

26 November 2024

John Hall
9970 SE 40th Street
Mercer Island, WA 98040

Matthew Goldbach
9980 SE 40th Street
Mercer Island, WA 98040

Re: CUP24-001 Comment Response

John Hall and Matthew Goldbach,

Thank you for your comments regarding the submitted Conditional Use Permit. We've taken the liberty of summarizing and responding to the main points:

2) The number of children does not include the ...preschool children

To number of school children in the traffic analysis includes the preschool, which has been relocated to the main school building.

3) the council was led to believe adding schools as an allowed use in the B-zone would result in a standard one-story school with onsite parking and playfield

I, Anjali Grant, was present at the hearings and no such representation or claim was made. The site is too small to reasonably house a school as well as a playfield or on-site parking.

4) We are aware of one prior precedent in which the applicant sought to have no onsite parking,

Unlike the precedent cited, we are not proposing to have no onsite parking, nor to use public parking. Parking is proposed to be shared with the existing synagogue site, which is used for worship at times when the new building will not be used. The school and rental spaces will have lease agreements limiting hours of use to those which do not conflict with hours of worship. We have included parking quantity calculations per city code in our revised application, which demonstrate that we have ample parking when uses do not overlap.

5) The code modifications the application is seeking are extreme and very unusual.

We are not seeking modifications to code.

5A) it is critical that this intersection have the capacity to meet its volume to avoid overloading exiting traffic in the Town Center Island Crest Way I-90 exit, or backing up traffic onto I-90.

We understand that traffic is a primary concern. In collaboration with our traffic consultant, we have carefully designed a drop-off and pick-up flow that will allow for 62 waiting cars to be stored on the existing synagogue's driveway loop while enabling parents to quickly and efficiently drop off their students. Preschool and K-8 drop-off will be staggered to allow the parents and caregivers of a maximum of 40 preschool children to park and exit their vehicles. Further details can be found in the traffic analysis and on the site plan. (add more language from Dan)

5D) Four different K-8 schools, including the JCC, The French American School, the proposed school on the B-zone property, and a new preschool on the Herzl property. Schools create a high intensity of use and parking and traffic per square foot, and create a significant amount of foot traffic along East Mercer Way.

There are two K-8 schools in this list: the French American School and JDS. The French American School is in the process of building a Seattle campus, which may decrease its presence at this location. The JDS preschool will be part of the K-8 and consists of 2 classrooms with a maximum of 20 students each.

5E) There is no space to park cars along East Mercer Way.

Parents will be instructed not to park cars along East Mercer Way. There is ample parking on site to accommodate school and office uses during business hours.

5F) We believe the City must consider ALL current and future uses at this location to make a determination on future traffic and parking impacts, and that should be done through the SEPA process to protect current and future uses.

This comment is beyond the scope of our individual project. That said, the school building is proposed to be located on a lot that has been commercially zoned for 25 years. There is no change of zoning proposed. According to Goal 17 of the City of Mercer Island Comprehensive Plan section on Land Use policies, "commercial uses and densities near the I-90/East Mercer Way exit and SE 36th Street are appropriate for that area." Along with many cities and counties across the state of Washington, the City of Mercer Island is required to plan for growth and has identified areas of the City for that growth to occur.

6) First, we believe the estimated parking needs for both schools and the offices - which often operate on weekends and so are not consistent with a shared parking use - have been underestimated by the applicant.

The school and office will have lease agreements limiting hours of use to hours which do not conflict with hours of worship. We have included parking quantity calculations per city code in our revised application, which demonstrate that we have ample parking when uses do not overlap.

6) Second, this parking is a required element of the French American School CUP and each year the FASP must file its lease to park at Herzl to comply with the CUP. Without this parking, the FAS CUP will be out of compliance and the CUP void.

In 2007, HNT wrote a letter to the French American School of Puget Sound (FASPS) agreeing to provide faculty parking for 30 cars during the 2007-2008 school year, anticipating being able to do so 'in the future.' This has been an informal, non-binding arrangement reviewed annually. Once construction starts, this parking will not be available and we have notified FASPS accordingly.

FASPS's Conditional Use Permit documents demonstrate that there is code-required parking without the parking historically provided by HNT. In addition, we understand that FASPS is in the process of building a Seattle campus, which may reduce their presence at the current location.

6) Third, to avoid this situation in the future, the Herzl property allocated to the B-zone for parking must be permanently reserved and run with the land which should be by easement. Herzl must understand that the property reserved for parking for the B-zone, as well for the playfield, will be permanently reserved and non-developable forever.

The Conditional Use Permit will essentially bind the properties together for the purposes of development. The applicant is amenable to conditions that preserve minimum parking quantities as required by code.

7) The Applicant's Transportation Concurrency Application is Flawed and Misrepresents the Total Number of Trips, the Total Use of this Intersection, and Should be Subject to a Full SEPA Analysis.

The Traffic Impact Analysis completed followed all City guidelines and meets the requirements for a full SEPA Analysis. The trip generation land use categories and rates outlined in the Mercer Island Transportation Concurrency Ordinance are based on the 10th

Edition of the Institute of Transportation Engineers (ITE) *Trip Generation Manual* (10th Edition, 2017). As noted in the Transportation Impact Analysis report submitted (May 2024), project impacts were analyzed based on trip generation from the most updated ITE *Trip Generation Manual* (11th Edition, 2021). Land use codes for the proposed Private School (K-8) (LU #530) and General Office Building (LU #710) were used, corresponding to the land use codes, rates and equations in the updated 11th Edition manual. As shown in Table 4 as well as Appendix D of the Transportation Impact Analysis, the private school (K-8), based on ITE's 11th Edition LU #530, has a trip rate of 0.26 trips per student during the weekday PM peak hour resulting in 39 trips. The office building, based on ITE's 11th Edition LU #710, uses an equation to calculate trips during the weekday PM peak hour per guidance from ITE. The effective trip rate for 12,300sf of office space is approximately 2.36 trips per 1,000 sf, resulting in 29 trips associated with the office use during the weekday PM peak hour. As shown in Table 4 as well as Appendix D of the Transportation Impact Analysis, the site is estimated to generate 68 new trips during the weekday PM peak hour.

Thank you again for your feedback and participation in the public process.

Sincerely,

Anjali Grant