April 11, 2012

TO: City Council Members
     City Department Heads

FROM: Larry Kwarsick, Mayor

SUBJECT: Second Street Truck Loading Zone

First of all let me apologize for causing a disruption in the community and for business owners. While I regret the disruption it nevertheless remains my opinion that the establishment of any permanent truck loading zone or zones along Second Street should be part and parcel of the Second Street design process. It is hard to imagine (especially given the reaction by some) that any fair and impartial consideration of change would have been entertained through that process but it was not the only reason for my abrupt action. Nevertheless, I do support the establishment of one or more interim truck loading zones, by ordinance, while the design process takes place. I would hope that people would have faith in the design process to come. We have a great consultant and a great project manager in Jeff Arango.

While it was never my intention to bring up the past, I now believe it is necessary for the Council to understand all of the reasons and that a long standing problem needed to be corrected. Based upon the City’s records, the truck loading zone was not established consistent with the requirements of law. Equally important is that it was also not established consistent with standard geometrics, location, safety consideration, or with any consideration of impact to private property. Jeff Arango will discuss some of the criteria upon which the location and design of a truck loading zone should be based. I will briefly discuss some of the background and process.

On October 5, 1997 a property owner impacted by the truck loading zone expressed her concerns to the City. (Letter attached.) The then mayor responded on October 9. The letter is correct as it relates to the establishment of timed parking. The letter is incorrect as it relates to the truck loading zone. The truck loading zone was not established in the ordinance.

Prior to the ordinance there a “study” was conducted. The study was intended look for solutions to general parking problems (the same ones we talk about today) and the designation of a truck loading zone. (Please remember that we intend to look at general parking issues, transit stops, and circulation in association with the Second Street design.) In part the loading zone effort also related to truck parking in the no parking zone established opposite the exit of the then operating fire station. State law requires that there be no parking for 75 feet in each direction of a firehouse driveway so that the fire
truck can turn right or left in response to an emergency call. Trucks were parking in the “red” zone.

In the file there is a report from the “committee”. (Attached in part as it relates to truck parking.) Under Note 1 a statement is made that those businesses immediately adjacent to the proposed loading zone on both sides of Second Street were in favor of the zone. While that might be correct (within the one week in February time frame cited), certainly the one and only property owner affected was not contacted. The city’s claim that the property owner would have been informed by reading the local newspaper is flawed from the standpoint that no legal notice pertaining to the truck loading zone was published. Unfortunately since I have taken office I have found a number of unattended items. This happens to be one of those that needed to be corrected. It is my opinion that the City potentially had liability because of the flawed process and flawed layout of the loading zone.

Again my apologies for the disruption and my commitment to work with the Council and affected parties on an interim and appropriate solution.
To the City of Langley
Planning Department

Langley, WA 98260

Please forward this to the appropriate department for response

I am the long-term owner of the property at 124 Second Street and 113 McLeod. I recently learned that the Second Street frontage parking has been replaced by a truck loading zone until 1 PM daily. I received no notification of this change.

The City had previously valued auto parking spaces at $8000 apiece. This loss of frontal parking devalues my property by a great deal.

In addition to the loss of these frontage parking spaces for half the business day, "The Christmas House" is visually cut off from the automobile traffic which was a very important consideration in the choice of this location.

Neither of our tenants is receiving truck deliveries. Therefore I must protest this new loading zone which significantly benefits several other businesses at our expense.

As I said, I have not received word as to whether this change is a trial period, but I hope so. As an interim solution, why not shift the burden to those businesses which profit from the truck load zone by moving it to the south side of the street?

Kindly let me know of your plan.

Sincerely,

Suzanne Hagen
16249 36th Avenue N.E.
Seattle, WA 98155
phone 206/363-4832
October 9, 1997

Suzanne Hagen
16249 36th Avenue N.E.
Seattle, WA 98155

Dear Ms. Hagen,

We are in receipt of your letter of October 5, 1997 regarding the truck loading zone in front of the Christmas House.

Most of the businesses in town were contacted regarding the truck loading zone proposal several months before the truck parking zone was established as well as other parking changes: 4-hour parking zones on 1st, 2nd and Anthes. In addition, we have established several 15 and 30 minute places around town in various key locations to accommodate people who need to park close to the businesses for a short period of time. A parking committee made up of citizens, business people, a council member, the Police Chief, Public Works Director, Fire Chief and Mayor studied the parking in Langley. A survey of the businesses was taken and ultimately an ordinance was passed allowing the change.

This process lasted several months. Generally, ordinance changes receive two readings at City Council before it is adopted. Furthermore, the ordinance subject is printed in the paper before it becomes final.

Please be reminded that parking places on the street do not belong to the business they front. Parking spaces on the streets belong to the City of Langley and are on City right-of-way.

The purpose of establishing the parking committee was to address the safety issues raised with trucks blocking a fire hydrant and making access to the fire station a little difficult. Also, many parking places and in particular the area that is now designated a truck loading zone was nearly always taken by employees of the local businesses and weren’t available to customers anyway. The 4-hour limit is aimed at discouraging employee parking in the downtown shopping core.
Ms. Suzanne Hagen
October 9, 1997
Page 2

The changes were personally discussed with your tenant by our Police Chief. If non-resident owners are interested in what goes on in Langley there are ample means of finding out from the business renters and from the local weekly newspaper. Our council agendas are published in the Whidbey Record before each meeting.

The truck loading zone is to be considered permanent until there is ample reasons to change it.

We appreciate your contacting us and your interest in Langley. Our interest in Langley is probably in concert with yours.

Sincerely,

Lloyd H. Furman

C: City Council
   Bob Herzberg
   Rick Hill
   Don Fowler
   Mike Belangi
   Jack Lynch
   Jerry Knapp
   LHF:SH:Parking
4. Resolution of Item 1. requires relocation of a crosswalk (1/24/97).
5. Need for additional short-term parking (3/7/97 - result of Questionnaire).
6. 4-Hour parking in the CBD

1. TRUCK PARKING IN RED ZONE ACROSS FROM THE FIREHOUSE

4. RELOCATION OF A CROSSWALK

PROBLEM: Parking by unloading trucks extending into the Red Zone is an ongoing problem and is effecting the operation of the fire fighting units.

On 3/7/97 the Committee recommended that a resolution be submitted to the City Council for a Loading Zone from 7 am to 1 pm be created on the North side of 2nd Street beginning at the East edge of the Star Store parking lot and extending approximately 100 feet East to the existing crosswalk. And that the existing crosswalk be moved approximately 45 feet East.

The Council approved the resolution and the city has ordered the signs. Installation is scheduled for late-April or May.

Notes:
1. Effected merchants were contacted between 2/21 and 2/23. (Those with businesses immediately adjacent to the proposed loading zone on both sides of 2nd Street. All the effected merchants were in favor of the zone; suggestions included extending the time period from the original proposal, 12 pm, to one or two pm.
2. The proposal was also reviewed at the weekly meeting of the Chamber of Commerce, during this period. Only two individuals raised disagreement with the proposal.

2. PARKING IN GENERAL WITHIN THE CENTRAL BUSINESS DISTRICT

3. QUESTIONNAIRE THE LOGICAL APPROACH TO OBTAIN INPUT

PROBLEM:
- Lack of sufficient parking (particularly customer parking) is a problem of long-standing. It is directly attributable to past policies which allowed businesses and business developments to be licensed and constructed without providing adequate parking