

20 December 2024

Molly McGuire, Senior Planner
City of Mercer Island Community Planning and Development
9611 SE 36th Street
Mercer Island, WA 98040

Re: CUP24-001, TCC24-004, CAO24-014 Review Letter 2
3700 E Mercer Way, Mercer Island, WA 98040

Dear Ms. McGuire,

Thank you for your comments on the submitted Conditional Use Permit application. Below please find responses to each comment.

1. *Repeat Comment from Review Letter 1: Sheet A-011 includes the note “Existing 3-story religious institution with licensed preschool (partial change of use)”. The project narrative states “Concurrently, a preschool will be developed on the R-9.6 parcels, within the existing synagogue building, which is permitted outright”. If the licensed preschool exists, what is the change of use? Please provide more information on this, or revise the narrative and plan set for clarity.*

Response: A-011 revised to remove reference to preschool on R-9.6 site.

2. *Provide documentation of the number of seats in the worship area to determine if the shared parking results in a nonconformity for the worship area.*

Response: Photo-documentation included as “SYNAGOGUE SEATING CAPACITY.PDF”.

3. *Based on the Code Compliance Matrix for MICC 19.04.040 for parking requirements in the B-Zone, a total of 179 parking spaces are required for the various uses proposed. The plans include only 96 parking spaces across the lots, some of which may not be intended for cooperative parking with the existing synagogue and proposed preschool, K-8 school, and office uses. Please provide a demonstration that the proposed cooperative parking meets the minimum required parking spaces of 179, or provide a written request for the code official, design commission, and city engineer to review for a reduction in the total required spaces by 25*

percent. Please also demonstrate that no adverse impact will occur due to the reduced number of parking stalls (MICC 19.04.040(E)).

Response: Code Compliance Matrix updated to more closely reflect the minimum code requirements, resulting in a total parking requirement of 139 spaces. With a 25% reduction, the total number of spaces required would be 104. 105 spaces are shown. There will be no adverse impact because the facility uses do not overlap. When the private school and offices are in use, the synagogue is not open for worship, and vice versa. Jewish holidays will prioritize synagogue use.

4. *More clearly show the proposed fence and other structures in relation to the multiple use easement on 151560TRCT. MICC 19.02.020(H)(1) requires all structures to be setback at least 5 feet from an easement that does or could afford vehicular access to a property. Fences and other similar improvements may be located within 5 feet if they can be demonstrated to not interfere with emergency vehicle access or sight distance for vehicles and pedestrians. Provide documentation that the fence or other similar improvements will not interfere with emergency vehicle access or sight distance for vehicles and pedestrians if located within 5 feet from the easement.*

Response: The intent is to maintain emergency vehicle access to the property, and the current location of the fence on the north side of the tract provides that access. We have added a gate and shown a 12 foot clear future vehicle path.

5. *MICC 19.02.020(F)(3)(b)(i) restricts hardscape to 9% of the net lot area. The response in the Code Compliance Matrix indicates that "No net change to hardscape. Any added hardscape areas will be offset by an equal or greater amount of softscape".*

Please provide calculations of the following:

a. Existing hardscape total; b. Proposed hardscape total; c. New hardscape; d. Removed hardscape

Response: Calculation provided below. Note that these numbers will be revised as we go through the Design Review process; we will include this calculation in our building permit submittal.

Existing impervious area for residential portion of lot: 35,990 square feet

Proposed impervious area: 35,990 square feet

Added impervious area: 1,493 square feet

Removed impervious area: 1,493 square feet

6. *The submitted materials do not include responses to the following public comments, linked HERE. Please provide responses to these comments:*

a. John Hall, dated May 21, 2024

b. Matt Goldbach, dated May 21, 2024

c. Sarah Fletcher, dated May 18, 2024

Response: Responses uploaded.

7. *The associated Transportation Concurrency Certificate (TCC24-004) is currently under peer review with KPG Psomas. Additional comments or corrections may be required as a result of their peer review findings. Once the peer review has been completed, staff will send the comments to the project contact.*

Response: Noted.

8. *The Associated Design Commission Review is currently On Hold pending the approval of the Conditional Use Permit. No action is required for DSR24-004 at this time.*

Response: Noted. Per correspondence with Molly McGuire, Design Review coaching session may overlap with Conditional Use Permit review, with risk borne by the developer. We would like to schedule a Coaching Session in April 2025.

9. *Please provide a memorandum from the geotechnical professional that explicitly states the proposed site does not contain geologically hazardous areas consistent with those defined in MICC 19.16.010. It appears that the report finds that there are landslide hazard areas, seismic hazard areas, and erosion hazard areas that would be mitigated as a result of the proposed development, not that there is an absence of geologically hazardous areas as stated in the criteria compliance matrix. Please provide this information under the associated Critical Area Review 1 application (CA024-014).*

Response: The criteria compliance matrix has been revised to include the following: "Geologic hazards exist on the site per the Definition in MICC 19.16.010. The revised Geotechnical Report prepared by AESI, in the section entitled "Geologic Hazards and Mitigations" considers each type of hazard and evaluates risk per the requirements of 19.07.160 B.1."

ISSUED BY

Anjali Grant