

CITY OF MERCER ISLAND PLANNING COMMISSION

PUBLIC HEARING

MINUTES

JULY 19, 1967

PRESENT

J. Donoghue
W. Hinman
A. Wood
R. Bogatin
L. Waldron
C. Hall

OTHERS

J. Bacon
R. David

The meeting was called to order at 7:40 P.M. by chairman, Amos Wood. The minutes of the previous meeting were approved as written.

VARIANCE

As requested by Rockwell Willson - Following the staff presentation, Mr. Grop, the applicant's architect spoke in support of the request. He stated that traffic volume by the subject property would be slight, and the neighbors in the vicinity supported the request. Mr. Bogatin asked the applicants if it would be possible to acquire adjacent property. They replied that it wasn't possible. Mr. Bacon read two letters from neighbors who supported the request. Mr. Donoghue stated that upon field checking the subject site, he failed to recognize a hardship, however, subsequent to viewing the exhibits which indicated the lot shape and setbacks, he stated that a hardship was apparent. Mr. David stated that it was highly improbable that S.E. Moore street would be developed in the near future. Mr. Willson stated that they were making every attempt to capture the view. Mr. Hinman moved that the variance be approved because of a topographical hardship. Mr. Donoghue seconded the motion which carried 4 - 0.

PLOT PLAN

Jewish Community Center - Mr. Bacon presented the plot plan for the proposed building and its related uses, and briefly described the number of parking stalls and how it related to various municipal ordinances. Mr. Mass, who represented the Paul Thiry office spoke on behalf of applicants. Mr. Mass stated that the Jewish Community Center had projected that the family membership would be between 500 and 600, but it was strictly a guess. Mr. Mass went on to say that the proposed structure would have 45,000 square feet. Mr. Wood briefly commented that the number of families affected by the type of use would be quite large. Mr. Mass stated that several of the uses as shown on the plot plan were not in the contract, but merely indicated how the area could be used.

Mr. David stated that the subject plot plan was different from the original plan primarily because of ingress and egress. He stated that an additional amount of time would be appreciated so his department could study the easements. Mr. David stated the access from S.E. 40th presented problems and the intersection of S.E. 40th and E. Mercer Way was far from ideal. Mr. Hinman suggested that S.E. 40th be used as an alternative for the center while E.A. I. 90 is under construction. Mr. Wood commented on the fortunate location of State property adjacent to the subject site; for this location allows screening and excellent opportunities in securing access rights. Mr. Wood discussed the various routes of emergency equipment to the subject site.

Mr. Donoghue spoke in opposition to proposed use of parking on the southerly arm or "Gaza Strip" of the property. Mr. Hinman stated that with the subject property being served by an access road from the north, the parking pressure will not be great on the southerly portion. He also stated that it should be clearly stipulated with the community center that the approach on S.E. 40th is for "emergency use only". Mr. Mass said that the unusual design of the parking facilities was engendered by a program to save as many trees as possible. Mr. Hinman expressed concern that the natural cover may not be adequate screening for adjacent properties, especially so, should further uses be developed. Mr. Donoghue stated that the southerly arm was not safe for parking. Mr. Hall expressed the desire to have a set of building plans submitted to the commission. Mr. Mass mentioned some of the drainage problems that they were incurring. Mr. Wood stated that the Planning Commission would appreciate a more detailed landscape plan, especially in the areas of proposed development. Mr. Hall moved that the matter be tabled until the next executive session, the motion was seconded by Mr. Hinman and carried 5 - 0.

Subsequent to the motion the Planning Commission requested that the staff notify the property owners within a 300 foot radius of the subject property.

FINAL PLATS

Island Point #3 - Subsequent to the review of the final plat linen, the chairman and secretary of the Planning Commission duly signed the final linen of Island Point #3.

Dawn Vista - Subsequent to the review of the final linen, the chairman and the secretary of the Planning Commission duly signed the final tracing of Dawn Vista.

DISCUSSION

Mr. Bacon presented to the Planning Commission members a copy of the revised "701" application; and said that the State had given a verbal approval of application, and the Island should be in line for matching funds within the next 6 to 8 months.

Meeting adjourned 9:02 P.M.

Respectfully submitted
Gerald M. Bacon
City Planner

OUTLINE OF PLANNING COMMISSION

EXECUTIVE SESSION

PRESENT

A. Wood
R. Bogatin
C. Hall

OTHER

G. Bacon
R. David

AUGUST 2, 1967

For the lack of a quorum formal action on business matters could not be taken.

Because of the numerous interested parties with regard to the proposed Jewish Community Center, Amos Wood suggested that we proceed with a discussion on the plot plan.

- 1.) Mr. Bacon presented the exhibits, staff recommendations, and read the petitions as submitted by the public.
 - a.) Mr. David spoke in support of the recommendation not to provide vehicular access from S.E. 40th.
- 2.) Mr. Bogatin suggested that there should be some alternative emergency access route to the subject building.
- 3.) Mr. Bob Chase, a resident encircled by the subject property, expressed concern for the proposed types of screening, and suggested that the applicants install evergreen trees so as to provide a year-round buffering.
- 4.) Mr. William Valentine, a resident on the westerly margin of the subject property, stressed the need for adequate screening, especially at such time the tennis courts are developed. He was also concerned that the private road was going to be used by the construction vehicles.
- 5.) Mr. Hannon, a representative for the Jewish Community Center, spoke in favor of the proposed plot plan, "as the indicated uses met Ordinance 142". He also spoke in opposition to the staff recommendation of not permitting parking on the southerly arm of the subject property. He stated that the enforcement of this recommendation would be "confiscatory on the part of the City".
- 6.) Mr. Franco, a representative for the Jewish Community, suggested that S.E. 40th approach might be used during the construction period of F.I.A. 90, then closed upon its completion date and used only by emergency equipment.
- 7.) Mr. Paul Thiry, architect, spoke in support of the plot plan, as "the building was tailored to fit the topography and maximize the useage of natural cover". He stressed that it has been the firms' policy to "preserve the natural setting". He stated that the prohibition of parking on the southerly appendage might present a hardship to the client. In rebuttal to the request of Mr. Chase, the architect assured the commission that it was not the intent of the Jewish Community Center to create a blantant visual use, and every effort will be made to compose a pleasing network of screening and parking uses.
- 8.) Mr. Bacon reminded the group that, should there be any proposed deviations from the approved plot plan, the applicant must file his proposed concepts with the Planning Commission, for which will be considered at one of their regularly scheduled meetings.

CITY OF MERCER ISLAND PLANNING COMMISSION

EXECUTIVE SESSION

MINUTES

AUGUST 15, 1967

PRESENT

A. Wood
W. Hinman
J. Donoghue
L. Waldron
C. Hall
R. Bogatin
Dr. Philbrick

OTHERS

G. Bacon
J. Greco
L. Mass

The meeting was called to order by chairman Amos Wood at 12:05 P.M., at the Washington Athletic Club. The minutes of the previous meeting were approved as written.

PLOT PLAN - JEWISH COMMUNITY CENTER - Mr. Bacon briefly discussed the status of the proposed building. He also read two petitions and a letter from residents within the vicinity of the subject site. Mr. Wood expressed Paul Thiry's concern for adequate screening, and stated that the commissioners should be very careful in weighing the buffering or screening elements of the proposed plan. Mr. Hall stated that the southerly arm was of much concern to him because of the possible impact on adjacent properties as a result of the proposed parking and lighting. Mr. Hinman stated that the commission should be very concerned about the screening aspects especially as it relates to the buffering of the Robert Chase property. Mr. Waldron stressed that in past considerations for quasi-public type uses, the commission has been insistent on adequate screening. Mr. LLOYD Mass, architect for Paul Thiry, briefly discussed the situation of access to the subject property. Dr. Philbrick spoke in opposition to using the southerly arm for ingress, egress purposes even on an emergency basis, he also stated that "Mr. Chase should be protected". Mr. Mass suggested that the southerly arm be re-designed so as to not permit parking on the westerly portion, thus providing screening for the Chase property. Dr. Philbrick asked Mr. Mass if attempts had been made to exchange property with Mr. Chase. Mr. Mass replied that attempts had been made, but apparently Mr. Chase was unwilling to negotiate at that time. Mr. Bogatin stressed that the subject property should have an emergency access. He also stated that should an emergency occur, there is a possibility that the primary access may become congested, thus prohibiting access for emergency equipment. Mr. Bogatin also contended that the locating of the alternative route was relatively unimportant. Mr. Donoghue moved that the plot plan be approved subject to: 99th Ave. S.E. being indicated, that all uses other than open space not be shown on the southerly strip portion, and that the proposed tennis court development be removed from the plot plan. Mr. Waldron seconded the motion. Mr. Bogatin moved that a portion of the motion be amended to state that an emergency access exit on 99th Ave. S.E. be indicated on the plot plan. This amendment failed to carry with a 5 - 1 vote. The original motion by Mr. Donoghue carried 5 - 1. Subsequent to the motion, Mr. Hinman briefly discussed the Planning Commission's philosophy with regard to screening and setbacks for quasi-public uses.

PROPOSED SIGN - FRIDEN BUILDING - Mr. Bacon presented the revised sign proposal for the subject building. Mr. Hinman moved that "Exhibit A" be approved. Mr. Donoghue seconded the motion which carried 6 - 0.

Respectfully submitted,

Gerald M. Bacon
City Planner

Meeting adjourned
2:10 P.M.

CITY OF MERCER ISLAND
PLANNING COMMISSION
MINUTES

Public Meeting

May 20, 1970

PRESENT:

W. Hinman
C. Hall
C. Anschell
G. Beck
D. Frothingham

OTHERS:

G. Bacon
J. Hunt
B. Werner

The meeting was called to order at 7:35 P.M. by Chairman Walt Hinman. The minutes of the May executive session were read and approved as written.

PLOT PLAN: Jewish Community Center (Tape 5/1/024)

Mr. Bacon presented exhibits showing the previously approved plot plan, and the proposed addition of a play area and structures for small children. He related the history of complaints from neighbors regarding inadequate screening and unshielded lighting. A recent letter from neighbors, mentioning these problems as well as one of trespass, was read. Mr. Bacon indicated that no landscaping plan for this area had been submitted with the plans under consideration, and felt that one for the whole area should be acquired.

Mrs. Goffe, representing the Jewish Community Center Preschool, explained that every accredited nursery school must have an outdoor play area. Also, the paddling pool would be emptied at the end of each day to avoid hazard.

Mr. Hinman asked what landscape plans and lighting changes could be made. The Director, Mr. Okin, explained the development of their lighting and landscaping to date. Mr. Hinman felt that their lights could easily be blocked in certain areas. Mr. Hanan of the Jewish Community Center Board of Directors stated that they would be willing to do whatever is reasonable, though they might not be able to please some neighbors.

Mr. Jack Scholfield, residing across S.E. 40th Street from the club, felt that the requests of the neighbors were quite reasonable and could be easily met. He implied that the club might be trying to force Mr. Chase to sell to them. Mr. Hanan implied the opposite.

Mrs. Van Horne, one of the architects, felt that the dense natural growth would adequately screen the play area. Mr. Bayley elaborated on the necessity of fences to prevent trespassing by children, and felt that the club had not been cooperative in this area. In response to Mr. Hinman's question, he stated that at least a 6 foot high cyclone fence was needed. Mr. Chase and Mr. Toomey spoke in agreement with Mr. Bayley.

Mr. Toomey felt that the Jewish Community Center had a responsibility to prevent trespass. Mr. Daniels, Jewish Community Center Vice-President expressed a desire to cooperate with the neighbors, and wished that they had anticipated the arguments on areas outside the play area, in order to be better prepared. Mr. Anschell felt that most of the testimony presented had been irrelevant to the matter at hand. Mr. Hall felt that the thrust of the original plans had been towards indoor activities. The present plans brought into consideration all the outdoor activities and the screening for them, perhaps not considered so important before. Mr. Frothingham and Mr. Beck felt that any landscaping and screening should perhaps carry a time limit and bond for performance. Mr. Werner asked if the Jewish Community Center had ever been advised in writing that a landscape plan was required. Mr. Bacon replied that they had been sent a copy of Ordinance 142 at the same time as neighbors' complaints were transmitted to them.

Mr. Hall moved to defer further consideration of this proposal until a lighting and landscaping plan, for the area affected by this development, was received. Mr. Frothingham seconded the motion. Mr. Anschell asked if any time schedule would be seriously affected by a one-month delay. Mr. Okin felt that the summer camping program for 3 and 4 year old would be affected if they could not level the area, and put down asphalt and sand.

Considerable discussion ensued on the extent of the delay and the area of landscaping to be considered. Mr. Hall said his motion only concerned the area affected by the new proposals. Mr. Anschell felt that all avenues had not been explored, for assuring compliance without halting all development.

The motion on the floor failed by a vote of 1 - 4. Mr. Frothingham then moved to table the matter until landscaping and lighting plans for the whole Jewish Community Center site were received. Mr. Hall seconded the motion, and it passed by a vote of 4 - 1. (Anschell - Nay)

VARIANCE: John R. Swisher (Tape 5/1/660)

Mr. Bacon presented the staff report, noting the many houses in the area with nonconforming rear yards, and the nearby lot whereon a 7-foot rear yard variance had been granted. Mrs. Swisher explained why the bedroom addition, to be functional, had to be that size and at that location. Mr. Anschell moved to recommend that the variance request to the City Council for approval, since it appeared that the requirements of Subsection 18.02 of the Zoning Code had been met. Mr. Frothingham seconded the motion, and it passed 5 - 0.

DISCUSSION: Street Ends; Deeny Dock (Tape 5/1/700)

Mr. Bacon explained Mr. Deeny's request for a waiver on the 10-foot side yard setback requirement of his dock, from the City as adjacent property owner. The property in question, known as Sea Shore Avenue, a 20-foot wide platted street end, generated the City Council's request for a broader policy statement on such areas by the Planning Commission. Mr. Bacon mentioned that some Councilmen had felt that a dock on the common line might act as a barrier to help prevent trespass, since the corridor was so narrow. Mr. Hall felt that heavy use was not likely at this location, to create any problems. In fact, he observed, the public had a certain right to swim and navigate over and in the waters in front of the adjacent properties, and should not be physically barricaded into a 20 foot wide corridor out into the lake. Mr. Frothingham felt that this was an important matter, where hasty decision of one seemingly isolated case could result in a precedent that would later prove to have been unwise. He therefore moved to recommend that the City Council table Mr. Deeny's request until a thorough planning study of the use of public street ends could be made. Mr. Anschell seconded the motion, and it passed, 4 - 1 (Beck - Nay)

C-0 Zone: Bolton

Mr. Bacon asked to defer discussion, as the owner and the architect had not reached agreement between themselves.

"701" - Phase II Contract

Mr. Bacon explained the problems of beginning any part of the Phase II study before the I-90 design team had indicated some likely direction for that facility's access patterns. He suggested trading funding with Redmond, to postpone the end of the contract until July, 1971. Mr. Hinman felt that we might be risking the future elimination of Phase III through cuts in federal funding of "701" projects.

Mr. Epstein and Mr. Hanan replied that the two organizations were definitely separate; overlapping memberships did not make up a majority of either group. Mr. Hall questioned whether there was a limit on membership in the synagogue; it was answered that the capacity of the sanctuary would limit it. Mr. Wyater questioned the adequacy of parking for all activities on the site. Mrs. Litz stated that she retained beach rights on Puget Power's property to the north of Herzl.

Mr. Anschell disqualified himself from voting, as he had missed most of the testimony. Mr. Beck then moved to deny the variance, because of the magnitude of the request, because the congregation does have the ability to limit beach use to 50 families and thereby comply with the Ordinance, and because no showing satisfying the requirements for a variance had been made. Mr. Bogatin seconded the motion, and it passed by a vote of 5-0.

AMENDED PLOT PLAN: Jewish Community Center (Tape: ~~512/950~~ ^{Erased in error})

Mr. Bacon explained the desire of the Center to purchase this property, south of their entrance roadway, and use it for indoor activities. He referred to one of the letters read before, which objected to this request as well as the synagogue's. He reviewed the applicable portions of Ordinance No. 142.

Mr. Albert Hanan then spoke for the Center. He emphasized that no alterations would be made to the structures or grounds, no direct access to the building from the street, and that all activities would take place inside the building. He listed the activities that were planned. Mr. Hall asked if there were definite future plans for the site; Mr. Hanan answered that a cultural arts center, expanded parking, and a change of access points might be planned. He also clarified that the purchase of the property is still under negotiation. Mr. Hall stated that he would not like to see the Center purchase the property, counting on future uses that would not be allowable or desirable.

Mr. Strassburger asked if it was a procedural requirement that an applicant for such use own the property, before applying; the commission answered that it was not. He then quoted Section 4.01.11 (e) of the Zoning Code, and stated that he felt that the application lacked a necessary statement limiting the use and the membership. Mr. Toomey and Mr. H. Hall felt that the Center was planning further expansion; Mr. Hanan replied that all planning for the Center assumes the present boundaries, though they could always use more room for easy, efficient operation, were land to become available.

Mr. Bayley and Mr. McIntyre discussed the existing screening. Mr. Heckman was assured that no lighting was planned. Mrs. Norton asked that a greenbelt easement along East Mercer Way be dedicated to the City. Mr. Hanan felt that most objections were to the philosophy behind parts of the code, rather than to whether or not the application itself met the code.

Mr. Anschell noted that the application was restricted, and that its approval would not bind the Commission to approve any further development. In response to Mr. Hall's question, Mr. Hanan submitted a list of the proposed uses in writing.

Mr. Frothingham then moved to approve the application for use of the property as proposed, subject to submittal of a revised plot plan to be approved by the Commission, showing (1) additional detailed landscaping along the south boundary, (2) the location of the pathway connecting the house to the parking lot, and (3) the means of closing off the existing residential driveway. The motion was seconded by Mr. Beck, and passed by a vote of 6-0.

SOUTH MERCER SHOPPING CENTER:

After viewing the landscaping plans submitted, the Planning Commission ruled that they were inadequately detailed for a decision to be made; the matter was therefore tabled until the June public meeting.