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Chip Nevins  
DPR West Seattle Junction 4723 40<sup>th</sup> Ave SW Acq ORD  
July 18, 2013  
Version #2

**CITY OF SEATTLE**  
**ORDINANCE** \_\_\_\_\_  
COUNCIL BILL 117910

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AN ORDINANCE relating to the 2008 Parks and Green Spaces Levy; authorizing the acquisition of real property commonly known as 4723 40<sup>th</sup> Avenue Southwest; authorizing acceptance and recording of the deed for open space, park, and recreation purposes; increasing appropriations to the Department of Parks and Recreation in the 2013 Adopted Budget; and amending the 2013-2018 Adopted Capital Improvement Program; 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 purchased the property at 4731 40th Avenue Southwest in 2012 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 Plan; and

1 WHEREAS, the City has determined that the property at 4723 40<sup>th</sup> Avenue Southwest, adjacent  
2 to 4731 40<sup>th</sup> Avenue Southwest, will allow for a bigger neighborhood park to address the  
3 open space needs of the West Seattle Junction Hub Urban Village and that it is in the  
4 public's best interest to acquire the same for open space, park, and recreation purposes;

5 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

6 Section 1. The Superintendent of Parks and Recreation, or his designee, is authorized to  
7 acquire, on behalf of the City of Seattle, the following described real property ("Property"),  
8 commonly known as 4723 40th Avenue Southwest, for a purchase price not to exceed  
9 \$720,000:

10 *Lots 36 and 37, Block 3, Scenic Park, according to the plat thereof recorded in Volume*  
11 *15 of Plats, page 34, records of King County, Washington.*

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

19 Section 3. In order to pay for necessary capital costs and expenses incurred, or to be  
20 incurred, but for which insufficient appropriations were made due to causes that could not  
21 reasonably have been foreseen at the time the 2013 budget was adopted, the appropriation for  
22 the following in the 2013 Adopted Budget and the 2013-2018 Adopted Capital Improvement  
23 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)	\$750,000

Section 4. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by a three-fourths (3/4) vote of all the members of the City Council the \_\_\_\_ day of \_\_\_\_\_, 2013, and signed by me in open session in authentication of its passage this \_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
President \_\_\_\_\_ of the City Council

Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Michael McGinn, Mayor

Filed by me this \_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Monica Martinez Simmons, City Clerk

(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 4723 40<sup>th</sup> Avenue Southwest; authorizing acceptance and recording of the deed for open space, park, and recreation purposes; increasing appropriations to the Department of Parks and Recreation in the 2013 Adopted Budget; and amending the 2013-2018 Adopted Capital Improvement Program; 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 a 5,750 square-foot vacant property located at 4723 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 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 closure 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. In 2012 DPR acquired an 11,500 square foot property at 4731 40<sup>th</sup> Avenue SW for a new neighborhood park. The acquisition of the adjacent property at 4723 40<sup>th</sup> Avenue SW will, when developed, enlarge the new park to over 17,000 square feet to better serve the present and future residents of the West Seattle Junction Hub Urban Village. This enlarged neighborhood park, when developed, will also support 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. A park will not be developed 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	January 2013	October 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:**

Fund Name and Number	Department	Budget Control Level*	Existing 2013 Appropriation	New 2013 Appropriation (if any)	2014 Anticipated Appropriation
2008 Parks Levy Fund (33860)	Parks and Recreation	K720010		\$750,000	\$0
<b>TOTAL</b>				<b>\$750,000</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:**

Spending Plan and Budget	2013	2014	2015	2016	2017	2018	Total
Spending Plan	\$750,000	\$0	\$0	\$0	\$0	\$0	\$750,000
Current Year Appropriation	\$750,000						
Future Appropriations		\$0	\$0	\$0	\$0	\$0	\$750,000

Spending Plan and Budget Notes: The current budget for this project is \$750,000. The purchase price will not exceed \$720,000, with an additional budget of \$30,000 for administrative time, title insurance and closing costs, environmental testing, survey, etc. The acquisition is scheduled to close October 2013.

**Funding Source:**

Funding Source (Fund Name and Number, if applicable)	2013	2014	2015	2016	2017	2018	Total
2008 Parks Levy Fund (33860)	\$750,000	\$0	\$0	\$0	\$0	\$0	\$750,000
<b>TOTAL</b>	<b>\$750,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$750,000</b>

Funding Source Notes:

Costs for this acquisition will be covered by the Neighborhood Parks Acquisition subcategory of the Levy. (The City has applied for King County Conservation Futures funding to reimburse up

to 50% of the expenditure.)

**Bond Financing Required: N/A**

Type	Amount	Assumed Interest Rate	Term	Timing	Expected Annual Debt Service/Payment
<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	2013	2014	2015	2016	2017	2018	Total
<b>Uses</b>							
Start Up							
On-going	145	1,130	1,276	1,302	1,328	1,355	<b>6,536</b>
<b>Sources</b>							
Parks and Recreation Fund (10200)	145	1,130	1,276	1,302	1,328	1,355	<b>6,536</b>
<b>Total</b>	<b>145</b>	<b>1,130</b>	<b>1,276</b>	<b>1,302</b>	<b>1,328</b>	<b>1,355</b>	<b>6,536</b>

Operation and Maintenance Notes: Estimates assume acquisition date of October 31, 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.

**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>						

Position Notes:

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

**Other Implications:**

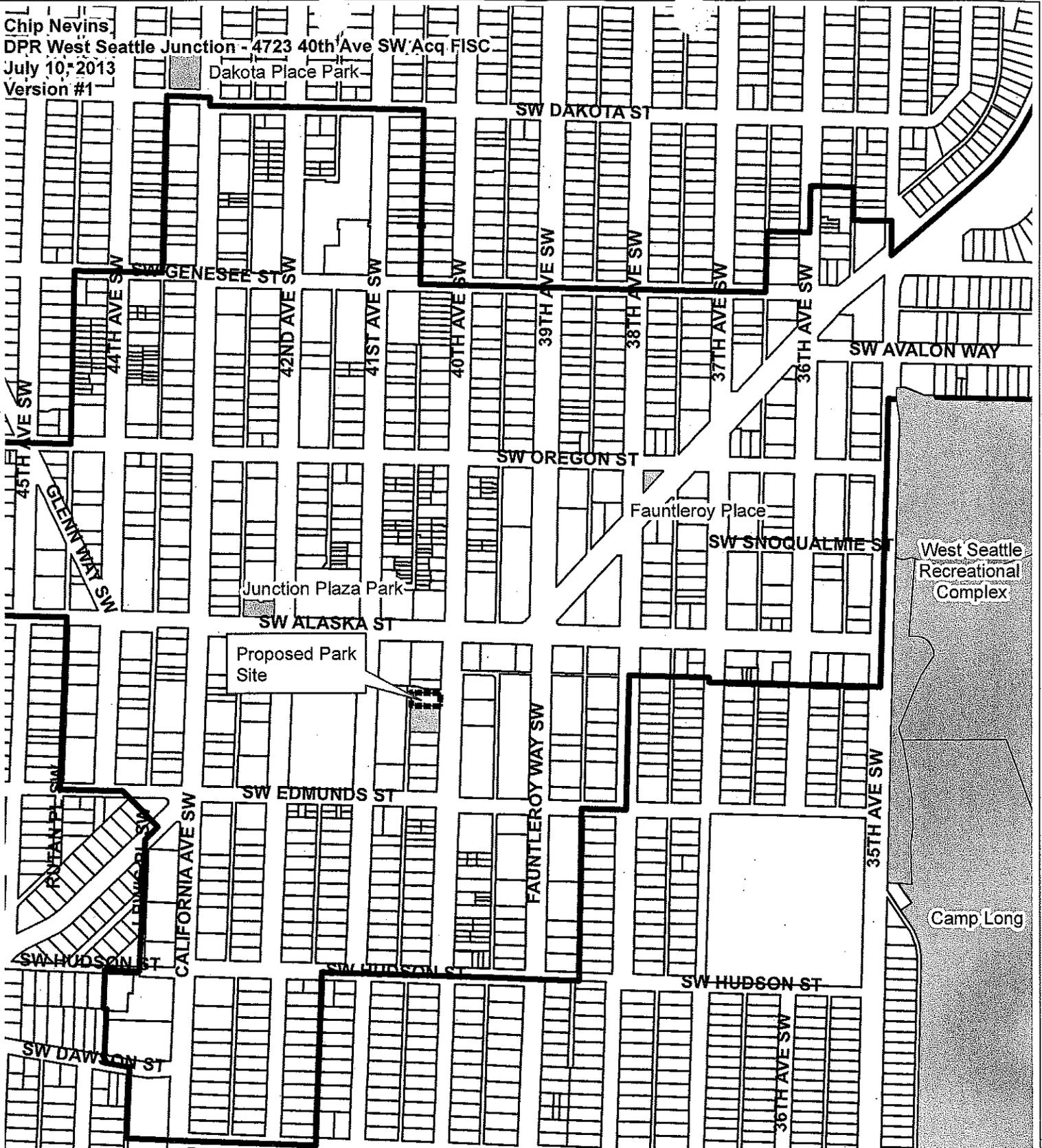
- a) **Does the legislation have indirect financial implications, or long-term implications?**  
 The 2008 Parks and Green Spaces Levy provides funding for acquisition of new properties to create new neighborhood parks, and expand existing parks in and around urban villages. Funding has not been identified to develop and maintain the future park.
- b) **What is the financial cost of not implementing the legislation?**  
 There is no financial cost to not implementing this legislation. However by acquiring this property the new neighborhood park in the West Seattle Junction Urban Village will be larger and better able to accommodate the increased density going in around the park.
- 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?**  
 There are no other properties that could be acquired to enlarge this park. Additionally, the target site would likely be redeveloped with a high-density project at some point in the future, thereby sandwiching the new park between developments.
- 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:**

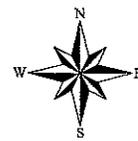
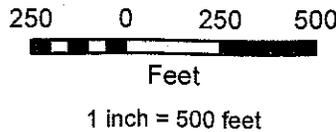
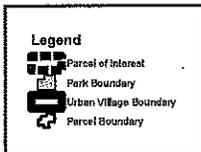
Attachment A: Map of Proposed Park Site – 4723 40<sup>th</sup> Avenue SW

Attachment A

Chip Nevins  
 DPR West Seattle Junction - 4723 40th Ave SW Acq FISC  
 July 10, 2013  
 Version #1



**West Seattle Junction Hub Urban Village  
 4723 40th Ave SW – Proposed Park Site**



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

Map date: July 10, 2013

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City of Seattle  
Office of the Mayor

August 13, 2013

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 5,750 square-foot vacant parcel located at 4723 40<sup>th</sup> Avenue SW, in the heart of the West Seattle Junction Hub Urban Village.

With over 1,500 dwelling units scheduled in the next couple of years, the West Seattle Junction is an area in need of additional open space. In response to the closure 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 vibrant vision for a mixed-use district with locally-owned businesses, new residents, great transit connections and streetscapes, green features and public gathering places for West Seattle.

The subject property is adjacent to an 11,500 square-foot parcel that Parks recently acquired. The two properties will result in a 17,250 square-foot neighborhood park adjacent to two newly proposed mixed-use developments on the former car dealership site. This proposed park will serve the present and future residents of the West Seattle Junction Hub Urban Village.

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,

A handwritten signature in black ink, appearing to read "m. mcginn".

Michael McGinn  
Mayor of Seattle

cc: Honorable Members of the Seattle City Council