

## Ryan Harriman

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**From:** Sarah Fletcher <fletchsa1@gmail.com>  
**Sent:** Sunday, February 19, 2023 7:04 PM  
**To:** Andrew Leon; Jeff Thomas; Planning Commission; Design Commission  
**Subject:** Totally Against DSR22-014 Baskin Robbins Proposed 10-unit building

Hello, I want the owner to know that I am totally against his proposed 10-unit apartment building and to let the owner know that his proposed apartment building is more for investment purposes, rather than what is good for our community. What connection he/she has to Mercer Island. Any?

Does he/she plan on living in the development when it is complete? If not, why not?

And does the owner have to go with this architect firm, could he go with another architect firm? It looks like a prison block. And quite frankly, I do not know why they have put stilts as part of the design? There is absolutely not one redeeming feature of the building and I don't quite know what the architects thought the owner wanted and why he thinks this design is what Mercer Islanders want in the Town Center core.

### **Intake City staffmember is to blame.**

What I don't understand is why did the City staffmember who is the first point of contact with the owner/architect not explain to them that this location is in the core of the Town Center and it is to be commercial? Did that intake person discuss the proposal with anyone else in the City, like the City council, the mayor, the head of the DSG, the city manager, who? And did someone tell them to approve the project for non-commercial? It is just that the city staffmember could have saved us all a lot of time and trouble and the architects could have gone back to the owner and explained this fact and the architects could have come up with a design which was more for commercial purposes, rather than just apartments.

### **Issues with the Design:**

On the Design Commission's own website it specifically states:

"The **primary focus of commercial uses** is intended to be in the core of the Town Center"

How do they think that an apartment only building in the core is **commercially focused**?

### **The Condo/Apartment building next door.**

Did anyone think of consulting with the residents nextdoor before coming up with this apartment building? And what did they say? That they were all for it? And what should happen should a lot of the residents of the apartment next door all move out leaving an empty building? What compensation will there be for the owners of the apartment building next door?

Why does anyone think that someone would want to rent an apartment in this proposed building? Is there going to be an ice cream parlor, gym room, swimming pool, anything for residents?

a) What will the distance be between the condo/apartment building next door and this proposed building?

b) will it block the light of the neighbors next door?

c) will it block their view?

d) will neighbors look into each others' bedrooms and if they think they will not, how do they come by that?

e) will there be daylight planing on that side",

f) will there be daylight planing on the 78th Ave SE side?

g) will there be stepping back of upper stories to reduce building mass and maintain light and air?

And with regard to the daylight plane,

h) where does it say that modulation can be used in lieu of daylight plane? It has:

"The push and pull of the building masses along with the articulation of the balconies help create **modulation** that is highly visible from the street while the change in materials help to accentuate those forms. While the main materials are white aluminum cladding and gray Trespa, the vertical form above the public open space is accented with Trespa's Lumen panels with an oblique finish. This is a combination of a matte and gloss finish that will reflect the light differently as the sun moves across the sky."

It is all very well talking about the "reflections of the light," but I doubt very much the neighbors next door or behind will even see the daylight let alone "reflections of light."

i) Will they see any reflections of light?

They need to go back to the drawing board and come up with a plan in which the neighbors will be able to see the daylight and that pedestrians walking by will not feel like this building overwhelms them, in other words, they need to come back with a design which shows the daylight planing and not modulation.

### **Public Open Space**

- a) Will the public open space be big enough for people to gather and eat ice cream?
- b) how many people do you think could fit into that public space?
- c) would any of you want this building if you were in the neighboring building) and
- d) why?

### **Through-Block**

With regard to the through-block and enhance pedestrian access.

- a) What through-block is proposed?
- b) where is it supposed to be a through-block to exactly?
- c) If drivers drive up 29th St or if people walk by, what screening is being proposed apart from that ugly concrete massive wall?
- d) Won't the bright lights of the cars shine into the units? If you think not, how do you come by that?

### **Parking**

a) Will there be any on-street parking, parking behind the building?

It has in The Comprehensive Plan:

"Pedestrian-oriented and customer intensive retail businesses and offices **are encouraged** to locate on the street level to promote active use of sidewalks by pedestrians, thus increasing the activity level and economic viability of the Town Center."

b) Is there going to be any retail within the building? No, there is not, so how are they going to "promote active use of sidewalks by pedestrians and how exactly will the activity level be increased with this project?"

If you look at the google maps, [2899 78th Ave SE - Google Maps](#)



and look at page 7 of the Ordinance, you will see that it is clearly marked in pink (3 stories), not blue: [Microsoft Word - ORD16C-06.docx \(mercerisland.gov\)](#)



I don't think they realize when they state: the proposed development provides stacked **multi-family residences** with primary pedestrian and vehicular access from 78th Ave SE." It is not 'multi-family And it has where **RETAIL IS REQUIRED**, but the proposed building is not offering any retail. See map below:

Figure 2— Area of Required Retail, Restaurant or Personal Services Use Along Ground Floor Street Frontages



"Setbacks. a. 78th Avenue SE. All structures shall be set back so that space is provided for at least 15 feet of sidewalk between the structure and the face of the street curb, excluding locations where the curbline is interrupted by parking pockets. Additional setbacks are encouraged to provide space for more pedestrian-oriented activities and to accommodate street trees and parking pockets"

- a) Will there be a 15ft setback between the building and the street curb or is the public space part of the sidewalk and
- b) are they planting trees and having a parking pocket if not, why not?

"6. Entrances. Building entrances should concentrate along the sidewalk and should be physically and visually inviting. Entrance doors shall be recessed from the façade surface to emphasize the entrance and provide a sheltered transition to the interior of the building. Special paving treatments and/or landscaping should be used to enhance the entrance.

Pedestrian walkways with wheelchair ramps at least 8 feet wide should be constructed between the sidewalk and building entrances."

a) Shall the entrance doors be recessed? If they are not, then aren't they supposed to make them recess it and if not, what then?

"8. Residential Uses on Ground Floor. Where permitted, residential uses on the ground floor shall comply with the standards in MICC 19.11.060.E.2.e

e. Where ground level residential uses front onto the through-block connection the building **must feature at least one of the public/private space transition elements described below:**

i. *Raised deck or porch option.* Provide at least a 60-square-foot porch or deck raised at least one foot above grade. The porch or deck must be at least six feet wide, measured perpendicular to the building face. A low fence, rail or planting, which is two feet to four feet high, is encouraged between the through-block connection and the deck or porch. A porch roof or weather protection is encouraged. The design should consider accessibility.

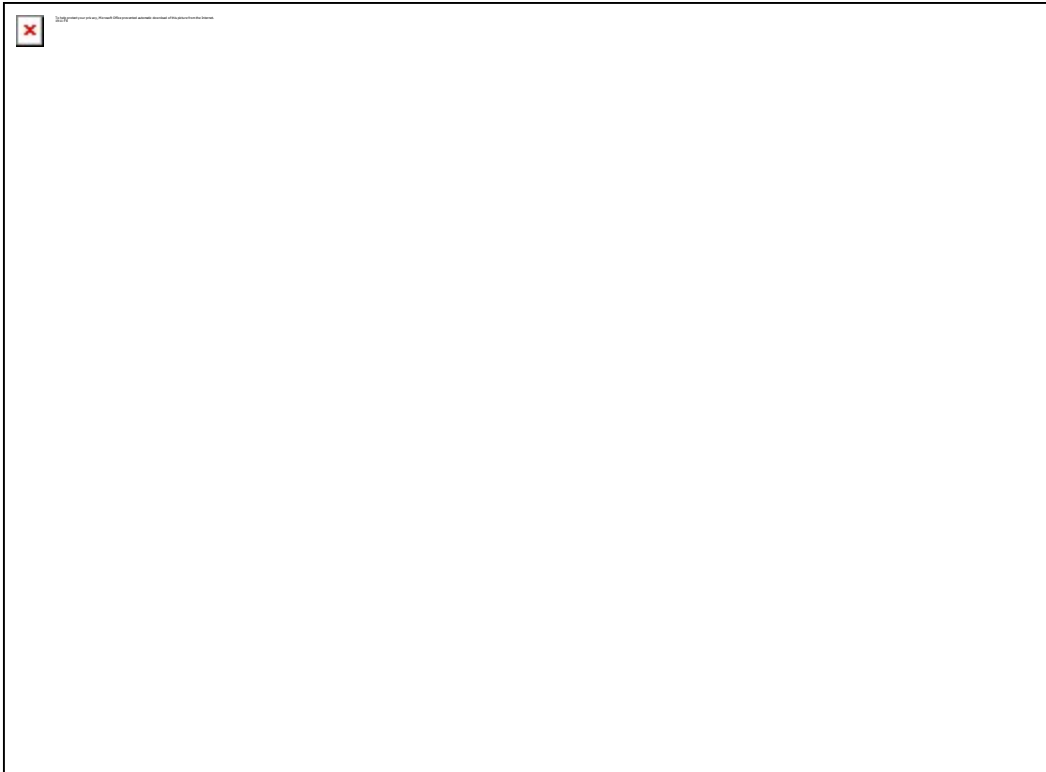
ii. *Private open space option.* Provide a private open space at least ten feet wide between the face of the residence and the edge of the through-block connection. The space may be paved or landscaped. **A low fence, rail or planting which is two to four feet high shall be provided between the through-block connection and the open space.**

iii. *Landscaped area.* Provide a **landscaped area at least ten feet wide between the face of the building and the edge of the through-block connection.** The plantings must reach three feet high within three years after planting.

iv. *Raised ground floor.* If the residence's ground floor is at least three feet above the grade adjacent to the building, then the landscaped area in option (iii), above, may be reduced to four feet wide.

v. Other transition design measures that adequately protect the privacy and comfort of the residential unit and the attractiveness and usefulness of the pathway at least as effectively as options (i) through (iv) above, as determined by the design commission.

Figure 8 -Acceptable Public/Private Transitional Space Design between Through-Block Connections and Ground Level Residential Units



Which design will the proposed building look like above? From what I have seen, it looks like there is a massive cement wall in front of the building.

And are they providing public parking because if they are not, then it has:

2. **If public parking is not provided** pursuant to MICC 19.11.130(B)(5), then the following applies: a. **A minimum of 60% of the ground floor street frontage shall be occupied by one or more of the following permitted uses: retail, restaurant, and/or personal service use.** "

It is 100% apartment rental, they are not providing public parking, so how can you approve this apartment building? They offer nothing.

And goes on to say:

"c. If the bases of the opposite building facades are at approximately the same elevation, then the building height at any point between the facades can never exceed the maximum permitted building height. **If the bases of the opposite building facades are not at approximately the same elevation, then the building must be configured to go down in height as between the higher and lower facades in a manner similar to Figure 4 or in an equivalent manner such that the average of the building heights calculated between the facades is approximately equal to or less than the maximum permitted building height.**

**So what is it going to be - at the same height or lower?**

And is there going to be a loading zone?

"3. Loading Space. Off-street loading space with access to a public street **shall be required** adjacent to or within or underneath each building. Such loading space shall be of adequate size to accommodate the maximum number and size of vehicles simultaneously loaded or unloaded in connection with the business or businesses conducted in the building."

### **Affordability Housing**

For 4 and 5 story buildings, the required affordable housing units must be affordable at the 60% of median income level for rental housing or 90% of median income level for ownership housing.

How much do they plan on renting each unit for?

It is not up to the developer to put a bike rack on the public sidewalk. If the sidewalk is 8ft wide, how wide is the sidewalk to enable a bike rack? Is it not going to block the sidewalk?

"a bike rack is proposed on the public sidewalk next to the walkway and public open space, and a clock is proposed on the recessed portion of the building directly above the building entry and public open space."

Who cares about a clock? Are they trying to put a clock in to get some variance?

"At least two linear feet of seating surfaces per 100 square feet of space should be provided. To qualify, seating surfaces shall be a minimum of 18 inches in depth. At least half the seating should have seat backs and have surfaces made of wood, rather than metal, stone or concrete.

Parking and Layout of 78th Ave SE between 27th St and 32nd St, it doesn't look like the parking is correct for this project. Where do they propose to put the required parking bays as per the code (see graph below)? They are removing the current parking bays: And what do they mean by "**shared parking**?" Shared with who exactly? And where do they think the guests of the apartment dwellers will be parking or if they have more than one car per unit? And please do not tell me that a renter is going to be paying a monthly parking rate, but that they will have to move their car so that it can be shared with God knows who? Who came up with such a daft proposal if that is what the architect is proposing?



B. Development and Design Standards. 1. Parking Requirements. a. Minimum Number of Parking Stalls Required. All new development and remodels greater than 10 percent of the existing gross floor area shall provide at least the number of parking stalls set forth in the following table

"1 to 1.4 per unit. Site specific deviations to allow less than 1 stall per unit may be allowed based on a detailed parking analysis and with approval of the code official."

Who is the "code official? And why give that person all the power? Please make sure the code official does not give them a variance of less than one parking bay (not shared) per unit.

### Drive-in to the underground parking.

Where is the entrance going to be in order to get into the underground parking? If I am driving up 29th St, how do you expect drivers to get into the underground parking? Is there going to need to be a four-way traffic stop at that intersection? And will there be enough room for the garbage truck to turn around and enter from 78th Ave SE or from 29th St?

a) Are you going to make them do a traffic impact study and if not why not?

b) Is the underground parking height high enough for trucks to drive into the building?

### Landscaping

It says that 3,250 sf of sedum trays on the roof, but if you look at the plans on page 7, it does not show 3,250 sf of sedum trays, it shows a portion. And are you trying to say, that they can go across the road, buy a few trays of sedum and put them on the roof, and that is sufficient?

As I am a layman and don't know how to read plans, how much exactly is it showing? I

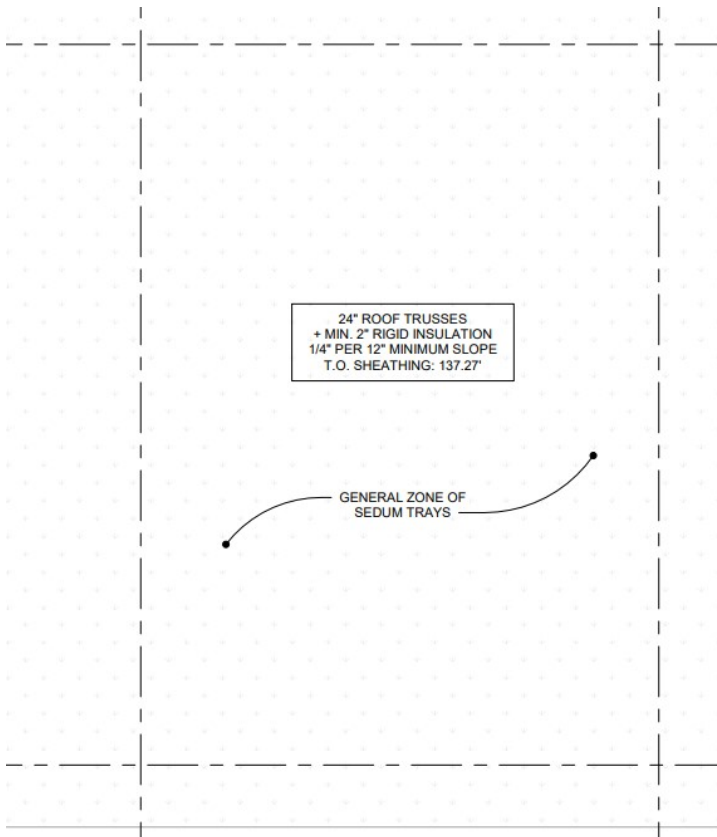
• Green Roof – This will be largest portion of landscaping on site. There will be approximately 3,250 SF of sedum trays on the roof, which 1,625 SF will count towards the requirement.

a) And what happens if the greenery dies?

b) That would mean that they are below their landscaping requirement, what happens if they fall below the required landscaping requirement?

b) Is someone going to be watering the sedum?

If you look at the plans, it has a section of the roof as for the sedum trays on a portion and not even on the whole roof, I doubt very much it equals 3,250 sf of roof space?



b. Green roof. Green roofs qualify as a landscaped surface at a 50% rate (i.e., 2 sf of green roof qualifies as 1 sf of landscaped area)

Is the roof going to be sloped or flat? It is hard to tell.

**Tree Removal**

It states that trees 8 through 10 are to be removed, but if you look at the photographs, they are on City property, not even on the developer's property.

- a) What right do they have to remove any City trees regardless of whether they are significant or otherwise?
- b) Where does it say anything in the code that a developer can remove city-property trees? Please make sure that they do not remove any City right of way trees.

"8. Sawleaf Zelkova (Ulmus serrulata). 4" DSH. Insignificant tree. 9. Sawleaf Zelkova (Ulmus serrulata). 5" DSH. Insignificant tree. 10. Sawleaf Zelkova (Ulmus serrulata). 4" DSH. Insignificant trees."



And with regard to the fenestration, it has:

"b. Ground Floor Windows and Doors. Major new construction along 77th Avenue SE, 78th Avenue SE and SE 27th Street, within the TC-5, TC-4 and TC-4 Plus sub-areas, shall have at least 75 percent of the length of the **ground-floor façade between the height of two feet and seven feet devoted to windows and doors affording views into retail, office, or lobby space.**"

If you look at the proposed design, it looks like people will be looking at a cement wall, is that allowed?

**Is it going to have the ground floor (NOT BASEMENT) between the height of 2ft and 7ft devoted to windows and doors affording views into retail, office or lobby space? It doesn't sound like it is, is it?**

### Colors

Whoever chose the colors has to either not have been to the site or they are color blind. It has: "that the color should be considered **in relation to the surrounding buildings**. I am sorry, but does anyone see black and grey buildings surrounding the proposed building? I don't. Please show me where the other black and grey buildings are. I posted above showing the layout. How did they come up with this ugly color scheme? Should you approve this, please ask the surrounding buildings what colors they have and go with the same colors, but just not with these awful colors.

"19.11.110 Materials and Color A. Objectives. Textured high quality materials and colors should bring a visually interesting experience into the streetscape. Color should be carefully considered **in relation to the overall design of the building and surrounding buildings.**"

5. Harmonious Range of Colors. A **harmonious** range of colors should be used within the Town Center. Neon or very bright colors, which have the effect of unreasonably setting the building apart from other adjacent buildings on the street, should not be used."

Harmonious, not depressing colors which are not complimentary. Please do not allow blacks, grey and white when the other colors are all creams, and soft colors. Why do they want the building to stand out and not compliment the other buildings?

Have you seen the colors they are proposing on using? They are black, grey and white, nothing like the surrounding building colors and certainly nothing complimentary. Who advised the architects to use these depressing colors? If you said it was going to be a prison block, I would think that the colors they chose are an excellent choice of colors.

I am sorry, sorry that no-one from the City explained to the owner/ architects that what they are proposing is not conducive to the Town Center core and that it is preferable if they designed a commercial business which was not so tall. What is also disappointing is that the franchise owner of the Baskin Robbins wanted to continue selling ice cream, but that she was thrown out and for what? An ugly apartment building which I don't know of one person who wants it. Where do they want the children to go to get their ice cream now? We have lost all the ice cream parlors, Baskin Robbins was the last one.



Whatever is built is going to be the ruin of our Town Center forever more. I sincerely hope the architects to back to the drawing board and come up with something nicer and more in keeping with a thriving town center.

Sarah Fletcher  
Mercer Island