

Motion No. M2021-55

Master Service Agreement with AAA Management, LLC for Community Transit-Oriented Development adjacent to the Shoreline South/148th Station within the Lynnwood Link Extension

Meeting:	Date:	Type of action:	Staff contact:
System Expansion Committee	09/09/2021	Recommend to Board	Ron Lewis, DECM Executive Director
Board	09/23/2021	Final action	Randy Harlow, Executive Project Director – Lynnwood Link Extension Megan McIntyre, Deputy Project Director – Lynnwood Link Extension

Proposed action

Authorizes the chief executive officer to execute a Master Service Agreement and sub-agreements with AAA Management, LLC to (1) establish terms and operational stipulations and (2) grant temporary and permanent easements for the planned private development at 333 NE 149th Street in Shoreline, WA adjacent to the Shoreline South/148th Station as part of the Lynnwood Link Extension.

Key features summary

- The proposed agreement establishes terms and operational stipulations for the residential transit oriented development (TOD) adjacent to the Shoreline South/148th Station that will interact with the station, bus loop, and parking garage areas.
- The residential TOD will replace a portion of the noise wall on the north side of the bus loop that is currently part of the Lynnwood Link Extension (LLE) scope of work. Eliminating the noise wall from the LLE will result in a cost savings for the Lynnwood Link project.
- The agreement will grant temporary and permanent easements as well as outline specific requirements relative to noise and vibration mitigation within the development to meet the FTA's Record of Decision (ROD) commitments for the LLE.
- Approval of these agreements furthers the development of a TOD to be built on privately-owned property adjacent to the Shoreline South/148th Station, creating a project that enhances the passenger experience and improves station access to potential passengers within the TOD development.
- These agreements will include payment to Sound Transit for the easements at fair market value.

Background

The Lynnwood Link Extension is an 8.5 mile light rail extension from Northgate to Lynnwood with service to the Cities of Seattle, Shoreline, Mountlake Terrace, and Lynnwood. The extension travels primarily along I-5 and includes four stations at NE 148th Street, NE 185th Street, Mountlake Terrace Transit Center, and Lynnwood Transit Center. New parking structures will be provided at NE 148th Street, NE 185th Street, and Lynnwood Transit Center. The extension is scheduled to open for service in 2024.

Shoreline South/148th Station includes the light rail station, parking garage, and bus loop within the City of Shoreline as part of the LLE project currently under construction.

AAA Management, LLC (AAA) intends to develop a seven-story 252-unit TOD apartment building between the Shoreline South/148th parking garage and NE 149th Street within the City of Shoreline on private property controlled by AAA. This proposed development will also include three stories of underground parking.

To meet ROD commitments, the LLE scope included construction of a noise wall to protect seven single-family residences along NE 149th Street. The TOD building requires removal of five of those residences, effectively eliminating the need for a portion of the noise wall originally anticipated by Sound Transit.

Sound Transit will grant temporary and permanent easements to AAA for their residential construction purposes as part of the proposed agreement. Sound Transit will be paid fair market value for the easements.

The easements are subject to cancellation if the residential development is not built. Sound Transit will require liquidated damages be paid if the development is not built.

Based on the noise analysis completed by a qualified noise consultant hired by the developer, Sound Transit determined, with FTA concurrence, that the noise mitigation refinements proposed by the developer are consistent with the ROD commitments. Sound Transit will continue to work with the developer to ensure that Sound Transit's noise wall for the two remaining residences is integrated with the TOD and performs effectively. The developer will be responsible for designing and building apartments to satisfactorily mitigate noise impacts.

Sound Transit adopted a TOD Program Strategic Plan in 2010, then in December 2012 adopted a TOD Policy, Resolution No. R2012-24. Sound Transit's Equitable TOD Policy, Resolution No. R2018-10, classifies this type of development as a Community TOD project, as it is a project built on land not owned by Sound Transit within 1/2 mile of the station. Sound Transit's role with Community TOD projects, as outlined in the agency policy, is to "support and promote TOD within the area around a Sound Transit facility". The residential TOD project implements several of the agency's Equitable TOD Policy goals, including increasing the value and effectiveness of transit by increasing transit ridership; supporting the implementation of state, regional, and local growth plans, policies, and strategies; encouraging the creation of diverse housing options near transit; and encouraging convenient, safe multimodal access to the transit system.

Project Status

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Project Identification	Project Refinements	Conceptual Engineering/ Environmental Review	Preliminary Engineering	Final Design	Construction

Projected completion date for Construction: 3Q 2024

Project scope, schedule and budget summary are located starting on page 82 of the July 2021 Agency Progress Report.

Fiscal information

The proposed action includes payment to Sound Transit for easements at fair market value, pending the appraisal report which is expected in late September 2021. Easement revenues are included within the miscellaneous revenues the agency receives.

The residential TOD will replace a portion of the noise wall that was planned as part of the Lynnwood Link Extension scope of work. This scope reduction for Sound Transit will also include a cost savings to Sound Transit, which will go back into the Lynnwood Link Extension budget. The dollar amount will be finalized once the Sound Transit contractor has received final plans from AAA in Q4 2021.

Disadvantaged and small business participation

Not applicable to this action.

Public involvement

Sound Transit staff has been coordinating with the City of Shoreline on the planned TOD development. No public outreach effort by Sound Transit is expected outside of those previously conducted for the Lynnwood Link Extension. The City and/or Developer may elect to perform additional outreach outside of this Agreement and/or action.

Time constraints

A one-month delay would not create a significant impact to the project schedule.

Timely approval of this action allows the developer to proceed with their procurement schedule while allowing Sound Transit to continue construction sequencing on Sound Transit's portion of the noise wall.

Environmental review – KH 8/27/21

Legal review – PM 9/3/21

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A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute a Master Service Agreement and sub-agreements with AAA Management, LLC to (1) establish terms and operational stipulations and (2) grant temporary and permanent easements for the planned private development at 333 NE 149th Street in Shoreline, WA adjacent to the Shoreline South/148th Station as part of the Lynnwood Link Extension.

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Motion

It is hereby moved by the Board of the Central Puget Sound Regional Transit Authority that the chief executive officer is authorized to execute a Master Service Agreement and sub-agreements with AAA Management, LLC to (1) establish terms and operational stipulations and (2) grant temporary and permanent easements for the planned private development at 333 NE 149th Street in Shoreline, WA adjacent to the Shoreline South/148th Station as part of the Lynnwood Link Extension.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on _____.

Kent Keel
Board Chair

Attest:

Kathryn Flores
Board Administrator