

Nicole Gaudette

From: SC REAL ESTATE <sabinachang@gmail.com>
Sent: Wednesday, July 18, 2018 8:41 AM
To: Evan Maxim; Nicole Gaudette
Cc: Daniel Hubbell; Tom Acker
Subject: Public Comments for the July 18th, 2018 Planning Commission Meeting (via Email)
Attachments: Planning Email Comment_July 18 2018.docx

Hi Evan

Please find attached my comments for tonight's meeting as I am unable to attend the meeting due to conflict in schedule that I can not move. Please share my email with the wider planning commission. I appreciate your help in this matter.

I have attached as word document as well as pasted into the body of this email. Thank you for your assistance and help. Sabina Chang

To the Planning Commission:

Thank you for taking my public comments via email as I am unable to attend July 18th meeting in which this amendment to the comp plan is on the agenda for discussion.

- My name is Sabina Chang at 9726 SE 40th ST

After spending some time to understand what is being proposed along with the guiding Land Use policies and guidelines as currently presented in the last power point presentation from Nicole (DSG) on June 6th, 2018, the following are my additional comments and questions regarding the Amendment to the Comp Plan for a new zone designation called "Private Community Facilities".

- The core basis of the application and proposal arises from 3 applicants who have indicated there is a need by "private community facilities (businesses) to be able to grow and develop for their Membership and the Island Community more easily given their current zoning to benefit the mental, physical and spiritual health of the community
 - I do believe in the 80/20 rule when looking at rules and other guiding principles to address the concerns of the wider good and those parties involved. In this case, a new designated zone is being requested as there is a "need and lack of appropriate zoning". **Outside of these 3 applicants, who else on the island has indicated they have this need and have been hindered that is documented? Where has a majority of private community businesses facilities demonstrated that they are at risk for growth or improvement due to lack of appropriate zoning?**
 - According to the Mercer Island Reporter 2018 Island Guide, I count 64 organizations that are private community businesses/facilities inclusive of religious institutions, private schools or pre-schools, senior care facilities, adult homes etc that are listed. There are likely more as a private adult home in my neighborhood is not listed in the directories. **Does 3 out of 64 + facilities truly indicate that there is a need to be addressed?**

- **Can you agree that a need for our public schools to have a specific zone is a different need and cannot compare to private entities that serve multiple and diverse purposes?** In addition, 2 locations out of 6 to 7 **public school locations** (northwood and IMS) is a much different ratio to establish need than the above private community facilities and businesses and how many have shown they are in need of such zoning. They are still businesses at the end of the day even if they are designated non-profit and with so few advocating need the drain on resources to develop, create and establish a new zone with new codes and regulations, let alone regulate and manage enforcement for 3 organizations out of the many on the island does not make economical sense.
- I understand one of the points made at the presentation of the 3 applicants is that they are non-compliant even as they are now with new residential zone codes and would not meet today's codes. I'd like to point out it's hardly a valid reason as every city encounters this as revisions are made to their codes on specific zones. Thus things are "grandfathered" in and are the exception.
- The merit of the "reason" this has come before the planning commission should also be addressed and the 3 applicants should be reviewed on their service to the Island Community as they represent there is a need to grow and serve the community from such businesses and facilities and there is an increased benefit to the community:
 - **83% of the student population from FASPS is off island** and they have committed to answer what ___% of their staff is off island as that is also an important and unknown metric that should be established to understand the merit of their growth needs **must be on this exact spot on Mercer Island**
 - If FASPS cites the need to grow and develop, it seems fair to say that any additional growth in their student body and staff will be more than 90% off island. This creates a significant increase in more **off island traffic** within an intersection that suffers from traffic congestion and delays as well as safety issues for all pedestrians and cyclists that utilize this corner. **So, how is this serving Mercer Island Residents?**
 - This 83% student, staff and parent population does not stay on the island to utilize our downtown businesses as the issues in our town center already highlight the struggle local businesses face. **How does this serve the remaining 20,000+ residents on the island to have hundreds more cars in this area on a daily basis?**
 - **Who and what body determines when it makes sense for organizations to cohesively collaborate in the development of land given the above metrics for one of these applicants?**
 - In the same vein, has Herzl documented that they are at capacity and cannot renovate and develop on their current land? They have provided no visible metrics into current usage numbers as well as anticipated numbers to indicate where they are lacking in their current land to provide for their congregation. **Metrics and data should be required to evaluate the logical points of arguments being made.**
 - All of the SJCC currently owned land according to King County Assessor parcel viewer map indicates they are zoned R8.4 not two zones as show on the architect map of current conditions in purple and pink. Please reference tax parcel#2655500137 for the information that this is all R8.4 zoning according to king county assessor records. This land includes a SFR home at 3975 99th also zoned R8.4 under SJCC ownership. In addition, all of the 2 acre+ land that is owned by FASPS that SJCC would to purchase from FASPS includes 5 tax parcels, each of which is zoned R8.4. This parcel has 3 single family residences on there today. In addition, they would like purchase 1 more SFR at 3985 99th single family home also zone R8.4
 - Given this background, and all the land mentioned above is R8.4 – **why can't the SJCC develop like other organizations i.e., Beach club, Shoreclub under the current zone restriction using variances and conditional use permits?**
 - I need more reasons than the usual standard answer that it takes more money, it takes longer, it's piece meal decisions and it makes for a more difficult process under this zoning. I need actual examples because the Shoreclub is a recent example where current zoning without the need for a new designation has successfully worked. No one has outlined real life examples why

or what is impossible under current zoning since it is clearly all one zone that is causing an issue for this organization to in turn submit this proposed amendment.

- If the SJCC wants to also purchase where FASPS main building sits today which is zoned CO (commercial) and thus move SJCC land to be under two zone codes, it could do so and place the Jewish day school they want to move over from Bellevue as well as their pre-school operations inside the FASPS main building. Nothing changes the use of this building and these buildings were done in 1999, 2003 and 2008. Clearly there is no age issue with the buildings unlike SJCC's main facility. If that occurs then there is no challenge to develop the remaining land owned by SJCC and the additional 2+ acres under FASPS as it is all zoned the same R8.4 and would just need to do variance requests and approvals and design within the R8.4 zone requirements.

- Or the alternative solution would be to develop both the CO zone and R8.4 zone collectively by applying and going with the most restrictive development code among the adjacent lots and the process of conditional use permits and variances that go along with the most restrictive zone.

- Or another alternative solution is to look at the Globe building or additional land near City Hall instead of encroaching on single family residential neighborhoods to see what may be possible as it would also give a second entry point for such facilities to ease traffic congestions.

- In the end, with the purchase of all this valuable land from FASPS by SJCC, FASPS would have the necessary funding to purchase land elsewhere on Mercer Island or off the island to continue to create a school that serves the region as they themselves have highlighted has 83% of it's student population from off the island. With our limited housing supply on the island, it is also apparent any student growth from their middle school, high school initiatives would not come from islanders but from other cities. Thus, the benefit to islanders is difficult to understand as this organization is a private school requiring paid tuition not affordable by many.

- My concern and examples above highlight that **there are alternatives if more time is given to put thought behind the request and more community outreach. Has it been proven multiple alternatives have been reviewed and the encroachment into a single family residence neighborhood the only plausible solution?** Instead of rushing to make a recommendation before a deadline due to state statutes, it appears to be more prudent to recommend no and request the applicants to re-submit in 2019 when more collaboration and discussions can be done with citizens of the island to evaluate alternative solutions or improved language to their amendment proposal. **What is the urgency to approve now vs forcing this to go to a re-application for 2019?**

- Lastly, there is a theme that continues to highlight that this benefits the community, but the DSG, the 3 applicants at their informational meeting have all failed to articulate clearly **What are the benefits? Who benefits? How are are benefiting? What do Islanders benefit vs non Islanders?** I think it's very important for the commission to tell citizens specifics instead of this general blanket statement. I understand we are talking high level policy and zoning but there should be at least concise information as to who and how they think this is benefiting the island residents who will live with the consequence of such a change to the comprehensive plan that could potentially **allow more dangerous traffic in an area** that would sever a population essentially the size of two public schools. At any given time during morning commute hours as well as in the afternoon along Island Crest, just one school (Island Park) has already shown us what traffic can occur along a main artery. This is even with a high percentage of children using the public bus system where as the % of bus users within the 3 applicants is much lower.

- How does the planning commission justify the time, resources that would be needed to not only **develop a new zone designation** but also all the additional work and resources to enforce and manage a new zone? It seems that everything can be done under current zones today but requires much more thought and time to work through the process of getting variances and conditional permits. **Why is this a bad price to pay? It has not been articulated with actual examples why this is terrible other than the generalization it's harder, they can get away with more under residential codes that citizens wouldn't like? Where are the exact examples so these generalizations could be understood by the public? How have Islanders suffered at the hands of a**

private community facility on the island because they were able to develop on Residential Zoning with variances? Please highlight what was built under this variance and the negative results so I may understand why our current zoning is bad and does not work for these organizations.

- **As these are all “private business whether or not for profit or non-profit and facilities”, where is there a specific example that a real city of at least a minimum of 24,000+ citizens and 10,000 housing units+ but no more than 35,000+ citizens and 15,000+ housing units has executed a zone that ONLY serves “private community” businesses and facilities and been successful?**

Please note, I am not looking for an example that mixes institutions such as private and public schools but a zone designation example that specifically matches what applicants and the DSG are proposing that caters specifically and to only private entities that require membership? At a minimum expectation, I would think that this would be a huge influence on the ability of the commission to make an informed decision on what to recommend.

- **I’m very active and avid member of one of these applicants and do believe they need to redevelop and modernize their facilities but I am also a citizen of this city that advocates good governance to make smart well thought decisions that will have implications for many years to come. **Please help me understand the basis of this need for a new process or structure for review of development? Why can the residential codes which just went thru revision be amended for the exception of “public school or religious institutions”?** Please help me understand why private schools would need their own separate zone or why a religious institution that is not at capacity in serving the needs of the island needs it’s own separate zone?**

- **How will this process be structured so that other organizations do not methodically buy SFR that they know is zoned differently from their current zoning **that does not run along their property lines as evidenced by FASPS recent purchases in the last 4 years** in order to expand for facilities that **do not serve** or create a direct benefit to the majority of the islanders? While it may seem unfair to point to the membership of these applicants at the same time this needs to be a critical factor in deciding for the **justification of a need for a new zone and each applicant must be able to cohesively justify as well as individually justify their merits for the need?****

- **In addition, the applicants have not show individual or cohesive renderings of what they can build currently vs what they would like to build for the future to provide visual comparison to Islanders of what issues they are facing. As traffic and safety is a major concern at this intersection, it would also be prudent that an outside consultancy with no bias to either the Island or the applicants be found in order to study this intersection to advise an independent number of how much traffic will be deemed as unsafe for the intersection both in congestion and safety to see if it matches the growth plans of the 3 applicants or exceeds this number**

- **I ask that the Planning Commission carefully deliberate the urgency and need to make a positive recommendation on this issue now vs. asking the applicants as well as the rest of the public (island wide) to take more time to review and study this type of change to the comp plan and the potential impact Island Wide. It concerns me as it has not been made clear why a positive recommendation must be made now vs. allowing the issue to not be recommended, not pass and allowing the applicants and citizens of this island more time to address concerns by re-proposing next year or in the future.**