

ATTACHMENT C

WATERFRONT PLACE CENTRAL MIXED USE REDEVELOPMENT PROJECT

North Marina Planned Development Overlay (PDO) Zone Development Agreement

Summary of Proposed Amendments

This is a summary of the significant proposed amendments to the existing North Marina Planned Development (NMRP) Overlay (PDO) Zone Development Agreement (last amended and approved by the Everett City Council on November 16, 2005). These proposed amendments are being requested in support of the revised site plan for the 2014 Waterfront Place Central (WPC) redevelopment project. Not included in this summary are numerous minor proposed changes including but not limited to changes in project names, document numbers and dates, and site facility names. All proposed additions and deletions are shown in ***bold italics***.

Recital 3. - ***Added - As result of economic circumstances, a modified overlay for the marina uplands was deemed more beneficial to the community, and the City and Port determined that the 2005 Development Agreement should be revised. The plan maintains the heights and densities approved by the City Council in 2005.***

Recital 16 h. ***Added*** – ...and ***the City assumed lead agency status for the Shoreline Master (Program deleted) Plan limited amendment*** necessary for the ***Waterfront Place Central Development Strategy***.

Recital 16.i. - ***Added*** – ***One SEPA review option that may be utilized is a Planned Action Environmental Impact Statement (EIS) or Planned Action Supplemental EIS to assist in improving process predictability and efficiency in SEPA compliance.***

Recital 16.k. – “The anticipated development schedule intends that all elements are to be completed by ***2034***” – ***changed from 2023***

SECTION ONE – INTRODUCTION

Added - “The adoption of this Development Agreement supersedes and replaces the Development Agreement Entered into by and between the City and the Port of Everett dated Dated December 28, 2005.”

Several changes are proposed to the last sentence on page 5 regarding the specific locations for various interim public walkway improvement locations.

SECTION TWO – ACTION PROPOSED DESCRIPTION

3.2 CONTROLLING DOCUMENTS

C. Added – A description of Port of Everett Commission actions amending its Comprehensive Scheme of Harbor Improvements to bring the project area into conformance with the City of Everett approved land use changes embodied in the approved Development Agreement and referencing the Final Environmental Impact Statement (FEIS) issued for the project by the Port in May 2005 (paraphrased summary). Also added – The 2014 Mitigated Determination of Non Significance, Environmental Checklist, and their attachments contain studies and background material in support of several new and modified provisions of this Development Agreement, including land and shoreline use compatibility. The Environmental Checklist also includes references to studies and background information from the 2005 NMRP FEIS.

3.3 RELATED AND CONCURRENT REDEVELOPMENT PROJECTS

1. and 2. – Deleted - already completed related and concurrent projects (paraphrased summary)

3.4 USE DISTRICTS

2. – New section added - Planning Director may approve minor changes to the PDO, and may approve interim uses necessary to facilitate continued operation of the Port facilities and public access during construction. Major modifications are considered by the Planning Commission and City Council.

3. a. through e. - Removed – all 2005 NMRP (Port Gardner Wharf) proposed use District descriptions.

Added – five new WPC proposed use District descriptions. For the Craftsman District, Fisherman’s Harbor, Esplanade, Millwright District, and Wharfs Edge District descriptions. (paraphrased summary – see SEPA Checklist section A.11 for a detailed description).

3.5 PERMITTED USES – SPECIAL PROVISIONS

2. **Added** - Proposed square footage range updates for each of the four major use groups. See SEPA Checklist section A.11 or the Development Agreement for details. Combined uses maximum allowed use square footage to do not change. (**paraphrased summary**)

3.6 GENERAL CONDITIONS

2.(6) **Deleted** - Fisherman Tribute and 95 foot height. **Added** - Workman's Clock Tower maximum height is 75 feet.

5. **Deleted** - The draft 2003 "Port Gardner Wharf Design Guidelines" submitted to the Planning Department on October 7, 2005 shall be used as a supplement to the Design Standards and Guidelines contained in Attachment G of this Agreement. **Added** – The "2003" Port Gardner Wharf Design Guidelines" and 2005 supplemental guidelines have been revised to describe the new project while maintaining the quality originally approved by the City Council, and are now entitled "Waterfront Place Central Design Guidelines" and Exhibit 5 of this Agreement.

9. "A view corridor shall be maintained to the western water's edge along the lengths and width of the existing **13th Street right-of-way, and on (deleted) 14th Street right-of-way (added)**. "In **these corridors (deleted) this corridor (added)**, construction of buildings will not be permitted, though temporary structures, **park and plaza permanent structures (not exceeding _ feet in height and ___ feet in width), (added)** landscaping and pedestrian improvements may be allowed."

13. **Added** – Interim public access improvements will be provided in the first phase in accordance with the phasing strategy found in the Design Guidelines. **Deleted** – in which 14 such linked and "expanded" public spaces are shown on the property.

14. **Deleted** – amphitheater. **Added** – outdoor theater.

26. **Deleted** – Fisherman's Tribute and 95 feet. **Added** – Workman's Clock and Workman's Clock Tower will not exceed 75 feet.

27. **Added** – ...until or unless the Shoreline Master Program is amended and approved by the State of Washington Department of Ecology.

4.2 PHASED SEPA REVIEW

Allowed minor modifications:

- **Added** – *Adjustment of the shape of building structures that do not reduce open space or increase developed areas.*

Last paragraph – “While SEPA reviews may be completed separately for those projects, those review must be consistent with the requirements of this Agreement.” **Added** – *This includes the option of completing many or all of these separated SEPA reviews by using the Planned Action provisions established in RCW 43.21C.031.*

4.3 PERMIT/CONSTRUCTION PHASING REQUIREMENTS

3. “The Planning Director may allow for interim level of improvements in ***accordance with the interim public access plan and in areas (added) where*** future improvements would require demolition of public access improvements.The Esplanade along the south side ***and improvements that make Boxcar Park usable as open space and for picnicking and events (added)*** will be completed in the initial phase of the project.”

4.4 PROJECT PHASING

“The order of construction of individual components of the project will depend on market demand.” **Deleted** - *all of the 2005 North Marina Redevelopment Project proposed phasing provisions for project phases 1 through 4.*

Added – *Each phase (for the 2014 WPC project) will be a combination of building improvements, site improvements and public infrastructure necessary to serve the phase. Improvements will be consistent with Exhibit 2.6: Development Zones. Sufficient parking to serve each new use and all prior uses will be installed as part of each incremental construction project.* “Parking will be budgeted according to the Parking Management strategy enclosed as Exhibit 2.3 to this agreement, ***and may include interim surface options***

as temporary solutions while construction is underway, if approved by the City Planning Director.

The project is divided into five zones. See Phasing Exhibits 4.a-f. To provide flexibility to adapt to the market, each new zone is intended to be constructed in this order or out of order. Each contains a number of new public amenities and maintains interim connectivity for public spaces, so long as public improvements (such as roads, utilities) in prior segments are completed so as to facilitate the next phase, can be built out of order with approval from the Director of Planning.