From: Ryan Harriman
To: Molly McGuire
Subject: FW: CUP-24-001 and SEP24-003
Date: Monday, May 20, 2024 7:38:52 AM

Please add this to the public comments.

Thanks!

Ryan Harriman, EMPA, AICP
Planning Manager
City of Mercer Island – Community Planning & Development
206-275-7717 | www.mercerisland.gov
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From: Sarah Fletcher <fletchsa1@gmail.com>
Sent: Saturday, May 18, 2024 2:19 PM
To: Ryan Harriman <ryan.harriman@mercerisland.gov>; Jeff Thomas <jeff.thomas@mercerisland.gov>; John Kenney <John.Kenney@mercergov.org>
Cc: Council <council@mercergov.org>
Subject: CUP-24-001 and SEP24-003

Hello, I have comments and questions with regards to the requested CUP with SEPA review.
I do believe it will have adverse environmental impacts to the mature trees that are on site, including a grove.
For a start, your plan L-200 is missing, so how are we supposed to respond when the information is missing? If you come out with a Record of Decision, but you are going off information which we are not privy to, is that legal? Why did no-one not notice that the plan was missing and especially the City's arborist whose only job it is to make sure that the information in the City arborist report and the plans is correct, which it is not.
I also noticed that in the Davey Report, they have not calculated the trees correctly. On page 3, they have the trees listed as totaling 134, but they only total 129, so now, that Arborist's report needs to be redone with the correct information. And it looks like they are going to clearcut the equivalent of the building footprint.
Come on already, it is time you just stopped allowing mature trees to be cut down at every opportunity. You have the climate Action Plan and you ban the fireworks because of the environmental impact, yet you allow a developer to come in and remove a whole swath of trees. Your CAP is useless.

Second of all, when it comes to your calculations of students, you have 150 K-8 school students and teachers who will be using the new building, you have not mentioned how many people will be using the offices above the school, and in the narrative, the applicant has mentioned that a "preschool will be developed on the R-

9.6 parcels, within the existing synagogue building, which is permitted outright," but what neither the applicant, the City nor the Transpo expert have documented is how many additional students/kindergarteners does the Temple Herzl think will be attending not the K-8 school which is proposed for the 0824059045 property, so the Transpo study needs to be redone to include the 150 students, the teachers/admin staff for the K-8 school, the Temple Herzl congregants, as well as however many preschoolers they think will be attending the school within the Temple building.
And you have completely ignored Temple Herzl's figures. How many congregants can occupy the synagogue? I am sure thousands. And what about should the JCC be allowed to build their education campus which would allow extra parking, but that would be for the JCC and FASP property, nothing about for the Temple Herzl kindergarten/synagogue. It states that for places of worship, they shall provide one parking space for every five seats, and I assume that the parking that is there now, is concurrent for the synagogue. And how can they show "no adverse impacts would occur," of course there would be adverse impacts when people all start parking along East Mercer Way which is already a dangerous roadway. And with regards to traffic volumes, I am sorry, but Transpo's Impact Analysis, something is seriously off.
What I don't understand is how Transpo can say there are LOS Bs (delays) of let's say 20 seconds, but that is per light cycle, and what they have deliberately failed to mention is that there might be about 3 light cycles before one can get from Gallagher Hill onto the I-90 ramp going eastbound and for people coming onto the island from the I-90 westbound, especially in the rush hours morning and afternoon. How on earth did they come up with their LOS?
And what's more, if you look at the Footnote 4, it says "Traffic operations ran in HCM 2000 due to clustered intersection", would you like to explain what they means exactly? And why did Transpo use Highway Capacity Manual, 2000 (from 1997) when there are 2022 HCM Reports, that seems odd? What does it say for HCM 2022?
And with the I-90 Two-Way HOV Project, Mercer Islanders wishing to use the Island Crest Way HOV ramp as SOV drivers, are not allowed to use that HOV ramp, so they have to either drive to the East Mercer Way ramp or to the Island Crest Way ramp. These additional drivers are going to be impacted with any additional conditional use and development at that intersection, not to mention, right now, city staff are not using the Civic Center around the corner, but when they should arrive, that is going to change the amount of drivers at that intersection, so how does Transpo account for those additional drivers?
And if you look at the HCM, under 2.2 Limitation, it has "The **methodology DOES NOT TAKE INTO ACCOUNT the potential impact of downstream congestion on intersection operation**. **NOR does the methodology detect and adjust for the impacts of turn-pocket overflows on through traffic and intersection operation,**" but don't you see, by not taking these things into consideration, they are not giving you a proper assessment for the LOS at the intersection leading to the I-90 eastbound. If they did include the methodology, it obviously would create an impact, so how do you leave this? Just ignore the methodology in the hopes no-one would notice and approve the project? Transpo needs to explain what the repercussions are of not studying the things they mention and why they did not use that methodology.

And it is not the first time that Transpo has "made a mistake and fudged the

numbers," when it comes to actually adding up all the users of the buildings, you have to ask why they would do that? And are they going to redo their analysis and if not, why not? And is the City going to just accept their incorrect figures? And what I don't understand is how did it manage to get through so many staff without them not noticing that the figures were off? What is wrong with you if you do just accept their figures? Since when can someone build a building which will hold over 150 people and not provide parking? I don't believe there is anything about them not only not being allowed that, but not even be permitted to pay a fee-in-lieu of parking, where in the Code does it say that someone can build a building on Mercer Island and not provide one parking bay? I would be interested to see that. And if that is allowed, then the Code needs to be changed immediately.

And with regards to parking, how can they be allowed to build a new building and not provide one parking spot? You will find that at times, the overflow of the JCC and FASP people use the Temple Herzl parking lot, so all this is going to do is make it that there will be so many people needing to park that they will be parking illegally on East Mercer Way, which is not only illegal, but will add to the dangerous sidewalk in which I do not believe there is a sidewalk and I don't see the Temple offering to add a sidewalk (I could be wrong).

And I am thinking of what a precedent this sets. So, if you are going to allow this building for the 150 preschool children, plus who knows how many teachers and admin staff, and for the additional kindergarteners and for the congregants of the Temple Herzl on shabbat and on other Jewish holidays and at funerals, that is not a good precedent because what is stopping anyone from then being allowed to build a new building and to not offer parking? All they can say is that but the Temple Herzl were allowed to do it, so why can't we and what would your answer be?

And then, this is the most stupid thing I have heard of and I am at a loss as to why Ryan Harriman didn't explain to the applicant that there is no way that they can even think of building a 3-story building in which he has the "141 occupants exceed 49, the **limit** of occupants permitted access to only a single exit (Table 1006.2.1)," then if that is the case in which you have over 150 occupants with just one exit, why you want us to tell you that we think that is nuts and shouldn't be allowed, why not, before this comes to the citizens, get it permitted that they don't exceed the 49 limit and why not consult the fire marshall before you come out with the Public Notice of Application and ask him what he thinks? I am a layman and I am sorry, but I don't think that the fire marshall would allow that. Is Ryan afraid to speak out or is it because he is favoring the Temple over neighbors/citizens, in other words, he has a bias towards the Temple? I also don't know what the applicant was thinking. How could they possibly think that the city could approve it knowing that the 49 limit is exceeded and why they are leaving it up to citizens to let them know that it exceeds the limit, it is a waste of everyone's time.

And you might want to do a noise impact study. It is all very well saying that there would not be a noise impact, but what are you basing that statement off of? You see, you have the I-90 freeway and light rail which don't have any barriers, and the trees that are on the Herzl property might act as a bit of a barrier, but you don't know what

the impact will be with a building there instead. You don't know if the noise from the freeway will impact the kindergarteners and the neighbors. It would be prudent to get base decibel readings to measure the current decibels and get an environmental impact study on whether they think the noise levels will be within acceptable limits or not.

And I am sorry, for neighbors who have million dollar homes to have to look at the trash enclosure, that is not on. That is not fair and certainly not being a good neighbor.
And the height for the light poles is 20ft, I take it they won't be asking for a variance for that.

All I ask is that you work with the neighbors and come up with something that is agreeable to all of you and within code and to not keep taking out mature trees and not to have it that neighbors have to overlook trash bins or bright lights and which does not impact the traffic more than it does now and that proper studies and reports are done, the missing plan is found, etc.

Sarah Fletcher