



MITIGATED DETERMINATION OF NON-SIGNIFICANCE (MDNS)

Application Nos.: SEP15-001, VAR18-002, CAO15-001

Description of proposal: The Applicant has revised a reasonable use exception (CAO15-001) and has applied for a zoning variance (VAR18-002), to construct a proposed house and associated improvements at 5637 East Mercer Way.

The proposed house and improvements will be located within a wetland, and wetland and watercourse buffer areas, which is the basis for the reasonable use exception application. The proposed house is located within a required setback from an easement to reduce impacts to critical areas, which is the basis for the proposed zoning variance.

Proponent: MI Treehouse, LLC (c/o Bill Summers)

Location of proposal: 5637 East Mercer Way, Mercer Island, WA, 98040; Identified by King County Assessor tax parcel number 1924059312

Lead agency: **City of Mercer Island**

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. 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 and other information on file with the lead agency (CAO15-001, VAR18-002, SEP15-001) and particularly the following technical reports and documents in the project file:

1. Applicant Documentation:
 - a. Sewall Wetland Consulting
 - i. Wetland Report, dated December 1, 2017;
 - ii. Wetland Report, dated March 8, 2018;
 - iii. Wetland Report, dated August 23, 2018;
 - iv. Wetland Report, dated January 24, 2019;
 - v. Wetland Report, received November 4, 2019;
 - b. Geo Group Northwest
 - i. Geotechnical Report dated December 12, 2017;
 - ii. Geotechnical Report, dated November 28, 2018;
 - iii. Geotechnical Report, received November 4, 2019;
 - c. Pile Installation
 - i. Geo Group Northwest Pipe Pile Installation Time and Noise memo, dated January 5, 2018;
 - ii. Versatile Drilling Letter, dated January 21, 2019;
 - d. Site Plan Set:
 - i. Healey Alliance Site Plan set, received December 18, 2017;
 - ii. Healey Alliance Site Plan amendment, received November 13, 2019;
 - e. Drainage:
 - i. Drainage Letter by Triad, dated January 9, 2018;
 - ii. Core Design Drainage memo, dated March 23, 2018;
 - iii. Core Design Drainage memo, dated February 21, 2019;
2. City Peer Reviewer Documentation:
 - a. Shannon & Wilson Geotechnical Peer Review, dated July 12, 2019;
 - b. Shannon & Wilson Geotechnical Peer Review, dated November 25, 2019;
 - c. ESA Wetland Peer Review, dated October 17, 2018;
 - d. ESA Wetland Peer Review, dated December 6, 2018;
 - e. ESA Wetland Peer Review, dated June 10, 2019;
 - f. ESA Wetland Peer Review, dated December 17, 2019;

This information is available to the public on request and on the website here: https://mieplan.mercergov.org/public/CAO15-001_SEP15-001_VAR18-002/SEPA_Review_Materials_SEP15-001/

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

Responsible Official: Evan Maxim, Director
Community Planning and Development
City of Mercer Island
9611 SE 36th Street
Mercer Island, WA 98040
Email: evan.maxim@mercergov.org

Date: 1/13/2020

Signature:



APPEAL INFORMATION

This decision to issue a Mitigated Determination of Non-significance (MDNS) rather than to require an EIS may be appealed pursuant to Chapters 19.15 and 19.21 of the Mercer Island City Code.

Any party of record may appeal this determination to the City Clerk at 9611 SE 36th Street Mercer Island, WA 98040 no later than **5:00 PM on Monday, January 27, 2020** 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.

MITIGATION CONDITIONS

The following conditions are required pursuant to RCW 43.21C.060 and WAC 197-11-350 to mitigate probable and unavoidable impacts identified for this proposal. All conditions of mitigation must be completed prior to building permit final approval.

Applicant Proposed Mitigation:

1. The proposed house, driveway, and associated construction work (e.g. grading, retaining walls, drainage improvements, etc.) shall be constructed as reflected in the Healey Alliance Site Plan received on November 13, 2019;
2. Prior to building permit issuance, the applicant shall submit plans reflecting the proposed Additional Best Management Practices (BMPs) in the Core Design Memo, dated March 23, 2018. All proposed BMPs shall be implemented during site construction;

Additional Mitigation:

3. Prior to building permit issuance, the applicant shall have a qualified professional, in consultation with a hydrologist, update the proposed wetland, wetland buffer, and watercourse buffer impacts to identify the extent of any impacts related to the final design of the drainage system. Proposed mitigation plans shall be updated and subject to City review and approval to mitigate for all identified impacts; and,
4. Prior to building permit issuance, the applicant shall provide an updated Statement of Risk that identifies mitigation for all geologically hazardous areas on- and off-site, including the erosion hazard area. Proposed mitigation measures shall be reviewed and approved by the City.