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## COMMUNITY PLANNING & DEVELOPMENT

9611 SE 36TH STREET | MERCER ISLAND, WA 98040  
206.275.7605 | [www.mercerisland.gov](http://www.mercerisland.gov)



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# NOTICE OF PUBLIC HEARING

## Luther Burbank Waterfront Improvements Project

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**NOTICE IS HEREBY GIVEN** that the City of Mercer Island Hearing Examiner will conduct an Open Record Public Hearing at 9:00AM on September 12, 2024, for the application described below:

**File Nos.:** SHL22-023, SHL22-024, SHL22-025, SHL23-043, SHL23-044, SHL23-045, CAO22-018

**Permit Type:** Type IV

**Description of Request:** The Applicant is seeking a Shoreline Substantial Development Permit (SHL22-023), four (4) separate Shoreline Variance Requests (SHL22-024, SHL23-043, SHL23-044, and SHL23-045), Shoreline Conditional Use Permit (SHL22-025), and a Critical Area Review 2 (CAO22-018) for the redevelopment of the upland, shoreline, in-water, and overwater improvements of Luther Burbank Park. The upland and shoreline improvements consist of waterfront plaza renovations and access upgrades, shoreline and beach enhancements, waterfront LID, and irrigation intake system installation. The in-water and overwater improvements consist of north dock repairs, central and south dock reconfiguration, an overwater access platform, and buoys

**Applicant/** Paul West (City of Mercer Island) / City of Mercer Island

**Owner:**

**Location of** 2048 84th Ave SE, Mercer Island WA 98040

**Property:** King County Assessor tax parcel number: 062405-9014

**SEPA** A SEPA Optional Determination of Nonsignificance (ODNS) was issued on July 1, 2024, after using the optional DNS process in WAC 197-11-355.

**Compliance:** [https://mieplan.mercergov.org/public/Luther Burbank Park Waterfront Improvements Project/](https://mieplan.mercergov.org/public/Luther_Burbank_Park_Waterfront_Improvements_Project/)

**Project** Documents will continually be added to this file as the process moves forward.

**Documents:**

**Time, Date and Location of Public Hearing:** Pursuant to MICC 19.15.030(F) Table A, Shoreline Variance and Shoreline Conditional Use Permit approval requests are required to be processed as a Type IV action, with the Hearing Examiner as the decision authority. Shoreline Substantial Development Permits and Critical Area Review 2 applications are required to be processed as a Type III action, however, pursuant to MICC 19.15.030(F)(4), when a review is heard by multiple decision bodies, the high decision body will make the final decision. The public hearing is scheduled for September 12, 2024, at 9:00AM.

The open record public hearing will be held virtually using Zoom by either calling in or logging onto the meeting as a Zoom attendee. The City will also accept written testimony until such time that the public hearing is adjourned. Please send written testimony to [deb.estrada@mercerisland.gov](mailto:deb.estrada@mercerisland.gov). Requests for additional information should be referred to the project contact listed below. Only those persons who submit written comments or testify at the

open record hearing will be parties of record, and only parties of record will receive a notice of the decision and have the right to appeal.

**Preregistering to Testify:** Individuals wishing to testify or wishing to provide comment during the Public Hearing may preregister their request with the Administrative Coordinator/Deputy City Clerk at 206-275-7791 or email at [deb.estrada@mercerisland.gov](mailto:deb.estrada@mercerisland.gov) and leave a message before 4PM on the day prior to the Public Hearing. Please reference "Public Hearing Public Comment". Each speaker will be allowed three (3) minutes to speak.

**Public Comment by Video:** Notify the Administrative Coordinator/Deputy City Clerk in advance that you wish to speak on camera and staff will be prepared to permit temporary video access when you enter the live Public Hearing. Please remember to activate the video option on your phone or computer, ensure your room is well lit, and kindly ensure that your background is appropriate for all audience ages. Screen sharing will not be permitted, but documents may be emailed to [deb.estrada@mercerisland.gov](mailto:deb.estrada@mercerisland.gov).

**Submitting Written Comments:** The City will also accept written comments until such time that the public hearing is adjourned. Please send written comments to [deb.estrada@mercerisland.gov](mailto:deb.estrada@mercerisland.gov).

**Attending the Public Hearing:** Please use the following Zoom information:  
**Join by Telephone at 9:00 AM:** Call 253-215-8782 and enter Meeting ID 832 3336 7558 and Passcode 789945 when prompted. Press \*6 to mute and unmute.  
**Join by Internet at 9:00 AM:**  
<https://us02web.zoom.us/j/83233367558?pwd=SjBleXbupoo6aUnu5SSQPmauLTqKPO.1>

1. If the Zoom app is not installed on your computer, you will be prompted to download it.
2. If prompted for Meeting ID, enter 832 3336 7558
3. Enter Passcode 789945

**Applicable Development Regulations:** Pursuant to MICC 19.15.030(F) Table A, applications for Shoreline Conditional Use Permit and Shoreline Variance approvals are required to be processed as Type IV land use reviews with a decision by the Hearing Examiner. Applications for Shoreline Substantial Development Permits and Critical Area Review 2 are required to be processed as Type III land use reviews with administrative decisions. Processing requirements for Type IV reviews are further detailed in MICC 19.15.030(F) Table B. MICC 19.15.030(F)(4) allows for reviews heard by multiple decision bodies to be decided upon by the higher decision body. Review criteria for Shoreline Conditional Use Permits is in WAC 173-27-160, Shoreline Variances is in WAC 173-27-170, Shoreline Substantial Development Permits is in MICC 19.13.050, and Critical Area Review 2 is in MICC 19.07.

**Other Associated Permits:** A future building permit will be required.

**Application  
Process  
Information:**

Date of Initial Application	October 28, 2022
Determined all Applications to be Complete	September 27, 2023
Bulletin Notices	November 14, 2022 and October 2, 2023
Date Mailed	November 14, 2022 and October 2, 2023
Date Posted on Subject Property	November 14, 2022 and October 2, 2023
Comment Periods Ended	5:00 PM on December 15, 2022 and November 3, 2023
Notice of Public Hearing Issued	August 12, 2024
Notice of Public Hearing Bulletin	August 12, 2024
Notice of Public Hearing Date Mailed	August 12, 2024
Notice of Public Hearing Date Posted on Subject Property	August 12, 2024
Date of Open Record Public Hearing	9:00 AM on September 12, 2024

**Project Contact:**

Molly McGuire, Senior Planner  
molly.mcguire@mercerisland.gov | (206) 275-7712