



6/27/2025

MacPherson Construction & Design, LLC
Attn: Dan Buschser
22605 SE 56th St. Suite 140
Issaquah, WA
Via: Email

RE: **CAO25-011** Review Letter 1; 5320 Butterworth Rd, Mercer Island, WA 98040

Dear Dan Buchser,

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. Get the Critical Areas Notice on Title recorded with the King County recorder's Office.
2. A landscaping plan is required that includes the landscaping of all disturbed areas outside of the building footprints and installation on hardscape, prior to final inspection per MICC 19.07.160(B)(2)(d)
3. Have your Geotech provide a memo addressing mitigation sequencing. See MICC 19.07.100- Mitigation sequencing, address each measure listed specifically.
4. Have Altmann Oliver Associates prepare a post-design memo prepared by a qualified professional confirming that the proposed improvements comply with the design recommendations.
5. The existing asphalt/gravel located in the watercourse buffer is legally nonconforming. Please speak to how the proposed driveway does not increase the existing nonconformity. Expanding footprint of the driveway would be considered an increase of the existing nonconformity.
Please see MICC 19.01.050 for more information about legal non conformance. Per MICC 19.07.180(C)(2): Neither lot coverage nor hardscape shall be permitted within a watercourse or watercourse buffer except as specifically provided in this chapter.

Peer Review Geo:

1. The approval of CAO25-011 is contingent on the building permit (2504-064) approval. Only survey, tree protection and site plans were provided for review of the CAO25-011 permit.

2. The provided geotechnical report for CAO25-011 is dated May 21, 2024 and addresses previous site development components for 5330 Butterworth. Please have the geotechnical engineer of record provide a report addendum that addresses the current project and includes any additional subsurface information and analyses for the site. Reviewing just the May 2024 geotechnical information would result in similar comments provided for the previous site development (2405-053, 5330 Butterworth).
3. Upon final approval of the building permit, please have the geotechnical engineer of record review the plan set and provide a letter verifying whether the proposed development is in general conformance with their design and construction recommendations. Please also include an updated statement of risk in accordance with MICC 19.07.160.B.3.

The City's processing of the CAR2 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 27, 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,



Grace Manahan, Code Compliance Planner
City of Mercer Island Community Planning and Development
grace.manahan@mercerisland.gov
(206) 275-7764

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.