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ARCHITECTURE, PROGRAMMING, ACCESSIBLE DESIGN, INTERIOR DESIGN

February 20, 2025

From: Max Foley  
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To: Ryan Harriman  
City of Mercer Island  
Ryan.harriman@mercerisland.gov

**RE:** Building Study Session Response Letter dated 8/14/2024

**Project Name:** 2900 78<sup>th</sup> Ave SE

**Project Address:** 2900 78<sup>th</sup> Ave SE

**Building Permit Number:** DSR24-010

Dear Ryan,

Please see the following itemized responses to your request for information dated 10/24/2024. Please see attached revised set titled "Building Study Session Set" dated 2/20/2025 to use as reference with the response to these comments.

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**Request for Information**

1. Applicable construction codes can be found in MICC 17.14.010 Section 101. The vesting of construction codes is address in MICC 17.14.101 Section 105.3.4. As of the date of this letter, a complete application for a building permit has not been received for the scope described in this DSR. Washington State has adopted the 2021 code cycle effective March 15, 2024. There are significant changes to the energy code in particular, but guidelines on significant changes are available here:  
[https://www.mercerisland.gov/sites/default/files/fileattachments/community\\_planning\\_amp\\_development/page/1981/significant\\_code\\_changes\\_2021.pdf](https://www.mercerisland.gov/sites/default/files/fileattachments/community_planning_amp_development/page/1981/significant_code_changes_2021.pdf)  
Mercer Island does not yet have a significant basis of new construction commercial projects under this code cycle, so a discussion of the impact of the code change on the project with the Design Commission may be helpful.

**Response: Noted. Thank you.**

2. As was noted on notes provided for DSR22-14, the numbering of stories shown on elevations is not consistent with definition for Story Above Grade Plane. WSBC definition for Story Above Grade Plane is any story in which the next story above is more than 6' above grade plane. Re-numbering the stories to conform to this definition, the garage floor plan is the 1st story above grade plane, and the 3rd floor is the 4th story above grade plane. Table 1006.3.4(1) does not permit a 4th story above grade plane with access to only one exit. Complete floor plans are not provided, but it's not clear how a 2nd exit is provided based on the site plan and the floor plans on page 10.

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**Response: The proposed number of stories is changed to (4) to be consistent with the definition for Story Above Grade Plane. Each story is renamed to, Level 1, Level 2, Level 3, and Level 4. See sheets A4.0 – A4.3 Building elevations for revised levels names. Per table 1006.3.4(1) (4) stories requires (2) exits. A second stair/exit is added to the project and is shown on the sheets A2.1 – A2.3 Floor Plans.**

3. If a second exit is provided, this site and building configuration will present challenges in addressing exit separation required by WSBC 1007. For instance, if the maximum diagonal dimension of the building is 120 feet, exits would need to be separated by a minimum of 60 feet, which is the width of the lot at the ROW. There are exceptions for reduced separation, but these should be clearly demonstrated.

**Response: The second stair/exit is now provided. The proposed project is fully sprinklered, see G2.0 section 420.4. The maximum diagonal dimension was calculated and requires the exit separations to be greater than 39'. The separation between stair exits provided is greater than 39'. Per 1007.1.1 exception (2) the building is fully sprinklered and the separation distance shall be not less than one-third of the length of the maximum overall diagonal dimension. See sheet G2.1 Building Use and Egress Plans for required exit separation.**

4. An accessible route of travel will be required from the sidewalk to accessible building entrances, and 60% of entrances shall be accessible.

**Response: An accessible route of travel is provided from the sidewalk to all accessible entrances to the building. See A1.0 Site plan and A2.0 Floor Plan – Level 1 for entrance locations and accessible walkways to the right of way.**

5. Considering the number of Stories Above Grade Plane, WSBC 1011.12 requires a stairway to the roof. The exception to this section will not apply if elevator equipment is located in the elevator penthouse, and a stair penthouse will contribute to the height of the structure.

**Response: WSBC 1011.12 requires a stairway to the roof if it is occupied. The proposed roof will not be occupied so the exception will be taken and an alternating tread device is added to the project for roof access. See sheets A2.3 Floor Plan – Level 4 and A2.4 Roof Plan for rooftop access.**

6. Previous discussion of this proposal as part of PRE21-032 and PRE22-027 referred to occupiable roof deck. The documents submitted along with DSR22-014 and DSR24-010 do not appear to include this use, but the roofing systems and thus exterior elevations are not clear. The roof elevation on elevation sheets is noted as top of roof sheathing and does not include consideration for slope for drainage. A ¼" per foot slope will create at least a 1' difference in height between north and south elevations.

**Response: The proposed roof is not occupied. ¼" slope per foot will be provided for roof drainage with tapered rigid insulation above the sheathing. The top of structural roof**



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**sheathing is located at the elevation 'Top of roof sheathing' and is below the maximum building height. Per MICC 19.11.030 'Up to 5' additional feet for parapets and/or sloped roof' is permitted. See sheets A4.0 – A4.3 Elevations for compliance with max allowed building height. See sheet A2.4 Roof Plan for proposed roof drainage.**

7. The elevator penthouse is shown extending to the max allowed height. If occupiable roof deck is added to the scope of the proposal, this elevator penthouse height will increase to serve the area.

**Response: The elevator will not serve the roof level. The elevator penthouse projects less than 10' past the maximum building height per MICC 19.11.030-A5 as required for an elevator hoistway serving Level 4.**

8. The applicant should clarify if they are providing a private garage (or garages) which are limited to 1,000 sf and Group U occupancy, or a public parking garage (either enclosed parking garage or open parking garage). The classification of the lower garage level in WSBC 406 could be significant in the design of the exterior openings, fire protectives, egress and number of exits, allowable areas, etc.

**Response: The project proposes a public garage that will only serve the tenants. The proposed garage is considered Group S-2 per WSBC 311.3. Fire protection and exit/egress requirements from the garage are provided. See sheet G2.1 Building Use and Egress for Use classifications at the ground level.**

9. Construction type as categorized in WSBC 602 is not noted on the drawings. This will have substantial impact on required separation distances, fire resistance ratings of exterior walls, and allowable exterior openings. Exterior wall fire resistance ratings and openings must meet requirements of WSBC 705 and Table 705.8.

**Response: The construction types per WSBC 602 are added to sheet G2.0 Building Code Summary. The proposed construction types are (1) level Type 1A construction at the ground level and (3) levels Type VA for Levels 2-4. Chapter 6 Proposed Types of Construction are shown on sheet G2.0 Building Code summary. The fire resistance ratings of exterior walls are shown on sheet G2.2 Fire Ratings and Protections. Allowable openings per WSCB 705 and Table 705.8 are shown on sheet G2.2 Fire Ratings and Projections. All openings will meet requirements for WSBC 705 and Table 705.8.**

10. Parapets are not clearly shown or dimensioned on the current drawings. WSBC 705.11 requires parapets in certain conditions. If exceptions apply this should be clearly demonstrated. This could affect overall structure height.

**Response: Parapets height dimensions were added to the elevations and shown on sheets A4.0 – A4.3. Per MICC 19.11.030 'Up to 5' additional feet for parapets and/or sloped roof' is permitted. Proposed parapets comply.**



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11. Construction type as categorized in WSBC 602 is not noted on the drawings. This could have impact on the allowable building area and allowable building height above grade plane.

**Response: Per Table 506.2 a sprinklered Type IA building has unlimited area and a Type VA R-2 building has up to 36,000 sf area. Per Table 504.3 both proposed Type IA and VA are under the allowable building height. The proposed building complies with allowable area and height. See sheet G2.0 Building Code Summary for proposed building height and area compliance.**

12. Mechanical areas were previously identified on the north side of the garage (now relabeled but not relocated), and appliances with requirements for exterior ventilation are shown on floor plans along the north side wall. This wall is a zero lot line. WSMC 401.4 regulates locations of air intake openings and WSMC 501.3 regulates locations of exhaust discharge. Both sections have requirements that refer to property lines.

**Response: The mechanical design for the building is in development. WSMC regulations will be followed. The updated plans do not propose any intakes at zero lot line conditions. Exhaust discharge requirements for transformers, units, and air handlers will be met. Compliance of exhaust and intake clearances will be shown on the Building Permit Plan submission.**

13. A rooftop mechanical zone is identified on sheet 9. The rooftop mechanical units and any associated screening or required fall protection for the maintenance of the units is not included and has not been reflected on exterior elevations. It's not clear if the parapets will provide adequate screening.

**Response: The mechanical design for the building is in development. Mechanical units have not been selected yet, however typical condenser units that supply the apartments are typically under 3' tall and will be screened by the proposed parapets. Compliance with the required screening of mechanical units will be shown on the Building Permit Plan submission.**

14. On a previous, more detailed floorplan submitted with DSR 22-014, the stair exit enclosure currently passes through unoccupied mechanical space. Special detailing will be required to document the separation assemblies if this configuration is retained. Additional square footage for separate mechanical space and continuous stair shaft would be required if it is not retained. The configuration does not appear to have been changed.

**Response: No stair passes through a mechanical space per the updated Floor Plans. Stair 1 exits into the Lobby and complies with WSBC 1028.2 exception 2. The required fire ratings for the stairs and Lobby are shown on sheet G2.2 Fire Ratings and Protections. See sheet A2.0 Floor Plan – Level 1 for revised ground floor layout and anticipated mechanical spaces.**

15. On a previous, more detailed floorplan submitted with DSR 22-014, the door to the mechanical room is shown into an interior exit stairway. Openings to interior exit stairways are limited in



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WSBC 1023.4 to exit access and egress from the enclosure. Unoccupied areas can not open to the exit enclosure. This configuration does not appear to have changed.

**Response: No doors are proposed into an interior exit stairway other than access to the stair itself. No unoccupied areas open to the exit enclosure. See sheets A2.0 – A2.3 Floor Plans and G2.1 Building Use and Egress for stair design.**

16. WSBC 1030 requires emergency escape and rescue openings. Exceptions to this section may not apply and minimal distance to property line will make this a challenge.

**Response: (2) Exit stairs are provided. WSBC 1031 does not apply.**

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We trust that these responses adequately address your comments. Please do not hesitate to contact us directly if you have any further questions.

Thank you,

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