

EXHIBIT 3 (REVISED)

Log #	Received From	Comment
1	Adam Ragheb	On page 12, the legend reads "P" for both the proposed Park zone and Public Institution zone
2	Adam Ragheb	The area bordering SE 53rd PI and ICW, north of Deane's Childrens and Island Crest Parks I believe is incorrectly labeled as "P" - I believe it should be PI
3	Adam Ragheb	The south end Fire Station north of the PBZ I believe should be labeled as "PI" not "P"
4	Adam Ragheb	As regards [PRC Comment Matrix Log item #2] – I am in favor of this comment and based on Log item #4, think we should discuss emphasizing public recreation. Also, since we’re opening up the Purpose section, my understanding of the intent and public desire for this zone is to preserve our parks in order to support public recreation; for that reason plus thinking of some previous Commission discussions, I’d also suggest we expand upon section A (3) and add “maintain or expand tree canopy” after “Preserve urban forests,”
5	Adam Ragheb	[PRC Comment Matrix Log item #4] – I am confused by the Notes in response to it. If we’re defining it as part of adding this zone then I am assuming (1) the term is not already defined, and (2) it is not used anywhere else in the development code. Are either of these assumptions incorrect? Pending clarification, I am in support of dropping “private” per PRC Log #4
6	Adam Ragheb	[PRC Comment Matrix Log item #6] – I cannot reconcile the last sentence of the Notes with the definition above. Parking Structure and Underground Parking are additional definitions beyond Parking. Despite my short time on Mercer Island, I am aware that there were plans, once again thankfully that never materialized, to build a parking garage in the park near MICEC. The residents I spoke with were livid that this is even being brought up again under the pretenses of preserving our parks. My suggestion: change C (5) to read “Street level” or “At-grade” “public parking directly supporting park use”
7	Adam Ragheb	[PRC Comment Matrix Log item #7] – Transit stops, as well as Signs and Utilities are not allowed uses in 19.02.010 single family or 19.03.010 multifamily, yet they exist as needed. Signs are also not listed as an allowed use in the PI zone (19.05.010) but there are signs in our parks. I think that 7, 9, and 11 should be removed – they’ll exist as needed I am sure but listing them as a use does nothing to protect our parks in my opinion and actually works against that goal.
8	Adam Ragheb	[PRC Comment Matrix Log item #8] – We already have habitat restoration signs in our parks, which are zoned PI, but signs are not an allowed use called out in the code. Once again, I think that is reason to not list it as a use in our Parks zone. We have signs in residential warning us of invasive knotweed but signs are not listed as an approved use. More reasons not to list them in Parks Zone.

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9	Adam Ragheb	PRC Comment Matrix Log item #9] – Based on my reading of 19.06.070, small wireless facilities already “are permitted in all zoning designations.” Listing WCFs as a Park Zone allowed use therefore implies to me that we would allow large WCFs as is the case (to the best of my understanding) in the PBZ (likely among other zones). Again, based on my understanding so far, C(10) WCFs should be removed as small ones will already be allowed and adding large WCFs to our Parks is not in my opinion consistent with preserving parks.
10	Adam Ragheb	I’d love to breach the Aubrey Davis park topic, but understand if that needs to be held off until February. I did see the explanation in the packet near the bottom of page 4, noting that the city manages the park area. Lands managed by the city are included per B (2) so I see no barrier there. Also, it is my understanding that the entire I-90 corridor, covered and uncovered, are zoned PI, and I see a short list of “Uses permitted” there (19.05.010 [A]) that does not include highway and no mention of WSDOT, so I (1) presume the superseding of local zoning by WSDOT requirements need not be officially called out in the code and (2) already see our City code establishing permitted uses on WSDOT ROWs – for those two reasons I would appreciate more info backing up the City’s position that we should exclude Aubrey Davis Park from the new Parks Zone.
11	Adam Ragheb	[Draft Parks Zone pg. 2 line 41] insert "protect," between "preserve" and "and" See goal 3.1 on PROS p.27 for justification of protect.
12	Adam Ragheb	[Draft Parks Zone pg. 2 line 43] after "City" and before ";" insert "to preserve them for current and future generations and protect them from development"
13	Adam Ragheb	[Draft Parks Zone pg. 2 line 45-46] Revise to ", maintain access to recreational opportunities, and maintain or expand tree canopy." (adds maintain or expand tree canopy to the zone's purpose)
14	Adam Ragheb	[Draft Parks Zone pg. 3 line 18] Placing a pointer here to Definitions section where removal of animal production is suggested as an edit
15	Adam Ragheb	[Draft Parks Zone pg. 3 line 20] Remove and replace with "Existing City uses (e.g. MIYFS and MICEC Luther Burbank Park, (Thrift Shop [only if we include in Park Zone]), and park-related maintenance, operations, & support facilities.)
16	Adam Ragheb	[Draft Parks Zone pg. 3 line 22] Revise to "street level public parking directly supporting approved park use" or "at-grade public parking directly supporting approved park use." Protecting our parks does not include repurposing them to handle transit and/or Town Center overflow. The larger the amount of parking, the more 6PPD-Quinone will be brought into our parks which will eventually drain into Lake Washington and harm salmon, likely among other aquatic life. A public comment received on the topic reads exactly "We are not Seattle so don’t become one. Don’t need parks on TOP IF lots."

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17	Adam Ragheb	[Draft Parks Zone pg. 3 line 24, comment 1] Revise to "Temporary Park Structures and uses," for consistency, see also in Definitions section where I propose changing Temporary Structures to Temporary Park Structures
18	Adam Ragheb	[Draft Parks Zone pg. 3 line 24, comment 2] Remove Farmer's Market from clarification of Uses Permitted - no public or City Council request for this and weekly foot traffic would destroy Mercedale's grass field
19	Adam Ragheb	[Draft Parks Zone pg. 3 line 27] Remove as these exist in the ROW and per overwhelming public comment. Additionally, moving transt into our parks from the ROW will bring more 6PPD-Quinone from bus tires into our parks which will eventually drain into Lake Washington and harm salmon, likely among other aquatic life.
20	Adam Ragheb	[Draft Parks Zone pg. 3 line 31] Remove as these already exist in other zones and parks without specific "Uses Permitted" callouts
21	Adam Ragheb	[Draft Parks Zone pg. 3 line 33] Remove as 19.06.070 already allows small wireless facilities in all zones. Including this under Uses Permitted encourages the constructions of large WCFs in our parks and does not protect them.
22	Adam Ragheb	[Draft Parks Zone pg. 3 line 35] Remove as 19.02.010 and 19.03.01-0 single and multifamily do not call out Utilities as a permitted use, yet utilities exist as needed. Adding it will encourage our parks to become utility corridors.
23	Adam Ragheb	[Draft Parks Zone pg. 3 line 46] Seems low but I am not knowledgeable enough to suggest an alternative - hoping the rest of the Commission or City can propose something else
24	Adam Ragheb	[Draft Parks Zone pg. 4 line 8] Remove parking areas from setback exemptions list - this appears inconsistent with Section E (3) later on this page (lines 35 through 40) which calls out screening requirements for parking areas
25	Adam Ragheb	[Draft Parks Zone pg. 4, line 10] Revise to eighteen (18) - I understand that MF-2L is max height of 24 feet and is currently the lowest max height zone on MI. 18 was suggested via public comment and I believe it will signal that we value and want to protect our parks. Existing buildings over this height limit can be renovated but cannot get taller (i.e., more nonconforming in height).
26	Adam Ragheb	[Draft Parks Zone pg. 4, line 11, comment 1] Suggest removing antennas and replacing with "athletic field lighting" Rationale: athletic field lighting is usually well over 18 feet in height, and without large WCFs in the Park Zone anymore, there is no need for tall towers (and of course we cannot restrict small WCFs).

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27	Adam Ragheb	[Draft Parks Zone pg. 4, line 11, comment 2] I believe we will need to add " excluding stacks." after "feet in height" if Aubrey Davis Park is included. I assume that the exclusion of stacks in the PI zone is to account for the (9?) vent stacks for the I-90 tunnel to the northwest of the intersection of 72nd Ave SE and SE 22nd St.
28	Adam Ragheb	[Draft Parks Zone pg. 4, line 16] Add new sentence: "No impervious surface credit may be realized from the removal of the Dairy Barn Ruins and related paving." Rationale: this is a large impervious area in the north end of Luther Burbank Park and if it were ever to be removed, would grant a lot of impervious surface credit that may be ripe for using to build a large building in the park. Name is pulled from google maps; I am of course receptive to alternate text that conveys the same intent
29	Adam Ragheb	[Draft Parks Zone pg. 4, line 23] Remove bullet point #3 - I'm not seeing where on the Island we could add new turf fields and I have seen no public comment requesting more turf. Additionally, turf fields present health hazards to users when dogs inevitably use them, can heat up more than natural fields, are expensive, and their materials may present health hazards.
30	Adam Ragheb	[Draft Parks Zone pg. 5, line 3] strike the highlighted text ("which is half-way between perpendicular and parallel to the adjacent grade") - this is geometrically incorrect on sloped ground
31	Adam Ragheb	[Draft Parks Zone pg. 5, line 5] replace 2x bulb in this row with "lighting element" to allow for flexibility of lighting medium (e.g. LED)
32	Adam Ragheb	[Draft Parks Zone pg. 5, line 20] Add new section G to read "Heightened Standard for Reclassification (Rezone) from Park Zone. In addition to the requirements of MICC 19.15.240 and 19.15.260, a majority vote where at least 66% of the registered voters in the City of Mercer Island vote in favor of a reclassification (rezoning) is required to reclassify (rezone) land that is currently zoned Park Zone to any other zone." Rationale: Proposition 1 passed in 2022 with 64.27% and our state constitution requires 60% for a tax levy, so a heightened voting standard beyond a simple majority already exists and the number is reasonable. Public comment has overwhelmingly been in favor of "Not allowing a future re-zone of a park without a community vote"
33	Adam Ragheb	[Draft Parks Zone pg. 5, line 26, Comment 1] Suggest inserting "not-for-profit" before "production of plants"
34	Adam Ragheb	[Draft Parks Zone pg. 5, line 26, Comment 2] Remove animals from our definition of Agricultural Activities. My intent is to allow for community gardens / pea patches to remain, and not to impede the City's ability to perform plant nursery activities in support of our parks, but to prevent the noise and smell issues, along with structures, associated with animal production.

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35	Adam Ragheb	[Draft Parks Zone pg. 5, line 29] Remove Farmer's Market from definitions - no public or City Council request for this and foot traffic would destroy Mercedale's grass field
36	Adam Ragheb	[Draft Parks Zone pg. 5, line 44] Remove "private" from definition of Recreational Facility
37	Adam Ragheb	[Draft Parks Zone pg. 6, line 2] Reduce this to 14 calendar days - from what I recall of the 1/24 meeting, the 180 is the maximum number of days a structure can be temporary before becoming permanent per other sections of City Code. Revise term to read "Temporary Park Structures" so as to not impose this shortened time period on other zones. I would be open to lengthening the period from 14 days if examples of reasonable past Mercer Island Park temporary uses over 14 days can be listed.
38	Adam Ragheb	[Draft Parks Zone pg. 6, line 6] Remove as definition will no longer be needed once Section C (7) is removed
39	Chris Goelz	Parks Zone C(1): I would like us to state here that the paramount purposes of our parks are conservation and recreation. I think that may be implicit in A3, but I think it gets lost.
39	Chris Goelz	Parks Zone C(4): I'd limit this to building related to park purposes. If the City decides it wants to build something else, it should have to go through the rezone process.
40	Chris Goelz	Parks Zone C(5): I'd limit surface parking to park purposes and underground facilities to public parking (which I think is what's in the draft).
41	Chris Goelz	Parks Zone C(9): Signs should be park-related or placed by the City.
42	Chris Goelz	Development Standards C: Two tiers here – 36 feet for Luther Burbank and no more than 24 feet everywhere else.
43	Chris Goelz	Development Standards D: I'm concerned that the "no net new impervious surface" standard is too inflexible. I'd suggest a low cap on allowed impervious surfaces, but would like data on the current level of impervious surfaces at our existing parks. We would probably want a tiered approach here.
44	Chris Goelz	Parks Zone C(2): I'd limit this to Public recreational facilities.
45	Chris Goelz	Cell towers – I know most people don't want them in their neighborhoods but want great cell service. If we're not willing to have one next door, I think it may be necessary to keep parks as an option.

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46	Chris Goelz	Public parking underground – I hate to take that off the table re Mercerdale. I think there's a world in which underground parking allows Town Center to become the walkable village many people would like to see. I'm not sure it's a good idea, but I'd hate to take it off the table.
47	Chris Goelz	Transit stops – I see these as having a low impact on parks. I don't think cars should be given better park access than transit. For many reasons, I'd find that to be perverse.
48	Chris Goelz	In general – I think we need to find a balance that protects the parks but allows sufficient flexibility to deal with a future we cannot know. We have carefully taken care of the dozen big trees on our lot, but would not be inclined to impose a conservation easement on ourselves. You just never know.
49	Angie Battazzo	<p>[Draft Parks Zone pg. 3, line 10] Recommend applying a tiered approach to the parks zone that allows for different park spaces to be maintained for different priority uses. For example, Pioneer Park is very much an urban forest park with trails and little to no development. A tier of parks that allows uses that preserve and conserve the park for those uses, and prohibit other uses in those zones, would be preferential. See PROS plan for support on how best to tier parks and allocate uses.</p> <p>I would like to ensure that existing structures are allowed to be maintained or improved, consistent with the PROS plan, and in a manner that ensures the City of Mercer Island can perform essential functions and services to people-- which includes government offices, if needed.</p>
50	Angie Battazzo	Draft Parks Zone pg. 3, line 31] Can we specify this further to indicate code signage, and other signage that directly supports wayfinding, educational, and essential park uses?
51	Victor Raisys	Exhibit 1 , New Section, page 3, Item C4, Line 20: I am opposed to the broadly worded, open ended, language that allows MI park land for government offices and government services. Not only does it not map to the purpose of the parks zone (Exhibit 1, New Section, page 2, Item A1-3, Lines 38-46), it is, in my opinion, opposed by the community (and has been repeatedly previously opposed by the community for decades). My understanding, based on the language here, is that NEW government offices and government services could be built in any of our parks (even parks that do not have existing government offices/services). If the intent here is to plan for the eventual replacement of existing non-conforming government buildings in our parks, tightly worded language specifying that plan would be more appropriate rather than a broadly worded, open ended proposal that enables (new and larger) government buildings in our parks (even ones without existing buildings)

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52	Victor Raisys	Exhibit 1 , New Section, page 3, Item C5, Line 22: I am opposed to the language “parking structures and underground parking”. In my opinion, these structures are not desired by the community nor are they financially feasible for our community. I propose changing the language to “at grade/street level/surface level” parking as was suggested in the Parks Commission meeting.
53	Victor Raisys	Exhibit 1 , New Section, page 3, Item C7, Line 27: I am opposed to the inclusion of transit stops as a permitted use within our parks and, in my opinion, so is the community. Please specify the potential locations of these potential transit stops (i.e. locations within the boundaries of a park, that have an existing road that will accommodate a transit vehicle, that are not currently served by a nearby transit stop).
54	Victor Raisys	Exhibit 1 , New Section, page 3, Item C10, Line 33: I am opposed to the inclusion of wireless communications facilities beyond what is currently required by state and local law. It is unclear why we would call this out here since it is already mandated. If the intent is to go beyond what the law currently mandates/requires, it is unclear why we are doing so in our parks. This is unsupported by the purpose of the parks zone (Exhibit 1, New Section, page 2, Item A1-3, Lines 38-46)
55	Victor Raisys	Exhibit 1 , New Section, page 4, Item C, Lines 10-12: I am opposed to this section. See comments above regarding government buildings. My read of this section is that a 35 foot building could be placed in any of our parks (regardless of whether a building of that height is currently there or whether there is any building currently there).
56	Victor Raisys	Exhibit 1 , New Section, page 4, Item E, Lines 42-47: See comment above regarding parking structures and underground parking. Add language here for at grade/street level/surface level parking
	Carolyn Boatsman	I recommend consideration of the creation of two zones, “Parks”, and “Open Space”, in lieu of a “tiered system”. Reasoning: The main divide in park types and the one that creates the most angst, is between active parks and open spaces. Enough specificity could be provided by dividing existing parks into two zones, each with appropriate use and development standards. I think that a “tiered system” might be unnecessarily confusing and difficult to administer.
	Carolyn Boatsman	Add large natural areas in major parks (Mercerdale Hillside, Island Park, Clarke, Luther Burbank, etc.) to the Open Space Conservancy Trust (and hopefully, an Open Space Zone).

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	Carolyn Boatsman	<p>I rescind my recommendation at the February 8 joint Parks and Planning Commissions meeting to phase in three Parks Commission members to the Open Space Conservancy Board, based upon a similar historical arrangement. After further thought, I believe that the Parks Commission should focus on the more developed parks and the OSCB should preside over open spaces. The issues considered by these two groups are different enough to make discussion of key issues by one to be somewhat irrelevant for the other. In practice, the result is that the Open Space Conservancy Board is not very active in policy development, yet they should be in regards to open space. The Open Space Conservancy Board has so much to offer in its own right, a role that should be expanded, including restoration policy and planning, public education and involvement, and other topics. Whether an Open Space Zone is created or not, I recommend that the OSCB role be expanded in regards to the conservancy and appreciation of our open space natural areas. I realize that Commission and Board roles are not enshrined in zoning regulations, but I think it is timely to consider respective roles in oversight of active parks and open spaces, the latter of which should be expanded.</p>
	Carolyn Boatsman	<p>Update the Comp Plan parks and open space policies. These policies are under inappropriate or no heading at present. The great level of work that went into PROS would likely cause a re-evaluation of the Comp Plan policies to be needed, in an iterative process. Were the parks and open space policies in the Comp Plan updated, the PROS could truly be adopted as a “functional plan” guiding operations and capital projects, consistent with the overall goals and policies in the Comp Plan.</p>
	Carolyn Boatsman	<p>Restrictions on removing lands from a Parks Zone:</p> <p>The Mercer Island City Council has a good track record of voting to keep land in parks rather than converting it for other uses, even though, from time to time, discussions of such uses comes up, resulting in public outcry. Even so, the process of vetting candidates and electing them to the Council to make decisions is the essence of democracy. The Council makes careful decisions following a methodical process with public input in a stable working environment. I am more comfortable with our Council making land use decisions than I am with voters in that role. We should also consider that a citizen vote is not a guarantee when it comes to protection of parks and open spaces.</p> <p>The extra protection provided by placing park lands in trust is a good option and the Open Space Conservancy Board is a model. A vote to recommend to Council to remove lands from the Open Space Conservancy Trust has to have 5 in agreement on the Open Space Conservancy Board, which constitutes more than a simple majority. The Council must meet the same standard to remove the land. Were additional open spaces added to the trust, we would achieve extra protection from conversion of park lands to other uses.</p>
		<p>Draft Zoning Regulation Uses:</p>

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	Carolyn Boatsman	<ol style="list-style-type: none"> 1. Don't allow future City offices to be located in parks. Structures should be necessary to park functions. 2. Parking should be limited to what is needed for park use. 3. Don't allow transit stops. 4. Allow information kiosks. <p>If we can get away with it in relation to federal regulations, we should not allow large wireless facilities in the parks. If we can get away with it, we should not allow small wireless, but my understanding is that small wireless must be allowed in all zones.</p>
	Carolyn Boatsman	Exemptions from setback requirements: add utilities to the list.
	Carolyn Boatsman	Building height: Should be very low profile. I think 30 feet, which is allowed in the residential zones, is too high.
	Carolyn Boatsman	<p>Many citizens have requested that new impervious surfaces be prohibited as a way to prohibit development. I don't support that idea and think it would result in unintended consequences. I thought the draft ordinance hit the right balance in prohibiting new impervious surface unless authorized by an adopted Park Master Plan. Exemptions were also listed to allow necessary flexibility.</p> <p>There should be an exemption for very small impervious surface additions (such as the slab that a kiosk might be placed upon, or a bench, or picnic table, or garbage cans, and what not).</p>
		<p>Lighting: The first draft ordinance proposes shielded and directed lighting in parks, which is very good. It's consistent with Comprehensive Plan, Land Use Element, Parks and Open Space Policies, Goal 19, Policy 19.14 which states: "Promote awareness and implementation of the International Dark-Sky Associations' methods to reduce the excess lighting of the night sky that negatively affects wildlife, particularly birds." The IDA methods are lighting that is useful, targeted, only as bright as needed, only on when needed, and warmer colored lights when possible – here's a link: https://darksky.org/resources/guides-and-how-tos/lighting-principles/</p>

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	Carolyn Boatsman	<p>I think that we can implement this Comp Plan policy more effectively if some of the exemptions proposed in the draft ordinance are deleted. As examples, the following were proposed for exemption (which I recommend against):</p> <ol style="list-style-type: none"> 1. Lighting for roads, trails, and pathways – but shouldn’t these types of lighting be shielded and directed? Is there a purpose to having the light shine up and into the eyes of passing drivers and walkers? Or into the living rooms of neighboring homes? Need it shine up into the trees where wildlife rests? Or into the night where birds are migrating over? A 45 degree angle above straight down, as proposed, would seem excellent for parks and the exemption should not be needed. 2. Seasonal lighting – but aren’t parks for a higher use than “seasonal lighting”? Don’t we have enough seasonal lighting in the Town Center and in residential areas? There needs to be a place for people and wildlife that is protected from light pollution. “Seasonal lighting” tends to be bright, white, and is around for quite a while, sometimes becoming synonymous with the “season” of winter instead of just a holiday. It is by definition not shaded or directed. 3. Lighting installed prior to the regulation when it needs to be repaired – but isn’t the time that the lighting needs to be repaired the appropriate time to obtain the bulb that is opaque, as needed, to comply with the standard? 4. I agree with exempting emergency lighting or lighting required by state or federal law.
	Carolyn Boatsman	<p>The problem of existing structures primarily in Luther Burbank Park:</p> <p>Would it be possible to subdivide the park and place the buildings on a separate parcel, not zoned park (maybe a wild idea)?</p> <p>Could a conditional use permit be created for the existing uses?</p>
	Carolyn Boatsman	<p>Impervious surface regulation exemptions: It might be a good idea to ask staff to give this more thought. What are some of the possible and very reasonable additions of impervious surface that should be exempt from the standard?</p>

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