

DUWAMISH TRIBE dxʷdəwʔabš

2025-04-15

City of Lake Forest Park

2025-SSDE-0001 2025-SEPA-0001

Dear David Greetham,

Thank you for the opportunity to comment on the Lakefront Park Improvements to improve public waterfront access through the transition of two recently acquired single-family residential properties into a public waterfront park located at 17337, 17345, and 17347 Beach Dr. NE in Lake Forest Park. Based on the information provided and our understanding of the project and its APE, the Duwamish Tribe would recommend an inadvertent discovery plan (IDP), especially if any groundbreaking activity occurs below fill, topsoil or other impervious surfaces into native soil. We note that ASM Affiliates performed a cultural resources assessment in 2024 and concur that an IDP is appropriate. This is an area that the Duwamish Tribe considers culturally significant and has High probability to have unknown archaeological deposits. We note that there are 6 place names within about a mile of the project location. The DAHP WISAARD predictive model indicates that an archaeological survey is highly advised with a very high risk for encountering cultural resources.

The Duwamish Tribe requests that if any archaeological work or monitoring is performed, we would like notification. Cultural and archaeological resources are non-renewable and are best discovered prior to ground disturbance. The Tribe would also like the opportunity to be present if or when an archaeologist is on site.

In addition, the Tribe strongly support the removal of invasive species and support planting native vegetation for the proposed landscaping to enhance habitat for fish and wildlife, and native avian life and native pollinators. The Tribe supports observing critical area tracts and stream buffers to preserve any remaining wetlands and stream buffers. Loss of wetland habitat is known to affect the viability of fish, water quality and increase the effects of seasonal urban flooding.

We also strongly recommend that native trees in the APE, particularly culturally modified trees (CMPS) are preserved. Mature trees can be of profound cultural significance to the Duwamish Tribe and provide innumerable benefits for people, climate, and wildlife. If a tree is suspected to be culturally modified, the Duwamish Tribe would like to be notified and would like the opportunity to come to the site to ensure its protection.

Finally we request that any permanent lighting associated with the project be [dark sky compliant](#) to reduce light pollution. Darkened skies were favorable conditions to practice traditional life pathways.

Thank you,

Duwamish Tribal Historic Preservation



Duwamish Tribe | 4705 W. Marginal Way SW, Seattle, WA 98106 | 206-431-1582

www.duwamishtribe.org

Yancey Bagby

From: Katie Bulger <katiebulger@comcast.net>
Sent: Tuesday, April 29, 2025 10:28 AM
To: Yancey Bagby
Subject: NewLake Front Park on Beach Drive

I understand the need for a Lakefront access point in Lake Forest Park however I don't feel there should be any parking provided at the site. This is to avoid the inevitable traffic jam that will happen on this dead end street. This will block access to homeowners and emergency vehicles.



King County

Department of Natural Resources and Parks

Wastewater Treatment Division

King Street Center, KSC-NR-5505
201 South Jackson Street
Seattle, WA 98104-3855

April 17, 2025

sent via email: ybagby@cityofflp.gov
KC OAP Ref No.: 2314

Yancey Bagby
Lake Forest Park
17425 Ballinger Way NE
Lake Forest Park, WA 98155

Dear Yancey Bagby:

The King County Wastewater Treatment Division (WTD) has received the Notice of Application and Optional DNS Process for the Lakefront Park Improvements project (2025-SSD-0001, 2025-SCUP-0001, 2025-SVAR-0001, 2025-ZCUP-0001, and 2025-SEPA-0001) located at 17337, 17345, and 17347 Beach Dr NE that proposes improve public waterfront access through the transition of two recently acquired single-family residential properties into a public waterfront park. The newly acquired properties will be integrated with the existing Lyon Creek Waterfront Preserve to form one continuous public park. New project improvements include a new limited parking area, access paths, play structure, picnic structure, nature viewing platforms, and new swimming and paddling dock and recreational float. The existing primary single-family dwelling and one existing accessory unit will be renovated for flexible community use, and a bathhouse will be constructed in the footprint of the existing garage building. Other existing accessory structures will be permanently removed from the site. Two existing docks will be removed and consolidated into a single dock for public water access uses. An existing footbridge crossing Lyon Creek is proposed to be relocated from the stream and reinstalled within the stream floodplain.

King County requires that a capacity charge be applied to any project that constructs a new connection to the sewer system, any reconnection within five years of a disconnection, or any change in use or building remodel that includes an increase in plumbing fixtures. King County generally receives notice of new construction; however, some sewer districts and/or the cities that represent them have neglected to report changes in use and tenant improvements that involve an increase in plumbing fixtures.

In an attempt to remedy this problem, we are sending this reminder to you in response to the project notice above. We ask that you forward this reminder to the sewer district or city department responsible for Sewer Use Certification forms:

Please complete and send a **Non-Residential Sewer Use Certification** form for the above project to the King County Capacity Charge Program in a timely manner. The form should be sent to **Caera Quan, Project Program Manager, Capacity Charge Program, KSC-NR-0502**, at the address above. If you need additional forms or have questions about the program, please contact Ms. Quan at 206-477-5516 or caera.quan@kingcounty.gov

April 17, 2025

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Thank you for the opportunity to review and comment on this proposal.

Sincerely,

Emmeline Aquino

Emmeline Aquino, Environmental Planner

cc: Caera Quan, Project Program Manager, Capacity Charge Program

Enclosure

Non-Residential Sewer Use Certification Sewage Treatment Capacity Charge



Department of Natural Resources and Parks
Wastewater Treatment Division

To be completed for all new sewer connections,
reconnections or change of use of existing connections.

Please Print or Type

Property Street Address

City _____ State _____ ZIP _____

Owner's Name

Owner's Mailing Address

City _____ State _____ ZIP _____

Owner's Phone Number including Area Code

Property Contact Phone Number including Area Code

Party to be Billed (if different from owner)

Address

City _____ State _____ ZIP _____

A. Fixture Units

Fixture Units x Number of Fixtures = Total Fixture Units

Kind of Fixture	Fixture Units		No. of Fixtures		Total Fixture Units
	Public	Private	Public	Private	
Bathtub and Shower	4	4			
Shower, per head	2	2			
Dishwasher	2	2			
Drinking fountain (each head)	1	.5			
Hose bibb (interior)	2.5	2.5			
Clothes washer or laundry tub	4	2			
Sink, bar or lavatory	2	1			
Sink, Clinic flushing	8	8			
Sink, kitchen	3	2			
Sink, other (service)	3	1.5			
Sink, wash fountain, circle spray	4	3			
Urinal, flush valve, 1 GPF	5	2			
Urinal, flush valve, >1 GPF	6	2			
Water closet, tank or valve, 1.6 GPF	6	3			
Water closet, tank or valve, >1.6 GPF	8	4			
Total Fixture Units					

Residential Customer Equivalent (RCE)
20 fixture units equal 1.0 RCE

Total Fixture Units = RCE
20

Pursuant to King County Code 28.84.050, all sewer customers who establish a new service which uses metropolitan sewage facilities shall be subject to a capacity charge. The amount of the charge is established annually by the Metropolitan King County Council at a rate per month, per residential customer or residential customer equivalent, for a period of fifteen years. The purpose of the charge is to recover costs of providing sewage treatment capacity for new sewer customers. All future billings can be prepaid at a discounted amount.

Questions regarding the capacity charge or this form should be referred to King County's Wastewater Treatment Division at 206-477-5516.

I understand that the information given is correct. I understand that the capacity charge levied will be based on this information. I understand that any deviation may result in a revised capacity charge.

Signature of Owner/Representative _____

Date _____

Print Name of Owner/Representative _____

For King County Use Only

Account # _____

No. of RCEs _____

Monthly Rate _____

Property Tax ID # _____

Subdivision Name _____ Lot # _____

Subdiv. # _____ Block # _____

Building Name (if applicable) _____

City or Sewer District _____

Date of Connection _____

Side Sewer Permit # _____

Please report any demolitions of pre-existing structures on this property.

Credit for a demolition may be given under some circumstances.

(See King County Code 28.84.050, O.5)

Demolition of pre-existing structure? Yes No

Was structure on Sanitary Sewer? Yes No

Was Sewer connected before 2/1/90? Yes No

Sewer disconnect date _____

Type of structure demolished _____

Request to apply demolition credit to multiple structures? Yes No

B. Other Wastewater Flow

(in addition to Fixture Units identified in Section A)

Type of Facility/Process:

Estimated Wastewater Discharge:

_____ Gallons/days

Residential Customer Equivalents (RCE):

187 gallons per day equals 1.0 RCE

Total Discharge (gal/day) = RCE
187

C. Total Residential Customer Equivalents:

(add A & B)

A + B = Total RCE

Yancey Bagby

From: Terrence Conway <terrenceconway55@gmail.com>
Sent: Saturday, May 3, 2025 4:38 PM
To: Yancey Bagby; cconway91; TJ Fudge; Scott Donaldson; Jil Scollard; Tom French
Subject: Lakefront Park Comments due May 15

Hello Yancey,

My wife Claire and I would like to express our concerns on a few safety issues with the Lakefront Park.

- 1) It is our understanding that the number of parking spots are less than required by the code. Why is this being allowed? Would a private business be allowed to have less parking than the code requires?
- 2) Since there are only ten spots at the park and the rest are at City Hall we feel that will be a safety concern for people, especially excited, young children who are crossing Highway 522 and the turn lane from Ballinger to 522 - 7 lanes of heavy traffic.
- 3) What is the assurance that the parking at City Hall will be available during Market Sundays when the lots are full of vendors, booths and customers?
- 4) Has a traffic study been done during summer months when the Civic Club is in full swing? Since the light that controls the exit from Beach Drive only allows four or five cars per cycle it can currently take multiple light changes for cars to exit Beach Drive NE. Adding drop off traffic and parking traffic from the park will negatively impact this situation.
- 5) When cars are exiting the Civic Club and the park, how will access for emergency vehicles be maintained? The area around the entrance to the Civic Club only allows for two cars to be in line to exit before access is blocked. Despite traffic laws requiring the intersection not be blocked it often is as cars try to position themselves to exit.

Additional factors that concern us are:

The amount of impervious surface in the park.

The number of trees that are being removed.

The safety issues that surround having a swim platform - will there be lifeguards?

The merging of this "active park" with the requirement that the current park be a "passive park".

Given the above we feel a full Environmental Impact Study should be done.

Thank you.

Terence and Claire Conway

May 15, 2025

Via Electronic Mail

City Of Lake Forest Park
Attention: Yancey Bagby, Senior Planner
17425 Ballinger Way NE
Lake Forest Park, WA 98155-5556
Phone: 206-957-2824
Email: ybagby@cityoflfp.gov
www.cityofLFP.gov

***RE: Public Comment Submission by Jessie and Tyler Fudge For The Notice Of Application And Optional DNS Process For The Lakefront Park Improvements
City of Lake Forest Park File Number: 2025-SSD-0001, 2025-SCUP-0001, 2025-SVAR-0001, 2025-ZCUP-0001, and 2025-SEPA-0001***

Dear Ms. Bagby,

This firm represents Jessie and Tyler Fudge (the “**Fudges**” and “**Clients**”) who are residents of the City of Lake Forest Park (the “**City**”) and who own real property adjacent to the Lakefront Park. In addition to other public comments they have submitted, the Fudges write to formally express their opposition to the proposed development project by the City of the Lyon Creek Waterfront Preserve and proposal to change two (2) single-family residential properties into a combined public waterfront park (the “**Project**”) in which an application for environmental review is currently being reviewed pursuant to, among others, the Lake Forest Park Municipal Code (hereafter the “**Code**”), and additional reviews are either pending or contemplated as laid out in the above file numbers. As you know, the City has already conducted a preliminary review of the proposed Project for probable adverse environmental impacts, especially to Lyon Creek (the “**Stream**”) located at the north end of Lake Washington (the “**Lake**”). The Fudges strongly encourage the City to not issue a Determination of Nonsignificance (“**DNS**”) and to conduct a full environmental impact study (“**EIS**”) for the Project. The Fudges received a notice issued on April 15, 2025 by the City for this application for environmental review and I am submitting this Public Comment to you before the Comment Due Date on May 15, 2025 at 5:00pm.

The Fudges request the City deliver to my office a copy of each of the City’s decisions regarding this application for environmental review, including the final decision, to my firm’s address and email listed below my signature. The Fudges further request to be included as a party of record for this application for environmental review to maintain their right to appeal the decision. In addition, the Fudges request the City hold a public hearing on this application for environmental review at least thirty (30) days after today’s date so the Fudges have adequate time to prepare their comments in opposition.

1. Environmental Issues

The City proposes the following mitigation measures for the critical areas present at the Project site:

- Restoration planting
- Remove existing timber docks
- Remove existing dock from wetland
- Remove armoring from wetland and shoreline
- Move dock farther from Stream mouth
- Construct a new dock to current best standards (i.e., no creosote, fewer support piers, grated decking, higher elevation above the Ordinary High Water Mark (OHWM))
- Keep the Preserve overlook, but replace timber surface w/ grated decking and modify railing to prevent access to south Stream bank
- Relocate the existing Preserve bridge and replace surface if needed
- Remove all trails and recreational access south of Stream

These mitigation measures, while the beginning of an adequate analysis, are not a substitute for a comprehensive environmental study of this complex overlap of wetlands and streams, critical aquifer recharge areas (“CARAs”), fish and wildlife habitat areas, geological hazards, and frequently flooded areas, and do not address all potential environmental issues present in the Project. See Figure 1 for an overview of complex overlap.

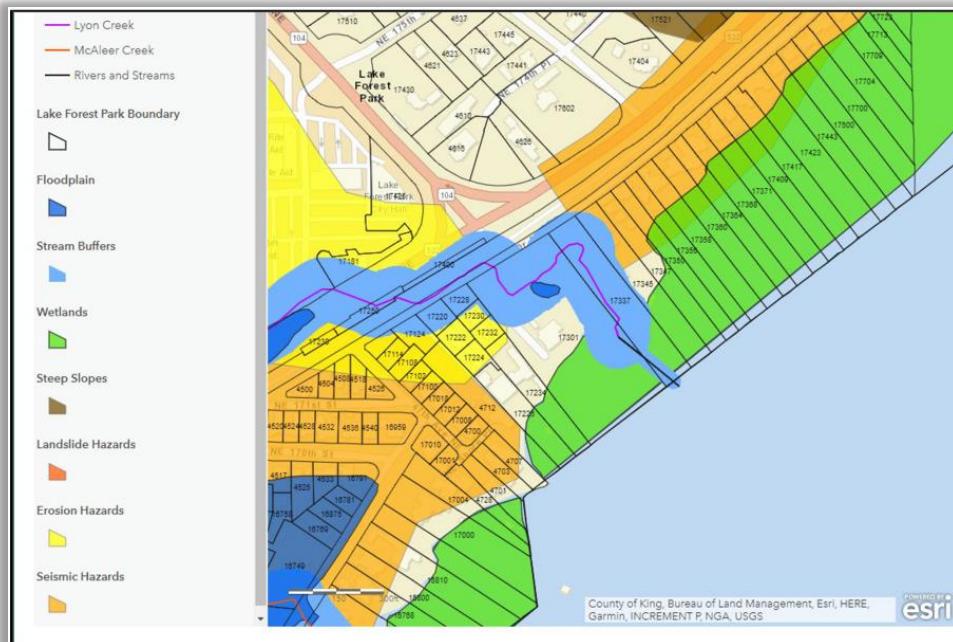


Figure 1: Critical areas mapped by Lake Forest Park Interactive Map

1.1. Salmon Habitat

The Stream affected by this Project serves as a known Coho salmon spawning reach and likely provides critical habitat for other salmonid species including Chinook salmon, sockeye

salmon, steelhead, and cutthroat trout. These species require specific environmental conditions to successfully reproduce, maintain viable populations, and hopefully grow their populations. The proposed development threatens these conditions through multiple disturbance pathways.

Construction activities will likely introduce several significant stressors to the aquatic ecosystem. The introduction of additional sediment during demolition, excavation, and grading operations risks smothering spawning beds (redds) with fine particles. Introduction of sedimentation can reduce oxygen permeability through the gravel substrate and has the potential to suffocate salmonid eggs and alevin (newly hatched fish still attached to their yolk sacs).

Noise and vibration from construction equipment may disrupt spawning behaviors and cause physiological stress responses in resident fish populations. Salmonids are particularly sensitive to such disturbances during their reproductive cycle. Also, there is a large potential for chemical contamination from construction materials, equipment leakage, or improper waste management, all of which could introduce toxins to the Stream and the Lake, potentially causing adverse ecological outcomes for aquatic organisms. It is unclear from the Preapplication Package Materials whether alteration of natural drainage patterns during construction may lead to unpredictable hydrological changes, potentially scouring stream beds or changing water chemistry parameters crucial for salmon survival. Regardless of when construction on the Project ultimately begins, at least one fish species in the area will potentially be affected due to the consistent presence of multiple fish species near the Project site. The City should conduct a thorough environmental assessment of the likely impact of the Project on all fish species in the area.

Following the construction phase of the Project, increased human presence will create ongoing pressures on this fragile ecosystem. The City's stated purpose is to increase all forms of traffic to the Preserve, including foot traffic and vehicular traffic. Elevated foot traffic along critical environmental areas will likely result in soil compaction, vegetation trampling, and erosion of streambanks. These changes reduce the buffering capacity of riparian zones and increase delivery of sediment and pollutants to the Stream.

Direct human interaction with the Stream, particularly recreational swimming, introduces multiple disturbances:

- Physical disruption of Stream substrate and potential destruction of redds
- Introduction of sunscreen chemicals and other personal care products into the water
- Noise and physical presence that may deter adult salmon from entering the Stream to spawn
- Inadvertent trampling of juvenile fish sheltering in shallow water areas

The cumulative effect of these disturbances may render the habitat unsuitable for successful spawning, incubation, and rearing of salmon species that have evolved to require quiet, clean, well-oxygenated, and structurally complex stream environments.

1.2. Tree Removal

The Project as proposed will remove 43 significant trees (25.15% of the 171 significant trees inventoried by the City), including one landmark tree (#2758). This substantial removal affects an

area currently functioning well with extensive canopy coverage and habitat for many species. The permanent prevention of tree regrowth once these trees are removed will likely necessitate future hazard tree removal, will likely adversely affect the Stream, and significantly reduce ecological habitat for various species. As the Project is situated at the Stream's terminus to Lake Washington, tree removal will harm the Stream ecosystem in multiple ways:

- Reduced contribution of woody debris to the Stream
- Diminished root strength in areas where the Stream may naturally migrate
- Compromised shoreline stability and riparian functions
- Decreased shade and temperature regulation for aquatic habitat
- Reduced filtration of runoff and pollutants entering the watershed

The current tree protection recommendations include:

- Tree protection fencing installation
- Limitations on heavy equipment within critical root zones of the remaining trees
- Protective boxes around trees susceptible to mechanical trunk damage
- Canopy pruning to prevent branch damage

However, these measures fail to address the Code requirement to achieve no-net-loss of shoreline and Stream functions. Furthermore, the long-term ecological impact of removing over 25% of significant trees remains unaddressed, with no City plans to assess these effects in either the near or distant future. Therefore, the Fudges formally request that the City implement comprehensive mitigation requirements to ensure no-net-loss of shoreline and Stream functions for all work conducted within critical area buffers. This should include substantial replanting and ongoing monitoring to verify ecological function recovery over time. The City should err on the side of extra protection of the Stream if there is question about how much mitigation is needed to ensure no-net-loss.

An issue related to the proposed tree removal is that the removal of 43 significant trees as part of the Project could degrade eagle fishing and potential nesting areas. The Fudges have observed multiple eagles actively hunting within the Project area during their ownership of their property. Evidence suggest possible nesting activity in trees specifically designated for removal by the City. These mature trees provide essential hunting perches that afford eagles optimal vantage points for spotting prey in adjacent waters. The proposed tree removal, combined with substantially increased human presence through expanded foot traffic and water recreation, will create persistent disturbances that may permanently displace these protected raptors from historically utilized territory. The cumulative effect of habitat loss and increased human activity will likely render this location unsuitable for continued eagle use.

1.3. Wetland Buffer Issue

The City's critical area review demonstrates a troubling misinterpretation of the fundamental purpose and standards for critical area buffer protection. The Shoreline Master Program (SMP) establishes a clear presumption against alterations of streams, wetlands, and associated buffers in shoreline jurisdiction, stating they are "prohibited." While SMP § 330.A provides limited exceptions, these are permissible only when it is definitively determined that the proposal "will enhance or

protect the wildlife habitat, natural drainage or other functions." Here the City has inverted this protective standard, arguing that buffer alterations are justified to "achieve a successful design for a public park" rather than demonstrating how the proposed alterations will unequivocally enhance ecological functions. This represents a fundamental misapplication of the review standard, prioritizing recreational amenities over the explicit ecological protection mandate by the Code and SMP.

The City's assertion that "the completed project at maturity as proposed will provide improved stream, wetland, and buffer functions" lacks substantive evidentiary support. No quantitative ecological function assessment has been provided to establish baseline conditions, projected impacts for what will actually occur during the proposed construction, or anticipated ecological recovery timelines. Without such data, the claim of enhanced function remains speculative at best rather than verifiable. The City's own admission that "permitted trails on the floodplain have decreased the wetland's ecological functions" directly contradicts their assertion that increased human access and activity will somehow improve ecological conditions in the wetlands. This internal inconsistency undermines the credibility of their ecological impact assessment and all forwarded mitigation measures.

The SMP explicitly requires that all work in critical areas "use the best management practices that result in the least amount of impact to the critical areas." The City has failed to demonstrate that the proposed design represents the "least impact" approach as required. The City acknowledges that eliminating trails and human interference would allow critical areas to recover yet rejects this ecologically superior alternative in favor of continued and intensified human activity within buffer zones and across all wetland areas. The "least impact" standard creates a clear obligation to prioritize ecological function over recreational amenities when the two objectives conflict. The City has reversed this priority, subordinating ecological recovery to recreational expansion in contravention of the Code's explicit requirements.

The City's critical area review fundamentally fails to satisfy the regulatory requirements for buffer alterations under the Code and SMP. The review prioritizes recreational amenities over ecological protection, lacks substantive evidence of enhanced ecological function, fails to apply the "least impact" standard, and proposes inadequate mitigation for acknowledged permanent impacts. These deficiencies collectively create significant ecological risk to sensitive stream and wetland habitats that provide essential functions for protected salmon species and other wildlife. The Project as proposed is inconsistent with the ecological protection mandate of the applicable regulatory framework and should therefore be revised completely to actually prioritize ecological protection.

1.4. Proposed Mitigation Measures are Insufficient

The mitigation measures proposed by the City fail to adequately address the significant ecological impacts of the Project and fall short of ensuring no-net-loss of shoreline and Stream functions as required by code. While the measures present some positive modifications, they fundamentally underestimate both the immediate and cumulative impacts on this critical area and salmonid habitat. In recognition of the significant ecological concerns associated with this Project, The Fudges have retained Racheal Villa of Soundview Consultants to review the publicly available Project application materials. Ms. Villa is a senior scientist at Soundview Consultants who trained in

freshwater and marine ecology with an emphasis in salmonid life histories and habitat and holds numerous professional and governmental certifications. The Fudges reserve the right to supplement this public comment with submitted supplemental filings to provide the hearing examiner with her expert scientific perspective independent from the City's own internal environmental assessment. The Fudges also reserve the right to supplement this public comment with other expert reports as necessary.

For example, the proposed restoration planting lacks specificity regarding species selection, density, long term monitoring protocols, and long-term success criteria necessary to replace the complex ecological functions of 43 mature trees proposed to be removed. The dock modifications still introduce new and unnecessary disruptions to the aquatic environment during construction and are an unnecessary increase to overwater area. Removing armoring without comprehensive hydrological assessments risks unexpected erosion patterns that could undermine spawning habitat. Most critically, these measures address only direct physical impacts while ignoring the watershed-scale consequences of increased impervious surfaces, altered drainage patterns, and human-generated pollutants that will inevitably reach this salmon-bearing Stream. Without quantifiable metrics for success, ongoing monitoring requirements, proposed long term adaptive management protocols, and enforceable performance standards tied to salmon habitat functions, these mitigation measures represent at best superficial considerations rather than the comprehensive ecological protection this sensitive habitat requires.

The Fudges have serious concerns regarding the environmental and ecological impacts of this Project, and the Fudges respectfully urge the City to not issue a DNS for the Project at this time. At a minimum, the City should be required to cooperate with an independent agency to generate an EIS for the Project pursuant to RCW 43.21C.030(2)(c) to allow reasonable identification of all likely environmental impacts that will most likely occur if the Project is permitted to proceed. This should be done before a DNS is issued by the City.

2. *Neighborhood Issues*

2.1. Parking And Traffic

The Preserve currently provides only one (1) ADA parking spot and proposes the addition of merely 10 new on-site parking spaces. This falls significantly short of the 44 spaces explicitly required under the Code § 18.58, Table 18.58.030. The Project as proposed envisions utilizing parking at City Hall – across Bothel Way NE which is a busy principal arterial that is 6-7 lanes wide – as a shared parking resource for the Preserve via a shared use parking agreement. Such a disconnected parking solution contradicts fundamental principles of accessibility and end user-oriented design, while demonstrating a complete disregard for the practical realities of how visitors will actually access the site. This arrangement appears designed primarily to satisfy numerical requirements on paper rather than to provide functional parking that meets the actual needs of facility users or and importantly mitigates neighborhood impacts. See Figure 2 showing the distance between City Hall and the Project site for the proposed bifurcated parking arrangement. This presents multiple concerns and creates accessibility challenges and safety hazards for pedestrians attempting to access the Preserve. The substantial 75% shortfall in required parking spaces represents a clear and material non-compliance with established municipal code requirements.



Figure 2: Vicinity map showing Site location and City Hall Location

The analogous case study cited in the Traffic Impact Analysis for a direct comparison is Santa Rosa Park located in San Luis Obispo California which is 9.98 acres public park nestled in a suburb, includes two baseball fields, a street hockey field, and a skatepark, among other things. This park is hardly a comparable traffic case study for the City's Project which is located on the Lake's waterfront, is substantially smaller in size, and caters to completely different public activities. All conclusions drawn from the Santa Rosa Park traffic patterns should be disregarded by the City, especially since state and local ordinances do not apply to that park.

The inadequate parking provision will inevitably result in visitors parking along the public right-of-way adjacent to residential properties. This spillover effect will create congestion on neighborhood streets not designed to accommodate high-volume parking demand. The traffic impact analysis conducted in September 2024 is notably deficient, as it fails to quantify projected visitor numbers or establish peak usage patterns throughout the year. Specifically, the Project is projected to be built-out and operational by 2027 and the traffic horizon analysis only extends to 2027, not past that date taking into account the future congestion created by the likely substantial vehicular and pedestrian traffic in the vicinity. Without this essential data and accurate long term projections, it is impossible to accurately assess the true impact throughout the year on local traffic patterns, residential access, and emergency vehicle accessibility.

The proposed parking deficit creates substantial public safety concerns. When designated parking reaches capacity, which will occur frequently given the significant shortfall and the activities

the City has prioritized for this site, visitors will likely park in nearby unauthorized areas, potentially blocking driveways, impeding emergency access routes, and creating hazardous conditions at the busy intersection near City Hall. Additionally, the traffic analysis does not account for seasonal variations in usage patterns at this site, which are likely to be substantial for a recreational facility of this nature. During peak periods, these impacts will be amplified considerably, creating disproportionate burdens on adjacent property owners, including the Fudges, and undermining the safety and accessibility of the surrounding neighborhood. Beach Dr NE terminates at a dead end and does not provide access at the easternmost point to Bothell Way NE. See Figure 3.



Figure 3: Street view of Beach Dr NE facing Northeast showing current "dead end" traffic signal

2.2. Public Access

Despite current signage indicating that Beach Dr NE is a dead end and not a turnaround, the projected increased traffic at the Preserve will certainly mean the public will use Beach Dr NE as a turnaround and overflow parking location. The failure of the Project as proposed to provide adequate on-site parking as required by Code will effectively externalize the Project's costs onto neighboring residents, who will bear the burden of increased traffic, noise, reduced property access, and potential property devaluation. Without a comprehensive traffic management plan that accurately forecasts visitor volumes and provides sufficient on-site parking, the Project poses significant long-term challenges to neighborhood livability, property values, and public safety that remain unaddressed in the current proposal. Rather than focusing on the traffic impacts up through the construction period, the City should seriously consider and factor into its plans the long term impact after the Project's anticipated completion on the neighborhood where the site is located.

2.3. Setback and Trespass Issues

The Fudges have witnessed from time to time unauthorized access from the Preserve to the site and are naturally concerned that this trespassing behavior will extend northeast to their property if the Project is permitted to proceed. During periods of low water, the exposed lakebed creates a continuous walkable path that extends from the Preserve to the Project site to the Fudge's property, and their private dock. These trespass incidents, while currently periodic, demonstrate an existing lack of boundary enforcement that will be significantly magnified by if the Project is permitted to proceed as submitted.

A troubling regulatory inconsistency exists in the treatment of shoreline development. The Fudges and other lakefront property owners are prohibited from constructing a bulkhead on their respective properties to protect their property interests, yet the Project proposes significant development that will dramatically increase human activity along the northeastern boundary of the site. This represents an inequitable application of development standards that restricts private property owners while permitting and encouraging substantial public modifications with direct negative impacts on those same private interests. The Project's proposed beach area and water access points will generate substantially increased boat traffic, swimming activity, and use of self-propelled watercraft (kayaks, paddleboards, etc.) directly adjacent to the clients' property. This intensification creates multiple negative impacts:

- Heightened risk of unauthorized trespass onto private docks and private property
- Increased noise from watercraft and recreational activities
- Potential property damage from inexperienced watercraft operators
- Privacy intrusions from proximity of public recreation to private residential space
- Safety concerns related to unsupervised swimming near private docks and structures
- A substantial increase in liability risk for private property owners in the neighborhood

The Fudges emphasize that the current proposal to create an active park creates additional concerns that a passive park does not. To address the above mentioned legitimate property protection concerns, the City should establish and enforce a mandatory 25-foot setback buffer along the entire property boundary between the Project site and the Fudge's property to the northeast as part of its application. This buffer should extend waterward from the shoreline to clearly delineate prohibited access areas for swimmers and watercraft to the 25-foot buffer area, and landward to Beach Dr NE to encompass portions of the proposed parking lot, kayak station, and bicycle facilities. This buffer zone should be clearly marked with appropriate signage and physical demarcation both on land and in the water through buoy lines or similar visual indicators. The Project's site plan should be modified to relocate all parking spaces, the proposed kayak station, and bicycle facilities outside of this 25-foot setback zone, which are structures under the spirit of this regulation, to create a meaningful transition area between public and private use. This buffer zone must also be accompanied by well thought out robust enforcement mechanisms including:

- Regular patrols by City police during peak usage periods
- Clear signage along the buffer zone clearly indicating the edge of the Preserve and the beginning of private property
- Physical barriers where topographically appropriate
- Inclusion of property boundary education in any site orientation materials and signage

- Documented procedures for immediately addressing trespass incidents when they occur

Without these protective measures, the Project effectively creates a public nuisance by visitors to the Preserve that directly and substantially burdens the rights of adjacent private property owners, and all but eliminates their quiet use and enjoyment of their property.

2.4. Air Quality And Noise Pollution Concerns

The Project as proposed will introduce significant new air pollution sources to an area currently characterized by minimal vehicular traffic and high vegetation density. The removal of 43 mature trees will immediately reduce the site's natural air filtration capacity, eliminating a substantial biological buffer that currently absorbs airborne particulate matter. Simultaneously, the projected increase in vehicular traffic associated with the inadequate parking plan will generate elevated levels of nitrogen oxides, volatile organic compounds, carbon monoxide, and particulate matter in the immediate vicinity of residential properties.

The cumulative effect of these represents an anticipated material decline in local air quality, particularly during peak usage periods when vehicle idling will likely increase as visitors search for limited parking spaces and drop off family members in the main right of way. This decline in air quality has potential health implications for adjacent residents, particularly those with respiratory conditions, the elderly, and young children who are most vulnerable to air pollution exposure. Not only will there be elevated levels of particulate matter introduced to the vicinity, there will most likely also be chemical run off from the vehicles into the Stream, degrading habitats.

The Project documentation demonstrates a concerning absence of noise impact assessment or mitigation measures for the neighboring parcels. The anticipated increased public use of the site will generate multiple noise sources that will affect neighboring residential properties. Specifically, increased vehicular traffic will raise ambient noise levels through engine noise, car alarms, and vehicle sound systems. The insufficient on-site parking will distribute these noise impacts throughout the surrounding neighborhood as visitors seek alternative parking locations. Further, human activity noise will increase substantially, including conversations, recreational activities, and general public gatherings. These noise sources will be particularly intrusive during evening hours and weekends when residential neighborhoods typically experience reduced ambient noise levels. Project documentation does not address special events and uses of the multi-use portions of the site, and could potentially generate noise levels significantly above baseline and extend into evening hours when sound travels more efficiently and creates greater disruption to residential properties. Examples of reasonable uses for this space are birthdays, concerts, and weddings, to name a few, all of which will raise the ambient noise level in the surrounding vicinity to the detriment of the neighborhood at large. Without appropriate scheduling restrictions, these activities may occur during hours typically reserved for residential quiet enjoyment.

The collective impact of increased air and noise pollution represents a significant environmental burden that will be disproportionately borne by adjacent property owners. This burden fundamentally alters the residential character of the neighborhood and the overall purpose of the Preserve which should remain a passive park and not the proposed active park with extensive amenities. Therefore the Project should be redesigned to meet existing levels of impact. That said, if

the DNS is granted, the Project currently fails to meet reasonable environmental protection standards and should require a comprehensive assessment and mitigation measures to address these reasonably expected impacts. Appropriate noise mitigation once the Project is redesigned should include at a minimum:

- Establishment of operating hours restrictions
- Sound barriers designed specifically for noise attenuation and to prevent accidental public trespass onto private property
- Designated quiet zones near residential boundaries
- Noise level monitoring and enforcement mechanisms
- Special event management protocols with maximum attendance and amplification limitations

These mitigation measures among others should be studied extensively to minimize the impact on neighbors to the Preserve.

3. Optional DNS Process Issues

The environmental review notice of application fails to include all required notifications on the first page as mandated by WAC 197-11-355(2)(i)-(iv). These omissions on the first page and inclusion only on the second page of the notice constitute a procedural deficiency that compromises public awareness of critical Project information and decision timelines. The public comment due date was buried at the end of the second page rather than posted on the first page. The regulation explicitly requires prominent display of specific notifications regarding comment periods, appeal procedures, and subsequent actions. These omissions from the first page of the notice potentially invalidate the entire Optional DNS process and creates grounds for procedural challenge, including requiring the City to re-issue the notice.

While the Optional DNS process technically permits combining the SEPA comment period with the Notice of Application, the application of this process in the current circumstance presents significant concerns regarding the City's impartiality. The City has effectively appointed itself as lead agency while simultaneously indicating its predetermined intention to issue a DNS, to itself. This creates a clear appearance of impropriety and suggests the environmental review process is being conducted as a perfunctory exercise rather than a substantive and serious analysis of significant impacts outlined in previous sections regarding tree removal, salmon habitat, eagle fishing and nesting, traffic congestion, and pollution increases. Here, the utilization of the Optional DNS process substantially reduces meaningful public participation opportunities. By combining comment periods and signaling a predetermined environmental determination, the City effectively eliminates a dedicated comment period that would traditionally follow the issuance of a threshold determination, which has not occurred here. See Figure 4 and Figure 5. Eliminating a public comment period to voice concerns about a threshold determination reduces the public's participation in the environmental review process.

Public Comment Submission to City Of Lake Forest Park

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whether an Environmental Impact Statement is prepared. For questions or information on the environmental review or the Optional DNS process please contact the City's SEPA Responsible Official, Mark Hofman, at mhofman@cityoflfp.gov or (206) 957-2824. A copy of the subsequent threshold determination for the proposal may be obtained upon request.

Public Comment: Interested parties may comment on this application by submitting written

Figure 4: Excerpt from City Of Lake Forest Park Public Notice And Comment Period Notice Of Application And Optional DNS Process For The Lakefront Park Improvements, pg. 2.

The initial public comment period established by the April 15, 2025 Notice of Application & Optional DNS Process runs through Thursday, March 15, 2025. As indicated in the Notice, the City is utilizing the Optional Determination of Nonsignificance (DNS) process and **no threshold determination is yet made**, nor could one be during the notice period. The threshold determination thus can not be provided by Friday, May 9, 2025 as requested in your Letter of Representation. Please review the Notice of Application for additional detail and I'm available to discuss the review at your availability.

Thank you



Mark Hofman, AICP | Community Development Director
City of Lake Forest Park
17425 Ballinger Way NE | 206-957-2824
www.cityoflfp.gov

Figure 5: Excerpt from email communications with City official Mark Hofman

Given the Project's substantial impacts on critical habitats, protected species, traffic patterns, and neighborhood livability, this expedited process inappropriately constrains public input on matters of significant community concern and environmental consequence. Therefore, this Project warrants appointment of an independent entity as lead agency to ensure impartial environmental review. The current arrangement, where the City serves as both Project proponent and environmental reviewer, creates an inherent conflict of interest that undermines public confidence in the review process. An independent lead agency would provide necessary objectivity in evaluating the substantial environmental concerns raised by adjacent property owners and environmental stakeholders. This approach would better fulfill the fundamental SEPA purpose of ensuring thorough, unbiased consideration of environmental factors in governmental decision-making.

The SEPA review process helps agency decision-makers, applicants, and the public understand how the entire proposal will affect the environment. SEPA can be used to modify or deny a proposal to avoid, reduce, or compensate for probable impacts. Here, the procedural shortcomings and structural conflicts in this current environmental review process risk undermining both the legitimacy of any resulting determination and public confidence in the City's commitment to environmental protection and procedural fairness.

As outlined in this comment letter, significant adverse environmental impact are likely and the City's application for DNS should be denied pursuant to WAC 197-11-355(1) and a new impartial lead agency should be appointed to conduct an independent assessment of the application based on the merits with two (2) separate comment periods.

4. SEPA and ZCUP SEPA Issues

4.1. SEPA Checklist

The City's SEPA checklist demonstrates a fundamental misunderstanding of the scope and purpose of environmental impact analysis by narrowly defining affected persons to only include those who live on the site, which is no one, and exclude neighboring property owners. The assertion that "no noise impacts" will occur because 'no people would reside or work in the completed project' represents a flawed interpretation of SEPA requirements and established environmental assessment principles. Environmental impacts, including noise, do not respect property boundaries and should be evaluated based on their area of effect, not arbitrary property lines. The increased public utilization resulting from this Project will generate substantial new noise sources—including vehicular traffic, recreational activities, maintenance operations, and invited public gatherings—all of which will directly impact residential properties in proximity to the site. Failure to acknowledge, quantify, and mitigate these noise impacts constitutes a material deficiency in the environmental review process.

As previously mentioned, the SEPA checklist contains contradictory information regarding parking provisions that calls into question the credibility of the entire environmental assessment. The checklist states that "18 new parking spaces will be provided through a combination of on-site (including ADA) and off-site parking," while the ZCUP materials indicate 22 spaces (10 on-site and 12 off-site). This 22% discrepancy between permit documents raises serious concerns about the accuracy and reliability of the environmental review process since each additional proposed parking spot for the Project has a significant environmental impact. Moreover, neither figure approaches compliance with the 44 spaces required under Code § 18.58, representing at best a 50% shortfall in required parking facilities. The inconsistency suggests either inadequate coordination between permitting processes or, more concerning, a deliberate attempt to minimize the appearance of Code non-compliance depending on which regulatory audience is reviewing the documents.

Further, the checklist fails to adequately consider the cumulative effects of multiple environmental impacts occurring simultaneously. The removal of 43 significant trees, increased impervious surfaces, additional vehicular emissions, human activity-generated noise, and potential habitat disturbances to protected species including salmon and eagles collectively create impacts greater than the sum of individual effects. The City downplays the anticipated effect of vegetation removal and alteration by simply mentioning that "Vegetation removal for the construction of park improvements **may** include trees...". Emphasis added, see Figure 6. SEPA explicitly requires consideration of cumulative impacts, yet the checklist evaluates each impact category in isolation without acknowledging their interrelated nature or addressing how these combined effects might fundamentally alter the environmental character of the area, which is precisely the purpose of an EIS, which the City seeks to avoid here.

b) What kind and amount of vegetation will be removed or altered?

Vegetation removal for the construction of park improvements may include trees, lawn, shrubs, and groundcovers. While the project will include critical area buffer modification, the project work will also include critical area restoration.

Figure 6: Excerpt from SEPA Checklist, pg. 6.

Given these substantial deficiencies, the SEPA checklist requires comprehensive revision to accurately reflect the Project's actual environmental impacts and to comply with both the letter and spirit of State Environmental Policy Act requirements. The revised assessment should include noise monitoring data, accurate parking information consistent across all permit documents, quantitative projections of anticipated actual site usage, and a holistic evaluation of cumulative environmental impacts, ideally by a neutral third party agency. Without these corrections, the checklist fails to fulfill its fundamental purpose of providing decision-makers and the public with accurate information regarding the environmental consequences of the proposed action.

4.2. ZCUP Proposal

The City's ZCUP application for conditional use permit demonstrates significant inconsistencies with established policies designed to protect neighborhood character and residential quality of life. The proposal fails to align with Policy EQ-2.2, which explicitly requires "community and neighborhood agreement" on access improvements with potential negative impacts on private property owners. The application contains no documentation of meaningful neighborhood consensus or agreement regarding the proposed access modifications. At best, input was solicited from the neighborhood at a pre-application meeting and community workshop events. This absence constitutes a procedural deficiency that undermines the fundamental policy requirement for collaborative resolution of potential conflicts between public access and private property interests, here the entire street of private property owners on Beach Dr NE. As previously mentioned, the City's application fails to address documented trespassing concerns, as current unauthorized access to the site from the Preserve demonstrates an existing boundary enforcement challenge that will be significantly exacerbated if the Project proceeds without implementing mandatory buffer zones and physical barriers to protect adjacent private property rights which belong to the members of the surrounding neighborhood.

Similarly, the application contravenes Policy PT-1.5, which mandates that park development demonstrate sensitivity to adjacent uses regarding traffic impacts, noise generation, litter management, lighting, and operational hours. The current mitigation measures proposed in the application—split rail fencing, limited vegetative screening, buoy line installation, posted hours, and trail modifications—represent minimal interventions that fail to substantively address the comprehensive range of neighborhood impacts identified in previous sections, including noise pollution, traffic congestion, parking shortfalls, and environmental degradation. The City should revise its proposed mitigation measures to accurately take into account the actual anticipated uses of the site and their consequences. Specifically, regarding the current mitigation measures, the hearing examiner should note the following specific deficiencies:

- The vegetative screening proposal lacks detailed specifications regarding plant species, density, mature height, maintenance requirements, and replacement provisions necessary to ensure effective visual and acoustic buffering. A more permanent and solid sound barrier would be more appropriate in this application.
- The split rail fence proposed for the eastern property boundary provides minimal mitigation for noise transmission or visual intrusion into adjacent parcels and represents an aesthetic rather than functional barrier.

- Posted operational hours without monitoring or enforcement mechanisms offer insufficient protection against after-hours use and associated neighborhood disturbances. Will the site be physically locked and closed to the public after hours?

To address the City's stated policies and adequately mitigate Project impacts, the following enhanced measures should be considered and implemented as conditions of permit approval:

- Installation of comprehensive acoustic barriers consisting of both vegetative buffers and physical sound-attenuating structures along all boundaries adjacent to private residential properties.
- Development and implementation of a Neighborhood Impact Monitoring Program with quarterly assessments of traffic patterns, noise levels, and environmental conditions, with results reported to both the City and a neighborhood oversight committee.
- Establishment of a formal Parking Management Plan including designated overflow protocols, neighborhood parking restrictions, and enforcement mechanisms to prevent parking spillover into adjacent residential areas for when traffic demand exceeds supply of roads and parking spots.
- Implementation of a tiered operational hours system that restricts higher-impact activities to daylight hours on weekdays and provides corresponding noise level restrictions for evening and weekend periods.
- Installation of gates controlling entry points to the Preserve to ensure compliance with operational hours.
- Creation of designated buffer zones with enhanced ecological plantings adjacent to sensitive habitat areas to minimize human disturbance of protected species.
- Establishment of a Beach Drive Neighborhood Liaison Committee with regular meetings with the City and a formal process for addressing resident concerns as they arise during Project construction and after its completion.
- Implementation of low-impact lighting systems designed to minimize light pollution while maintaining safety.

These proposed enhanced mitigation measures, among others, represent the level of intervention necessary in this case to achieve consistency with Policies EQ-2.2 and PT-1.5 and to fulfill the fundamental conditional use requirement that proposed uses demonstrate compatibility with adjacent properties and neighborhood character.

5. Project Funding Issues

The Project's funding status warrants careful consideration by the City when evaluating whether to issue a Determination of Non-Significance. According to public documentation available, including the City's adopted 2025-2026 Biennial Budget, the anticipated construction completion and operational opening of the Project is scheduled for 2027; however, the current application materials contain no clear confirmation of secured funding sources for this initiative. With an estimated cost exceeding eight million dollars, this represents a significant financial commitment that appears to lack definitive funding allocation in publicly available documents.

This funding uncertainty creates potential risks for both environmental protection and community financial exposure. Should the Project commence without fully secured funding and

subsequently encounter financial constraints, there is substantial risk that environmental mitigation measures may be compromised or eliminated to reduce costs. Additionally, funding shortfalls could potentially shift financial burden to the community through unexpected tax increases or special assessments to complete the initiated Project. This assumes the Project costs will actually be what the City anticipates them to be. The City's environmental determination should consider this funding uncertainty as it relates to the likelihood of full implementation of proposed mitigation measures outlined herein and the Project's overall feasibility within the projected timeline. A reduction of the scope of this Project, for example removing construction of the proposed new dock and swimming platform from the Project's scope, could reduce the costs of the Project and potential for overruns.

6. Conclusion: Request to Deny Approval

The Fudges respectfully request that the City either (i) deny the application and determine that the Project as proposed does have a probable significant adverse impact upon the environment, or (ii) require substantial modification to the Project to ensure it avoids the most harmful environmental, neighborhood, permitting, and funding issues outlined herein, and those raised by other stakeholders in this comment period. The Fudges also support the holding of multiple public hearings to allow the full community to voice their concerns before any further determinations by the City are made regarding Project. The Fudges are residents of the neighborhood surrounding the Preserve and proposed park and deserve to have their voices heard and considered before the City decides to commit its residents to years of increased disruption and inevitable adverse environmental impacts, among other adverse effects.

Based on their personal experience and talking to other patrons of the Preserve, this Project threatens to significantly disrupt sensitive aquatic habitats, including those relied upon by migratory species such as salmon. It appears that the Project, as planned, does not sufficiently avoid or minimize impacts to the Stream, the Lake, and the wetlands close by, as required by applicable municipal, state, and federal environmental standards. These concerns are compounded by the apparent lack of a comprehensive environmental impact assessment or public transparency regarding key planning and consultation steps.

Thank you for weighing this comment submitted by the Fudges. They strongly urge you to fully examine the Project's long-term consequences to the local residents, the Creek, the Lake, and the delicate ecosystem which the Project will irreparably disrupt. Please uphold the environmental and public interest protections which both state and federal law requires you to do.

Sincerely,

DICKSON FROHLICH PHILLIPS BURGESS PLLC

/s/ *Eric V. Schacht*

ERIC F. SCHACHT | ATTORNEY
ON BEHALF OF JESSIE AND TYLER FUDGE

CC: Clients

From:

Jessie Fudge
17350 Beach Drive, NE
Lake Forest Park, WA 98155
Jessiefudge13@gmail.com
5/14/2025

Submitted to:

City of Lake Forest Park
Attention: Yancey Bagby, Senior Planner
17425 Ballinger Way NE
Lake Forest Park, WA 98155

Re: Public Comment Submission for the Notice of Application and Optional DNS Process for the Lakefront Park Improvements

To Whom it May Concern,

My name is Jessie Fudge, and I live adjacent to the planned park project with my husband and two children, in the “lone adjacent residential property.” We bought our lakefront property in 2013 while pregnant with our first child with no knowledge that the large property next door could become an active use park. We have loved raising children on this quiet block, grilling by the beach, watching the eagles soar by and even recently watching a bobcat resting on the dock. Before the city acquired the neighboring property, our house was positioned next to an abandoned barn that was not used. This provided quiet privacy from the street side. The former owners and renters were also quiet and respectful, and we watched out for each other’s properties. A lot has changed since then, including the removal of the barn with no attempt by the city to provide the same level of privacy that we have become used to.

Unfortunately, the city has chosen not to include us in the planning phase, separate from the larger community gatherings, for the development of an active use public park on the adjoining property. There was a single neighborhood meeting without any follow up. The current application does not address the neighborhood concerns discussed in that meeting, despite reassurances that the city heard our concerns.

Our house and dock are not included in most of the city park plans, so it is difficult to see just how close the new parking lot, park beach and bulkhead are to our house and dock.

Please also note that the wall along the backyard property line does not extend along our house or the park property bulkhead. There is a real threat to trespass that cannot be ignored by the city. Someone can simply step off the bulkhead and onto our sand and can touch our house from the new parking turn-around.

In considering the city's request for a conditional use permit for the new property (directly adjacent to us) and changes to the conditional use for the Lyon Creek Park Preserve, I will address several concerns related to the application:

1. The proposed use is not materially detrimental to other property in the neighborhood.

I believe an active use park, as currently designed by the city, is materially detrimental to our property and potentially the neighborhood.

There is a serious risk of trespassing on our property, especially if the buoy line is built to the property line and not required to have a 25-foot setback/buffer. We have had floaters and boaters' trespass on our dock from the recently expanded logboom park, which is located much further away. These interactions are often aggressive, as people assume that they have rights to overwater structures while enjoying the lake. Increased incidences of trespassing will decrease the ability for us to peacefully use the dock and/or allow our children on the dock without adults present.

The location of the parking lot and proposed turn-round are directly adjacent to our house and specifically our 11-year-old son's bedroom. He will be the first person to hear people arriving at the park and last person to hear them leave. These parking lots tend to be gathering spots for excited hello's and loud goodbyes. The sound of slamming car doors can also not be ignored. The location of the proposed paved parking lot is positioned well within the required 25-foot setback and will increase noise and air pollution directly next to our house, where there used to be an abandoned barn and no car traffic.

There is a lot of active use at the Lyon Creek Park Preserve. People looking for a place to launch their kayaks and paddle boards frequently choose to park their cars directly in front of our house to unload their picnic supplies and blow up their paddle craft and then walk everything into the preserve. This slows and frequently stops traffic flow. If a passive use park that does not allow boats has this level of street activity, then an active use park that encourages boating will increase the use of our street in this manner. We already have to plan drive times based on the weather. Nicer weather brings more people to our street, and we often have to sit through multiple light cycles to cross Ballinger Way, increasing commute times. More traffic on our small street will increase this issue.

2. Any building or structure on the site shall maintain a distance not less than 25 feet from any abutting RS or RM classified property

The city has chosen to build a parking lot and a swimming area less than 25 feet from our property.

The response in the application by the city that “the proposed parking lot and walkways will encroach slightly within 25 feet [of our property], however, no new buildings will be constructed within this area,” is concerning. The city has proposed a walkway and parking turn-around directly adjacent to our house (appears to be within 5-10 feet of our house without plantings or fence) where there used to be an abandoned barn with no active use. The addition of idling vehicles and slamming doors, in my opinion, is worse than a building and I would expect the city to, at the absolute minimum, follow the 25-foot guidelines to mitigate the increase in noise and air pollution as well as increased foot traffic next to our house. We specifically mentioned our concerns about the location of the proposed turn around during our neighborhood meeting. I had hoped the city planners would have taken those concerns into consideration before finalizing this proposal.

There is no local precedence for converting a beach on a property zoned single family to an active use swimming and boating park without larger treed spaces between properties. The current proposal to have a buoy line along the property line would allow swimmers and boaters to be well within this 25-foot distance recommended for new structures. While not a new structure, an active swimming area will have high impact on the neighboring property. Allowing swimming up to the property line will allow easy trespassing and restrict us from using our dock and beach as we currently do. Additionally, the “no swim” buoys at the passive Lyon Creek Park are frequently used to anchor floaties and coolers.

A more agreeable solution would be to have the swim boundary 25 feet off our shared property line, at the minimum, to decrease trespassing and mitigate impacts on us as neighbors swimming off our dock. And ideally the city will develop a park plan that creates a swimming area that has no swimming/active use on the neighborhood side, also following the 25-foot guide.

2. The applicant's past performance regarding compliance with permit requirements and conditions of any previously issued land use permit including building permits, conditional uses or variances, shall be considered before approving any new permit.

The city has not complied with the conditional use permit for Lyon Creek Park Preserve

The conditional use permit requires the park to be locked at sunset, which does not consistently happen. More concerning is that the park is often open well past dark and sometimes overnight for multiple nights in a row. We have submitted numerous code enforcement requests that should be searchable by the courts. We were instructed to call the police to lock the park, but we feel that the police have more important things to do than respond to our calls about city park hours, so most of the days that the park is not locked go unreported. If expansion of the park is approved, the park must be cleared of people every night and the gates locked at dusk (or earlier during long summer hours for noise/safety concerns).

As I noted earlier, there is frequent and consistent active use of the Lyon Creek Park Preserve, which is zoned as a passive park. The conditional use permit for Lyon Creek specifically states no swimming, boating, off leash animals, drugs/alcohol. Many nice days in spring, summer and fall see paddle boarders and kayakers launching from the preserve, dogs chasing balls into the water at the mouth of Lyon Creek, kids and adults swimming off the dock and coolers full of beverages (including alcohol). Twice I have seen motorboats dock at Lyon Creek to pick up and drop off people. These activities are happening around the respectful bird watchers and photographers who often rest on the park bench at the end of the dock. Unfortunately the city has not been able to stop active use of the passive park. This creates concerns about the city's ability to oversee an active park.

Any active use approvals or expansion of the Lyon Creek passive park preserve should require a caretaker and/or lifeguard to enforce rules, including no off leash/swimming animals, no alcohol/drugs and no diving!

In conclusion,

We want Lake Forest Park to have access to the waterfront and preserve this piece of nature, but we expect the city to identify a park plan that limits traffic impacts, decreases air/noise pollution, limits impact to our wetlands, streams and landmark trees (less impervious surface), and respects the neighboring property boundaries (including over water) and the impacts that an active use park will have on our house, backyard and the neighborhood. This acquired potential park property cannot support the number of people an active park will attract, and I believe the city should rethink their park plans. I also strongly believe that we do not understand the full environmental impact of a park of this

size and the city should not be exempt from completing a full environmental impact statement to guide appropriate use of the park.

Sincerely,

Jessie Fudge

Public Comment on Lakefront Park – T.J. Fudge, 17350 Beach Dr NE

The City's application for permits for zoning conditional use, shoreline variance, shoreline substantial development, shoreline conditional use, and SEPA determination of non-significance is a lot to try and understand. I moved to LFP nearly 12 years ago, a few months before our first child was born, and live in the adjacent residential property to the proposed park. I love the community of LFP and served on the City's Planning Commission for more than 5 years. The City's acquisition of my neighbor's property has great potential; unfortunately, the City has chosen to rush the process and not coordinate with the neighborhood. The result is a proposal which does not meet the conditional use criteria of not negatively impacting the neighbors and neighborhood. There is enormous conservation potential in the property and wide variety of appropriate uses, but the City proposes such intensive use with such limited facilities that the proposal is well beyond the scale of what can be supported by the current infrastructure. The proposal has a negative impact both directly on our property due to noise, pollution, and trespass, and on the safety of the neighborhood as a whole due to vehicle demand exceeding capacity of Beach Dr. and blocking access for emergency vehicles. The City further proposes an excessive amount of construction within wetland buffers and does not meet the criteria for a determination of non-significance as there is likely a net degradation of environmental quality. The City's application should be rejected on the merits and asked to prepare a new application after mitigating concerns raised in an Environmental Impact Statement.

If any elected official, committee member, or consultant had initiated a discussion with us prior to submitting these plans, we would have happily engaged in a conversation and worked towards a win-win solution. Instead, we were allowed only the same public opportunities as any resident – meetings where we did not feel comfortable expressing specific concerns. We were not allowed to see any of these drawing in advance of the permit submission to identify key points of contention. We believe that there is a path towards a wonderful public space that also respects our safety and privacy.

This public comment is long because of the complexity of this project. The complexity itself should be an indication that an Environmental Impact Statement should have been prepared. The City is trying to shoehorn a very impactful project into a very small location and is greatly underestimating the impacts. This comment will first address some broader context regarding the proposal before diving into the specifics of the submitted materials in these sections:

- 1) General Comments
- 2) Detrimental to Property: Safety, Noise, Pollution, Trespass
- 3) Past compliance
- 4) Parking
- 5) Traffic
- 6) Dock
- 7) Wetland and Trees

1. General Comments

The City is systematically underestimating both the impact of the proposal as well as the community desire. In 2021, the City ran Proposition 1 which sought a property tax increase to support parks and sidewalks. A Lakefront Park on the site with a very similar layout was the flagship project. The city rejected proposition 1 65.1% to 34.9%. What is probably only appreciated by a few of us on the Planning Commission at the time, is that an earlier study presaged the Proposition 1 result. The 2019 PROST (Parks Recreation Open Space and Trails) survey asked:

Q3: Please rate the following park and recreation investments in the order most important to you (1 being most important):

The results were that 63% prioritized either a Rec Center or Park Improvements rather than Lake Access. Lake Access received only 37% of the first priority ranking, closely matching the Proposition 1 results. There has been consistency that a majority of citizens of Lake Forest Park do not widely support a Lakefront Park. Most are too polite to say so publicly, but when given the opportunity to express their opinions at the ballot box or in an anonymous survey, the majority have other priorities. This raises significant concerns for the City to be able to fund the maintenance and operation of the proposed park.

The City is also underestimating the use and impact. The City relies on a strange comparison to a park in California with little overlap in amenities (i.e. no water front) for the traffic and parking usage, and then performs a comparison with Bellevue parks. This appears to all be an attempt to not make the obvious comparison to the Civic Club next door; this is a comparison the City apparently wants to avoid because the Civic Club has 54 on-site parking spaces while the proposal has only 10. But even the Civic Club has a much lower demand than a future public active park because of the limited membership. Log Boom is a better comparison (and borders LFP) in many ways. The proposed use and Log Boom share similar amenities – swim beaches, picnic shelters, docks, playgrounds, proximity to the Burke Gilman, and are of similar size - 3ish acres. (Note that the City cannot decide on how to calculate the area of the proposed park – is Lyon Creek Preserve included? Is water included?, but this is of little importance since it's the amenities that will drive use and not acreage). To get a sense for how the usage of Civic Club compares with that of Log Boom, I surveyed them recently on May 4, a sunny Sunday with a high in the low 60s. The Civic Club had 7 parked cars; Log Boom had a full parking lot of 50 cars, two cars circling to find a spot, and an additional 42 cars were parked along 175th St. This is a ratio of 13 vehicles at Log Boom to each at the Civic Club. (The survey was conducted at 3:08PM at the Civic Club and 3:21PM at Log Boom. Photo documentation available.) The parking and traffic impacts vastly exceed what is assumed by the City. The passive Lyon Creek preserve already creates chaotic situations on Beach Dr throughout the summer and emergency vehicle access will be negatively impacted.

2) Detrimental to property: safety, noise, pollution, trespass

Criteria for conditional zoning is in italics below:

B. The proposed use is not materially detrimental to other property in the neighborhood;

The proposed park will be materially detrimental to our property. The proposal includes a parking lot with through traffic that is within 5 ft of our home, meaning that all vehicles that visit the park will come right against our home. The park will likely be open from dawn to dusk, such that there will be impacts during the busy summer period from before 5AM to after 10PM. The noise and pollution will reduce our quality of life and impact our property value.

The proposed use also encourages trespassing. At non-peak lake levels (the lake varies by 2 ft) which occur during peak summer use, there is unimpeded (i.e. without getting your feet wet or passing a fence) access to our property. The photo below, from before our dock was installed, highlights the ease of access between properties at summer lake levels as the first ~100 ft of our dock are over dry lake bed for much of summer. Further, the proposed active use of the waterfront occurs up to our property line. A major concern is that someone from the proposed park need travel only 10 ft on sand to reach our dock and separate us, on our lawn from our children, out on the dock. This has already occurred with aggressive people in floaties from Log Boom park, who decided that licking our dock and going topless was the appropriate response to being asked not to hold onto our dock and separate us from our children.



G. The proposed use is not in conflict with the health and safety of the community;

The proposed use will greatly increase traffic on the narrow and dead-end Beach Dr. which will restrict emergency vehicle access and decrease the safety of the residents. The proposal seems to assume that all vehicles using the proposal use will adhere to stated traffic and parking rules. Instead, it is well documented that users of the existing Lyon Creek Preserve disregard the traffic and parking rules. I show one example here, shared with the city at the time, of a truck blocking the entire street to unload kayaks (photo taken at 3:14PM); followed a fire truck reversing back down the street less than an hour later at 3:59PM. The safety concerns for emergency vehicle access are not limited to improper behavior. The intersection of Bothell and Ballinger Ways – i.e. the entrance to Beach Dr. and referred to in the application as Intersection 3 – already has a level of service (LOS) of F for outgoing traffic, which will be further degraded by the proposed use. The key issue is that this intersection is prone to clogging at high use times, effectively acting as a cork once more than three vehicles are waiting to exit.





1. Any building or structure on the site shall maintain a distance not less than 25 feet from any abutting RS or RM classified property;

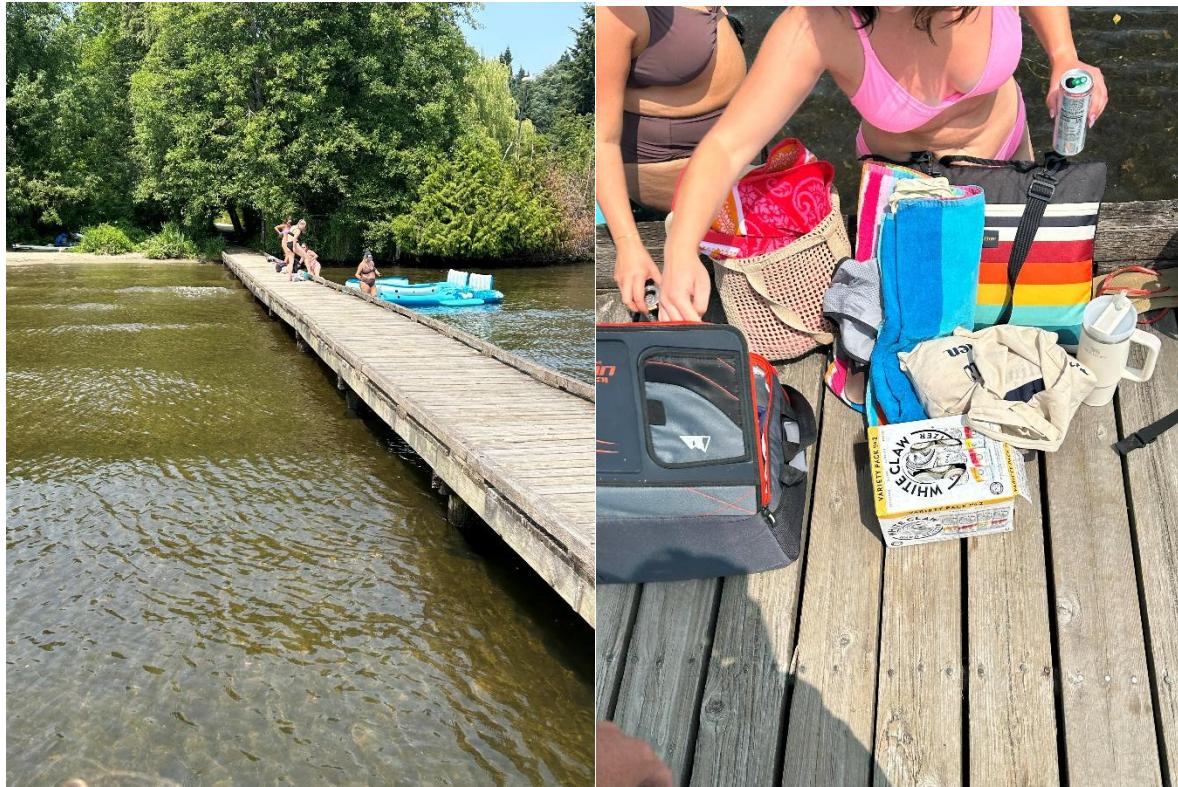
The proposed parking lot and walkways will encroach slightly within 25 feet of the easterly adjacent RS property;

The parking lot is within 5 ft of the side of our house, which is on the property line. The City states it will "encroach slightly" when in fact is 20 ft into the setback. The parking lot is particularly impactful encroachment because of the noise and pollution produced. Every car reaching the site will pass within 10 feet of our property, adjacent to our office and beneath our sons bedroom. The rear wall of the community center would be less impactful than the parking lot and turnaround.

3. Past Compliance

J. The applicant's past performance regarding compliance with permit requirements and conditions of any previously issued land use permit including building permits, conditional uses or variances, shall be considered before approving any new permit. (Ord. 924 § 7, 2005; Ord. 773 § 3, 1999)

The City has a poor track record of meeting the conditions at Lyon Creek Preserve. Lyon Creek is a passive preserve, meaning no water access, yet swimmers, dogs, and paddle craft are common and the conditional use restrictions are not enforced. Alcohol and drug use are common. Even when alcohol use is reported to the police, no action is often taken because the perpetrators are in the water. Here is one example of perpetrators consuming alcohol in a floaty (first two photos taken at 1:32, third photo taken at 3:25) and still being in the water 2 hours later after the police had responded.



The City has also consistently not closed the gates to Lyon Creek Preserve at night. The CUP Condition 13C states “Recommended Condition 11 requires that the site gate be closed when the park is closed.” We have emailed the mayor and city administrator, called the police, and submitted code enforcement requests many times, yet the Preserve is open while I write this at 10:45 on Sunday May 3, just as it was on Saturday May 2, just as it was on Friday, May 1 (photo documentation available). We increased our vigilance about the Preserve being closed at night after the caretaker of the property left and the we observed trespassing onto the property.

4. Parking

The City's parking analysis is deeply flawed and underestimates the likely impacts. Parking is already a serious issue on popular summer days as people will park along nearly all of Beach Dr. already. We have no garage and little off-street area, so we depend on street parking to access our home.

- The city has no plan for limiting parking on residential Beach Dr.
- Only assembly space is used in the calculation – no provision is made for other users of the park – which they then ignore
- Use of ITE and San Luis Obispo numbers have little bearing since they are based on much larger parks that have different uses including no waterfront and no assembly space
- No other park comparison uses off-site parking
- Excludes the Lyon Creek Preserve from calculations

Here is a photo from today, May 13, with four cars parked illegally. The no parking sign (for cars to the left) can be seen behind the black volvo and there are multiple other signs along this section of road.



The City provided no examples of off-site parking being effective. Their only analogy was to Lyon Creek Preserve, which does not function well as more visitors park on Beach Dr. than at Town Center.

The City's analysis also did not address the hosting of events at the community space.

The city also avoids any comparison to the adjacent Civic Club. Since the Civic Club is limited to members and always staffed, its impact is much less than a public park will be. Yet the Civic Club is often full on both nice summer days and when events are held. The Civic Club has 54 parking spaces. Yet the City assumes that 10 (7 regular) on-site and 12 off-site parking spaces will be sufficient. This will lead to large numbers of vehicles looking for parking on the narrow and dead-end Beach Dr..

Below we first provide general comments and then more specific responses to the City's Parking Analysis:

General Comments:

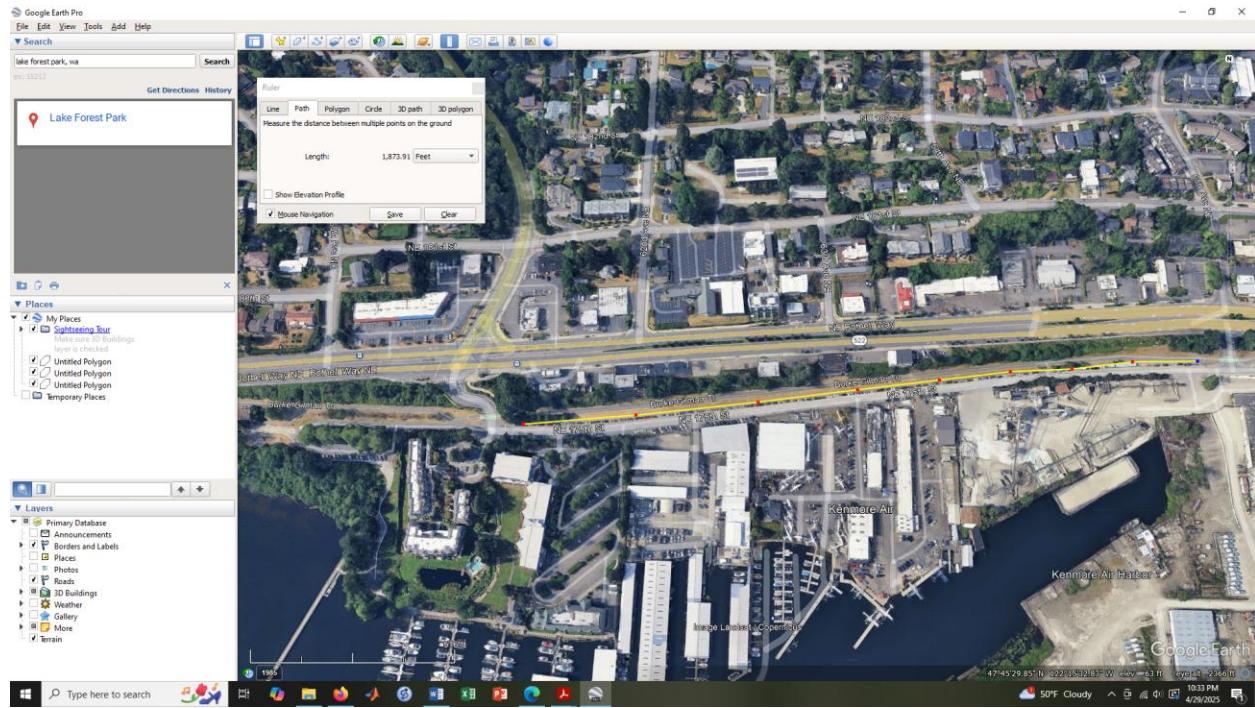
The City's analysis relies on a calculation of stalls per acre (see Table 9). This metric is deeply flawed as it does not account for intensity of use. Take New Castle Beach Park. The City lists it as a 42.48 acres with 161 parking spaces for a stalls/acre of 3.79. However, the park is actually much more similar to the proposed park than this suggests – there is a 130 linear ft beach, picnic shelter, dock with swim float, bathrooms, playground, proximity to a major trail (Eastrail) and open grass space (not sports fields). The two significant differences - no built assembly space and lots of undeveloped space. A reasonable assumption is that the use of the park depends not on the acreage, but rather the amenities. Thus, the appropriate number of parking spaces in a comparison to New Castle Beach would be a nearly equal amount of parking, say 160 parking spaces. We discuss this not to propose 160 spaces for the proposed park (see above where we suggest the Civic Club as the obvious comparison), but rather to highlight the inappropriateness of the City's comparison.

The City needs to address the impact of parking on the residential street. Beach Dr. already sees significant parking for Lyon Creek Preserve. People often park along the full extent of Beach Dr to use Lyon Creek. The situation at Logboom park is a useful example which is discussed more below. Using the stock Google Earth imagery from a July 2024 (not July 4), parking is seen to stretch along the full length of the road (1900 ft). This is at least 80 cars in addition to the 60 parking spaces at Logboom. This indicates that parking demand of a similar waterfront park can greatly exceed the parking provided. At Logboom, the street parking is along a mixed multi-family residential/commercial/industrial roadway while Beach Dr. is a narrow, dead-end, non-conforming street of solely single family residential. The parking demand from the proposed park on Beach Dr. will be debilitating.

It appears the City has even reduced the number of parking spots for Lyon Creek Preserve from 3 to 2 (see city provided Parking Analysis) in an effort to create more available parking at City Hall.

"The 44 parking spaces identified as being needed per the LFPMC translates into a total provided parking rate of 23.16 stalls/acre (44 stalls for 1.9 acres)." The City only includes parking necessary for the two event spaces, the "Big House" and "Picnic Shelter". Nowhere does the city include the parking necessary for use of the park itself. This greatly understates the parking needed. Stalls/acre is not a useful metric and instead the amenities at the park will drive the parking demand.

Let's use Logboom Park, which borders Lake Forest Park, as a comparison. Logboom shares many similarities with the proposed park: a swimming beach, a playground, a picnic area, a dock, and close proximity to the Burke-Gilman trail. It also has differences: no community flex space but a small water craft rental facility and it allows power boats on the dock. Log Boom has much more waterfront, although the park area is similar (3ish acres) and the waterfront is largely vegetated and not accessible. Despite Logboom having no event space, it still sees significant parking demand. To assess how much, we use the stock Google Maps and Earth image, included below. This image was taken in July of 2024 and the recreational use of the dock and lack of fireworks, indicates it is not July 4:



The Log Boom parking area with 49 spots (45 normal, 4ADA) is on the left. Less visible is the parking on the street that stretches to the right from Log Boom. There are approximately 80 cars parked on the north side of the street that runs a distance of approximately 1900 ft. There are additional parked cars on the south side of the street. Not every car pictured here will be for Log Boom, as the marina and Kenmore air harbor will also see uses, but both of these have a significant number of open spots in their private parking areas. And some could be for the two large apartment complexes, but again, both of these have significant fractions of their private parking areas open. We do not count any vehicles on the south side of the street on the generous assumption that these are for local businesses and not the park (despite the likelihood they are park users). Another piece of information is that anyone who has been to Log Boom has also noticed the stream of people parking on the street to access the park.

The parking demand for Log Boom from this image is thus the 49 spaces in the parking lot and 80 cars on the street, for a total of 129 spaces. Again, this is demand for the park itself and not for a community event space.

Log Boom provides an example of what actual parking demand is, and will be for the proposal park. Beach Dr. is a narrow, dead-end residential street, not a wide industrial/commercial/multi-family residential street capable of handling tractor trailers. Beach Dr. cannot accommodate additional parking.

"Parking Codes of Nearby Local Agencies

Parking requirements were evaluated for the cities of Sammamish and Kenmore as they have relevant similarities to Lake Forest Park. Kenmore Municipal Code 18.40.030 states that the City Manager sets the required minimum parking spaces for parks. For the City of Sammamish, the Community Development Director sets the minimum parking spaces required for parks."

The Kenmore code is actually quite similar to that of Lake Forest Park. From the Kenmore code "1 <stall> per 3 fixed seats, plus 1 per 50 square feet used for assembly purposes without fixed seats". This would

give very similar parking numbers to Lake Forest Park's code, as the greater parking required for fixed seating of the picnic tables would likely balance the lower number of spots for flexible space.

ITE Parking Generation for Parks

The ITE Parking Generation Manual, 6th Edition (October 2023) includes Land Use Code 411 Public Park that has a variable input of acres. The average size of park used for the study that resulted in the parking rates was 126 acres for weekday peak parking demand and 20 acres for peak Sunday demand. The parks surveyed in the ITE study varied widely as to location, type, and number of facilities. The setting/location for this code is identified as "general urban/suburban." The 85th percentile parking rate was used in this document to evaluate the parking demand for the weekday and Sunday/weekend peak demand periods. The Santa Rosa Park Trip Generation and Parking ITE Study (March 2023) included a peak parking rate for a weekday and Saturday/weekend. Santa Rosa Park in San Luis Obispo, California is an active 10-acre park site that contains several amenities including large grass fields, picnic areas, playground facilities, basketball courts, softball fields, a skate park, and a roller sport field. The City provides no explanation for why these parking rates are applicable. The use of parking stalls per acre is inappropriate for a unique location like a waterfront park – which is what gives this park its appeal. It is worth noting that the data and statistics underlying the data are inadequate. For instance, how do you calculate an 85th percentile when there is no statistical relationship between the three data points? (ITE report page 215)

5. Traffic

The proposal has glaring omissions regarding traffic.

- 1) No traffic volumes associated with a community event were generated
- 2) The traffic study included only 4 hours of measurements, none of which are representative of peak demand
- 3) The vehicle counts are inaccurate and inconsistent between Intersections 3 and 5, the most relevant to proposal.
- 4) Intersection 5 Northbound (i.e. leaving Beach Dr.) has a level of service of F and is made worse by the proposal

Other important points not considered:

- No determination of peak times was made
- The impact of new stop signs at the Ballinger/Beach intersection was not considered
- No provision is made for confused drivers at the Ballinger/Beach Dr. intersection
- No provision is made for drivers waiting and/or parking on Beach Dr fronting the park
- No provision is made for drivers turning around when parking is full

The entrance/exit to Beach Dr. is a bottleneck. This photo was taken today, May 13, and shows the inability of the intersection to function at high volume times. Only 4 of the 6 cars made it through the intersection at the light. Also note the car on the left exiting the Civic Club entrance. I do not like imagining what happens to this intersection if a community event at the proposed park ended at a similar time.



“Table 1 summarizes the study intersections’ PM peak hour and Saturday peak hour intersection level of service (LOS).”

It is unlikely that the City captured peak demand. It is unclear if the only times evaluated were one Tuesday 4-6PM and one Saturday 11-1, or whether these were the only times reported. No explanation was given for why these are actually the peak times for traffic. We know from experience that 11-1 on weekends is not a peak demand time. 11-1 might be a peak time for a park with sports fields, but a waterfront park is much more active later in the afternoon and into the evening.

“The intersection of Beach Drive and the site entrance included one non-injury crash with a parked vehicle on October 12th, 2019. The Crash Rate per MEV is greater than 1.00 due to the low volume of the roadway.”

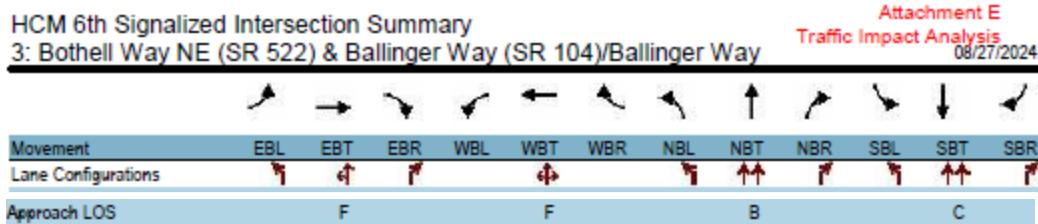
It is unclear why the report is discounting the crash rate per MEV being greater than 1.00. The proposed park will bring many more bike/car/pedestrian encounters and this is clearly a warning sign that the intersection requires analysis and mitigation.

Peak volume appears to be skewed towards incoming traffic (40 incoming versus 13 outgoing on PM, and 35 incoming vs. 16 outgoing on weekend). The intersection is most sensitive to outgoing traffic. When are outgoing peak volumes?

Intersection volumes are inaccurate. The most critical intersections are Intersection 3 (Ballinger/Bothell) and Intersection 5 (Beach/Civic Club). These two intersection are connected with a small, effectively unnamed section. Every car that turns left or right from Beach Dr. onto this connector must then also either turn left, go straight, or turn right at Intersection 3. Thus, the car volumes should match. They do not. In Figure 6: 2027 With Project Volumes for PM peak, 13 cars turn left from Beach Dr. W and 27 cars turn right from Beach Dr E, for a total of 40 cars leaving (going N) of Intersection 5. At Intersection 3, 9 cars turn left, 9 go straight, and 10 turn right, for a total of only 28 cars. 12 cars disappeared and are not included in the calculation for level of service of Intersection 3. When a study contains such basic flaws, none of the information can be trusted to be accurate.

The traffic study computes the Level of Service (LOS) for intersections 3 and 5 to assess the impact of the project. The prepared report uses only a single value for each intersection. Only in the Appendix are

the LOS given for each component. The LOS of entering and exiting Beach Dr are graded Fs. Increasing the vehicle volumes will further reduce the function of these already failing intersections. This methodology is deeply flawed as explained here. Intersection 5 is uncontrolled. Intersection 3 is dominated by two state highways with peak car volumes that exceed 1000. The report calculates only a single LOS for each intersection. If the only impact from the project to be considered is the function of intersection for drivers on the state highway, the analysis is likely fine. However, the impact on Beach Dr is not accurately represented because the intersection level of service is dominated by the state highways which was ~100x the traffic volume. If you have to wait through 3 light cycles to get out of Beach Dr, the LOS of the intersection still won't change. An important consideration is how Intersection 3 functions for vehicles leaving Beach Dr and this is not assessed. Further, this has important safety concerns because this intersection is the only ingress/egress for emergency vehicles and easily becomes congested, blocking travel in all directions.



6. Dock

The City states the dock is the minimum necessary; however, they provide little justification for why a smaller structure would not be sufficient. A dock is not necessary for a swim beach, as demonstrated by the newly renovated Log Boom Park. The proposed dock not only exceeds the LFP Shoreline Master Program guidelines, it also violates at least two state of Washington requirements for width within 30ft of the shoreline and for height above the lake.

The dock also violates a vast number of requirements in the Shoreline Master Program. The City argues that it does not contemplate public docks, yet this is a strange argument given that the City wrote the document and no evidence is provided that the SMP did not consider public docks. The City has a long history of placing regulations to improve ecological function. This proposal, being so near to a salmon bearing stream, is of particular importance to limit over water structures.

As a Planning Commissioner, I pushed for revising the SMP, in particular to allow for maintenance dredging. Dredging would provide relief from the shallow water conditions, while also enhances the ecological function.

The swim platform is in 4.25 ft of water depth. It is unclear why then the dock needs to extend beyond that water depth to facilitate swimming.

We believe any dock proposal should be kept to the minimum necessary for enjoying views of the lake and not violate any of the WAC and LFP SMP. Railings should also be installed on both sides to ensure that no diving/jumping into shallow water occurs. The safest option would be to have no dock, which we believe is still consistent with the goals of the park and reduces both the risk to visitors and liability of the citizens.

7. Wetlands and Trees

The proposed park is an ecological treasure providing a unique opportunity to improve both riverine and lakefront habitat. It is with great pride we have observed a bobcat, coyotes, beavers, otters, and many other wildlife species in this area.

The proposal is shocking for the amount of impervious surface being used and the number of trees being removed. The amount of development within stream and wetland buffers is incredible. The proposed park would have a substantially greater footprint and impact than previous (or any future) residential development. The zoning change proposed is for “Urban Conservancy”, yet the proposed development exceeds the RS7200 regulations: >50% impervious surface is proposed while RS7200 has a 45% limit.

The proposal also will remove more than 40 significant trees, including a landmark tree. Many of these are native trees. Why? The proposal also has extensive construction in critical root zones. In one instance, new impervious surface extends more than 50ft into a critical root zone of a landmark tree, to within 15 feet of the tree. Again, why?

The City would never permit such residential development, yet is seeking this for a zoning change focused on conservation. The City should apply its own standards and reduce the scope of the development.

Conclusion

The City has an amazing opportunity to preserve a unique ecosystem comprising a creek, lakefront, and forest. Unfortunately, the City has proposed intensive use that cannot be accommodated at the site. The proposal will create negative impacts on us, the direct neighbor, and our neighborhood that are materially detrimental. The City has not listened to public opinion expressed in the Proposition 1 vote and is likely to create a situation of high maintenance and operation costs for a project that a majority of residents have not supported as soon as it affected their pocketbooks. A more interesting, less impactful, and cheaper alternative exists.

Yancey Bagby

From: Cheryl Greene <clfgreene@comcast.net>
Sent: Tuesday, May 13, 2025 8:42 AM
To: Yancey Bagby
Subject: Commentary on Proposed Park on Beach Drive NE

To: Senior Planner Yancey Bagby

I am commenting specifically on the parking, traffic and enforcement of regulations concerns on Beach Drive NE as a result of the Lake Front Park development. I live at the east end of the street that is clearly marked as "Dead End." I have lived here 59 years and driven and walked the street enumerable times.

1. Parking for the Beach enthusiasts are not the only concern. Walkers and bicyclers have used the Beach Drive to access the Burke-Gilman Trail for decades. The west end of the street is the congestion area, but visitors park wherever they can. These folks also have option of parking at the Log Boom Parking lot, but they want the convenience here. The Log Boom Park and its issues affect my end of the street.
2. Drivers ignore the "Dead End" signs looking for access to Log Boom Park; get angry...turn in someone's driveway and speed down the street to exit. I have witnessed a dog being hit and killed. Thanks be to God; a human has not been killed.
3. We have children and elderly living on the street that use it for bicycling and exercise. We have strangers on the street who use it for exercise oblivious of traffic behind them.
4. We have homeowners who have rental units on their property that rely on street parking. It is now legal to rent out apartments without owner living on property. We have homeowners who lease their property to tenants who have no obligations to this Dead-End neighborhood and speed limits.
5. As private citizens, we have no authority to enforce anything. Does Lake Forest Park have the capability of monitoring this?
6. A perpetual issue is the accessibility of service vehicles of all kinds to park on the street or maneuver the street without having it blocked. Republic Services has to back up the street at the end of their run. We hope that the Fire Department or Ambulance service never have to visit our neighborhood. But if they do, will you guarantee that they can get through swiftly...always?
7. A new addition to the traffic at the Beach Drive/ Bothell Way intersection is using the end of the street for U-turns.
8. Other concerns: Monitoring the drug addicts, transients and homeless and their use of the park and parking. The Park neighbor, Lyon Creek Preserve, has that reputation to share.

Thank you for this opportunity to voice my concerns.

Cheryl Greene
17759 Beach Drive NE

Yancey Bagby

From: Samuel Lien <samuelclien@gmail.com>
Sent: Sunday, May 4, 2025 1:38 PM
To: Yancey Bagby
Subject: Lakefront park comments

Hi Yancey,

My name is Sam Lien and I live at 17763 Beach Dr NE, down the road from the developing lakefront park. I think it's great that LFP will have this as a resource and my family and I are excited to visit it! It'll be a nice addition to the relatively small preserve adjacent to the civic club. Thank you for the work you're doing to move this project forward!

My only reservation with the plan is the on-site parking. Our street can be quite challenging to navigate with the folks that already live on our street and the others that come and go from the current preserve and the civic club. I've heard that there will be about 10 on-site parking spots on the new development. This will definitely compromise a significant number of square feet that could instead be devoted to park space, but my bigger concern is what it will do to traffic around the bottleneck that is the first section of Beach Dr NE. Once people realize there is on-site parking, there will be a never-ending stream of visitors who turn onto our street, maybe find parking at the new park but more likely find that the lot is full, then either "street park" adjacent to our homes (there's barely enough room for this as it is, and my neighbors and I all need this space for our friends and families who visit frequently) or turn around in our driveways to head back to the parking lot at the town center. Inevitably, visitors will inadvertently back into our mailboxes, garage doors, and landscaping features (in fact this already happens, most recently to my immediate neighbor!). At the very best, there will be a significant increase in congestion around the entry to our street, frustrating us as we try to go about our busy day to day lives. Please consider removing the on-site parking, or at the minimum limit it to one or two handicapped spots.

Thank you for taking the time to read my input and thank you again for all your hard work. We all appreciate the job you're doing whether it sounds like it or not in the comments :)

Regards,
Sam Lien

Yancey Bagby

From: ELIZABETH ONEILL <jeezl@comcast.net>
Sent: Wednesday, April 16, 2025 7:49 AM
To: Yancey Bagby
Subject: Fwd: NOTICE OF APPLICATION AND OPTIONAL DNS PROCESS FOR THE LAKEFRONT PARK IMPROVEMENTS

Dear Yancey Bagby,

This is so wonderful! Our family is delighted that the city of LFP is creating more public space, preserving the stream buffer, and providing for multiple community uses.

One question: I hope there will be historical signage in the new park related to the Indigenous history of this area including Lushootseed names (similar to the signage by Log Boom in Kenmore).

Thank you!

Elizabeth Simmons-O'Neill

----- Original Message -----

From: City of Lake Forest Park <listserv@civicplus.com>
To: jeezl@comcast.net
Date: 04/15/2025 9:14 AM PDT
Subject: NOTICE OF APPLICATION AND OPTIONAL DNS PROCESS FOR THE LAKEFRONT PARK IMPROVEMENTS

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NOTICE OF APPLICATION AND OPTIONAL DNS PROCESS FOR THE LAKEFRONT PARK IMPROVEMENTS

File Number: 2025-SSD-0001, 2025-SCUP-0001, 2025-SVAR-0001, 2025-ZCUP-0001, and 2025-SEPA-0001

Property Owner/Applicant: City of Lake Forest Park/Facet

Location of proposal: 17337, 17345, and 17347 Beach Dr. NE, Lake Forest Park (Parcel nos. 403010-0050, -0040, and -0035)

Zoning: RS-7.2 Single-Family Residential, High

Shoreline Designation: Shoreline Residential (parcels 403010-0040 and -0035) and Urban Conservancy (parcel 403010-0050)

Proposal: Improve public waterfront access through the transition of two recently acquired single-family residential properties into a public waterfront park. The newly acquired properties will be integrated with the existing Lyon Creek Waterfront Preserve to form one continuous public park. New project improvements will be focused on the two recently acquired parcels, while the existing public preserve

parcel will be modified to reduce public access to the stream buffer and environmentally sensitive area at the stream's outfall to Lake Washington. New project improvements include a new limited parking area, access paths, play structure, picnic structure, nature viewing platforms, and new swimming and paddling dock and recreational float. The existing primary single-family dwelling and one existing accessory unit will be renovated for flexible community use, and a bathhouse will be constructed in the footprint of the existing garage building. Other existing accessory structures will be permanently removed from the site. Two existing docks will be removed and consolidated into a single dock for public water access uses. An existing footbridge crossing Lyon Creek is proposed to be relocated from the stream and reinstalled within the stream floodplain.

Date of Application: January 9, 2025

Date of Complete Application: April 4, 2025

Permit Review Process: Required land use and shoreline permits include Shoreline Substantial Development (SSD), Shoreline Conditional Use (SCUP), Shoreline Variance (SVAR), and Zoning Conditional Use (ZCUP) permits. Review will occur in accordance with the Type I permit procedures at LFPMC Chapter 16.26, including an open record public hearing with the City's Hearing Examiner in accordance with LFPMC 16.26.100. Notice of hearing and additional comment period will be provided via all required/traditional methods, including parties of record, when scheduled.

Other Approvals Needed: WA State Department of Ecology, Army Corps of Engineers, WA Department of Fish and Wildlife, Clear and Grade, Tree Review, Critical Area, Right of Way, and future building permits.

Environmental Review: The City has reviewed the proposed project for probable adverse environmental impacts and expects to issue a Determination of Nonsignificance (DNS) for the proposal and is using the Optional DNS process in accordance with WAC 197-11-355. This may be the only opportunity to comment on the environmental impacts of the proposal. Agencies, tribes, and the public are encouraged to review and comment on the proposed project. The proposal will be conditioned for consistency with applicable critical area, shoreline and zoning code standards. The proposal may include mitigation measures under applicable codes, and the project review process may incorporate or require mitigation measures regardless of whether an Environmental Impact Statement is prepared. For questions or information on the environmental review or the Optional DNS process please contact the City's SEPA Responsible Official, Mark Hofman, at mhofman@cityoflfp.gov or (206) 957-2824. A copy of the subsequent threshold determination for the proposal may be obtained upon request.

Public Comment: Interested parties may comment on this application by submitting written comments to the Lake Forest Park Community Development Department located at City Hall, 17425 Ballinger Way NE, Lake Forest Park, WA 98155 or via email to Senior Planner Yancey Bagby at ybagby@cityoflfp.gov for 30 calendar days following the date of this Notice of Application and Optional DNS (due by close of business, May 15, 2025). Any person may comment on the application, request a copy of the decision, or appeal a decision as a party of record once made. No action will be taken until after the public comment period, review of application materials and comments received, and satisfaction of applicable codes, including a public hearing (date of additional public notice/comment and hearing to be determined).

Additional Information: Additional information may be obtained by contacting the Lake Forest Park Community Development Department at (206) 957-2824 or at the City's Notices and Announcements webpage

(<https://www.cityoflfp.gov/313/Notices-and-Announcements>). Please contact Senior Planner Yancey Bagby at ybagby@cityoflfp.gov for further information and/or materials, or if you prefer to review the materials with a planner's assistance. A project specific page is also available at <https://lfp.lakefrontpark.com> on the city's website.

Notice Date: April 15, 2025

Comment Due Date: May 15, 2025

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Yancey Bagby

From: Allison Reagan <speedyg303@gmail.com>
Sent: Wednesday, May 14, 2025 3:10 PM
To: Yancey Bagby
Subject: Comment on new Beach Drive park

Dear Mr. Bagby,

As an almost 50 year resident of Beach Drive, just a few lots east of the proposed park, I note how peaceful the neighborhood has always been, even in summer. Residents are respectful of each other's privacy and quiet. There are not boisterous parties or dangerous watercraft operations - especially important with the number of school age children growing up here and enjoying the lake

When the Lyon Creek preserve went in, we residents were concerned about the impact of a nearby "passive" park. The hearing examiner at that time, Mr Galt, allowed some restrictions such as leashed pets, no swimming, wading or boating. The park is only officially open certain hours. And yet, the above activities have been observed and reported repeatedly over the years. Enforcement of restrictions has been tasked to the LFP police, who have been respectful but who have more urgent calls.

Now we come to a nearer, imminent active park in the works. Judging by comments from citizens who don't live by the water, there is great anticipation of the opening. It will be used enthusiastically by LFP residents but open to any member of the public. There no doubt will be more noise in this quiet neighborhood, trespassing onto adjacent homeowners' property, use after official hours and increased opportunity for theft and vandalism. Parking is also an issue. Our narrow one lane street is already used for overflow from the Civic Club and parking is at a premium for residents. The single handicapped space at Lyon Creek is regularly used by those without placards and don't wish to park at the Town Center.

How does the City propose to allocate resources to enforce usage, noise, parking, hours and other infractions for this more ambitious project when they can't effectively enforce what's already there? Will there be a resident caretaker? Security lights and cameras are a start, but won't do everything to ensure that the local residents' rights are respected. As an analogy, who would want their neighbor's home in a quiet residential area being turned into something like a skate park? I have nothing against skating, but location is the issue. LFP should have public beach access. The issue is fairness in its impact. At the very least, I suggest mitigation screening and a physical buffer for the immediately adjacent homeowner as well as clearly defined swimming areas at the park.

Thank you for your consideration.

Sincerely, Allison Reagan

Yancey Bagby

From: David Shneidman <davidsh@gmail.com>
Sent: Monday, May 12, 2025 4:26 AM
To: Yancey Bagby
Subject: Re: Lakefront Park public comment.

Hi Yancy:

Thank you for the earlier information you sent me about the proposed parking plans for the new Lakefront Park.

I have thought about it and would like to make these additional public comments during the public comment period which I understand extends to May 15.

1. The goal of this park is for it to be a popular public destination for the public at large, with a usage that would include a much larger population than Lake Forest Park. Indeed, during the attractive part of the year the residents of Lake Forest Park will likely be a small minority of the users. This will be analogous to the situation at Log Boom Park a short distance away where at that time most of the users are not locals from Kenmore.
2. Beach Drive is a narrow dead end street, 16 feet wide by my measurement. Its one entrance and exit is constricted by the traffic light at the corner of 104 and 522. Appropriately for overall traffic flow, that light is programmed to favor the traffic volume on the main arterial and so access to and from Beach Drive is further time constricted.
3. Many users will attempt the drop off during times they will discover that the Beach Drive park stalls are full. Accordingly, during heavy usage times the park use traffic pattern on Beach Drive will be like a bottle with a cork, with a back up of cars blocking the street.
4. The park plans have 10 parking stalls but only 7 of them for the general public, with three limited to ADA usage. If there is to be a police substation there as now part of the plan or other LFP employees on site, where are they to park?
5. Log Boom Park has 44 parking stalls. During the popular times at the park these are filled and the excess parking is well accommodated by parking on both sides of the wide adjacent street 175th NE which is open at two ends. Beach Drive as noted above is totally different than 175th.
6. The plans at least as I read them have NO impact statement regarding the obvious traffic or overflow parking impacts your plans will have on existing resident usage on Beach Drive. During times of popular usage both the traffic and parking impact will be significant and impede and degrade the usage of the people impacted who live there now. In fairness to all parties this can not be ignored, and needs to be adequately addressed as part of the overall permitting process.

Thank you for the opportunity to have my further thoughts on this matter recorded as part of the public input in the permitting process.

Best wishes.

Sincerely,
David Shneidman
17356 Beach Drive NE
Lake Forest Park, Wa 98155-4513

On Wed, Apr 16, 2025 at 4:57 PM David Shneidman <davidsh@gmail.com> wrote:

Hi Yancy:

Thank you for the letter I recently received regarding the overall vision for the park development.

I would like to take advantage of the comment period as noted within that letter with the following observation/request.

My address is 17356 Beach Drive, two houses down from the park boundary. I have lived in this house since the late 1980s, so I have a lengthy and informed opinion about experience on that street.

That street is narrow, most of the people who live here have more than one vehicle, and parking is tight, as it is. Walk down it and see for yourself. My concern is that the additional traffic of the park use will overwhelm this limited street parking availability and block usage for the people who live here. That is a real environmental impact, although outside the park boundary itself.

Do you have a fix for that? What about no public parking on the residential side of the street? Or what?

I welcome your thoughts on this.

Thank you.

Sincerely,
David Shneidman

Yancey Bagby

From: David Shneidman <davidsh@gmail.com>
Sent: Friday, April 18, 2025 1:35 PM
To: Yancey Bagby
Subject: Re: Lakefront Park

Hi Yancy:

As I read the plans you sent me, the park is to have 10 on site parking spaces plus 12 shared spaces across the street. Is that correct?

That might be fine for some rainy Tuesday morning in February but on a popular weekend in the summer (particularly when there is a public event) there could be 100+ people there. (I know there are several hundred people at the Civic Club July 4 to see the fireworks, for example). Also at Log Boom I can tell you that lot is filled at popular times.

This facility ought to be much more popular than the current Lyon Creek Preserve as it is for more general use, so using that as a comparison is not appropriate.

Unless I missed it, these plans have no mention of the park's traffic/parking impact on Beach Drive, which what I wrote you about earlier.

So my question to you is, is that going to be considered in your planning? If it is to be considered, how is going to be addressed?

Thank you for what you can tell me about my two questions.

Best wishes.

Sincerely,

David S

On Fri, Apr 18, 2025 at 10:28 AM Yancey Bagby <ybagby@cityoflfp.gov> wrote:

Hi David,

There is now the full traffic analysis on the website.

From: David Shneidman <davidsh@gmail.com>
Sent: Thursday, April 17, 2025 4:09 PM
To: Yancey Bagby <ybagby@cityoflfp.gov>
Subject: Re: Lakefront Park

Hi Yancy: Thanks for your reply. That page has nine different links. Can you please tell me, which is the one that contains the parking design?

Thanks.

On Thu, Apr 17, 2025 at 2:56 PM Yancey Bagby <ybagby@cityoflfp.gov> wrote:

Hello David,

Your comments have bee received. Full documents including parking design can be found on the website.

<https://www.cityoflfp.gov/705/The-Lakefront-Park-Improvements>

From: David Shneidman <davidsh@gmail.com>
Sent: Wednesday, April 16, 2025 4:58 PM
To: Yancey Bagby <ybagby@cityoflfp.gov>
Subject: Lakefront Park

Hi Yancy:

Thank you for the letter I recently received regarding the overall vision for the park development.

I would like to take advantage of the comment period as noted within that letter with the following observation/request.

My address is 17356 Beach Drive, two houses down from the park boundary. I have lived in this house since the late 1980s, so I have a lengthy and informed opinion about experience on that street.

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Sincerely,

David Shneidman