



July 29, 2021

Jeff Thomas  
City of Mercer Island  
9611 SE 36<sup>th</sup> Street  
Mercer Island, WA 98040

**Re: MI Treehouse - CAO15-001/VAR18-002  
CORE Project No. 18039**

Dear Jeff:

We have received the City's email comments dated July 23, 2021 for the above referenced project. We have updated the Site Plan and have addressed all applicable comments. Below are our written responses to the City's comments.

1. Legends on the sheets are incomplete, don't show all items.

***Response: The Site Plan legend has been updated. Please note that there is only one Site Plan for review under the above referenced Reasonable Use Permit application. All other plans are associated only with the Building Permit application on the same parcel and are not subject to review at this time.***

2. Various project numbers are provided on different sheets, please include the City's project number.

***Response: The Site Plan has been updated to include "Permit Number(s)" as noted. Please also note the general comment under the comment #1 response above regarding the single Site Plan sheet associated with the Reasonable Use Permit for the subject property.***

3. Two foot contours now extend beyond the property line; however, the code requires they extend 50 feet, what has been added varies from about 15 to 40 feet beyond.

***Response: The contours shown extend as far as is reasonable without trespassing on private property not owned or controlled by the applicant. Please note also that the intent of the topo extension is provided since what is shown provides additional topographic context well offset from the proposed development footprint.***

4. Error – on C1.02 the legend says “surveyed creek centerline” whereas C4.01 has a callout for the “Stream B OHWM” it should be Stream B OHWM on all sheets.

***Response: The legend and callouts on the revised Site Plan included with this submittal reference the OHWM of the stream consistently, as noted. Please also note the general comment under the comment #1 response above regarding the single Site Plan sheet associated with the Reasonable Use Permit for the subject property.***

5. Error – Drawings continue to use the old code term Type 2 Stream rather than Type Np (MICC 19.16.010).

***Response: All references to the stream using old code definitions have been removed from the updated Site Plan included with this submittal. Please also note the general comment under the comment #1 response above regarding the single Site Plan sheet associated with the Reasonable Use Permit for the subject property.***

6. All recorded easements should be shown; including the Permanent Stormwater/Utility and Pedestrian Trail Easement (the “2007 Easement”) and the 1978 recorded side sewer easement. A Stormwater/utility & Pedestrian Trail Easement Rec is shown on Sheets C1.01, C1.02, C2.01, and C4.01. But no side sewer easement is shown on any of the Resubmitted Site Plans. If this information is not available please make a note somewhere why it is missing from the drawings and how that will be rectified.

***Response: All recorded easements applicable to the project parcel are shown. Additional research into the easements as noted on the Title Report Restrictions indicated that the 1978 Side Sewer easement is included in error and is referenced on a different plat. Our research into this matter is documented in an email with corresponding attachment. The easement is still shown on the revised Site Plan because it is still documented in the Title Report for the subject parcel. It is confirmed, however, that there is no such side sewer easement applicable to the plat that established the subject (and adjacent) parcel.***

***Additional detail from the project Professional Land Surveyor, Ken W. Shipley, is as follows:***

“I suspect the sewer easement (pages 2-3 of the attached Exhibit), listed as Exception 8 in the Subdivision guarantee (4-6) from Fidelity National Title, dated July 6, 2016, does not burden this site.

The easement was granted by “NEWITT CONSTRUCTION OWNERS OF LOTS A, B & C, SUNSET GLEN” and is described as starting at West Mercer Way and running ne’ly and e’ly. Exhibit A of the easement also describes it as running in the easements provided by the short plat approved “JANUARY 13, 1978”. I believe the short plat referenced in the easement is actually Mercer Island Short Plat 77-11-045 (pages 9-11), which is stamped as approved January 19, 1978 and was prepared for Greg Newitt.

MI Short plat 77-1-010 (pages 7-8), of which MI Treehouse is a part, was approved in March, 1977 and while it does depict easements on the face of the survey, they are of nowhere near the length required to accommodate 540 feet of sewer line as described in the easement. Note that this short plat was also for Greg Newitt. Without parcel numbers on the easement, it's possible it was simply indexed by name on the wrong property.

Note on page 12 of the exhibit that the two short plats are separated by almost half a mile.

My belief is that the easement should burden/benefit lots A, B & C of short plat 77-11-045, and has no effect on the MI Treehouse property.”

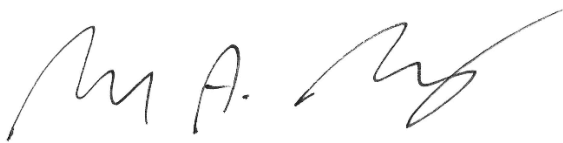
***Please also note the general comment under the comment #1 response above regarding the single Site Plan sheet associated with the Reasonable Use Permit for the subject property.***

7. Smaller wetland and wetland buffer impact areas are provided, and the drawings have been changed to show a smaller footprint of the house. This is also described in the letter from Courtney Kaylor, but the new/smaller footprint of the house is not provided. Please provide square footage.

***Response: The revised Site Plan included with this submittal includes a building footprint square footage as noted. Please also note the general comment under the comment #1 response above regarding the single Site Plan sheet associated with the Reasonable Use Permit for the subject property.***

Sincerely,

**CORE DESIGN, INC.**

A handwritten signature in black ink, appearing to read "M. A. Moody". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Michael A. Moody, PE, LEED AP  
Associate, Engineering Manager