CITY OF MERCER ISLAND

COMMUNITY PLANNING & DEVELOPMENT
9611 SE 36TH STREET | MERCER ISLAND, WA 98040
PHONE: 206.275.7605 | www.mercerisland.gov

PRELIMINARY SHORT SUBDIVISION DECISION

SUB20-002

Project No:	SUB20-002
Description:	The proposal is a request to subdivide the subject site into two lots.
Applicant/ Owner:	Tim McHarg (Van Ness Feldman)/Derek and Eileen Cheshire
Site Address:	7615 E Mercer Way, Mercer Island WA 98040
Zoning District	R-9.6
Staff Contact:	Robin Proebsting, Senior Planner
Exhibits:	1. Development Application, signed July 8, 2020 2. Public Notice of Application for project SUB20-002, dated August 24, 2020 3. Plan set prepared by Core Design, dated October 23, 2020 4. Critical Area Study prepared by The Watershed Company, dated November 2017 5. Geotechnical report prepared by Terra Associates, dated May 12, 2020 6. SEPA DNS, dated February 22, 2021 7. Memorandum from Ruji Ding, City of Mercer Island Senior, Development Review Engineer, dated December 17, 2020 8. Memorandum from John Kenney, City of Mercer Island City Arborist 9. Email from Leah Llamas, City of Mercer Island GIS Coordinator, dated February 12, 2021 10. Transportation Concurrency Certificate No. TCC20-009 11. Comment letter from the Department of Ecology (SEPA #202004398) dated September 22, 2020

INTRODUCTION

I. Project & Site Description

The applicant proposed to subdivide an existing lot of 88,557 sq ft into two lots, with one lot of 11,154 sq ft (Lot 1) and one lot of 77,402 sq ft (Lot 2). Both lots will take access from 92nd Ave SE.

II. Site Description and Context

The project site is located on E Mercer Way between 92nd Ave SE and SE 77th Pl and is bordered by single-family residential development. The subject lot is 88,557 sq ft and largely wooded, sloping

from the west downward from the east. The proposed Lot 2 contains a Category III wetland and a watercourse previously identified as a Type 2, using the City's former typing system (Exhibit 4, page 3). A reduction in the standards wetland and watercourse buffers was previously obtained under land use review CAO16-003. Mitigation plantings were required to compensate for the buffer reduction.

FINDINGS OF FACT & CONCLUSIONS OF LAW

III. Application Procedure

1. An application for preliminary short plat approval was received by the City of Mercer Island on July 20, 2020.

2. A letter of completeness was issued on August 17, 2020, establishing a vesting date of July 20, 2020.

3. Pursuant to section 19.15.030 MICC Table A, applications for preliminary short plats are Type III reviews, which require a notice of application, a 30-day public comment period, and a notice of decision.

4. The City of Mercer Island issued notice of application for this preliminary short plat application consistent with the provisions of MICC 19.15.090, which include the following methods: a mailing sent to neighboring property owners within 300 feet of the subject parcels; a notice sign posted on the subject parcels; and publication in the City of Mercer Island's weekly permit bulletin. The notice of application began a 30-day comment period, which took place between August 24, 2020 and September 23, 2020 (Exhibit 2).

5. One public comment was received by the City for this land use application. The comment was from the Dept. of Ecology regarding potential heavy metal contamination due to air emissions originating from the old Asarco smelter in north Tacoma (Exhibit 11). The department provided a recommended condition of approval to address this potential impact, which has been added to this decision.

IV. State Environmental Policy Act (SEPA) Compliance

6. A SEPA Determination of Nonsignificance is being issued concurrently with this decision (Exhibit 6).

V. Consistency with Subdivision Code Standards

7. **MICC 19.08.020(C)(2)** Long Subdivision or Short Subdivision Plans. The applicant shall provide copies of fully dimensioned plans of the project prepared by a Washington registered civil engineer or land surveyor, meeting the requirements of Chapter 19.07 MICC, Environment, and containing any other information deemed necessary by the code official. The city engineer may waive the requirement that an engineer or surveyor prepare the plans for a short subdivision. The submitted plans shall identify the proposed building pad location for each proposed lot pursuant to MICC 19.09.090

   Staff Finding: The applicant has provided dimensioned plans prepared by a professional land surveyor, identifying proposed building pad locations. The City's GIS Coordinator noted that the adjacent streets shown on the plat should be corrected to read 92nd Ave SE and E Mercer Way (Exhibit 9). A condition of approval has been added to this decision, requiring the street names to be updated on the final plat.

8. **MICC 19.08.020(D)(1)** Preliminary Application Procedure. All preliminary approvals or denials of long subdivisions or short subdivisions shall be accompanied by written findings of fact demonstrating that:

    a. The project does or does not make appropriate provisions for the public health, safety, and general welfare and for such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and schoolgrounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school;

    b. The public use and interest will or will not be served by approval of the project; and

    c. The project does or does not conform to applicable zoning and land use regulations.

    Staff Finding: The proposed subdivision makes appropriate provisions for public health, safety, and general welfare by providing adequate infrastructure to support future development as shown in the analysis below. Safe walking conditions for children who walk only to and from school are provided by a bus stop at E Mercer Way & 77th Ave SE which will take children to Lakeridge Elementary and Mercer Island Middle School, and which is connected to the subject site via an arterial street with wide shoulders and by a Metro stop at Island Crest Way & 64th Ave SE, which will take students to Mercer Island High School and is connected to the subject side via low-traffic neighborhood streets. Conformance with applicable zoning and land use regulations is documented in findings 10 through 25 below.

9. **MICC 19.08.020(D)(2)** *Short Subdivisions. The code official shall grant preliminary approval for a short subdivision if the application is in proper form and the project complies with the design standards set out in MICC 19.08.030, the comprehensive plan, and other applicable development standards.*

    Staff Finding: The application is in proper form and the project complies with the design standards set out in MICC19.08.030 as documented findings 10 through 25. The proposed short subdivision is consistent with Land Use Goal 15 ("Mercer Island should remain principally a low density, single family residential community.") and Land Use Policy 16.5 ("Infill development on vacant or under-utilized sites should occur outside of critical areas and ensure that the infill is compatible with the surrounding neighborhoods.")

10. **MICC 19.08.030(B)(1):** *The subdivision shall be reconciled as far as possible with current official plans for acquisition and development of arterial or other public streets, trails, public buildings, utilities, parks, playgrounds, and other public improvements.*

    Staff Finding: The current City of Mercer Island official plans for acquisition and development of arterial or other public streets, trails, public buildings, utilities, parks, playgrounds, and other public improvements do not designate any portion of the subject property. This standard does not apply.

11. **MICC 19.08.030(B)(2)** *If the preliminary plat includes a dedication of a public park with an area of less than two acres and the donor has designated that the park be named in honor of a deceased individual of good character, the city shall adopt the designated name*.

Staff Finding: The preliminary plat does not propose the dedication of a public park (Exhibit 3). This standard does not apply.

12. **MICC 19.08.030(C)(1)** *Where the project may adversely impact the health, safety, and welfare of, or inflict expense or damage upon, residents or property owners within or adjoining the project, other members of the public, the state, the city, or other municipal corporations due to flooding, drainage problems, critical slopes, unstable soils, traffic access, public safety problems, or other causes, the city council in the case of a long subdivision, or the code official in the case of a short subdivision, shall require the applicant to adequately control such hazards or give adequate security for damages that may result from the project, or both*.

    Staff Finding: The applicant has provided a geotechnical report (Exhibit 5) identifying erosion hazard areas as the only type of geologically hazardous area present in the northeast corner of the property where the proposed Lot 1 will be located. The report confirms that landslide hazard areas and seismic hazard areas are not present in the vicinity of Lot 1. Construction on site will be required to comply with all applicable drainage design, building and engineering standards in place at the time of permit application, addressing potential erosion hazards. Compliance with fire code standards will occur during building permit review of future structures, and a condition of approval, reflecting this requirement has been added to this decision.

13. **MICC 19.08.030(C)(2)** *If there are soils or drainage problems, the city engineer may require that a Washington registered civil engineer perform a geotechnical investigation of each lot in the project. The report shall recommend the corrective action likely to prevent damage to the areas where such soils or drainage problems exist. Storm water shall be managed in accordance with Chapter 15.09 MICC and shall not increase likely damage to downstream or upstream facilities or properties*.

    Staff Finding: A geotechnical report has been provided for this site that provides an analysis of the conditions present in the vicinity of the future Lot 1. Based on this analysis, the report makes recommendations for future construction and drainage design. In order to ensure compliance with this code standard, a condition of approval has been added to this decision, requiring that future improvements, including storm drainage, be completed as part of future building permits for the individual lots, which must meet the standard in place at the time of building permit application.

14. **MICC 19.08.030(C)(3*)**: *Alternative tightline storm drains to Lake Washington shall not cause added impact to the properties, and the applicant shall submit supportive calculations for storm drainage detention.*

    Staff Finding: No tightline storm drain to Lake Washington is proposed as part of these storm drainage plan (Exhibit 3, Road, grading & storm drainage plan). This standard does not apply.

15. **MICC 19.08.030(D)(1)**: *The width and location of rights-of-way for major, secondary, and collector arterial streets shall be as set forth in the comprehensive arterial plan*.

    Staff Finding: No right-of-way is proposed to be dedicated as part of this subdivision. This standard does not apply.

16. **MICC 19.08.030(D)(2)** *Public rights-of-way shall comply with the requirements set out in MICC 19.09.030*.

Staff Finding: No right-of-way is proposed to be dedicated as part of this subdivision. This standard does not apply.

17. **MICC 19.08.030(D)(3)** *Private access roads shall meet the criteria set out in MICC 19.09.040*

    Staff Finding: The proposed lot 2 is accessed by an existing driveway. The proposed Lot 1 will be accessed by a driveway of 13 feet (Exhibit 3, road, grading & Storm drainage plan). This is consistent with the standard in MICC 19.09.040, which requires driveways serving one single-family dwelling to be at least eight feet in width.

18. **MICC 19.08.030(D)(4)** *Streets of the proposed subdivision shall connect with existing improved public streets, or with existing improved private access roads subject to easements of way in favor of the land to be subdivided*.

    Staff Finding: The driveways providing access to both the proposed Lots 1 and 2 will connect to 92nd Ave SE, consistent with this standard (Exhibit 3, preliminary short plat and road, grading & storm drainage plan.)

19. **MICC 19.08.030(E)(1)** *The area, width, and depth of each residential lot shall conform to the requirements for the zone in which the lot is located. Any lot which is located in two or more zones shall conform to the zoning requirements determined by the criteria set out in MICC 19.01.040(G)(2)*.

    Staff Finding: The proposed residential lots conform to the area, width, and depth requirements for the zone in which the lot is located (R-9.6) shown in MICC 19.02.020(A), as summarized in the table below:

	Lot Area	**Lot Width**	**Lot Depth**
R-9.6 zone minimum requirement	9,600 sq ft	75 feet	80 feet
Lot 1	11,154 sq ft	90 feet	188 feet
Lot 2	77,402 sq ft	148 feet	Approx. 520 feet

20. **MICC 19.08.030(E)(2)** Each side line of a lot shall be approximately perpendicular or radial to the center line of the street on which the lot fronts

    Staff Finding: One side lot line will be created by the proposed short subdivision, which will be approximately perpendicular to 92nd Ave SE, consistent with this standard.

21. **MICC 19.08.030(E)(3)** The proposed subdivision shall identify the location of building pads for each proposed lot per MICC 19.09.090. No cross-section dimension of a designated building pad shall be less than 20 feet in width (Exhibit 3).

    Staff Finding: Building pads, with no cross section less than 20 feet in width, are shown on sheet 2 of 4 of the preliminary short plat (Exhibit 3).

22. **MICC 19.08.030(E)(4)** The proposed subdivision shall incorporate preferred development practices pursuant to MICC 19.09.100 where feasible.

    MICC 19.09.100 Proposed development shall incorporate all of the following preferred development practices where feasible:

    A. Use common access drives and utility corridors.

    B. Development, including roads, walkways and parking areas, in critical areas should be avoided, or if not avoided, adverse impacts to critical areas will be mitigated to the greatest extent reasonably feasible.

    C. Retaining walls should be designed to minimize grading, including the placement of fill, on or near an existing natural slope.

    Staff Finding: Separate driveways for Lots 1 and 2 are proposed for the subdivision. There is approximately a 27% grade in this portion of the property, and given the orientation of the lots, the creation of one driveway serving both properties would be difficult to design, while still meeting the maximum grade limit in MICC 19.09.040. Development is proposed to avoid the Category III wetland and watercourse (Exhibit 4). The building pad for the proposed Lot 1 completely avoids wetlands and watercourses. The building pad for the proposed Lot 1 is within geologically hazardous areas, but a geotechnical report has been submitted, documenting how future development will meet the standards in MICC 19.07.160 (Exhibit 5). No retaining walls are proposed as part of this subdivision. These preferred development practices have been incorporated where feasible.

23. **MICC 19.08.030(E)(5)** The proposed subdivision shall be designed to comply with the provisions of Chapter 19.10 MICC.

    Staff Finding: The proposed tree retention plan has been reviewed by the City Arborist (Exhibit 8), and as conditioned, complies with the provisions of Chapter 19.10 MICC.

24. **MICC 19.08.030(F)(1)** Subdivisions abutting an arterial street as shown on the comprehensive arterial plan shall be oriented to require the rear or side portion of the lots to abut the arterial and provide for internal access streets.

    Staff Finding: The subdivisions abuts E Mercer Way, which in an arterial street. The side yard of Lot 1 is proposed to abut E Mercer Way, and access will be provided via a driveway connecting to 92nd Ave SE.

25. **MICC 19.08.040(A)** Streets, Utilities and Storm Drainage. A subdivision shall include provisions for streets, water, sanitary sewers, storm drainage, utilities and any easements or facilities necessary to provide these services. All utilities shall be placed underground unless waived by the city engineer. Detailed plans for these provisions shall not be required until after the approval of the preliminary plat and shall be a condition precedent to the official approval of the subdivision.

    Staff Finding: Preliminary grading and storm drainage plans have been provided, showing that the provision of services is feasible (Exhibit 3). A condition of approval has been added to this decision requiring construction of all improvements for access, utilities, all storm drainage system and all site work, which is to be completed as part of future building permits for individual lots.

26. **MICC 19.17, 19.18, and 19.19**: The city shall collect impact fees, based on the city's permit and impact fee schedule, from any applicant seeking a residential building permit from the city.[…] For building permits within new subdivisions approved under Chapter 19.08 MICC (Subdivisions), a credit shall be applied for any dwelling unit that exists on the land within the subdivision prior to the subdivision if the dwelling unit is demolished. The credit shall apply to the first complete building permit application submitted to the city subsequent to demolition of the existing dwelling unit, unless otherwise allocated by the applicant of the subdivision as part of approval of the subdivision

    Staff Finding: A condition of approval has been added to this decision and requiring that school, park, and transportation impact fees shall be paid at the issuance of each building permit unless deferral of payment is sought pursuant to MICC 19.17.080, 19.18.060, or 19.19.060. Impact fees are not subject to vesting and the amount paid will be the impact fee amount in effect at the time of payment.

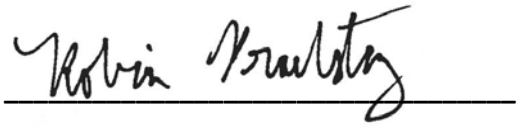
27. **MICC 19.20.020** A transportation concurrency application and transportation concurrency certificate are required for any development proposal specified in MICC 19.20.030 or any development that will otherwise result in the creation of one or more net new trips in the morning peak hour or evening peak hour. No development shall be required to obtain more than one transportation concurrency certificate, unless the applicant or subsequent owners propose changes or modifications that require a new development permit application or result in increased net new trips, a future phase of the project requires a transportation concurrency application, or the original transportation concurrency certificate has expired.

    Staff Finding: A transportation concurrency certificate has been issued for this development proposal (Exhibit 10).

DECISION / RECOMMENDATION

Based upon the above noted Findings of Fact and Conclusions of Law, preliminary short plat application SUB20-002, as depicted in Exhibit 3, is hereby preliminarily **APPROVED**. This decision is final, unless appealed in writing consistent with adopted appeal procedures, MICC 19.15.130, and all other applicable appeal regulations.

Approved this 22nd day of February 2021



Robin Proebsting
Senior Planner
Community Planning & Development
City of Mercer Island

CONDITIONS OF APPROVAL

1. The final short plat for SUB20-002 shall be in substantial conformance with the preliminary plat drawing attached as Exhibit 3, provided:

    a. the Mercer Island File Number shall be updated to be "SUB20-002"

    b. "SE 76th Court" shall be corrected to read "92nd Ave SE"

c. "E Mercer Boulevard" shall be corrected to read "E Mercer Way"

2. Expiration of approval – The final short plat shall be recorded prior to the expiration deadline set forth in MICC 19.15 – Administration.

3. At building permit application, the applicant shall pay school, park, and transportation impact fees based on the fee schedule in place at the time of application. A credit shall be applied for any dwelling unit that exists on the land within the subdivision prior to the subdivision if the dwelling unit is demolished. The credit shall apply to the first complete building permit application submitted to the city subsequent to demolition of the existing dwelling unit, unless otherwise allocated by the applicant of the subdivision as part of approval of the subdivision.

4. Prior to building permit issuance, the applicant shall complete the following actions:

   - Sample the soil and analyze for arsenic and lead following the 2019 Tacoma smelter plume guidance. The soil sampling results shall be sent to the Department of Ecology for review.
   - If lead or arsenic are found at concentrations above the Model Toxics Control Act (MTCA) cleanup levels (Chapter 173-340 WAC); the owners, potential buyers, construction workers, and others shall be notified of their occurrence. The MTCA cleanup level for arsenic is 20 parts per million (ppm) and lead is 250 ppm.
   - If lead, arsenic and or other contaminants are found at concentrations above MTCA cleanup levels, the applicant shall:
     - Develop a soil remediation plan and enter into the Voluntary Cleanup Program with the Department of Ecology.
     - Obtain an opinion letter from the Department of Ecology stating that the proposed soil remediation plan will likely result in no further action under MTCA. The applicant shall provide the local land use permitting agency the opinion letter from Ecology.
     - Prior to finalizing the building permit, provide to the local land use permitting agency "No Further Action" determination from Ecology indicating that the remediation plans were successfully implemented under MTCA.
   - If soils are found to be contaminated with arsenic, lead, or other contaminants, extra precautions shall be taken to avoid escaping dust, soil erosion, and water pollution during grading in site construction. Site design shall include protective measures to isolate or remove contaminated soils from public spaces, yards, and children's play areas. Contaminated soils generated during site construction shall be managed and disposed of in accordance with state and local regulations, including the Solid Waste Handling Standards regulation (Chapter 173-350 WAC).

5. Show all the existing and proposed easements on the final plat. Clearly distinguish all public easements from the private easements. The private utility easement and public utility easement shall not be combined.

6. Easements for utilities and storm drainage facilities shall be depicted on the face of the Final Plat. Language which indicates joint rights and responsibilities of each lot with respect to all utilities and roadways shall be shown along with individual lot Joint Maintenance Easement Agreements (where applicable) for all shared usage and filed with the King County Recorder and noted on the final plat. The easement notation shall indicate whether the easement is public or private, existing or proposed.

7. The Final Plat shall be prepared in conformance with Title 58 RCW and Surveys shall comply with Chapter 332-130 WAC. Submit using Mercer Island's datum and tie the plat to at least two monuments.

8. A City of Mercer Island title block for approval signatures (Planner and City Engineer) shall be provided on the final plat along with the designated Short plat number.

9. Construction of all improvements for access, utilities, all storm drainage system (conveyance system and onsite detention system), and all site work shall be completed as part of future building permits for individual lots. The requirements will be based on the City ordinances, regulations, and requirements of the City Engineer established at the time of application for future building permits.

10. A tree replacement plan will be provided under the building permit application. It will follow the requirements described in 19.10.070.

11. A tree protection plan will be submitted during building review. Showing tree protection fencing at the Arborist stated tree protection zone (TPZ). For tree 133 tree protection may be reduced to 18' to the west or the critical root zone (CRZ). This distance must be called out (near building pad) and the tree protection fence shown on the plans. The building pad including over excavation for a foundation shall not encroach into this CRZ.

12. The fence for tree 133 and other exceptional trees shall be 6' chain-link fence secured into the ground. This will be called out on the Tree Plan during building review.

13. Project Arborist to be on site and in control of any excavation or grading within tree 133's dripline. They will document and clean cut any root over 1" in diameter that needs to be removed. Call this out on Tree Plan during building review.

14. Proposed water meter location to be moved away from tree 133 and outside tree protection zone. Or according to the Senior City Development Engineer. Call this out on Tree Plan during building review.

15. The plan showing numbered retained trees and building pad will be recorded as part of the plat. This plan should be the same or consistent with the Preliminary Tree Plan.

16. Conditions to be shown on the face of the plat:

17. Maintenance and repair of joint use side sewers (sewer lines from the building to the City sewer main), shared roads, access easements, storm drainage facilities shall be the responsibility of the owners of each lot served (with the exception that owners of any lot which is lower in elevation shall not be responsible for that portion of a private side sewer above their connection.) In the event that maintenance and repair of any facilities enumerated above are not performed to the satisfaction of the City Engineer, after a timely demand has been made for such action, the City or its agent shall have the right to enter upon the premises and perform the necessary maintenance and repair to protect the safety and general welfare of the public and shall have the right to charge the owner of each lot an equal share of the total maintenance and repair costs. The City or the owner of any lot within this Short plat shall have the right to bring action in Superior Court to require any maintenance or repair and to recover the costs incurred in making or effecting repairs to improvements.

18. The monitoring, cleaning, maintenance and repair of storm drainage systems in accordance with City Ordinance No. 95C-118 is required for all lot owners within this Plat to control stormwater runoff and control erosion and flooding downstream. All costs related to stormwater runoff control shall be borne by the owners of each lot in equal share. This obligation shall be recorded separately with each individual lot sale and shall travel with the land.

19. All staging for construction shall occur on site and shall not be located in the public right-of-way.

20. Prior to the issuance of a building permit, each application shall be accompanied with a temporary erosion and sedimentation control plan, clearing and grading plan, access and utility service plan, a landscape plan (which shall identify existing vegetation to be retained, limits of all clearing and grading), and a schedule for the construction. The applicant's Civil Engineer, experienced in soils geology and mechanics, shall review the proposed site and building construction and provide recommendations that will limit site disturbance, minimize risk of soils movement, evaluate site slope stability and define materials and construction practices for the work. The Building Official may require that the Engineer be present during construction, monitor the work, and recommend special techniques or mitigating measures. The costs associated with the Engineer's monitoring and mitigation measures shall be borne by the applicant.

21. No permanent landscaping, structures, or fences shall be placed on or within public utility or storm drainage easements without the written approval of the City Engineer. If in the opinion of the City Engineer, utilities or storm drainage facilities require maintenance, repair or replacement, the City or its agent shall have the right to enter those lots adjoining the facility for the purpose of maintaining, repairing, relocating or replacing said facilities. Lot owners shall be responsible for the restoration of any private improvements or landscaping within said easements.

22. Installation of landscaping and/or structures including trees, shrubs, rocks, berms, walls, gates, and other improvements are <u>not</u> allowed within the public right-of-way without an approved encroachment agreement from the City prior to the work occurring.

23. No tree identified for retention may be removed unless otherwise approved by the City Arborist.

24. All building permits are subject to meeting current fire code requirements at the time of a complete submittal, including fire apparatus access as outlined in adopted code sections of the International Fire Code Appendix D. Fire plan reviews will be conducted at time of building permit submittal and may require additional fire protection systems and/or additional fire prevention measures for building approval.

DEVELOPMET REGULATION COMPLIANCE – DISCLOSURE

1. Compliance with all local, state and federal regulations is required.

2. No construction, tree removal, grading, installation of utilities on land within a proposed long or short subdivision shall be allowed prior to preliminary approval of the long or short subdivision and until the applicant has secured the permits required under the Mercer Island City Code. Following preliminary approval, tree removal, grading, and installation of utilities shall be the minimum necessary to allow for final plat approval of the long or short subdivision. (MICC 19.08.020(5)).

If you desire to file an appeal, you must submit the appropriate form, available from the department of Community Planning and Development, and file it with the City Clerk within fourteen (14) days from the date after the notice of

decision is made available to the public and applicant pursuant to MICC 19.15.130. Upon receipt of a timely complete appeal application and appeal fee, an appeal hearing will be scheduled. To reverse, modify or remand this decision, the appeal hearing body must find that there has been substantial error, the proceedings were materially affected by irregularities in procedure, the decision was unsupported by material and substantial evidence in view of the entire record, or the decision is in conflict with the city's applicable decision criteria.

Please note that the City will provide notice of this decision to the King County Department of Assessment, as required by State Law (RCW 36.70B.130). Pursuant to RCW 84.41.030(1), affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation by contacting the King County Department of Assessment at (206) 296-7300.

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PHONE: 206.275.7605 | www.mercergov.org

CITY USE ONLY		
PROJECT#	RECEIPT #	**FEE**
Date Received:		
Received By:		

DEVELOPMENT APPLICATION

STREET ADDRESS/LOCATION	ZONE
7615 East Mercer Way	R-9.6
COUNTY ASSESSOR PARCEL #'S	PARCEL SIZE (SQ. FT.)
3024059036	~92,347 sf

PROPERTY OWNER *(required)*	ADDRESS *(required)*	CELL/OFFICE *(required)*
Derek and Eileen Cheshire	7615 E Mercer Way, Mercer Island 98040	206-399-9301 E-MAIL *(required)* dcheshire@boskone.net
PROJECT CONTACT NAME	ADDRESS	CELL/OFFICE
Tim McHarg	719 2nd Ave, Suite 1150, Seattle WA 98104	206-817-6977 E-MAIL tmcharg@vnf.com
TENANT NAME	ADDRESS	CELL PHONE E-MAIL
n/a		

DECLARATION: I HEREBY STATE THAT I AM THE OWNER OF THE SUBJECT PROPERTY OR I HAVE BEEN AUTHORIZED BY THE OWNER(S) OF THE SUBJECT PROPERTY TO REPRESENT THIS APPLICATION, AND THAT THE INFORMATION FURNISHED BY ME IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

SIGNATURE

July 08, 2020
DATE

PROPOSED APPLICATION(S) AND CLEAR DESCRIPTION OF PROPOSAL (PLEASE USE ADDITIONAL PAPER IF NEEDED)**:**

Two lot preliminary short plat of subject property. The resulting lots will be approximately 11,154 (Lot 1) and 77,402 (Lot 2) square feet.

Access to the new Lot 1 will be by a new driveway from SE 76th Street. No impacts to on site wetland and stream critical areas or buffers are proposed. Critical area review was previously completed as CAO16-003.

ATTACH RESPONSE TO DECISION CRITERIA IF APPLICABLE

CHECK TYPE OF LAND USE APPROVAL REQUESTED:

APPEALS	DEVIATIONS	SUBDIVISION SHORT PLAT
☐ Building	☐ Changes to Antenna requirements	■ Short Plat- Two Lots
☐ Code Interpretation	☐ Changes to Open Space	☐ Short Plat- Three Lots
☐ Land use	☐ Shoreline	☐ Short Plat- Four Lots
☐ Right-of-Way Use	☐ Seasonal Development Limitation Waiver	☐ Short Plat- Deviation of Acreage Limitation
CRITICAL AREAS	**ENVIRONMENTAL REVIEW (SEPA)**	☐ Short Plat- Amendment
☐ Critical Area Review 1 (Hourly Rate 2hr Min)	■ SEPA Review (checklist)- Minor	☐ Short Plat- Final Plat
	☐ SEPA review (checklist)- Major	**OTHER LAND USE**
☐ Critical Area Review 2 (Determination)	☐ Environmental Impact Statement	☐ Accessory Dwelling Unit
	SHORELINE MANAGEMENT	☐ Code Interpretation Request
☐Reasonable Use Exception	☐ Exemption	☐ Comprehensive Plan Amendment (CPA)
DESIGN REVIEW	☐ Permit Revision	☐ Conditional Use (CUP)
☐ Pre Design Meeting	☐ Shoreline Variance	☐ Lot Line Revision
☐ Design Review (Code Official)	☐ Shoreline Conditional Use Permit	☐ Noise Exception
☐ Design Commission Study Session	☐ Substantial Development Permit	☐ Reclassification of Property (Rezoning)
☐ Design Review- Design Commission- Exterior Alteration	**SUBDIVISION LONG PLAT**	☐ Transportation Concurrency (see supplemental application form)
	☐ Long Plat- Preliminary	
☐ Design Review- Design Commission- New Building	☐ Long Plat- Alteration	☐ Planning Services (not associated with a permit or review)
	☐ Long Plat- Final Plat	
WIRELESS COMMUNICATION FACILITIES	**VARIANCES (Plus Hearing Examiner Fee)**	☐ Zoning Code Text Amendment
☐ Wireless Communications Facilities- 6409 Exemption	☐ Variance	☐ Request for letter
☐ New Wireless Communication Facility		

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PUBLIC NOTICE OF APPLICATION

NOTICE IS HEREBY GIVEN for the application described below:

File Nos.:	SUB20-002 (SEP20-016)
Permit Type:	Type III
Description of Request:	A request for Preliminary Short Plat approval and SEPA Threshold Determination.
Applicant/ Owner:	Tim McHarg (Van Ness Feldman LLP)/ Derek and Eileen Cheshire
Location of Property:	7615 E Mercer Way Mercer Island WA 98040 Identified by King County Assessor tax parcel number: 302405-9036
SEPA Compliance:	Following review of the submitted State Environmental Policy Act (SEPA) checklist, an initial evaluation of the proposed project for probable significant adverse environmental impacts has been conducted. The City expects to issue a SEPA Determination of Non-Significance (DNS) for this project. The optional DNS process, as specified in Washington Administrative Code (WAC) 197-11-355, is being used. This may be your only opportunity to comment on the environmental impacts of the proposal. The proposal may include mitigation measures under applicable codes, and the project review process may incorporate or require mitigation measures regardless of whether an Environmental Impact Statement (EIS) is prepared. A copy of the subsequent threshold determination for this specific proposal may be obtained upon request.
Project Documents:	Please follow this file path to access the associated documents for this project: https://mieplan.mercergov.org/public/SUB20-002 & SEP20-016
Written Comments:	**This may be the only opportunity to comment on the environmental impacts of the proposal.** Written comments on this proposal may be submitted to the City of Mercer Island either by email or by mail to the City of Mercer Island, 9611 SE 36th Street, Mercer Island, WA 98040-3732. Anyone may comment on the application, receive notice, and request a copy of the decision once made. Only those persons who submit written comments or participate at the public hearing (if a hearing is required) will be parties of record; and only parties of record will have the right to appeal.
Public Hearing:	Pursuant to MICC 19.15.030 Table A and B a public hearing is not required for Type I-III permits.

Applicable Development Regulations	Applications for a Preliminary Short Plat approval and SEPA Threshold Determination are required to be processed as a Type III land use reviews pursuant to Mercer Island City Code (MICC) 19.15.030. Processing requirements for Type III land use reviews are further detailed in MICC 19.15.030. Subdivision and platting standards are located in MICC 19.08, and SEPA requirements are in 19.21.
Other Associated Permits:	None at this time.
Environmental Documents:	Copies of all studies and / or environmental documents are available through the above project documents link.
Application Process Information:	Date of Application: July 20, 2020 Determined to Be Complete: August 17, 2020 Bulletin Notice: August 24, 2020 Date Mailed: August 24, 2020 Date Posted on Site: August 24, 2020 Comment Period Ends: 5:00PM on September 23, 2020

Project Contact:
Robin Proebsting / Senior Planner
Community Planning & Development
City of Mercer Island
9611 SE 36th Street
Mercer Island, WA 98040
(206) 275-7717
robin.proebsting@mercerisland.gov

MERCER ISLAND FILE NO. SUB20-___

CHESHIRE SHORT PLAT

A PORTION OF THE NE 1/4, OF THE SW 1/4 AND NW 1/4, OF THE SE 1/4,
SECTION 30, TOWNSHIP 24 NORTH, RANGE 5 EAST, W.M.
CITY OF MERCER ISLAND, KING COUNTY, WASHINGTON

DECLARATION

WE THE UNDERSIGNED OWNER(S) IN FEE SIMPLE OF THE LAND HEREIN DESCRIBED, DO HEREBY MAKE A SHORT SUBDIVISION THEREOF PURSUANT TO RCW 58.17.060 AND DECLARE THIS SHORT SUBDIVISION TO BE THE GRAPHIC REPRESENTATION OF THE SAME, AND THAT SAID SHORT SUBDIVISION IS MAKE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRE OF THE OWNER(S)

IN WITNESS WHEREOF WE HAVE SET OUR HANDS AND SEALS.

DEREK CHESHIRE

BY: _____

EILEEN CHESHIRE

BY: _____

ACKNOWLEDGEMENTS

STATE OF WASHINGTON)
)SS
COUNTY OF _____)

ON THIS DAY PERSONALLY APPEARED BEFORE ME DEREK CHESHIRE, TO ME KNOWN TO BE THE INDIVIDUAL DESCRIBED IN AND WHO EXECUTED THE WITHIN AND FOREGOING INSTRUMENT, AND ACKNOWLEDGED THAT HE/SHE SIGNED THE SAME AS HIS/HER FREE AND VOLUNTARY ACT AND DEED, FOR THE USES AND PURPOSES THEREIN MENTIONED IN THIS INSTRUMENT.

DATED: _____ ___, 20___.

_____

PRINTED NAME: _____
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON

RESIDING AT _____

MY APPOINTMENT EXPIRES _____

STATE OF WASHINGTON)
)SS
COUNTY OF _____)

ON THIS DAY PERSONALLY APPEARED BEFORE ME EILEEN CHESHIRE, TO ME KNOWN TO BE THE INDIVIDUAL DESCRIBED IN AND WHO EXECUTED THE WITHIN AND FOREGOING INSTRUMENT, AND ACKNOWLEDGED THAT HE/SHE SIGNED THE SAME AS HIS/HER FREE AND VOLUNTARY ACT AND DEED, FOR THE USES AND PURPOSES THEREIN MENTIONED IN THIS INSTRUMENT.

DATED: _____ ___, 20___.

_____

PRINTED NAME: _____
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON

RESIDING AT _____

MY APPOINTMENT EXPIRES _____

RECORDING CERTIFICATE

FILED FOR RECORD THIS _____ DAY OF_____ 2020 AT _____M IN BOOK _____ OF PLATS

AT PAGE _____ AT THE REQUEST OF _____.

_____
MANAGER OF RECORDS

LEGAL DESCRIPTION (ORIGINAL)

THE NORTH 148.375 FEET OF GOVERNMENT LOT 6;
EXCEPT THE WEST 1000 FEET;
ALSO THE NORTH 148.37 FEET OF A PORTION OF GOVERNMENT LOT 5, LYING WESTERLY OF EAST MERCER WAY;
ALL IN SECTION 30, TOWNSHIP 24 NORTH, RANGE 5, EAST, WILLAMETTE MERIDIAN, IN KING COUNTY;

SITUATE IN THE CITY OF MERCER ISLAND, COUNTY OF KING, STATE OF WASHINGTON.

LEGAL DESCRIPTIONS (NEW)

NEW LOT 1:

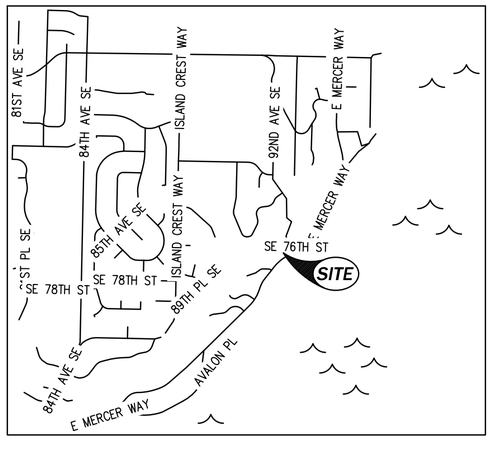
THAT PORTION OF THE NORTH 148.37 FEET OF A PORTION OF GOVERNMENT LOT 5, LYING WESTERLY OF EAST MERCER WAY;
ALL IN SECTION 30, TOWNSHIP 24 NORTH, RANGE 5, EAST, WILLAMETTE MERIDIAN, IN KING COUNTY DESCRIBED AS FOLLOWS:

BEGINNING AT INTERSECTION OF THE NORTH LINE OF SAID GOVERNMENT LOT 5 AND THE WESTERLY RIGHT-OF-WAY MARGIN OF EAST MERCER WAY;
THENCE N88°51'48"W, ALONG SAID NORTH LINE 163.93 FEET;
THENCE S34°46'02"W 136.17 FEET;
THENCE S67°25'49"E 20.08 FEET TO SAID WESTERLY MARGON AND A POINT OF NON-RADIAL INTERSECTION WITH A 603.14-FOOT RADIUS CURVE TO THE RIGHT, THE CENTER OF WHICH BEARS S30°03'18"E;
THENCE NORTHEASTERLY, ALONG SAID CURVE AND RIGHT-OF-WAY MARGIN, THROUGH A CENTRAL ANGLE OF 02°39'31", A DISTANCE OF 27.99 FEET TO A POINT OF TANGENCY;
THENCE N62°36'13"E, ALONG SAID MARGIN, 223.54 FEET TO THE POINT OF BEGINNING.

NEW LOT 2:

THAT PORTION OF THE NORTH 148.375 FEET OF GOVERNMENT LOT 6;
EXCEPT THE WEST 1000 FEET;
ALSO THE NORTH 148.37 FEET OF A PORTION OF GOVERNMENT LOT 5, LYING WESTERLY OF EAST MERCER WAY;
ALL IN SECTION 30, TOWNSHIP 24 NORTH, RANGE 5, EAST, WILLAMETTE MERIDIAN, IN KING COUNTY DESCRIBED AS FOLLOWS:

COMMENCING AT INTERSECTION OF THE NORTH LINE OF SAID GOVERNMENT LOT 5 AND THE WESTERLY RIGHT-OF-WAY MARGIN OF EAST MERCER WAY;
THENCE N88°51'48"W, ALONG SAID NORTH LINE, 136.93 FEET TO THE POINT OF BEGINNING;
THENCE CONTINUING N88°51'48"W 568.22;
THENCE S01°13'38"W 148.37 FEET;
THENCE S88°51'48"E 470.05 FEET, TO SAID WESTERLY MARGIN AND A POINT OF NON-RADIAL INTERSECTION WITH A 603.14-FOOT RADIUS CURVE TO THE RIGHT, THE CENTER OF WHICH BEARS S34°48'30"E;
THENCE NORTHEASTERLY, ALONG SAID CURVE AND MARGIN, THROUGH A CENTRAL ANGLE OF 04°45'12", A DISTANCE OF 50.04 FEET TO A POINT OF NON-TANGENCY;
THENCE N67°25'49"W 20.08 FEET;
THENCE N34°46'02"E 136.17 FEET TO THE POINT OF BEGINNING.



VICINITY MAP
NOT TO SCALE

CITY OF MERCER ISLAND APPROVALS

EXAMINED AND APPROVED THIS ____ DAY OF _____, 20___.

_____
CODE OFFICIAL

EXAMINED AND APPROVED THIS ____ DAY OF _____, 20___.

_____
CITY ENGINEER

KING COUNTY DEPARTMENT OF ASSESSMENTS

EXAMINED AND APPROVED THIS ____ DAY OF _____, 20___.

TAX ACCOUNT NUMBERS:

_____ _____
ASSESSOR DEPUTY ASSESSOR

SITE STATISTICS

ZONING:	R-9.6 (RESIDENTIAL-SINGLE FAMILY)
SITE AREA:	±88,557 SF (±0.39736 ACRES)
LOTS PROPOSED:	2
LOT 1 SIZE:	±11,154 SF
LOT 2 SIZE:	±77,402 SF
AVERAGE LOT SIZE	±44,278.5 SF
TAX PARCEL	302405-9036

OWNERS

DEREK AND EILEEN CHESHIRE
7615 E MERCER WAY
MERCER ISLAND, WA 98040

APPLICANTS

DEREK AND EILEEN CHESHIRE
7615 E MERCER WAY.
MERCER ISLAND, WA 98040

SURVEYOR/ENGINEER

CORE DESIGN, INC.
12100 NE 195TH STREET, STE 300
BOTHELL, WA 98011
(425) 885-7877
CONTACT: ROBERT WEST, PLS
SHERI MURATA, PE

SURVEYOR'S CERTIFICATE

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF DEREK AND EILEEN CHESHIRE IN _____, 2020.

ROBERT DAVID WEST
STATE OF WASHINGTON
44653
REGISTERED
PROFESSIONAL LAND SURVEYOR

_____
ROBERT D WEST, P.L.S.
PROFESSIONAL LAND SURVEYOR
CERTIFICATE NO. 44653

CORE DESIGN
CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE
PLANNING
SURVEYING

12100 NE 195th St, Suite 300 Bothell, Washington 98011 425.885.7877

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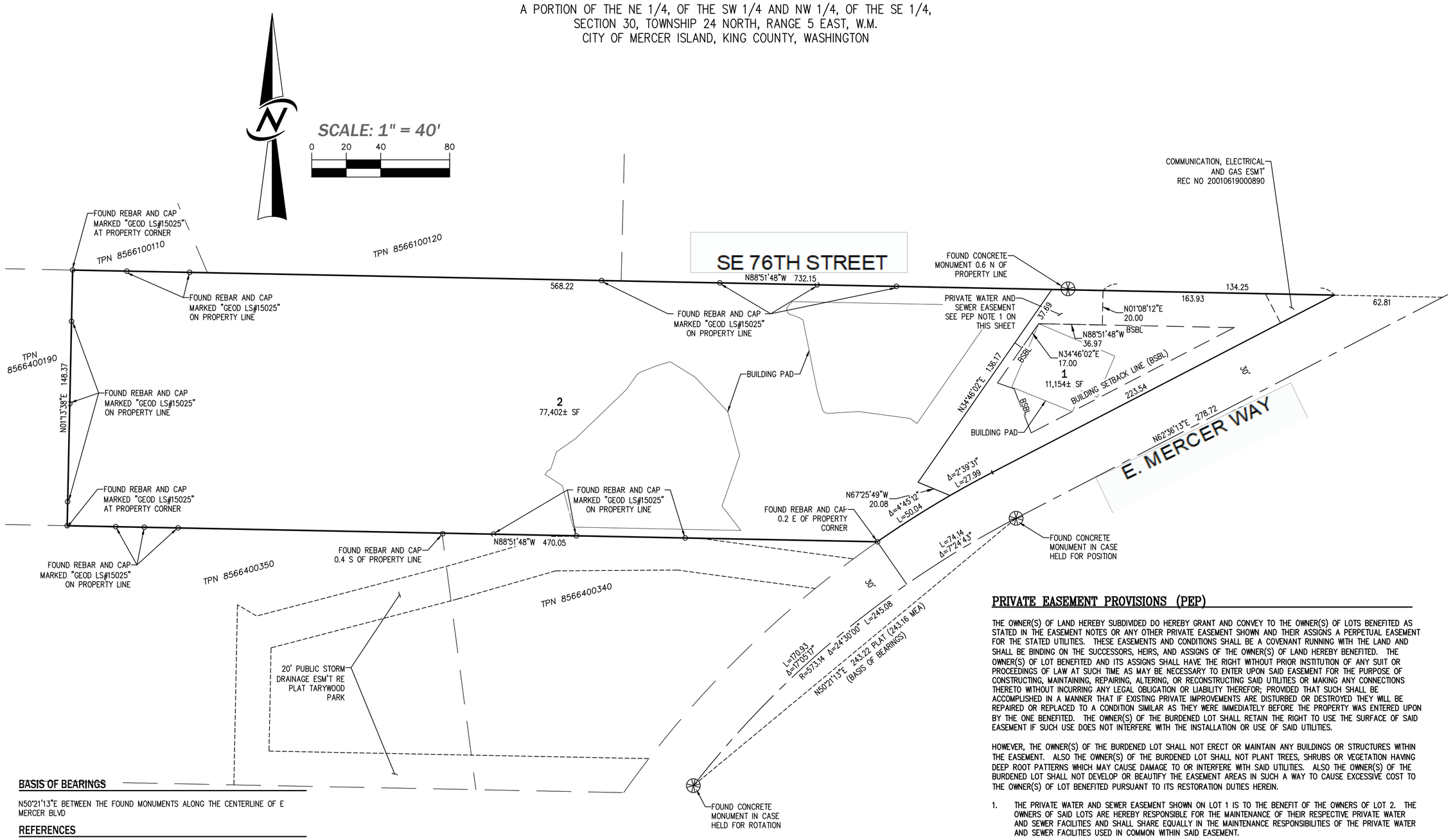
JOB NO. 19205

MERCER ISLAND FILE NO. SUB20-___

CHESHIRE SHORT PLAT

A PORTION OF THE NE 1/4, OF THE SW 1/4 AND NW 1/4, OF THE SE 1/4,
SECTION 30, TOWNSHIP 24 NORTH, RANGE 5 EAST, W.M.
CITY OF MERCER ISLAND, KING COUNTY, WASHINGTON



BASIS OF BEARINGS

N50°21'13"E BETWEEN THE FOUND MONUMENTS ALONG THE CENTERLINE OF E MERCER BLVD

REFERENCES

PLAT OF TARYWOOD HEIGHTS, RECORDED IN VOLUME 75 OF PLATS, PAGES 41 AND 42, IN KING COUNTY, WASHINGTON.

RESTRICTIONS

1. THIS SITE IS SUBJECT TO A NOTICE OF POSSIBLE (PRESENT OR FUTURE TAP CONNECTION CHARGES AS DISCLOSED BY INSTRUMENT RECORDED UNDER KING COUNTY RECORDING NUMBER 7712060812. (NOTHING TO PLOT, NOTED HERE)

2. THIS SITE IS SUBJECT TO AN EASEMENT TO CONSTRUCT, RECONSTRUCT, MODIFY, CHANGE, ADD TO, OPERATE, MAINTAIN AND REMOVE TELECOMMUNICATION FACILITIES, ELECTRICAL FACILITIES AND GAS FACILITIES AND APPURTENANCES AS DISCLOSED BY INSTRUMENT RECORDED UNDER KING COUNTY RECORDING NUMBER 20010619000890. (SHOWN HEREON)

3. THIS SITE IS SUBJECT TO COVENANTS, CONDITIONS, RESTRICTIONS, RECITALS, RESERVATIONS, EASEMENTS, EASEMENT PROVISIONS, DEDICATION, BUILDING SETBACK LINES, NOTES, STATEMENTS, AND OTHER MATTERS, IF ANY, AS SET FORTH ON SURVEY RECORDED UNDER KING COUNTY RECORDING NUMBER 20160421900001. (NOTHING TO PLOT, NOTED HERE)

4. THIS SITE IS SUBJECT TO AN AFFIDAVIT IN SUPPORT OF ACCESSORY DWELLING UNIT PERMIT AS DISCLOSED BY INSTRUMENT RECORDED UNDER KING COUNTY RECORDING NUMBER 20160801000054. (NOTHING TO PLOT, NOTED HERE)

5. THIS SITE IS SUBJECT TO AN INDEMNIFICATION AND HOLD HARMLESS AGREEMENT AS DISCLOSED BY INSTRUMENT RECORDED UNDER KING COUNTY RECORDING NUMBER 20180521000823. (NOTHING TO PLOT, NOTED HERE)

NOTES

1. ALL TITLE INFORMATION SHOWN ON THIS MAP HAS BEEN EXTRACTED FROM CHICAGO TITLE INSURANCE COMPANY, SUBDIVISION GUARANTEE NO. 0179833-16, DATED JUNE 3, 2020. IN PREPARING THIS MAP, CORE DESIGN, INC. HAS CONDUCTED NO INDEPENDENT TITLE SEARCH NOR IS CORE DESIGN, INC. AWARE OF ANY TITLE ISSUES AFFECTING THE SURVEYED PROPERTY OTHER THAN THOSE SHOWN ON THE MAP AND DISCLOSED BY THE REFERENCED COMMITMENT. CORE DESIGN, INC. HAS RELIED WHOLLY ON CHICAGO TITLE INSURANCE COMPANY REPRESENTATIONS OF THE TITLE'S CONDITION TO PREPARE THIS SURVEY AND THEREFORE CORE DESIGN, INC. QUALIFIES THE MAP'S ACCURACY AND COMPLETENESS TO THAT EXTENT.

2. THIS SURVEY REPRESENTS VISIBLE PHYSICAL IMPROVEMENT CONDITIONS EXISTING ON AUGUST 14, 2007. ALL SURVEY CONTROL INDICATED AS "FOUND" WAS RECOVERED FOR THIS PROJECT IN JULY, 2007.

3. PROPERTY AREA = ±88,557 SF (±0.39736 ACRES).

4. ALL DISTANCES ARE IN FEET.

5. THIS IS A FIELD TRAVERSE SURVEY. A THREE SECOND COMBINED ELECTRONIC TOTAL STATION WAS USED TO MEASURE THE ANGULAR AND DISTANCE RELATIONSHIPS BETWEEN THE CONTROLLING MONUMENTATION AS SHOWN. CLOSURE RATIOS OF THE TRAVERSE MET OR EXCEEDED THOSE SPECIFIED IN WAC 332-130-090. ALL MEASURING INSTRUMENTS AND EQUIPMENT ARE MAINTAINED IN ADJUSTMENT ACCORDING TO MANUFACTURER'S SPECIFICATIONS.

PRIVATE EASEMENT PROVISIONS (PEP)

THE OWNER(S) OF LAND HEREBY SUBDIVIDED DO HEREBY GRANT AND CONVEY TO THE OWNER(S) OF LOTS BENEFITED AS STATED IN THE EASEMENT NOTES OR ANY OTHER PRIVATE EASEMENT SHOWN AND THEIR ASSIGNS A PERPETUAL EASEMENT FOR THE STATED UTILITIES. THESE EASEMENTS AND CONDITIONS SHALL BE A COVENANT RUNNING WITH THE LAND AND SHALL BE BINDING ON THE SUCCESSORS, HEIRS, AND ASSIGNS OF THE OWNER(S) OF LAND HEREBY BENEFITED. THE OWNER(S) OF LOT BENEFITED AND ITS ASSIGNS SHALL HAVE THE RIGHT WITHOUT PRIOR INSTITUTION OF ANY SUIT OR PROCEEDINGS OF LAW AT SUCH TIME AS MAY BE NECESSARY TO ENTER UPON SAID EASEMENT FOR THE PURPOSE OF CONSTRUCTING, MAINTAINING, REPAIRING, ALTERING, OR RECONSTRUCTING SAID UTILITIES OR MAKING ANY CONNECTIONS THERETO WITHOUT INCURRING ANY LEGAL OBLIGATION OR LIABILITY THEREFOR; PROVIDED THAT SUCH SHALL BE ACCOMPLISHED IN A MANNER THAT IF EXISTING PRIVATE IMPROVEMENTS ARE DISTURBED OR DESTROYED THEY WILL BE REPAIRED OR REPLACED TO A CONDITION SIMILAR AS THEY WERE IMMEDIATELY BEFORE THE PROPERTY WAS ENTERED UPON BY THE ONE BENEFITED. THE OWNER(S) OF THE BURDENED LOT SHALL RETAIN THE RIGHT TO USE THE SURFACE OF SAID EASEMENT IF SUCH USE DOES NOT INTERFERE WITH THE INSTALLATION OR USE OF SAID UTILITIES.

HOWEVER, THE OWNER(S) OF THE BURDENED LOT SHALL NOT ERECT OR MAINTAIN ANY BUILDINGS OR STRUCTURES WITHIN THE EASEMENT. ALSO THE OWNER(S) OF THE BURDENED LOT SHALL NOT PLANT TREES, SHRUBS OR VEGETATION HAVING DEEP ROOT PATTERNS WHICH MAY CAUSE DAMAGE TO OR INTERFERE WITH SAID UTILITIES. ALSO THE OWNER(S) OF THE BURDENED LOT SHALL NOT DEVELOP OR BEAUTIFY THE EASEMENT AREAS IN SUCH A WAY TO CAUSE EXCESSIVE COST TO THE OWNER(S) OF LOT BENEFITED PURSUANT TO ITS RESTORATION DUTIES HEREIN.

1. THE PRIVATE WATER AND SEWER EASEMENT SHOWN ON LOT 1 IS TO THE BENEFIT OF THE OWNERS OF LOT 2. THE OWNERS OF SAID LOTS ARE HEREBY RESPONSIBLE FOR THE MAINTENANCE OF THEIR RESPECTIVE PRIVATE WATER AND SEWER FACILITIES AND SHALL SHARE EQUALLY IN THE MAINTENANCE RESPONSIBILITIES OF THE PRIVATE WATER AND SEWER FACILITIES USED IN COMMON WITHIN SAID EASEMENT.

ROBERT DAVID WEST
STATE OF WASHINGTON
44653
REGISTERED
PROFESSIONAL LAND SURVEYOR

CORE DESIGN
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LANDSCAPE ARCHITECTURE
PLANNING
SURVEYING
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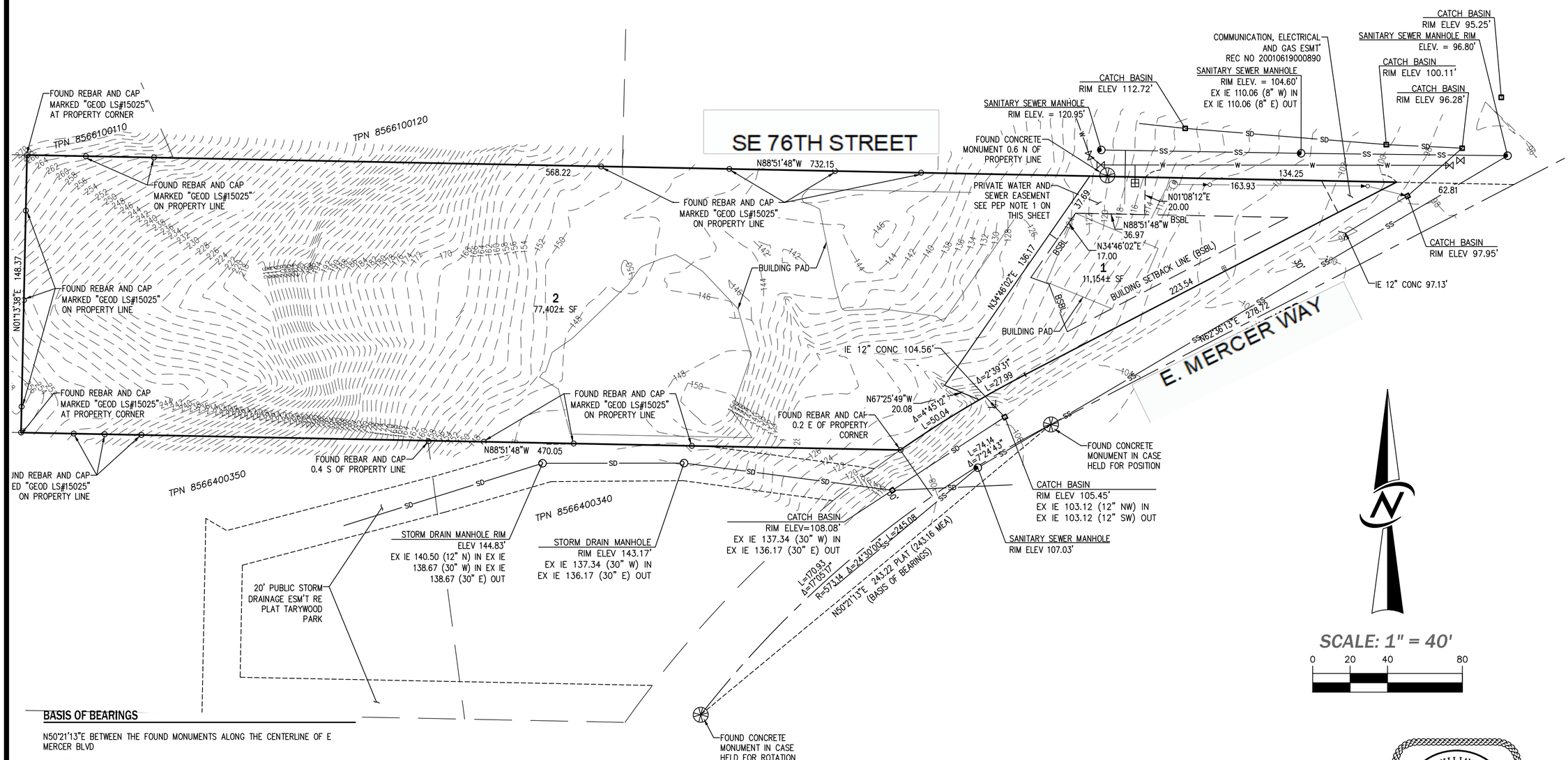
ENGINEERING • PLANNING • SURVEYING

JOB NO. 19205

MERCER ISLAND FILE NO. SUB20-___

CHESHIRE SHORT PLAT

A PORTION OF THE NE 1/4, OF THE SW 1/4 AND NW 1/4, OF THE SE 1/4,
SECTION 30, TOWNSHIP 24 NORTH, RANGE 5 EAST, W.M.
CITY OF MERCER ISLAND, KING COUNTY, WASHINGTON



SCALE: 1" = 40'

0 20 40 80

BASIS OF BEARINGS

N50°21'13"E BETWEEN THE FOUND MONUMENTS ALONG THE CENTERLINE OF E MERCER BLVD

REFERENCES

PLAT OF TARYWOOD HEIGHTS, RECORDED IN VOLUME 75 OF PLATS, PAGES 41 AND 42, IN KING COUNTY, WASHINGTON.

RESTRICTIONS

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NOTES

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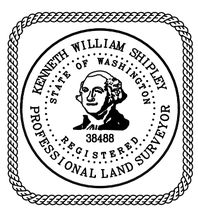
3. PROPERTY AREA = ±88,557 SF (±0.39736 ACRES).
4. ALL DISTANCES ARE IN FEET.
5. THIS IS A FIELD TRAVERSE SURVEY. A THREE SECOND COMBINED ELECTRONIC TOTAL STATION WAS USED TO MEASURE THE ANGULAR AND DISTANCE RELATIONSHIPS BETWEEN THE CONTROLLING MONUMENTATION AS SHOWN. CLOSURE RATIOS OF THE TRAVERSE MET OR EXCEEDED THOSE SPECIFIED IN WAC 332-130-090. ALL MEASURING INSTRUMENTS AND EQUIPMENT ARE MAINTAINED IN ADJUSTMENT ACCORDING TO MANUFACTURER'S SPECIFICATIONS.



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JOB NO. 19205

PRELIMINARY SHORT PLAT

CHESHIRE SHORT PLAT

DEREK CHESHIRE

VERTICAL DATUM

CITY OF MERCER ISLAND BENCH MARK NO. 2415 (NAVD 88) (VISITED 07/08/2013) FOUND "4""X4"" CONC W/COPPER TACK IN LEAD (DN 1.0')", LOCATED "250FT S, INTX E MERCER WAY & SE 76TH ST".

ELEVATION = 104.47'

METHOD OF SURVEY

INSTRUMENTATION FOR THIS SURVEY WAS A LEICA ELECTRONIC DISTANCE MEASURING UNIT. PROCEDURES USED IN THIS SURVEY WERE DIRECT AND REVERSE ANGLES, NO CORRECTION NECESSARY. MEETS STATE STANDARDS SET BY WAC 332-130-090.

BEARING MERIDIAN

A BEARING OF S50°21'13"W BETWEEN TWO FOUND MONUMENTS, "A" AND "B", PER THE PLAT OF TARYWOOD PARK, AS RECORED IN VOLUME 127 OF PLATS, PAGES 46-50, RECORDS OF KING COUNTY, WA.

LEGAL DESCRIPTION

NORTH 148.375 FEET OF GOVERNMENT LOT 6; EXCEPT THE WEST 1000 FEET ALSO THE NORTH 148.37 FEET OF A PORTION OF GIVERNMENT LOT 5 LYING WESTERLY OF EAST MERCER WAY; ALL IN SECTION 30, TOWNSHIP 24 NORTH, RANGE 5 EAST, W.M. IN KING COUNTY, WASHINGTON.

SURVEYOR'S NOTES

1. THE TOPOGRAPHIC SURVEY SHOWN HEREON WAS PERFORMED IN JULY OF 2013. THE FIELD DATA WAS COLLECTED AND RECORDED ON MAGNETIC MEDIA THROUGH AN ELECTRONIC THEODOLITE. THE DATA FILE IS ARCHIVED ON DISC OR CD. WRITTEN FIELD NOTES MAY NOT EXIST. CONTOURS ARE SHOWN FOR CONVIENENCE ONLY. DESIGN SHOULD RELY ON SPOT ELEVATIONS.
2. SUBJECT PROPERTY TAX PARCEL NO. 3024059036.
3. SUBJECT PROPERTY AREA PER THIS SURVEY IS 88,557 SQ.FT.+/-.
4. A TITLE REPOoRT WAS NOT FURNISHED AND THEREFORE, EASEMENTS IF ANY, ARE NOT SHOWN ON THIS MAP.
5. THE TOP/TOE OF SLOPE SHOWN ON THIS SURVEY IS THE FIELD CREWS INTERPRETATION OF THE TOP/TOE OF SLOPE. THIS DOES NOT REPRESENT THE LIMITS OF A "40%" SLOPE AREA.

SETBACKS

	CODE	PROPOSED
FRONT	20'	
SIDE	VARIABLE SEE MICC 19.02.020(C)(1)(c)(iii)	
REAR	25'	

SITE STATISTICS

PARCEL NO:	302405-9036
TOTAL AREA: (+/-)	92,347 S.F. (2.12± ACRES)
PROPOSED NUMBER OF LOTS	2
MAXIMUM UNITS:	2
ZONING	R-9.6
EXISTING USE:	SINGLE FAMILY RESIDENTIAL
PROPOSED USE:	SINGLE FAMILY RESIDENTIAL
MAXIMUM BUILDING HEIGHT:	30' ABOVE TO THE HIGHEST POINT OF THE ROOF
MAXIMUM IMPERVIOUS SURFACE:	

LOT SLOPE	LOT COVERAGE (LIMIT FOR IMPERVIOUS SURFACE)
LESS THAN 15%	40%*
15% TO LESS THAN 30%	35%
30% TO 50%	30%
GREATER THAN 50% SLOPE	20%

LOT 1 HAS A SLOPE OF 12%, THEREFORE THE MAXIMUM LOT COVERAGE IS 40% OR 4,461 SF.

SHEET INDEX

APPLICANT/OWNER

DEREK CHESHIRE
7615 MERCER WAY
MERCER ISLAND, WA 98040
DCHESHIRE@BOSKONE.NET

ENGINEER

CORE DESIGN, INC.
12100 NE 195TH ST, SUITE 300
BOTHELL, WA 98011
(425) 885-7877
CONTACT: SHERI MURATA, P.E. - ENGINEER
SHIM@COREDESIGNINC.COM

SURVEYOR

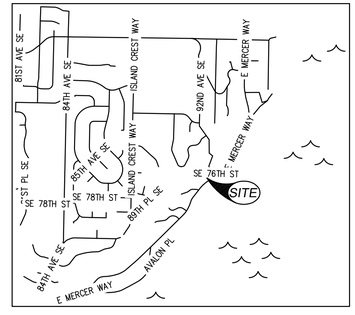
TERRANE
10801 MAIN STREET, SUITE 102
BELLEVUE, WA. 98004
(425) 458-4488
CONTACT: EDWIN J. GREEN
SUPPORT@TERRANE.NET

ARBORIST

A.B.C. CONSULTING ARBORISTS, LLC
DANIEL J. MAPLE
(509) 953-0293
DANIEL@ABCARBORIST.COM

GEOTECHNICAL ENGINEER

TERRA ASSOCIATES, INC.
12220 113TH AVENUE NE, SUITE 130
KIRKLAND, WA. 98034
(425) 821-7777
CONTACT CAROLYN DECKER



N

VICINITY MAP
NOT TO SCALE

UNDERGROUND LOCATOR SERVICE
CALL BEFORE YOU DIG!
811

SUB20-002

NO.	REVISIONS	DATE
1	CITY COMMENTS	10/23/20

11-4-2020

CIVIL ENGINEERING
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CORE DESIGN
12100 NE 195th St, Suite 300 Bothell, Washington 98011 425.885.7877

TITLE SHEET
CHESHIRE SHORT PLAT

DEREK CHESHIRE
7615 E MERCER WAY
MERCER ISLAND, WA 98040

DATE	JULY 2020 (1ST SUB)
DESIGNED	SHERI MURATA, P.E.
DRAWN	STEVE E. SIMMONS
APPROVED	SHERI MURATA, P.E.
	ROBERT WEST, PLS
	PROJECT MANAGER

SHEET	OF
1	4

PROJECT NUMBER
19205

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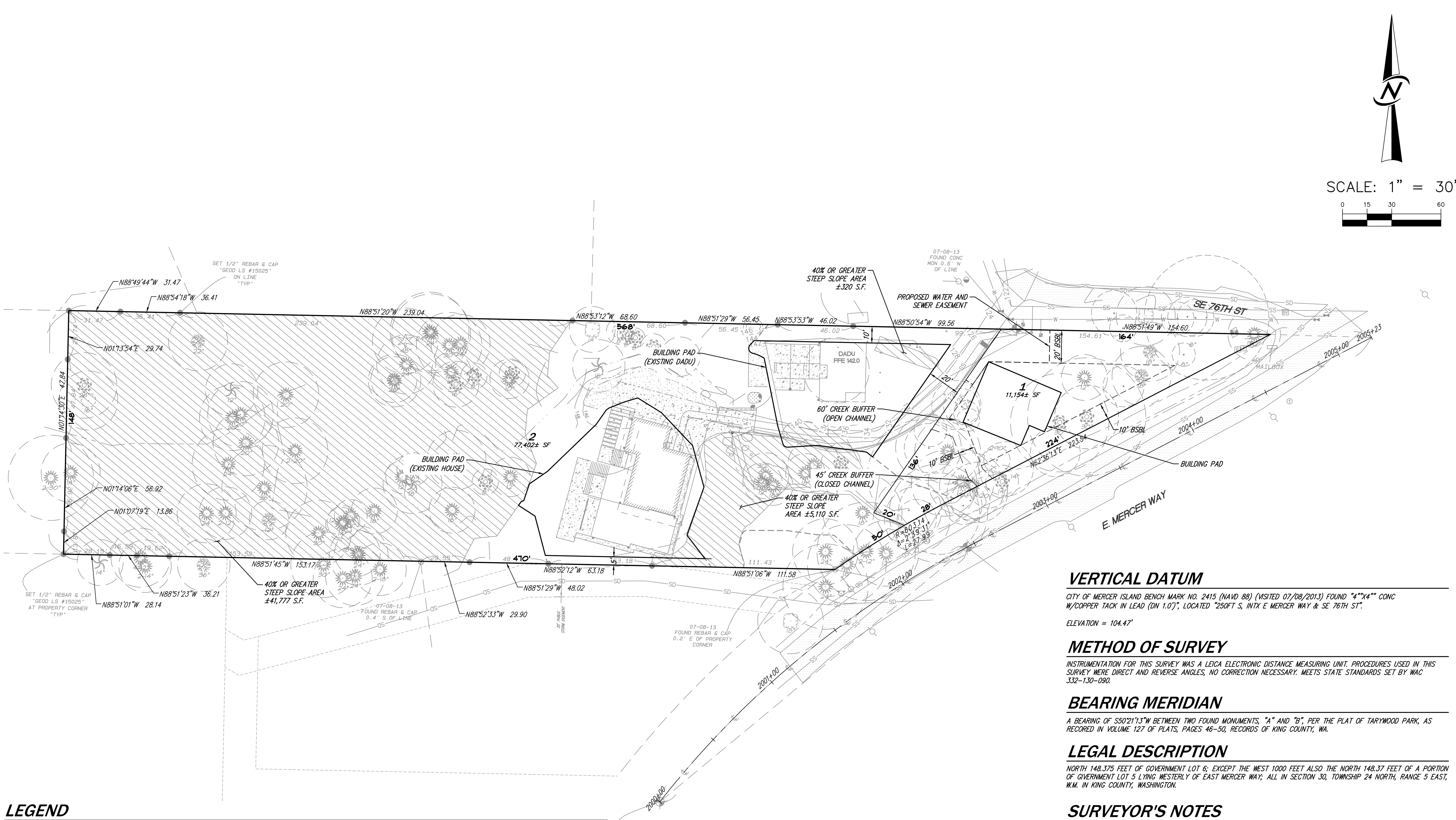

VERTICAL DATUM

CITY OF MERCER ISLAND BENCH MARK NO. 2415 (NAVD 88) (VISITED 07/08/2013) FOUND "4""X4"" CONC W/COPPER TACK IN LEAD (DN 1.0')", LOCATED "250FT S, INTX E MERCER WAY & SE 76TH ST".

ELEVATION = 104.47'

METHOD OF SURVEY

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LEGEND

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- SET REBAR & CAP AS NOTED
- FOUND REBAR & CAP AS NOTED
- UTILITY POLE
- CATCH BASIN
- SANITARY SEWER MANHOLE
- FINISHED FLOOR ELEVATION
- ELECTRIC METER
- SPOT ELEVATION
- FIRE HYDRANT
- STORM DRAIN MANHOLE
- WATER VALVE
- GAS VALVE
- ELECTRIC TRANSFORMER
- CABLE TV POLE
- TELEPHONE RISER
- TELEPHONE MANHOLE
- ASPHALT SURFACE
- STAIRS
- DECK
- GRAVEL SURFACE
- R-O-W RIGHT-OF-WAY
- ( ) RECORD AS NOTED
- "TYP" TYPICAL
- TOE OF DITCH AS NOTED
- BUILDING LINE
- CENTERLINE OF ROAD
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- EAVES
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NO.	REVISIONS	DATE
1	CITY COMMENTS	10/23/20

ROBERT DAVID WEST · STATE OF WASHINGTON · 44653 · REGISTERED PROFESSIONAL LAND SURVEYOR
6-2-20

CORE DESIGN
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LANDSCAPE ARCHITECTURE
PLANNING
SURVEYING
12100 NE 195th St, Suite 300 Bothell, Washington 98011 425.885.7877

PRELIMINARY SHORT PLAT
CHESHIRE SHORT PLAT
DEREK CHESHIRE
7615 E MERCER WAY
MERCER ISLAND, WA 98040

DATE	JULY 2020 (1ST SUB)
DESIGNED	SHERI MURATA, P.E.
DRAWN	STEVE E. SIMMONS
APPROVED	SHERI MURATA, P.E.
	ROBERT WEST, PLS PROJECT MANAGER

SHEET	OF
2	4

PROJECT NUMBER
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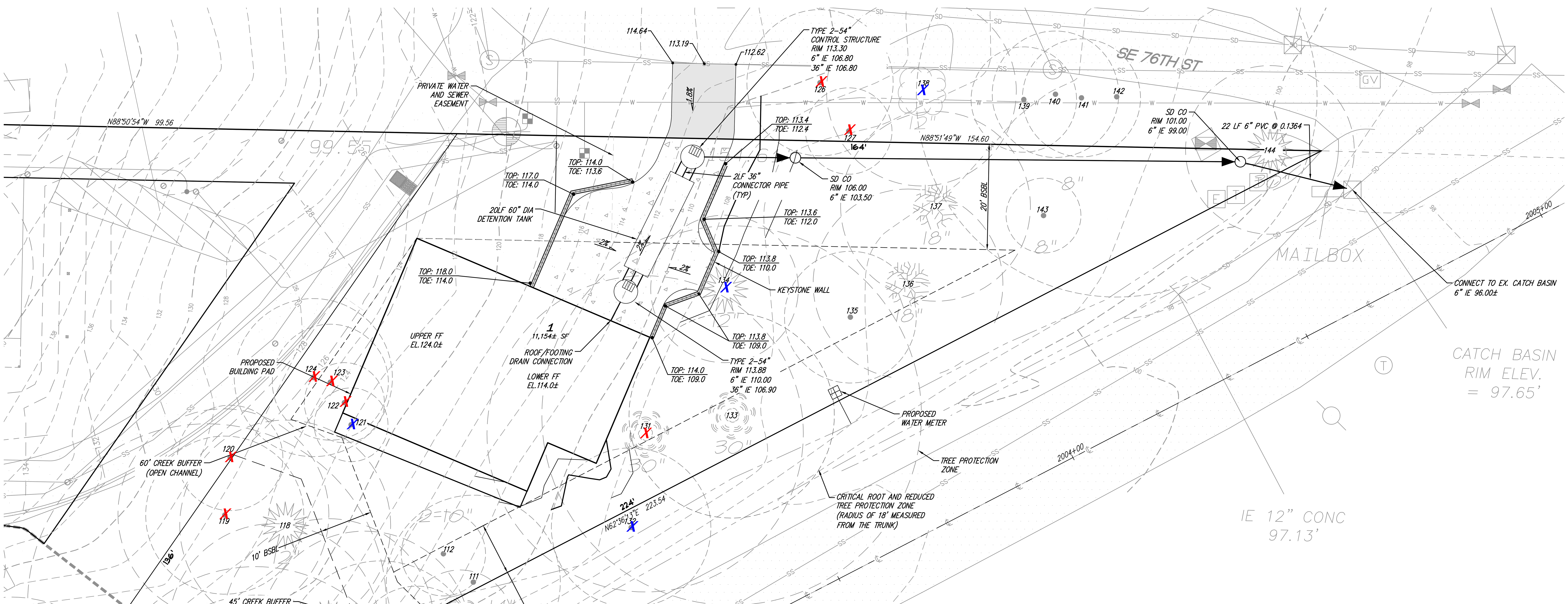

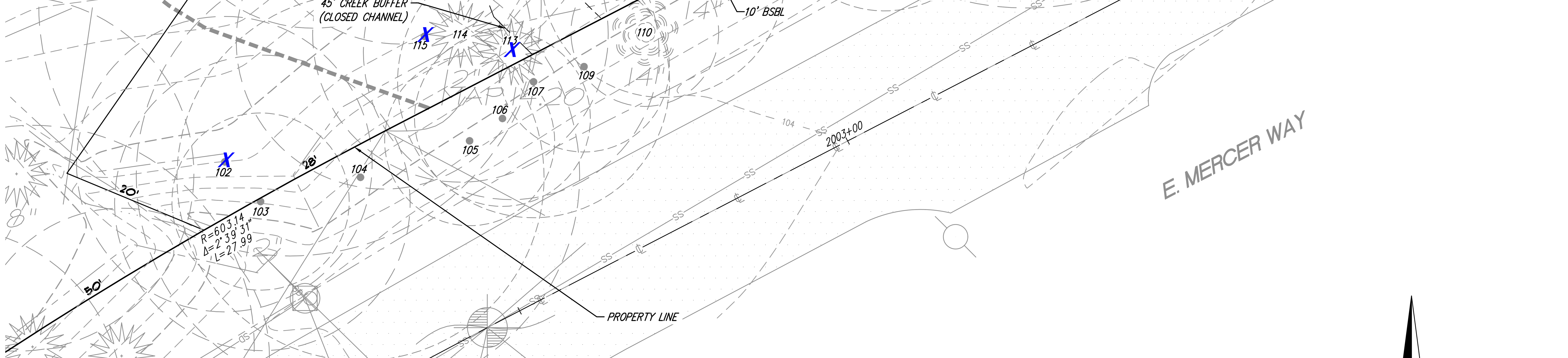

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N

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ROAD, GRADING & STORM DRAINAGE PLAN
CHESHIRE SHORT PLAT

DEREK CHESHIRE
7615 E MERCER WAY
MERCER ISLAND, WA 98040

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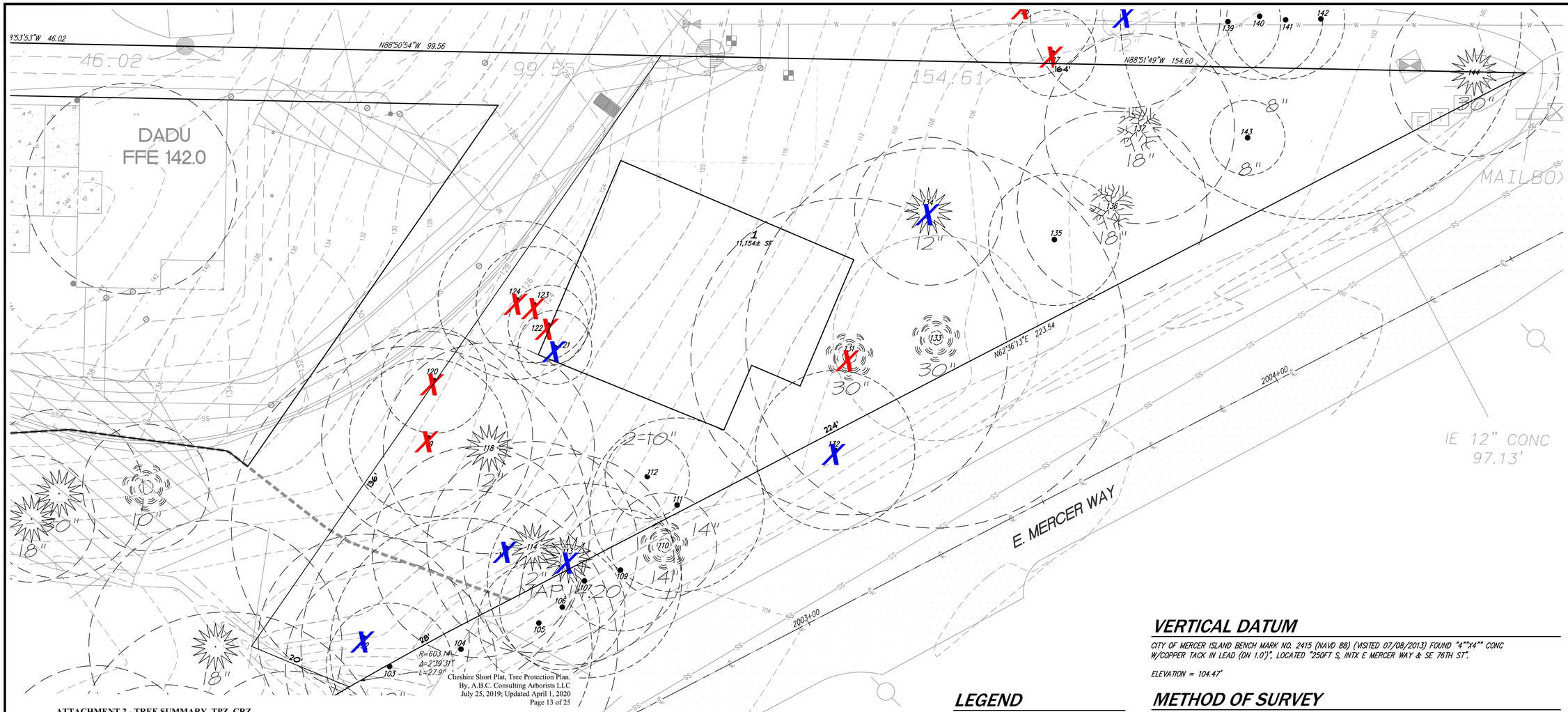

Cheshire Short Plat, Tree Protection Plan.
By, A.B.C. Consulting Arborists LLC
July 25, 2019; Updated April 1, 2020
Page 13 of 25

ATTACHMENT 2 - TREE SUMMARY, TPZ, CRZ

ID	Common	*Latin*	DBH	Height	Spread	Condition	Action	TPZ- [ft]	CRZ - [ft]	Notes
103	Maple	*Acer macrophyllum*	12	68	17	Fair (70+)	Retain-Viable	12	6	
104	Maple	*Acer macrophyllum*	24.84	75	23	Good (80+)	Retain-Viable	24.84	12.42	
105	Maple	*Acer macrophyllum*	11.5	65	20	Fair (70+)	Retain-Viable	11.5	5.75	
106	Maple	*Acer macrophyllum*	11.9	50	28	Poor (50+)	Retain-Viable	11.9	5.95	Suppressed
107	Maple	*Acer macrophyllum*	18.4	68	40	Fair (70+)	Retain-Viable	18.4	9.2	
109	Maple	*Acer macrophyllum*	11.56	55	21	Fair (70+)	Retain-Viable	11.56	5.78	
110	Maple	*Acer macrophyllum*	13.93	50	28	Fair (70+)	Retain-Viable	13.93	6.965	
111	Cedar	*Thuja plicata*	16.5	50	26	Good (80+)	Retain-Viable	16.5	8.25	
112	Maple	*Acer macrophyllum*	8	50	12	Fair (70+)	Retain-Viable	8	4	
113	Maple	*Acer macrophyllum*	16	72	20	Very Poor (25+)	Not Viable	16	8	Mostly dead, not long-term viable
114	Maple	*Acer macrophyllum*	14.5	72	28	Poor (50+)	Retain-Viable	14.5	7.25	
115	Maple	*Acer macrophyllum*	15	50	20	Very Poor (25+)	Not Viable	15	7.5	Extensive root decay.
118	Cedar	*Thuja plicata*	6.2	29	18	Good (80+)	Retain-Viable	6.2	3.1	
119	Maple	*Acer macrophyllum*	15	68	18	Fair (70+)	Conflicts with plans	15	7.5	Poor taper/LCR,
120	Maple	*Acer macrophyllum*	10	48	18	Fair (70+)	Conflicts with plans	10	5	
121	Cedar	*Thuja plicata*	7	28	15	Poor (50+)	Not Viable	7	3.5	Previously uprooted
122	Cedar	*Thuja plicata*	7.6	30	15	Fair (70+)	Conflicts with plans	7.6	3.8	
123	Cedar	*Thuja plicata*	11	42	26	Good (80+)	Conflicts with plans	11	5.5	
124	Cedar	*Thuja plicata*	15	45	22	Fair (70+)	Conflicts with plans	15	7.5	
126	Maple	*Acer macrophyllum*	13.87	50	34	Good (80+)	Conflicts with plans	13.87	6.935	
127	W. Pine	*Pinus monticola*	8.2	48	18	Good (80+)	Conflicts with plans	8.2	4.1	
131	Redwood	*Sequoia sempervirens*	28	98	35	Excellent (90+)	Conflicts with plans	21	10.5	
132	Alder	*Alnus rubra*	12.1	50	0	Dead (0)	Not Viable	15.125	7.5625	
133	Cedar	*Thuja plicata*	36	90	24	Excellent (90+)	Retain-Viable	36	18	
134	Maple	*Acer macrophyllum*	13	40	29	Poor (50+)	Not Viable	13	6.5	Suppressed /bowed crown/ not viable
135	Cherry	*Prunus ssp.*	10	45	22	Fair (70+)	Retain-Poor cond.	12.5	6.25	
136	Cedar	*Thuja plicata*	11.1	40	22	Good (80+)	Retain-Viable	11.1	5.55	
137	Fir	*Pseudotsuga menziesii*	22	98	30	Good (80+)	Retain-Viable	22	11	
138	Alder	*Alnus rubra*	16	50	26	Fair (70+)	Not Viable	20	10	Top ½ is dead.
139	Cedar	*Thuja plicata*	10	34	15	Good (80+)	Retain-Viable	10	5	
140	Cedar	*Thuja plicata*	12	45	25	Good (80+)	Retain-Viable	12	6	
141	Cedar	*Thuja plicata*	11.2	43	25	Good (80+)	Retain-Viable	11.2	5.6	
142	Maple	*Acer macrophyllum*	38	25	25	Very Poor (25+)	Retain-Viable	38	19	Tree has been topped @ 20â€™. Monitor and mitigation prune as needed
143	Cedar	*Thuja plicata*	7.1	40	25	Good (80+)	Retain-Viable	7.1	3.55	
144	Maple	*Acer macrophyllum*	24	55	25	Fair (70+)	Retain-Viable	24	12	

I Made a field examination of Tree 133. It is viable to set the TPZ at 18-feet. Arborist Shall oversee Excavation and Prune Roots as needed. An Application of Cambistat 3-months Prior to construction and 4-inches of Mulch in the CRZ would be beneficial.

LEGEND

X TREE NOT VIABLE

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PRELIMINARY TREE PLAN
CHESHIRE SHORT PLAT

DEREK CHESHIRE
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	ROBERT WEST, PLS	
	PROJECT MANAGER	

SHEET	OF
4	4

PROJECT NUMBER 19205

CRITICAL AREA STUDY

Cheshire Residence: Wetland and Watercourse Buffer Reduction, Revised

Prepared for:

Teresa Russell
Russell Architecture
1004 163rd Avenue SE
Bellevue, WA 98008

c/o Jason Henry
Berger Partnership
1721 8th Avenue N
Seattle, WA 98109-3015

Prepared by:

THE WATERSHED COMPANY

750 Sixth Street South
Kirkland . WA 98033
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f 425.827.8136
watershedco.com

November 2017

The Watershed Company Reference Number:
160528

Cite this document as:
The Watershed Company. November 2017. Critical Area Study, Cheshire Residence: Wetland and Watercourse Buffer Reduction, Revised.

TABLE OF CONTENTS

LIST OF FIGURES

CRITICAL AREA STUDY

CHESHIRE RESIDENCE

1 INTRODUCTION

This critical area study is prepared as part of a proposal to permit proposed site improvements at 7615 E. Mercer Way in Mercer Island, Washington (parcel number 3024059036). Proposed site improvements consist of an addition to the existing single-family residence, driveway expansion, and construction of a detached accessory dwelling unit (ADU) on the property.

The site contains wetland and stream (watercourse) critical areas as documented in the *Cheshire Residence – Wetland and Watercourse Delineation Study* prepared by The Watershed Company in June 2016. A revised wetland and stream delineation figure was prepared and submitted in June 2017. The wetland is classified as a Category III wetland, which requires a standard buffer width of 50 feet. The open channel of the watercourse meets the criteria for Type 2, also requiring a standard buffer width of 50 feet; the piped portion of the watercourse requires a buffer width of 25 feet.

The applicant proposes to reduce the portions of the standard 50-foot buffer of on-site critical areas to 25 feet through buffer enhancement. Unavoidable buffer impacts will be mitigated through on-site enhancement of remaining portions of the standard 50-foot buffer. This report is intended to satisfy the requirements of the Mercer Island City Code (MICC). It provides a description of existing site conditions, proposed wetland and watercourse buffer reductions, and includes compensatory mitigation to ensure no net loss of critical area or buffer functions.

2 EXISTING CONDITIONS

2.1 Setting

The subject parcel (parcel number 3024059036) is located at 7615 E. Mercer Way in Mercer Island, Washington; in Section 30 of Township 24 North, Range 5 East of the Public Land Survey System (PLSS). It is approximately 2.1 acres in size and situated in the Mercer Island sub-basin of the Cedar-Sammamish Watershed (Water Resource Inventory Area [WRIA] 8; Figure 1). The subject parcel is zoned residential (R-9.6).

The study area currently includes a 2,660-square foot single-family residence with attached garage built in 1970, a gravel driveway, maintained lawn areas, and a children's play structure. The site slopes downhill to the east.

The entire parcel is mapped as Kitsap silt loam, 15 to 30 percent slopes, by the Natural Resources Conservation Service's (NRCS) Web Soil Survey (USDA 2016). Steep slope areas (40% or greater) dominate the west side of the site; the east side of the parcel also contains some steep slope areas, but to a lesser extent. One wetland and one stream are present near the project area and are discussed below.

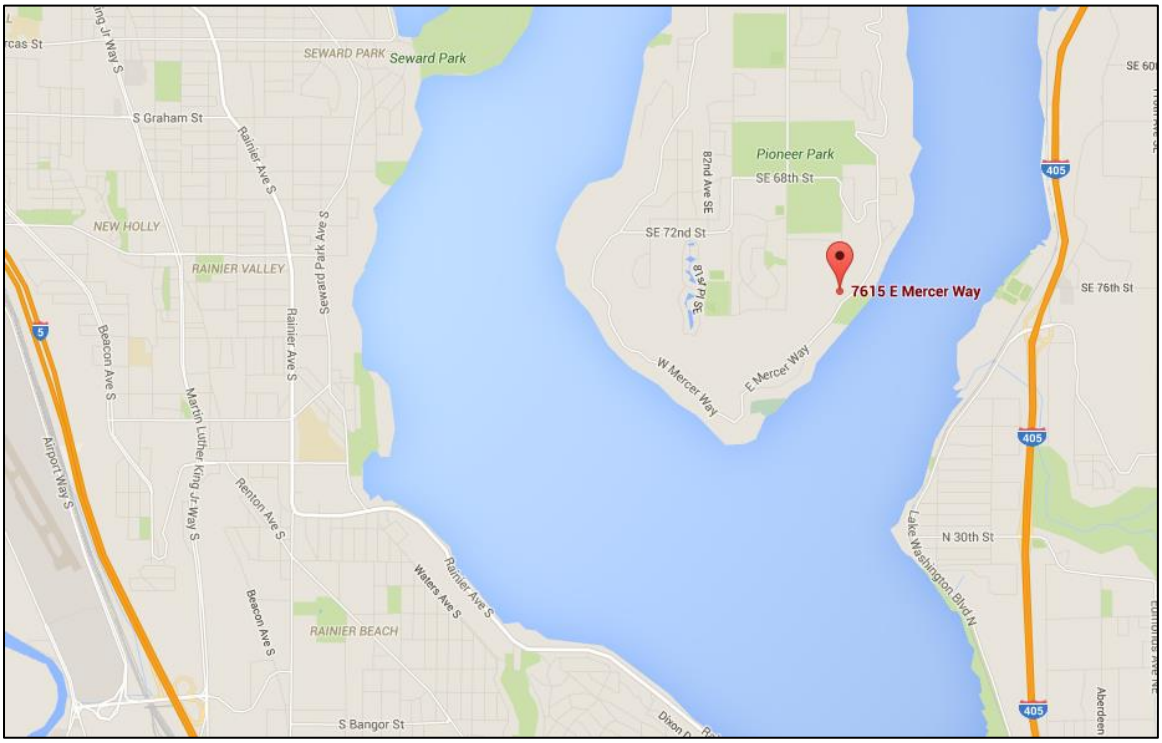


Figure 1. A vicinity map showing the location of the site (imagery source: Google Maps).

Figure 2. An aerial view of the subject property (imagery source: Mercer Island online mapping portal).

2.2 Wetland

One wetland (Wetland A) is present near the project area. Wetland A is located west of the existing single-family residence on the property at the base of the steep slope. It is a slope wetland that contains forested and emergent vegetation classes. Common plants observed in the wetland include western red cedar and bigleaf maple (partially rooted near wetland edges and growing in upland hummocks within the wetland boundary) in the canopy, with salmonberry, Devil's club, skunk cabbage, lady fern, and giant horsetail in the understory. The hydrologic regimes of wetland soils include saturated-only and occasionally flooded. Wetland A is supported by groundwater seeps. Surface water and groundwater flowing downslope through the wetland eventually form a distinct channel on the north side of the wetland, described in this study as Watercourse A. Wetland A is classified as a Category III wetland.

2.3 Watercourse

One watercourse (Watercourse A) is present in the project area. Watercourse A is approximately four feet wide and forms within the boundaries of Wetland A in the north-central portion of the property. It generally flows southeast through the study area and is eventually is conveyed under E. Mercer Way upon leaving the subject property; Mercer Island's GIS Portal indicates that off-site, this watercourse flows through Clarke Beach Park then discharges into Lake Washington. Watercourse A is classified as a Type 2 watercourse.

2.4 Critical Area Buffers

Outside of wetland and watercourse critical areas and existing developed portions of the property, the site is predominantly forested. Much of the upland forested areas are also located on steep slopes (40% or greater). Forested areas are composed of mostly bigleaf maple; Douglas-fir and western red cedar are also present to a lesser extent. Tree size varies some, but is generally estimated at less than 20 inches diameter-at-breast-height (DBH) on average.

Understory vegetative structure is low on the east side of the residence; there is little to no sub-canopy present, and shrubs and groundcover plants are generally less than 10 feet in height (Figure 3). Understory plants are composed of native and non-native species. The most common plant species observed in this area include English ivy, sword fern, low Oregon grape, English laurel, beaked hazelnut, and Indian plum.

Figure 3. Photo of the forest understory east of the existing residence (photo taken 5/23/2016).

The critical area buffer immediately north and west of the residence is sparsely vegetated. Existing buffer intrusions are located in this area and include portions of a children's play structure with a compact gravel base and maintained lawn area (Figure 4). Vegetation in this portion of the buffer is maintained as lawn or is a sparsely

vegetated berm (Figures 4 and 5). Common plants include bigleaf maple in the canopy and giant horsetail in the understory.

Figure 4. Photo of critical area buffer located west of the existing residence (photo taken 5/23/3016).

Figure 5. Photo of sparsely vegetated understory of berm located in critical area buffer north and west of the existing residence (photo taken 5/23/2016).

2.5 Wildlife Habitat Conservation Areas

As indicated by both the City of Mercer Island's online mapping portal and PHS maps (WDFW 2016), an active bald eagle nest is present southwest of the subject property. The nest was visually confirmed during a May 2016 site inspection. The nest is located in a large and prominent Douglas-fir tree with a broken leader (Figure 6). According to online sources, the study area is located within 660 feet of the nest site (Figure 7). No other sensitive species are known to occur within or immediately adjacent to the project area.

Figure 6. Photo of Douglas-fir tree in which the nearby bald eagle nest is located (photo taken 5/23/2016).

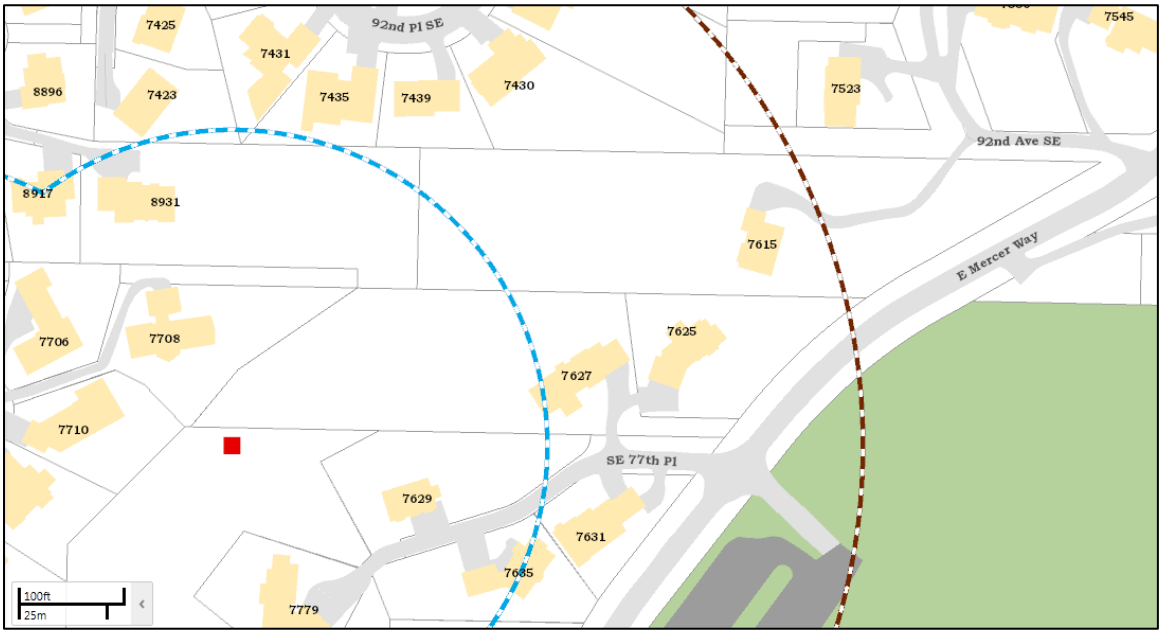


Figure 7. Mapped nest location (red square) in vicinity of subject parcel showing 330-foot buffer (blue dashed-line) and 660-foot buffer (brown dashed-line) from the nest (imagery source: Mercer Island online mapping portal).

3 REGULATIONS

3.1 Local Regulations

In the City of Mercer Island, wetlands are regulated under the Mercer Island City Code (MICC), Chapter 19.07 – Environment. Wetland buffers are designated based on the wetland classification (MICC 19.07.080). Wetlands on Mercer Island are classified using the 2004 Ecology Rating System (MICC 19.16.10). Wetland A rates as a Category III wetland, with a total functions score of 30 points (6 water quality function points, 10 hydrologic function points, and 14 habitat function points). Per MICC 19.07.080(C), Category III wetlands require a standard buffer width of 50 feet. Type 2 watercourses also require a standard buffer of 50 feet. Where the watercourse is piped, the standard buffer with is 25 feet.

Category III wetland buffers and Type 2 watercourse buffers may be reduced to 25 feet, provided it is shown that a smaller area is adequate to protect the wetland/watercourse, the impacts will be mitigated by using a combination of options, and the proposal will result in no net loss of wetland, watercourse, and buffer functions (MICC19.07.070 and MICC 19.07.080). Buffer areas containing a steep slope may not be reduced.

Construction of new driveways may be allowed within critical area buffers as long as construction is consistent with best management practices, the facility is designed and located to minimize impacts to critical areas consistent with best available science, and impacts to critical areas are mitigated to the greatest extent reasonably feasible so there is no net loss of critical area functions (MICC 10.07.030[A][6]).

Wildlife habitat conservation areas are also regulated as critical areas; they are defined as "those areas the city council determine are necessary for maintaining species in suitable habitat within their natural geographic distribution so that isolated subpopulations are not created…" in MICC 19.16.010. Areas used by bald eagles for nesting and breeding were considered wildlife habitat conservation areas when the species was protected under the Endangered Species Act. Since the MICC was written, bald eagles have been de-listed and are no longer considered threatened or endangered. Currently, the City of Mercer Island directs applicants potentially conducting activities that may disturb bald eagles to follow recommendations outlined in the US Fish and Wildlife Service's (FWS) *National Bald Eagle Management Guidelines* (FWS 2007).

4 PROJECT PURPOSE AND APPROACH

The purpose of the project is to construct an addition to the existing single-family residence and add a detached ADU on the property. These improvements also require an expansion of the existing driveway on-site per fire code requirements and a small (four-foot) retaining wall adjacent the proposed ADU. In addition, the project seeks to protect critical areas located on the property.

In order to achieve the purpose of the project and protect the wetland, watercourse, and buffer areas located on the property, wetland and watercourse buffer reduction is proposed with buffer enhancement. Buffer reduction will not extend into steep slope areas and is only proposed where necessary to allow for the proposed improvements. The proposed reduction will result in no net loss of critical area or buffer functions and will utilize the following mitigation options as provided by the MICC:

1. *Installation of biofiltration/infiltration mechanisms such as bioswales, created and/or enhanced wetlands, or ponds supplemental to existing storm drainage and water quality requirements;*
2. *Removal of noxious weeds, replanting with native vegetation and five-year monitoring.*

Additionally, existing intrusions into the buffer area west of the residence will be removed and the area restored with native vegetation. Proposed impacts to buffer areas are limited to the access driveways, as required by the fire department and allowed as an "allowed alteration" within critical area buffers per MICC 19.07.030(A)(6).

4.1 Mitigation Sequencing

The project has been designed to avoid, minimize and compensate for impacts to the greatest extent possible given the constraints of the site. The following describes how the mitigation sequencing requirements of the MICC have been met.

Avoid

The project area contains one wetland and one watercourse and their associated critical area buffers. Direct impacts to critical areas will be avoided. Buffer impacts will be avoided to the extent possible through thorough site planning and by reducing and enhancing the wetland and watercourse standard buffers. Buffer enhancement will ensure that the proposed conditions will achieve no net loss of critical area or buffer functions.

Minimize

Impacts to the reduced critical areas buffers will be a result of driveway expansion as required by the fire department. These impacts have been minimized by maintaining the existing location of the driveway to be expanded and by using a bioretention area to filter runoff from portions of the new driveway. The bioretention area will receive runoff from the upper portion of the driveway and parking area west of the proposed ADU. The bioretention area has been adequately sized to treat 91% of the runoff volume through the 18-inch thick bioretention soil layer, for the required water quality treatment. Due to the underlying low permeable native soils, native infiltration in the soil subgrade is not anticipated. The bioretention area will be equipped with a perforated underdrain located within a gravel sub-base that will collect the treated runoff from the bioretention soil layer and will convey the flows east, eventually connecting into the existing drainage system along the north side of East Mercer Way

During the construction phase, impacts will be minimized through implementation of best management practices (BMPs). Unavoidable buffer impacts will be mitigated at a 1.5:1 ratio through on-site buffer enhancement.

Mitigate

Compensatory mitigation measures are proposed for impacts resulting from driveway expansion in reduced on-site critical area buffers. All of the reduced 25-foot buffer will be enhanced to maintain equivalent buffer function. Despite the buffer reduction, it is not possible to construct the entirety of the access drive outside of the reduced buffer. A total of 2,722 square feet (SF) of the reduced buffer will be impacted by the driveway expansion. Mitigation for unavoidable impacts within the reduced buffer will be mitigated by enhancing a portion of the standard 50-foot buffer east of the new residence at a 1.5:1 ratio.

Buffer enhancement will include removal those portions of the existing play structure and compact gravel base from the reduced buffer area (72 SF) and replacing the structure entirely outside of the reduced buffer; removal of invasive species and installation of a dense native tree, shrub, and groundcover community; and installation of large woody debris. A total of 15,609 SF of critical area buffer will be enhanced on the property, including the entirety of the reduced buffer (11,361 SF) and 4,248 SF of the standard buffer. A total of 23 logs are proposed in the buffer enhancement areas. The logs, including bigleaf maple, Douglas-fir, western red cedar, and western hemlock, will be harvested on-site during approved clearing activities associated with the driveway expansion. Trees proposed for use as large woody debris are 18-24-inch in diameter. Since the vast majority of the trees that will be removed from buffer areas are located in the stream buffer, the large woody debris will be placed generally east of the proposed

residence within the enhanced stream buffer areas. A rain garden will also be installed as a biofiltration mechanism near the ADU as described above.

Table 1: Impacts and Mitigation Areas

Proposed Impact	Proposed Mitigation
Reduce standard buffer from 50' to 25'	Enhance entire reduced buffer – 11,361 sf
Permanent buffer loss from driveway expansion – 2,722 sf	Removal of play structure and gravel base from reduced buffer – 72 sf; Enhance portion of standard 50-foot buffer – 4,248 sf

Monitor

A five-year monitoring and maintenance plan is proposed to ensure the success of mitigation areas over time.

4.2 Unpermitted Vegetation Removal

The City has noted that vegetation removal occurred within the buffer areas sometime between 2012 and 2015, and there is no record of appropriate permits for this clearing activity (*Request for Information for File No. CAO16-003 Cheshire Critical Area Determination 7615 E Mercer Way / Mercer Island WA 98040; King County Tax Parcel #: 3024059036* [Robin Proebsting, Senior Planner, City of Mercer Island Development Services Group, 1/13/2016 (sic)]). Based on a review of Google Earth aerial photographs, the vegetation clearing took place prior to April 2015. According to the King County recorder's office, the transfer of ownership to the current property owners took occurred after the clearing took place (transfer recorded May 30, 2014). As such, they cannot address the specifics of the prior permitting history, or lack thereof. However, under the current proposal, the areas which were cleared appear to be within the reduced 25-foot buffer or are within areas of the standard buffer, which are proposed for reduction under as part of this project. All portions of the reduced buffers will be restored and enhanced under this proposal, including any unauthorized clearing that occurred prior to the current ownership.

5 IMPACT ASSESSMENT

The proposal is to expand the existing residence from a footprint of 1,655 SF to 2,827 SF and build a detached 900-SF ADU with an associated 432 SF of pervious pavers comprising a deck off the east side of the ADU. The total footprint for the ADU, including the foundation and deck will be 1,440 SF. The proposal also includes widening the existing gravel driveway to approximately 20 feet and upgrading to

asphalt paving as required by the fire department. A four-foot retaining wall is proposed north of the expanded driveway. Except for the unavoidable driveway impacts, these site improvements will occur outside of the reduced wetland and watercourse buffers. Impacts to the reduced 25-foot critical area buffers is limited to driveway expansion as required by the fire department. Driveway impacts occurring in the reduced buffer total 2,722 SF; this does not include existing driveway areas located in the critical area buffers.

Buffer impacts will take the form of vegetation removal and minor grading and result in increased impervious surfaces. To compensate for these impacts and for reduction of the critical area buffer, buffer enhancement will occur. A total of 15,609 SF of critical area buffer will be enhanced on-site by removing existing buffer intrusions, removing non-native vegetation, and installing native plants and large woody debris. The total enhancement area includes 4,248 SF of the standard 50-foot wetland buffer to remain, as mitigation for unavoidable buffer impacts (ratio of 1.5:1). With mitigation, a net improvement of on-site buffers is expected.

5.1 No net loss

Without mitigation, a slight decrease in hydrologic, water quality, and habitat function could be anticipated to occur under the proposed project due to the increase of impervious surfaces on-site and some vegetation removal. The mitigation plan is designed to ensure no net loss of ecological function as a result of the proposed improvements.

Proposed mitigation will benefit on-site critical area buffers by increasing the ability of the buffer vegetation to store/trap sediments and nutrients, increasing the ability of the buffer to attenuate flood flow during heavy rain, and improving cover and forage opportunities for wildlife. Mitigation areas include all portions of the reduced buffer, including areas of previous unauthorized clearing activities that occurred prior to the current ownership, degraded portions of the existing 25-foot buffer, and a portion of the standard 50-foot buffer that will not be reduced.

Table 2, below, summarizes how the proposed mitigation will achieve no net loss of ecological functions on-site.

Table 2. Summary showing no net loss of critical area buffer functions with proposed conditions.

Critical Area Buffer Function	Existing Conditions	Proposed Conditions	Determination
Water Quality	The current water quality function of the critical area buffers is limited by sparsely vegetated buffer areas and buffer intrusions.	Vegetative density to be substantially increased in critical area buffers through planting of native trees, shrubs, and groundcovers. Bioswale to be installed.	Increasing amount of dense, rigid vegetation as well as the bioswale will improve the ability to slow surface water flowing towards the stream and help filter and capture nutrients and sediments that might otherwise enter the waterbody.
Hydrology	The current hydrologic function of the critical area buffers is limited by sparsely vegetated areas and buffer intrusions.	Vegetative density to be substantially increased in critical area buffers through planting of native trees, shrubs, and groundcovers. Rain garden to be installed.	The addition of trees, shrubs, groundcover plants, and rain garden will help attenuate flood flow during heavy rain events.
Habitat	The habitat function of the critical area buffers is limited by low understory vegetative density, low structural diversity, and prevalence on non-native plant species.	Non-native plant species to be removed. Vegetative density to be substantially increased in critical area buffers through planting of native trees, shrubs, and groundcovers. Woody debris to be installed.	Woody debris installation and understory planting of trees, shrubs, and groundcover plants will increase vegetative density and structural diversity, improving cover and forage opportunities for wildlife. Non-native plant species removed or significantly reduced.
Overall	Moderate to low functioning critical area buffer in the project area. Existing vegetated areas have significant amounts non-native plant species and are characterized by a relatively open or sparsely vegetated understory.	Removal of non-native plant species buffer areas. Planting of trees, shrubs, and groundcovers in existing vegetated stream buffer areas. Installation of rain garden.	The proposed project is expected to improve ecological functions over existing conditions. This includes habitat, hydrology, and water quality functions of the critical area buffers. Overall no net loss of functions is expected.

5.2 Bald Eagle Nest Management

A verified bald eagle nest is located approximately 500 feet southwest of the project area. The applicant has discussed the potential effects and limitations regarding the nest with USFWS staff. Since project construction is planned for July (the latter half of the nesting season), project activities will occur more than 330 feet from the nest, and existing vegetative screening areas will remain undisturbed, the project complies with regular building construction requirements; therefore, USFWS permits are not required (Jamie Hanson, USFWS, email communication, April 2017).

6 MITIGATION AND RESTORATION PLAN

6.1 Overview

A comprehensive five-year maintenance and monitoring plan is included as part of the buffer enhancement. The plan details methods of invasive species removal, specifies appropriate species for planting and planting techniques, describes proper maintenance activities, and sets forth performance standards to be met yearly during monitoring. This will ensure that restoration plantings will be maintained, monitored, and successfully established within the first five years following implementation.

Proposed restoration begins with removal of invasive weeds such as Himalayan blackberry, English ivy, and English laurel and placement of woody debris in the buffer. This will be followed by installation of native tree, shrub, and groundcover species suitable to the site (Appendix A). Four native tree species, six native shrub species, and thirteen native groundcover, perennial, or grass species are proposed in the mitigation area. The plan calls for new plantings within the reduced buffers of on-site critical areas. Native plantings and woody material are intended to increase native plant cover, improve native species diversity, increase vegetative structure, and provide food and other habitat resources for wildlife.

6.2 Goals

1. Enhance wetland and watercourse buffers.

    a. Remove and control all invasive woody species in the restoration areas including but not limited to Himalayan blackberry, English ivy, and English laurel.

    b. Establish dense and diverse native tree, shrub and groundcover vegetation throughout the mitigation areas.

6.3 Performance Standards

The standards listed below will be used to judge the success of the plan over time. If the standards are met at the end of the five-year monitoring period, the City shall issue release of the performance bond.

1. Survival:

    a. 100% survival of all trees and shrubs at the end of Year One. This standard may be met through establishment of installed plants or by replanting as necessary to achieve the required numbers.

b. 80% survival of all trees and shrubs at the end of Year Two. This standard may be met through establishment of installed plants or by replanting as necessary to achieve the required numbers.

    i. Survival beyond Year Two is difficult to track. Therefore, a diversity standard is proposed in place of survival (see #3, below).

2. Native vegetation cover in planted areas:

    a. Achieve at least 60% cover of native plants by the end of Year 3. Volunteer species may count towards this standard. Total native plant cover must include a minimum of 40% tree and shrub cover.

    b. Achieve at least 80% cover of native plants by the end of Year 5. Volunteer species may count towards this standard. Total native plant cover must include a minimum of 60% tree and shrub cover.

3. Species diversity in planted areas:

    a. Establish at least two native tree species, four native shrub species and five native groundcover, perennial, or grass species throughout the buffer area by Year 5. Volunteer species may count towards this standard.

4. Invasive species standard: No more than 10% cover of invasive species in the planting area, in any monitoring year. Invasive species are defined as any Class A, B, or C noxious weeds as listed by the King County Noxious Weed Control Board.

6.4 Monitoring Methods

This monitoring program is designed to track the success of the mitigation site over time by measuring the degree to which the performance standards listed above are being met. An as-built plan will be prepared within 30 days of substantially complete construction of the mitigation areas. The as-built plan will document conformance with these plans and will disclose any substitutions or other non-critical departures. The as-built plan will establish baseline plant installation quantities, photopoints, and three 50-foot monitoring transects that will be used throughout the monitoring period to measure the performance standards.

Monitoring will occur twice annually for five years. The first monitoring visit will take place in the spring. This visit will record necessary weeding, invasive control, and other maintenance needs. The **restoration specialist** will then notify the owner and/or maintenance crews of necessary early season maintenance. The late-season visit will occur in late summer or fall and will record the following and be submitted in an annual report to the City:

1. General summary of the spring visit.

2. First- and second-year counts of surviving and dead/dying plants by species in the planting areas.
3. Estimates of native species cover using the line-intercept method along the monitoring transects.
4. Estimates of invasive species cover using the line-intercept method along the monitoring transects.
5. Counts of established native species to determine species richness.
6. Photographic documentation at permanent photopoints.
7. Intrusions into the planting areas, erosion, vandalism, trash, and other actions detrimental to the overall health of the mitigation areas.
8. Recommendations for maintenance in the mitigation areas.
9. Recommendations for replacement of all dead or dying plant material with same or like species and number as on the approved plan.

6.5 Construction Notes and Specifications

Specifications for items in **bold** can be found under "Material Specifications and Definitions."

General Notes

The restoration specialist will oversee the following:

1. Clearing, soil preparation, and placement of **woody debris**;
2. Invasive weed clearing; and
3. Plant material inspection.
    a) Plant delivery inspection.
    b) 50% plant installation/layout inspection.
    c) 100% plant installation inspection.

Work Sequence

1. Clear the planting area of all invasive woody vegetation including but not limited to Himalayan blackberry, English ivy, and English laurel.
2. Manually or mechanically remove all invasive woody vegetation roots. Cut ivy growing on trees at approximately eye-level and remove roots from the soil. Rake out remaining roots to the maximum extent practical.

3. Remove gravel pad surrounding the play structure, and loosen all compacted soils in the area. Rototill three inches of **compost** into the upper nine inches of the soil where decompaction is necessary.
4. Place **woody debris** retained from constructions activities in critical area buffers as shown in plans. **Woody debris** will be placed by hand, when feasible. Alternatively, for those pieces too large for manual transport, **woody debris** shall be placed by a boom truck from adjacent paved areas. **Woody debris** will not be placed in the active stream channel; log anchors are not necessary.
5. All plant installation will take place during the dormant season (October 15 to March 1).
6. Layout vegetation to be installed per the planting plan and plant schedule.
7. Prepare a planting pit for each plant and install per the planting details.
8. Mulch each tree, shrub and fern with a circular **wood chip mulch** ring, 4 inches thick and extending 9 inches from the base of the plant (18-inch diameter).
9. Install a temporary or permanent irrigation system as needed to insure that all plants receive at least one inch of water per week from June 1st – September 30th. Maintain irrigation system in working condition for at least two summers after initial plant installation.

6.6 Maintenance

This site will be maintained for five years following completion of the plant installation. Specifications in **bold** can be found under "Material Specifications and Definitions."

1. Replace each plant found dead in the summer monitoring visit during the upcoming fall dormant season (October 15to March 1).
2. Follow the recommendations noted in the spring monitoring site visit.
3. Invasive species maintenance plan:
    a) Himalayan blackberry, English ivy, English laurel, and other invasive woody vegetation will be grubbed out by hand on an ongoing basis, with care taken to grub out roots except where such work will jeopardize the roots of installed or volunteer native plants.
    b) If it is likely that hand removal will not be completely effective or will damage desirable species, then application of an herbicide approved for use in aquatic areas may be used. Herbicide applications must be conducted only by a state-licensed applicator. Applications should be done between mid-spring and mid-summer to maximize uptake by plants. Application should be a targeted method such as spot spray (preferred for Himalayan blackberry), or wick.

4. At least twice yearly, remove by hand all competing weeds and weed roots from beneath each installed plant and any desirable volunteer vegetation to a distance of 18 inches from the main plant stem. Weeding should occur as needed during the spring and summer. Frequent weeding will result in lower mortality and lower plant replacement costs.
5. Do not weed the area near the plant bases with string trimmer (weed whacker). Native plants are easily damaged or killed, and weeds easily recover after trimming.
6. Apply slow release granular **fertilizer** to each installed plant annually in the spring (by June 1) of Years 2 through 5.
7. Mulch the weeded areas beneath each plant with **wood chip mulch** as necessary to maintain a minimum 4-inch-thick, 18-inch-diameter mulch ring.
8. The temporary irrigation system will be operated to ensure that plants receive a minimum of one inch of water per week from June 1 through September 30 for the first two years following installation. Irrigation beyond the second year may be needed based on site performance or significant replanting.

6.7 Material Specifications and Definitions

1. **Compost:** Cedar Grove Compost or equivalent product. 100% vegetable compost with no appreciable quantities of sand, gravel, sawdust, or other non-organic materials.

2. **Fertilizer**: Slow release, granular phosphorous-free fertilizer. Follow manufacturer's instructions for application. Keep fertilizer in a weather-tight container while on site. Note that fertilizer is to be applied only in Years 2 through 5 and **not in the first year.**

3. **Restoration specialist**: The Watershed Company [(425) 822-5242] personnel or other person qualified to evaluate environmental restoration projects.

4. **Wood chip mulch:** Chipped woody material approximately 1 inch minimum to 3 inches in maximum dimension (not sawdust or coarse hog fuel). Mulch shall not contain appreciable quantities of garbage, plastic, metal, soil, and dimensional lumber or construction/ demolition debris. Pacific Topsoil sells suitable woodchip mulch called "Wood Chip Mulch" at many of their locations. Pacific Topsoil: (800) 884-7645. Note: Arborist woodchips generally contain weed seeds and are not a reliable alternative.

5. **Woody debris**: Large pieces of downed wood such as logs, rootwads, and limbs which are placed on the ground. These pieces of downed wood should have a diameter of at least 12 inches and a minimum length of 10 feet. Debris to be placed to maximize ground contact.

7 SUMMARY

The applicant proposes the expansion of an existing single-family residence and driveway and construction of a detached ADU on a property encumbered by steep slope, wetland, and watercourse critical areas and their associated buffers. In order to allow the proposed improvements, a 50 percent reduction critical area buffers is proposed, where necessary, through the buffer reduction allowances outlined in MICC 19.07.070 and 19.07.080. Reduction of the buffer will be mitigated through the removal of existing buffer intrusions, removal of non-native vegetation, installation of native plantings and large woody material, and installation of a rain garden. Driveway and parking expansion would occur within the reduced 25-foot wetland/watercourse buffer area as an allowed alteration to critical area buffers (MICC 19.07.030). Impacts for these unavoidable buffer impacts will be mitigated by enhancing portions of the standard 50-foot buffer, which will not be reduced. The buffer reduction/enhancement proposal will also restore areas where unauthorized vegetation removal took place prior to the current ownership. An enhancement plan has been developed that details the plantings proposed to mitigate for the allowed buffer impacts and buffer reduction. A total of 15,609 SF of native plantings is proposed within the on-site buffer areas, including the entirety of the reduced 25-foot buffer and 4,248 SF of the standard 50-foot buffer.

The mitigation plantings and large woody material proposed within the reduced wetland and watercourse buffers would increase habitat function value and improve overall buffer functions. The proposed planting plan incorporates a diversity of native plant species, including trees, shrubs, and groundcover plants. The proposed plan will provide better protection of the on-site critical area functions and values than exists under current conditions.

Additionally, a comprehensive five-year maintenance and monitoring plan has been prepared. This plan will ensure that proposed enhancement plantings will be maintained, monitored, and successfully established within the first five years following implementation. Overall, a net gain in on-site critical area functions and values is the expected result of the implemented project.

REFERENCES

Jamie Hanson (FWS). April 2017. Personal email communication.

US Department of Agriculture (USDA). Accessed May 2016. Natural Resources Conservation Service: Web Soil Survey. Website: http://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm.

US Fish and Wildlife Service (FWS). May 2007. National Bald Eagle Management Guidelines. Available online: https://www.fws.gov/southdakotafieldoffice/NationalBaldEagleManagementGuidelines.pdf.

Washington Department of Fish and Wildlife (WDFW). Accessed May 2016. Priority Habitats and Species (PHS): PHS on the Web. Website: http://wdfw.wa.gov/mapping/phs/.

APPENDIX A

Mitigation and Restoration Plan

NOTES:

1. 1:1 MITIGATION FOR ENCROACHMENT INTO BUFFER ZONE.

2. LARGE WOODY DEBRIS (LWD) TO BE COLLECTED ON SITE, 12'-24' LENGTHS, 18"-24" DIAMETER, CONSISTING OF BIG LEAF MAPLE, DOUGLAS FIR, WESTERN RED CEDAR, AND WESTERN HEMLOCK.

PLANTING SCHEDULE:

	QTY.	BOTANICAL NAME	COMMON NAME
TREES:			
	9	THUJA PLICATA	WESTERN RED CEDAR
	6	CORNUS NUTTALLII	PACIFIC DOGWOOD
	3	FRANGULA PURSHIANA	CASCARA
	11	ACER CIRCINATUM	VINE MAPLE

BUFFER ENHANCEMENT FOR UNAVOIDABLE BUFFER IMPACTS (4248 SF)

MITIGATION PLANTING FOR REDUCED BUFFER

FOREST UNDERSTORY:

SHRUBS: (550) 1 GALLON AT 5' O.C. EQUAL NUMBERS

BOTANICAL NAME	COMMON NAME
MAHONIA AQUIFOLIUM	OREGON GRAPE
GAULTHERIA SHALLON	SALAL
VACCINIUM OVATUM	EVERGREEN HUCKLEBERRY
SYMPHORICARPOS ALBUS	SNOWBERRY
RUBUS PARVIFLORUS	THIMBLEBERRY
RIBES SANGUINEUM	RED FLOWERING CURRANT
ROSA NUTKANA	NOOTKA ROSE
OEMLERIA CERASIFORMIS	INDIAN PLUM
CORYLUS CORNUTA	BEAKED HAZLENUT

GROUNDCOVER: (3350) 1 GALLON AT 24" O.C. EQUAL NUMBERS

OXALIS OREGANA	REDWOOD SORREL
POLYSTICHUM MUNITUM	WESTERN SWORD FERN
ASARUM CAUDATUM	WILD GINGER
ACHLYS TRIPHYLLA	VANILLA LEAF
CORNUS CANADENSIS	BUNCHBERRY
TIARELLA TRIFOLIATA	FOAMFLOWER

PERENNIALS (FIELD LOCATE W/ LANDSCAPE ARCHITECT): (500) 1 GALLON AT 18" O.C. EQUAL NUMBERS

VANCOUVERIA HEXANDRA	INSIDE-OUT FLOWER
AQUILEGIA FORMOSA	WESTERN COLUMBINE
DICENTRA FORMOSA	BLEEDING HEART
ERYTHRONIUM REVOLUTUM	TROUT LILY
LUZULA PARVIFLORA	WOOD RUSH

GRASSES (FIELD LOCATE W/ LANDSCAPE ARCHITECT): (1000)PLUGS AT 12" O.C. EQUAL NUMBERS

DESCHAMPSIA CESPITOSA	PACIFIC HAIRGRASS
FESTUCA ROEMERI	ROEMER'S FESCUE

BUFFER ENCROACHMENT AREA (2722 SF)

MATERIALS LEGEND:

ASPHALT

CRUSHED ROCK

CAST IN PLACE CONCRETE - TYPE I VEHICULAR PAVING

CAST IN PLACE CONCRETE - TYPE II NON-VEHICULAR PAVING

PRECAST CONCRETE PAVERS, 1' X 6'

LARGE WOODY DEBRIS (LWD)

WEATHERED GRANITE BOULDERS

PATH LIGHT

WATERCOURSE

WETLAND BOUNDARY

REDUCED BUFFER

50' STANDARD BUFFER (PER SURVEY)

0 16' 32'

SCALE: 1/16"=1'-0"

PARTNERSHIP berger
1721 8th Ave N
Seattle, WA 98109
206 325 6877
bergerpartnership.com

Cheshire Residence

7615 E Mercer Way, Mercer Island, WA

STATE OF WASHINGTON · JASON K. HENRY · No. 923 EXP. 4/07/18 · LANDSCAPE ARCHITECT

SET TYPE:
CONSTRUCTION DOCUMENTS/PERMIT

SET ISSUE DATE:
06.09.2017

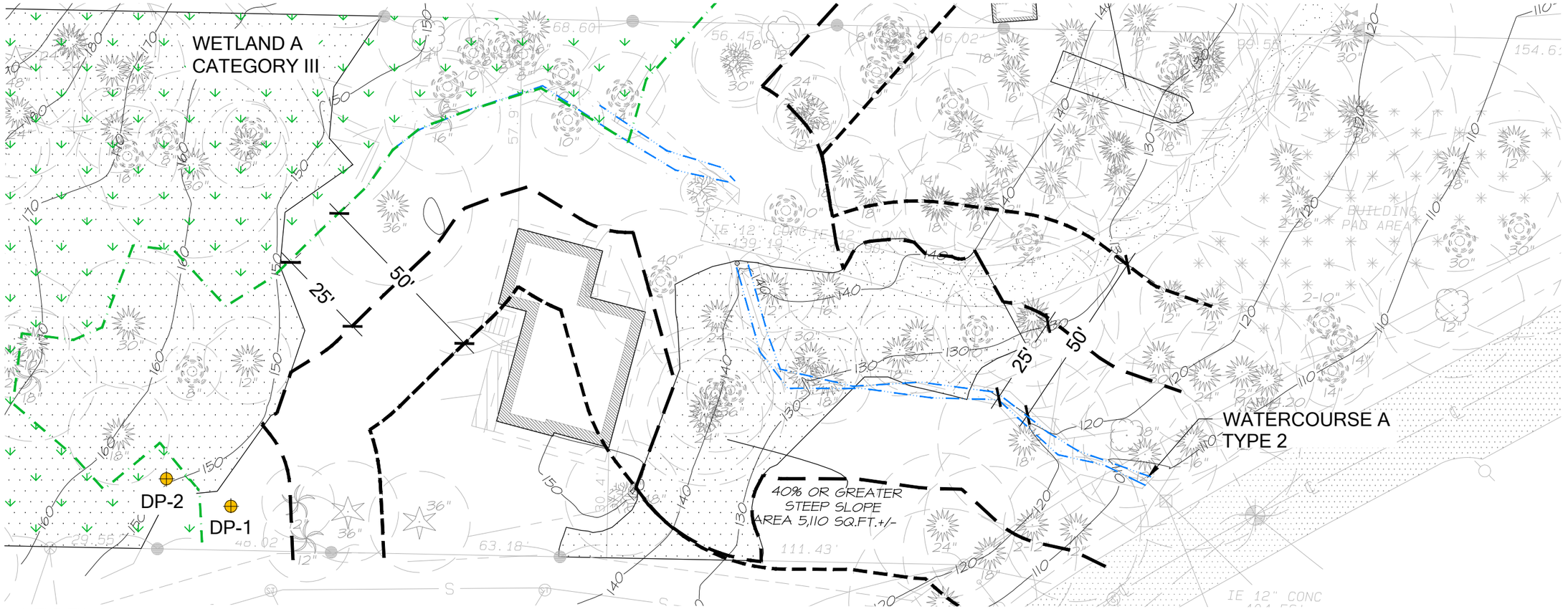
REVISIONS:
△ 04.21.2017
Value Engineering 09.27.2017

DRAWN/CHECKED:
JM/JH

SHEET NAME:
MITIGATION PLANTING

SHEET NUMBER:
L3.0

Exhibit 4



LEGEND

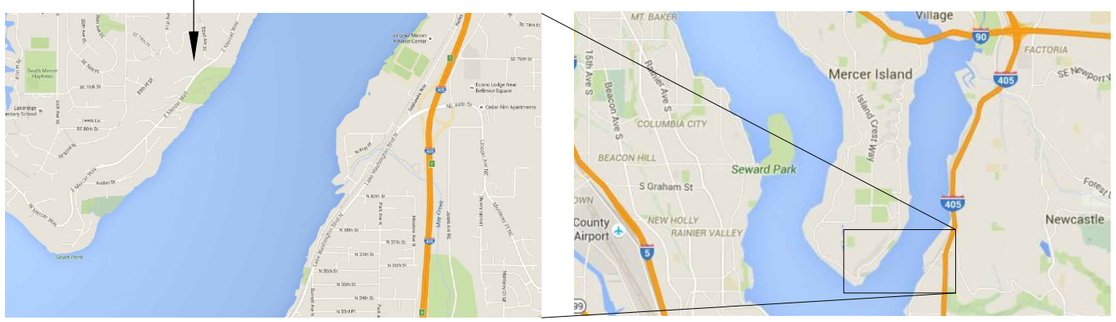
- WETLAND BOUNDARY (DELINEATED)
- STANDARD BUFFER (50')*
- REDUCED BUFFER (25')*
- STREAM OHWM (DELINEATED)
- 40% OR GREATER STEEP SLOPE
- DATA POINT

*ONLY MOST ENCUMBERING BUFFER SHOWN IN DELINEATION FIGURE. INDIVIDUAL BUFFERS ARE:
STANDARD STREAM BUFFER - 50'
REDUCED STREAM BUFFER - 25'
STANDARD WETLAND BUFFER - 50'
REDUCED WETLAND BUFFER - 25'

NOTES

1. CRITICAL AREAS DELINEATED BY THE WATERSHED COMPANY ON MAY 23, 2016.
2. SURVEY RECEIVED FROM TERRANE ON JULY 14, 2016.

PROJECT LOCATION



VICINITY MAPS

DELINEATION FIGURE

0 15' 30' 60'

THE WATERSHED COMPANY
750 Sixth Street South
Kirkland WA 98033
p 425.822.5242 f 425.827.8136
www.watershedco.com
Science & Design

THE CHESHIRE RESIDENCE
DELINEATION FIGURE
CHESHIRE RESIDENCE
7615 E. MERCER WAY
MERCER ISLAND, WA 98040, KING COUNTY

SUBMITTALS & REVISIONS

NO.	DESCRIPTION	DATE	BY
1	DELINEATION FIGURE	7/27/16	LV
2	REVISED DELINEATION FIGURE	6/19/17	LV

SHEET SIZE:
ORIGINAL PLAN IS 11X17.
SCALE ACCORDINGLY.

PROJECT MANAGER: RK
DESIGNED: --
DRAFTED: LV
CHECKED: KC, AR
JOB NUMBER:
160528
SHEET NUMBER:
W1 OF 1

DATE	PRINTED BY	FILENAME
6/19/2017	LUCAS VANNICE	160528_DELINEATION MAP_2016-07-26.DWG

CITY OF MERCER ISLAND

COMMUNITY PLANNING & DEVELOPMENT
9611 SE 36TH STREET | MERCER ISLAND, WA 98040
PHONE: 206.275.7605 | www.mercerisland.gov

DETERMINATION OF NON-SIGNIFICANCE (DNS)

Application Nos.:	**SEP20-016 (SUB20-002)**
Description of proposal:	**2-lot preliminary short subdivision on a 88,556 sq ft site containing a Cat. III wetland and watercourse.**
Proponent:	**Tim McHarg (Van Ness Feldman LLP) on behalf of Derek and Eileen Cheshire**
Location of proposal:	**7615 E Mercer Way, Mercer Island WA 98040**
Lead agency:	**City of Mercer Island**
Project Documents:	**Please follow this file path to access the associated documents for this project:** https://mieplan.mercergov.org/public/SUB20-002 & SEP20-016

Possible critical area impacts are addressed by Mercer Island City Code Chapter 19.07. In addition, preliminary short subdivision must comply with the City's subdivision standards (MICC 19.08). Based on review of the proposal and applicable City code sections, the lead agency for this proposal has determined that the proposal does not have a probable significant adverse impact on the environment that is not addressed by the aforementioned code sections. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist. This information is available to the public on request.

_____ There is no comment period for this DNS.

✓ This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.

_____ This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date below. Comments must be submitted by N/A at 5:00 pm.

Responsible Official: Robin Proebsting, Senior Planner
City of Mercer Island
9611 SE 36th Street
Mercer Island, WA 98040
Phone: (206) 275-7717
Email: robin.proebsting@mercerisland.gov

Date: **February 22, 2021**

Signature: Robin Proebsting

APPEAL INFORMATION

This decision to issue a Determination of Non-significance (DNS) rather than to require an EIS may be appealed pursuant to Section 19.07 of the Mercer Island Unified Land Development Code, Environmental procedures.

✓ Any party of record may appeal this determination to the City Clerk at 9611 SE 36th Street Mercer Island, WA 98040 no later than **5pm on March 8, 2021** by filing a timely and complete appeal application and paying the appeal fee. You should be prepared to make specific factual objections. Contact the City Clerk to read or ask about the procedures for SEPA appeals. To reverse, modify or remand this decision, the appeal hearing body must find that there has been substantial error, the proceedings were materially affected by irregularities in procedure, the decision was unsupported by material and substantial evidence in view of the entire record, or the decision is in conflict with the city's applicable decision criteria.

_____ There is no agency appeal.

_____ Any person aggrieved by the issuance of this decision may seek review from the Shorelines Hearings Board by filing a petition for review within twenty-one days of the date of filing of the decision as defined in RCW 90.58.140(6).
Within seven days of the filing of any petition for review with the Board, the petitioner shall serve copies of the petition on the Washington State Department of Ecology, the Office of the Attorney General, and the City of Mercer Island.
More information on this process can be found on the Shoreline Hearing Board's website: http://www.eho.wa.gov/ or by calling (360)664-9160.

Memorandum

To: Robin Proebsting

From: Ruji Ding

Re: SUB20-002

Date: February 19, 2021

I've reviewed the submittal package and have the following conditions of approval:

1. Show all the existing and proposed easements on the final plat. Clearly distinguish all public easements from the private easements. The private utility easement and public utility easement shall not be combined.

2. Easements for utilities and storm drainage facilities shall be depicted on the face of the Final Plat. Language which indicates joint rights and responsibilities of each lot with respect to all utilities and roadways shall be shown along with individual lot Joint Maintenance Easement Agreements (where applicable) for all shared usage and filed with the King County Recorder and noted on the final plat. The easement notation shall indicate whether the easement is public or private, existing or proposed.

3. The Final Plat shall be prepared in conformance with Title 58 RCW and Surveys shall comply with Chapter 332-130 WAC. Submit using Mercer Island's datum and tie the plat to at least two monuments.

4. A City of Mercer Island title block for approval signatures (Planner and City Engineer) shall be provided on the final plat along with the designated Short plat number.

5. Construction of all improvements for access, utilities, all storm drainage system (conveyance system and onsite detention system), and all site work shall be completed as part of future building permits for individual lots. The requirements will be based on the City ordinances, regulations, and requirements of the City Engineer established at the time of application for future building permits.

The following note shall be placed on the final plat:

1. Maintenance and repair of joint use side sewers (sewer lines from the building to the City sewer main), shared roads, access easements, storm drainage facilities shall be the responsibility of the owners of each lot served (with the exception that owners of any lot which is lower in elevation shall not be responsible for that portion of a private side sewer above their connection.) In the event that maintenance and repair of any facilities enumerated above are not performed to the satisfaction of the City Engineer, after a timely demand has been made for such action, the City or its agent shall have the right to enter upon the premises and perform the necessary maintenance and repair to protect the safety and general welfare of the public and shall have the right to charge the owner of each lot an equal share of the total maintenance and repair costs. The City or the owner of any lot within this Short plat shall have the right to bring action in Superior Court to require any maintenance or repair and to recover the costs incurred in making or effecting repairs to improvements.

2. The monitoring, cleaning, maintenance and repair of storm drainage systems in accordance with City Ordinance No. 95C-118 is required for all lot owners within this Plat to control stormwater runoff and control erosion and flooding downstream. All costs related to stormwater runoff control shall be borne by the owners of each lot in equal share. This obligation shall be recorded separately with each individual lot sale and shall travel with the land.

3. All staging for construction shall occur on site and shall not be located in the public right-of-way.

4. Prior to the issuance of a building permit, each application shall be accompanied with a temporary erosion and sedimentation control plan, clearing and grading plan, access and utility service plan, a landscape plan (which shall identify existing vegetation to be retained, limits of all clearing and grading), and a schedule for the construction. The applicant's Civil Engineer, experienced in soils geology and mechanics, shall review the proposed site and building construction and provide recommendations that will limit site disturbance, minimize risk of soils movement, evaluate site slope stability and define materials and construction practices for the work. The Building Official may require that the Engineer be present during construction, monitor the work, and recommend special techniques or mitigating measures. The costs associated with the Engineer's monitoring and mitigation measures shall be borne by the applicant.

5. No permanent landscaping, structures, or fences shall be placed on or within public utility or storm drainage easements without the written approval of the City Engineer. If in the opinion of the City Engineer, utilities or storm drainage facilities require maintenance, repair or replacement, the City or its agent shall have the right to enter those lots adjoining the facility for the purpose of maintaining, repairing, relocating or replacing said facilities. Lot owners shall be responsible for the restoration of any private improvements or landscaping within said easements.

6. Installation of landscaping and/or structures including trees, shrubs, rocks, berms, walls, gates, and other improvements are <u>not</u> allowed within the public right-of-way without an approved encroachment agreement from the City prior to the work occurring.

Preliminary Plat Approval

I recommend including the following conditions of approval in the staff report:

1. A tree replacement plan will be provided under the building permit application. It will follow the requirements described in 19.10.070.

2. A tree protection plan will be submitted during building review. Showing tree protection fencing at the Arborist stated tree protection zone (TPZ). For tree 133 tree protection may be reduced to 18' to the west or the critical root zone (CRZ). This distance must be called out (near building pad) and the tree protection fence shown on the plans. The building pad including over excavation for a foundation shall not encroach into this CRZ.

3. The fence for tree 133 and other exceptional trees shall be 6' chain-link fence secured into the ground. This will be called out on the Tree Plan during building review.

4. Project Arborist to be on site and in control of any excavation or grading within tree 133's dripline. They will document and clean cut any root over 1" in diameter that needs to be removed. Call this out on Tree Plan during building review.

5. Proposed water meter location to be moved away from tree 133 and outside tree protection zone. Or according to the Senior City Development Engineer. Call this out on Tree Plan during building review.

Items to be shown on face of the plat

1. The plan showing numbered retained trees and building pad will be recorded as part of the plat. This plan should be the same or consistent with the Preliminary Tree Plan.

2. No tree identified for retention may be removed unless otherwise approved by the City arborist.

Exhibit 9

From: Leah Llamas
To: Robin Proebsting
Subject: RE: Ticket ID: 58293 opened by Robin Proebsting.
Date: Friday, February 12, 2021 10:09:52 AM

Hello Robin,

Thank you for sending the project files locations.
Looking through the plan sets, can the street names they are using be corrected sooner than later?
They also show E Mercer Way incorrectly as E Mercer Boulevard. Especially if this will be recorded, the street names should be correct.

Thank you!
Leah

Due to the regional COVID-19 outbreak, many City of Mercer Island staff are now working remotely. Responses to emails and phone calls may take additional time as we have modified our operations. Thank you for your patience.

Leah Llamas – working remotely
GIS Coordinator
City of Mercer Island – Information and Geographic Services (IGS)
Cell: 206-334-6429 | Desk: 206-275-7770
Leah.Llamas@mercergov.org | mercerisland.gov/igs

CITY OF MERCER ISLAND

COMMUNITY PLANNING AND DEVELOPMENT
9611 SE 36TH STREET | MERCER ISLAND, WA 98040
PHONE: 206.275.7605 | www.mercergov.org

TRANSPORTATION CONCURRENCY CERTIFICATE NO. TCC20-009

Pursuant to MICC 19.20.020 this Certificate confirms that the transportation concurrency requirement for the proposed development described below has been satisfied pursuant to the conditions contained in this Certificate.

Project Name:	2 LOT SHORT PLAT AND LOT LINE REVISION	**Issuance Date:**	7/21/2020
Site Address / Location:	7615 E MERCER WAY	**ExpirationDate:**	7/21/2021*
Parcel(s):	3024059036	*or as otherwise established in language below	

Applicant: CHESHIRE, DEREK L+EILEEN L
7615 E MERCER WAY
MERCER ISLAND, WA, 98040

Owner: CHESHIRE, DEREK L+EILEEN L
7615 E MERCER WAY
MERCER ISLAND, WA 98040

Proposed Land Use:	SINGLE FAMILY	**Units:**	1
Type of Development Proposal:	SHORT PLAT	**Square Footage:**	
Related Application(s):	SUB20-022	**Net New Trips:**	1

This Certificate is only an indication that there is adequate vehicular capacity on the City of Mercer Island street network to support the traffic forecasted to be generated by the development described above. This Certificate implies no other approvals of land use, site design, or code compliance. It is subject to the following general conditions:

Validity: A transportation concurrency certificate is valid only for the specified uses, densities, intensity and development proposal site(s) for which it was issued and shall not be transferred to a different project or parcel. A transportation concurrency certificate shall remain valid for the longer of:

1. One (1) year from the date of issuance;
2. During the period of time the development proposal associated with the certificate is under review by the city;
3. For the same period of time as the development approval. If the development does not have an expiration date or an approved phasing schedule that allows a longer build-out, the concurrency certificate shall be valid for one (1) year from the date of the last permit approval associated with the development proposal;
4. For a period of time specified in an approved development agreement.

Expiration: A transportation concurrency certificate shall expire if any of the following occur:

1. The timeframe established in the Validity section above is exceeded.
2. The related development permit application is denied or revoked by the city.
3. The related development permit expires prior to issuance of a building permit.

Extension: A transportation concurrency certificate shall not be extended. A new transportation concurrency application, review and certificate are required if the previous transportation concurrency certificate has expired.