

# Pact would protect one slough parcel

By Alex Tizon  
Times East bureau

## ■ BELLEVUE

To preserve open space in the Mercer Slough area, Bellevue has reached a tentative agreement with a local corporation that owns two undeveloped parcels near the slough, according to the corporation's president.

The closed-door agreement would let Bellevue one of the parcels and would allow Zaser-Longston Inc. to build a controversial office complex on the other parcel, said Jessica Longston, president of the corporation.

Bellevue officials admitted negotiations were under way but added that no special deal was being offered. Negotiations regarding land acquisitions are routinely done in closed sessions.

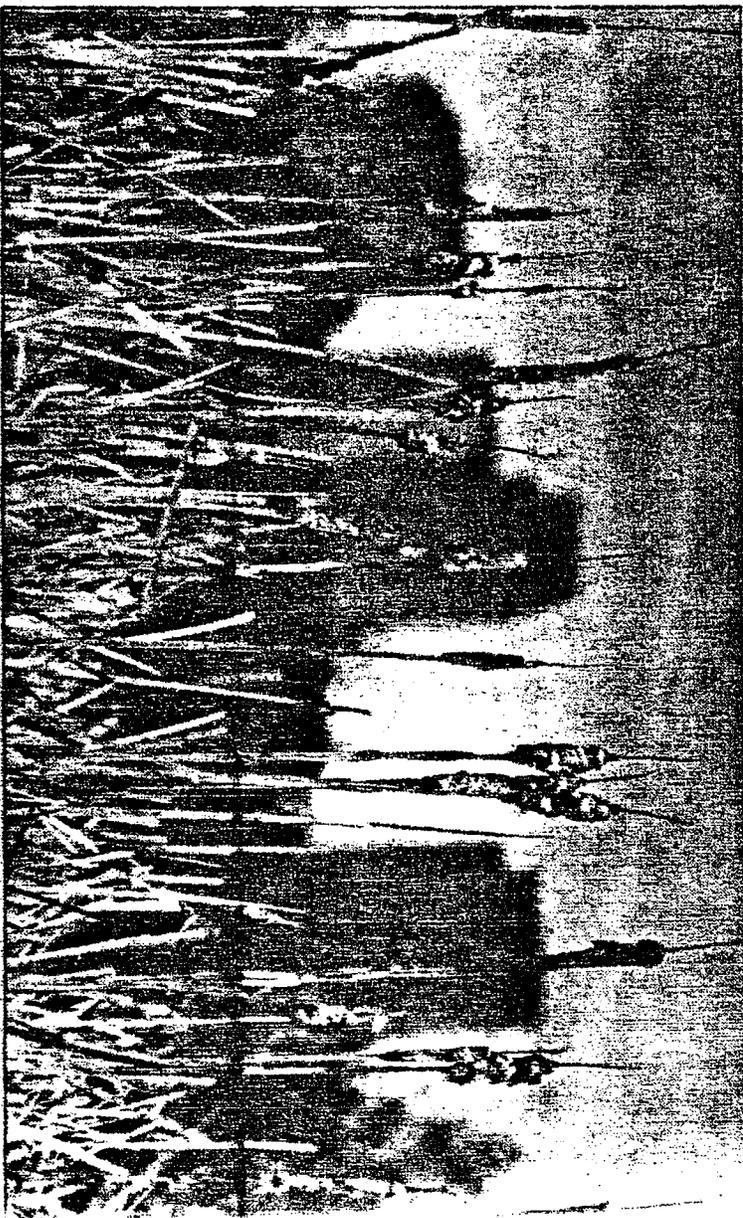
Zaser-Longston owns a 14-acre site, known as the Osthe-Riepl property — named after the former owners — on the west side of Mercer Slough, and a 23-acre parcel, known as the Balatico property, also west of the slough. The corporation wants to build office complexes on both properties.

Bellevue is interested in buying both parcels to keep them as open space or to convert them to parks, thereby preserving a continuous greenbelt along the slough from Interstate 90 to Bellefield Office Park.

However, the city reportedly has earmarked only enough money for one of the properties. The proposed \$16.5-million park bond issue in May, if approved by voters, would allow the city to purchase the Balatico property.

In an apparent move to tie up the properties until the bond issue is passed, the city has made it difficult to obtain permits to build the development projects, Longston said.

"We've been trying for three years to get a building permit. The city can make it awfully rough and awfully expensive for us," Longston said. "They said,



The Bellevue skyline looms above cattails on the Balatico property west of Mercer Slough.

Jon Warren / Seattle

"Let us buy the Balatico property and we'll let you build on the other part."

Lee Springgate, parks department director, said a tentative agreement has been reached between the corporation and Trust For Public Land, an organization negotiating on behalf of the city.

According to the agreement, the corporation would sell the Balatico property to the city only after the corporation obtained a city permit to build the project on the Osthe-Riepl land. That would ensure at least one of the projects will be built.

Zaser-Longston wants to build

a 80,000-square-foot, multilevel office complex called Emerald Plaza on the Osthe-Riepl parcel.

Springgate said the project will have to go through the normal review process, but added that the city staff has been asked to process the corporation's application quickly. He emphasized that the corporation would not be given any special breaks; the project could still be denied later by the hearing examiner or the City Council.

Springgate said a decision to approve or deny a permit will probably be made in the next two months.

The office complex plan has raised the ire of many residents who live near the site. The residents have deluged City Hall with letters and a petition with 500 signatures asking the city to buy the Osthe-Riepl parcel for park space.

Heather McCartney, assistant park director, said the city is considering buying several privately owned parcels in the Mercer Slough area, including the Osthe-Riepl property, if the May 17 bond issue passes.

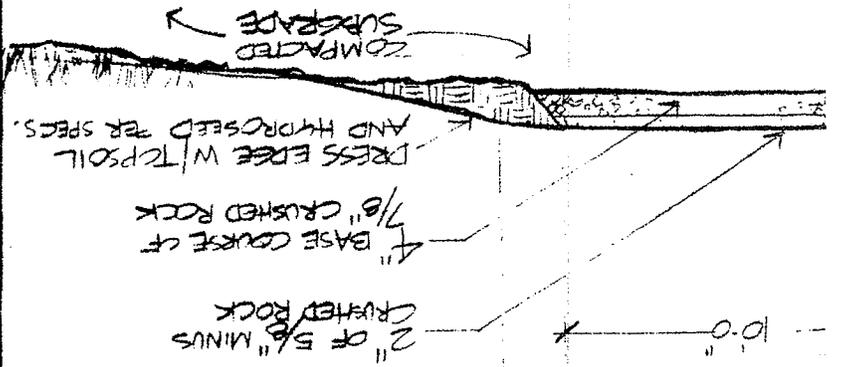
City Manager Phil Kushlan, however, said the purchase of the Osthe-Riepl property was possible

but not probable because of high prices and the determination of the corporation to develop the land. But it is leaving door open.

"We'd rather not sell it at a fair price," Longston said. "The fair market value of the site is about \$20 to \$25 a buildable foot, which amounts to about \$2.6 million. Zaser-Longston owns a station in Anacortes, Al farm properties in Eastern Vington and commercial property in the Puget Sound area.

habitat Enhancement Seed Mix:  
 areas with hydrosed between Sept. 15 and Nov. 15 unless specified)  
 tal wood cellulose 1600 lbs/ac; fertilizer 10-20-20 @ 300 lbs/ac

**Gravel Path Detail**  
 No scale



City of Bellevue  
 Parks and Recreation  
 PLANNING AND  
 DEVELOPMENT DIVISION  
 PO Box 90012  
 Bellevue, WA 98009-9012  
 (206) 455-6881

Mercer Slough Nature Park  
**Balatico Trailhead**  
 Demolition/Grading/Trail Constructi

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## CITY COUNCIL AGENDA MEMORANDUM

Subject: Resolution No. 5080, approving the purchase of a 22.34-acre parcel of land from the Trust for Public Lands for a total price of \$1.45 million to expand Mercer Slough Park.

Fiscal Impact: The purchase price of \$1,450,000 plus about \$3,000 of closing costs will be charged to the new CIP Project P-AD-30, Open Space Acquisitions. This project will be supported by proceeds derived from the \$16,500,000 Park and Recreation Bond Issue which the voters approved at the September 20, 1988 primary election. Since these bonds will not be sold and the proceeds derived until approximately February 20, 1989, a short-term interfund loan will be arranged which will be repaid when the park bond proceeds are received.

Staff Contact: Lee Springgate, Parks Director, 455-6881.

POLICY CONSIDERATION

The Comprehensive Plan--Parks, Open Space and Recreation Element has a goal to acquire and develop a system of park, open space and recreation facilities, both active and passive, that is attractive, safe, functional, and available to all segments of the population. Land acquisition for parks and open space is the priority of the 1987 Parks Plan and Mercer Slough acquisitions are a key recommendation. Passage of the September 1988 Bond Issue, which highlighted land acquisition in Mercer Slough, supports the policies identified above.

BACKGROUND

The Mercer Slough is a unique habitat within the City. It is a highly visible area from Interstates 90 and 405. In the early 1970's the City and state began to purchase land in the Mercer Slough to retain it for public use and for its environmental integrity. Together, 181 acres are publicly-held.

The completion of the Parks Plan in 1987 and master planning efforts for this property pointed to the significant role the Slough plays for a trail system, nature park, agricultural area, wetlands and visual amenity. A number of underdeveloped or undeveloped parcels still remain in the Slough. Development pressures have increased and the urgency to acquire land to expand the park also escalated.

The parcel (known as the Balatico property) was selected as having the highest priority for land acquisition. The parcel is necessary to retain views of the Slough from Bellevue Way and to provide an appropriate entrance to the park.

The City sought the help of the Trust for Public Land to intervene on its behalf with the property owner to secure the site until such time as a bond issue passed that would fund the land acquisition.

3716c  
11-29-88

CITY OF BELLEVUE, WASHINGTON

RESOLUTION NO. 5080

A RESOLUTION approving the purchase of a 22.34-acre parcel of land by the City of Bellevue from the Trust for Public Lands to expand Mercer Slough Park, and authorizing the City Manager to execute and accept a statutory warranty deed and to take all other action and to sign all other documents necessary to complete said purchase.

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. The City Council hereby approves the purchase by the City of Bellevue of a 22.34-acre parcel from the Trust for Public Lands for the total price of \$1 45 million to expand Mercer Slough Park.

Section 2. The City Manager or his designee is hereby authorized to execute and accept on behalf of the City a statutory warranty deed and to take all other action and to sign all other documents necessary to complete said purchase.

PASSED by the City Council this 5<sup>th</sup> day of December 1988, and signed in authentication of its passage this 5<sup>th</sup> day of December 1988.

(SEAL)

Nan Campbell  
Nan Campbell, Mayor

Attest:

Marie O'Connell  
Marie O'Connell, City Clerk

DRAFT

EAST LINK - RESTRICTED USE APPRAISAL REPORT

**RE:** City owned parcel: #7000100445 **BALATICO**  
 Property Location: 2820 Bellevue Way SE; S. of Park-and-Ride

**TO:** Max Jacobs, Real Property Manager  
 City of Bellevue

**FROM:** Michael E. Murray, MAI  
 Murray & Associates

Summary of Conclusions - See Attached Worksheet

Appraiser	Date of Valuation	Value Before Project	Value After Project	Estimated Owner Compensation
Michael E. Murray, MAI	4/1/2011	\$1,352,500	\$209,600	\$1,142,900

*Intended Use, Intended User, and Limiting Conditions*

This is a **Restricted Use Appraisal Report** and prepared for the City of Bellevue's (Client's) use only. It is my understanding that the Client intends to use this report during discussions with Sound Transit relating to developing a tunnel funding agreement for the East Link Light Rail project. This appraisal reflects a current date of value and it is based on preliminary engineering plans. If market conditions and/or the engineering plans materially change between the date of value set forth herein and the expected date of the right-of-way acquisition, then the above value conclusions will have to be updated. **Further, the opinions and conclusions set forth herein may not be understood properly without additional information that is contained in the Appraiser's work file.** Please refer to the *Assumptions and Limiting Conditions and USPAP Addendum herein* for general assumptions and limiting conditions.

*Appraisal Problem* - The appraisal problem was to evaluate the impact of a 6,618-square-foot fee take, a 22,096- square- foot permanent aerial guideway easement, and a 34,594-square-foot temporary construction easement needed for five years.

*Describe Subject briefly - include zoning, description of improvements, if any, size, shape, topography, access, available public utilities, highest and best use.* The subject is located directly south of the South Bellevue Park-and-Ride and is a 90,169-square-foot site. It is unimproved and the zoning is R-1, which is a low-density residential zoning that is in place to protect the wetlands from high intensity uses. The highest and best use of the usable area is for special-purpose facilities for public uses and educational uses similar to the developments along the perimeter of the nature park, including: the Swayolocken Pump Station, the South Bellevue Park-and-Ride, Blueberry Farm, Winters House, and the Mercer Slough Environmental Education Center.

5/31/2011



## CP Amendment Proposals for year 2016

### Block 2 1)

*Prohibit park lands acquired through city-wide bond measures (i.e., Bellevue taxpayers) from being used for non-park purposes, unless such uses are approved through a city-wide ballot measure.*

### Block 2 2)

*Per RCW 79A.25.100 and RCFB Manual 7 use of any park property for non-park uses that exceeds access for longer than six months duration shall be deemed permanent and shall require approval by the City Parks and Community Services Board and City Council.*

### Block 2 3)

*Require City owned park lands to be designated as such in the Comprehensive Plan and zoned with a 'Park' zoning designation, limiting uses solely to active and passive recreation and open space.*

### Block 2 4)

*Prior to using any dedicated public park land for non-recreational or open space use, the Comprehensive Plan shall be amended and the property shall be rezoned as a condition of such use.*

City of Bellevue – Sound Transit Property Conveyance

EXHIBIT R

Property Rights - City to Convey to Sound Transit						
Item	Topic	Timing of conveyance documentation	ROW Plan Sheet No.	Tax Parcel No.	Sound Transit Parcel No	Type of Property Rights and approximate size (sq. ft)*
8	Mercer Slough	2015	L85-RPP107 thru 117, L85-RPP129 and L85-RPP142	700010-0210, -0150, -0445, -0350; 082405-9278; 052405-9254, -9084; 066287-0090	EL-101, EL-102, EL-105, EL-120, EL-123, EL-128, EL-136, EL-141	Fee: 88,497 Guideway: 41,671 TCE: 620,488 Wall & Maintenance: 4,566 Ground Improvements: 24,480 Tieback: 4,360 NGPE/A: 386,867 Utility: 25,311
9	Surrey Downs Park	2015	L85-RPP123 thru 125	322505-9140	EL-173	Fee: 35,089 TCE: 106,578 Wall & Maintenance: 4,299 Tieback: 9,041
10	NE 2nd Properties	2015	L86-RPP105, L86-RPP-142, T86-RPP105 and T86-RPP109	369980-0035, 808760-0035	EL-219, EL-219.1, EL-222.1	TCE: 20,011
11	NE 2nd Pocket Parks	2015	L86-RPP105, L86-RPP-142, T86-RPP105 and T86-RPP109	369900-0075, -0080, -0030; 808760-0029	EL-217, EL-218, EL-220, EL-221	TCE: 21,841 Tunnel: 1,597 Temp Excavation: 688
12	City Owned Downtown Parcel - KC Metro	2015	L86-RPP108 thru 109, L86-RPP143	322505-9216	EL-237	Fee: 31,381 TCE: 36,455

\* Depictions of the property conveyance are given Clerk's Receiving No. 53500, and incorporated herein by reference.  
Property Conveyance  
Page 2 of 3

**From:** <HPeshkov@bellevuewa.gov>  
**Subject:** RE: Some More Questions!  
**Date:** March 30, 2016 at 2:20:09 PM PDT

**Hannah Peshkov**

Sr. Real Property Agent  
City of Bellevue | Civic Services  
Email: [hpeshkov@bellevuewa.gov](mailto:hpeshkov@bellevuewa.gov) | Phone: 425-452-4284

**What do those acronyms mean?**

**Guideway: 41,671** – Is this permanent or temporary? Is it used for the train tracks? What is the difference between Fee and Guideway? **The guideway will be an elevated structure with tracks and guideway locations will be a permanent easement (Sound Transit will have an easement interest in the property for guideway purposes only). Fee is permanent ownership of the property vs. only an interest in the property for specific purposes which you receive with an easement.**

**TCE: 620,488** – What is this and is it permanent or temporary? **A TCE is a Temporary Construction Easement and is a temporary easement for construction purposes.**

**Wall & Maintenance: 4,566** – Is it permanent or temporary? What is Maintenance? **This is a permanent wall easement and includes a permanent wall maintenance easement area. The wall maintenance area provides additional clearances in order to maintain and repair the wall if needed and will make sure that clearances are met so that structures will never be built too close to damage the wall or prevent access to the wall.**

**Ground Improvements: 24,480** - Is it permanent or temporary and what is it? **Both temporary and permanent. These improvements are not specific and may change as they will be subject to permitting requirements.**

**Tieback: 4,360** – Is it permanent or temporary and what is it? **Both temporary and permanent. Sound Transit will need these tie back/soil nail easements in order to construct their structures and/or walls. Depending on the type of wall or structure a permanent or temporary (temporary - if the soil nails can be removed) easement may be required.**

**NGPE/A: 386,867** – Is this permanent? What does that mean and how does it differ from FEE? **This is a permanent easement. NGPE/A is abbreviated for a Native Growth Protection Easement/Area that will have specific environmental restrictions and requirements on the property.**