Code Compliance Matrix

4001 W Mercer Way

SUB-21-002

Conditions	How Condition Was Completed	City of Mercer Island Response
1. The final short plat for SUB21-002 shall be in substantial conformance with the preliminary plat drawing attached as Exhibit 5.	Yes as demonstrated by the attached Final Short Plat and Topographic Maps.	
2. Expiration of approval – The final short plat shall be recorded prior to the expiration deadline set forth in Chapter 19.15 MICC – Administration.	Owner plans to record short plat in the near future, likely in excees of 4 years before expiration.	
3. Park and transportation impact fees shall be paid at the issuance of each building permit unless deferral of payment is sought pursuant to 19.18.060 or 19.19.060. Impact fees are not subject to vesting and the amount paid will be the impact fee amount in effect at the time of payment.	Noted, but not applicable at this time as no building permits are being submitted.	
4. Show all the existing and proposed easements on the final plat. Clearly distinguish all public easements from the private easements. The private utility easement and public utility easement shall not be combined.	See Sheet 3 of 4 on the Final Short Plat Map for "private" easements labled.	
5. Easements for utilities and storm drainage facilities shall be depicted on the face of the Final Plat. Language which indicates joint rights and responsibilities of each lot with respect to all utilities and roadways shall be shown along with individual lot Joint Maintenance Easement Agreements (where applicable) for all shared usage and filed with the King County Recorder and noted on the final plat. The easement notation shall indicate whether the easement is public or private, existing or proposed.	Note added to Sheet 3 of 4 of the Final Short Plat Map for responsibility.	
6. The Final Plat shall be prepared in conformance with Title 58 RCW and Surveys shall comply with Chapter 332-130 WAC. Submit using Mercer Island's datum and tie the plat to at least two monuments.	City monument #1077 and #7999 are on Sheet 3 of 4 of the Final Short Plat Map.	
7. A City of Mercer Island title block for approval signatures (Planner and City Engineer) shall be provided on the final plat along with the designated short plat number.	Added on Sheet 1 of 4 of the Final Short Plat Map.	

8. Construction of all improvements for access (except the shared access between 4001 W. Mercer Way and 4007 W. Mercer Way), utilities, all storm drainage system (conveyance system and onsite detention system), and all site work shall be completed as part of future building permits for individual lots. The requirements will be based on the City ordinances, regulations, and requirements of the City Engineer established at the time of application for future building permits.	Construction for access, utilities and storm draiange bewtween 4001 W Mercer Way and 4007 W Mercer way is completed. Conditions for additional/future improvments is understood.	
9. The private shared access between 4001 W. Mercer Way and 4007 W. Mercer Way shall be completed prior to plat recording. A Site Development Permit for constructing the shared access and the storm drainage system associated with the private shared access are required for the city approval. construction bond (150% of the construction cost) for the shared access and storm drainage system associated with the shared access are required prior to issuance of the permit. All construction must be completed prior to submit the final plat.	All construction as described has been completed and approved to the City of Mercer Island. As-built drawings showing completed improvments are included with the short plat final submittal.	
10. The Applicant shall ensure that all work performed on the subject property, in relation to the proposed development, is executed in accordance with the recommendations provided by Cobalt Geosciences, LLC, the Applicant's geotechnical engineer (Exhibit 10). Cobalt Geosciences, LLC shall be on site to monitor site grading, erosion control, foundation drainage placement, excavations, fill compaction, and soil bearing in footing areas. All recommendations in the geological engineering report shall be incorporated into the final design drawings and construction specifications.	Colbalt Geosciences, LLC made numerous site visits between 2024 and 2025 as noted in letters from Colbalt Geosciences, LLC that have all been uploaded to the City portal. They observed various aspects of the rockery construction such as confirming keyway excavations were in firm bearing native soils, drainage placement, angular rock placement, boulder placement and batter, and final completion of grading. The driveway was compacted in the proper lifts with a Bomag compactor. In addtion Colbalt Sciences, LLC mad e a site visit on February 10, 2025 to confirm that the disturbed soil for the project were amended to the required 8 inch depth as noted in DOE BMP T5.13 specifications. All planting beds have been mulched to a minimum of 6 inches. This Soil Certification has also been uploaded to the City portal.	

11. The tree protection plan shall be submitted during building review. No further tree removal will be allowed unless it is justified under MICC 19.10.060.A. Showing tree protection fencing at the Arborist stated tree protection zone (TPZ).	Tree protection drawing was included and approved as part of the building review process.	
12. The Project Arborist shall be on site and in control of any excavation or grading within trees dripline. They will document and clean cut any root over 1-inch in diameter that needs to be removed. Call this out on Tree Plan during building review.	The project arborist made numerous site visits to observe activities within tree driplines during the removal of the existing driveway asphalt, brick walls and carport and did not note any concerns with said activities.	
13. A replanting plan shall be provided at the time of building permit review. At least half of the trees need to be Pacific Northwest native. The trees need to be at least 10-feet apart from each other, structures, fences and utilities. If you can show no room exists on site for all the required trees, the remainder can be a fee in lieu if requested. The fee in lieu will consist of a payment of $919 per tree, plus two hours of staff maintenance, for any tree that cannot be planted at least 10-feet away from each other, existing trees and infrastructure such as fences. The replanting/fee in lieu plan will be required at the building plan application. Very little room appears on site for replanting and no opportunity in the right of way. It will follow the requirements described in MICC 19.10.070.	There were 6 native trees matching the planting requirements were planted on Lot A. Additionally, 2 native trees matching the planting requirements were planted on Lot B. These trees were planted pursuant to the approved plans and said trees are in good condition as noted in the Replanting Report provided by DaveyTree Company dated March 31, 2025. Said report has been uploaded to the City portal.	
14. The right of way restoration area shall be fenced off with no parking. This is in the area of tree 1. Tree 1 has been removed by the city, and replacement trees have been planted.	This right of way area was fenced off with no parking signs. This fencing and signage was removed after the project was completed.	
15. Tree protection chain link fence shall be shown during building plan review. In the area labeled CRZ on the subdivision site plan. This protection will be at the greatest extent possible and described in the Arborist Report. The tree protection fence shall be 6-feet chain-link fence secured into the ground. This will be called out on the Tree Plan during building review .	Tree protection fencing was shown duing building plan review on the Tree Plan.	
16. Include the following conditions to the face of the final plat:		

a. Maintenance and repair of joint use side sewers (sewer lines from the building to the City sewer main), shared roads, access easements, storm drainage facilities shall be the responsibility of the owners of each lot served (with the exception that owners of any lot which is lower in elevation shall not be responsible for that portion of a private side sewer above their connection.) In the event that maintenance and repair of any facilities enumerated above are not performed to the satisfaction of the City Engineer, after a timely demand has been made for such action, the City or its agent shall have the right to enter upon the premises and perform the necessary maintenance and repair to protect the safety and general welfare of the public and shall have the right to charge the owner of each lot an equal share of the total maintenance and repair costs. The City or the owner of any lot within this Short plat shall have the right to bring action in Superior Court to require any maintenance or repair and to recover the costs incurred in making or effecting repairs to improvements.	Added.	
b. The monitoring, cleaning, maintenance and repair of storm drainage systems in accordance with City Ordinance No. 95C-118 is required for all lot owners within this Plat to control stormwater runoff and control erosion and flooding downstream. All costs related to stormwater runoff control shall be borne by the owners of each lot in equal share. This obligation shall be recorded separately with each individual lot sale and shall travel with the land.	Added.	
c. All staging for construction shall occur on site and shall not be located in the public right-of-way.	All staging took place on-site during the construction.	

d. Prior to the issuance of a building permit, each application shall be accompanied with a temporary erosion and sedimentation control plan, clearing and grading plan, access and utility service plan, a landscape plan (which shall identify existing vegetation to be retained, limits of all clearing and grading), and a schedule for the construction. The Applicant's Civil Engineer, experienced in soils geology and mechanics, shall review the proposed site and building construction and provide recommendations that will limit site disturbance, minimize risk of soils movement, evaluate site slope stability and define materials and construction practices for the work. The Building Official may require that the Engineer be present during construction, monitor the work, and recommend special techniques or mitigating measures. The costs associated with the Engineer's monitoring and mitigation measures shall be borne by the Applicant.	Project was approved and completed to the satisfaction to the Building Official.	
e. No permanent landscaping, structures, or fences shall be placed on or within public utility or storm drainage easements without the written approval of the City Engineer. If in the opinion of the City Engineer, utilities or storm drainage facilities require maintenance, repair or replacement, the City or its agent shall have the right to enter those lots adjoining the facility for the purpose of maintaining, repairing, relocating or replacing said facilities. Lot owners shall be responsible for the restoration of any private improvements or landscaping within said easements.	No permanent landscaping, structures or fences were installed within public utility or storm drain easements.	
f. Installation of landscaping and/or structures including trees, shrubs, rocks, berms, walls, gates, and other improvements are not allowed within the public right-of-way without an approved encroachment agreement from the City prior to the work occurring.	No such elements were installed within the public right-of-way.	
g. The plan showing numbered retained trees and building pad will be recorded as part of the plat. This plan should be the same or consistent with the Preliminary Tree Plan.	Sheet 8 of building review plan set shows trees to be retained.	

h. No tree identified for retention may be removed unless otherwise approved by the City Arborist.	No such trees were removed.	
i. All building permits are subject to meeting current fire code requirements at the time of permit submittal. Access shall be provided as outlined in the International Fire Code Appendix D and MICC 19.09.040. Fire plan reviews will be conducted at time of building permit submittal and may require additional fire protection systems and/or additional fire prevention measures for building approval.	Access meets fire code and was approved by the fire department prior to building approval.	
j. This request does not guarantee that the lots will be suitable for development now or in the future. The legal transfer of the property must be done by separate instrument unless all lots herein are under the same ownership.	All lots are currently under the same ownership.	
k. At building permit application, the Applicant shall pay school, park, and transportation impact fees based on the fee schedule in place at the time of application. A credit shall be applied for any dwelling unit that exists on the land within the subdivision prior to the subdivision if the dwelling unit is demolished. The credit shall apply to the first complete building permit application submitted to the city subsequent to demolition of the existing dwelling unit, unless otherwise allocated by the Applicant of the subdivision as part of approval of the subdivision.	Applicant paid all necessary permit fees before obtainign the building permit.	