

## Department of Parks and Recreation

Seattle Board of Park Commissioners  
Meeting Minutes  
April 8, 2010

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### ***Board of Park Commissioners:***

Present:

Neal Adams, Vice-chair  
John Barber  
Terry Holme  
Diana Kincaid  
Donna Kostka  
Jackie Ramels, Chair

Absent:

Jourdan Keith

### ***Seattle Parks and Recreation Staff:***

Christopher Williams, Deputy Superintendent  
Sandy Brooks, Coordinator

Commissioner Ramels called the meeting to order at 7:00 pm and reviewed the meeting agenda topics.

**Commissioner Holme moved approval of the agenda as presented and the February 11, February 25, and March 11 minutes as corrected, and the record of correspondence. Commissioner Adams seconded the motion. The vote was taken, with all in favor. Motion carried.**

## **Superintendent's Report**

Deputy Superintendent Williams reported that Superintendent Gallagher is in Australia, speaking at a conference on the Department's "Healthy Parks, Healthy You" initiative. He reported on the following items. To learn more about Seattle Parks, see the website at <http://www.seattle.gov/parks/>.

### **Mid-year Budget Cuts**

Deputy Superintendent Williams reported that the Department received its mid-year budget target cut from the Mayor's office today. The City has a \$10 million deficit. Parks initially thought its share of this deficit would be \$1.5-\$2 million dollars. However, it learned today that its portion is 25% or \$2.5 million. The City's Budget Office is predicting an additional \$50 million deficit for 2011. If Parks' portion of that is 25%, it will be an additional \$12.5 million cut, in addition to all the previous cuts. The Department's proposal for the mid-year cut is due to the Budget Office by April 19.

### **P-Patches**

Seattle Parks Department provides land for 23 of the City's 73 P-Patches, which accounts for approximately 53 percent of all P-Patch participants. Parks has concerns about how long an individual is allowed to keep the same plot, the size of the plots, that some P-patch users are not Seattle residents, and that some have as many as four plots, when there is a waiting list for sites. Mayor McGinn wants additional information on the program and Stella Chao, Department of Neighborhoods Director, and Deputy Superintendent Williams will meet.

**Working with the Mayor's Office to find a location for Share/Wheel:** Mayor McGinn has asked several City departments to look for a location for SHARE/WHEEL. Deputy Superintendent Williams met with Deputy Mayor Phil Fuji today to discuss this.

**Magnuson Park Building 41:** The Superintendent and staff met with Seattle Court Sports Unlimited (SCSU) representatives to explore other options to demolition of Building 41, including a new building south of Building 41 or renovation of Building 18. However, none of these other options were feasible for SCSU or its investors. A SEPA checklist with a Determination of Non-Significance for demolition of building 41 has been completed. The deadline for public input is April 21. The State Historic Preservation Office (SHPO) has now approved the design for the new building. Parks is working with SHPO on a Memorandum of Agreement for mitigation which will likely be some form of documentation of the history of the building. The legislation is tentatively scheduled to go before the City Council's Parks and Seattle Center Committee on May 20. Some community members want to use Building 41 as a site for a museum/interpretive center. The Department is still committed to working with these citizens in finding an alternative site, perhaps Building 18; however, funding will have to be secured for renovation for any alternative site.

**Water Taxi Event at Seacrest:** On Sunday, April 11, from noon – 2 pm there will be a celebration at Seacrest Park in West Seattle to celebrate/introduce seasonal service of the West Seattle Water Taxi's in its 13<sup>th</sup> year of service. This season there is a new vessel, new Seattle terminal location, and improved West Seattle facility. Activities will include free water taxi/shuttle rides all day, family fun refreshments and speakers. Deputy Superintendent Williams will be there to help celebrate the installation of the new floating dock. Parks is very pleased with the new dock facility and all of the recreational opportunities that it will provide for the community.

**Center City Parks Task Force:** This group will meet once more to refine its recommendation for Seattle's downtown parks and how to make those parks feel more usable and safe for families. Parks staff will present the recommendations to the Park Board on May 27. The recommendation will contain a proposed management structure for Downtown Parks.

**Lowman Beach:** King County has briefed Parks staff and held public meetings on its various Puget Sound drainage basins that need combined sewer overflow control improvements. They are looking at installation of a large storage tank and related facilities that would take much of Lowman Beach Park. Parks has reminded King County of its policies against non-parks uses of park land and the community has raised concerns on the loss of the park.

**West Seattle Golf RFP:** Parks has been contacted by over 35 design firms interested in providing design services for the West Seattle Golf driving range. Letters of interest/statements of qualifications are due on April 15. Applicants will be screened and the top firms interviewed during the first week of May, with construction slated for 2011.

**Lake Union Park Update:** Work is moving ahead on Lake Union Park. Concrete work on planters and the fountain is underway and work has begun on the Waterway 4 area. Seattle Parks Foundation is planning a two-day event for September, 24-25 to celebrate the re-opening of the renovated Lake Union Park.

**Black History Month Update – PEOPLE in PARKS:** Langston Hughes Performing Arts Center (LHPAC) created a new program, "PEOPLE IN PARKS", to celebrate Black History Month and to recognize the local African American Heroes and Heroines that Seattle Parks and Recreation have named parks in honor of. LHPAC used actual actors in each park to portray the person the park is named for. Each actor was assisted by a youth enrolled in Parks POWER OF PLACE – Youth Violence Prevention Initiative programs. The Parks included: Edwin T. Pratt, Dr. Blanche Lavisso, Powell Barnett, William Gross, Florasina Ware, and Dr. Homer Harris.

**Parks YVPI – Support to City SYEP Employment Flyer:** Parks YVPI staff facilitated the translation of the City Summer Youth Employment Program (SYEP) brochure into 14 languages. Having the basic info about SYEP employment in languages other than English allows parents to feel more comfortable that the City is trying to speak directly to them and that it knows the parents are an important part of the information loop.

**LHPAC Closure.** The construction closure of Langston Hughes Performing Arts Center (LHPAC) is somewhat behind because of a delay in grants. Construction is currently scheduled to begin in June. LHPAC staff will be relocated to the north parking lot in a temporary trailer during the construction period, which will conclude in early 2011. During the closure LHPAC is offering smaller iterations of its programs at various locations and classes are located at Park Department community centers.

**Lake City Community Meeting.** Over 120 people attended the Lake City open house last night, which was a great success. Two Park Board members attended; Donna Kostka and Diana Kincaid. Lots of good ideas about recreation programming were suggested and information was shared about the partnership between Parks and the Lions Club.

**Public Health CPPW (Communities Putting Prevention to Work) Grant:** Seattle & King County Public Health has been awarded two highly-competitive federal grants totaling \$25.5 million over two years to address obesity and tobacco use. The grants provide one-time funding for policy, systems, and environmental changes. Activities will have a population-level impact, as opposed to providing services and education to individuals.

Seattle Parks & Recreation is working with other Seattle City departments to craft Letters of Intent (LOI) to apply for funding to change policies, systems, and environments. The LOI is due April 21, with grants ranging from \$175-\$300,000. Parks is focusing on its policy work involving healthy vending machines, smoking prevention, community gardens, and exercise.

## **Oral Requests and Communication from the Audience**

The Chair explained that this portion of the agenda is reserved for topics that have not had, or are not scheduled for, a public hearing. Speakers are limited to two minutes each and will be timed, and are asked to stand at the podium to speak. The Board's usual process is for 10 minutes of testimony to be heard at this time, with additional testimony heard after the regular agenda and just before Board of Park Commissioner's business. Three people testified.

**Elizabeth Campbell:** Ms. Campbell described the ongoing appeal process of the Fort Lawton housing. The City lost its appeal and the next step is for the Superior Court to decide whether to hear the appeal. (For more information, see [http://www.seattlepi.com/local/403648\\_lawton20.html](http://www.seattlepi.com/local/403648_lawton20.html).) The next step is for the appeal to go before the State Superior Court, which may refuse to hear the appeal. The City would then be required to do a SEPA re: building housing on the former military site. She asked if the Department's property acquisition policy addresses this type of situation when it acquires property. She encouraged Commissioners to look at the site of the proposed housing, which is located inside Discovery Park. Commissioner Ramels asked Ms. Campbell to send her testimony in writing to the Board.

**John Nover:** Mr. Nover lives in West Seattle next to the new Orchard Street Ravine park and believes there are encroachments from nearby neighbors. Neighbors have pulled up the survey stakes from the public property. He will send his concerns in writing to the Department.

**Bill Farmer:** Mr. Farmer referred to the Seattle Parks/Seattle School District's Joint Use Agreement and believes in general it works well. However, the District charges nearly double what Seattle Parks charges and he asked the Department to look at this policy. He believes the policy itself is great; however, the implementation is another matter. He also asked that the District irrigate its fields in the summer so they are in better condition for teams to use.

## **Briefing: Parks and Open Space Acquisition Report**

Donald Harris, Seattle Parks' Property and Acquisition Manager, briefed the Board on the Department's acquisition program. Prior to this meeting, Commissioners received a written briefing, included below, and posted to the Board's web page for public review.

### **Written Briefing**

#### **Requested Board Action**

This briefing is to provide the Board with historical background and updated information about Parks and Recreations property acquisition program. No Board action is requested.

#### **Project Description and Background:**

*"Public open spaces are places where the seeds of sustainable communities take root – where people become neighbors and where cities become more livable." - Trust for Public Land's Green Cities Initiative.*

Since 1989/90 the Parks and Recreation Department has been involved in the implementation of three major acquisition programs.

- 1990–1998 – Open Space and Trails program (with 1989 King County bond funds)
- 2001-2009 – 2000 Pro Parks Levy
- 2009-2014 – 2008 Parks and Green Spaces Levy

A summary timeline of Parks property acquisition efforts from 1988 to the present is provided in Attachment A.

**Open Space and Trails program:** This program targeted 27 greenbelts and natural areas, as well as properties approved through an Opportunity Fund. By the end of 1998 approximately 600 acres had been preserved, more than double the 286 originally targeted. Preservation was accomplished through purchases, donations and transfers. The Open Space and Trails program had great success in leveraging the 1989 King County Open Space and Trails Bond to obtain additional funding. The program began with a budget of \$41 million from the King County 1989 bond issue, and received supplemental funding and accrued interest to bring the total cumulative budget to nearly \$100 million.

#### **2000 Pro Parks Levy** (formally the 2000 Neighborhood Parks, Green Spaces, Trails and Zoo Levy):

The Pro Parks Levy was approved by the voters in November 2000 and provided \$26,000,000 for park acquisitions. There were two subcategories: a) Neighborhood Park Acquisitions and b) Green Spaces.

- a) **Neighborhood Park Acquisitions:** Included the acquisitions specifically identified in Neighborhood Plans and other planning efforts. Such properties were generally developed into new neighborhood and community parks with funding from the Development category. Acquisitions included a number of surplus City Light substations. These included:

Alki Substation Acquisition	Lake City Civic Core Acquisition
Ballard Park Acquisition	Morgan Substation Acquisition
Bellevue Substation Acquisition	North Open Space Acquisitions
California Substation Acquisition	Northgate Park and Ride
Capitol Hill Park Acquisition	Queen Anne Park Acquisition
Central Area Park Acquisition	Smith Cove Acquisition
Delridge Open Space Acquisitions	Sylvan Way Acquisition
First Hill Park Acquisition	Whittier Substation Acquisition
Green Lake Open Space Acquisition	York Substation Acquisition

TOTAL for Neighborhood Park Subcategory: \$16,000,000

- b) **Green Spaces:** Included the acquisition of properties to fill gaps in the existing public ownership and preserve continuity within the City's designated green spaces (greenbelts and natural areas). In addition

to other designated areas, acquisitions were to target critical properties in St. Marks Greenbelt, along Longfellow and Thornton Creeks, and in the Leschi, Me-Kwa-Mooks, Duwamish Head, West Duwamish, East Duwamish natural areas. It was anticipated that most of the acquisitions in this category would be eligible for matching grants from state and county sources thereby significantly increasing the amount to be spent on Green Spaces.

TOTAL for Green Space Subcategory: \$10,000,000

Of the 18 neighborhood park acquisition projects originally identified in the Levy, 16 were acquired. Sites on First Hill are still being actively pursued for acquisition. Another project, the Sylvan Way acquisition, was not completed as the target property was developed with a subdivision. In 2002 a Green Spaces strategic plan was developed and approved by the Pro Parks Levy Oversight Committee that prioritized 13 of the City's green spaces for acquisition. More than 19 acres were preserved in this subcategory in 12 of the 13 prioritized projects.

In addition to the Neighborhood Park and Green Spaces categories, an additional 15 acquisition projects were identified for a total of \$7,370,000. These included:

Fremont Peak	12 <sup>th</sup> Ave Urban Center (12 <sup>th</sup> and E. James Ct)
Mt. Baker Ridge	International District – (Hing Hay expansion)
Ballard Corners (2 <sup>nd</sup> lot)	IDCC Room Addition
Maple Leaf Community Garden	Ballard Park (9 <sup>th</sup> N. W.)
Greenwood Park additions (2 lots)	Pinehurst
Ercolini (West Seattle)	Junction Plaza
Denny Triangle	Crown Hill School
University Heights Playground	Gateway North (Georgetown substation– legislation pending)

The acquisition program leveraged nearly \$22 million in additional funding for the Pro-Parks Levy. In total the program acquired and preserved nearly 47 acres of additional park land.

**2008 Parks and Green Spaces Levy:** In November 2008, Seattle voters approved a six-year Parks and Green Spaces Levy with a 59% favorable vote. As with the Pro Parks Levy, the new Levy provides for the acquisition of two types of properties: a) Neighborhood Park Acquisitions (\$24 M) and b) Green Space Acquisitions (\$6 M). In addition to the base funding, an inflation assumption of \$5.7 M is included in the Levy for an expected total of \$35.7 M for acquisition.

a) **Neighborhood Park Acquisitions:** This subcategory includes the acquisition of properties in areas that have been identified in the Parks and Recreation 2006 Development Plan and Gap Analysis as being deficient relative to the City's comprehensive plan goals. It is anticipated that the acquisition funding provided by the levy will be supplemented by funding from other sources. However, funding may still prove to be insufficient to complete acquisitions in all the 20 locations listed in the Levy and below.

12th Avenue Urban Center Village	Lake City Urban Village
Ballard Urban Village	Morgan Junction Residential Urban Village
Belltown Urban Center Village	North Rainier Urban Village
Bitter Lake Urban Village	Ravenna Urban Center Village
Capitol Hill Urban Center Village	University Urban Center Village
Chinatown–International District Urban Center Village	West Seattle Junction Urban Village
Urban Center Village	Westwood-Highland Residential Urban Village
Commercial Core Urban Center Village	Wedgewood Neighborhood
Denny Triangle Urban Center Village	Beach Drive
First Hill Urban Center Village	Greenwood-Phinney Ridge Fremont Urban Village

Neighborhood Park Priorities: It is the goal of the acquisition program to acquire property in as many of the 20 identified areas as possible, but that will depend on the cost of the property and the amount of supplemental funding we can attain. Given that the Levy states that there may not be enough funding to acquire property in all 20 areas, we have developed priorities based on **Need** (population and total amount of useable open space), **Equity** (acquisition funding received from the Pro Parks Levy program including supplemental funds) and **Opportunity** (areas seeing the impact of phase one of Sound Transit development).

Acquisition Process: The 5-step process for selecting appropriate park sites is as follows:

1. Gaining familiarity with project area: Through a review of the neighborhood plans, discussions with community members and the review and consolidation of information gathered during the 2000 Pro Parks Levy, Park staff will gain an understanding of the challenges and opportunities of the project areas.
2. Outreach to community groups: Park staff present the 2008 Parks and Green Spaces Levy Neighborhood Park Acquisition Program to the project areas' community groups and solicit ideas for potential park sites.
3. Public meeting: Parks staff convene a public meeting to gather further input on site selection and gain consensus on priorities.
4. Parks and Green Space Levy Citizen Oversight Committee: Park staff review community priorities with the levy oversight committee.
5. Contingent acquisition of site: After the public meeting, Park staff attempt to acquire priority site pending Mayor and City Council approval.

Site Identification and Evaluation Criteria:

- Site location within or adjoining the Urban Village
- Minimum area = approximately 10,000 square feet (about 1/4 acre)
- Frontage on key pedestrian routes
- Flat terrain or gentle slope to facilitate ADA accessibility and uses such as short-term sitting and picnics, as well as to minimize site development costs
- Sun orientation and avoidance of shading from existing or future Midrise buildings (i.e., location on SW or SE corner of block preferred)
- Location adjoining existing and/or immediate future uses that will generate appropriate park uses and provide "eyes on the street" to deter inappropriate uses – both for as much of the day as possible
- Willing sellers
- "Underutilized" sites without existing uses or structures that contribute significantly to property value or to demolition costs; (i.e., vacant properties, parking lots or properties with "tear-down" buildings)
- Properties with no or minimal relocation costs; i.e., vacant properties or those with fewer tenants
- Absence of development permit activity or development very early in process
- Minimal remediation costs for hazardous materials

**b) Green Space Acquisitions:** This subcategory includes acquisition of properties to fill gaps in existing public ownership and preserve continuity within the City's designated green spaces. Acquisitions will target critical properties in the following locations and in other designated green spaces:

Arroyos Natural Area  
East Duwamish Greenbelt  
Duwamish Head Greenbelt  
Northeast Queen Anne Greenbelt

Ravenna Woods  
Thornton Creek Watershed  
West Duwamish Greenbelt

Purposes of green spaces designation per the City's 1993 adopted Green Space Policy: Preserve natural landscape and habitat; natural buffers between land uses; mitigate noise and air pollution; reduce need for constructed storm water systems; preserve natural drainage and thereby enhance stability of land.

Recommended Priorities for Green Space Acquisitions: The Seattle Open Space Program (1989-1997) and Pro Parks Levy acquired many high resource-value properties, but left a significant number of inholdings and gaps; size and continuity are key to resource-value and prime habitat, suggesting importance of filling gaps and removing inholdings. Recommended priorities (not in ranked order) are:

- Inholdings that interfere with public access and Parks management;
- Gaps in existing Parks holdings;
- Best natural resource value; and
- Availability of funds other than Green Spaces subcategory.

Acquisition Projects completed to date:

Belltown Center Urban Center Village (transfer from Seattle Transportation as a Park Boulevard)	1.55 acres
Me Kwa Mooks Green Space -	.66 acres
Duwamish Open Space - Admiral Way	.12 acres
Fauntleroy Playfield addition (Donation)	.44 acres
Thornton Creek #6 Addition	.25 acres
<b>Total</b>	<b>3.02 acres</b>

Pending acquisitions:

- Soundway/West Duwamish Green Space transfer of jurisdiction
- Georgetown Pump Station transfer of jurisdiction from City Light
- Lake City Neighborhood Park
- Capitol Hill Neighborhood Park
- Fremont Neighborhood Park
- First Hill Neighborhood Park

Attachment A

**Seattle Open Space: Two Decades in Review**

- 1988 Open Space Policies including framework policies, implementation guidelines, and initial target areas adopted by Seattle City Council. Countywide open space ballot measure is rejected by voters, in part because insufficient funds targeted toward open space in Seattle.
- 1989 Citizens committees created in King County, Seattle and other jurisdictions to shape proposed countywide Open Space and Trails ballot measure. \$117 million King County Open Space and Trails Bond approved by voters, including \$41 million for Seattle open space and trail projects. Voter approval rate: 72% in Seattle, 63% in rest of county. Seattle receives first grants from countywide Conservation Futures Tax.
- 1990 Seattle Citizens Open Space Oversight Committee formed. Seattle Open Space Program makes first property acquisitions. Opportunity Fund process begins: 133 property nominations received. State IAC/WWRP matching grants received by Open Space Program. Proposition 21 (TREE) rejected by voters. Voter approval rate: 49% in Seattle, 33% in rest of county.
- 1991 Hundreds of citizens testify in support of Opportunity Fund nominations. Twelve Opportunity Fund target acquisitions approved by City Council. Urban Trails Policy adopted by City Council.

- 1992 More than 100 acres preserved by Open Space Program.  
Environmental Action Agenda endorsed by City Council, with a major priority to protect open space, urban forest, and wildlife habitat areas.
- 1993 Greenspaces Policy and Green Streets Policy adopted by City Council.  
Parks Comprehensive Plan approved by City Council.  
Public process conducted for Regional Conservation Futures Bond; \$20.2 million approved for Seattle open space projects.  
Current Use Taxation process for open space established by King County.  
Shoreline Park Improvement Fund public process completed; City Council approves funds for projects, including purchase of six open space sites.
- 1994 More than 300 acres now preserved by Open Space Program.  
Goals and objectives of Seattle Urban Wildlife and Habitat Plan prepared by Parks and Recreation and approved by City Council.  
Urban Forest Restoration Program begun by Parks and Recreation.  
Comprehensive Plan adopted; open space goals set for urban villages.
- 1995 25<sup>th</sup> Anniversary of Earth Day: restoration projects at 100 sites in Seattle.
- 1996 More than 400 acres now preserved by Open Space Program.  
Recreation and Conservation Bond rejected by voters. Voter's approval rate: 57% in Seattle, 42% in rest of County.  
Policies on public access to shoreline street ends are adopted by City Council.
- 1997 More than 500 acres preserved by Open Space Program.
- 1998 Open Space acquisition with 1989 bond funds completed.
- 2000 Seattle voters approve the \$200 million Pro Parks Levy Program including \$26 million for Neighborhood Parks and Green Spaces acquisition.
- 2002 Pro Parks Levy Oversight Committee recommends \$5,000,000 of first round Opportunity Funds for acquisition projects.
- 2005 Pro Parks Levy Oversight Committee recommends additional acquisition funding in the second round of the Opportunity Fund.
- 2008 \$145.9 million Parks and Green Spaces Levy approved with a 59% favorable vote
- 2009 Pro Parks Levy essentially completed having acquired 46.88 acres of park land, expending \$55,000,000 including \$22 million in leveraged funding.

### ***Verbal Briefing & Discussion***

Mr. Harris introduced himself and reviewed information in the written briefing. He showed a large map and pointed out the 13 original greenbelts. He next described the Property and Acquisitions unit, which consists of nine staff members, with one person handling all the GIS info and another who works part-time to manage the extensive property records and other files. Mr. Harris reviewed how the Department purchases new properties and displayed a map of the Capitol Hill area, as an example.

Commissioner Kostka referred to public testimony earlier tonight about the Fort Lawton property. Mr. Harris responded that the City is attempting to balance both housing and park needs in its decision to use the former

military housing site for public housing. Seattle Parks is a strong advocate of park land, but is also part of the greater City process. Commissioner Kostka stated that, at the beginning of the process, the federal government indicated it needed to receive a certain amount of money from the property. Does the City have any influence in this? Mr. Harris responded that former Senator Jackson was very instrumental in helping convert military sites in Seattle to public park land. However, at this time the federal government, like all other governments, is struggling financially.

Commissioner Kincaid asked if there is an updated GAP analysis and Mr. Harris responded that it is available online. [<http://www.seattle.gov/parks/publications/gapreport.htm>.] She asked about the Department's efforts to secure new park property on First Hill. Mr. Harris answered that the Department lost out on buying property on Sylvan Way and is now looking at two sites near St. Marks on 8<sup>th</sup> and 9<sup>th</sup> Avenue.

Commissioner Barber asked if the Department has other funding sources available, other than the Parks and Green Spaces Levy. Mr. Harris responded that Parks receives approximately \$2.7 million from the King County Conservation Future Fund and was successful in getting \$500,000 from the Washington State Wildlife's Interagency Committee for Outdoor Recreation fund.

Responding to a question from Commissioner Adams on when the Department will reach its goal of purchasing property, Mr. Harris answered that the effort is two-fold where the Department tries to get named properties in neighborhoods and continues its efforts to piece together green spaces. At this time, Parks owns about 65% of Seattle's undeveloped green spaces.

Commissioner Holme thanked Mr. Harris for the excellent presentation and suggested it be presented to the Parks and Green Spaces Levy Oversight Committee. Commissioners agreed and thanked Mr. Harris for this informative briefing.

## **Briefing: Encroachments on Park Land**

MaryLou Whiteford, Seattle Parks Senior Real Property Agent, briefed the Board on encroachments on park land. Commissioners received a written briefing, included below, prior to the meeting. The briefing was posted to the Board's web page approximately one week prior to tonight's meeting for the public's convenience.

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### **Project Description and Background:**

A policy to protect and preserve park lands by preventing unauthorized non-park uses and eliminating encroachments was adopted by the Department and endorsed by the City Council in 1996 through Resolution 29475 (policy attached). The policy was reinforced in 2008 by the Strategic Action Plan, Goal 4, Maintain Parks and Recreation's Land and Facilities, "...reclaim encroachments of private property on Parks and Recreation land."

Encroachments are generally physical improvements (a fence, part of a building, a paved area), but may be landscaping, such as a hedge, or just an established long-term or temporary private use, such as a storage area or construction staging. Encroachments are most often brought to Parks' attention through citizen complaint, staff observation, or notification associated with a permit application or inspection by another agency. In addition, Parks becomes aware of encroachments through Geographic Information Systems (GIS) aerial mapping.

When encroachments are identified, Parks asks for voluntary correction; if the responsible party does not comply, they are formally notified through a procedure established by Seattle Municipal Code. The procedure requires a formal 30-Day Notice of Abatement and provides for fines (\$100 per day) and/or escalation to legal action for failure to comply. In some cases, Parks may allow the encroachment to remain for a limited period of time, typically three years or less, under a Revocable Use Permit (RUP). RUP fees are set by ordinance and are based on the assessed value of the property.

Parks addresses encroachments on a site-by-site basis, responding to a complaint or an individual situation. Parks concentrates first on health/safety and liability concerns; new or expanded non-parks uses; situations where correction of the encroachment will be accomplished in connection with some other permitting action; or where Parks has an improvement project planned or underway.

The most significant impact and best cooperation from property owners has been achieved by proactive efforts addressing an entire park or large portion of a park. These are referred to as areas of comprehensive effort. This approach benefits from peer pressure, no one feels "singled out," and fair and equitable treatment is apparent to all. In every instance, the Mayor and Council support is critical to a successful outcome.

### **Recent Activities**

A recent 2008-2009 successful project at Seward Park combined elements of both a responsive and a proactive approach. The project originated as an individual complaint of a new encroachment creating potentially hazardous conditions. A survey confirmed the encroachment, plus many more, presenting it as appropriate for an area of comprehensive effort (the entire westerly boundary of Seward Park). Additionally, restoration of the reclaimed land was tied in with a vegetation management project by the Department that removed invasive and ornamental plants and replanted with Northwest native species.

Of the 15 adjacent property owners at Seward Park, 11 had some level of encroachment. Only one situation presented a significant challenge, with an intense effort by the property owners to sway public opinion and political support to allow the extensive encroachments to remain. Parks continues to work with this property owner towards elimination of the encroachment. Elimination of the encroachments at Seward Park resulted in the recapture of approximately three-fourths of an acre of extremely valuable park land, including more than 150 feet of shoreline, for public use and enjoyment.

A project of similar size and scope is currently underway at Volunteer Park. Of 16 adjacent property owners, 13 had some level of encroachment. We have received excellent cooperation from most neighbors. As of this date, we are in negotiation with only two adjacent property owners who have not yet committed to relinquishing the park land they are occupying.

### **Next Steps/Work Program**

The next focus for encroachment removal will be the westerly boundary of the Washington Park Arboretum (26<sup>th</sup> Avenue East from Lynn Street to Interlaken Boulevard). Preliminary work indicates that approximately 30 of the 44 neighboring property owners have some level of encroachment into the park. Encroachments along this section present an impediment to implementation of the Arboretum Master Plan. Work on this area of comprehensive efforts is anticipated to begin in the second quarter of 2010.

After the Arboretum, the plan is to first concentrate encroachment removal on a portion of the Burke-Gilman Trail and then along Cheasty Boulevard. The Burke-Gilman Trail, from 40<sup>th</sup> Avenue NE to NE 60<sup>th</sup> Street, has been recommended for concentrated effort in conjunction with work by a group of active volunteers engaged in a multi-year effort to remove invasives and revegetate the Trail property with Northwest natives, consistent with the Department's Vegetation Management Plan.

At Cheasty Boulevard, a major encroachment elimination effort was begun in 2000 and continued in conjunction with the capital improvement project completed in 2005 that installed a walking path along the entire length of the Boulevard. Sound Transit's recent completion of the Light Rail station on Winthrop Street (part of Cheasty Boulevard) provided extensive new landscaping, creating a first-time-ever identifiable entry to the Boulevard. Parks wants to revisit Cheasty Boulevard to clear any new encroachments that may have occurred and complete work in a few persistent problem areas.

## **Issues**

Public support for reclaiming park land has been strong. However, some individual property owners asked to eliminate encroachments have resisted, sometimes engaging legal help and/or requesting intervention from City Council members or the Mayor's Office. Parks' efforts to reclaim land entails meeting with owners on an individual basis; requesting assistance from the Law Department, if necessary; and providing information to Council or Mayoral staff, if requested.

The primary issue regarding encroachments is the sheer size of the backlog. The number of encroachments was estimated at 1,400 in 1996. Despite some successes, we believe that number is not reduced significantly and may have been underestimated at that time. Property Management staff that handles encroachments is small and works on many things. There is no staff dedicated exclusively to encroachments.

## **Budget**

Property Management activities are supported by the General Fund. Currently there is no discrete fund source for physical removal of encroachments and restoration. District crews and Horticulture staff, as well as the Conservation Corps, work on encroachment removal with costs absorbed by their regular unit budgets. Some past encroachment elimination projects, such as those on Cheasty and Queen Anne Boulevards, were undertaken in conjunction with capital-funded improvement projects and benefited from that connection.

## **Schedule**

Encroachment elimination work is on-going and the areas identified for concentrated activity may be selected or substituted according to opportunity (perhaps a capital project) or immediate needs (perhaps to correct a new problem).

## **Additional Information**

MaryLou Whiteford: [marylou.whiteford@seattle.gov](mailto:marylou.whiteford@seattle.gov)

Attachment: Policy on Non-Park Uses of Park Lands » [Non-Park Use Policy](#) (PDF)

### ***Verbal Briefing/Discussion and Recommendation***

Mr. Harris introduced Ms. Whiteford, an exemplary Parks' property agent who deals with encroachments in a sensitive way. Ms. Whiteford also manages the Department's property files, maintains the history of how all property came under the ownership of Seattle Parks, responds to claims and public disclosure requests, answers inquiries from other City Departments, reviews any plans from the Department of Planning and Development that might impact a park, and handles the Department's Revocable Use Permits.

Ms. Whiteford reviewed information in the written briefing paper and listed some examples of encroachments as buildings, play equipment, a zip line, tether line, hot tubs, fences, personal storage, hedges, and gates. People often encroach unintentionally. In the 1920's, 30's, and 40's, a number of homeowners received special permits to "beautify" park land and current homeowners inherited the encroachments, not knowing that it was public property; some don't realize that it is park property; some say "Seattle Parks isn't using the property anyway", "isn't taking care of the property and I am", "this isn't hurting anything; "need place space for my kids", "there isn't enough parking space in this area", and "why are you singling me out?"

Many offer to buy the property and when they learn they can't buy publicly-owned park property, they request a permit to use the property for free and in perpetuity. Ms. Whiteford noted that there are two permits and both are very costly. The permit cost at Volunteer Park is based on a property value of \$140 per square foot and \$20-40 sq. foot at Seward Park

Encroachments are addressed for a variety of reasons: a neighbor notices something new on park property and files a complaint; the encroachment is a safety/health issue; or the property is offered for sale and the Department tries to address the encroachment at that time. The most effective method is a comprehensive approach like that at both Seward and Volunteer Parks. Ms. Whiteford showed several photos of

encroachments on park land and of the site after the encroachment is removed. The Department recovered  $\frac{3}{4}$  of an acre at one site, where a homeowner had developed their own private beach on park property. She stressed that the City can't find or buy this "re-found" land.

Commissioner Barber asked if there is a site the public can access to determine if they are encroaching on park land. Ms. Whiteford responded that they may access the information at the City's Department of Planning and Development website and cross check it with King County's records. Commissioner Holme asked how effective are the fines. Ms. Whiteford responded that the Department can fine encroachments up to \$100 per day; however, the fines must be instituted through the Law Department and are not one of their highest priorities. And, a goal of the Department is to work with park neighbors and resolve the issues in an amicable manner, when possible.

Commissioner Holme noted that the federal government and other granting agencies hold the Department responsible to protect any parks funded by grant resources. Commissioner Barber asked if Seattle Parks ever installs permanent boundary markers and Ms. Whiteford responded that it does this frequently, most often by the surveyors. These surveys then become permanent records. She pointed out, however, that the markers are wooden stakes and often pulled out of the ground. When asked by Commissioner Barber if the markers can be set in concrete, Ms. Whiteford responded that it would be cost prohibitive.

Commissioner Kostka complimented Mr. Harris and Ms. Whiteford for doing a great job. She suggested they try to get an extensive article in the local paper(s) about the encroachments to help make the public more aware. The other Commissioners enthusiastically agreed with this suggestion.

Commissioner Holme added that complaints from the public help ensure that public park land is re-claimed from private use. Ms. Whiteford noted that an encroachment was noted just yesterday on a neighborhood blog, as a contractor caused some damage to the nearby park. The contractor is contrite and will repair the damage and remove the encroachment. Commissioner Ramels appreciates the diligence Seattle Parks has in dealing with encroachments on public land. She stated that Seattle Department of Transportation owns the streets and sidewalks and isn't nearly as diligent about protecting the public's property from private use, in her opinion, judging from her observations of a sidewalk project on Beach Drive.

Commissioner thanked Ms. Whiteford for the excellent and interesting briefing.

## **Briefing: Joint Use Agreement with Seattle School District**

Nathan Torgelson, Seattle Parks Real Property Manager, and Dennis Cook, Seattle Parks Citywide Athletics Manager, briefed the Board on the development of a new Joint Use Agreement with Seattle School District. Prior to this meeting, Commissioners received a written briefing which was also posted to the Board's web page for the convenience of the public.

### *Written Briefing*

#### **Requested Board Action**

This is a briefing to provide information to the Board about the renewal of the Joint Use Agreement between the Seattle Public School District (the District) and Seattle Parks and Recreation (Parks). No Board action is required at this time.

#### **Project Description and Background**

##### **Background**

Since the 1920s, the District and Parks have been sharing key assets and resources to meet continuous youth and community desires for recreation and enrichment opportunities. Since 1995, a Joint Use Agreement between the District and Parks has spelled out the parameters of shared use with renewal every five years. The existing agreement expires August 31, 2010. Parks staff is currently negotiating the renewal of the agreement for 2010-2015.

The purpose of the agreement is to:

- Effectively and efficiently manage use of District and Parks' facilities and grounds for the benefit of the community. We both serve the same taxpayers.
- Encourage joint use of facilities, such as gymnasiums, athletic fields, swimming pools and other facilities, and to give priority usage to the agreement partner after the owner agency's programming and community obligations are met.
- Establish procedures to encourage cooperative working relationships between District and Parks staff at all levels and to quickly resolve issues.
- Equitably schedule and distribute the time available and the cost of providing the facilities and grounds.

### **Changes since Last Agreement**

The draft of the renewed agreement includes the following key changes from the existing one:

- Creates a more user-friendly document;
- Provides better communication and follow-up annual training on the agreement for District principals;
- Adds information about prioritization for the use of athletic fields and tennis courts;
- Incorporates quantitative performance measures and a reporting matrix; and
- Drops references to the Woodland Park Zoo and the Seattle Aquarium.

### **Strategic Action Plan**

While the Joint Use Agreement is not specifically called out in Parks Strategic Action Plan, the key applicable Goal statement is:

*Goal 6: Strengthen Organizational Systems and Structures*

- A. *Identify partnerships that support efficient and effective service and program delivery*
3. *Develop an active approach and the institutional capacity to build and nurture partnerships with private entities, public agencies, nonprofit organizations and community groups.*

### **Issues**

Negotiations with the District have gone well and most issues have been resolved. Two key issues are still under active negotiation:

Swimming Pools—District High School swim teams have historically used Parks' swimming pools from 2:30 to 4pm. With high schools now starting 30 minutes later in the morning, high schools would like to shift the swim team pool time to 3 to 4:30pm. Parks' swimming lessons and some private swim clubs start at 4pm. These lessons and private swim teams provide an important service to the community and are a major revenue source for Parks' Aquatics program. Parks has offered Saturday morning times for District swim teams with no facility rental costs.

Performing Arts Facilities—Parks would like access to the District's performing arts facilities at Nathan Hale, Roosevelt, Garfield and Rainier Beach High Schools, especially through early 2011 when Langston Hughes is closed for renovations. While these facilities are booked for a majority of the school year, there are some openings that Parks would like to take advantage of. The District's main issue is that they don't have theater managers, and would need to use existing drama teachers to staff the facilities while in Parks use. The District is concerned about the facility lights, stage sets and other technical equipment which are expensive and require specialized training.

### **Budget**

Current Department resources will be used to implement the agreement. No additional funding is requested at this time.

### **Schedule/Public Involvement Process**

November 9, 2009: District and Parks Staff Mini-Retreat to Discuss Issues; form Working Groups

Nov 2009—Jan 2010: Working group meetings to resolve issues in following areas: Pools, Performing Arts Facilities, Fields, Existing Facilities, Cost and Use of Facilities, Performance Measures, Scheduling and Prioritizing, Communications and Meetings/Dispute Resolution.

January—March Working groups report back to project leads from District and Parks; project leads begin to rewrite documents; negotiate unresolved issues from working groups

April 9: Briefing to Park Board

April--June Briefings to City Council and School Board

June Renewed agreement signed by District and Parks Superintendents

**Additional Information**

Nathan Torgelson, Real Property Manager, Seattle Parks and Recreation, (206) 684-0343, [Nathan.torgelson@seattle.gov](mailto:Nathan.torgelson@seattle.gov)

Ron English, Seattle School District, (206) 252-0651, [renghish@seattleschools.org](mailto:renghish@seattleschools.org)

Existing agreement available at: <http://www.seattle.gov/parks/Publications/JointUse.htm>

***Verbal Briefing/Discussion and Recommendation***

Mr. Torgelson introduced himself and Dennis Cook, Seattle Parks Citywide Athletics Manager. Ron English, their primary contact at Seattle School District, was unable to attend tonight’s meeting. Mr. Torgelson reviewed the history of the Joint Use Agreement, with the current one expiring at the end of August. His goal is to create a more user-friendly contract and develop a system to train the school principals.

A matrix has been developed to accurately measure the use of facilities by the two partners to help ensure an even use. SSD and Parks staff held a mini-retreat last fall and discussed the major issues of the agreement. Mini-teams then reported back and resolved most issues. However, there are two remaining issues to be resolved: 1) Parks’ swim pools: SSD is shifting the time it starts classes to 30 minutes later in the day, which impacts the timing of school student’s swim classes at the pools. This, in turn, impacts the public’s early morning use of the pools, which impacts Parks’ pool revenues. The partners are working to develop viable options. 2) Performing Arts Centers (PAC): Parks would like use of some of the District’s performing arts centers. This would be helpful, for instance, during this next year when Parks’ own Langston Hughes Performing Arts Center is closed for nearly a year for maintenance. The District’s challenge is that is reluctant to allow Parks staff to use the highly technical equipment at its PACs.

Responding to Commissioner Ramels’ inquiry whether the partners are close to signing the agreement, Mr. Torgelson responded that the two issues he reviewed must first be resolved and then the agreement will be signed.

Commissioner Kostka referred to citizen testimony about summer use and maintenance of SSD’s fields. Mr. Torgelson responded that the JUA does not go to that level of detail. He added that SSD has budget challenges similar to Seattle Parks. Deputy Superintendent Williams added that Parks schedules the SSD for play, but is not involved in the maintenance. The public could request that SSD maintain the fields at a higher level. He added that SSD has installed a number of synthetic fields, which require less maintenance and irrigation. He noted that fee schedules are not a part of the JUA.

Commissioner Adams commented that Seattle Parks “gets” the School District and wonders if the School District “gets” Parks, as he has heard over the years that it is difficult for Parks to resolve differences with the School District. He suggested that some capacity be built into the JUA that addresses this. Deputy Superintendent Williams responded that the School District has decentralized authority on the JUA so that principals at each school often interpret the agreement very differently. Mr. Torgelson is working with the SSD to develop a centralized authority on the agreement, which would include training for the school principals.

Commissioner Holme would like Parks and the School District to share performance information on their synthetic fields. This information would help ensure that the most successful fields are used as the model for future fields and that fields aren't just installed based on the lowest bid. Mr. Cook responded that the Department implemented this three years ago, at Commissioner Holme's suggestion.

Responding to a question from Commissioner Kincaid whether the SSD fields are monitored as well as Parks' fields, Mr. Cook responded that the SSD complexes are monitored very well, while the individual high school fields are not as well monitored. Commissioner Kincaid noted that SSD has fenced off many of its fields and wondered about public access. Mr. Cook answered they have replaced many standard gates with stiles and maze gates to allow the public access, while still protecting the fields [from vehicles driving onto them, etc.] Commissioner Kincaid complimented SSD for this change.

Commissioner Barber asked if the JUA applies to site-specific instances like that at Wallingford Playground/Hamilton School. Deputy Superintendent Williams answered that Seattle Parks will continue to educate SSD on its needs and have a JUA where uses are commensurate for both partners.

Commissioner Adams asked if Parks was consulted about the change of school hours. Mr. Torgelson answered that it wasn't. The decision has to do with the much bigger issue of the District's finances. Mr. Cook noted that re-scheduling fields to accommodate the change in hours is much easier than resolving the impact on the Department's pool users and revenue. Commissioner Holme noted that Seattle Parks' budget may require that some pools be closed and advised the Department to build this contingency into the Joint Use Agreement. Deputy Superintendent Williams agreed that this is an excellent point.

Commissioners thanked Mr. Torgelson and Mr. Cook for the update. Commissioner Ramels added that it is exciting to have a new process to develop the Joint Use Agreement.

### **Discussion/Recommendation: SR 520 Response to Supplemental Draft Environmental Impact Statement (SDEIS)**

David Graves, Seattle Senior Project Planner, has attended a number of Park Board meetings to present briefings on the SR 520 project and its potential impacts on Seattle's parks. He has been working with the Board to draft a response to the Supplemental Draft Environmental Impact Statement (SDEIS), with all comments due by April 15, 2010. He thanked Commissioners Barber and Kostka for sending additional comments via e-mail, following discussion at the previous Board meeting. Commissioners received a copy of the draft resolution. (Final resolution included below.)

**Commissioner Holme moved to approve Board's draft resolution on the SR 520 Supplemental Draft Environmental Impact Statement, including changes reviewed tonight. Adams seconded. Commissioner Kincaid made a friendly amendment to have a second Montlake Bridge to divert traffic to 23<sup>rd</sup>. Commissioner Holme did not accept the friendly amendment, as the bridge would not be on park property. The vote was taken on the motion, and was unanimously approved. Motion carried.**

The motion, as well as a cover letter, will be sent to WSDOT, City Council, and Mayor McGinn.

Discussion: Commissioners discussed that it is better for the Board to focus on impacts to the park system and not on the number of bridges, which is outside the Board's charge. Commissioner Kincaid wondered if all references to mitigation should be removed from the comments; Commissioner Adams responded that a project of this size will undoubtedly require mitigation. Mr. Graves added that the Board must react to the reality that the DSEIS shows SR520 ramps onto Lake Washington Boulevard and must respond to that.

Commissioners thanked Mr. Graves for his excellent work on the resolution and on this project.

## RESOLUTION

A RESOLUTION expressing the position of the Seattle Board of Park Commissioners regarding the SR 520, I-5 to Medina: Bridge Replacement and HOV Project.

WHEREAS, the Seattle Board of Park Commissioners has been in continuous existence since 1887 and acts in an advisory capacity to the Mayor, City Council, Seattle Parks and Recreation and other City departments; and

WHEREAS, State Route 520 has been, since its completion in 1963, and continues to be to this day, a blight on the Washington Park Arboretum; creating noise and visual intrusions into the park; encouraging cut-through traffic along Lake Washington Boulevard in much higher volumes than was originally intended for the boulevard, disturbing the serenity of the Japanese Garden, and affecting the passage of people and wildlife between Marsh and Foster Islands and the remainder of the Arboretum; and

WHEREAS, the Washington Park Arboretum is Washington State's official State Arboretum and contains internationally recognized woody plant collections and North America's largest collection of *Sorbus* and Maple, the second largest collection of species Hollies and significant collections of oaks, conifers and camellias; and

WHEREAS, a new Master Plan for the Arboretum was adopted in 2001 that was the culmination of five years of planning work undertaken by Seattle Parks and Recreation, the University of Washington, the Arboretum Foundation, community groups and members of the general public; and that will guide improvements to the Arboretum for the next 20 years, including many specific projects to enhance the physical and natural characteristics of the Arboretum such as increasing habitat diversity by restoring the natural function of Arboretum Creek and the northern shoreline; and

WHEREAS, the Washington Park Arboretum contains the largest freshwater wetland complex of its type in the Seattle region, and the Master Plan, in conjunction with the existing wetlands, includes the restoration, enhancement, and creation of new wetlands by restoring the ecological and wildlife function of the former garbage dump surrounding existing SR Route 520 ramps, and creating a Pacific Northwest Marshland collection along the shoreline of Union Bay; and

WHEREAS, implementation of the SR 520, I-5 to Medina: Bridge Replacement and HOV Project, as currently proposed, will forever compromise the aesthetic setting, biological diversity, educational opportunities, and physical connections for people and wildlife within the Washington Park Arboretum:

**NOW, THEREFORE, BE IT RESOLVED BY THE SEATTLE BOARD OF PARK COMMISSIONERS THAT:**

The Board cannot endorse any of the alternatives identified in the Supplemental Draft Environmental Impact Statement for the SR 520, I-5 to Medina: Bridge Replacement and HOV Project, issued on January 22, 2010, due to the profound negative environmental impacts the project would have on the Washington Park Arboretum and the other City of Seattle Parks along the SR 520 corridor. The Board makes the below recommendations

The preferred alternative chosen must be consistent with the following principles:

- The structure should minimize the impacts on the Washington Park Arboretum, especially the Japanese Garden and Foster and Marsh Islands, and other adjacent and nearby parks such as East Montlake and McCurdy Parks;
- The structure should have the least number of travel lanes possible;
- The structure width should be the minimum necessary for safe passage;

- Any structure should be designed to have the least amount of coverage and shadow impacts on park land below;
- Any structure should be designed to have the least amount of impact to wetlands, aquatic resources and fish, in particular Federally protected salmonids that travel through Portage and Union Bays to and from their spawning grounds and the Pacific Ocean;
- All construction activities must be sited and timed to have the least impact on park users and the natural environment;
- Clear, open, and safe access for people and wildlife under the structure must be provided to reconnect severed components of the Arboretum; and,
- Any required wetland mitigation must occur within the Arboretum first; if the area within the Arboretum is insufficient to accommodate the required mitigation, Park sites within Seattle or adjacent to Lake Washington must be considered.

Mitigation of the continuing highway and future project impacts must be considered, regardless of the alternative/option chosen, to re-establish the Arboretum experience. As a starting point, the following should be considered in any mitigation package:

- Address the traffic impacts to the Arboretum caused by increased traffic along Lake Washington Boulevard (LWB) including prohibiting access to and from SR 520 to LWB; repaving LWB with “quiet” pavement; incorporating other traffic calming measures in LWB to discourage through traffic movements;
- Completely fund the Arboretum Master Plan, including wetland and shoreline restoration and planting (approximately \$60 million);
- Develop the stormwater pond in East Montlake Park for educational use;
- Provide a park-like lid at Montlake (depending on the option, the lid should extend as far as possible given the geography) which will create a strong connection between the neighborhood and the Arboretum;
- Replace (at WSDOT’s expense) all of the functions served by the Museum of History and Industry (MOHAI) building; and,
- Design and provide access and parking at East Montlake Park for access to the Arboretum Waterfront Trail and for hand-launched boats.

The Board also respectfully submits the following comments in response to the Supplemental Draft Environmental Impact Statement (SDEIS) for the I-5 to Medina: Bridge Replacement and HOV Project issued on January 22, 2010:

- **Bagley Viewpoint** - Bagley Viewpoint is a well visited viewpoint along Delmar Drive East which provides views to the east of Lake Washington, Montlake Cut, the University of Washington and the Cascade mountain range. No other viewpoint in Seattle provides this unique view to the east. The viewpoint was redeveloped following the construction of the access freeway to the Evergreen Point floating bridge in 1963. The freeway cut the viewpoint off from its previous connection to Interlaken Park.
  - Loss of this unique viewpoint must be mitigated. The SDEIS indicates that a lid is proposed in this area that will provide similar view functions and also serve to reconnect the neighborhood through the triangle between 10<sup>th</sup> Avenue East, East Roanoke Street and East Delmar Drive. WSDOT must ensure that this lid remains part of the project and does not get removed due to funding concerns. Absent the lid, WSDOT must provide a view opportunity similar to the one now provided by Bagley Viewpoint and work to reconnect this viewpoint to Interlaken Park as it was originally constructed.
- **Montlake Playfield** - While the physical impacts to the playfield associated with the SR 520 project will be minimal, the visual impacts and noise associated with the project, both during construction and after it is completed will be significant. Every effort must be made to limit the potential for noise from the freeway to impact users of the playfields, members of the public who come to the area to

take advantage of the newly reconstructed hand-carried boat launch, and the public and fauna that use the newly enhanced wetland areas.

- During construction, any temporary work bridges and/or barges must not restrict canoe/kayak access between the Montlake Playfield boat launch and Portage Bay.
- Seattle Parks is just completing a large wetland restoration project along the perimeter of Montlake Playfield. There are additional wetland enhancement opportunities available. Montlake Playfield should be considered for any required wetland mitigation/enhancement as part of the projects mitigation requirements.
- **Lake Washington Boulevard** - Lake Washington Boulevard is referred to as a city street throughout the SDEIS. The 4f evaluation fails to identify Lake Washington Boulevard as either a historic resource or a park and recreation resource. This officially designated park boulevard is a 204-acre, 9.2-mile-long linear park wholly owned by the City and under the jurisdiction of Seattle Parks and Recreation. It is a crucial element in the 1903 Olmsted Plan for Seattle's boulevard system, sometimes referred to as the "Emerald Necklace." Decisions about the future design of the SR 520 improvements must be made with the understanding that Lake Washington Boulevard was never designed to function as an extension of direct-access ramps to and from SR 520. Where Lake Washington Boulevard serves as a corridor through the Arboretum, vehicles and bicycles must be able to travel on it in a manner consistent with the design and intent of the surrounding Arboretum.
  - There should be no direct access from SR 520 to Lake Washington Boulevard. From the day it opened, SR 520 and the access ramps to and from Lake Washington Boulevard have encouraged and facilitated traffic through the Arboretum which would not otherwise be there. This increased traffic through the heart of the Arboretum limits access to the Japanese Garden from the rest of the Arboretum, reduces the air quality due to vehicle emissions, increases noise from traffic and makes crossing Lake Washington Boulevard unsafe.
- **Lake Washington Boulevard Access** - If direct access to and from Lake Washington Boulevard to SR 520 is a component of the final design of the project then the following must be considered:
  - Lake Washington Boulevard has become an extension of the on/off ramps to SR 520. Had existing environmental laws been in place, mitigation for the impacts on the Arboretum of the original 520 project would have been significant or more likely, the project would have been redesigned. If direct access to and from SR 520 to Lake Washington Boulevard remains a part of the future project, exacerbating the current condition, the Arboretum should be duly compensated for the use of the boulevard in the future.
  - As mitigation for the increased traffic on Lake Washington Boulevard directly attributable to SR 520, traffic calming measures must be implemented on the boulevard.
  - If the SR 520 project includes direct access ramps to and from Lake Washington Boulevard to SR 520, additional tolls should be included on these ramps. Tolls should be included as a way of travel demand management to discourage people from using Lake Washington Boulevard to access SR 520. Also, the revenue from these tolls should be dedicated to the Arboretum to help mitigate the impacts of the increased noise, air emissions and vehicular distraction on the physical nature, educational value and visitor experience of the Washington Park Arboretum.
  - The most recent data from the Seattle Department of Transportation indicates that Lake Washington Boulevard carries 16,100 vehicles.<sup>1</sup> The SDEIS indicates that the ramps to and from Lake Washington Boulevard to SR 520 carry 3,000 vehicles in the AM and PM peak hours. Given 3,000 vehicles during two hours, the total amount of traffic that uses Lake Washington Boulevard exclusively to access SR 520 could be as high as 10,000 vehicles per day. Taken together, these traffic numbers indicate that as much as 62% of the traffic which uses Lake Washington Boulevard is directly related to SR 520. While Lake Washington Boulevard is a park boulevard, it is available for City residents to use as they travel throughout the City. However, this direct use of the boulevard as an access ramp to and from SR 520 is a highway use for which the boulevard was never intended. If WSDOT intends to continue to use Lake Washington Boulevard for a highway on and off ramp, then WSDOT must compensate the City annually in

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<sup>1</sup> Average Annual Daily Traffic (AAWDT) (5-day, 24-hour)

the range of \$1 - \$2.1 million, based on present value and an 8% rate of return, for the use of the property in a proportional share to the percentage of traffic which uses the boulevard to access SR 520.

- **Washington Park Arboretum** - The Washington Park Arboretum, State Arboretum for the State of Washington, is a stunning gem in Seattle's park system. It provides respite, scenery, recreation and solace to thousands of visitors in every season of the year. It provides educational, recreational, conservation and volunteering opportunities to those who seek it out. The City of Seattle and the University of Washington have been cooperatively managing this park since the original 1934 agreement.
  - Since the SR 520 highway was opened, the Arboretum has been fractured by the highway structure itself and the noise, pollution and visual intrusion of the structure on the physical nature, educational value and visitor experience of the Washington Park Arboretum. A percentage of the tolls collected on the main line of SR 520 should be dedicated to improvements in the Arboretum as mitigation for past current and future impacts of siting a transportation facility in the heart of a natural area and arboretum.
  - The physical nature, educational values and visitor experience within the Washington Park Arboretum should be enhanced by the construction and operation of the SR 520 I-5 to Medina: Bridge Replacement and HOV project if properly designed with sensitivity to the park.
  - All efforts must be made to avoid any adverse impacts to the Arboretum, both during construction and through the long term operation of the SR 520 facility.
  - To the extent that there will be adverse impacts to the Arboretum, every impact must be thoroughly mitigated.
  - Unavoidable adverse impacts must be mitigated. Those of shorter duration must be addressed during the construction phase. Long term impacts of facilitating increased traffic through the Arboretum which has a direct impact on the physical nature, educational value and visitor experience in the Washington Park Arboretum need to be avoided through sound design or mitigated appropriately.
  - Design of the new structure should address the potential for increased noise through the Arboretum as a result of the increased traffic. The project must be designed such that noise levels decrease from the levels experienced today.
  - The project must be designed such that the visual impact of the structure complements and does not detract from the physical nature, educational value and visitor experience of the Washington Park Arboretum. Designing a "signature" bridge does not reduce the visual impact of a concrete and/or steel structure in the heart of a 230-acre arboretum.
- **Washington Park Arboretum Master Plan** - In May 2001, the Seattle City Council approved the long-range master plan for the Washington Park Arboretum, creating a road map for Arboretum improvements over the next 20 years. The master plan ensures the Washington Park Arboretum will effectively fulfill three primary purposes—conservation, recreation and education—for decades to come. Together, University of Washington Botanic Gardens and Seattle Parks and Recreation, with support from the Arboretum Foundation, are working to implement the master plan. Substantial public and private funds have recently been raised and spent to improve the visitors' experience. The newly created Pacific Connection Gardens have been created, the Japanese Garden Gatehouse has been redeveloped and a number of other park improvements have been made. All these contributions will likely be negatively impacted by the proposed SR 520 project.
  - The Master Plan adopted in 2001 made note of the fact that there would be limited new buildings built within the Washington Park Arboretum. Instead, UW, the Arboretum Foundation and Seattle Parks and Recreation would address their long term need for additional educational, maintenance and classroom space by expanding into the building which currently houses the Museum of History and Industry (MOHAI), once MOHAI vacated the building. The City of Seattle owns the building which MOHAI currently occupies. Since all of the options in the SDEIS involve expansion of the roadway such that the MOHAI will be demolished, WSDOT must provide replacement space as envisioned in the Master Plan.

- o There are four significant projects at the north end of the Arboretum which are identified in the Arboretum Master Plan: complete the Waterfront Trail as a loop all the way around Duck Bay; add access, sitting and viewing areas on the west side of Duck Bay; daylight Arboretum Creek; and, create an entry at the west/north end of the Arboretum with the same grand character as the south entry. The redevelopment of SR 520 has the potential to negate the potential to undertake some or all of these projects to the detriment of the Arboretum and contrary to the goals set out in the Master Plan. To the extent mitigation measures are necessary as a result of unavoidable significant impacts associated with the SR 520 project, these identified Arboretum Master Plan project should be fully funded by WSDOT for implementation by Parks and/or UW.

Adopted by the Seattle Board of Park Commissioners the 8th day of April, 2010 and signed by me in open session in authentication of its adoption this \_\_\_\_ day of \_\_\_\_\_, 2010.

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Chair of the Seattle Board of Park Commissioners

**Old/New Business**

Budget Hearings: City Council has scheduled two public hearings on the City's budget and Commissioners were strongly encouraged to attend. Commissioner Holme asked that the Board re-evaluate the focus of its April 28 Park Board meeting to budget considerations. He suggested that the Board's upcoming budget-focused meeting be recorded and posted to a website to help the public better understand the Department's serious budget issues.

Magnuson Park Tour: Commissioner Adams will tour the park's Historic District on April 14 and invited other Commissioners. The Board's July 22 meeting is scheduled at Magnuson Park, with a tour scheduled beforehand, 4:00-6:00 pm.

Facilitation Training: Commissioner Adams requested that information on the recent Parks staff facilitation training be forwarded to the Board.

Washington Recreation and Parks Association Conference: Commissioners Adams, Barber, and Ramels will attend a one-day conference in Tacoma on Friday, April 16, and asked the Coordinator to send driving directions and the schedule.

Associated Recreation Council Board: The Superintendent recently appointed Commissioner Ramels as the Board's representative to the ARC Board.

There being no other new business, the meeting adjourned at 9:00 p.m.

APPROVED: \_\_\_\_\_  
 Jackie Ramels, Chair  
 Board of Park Commissioners

DATE \_\_\_\_\_