



TO: **City of Mercer Island**
Community Planning and Development
9611 SE 36th St
Mercer Island, WA 98040

FROM: **N5 Architecture**
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DATE: **January 10, 2025**

SITE ADDRESS: **5236 W Mercer W**

REGARDING: **Building Permit/Critical Area Review Submittal**

To Whom It May Concern,

Please accept the application materials for the new single-family dwelling, accessory garage and site improvements proposed for 5236 W Mercer Way.

The purpose of this narrative is to provide detailed description of the work completed under the previous permit and work proposed with this submittal.

Previous Permits on Parcel:

The site was previously permitted or has other permits on file as follows:

SEPA Review: SEP17-031

Determination of Non-Significance issued 10/1/2018.

Critical Area Review: CAO08-003

Indicated as Approved. No expiration date indicated. It is unclear if this permit is associated with Building Permit 1709-196 or not. This may be associated with previous developments.

Critical Area Review: CAO17-014

Indicated as Approved, No Expiration date indicated.

Building Permit: 1709-196

Expired 10/2/2022

Site Stabilization: CAO23-013

Permit to allow stabilization and site "cleanup" of work completed under Building Permit 1709-196.

Previous Building Permit:

Significant site work was begun under expired Building Permit 1709-196. While N5 Architecture was not associated with the previously completed work or developer we have visited the site on numerous occasion and assisted with obtaining permit CAO23-013 to stabilize that work completed to date and re-install temporary erosion control measures. The work completed to date is as follows:

Tree Removal:

All trees proposed under previous building permit have been removed. This includes trees both on-site and within the ROW.



Excavation:

Significant site excavation has been completed and is close to proposed foundation and driveway grades proposed under previous building permit. The updated and submitted documents intend, to the maximum extent feasible, use the previously excavated areas for new construction of the dwelling, accessory garage and vehicular access.

Shoring:

Shoring has been completed under previous building permit. Shoring has been installed per previous plan to accommodate footprint of previously permitted single-family development. The updated and submitted documents intend, to the maximum extent feasible, use the previously excavated areas for new construction of the dwelling, accessory garage and vehicular access.

Proposed SF Dwelling and Site Development:

The documents and drawings submitted with this application intend to “build-off” work completed to date. Plans and documents have been updated to reflect current codes and regulations. These include, but are not limited to, the International Residential Code, International Building Code, Washington State Residential Energy Code, and Mercer Island Municipal Code. IRC, IBC, and WSEC code cycle updates are addressed throughout the plan set including the structural documentation. The Land Use Code Cycle Updates are also located throughout the plan set and documentation and are the more significant land use updates, further outlined as follows as these have required more significant alterations to continue to “build-off” work completed to date. These Land Use changes are listed as follows:

19.02.020.E.2.: Maximum Building Height on Downhill Facades

The current code limits the building façade height on the downhill side of a sloping lot to 30 feet in height. The previous plan exceeded this height as it included a rooftop structure as well as access to an attached below grade garage. Current plans have eliminated the rooftop structure and eliminated the attached below grade garage. The garage is a separate structure located west of the proposed SF dwelling. The proposed SF dwelling basement no longer has an exposed basement west façade. The exclusion of the rooftop structure and elimination of the attached basement garage and access have reduced the overall downhill building façade to be within conformance of code requirement.

19.07.190 – Wetlands

The required buffer width has increased to 40’ from flagged locations. The Wetland Specialist, Mark Rigos, has addressed this and provided an updated Critical Area Study and plans for Wetland Mitigation. The major site alteration has been relocation of the driveway closer to the north property line to reduce the impact on the buffer and averaging. The dwelling intend to use the same footprint with a reduction in the size of the below grade basement. The accessory garage is located west of the structure adjacent to the north property line setback in conjunction with shoring already installed under the previous permit.

As stated, the proposal going forward is to “build-off” work completed to date. In particular the shoring and excavation that has been completed under the previous permit. This does create some vagueness about work already completed under previous permit assumed inspected and approved and current codes and proposed work as follows:

Tree Removal:

Trees proposed for removal under previous building permit 1709-196 have been removed. While these trees are already gone the current submittal indicates removal of the same trees.

Shoring and Excavation:

Shoring and Excavation under previous building permit 1709-196 has been completed or significantly completed. This work was permitted under the codes and in locations, specifically land use, active at that time. Thus both the shoring and excavation as exists extends into the updated and extended wetland buffer. The Wetland Mitigation Documents take this into account and indicate buffer averaging assuming reuse of the shoring. The driveway has been straightened and moved closer to the north property line to reduce intrusion while maintaining site access.



To the best of our knowledge the work completed on site under the previous permit was inspected by both the city, Geotechnical Engineer and any special inspections as may have been required for shoring installation.

Critical Area Review:

Per the pre-application notes provided it is stated that a Critical Area Review 2 is required. This process is unavoidable as access to the site travels through the Wetland Buffer. The vehicular access, building site area and shoring were excavated under the previous permit 1709-196 and were designed to account for a 35' buffer. The new wetland buffer extends into the previous excavation and shoring.

Please consider these previous improvements when reviewing the Critical Areas associated with this project and the desire to continue further development from these previous excavations and shoring. Reutilization of these elements will reduce further construction or re-construction impact, reduce use of resources and allow the project to complete current site conditions.

There was discussion of this being reviewed as a Critical Area Review 1 during previous conversations. If this is at all possible this would be preferable.

Incomplete Documents:

Please note that an Affidavit of Ownership, Affidavit of Agent Authority, Title Report and Disclosure and Notice on Title have not been provided.

We trust that the application and issuance of permit 2308-159 to stabilize the work completed to date has established ownership and agent authorization. A Title Report has been ordered. The Disclosure and Notice on Title, if required, will be prepared once verification of mapped critical areas are determined accurate and ready for King County Recording. Should these documents be required they can be obtained.

We sincerely hope we have provide all necessary documents for review and that the proposed project has the ability to "build-off" the work completed previously in an effort to move this project forward without further site disturbance, elimination of temporary site conditions, re-vegetation of adjacent wetland and completion of the single family dwelling.

We look forward to working with the city of Mercer Island. Should you have any questions please do not hesitate to contact me.

Thank you,

Seth Hale