

CITY OF BELLEVUE
BELLEVUE TRANSPORTATION COMMISSION
MINUTES

January 22, 2009
6:30 p.m.

Bellevue City Hall
City Council Conference Room 1E-113

COMMISSIONERS PRESENT: Chair Northey, Commissioners Glass, Kiel, Larrivee, Simas

COMMISSIONERS ABSENT: Commissioner Tanaka

STAFF PRESENT: David Cieri, Goran Sparrman, Dave Berg, Kevin McDonald, Drew Redman, Mike Ingram, Chris Dreaney, Eric Miller, Maria Koengeter, Department of Transportation

GUEST SPEAKERS: Don Samdahl, Fehr & Peers; Randy Young, Henderson Young and Company

RECORDING SECRETARY: Gerry Lindsay

1. CALL TO ORDER

The meeting was called to order at 6:32 p.m. by Chair Northey who presided.

2. ROLL CALL

Upon the call of the roll, all Commissioners were present with the exception of Commissioner Tanaka who was excused.

3. STAFF REPORTS

Transportation CIP Construction Manager Dave Cieri informed the Commissioners that the city has begun the process of seeking a replacement for Commissioner Wendle, whose interim term expired the end of December 2008.

Mr. Cieri reviewed the desk packet materials with the Commissioners.

4. COMMUNICATIONS FROM CITY COUNCIL, COMMUNITY COUNCILS, BOARDS AND COMMISSIONS – None

5. REPORTS FROM COMMISSIONERS

Commissioner Larrivee reported that the Draft Environmental Impact Statement for the East Link project has been released.

6. PETITIONS AND COMMUNICATIONS

Mr. Steve Nolan with Transportation Solutions, 8250 165th Avenue NE, Redmond, referred to a letter submitted to the Commission by Greg Johnson of Wright Runstad. He said Wright Runstad is proposing to develop 3.2 million square feet of office/commercial and 1000 residential units on their 38-acre site in Bel-Red. The property is shown in the East Link DEIS as having a light rail station. The proposed development is exactly the type of development that is going to be needed if there is to be any significant reduction in SOV trips and any significant increase in transit usage. It is clear that the current impact fee and TMP codes actually penalize such developments rather than incentivizing them. He said on November 13 when he addressed the Commission several Commissioners recognized the link between TMPs and SOV trip reduction and requested that staff look at an incentivized TMP program. To that end, he said he met with Senior Transportation Planner Mike Ingram, Capital Programming Implementation Manager Eric Miller, and Associate Planner Drew Redman in December. Staff in that meeting raised four overriding issues: insufficient data about TMPs and how they affect peak hour trips; reductions in transportation impact fees generally and the impact that could have on funding for transportation projects; an increased need for staff monitoring; and concerns over a government giveaway.

Continuing, Mr. Nolan suggested that developers should take the responsibility for estimating and verifying the PM peak period trip reductions. The monitoring and reporting of actual site traffic generation could be done using a combination of surveys and driveway trip counts, all on a schedule agreed to up front. The developers could guarantee that the city would not lose money that should be going to the capital program by putting in place a financial assurance device. To the extent that TMPs currently reduce trips below the general estimate, these types of developments are subsidizing the program in that they are being charged for trips they are not producing. The very projects that should be pursued and encouraged are the very projects that are being penalized.

Mr. Nolan called attention to Attachment 3 in the packet. He noted that the optional element to Alternative 4 includes a TMP program to reduce weekday peak trips by 20 percent compared to forecast trips. That makes it appear the staff believe it can be done. The proposal in the staff report to leave the current system in place is predicated on the belief that it is sufficient to do what needs to be done. He said he was unaware of staff approving any reductions for a project, though several have been appealed. The developers should not be put in an adversarial position in order to have the incentive.

7. APPROVAL OF AGENDA

Motion to approve the agenda as printed was made by Commissioner Glass. Second was by Commissioner Larrivee and the motion carried unanimously.

8. STUDY SESSION

A. Bel-Red Traffic Standards Code Amendments

Senior Planner Kevin McDonald reminded the Commissioners that in April 2008 the Commission recommended modifying the Mobility Management Areas (MMA) to be consistent with the Bel-Red subarea, and to modify the level of service for the new MMA from the existing Level of Service (LOS) D, which is 0.90, to LOS E+, which is 0.95. He said the Transportation Element changes recommended by the Commission are policy changes which can only be implemented through changes to the Traffic Standards Code. A recommendation from the Commission is required prior to Council action on the Traffic Standards Code, which is anticipated to occur as a component of the larger Bel-Red package of code changes in February.

Mr. McDonald noted that he previously had included a plus sign with the LOS D for the Wilburton MMA standard. He said the correct standard is LOS D, not LOS D+. The error appears in Table TR-1. The Traffic Standards Code has the correct standard shown for the MMA.

Commissioner Glass asked about the question submitted by David Plummer. Mr. McDonald said his question is not related to the LOS D+ issue, rather asks why staff was making a recommendation to change the LOS from the existing LOS D to LOS E+ as opposed to LOS C. The response to Mr. Plummer's question was related to the way level of service is married to land use and the intended character of a neighborhood. With LOS C, more roadway capacity is provided to accommodate more vehicle trips; that direction runs counter to the land use and urban character concept for the Bel-Red subarea. The LOS E+ standard allows for shrinking the roadway footprint and encouraging transit and ped-bike use.

Commissioner Glass voiced his concern regarding 148th Avenue NE, which is part of the subarea and which has had a great deal of congestion for a long time. He suggested that the proposed standard could make things even worse for that roadway. Mr. McDonald said 148th Avenue NE is currently part of the Overlake MMA, an interjurisdictional area shared with Redmond. The area is already designated an LOS E+, so nothing will change for that part of the corridor.

Answering a question asked by Commissioner Simas, Mr. McDonald explained that in an urban setting where the intent is to encourage multiple modes of transportation and alternatives to automobiles, one of the tools available to cities is congestion management. One way to manage congestion is to avoid building wide roadways and intersections to accommodate single occupant vehicles (SOV). Commissioner Simas asked if changing the LOS standard

will really have all that big an impact on getting people to not use their cars. Mr. McDonald said the downtown area standard is LOS E+, as is Factoria. After some redevelopment occurs, it may be necessary to again review the standard to see if adjustments are needed.

Chair Northey asked if the staff are contemplating looking at the corridor level of service and other ways of calculating levels of service. Department of Transportation Director Goran Sparrman said the city has since the inception of the concurrency ordinance, which is required by the Growth Management Act, used a standard that is based solely on intersection levels of service; the standard has nothing to do with the number of people and is focused entirely on the number of cars that can be accommodated by the roadway geometry. Over the years there have been a lot of discussions about the appropriateness of that approach. The idea behind concurrency is to provide assurance that the infrastructure needed to serve development will be in place as it occurs. There has been interest in finding a broader way of looking at concurrency and moving away from a technical analysis of cars to moving people. Other cities have already taken steps in that direction, and in fact the legislature has considered mandating that cities must start looking alternatives to concurrency. Until a new approach is charted, however, the system in place is the system that must be utilized.

Mr. Sparrman allowed that concurrency drives investment decisions. Higher standards translate directly into more pavement; lower standards have the opposite effect.

Commissioner Simas suggested that in areas where the development will be more concentrated and where there will be light rail service, it would seem people would tend to opt for alternatives to SOV travel in their natural tendency to choose to path of least resistance. That should mean going to LOS E+ is unnecessary. Changing the standard evokes the sense that the city does not have confidence that the package of planned actions will get people out of their cars and that only by allowing more congestion will the ultimate goal be achieved. Mr. Sparrman said that logic holds true if the assumption is made that everything else will remain the same. The reality is that with high density and more growth, there is much greater trip demand. While many of the new trips will choose alternatives to SOV travel, there is still likely to be a net increase in the number of cars on the road. Staying at a lower level of service standard will not permit a high-density urban environment, which is why most cities have abandoned the approach and why there is so much interest in moving toward a multimodal method in measuring concurrency.

Answering a question asked by Commissioner Larrivee, Mr. Sparrman said it is clear that moving toward a multimodal measuring approach will mean a focus on providing for pedestrians, bicycles and transit. In addition, the land use will need to be configured in such a way that it will encourage shorter trips that are more likely to be walking or biking. The entire focus of the Bel-Red corridor plan has been on producing a transit-supported land use environment.

Mr. McDonald noted that in making recommendations on the transportation policies for the

Bel-Red corridor, the Commission was very clear about establishing aggressive transportation demand management policies that would require employers in the area to encourage carpooling and vanpooling, provide transit passes, and telecommuting to help reduce the overall demand. The combination of constraining supply, providing disincentives to driving alone, along with incentives to try other modes of travel will hopefully all work together to achieve something that will resemble a multimodal approach that does not include a free flow of cars.

Commissioner Larrivee said it appears that some of the original conceptions about flow in the Bel-Red area were revised as costs were factored in; that resulted in a shrinking of certain roadway footprints. Mr. Sparrman reminded the Commission that there were a lot of conversations at both the Commission and the Council levels about the appropriate roadway cross sections, especially for the new NE 15th Street/NE 16th Street arterial through the heart of the district. The challenge was how to accommodate all the different modes while keeping the roadway narrow enough to accommodate pedestrians. The Council has made it very clear that it will be the body to make the final decision on the design. Staff is working to develop cross section options to bring to the Council for discussion. Where the City Council will land is anyone's guess. Staff will articulate which options provide best for pedestrians and bicycles and which provide more vehicle capacity.

Chair Northey indicated her support for changing the LOS standard as a way to avoid having to construct larger intersections and providing more capacity in the area. She suggested the city should be proactive and not wait for the legislature to dictate a new direction. Along with recommending the proposed change to the standard, the Commission should ask the Council to consider initiating an analysis of alternative levels of service standards, and in so doing clarify the city's transportation policy objectives relative to the city's diverse land uses. If growth management is to work as intended, areas earmarked for increased density cannot be required to have huge roadway capacity infrastructure investments. The city must, though, strive to balance the needs of its urban areas against the needs of the quiet residential areas.

Motion to recommend to the City Council amending the Traffic Standards Code as detailed in Attachment A was made by Commissioner Glass. Second was by Commissioner Larrivee and the motion carried unanimously.

Motion to ask the City Council to initiate an analysis of alternative levels of service standards methodologies that will clarify the city's transportation policy objectives relative to the city's various land uses was made by Chair Northey. Second was by Commissioner Glass and the motion carried unanimously.

B. Transportation Management Program (TMP) Code Update

Associate Transportation Planner Drew Redman addressed first the proposal from Wright Runstad regarding the connection between trip reductions and TMPs and impact fees. He said

staff looked at a number of data points to connect impact fees and TMPs. Not enough data was found to have a credible trip reduction owing to a TMP. Staff did look at the notion of having a TMP credit for a TMP-conditioned development and putting part of the impact fee into the form of an assurance device. Staff also looked at applying a blanket trip reduction factor for all TMP-affected development through the impact fee code.

Mr. Redman said it was concluded that the TMP credit approach would require substantial new staff resources to administer. Additionally, staff concluded that the blanket trip reduction approach would require an assumption of trip reduction. Both approaches would impact the ability of staff to be flexible and could potentially threaten TFP funding given the amount of TMP-affected development the city has seen in the last few years.

The proposal of Wright Runstad relative to incorporating an assurance device and monitoring through surveys and trip counts would require additional staff time.

Mr. Redman said the city acknowledges that there is a connection between TMPs and trip reductions. The LEED program includes the concept that a trip reduction program could have the impact of reducing trips by up to 20 percent. LEED certification gains marketability for the developer as well as reduced lifecycle costs for the buildings.

Mr. Redman said the claim of Mr. Nolan that there is the perception that appeals are not effective in proposing new impact fee assessments may be nothing more than a perception. Developers do have the ability to appeal to the hearing examiner.

Mr. Redman said in the opinion of staff the current impact fee and TMP codes allow for much of what Wright Runstad and Mr. Nolan have suggested in proposing an alternative trip generation rate when assessing impact fees.

Mr. Redman noted that the Commission on November 13 voiced concern that the preferred alternative, Alternative 4, has a constrained menu of options. The Commission indicated it would like to see new ideas entertained, especially those that are flexible. The Commission also wanted clarified some of the criteria established in determining the points given for each option on the menu, and wanted to see identified mechanisms for monitoring and enforcement of the TMP programs.

There are four alternatives staff reviewed. Staff believes Alternative 4 allows for the most flexibility, establishes some lessons learned, and allows for a menu of options. As proposed, the Director can approve modifications to the menu of options for any developer's proposal.

The criteria used for determining the points in the menu of options recognize that there are certain burdens associated with each option that the developer must shoulder, both in the form of upfront costs and ongoing costs. The criteria also recognize that it is necessary to provide or at least support alternative modes if the reductions are going to occur.

With regard to ongoing monitoring, the staff are developing a streamlined reporting process. There is the potential for having online reporting using the state's CTR reporting tool. There is also the potential for contracting with King County Metro for their CTR services to conduct building surveys and develop reports.

Commissioner Glass said his understanding of the concern voiced by Wright Runstad is that the traffic impact fees do not include any credit for TMP efforts, that developers must go through all the effort of developing a TMP to reduce trips but still pay for all the trips they would otherwise generate without the TMP. He noted that some buildings are required because of their size to have a TMP and asked if the assessed number of trips is reduced as a result of the TMP. Mr. Redman said there is no credit assessed under the current approach.

Commissioner Glass suggested that with impact fees getting higher and higher, some real dollars could be saved by the developers if a credit were offered; furthermore, the city could realize more innovative and sincere efforts on the part of developers. He agreed that there would need to be a focus on verification procedures, but developers should not be charged for trips not being generated.

Commissioner Larrivee asked if a developer could in theory propose a development with absolutely no parking and that makes no allocation for vehicular traffic and still be required to pay an impact fee. Mr. Ingram said the code requires a certain amount of parking, but a developer could build the minimum parking and propose the ultimate traffic reduction program and still be assessed an impact fee. The developer would, however, save money by not developing more parking.

Commissioner Glass suggested the system could be more successful if there were real incentives for developers. Without them, developers will seek to do the bare minimum. Even with real incentives, developers who are not successful in reducing trips would still end up paying for the trips.

Commissioner Simas asked why a developer should be expected to pay for trips that will not be generated owing to specific actions taken to reduce the overall number of trips. While the approach would reduce city revenues, it would also reduce the strain on the infrastructure. Mr. Redman said one problem is that the reductions are only forecasted and there would be no way to know in advance what the actual reduction would be. The current approach allows developers to propose modifications. Commissioner Simas asked if the city imposes impact fees based on actual traffic counts rather than estimated traffic counts. Mr. Redman said there is no method for doing that. Commissioner Simas said the clear incongruity is that the city levies impact fees based on an estimate but does not want to allow credits based on an estimate.

Development Review Manager Chris Dreaney explained that as a developer comes in with a

project, a forecast based on the proposal is developed using the established trip generation rate tables. The impact fees are based on the number of trips. The current system permits developers to argue that the requirement to have a TMP will reduce their overall trips and that their impact fee should be reduced accordingly. The reality is, however, the issue has only come up rarely, and the city has never allowed a reduction. To some extent it could be argued that the impact fees have been so low developers have not thought it worth their time to make a case. With impact fees increasing, it seems logical to buy the argument put forward by Wright Runstad and Mr. Nolan. However, in reality the approach would be extremely difficult to make happen. There is the question of measuring performance. Someone could take a count on a Wednesday and have it be lower or higher than it would be on a Friday, or the count could be taken on a rainy day or a day when there is a big sale at a store in the neighborhood. With every trip costing \$5000, it would be worth of lot of attorney time for developers to engage in the debate.

Ms. Dreaney suggested the current code allows ample opportunity for developers and the city to come to some agreement as to what the trip generation numbers should be. The numbers are used for the concurrency analysis, to determine the impact fees, and are used for operational analyses. Where an applicant disagrees with the city's determination, there is an established procedure for appealing the impact fee. While the notion of an assurance device seems simple on its face, in reality there is room for argument and debate on both sides, all of which will take a great deal more staff time to sort out.

Commissioner Simas asked what incentive staff has to work with developers who are seeking to reduce their trip generation numbers, especially where an argument in favor of the developer would reduce revenues for the city. Ms. Dreaney said the first incentive for staff is their professionalism. Second, the development review staff do not have much to do with actual dollar amounts; their focus is on the traffic impact analysis. If a developer were to present a logical argument for reducing the total number of trips for their development, the staff would seriously entertain it and could approve it.

Capital Programming Implementation Manager Eric Miller noted that there are two applicable codes: the TMP code and the code covering impact fees. When the original impact fee ordinance was adopted in 1989, it has specific language in terms of how to calculate impact fees; it allowed for making an adjustment to the average impact fee per trip for different land use types and sizes. One of the factors that allowed for the adjustment was the expected levels of rideshare and transit usage pursuant to a transportation management program. That specific reference to a TMP was removed from the code in 1995; at the same time a specific factor was applied to all downtown office and residential developments which institutionalized the reduction factor in the trip generation rate. The factor does not apply outside the downtown area, but that is not to say it never will.

Chair Northey said the fact is the Bel-Red area does not yet have the levels of transit service that the downtown area has, so developers in that area cannot lay claim to the same argument

that applies in the downtown. She agreed that there is room for developers under Alternative 4 to make a case for implementing a highly effective TMP that would warrant trip reductions. The current compliance rate of only 65 percent, however, is certainly cause for skepticism and argues against giving a blanket reduction to every developer that says a TMP will be implemented.

Commissioner Glass allowed that an impact fee of \$5000 per trip would certainly pay for a lot of attorney time but would also pay for a lot of staff time. He suggested an approach under which the impact fee would be called a deposit and held for a set period of time during which the actual number of trips could be calculated. The staff time necessary to make the trip counts would have to be paid for by the developer. In the end, the actual impact fee could then be based on hard data and weighed against the deposit. Ms. Dreaney said there would be additional staff time required beyond just making the traffic counts. Trip generation figures are based on the ITE manual averages. Everyone knows that one day the actual number of trips will be far less, while on another day they will be much higher. Trying to merge that approach with the notion of working only from hard data will necessarily raise questions of unfairness given the disparity in the actual number of daily trips for any given use. Averaged repeated counts over a period of time could be used, but that would only increase the costs associated with making the counts.

Commissioner Glass suggested that the developers should be given the choice of accepting the ITE trip generation numbers or considering the impact fee a deposit against a future and accurate trip count at their own expense. Mr. Miller allowed that under the code impact fee revenues cannot be spent on counting trips; the funds must be allocated to projects that address growth impacts.

Commissioner Simas said he would not vote in favor of requiring an assurance bond or deposit. A process should be found that both the city and the development community could agree on, one that requires impact fees to be paid up front. The process should be quick and easy to deal with so that the city does not have to use a lot of resources for managing and monitoring. Developers certainly should be able to offer arguments in favor of reducing their impact fee and expect the city to reasonably entertain their arguments. Currently the city has no incentive to negotiate the numbers down.

Answering a question asked by Commissioner Simas, Mr. Nolan said vehicle counts are commercially available, though they are very expensive. That is not, however, something the city should have to provide. He agreed that traffic counts will fluctuate based on time of day, time of year, and other factors. It should be possible, however, for the development community and the city to come to some agreement about the optimal time for making vehicle counts.

Commissioner Larrivee allowed that the city can measure compliance but asked how the city determines the effectiveness of TMP's. Mr. Redman said drive alone reduction is a

performance measure. The existing TMP agreements developed in the 1980s do not have this performance requirement; drive-alone reduction requirements were not implemented until 1995. The effectiveness of an agreement is determined based on the compliance rates; it is an estimate based on the annual TMP reports and collected CTR data.

Commissioner Larrivee said he was not clear how the proposed approach will increase the compliance rate and be an improvement. He suggested that in the end it will all boil down to a lack of incentive. Mr. Redman said for each of the options a certain level of staff administration will be necessary to increase compliance. Alternative 4, however, does offer greater flexibility for property owners to implement what they feel will be the most effective for their sites.

Motion to recommend Alternative 1, no action, and direct staff to go back to the drawing board to find better ways to incentivize the system and seek better ways to monitor and enforce the provisions was made by Commissioner Glass. Second was by Commissioner Simas.

Commissioner Simas said his frustration is that the program cannot be measured or analyzed, and that there is no way to generate conclusive numbers.

Commissioner Kiel asked if the city could use LEED certification as an incentive. Mr. Redman said he regularly makes the argument to developers that a TMP can be of use in getting a LEED certification.

Mr. Ingram pointed out that the surveys regarding commute patterns in the downtown are only required at about half of the buildings since the surveys were not required prior to 1995. However, the developers are saying they want to voluntarily participate because they are seeking LEED certification.

Chair Northey allowed that the issue is complex. One option would be to seek the creation of a pilot program along the lines of the suggestion offered by Wright Runstad. It does appear, however, that the issues are not quite as clear as the Commission thought they were when they initially asked staff to come up with something creative. Alternative 4 takes baby steps toward a better program, but it should be tied to direction to staff to come back with a clearer plan for how the program will be monitored and how compliance will be enforced. She said she would vote against the motion on the floor.

Commissioner Glass stressed the need to keep the attention of staff fixed on the issue so it can be brought back to the Commission at a future date. Going with Alternative 4 could simply close the book without further consideration.

Commissioner Larrivee said he would vote against the motion. The current approach is simply not adequate. Of the alternatives brought forward, Alternative 4 is the most appealing. However, there have been enough questions raised by the Commission that the possibility of a

fifth alternative is warranted. The Commission should not get caught up in the administration of the program in seeking an approach that can be found that would fundamentally achieve the stated goals more successfully.

Commissioner Simas said he could support Alternative 4 given that it is better than the current approach. The bottom line is impact fees are based on the number of trips generated by development, and no developer should be charged for trips they do not create. The notion of reducing impact fees based on TMPs should be investigated further. Staff should be directed to find a streamlined process for dealing with the issue while giving developers an incentive to put an effort into reducing the number of trips.

The motion failed 1-5, with Commissioner Glass voting in favor.

Motion to recommend approval of Alternative 4, to direct staff to explore allowing impact fee credits based on a TMP, and to revisit the issue later in the year, was made by Commissioner Simas. Second was by Chair Northey.

Commissioner Simas clarified that what he wants staff to do is explore a process that would incentivize developers to actually implement traffic mitigation processes, and to identify a process that would more accurately reflect the trips generated by construction projects and credit developers for the number of trips reduced through TMP compliance.

Mr. Sparrman allowed that staff has work to do in developing the impact fee program. He suggested that the second part of the motion on the floor would be better aimed at the impact fee program and how it is constructed. As such, it should be aimed at the staff and flagged for the Council as an issue raised by the Commission.

Commissioner Simas agreed to revise the motion on the floor to recommend approval of Alternative 4; Chair Northey agreed to second the revised motion.

The motion carried 5-1, with Commissioner Glass voting against.

Motion to recommend the staff review the impact fee process in relation to TMP and what developers are implementing in order to reduce trips and what incentives could be applied so developers would follow through and actually create trip reductions in their develops was made by Commissioner Simas. Second was by Commissioner Glass and the motion carried unanimously.

Commissioner Larrivee asked staff to make it clear to the Council the concerns and reservations voiced by the Commission during its last two meetings on the subject. Mr. Sparrman said staff will do their best to do that.

****BREAK****

C. 2009 – 2020 TFP and Impact Fee Program Updates

Mr. Miller highlighted key milestones to date in the process to update the TFP, including the publishing earlier in the day of the Draft Environmental Impact Statement.

Mr. Ingram said the EIS is focused on the entire program. He explained that as each of the projects is implemented and moves forward into design or actual construction, there will be specific environmental analysis aimed at the detailed impacts of each project.

The EIS has two alternatives for the 2020 horizon year. The first is the no action alternative. The second alternative includes the slate of improvements identified in the plan. The EIS looks at a number of areas, including the transportation system, the impact on air quality, noise, land use, aesthetics, and the natural environment.

Bellevue has been seeing steady growth, and that is projected to continue into the future. On the whole the pattern is more traffic and more congestion throughout the city. The biggest projected increases are in the Bel-Red area. The differences between the action and no action plans are not that great, though in each case the action alternative offers improved performance for each MMA. The forecast shows that in some parts of the city, particularly those areas with a standard of LOS C, the standards will be exceeded in 2020 under either approach. That includes Bridle Trails, Northeast Bellevue, East Bellevue and Newcastle. The degree to which the standards will be breached will be less under the action alternative.

With regard to air quality, Mr. Ingram said the data does not indicate locations that will exceed the national or state standards. The study included a look at greenhouse gas emissions even though there are as yet no set standards. Under the action alternative, there will be slightly less congestion and therefore slightly less greenhouse gas emissions.

The action and no action alternatives are not significantly different in the area of noise impacts. As traffic levels increase associated with growth, however, more roadway segments that are currently just under 67 decibels are likely to exceed that threshold.

In terms of land use, the biggest impact will be the new roadways associated with the action alternative.

Mr. Ingram said particular attention was given to the natural environment in the EIS. He said the most significant impacts are tied to impervious surfaces. When roadways are expanded to include new travel lanes, there is an increase in the amount of impervious surface and an associated degradation in the quality of the runoff. Engineered solutions can be effective, but ultimately there will likely be increased adverse impacts associated with an increase in the amount of impervious surface area.

Mr. Miller said publishing the Draft Environmental Impact Statement triggered the public comment period. He said the Commission as a body or as individual persons are free to comment on the analysis. A Council study session is slated for February 17 to update them regarding the TFP and impact fee update process. The Commission will be asked to forward a recommendation to the City Council immediately after the public comment period closes on February 23.

Chair Northey observed that the EIS identifies a number of significant impacts, some of which may warrant the Commission submitting comments. She suggested time could be taken at the February 12 meeting to craft formal comments. Another option would be to use the DEIS information to influence the action the Commission is slated to take on February 26.

Commissioner Glass said he was struck by the level of service finding. He noted that many of the areas projected to exceed the standard are outside of the downtown.

Mr. Miller introduced Don Samdahl with Fehr & Peers Mirai, the primary impact fee consultant, and Randy Young with Henderson Young and Company.

Mr. Miller explained that since the impact fee ordinance was originally adopted in 1989, the fees have been based on the capacity-providing projects in the TFP. The impact fees were not updated based on the most recent TFP in 2006. The Council directed a review of the impact fee program and asked for options to simplify the program. Both Mr. Samdahl and Mr. Young were brought on at that time.

Mr. Miller noted that the City Council has been very involved with the capital budget adoption and what they are calling the mobility and infrastructure initiative finance plan which was passed by resolution on January 20. The impact fee study has been aimed at providing the policy and legal basis for the Council to rely on in determining what the actual fee rate will be.

Mr. Samdahl said he began his review with the full list of projects. From there the capacity projects were singled out. A technical process was then initiated to sort out what parts of the projects are due to deficiencies and what parts are due to new growth. The growth figures are then used to calculate the impact fees. Once it is known what the growth figure is, the growth directly tied to Bellevue must be determined. The various steps resulted in the maximum amount that can be charged to impact fees.

Mr. Young reminded the Commissioners that the study in part was aimed at making the impact fees more understandable, fair, and simplified. Impact fees live in the specific environment outlined by RCW 82.02.050, which does handcuff the process of simplification.

Mr. Young stressed that impact fees are only one way of paying for transportation infrastructure. Impact fees will never pay all the bills but are a recognized way of having growth pay for growth. The study results include recommendations for how the city can do a

more transparent and effective job of implementing the impact fee program and calculating what could be the share attributable to growth. Ultimately the decision is a political one that must be made by the City Council.

Continuing, Mr. Young pointed out that prior to 1990 SEPA was the mechanism by which developers were required to pay for impacting the street systems. A development that worsened the operation of a nearby intersection could be may to pay for a fix to it, but it could not be asked to pay for an intersection fix across town. When the Growth Management Act came along, all of that was revisited in favor of an approach that focused on the flow of goods and services across the entire network. Accordingly, instead of 14 Mobility Management Areas, the city is legally and defensibly allowed to have a single citywide zone. He recommended heading in that direction.

Impact fees are all about assigning cost to paying for the transportation system. Persons sitting down in a restaurant and ordering a meal expect to pay for their meal only; that is marginal pricing. If one customer comes in and orders a meal, and another person receives a bill for their own meal and part of someone else's, that is average pricing.

Bellevue's current impact fee system is based on average pricing. It takes all the existing trips and adds in the projected new growth trips, then calculates the total cost of the improvements needed and divides it by the total number of trips, not just the trips for any given development. The marginal approach would divide the costs between the existing deficiencies and the growth portion from inside the city limits and charge new growth only to growth. The average approach makes it appear that the real cost of growth is \$500 per trip, when in fact the cost may be \$5000 or \$10,000.

With regard to the project list, Mr. Young suggested that the TFP is the right choice. However, he recommended keeping projects on the list if they have ongoing capacity. In the restaurant scenario, a person ordering a small pizza but being informed that all the restaurant has is extra large pizzas may order it anyway. If a new customer walks in and eats a slice of the first customer's pizza, the new customer should not be allowed to avoid paying for it. The current impact fee program in Bellevue does just that, however, when someone else pays for capacity and new growth gets a piece of it. Roadway projects that still have capacity should be kept on the list until fully paid for.

Under the current approach, by only listing the funded portion of the TFP projects in the calculation, growth pays for only a percentage of its impact and everyone else must pick up the tab for the balance. Full project costs should be used in the calculations. In addition, a reasonable inflation index should be incorporated.

Mr. Samdahl said the proposal updates some of the land use categories and includes updated numbers from the new trip generation report that was released in January 2009. He commented that the total project cost from the TFP project list is \$380 million. Once the

deficiencies and non-Bellevue growth are sorted out, \$245 million is left as Bellevue's potential share that can be allocated to growth. The number of new PM peak hour vehicle trips to be generated over the next 12 years by growth calculates out to be 24,000. Dividing the total cost by the total trips yields a per-trip cost of \$10,000. From the data regarding how many trips are generated by the different types of land uses, cost per land use unit, cost per dwelling, and cost per square foot can be folded into a schedule.

Answering a question asked by Chair Northey, Mr. Samdahl pointed out that the impact fee schedule for the downtown currently contains lower trip rates for certain land uses based on documented reductions in trip generation in areas well served by transit. He said even though the recommendation is for a citywide impact fee, in essence there is set of trip rates in the downtown for certain land uses that are different. The cost per trip would be the same, but the number of trips is reduced for certain uses.

Mr. Miller said the \$10,000 figure is what staff and the consultants conclude could be legally charged based on the proposed TFP project list. The actual decision will be up to the Council to make.

Chair Northey asked if the Commission was being asked to provide comment or simply receive the report. Mr. Miller said no specific recommendation was being sought on the impact fee update. The Commission will be asked to recommend the TFP which forms the basis for the impact fees.

Mr. Miller said one of the things the Council has talked about is establishing a broad-based financing plan predicated on the principle that those who benefit from improvements should bear some of the responsibility. Clearly, existing uses as well as new growth will use and benefit from the facilities, so it could be argued that everyone should pay a share.

The TFP project list includes significant transportation capacity projects and some less defined categories of projects, in addition to ped-bike and neighborhood sidewalk projects. The Council has not yet taken up the issue of what specific ped-bike investments the \$15 million should be spent on.

The revenue projected to be generated by impact fees and other revenue sources is not expected to come in as the city has need to spend it. The Council has in fact directed that some of the projects be completed in the next seven to ten years. That will necessitate borrowing, and the estimated financing cost totals \$55 million.

Mr. Miller said the model shows four categories of funding that would be used to pay for the finance plan, though the Council will need to take specific actions to make them a reality. Some actions have already been taken, including a property tax increase, continuing the previously approved supplemental CIP property tax, and increasing the storm drainage fees. The Council has not taken action on the impact fees, has not formed local improvement

districts, and has not enacted new Bel-Red taxes and incentive zoning. The growth projected to occur in Bel-Red will generate additional revenues, a least a portion of which will be spent on the project list.

Chair Northey asked which revenue source will be offset if Bellevue garners revenues through the infrastructure stimulus program at either the state or the federal level. Mr. Miller said the city will pursue every grant and outside dollar possible. Mr. Sparrman concurred but explained that the requirements of the stimulus package requires construction within 90 days or 180 days; none of the projects on the list can meet that criteria. The Council has not made any decision about what revenue source will be offset if outside revenues are received. The anticipation is that the necessary funding will be less than needed rather than more than needed.

D. East Link Light Rail Project Update

Senior Planner Maria Koengeter said the East Link project is intended to bring light rail from Seattle to Bellevue and on to Overlake. The EIS covers up to 19 route choices. In the south Bellevue area, there are five different potential routes to get from I-90 to approximately SE 8th Street, and they include three different station choices and two potential park and ride lots.

Option B1 travels along Bellevue Way from I-90 to SE 8th Street entirely at-grade. It includes an at-grade station at the South Bellevue park and ride in the center of the roadway; the park and ride would be expanded to include a four-story garage to accommodate 1400 cars.

Options B2A and B3 have similar profiles. They both come off of I-90 elevated and have an elevated station at the South Bellevue park and ride; the park and ride lot would be expanded as previously indicated. Both then transition into an at-grade center run along Bellevue Way to the south of Winters House. They continue at-grade through the Y and then up 112th Avenue SE, taking out the landscaped median. B2A is at-grade all the way to SE 8th Street where there would be a station and a retained cut in the center roadway between SE 8th Street and SE 6th Street. From there the route would enter a tunnel at the Surrey Downs district court site. Option B3 transitions to an elevated structure at SE 15th Street that crosses to the east side of the road, over SE 8th Street and continuing north; it does not have a station at SE 8th Street.

Option B2E is elevated for its entire route. It has the same elevated station at the South Bellevue park and ride but then crosses over to the west side of Bellevue Way in order to avoid the Winters House and the rebuilding of Bellevue Way. It then crosses back to the east side of the roadway before the Y and travels along 112th Avenue SE, keeping the landscape median. It has an elevated station at SE 8th Street.

Option B7 bypasses the South Bellevue park and ride and continues east parallel to I-90. It crosses the Slough then veers north onto the BNSF right-of-way. It is elevated through the Slough but is at-grade along the railroad right-of-way. It crosses over 118th Avenue NE to a

new station and park and ride with a new 1000-stall parking garage. It then continues north along 114th Avenue NE to connect to downtown options.

Ms. Koengeter said the key tradeoffs for the various South Bellevue alignments include the types of local and regional access provided at the South Bellevue park and ride and at the SE 8th Street station; operating impacts; and construction impacts.

Commissioner Glass asked why the ridership numbers are so much lower for the B7 alternative. Ms. Koengeter said the main reason is the South Bellevue park and ride is a major transfer point for people coming on buses from the east and the south. It also has convenient access from the highway. All of that generates higher ridership figures. The 118th Avenue SE alignment does not have that advantage.

Answering a question asked by Commissioner Larrivee, Ms. Koengeter said the conceptual service plan design, which served as the baseline assumption for the EIS, assumes that if the 118th Avenue SE station is developed the transit connections will be either in the downtown or on Mercer Island. Commissioner Larrivee said the challenge faced by the current Wilburton park and ride is that it does not have buses that take riders to downtown Seattle, so it does not have the draw the South Bellevue park and ride currently has. If different routes were to be established that connect with the 118th Avenue SE station, it would seem ridership would increase.

Commissioner Simas asked why the plan calls for a 1400-car garage at the South Bellevue park and ride but only a 1000-car garage at the 118th Avenue SE site where there is more buildable area. Mr. Sparrman said the simple answer is there is less demand at the 118th Avenue SE site. For trips coming from the east or the south by carpool or vanpool, the site is out of the way for Seattle-bound commuters.

Commissioner Larrivee suggested there is no demand at the 118th Avenue SE site because there are no buses that take riders where they want to go. Mr. Sparrman explained there are no buses going to Seattle from there because commuters coming from the south and east are unlikely to want to travel north on I-405 to the location, get on a bus and then travel back over the same roadway to get to I-90.

Commissioner Simas asked why Bellevue should necessarily be concerned about transient trips going from Issaquah or Renton to Seattle. Mr. Sparrman said Bellevue's interest is in reserving as much as possible of the regional transportation system for people heading into Bellevue. Commuters coming from the south or east heading for Seattle that must utilize I-405 to make their connections are using capacity that would otherwise be available for someone heading into Bellevue. Additionally, Sound Transit will ultimately make the decision and their focus is on regional system performance.

Commissioner Glass asked if Bellevue is considering the impacts to local roads when

analyzing the different options. Mr. Sparrman clarified that the city is not doing its own analysis, rather it is reviewing the analysis done by Sound Transit and included in the DEIS. Staff are assisting the Council in evaluating the information contained in the DEIS; the staff are not anticipated to make a specific alignment recommendation. Commissioner Glass asked if the DEIS includes any analysis of impact on Bellevue roads, and Mr. Sparrman said it does. With some exceptions, the proposed alignments do not impact street capacity; the exceptions are tied primarily to at-grade alignments that involve intersection crossings.

Commissioner Larrivee asked if the city will be filing an official response during the public comment period. Ms. Koengeter said the Council has been reviewing the findings of the DEIS and will be hosting a public hearing on February 2. The Council will be making a recommendation to the Sound Transit board on the Bellevue preferred alternative before the close of the public comment period.

Ms. Koengeter reviewed with the Commission the six possible alignments in the downtown area. She noted that C1T is a tunnel option that connects to the B1 segment of Bellevue Way. From at-grade on Bellevue Way, the route transitions into a retained cut and a cut-and-cover tunnel to the south of Main Street. It has a station in Old Bellevue just north of Main Street. The alignment travels underneath the Bellevue Arts Museum then turns east along the Pedestrian Corridor to a station at the transit center. It comes out of the tunnel at NE 6th Street just outside City Hall and then transitions to an elevated crossing over I-405 and connects to a station on the BNSF right-of-way behind Whole Foods north of NE 8th Street. The option is the most expensive tunnel option and has very good performance because of the additional stop at Old Bellevue.

The majority of the tunnel for option C2T is under 106th Avenue NE instead of Bellevue Way. It connects either from SE 8th Street through a portal at Surrey Downs Park along 106th Avenue NE and then out NE 6th Street similar to C1T, or from an elevated or at-grade alignment on 112th Avenue SE, or from the B3 or B7 on 114th Avenue NE with a station and portal where the Red Lion site is.

Commissioner Larrivee asked why C2T is less expensive than C1T. Ms. Koengeter said the tunnel is actually somewhat shorter for C2T.

Ms. Koengeter said the C3T option connects from either the Surrey Downs district court site, 112th Avenue NE, or the East Main station into a bored tunnel. It travels under 108th Avenue NE and has a station at the transit center. The route surfaces near NE 12th Street at McCormick Park and then heads east to cross I-405. C3T is the least expensive tunnel option and has the highest ridership because it has the fastest travel time.

C4A is the at-grade option for downtown. It incorporates a couplet traveling north on 110th Avenue NE and south on 108th Avenue NE, with traffic flowing in the opposite direction. It connects either from the Red Lion site or straight up 112th Avenue NE to Main Street. The

route has the longest travel time because it interacts with cars at intersections; the option also has the lowest ridership. At the north end the route impacts McCormick Park before accessing an Ashwood station and then crossing over I-405.

There are two elevated options. C7E travels up 112th Avenue NE and has a station on the east side of City Hall. It includes a pedestrian bridge to allow people to cross easily over to the City Hall plaza and the transit center. The route continues north to the Ashwood/hospital station east of I-405. C8E travels from the East Main station up 112th Avenue NE, crosses over at NE 2nd Street to 110th Avenue NE, then travels north to a station just outside City Hall. It then continues north to the Ashwood/hospital station east of I-405.

Ms. Koeneger said the Ashwood/hospital station could be directly over I-405 or just to the east of the freeway.

The tradeoffs for the downtown section include cost, type of access, operating impacts, construction impacts, and the urban design opportunities.

Ms. Koeneger said there are a number of options for traveling through the Bel-Red corridor. The preferred alternative identified through the Bel-Red process is D2A. The route travels along NE 15th Street/NE 16th Street to 136th Place NE, north to SR-520, then east on NE 24th Street to the Overlake Village station.

Sound Transit will be conducting open house/public hearing events on January 28 at Bellevue High School and on January 29 at City Hall. The City Council will be conducting its public hearing on February 2.

Referring back to C2T, Commissioner Larrivee said depending on the alignment south of Main Street it will have different impacts on residential and business units. Ms. Koeneger said if the line enters the portal at the Surrey Downs district court, it will not require the taking of any of the homes in the area. However, if it connects at the East Main Station and then crosses over, or if it comes up 112th Avenue NE and goes into a portal south of Main Street, there will be impacts to both houses and businesses, primarily owing to the need for staging areas.

9. OLD BUSINESS – None
10. NEW BUSINESS – None
11. PETITIONS AND COMMUNICATIONS – None
12. APPROVAL OF MINUTES
 - A. September 11, 2008

Motion to approve the minutes as submitted was made by Commissioner Larrivee. Second was by Commissioner Glass and the motion carried unanimously.

B. September 25, 2008

Motion to approve the minutes as submitted was made by Commissioner Glass. Second was by Commissioner Simas and the motion carried unanimously.

C. October 9, 2008

Motion to approve the minutes as submitted was made by Commissioner Glass. Second was by Commissioner Simas and the motion carried unanimously.

D. November 13, 2008

Commissioner Larrivee referred to the first sentence of the penultimate paragraph on page 2 and noted that it should read "...Commissioner Larrivee asked what would happen should that occur...."

Motion to approve the minutes as amended was made by Commissioner Glass. Second was by Commissioner Simas and the motion carried unanimously.

13. REVIEW CALENDAR

A. Commission Calendar and Agenda

The Commission reviewed the items scheduled for discussion at upcoming meetings.

B. Public Involvement Calendar

14. ADJOURNMENT

Chair Northey adjourned the meeting at 10:12 p.m.

Secretary to the Transportation Commission

Date

Chairperson of the Transportation Commission

Date