



07/01/2025

DiMarco Architecture
Attn: David DiMarco
7541 Seward Park Ave SE
Seattle, WA 98118
Via: Email

RE: **CAO25-009** Review Letter 1; 5331 Forest Ave SE, Mercer Island, WA 98040

Dear David DiMarco,

The City of Mercer Island Community Planning and Development Department has completed a review for compliance with the zoning code, Title 19 of the Mercer Island City Code (MICC) for the above Critical Area Review 2 application. The following issues need to be addressed in your resubmission:

Planning:

1. The Geotechnical Engineering Study and Critical Area Study should include a description of mitigation sequencing implementation described in section [MICC 19.07.100](#) including steps taken to avoid and minimize critical areas impacts to the greatest extent feasible per [MICC 19.07.110\(B\)\(10\)](#).
2. Please provide a post-design memorandum prepared by a qualified professional confirming that the proposed improvements comply with the design recommendations per MICC 19.07.110(B)(11).
3. Please take the Critical Area Notice on Title to the King County Recorder's Office for recording. Submit the recorded copy per [MICC 19.07.070\(C\)](#).
4. Please provide more information on the disturbed ground outside of the building footprint. A landscaping plan is required that includes the landscaping of all disturbed areas outside of the building footprints and installation on hardscape. This will be required to be completed prior to final inspection per [MICC 19.07.160\(B\)\(2\)\(d\)](#).

Geotech Peer Review:

1. On page 5 of the geotechnical report dated October 8, 2024, the geotechnical engineer indicated: *"The proposed ADU can be supported on conventional continuous and spread footings bearing on undisturbed, stiff or very stiff silt native soil."*

2. Depending on the final site grades, overexcavation may be required below the footings to expose competent native soil.
3. Please have the geotechnical engineer of record review the proposed project drawings and reassess the use of shallow foundations to support the proposed ADU given that *“At approximately 10 feet, hard, non-colluvial silt was revealed...”* (reference page 2 of the geotechnical report).
4. It is our opinion that using shallow foundations supported on colluvium is not in conformance with the local geotechnical engineering standard of practice. Due to the *“jumbled”* nature of the colluvium, it is unrealistic to accurately estimate foundation settlements from the possible fill required over the western section and structural loads over the lifespan of the structure.
5. After final building permit approval, please have the geotechnical engineer review the plans and provide a letter verifying whether the proposed development conforms with their design and construction recommendations. Also include in that PE signed letter a statement of risk in accordance with MICC 19.07.160.B.3.

The City’s processing of the Critical Area Review 2 application has been put on hold until these issues are resolved. Pursuant to MICC 19.15.110, all requested information must be submitted within 60 days or a request for extension requested. The deadline for a complete response or request for extension is August 30, 2025. If a complete response is not received or an extension response has not been received prior to that date, the application will expire and be canceled for inactivity. No additional notification regarding this deadline or expiration of the application will be provided.

Sincerely,

Madelyn Nelson

Madelyn Nelson, Assistant Planner
City of Mercer Island Community Planning and Development
madelyn.nelson@mercerisland.gov | (206) 275-7704

Responding and Resubmitting: [Click for More Detailed Instructions](#)

1. Reply to all review comments within the review letter.
2. Update your drawings, and any necessary supplemental documents or forms.
3. Upload updated drawings to the [Mercer Island Permit Submittal Portal](#).

Having Trouble? Please Review the Following:

[Accessing, Reviewing, and Responding to MlePlan Comments](#)

[Troubleshooting MlePlan](#)

[MlePlan Overview](#)

Thank you for your participation in the MlePlan review process.