

From: Lacson, Justin <Justin.Lacson@soundtransit.org>
Sent time: 08/07/2020 12:03:17 PM
To: Evan Maxim
Subject: E130: Mercer Island Interchange CUP

Hi Evan,

Thank you so much for your time in preparing City comments on Sound Transit's proposed Mercer Island Transit Interchange project 60% design plans. We really do appreciate assistance and collaboration on this project.

I agree that the matrix provides an accurate listing of the required permits except for the comment regarding the possible need for a Conditional Use Permit at line 29 that says:

"If the City accepts the quit-claim of the property north of the roundabout for ROW purposes, then a CUP is not required. If the property is not accepted, then the property remains "real property" and a CUP is required for public facilities and utilities on residentially zoned properties."

I would like to follow up with you to discuss and clarify this comment because based on our reading of the Code, we don't think Sound Transit would be required to obtain a CUP.

Sound Transit proposes to construct the storm water vault on a parcel north of the roundabout to capture existing and future storm water and the vault will tie into the City's storm water system.

The two land uses mentioned in the comment that require CUPs are "public facilities" and "utilities", which are defined at 19.16.020 as follows:

"Public Facility: A building, structure, or complex used by the general public. Examples include but are not limited to assembly halls, schools, libraries, theaters and meeting places."

"Utilities: Facilities providing infrastructure services by a public utility or private utility regulated by the state through fixed wires, pipes, or lines. Such facilities may include water, sewer, storm water facilities (lines, ditches, swales and outfalls) and private utilities such as natural gas lines, telecommunication lines, cable communication lines, electrical lines and other appurtenances

The proposed storm water vault does not meet either definition. It is not a building or structure used by the general public and Sound Transit is not a public or private utility regulated by the state. We looked at the City's Storm and Surface Water Utility code at 15.10.020 and it appears that the proposed vault fits more neatly as a private storm water facility as defined in MICC 15.10.020.P which could be approved under a Stormwater Permit.

Given the project schedule, I would like to discuss this with you at your earliest convenience. Happy to jump on a call or schedule a meeting.

Thanks,

Justin

Justin Lacson

Corridor Permit Manager

East Corridor – East Link, I-405 BRT, Downtown Redmond Link, Operations & Maintenance Facility - East
Department of Design, Engineering and Construction Management

(O) 206-903-7566

(M) 206-302-8126

Justin.Lacson@soundtransit.org

