

CRITERIA COMPLIANCE NARRATIVE

16 May 2025

Project: Garrett Residence
Location: 9007 SE 44th St Mercer Island, WA 98040

Permit #: 2504-266

Please see the Project Narrative and Criteria Compliance Narrative for the proposed development below:

PROJECT NARRATIVE

Remodel of existing single family residence to include interior renovations, demolishing existing chimney, replacing existing windows, and reconstruction of existing mudroom. No new square footage or addition to existing footprint proposed.

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19.07.090 Critical Area Reviews

A. Critical Area Review 1

1. The purpose of a critical area review 1 is to review:
 - a. Activities listed as modifications in section 19.07.130, modifications
 - b. Verification of the presence or absence of a critical area; or
 - c. Verification of the delineation and/or type of wetland or watercourse.

ANSWER: The proposed scope of work meets the modifications listed in 19.07.130 for critical area 1 review. Erosion hazard area, potential slide hazard area, and seismic hazard area are mapped on the property but not impacted by the proposed scope of work. No wetlands or watercourses or associated buffers are present on the property.

2. Review timing and sequence.
 - a. If a building permit is required for the proposed scope of work associated with the critical area review 1, then the substance of the review shall take place concurrently with the building permit review and no separate land use review application is required.
 - b. If no building permit is required for the proposed scope of work associated with the critical area review 1, then the review shall take place according to the procedures required for a Type 1 land use review.

ANSWER: A building permit is required and has been submitted for the proposed scope of work associated with the critical area review 1, and our assumption was that concurrent review would be permitted without a separate land use review application being required. However, during intake screening it was indicated that a Critical Area 1 land use permit would need to be submitted separately. We have submitted the separate land use review as indicated and appreciate any guidance from the permit review team on if this application can be consolidated and the separate land use application voided if deemed unnecessary.

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3. Requirements for a complete application.
 - a. Completed development application coversheet.
 - b. Project narrative, describing the proposed scope of work.
 - c. Scaled site plan showing the proposed work.
 - d. Any additional information required by the city to confirm compliance with this title.

ANSWER: These documents have been provided with this application submittal as required.

19.07.130 Modifications

A. Addition to or reconstruction of an existing legally established structure or building within a critical area and/or buffer constructed on or before January 1, 2005, provided the following criteria are met:

1. The seasonal limitations on land clearing, grading, filling, and foundation work described in section 19.07.160(F)(2) shall apply.

ANSWER: The proposed construction shall conform to seasonal limitations on site work as indicated per the section above. A note has been added to Sheet a1.0 – Site Plan indicating this requirement.

2. Additions shall be allowed if all of the following criteria are met:
 - a. The structure is enlarged not more than a cumulative total of 200 square feet larger than its footprint as of January 1, 2005;
 - b. If the existing, legally established structure is located over or within a wetland or watercourse, no further expansion within the wetland or watercourse is allowed;
 - c. If the existing legally established structure is located within a wetland or watercourse buffer, the addition may be no closer to the wetland or watercourse than a distance equal to 75 percent of the applicable standard buffer and must also be no closer to the watercourse or wetland than the existing structure;
 - d. A critical area study approved by the city demonstrates that impacts have been avoided or minimized and mitigated consistent with section 19.07.100, mitigation sequencing;
 - e. If the modification or addition is proposed within a geologically hazardous area or associated buffer, a qualified professional provides a statement of risk consistent with section 19.07.160(B)(3).

ANSWER: The proposed scope of work involves the reconstruction of a 129 sf mudroom space maintaining the same footprint of the existing structure. No additions to the existing building footprint are proposed. No wetlands or watercourses are present on subject property. A Geotechnical Report and Supplemental letter have been submitted with this application concerning the proposed development.

3. Reconstruction of legally established nonconforming structures shall meet the standards in section 19.01.050. The code official may require a critical area study and mitigation plan addressing temporary impacts to critical areas and buffers.

ANSWER: The proposed reconstruction is of a legally conforming portion of the existing structure.

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4. Demolition. Removal of structures in watercourse and wetland buffers and geologically hazardous areas, provided:
 - a. Site disturbance is limited to the existing access and building footprint;
 - b. There is no site disturbance within or to wetlands or watercourses;
 - c. All soils are stabilized and the area is revegetated with appropriate native vegetation; and
 - d. Necessary building permits are obtained.

ANSWER: The proposed demolition and reconstruction is limited to the existing building footprint. There are no disturbance to wetlands or watercourses (none present) and the scope of work occurs on an existing stabilized area of the site (the existing building footprint). Necessary building permits have been submitted for concurrent review.

Thank you for your time and effort on this, and please let me know if I can be of further assistance.



Michelle Linden, Principal, Atelier Drome PLLC