
COMMUNITY PLANNING & DEVELOPMENT

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DESIGN COMMISSION

FINDING OF FACT AND CONCLUSIONS OF LAW

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| Project: | Monaco Villa Condominiums Repair and Remediation (DSR24-002) |
| Description: | A Design Commission Design Review application to repair and remediate the Monaco Villa Condominiums. The scope includes the removal of all damaged and failing existing siding at the north, east, and south elevations. The architectural massing would also be improved as part of the repair. |
| Applicant: | James Ramil and Tess Cleary (Evolution Architecture) for Joe Peloso (Monaco Villa Condominiums Property Manager) |
| Site Address: | 2929 76th Avenue SE, Mercer Island WA 98040; Identified by King County Assessor tax parcel number 5569600000 |
| Zoning District | Multiple Family (MF-2) |
| Exhibits: | <ol style="list-style-type: none">1. Design Review Plan Set, dated January 24, 2024 prepared by Evolution Architecture2. Project Narrative3. Study Session Notes |

SUMMARY

The applicant has applied for design review of a proposed repair and remediation project to restore the Monaco Villa Condominiums to watertight condition and enhance the aesthetics of the current building. The repair includes the removal and replacement of all damaged and failing siding, improving the architectural massing by removing the non-structural columns in the middle of the existing balconies, and replacing the existing windows, sliding glass doors, exterior doors, and railings in the same location and swing direction with dark bronze frames. The project also includes aesthetic upgrades to the color of the building and designs on both short side elevations. The proposed scope of work does not include alterations to the existing gross floor area, landscaping, or parking.

Pursuant to MICC 19.15.220(C)(1)(c)(i)(c), 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.

MICC 19.15.220(C)(2)(a) requires any project that requires design commission approval to go before the design commission with a study session prior to application "to discuss project concepts before the plans are fully developed." A study session with the Design Commission was held on January 3, 2024.

Pursuant to MICC 19.15.030 Table A, an application for Design Commission review is a Type IV permit, and pursuant to MICC 19.15.030 Table B, a public hearing is required for Type IV permits. At the public hearing,

the design commission must review the project to determine if the project meets the criteria listed in MICC Section 19.11, Town Center Development and Design Standards.

FINDINGS OF FACT

Pursuant to MICC 19.15.220(C)(1)(c)(i)(c), 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. The proposal is for the repair and remediation of more than 50 percent of the exterior surface area of the existing building.

Planning staff conducted a review of the project and provides the following analysis detailing compliance with the criteria listed in MICC Section 19.12, Design Standards for Zones Outside Town Center, as well as design review process found in MICC 19.15.220.

Many of the design standards are intended to be applied to major new construction projects.

Based on the small scale of the proposed addition, the staff review and analysis considers the direction provided in MICC 19.12.010(D)(1):

For full application of design requirements, all design requirements of [chapter 19.12](#) MICC shall apply, except as provided in MICC [19.01.050\(D\)\(3\)\(a\)](#), when there is new construction from bare ground, or intentional exterior alteration or enlargement of a structure over any three-year period that incurs construction costs in excess of 50 percent of the existing structure's current King County assessed value as of the time the initial application for such work is submitted; provided, application of [chapter 19.12](#) MICC shall not be construed to require an existing structure to be demolished or relocated, or any portion of an existing structure that is otherwise not being worked on as part of the construction to be altered or modified.

As a result, the review and analysis are limited to those design standards that apply based on the scope of the project. Those standards that do not apply are not included.

The following is an analysis of the proposal regarding the criteria for approval:

1. **MICC 19.15.220(B)(1), Powers of the Design Commission, states that:** No building permit or other required permit shall be issued by the city for any major new construction or minor exterior modification of any regulated improvement without prior approval of the Design Commission or Code Official as authorized pursuant to MICC 19.15.010(E). Certain development and activities that do not require a permit are subject to design review as provided in MICC 19.15.220(C)(1)(c).

Staff Finding: The proposal is for a minor exterior modification as defined in MICC 19.16.010. As such, the proposal is subject to design review by either the Code Official or the Design Commission.

2. **MICC 19.15.220(C)(1)(c)(i), Design Review Procedure, Review Authority:** The following development proposals shall require Design Commission review:
 - a. New buildings;
 - b. Any additions of gross floor area to an existing building(s);
 - c. Any alterations to an existing building that will result in a change of 50 percent, or more, of the exterior surface area;
 - d. Any alteration to a site, where the alteration will result in a change to the site design that affects more than 50 percent of the development proposal site; and

- e. Any alterations to existing facades, where the building is identified by the city as an historic structure.

Staff Finding: The proposal meets (c) above because the alterations will result in a change to 50 percent or more of the exterior surface area of the existing building; therefore, the proposal is subject to Design Commission review.

3. MICC 19.12.030, Building design and visual interest.

A. Objectives.

- 1. To ensure high quality materials and finishes are used to bring a visually interesting experience to the streetscape.

Staff Finding: The existing building contains materials that are damaged and failing. The proposed materials include durable fiber cement siding in two formats (lap and panel) and phenolic resin shiplap siding to be used as an accent. The proposal also includes the reuse of the existing copper panels at the entry canopy, per Design Commission feedback during the study session. The design creates visual interest to the streetscape by incorporating the existing copper panels at the entry canopy on the east facade, and by using different materials and colors along the east, north, and south facades.

- 2. To ensure that building design is based on a strong, unified, coherent, and aesthetically pleasing architectural concept.

Staff Finding: The building design is unified and coherent across all facades of the building. The new design incorporates existing architectural elements by continuing the column motif on both short elevations of the building. Removing the existing non-structural columns brings the arches more in line with classical ratios and improved sightlines. The depth of the remaining columns would be doubled to give a more substantial presence and clarity, per Design Commission feedback during the study session.

To not restrict the design to a particular style.

Staff Finding: The design has not been restricted to a particular style due to the application of the standards below.

- 3. To ensure that new buildings are appropriately designed for the site, maintain human scale, and enhance the architectural character of the neighborhood.

Staff Finding: The proposed repair and remediation project would restore the envelope to watertight condition, which is more appropriate for the site, and the removal of the non-structural columns, replacement of the siding, and painting of the motifs on both short elevations of the building maintains human scale and enhances the architectural character of the neighborhood.

To ensure buildings are detailed, provide visual interest, do not have blank walls and that large buildings are modulated and articulated to reduce their apparent mass and scale.

Staff Finding: The proposed design provides visual interest in the use of materials and paint colors on all facades, does not have blank walls, and the redesign of the columns improves the mass and scale of the existing building.

4. To ensure high quality and durable buildings which will help to maintain and protect property values.

Staff Finding: The proposed materials include fiber cement siding in two formats (lap and panel) and phenolic resin shiplap siding to be used as an accent, which are high quality and durable.

B. *Standards.*

1. Scale, form, massing, building proportions, spacing of windows and doorways, roof silhouette, facade orientations, and style of architecture shall have a unified character and, as to commercial, regulated residential and regulated public facilities, recognize pedestrian needs.

- a. Building scale should be proportional to other adjacent buildings, the street edge and, as to commercial, regulated residential and regulated public facilities, to the pedestrian environment.

Staff Finding: The proposed scope of work does not include altering the existing building scale.

- b. Building forms should not present visual mass or bulk impacts that are out of proportion to adjacent structures, or that appear from the public way or surrounding properties as having unmodulated visual bulk.

Staff Finding: The proposed scope of work alters the appearance of the existing building by improving the architectural massing through the removal of the non-structural columns at the balconies. The width to height arched opening is currently at a skewed proportion. The removal of the columns brings the arches more in line with classical ratios and provides improved sightlines and eliminates additional entry points for water penetration. The redesign of the columns, and continuation of the columns as motifs on the north and south facades eliminates unmodulated visual bulk.

2. Building facades – visual interest.

- a. Building facade modulation shall break up the overall bulk and mass of the exterior of buildings and structures. Such modulation should always be addressed on the horizontal plane and the vertical plane. Large or massive buildings should integrate features along their facades that are visible from the public right-of-way, pedestrian routes and nearby structures to reduce the apparent building mass and achieve an architectural scale consonant with other nearby structures.

Staff Finding: The proposed scope of work involves removing the non-structural columns at the balconies, which improves the overall bulk and mass of the exterior of the building by making the existing arches more proportionate to the size of the building. Based on Design Commission feedback during the study session, the proposal includes doubling the depth of the remaining columns to give them a more substantial presence and clarity.

- b. Modulation guidelines.

- i. Horizontal building facade modulation should occur at no less than every 50 feet of wall length. Forms of both vertical and horizontal building modulation may include, but are not limited to: facade indentations and extrusions; actual

building separation; connecting atriums, courtyards and plazas; variable roof forms and overhangs; and decks and balconies.

Staff Finding: The proposed scope of work includes modification to the existing balconies by removing the non-structural columns in the middle of the balconies. The proposal also includes doubling the depth of the remaining columns to give them more substantial presence and clarity.

- ii. Building facades visible from public ways and public spaces should be stepped back or projected forward at intervals to provide a minimum of 40 percent overall facade modulation.

Staff Finding: The proposed scope of work does not involve stepping back or projecting the existing building facade.

- c. Blank walls at the ground level that may be visible from a public view should be avoided. Ground level facades should create visual interest by utilizing features such as windows, wall articulation, arcades, trellises or other plant features.

Staff Finding: The proposed scope of work involves painting the existing exterior of the north and south facades with arched column motifs that continue the proposed arches at the front of the building. The existing building includes balconies, arches, and windows that provide visual interest to the blank walls at the ground level. No changes to the ground level facades, beyond revisions to the columns, are proposed.

- d. Fenestration should be integrated in the overall building design and should provide variety in facade treatment.

Staff Finding: The existing building includes fenestration that is integrated in the overall building design and provides variety in facade treatment. No changes to the locations of fenestration are proposed. The existing fenestrations will be updated, however the size of the windows and doors, and operation and swing direction of the doors will remain unchanged. The frames would be a dark bronze color to complement surrounding colors.

- e. Building facades should be made more visually interesting through the use of reveals, medallions, belt courses, decorative tile work, clerestory windows, or other design features. The scale of the detail should reflect the scale of the building.

Staff Finding: The proposed design includes painting the exterior building facades in a design that is visually interesting. No other changes are proposed to the building facades pertaining to horizontal variation and emphasis.

- f. Building design should allow space for a wall sign, consistent with the provisions of MICC 19.12.080, Signs, if it is anticipated that a wall sign will be used.

Staff Finding: The proposed scope of work does not include new signage or changes to any existing signage.

- 3. Design shall articulate building facades by use of variations of color, materials or patterns, or arrangement of facade elements that are proportional to the scale of the building. Architectural details that are used to articulate the structure may include reveals, battens, and other three dimensional details that create shadow lines and break up the flat surfaces of the facade.

Staff Finding: The proposed design uses variations of color, materials, and patterns that are proportional to the scale of the building. The removal of the non-structural columns and increase of the depth of the remaining columns break up the flat surfaces at the front facade. The continuation of the column design at the sides of the building break up the flat surfaces on these elevations as well.

- a. Tripartite building articulation (building top, middle, and base) should be used to create human scale and architectural interest.

Staff Finding: The proposed design speaks to the building top, middle, and base using colors and materials that create architectural interest. No changes to the building articulation are proposed beyond the removal of the non-structural columns at the front of the building.

- b. Fenestration should be used in facades visible from public ways and public spaces visible from public ways for architectural interest and human scale. Windows should be articulated with treatments such as mullions or recesses and complementary articulation around doorways and balconies should be used.

Staff Finding: The proposed design includes revisions to the existing balconies and non-structural columns to make the balconies more proportional to the size of the building and provide more functionality. The existing window and door frames would be updated with a dark bronze color to complement the surrounding colors. No changes are proposed to the locations of the balconies, windows, doors, or other fenestrations.

- c. The mass of long or large scale buildings should be made more visually interesting by incorporating architectural elements, such as arcades, balconies, bay windows, dormers, and/or columns.

Staff Finding: The existing balconies would be updated with “Trespa Romantic Walnut” finishes. The non-structural columns located at the middle of each balcony would be removed, providing more functionality and making the balconies more proportional to the building. The existing entry would be accented using the existing copper panels where feasible. The proposed design includes variation to materials and colors that creates visual interest, including continuing the arched details along the sides of the building.

- d. Upper stories should be set back to reduce the apparent bulk of a building and promote human scale. When buildings are adjacent to single-family residential dwellings, upper story setbacks shall be provided from property lines.

Staff Finding: The proposed design does not include changes to the existing building structure or bulk.

4. Materials and color.

- a. Building exteriors should be constructed from high quality and durable materials that will weather well and need minimal maintenance.

Staff Finding: The proposed materials are high quality and durable that will weather well and need minimal maintenance.

- b. Materials and colors generally should be used with consistency on all sides of a building.

Staff Finding: The proposed materials and colors included in the design will be generally used consistently on all sides of the building.

- c. Color and materials should highlight architectural elements such as doors, windows, fascias, cornices, lintels, sills and changes in building planes. Variations in materials and colors should generally be limited to what is required for contrast or to accentuate architectural features.

Staff Finding: The proposed colors and materials highlight the balconies, doors, windows, and changes in building planes. The entry way would be accentuated using the existing copper panels where feasible.

- d. Concrete walls should be architecturally treated. The enhancement may include textured concrete such as exposed aggregate, sand blasting, stamping or color coating.

Staff Finding: The proposed concrete walls would be architecturally treated.

- e. Bright colors should be used only for trim and accents. Bright colors may be approved if the use is consistent with the building design and other design requirements. Fluorescent colors are prohibited.

Staff Finding: The proposed design does not include bright or fluorescent colors.

5. Building entrances.

- a. Special design attention should be given to the primary building entrance(s). A primary entrance should be consistent with overall building design, but made visually distinct from the rest of the building facade through architectural features. Examples include recessed entrances, entrances which roof forms that protrude from the building facade, and decorative awnings, canopies, porte-cocheres, and covered walkways.

Staff Finding: The existing building entrance will be highlighted by the installation of the existing copper panels, as long as they are in good condition following the removal. No other changes to the primary entrance are proposed.

- b. The primary entrance to a building should be easy to recognize and should be visible from the public way and/or physically connected to the public way with walkways. Landscaping should reinforce the importance of the entrance as a gathering place and create visual and physical connections to other portions of the site and to vehicular and pedestrian access points.

Staff Finding: No changes to the landscaping and architecture of the primary entrance are proposed.

6. Rooflines.

Staff Finding: No changes to the existing roof line are proposed.

7. Buildings containing residential units should incorporate the following additional design elements to make them residential in character:

- a. Bay windows, dormers, patios or decks;
- b. Base articulation such as plinths; or

- c. Other techniques approved by the design commission which make the building residential in character.

Staff Finding: The proposed design enhances the existing balconies by making them more proportional to the size of the building. No other changes to the building subject to these standards are proposed.

CONCLUSIONS OF LAW

Based on the above Findings of Fact, the following Conclusions of Law have been made:

1. The application has undergone a Type IV review by the Design Commission at an open record hearing under MICC 19.15.140.
2. The Design Commission concludes that the proposal complies with the Mercer Island City Code, provided that the following conditions are met.

RECOMMENDED CONDITIONS OF APPROVAL

The City of Mercer Island Design Commission hereby grants the applicant design approval for the repair and remediation of the Monaco Villa Condominiums for the site located at 2929 76th Avenue SE, as shown in Exhibit 1. The Design Commission Chair is authorized to sign the Findings of Fact and Conclusions of Law on behalf of the Commission. The Design Commission conditions the approval as follows:

1. All aspects of the proposed project shall be consistent with the detail information submitted with this application (including, but not limited to, elevations, perspective drawings, colors, and materials), as depicted by Exhibit 1.
2. The applicant shall apply for and obtain a building permit from the City of Mercer Island prior to construction of any site or building improvements.
3. The applicant shall submit a complete application for a building permit within three years from the date of this decision, or within two years from the decision on appeal from the final design review decision. Failure to submit a complete building permit application within these time limits shall require a new design review application.

RECOMMENDATION

Based upon the above noted Findings of Fact and Conclusions of Law, design review application **DSR24-002**, as depicted in **Exhibit 1**, staff recommends the Design Commission adopts the staff findings and conclusions contained within this staff report and **APPROVE** the proposed development subject to the recommended conditions of approval also contained within this staff report. This decision is final, unless appealed in writing consistent with adopted appeal procedures, MICC 19.15.130, and all other applicable appeal regulations.

Recommended this 16th day of May, 2024



Molly McGuire
Senior Planner