



Notice of Land Conversion Squire's Landing Park, 7515 NE 175TH Street Request for Public Comment

April 1, 2019



The City of Kenmore is seeking public comment on:

1. A proposal to convert a portion of land at Squire's Landing Park (outlined in red above) and purchase conservation land as replacement that has equivalent conservation qualities and is valued at or above fair market value from a willing seller(s);
2. the City's alternatives for addressing the proposal; and
3. properties to be considered for acquisition including: the preferred replacement properties; the other fourteen properties considered; and any other properties that meet acquisition requirements.

Approximately 19 acres of the 41-acre Squires Landing Park were acquired with state grant funding through the Recreation and Conservation Office (RCO), with a condition the land be retained for urban wildlife habitat and passive recreation. The land being considered for acquisition is required in exchange for RCO to allow conversion (development) of 1.5 acres of urban wildlife habitat land at Squires Landing Park for improvements that support active recreation and public access to the Sammamish River as part of the Walkways and Waterways Waterfront Access Project. The acquisition would preserve open space, urban wildlife habitat

and passive recreation use. The City's preferred replacement property(s) is located within the Swamp Creek watershed.

Comment Period

Comments will be accepted from April 3, 2019 until May 3, 2019 at 5:00 p.m.

Comments must be made in writing either via mail to Maureen Colaizzi, Parks Project Manager at mcolaizzi@kenmorewa.gov or submitted to Kenmore City Hall at the following address:

City of Kenmore Community Development Dept.
Attn: Maureen Colaizzi, Parks Project Manager
18120 68th Avenue NE
Kenmore WA 98028-0607

Squires Landing Park Waterfront Access Improvement Project:

The City proposes to improve approximately seven acres of the westerly portion of the 40+ acre Squires Landing Park to support public access to the Sammamish River. The project is one of the "Walkways and Waterways" bond funded projects approved by Kenmore voters in 2016. More information can be found at: kenmorewa.gov/walkwaysandwaterwayssquireslanding.

Improvements include new elevated walkways, trails and viewpoints as well as natural open space and environmental enhancements. The project will also add new boating facilities including docks, ramps and staging areas for hand-powered watercraft.

The 1.5-acre "Conversion Area" is needed to provide an area for a new paved parking lot, restroom, pedestrian walkway and plaza gathering area. The Conversion Area of 1.5 acres is outlined in red in Figure 1. The waterfront access project will be constructed by 2023.

Background

In 1990 (prior to City incorporation in 1998), King County received state grant funding under the Recreation and Conservation Office (RCO) Wildlife and Recreation Program's (WWRP) Urban Wildlife Habitat category. "Urban Wildlife Habitat" means lands that provide habitat important to fish and wildlife in proximity to a metropolitan area (Revised Code of Washington 79A.15.010 (15)). The County used this grant to acquire 19.3 acres along the Sammamish River to help create the 40+ acre Swamp Creek Park to provide habitat lands for migrating birds, fish and other wildlife AND to create public access to the water.

In 2008, King County transferred the entire 40+ acre open space park to the City of Kenmore. It was renamed, Squire's Landing Park in 2011 and has remained undeveloped. In 2014 the City of Kenmore purchased a developed 0.65 Acre parcel directly west of the park increasing the park's total acres to 41. In 2015, the Kenmore community requested improved access to the shoreline for water dependent recreation during the "Imagine Kenmore" community visioning process and voted to approve the Walkways and Waterways bond measure which provides \$5.1 million dollars towards planned improvements at Squire's Landing Park for this purpose. The project will address underserved needs and implement City goals to improve waterfront access and develop nature parks for recreation. Nearly 25 years after being acquired, public access to the

riverfront will be realized with this project.

Use Limitations and the RCO Land Conversion Process

Per RCO's *Manual 7, Long-Term Obligations*, non-compliance includes conversion, which is determined when certain action(s) take place on the property that change the intended use, whether affecting an entire site or any portion of a site funded by RCO.

The lands purchased in 1990 with RCO grant funding were purchased for the purpose of wildlife habitat protection and limited public access to the Sammamish River.

A paved parking lot, restroom building, 16-foot wide asphalt walkway and 3000 square foot concrete waterside plaza are planned on 1.5 acres of the proposed Squire's Landing Waterfront Access project will serve water-dependent recreation uses versus urban wildlife habitat protection.

These improvements would not meet the requirements of the Urban Wildlife Habitat grant criteria and therefore are considered non-compliant with the original intent of the grant funding by the Recreation and Conservation Office.

Since these uses would be considered non-compliant, a land conversion would be required by RCO. RCO may approve a land conversion if other urban wildlife habitat conservation land of at least equal fair market value and of as nearly feasible equivalent qualities, characteristics and location for urban wildlife habitat purposes is provided in exchange in accordance with WAC 286-12-080.

Proposed Action to Resolve the RCO Land Conversion Requirement

The City could retain the 1.5-acre area for wildlife habitat and passive use. However, avoidance would not meet the goals of the Walkways and Waterways Bond Measure that was passed by Kenmore residents. Instead, the City of Kenmore proposes to purchase replacement property of equivalent conservation land at or above fair market value. The City explored many open space parcels throughout the City including properties adjacent to existing open space lands. The City's preferred location for the replacement acquisition is in the upper Swamp Creek corridor adjacent to 14+ acres of existing City-owned conservation land referred to as Swamp Creek Wetland Complex between 73rd and 80th Avenue NE and between NE 192nd Street and NE 185th Street (the Tolt-Pipeline Right-of-Way) in Kenmore. The proposed replacement property will provide habitat to support Great Blue Heron, fish and other wildlife habitat and is directly adjacent to the Swamp Creek Wetland Complex that already supports urban wildlife habitat. The City of Kenmore is seeking public comment on a proposed land conversion and feedback on the proposed replacement property or other property of equivalent conservation land at or above fair market value from willing sellers.

Why It's Important

Without resolution of the proposed non-compliant uses, the City cannot qualify for receipt of RCO grant funding per RCO compliance requirements set forth in Manual 7 – Long Term Obligations.

Pending RCO Grants

The City is currently identified to receive two RCO Aquatic Lands Enhancement Account (ALEA) grant awards (listed below) of potentially up to \$1,000,000. Without resolution to the non-compliant uses being proposed, the City would not be able to enter into any future grant agreement with RCO.

RCO 18-1535 Squire's Landing Waterfront and Natural Open Space Access project
RCO 18-1437 Log Boom Waterfront Access and Viewing Project

Pending Walkways and Waterways Project Construction

Resolution is also required to allow the City to improve the 1.5 acres at Squires Landing Park with the proposed restroom, parking, walkway and plaza, facilities that support the waterfront improvement park improvement project.

How Compliance Can Be Achieved

Alternative 1: Do Nothing: Retain the 1.5-acre area for wildlife habitat and passive use. Selecting this alternative would mean the City would not be able to fulfill its commitment to construct a parking lot, restroom and paved path and plaza from the approved concept plan for the waterfront access project.

Alternative 2: Convert the 1.5 acres and seek appropriate replacement property.

To replace the 1.5-Acre Conversion Area (Outlined in red in Figure 1), the City considered replacement properties that would aggregate lands to existing City-owned property. The City considered properties adjacent to the City-owned 14.6-Acre Swamp Creek Wetland complex and also considered property adjacent to the 40+ acre Squire's Landing Park. See Figure 2, Potential Replacement Parcels Map.

Of the 15 sites the City considered for potential purchase, the 4.7- acre Johnson property located at 7637 NE 192nd Street, tax parcel number 0114100730 and 6,350 SF of the vacant Barnard property located west of 18717 80th Avenue NE, tax parcel number 0114100757 equal the City's preferred replacement properties for acquisition.

The City's preferred replacement properties meet the following requirements set forth by RCO:

1. equal or greater fair market value based on an appraisal;
2. equivalent or better urban wildlife habitat qualities based on an environmental assessment;
3. replacement property owners are willing to sell. If they are not willing sellers, the City cannot purchase their property per the RCO purchasing guidelines.

The Preferred Replacement Property(s)

The preferred replacement properties (Outlined in Yellow in Figure 2) include a 4.7-acre property, known as the Johnson property located at 7637 NE 192nd Street, parcel number 0114100730 and 6,350 SF of tax parcel 0114100757, the vacant Barnard property located west of 18717 80th Avenue NE.

The preferred replacement properties are located less than a mile north of Squire's Landing Park in Kenmore within the Swamp Creek corridor that runs south through Kenmore from the City/Snohomish County boundary to its confluence with the Sammamish River at Squire's Landing Park. This corridor is identified in Kenmore's Parks, Recreation and Open Space (PROS) Plan for open space conservation land acquisition and for a north-south future pedestrian trail connection utilizing the Swamp Creek corridor to connect parks, open spaces through the City's neighborhoods with the Confluence of Swamp Creek to the Sammamish River at Squire's Landing Park. The City has been purchasing parcels and aggregating property together in this corridor over the past ten years. The City's largest aggregated open space area is the 14.6-acre Swamp Creek Wetland complex. In addition, 55,430 SF (1.27 acres) of open space will be dedicated to the City of Kenmore on 18715 80th Avenue NE, parcel number 011410758, as part of a short plat application (PSP 18-0055). The preferred replacement properties will add an additional 4.85 acres. This aggregation would bring the Swamp Creek Wetland Complex to a total of 20.72 acres.

The preferred replacement properties include approximately 1.5 acres of upland (.58 acres of wetland buffer) along NE 192nd Street and approximately 3.3 acres of wetland to the south. The site is fenced along the west and east property lines for approximately 300 lineal feet until it meets up with the wetlands. An environmental assessment by Wetland and fisheries biologists at Confluence Environmental Company was conducted at the preferred replacement properties to confirm that the RCO requirement of replacing equivalent or better urban wildlife habitat qualities is met. The 6,350 SF of tax parcel 0114100757 was added to ensure the protection of an urban wildlife connection is created between the larger parcel and the City owned Swamp Creek Wetland Complex to the west and the dedicated open space land to the south. The assessment confirms that the proposed preferred replacement properties satisfy the requirement.

A single-family dwelling and a detached garage are currently located in the upland. These will be demolished and replaced with a park entry/rules sign, two accessible parking spaces, park seating and wetland signage and protective fencing. See the yellow outlined area in Figure 3, Preferred Property Site Plan.

The preferred replacement property would satisfy the City's PROS Plan Goal P-2 to create an interconnected system of linear parks to link Kenmore's public spaces. Policy P-2.1.2.3 seeks to plan and develop an off-road north-south trail connection utilizing the Swamp Creek corridor.

Figure 1: 1.5 Acre Conversion Area Location Map

1.5-Acre Conversion Area



— 1.5-acre area not meeting Urban Wildlife Habitat criteria

Figure 2: Preferred Replacement Properties Map

Replacement Search

To replace the 1.5-Acre Conversion Area outlined in bright red on the three RCO parcels (outlined in blue), the City searched for properties that would aggregate lands to existing natural open spaces within the Swamp Creek Watershed in Kenmore including:

- 17-Acre Swamp Creek Wetland Open Spaces
- 41-Acre Squire's Landing Park

Green colored parcels are existing City of Kenmore Open Space Parcels.

Dark Red outlined parcels were targeted for willing sellers.

Yellow outlined areas are the Preferred Alternative for Replacement Properties.



Figure 3: Replacement Property Site Plan

Replacement Property Site Plan

