

CITY OF KIRKLAND

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DEPARTMENT OF PARKS AND COMMUNITY SERVICES MEMORANDUM

To: Mayor and Members of City Council

From: Barry Russell, Director of Parks and Community Services

Date: September 16, ~~2002~~ 2003

Subject: Responses to City Council's Questions Concerning the Sports Complex Project at Sand Point Magnuson Park

RECOMMENDATION

That City Council receives the information and provides direction for any further action.

BACKGROUND DISCUSSION

At the request of City Council, staff sent an email to the Director of Sand Point Magnuson Park requesting he provide responses to a series of questions related to concerns Kirkland residents had with the sports complex project now underway at the park. His follow-up email is attached.

Listed below are the new pieces of information available from the email.

1. The Hearing Examiner ruled in the City of Seattle's favor about the adequacy of the Supplemental EIS they had to perform. This signals the end to their planning process and they are forwarding the full plan to their Park Commissioners meeting in September with the plan expected to be before the Seattle City Council before the end of the year.
2. There has been a revision to the site plan. We will get a copy when available.
3. The Seattle staff informed us that their consultants are working on computer generated graphics that will show the revised field plan and simulate the lighting patterns as viewed from a variety of locations, including Kirkland. These should be available by late September/early October.
4. New locations to view this new cut-off technology were identified.

In a conversation with the staff at Sand Point Magnuson Park, they stated that from their perspective the legal process is over and they are now moving forward to the Park Commissioners and City Council. They stated that it is the Mayor's intention to move forward as explained in their response to question number 5. Staff informed me that the only party to the record during the SEPA process was the Friends of Magnuson Park. Originally, The Audubon Society and the Low Income Housing Institute challenged the project; however, they withdrew, leaving only the Friends of Magnuson Park. With the Hearing Examiner's August 28th ruling on the one remaining supplemental EIS statement going in favor of the City of Seattle, the only

legal recourse left to the Friends of Magnuson Park is to appeal the decision to the King County Superior Court within 30 days of that decision.

In August, I had spoken with a member of the Friends of Magnuson Park about what could happen if the Hearing Examiner ruled in the City of Seattle's favor. They informed me that the Friends of Magnuson Park would have the option to go to Superior Court. Recently, I left a message for the Friends of Magnuson Park in an effort to ask them about their current plans. I also talked with Eastside Friends of Lake Washington to ask if they knew of any further legal initiatives. They did not know about other groups, however, Eastside Friends of Lake Washington although not currently planning any legal action themselves, are keeping their options open.

Regardless of any legal initiatives that may or may not be underway, City Council does have opportunities to convey the City's concerns about the lighting issues. A more formal letter requesting consideration could be sent to the Mayor and Seattle City Council. Other options include personal telephone calls from Kirkland City Council members to the Mayor and Seattle City Council prior to their receiving the plan from the Seattle Board of Park Commissioners.

Staff will continue to keep the City Council and the community informed on this issue as more information becomes available.