

Lise A. Ward  
DPR West Seattle Junction – 40<sup>th</sup> Ave SW Acq ORD  
October 3, 2012  
Version #1

**CITY OF SEATTLE**

**ORDINANCE \_\_\_\_\_**

**COUNCIL BILL \_\_\_\_\_**

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AN ORDINANCE relating to the 2008 Parks and Green Spaces Levy; authorizing the acquisition of real property commonly known as 4731 40<sup>th</sup> Avenue Southwest; authorizing acceptance and recording of the deed for open space, park, and recreation purpose; increasing appropriations to the Department of Parks and Recreation in the 2012 Adopted Budget; and ratifying and confirming certain prior acts; all by a three-fourths vote of the City Council.

WHEREAS, by Resolution 31055 the City Council created the Parks and Green Spaces Levy Citizen’s Advisory Committee to ensure citizen participation in the development of a potential package of parks, open space, boulevards, trails, green infrastructure, and recreation projects, and a proposed set of options to fund the package; and

WHEREAS, the Parks and Green Spaces Levy Citizens’ Advisory Committee, after being duly appointed and after spending many hours in open meetings and receiving public testimony and deliberating on the levy, voted by a strong majority to recommend that the City Council place a \$145.5 million six-year levy proposal for park purposes before the voters of Seattle; and

WHEREAS, in response to this recommendation, the City Council passed Ordinance 122749, placing Proposition 2, the 2008 Parks and Green Spaces Levy, before the voters of Seattle; and

WHEREAS, the 2008 Parks and Green Spaces Levy was approved by Seattle voters on November 4, 2008; and

WHEREAS, Ordinance 122749 identifies the West Seattle Junction Hub Urban Village for a potential neighborhood park acquisition; and

WHEREAS, the Department of Parks and Recreation considers the West Seattle Junction Hub Urban Village as significantly underserved with quality open space, and the area is, therefore, a priority area for additional acquisitions for parks and open space; and

WHEREAS, the City has determined that the purchase of the property at 4731 40th Avenue Southwest will, after development, meet the criteria to address open space needs established in Seattle’s Parks and Recreation 2006 Development Plan, Seattle’s 2006 Open Space Gap Report Update, and Seattle’s Parks and Recreation 2011 Development

1 Plan, and that it is in the public's best interest to acquire the same for open space, park,  
and recreation purposes; NOW, THEREFORE,

2 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

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4 Section 1. The Superintendent of Parks and Recreation, or his designee, is authorized to  
5 acquire, on behalf of the City of Seattle, the following described real property ("Property"),  
6 commonly known as 4731 40th Avenue Southwest, for a purchase price not to exceed  
7 \$1,440,000:

8 *Lots 32 through 35, Block 3, Scenic Park, according to the plat thereof recorded in*  
9 *Volume 15 of Plats, page 34, records of King County, Washington.*

10 Section 2. The Superintendent of Parks and Recreation, or his designee, is authorized to  
11 execute such documents as he deems necessary or desirable to accomplish acquisition of the  
12 Property consistent with this ordinance. Upon delivery of the statutory warranty deed for the  
13 Property, the Superintendent or his designee is authorized to accept the deed on behalf of the  
14 City of Seattle by attaching to the deed the Superintendent's written acceptance thereof, and  
15 recording the same. The Property shall be accepted for open space, park, and recreation  
16 purposes, and placed under the jurisdiction of the Seattle Department of Parks and Recreation.

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18 Section 3. To pay for the Property and for necessary related costs and expenses, the  
19 appropriation for the following in the 2012 Adopted Budget and 2012-2017 Capital  
20 Improvement Program is increased from the funds shown, as follows:

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Fund	Department	Capital Improvement Program: Program (Number)	Amount
2008 Parks Levy Fund (33860)	Parks and Recreation	2008 Parks Levy – Neighborhood Park Acquisition (K720010)	\$1,465,000

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1 Section 4. Any acts consistent with the authority and prior to the effective date of this  
2 ordinance are hereby ratified and confirmed.

3 Section 5. This ordinance shall take effect and be in force 30 days after its approval by  
4 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it  
5 shall take effect as provided by Seattle Municipal Code Section 1.04.020. Passed by a three-  
6 fourths (3/4) vote of all the members of the City Council the \_\_\_\_ day of  
7 \_\_\_\_\_, 2012, and signed by me in open session in authentication of its  
8 passage this \_\_\_\_ day of \_\_\_\_\_, 2012.

9 \_\_\_\_\_  
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12 President \_\_\_\_\_ of the City Council

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14 Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2012.

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16 \_\_\_\_\_  
17 Michael McGinn, Mayor

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19 Filed by me this \_\_\_\_ day of \_\_\_\_\_, 2012.

20  
21 \_\_\_\_\_  
22 Monica Martinez Simmons, City Clerk

23  
24 (Seal)

**FISCAL NOTE FOR CAPITAL PROJECTS ONLY**

<b>Department:</b>	<b>Contact Person/Phone:</b>	<b>CBO Analyst/Phone:</b>
Parks and Recreation	Donald Harris/684-8018	Jeff Muhm/684-8049

**Legislation Title:** AN ORDINANCE relating to the 2008 Parks and Green Spaces Levy; authorizing the acquisition of real property commonly known as 4731 40<sup>th</sup> Avenue Southwest; authorizing acceptance and recording of the deed for open space, park, and recreation purpose; increasing appropriations to the Department of Parks and Recreation in the 2012 Adopted Budget; and ratifying and confirming certain prior acts; all by a three-fourths vote of the City Council.

**Summary and background of the Legislation:**

On November 4, 2008, Seattle voters approved a six-year property tax levy, the 2008 Parks and Green Spaces Levy (Levy), for the purpose of improving and expanding the City's parks and green spaces. The Levy includes an acquisition category and a neighborhood park acquisition subcategory. The West Seattle Junction Hub Urban Village is identified in this subcategory. The attached proposed Council Bill authorizes the Department of Parks and Recreation (DPR) to acquire an 11,500 square-foot vacant property located at 4731 40<sup>th</sup> Avenue SW. The legislation also authorizes the acceptance of the deed to the property for open space, park, and recreation purposes.

With over 1,500 units scheduled to come on line in the next couple of years, West Seattle Junction is an area in need of additional open space. In response to the demise of the Huling Brothers car dealership, the Department of Planning and Development (DPD) developed the West Seattle Triangle Urban Design Framework, which highlights some of the opportunities and challenges in this area. The Framework identifies 40<sup>th</sup> Avenue SW as a green street. Parks staff discovered a property listed for sale on 40<sup>th</sup> Avenue SW. The property is vacant, mid-block, and just to the west of a newly proposed 350-unit mixed-use development on the former Huling Brothers dealership. The property is centrally located on the proposed green street in the "Triangle" area and will allow for through-block pedestrian access in this area of large blocks. This proposed park will serve the present and future residents of the West Seattle Junction Hub Urban Village and satisfy the goal to provide parks within walking distance for residents in and around urban villages, a key planning goal included in Seattle's Parks and Recreation 2006 Development Plan, 2006 Open Space Gap Report Update, and Seattle's Parks and Recreation 2011 Development Plan. The property will not be developed as a park until additional funding is available for that purpose.

<b>Project Name:</b>	<b>Project I.D.:</b>	<b>Project Location:</b>	<b>Start Date:</b>	<b>End Date:</b>
Neighborhood Park Acquisitions-2008 Parks Levy	K730010	West Seattle Junction Hub Urban Village – 4731 40 <sup>th</sup> Ave SW	September 2012	June 2013

This legislation creates, funds, or anticipates a new CIP Project.

This legislation does not have any financial implications.

This legislation has financial implications.

**Appropriations:**

<b>Fund Name and Number</b>	<b>Department</b>	<b>Budget Control Level*</b>	<b>Existing 2012 Appropriation</b>	<b>New 2012 Appropriation (if any)</b>	<b>2013 Anticipated Appropriation</b>
2008 Parks Levy Fund (33860)	Parks and Recreation	K720010	\$35,000	\$1,465,000	\$0
<b>TOTAL</b>			<b>\$35,000</b>	<b>\$1,465,000</b>	<b>\$0</b>

Appropriations Notes: Funding from the Neighborhood Parks Acquisition subcategory of the Levy will pay for this acquisition.

**Spending Plan and Future Appropriations for Capital Projects:**

<b>Spending Plan and Budget</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>Total</b>
Spending Plan	\$35,000	\$1,465,000	\$0	\$0	\$0	\$0	<b>\$1,500,000</b>
Current Year Appropriation	\$1,500,000						
Future Appropriations		\$0	\$0	\$0	\$0	\$0	<b>\$1,500,000</b>

Spending Plan and Budget Notes: The current budget for this project is \$1,500,000. The purchase price will not exceed \$1,440,000, with an additional budget of \$60,000 for administrative time, title insurance and closing costs, environmental testing, survey, etc. The projected 2013 expenses are for project closeout. The acquisition is scheduled to close January 2013; however, the seller desires to close in December 2012, if possible.

**Funding Source:**

<b>Funding Source (Fund Name and Number, if applicable)</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>Total</b>
2008 Parks Levy Fund (33860)	\$1,465,000	\$0	\$0	\$0	\$0	\$0	<b>\$1,465,000</b>
<b>TOTAL</b>	<b>\$1,465,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$1,465,000</b>

Funding Source Notes:

Costs for this acquisition will be covered by the Neighborhood Parks Acquisition subcategory of the Levy. (The City may decide to apply for a King County Conservation Futures funding to reimburse up to 50% of the expenditure.)

**Bond Financing Required: N/A**

<b>Type</b>	<b>Amount</b>	<b>Assumed Interest Rate</b>	<b>Term</b>	<b>Timing</b>	<b>Expected Annual Debt Service/Payment</b>
<b>TOTAL</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>

Bond Notes: N/A

**Uses and Sources for Operation and Maintenance Costs for the Project:**

O&M	2012	2013	2014	2015	2016	2017	Total
<b>Uses</b>							
Start Up							
On-going	0	1,977	2,913	2,971	3,030	3,091	<b>13,982</b>
<b>Sources</b>							
Parks and Recreation Fund (10200)	0	1,977	2,913	2,971	3,030	3,091	<b>13,982</b>
<b>Total</b>	0	1,977	2,913	2,971	3,030	3,091	<b>13,982</b>

Operation and Maintenance Notes: Estimates assume acquisition date of January 2013. Maintenance includes installation and repair of regulatory signs (no dumping), graffiti removal, repair of small equipment, control for invasive growth, cleanup, and litter removal. The O&M numbers listed above assume a 2% inflation rate in each successive year. The difference from year one to two is the amount estimated for DPR shops costs; no shops costs included for the first year.

**Periodic Major Maintenance Costs for the Project: N/A**

Major Maintenance Item	Frequency	Cost	Likely Funding Source
<b>TOTAL</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>

**Funding sources for replacement of project:** As real property, this acquisition will not be subject to replacement.

**Total Regular Positions Created, Modified, or Abrogated through this Legislation, Including FTE Impact: N/A**

Position Title and Department*	Position # for Existing Positions	Fund Name & #	PT/FT	2012 Positions	2012 FTE	2013 Positions **	2013 FTE **
<b>TOTAL</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>

Position Notes:

**Do positions sunset in the future?** Not applicable.

**Other Implications:**

**a) Does the legislation have indirect financial implications, or long-term implications?**

The 2008 Parks and Green Spaces Levy provides funding for acquisition of new properties to create new neighborhood parks, and expand existing parks in and around urban villages. Funding has not been identified to develop and maintain the future park.

**b) What is the financial cost of not implementing the legislation?**

If this property is not acquired, there will be a delay in achieving one of the goals of the Neighborhood Parks Acquisitions subcategory of the 2008 Parks Levy Ordinance, which is acquiring property and expanding open space in the West Seattle Junction Hub Urban Village. This delay and further staff costs to meet this goal with another property would consume additional resources from the 2008 Parks Levy Fund.

**c) Does this legislation affect any departments besides the originating department?**

No.

**d) What are the possible alternatives to the legislation that could achieve the same or similar objectives?**

The Department could try to find another acquisition opportunity in the same area, but to do so would require spending additional resources and would delay the goal for park acquisition as called for in the 2008 Parks Levy. Additionally, the target site would likely be redeveloped with a high-density project at some point in the future, thereby eliminating its possibility for development as a neighborhood park.

**e) Is a public hearing required for this legislation? No.**

**f) Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation? No.**

**g) Does this legislation affect a piece of property? Yes.**

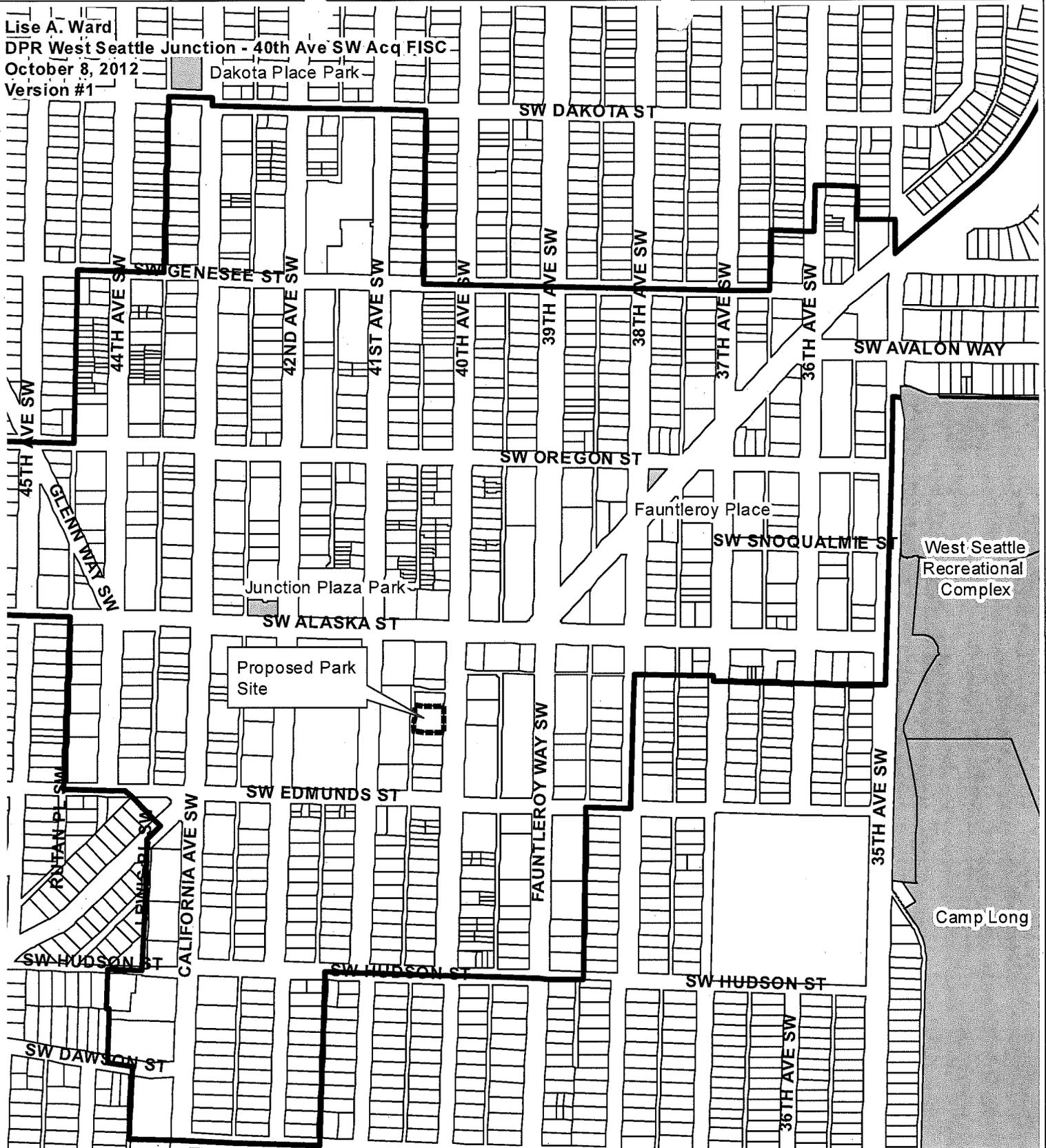
**h) Other Issues: None.**

**List attachments to the fiscal note below:**

Attachment A: Map of Proposed Park Site – 4731 40<sup>th</sup> Avenue SW

Attachment A

Lise A. Ward  
 DPR West Seattle Junction - 40th Ave SW Acq FISC  
 October 8, 2012  
 Version #1



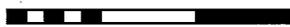
**West Seattle Junction Hub Urban Village  
 4731 40th Ave SW – Proposed Park Site**



**Legend**

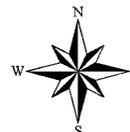
- Parcel of interest
- Park Boundary
- Urban Village Boundary
- Parcel Boundary

250 0 250 500



Feet

1 inch = 500 feet



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No warranties of any sort, including accuracy, fitness or merchantability accompany this product.

Map date: October 8, 2012

Document Path: V:\Project\WIS\2008 Parks and Greenpaces Levy\Acq\bill\ons\West Seattle Junction\4731 40th Ave SW - legis (Pans1 a).mxd



**City of Seattle**  
Office of the Mayor

November 13, 2012

Honorable Sally J. Clark  
President  
Seattle City Council  
City Hall, 2<sup>nd</sup> Floor

Dear Council President Clark:

I am pleased to transmit the attached proposed Council Bill that authorizes the acquisition of an approximately 11,500 square-foot vacant parcel located at 4731 40<sup>th</sup> Avenue SW, in the heart of the West Seattle Junction Hub Urban Village.

With over 1,500 dwelling units scheduled to come on line in the next couple of years, West Seattle Junction is an area in need of additional open space. In response to the demise of the Huling Brothers car dealership, the Department of Planning and Development (DPD) developed the West Seattle Triangle Urban Design Framework, which lays out a vision for a vibrant mixed-use district with locally-owned businesses, new residents, great transit connections and streetscapes, green features and public gathering places for West Seattle. Parks staff discovered a property for sale on 40<sup>th</sup> Avenue SW, an identified green street in the Urban Design Framework.

The subject property is a vacant, mid-block property listed for sale just to the west of a newly proposed 350-unit mixed-use development on the former Huling Brothers dealership site. The property is centrally located on 40<sup>th</sup> Avenue SW and will allow for through-block pedestrian access in this area of large blocks. This proposed park will serve the present and future residents of the West Seattle Junction Hub Urban Village.

The acquisition of this property will support the City's goal of providing parks within walking distance for residents in urban villages, and will serve the needs of the West Seattle Junction Hub Urban Village for many years to come. Thank you for your consideration of this legislation. Should you have questions, please contact Donald Harris at 684-8018.

Sincerely,

Michael McGinn  
Mayor of Seattle

cc: Honorable Members of the Seattle City Council