

From: Gary Robinson
To: [Robin Proebstring](mailto:Robin.Proebstring@mercergov.org)
Subject: FW: MICA Application
Date: Tuesday, April 4, 2017 7:58:20 AM

Robin

Apologies for the typo on spelling your name on the message below;

Best,

G.

From: Gary Robinson [<mailto:docrobinson@comcast.net>]
Sent: Tuesday, April 4, 2017 7:45 AM
To: 'Evan Maxim' <evan.maxim@mercergov.org>; 'rovin.proebstring@mercergov.org' <rovin.proebstring@mercergov.org>; 'Scott Greenberg' <Scott.Greenberg@mercergov.org>; 'Julie Underwood' <julie.underwood@mercergov.org>; 'Kari Sand' <kari.sand@mercergov.org>
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Subject: MICA Application

The most recent revised SEPA application by MICA received 28 March is noted. Consistent with the previous 5 submissions, MICA SEPA 02.02.2016, MICA SEPA & ZTR 06.21.2016, MICA SEPA AND ZTR 08.17.2016, MICA SEPA corrections 01.20.2017, and MICA SEPA RESPONSE 02.16.17, the most recent submission is perfunctory, dismissive, and incomplete. It is indeed puzzling that the City would continue to nurture this application when the applicant repeatedly and contemptuously ignores City requirements. MICC 19.15.020 (C) 4 states "If the applicant fails to provide the required information within 90 days of the determination of incompleteness the **application shall lapse.**" (bold added)

The following comments are offered to support yet another determination of incompleteness and the declaration that the application as lapsed.

1. MICA continues to state they will do a plat "if necessary". It is our understanding they have been told they need a long plat and it is puzzling that they continue to not acknowledge this requirement.
2. We note that the detention vault has been moved to now be under the recital studio on the south end of the building. Given its

proximity to the wetlands and the skate park, does this not suggest an EIS would be in order.

3. We note that the swale location has been moved and it is not clear that this change conforms to city code and would further support requiring an EIS.
4. The drawing appears to continue showing the MICA footprint encroaching on 32nd street. No application has been made for vacation of 32nd street. Would this not be necessary before a lease could be signed?
5. The issue of fire access through Mercedale Park is yet to be addressed.
6. The issue of serving Alcohol in the park under the request for deviation to park policy has yet to be addressed
7. They have failed to address the comments regarding parking made by Patrick Yamashita
8. We don't fully understand whether an "inadequate" plan can be determined "complete"?
9. How is the 90-day lapse rule applied? How are days counted? From our perspective August 2016 to January 2017 is more than 90 days.

Respectfully,

Peter Struck
Carval Zwingle
Gary D. Robinson