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Public Works Parks and Lands Division

MEMORANDUM

To: PARKS ADVISORY BOARD

CC: File

From: Kevin Tyler, Parks Manager

Date: September 09, 2019

Subject: Potential Acquisition – Parcel No. 186303000 – Robert Smoole Property

This memo is regarding a potential acquisition for a neighborhood park, as well as potential complications that may arise during the development process. This memo is designed as an informative guide to the Parks Advisory Board on this issue.

I. PROPERTY:

Robert Smoole, a homeowner on NE 131st Street, has offered to donate his property to the Parks Department (“Parks”) for the development of a neighborhood park. The property is about 4.5 acres and is in Park District 8, wherein Parks has been looking for a suitable property for development. The property is currently zoned R1-10 and has single-family housing developments to the east, west, and south, and larger residential lots to the north and northeast.

II. DEVELOPMENT ENGINEERING CONCERNS:

Parks has discussed development of the property with Development Engineering, which has raised the following items as potential issues to development.

A. Frontage Improvements

The two developments to the east and west of the property have been required to develop the frontage improvements along NE 131st Street. No frontage improvements currently exist on the Smoole property. Parks would need to develop the frontage improvements at the time of development of the park. Additionally, the two developments have not followed the same standard of frontage improvements. Some manner of interconnectivity between the two would likely be required.

B. Cross-circulation

Clark County Code (CCC) 40.350.030(B)(2) requires cross-circulation to be adequate to allow subsequent developments to meet the standards of CCC 40.350.030. It also states that cross-circulation is to: provide access from collectors and arterials; be designed to prevent shortcutting from through traffic; be designed to discourage speeding; be designed to decrease reliance on arterials for local access; support pedestrian, bicycle, and transit use; and discourage excessive parking.

Development Engineering has stated a preliminary position that cross-circulation concurrency would require some form of roadway through the property, possibly connecting NE 133rd Street with NE 134th Street or NE 132nd Street, as well as NE 45th Court (please see attached map).

Development of roadway would bifurcate the park and increase expenses beyond what Parks has allocated for neighborhood park development.

C. Previous Development

The development along the south half of the eastern edge of the park (which includes NE 132nd Street and NE 46th Avenue) was required to stub the road (NE 132nd Street) to the west to meet the requirements of CCC 40.350.030(B)(2). This stub abuts the property line with the Smoole property.

The developer at the time contested the requirement to stub the roadway. This contest went through the hearings examiner and eventually the Board of County Commissioners, as was the policy at the time, and resolved with the developer being required to construct the stub. Since Clark County required the developer to place the stub, Development Engineering has stated concern if the stub is now ultimately not utilized for cross-circulation.

Finally, both the stub to the east (NE 132nd Street) and the stub to the west (NE 133rd Street) have temporary turnaround easements recorded with the plats that are to be returned to the owners when cross-circulation is achieved. If no cross circulation were to occur, then the plats would require adjustment in order make these easements permanent. The plat adjustment process would require a public hearing.

III. REGARDING CONCURRENCY ENGINEERING CONCERNS

Parks has reviewed the concerns raised by Concurrency Engineering. Where pertinent, Parks has also consulted legal counsel. The following aim to address the issues raised in order to facilitate informed discussion and direction by the Park Advisory Board.

A. Frontage Improvements

Parks anticipates frontage requirements with the development of the property as a park. This is a typical requirement where frontage improvements are not present and would be built into the estimate for park development.

B. Cross-circulation

Development Engineering has stated that it would likely require some form of cross-circulation for the development of the property. Parks could propose that this take the form of a multimodal pathway through the park, potentially following the route proposed by Development Engineering. This proposal may be rejected by Development Engineering as being insufficient.

The requirements of CCC 40.350.030(B)(2) aim to allow future developments to meet the cross-circulation requirements. However, given the level of development surrounding the Smoole property, it is unclear what further development is possible. There may also be alternative cross-circulation routes that better meet the goals of transportation in the area and that either bypass the property or require only a dedication of right-of-way. Finally, a multimodal path through the park would better meet many of the other requirements of the code section cited, including: encouraging pedestrian and bicycle traffic; reducing parking; discouraging shortcuts by through traffic; and discouraging speeding.

C. Previous Development

Parks has discussed this issue with legal counsel. While a plat adjustment and associated public hearing would be required, the fact that the previous developer was required to stub the road does not appear to place the County in a precarious position. If the Smoole property were to be developed to an R1-10 residential standard, cross-circulation would be required and the stub

would be put to use. That it would instead be developed to a PF (public facility) standard as a neighborhood park now does not abjure the requirement at the time of development when the future of the property was uncertain. Furthermore, there are other examples where roads have been stubbed to neighborhood parks, such as D.C. Fisher Neighborhood Park and Vandervort Neighborhood Park.

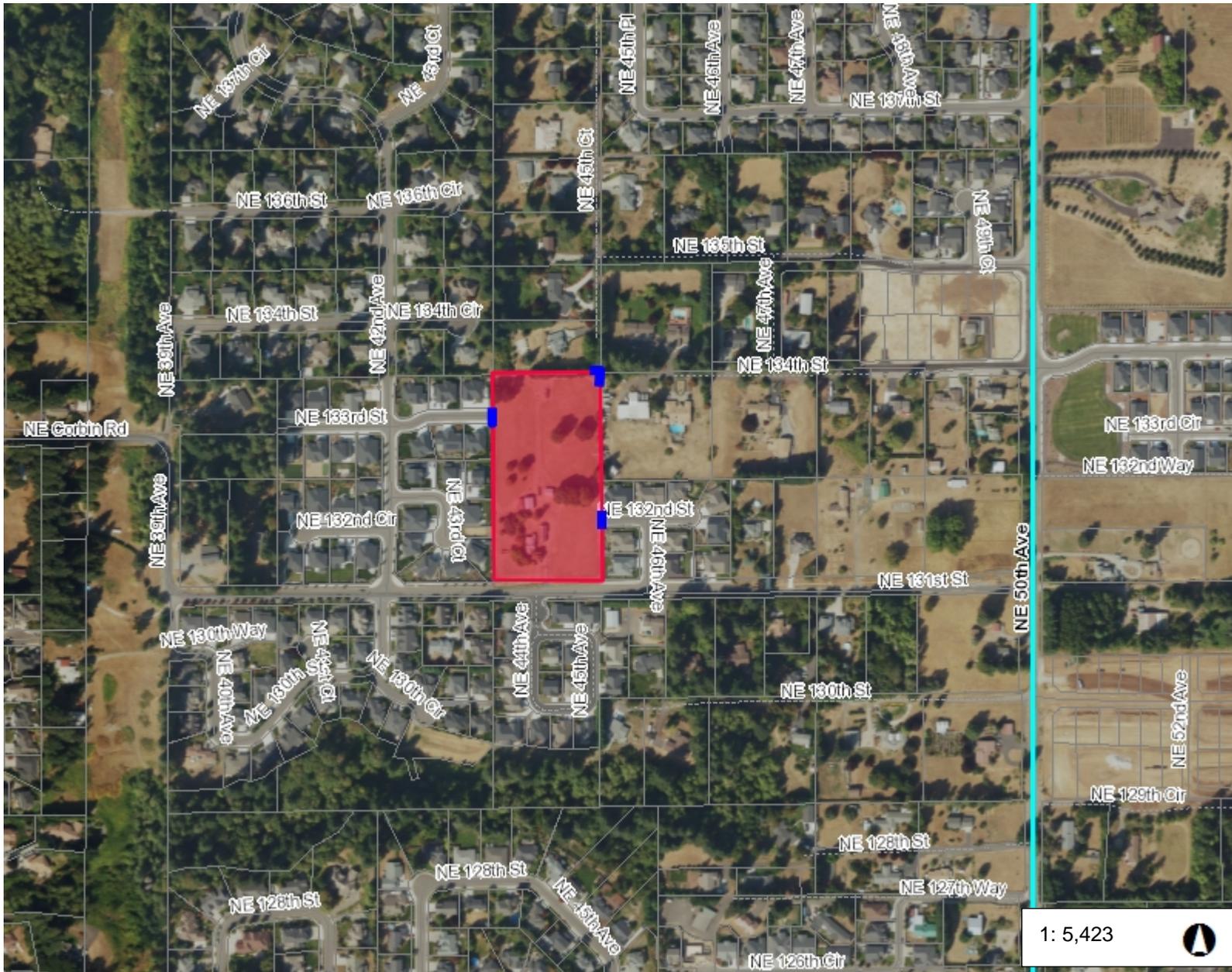
IV. SUMMARY

The Smoole property offers the opportunity for Parks to acquire property through donation in a park district where it has been interested in developing a neighborhood park. However, there are numerous concurrency and development issues that could hamper such efforts. While these may be mitigatable, as outlined in this memo, adverse determination during the development review process could result in costs exceeding what has been budgeted for the development of the park. Were this to occur, Parks would be in possession of property that may remain undeveloped until required funds are secured. At this time and until a clearer position is taken by those involved in the development review process, this risk appears inherent in the property.

If you have any questions regarding this matter, please forward them to Kevin Tyler. Thank you.



Smoole Property - 186303000



Legend

- Taxlots
- All Roads**
 - Interstate
 - State Route
 - Arterial
 - Forest Arterial
 - Minor Collector
 - Forest Collector
 - Private or Other
- Cities Boundaries
- Urban Growth Boundaries

Notes:

Red - Smoole property
 Blue - Potential tie-in locations for cross-circulation

1: 5,423



903.8 0 451.89 903.8 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere
 Clark County, WA. GIS - <http://gis.clark.wa.gov>

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