

CRITERIA COMPLIANCE NARRATIVE

Date: 02/11/2025

Project: 2414 - Rotholtz Addition
Lynne and Ben Rotholtz
9825 SE 40th Street
Mercer Island, WA 98404

To: Community Planning and Development
9611 SE 36th St
Mercer Island, WA, 98040



To whom it may concern,

The criteria compliance narrative for our project at 9825 SE 40th Street, #2404-166, is as follows:

Relevant section:

19.07.160 - Geologically hazardous areas.

A. Designation and typing. Geologically hazardous areas are lands that are susceptible to erosion, landslides, seismic events, or other factors as identified by WAC 365-190-120. These areas may not be suited for development activities because they may pose a threat to public health and safety. Areas susceptible to one or more of the following types of hazards shall be designated as geologically hazardous areas: landslide hazard areas, seismic hazard areas, and erosion hazard areas.

B. General review requirements. Alteration within geologically hazardous areas or associated buffers is required to meet the standards in this section, unless the scope of work is exempt pursuant to section 19.07.120, exemptions, or a critical area review 1 approval has been obtained pursuant to section 19.07.090(A).

1. When an alteration within a landslide hazard area, seismic hazard area or buffer associated with those hazards is proposed, the applicant must submit a critical area study concluding that the proposal can effectively mitigate risks of the hazard. The study shall recommend appropriate design and development measures to mitigate such hazards. The code official may waive the requirement for a critical area study and the requirements of subsections (B)(2) and (B)(3) of this section when he or she determines that the proposed development is minor in nature and will not increase the risk of landslide, erosion, or harm from seismic activity, or that the development site does not meet the definition of a geologically hazardous area.

2. Alteration of landslide hazard areas and seismic hazard areas and associated buffers may occur if the critical area study documents find that the proposed alteration:

- a. Will not adversely impact other critical areas;
- b. Will not adversely impact the subject property or adjacent properties;
- c. Will mitigate impacts to the geologically hazardous area consistent with best available science to the maximum extent reasonably possible such that the site is determined to be safe; and
- d. Includes the landscaping of all disturbed areas outside of building footprints and installation of hardscape prior to final inspection.

3. Alteration of landslide hazard areas, seismic hazard areas and associated buffers may occur if the conditions listed in subsection (B)(2) of this section are satisfied and the geotechnical professional provides a statement of risk matching one of the following:

- a. An evaluation of site-specific subsurface conditions demonstrates that the proposed development is not located in a landslide hazard area or seismic hazard area;
- b. The landslide hazard area or seismic hazard area will be modified or the development has been designed so that the risk to the site and adjacent property is eliminated or mitigated such that the site is determined to be safe;
- c. Construction practices are proposed for the alteration that would render the development as safe as if it were not located in a geologically hazardous area and do not adversely impact adjacent properties; or
- d. The development is so minor as not to pose a threat to the public health, safety and welfare.

Response:

Per snipped in portion of the geotechnical report prepared by Nelson Geotechnical dated 10.21.2024 (also uploaded to permit) areas disturbed by construction will not result in instability. Additionally, the project is designed so that the risk to the lot and adjacent properties is eliminated and/ or mitigated to an extent they are comfortable deeming it safe to proceed.

CLOSURE

Based on our understanding of the proposed plans, and provided that the recommendations in our in this report are strictly followed during construction, the areas disturbed by construction should remain stable meeting the criteria stated in **Mercer Island City Code 19.07.160.B.2.a-d**. In addition, the development has been designed so that the risk to the lot and adjacent properties is eliminated or mitigated such that the site is determined to be safe, meeting the requirements stated in **Mercer Island City Code 19.07.160.B.3.b**.

Please don't hesitate to reach out should there be any additional questions or if any of these statements require more clarification.

All the best,



David Edwards, AIA
Principal
Argyle Street Partners