
CITY OF MERCER ISLAND

COMMUNITY PLANNING & DEVELOPMENT

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PLANNING COMMISSION

To: City Council

From: Daniel Hubbell, Planning Commission Chair

Date: November 10, 2021

RE: ZTR21-004 Town Center Retail Requirements Code Amendment

Attachments: A. Proposed Amendment to 19.11.020(B) presented to Planning Commission
B. Planning Commission Recommendation on ZTR21-004
C. Dissenting Opinion Related to Approved Recommendation

On behalf of the Planning Commission, I would like to present our recommendation related to ZTR21-004, the Town Center Retail Requirements code amendment.

In June 2020, the City Council enacted a moratorium on major new construction generally in the southeast quadrant of the Town Center (TC) zoning designation while the City evaluated potential updates and/or amendments to development regulations within the Town Center, including requirements for various types of commercial space. Over nine months, City staff, the consulting firm Community Attributes, Inc., and the Council worked to identify appropriate legislative options for exiting the moratorium. As a result of this process, the Council directed staff to work with the Planning Commission to develop the necessary code amendments to MICC 19.11.020(B), including updating MICC 19.11.020(B) Figure 2 Retail Use Required Adjacent to Street Frontages; instituting a Town Center Commercial Floor Area Ratio (FAR) requirement; and adding a selective "No Net Loss" provision.

The Planning Commission reviewed and discussed this matter on September 22 and October 20, 2021, and held an open record public hearing on the proposed code amendment (Attachment A) on November 3, 2021. (No public comment was received related to this amendment.) After lengthy deliberation, and after considering several amendments to the proposal, the Commission did not approve the draft amendment to MICC 19.11.020(B) as presented.

A few key concerns were raised by the group about the existing proposal:

1. The FAR approach as designed is likely to result in a short-term significant loss of retail space when looking at the existing use and the required space under the FAR. This would be counter to the intended purpose of the proposal.
2. The removal of existing depth and configuration standards is likely to result in space configurations that will not be viable.

3. The proposal does not address parking and may exacerbate the parking shortage in key areas.

While it is understood that there is a desire to end the current moratorium, the Commission agreed that it was not given sufficient time (only two meetings) to deliberate this issue. When paired with the concerns above, the Commission instead submits a recommendation (Attachment B) suggesting continued work to address the issues represented by the moratorium. The Commission approved the attached recommendation 5-1 (one member was absent for the vote); the minority voter has provided a dissenting opinion (Attachment C) for the Council's consideration.

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Daniel Hubbell
Planning Commission Chair, City of Mercer Island

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Date