

118 N. 35th St.  
Suite 200  
Seattle, WA 98103  
206 634 0177  
millerhayashi.com

**Miller Hayashi** Architects PLLC

September 16, 2019

Community Planning & Development  
9611 SE 36<sup>th</sup> St.  
Mercer Island, WA 98040

**Subject: Seasonal Development Waiver Request**

To whom it may concern,

The purpose of this letter is to request a seasonal development limitation waiver, allowing possible wet season grading as part of the proposed deck addition at 4702 E. Mercer Way. As can be seen in the attached drawing set, the project includes replacing a rockery with an 8' tall gabion wall and backfilling the gabion wall to create a terrace. The proposed deck is entirely above an existing asphalt driveway. As a result, no new impervious area will be added.

It was our hope to begin site work prior to October 1<sup>st</sup>. That said, we are placing this request for a waiver to be sure the project is not stalled if for some reason construction does not start on time.

We have consulted with Ricky Wang, principal geotechnical engineer at the Riley Group to be sure that construction during wet weather would not pose a problem. Please refer to the letter attached in this file with the subject line "*Plan Review and Critical Area Compliance Statement*" in which Mr. Wang states that "the risk of damage to the proposed development and from the development to adjacent properties from soil instability will be minimal, even [if] the construction occurs in wet season." Mr. Wang also describes that the plans are consistent with the recommendations in their geotechnical report.

Among the measures being taken to minimize the impact of possible wet season site work are the following:

- The backfilling to take place will be primarily washed rock
- Only the top 1.5 feet of fill will be soil
- Once soil is installed, it will be covered with mulch or straw
- Soil removed during pile drilling to be placed directly on a truck rather than stored on site

In addition to this letter and the letter referred to above from Ricky Wang, the seasonal development request worksheet also requires a geotechnical report (see documents 6 and 7 in this submission), working drawings, construction schedule (see attached in this file), erosion control plan (see drawing sheet A1.02), and emergency procedures / contact information (see attached in this file).

Please feel free to reach out to Ricky Wang at 425-415-0551 if you require any additional information.

Regards,

Anna Urban,  
Miller Hayashi Architects

# CITY OF MERCER ISLAND

## COMMUNITY PLANNING & DEVELOPMENT

9611 SE 36TH STREET | MERCER ISLAND, WA 98040

PHONE: 206.275.7605 | [www.mercergov.org](http://www.mercergov.org)

Inspection Requests: Online: [www.mybuildingpermit.com](http://www.mybuildingpermit.com) VM: 206.275.7730



### WET SEASON GRADING RESTRICTION (OCTOBER 1 THROUGH APRIL 1) SEASONAL DEVELOPMENT LIMITATION WAIVER

#### DESCRIPTION

Land clearing, grading, filling, and foundation work are not permitted between October 1 and April 1 on lots considered as an Erosion, Potential Slide, or Steep Slope Hazard. A waiver to this seasonal development limitation may be granted if compelling justification is demonstrated and supported by a geotechnical evaluation of the site and proposed construction activities.

#### AFFECTED SITES

1. Sites subject to a Potential Slide, Erosion, or Steep Slope Hazard, or any areas with Critical Slopes and the land that extends 10 feet past the top and toe of the slope.
2. Any site that is considered by the Building Official or City Engineer to be subject to the seasonal development limitation.

*See Mercer Island Landslide Hazard Map for more details*

#### SUBMITTAL REQUIREMENTS

All required items must be completely and accurately filled out. Once the application has been reviewed by the building official, you may be asked to provide some, if not all the materials found in the "Required as Needed" column.

You may apply for the waiver while you are applying for a building permit if you believe that you will be constructing during the wet season.

Required	Required as Needed
A. Letter to the Building Official Requesting the Waiver	A. Storm Detention Design and Hydrology Report
B. Geotechnical Report	B. Survey
C. Working Drawings	C. Tree Inventory
D. Construction Schedule	D. Permanent Site Restoration Methods
E. Erosion Control Plan	E. Soil Removal Evaluation
F. Emergency Procedures	F. Hillside Support
G. Emergency Contact Information	G. Soil Disposal
	H. Liability Insurance
	I. Performance Bond or Assign of Funds Account
	J. Site Reports.
	K. Additional Information as determined by the Building Official or City Engineer

*See building definitions section for more details on submittal items*

#### APPEALS

Appeals of a seasonal development limitation waiver decision can be made to the Hearing Examiner. There is a process for filing an appeal with the Hearing Examiner, which normally takes up to 45 days. Refer to MICC Chapter 19.15.010.

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## SEASONAL DEVELOPMENT EMERGENCY CONTACT

PLEASE POST THIS INFORMATION ON SITE

### Emergency Procedures

Mercer Island Municipal Code Section 19.07.020

### CONTACTS

Contractor Name: MELCO ENTERPRISES INC. Phone # 206-930-7140

Contractor Email: khemstreet2@comcast.net

Site Superintendent Name: KEITH HEMSTREET Phone # 206-930-7140

Site Superintendent Email: khemstreet2@comcast.net

Excavation Sub-Contractor: NO EXCAVATION. Phone # \_\_\_\_\_

Excavation Sub-Contractor Email: \_\_\_\_\_

Owner Name: LUCIO TINOCO Phone # 425-499-1998

Owner Email: lucio.tinoco@gmail.com

Describe the actions required to be taken on site in the event of a natural or man-made disaster such as a landslide or erosion-control problem: call 911, try to stabilize land and situation.

### CITY OF MERCER ISLAND CONTACT INFORMATION

After Hours: call Police Non-Emergency 1.425.577.5656

During Regular Hours: 8:30 am – 5:00 pm

Development Services Ground (DSG) 206.275.7605

Public Works Department 206.275.7608

Police 206.275.7610

Fire 206.275.7607

**EMERGENCY: CALL 911**

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## Construction Schedule

Tinoco Residence  
4702 E. Mercer Way,  
Mercer Island, WA

Construction duration: 3-4 months

Begins: October 1, 2019

Expected completion: January 1 - February 1, 2020



September 18, 2019

Mr. Lucio Cunha Tinoco  
4702 East Mercer Way  
Mercer Island, Washington 98040

**Subject: Plan Review and Critical Area Compliance Statement  
East Mercer Residence  
4702 East Mercer Way  
Mercer Island, Washington 98040  
RGI Project No. 2019-095**

References: Geotechnical Engineering Report prepared by The Riley Group, Inc. dated May 9, 2019  
Report Addendum A prepared by The Riley Group, Inc. dated July 24, 2019  
Permit Set Plans (A1.01 to A6.0) prepared by Miller Hayashi Architects dated August 15, 2019

Dear Mr. Tinoco:

As requested, The Riley Group, Inc. (RGI) has reviewed the referenced plans. Based on our review, the plans have been prepared are consistent with the recommendations in the geotechnical report and report addendum. RGI would be available to provide geotechnical inspection services during the construction of the project per City of Mercer Island's requirements.

The northern portion of the site is classified as a critical area. Based on our review of the plan, the design to be submitted to City of Mercer Island conforms to the recommendations of the report and report addendum, and provided that the conditions and recommendations are satisfied, the construction and development will not increase the potential for soil movement in the critical area.

Typically, all earthwork should be performed in dry season to avoid being affected by the wheather. RGI understands that the construction may occur in wet season. Considering the amount of earthwork is so minor, RGI considers that the risk of damage to the proposed development and from the development to adjacent properties from soil instability will be minimal even the construction occurs in a wet season.

We trust the information presented is sufficient for your current needs. If you have any questions regarding this letter report or require additional information, please call us at (425) 415-0551

Sincerely,

**THE RILEY GROUP, INC.**

Ricky R. Wang, PhD, PE  
Principal Engineer



*Corporate Office*  
17522 Bothell Way Northeast  
Bothell, Washington 98011  
Phone 425.415.0551 ☎ Fax 425.415.0311

[www.riley-group.com](http://www.riley-group.com)