
COMMUNITY PLANNING & DEVELOPMENT

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DESIGN COMMISSION FINDING OF FACT AND CONCLUSIONS OF LAW

Project:	Islandian Condominiums (DSR24-001)
Description:	A Design Commission Design Review application to repaint the building, remove all existing siding at north, south, west, and partial east elevations where marked on the plans and replace with new fiber cement siding. Install new windows, exterior sliding glass doors and exterior storage room doors in current locations to match current operation. Demo all unit deck railings and install new glass railings.
Applicant:	James Ramil (Evolution architecture) for Islandian Condominiums HOA
Site Address:	3055 80th Avenue SE, Mercer Island WA 98040; Identified by King County Assessor tax parcel number 3629120000
Zoning District	Town Center, Subarea TCMF-3
Exhibits:	<ol style="list-style-type: none">1. Design Review Plan Set, dated January 22, 2024 prepared by Evolution Architecture2. Development application, signed January 24, 20243. Project Narrative, dated January 24, 20244. Topic of Discussion for Reviewers, dated January 24, 2024

SUMMARY

The applicant has applied for design review of the proposed repair and remediation of the Islandian Condominiums. The scope includes the repainting of the building, removing existing siding, installation of new windows, exterior sliding glass doors, exterior storage room doors and unit deck railings.

The subject property is located at 3055 80th Ave SE, in the town center (TCMF-3) zone. The neighboring properties to the north, south, and east are Multiple Family (MF-2) zone. The neighboring properties to the west are within the Town Center (TC-3) zone.

The subject property is developed with the existing Islandian Condominiums. Neighboring development includes office buildings to the north and south, and the United States Postal Service to the west.

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 was completed for this project 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 19.11, Town Center Development and Design Standards, as well as design review process found in MICC 19.15.220.

Many of the Town Center 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 19.11.150(A)(1):

The design commission or the code official shall review the applicability of the development and design standards and determine the project's conformance with this chapter. The degree of conformance with all of the development and design standards will vary on a project-by-project basis. The design commission shall review each project on the project's degree of overall conformity with the objectives, standards and the comprehensive plan.

As a result, the review and analysis are limited to those Town Center 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)(ii), Design Review Procedure, Review Authority: The following development proposals shall require Design Commission review:** All other development proposals requiring design review and not requiring design commission review under subsection (C)(1)(c)(i) of this section shall be reviewed by the code official. The code official shall have the authority to determine that an application normally reviewed by code official shall require design commission review and approval, based on factors such as scope, location, context, and visibility of the proposed change or modification.

Staff Finding: The proposal meets (ii) above because the code official determined the application shall be reviewed and approved by the design commission based on the scope of the proposed work, location of the building in the Town Center, and visibility of the proposed change.

10. MICC 19.11.100(B)(12), Building Design Development and Design Standards.

12. *Harmony.* The elements of a building should relate logically to each other, as well as to the surrounding buildings. A single building or complex should be stylistically consistent; architectural style, materials, colors and forms should all work together.

Staff Finding: The elements used for the proposed addition are consistent with the existing building relative to architectural style, materials, colors and form. The project complies with this standard.

11. MICC 19.11.110 (B), Materials and Color.

MICC 19.11.110(B)

1. **Building Exteriors.** Building exteriors should be constructed from high quality and durable materials. It is important that the materials and colors weather well and that building exteriors need minimal maintenance.
2. **Regional Focus.** Materials and colors should reflect the city's regional setting.
3. **Attention to All Sides.** Materials and colors should be used with cohesiveness and compatibility on all sides of a building.
4. **Concrete Walls.** Concrete walls should be architecturally treated. The treatment may include textured concrete such as exposed aggregate, sand blasting, stamping or color coating.
5. **Harmonious Range of Colors.** A harmonious range of colors should be used within the Town Center. Neon or very bright colors, which have the effect of unreasonably setting the building apart from other adjacent buildings on the street, should not be used.
6. **Bright Colors.** Bright colors should be used only for trim and accents if the use is consistent with the building design and other design requirements.
7. **Undesired Materials.** Beveled metal siding, mirrored glass, and vinyl siding should not be used. EIFS, stucco and similar materials should be limited to use as a minor building facade element.
8. **Variation of Materials.** A variation of building materials should be used to assist in the creation of a visually interesting experience.

Staff Finding: The proposed design shows attention to all sides and the proposed materials and colors are high quality, reflect the regional focus, are a harmonious range of color and deter from bright colors and undesirable materials.

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.

CONDITIONS OF APPROVAL

The City of Mercer Island Design Commission hereby grants the applicant design approval for the repair and remediation of the Islandian Condominiums located at 3055 80th 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 DSR24-001, 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



Grace Manahan
Assistant Planner