

## Ryan Harriman

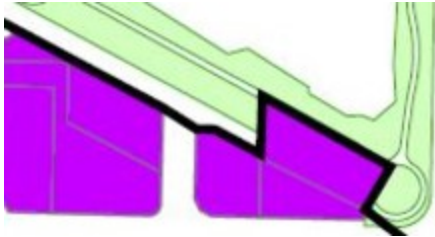
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**From:** Sarah Fletcher <fletchsa1@gmail.com>  
**Sent:** Sunday, December 1, 2024 10:26 AM  
**To:** Ryan Harriman; Robbie Cunningham Adams; Jessi Bon; Planning Commission; Parks & Rec Commission; Jeff Thomas  
**Cc:** Council; Bio Park  
**Subject:** SEP24-016 Tully's Property for development Type III

Hello, I had previously emailed Robbie, but had not emailed you, so I am forwarding the email I sent to Robbie with regards for the review of a Type III State Environmental Policy Act.

In addition to what I had previously emailed, as it specifically states that this property is in "Critical areas on property potential Landslide Area" to which Robbie swore to that the information in the Application was true and correct (see below), does it sound like a sound idea that you allow any development on this Tully's property? And if so, why do you think that is a good idea? And if he made a "scrivener's error," should he not be made to correct the "scrivener's error" or is he going to leave it "as is?"

And I am really confused by the Preliminary Short Plat approval for a Type III land use in that the City council are showing that a TC-5 or TC-7 can be built on the Tully's property,



but the city manager and council have approved the surrounding area to be used for commuter parking, and as there is an Agreement in place that the property adjacent the Tully's property has to be for the majority of transportation projects, then shouldn't it be that the Tully's property itself be TC-5 with no restrictions, but that the adjacent property which belonged to WSDOT (Parcel 12, I think, that expensive piece of grass which the City purchased) has restrictions. And with regards to that piece of grass, when WSDOT sold it to the City, there was mention that it could contain debris from the freeway which could be contaminated, so how does that leave the City? Are they required to do some testing on that piece of grass, or do they just leave it, or if it is to be developed, a soil test would need to be done. What is the zoning for the piece of grass? Also TC-5? And why can't you put that land use back to park space? Is it going to be finalized as commuter parking or TC-5? So, let's say, the city goes ahead with creating the commuter parking lot, but then, in five years' time, you want to build it as a TC-5 or TC-7, why can't you just make a decision to have it as commuter parking only and not allow it to be built as a TC-5 or TC-7? And where does that leave Sound Transit in that they were the ones who specifically gave the money from the settlement to be used for the commuter parking, so what happens should you then allow the commuter parking to be removed and a TC-5 or TC-building be built where the commuter parking is which you are showing on the land use map as being TC-5?

And I thought that with the addition of the commuter parking, with regards to impervious surface, they were not adding anymore impervious surface because they were factoring in demolishing the Tully's building which would nullify any additional impervious surface. So, should the City be permitted to allow a TC-5 on the Tully's site, but that you had factored in adding the commuter parking, if you look below,

when asked the questions under the "scope of work," the applicant has answered "no" to most of the questions when it comes to change of land use, but shouldn't the applicant correct the application and answer yes to that it is a change of use from coffee shop to whatever you are planning on the site, even if it is being changed to park space, that is a change of use, he should have answered yes to there will be an increase in more than 500 sq ft of gross floor area and yes to the maximum building height above the highest point of the building. Would you like to please clarify and explain what is being proposed with the Tully's property itself (coffee shop and parking lot) and what the land use will be for the adjacent cul-de-sac and part of the Greta Hackett Sculpture Gallery and let's say a building TC-5 or TC-7 is built on the Tully's property (coffee shop and parking lot), then isn't there going to be an increase in impervious surface to what was there before?

Thanks.

Sarah Fletcher

On Wed, Nov 13, 2024 at 7:09 PM Sarah Fletcher <[fletchsa1@gmail.com](mailto:fletchsa1@gmail.com)> wrote:

Hello, I am sorry, Robbie, but have you even been to the site? Why I am asking is because on the Application form, Robbie has stated that it is a "potential Landslide Area", I thought it was pretty flat to me?

PROPERTY INFORMATION	
Property Address:	7810 SE 27TH ST 98040
Parcel Number(s):	5315101235/5315101233/5315101234
Gross Lot Area(s):	31,654 total square footage
Net Lot Area(s):	31,654 total square footage
Zone:	Town Center
Shoreline Environment Designation: (if located within 200 feet of Lake Washington)	<input type="checkbox"/> Urban Residential <input type="checkbox"/> Urban Park

CRITICAL AREAS ON PROPERTY		
<b>GEOLOGICALLY HAZARDOUS AREAS</b>	<b>WATERCOURSES</b>	<b>WETLANDS</b>
<input checked="" type="checkbox"/> Potential Landslide Hazard	<input type="checkbox"/> Type F	<input type="checkbox"/> Category I
<input type="checkbox"/> Erosion Hazard	<input type="checkbox"/> Type Np	<input type="checkbox"/> Category II
<input type="checkbox"/> Seismic Hazard	<input type="checkbox"/> Type Ns	<input type="checkbox"/> Category III
<input type="checkbox"/> Steep Slope	<input type="checkbox"/> Piped	<input type="checkbox"/> Category IV
	<input type="checkbox"/> Unknown	<input type="checkbox"/> Unknown

And he is completely oblivious to the fact that the area in question was DEDICATED PROPERTY dedicated to Greta Hackett. "The gallery earned the City the Pacific Northwest Regional Arts and Humanities Award given by the National Recreation & Park Association in 1997. The City renamed the space the Greta Hackett Outdoor Sculpture Gallery in 2017 in honor of the long-time Island resident who was integral in its founding."

And that you swore that the "information furnished by me is TRUE AND CORRECT".

And on the Permit Application, you again swear that the information is true and correct:

I hereby certify that I am the owner of the subject property or I have been authorized by the owner(s) of the subject property to represent this application, and that I have read and examined this application and know the same to be true and correct. Also, I have received authorization to utilize all contractor license information provided within this

**Briefly Describe Proposed Scope of Work (REQUIRED):**

The Town Center Long-Term Regional Transit Commuter Parking Project includes the development of a surface parking lot to deliver convenient commuter parking in addition to bike lockers, bike racks, and other amenities for commuters. The former Tully's coffee shop and parking area will be removed. The design integrates several transit-oriented development features that support transit ridership and a pedestrian-oriented downtown. These design features include a widened sidewalk along SE 27th street and a new direct pedestrian pathway between downtown, the regional I-90 trail, and the light rail station, and improved lighting between downtown and the light rail.

**Will your project result in (all questions must be answered):**

A change of use	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
New Single Family dwelling	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
A reduction in any existing side yard setback	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
An increase in lot coverage by more than 100 square feet	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
An increase in the gross floor area of more than 500 square feet	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
An increase in the maximum building height above the highest point of the building	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>

When it asks "will you project result in "a change of use," he answers "no." In the section above, you even mention how the "former Tully's shop will be removed." So, why then, when you answer no to "will there be a change of use," why did you answer "no?" And what about mentioning that a section of it was part of the dedicated Sculpture Gallery, that there was park for park use only? Is the new parking lot going to offer a coffee shop, is it going to be a sculpture gallery? Is it going to be paved over for parking from a park?

**DECLARATION:** I HEREBY STATE THAT I AM THE OWNER OF THE SUBJECT PROPERTY OR I HAVE BEEN AUTHORIZED BY THE OWNER(S) OF THE SUBJECT PROPERTY TO REPRESENT THIS APPLICATION, AND THAT THE INFORMATION FURNISHED BY ME IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Signature Robbie Cunningham Adams Date 10/21/24

And with regards to this question:

10. List any government approvals or permits that will be needed for your proposal, if known:
- City of Mercer Island: SEPA Review, Site Development Permit, Tree permit, Demolition Permit

You know for a fact that you will not be developing an area which is covered by the airspace lease? It is just that if you are, then you certainly will be requiring government approvals from WSDOT and/or Sound Transit.

This is from the 2016 SEPA Addendum:

**3.0 Parks and Open Space/Section 4(f) and State RCO**

A number of the project refinements are within parks and open space areas in the WSDOT I-90 right-of-way, and these areas are maintained by the cities of Seattle, Mercer Island, and Bellevue under lease agreements with WSDOT. WSDOT right-of-way is designated primarily for transportation purposes per 23 CFR U.S.C 138 and 49 U.S.C. 165(f), and is therefore exempt from Section 4(f) requirements per 23 C.F.R 774. Table 1 provides information on the facilities, the construction duration, and proposed mitigation measures. There are no changes from the FEIS Section 4(f) findings due to the project refinements. FHWA and FTA's RODs also confirmed that the Section 4(f) Evaluation for East Link has been completed. Refer to Appendix C, WSDOT Section 4(f) Memorandum, for documentation provided by WSDOT regarding Section 4(f) applicability.



**Legend**

Existing Right of way (ROW) Airspace Lease (ASL) Temporary Construction Limits (TCAL)

I actually don't care if we lost every bit of the balance of the settlement money.

I don't know who is responsible for making sure that the information is correct in the application forms. You don't swear to something when you know it is not true.

And with regards to this question:

b. List any threatened or endangered species known to be on or near the site.  
 None

When I walked by at night, I came across two bats. I don't know if they are threatened or endangered, but I don't see any mention of the bats and the birds.

And with regards to this question:

i. Describe any known or possible contamination at the site from present or past uses.  
 Site environmental assessments identified gasoline-contaminated soil and groundwater on the property and in adjacent rights-of-way.

When the City purchased that piece of grass for \$650,000 from WSDOT, there was a clause in the Agreement about possibly containing freeway runoff and that it could be hazardous (something like that). So you don't know if it is contaminated until you do a test, but I think you are supposed to answer the question truthfully. So why don't you answer that you don't know, but there might be. I don't know if that piece of grass is going to be used for the commuter parking.

As you can tell from my tone, I am pretty annoyed. That area is the only nice walk for people, for dog walkers, and for the people who live in the condo building nextdoor whose neighborhood is going to go from a quiet neighborhood to a noisy one with lots of cars which they did not ask for and who are not even aware of the development and who had absolutely no say in the matter. And what is really despicable is how that section was dedicated to a person and you just took dedicated property away from the family. Who does that? You don't do that.

Sarah Fletcher