



June 20, 2016

To: City of Spokane Plan Commission

Cc: Tirrell Black, City of Spokane Planning Department

RE: z1500084 COMP, Morningside Investments LLC (Windhaven)

To: Tirrel Black, Land Planner for the City of Spokane

We, the Board of North Indian Trail Neighborhood Council authorize Mike Britton of Britton Enterprises to review the Morningside Traffic Study on our behalf.

Best Regards,

Terry Deno

Chair

Mel Neil

Vice-Chair/Treasurer

Curt Fackler

Past-Chair

Leslie Formella

Secretary

Mark Davies

CA Rep

Jim Bakke

Past CA Rep

Mike Husted

IT/E-mail Facilitator

Britton Enterprises

13502 N Forker Rd
Spokane, WA 99217
mbritton@wildblue.net



Planning Department, City of Spokane
c/o Tirrell Black, Associate Planner
808 W Spokane Falls Blvd
Spokane WA, 99201

Re: Comments, Indian Trail NH Council; Morningside Investments LLC proposal
Z1500084COMP

Dear Ms. Black,

Attached are comments and concerns of the North Indian Trail Neighborhood Council.

Please forward our comments to the City Planning Commission members and to the City Council members, and place them into the record for the referenced proposal.

If you have any questions or require additional information, please contact me or the Neighborhood Council officers.

Sincerely,

A handwritten signature in black ink that reads 'J.M. Britton'. The signature is written in a cursive style with a large, stylized 'J' and 'M'.

J.M. (Mike) Britton

Britton Enterprises

13502 N Forker Rd
Spokane, WA 99217
mbritton@wildblue.net



North Indian Trail Neighborhood Council Comments regarding Morningside Investments LLC proposal Z1500084COMP

Chapter 17G.020 Comprehensive Plan Amendment Procedure identifies criteria to enable a Comp Plan Amendment. Inconsistency with this Municipal Code is basis for and requires denial of the proposed change.

First, financing commitments, infrastructure implications of approved comprehensive plan amendments must be reflected in the relevant six-year capital improvement plan(s) approved in the same budget cycle. That is, unless there exists a funding plan for infrastructure enhancements supporting the proposed CPA, the change cannot be approved.

In this case, the proponent offers up-front \$362,260 Impact Fees as his contribution for the proposal's negative Traffic Impacts. To support this proposal, Indian Trail Road (Indian Trail Road) must be re-constructed to provide for more capacity. Estimates vary from \$3M to \$5.8M, depending upon the compliance with City Design Standards. The Impact Fee alone will not provide any construction. Furthermore, the Proposed Indian Trail Road widening is not in the current 6-Year Street Program because there is no funding available for this project. If the Impact Fee payment mentioned above is accepted, it would likely have to be refunded plus interest if those funds were not expended within 6 years towards mitigation measures on ITR. Infrastructure needs do not meet concurrency requirements, that is that the roadway must be in place at the time of need, or a funded plan in place within 6 years.

The project has other problem areas such as the intersection of Alberta and Francis, and Indian Trail Road and Francis, already experiencing substantial congestion.

Funding shortfalls require scaling back the proposal's scope in order to address transportation impacts.

All amendments must be considered concurrently in order to evaluate their cumulative effect on the comprehensive plan text and map, development regulations, capital facilities program, neighborhood planning documents, adopted environmental policies and other relevant implementation measures. Where adverse environmental impacts are identified, mitigation requirements may be imposed as a part of the approval action.

Comp Plan Amendments shall be consistent with the comprehensive plan and should be designed to provide correction or additional guidance so the community's original visions and values can better be achieved. In this case, the Comp Plan has consistently

supported single family housing only in this area for more than 30 years, and infrastructure was planned for based upon that lighter intensity of land use.

Corrections to the zoning boundaries within the past 10 years has supported no net increases in density. Additionally, existing zoning built-out densities are far below that permitted. For example, existing multi-family housing densities in excess of 1100 additional dwelling units may be permitted in the existing zoning near the Barnes / Indian Trail Road intersection, as identified by the proponent at the June 16, 2016, public meeting. Although built-out, the areas can be expanded with current zoning.

Existing vacant multi-family zoned land exists along Indian Trail Road in currently approved subdivisions and is owned by the same land-owner. Adding new up-zoned lands is un-necessary and prohibited by the Comp Plan guidelines.

Findings that justify density increases must be identified as follows:

- growth and development as envisioned in the plan is occurring faster, slower or is failing to materialize;
- the capacity to provide adequate services is diminished or increased;
- land availability to meet demand is reduced;
- population or employment growth is significantly different than the plan's assumptions;
- plan objectives are not being met as specified;
- the effect of the plan on land values and affordable housing is contrary to plan goals;
- transportation and/or other capital improvements are not being made as expected;
- a question of consistency exists between the comprehensive plan and its elements and chapter 36.70A RCW, the countywide planning policies, or development regulations.

This proposal has not identified growth occurring faster, as identified with a 0.5% Growth Rate, the capacity to provide transportation infrastructure has not been improved, the need for additional land availability has not been demonstrated, population growth has been stagnant in the City of Spokane, no mention of affordable housing, transportation /capital improvements are not expected in the 6-Year Street Program, and the current plan is consistent with County Wide Planning Policies and RCW 36.70A and the Growth management Act.

Changes to the land use plan map (and by extension, the zoning map) may only be approved if the proponent has demonstrated that all of the following are true:

- The designation is in conformance with the appropriate location criteria identified in the comprehensive plan (e.g., compatibility with neighboring land uses, proximity to arterials, etc.);
- The map amendment or site is suitable for the proposed designation;
- The map amendment implements applicable comprehensive plan policies better than the current map designation.

This proposal does not implement the plan better than the current map designation as clearly identified by resident's comments and participants in the current Neighborhood Plan and the Comprehensive Plan work done in past years.

Inadequate Documentation of Need for Change has been provided as identified above and again below:

- The burden of proof rests entirely with the applicant to provide convincing evidence that community values, priorities, needs and trends have changed sufficiently to justify a fundamental shift in the comprehensive plan. Results from various measurement systems should be used to demonstrate or document the need to depart from the current version of the comprehensive plan. Relevant information may include:
- growth and development as envisioned in the plan is occurring faster, slower or is failing to materialize;
- the capacity to provide adequate services is diminished or increased;
- land availability to meet demand is reduced;
- population or employment growth is significantly different than the plan's assumptions;
- transportation and/or other capital improvements are not being made as expected;
- conditions have changed substantially in the area within which the subject property lies and/or Citywide;
- assumptions upon which the plan is based are found to be invalid; or
- sufficient change or lack of change in circumstances dictates the need for such consideration.

Review of the Traffic Impact Analysis (TIA) has identified the following issues. These must be reviewed in context of a non-project specific basis, as proposed land uses are almost always less intense than allowed and eventually permitted land uses. This project proposes 750 new apartment dwelling units, but the proposed Comp Plan Amendment allows or can permit 1500 dwelling units. *The number of permitted dwelling units must be linked to the impacts that they cause and mitigation measures attributable to the proposed improvements only and shall be identified and provided for concurrent to their need.*

Re-subdivision and or sales to another party have resulted in build outs different from those proposed by the CPA proponent in the past. A Developer agreement can be bypassed, or creates additional problems with City administering subsequent construction permitting.

First, forecasting was based on 11 approved background projects, in 3 Traffic Zones, with a complex and subjective trip distribution. In addition, future traffic volumes were based on inconsistent historic growth predictions without adequate documentation, and

actual trip generation versus national averages make traffic impact analysis predictions very susceptible to inaccurate estimations.

Trip generation in the Indian Trail Road corridor has been measured accurately many times utilizing traffic counts for the City's Flow Map records and the service area generates more than double the average trips per residential dwelling unit, such as with the SRTC Indian Trail Road Traffic Study of 1993 . Alternates to private vehicles, the proliferation of non-connective roadways by use of cul-de-sacs, long and little used public transit rides, and families with children activities area-wide produce many trips in excess of averages used in the TIA. The Trip generation, distribution, and traffic impacts area-wide may be predicted by using the national standards within the ITE manuals, but this in no way diminishes accurate trip counts on Indian Trail Road serving known number of homes in the Indian Trail Road Neighborhood. Identified in the TIA was regression fitting, that is a formula that increases the average trip generation per dwelling unit, in this case from .6 trips to .75 trips per apartment dwelling unit.

Growth Rates reflect periodic changes between the date counts are taken, economy, whether school is in session, area roadway construction or other restrictions causing re-routing, and population growth or immigration. Growth of trip counts on ITR from 1992 to 2015 is 41.3%, which averages to about 1.8% per year. Nationally, growth rates are often between 0.5 and 2%, but may be more or less short term. The latest trip count is 17,100 trips per day.

The following table shows Indian Trail Road counts and associated growth rates:

	1992	1995	1998	2001	2004	2007	2010	2013	2015
count	12,100	13,200	14,000	14,200	16,000	17,000	17,600	17,300	17,100

The counts indicate flat growth after 2007, probably due to economic down-turn, but the average is high. The current up-swing in home construction along the Indian Trail Road corridor will likely increase the growth rate again.

Page 29 of the TIA identified growth rates, "5.5% annual traffic increase... by 2040". On the next page, it identifies that "This growth was established based upon information secured from the Spokane regional travel demand model. The hand forecasting methodologies used in this study result in a 10 to 15 percent annual increase on the roadway connection during peak hours, which well exceeds the City projections of City staff." This is confusing as to *what* is increasing at this rate.

Page 35 identifies that the City should have the ability to maintain traffic operations beyond levels within the report. While the City routinely optimizes signals performance, this is not a quantifiable benefit for concurrency issues.

Page 37 begins, " As shown, all average queues are accommodated within available turn lane/pocket lengths, ...", and then notes numerous queue length inadequacies. Particularly glaring is the 33 vehicle queue at westbound Francis right-turn at Indian Trail Road during PM Peak hour and 21 vehicle queue for northbound left-turn traffic at

Alberta at Francis during PM Peak hour. An average vehicle length of 25' and a 33 vehicle queue equates to 825' of required length on Francis and 21 vehicles equates to 525' on Alberta. If we go to the "Summary Micro-simulation/SimTraffic Analysis" the Zone Wide Queuing Penalty is very dramatic, showing the Zone Wide Queuing Penalty at present, in the future w/o the project and future with the project.

Page 39 identifies, " ...this study recommends the restriping of Indian Trail Avenue to include two southbound travel lanes and one northbound travel lane, while maintaining a TWLTL." The standard lane width should be 12', standard (two-way left-turn lane)TWLTL should be 14'. The proposed lane total width of $12' + 12' + 14' + 12' = 50'$, in excess of the existing 43-44' curb-to-curb. To stripe 4 lanes in 43', each lane must be 1-2' narrower than standards. The resultant slower speeds will further reduce roadway capacities and reduce safety.

Page 40 identifies that Indian Trail Road widening was included into the (Traffic Impact Funding (TIF). While true, it is not included in the 6-Year Street Program, and therefore is ineligible for co-funding from the State or Federal Funds. The TIF inclusion merely includes this project as a project necessary to address concurrency in the northwest area of Spokane. The amount used in that calculation was \$3M, which is far less than more recent cost estimates for the widening of Indian Trail Road. This means that the proposed \$362,260 offered today is based upon the expected cost of Indian Trail Road estimated 5 years ago.

At the end of page 40, the proponent refers to the impact fee payment as "concessions". Mitigating transportation impacts is a requirement of approval for a CPA.

Page 22 identifies that the SRTC Travel Demand Model is the basis for the trip distribution. It states that it anticipates 21% of the trips using Barnes east of Indian Trail Road. That means that that 21% will be added to the Five Mile Road, Cedar Rd, Country Homes, Maple and Ash, and other signalized arterials. Levels of Service (LOS) for the adjacent arterial network receiving the additional trips has not been identified. Many of those intersections may fail LOS concurrency standards.

Further, analysis done for the intersection of Strong Road and Five Mile Road has indicated congestion at PM Peak Hours. Approximately 950 existing residential lots are vested and will pass through that intersection. That intersection is scheduled for improvements this year. New construction, as well as the new Barnes /Strong connections, is an unknown negative traffic impact contributor that will add trips to both the Trip Distribution identified by SRTC and the proponent, and to the adjacent unstudied transportation network.

In summary, the proposal is not supported by the criteria of the CPA process. Un-built Multi-family zoned vacant lands are already available on other lands owned by the proponent. Traffic impacts are understated, and no workable mitigation measures are proposed that will improve traffic impacts. Road improvements are not in the 6-Year Street Program. This "spot-zoning" is for profit and does not serve the public. Currently

there is a minimum of 11 vested plats that have not been built out, negating the need for additional building sites.

Engineering Review:

