



PLANNING COMMISSION SPECIAL MEETING MINUTES

Tuesday, June 10, 2025

CALL TO ORDER

The Planning Commission was called to order by Chair Thompson at 6:02 pm.

Planning Commissioners Kate Akyuz, JB Gibson, Anthony Perez, and Dan Thompson were present.

Commissioner Nazim Nice was absent.

Staff Participation:

Jeff Thomas, Director (Remote)

Alison Van Gorp, Deputy CPD Director

Molly McGuire, Senior Planner

Carson Hornsby, Management Analyst

Kim Adams-Pratt, Contract Legal Counsel

Deb Estrada, Deputy City Clerk

PUBLIC APPEARANCES – There were no public appearances.

REGULAR BUSINESS

1. Planning Commission Meeting Minutes of May 28, 2025, Regular Meeting:

A motion was made by Gibson; seconded by Perez to:

Approve the minutes.

Passed 4-0

2. PCB25-12: Public Hearing on Permanent Regulations for Temporary Uses and Structures Including Outdoor Dining (Second Reading)

The public hearing was opened at 6:07 PM

There being no public comments, the public hearing was closed at 6:07 PM

Motion by Akyuz; seconded by Gibson to:

Recommend that the City Council adopt the proposed amendments to MICC 19.06.050 – Commerce on public property as amended; proposed new section MICC 19.06.130 – Temporary use permits as amended; and proposed amendments to MICC 19.15.030 – Land use review types as amended.

Motion by Gibson; seconded by Akyuz to:

Approve the minor amendments 1, 10, 17, 21, 22, & 24

Passed 4-0

Passed 4-0

Motion by Akyuz; seconded by Gibson to

[LOG 2b]

A. The purpose of this chapter is to allow for the safe, healthful and aesthetic use of public property for the benefit of private commerce. The provisions of this chapter do not exempt proposed activities from compliance with other titles of the Mercer Island City Code.

Passed 4-0

Motion by Akyuz; seconded by Perez to

[LOG 3b]

B. The provisions of this section shall apply only to public sidewalks, streets and rights-of-way within the Town Center zone, Planned Business Zone, and Commercial Office zone.

Passed 4-0

Motion by Perez; seconded by Akyuz to

[LOG 6b]

2. The location of the private commerce on public property business activity does not create a safety, noise, or environmental hazard for motorists, bicyclists or pedestrians

Passed 4-0

Motion by Akyuz; seconded by Perez to

[LOG 7c]

a. The business private commerce on public property location maintains sufficient area for the free passage of pedestrians per ADA standards, along sidewalks and access to other adjacent businesses.

Passed 4-0

Motion by Thompson; seconded by Gibson to

[LOG 6a]

b. The business private commerce on public property location does not obstruct the views of motorists turning into or out of a street or parking lot.

Passed 4-0

Motion by Thompson; seconded by Perez to

[LOG 11a]

6. The location of a private commerce on public property business engaged in the sale of alcoholic beverages is separated from the public space with a barrier, fence, landscaping or other demarcation.

Passed 4-0

Motion by Gibson; seconded by Akyuz to

[LOG 12b]

L. A commerce on public property authorization does not constitute a surrender by the city of any property rights to the right-of-way. Additionally:

1. The City Engineer may require removal of improvements associated with commerce on public property if it is determined to create a hazard or as required to perform scheduled or ongoing maintenance, public works projects, emergency operations, or other municipal activities.

Passed 4-0

Motion by Gibson; seconded by Perez to

[LOG 13b]

8. The total number of public parking stalls occupied by the commerce on public property activity may not exceed two public parking stalls immediately adjacent to the business associated with the activity.

Passed 4-0

Motion by Gibson; seconded by Akyuz to

[LOG 14b]

L.* Temporary uses and structures associated with commerce on public property operating for seven calendar days or less in any given 90-calendar day period do not require a permit. Nothing in this section exempts commerce on public property activities from compliance with the criteria in MICC 19.06.050(D), Criteria for permit.

Passed 4-0

Motion by Thompson; seconded by Akyuz to:

[LOG 15d]

The provisions of this section shall not apply to the annual event known as the “Mercer Island Farmers Market,” or the annual city sponsored event known as “Summer Celebration”.

Motion by Akyuz; seconded by Thompson to amend the motion:

The provisions of this section shall not apply to the annual event known as the “Mercer Island Farmer’s Market,” or the annual city sponsored event known as “Summer Celebration” or other events sponsored fully or in part by the City.

Passed 4-0

Motion Passed as Amended 4-0

Motion by Akyuz; seconded by Gibson to:

Table the main Motion to July 23 Meeting

“Recommend that the City Council adopt the proposed amendments to MICC 19.06.050 – Commerce on public property as amended; proposed new section MICC 19.06.130 – Temporary use permits as amended; and proposed amendments to MICC 19.15.030 – Land use review types as amended.”

Passed 4-0

(10 minute recess 8:40 to 8:50)

3. PCB25-11: Park Zone Code Amendment

Carson Hornsby, Management Analyst, briefly summarized the Park Zone Code Amendment process to date.

Motion by Gibson; seconded by Akyuz to:

Recommend that the City Council adopt the proposed new section MICC 19.05.050 – Parks Zone; new section MICC 19.05.060 – Parks Zone Development Standards; and proposed amendments to MICC 19.16.010 – Definitions and MICC 19.01.040 – Zone Establishment.”

Motion by Akyuz; seconded by Gibson to amend purpose statement to read:

A. Purpose. The purpose of the Parks Zone is to preserve and maintain parks which provide green space, shoreline access, recreation and conservation opportunities, and social spaces for individuals and gatherings.

Passed 4-0

Motion by Gibson; and duly seconded to amend uses permitted to:

Add multipurpose facilities [as written]

Passed 4-0

Motion by Thompson; seconded by Perez to amend B3 as follows:

3. The following developments are exempt from setback requirements: fences, gates, culverts, trails, landscaping, furnishings, bollards, signs, kiosks, parking areas, and utilities, except as follows:
- a. Parking areas located adjacent to property that is zoned R-8.4; R-9.6; R-12; or R-15 require a 20-foot setback.

Passed 4-0

Motion by Gibson; seconded by Thompson to adopt as written:

D. Trail Standards.

1. Trails shall be constructed with a maximum width of 12 feet.
- a. Trail width shall be inclusive of hardscape materials used to create a smooth surface for walking, biking or other recreational activities such as concrete, asphalt and crushed gravel.
- b. Softscape materials such as grass, vegetation, and mulch will not be included in the trail width.

Motion by Akyuz; seconded by Perez to:

Amend Trail Standards, Section 1, to add bullet c. as follows:

Trails located in Aubrey Davis Park are exempt from this trail standard.

Failed 2-2

Failed 2-2

Motion by Akyuz; seconded by Perez to:

add “such as the PROS Plan and Capital Improvement Program” after City Council approval under G(1). Impervious Surface, Section 1

Passed 4-0

Motion by Akyuz; seconded by Gibson:

Add exemption for temporary structures under G. Impervious Surface, Section 1

Passed 3-1 (Thompson)

Motion by Perez; seconded by Akyuz to:

Adopt Section H (1), (2), and (3) as presented by staff

Passed 4-0

Motion by Akyuz; seconded by Perez to:

Include the term “shell houses” after “piers”

Passed 4-0

Motion by Akyuz; seconded by Perez to:

Amend definition for recreational uses to include “water-dependent recreation” after “play equipment,”

Passed 4-0

Main motion passed as amended 4-0

Motion by Thompson; seconded by Gibson to:

Write a letter to WSDOT regarding AD Park, explaining the different uses and regulatory limits in the P1 zone

Passed 3-1 (Perez)

Motion by Gibson; seconded by Thompson to:

That the Planning Commission endorse the PRC's recommendation to engage with the Arts Council for future art installations within the Parks Zone.

Passed 3-1 (Akyuz)

OTHER BUSINESS

4. Staff Report

Deputy Director Alison Van Gorp reported that the next meeting is July 23, and the topics will address temporary uses and structures, and permanent regulations for housing production and permit streamlining.

ADJOURNED - The meeting adjourned at 9:50 pm

Deborah Estrada, Deputy City Clerk