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# COMMUNITY PLANNING & DEVELOPMENT

9611 SE 36TH STREET | MERCER ISLAND, WA 98040  
PHONE: 206.275.7605 | [www.mercerisland.gov/cpd](http://www.mercerisland.gov/cpd)



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## WITHDRAWAL OF MARCH 17, 2025 SEPA THRESHOLD MITIGATED DETERMINATION OF NON-SIGNIFICANCE (MDNS) – & ISSUANCE OF REVISED SEPA THRESHOLD MITIGATED DETERMINATION OF NON-SIGNIFICANCE (MDNS)

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**NOTICE IS HEREBY GIVEN** for the application described below:

It has come to the City's attention that some parties of record were not provided notice of the March 17, 2025 MDNS as required by law. In order to provide required notice to all parties entitled to notice, the MDNS issued on March 17, 2025 is hereby withdrawn.

The City hereby issues this Revised MDNS in order to provide adequate notice to all parties entitled to such notice. This Revised MDNS does not substantively differ from the withdrawn March 17, 2025 MDNS. Rather, the Revised MDNS merely provides a new date of issuance and associated appeal filing deadline. Notice will be provided to all parties entitled to notice of this Revised MDNS.

**Application No.:** SEP24-003  
**Permit Type:** Type III

**Description of Request:** Review under the State Environmental Policy Act (SEPA) for the construction of a new, three-story preschool and K-8 school with rental offices, shared parking, and associated site improvements. The preschool, K-8 school, and rental offices are proposed on parcel 0824059045, which are permitted uses in the B zoning designation. The shared parking and associated site improvements would be located in the R-9.6 zoning designation and are subject to a conditional use permit per MICC 19.02.010(C)(2).

**Applicant:** Anjali Grant / Herzl-Ner Tamid Conservative Congregation

**Location of Proposal:** 3700 E Mercer Way, Mercer Island, WA 98040  
King County Assessor tax parcel numbers: 0824059045,  
1515600010, 151560TRCT, and 2107000010

**Lead Agency:** City of Mercer Island, Department of Community Planning & Development

**Project Documents:** <https://mieplan.mercergov.org/public/CUP24-001> and [SEP24-003](https://mieplan.mercergov.org/public/SEP24-003)

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| <b>Application Process Information:</b> | Date of Application:       | April 3, 2024          |
|   | Determined to be Complete: | April 24, 2024         |
|   | Bulletin Notice:           | April 29, 2024         |
|   | Date of Mailing:           | April 29, 2024         |
|   | Date of Sign Posting:      | April 29, 2024         |
|   | Comment Period Ended:      | 5:00PM on May 30, 2024 |

The lead agency determined that the proposed development will not have a probably significant adverse impact on the environment. An environmental impact statement (EIS) is not required pursuant to RCW 43.21C.031(2). This decision was made after review of a

## EXHIBIT 9005

completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

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| <input checked="" type="checkbox"/> | This MDNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the MDNS. |
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Responsible Official: Ryan Harriman, Planning Manager  
ryan.harriman@mercerisland.gov | (206) 275-7717

**Issued Date: April 7, 2025**      **Signature: /s/ Ryan Harriman, Planning Manager**

### Findings:

1. The City's transportation consultant, KPG Psomas (KPG), reviewed the Traffic Impact Analysis with the associated Transportation Concurrency Certificate application (TCC24-004) and identified aspects of the project which would likely have significant impacts without proper mitigation. The City has incorporated the comments from KPG's review letters into the SEPA threshold determination as required mitigation measures to ensure that these issues are addressed by the applicant.

### Mitigation Measures:

Pursuant to the provisions of RCW 43.21C.060, WAC 197-11-350, and the above Findings, the SEPA Lead Agency requires the following mitigation measures:

1. Provide a left turn lane from southbound East Mercer Way to the Frontage Road serving the site. All lane widths (left and through) shall comply with American Association of State Highway and Transportation Officials ("AASHTO") and Washington State Department of Transportation ("WSDOT") standards. The turn lane length shall be designed to accommodate left turn demand during the AM and PM peak hour and site peak if it does not coincide with the AM and PM peak hour.
2. The addition of the southbound left turn lane may reduce the length of adjacent northbound left turn lane at the SE 36th Street/East Mercer Way intersection. Verify with a traffic operations analysis that, with the addition of the southbound left turn lane to the Frontage Road, the northbound left turn lane at the SE 36th Street/East Mercer Way intersection will have sufficient storage length to accommodate vehicles during the AM and PM peak hours.
3. Confirm adequacy of curb radii for right turning vehicles exiting from the Frontage Road onto northbound East Mercer Way based on lane width designed for East Mercer Way if lane width is narrower than existing condition. Modify curb radii if warranted.
4. The Transportation Impact Analysis states that the school bus unloading/loading will occur at the east end of the school. The site plan and circulation plan do not show the location of the bus loading zone or walkways along the east side of the building for students to access the bus loading zone. Revise the site plan and circulation plan to show the bus loading zone and how students will safely access the bus loading zone. Parent drop-off and pick-up traffic will also use the roadway east of the school. The Transportation Impact Analysis should describe how the school buses will safely interact with parent drop-off and pick-up queuing and traffic that is using the same roadway.

### APPEAL INFORMATION

EXHIBIT 9005

This decision to issue a Mitigated Determination of Non-significance (MDNS) rather than to require an EIS may be appealed pursuant to Chapter 19.21 of the Mercer Island Unified Land Development Code, Environmental procedures.

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| <input checked="" type="checkbox"/> | <p>Any party of record may appeal this determination to the City Clerk at 9611 SE 36<sup>th</sup> Street, Mercer Island, WA 98040 no later than <b>5 pm on April 21, 2025</b> by filing a timely and complete appeal application and paying the appeal fee. You should be prepared to make specific factual objections. Contact the City Clerk to read or ask about the procedures for SEPA appeals. To reverse, modify, or remand this decision, the appeal hearing body must find that there has been substantial error, the proceedings were materially affected by irregularities in procedure, the decision was unsupported by material and substantial evidence in view of the entire record, or the decision is in conflict with the city's applicable decision criteria.</p> |
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