



**CITY OF MERCER ISLAND  
DESIGN COMMISSION  
FINDINGS OF FACT AND CONCLUSIONS  
OF LAW**

**Agenda Item:  
May 16, 2024**

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Project:	Islandian Condominiums (DSR24-001)
Description:	A Design Commission Design Review application to repaint the building, remove all existing siding at north, south, west, and partial east elevations where marked on the plans and replace with new fiber cement siding. Install new windows, exterior sliding glass doors and exterior storage room doors in current locations to match current operation. Demo all unit deck railings and install new glass railings.
Applicant:	James Ramil (Evolution architecture) for Islandian Condominiums HOA
Site Address:	3055 80th Avenue SE, Mercer Island WA 98040; Identified by King County Assessor tax parcel number 3629120000
Zoning District:	Town Center, Subarea TCMF-3
Exhibits:	<ol style="list-style-type: none"><li>1. Design Review Plan Set, dated January 22, 2024 prepared by Evolution Architecture</li><li>2. Development application, signed January 24, 2024</li><li>3. Project Narrative, dated January 24, 2024</li><li>4. Topic of Discussion for Reviewers, dated January 24, 2024</li></ol>

#### **SUMMARY**

The applicant has applied for design review of the proposed repair and remediation of the Islandian Condominiums. The scope includes the repainting of the building, removing existing siding, installation of new windows, exterior sliding glass doors, exterior storage room doors and unit deck railings.

The subject property is located at 3055 80<sup>th</sup> Ave SE, in the town center (TCMF-3) zone. The neighboring properties to the north, south, and east are Multiple Family (MF-2) zone. The neighboring properties to the west are within the Town Center (TC-3) zone.

The subject property is developed with the existing Islandian Condominiums. Neighboring development includes office buildings to the north and south, and the United States Postal Service to the west.

Pursuant to MICC 19.15.220(C)(1)(c)(i)(c), any alterations to an existing building that result in a change of 50 percent, or more, of the exterior surface area require review by the Design Commission.

MICC 19.15.220(C)(2)(a) requires any project that requires design commission approval to go before the design commission with a study session prior to application “to discuss project concepts before the plans are fully developed.” A study session was completed for this project on January 3, 2024.

Pursuant to MICC 19.15.030 Table A, an application for Design Commission review is a Type IV permit, and pursuant to MICC 19.15.030 Table B, a public hearing is required for Type IV permits. At the public hearing, the design commission must review the project to determine if the project meets the criteria listed in MICC Section 19.11, Town Center Development and Design Standards.

#### **FINDINGS OF FACT**

Pursuant to MICC 19.15.220(C)(1)(c)(i)(c), any alterations to an existing building that result in a change of 50 percent, or more, of the exterior surface area require review by the Design Commission. The proposal is for the repair and remediation of more than 50 percent of the exterior surface area of the existing building.

Planning staff conducted a review of the project and provides the following analysis detailing compliance with the criteria listed in MICC Section 19.11, Town Center Development and Design Standards, as well as design review process found in MICC 19.15.220.

Many of the Town Center design standards are intended to be applied to major new construction projects.

Based on the small scale of the proposed addition, the staff review and analysis considers the direction provided in MICC 19.11.150(A)(1):

The design commission or the code official shall review the applicability of the development and design standards and determine the project's conformance with this chapter. The degree of conformance with all of the development and design standards will vary on a project-by-project basis. The design commission shall review each project on the project's degree of overall conformity with the objectives, standards and the comprehensive plan.

As a result, the review and analysis are limited to those Town Center design standards that apply based on the scope of the project. Those standards that do not apply are not included.

The following is an analysis of the proposal regarding the criteria for approval:

1. **MICC 19.15.220(B)(1), Powers of the Design Commission, states that:** No building permit or other required permit shall be issued by the city for any major new construction or minor exterior modification of any regulated improvement without prior approval of the Design Commission or Code Official as authorized pursuant to MICC 19.15.010(E). Certain development and activities that do not require a permit are subject to design review as provided in MICC 19.15.220(C)(1)(c).

**Staff Finding:** The proposal is for a minor exterior modification as defined in MICC 19.16.010. As such, the proposal is subject to design review by either the Code Official or the Design Commission.

2. MICC 19.15.220(C)(1)(c)(ii), Design Review Procedure, Review Authority: The following development proposals shall require Design Commission review:

All other development proposals requiring design review and not requiring design commission review under subsection (C)(1)(c)(i) of this section shall be reviewed by the code official. The

code official shall have the authority to determine that an application normally reviewed by code official shall require design commission review and approval, based on factors such as scope, location, context, and visibility of the proposed change or modification.

**Staff Finding:** The proposal meets (ii) above because the code official determined the application shall be reviewed and approved by the design commission based on the scope of the proposed work, location of the building in the Town Center, and visibility of the proposed change.

**10. MICC 19.11.100(B)(12), Building Design Development and Design Standards.**

12. *Harmony.* The elements of a building should relate logically to each other, as well as to the surrounding buildings. A single building or complex should be stylistically consistent; architectural style, materials, colors and forms should all work together.

**Staff Finding:** The elements used for the proposed addition are consistent with the existing building relative to architectural style, materials, colors and form. The project complies with this standard.

**11. MICC 19.11.110 (B), Materials and Color.**

MICC 19.11.110(B)

1. *Building Exteriors.* Building exteriors should be constructed from high quality and durable materials. It is important that the materials and colors weather well and that building exteriors need minimal maintenance.

2. *Regional Focus.* Materials and colors should reflect the city's regional setting.

3. *Attention to All Sides.* Materials and colors should be used with cohesiveness and compatibility on all sides of a building.

4. *Concrete Walls.* Concrete walls should be architecturally treated. The treatment may include textured concrete such as exposed aggregate, sand blasting, stamping or color coating.

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.

6. *Bright Colors.* Bright colors should be used only for trim and accents if the use is consistent with the building design and other design requirements.

7. *Undesired Materials.* Beveled metal siding, mirrored glass, and vinyl siding should not be used. EIFS, stucco and similar materials should be limited to use as a minor building facade element.

8. *Variation of Materials.* A variation of building materials should be used to assist in the creation of a visually interesting experience.

**Staff Finding:** The proposed design shows attention to all sides and the proposed materials and colors are high quality, reflect the regional focus, are a harmonious range of color and deter from bright colors and undesirable materials.

**CONCLUSIONS OF LAW**

Based on the above Findings of Fact, the following Conclusions of Law have been made:

1. The application has undergone a Type IV review by the Design Commission at an open record hearing under MICC 19.15.140.
2. The Design Commission concludes that the proposal complies with the Mercer Island City Code, provided that the following conditions are met.

#### CONDITIONS OF APPROVAL

The City of Mercer Island Design Commission hereby grants the applicant design approval for the repair and remediation of the Islandian Condominiums located at 3055 80th Avenue SE, as shown in **Exhibit 1**. The Design Commission Chair is authorized to sign the Findings of Fact and Conclusions of Law on behalf of the Commission. The Design Commission conditions the approval as follows:

1. All aspects of the proposed project shall be consistent with the detail information submitted with this application (including, but not limited to, elevations, perspective drawings, colors, and materials), as depicted by **Exhibit 1**.
2. The applicant shall apply for and obtain a building permit from the City of Mercer Island prior to construction of any site or building improvements.
3. The applicant shall submit a complete application for a building permit within three years from the date of this decision, or within two years from the decision on appeal from the final design review decision. Failure to submit a complete building permit application within these time limits shall require a new design review application.
4. The applicant shall transition material colors to the inside corners.

#### RECOMMENDATION

Based upon the above noted Findings of Fact and Conclusions of Law, design review application **DSR24-001**, as depicted in **Exhibit 1**, staff recommends the Design Commission adopts the staff findings and conclusions contained within this staff report and **APPROVE** the proposed development subject to the recommended conditions of approval also contained within this staff report. This decision is final, unless appealed in writing consistent with adopted appeal procedures, MICC 19.15.130, and all other applicable appeal regulations.

**Recommended this 16th day of May, 2024**



**Grace Manahan**  
**Assistant Planner**  
**City of Mercer Island**  
**Community Planning & Development**

























ORIGINAL COLOR AND MASSING SCHEME



SUGGESTED COLOR AND MASSING SCHEME





ORIGINAL COLOR AND MASSING SCHEME



SUGGESTED COLOR AND MASSING SCHEME

# CITY OF MERCER ISLAND

## COMMUNITY PLANNING & DEVELOPMENT

9611 SE 36TH STREET | MERCER ISLAND, WA 98040

PHONE: 206.275.7605 | [www.mercerisland.gov](http://www.mercerisland.gov)



### CITY USE ONLY

PROJECT#

RECEIPT #

FEE

Date Received:

Received By:

### DEVELOPMENT APPLICATION

STREET ADDRESS/LOCATION		ZONE
COUNTY ASSESSOR PARCEL #'S		PARCEL SIZE (SQ. FT.)
PROPERTY OWNER <i>(required)</i>	ADDRESS <i>(required)</i>	CELL/OFFICE <i>(required)</i> E-MAIL <i>(required)</i>
PROJECT CONTACT NAME	ADDRESS	CELL/OFFICE E-MAIL
TENANT NAME	ADDRESS	CELL PHONE E-MAIL

**DECLARATION:** I HEREBY STATE THAT I AM THE OWNER OF THE SUBJECT PROPERTY OR I HAVE BEEN AUTHORIZED BY THE OWNER(S) OF THE SUBJECT PROPERTY TO REPRESENT THIS APPLICATION, AND THAT THE INFORMATION FURNISHED BY ME IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

SIGNATURE

DATE

**PROPOSED APPLICATION(S) AND CLEAR DESCRIPTION OF PROPOSAL** (PLEASE USE ADDITIONAL PAPER IF NEEDED):

ATTACH RESPONSE TO DECISION CRITERIA IF APPLICABLE

**CHECK TYPE OF LAND USE APPROVAL REQUESTED:**

CRITICAL AREAS	ENVIRONMENTAL REVIEW (SEPA)	SUBDIVISION
<input type="checkbox"/> Critical Area Review 1	<input type="checkbox"/> SEPA Review	<input type="checkbox"/> Short Plat- Preliminary
<input type="checkbox"/> Critical Area Review 2	<input type="checkbox"/> Environmental Impact Statement	<input type="checkbox"/> Short Plat- Alteration
		<input type="checkbox"/> Short Plat- Final Plat
DESIGN REVIEW		<input type="checkbox"/> Long Plat- Preliminary
<input type="checkbox"/> Design Review – Signs	LEGISLATIVE	<input type="checkbox"/> Long Plat- Alteration
<input type="checkbox"/> Design Review – Code Official	<input type="checkbox"/> Code Amendment	<input type="checkbox"/> Long Plat- Final Plat
<input type="checkbox"/> Design Commission Study Session	<input type="checkbox"/> Comprehensive Plan Docket Application	<input type="checkbox"/> Lot Line Revision
<input type="checkbox"/> Design Commission Review – Exterior Alteration	<input type="checkbox"/> Comprehensive Plan Application (If Docketed)	
<input type="checkbox"/> Design Commission Review – Major New Construction	<input type="checkbox"/> Rezone	
	OTHER LAND USE	
	<input type="checkbox"/> Accessory Dwelling Unit	
	<input type="checkbox"/> Code Interpretation Request	
	<input type="checkbox"/> Conditional Use (CUP)	WIRELESS COMMUNICATION FACILITIES
<input type="checkbox"/> Deviations to Antenna Standards – Code Official	<input type="checkbox"/> Noise Exception Type I - IV	<input type="checkbox"/> New Wireless Communication Facility
<input type="checkbox"/> Deviations to Antenna Standards – Design Commission	<input type="checkbox"/> Other Permit/Services Not Listed	<input type="checkbox"/> Wireless Communications Facilities- 6409 Exemption
<input type="checkbox"/> Public Agency Exception	SHORELINE MANAGEMENT	<input type="checkbox"/> Small Cell Deployment
<input type="checkbox"/> Reasonable Use Exception	<input type="checkbox"/> Shoreline Exemption	<input type="checkbox"/> Height Variance
<input type="checkbox"/> Variance	<input type="checkbox"/> Shoreline Substantial Development Permit	
<input type="checkbox"/> Seasonal Development Limitation Waiver – Wet Season Construction Approval	<input type="checkbox"/> Shoreline Variance	
	<input type="checkbox"/> Shoreline Conditional Use Permit	
	<input type="checkbox"/> Shoreline Permit Revision	



January 24, 2024

Islandian Condominiums  
c/o Northland Group, RA LLC  
3040 78<sup>th</sup> Ave SE #81  
Mercer Island, WA 98040

**RE: Islandian Condominiums – Project Narrative**  
**Property Addresses: 3055 80<sup>th</sup> Ave SE, Mercer Island, WA 98040**

The Islandian Condominiums repair and remediation project will restore the envelope to watertight condition and enhance the aesthetics of the current building. The scope calls for removal of all existing siding at the north, south, west, and partial east elevations. We will replace the siding with a new durable fiber cement siding with a similar exposure to the current lap siding. The covered walkways and interior corridors will remain in place and receive new paint to bring it in line with the rest of the building.

The building will receive all new windows, exterior sliding glass doors and exterior storage room doors within the area of work, which excludes the covered walkways and corridors. Openings will remain the same size and the windows and doors will match their existing operation and swing direction. The frames will be white and visually increase the presence of the windows slightly.

All unit deck railings will be demolished. We will install new fascia mounted framed glass railings at all locations to expand the views and increase the daylight into the units. The aluminum rails will be powder coated in a dark grey to coordinate with the trim color.

Currently the building is monochromatic, and the new design will use color and texture to highlight the massing and material of the building. After an extensive study session with the Design Review Board and conversations with the client the design has changed to satisfy many of the recommendations. The new colorway will make use of two warm grey tones to add visual distinction and interest to the primary building masses. The main body will be light grey while the strong vertical and circulation elements will be a dark grey to provide contrast. All balcony areas will be wrapped in a warm wood tone color to provide visual warmth for the residents.

The design upgrades adhere to the codes and standards set forth by the City of Mercer Island and they are a significant improvement on the current design. From a material standpoint, it is long lasting and already part of the neighborhood aesthetic. From a color perspective, the owners selected a warm grey scheme that continues the neutrality of the current color, but in a more interesting way that accentuates circulation and massing.

Thank you for your insight and time on this important repair and remediation project. We look forward to our discussion with the Design Commission.



James Ramil, RA  
Evolution Architecture

January 24, 2024

Islandian Condominiums  
c/o Northland Group, RA LLC  
3040 78<sup>th</sup> Ave SE #81  
Mercer Island, WA 98040

**RE: Islandian Condominiums – Topic of Discussion for Reviewers**  
**Property Addresses: 3055 80<sup>th</sup> Ave SE, Mercer Island, WA 98040**

The Islandian Condominiums repair and remediation project will restore the envelope to watertight condition—much of the work is behind the cladding. The project is straightforward and has a light touch on modifying the base design language and massing of the building. We would like to discuss how we implemented the recommended changes of the Design Review Board and if there are any other requirements to get approved.

Time is of the essence for the Islandian Condominiums homeowners as this project has been over two years in the making and they would like to have their homes repaired as soon as possible.

Evolution Architecture appreciates the time and consideration of the Design Commission, and we look forward to the Design Commission session.



James Ramil, RA  
Evolution Architecture