

Molly McGuire

From: Ryan Harriman
Sent: Tuesday, April 8, 2025 1:46 PM
To: Winky Lai
Cc: Molly McGuire
Subject: Re: SEP24-003 SEPA THRESHOLD MITIGATED DETERMINATION OF NON-SIGNIFICANCE (MDNS)

Hi Winky,

Please see my response to your comments below in red.

Best regards,

[Ryan Harriman, EMPA, AICP](#)

Planning Manager

City of Mercer Island – Community Planning & Development

206-275-7717 | www.mercerisland.gov

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From: Winky Lai
Sent: Tuesday, April 8, 2025 1:04 PM
To: Ryan Harriman
Subject: Re: SEP24-003 SEPA THRESHOLD MITIGATED DETERMINATION OF NON-SIGNIFICANCE (MDNS)

Hello Mr. Harriman,

My name is Winky Lai - my husband and I own a home on 3716 E Mercer Way, a property adjacent to the proposed development of the Herzel expansion into a 3 story preschool, K-8 school, and rental offices. I have received a letter from the city last month (post marked 3/14/2025) and since I admittedly has very little knowledge/understanding about this permitting process and only have 2 weeks to file an appeal by the deadline stated in the letter by March 21,2025. I have completely missed the deadline. Fortunately - I have noticed that the city has updated the website on 4/7/25 and have a revised letter of the "sep24-003 revised mdns 04072025.pdf" with a new deadline for appeal by 5 pm on April 21, 2025.

Correct. If you want to file an appeal on the SEPA MDNS, a complete appeal package would be required to be submitted by the deadline provided. Please note that the SEPA MDNS is one part of the process, the main part is the conditional use permit and associated public hearing.

As a neighbour who will be directly impacted by this proposed construction project, I wanted to make sure that our concerns are being heard and considered. However - since I am not a city planning professional, I would like to ask for your help to explain how the appeal process works - as clearly stated

in the letter from the city under the Appeal Information - it appears that I would need to complete an appeal application and paying the appeal fee.

Question 1 - where can I locate this appeal application form?

Question 2 - what is the appeal fee for this case?

The appeal application form can be found [HERE](#). A fee is associated with filing an appeal. This fee is established in the Fee Schedule, [HERE](#).

Any party of record may appeal this determination to the City Clerk at 9611 SE 36th Street, Mercer Island, WA 98040 no later than 5 pm on April 21, 2025 by filing a timely and complete appeal application and paying the appeal fee. You should be prepared to make specific factual objections. Contact the City Clerk to read or ask about the procedures for SEPA appeals. To reverse, modify, or remand this decision, the appeal hearing body must find that there has been substantial error, the proceedings were materially affected by irregularities in procedure, the decision was unsupported by material and substantial evidence in view of the entire record, or the decision is in conflict with the city's applicable decision criteria

I understand that the responsible official for the project has changed from the original representative Molly McGuire to yourself, while trying to familiarize myself with any additional info I may find from the city project file <https://permitbulletin.mercerisland.gov/public/CUP24-001%20and%20SEP24-003/> I came across a response letter addressed to me dated 9/22/2024 that I do not recall receiving in the mail. I even went back to check on the daily email notification that I get from the US Postal Service for a 2 weeks time frame after which the letter was dated and did not see any letter coming from Anjali Grant Design or the City of Mercer Island. Can you help me understand the process of communication - Is the expectation for us (residents) to go to the city's website to find out if a response is available from the city when we send in a concern or is there an expectation that the communication will be send to us directly ? I just wanted to make sure I understand the expectation because this project will directly impact myself, all the neighbors on my street that is adjacent to the project site but also everyone who takes the East Mercer Way exit off the island so I wanted to stay engaged and informed in a timely manner.

I understand your concern. The City doesn't directly respond to public comments. The Applicant is responsible for providing a response to the public record, which is what they did. It's up to the public to obtain the responses from the record. Your comments are part of the record and will be reviewed by the Hearing Examiner prior to the public hearing. Please note that the City is not the Applicant, and the Applicant has the burden of proof that the proposed development is consistent with the Mercer Island City Code. The Hearing Examiner will review the materials, hold a public hearing, take testimony, and issue a decision.

Contents of the /public/CUP24-001 and SEP24-003/SUB3/ folder

<https://permitbulletin.mercerisland.gov/public/CUP24-001%20and%20SEP24-003/SUB3/>

Name

arborist report.pdf
cartlund monson comment response.pdf
cup24-001 response letter.pdf
geotech report.pdf
jeff davis comment response.pdf
kevin lo comment response.pdf
mercero island code compliance matrix - chapter 19.06.110 a - conditional use permit.xlsx
merkys gomez comment response.pdf
michael bundesmann comment response.pdf
plans.pdf
project narrative.pdf
ronil mokashi comment response.pdf
tcc24 response letter.pdf
title report.pdf
transportation impact analysis.pdf
winky lai comment response.pdf

Contents of the /public/CUP24-001 and SEP24-003/SUB4/ folder

<https://permitbulletin.mercerisland.gov/public/CUP24-001%20and%20SEP24-003/SUB4/>

Name

241220 cupcao response letter.pdf
cupcao response letter.pdf
john hall comment response.pdf
matthew goldbach comment response.pdf
mercero island code compliance matrix - chapter 19.06.110 a - conditional use permit.xlsx
plans.pdf
sarah fletcher comment response.pdf
synagogue seating capacity.pdf

Thank you for your attention. I look forward to your response.

Regards,
Winky Lai