



Legislation Text

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Clerk 6/26/2007

AN ORDINANCE authorizing the executive, due to unique circumstances, to enter into negotiations with Yarrow Bay, Inc., for the direct sale of county-owned property known as Summit Pit, located in council district 9.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings of fact.

A. King County owns a 156.5 acre parcel of land in an unincorporated area adjacent to the city of Maple Valley known as Summit Pit. Summit Pit is located in council district 9. The department of transportation, road services division is the custodial agency for Summit Pit.

B. Summit Pit is currently being used as a regional roads maintenance facility, including an office, a shop and a yard, as well as for waste separation, street waste treatment and disposal, refuse processing, and as a source of timber, sand and gravel. A portion of Elk Run golf course rings the outside of the property in an area designated as a buffer to the mining operation on the site.

C. The executive branch proposes to enter into negotiation to sell Summit Pit, by direct sale, to Yarrow Bay Development LLC (Yarrow Bay) in exchange for certain resource property and cash.

D. Yarrow Bay holds the exclusive right to purchase seventeen parcels near the Green River, known as the Icy Creek Property. Yarrow Bay must exercise its right to purchase the Icy Creek Property on or before July 25, 2007.

E. The Icy Creek Property consists of 276 acres and is the only privately-held land for approximately 2.5 contiguous miles along both sides of the Green River. It is surrounded by other resource land held by the

state. Icy Creek Property is undeveloped, but several preliminary plats and short plats (for a total of 21 lots) totally approximately 147 acres have been approved for the Icy Creek Property.

F. In September 2004, the county attempted to purchase five of the parcels that comprise the Icy Creek Property, but was unsuccessful. It remains a priority acquisition for public ownership and open space conservation. Absent public acquisition, Icy Creek may be developed.

G. Yarrow Bay does not intend to exercise its right to purchase the Icy Creek Property if the county is not willing to enter into negotiations for the sale of Summit Pit that could include the transfer of the Icy Creek Property to King County as part of that transaction.

H. It is anticipated that the county will be unable to purchase all or a portion of the Icy Creek Property from the current owner and that the property is at risk of being developed as residential sites if the county does not acquire it.

I. In addition to the Icy Creek Property, under Yarrow Bay's proposal, the county will receive a cash payment from Yarrow Bay in an amount that will make up the difference between the appraised value of the Icy Creek Property and the appraised value of Summit Pit.

J. This transaction would allow the county to pursue its goals of creating desperately needed affordable housing in south King County and the sale of 600-800 TDRs from the King County TDR bank. This proposed transaction would also allow the county the opportunity to relocate road maintenance gravel pit, recycling facility, and operating headquarters to an area less likely to disturb residents and more compatible with surrounding land.

K. Conditioned on finding a suitable replacement site or sites for the operations now located on Summit Pit, the Summit Pit property is anticipated to be declared conditionally surplus to the foreseeable needs of the road services division.

L. Under K.C.C. 4.56.100, all sales of real and personal property shall be made to the highest responsible bidder at public auction or by sealed bid except when the county council, by Ordinance, has

determined that unique circumstances make a negotiated direct sale in the best interests of the public.

M. The opportunity to acquire the Icy Creek Property in partial exchange for Summit Pit to ensure it is not developed is a unique circumstance that makes pursuing a negotiated direct sale of Summit Pit to Yarrow Bay in the best interest of the county.

SECTION 2. The King County executive is hereby authorized to enter into negotiations, due to unique circumstances, for the direct sale of Summit Pit to Yarrow Bay.

SECTION 3. The sale of the Summit Pit is conditioned on approval by King County council in accordance with K.C.C. 4.56.080.

SECTION 4. If King County enters into a purchase and sale agreement for the Summit Pit property, and the county proceeds to consider amendments to the Comprehensive Plan designation for the property, the county will consult with the city of Maple Valley on proposed uses for the property. While the county will make the decision about any amendments to the King County Comprehensive Plan for the property, the city shall be entitled to participate in the planning process so its positions can be considered. It is

the intent to have the Summit Pit property annexed to the city of Maple Valley, consistent with all state and local review processes.