

CITY COUNCIL AGENDA ITEM

CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Discussion of Required Electrical Utility Undergrounding in the South Shoreline/148th Light Rail Station Area and the Impact on the Sound Transit Lynnwood Link Extension Project and MUR-70' Development

DEPARTMENT: City Manager's Office
Public Works

PRESENTED BY: John Norris, Assistant City Manager
Juniper Nammi, Sound Transit Project Manager
Tricia Juhnke, City Engineer

ACTION: ☐ Ordinance ☐ Resolution ☐ Motion
 ☒ Discussion ☐ Public Hearing

PROBLEM/ISSUE STATEMENT:

Shoreline Municipal Code (SMC) Chapter 13.20 provides the City's regulations for electrical and communication facilities. SMC Section 13.20.050(C) addresses the undergrounding of electrical facilities (poles, powerlines, transformers, etc.). This SMC provision prohibits new electrical facilities or extensions, additions, duplications, or rebuilds of existing electrical facilities to be constructed on overhead poles. These new or upgraded facilities must be placed underground. Additionally, Section 13.20.040 provides the exceptions for the Chapter where undergrounding would not be required, and there currently is no exception for temporary construction power.

While electrification of the South Shoreline/148th Station and Traction Power Sub-Station (TPSS) of the Sound Transit Lynnwood Link Extension (LLE) Project was planned for a connection to upgraded three-phase power that Seattle City Light (SCL) was to build underground along 5th Avenue NE ("Duct Bank Project"), SCL has delayed this project. This delay jeopardizes the undergrounding of electrical service to the LLE Project. Sound Transit and SCL have developed options to provide interim, overhead power to the LLE Project, but these options are not allowed by the SMC. In order to keep the LLE Project on schedule, an interim overhead power solution must be implemented. SCL's delay in the Duct Bank Project also creates other considerations for the electrification of development within the MUR-70' zoning district of the 145th Street Station Subarea in proximity to the South Shoreline/148th Station.

Tonight, Council will discuss options and the trade-offs of those options to address the issue of the electrification for the LLE Project and private development in the surrounding area. If Council is supportive of allowing interim overhead electrical facilities in certain circumstances, staff would return with Ordinances to amend SMC Section 13.20.040 and Section 13.20.050(C) in the near future.

RESOURCE/FINANCIAL IMPACT

The resource and financial impacts of this issue are difficult to quantify. While there is no direct financial impact to the City if the SMC is not amended, there may be very significant indirect financial impacts if the LLE Project is delayed or if other development projects are delayed or are not constructed. It is difficult to quantify what this lost investment in Shoreline would be, but it is clear that development would be delayed if not severely curtailed for several years if connection to electrical power is not financially feasible for the construction or the operation of core development in the MUR-70' zoning district of the 145th Street Station Subarea.

RECOMMENDATION

To avoid the disruption of development and in order to facilitate opening the LLE Project by July 2024, the stated start of revenue service as set by the Sound Transit Board, staff recommends that the Council direct staff to move forward with the following actions, which are encompassed in Option 2 in this staff report:

- Return to Council with a proposed Ordinance to amend SMC Section 13.20.040 in the very near term to create an exception to the City's undergrounding regulations for temporary construction power. This exception would exist Citywide and would impact all future development.
- Return to Council with a proposed Ordinance to amend SMC Section 13.20.050(C) to allow for interim overhead 3-phase power that will serve the LLE Shoreline South/148th Station and 151st Street TPSS and other development until the Duct Bank Project is completed by SCL. This allowance would be available to development projects deemed to be Essential Public Facilities (EPFs), which the LLE Project is, and other non-EPF development that is able to connect to the overhead facilities for EPFs on an interim basis until such projects, both EPF and non-EPF, can be connected to SCL-planned underground facilities, which would be required by an agreement with the City in coordination with SCL.
- Continue to strongly engage with SCL to have the utility construct the Duct Bank Project as soon as possible and work with both SCL and Sound Transit on the 'one leg interim solution' for interim overhead power in the 145th Street Station Subarea.

Approved By: City Manager ***DT*** City Attorney ***JA-T***

BACKGROUND

Sound Transit has been planning its Lynnwood Link Extension (LLE) Light Rail Project for many years. The City of Shoreline has been actively engaged in Sound Transit's planning, environmental review, public outreach, design, permitting, and now construction coordination of the LLE Project since 2010. The City Council, staff, and the public participated in numerous public open houses and opportunities to provide comment and feedback on the planning and design specifics for the two stations, garages, accessory structures, and over three miles of guideway within the Shoreline city limits between 2010 and 2019.

Sound Transit staff updated the City Council on the planning for the LLE Project and the start of the construction phase at the Council's March 4, 2019, meeting. The staff report for this Council discussion can be found at the following link: [March 4, 2019 Sound Transit Lynnwood Link Extension Project Update.](#)

Following this Council presentation, construction of the LLE Project officially started in April 2019 with demolition, tree removal, utility relocations, and set up for construction access and staging. Since that time, construction of the rail guideway, stations, parking garages, and reconstruction of City rights-of-way and other facilities, amongst many other facets of project construction, has occurred. Construction is scheduled to continue through 2023 with light rail revenue service scheduled to start in July 2024.

Staff and Sound Transit last provided an update to the Council on construction of the LLE Project on June 15, 2020. The staff report for this Council discussion can be found at the following link: [June 15, 2020 Sound Transit Lynnwood Link Extension Project Update.](#)

One element of the construction phase of the LLE Project that has been challenging is the coordination of electrification for the LLE Project with SCL, especially service to the South Shoreline/148th Station, TPSS, and other guideway equipment within the 145th Street Station Subarea.

SCL 5th Avenue Duct Bank Project

SCL currently has three-phase (3-phase) underground power running down 5th Avenue NE, in front of the future Shoreline South/148th Light Rail Station (see Map in Attachment A). This underground power is what is called "direct bury" power, in that the powerlines are not installed in any conduit (typically plastic piping), but rather are buried directly in the ground as was the typical practice in past years.

The issue with direct bury lines is that they degrade over time due to exposure to the elements and the difficulty in replacing the lines as the lines must be dug up rather than being "pulled" like those in conduit. All current underground electrical lines are constructed in conduit for these reasons.

Constructing new connections to this existing direct buried line is not viable for most development, including the LLE Project, due to its age and the inability to replace or upgrade the cables without digging it up. Given that the 5th Avenue NE 3-phase line has reached the end of its useful life and is in danger of failing, SCL has planned for its

replacement with new 3-phase power in a duct bank project (multiple conduits put together) within 5th Avenue.

SCL Duct Bank Project and the South Shoreline/148th Station and TPSS

Starting in 2016, Sound Transit worked with the City, SCL, other affected agencies, and the community to plan and design the Shoreline South/148th Station, originally known as the 145th Station, and the related TPSS and other equipment at NE 151st Street on 3rd Avenue NE. The TPSS at this location will provide the operational power for the light rail train. There are multiple TPSS locations along the LLE Project alignment, and all must be functional and fully electrified for light rail to operate.

Given the power loads (higher voltages) required to run light rail, 3-phase power with thicker wires is needed, rather than the less robust single-phase power or the existing direct buried 3-phase power in 5th Avenue NE. As is noted above, connection to the 5th Avenue NE 3-phase, direct buried line would not provide adequate power for construction and ongoing operation of either the Shoreline South/148th Station site or the TPSS at NE 151st Street. Given this, starting in 2016, Sound Transit and SCL worked to coordinate on the Duct Bank Project, so that new 3-phase power would be installed within 5th Avenue and ready for Sound Transit's use.

However, in early 2021, SCL informed Sound Transit and the City that it does not have the capital funding to complete the Duct Bank Project in coordination with the LLE Project timeline. SCL's estimated cost and timeline for the Duct Bank Project is roughly \$26M for the first 10 blocks of 5th Avenue NE (from 145th to 155th Street) by 2027 and \$15M for the second 10 blocks to NE 165th Street by 2030. Both of these dates are years past when the LLE Project is projected to begin revenue service in July 2024. Following SCL's announcement, Sound Transit staff and City staff worked to persuade SCL to move forward with their Duct Bank Project so that it was operational by 2024.

SCL Duct Bank Project and the City 145th Street Interchange Project

Staff also worked diligently with SCL to coordinate on the portion of the Duct Bank Project that runs along 5th Avenue NE through NE 145th Street and directly under the proposed east roundabout in the City's 145th Interchange Project. Coordinating construction of the Duct Bank for this small portion of 5th Avenue NE has also been a critical issue for the City so that SCL is not installing the Duct Bank in the City's project area after the Interchange Project is complete. To avoid this, staff was able to get SCL to agree to 'carve out' just the 145th and 5th roundabout portion of the Duct Bank Project and agree to install that portion of the Duct Bank prior to start of the Interchange construction in 2023. The estimated cost for just this small portion of the duct bank is \$3.5M. The scope of this 'carve out' is limited to the installation of vaults and duct bank within the limits of the Interchange Project; it does not include any wiring or "energizing" of the system. Staff is continuing to coordinate with SCL on the timing of this portion of the project, but concern remains whether this work will be completed prior to the Interchange Project. Staff is continuing to work with SCL on this issue.

DISCUSSION

Requests for Temporary Construction Power

Prior to, and independent of, the delay of the Duct Bank Project, Sound Transit still needed to start construction of their Shoreline South/148th elevated station and garage to keep the LLE Project on schedule. Therefore, in April 2020, the City permitted Sound Transit and SCL to construct a *temporary* overhead, 3-phase powerline along NE 148th Street, pulling the 3-phase power from the existing overhead powerlines that run north/south along 8th Avenue NE, and included six (6) new poles within City right-of-way installed in June 2020 (See map in Attachment A; temporary overhead powerline is shown as a solid purple line). This temporary powerline was used to run the construction crane at the station site and is still providing temporary power for contractors to construct the LLE Project. At the time the permit for the powerline was issued, staff was clear with Sound Transit and SCL that this powerline was to be used only for construction power. This means that this temporary powerline was to be removed by SCL prior to start of revenue service.

While this temporary construction power for the LLE Project was permitted by the City, there is currently no exception in the SMC to the City's undergrounding requirements for temporary construction power. SMC Section 13.20.040 provides the exceptions for when undergrounding would not be required. At the time that the City permitted the temporary construction power of the LLE Project, it was staff's interpretation of SMC Section 13.20.050(C) that this temporary construction power was not a violation of the undergrounding requirement given the "temporary" nature of this overhead power and that permanent power would meet the undergrounding requirements. The City Engineer has confirmed that it is an industry standard for development construction power needs to be provided via overhead power with undergrounding of power occurring to energize the newly constructed development.

Subsequent to the LLE Project receiving a permit for temporary, overhead construction power, the City received a request for allowance of temporary overhead construction power from AAA Management, which is working on a mixed-use development directly north of the Shoreline South/148th Station. AAA Management is interested in connecting to an extension of the temporary overhead 3-phase powerline on NE 148th Street with an additional new overhead powerline running north up 5th Avenue NE and then heading west on NE 149th Street (shown as the pink line on the map in Attachment A). AAA Management is interested in having SCL install this overhead powerline on its behalf to power the construction of its project, which it hopes to begin this year.

Requests for 'Interim' Overhead Power – 148th Street and 152nd Street

Given the status of the Duct Bank Project, Sound Transit is also working to design longer-term, temporary solutions, referred to as 'interim' by City staff, by requesting that the temporary powerlines on NE 148th Street remain in place and continue to power the Shoreline South/148th Station site (including station, garage, and future electric bus charging facilities) until the Duct Bank Project is installed. The temporary power would be modified by undergrounding the lines in a duct bank starting east of 5th Avenue NE and into the Station site so no overhead facilities would remain in the 5th Avenue corridor where current utilities are underground. This duct bank would provide interim power and would likely be abandoned with completion of the Duct Bank Project.

Additionally, Sound Transit is requesting to work with SCL to upgrade existing overhead powerlines on NE 152nd Street to 3-phase powerlines from 8th Avenue NW (where overhead 3-phase power currently runs north-south) to the intersection with 3rd Avenue NE. At 3rd Avenue NE, these overhead, 3-phase powerlines would be undergrounded into duct banks extending down 3rd Avenue and onto Sound Transit property to power its TPSS and other light rail related equipment. While this solution supports the LLE Project and other development (to be discussed below), it is currently not allowed by the SMC as discussed below.

Undergrounding of Electrical Facilities and the SMC - Benefits and Trade-offs of Undergrounding

SMC Chapter 13.20, Electrical and Communication Facilities, sets forth the City's regulations of electrical facilities, including undergrounding of these facilities. Furthermore, SMC Section 13.20.010 sets forth the City's policy and provides the reason why undergrounding is required:

"The health, safety, and general welfare of the residents of the community require that overhead facilities be relocated underground in such instances, in that, among other things, the undergrounding removes potential hazards and blockages from the right-of-way, thus benefiting the safety and mobility of the motoring public, passengers and pedestrians and further promotes the general welfare in achieving a more aesthetically pleasing community, improving property values, and decreasing the vulnerability of service delivery due to the effects of natural disasters and storm events."

In other words, undergrounding of new powerlines generally provides for better system reliability, increased safety, and less visual clutter (i.e., better aesthetics). In contrast, overhead powerlines create risk and also require clearance areas that can potentially impact the building size beyond the limits set by the City's development regulations.

However, these benefits do not come without significant costs and trade-offs. Undergrounding is very costly and more challenging to implement than installing overhead lines, especially for 3-phase power. Based on recent staff estimates for other corridor projects, undergrounding all utilities in a joint use trench can cost approximately \$4,000 per lineal foot. There are natural tensions between the City and developers regarding the benefits that undergrounding provides verses the cost, time, and complexity it takes to achieve those benefits and whether that cost reduces the level of redevelopment in the City.

Undergrounding of Electrical Facilities and the SMC – Requirements for Undergrounding

In weighing the benefits and costs of undergrounding, the SMC has historically, and continues to, place a high value on the benefits of undergrounding electrical facilities over the high cost of undergrounding. In 1996, the City adopted Ordinance No. 82 which included an aggressive and, in retrospect, extremely unrealistic provision that required all overhead utilities be placed underground within 15 years. This meant that all overhead utilities in the City of Shoreline had to be undergrounded by May 2011. This requirement was repealed in January 2011 by [Ordinance No. 594](#).

However, also included in Ordinance No. 82 was a provision requiring all new electrical facilities and additions, rebuilds, extensions and duplications of existing facilities be placed underground. This provision is currently codified in [SMC 13.20.050\(C\)](#), and reads as follows:

“Existing overhead facilities, including utility poles, with the exceptions previously noted in SMC [13.20.040](#), will be allowed to remain aboveground until one of the following events: ... C. All extensions, additions, duplications, or rebuilds (excluding repair of casualty damage) or any new facilities shall be installed underground in those areas where no overhead wires exist.”

Undergrounding of Electrical Facilities and the SMC – Impact on the LLE Project

As noted above, the temporary overhead, 3-phase powerline facilities that were installed on NE 148th Street are not allowed to remain beyond the completion of the LLE Project. This is the case as the NE 148th Street new overhead powerlines were installed for temporary use in an area with no existing overhead wires. If left in place, this segment would be considered an extension of the overhead electrical system in an area with no existing overhead powerlines, which does not meet the requirements in SMC. As well, the proposed overhead, 3-phase powerline facilities on NE 152nd Street, which are deemed to be both a rebuild and an extension of the current overhead powerlines on this street, are not allowed to be constructed per the SMC.

Sound Transit and SCL staff have been designing an interim power solution that would allow for both of these overhead powerlines to be implemented (NE 148th to remain in place and NE 152nd to be rebuilt and extended) until the Duct Bank Project is completed. This of course would require an amendment to the SMC. Additionally, Sound Transit and SCL are also now looking at an alternate interim power solution that would reduce the level of interim overhead powerlines from these two lines to just one interim powerline along NE 152nd Street (more on this discussed below).

While staff have been supportive of Sound Transit and SCL working to design these interim solutions, staff recently became concerned that neither of these solutions are in alignment with the undergrounding requirements in the SMC. It is now clear that both interim solutions proposed by Sound Transit would not be allowed by the SMC and that an amendment to the SMC would be required to allow for either of these solutions. This has significant implications for the LLE Project and some other development projects, as noted below.

Given the timing of the Sound Transit schedule and the delay in the Duct Bank Project, if Sound Transit's proposed interim solutions are not allowed, it is very likely that the opening of light rail service will be delayed six months to one year or more (by City staff estimates) while Sound Transit designs an underground solution that conforms to the City's regulations. It is estimated that this could also cost the LLE Project in the range of \$6-8M in unexpected costs.

Even if SCL decided to change direction and complete the design and construct the Duct Bank Project starting now, the Duct Bank Project would likely not be completed in time for the start of LLE revenue service in July of 2024 and not soon enough for testing

the train system later this year. For the LLE Project schedule to be maintained, some level of interim overhead power is necessary.

Undergrounding of Electrical Facilities and Other Development

In addition to the interim overhead 3-phase powerlines being critical for the LLE Project schedule, developers of multi-family and mixed-use private projects in the MUR-70' zone of the 145th Street Station Subarea are also concerned about not being able to connect to or utilize interim overhead powerlines and the level of delay undergrounding would cause their projects. Most specifically, AAA Management would like to continue to utilize its proposed temporary overhead powerline extension on an interim basis until the Duct Bank Project is completed, similar to the LLE Project. If its temporary construction powerline were allowed by an amendment to the SMC and subsequently constructed, this powerline would still need to be removed upon the completion of the project. However, if interim overhead power is also allowed by the SMC in certain circumstances, this temporary overhead powerline would be allowed to remain until the project can be connected to Duct Bank Project, once completed by SCL. AAA Management has indicated they are willing to install underground power, when possible, but their current schedule would be significantly impacted if SCL cannot maintain the overhead 3-phase power on NE 148th Street and extend it to the AAA site on 149th for temporary construction or an interim duration.

There are also other planned and proposed developments in the MUR-70' zone of the 145th Street Station Subarea east of I-5 that may be adversely impacted due to the delay of the Duct Bank Project and the prohibitive cost of bringing 3-phase power underground from 8th Avenue NE. As additional developers approach the City for pre-application meetings and development permits, the issue of how to connect to 3-phase power is one of the largest issues developers are facing. Being clear with what is required regarding underground power, and the timing of how to make those connections, has become a critical issue for these developers.

Engagement with SCL on the Duct Bank Project and Other Solutions

Through the fall of 2021, Sound Transit and City staff continued to negotiate with SCL to construct the Duct Bank Project. At this time, SCL stated that if the City and/or Sound Transit wanted to provide capital funding supporting the Duct Bank Project, it could be completed sooner. Both the City and Sound Transit declined this request. Staff also looked to Sound Transit to engage with SCL on the Duct Bank Project given that Sound Transit had a commitment from SCL to have the Duct Bank Project operational by the start of light rail revenue service. Starting last year however, the consistent message received by both the City and Sound Transit was that SCL did not have the capital funding at this time to construct the Duct Bank Project on their original schedule and that construction would have to be pushed back to the 2027 timeframe.

Staff continues to work with its partners to highlight the critical nature of the Duct Bank Project and advocate with SCL for its near-term construction. Staff have conducted extensive meetings with both ST and SCL capital project planning and funding staff, which have supported the current efforts to both advance the project as rapidly as possible and mitigate impacts, such as the alternative interim solution that staff from all agencies have identified. Staff is also engaging leadership within Sound Transit and the

City of Seattle to maintain visibility of this project and ensure that all agencies remain in alignment now and in the future.

Additionally, as is noted above, the City, Sound Transit, and SCL have been recently exploring an alternate interim power solution that would reduce the level of interim overhead powerlines from the two identified interim powerlines at NE 148th and 152nd Streets to just one interim powerline along NE 152nd Street. This 'one leg interim power solution' would provide interim overhead 3-phase power along NE 152nd Street to 3rd Avenue NE, which from there would be undergrounded along 3rd Avenue NE (paralleling Interstate-5 and the LLE Project alignment), to both the TPSS and the South Station/148th Station site. This would mean that the current temporary overhead, 3-phase powerline on NE 148th Street would truly remain temporary and would be removed as initially conceived upon the completion of the LLE Project. If the 'one leg interim solution' is viable and can be constructed by Sound Transit and SCL, AAA Management should also be able to electrify its project via an underground connection to 3rd Avenue. This is an example of efforts of staff with SCL, Sound Transit, and the City to look for solutions that are mutually better for the Shoreline community, the LLE Project, and other developments despite the stated delay in the Duct Bank Project.

ALTERNATIVE ANALYSIS

While there are theoretically many alternatives to address this issue, staff has presented the following three alternatives for Council consideration:

- **Option 1: Amend SMC Section 13.20.040 so that overhead temporary construction power is allowed to be installed and not prohibited by the SMC.**

An amendment to this section of the SMC would create an exception to the City's undergrounding regulations for temporary construction power. This exception would exist Citywide and would impact all future development, including development in the 145th Street Station Subarea.

- **Option 2: Amend SMC Section 13.20.040 and Section 13.20.050(C) so that 1) overhead temporary construction power is allowed to be installed, and 2) new electrical facilities or extensions, additions, duplications, or rebuilds of existing electrical facilities are allowed to be constructed overhead on an interim basis for projects deemed to be Essential Public Facilities (EPFs) and that any connections from those new facilities are allowed to be constructed overhead for any non-EPF development project on an interim basis until such projects, both EPF and non-EPF, can be connected to SCL-planned underground facilities, which would be required by an agreement with the City in coordination with SCL.**

This option includes Option 1 and also allows for interim overhead power for Essential Public Facilities (EPFs) and non-EPFs that may be connected to them, until they can be connected to SCL-planned undergrounding facilities, such as the Duct Bank Project. EPFs can be both public and private facilities, and pursuant to RCW 36.70A.200, the LLE Project is an EPF as that term includes all regional transit authority facilities. At this time, staff is not aware of any other

EPFs proposed to be sited near an SCL-planned underground facility, but if any are proposed in the future, electrifying those facilities with interim overhead power would be allowed under this alternative. This option acknowledges the public benefit that EPFs provide and makes it more streamlined for EPFs located near SCL-planned undergrounding projects to be sited in the community.

Additionally, non-EPF development projects connecting to interim overhead powerlines installed by an EPF would also be allowed to install interim overhead powerlines until SCL-planned underground facilities are constructed. This would allow some development planned or proposed for the 145th Street Station Subarea, currently private development, to move forward with development in a more streamlined manner than if it were required to serve their developments with underground power from a further distance away. Other non-EPF development not able to connect to these interim overhead lines serving EPFs would not benefit from this change and would be required to underground their electrical facilities.

This option would also require a three-party agreement between the EPF/non-EPF, the City, and SCL to identify the terms and conditions of the interim overhead power and require future connection to SCL-planned underground power, when available, as well as the removal of the interim facilities once connected to underground power.

Staff would also recommend that this option be implemented in two stages, with the first stage being an Ordinance to amend the SMC to provide for temporary construction power (amending SMC Section 13.20.040), and the second stage allowing for interim overhead power as described in this option (amending SCM Section 13.20.050). This will allow staff more time to prepare proposed Code amendment language for the allowance of interim overhead power while addressing the more straightforward temporary construction power in the very near term.

- **Option 3: No Action Alternative.**

This option requires no further action on behalf of the City Council and would provide for SMC Chapter 13.20 to remain as is and for the City to cease coordination with Sound Transit and SCL on interim power solutions for the LLE Project and other developers on temporary construction power. As noted earlier, this option would have a significant impact on the LLE Project and on other development in 145th Street Station Subarea.

Options Analysis

Each of these options provides a set of trade-offs for the City, although some of much more minor than others. Option 1 provides very few trade-offs in staff's opinion. This option allows for the construction of envisioned development in the City's station areas and throughout the City to proceed without the added burden of undergrounding temporary construction power, which may cause delay or a stoppage of some development. While Option 1 also meets the intent of the SMC by requiring permanent power to be undergrounded, the City's undergrounding goals would be slightly delayed

during the construction phase of a project. However, a one-to-two-year delay in undergrounding for many multi-family development projects would be a small trade-off for helping envisioned development proceed in a much more streamlined way.

Option 2 also realizes the benefits of Option 1 and allows for the multi-billion dollar regional transportation investment that is the LLE Project to stay on schedule for future service to the Shoreline community and beyond. This allows the larger light rail transportation system to remain on schedule and does not potentially disrupt future investment into Shoreline's Station Subarea. As for trade-offs, Option 2 provides a greater trade-off than Option 1 in achieving the immediate undergrounding goals identified in the SMC, even if it would require future connection to underground power once SCL-planned undergrounding facilities have been installed. In addition, while the City and both public and private developers want SCL to complete their planned underground facilities as soon as reasonably possible, this option may lessen any pressure SCL may be feeling to construct the Duct Bank in the very near term. In staff's opinion however, the value of the LLE Project being completed on time to serve the region and the Shoreline community far outweighs the other values identified above.

Option 2 also supports some level of non-EPF development in the Station Subarea; most immediately the AAA Management development just to the north of the South Shoreline/148th Station site. This development will likely be one of the first developed in the Station Subarea and significant time and investment have already been spent for the project to get to this level of design. However, some other developments would likely not be able to utilize this option, creating the potential for an unlevel playing field for future development in the Station Subarea (until SCL-planned underground facilities are constructed or additional modification of SMC Chapter 13.20 is completed). Notwithstanding the fairness issues just noted, this option will help achieve the City's vision for transforming the Station Subarea and creating Transportation Oriented Development (TOD) by streamlining the process of electrifying some development.

Option 3 continues to place a high value on the City's undergrounding goals by maintaining the City's requirements for underground electrical facilities and not allowing temporary construction power. It also continues to provide additional pressure on Sound Transit and SCL to fund and construct the Duct Bank Project as quickly as possible. However, as noted above, it would cause a significant delay (estimated at six months to one year; potentially longer) in the LLE Project and significant budget impacts (millions). As noted earlier, given the timing of the Sound Transit construction schedule, even if the Duct Bank Project was fully funded and approved by SCL, it would not be in place in time for pre-revenue testing and operations for the Station Site and TPSS. Some form of temporary overhead power would still be needed between now and completion of the Duct Bank Project in order for the LLE Project to remain on schedule.

Given these trade-offs, staff recommends that the City Council select Option 2 and direct staff to return with Ordinances to amend SMC Section 13.20.040 and Section 13.20.050(C) in the near future to support both the Sound Transit LLE Project and other development in the 145th Street Station Subarea.

COUNCIL GOAL(S) ADDRESSED

This issue corresponds with City Council Goal 3: Continue preparation for regional mass transit in Shoreline, and specifically Action Step #3 under this Goal: Work collaboratively with Sound Transit on the Lynnwood Link Extension Project, including coordination of project construction, inspection, and ongoing permitting.

RESOURCE/FINANCIAL IMPACT

The resource and financial impacts of this issue are difficult to quantify. While there is no direct financial impact to the City if the SMC is not amended, there may be very significant indirect financial impacts if the LLE Project is delayed or if other development projects are delayed or are not constructed. It is difficult to quantify what this lost investment in Shoreline would be, but it is clear that development would be delayed if not severely curtailed for several years if connection to electrical power is not financially feasible for the construction or the operation of core development in the MUR-70' zoning district of the 145th Street Station Subarea.

RECOMMENDATION

To avoid the disruption of development and in order to facilitate opening the LLE Project by July 2024, the stated start of revenue service as set by the Sound Transit Board, staff recommends that the Council direct staff to move forward with the following actions, which are encompassed in Option 2 in this staff report:

- Return to Council with a proposed Ordinance to amend SMC Section 13.20.040 in the very near term to create an exception to the City's undergrounding regulations for temporary construction power. This exception would exist Citywide and would impact all future development.
- Return to Council with a proposed Ordinance to amend SMC Section 13.20.050(C) to allow for interim overhead 3-phase power that will serve the LLE Shoreline South/148th Station and 151st Street TPSS and other development until the Duct Bank Project is completed by SCL. This allowance would be available to development projects deemed to be Essential Public Facilities (EPFs), which the LLE Project is, and other non-EPF development that is able to connect to the overhead facilities for EPFs on an interim basis until such projects, both EPF and non-EPF, can be connected to SCL-planned underground facilities, which would be required by an agreement with the City in coordination with SCL.
- Continue to strongly engage with SCL to have the utility construct the Duct Bank Project as soon as possible and work with both SCL and Sound Transit on the 'one leg interim solution' for interim overhead power in the 145th Street Station Subarea.

ATTACHMENTS

Attachment A: Map of Electric Service in the 145th Street Station Subarea with Proposed Temporary and Interim Overhead Power

