



## CITY OF MERCER ISLAND, WASHINGTON

### Public Works Department

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**9/25/2025**

City of Mercer Island  
Attn: Madelyn Nelson  
9601 SE 36<sup>th</sup> St  
Mercer Island, WA

RE: **SHL25-024 Review Letter 2**; 8790 85<sup>th</sup> Ave SE, Mercer Island, WA 98040

Dear Madelyn Nelson,

This letter is in response to your Review Letter 2 dated 9/23/2025 in which you identify issues that require addressing before the Shoreline Exemption Application can be processed. Please see my responses to each of the items in [blue](#) below:

1. There seems to be hardscape and/or lot coverage proposed north of the sewer pump. As this portion of the project is not preexisting and does not have legal nonconforming status, please ensure it meets the relevant code sections. Per MICC 19.13.050(Table C), 10% of the area between 0-feet and 25-feet from OHWM may be hardscape or lot coverage. Per the same code section, between 25-feet and 50-feet from the OHWM may be 30% hardscape or lot coverage.
  - a. Per MICC 19.16.010, the definition of hardscape clarifies that hardscape does not include solid, hard elements or structures that are covered by a minimum of two feet of soil intended for softscape (for example, a septic tank or detention tank covered with at least two feet of soil and planted shrubs is not hardscape). Please consider all alternatives prior to seeking a Variance.

[The proposed pump station includes two large access hatches, each measuring 5 feet by 11 feet 6 inches, which provide entry to the wet well and valve vault. These hatches must remain at grade to allow safe and efficient maintenance of the sewer utility. In addition, the surrounding area must be constructed as a level, non-yielding surface capable of supporting a fully loaded 30-ton vector truck or crane truck to accommodate routine station cleaning and submersible pump repairs. Providing two feet of soil cover and planted shrubs in this area is not feasible.](#)

- b. If conformance with the standards is impossible for this project, applying for a shoreline variance may be the only option to have the project move forward as proposed. Please review and submit a formal application for a Shoreline Variance if this is the desired avenue. Please see the Permit Form webpage on the City's webpage.

[A shoreline variance permit, criteria compliance narrative, and concurrent review form are provided with this response.](#)

2. MICC 19.13.050(Table C), structures within the 25-foot setback from the OHWM must be less than 30 inches above existing or finished grade, whichever is lower. Please demonstrate the proposed hardscape and lot coverage in the 25-foot setback is 30 inches in height or less.
  - a. Please see above about Shoreline Variance.

Please see response to (b) above.

3. Please demonstrate the plan set complies with the recommendations in the arborist memo, particularly the tree protection fencing. Please provide the Tree Protection Area (2025) graphic from the City of Mercer Island's Tree Protection During Construction webpage on the plan set.

The TESC and Demolition sheet, DWG C02, sheet 3, of the Plans have been updated to reflect the Tree Assessment and Protection Site Plan-TA-01 provided by the arborist and the Tree Protection Area (2025) graphic from the City's webpage.

If you have any questions or require additional information, please contact me. I can be reached at 206-677-1027, or via email at [chris.marks@mercerisland.gov](mailto:chris.marks@mercerisland.gov).

Thank you,



Christopher Marks, P.E.  
City of Mercer Island Utilities Engineer

Attached: Shoreline Variance Permit  
Criteria Compliance Narrative  
Concurrent Review Form  
Plans dated 9.25.2025