



November 26, 2024

Grant Design, LLC
Attn: Anjali Grant
3427 Beacon Ave S
Seattle, WA 98144
Via: Email

RE: **CUP24-001, TCC24-004, CAO24-014** Review Letter 2; 3700 E Mercer Way, Mercer Island, WA 98040

Dear Anjali Grant,

The City of Mercer Island Community Planning and Development Department has completed a review for compliance with the zoning code, Title 19 of the Mercer Island City Code (MICC) for the above Conditional Use Permit, Transportation Concurrency Certificate, and Critical Area Review 1 applications. The following issues need to be addressed in your resubmission:

Planning:

1. *Repeat Comment from Review Letter 1:* Sheet A-011 includes the note “Existing 3-story religious institution with licensed preschool (partial change of use)”. The project narrative states “Concurrently, a preschool will be developed on the R-9.6 parcels, within the existing synagogue building, which is permitted outright”. If the licensed preschool exists, what is the change of use? Please provide more information on this, or revise the narrative and plan set for clarity.

Applicant Response: The preschool has been relocated to the building on the commercial parcel. There is no existing licensed preschool. Project narrative and plan set revised for clarity.

Sheet A-011 still includes the note “Existing 3-story religious institution with licensed preschool (partial change of use)”. If there is no existing licensed preschool, please update the plan set to accurately reflect the existing conditions and proposed development.

2. *Repeat Comment from Review Letter 1:* Update the Code Compliance Matrix to include sections MICC 19.02.010(C)(3) for places of worship.
 - a. MICC 19.02.010(C)(3)(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.

Applicant Response: Code Compliance Matrix updated.

Note: there are 82 required parking spaces for the existing worship area per the previous permit drawings, using the same required parking ratio. Original drawing included in the plan set for reference.

Provide documentation of the number of seats in the worship area to determine if the shared parking results in a nonconformity for the worship area.

3. Based on the Code Compliance Matrix for MICC 19.04.040 for parking requirements in the B-Zone, a total of 179 parking spaces are required for the various uses proposed. The plans include only 96 parking spaces across the lots, some of which may not be intended for cooperative parking with the existing synagogue and proposed preschool, K-8 school, and office uses. Please provide a demonstration that the proposed cooperative parking meets the minimum required parking spaces of 179, or provide a written request for the code official, design commission, and city engineer to review for a reduction in the total required spaces by 25 percent. Please also demonstrate that no adverse impact will occur due to the reduced number of parking stalls (MICC 19.04.040(E)).
4. More clearly show the proposed fence and other structures in relation to the multiple use easement on 151560TRCT. MICC 19.02.020(H)(1) requires all structures to be setback at least 5 feet from an easement that does or could afford vehicular access to a property. Fences and other similar improvements may be located within 5 feet if they can be demonstrated to not interfere with emergency vehicle access or sight distance for vehicles and pedestrians. Provide documentation that the fence or other similar improvements will not interfere with emergency vehicle access or sight distance for vehicles and pedestrians if located within 5 feet from the easement.
5. MICC 19.02.020(F)(3)(b)(i) restricts hardscape to 9% of the net lot area. The response in the Code Compliance Matrix indicates that “No net change to hardscape. Any added hardscape areas will be offset by an equal or greater amount of softscape”. Please provide calculations of the following:
 - a. Existing hardscape total
 - b. Proposed hardscape total
 - c. New hardscape
 - d. Removed hardscape
6. The submitted materials do not include responses to the following public comments, linked [HERE](#). Please provide responses to these comments:
 - a. John Hall, dated May 21, 2024
 - b. Matt Goldbach, dated May 21, 2024
 - c. Sarah Fletcher, dated May 18, 2024
7. The associated Transportation Concurrency Certificate (TCC24-004) is currently under peer review with KPG Psomas. Additional comments or corrections may be required as a result of their peer review findings. Once the peer review has been completed, staff will send the comments to the project contact.

8. The associated Design Commission Design Review permit is currently On Hold pending the approval of the Conditional Use Permit. No action is required for DSR24-004 at this time.
9. Please provide a memorandum from the geotechnical professional that explicitly states the proposed site does not contain geologically hazardous areas consistent with those defined in MICC 19.16.010. It appears that the report finds that there **are** landslide hazard areas, seismic hazard areas, and erosion hazard areas that would be mitigated as a result of the proposed development, not that there is an absence of geologically hazardous areas as stated in the criteria compliance matrix. Please provide this information under the associated Critical Area Review 1 application (CAO24-014).

The City's processing of the Conditional Use Permit application has been put on hold until these issues are resolved. Pursuant to MICC 19.15.110, all requested information must be submitted within 60 days or a request for extension requested. The deadline for a complete response or request for extension is January 25, 2025. If a complete response is not received or an extension response has not been received prior to that date, the application will expire and be canceled for inactivity. No additional notification regarding this deadline or expiration of the application will be provided.

Sincerely,



Molly McGuire, Senior Planner
City of Mercer Island Community Planning and Development
molly.mcguire@mercerisland.gov | (206) 275-7712

Responding and Resubmitting: [Click for More Detailed Instructions](#)

1. Reply to all review comments within the review letter.
2. Update your drawings, and any necessary supplemental documents or forms.
3. Upload updated drawings to the [Mercer Island Permit Submittal Portal](#).

Having Trouble? Please Review the Following:

[Accessing, Reviewing, and Responding to MlePlan Comments](#)

[Troubleshooting MlePlan](#)

[MlePlan Overview](#)

Thank you for your participation in the MlePlan review process.