



STAFF REPORT AND RECOMMENDATION

Design Standard Review (DSR25-013)

Conditional Use Permit (CUP26-001)

Project Number:	DSR25-013 and CUP26-001	
Project Name:	Encounter Church Improvements Project	
Review Type:	Type IV	
Description:	A request for Design Standard Review and Conditional Use Permit (CUP) for the addition and remodel of the Encounter Church. The scope includes the expansion of the existing Narthex, interior remodel and exterior renovation. The new addition relies on the approval of a CUP for the use of the parcels zoned MF-2 as a place of worship.	
Applicant/Owner:	Brad Austin (Urbal Architecture) / Susan DaPron (Encounter Eastside Church)	
Address:	3200 78 th Ave SE, Mercer Island, WA 98040 Identified by King County Assessor tax parcel numbers: 5459000460, 5459000456	
Zoning Designation:	Multiple Family (MF-2)	
Staff Contacts:		
Key Project Dates:	Date of Application:	January 29, 2026
	Determined to be Complete:	April 1, 2026
	Notice of Application Bulletin Published:	April 6, 2026
	Notice of Application Mailed:	April 6, 2026
	Notice of Application Posted on Site:	April 6, 2026
	Comment Period Ended:	5:00 PM on May 6, 2026
	Notice of Public Hearing Bulletin Published:	July 27, 2026
	Notice of Public Hearing Mailed:	July 27, 2026
	Notice of Public Hearing Posted on Site:	July 27, 2026
	Date of Open Record Public Hearing:	September 2, 2026
Exhibits:	1. Staff Report, dated September 2, 2026 2. Development Application for Design Review, received by the City of Mercer Island on September 8, 2025 3. Development Application for Conditional Use Permit, received by the City of Mercer Island on January 29, 2026 4. Development Plan Set, dated May 7, 2026 5. Design Standard Review Project Narrative, dated September 8, 2025 6. Conditional Use Permit Project Narrative, dated March 24, 2026 7. Determination of Complete Application for DSR25-013, issued by the City of Mercer Island on October 8, 2025 8. Determination of Complete Application for CUP26-001, issued by the City of Mercer Island on April 1, 2026 9. Notice of Application, issued by the City of Mercer Island on October 13, 2026 10. Notice of Application, issued by the City of Mercer Island on April 6, 2026	

11. Review Letters, issued by the City of Mercer Island;
 - 11.1 DSR25-013 Review Letter 1, dated October 29, 2025;
 - 11.2 DSR25-013 Review Letter 2, dated November 18, 2025
 - 11.3 DSR25-013 Review Letter 3, dated February 4, 2026;
 - 11.4 DSR25-013 & CUP26-001 Review Letter 1, dated April 14, 2026;
12. Public Comment from Emmeline Aquino (King County Wastewater Treatment Division), received May 1, 2026
13. Public Comment Response Letter, dated May 7, 2026
14. Notice of Public Hearing, issued by the City of Mercer Island on July 27, 2026
15. Affidavit of Posting for the Notice of Public Hearing, completed July 27, 2026
16. SEPA Checklist, dated September 3, 2025
17. SEPA Determination of Nonsignificance for SEP25-015, issued by the City of Mercer Island on June 1, 2026
18. Ordinance 25C-11, which went into effect on June 30, 2025.

I. APPLICATION OVERVIEW

1. Project Overview: The applicant has applied for design review for the proposed remodel and renovation work to the existing Encounter Church building in addition to the expansion of the Narthex, or lobby space, adjacent to the Sanctuary. The scope of the remodel includes interior renovation work, including replacement of interior finishes, addition of new restrooms, reconfiguration of interior walls and rooms, structural modifications as required, replacement of interior lighting fixtures and reconfiguration of the main stage. The general exterior renovation work includes refinishing the existing brick veneer and wood siding, infill of existing window openings, and replacement of the northern patio.

Pursuant to MICC 19.15.220(C)(1)(c)(i)(b) &(c), any additions of gross floor area to an existing building or any alterations to an existing building that result in a change of 50 percent, or more, of the exterior surface area require review by the Design Commission.

On June 17, 2025, the City Council adopted Ordinance 25C-14. This ordinance amended Chapter 3.34 MICC, dissolved the Design Commission, and re-assigned all quasi-judicial duties from the Design Commission to the Hearing Examiner. Ordinance 25C-14 did not change the procedural requirements for design review; instead, decision-making authority for quasi-judicial design review now rests with the Hearing Examiner.

The applicant is proposing to permit the existing legally-nonconforming use as a place of worship on a property zoned MF-2 through a conditional use permit. A place of worship is permitted use in zone MF-2 when authorized by the issuance of a condition use permit pursuant to MICC 19.02.010(C)(3). the existing legal-nonconformance is further discussed in the Background section.

2. Location: The subject property is located at 3200 78th Ave SE (King County parcel numbers 5459000460, 5459000456), in the City of Mercer Island, King County, WA 98040.
3. Access: Access to the subject property is from the west off of 78th Ave SE.
4. Existing Conditions: The proposed addition would be located on parcel number 5459000460, which is currently developed with the existing church, landscaping, and a parking lot. The existing parking lot expands on to parcel number 5459000456.
5. Background: Based on aerial imagery the existing church (previously the Mercer Island Covenant Church) was constructed prior to 1963. The existing sanctuary on parcel 5459000460 was permitted in May of 1973 (Building Permit #73-179). After July 1975, the development standards

were revised to require a conditional use permit for a church use in a multi-family zone, making the existing use legally nonconforming. Pursuant to MICC 19.01.050(H)(3), legal nonconforming uses shall not be expanded or enlarged, expansion includes increasing the size of the structure which in which the use occurs. The proposed addition to the Narthex will result in the loss of the legally nonconforming use and requires a CUP to bring the existing use into conformance with all applicable provisions of the MICC.

6. Vesting: On June 17, 2025, the City Council adopted Ordinance 25C-11, which amended the MICC to comply with House Bill 1293, requiring locally adopted design standards to be “clear and objective.” This Ordinance went into effect on Jun 30, 2025. On November 18, 2025, the City Council adopted Ordinance 25C-27, which amended Chapter 19.12 MICC and repealed Ordinance 25C-11. Ordinance 25C-27 went into effect on December 31, 2025. The Design Standard Review application for the proposed development was submitted on September 8, 2025, and determined to be complete on October 10, 2025 (**Exhibit 6**). Pursuant to MICC 19.15.170(B), the department’s issuance of a letter of completion causes an application to be conclusively deemed to be vested. Land use reviews that are subject to the provisions of MICC 19.15.170 shall be considered under the zoning and land use control ordinances in effect on the date of complete application; therefore, DSR25-013 shall be reviewed for compliance with the updates to Chapter 19.12 MICC, development and design standards for zones outside the Town Center found in Ordinance 25C-11, which went into effect on June 30, 2025 (**Exhibit 18**).

7. Contact Information:

Project Contact:	Applicant:
Brad Austin Urbal Architecture 1938 Fairview Ave, Suite 202 Seattle, WA 98102 brada@urbalarchitecture.com (206) 676-5634	Susan DaPron Encounter Eastside Church 3200 78 th Ave SE Mercer Island, WA 98040 susandapron@msn.com (206) 941-4104

8. Terms Used:

Term:	Refers to, unless otherwise specified:
Applicant	Brad Austin (Urbal Architecture) / Susan DaPron (Encounter Eastside Church)
Proposed development	Encounter Church Improvements Project
Subject property, site	The subject property or site where the proposed development is located as defined in this staff report
City	City of Mercer Island
MICC	Mercer Island City Code
Code Official	City of Mercer Island Community Planning and Development Director or a duly authorized designee
CUP	Conditional Use Permit
DSR	Design Standard review

II. PROCEDURE AND NOTICE REQUIREMENTS

1. Review Type: Applications for Hearing Examiner Design Standard Review (DSR) and Conditional

Use Permit (CUP) approvals are both required to be processed as a Type IV land use review pursuant to MICC 19.15.030. Type IV land use reviews require a notice of application, a 30-day public comment period, and a notice of decision. Processing procedures and requirements for Type IV land use reviews are further detailed in MICC 19.15.030. DSR approval criteria for development in zones outside the Town center are located in Ch. 19.12 MICC. CUP approval criteria are located within MICC 19.06.110(A) and place of worship conditions are located within MICC 19.02.010(C)(3).

Staff Finding: The applications for the proposed development were correctly classified and processed as Type IV land use reviews.

2. Application: The application for the Design Review (**Exhibit 2**) was submitted on September 8, 2025, and determined to be complete on October 10, 2025 (**Exhibit 7**). The application for the CUP (**Exhibit 3**) was submitted on January 29, 2026. On April 1, 2026, the application for the proposed development was deemed complete for the purpose of review, pursuant to MICC 19.15.070 (**Exhibit 8**).

Staff Finding: The application for the proposed development is consistent with the procedures of MICC 19.15.070.

3. Notice of Application: The City issued a notice of application or the Design Review application DSR25-013 and SEPA Review SEP25-015 on October 13, 2025 (**Exhibit 9**). When the application for the CUP was received, the City re-issued a notice of application for proposed development on April 6, 2026, consistent with the provisions of MICC 19.15.090, which include the following methods: a mailing sent to the neighboring property owners within 300-feet of the subject property; a notice sign posted on the subject property visible from the public right-of-way; publication in the City's weekly permit bulletin; and made available to the general public upon request. The notice of application began a 30-day comment period, which took place on April 6, 2026, through May 6, 2026 (**Exhibit 10**).

Staff Finding: The Notice of Application and comment period are consistent with the provisions of MICC 19.15.090.

4. Preliminary Plan Set: The applicant provided a preliminary plan set (**Exhibit 4**) for the proposed development.
5. Opportunities for Public Comment: The 30-day public comment period took place on April 6, 2026 through May 6, 2026.

Staff Finding: One public comment was received during the public comment period (**Exhibit 12**).

6. Response to Public Comment: The applicant provided a response to the public comment received during the public comment period, contained in **Exhibit 13**.
7. State Environmental Policy Act (SEPA) Review: A Determination of Non-Significance (DNS) was issued on June 1, 2026 (**Exhibit 17**).
8. Public Hearing: Pursuant to MICC 19.15.030 Table D, a public hearing is required for both DSRs and CUPs. A Notice of Public Hearing (**Exhibit 14**), for the September 2, 2026, public hearing, was provided to the public as required by MICC 19.15.100(D) on July 27, 2026.

Staff Finding: The public hearing was noticed appropriately pursuant to the provisions of MICC 19.15.100 (**Exhibit 14**).

III. ZONING AND COMPREHENSIVE PLAN DESIGNATIONS

1. Site Zoning and Land Use: The subject property is zoned Multiple Family, MF-2, per MICC 19.01.040 and the City's zoning map. According to MICC 19.03.010(C)(1), any uses permitted in zones R-8.4, R-9.6, R-12, and R-15 are permitted in zone MF-2. According to MICC 19.02.010(C)(3), places of worship are permitted when authorized by the issuance of a CUP, subject to listed conditions.
2. Comprehensive Plan Policies: City of Mercer Island Comprehensive Plan is a forward-looking plan for the development of the City, fulfilling the Washington Growth Management Act (GMA)

requirements. The subject property is zoned MF-2 and the use is consistent with the MICC. The proposed development conforms to the MICC, which ultimately means it complies with the comprehensive plan since the City’s development regulations have been created to ensure the vision of the plan is met. The proposed development is consistent and compatible with the Multiple Family (MF-2), land use designation and the following goals and policies of the City of Mercer Island Comprehensive Plan: Planning for Generations 2024-2044, adopted in 2024:

- a. Land Use Policies, Goal 7.1: Preserve the neighborhood character in residential zones. For the purpose of implementing this element, neighborhood character only refers to the form, bulk, scale, and intensity of the built environment.
 - b. Land Use Policies, Goal 7.4: Social and recreation clubs, schools, and religious institutions are predominantly located in single-family residential areas of the Island. The City may consider measures within the land use code to address the maintenance, updating, and renovation of these facilities, while ensuring compatibility with surrounding neighborhoods. Such facilities contribute to the mental, physical, and spiritual well-being of Mercer Island residents. Land use decisions should balance the retention of these facilities with overall community planning and zoning regulations.
 - c. Land Use Policies, Goal 7.5: Encourage compatible uses such as education, recreation, open spaces, government, social services, and religious activities.
3. Adjacent Zoning and Comprehensive Plan Designations: The proposed development is compatible with the surrounding zoning and Comprehensive Plan designations as follows:

	Zoning Designation	Comprehensive Plan Designation
North	TC	Town Center – TC
South	MF-2	Multifamily Residential – MF-2
East	MF-2	Multifamily Residential – MF-2
West	P	Park – P

IV. CONSISTENCY WITH APPLICABLE DEVELOPMENT STANDARDS IN THE MULTIPLE FAMILY (MF-2) ZONE

1. MICC 19.03.010(A). *Design requirements.*

- a. Any development within the MF-2L or MF-2 zones shall comply with chapter 19.12 MICC, Design standards for zones outside Town Center.

Staff Finding: The applicant has applied for design standard review for compliance with chapter 19.12 MICC.

2. MICC 19.03.010(C) *Uses permitted in zone MF-2.*

- a. Any uses permitted in zones R-8.4, R-9.6, R-12, and R-15.

Staff Finding: According to MICC 19.02.010(C)(3), places of worship are a permitted use in zones R-8.4, R-9.6, R-12, and R-15 when authorized by the issuance of a CUP.

3. MICC 19.03.010(E). *Building height limit.*

- a. (1) MF-2, MF-3: No building shall exceed 36 feet or three stories in height, whichever is less, except appurtenance may extend to a maximum of five feet above the height allowed for the main structure.

Staff findings: The proposed Narthex expansion is a single level addition and would be

approximately 19 feet in height (**Exhibit 4, sheet DR3.1**).

4. MICC 19.03.010(G). *Yard requirements*. Except as provided elsewhere in this section, each lot shall have front, side and rear yards not less than the depths or widths following or as approved by the design commission:
 - a. (1) Front yard depth: 20 feet.
 - b. (2) Rear yard depth: 25 feet
 - c. Side yard depth: 20 feet provided the side yard depth may be reduced to ten feet when adjacent to an MF, B, CO, PBZ, or TC zone.

Staff findings: The existing building meets the required yard setbacks, and the proposed expansion would not result in a reduction of any existing yard (**Exhibit 4, sheet DR1.00**).

5. MICC 19.03.010(H). *Lot coverage*. Except as otherwise provided in this section, not more than 35 percent of any lot shall be covered with structures. For townhouse developments, the lot coverage on an individual townhouse lot can exceed 35 percent provided that not more than 35 percent of the entire development site is covered with structures.

Staff Finding: The proposed area covered by the structure, including the 1,180 SF addition, is approximately 32.54% of the lot area.

V. CONSISTENCY WITH APPLICABLE DESIGN STANDARDS FOR ZONES OUTSIDE TOWN CENTER (ORDINANCE 25C-11, Exhibit 18)

1. MICC 19.12.010 – General.

- a. MICC 19.12.010(A) *Applicability*. This chapter establishes design standards for regulated improvements in all zones established by MICC 19.01.040, except Town Center. Design standards for Town Center are set forth in chapter 19.11 MICC. These standards are in addition to any other standards that may be applicable to development in the zone in which the development occurs. In the PBZ, the terms of the PBZ site plan as set forth in MICC 19.04.010 shall control; provided, to the extent not inconsistent with MICC 19.04.010, the provisions of MICC 19.12.010 [excluding (D)(2)(b) and (c)], 19.12.030, 19.12.060, 19.12.070 and 19.12.080 shall apply. These design standards are not intended to slow or restrict development, but to add consistency and predictability to the permit review process.

Staff Findings: The subject property is located in zone MF-2 and the project is for a regulated improvement. Compliance with other standards that are applicable to the development in this zone is analyzed in Findings IV, above.

2. MICC 19.12.010(G) *Changes of use and tenant improvements*. It is the property owners' and tenants' responsibility to ensure compliance with applicable development regulations when a change of use and/or a tenant improvement occurs.

Staff Findings: This standard is included as a recommended condition of approval to ensure compliance with applicable development regulations when a change of use and/or a tenant improvement occurs.

3. MICC 19.12.030 - *Building design and visual interest*.

- a. MICC 19.12.030(B) *Standards*.
 - i. Reserved.
 - ii. *Building facades – Visual interest*.

1. *Facade modulation.* As set forth in subsection 2(b) below, building facade modulation shall break up the overall bulk and mass of the exterior of buildings and structures.
2. *Modulation guidelines.*
 - a. Building facade modulation should must occur at no less than every 50 feet of wall length. Building façade modulation must occur every 25 feet of wall length along any facade visible from the public right of way. Building façade modulation must utilize at least three of the following elements:
 - b. Window fenestration patterns and/or entries;
 - c. Use of vertical piers/columns;
 - d. Change in roofline;
 - e. Change in building material or siding style;
 - f. Vertical elements such as a trellis with plants, green wall, art element; or
 - g. Vertical building modulation of at least 12 inches in depth if tied to a change in roofline modulation or a change in building material, siding style, or color.

Staff Findings: The façade of the Narthex expansion is less than 50 feet in width; therefore modulation is not required on the expansion. To provide modulation along the entire Church Façade, the exterior wall of the expansion utilizes vertical columns and a change in siding incorporating curtain walls as well as creating a change in roofline that creates different intervals of modulation for the entire façade of the existing structure.

3. *Ground level facades.* Untreated blank walls at the ground level that may be visible from a public right of way view are prohibited. One of the following features must be provided every fifteen horizontal feet of ground-level wall visible from a public right of way:
 - a. Display windows at least 16 inches of depth to allow for changeable displays. Tack on display cases shall not qualify as a blank wall treatment.
 - b. A landscape planting bed at least five feet wide or a raised planter bed at least two feet high and three feet wide in front of the wall with planting materials that are sufficient to obscure or screen at least sixty (60) percent of the wall's surface within three years.
 - c. A vertical trellis in front of the wall with climbing vines or plant materials. The vertical trellis must be designed to cover at least sixty (60) percent of the wall within three years of planting.
 - d. A mural covering at least sixty (60) percent of the blank wall space. A mural that meets the definition of a sign established in Chapter 19.16 MICC is also subject to the sign regulations in MICC 19.12.080.

Staff Findings: The applicant's proposal utilizes option 3(b) listed above. The ground level façade on the northern side of the church that is visible from the public right of way is almost entirely a glass curtain wall which provides visual interest for the nearby public and those entering the church. There will be planting beds, approximately 8 feet in width, on either side of the new northern entrance incorporating feature (b) above (**Exhibit 4, sheet L002**). The new entrance on the southern side of the church will also have a planting bed approximately 14 feet in width to the left of the new entrance, incorporating feature (b) above (**Exhibit 4, sheet L002**).

iii. Materials and colors.

1. Beveled metal siding, mirrored glass, and vinyl siding are prohibited.
2. Concrete walls. Concrete walls must be architecturally treated with one of the following features: textured concrete such as exposed aggregate, sand blasting, stamping, or color coating.

Staff Findings: The proposed development does not include the use of beveled metal siding, mirrored glass, vinyl siding or concrete walls.

iv. Building entrances.

1. *Architectural features and design.* A primary entrance must be identified on the site plan submitted with any application for construction of a new building. The primary entrance must be made visually distinct from the rest of the building facade through using at least one of the following architectural features: recessed entrances, roof forms that protrude from the building facade, decorative awnings, canopies, porte-cocheres, or covered walkways.

Staff Findings: The Narthex is the existing primary building entrance to the Church. The proposed Narthex expansion will incorporate glass curtain walls, and a large roof overhang making the proposed entrance visually distinct from the rest of the building.

2. *Entrance connections.* The primary entrance to a building must be visible from the public way or physically connected to the public right of way with walkways.

Staff Findings: The new Narthex entrance would be visible from 78th Ave SE and physically connected to the right of way through the parking lot.

v. Rooflines.

1. Roofline variation, numeric standard. Roof line variation shall occur at a minimum rate of one variation per 50 feet in of roof line length on all multifamily structures, and one variation per 70 feet of roof line on all commercial, office or public structures. Roof line variation shall be achieved using one or more of the following methods:
 - a. Vertical off-set ridge or cornice line;
 - b. Horizontal off-set ridge or cornice line;
 - c. Variations of roof pitch between 5:12 and 12:12;

- d. Roofline features such as dormers, stepped roofs, and gables;
- e. Vertical dimensions, such as multi-planed and intersecting rooflines; or
- f. Flat-roofed designs that include architectural details such as cornices and decorative facings.

Staff Findings: The proposed Narthex expansion is less than 70 feet in length so roofline modulation is not required. The proposed roofline does provide visual interest and variation compared to the existing church structure. The low slope roof has an overhang of approximately 7 feet to reduce the perceived building height and mass.

VI. RECOMMENDED CONDITIONS OF APPROVAL FOR DSR25-013

1. The project shall be in substantial conformance with (**Exhibit 4**) and all applicable development standards contained within Mercer Island City Code (MICC) Title 19.
2. The applicant shall obtain any permits from state and federal agencies that are applicable to this project. The applicant is also responsible for documenting any required changes in the project proposal due to conditions imposed by any applicable local, state, and federal government agencies.
3. The applicant shall apply for and obtain all required City of Mercer Island permits, including but not limited to a Building Permit for construction of this project proposal.
4. Pursuant to MICC 19.12.010(G), it is the property owners' and tenants' responsibility to ensure compliance with applicable development regulations when a change of use and/or a tenant improvement occurs.

VII. CONSISTENCY WITH CONDITIONAL USE PERMIT APPROVAL CRITERIA

1. MICC 19.06.110(A) lists criteria for approval of Conditional Use Permits.
 - A. *Purpose.* A use may be authorized by a conditional use permit for those uses listed in chapters 19.02 and 19.11 MICC. The intent of the conditional use permit review process is to evaluate the particular characteristics and location of certain uses relative to the development and design standards established in this title. The review shall determine if the development proposal should be permitted after weighing the public benefit and the need for the use with the potential impacts that the use may cause.
 - B. *Criteria for conditional use permits that are not located in Town center.* An applicant must demonstrate how the development proposal meets the following criteria:
 - a. The permit is consistent with the regulations applicable to the zone in which the lot is located.

Staff Finding: Per MICC 19.02.010(C)(3), places of worship are permitted in the R-9.6 zoning designation subject to the authorization of a conditional use permit (and associated conditions) and are therefore permitted in zone MF-2 per MICC 19.03.010(C)(1). Pursuant to Staff Findings in Section IV, the proposed development is consistent with the regulations applicable to the zone in which the lot is located; therefore, this criterion is met.
 - b. The proposed use is determined to be acceptable in terms of size and location of site, nature of the proposed uses, character of surrounding development, traffic capacities of adjacent streets, environmental factors, size of proposed buildings, and density.

Staff Finding: The use of the property as a place of worship will not change. The existing use continues to be acceptable in terms of the nature of the use and character of the surrounding development. The most significant change to the site would be the

addition of the Narthex, which will remodel the existing entrance to the church. The applicant submitted a Transportation Concurrency application (TCC26-001) which showed the addition will result in 6 new net vehicle trips. A traffic impact analysis is not required for development proposals that generate less than 10 new vehicle trips per MICC 19.20.030(D). The applicant also submitted a SEPA Review application, a Determination of Non-Significance (DNS) was issued on June 1, 2026 (**Exhibit 17**).

- c. The use is consistent with policies and provisions of the comprehensive plan.

Staff Finding: The proposed development is consistent with the following policies and provisions of the comprehensive plan:

1. V. Land Use Policies, Goal 7.1: Preserve the neighborhood character in residential zones. For the purpose of implementing this element, neighborhood character only refers to the form, bulk, scale, and intensity of the built environment.
 2. V. Land Use Policies, Goal 7.4: Social and recreation clubs, schools, and religious institutions are predominantly located in single-family residential areas of the Island. The City may consider measures within the land use code to address the maintenance, updating, and renovation of these facilities, while ensuring compatibility with surrounding neighborhoods. Such facilities contribute to the mental, physical, and spiritual well-being of Mercer Island residents. Land use decisions should balance the retention of these facilities with overall community planning and zoning regulations.
 3. V. Land Use Policies, Goal 7.5: Encourage compatible uses such as education, recreation, open spaces, government, social services, and religious activities.
- d. Conditions shall be attached to the permit assuring that the use is compatible with other existing and potential uses within the same general area and that the use shall not constitute a nuisance.

Staff Finding: Recommended conditions of approval have been included below.

VIII. CONSISTENCY WITH CONDITIONAL USE PERMIT CRITERIA IN SINGLE-FAMILY ZONES

1. MICC 19.02.010(C) permits certain uses when authorized by the issuance of a conditional use permit when the applicable conditions set forth in the section and in MICC 19.15.040 have been met.

- a. MICC 19.02.010(C)(3) Places of worship subject to the following conditions:

- i. All structures shall be located at least 35 feet from any abutting property.

Staff Finding: The existing structure is more than 35 feet from any abutting property (**Exhibit 4, sheet DR1.00**).

- ii. 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.

Staff Finding: The existing 62 parking spaces serve 275 seats in the existing Sanctuary providing at least one parking space for every 5 seats. No expansion to the existing Sanctuary is proposed.

IX. RECOMMENDED CONDITIONS OF APPROVAL FOR CUP26-001

1. The project shall be in substantial conformance with (**Exhibit 4**) and all applicable development standards contained within Mercer Island City Code (MICC) Title 19.
2. The applicant shall obtain any permits from state and federal agencies that are applicable to this project. The applicant is also responsible for documenting any required changes in the project proposal due to conditions imposed by any applicable local, state, and federal government

agencies.

3. The applicant shall apply for and obtain all required City of Mercer Island permits, including but not limited to a Building Permit for construction of this project proposal.
4. Pursuant to MICC 19.12.010(G), it is the property owners' and tenants' responsibility to ensure compliance with applicable development regulations when a change of use and/or a tenant improvement occurs.
5. Pursuant to MICC 19.02.010(C)(3)(i), all structures shall be located at least 35 feet from any abutting property.
6. Pursuant to MICC 19.02.010(C)(3)(ii), 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.

X. DEVELOPMENT REGULATION COMPLIANCE – DISCLOSURE

1. Compliance with all local, state, and federal regulations is required.
2. Per MICC 19.15.200, revisions that result in substantial changes, as determined by the code official, shall be treated as a new application for purposes of vesting. "Substantial change" includes the creation of additional lots, the elimination of open space, substantial changes in access, or changes to conditions of approval. Additionally, the need for the modification was not known and could not have been reasonably known before the approval was granted.
3. Per MICC 19.15.150, land use review approvals shall expire three years from the date of notice of decision if the development proposal authorized by the land use review is not commenced. For the purposes of this section, the development proposal shall be considered established if construction or substantial progress toward construction of a development proposal for which a land use review approval has been granted must be undertaken within two years of the date of notice of decision of the land use review. Where no construction activities are involved, the use or activity shall be commenced within three years of the date of notice of decision of the land use review.

XI. RECOMMENDATION

DSR25-013 (Design Standard Review): The Hearing Examiner **APPROVE WITH CONDITIONS** the Encounter Church Improvements Project – Design Standard Review, DSR25-013 as the Applicant has demonstrated that the criteria enumerated within **Section V** of this staff report have been met.

CUP26-001 (Conditional Use Permit): The Hearing Examiner **APPROVE WITH CONDITIONS** the Encounter Church Improvements Project - Conditional Use Permit, CUP26-001 as the Applicant has demonstrated that the criteria enumerated within **Section VII and VIII** of this staff report have been met.

Recommended this 2nd day of September 2026.



Grace Manahan, Code Compliance Planner
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