

**Robin Proebsting**

---

**From:** Sarah Fletcher <fletcha1@gmail.com>  
**Sent:** Sunday, February 16, 2020 1:40 PM  
**To:** Nicole Gaudette  
**Cc:** Council; Planning Commission  
**Subject:** Re: DSR20-001 (SEP20-002) Mud Bay - Against Design

Hello Evan, that is a relief to hear. Why did someone say that Mainstreet were allowed to have 108 parking stalls for 120 rental units? And that the City is going to give away part of the Sculpture Park for 120 residential units. And this business of the Code Official allowed to grant a "modification of the parking requirements in the Town Center without the formal notice requirements for a variance, whose idea was that?

I also do not want to hear that they can modify this and modify that in that that is like the accountants coming up with the Tax Code and then finding loopholes for their clients to avoid paying the taxes. And once you allow one modification, then all others could ask for the same modifications, etc.

RE the Mud Bay:

Are the applicants aware that citizens are not in favor of their design for a multi-family building in the Town Core? And on the Design Commission's website, it specifically says that the primary focus, not secondary focus is on **commercial uses, not on residential:** "the **primary focus of commercial uses** is intended to be in the **core of the Town Center,**" and if that is the case, then why did they allow this design of what looks like just a lot of residential units for the poor. And what I don't see are any playgrounds and the shop retail space is not obvious. And will the neighbors being so close to each other be smelling the food that the neighbor cooks, hearing their conversations and be overlooking the neighbors as that is what it looks like is going to happen. There is no privacy.

The buildings are ugly, do not enhance the Town Center, do nothing for retail, as someone on Nextdoor says: "it looks like every other current TC project, along with too much massing at the street level, a loss of mature trees for saplings, inadequate parking that affects nearby businesses, retail space that is too expensive, little affordable housing, and an uninspiring design."

I find it interesting that King County had the population goal for Mercer Island for 2020 as being **24,053, for 2030, 24,355 and for 2040, a slight decrease of 24,194.**

Yet, at the last count we are just shy of **26,000** (25,976 to be precise).

And the new additional housing units from 2006 to 2031, they want MI to add between 1,800 and 2,000. How many new housing units have been added since 2006?

So as far as I am concerned, Mercer Island has met the King County goal, we should not have to have hundreds of micro-apartments added.

<https://mymercerisland.com/hines-project-mercer-island/>

And what about the pilot program - "78th Avenue Sidewalk (SE 32nd - SE 34th) Pilot project - develop new standard for Town Center sidewalk replacements at a cost of \$500,000? Is that going to be different to what we have now? And if it looks like it does now, then you will have to keep the trees will you not? **And since when can the Mercer Island Design Commission APPROVE tree removal on just about EVERY SIDE of the property????**

This is what it says: "Trees #219-229, 234, 235, and 236 along the right of way (ROW) on the **west, south, and east sides of the subject parcel have been approved for removal by Mercer Island Design Commission on January 22nd 2019.** These trees would be in the middle of the sidewalk in the proposed condition, in conflict with current town center streetscape standards." Have they not seen the tree designs for the Town Center??? It even says that "prominent trees should be preserved to the extent feasible."

Did they not read the Proclamation of Preserving Trees?

These are the standards. Did they say exactly which part is in conflict? They even have the design for the trees on 77th Ave SE and 78th Ave SE on Table 14. They show the either two lanes of vehicles and the sidewalk with the trees and then pedestrians, what is the new standard going to be exactly?

<https://mercerisland.municipal.codes/MIC...>

The Design Commission are not paid employees of the City, nor are they accountable to the City in any way, and

are any of the people certified arborists? Since when does the Design Commission trump the City arborist? What did the City arborist say about the trees?"

"2. **Applicant's Responsibility. It is the responsibility of the applicant to design a project in compliance with the objectives and development and design standards of this chapter.**"

b. Ground Floor Windows and Doors. Major new construction along 77th Avenue SE, 78th Avenue SE and SE 27th Street, within the TC-5, TC-4 and TC-4 Plus subareas, shall have at least 75 percent of the length of the ground floor facade between the height of two feet and seven feet devoted to windows and doors affording views into retail, office, or lobby space.

Did it look like each building had the two feet and seven feet devoted to windows and doors affording views into retail, office or lobby space? It wasn't obvious from what I was looking at. It looked like I would be looking into everyone's apartments, not only from each unit, but from the roadway as well. I

A proposed loading dock and service area for tenants, to facilitate move-in, food delivery, refuse and recycling collection, etc., would be accessed via a driveway on 77th Avenue SE. Into an underground or surface level? And would the apartment dwellers smell the trash and hear the noise from all the deliveries?

And what I don't understand is in the Town Center Code, it says a **two-story height limit applies THROUGHOUT the Town Center**, then how can they be asking for four storeys, how much was their "affordable housing," and where was the "green building features, the planning, public open space to gather?:"

B. *User Guide.* The Town Center is divided into subareas mostly for the purpose of regulating maximum height limits. **A two-story height limit applies throughout the Town Center. Only by providing certain benefits to the community can a development project add additional stories up to the maximum height allowed in the particular subarea.** These community benefits include affordable housing; green building features; stepping back of upper stories to reduce building mass and maintain light and air; provision of public open spaces as gathering places; and provision of through-block pedestrian connections to **break up** larger blocks and enhance pedestrian access.

I would like to know how they think they can build so many units when it has it for multi-family:

"Multi-Family, Limited **MF-2L The maximum allowed density is 26 units per acre.**

19.03 Multi-Family **MF-2 The maximum allowed density is 38 units per acre.**

19.03 Multi-Family **MF-3 The maximum allowed density is 26 units per acre.**

They want to put **185 units in just over 1.25 acres which is five times as much as the Code permits.** It is too much, it is not needed and it is micro-housing which we don't want and especially in our Town Center core which **should be majority retail**, not majority residential. How big is each unit going to be? A two-bedroom where I live is about 925sq ft as a comparison. I, for the life of me, do not have a clue as to how the Design Group gave this design the okay. And as they are only wanting to build 27 two-bedroom units, it doesn't exactly feel like they want children in their multi-family and did they happen to say what amenities they would offer and what is there for children? And as far as the affordability goes, how much did they say they would charge for each residential retail and retail space?

<http://www.mercergov.org/Page.asp?NavID=368>

I sincerely hope the applicants go back to the drawing board and come up with a better design for our town centre.

Thank you.

Sarah Fletcher

On Fri, Feb 7, 2020 at 8:29 AM Evan Maxim <[evan.maxim@mercergov.org](mailto:evan.maxim@mercergov.org)> wrote:

Good Morning Sarah,

I am copying Nicole Gaudette, who is managing this project review, to ensure you are included as a party of record on the Xing Hua project.

For the Xing Hua project (Mud Bay property), the determination within the range will be based on the review of the parking analysis, which we have not yet completed. We may also have a consultant “peer review” the parking analysis. I do not believe the Xing Hua project has asked for a modification to the parking requirements – I believe they are proposing parking within the code established range.

The Tully’s project has not requested a code modification for less than one parking stall per unit. The current information from Mainstreet is that they may provide between 1.1 stalls and 2 stalls per unit, which is within the code established range. This is a preliminary discussion however, and I do not believe they have completed a parking analysis for the project. It is likely that this project will continue to evolve.

My intent for both projects (and any Town Center review) is to ensure that the project complies with the Town Center code adopted by the community. Where there is flexibility in the code – for example the range in parking and the allowance for modification requests – we will ensure that the decision is based upon actual technical information describing project needs.

There is a public hearing before the Design Commission, who will issue the final decision on the project. I will give some thought as to whether an additional community meeting would be appropriate. As you suggest I want to avoid wasting everyone’s time, but there may be enough interest to warrant a community meeting.

Regards,

**Evan Maxim**

Director

City of Mercer Island - Community Planning & Development

Office: 206.275.7732 | Cell: 206.640.6928

[mercergov.org/CPD](http://mercergov.org/CPD) | **LET'S TALK**

If you would like a public record, please fill out a public records request at <https://mercerisland.nextrequest.com/>.

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW).*

**From:** Sarah Fletcher <[fletchsa1@gmail.com](mailto:fletchsa1@gmail.com)>

**Sent:** Thursday, February 6, 2020 4:34 PM

**To:** Evan Maxim <[evan.maxim@mercergov.org](mailto:evan.maxim@mercergov.org)>

**Subject:** Mud Bay and Tully's Project - Parking up to the Code Official - You

Hello Evan, how is this going to work exactly? For parking, it has that the "Code Official shall have the final authority" and I was told you were the "Code Official."

<https://mercerisland.municipal.codes/MICC/19.11.130>

"b. Determination within Range. The code official shall have the final authority to determine the number of parking stalls required within the ranges above to accommodate typical daily peak parking demand based upon the applicant's submittal of a completed site plan and detailed parking analysis." The Mud Bay project is proposing the bare minimum for parking requirements under the Code and the Tully's project is requesting a code modification for less than one parking stall per unit. So, as you are no doubt aware of these requests, how are you going to go about making your decision as to the parking requirement? The way I look at it is, is that 2 years was spent on this Town City Code and it should be what it is. None of this business of asking for modifications, etc. If they can't fit their project in with the parking requirement, then they should either go back to the drawing board and make it so that it fits with the Code, or the project should be shelved, but please don't tell me that you are going to allow the modifications in parking requirements. And I hope this is not going to waste all of our time. And do you think you could have a community meeting so that we can see what the plans are? I don't know what the pressures on you will be or where your loyalties lie. Thanks. Sarah Fletcher