

Mercer Island Municipal Code Compliance Matrix

Project Name:
City File Number

Barnabie Point Project Conditional Use Permit
CUP24-001

Date
9/22/2024

M.I.C.C. Code	How the proposed development meets the provisions of the M.I.C.C.	City Review/Notes
19.04.040 - Parking requirements.		
A. The following parking requirements apply to all uses in the C-O and B zones and to all nonresidential uses in the PBZ zone.	Noted	
B. <i>General requirements.</i>		
4. <i>Location.</i> Off-street parking shall be located on the same lot or on an adjoining lot or lots to the building to be served; except, that off-street parking may be located in an area beginning within 500 feet of the front entrance of the building to be served; provided, there are no intersecting streets between the parking area and building to be served.	Off-street parking located on an adjoining lot.	
C. <i>Minimum parking requirements for specific uses.</i> A use which is similar to any of the below-referenced uses shall adhere to the minimum parking requirements for the referenced use or uses. The design commission shall determine the minimum parking requirements for a use in a commercial zone that is not referenced in this section.	Noted	
2. Civic and social organizations, public facilities, and theaters with fixed seats shall provide one parking space for each four seats. Facilities without fixed seats shall provide one parking space for every 75 square feet of gross floor area of the building.		

<p>4. Financial and insurance services, healthcare services, office uses and professional, scientific, and technical services shall provide one parking space for every 300 square feet of gross floor area of the building.</p>	<p>The gross area of office use will require 33 parking spaces for 10,000 sf.</p>	
<p>16. Public and private schools shall provide at a minimum two off-street parking spaces per classroom unless additional parking spaces are deemed necessary through design commission or administrative SEPA review and shall provide adequate off-street loading and unloading facilities as determined by the city engineer.</p>	<p>Parking standards for private schools are not consistent between zones. Per this standard, 24 spaces would be required for 12 classrooms. Per standards for residential lots, 12 spaces would be required for 12 classrooms.</p>	
<p>D. <i>Mixed use parking.</i> In the case of mixed uses, the total requirements for off-street parking facilities shall be the sum of the requirements for the various uses computed separately. Off-street parking facilities for one use shall not be considered as providing required parking facilities for any other use, except as hereinafter specified for cooperative use.</p>	<p>Code-required mixed-use parking is computed as follows: 1. Office use: 33 2. School: 24 3. Place of worship: 82 Total: 139 104 with a 25% reduction.</p>	
<p>E. <i>Cooperative parking.</i> Cooperative parking between two or more adjoining property owners is allowed; provided, the code official, with approval from the design commission and city engineer, may reduce the total required spaces by 25 percent of the total combined required spaces when the applicant has demonstrated that no adverse impact will occur due to the reduced number of stalls.</p>	<p>Cooperative parking is proposed between the two adjoining properties. The school and rental spaces will have lease agreements limiting hours of general use to those which do not conflict with hours of worship. Parking will be limited by lease agreement to maintain code requirements. Per Comp Plan 4.II. Transportation Goals and Policies, Goal 1 1.2: Encourage businesses and residential areas to explore opportunities for shared parking and other parking management strategies.</p>	

PARKING REQUIREMENTS

Mercer Island City Code Criteria Compliance Matrix
Chapter 19.02 MICC Residential

Project Name:
City File Number

Barnabie Point Project Conditional Use Permit
CUP24-001

Date
8/9/2024

Directions: Please complete the code compliance matrix to identify conformity with city codes, standards, and policies. This will be required as part of the initial application. The code compliance matrix shall include specific details and examples about how the proposed development is consistent with Chapter 19.02 MICC. The applicant bears the burden of proof to ensure the application and associated materials are consistent with local laws, rules, and standards. The purpose of the code compliance matrix is to provide guidance to developers on the requirements for the development of property. This is a tool to ensure the proposed development is consistent with the requirements of Chapter 19.02 MICC, a guide and reference for developers to ensure all requirements are accounted for in application submittals, and a tool for staff to seamlessly review proposals and to enhance the quality and speed of the review process.

M.I.C.C. Code	How the proposed development meets the provisions of the M.I.C.C.	City Review/Notes
<u>19.02.060 - Lot coverage—Regulated improvements.</u>		
A. Applicability. This section shall only apply to regulated improvements (for example, schools or religious buildings) in the residential zoning designations of R-8.4, R-9.6, R-12, and R-15.	Noted.	
B. Maximum impervious surface limits for lots. The total percentage of a lot that can be covered by impervious surfaces (including buildings) is limited by the slope of the lot for all single-family zones [as follows:]	Existing development is noncompliant with current limits but legally conforming per 19.01.050.A.7. Added impervious surface will be offset by removed impervious surface so that we retain existing lot coverage and impervious surface areas.	

MICC 19.02.060

**Mercer Island City Code Criteria Compliance Matrix
Chapter 19.02 MICC Residential**

Project Name:
City File Number

Barnabie Point Project Conditional Use Permit
CUP24-001

Date
8/9/2024

Directions: Please complete the code compliance matrix to identify conformity with city codes, standards, and policies. This will be required as part of the initial application. The code compliance matrix shall include specific details and examples about how the proposed development is consistent with Chapter 19.02 MICC. The applicant bears the burden of proof to ensure the application and associated materials are consistent with local laws, rules, and standards. The purpose of the code compliance matrix is to provide guidance to developers on the requirements for the development of property. This is a tool to ensure the proposed development is consistent with the requirements of Chapter 19.02 MICC, a guide and reference for developers to ensure all requirements are accounted for in application submittals, and a tool for staff to seamlessly review proposals and to enhance the quality and speed of the review process.

M.I.C.C. Code	How the proposed development meets the provisions of the M.I.C.C.	City Review/Notes
19.02.020 - Development standards.		
A. Minimum net lot area.		
R-9.6: The net lot area shall be at least 9,600 square feet. Lot width shall be at least 75 feet and lot depth shall be at least 80 feet.	No change to existing lot area.	
C. Yard requirements.	No structures proposed within required yards	
b. Hardscape and driveways. Hardscape and driveways not more than 30 inches above existing grade or finished grade, whichever is lower, may be located in any required yard; provided, that driveways may exceed the 30-inch limit when a permit applicant demonstrates the proposed height is the minimum feasible to meet the standards in MICC 19.09.040.	Driveways and hardscape proposed within required yards shall be no more than 30 inches above existing or finished grade.	
c. Fences, retaining walls and rockeries. Fences, retaining walls and rockeries are allowed in required yards as provided in MICC 19.02.050.	Fences will comply with MICC 19.02.050.	
D. Gross floor area.		
1. Except as provided in subsection (D)(3) of this section, the gross floor area shall not exceed:		
b. R-9.6: 8,000 square feet or 40 percent of the lot area, whichever is less.	No changes to gross floor area.	
E. Building height limit.		

1. <i>Maximum building height.</i> No building shall exceed 30 feet in height above the average building elevation to the highest point of the roof.	No change to existing building height.	
b. Hardscape.		
i. A maximum of nine percent of the net lot area may consist of hardscape improvements including, but not limited to, walkways, decks, etc., and provided:	No net change to hardscape. Any added hardscape areas will be offset by an equal or greater amount of softscape.	
H. Easements. Easements shall remain unobstructed.	Existing easements shall remain unobstructed.	

MICC 19.02.020

**Mercer Island City Code Criteria Compliance Matrix
Chapter 19.02 MICC Residential**

Project Name:
City File Number

Barnabie Point Project Conditional Use Permit
CUP24-001

Date
8/9/2024

Directions: Please complete the code compliance matrix to identify conformity with city codes, standards, and policies. This will be required as part of the initial application. The code compliance matrix shall include specific details and examples about how the proposed development is consistent with Chapter 19.02 MICC. The applicant bears the burden of proof to ensure the application and associated materials are consistent with local laws, rules, and standards. The purpose of the code compliance matrix is to provide guidance to developers on the requirements for the development of property. This is a tool to ensure the proposed development is consistent with the requirements of Chapter 19.02 MICC, a guide and reference for developers to ensure all requirements are accounted for in application submittals, and a tool for staff to seamlessly review proposals and to enhance the quality and speed of the review process.

M.I.C.C. Code	How the proposed development meets the provisions of the M.I.C.C.	City Review/Notes
19.02.010 - Single-family.		
A use not permitted by this section is prohibited. Please refer to MICC 19.06.010 for other prohibited uses.		
A. Uses permitted in Zones R-8.4, R-9.6, R-12, and R-15.		
1. Single-family dwelling.	Existing single-family residence to remain.	
2. Accessory buildings incidental to the main building.	Existing religious school building to remain.	
3. Private recreational areas.		
4. Public schools accredited or approved by the state for compulsory school attendance, subject to design commission review and all of the following conditions:		
a. All structures shall be located at least 35 feet from any abutting property and at least 45 feet from any public right-of-way.		
b. Off-street parking shall be established and maintained at a minimum ratio of one parking space per classroom with high schools providing an additional one parking space per ten students.		

c. A one-fourth acre or larger playfield shall be provided in one usable unit abutting or adjacent to the site.		
6. Public park subject to the following conditions:		
a. Access to local and/or arterial thoroughfares shall be reasonably provided.		
b. Outdoor lighting shall be located to minimize glare upon abutting property and streets.		
c. Major structures, ballfields and sport courts shall be located at least 20 feet from any abutting property.		
C. Conditional uses. The following uses are permitted when authorized by the issuance of a conditional use permit when the applicable conditions set forth in this section and in MICC 19.15.040 have been met:		
2. Private schools accredited or approved by the state for compulsory school attendance, subject to conditions set out in subsection (A)(4) of this section.	Private school use of site proposed, with the addition of no new structures beside pedestrian pathways and site lighting	
3. Places of worship subject to the following	Existing place of worship to remain.	
a. All structures shall be located at least 35 feet from any abutting property.	No additions or new structures proposed.	
b. Off-street parking shall be established and maintained at a ratio of one parking space for each five seats in the chapel, nave, sanctuary, or similar worship area.	82 required parking spaces for the existing worship area per the previous permit drawings shall be maintained. Permitted parking is based on the required parking ratio of one parking space for each five seats in the worship area. Original drawing attached for reference.	
4. Noncommercial recreational areas, subject to the conditions contained in subsection (A)(6) of this section.	Existing noncommercial recreational area to remain, permitted in 1979.	

Mercer Island City Code Criteria Compliance Matrix
Chapter 19.06.110 MICC Criteria for approval—Conditional use permits, variances, and setback deviations.

Project Name:
City File Number

Barnabie Point Project Conditional Use Permit
CUP24-001

Date
8/9/2024

Directions: Please complete the code compliance matrix to identify conformity with city codes, standards, and policies. This will be required as part of the initial application. The code compliance matrix shall include specific details and examples about how the proposed

M.I.C.C. Code	How the proposed development meets the provisions of the M.I.C.C.	City Review/Notes
<i>A. Conditional use permits.</i>		
1. Purpose. A use may be authorized by a conditional use permit for those uses listed in chapters 19.02 and 19.11 MICC. The intent of the conditional use permit review process is to evaluate the particular characteristics and location of certain uses relative to the development and design standards established in this title. The review shall determine if the development proposal should be permitted after weighing the public benefit and the need for the use with the potential impacts that the use may cause.	Noted.	
2. Criteria for conditional use permits that are not located in Town Center. An applicant must demonstrate how the development proposal meets the following criteria:		
a. The permit is consistent with the regulations applicable to the zone in which the lot is located;	The permit is consistent with the regulations applicable to the zone.	
b. The proposed use is determined to be acceptable in terms of size and location of site, nature of the proposed uses, character of surrounding development, traffic capacities of adjacent streets, environmental factors, size of proposed buildings, and density;	Size and location of site: There are minimal changes proposed for the site, which has ample capacity to absorb the proposed uses. The proposed uses occur when the existing site is not being used for worship. The nature of the proposed uses is very much in keeping with existing uses. The site is characterized by its adjacency to a major thoroughfare, commercially-zoned property, and I-90. The enclosed traffic study addresses impact to the traffic of adjacent streets; an environmental study is addresses environmental factors. Size of proposed buildings: physical changes to the property are limited to pedestrian pathways, utilities, fencing, and landscaping.	
c. The use is consistent with policies and provisions of the comprehensive plan; and	Specific policies and provisions supporting the use are as follows: 2. V. Land Use Policies, Goal 15 15.4: As a primarily single family residential community with a high percentage of developed land, the community cannot provide for all types of land uses. ... Compatible permitted uses such as education, recreation, open spaces, government social services and religious activities will be encouraged 2. V. Land Use Policies, Goal 17 17.2: Commercial uses and densities near the I-90/East Mercer Way exit and SE 36th Street are appropriate for that area. All activities in the CO zone are subject to design review and supplemental design guidelines may be adopted. 17.4: Social and recreation clubs, schools, and religious institutions are predominantly located in single family residential areas of the Island. Development regulation should reflect the desire to retain viable and healthy social, recreational, educational, and religious organizations as community assets which are essential for the mental, physical and spiritual health of Mercer Island. 4.II. Transportation Goals and Policies, Goal 1 1.2: Encourage businesses and residential areas to explore opportunities for shared parking and other parking	
d. Conditions shall be attached to the permit assuring that the use is compatible with other existing and potential uses within the same general area and that the use shall not constitute a nuisance.	The proposed uses are consistent with uses already conditionally approved for the site: synagogue building (use approved 1970); caretaker's facility and outdoor play areas (1979); multipurpose building (1979); non-commercial recreational area used between 7 am and 10 pm (1979); and associated parking.	
3. Criteria for conditional use permits that also require design review and are located in Town Center.	Not applicable	
4. No building permit, business license, or other permits related to the use of the land shall be issued until final approval of the conditional use permit.	Noted.	
<i>5. Change after conditional use permit granted.</i>		
a. Change of ownership. Conditional use permits granted shall continue to be valid upon change of ownership of the site.	Noted.	
b. Change of use. Modifications to the use shall require an amendment to the conditional use permit and shall be subject to the review process in chapter 19.15 MICC.	This application is a modification/amendment to the current Conditional Use Permit.	

<p>c. Applicability. A conditional use permit shall be applicable only to the property for which it was granted, as defined by the legal description of the property boundaries submitted with the conditional use permit application ("permitted property"). The use(s) permitted under a conditional use permit shall not extend beyond the permitted property to adjoining property or property added to the permitted property unless the conditionally approved use(s) are already allowed on the adjoining or added property or a new conditional use permit is granted for the adjoining or added property.</p>	<p>The adjoining B-zoned property permits private schools, offices, and recreational areas/theaters/catererias (multipurpose room) outright.</p>	
<p>B. Variances.</p>	<p>No variances are requested.</p>	

MICC 19.06.110(A)