Boatyard Inn and the two transient lodging uses south of Phil Simon Park. In addition, Port staff sat in on all meetings in their capacity as future property owners after the City property is transferred in January of 2009. The discussions were facilitated by Ron Kasprisin, AIA, a Langley UGA resident and University of Washington professor.

Obviously, since the goal of these meetings was to work toward a desired design approach to future Wharf Street development, the key products are graphic representations of points of design agreement that emerged from the meetings. These drawings are not attached to this memo but will be available for display and discussion at Monday's Council meeting. In the case of the property south of Phil Simon Park, which includes the associated bluff up to Cascade Avenue, three potential scenarios will be presented in graphic form as described below.

As background for the conversation on Monday, the following summarizes several policy issues discussed by the owners' group that could be germane to future code amendments depending on the direction provided by the City Council:

1. **Toe of Slope Setback** – As the Council is aware, the City's Critical Areas Ordinance calls for a 50-foot building setback from the toe of steep slopes, of which the Cascade

bluff certainly qualifies. Given the size of the properties involved, this setback means that every existing building at the base of the bluff (including the public restroom) does not conform to this rule and future expansion or new development is severely constrained. In its analysis delivered early this year, the Planning Advisory Board recognized this situation and recommended that the setback be established at the historic setback enjoyed by the current structures. The administration supports the owners' view for substantial or total relief from this setback to allow new development activity at or in close proximity to the toe of the slope, with appropriate safeguards for slope stability.

2. **Central Business Zone Permitted Uses** – This zoning district includes all properties in the Wharf Street study area except those owned by the City. Residential uses are permitted, but only on floors above the ground floor. While many in the group support the prospect of new commercial uses contributing to overall economic development and activity in the marina area, there was consensus that there should be flexibility in locating residential uses on the ground floor in some locations.
3. **Height Limit** – Notwithstanding the options presented below for the properties south of Phil Simon Park, there is support within the group for raising the height limit in the Wharf Street area by about three feet. This allowance would take into account recent changes mandated by FEMA in the relationship between base flood elevations and the ability to acquire reasonably-priced flood insurance. In effect, in order to get rates down to a manageable level, the first floor level must be at least one foot above the base flood elevation, or approximately two feet above the current elevation of Wharf Street.
4. **Parking Requirements** – Several ideas emerged from the challenge observed in providing on-site parking within an area that is so spatially constrained. These included reducing the number of required spaces per residential unit or commercial floor space, reducing the dimensions of the parking spaces themselves, or promoting off-site parking locations for park users with enhanced pedestrian connections (which could include a funicular railway from Wharf Street to Cascade Avenue) or shuttle service.
5. **Options for Property South of Phil Simon Park** – As the Council is aware, Steve Day and Nancy Josephson have presented to the community an early concept of a proposal for developing the flat area south of Phil Simon Park and the area up the bluff between the City-owned bluff and the Edgecliff Restaurant. At the invitation of the two property owners, Mr. Day and Ms. Josephson attended the Wharf Street meetings and shared their evolving thoughts about how this property might be developed with the other property owners. It is their intent to present their current thinking to the Council at Monday's meeting.

To help the community and Council understand the range of design options available for these properties, staff with the assistance of Ron Kasprisin will present three possible scenarios. The administration is not an advocate for any one particular scenario, but the presentation of multiple design possibilities in this location underscores the fact that it is only these two properties that actually own the bluff behind them. The list below outlines

three possible scenarios, with the obvious expectation that there are many variations on each option.

- a. **Design Possibility 1.** Allow development to the toe of the slope to a maximum height of 35 feet. In effect, the scenario would duplicate the design direction available to other properties at the base of the slope (assuming relief is granted from the toe of slope setback). One simple variation on this scenario would be to allow development into the bluff to the maximum height of 35 feet. Clearly, this option would cause the least amount of disturbance to the bluff and limit the overall scope of the project. On the other hand, the relatively small amount of potentially developable area could limit redevelopment potential.
 - b. **Design Possibility 2.** Allow a second tier of development stepping up the slope to a maximum height of approximately 50 feet above the elevation of Wharf Street. The second tier would be located upslope from development built on the flat portion of the property. This option would increase the level of disturbance in the lowest portion of the bluff but could allow parking associated with the development to be enclosed under the second tier. Some level of mandatory public benefit could be linked to this possibility.
 - c. **Design Possibility 3.** Allow up to four tiers of development stepping up the slope to a maximum height below the Cascade level. This option would open up the possibility of introducing new development on most of the bluff slope, and would require the highest degree of slope analysis to avoid potential impacts. Higher levels of mandatory public benefit improvements could be linked to this design option.
6. **Areawide Issues** – In addition to the specific points described above, the Wharf Street Group also raised other issues which should be part and parcel of good community planning in this location. This is not an exhaustive list by any means, but is simply intended to capture some key ideas:
- a. Condition and capability of Wharf Street to handle increased traffic and use;
 - b. Maneuverability for boat access, launching and parking;
 - c. Preservation and adaptive reuse of the Drake building;
 - d. Mandatory green roofs to soften appearance from Cascade Avenue;
 - e. Emergency vehicle access;
 - f. Long-term slope preservation;
 - g. If building is allowed on slope, a number of smaller buildings are preferred over one larger building;
 - h. Public access on beach side of private property;
 - i. Distinct and attractive Phil Simon Park;
 - j. Sustainable development practices;
 - k. Maximum compatibility with Port redevelopment plans.

COUNCIL DISCUSSION

As noted above, Ron Kasprisin is preparing several drawings which will provide the foundation for the Council discussion at Monday's meeting. The administration's hoped for goal from this meeting or a follow-up meeting on the same topic is to get clear direction from the City Council concerning where and when we head next to implement the preferred path. We also expect that a number of the property owners/stakeholders and members of the public will also be in attendance and it is likely that several of them would like to contribute their thoughts about what direction the City should take next.