

**SEPA Environmental Checklist**  
Mercer Island Center for the Arts

*Attachment Q*  
*Response to Public Comments Received*

January 2017

# MERCER ISLAND CENTER FOR THE ARTS

## Responses to Citizen’s Questions to the SEPA Checklist Submission

The City of Mercer Island (“the City”) received 26 letters and emails from community members responding to the State Environmental Policy Act (SEPA) submission by Mercer Island Center for the Arts (MICA) regarding the proposed lease, permitting, and construction of a new arts facility on the site near the intersection of SE 77th Street and 32nd Avenue SE. In order to address these 130+ questions and comments, MICA has indexed them, and organized responses by SEPA checklist section. The responses address specific comments or themes common to multiple comments or questions. The index (Attachment R) includes paraphrased versions of individual numbered comments.

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## **SEPA Submission Attachments Index**

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- K: Wetland Mitigation Plan
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- O: Transportation Impact Analysis
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- Q: Responses to Citizen Questions (this document)
- R: Citizen Questions Index

## SECTION A: BACKGROUND

### A.1 MICA and its objectives

MICA is a 501(c)(3) nonprofit organization formed by a group of Mercer Island community members for the purpose of building, operating and maintaining a new arts center on Mercer Island. The proposed arts center would provide a community gathering place and host a variety of arts and cultural activities, including theater, music, and dance performances, visual arts exhibits, recitals, lectures, and classes for youth and adults.

There is a strong unaddressed need on Mercer Island for space for both performances and arts education. The new MICA facility would support long-standing Island arts institutions, particularly Youth Theatre Northwest, which lost its home in 2014 and is currently in temporary facilities at Emmanuel Episcopal Church. Other organizations interested in using space at the new art center include Music Works Northwest, and Island-based arts organizations including the Children's Dance Conservatory/Island Youth Ballet, Musical Mind Studio, Russian Chamber Music Foundation, and Mercer Island Visual Arts League.

### A.2 The site

The project is proposed to be located in the northwest corner of Mercerdale Park, near the intersection of 77th Avenue SE and SE 32nd Street, on the site of the abandoned recycling center. The site includes a concrete plaza and flagpole (Bicentennial Park), the recycle storage building, public bathrooms, sinks and storage for the Farmers Market, asphalt paving, and an unmaintained wooded area in poor health.

### A.3 Concerns regarding City process

*Comments 1,16, 56, 84, 86, 87, 117, 118*

*General dissent and reference to letter from CCMIP*

*Comment 88*

*Forwards letter from Tracy Granbois*

*Comment 17, 123*

*Asks to be party of record*

*Comments 100, 102*

*Questions City process for comment period*

*Comment 105*

*Objects to decision without public vote*

*Comment 111*

*Objection to Town Center plans*

A number of questions or comments from the public relate to the process being used by the City to evaluate the project under City code and various provisions of the Revised Code of Washington. As the City reviews proposal under its interpretation of City and State law, concerns about procedural issues should be addressed by the City.

## A.4 Non-profit - government cooperation

*Comments 89, 90, 91, 92, 104*

*MICA is not a public institution, so none of the exceptions in the proposed Zoning Text Amendment apply. Objections to lease agreement with private organization on public property.*

*Why will the city allow a private entity to build on public land?*

*Comment 44*

*Objects to MICA given special preference*

Cooperation between government and non-profit organizations is a common mechanism for providing public benefit while limiting government spending and risk. MICA is raising funds to build and operate the proposed art center, with the City of Mercer Island providing the land under a 50-year lease at nominal rent. Public benefits and features that would have otherwise required the expenditure of public funds are noted in the proposed Lease Agreement. MICA's vision is to provide a cultural gathering place, open and inviting to the public, as an amenity to the community.

Some commenters expressed concern with the idea of a private entity building a facility on City land. MICA is a 501(c)(3) organization, incorporated as a Washington State nonprofit corporation on December 5, 2013 and formally recognized by the IRS as a 501(c)3 organization on September 8, 2014. This makes MICA a public charity, identical to organizations such as Seattle Art Museum and the Seattle Symphony.

The Mercer Island code defines "Public Facility" as "[a] building, structure, or complex used by the general public. Examples include but are not limited to assembly halls, schools, libraries, theaters and meeting places" (MICC 19.16.010). This definition necessarily includes privately held facilities. The proposed zoning text amendment allows a Public Facility in public parks within the Public Institution Zone (allowing for privately held facilities), but restricts such facilities to the public benefits provided by MICA such "as primary uses of theatre, lecture hall, classroom, performing studio, visual arts studio, exhibition gallery, gathering and meeting spaces, café and bar, and accessory functions thereof."

## A.5 Relationship to Town Center

*Comment 66*

*MICA should meet LEED Gold*

*Comments 58, 60, 124*

*MICA should abide by Town Center standards.*

The MICA site is adjacent to the Town Center, but not within the Town Center zone. Therefore, the project is not subject to Town Center regulations, and is not required to be certified as LEED Gold, or other provisions of the Town Center zone.

## A.7 The Comprehensive Plan: arts and culture and community vision

*Comments 20, 21, 22*

*How do you propose to "cherish the environment," per the Comprehensive Plan?*

*Comments 23, 103, 114*

*How does MICA comply with the Comprehensive Plan if it is reducing the amount of open space on Mercer Island?*

The City's Comprehensive Plan is intended to set the vision for manifesting the community's values through the actions of local government. Some comments were received regarding the Comprehensive Plan's vision and its relationship to MICA and Mercerdale Park. The Comprehensive Plan recognizes that a balance of fiscal responsibility, quality services, environmental sensitivity, and livability must be achieved for a healthy community, and that residents expect both recreational and cultural opportunities.<sup>1</sup> Community discussions have emphasized a deficit of space for art and cultural activities.

Mercer Island has 30 developed and semi-developed parks comprising more than 400 acres of open space and more than 50 miles of trails.<sup>2</sup> Art facilities provided by the City are far more limited. Many beloved community cultural events take place in parks and public spaces, but can only occur during the summer months because of a lack of indoor facilities.

While the recycling center site is partly "open space", it is no longer needed for recycling, the ecological habitat and vegetation are in poor condition, (see Attachment I: Tree Assessment) and there are drainage problems associated with the site. MICA will replace this condition with active indoor and outdoor space open to the public, enhancing the site's ecological function and filling an unmet need for cultural space that has not been met through public funding.

## A.8 Site Selection Process

*Comments 115, 120*

*Further studies of alternative sites should be performed. The Hines property should be considered.*

The site for the project is the result of several years of intense work by Mercer Island residents, along with members of City Council and City staff to find a replacement venue for Youth Theatre Northwest, in cooperation with the City. While numerous options were reviewed, all others had insurmountable barriers to use for the facility. At the end of the site selection process the City Council decided that the recycle center at Mercerdale was the optimal site. This decision was confirmed by a memorandum of understanding signed by MICA and the City. An abbreviated history of the site selection follows:

Youth Theatre Northwest (YTN) was notified in 2012 that it would be displaced from its location on school district property as the site was needed for new elementary school. For two years thereafter, YTN worked to find an adequate replacement site on Mercer Island. Their efforts included unsuccessful attempts to partner with private developers to build multi-use structures on commercial sites in the Town Center. Properties explored either proved unavailable due to lease agreements, had irregular and/or insufficient building footprints, or resulted in buildings of excessive height. There were also significant financial challenges in pairing the needs of commercial developers with a nonprofit arts organization.

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<sup>1</sup> Selected references from Mercer Island Comprehensive Plan:

p 4 **Livability is Paramount:** Our community's values are reflected by safety and freedom from fear, physical and environmental attributes, and the **cultural** and recreational opportunities of our Island. This translates into the feeling the Mercer Island is "the nicest of places for everyone to live."

p 4 **Cherish the Environment:** Island residents see themselves as "stewards of the island environment. In considering community decisions, protection and enhancement of trees, open spaces, clean water and air, neighborhood quiet and environmentally sensitive lands will be given a high priority."

p 5 **Community Services:** Mercer Island will continue to provide a wide range of education, **cultural** and municipal services for the community's varied population. Balanced and flexible programs will be necessary to meet the community's evolving needs in education, recreation and cultural enjoyment. The community will maintain its broad range of quality basic services, including public safety, human services, physical development and utilities. At the same time, community leaders recognize that delivery of these services will take place in an arena of limited resources and heightened competition for tax revenues."

<sup>2</sup> See Mercer Island Parks Guide: [http://www.mercergov.org/files/mi\\_parksguide.pdf](http://www.mercergov.org/files/mi_parksguide.pdf)

A proposed plan to partner with the Mercer Island School District to create a school for the arts, including a performing arts center with YTN in residence, was abandoned due to insufficient interest on the part of the school district. The City explored purchasing the old Boys and Girls Club site for YTN but found the purchase price prohibitively expensive. Luther Burbank Park, “Kite Hill,” and several commercial sites west of City Hall were also explored, but the costs and other extenuating factors made them untenable.

YTN then began looking off-Island and exploring partnerships with other arts organizations. Although unsuccessful, these efforts by YTN spurred the City into action to keep YTN on the Island. In the spring of 2013, a City task force comprised of City Manager Rich Conrad, Council members Jane Meyer Brahm and Tana Senn, and YTN Executive Director Manuel Cawaling was charged with finding a site for YTN on City property. The City of Mercer Island hired architectural firm Weinstein A|U in May 2013 for a Performing Arts Theater Site Feasibility Study, looking at the abandoned recycling center site and a site behind the Mercer Island Community and Event Center (MICEC).

Ultimately the only site deemed viable was the abandoned recycling center at Mercerdale Park. The MICEC site was rejected because it lacked visibility and created additional parking problems for the existing facility. The Mercerdale site was preferred because of its ability to contribute to a more vibrant Town Center. The City’s Task Force made this recommendation to the City Council in August of 2013, and the City issued a letter of agreement with YTN, affirming its intention to make the former recycling center site available for further study and analysis as a future performing arts facility. In June of 2014, MICA succeeded YTN as the potential builder/owner/operator of the facility, with YTN as a primary user.

The Hines property refers to the block between 77th and 78th Avenue SE, north of SE 29th Street. The block has businesses including Tiger Garden, Mudd Bay, Mercer Island Cross Fit, and the MICA office, and was the location of a proposed project by the developer Hines. The preliminary design was rejected by the Design Commission in June 2015, and later the project was abandoned by the developer. This site has been suggested as a location for MICA, but the cost of land acquisition would make MICA infeasible.

## **SECTION B: ENVIRONMENTAL ELEMENTS**

### **B.0 Environmental stewardship**

*Comment 18*

*What is “green” about the facility?*

*Comment 25*

*How does a large building in the park “protect the natural environment”?*

MICA is committed to environmental stewardship, including care for the natural systems on site and the provision of year-round cultural activities within a natural setting that will be a treasure for the Mercer Island community.

The project involves balancing two desirable objectives: stewardship of the park environment and providing a home for culture and artistic activities. MICA will provide for the cultural arts, and it will also enhance the environmental value of the portion of the site not used for the

building and plazas – areas that are now seriously degraded and partially covered with asphalt paving.

The building will be designed to LEED Silver standards. Proposed green measures include water efficient landscaping, use of native plants, wetland restoration, and energy efficient mechanical systems and commissioning, among others.

MICA’s cultural activities will bring members of the Mercer Island community to Mercerdale Park to enjoy each other and the out-of-doors, encouraging use of and appreciation for the park.

## **B.1 Earth**

### **B.1.1 Geologic Conditions**

*Comments 59, 93*

*Why isn't this site considered a steep slope?*

*Comment 35*

*Who is responsible for doing the hillside study?*

*Comments 3, 27, 36, 94, 106, 85*

*Is the Mercerdale site safe, given that landslides could put people at risk?*

A cross section through the site shows a relatively level condition near the proposed building, rising into the hillside to the west. The portion of the slope that was surveyed, including the lease area, has average gradients of about 5 to 22 percent. Because the City of Mercer Island defines critical slopes as 40% or higher (MICC 19.16.10), the site is not within a critical slope area. The hill rises further west, outside of the site boundary. The eastern portion of the site was filled approximately 48 years ago (Shannon & Wilson 1985). A school was planned for the site, but not built.

MICA’s geotechnical consultants, Hart Crowser, ran several stability analyses for the hill to the west of the MICA site. Based on their surface and subsurface investigations it is their opinion that a landslide hazard does not exist on the MICA site. To reach that conclusion, Hart Crowser analyzed several potential failure modes. In each case the safety factor of the existing soil conditions were sufficiently high that slope failure was deemed unlikely to occur. For further information, see Attachment G, Slope Stability Review.

Prior to this supplemental analysis, a full geotechnical report was completed by Hart Crowser (Attachment E, Geotechnical Report), based on site investigation and borings. The Hart Crowser report was peer-reviewed by Perrone Consulting Inc, according to standard City procedures.

### **B.1.2 Erosion**

*Comment 61*

*Can erosion occur as a result of clearing, construction or use?*

Prior to construction the project will apply for and receive a Washington State Department of Ecology Construction Storm Water General Permit, including an erosion control plan and meeting Mercer Island standards and best practices to mitigate the erosion potential of soils exposed during construction or site grading activities. Once construction is complete and landscaping established, further erosion is not expected. Hart Crowser’s geotechnical analysis has also assessed the risk of erosion. Because of the soil type (Kitsap Silt Loam), substantial erosion is unlikely during construction.

For further information, see Attachment G, Slope Stability Review.



### B.1.3 Seismic Design

*Comment 37*

*Will the building be able to withstand a 9.0 earthquake?*

The design of the MICA building will meet the current building code requirements which anticipate a “maximum considered earthquake” with a return period about 2,000 years. The design criteria in this circumstance is based on “collapse prevention” with “life safety” performance under 2/3 of this earthquake. The Richter Scale is not the measure used in seismic design. Even if the building is damaged, the design would allow people in the building to exit safely. In a 9.0 magnitude earthquake, depending on its depth and location, the seismic forces could be strong enough to cause damage to the building.

### B.2 Air

*Comment 63*

*What are the details regarding air quality during construction and when the project is completed?*

Air quality during construction will be similar to that of other major construction projects. No unusual air quality issues are expected upon completion and operation of the building. Air quality both inside and outside the building will be similar to other public use buildings.

### B.3 Water

#### B.3.1 Wetlands

*Comment 4*

*MICA should not be given special treatment regarding the wetland*

*Comment 26*

*How do you plan to protect environmentally sensitive land where MICA is located?*

*Comments 78,79,80*

*Is there a critical area determination? This is required in order to reduce the buffer zone.*

*Comment 96*

*By what authority is the buffer reduced? What is the mitigation?*

The site has been investigated by environmental consultants The Watershed Company (Attachment H, Wetland Delineation Report; Attachment I, Tree Assessment; and Attachment J, Critical Area Study). A Category III wetland is located along a large section of forested slope south of the site. Four categories of wetland are identified in the City of Mercer Island code, (19.07.080), with Category I being the most sensitive, and Category IV the least. Much of the wetland is situated on a slope above the skate park, where it is fed by seeps emerging from the face of the hillside. Most of the wetland was filled nearly 50 years ago, in the area where the Mercerdale lawn is now. A narrow ‘finger’ of the wetland remains, and extends into the area proposed for MICA.

Category III wetlands require a standard buffer of 50 feet, but City code allows for a reduction of buffer zones for Category III wetlands under 19.07.080.C,<sup>3</sup> when a critical area study is done

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<sup>3</sup> 2. Reduction of Wetland Buffer Widths. The code official may allow the standard wetland buffer width to be reduced to not less than the minimum buffer width in accordance with an approved critical area study when he/she determines that a smaller area is adequate to protect the wetland functions, the impacts will be mitigated consistent with MICC [19.07.070\(B\)\(2\)](#), and the proposal will result in no net loss of wetland and buffer functions.

with mitigation that results in no net loss of wetland and buffer functions. MICA proposes to reduce the standard 50 foot buffer to the code allowed minimum 25-foot buffer in a limited area, which would be a total of 5,746 sf of buffer reduction. The Watershed Company has prepared a mitigation plan that will restore ecological function to 11,362 sf of degraded area within the reduced buffer. This includes an area of pavement removal and restoration with amended soils and native trees, shrubs and ground cover. Other areas of degraded forested buffers will be enhanced with planting of native species. The net effect will be a major improvement to the ecological function and aesthetics of a long-degraded habitat. The mitigation plan is subject to City approval.

A complete description of site conditions and the proposed mitigation plan can be found in Attachment J, Critical Area Study.

### **B.3.2 Stormwater**

*Comments 97, 112*

*How will runoff/stormwater be addressed?*

*Comment 125*

*The wetlands in the vicinity of the Town Center should be rehabilitated, not paved over.*

Storm drainage requirements for the City of Mercer Island adhere to the Washington State Department of Ecology Stormwater Management Manual (2005 Edition). The manual requires on-site stormwater management, runoff treatment and flow control. Because of the soil type and the high groundwater, infiltration is not possible. Surface runoff from the hillside will be intercepted by swales that will be strategically graded into the hillside to minimize impacts to the existing vegetation. The northern swales will be connected to the existing Trellis public storm drain line on the north edge of the site and the southern swale will convey hillside runoff to the wetland buffer due north of the wetland. The wetland will overflow into a catch basin located north of the wetland. Flow control will occur through onsite detention. MICA will also pay into the City's stormwater fee-in-lieu-of program.

### **B.3.2 Impervious surface**

*Comments 62, 95*

*What is the percentage of impervious surface of the site? How does this compare to present conditions?*

The site currently has some 15,670 sf of impervious surface area, including the recycle center building, restrooms, asphalt vehicle area and driveway, and the Bicentennial park plaza.

The proposed building footprint is 21,860 sf. Plaza space, fire access and an outdoor performance area include an additional 14,200 sf, totaling 36,000 sf of impervious surface. Mercerdale Park is 30.9 acres, or approximately 1,346,000 sf. The combined impervious surface would be 2.7% of the park. The impervious surface associated with the old recycle center is 15,670 sf, or approximately 1.2%.

### **B.4 Plants**

*Comments 28, 41, 42, 99*

*How will constructing MICA affect trees on-site? Is there an Arborists report?*

*Does the project need to meet provisions of the tree ordinance?*

*Comment 98*

*What plants will be affected?*

*Comment 101*

*Objection to project impact on flora and fauna*

MICA's environmental consultants, The Watershed Company, assessed the impact of the proposed project on trees. Approximately 130 trees were assessed on October 16, 2016. The majority are classified as "weedy" species as defined in MICC 19.10.000. There were nine Western red cedars, all of which were dead, or in severe condition, and approximately 18 Douglas Fir, most of which were dead or in severe condition. There were also many newly planted young trees, many of which were dead or in severe condition. The cause of death is suspected to be drought stress and lack of watering.

The proposed MICA site plan calls for the removal of 54 conifers and 58 deciduous trees. The deciduous population being removed consists mostly of "weedy" trees; the coniferous population being removed consists of western red cedars and Douglas-firs, nearly all of which are dead or in severe condition. The proposed mitigation plan specifies 74 trees to be planted within the wetland buffer, including 60 conifers and 14 deciduous trees, which would meet replacement requirements defined in MICC 19.10.060. This includes full replacement of all conifers to be removed and partial replacement of the "weedy" deciduous species to be removed. The plan also specifies soil amendments designed to improve the health of both the proposed new trees and remaining trees on the site.

For additional information, see Attachment I, Tree Assessment.

## **B.5 Animals**

*Comments 116, 131*

*MICA will negatively affect the animals and plants in the wetland*

The Watershed Company report, "Critical Area Study and Buffer Mitigation and Restoration Plan" (Attachment J), addresses wildlife habitat, noting that proposed mitigation in the wetland buffers will increase the ability of the buffer vegetation to store and trap sediments and nutrients, improving cover and forage opportunities for wildlife.

## **B.6 Energy and Natural Resources**

No comments received.

## **B.7 Environmental Health**

No comments received.

## **B.8 Land Use**

### **B.8.1 Lease Boundary**

*Comments 40, 50, 64, 65*

*Elements of MICA seem to appear outside the lease boundary. Why doesn't the lease boundary include these elements?*

The lease boundary was drawn to include the building itself and adjacent areas where the most frequent MICA activities will occur, such as the entry plaza and accessible parking. Should temporary or long term activities be desired outside of the lease boundary, that could be subject to an agreement between MICA and the City.

As on most projects of any type, utility connections and provisions for fire truck access are outside the lease boundary, and the contractor will need to use laydown space beyond the lease

boundary during construction, which will be restored to its original condition when construction is complete.

MICA also expects to construct improvements in the public right-of-way at the intersection of 77th Avenue SE and SE 32nd Street to improve safety for patrons arriving and leaving the facility, as well as others using the park.

### **B.8.2 Zoning**

*Comments 5, 43, 76, 77, 81*

*This project should not be granted special rights with regard to a change in city code from a P-zone to whatever would allow its use. The text amendment may set a precedent for other projects.*

A Zoning Text Amendment has been proposed as part of the project. The text amendment will allow a cultural center to be built in a P (Public Institution) zone, with restrictions. This is a procedure that the City has used previously, most recently for elementary school improvements; MICA is not receiving special privileges to use this mechanism. The text amendment will be reviewed by City staff and requires approval from City Council. MICA will comply with the same process as any other proponent of a text amendment.

Further, the proposed text amendment is an extension of an existing zone, or a logical transition between zones, which cannot be characterized as “spot” zoning. The text amendment simply allows a performing arts center to be located at Mercerdale Park, which is zoned P. The site is directly adjacent to the Town Center, which would allow for this use. The general intent of the Town Center is to be a place of diverse land uses, integrating residential, retail, office, civic, transit and vehicular use, and pedestrian needs, within an aesthetically attractive, easily accessible and economically healthy environment.

A performing arts center is a civic and public use that is compatible and complementary to both the current P zone and the proposed rezone. It is aligned with the historical primary access by vehicle that the Town Center seeks to maintain while also is attractive and convenient to pedestrians and bicyclists. As a public and community focused land use, the performing arts center is exactly the kind of use that is appropriate as an extension of the Town Center classification or a logical transition between the P zone and the TC zone.

### **B.8.3 Growth Management Act Compliance**

*Comments 82, 83*

*MICA fails to address GMA concurrency requirements.*

The MICA proposal does not change the Urban Growth boundary. With regard to concurrency, the MICA project is in an area already served by utilities and other city services.

### **B.8.4 Platting**

*Comment 57*

*Why does the checklist say that there is only a possibility of a Short Plat? Isn't it required?*

It is currently not clear whether or not a plat will be necessary, and MICA is reviewing with the City what will be required. If the City requires a plat, MICA will proceed with that process.

## **B.9 Housing**

No comments received.

## **B.10 Aesthetics**

### **B.10.1 Design**

*Comment 107*

*MICA will have negative aesthetic impacts to recreational users, adjacent landowners, and citizens in general.*

MICA plans to provide an aesthetically pleasing building, plaza, and landscaping, as reflected by conceptual renderings of the proposed project. Further, MICA's ground lease allows the City to approve the design, and it is anticipated that this review will be done through the Design Commission.

MICA's design team was chosen for its recognized design expertise and for its knowledge of Mercer Island. Led by Mercer Island native, Lesley Bain, FAIA, the team includes members that have designed public facilities and theaters throughout the country (including local examples McCaw Hall and Chihuly Garden and Glass). The team's landscape architect, OLIN, selected to ensure the integration of the facility with Mercerdale Park, has designed award-winning parks including Bryant Park and Metropolitan Museum of Art in New York, The Academy of Fine Arts and Barnes Museum in Philadelphia, and Director's Park in Portland, Oregon.

### **B.10.2 Views**

*Comments 38, 67*

*How will MICA impact views at the park and for neighbors? It will obstruct views of the hillside and wetland.*

The MICA building will be visible from very few residences. It is visible from the park and adjacent streets. However, as it backs up against the hill it does not obstruct views of the park lawn. The MICA facility will significantly improve the current view of the recycling center area, which is screened by a hedge in poor ecological condition.

### **B.10.3 Building Height**

*Comment 39*

*How high is the proposed building?*

The highest element of the proposed facility, the Main Stage, is approximately 30 feet high. The facility is designed so that its lowest heights are closest to the park, with heights of about 16 feet.

## **B.11 Lighting and Glare**

*Comment 68*

*No specific lighting details were provided.*

*Comment 85*

*MICA will bring light pollution to the site.*

Lighting will be designed to avoid glare, to shield excess light, and to provide sufficient lighting for safety after dark. Lighting at the intersection of 77th Avenue SE and SE 32nd Street will be designed to provide a safe condition for people coming to and leaving the facility and the park. A lighting plan will be subject to approval as part of the building permit.

## **B.12 Recreation**

### **B.12.1 Recreational Uses**

*Comment 34*

*Will the restroom in MICA be open for public use?*

*Comment 113*

*MICA will harm recreational opportunities*

*Comment 130*

*Where will visitors to Mercedale Park and the many activities there go to use a public restroom facility?*

When MICA is complete, the current park uses will all be continued. There will be a walkway around the park lawn; the pergola, the children's play area and the skateboard park. The wooded area between the skateboard park and MICA – currently in poor ecological health - will be smaller as a result of the project, and MICA has undertaken to work with the City to re-landscape and turn this area into a space all Islanders can enjoy. Public restrooms and Farmers Market storage within MICA will support the community gatherings that currently take place in and near the park. The western slope, with its trails and stairway, will remain wooded and intact. The presence of MICA will create new cultural and recreational opportunities for the community with programs, activities, and outdoor seating.

### **B.12.2 Pedestrian Paths**

*Comments 29, 30, 31*

*How will MICA affect Mercedale Park's perimeter path? What will happen to the trail to First Hill?*

When MICA is complete, there will still be a perimeter path around the park. Note that a temporary path will be put in place during construction. The details will be coordinated with the Parks Department. The trail to First Hill will be restored after construction.

### **B.12.3 Bicentennial Park**

*Comments 32, 33, 69*

*Will the memorial at Bicentennial Park be preserved?*

*Comment 128*

*I hate to see beautiful Centennial Park torn down, as it is a favorite shady spot.*

Bicentennial Park does not contain a memorial. It was created to celebrate the year 1976, is described on the City website as “a small park adjacent to Mercedale Park with amenities including a restroom building, a flagpole, drinking fountain, plaza and trail.” The Mercer Island Parks & Rec Plan 2014-2019 describes the pergola in the northeast corner of Mercedale Park as honoring veterans. MICA proposes to relocate the flagpole near the pergola structure in the park. The plaza space near MICA will be redesigned, to create a space for contemplation, gathering and celebration.

### **B.13 Historical**

No comments received.

### **B.14 Transportation**

MICA retained The Transpo Group to complete transportation studies including a Transportation Impact Analysis (TIA). Their work is being reviewed by the City as part of the SEPA process, and the City selected DKS as the peer-review consultants. This work covers traffic, parking and access, service, turning movements and proposed changes in the right-of-way, such as new crosswalks.

### **B.14.1 Parking**

#### *Comment 2*

*MICA should create its own parking, not just be dependent on street parking and other property owners*

#### *Comments 121, 127*

*Parking will be a disaster. Allowing MICA to be built without enough parking Mercerdale will put traffic congestion into Mercerdale.*

#### *Comment 119*

*Allowing MICA to be built without off street parking will increase the number of cars on the street of Mercerdale that are moving and the number of cars that are parked, which will risk the safety of pedestrians.*

Dedicated on-site parking is not desirable to build within Mercerdale Park, nor feasible to build underground. In early 2016, the City commissioned Berk Consulting to conduct a study of non-residential parking in the Mercer Island Town Center that identified empty off-street parking spots were available within a short distance of the proposed site. The study showed that more than 1,800 off-street spaces and more than 100 on-street spaces were available in the Town Center during the early-afternoon peak, with more available in the evening hours when MICA would be heavily used. Pending City approval, MICA will pursue agreements with businesses in the area to allow after-hours parking for MICA patrons in parking stalls that would otherwise be empty. These agreements will provide the required amount of parking, but are unlikely to be cemented until MICA has secured a lease agreement with the City.

The City has also proposed, as part of its Town Center development plan, restriping 77th Ave. SE to provide more than 70 curbside parking spaces. Parking spaces at the Mercer Island Youth and Family Services Thrift Shop at the southeast corner of Mercerdale Park, that are typically unused in the evening, are also within a short distance of MICA. MICA is working with the City and transportation consultants Transpo Group to refine the proposed Parking Management Plan to meet parking needs in accordance with City regulations. MICA is proposing to utilize on-street parking supply to meet some of their needs and they will be encouraging other modes of travel to minimize their parking demands. MICA has applied for a Zoning Text Amendment to allow combined use of on-street and off-site parking for public institutions in the P Zone.

### **B.14.2 Transportation Impact Analysis**

#### *Comments 6, 8, & 9*

*The Transportation Impact Analysis and level of service analyses omit key intersections that will be affected by MICA.*

The study areas for the Transportation Impact Analysis were established in coordination with the City of Mercer Island. The volume of traffic projected to travel through these intersections is relatively low and not anticipated to have a significant impact on levels of service or operations. The intersection of SE 28th Avenue and 80th Avenue SE is only projected to have inbound through traffic travel through this intersection. Intersections to the east and west were evaluated and were found to operate at acceptable levels of service.

#### *Comment 7*

*The Transportation Impact Analysis should include ST East Link project 2019.*

The TIA was completed through coordination with the City and focuses on the impacts of the MICA facility. The construction impacts related to Sound Transit's Link project are temporary and are not related to the proposed project.

*Comment 48*

*How will cars and buses from North Mercer Way get to Island Crest Way when the R8A configuration is implemented?*

Project trip inbound and outbound distributions are shown on Figures 5 and 6 of the TIA, respectively. MICA's traffic impact on 77<sup>th</sup> Ave is anticipated to be low during peak traffic hours, and is not expected to significantly impact N. Mercer Way / Island Crest Way access.

*Comments 54, 85*

*MICA will create more traffic and strain parking resources.*

Per the Transportation Impact Analysis, the MICA facility is expected to have relatively low impact on trip generation at local intersections (see Attachment O, Transportation Impact Analysis). The Town Center Parking Study documented significant oversupply of available on-street and off-street parking in the Town Center, which MICA will use during non-peak hours.

*Comment 49*

*Has a Traffic Study been performed? By whom and when was it done?*

Yes. A Transportation Impact Analysis was undertaken by consultants Transpo Group. It is attached here as Attachment O.

*Comment 110*

*MICA's traffic and parking studies were completed prior to the determination by FHWA on August 5, 2016, that eliminated Mercer Island SOV access to the HOV lanes. As a result, the regular exit from I-90 onto 77th eastbound will become critical for citizens exiting an overburdened I-90 in order to get to Island Crest Way.*

MICA's traffic impact on 77<sup>th</sup> Ave is anticipated to be low during peak traffic hours, and is not expected to significantly impact N. Mercer Way / Island Crest Way access.

*Comments 12, 129*

*New retail development in the Town Center is not included in the project impact calculations.*

Continued development in the Town Center is expected during the development of the MICA project. In MICA's Parking Management Plan (Attachment P), MICA proposes to review its parking management strategy with the City in view of updated activity forecasts and current parking conditions prior to project opening.

### **B.14.3 Parking Management Plan**

*Comment 10*

*What days was on-street parking study done for the Parking Management Plan?*

Data was collected for the on-street parking study on Tuesday 4/26/2016 and Wednesday 4/27/2016.

*Comment 11*

*How can peak activity at MICA occur only twice a year?*

The Peak Activity Scenario was developed taking into consideration the groups and organizations that may use MICA facilities throughout the year. Current forecasts expect sell-out performances in multiple venues only a few times a year.

*Comment 13*

*MICA needs a Transportation Management Plan to get MICA users to its facility in modes other than single occupancy vehicles.*



MICA is proposing to utilize on-street parking supply to meet some of their needs and they will be encouraging other modes of travel to minimize their parking demands.

*Comments 14, 108*

*On street parking should not be counted. I object to MICA's parking management plan that proposed to eliminate any requirement for off-street (on-site) parking.*

MICA is currently working with the City to identify the details that are necessary as part of shared parking agreements. The strategy of shared off-street parking was identified in the Town Center Parking Study as a way to address parking oversupply.

*Comment 24*

*How can adding more parking and adding cars help attain our quality of life?*

MICA does not propose to add new parking, but intends to take advantage of underutilized parking within the Town Center. Balancing parking, access to amenities, and quality of life are important aspects of planning; best practices suggest that walkability is highly desirable, with health, social, and economic benefits, but people also need parking and transit access to amenities they enjoy. Issaquah's Old Town has greatly benefitted from the presence of the Village Theater, which has parking throughout Issaquah's downtown. A significant number of patrons eat dinner beforehand, or have drinks after shows, making use of on-street and nearby public parking.

*Comment 45*

*The Code talks about "off-street parking," but in the Application, you are talking about "off-site parking," is there a difference between off-site and off-street?*

Off-site parking is parking that is not provided on a project site. Off-site parking is divided into on-street and off-street parking. On-street parking is on the street in a public right-of-way. Off-street parking is on private property.

*Comment 75*

*The Transportation Impact Analysis Attachment G (#2) to the SEPA Environmental Checklist proposes parking that fails to acknowledge let alone comply with Mercer Island's parking requirements in the land use code MICC 19.05.010(D) specifically the requirement for location within 500 feet of the front entry of a use served by uses in a P zone MICC 19.05.020(B)(4).*

The MICA project has proposed an amendment to the P Zone parking requirements with which it would comply.

#### **B.14.4 Parking Agreements**

*Comments 15, 19, 52, 55, 70, 109*

*Will MICA have long-term agreements with nearby property owners for use of their parking?*

*Did anyone check with Thrift Shop, Rite Aid, Farmer's, City and Metro for patrons to park in their lots?*

*The correct answer to "how many parking spaces would the completed project have" is zero.*

With City approval of the proposed parking strategy, MICA intends to enter into long-term agreements with neighboring businesses and property owners for use of their parking. In order for the construction of MICA to be approved, the City will need to approve MICA's agreements with these neighbors, as well as other strategies.

These agreements are anticipated to be completed following approval of the lease.

### **B.14.5 Pick-up and Drop Off**

*Comments 46, 51, 73*

*How will people access MICA safely? Where & how will dropoff occur? Where will queued vehicles be other than in the street? How will the "staff outside" assist?*

MICA's design will create a safe drop-off and pick-up area at the intersection of 77th and 32nd, with areas for cars to line up. Updated design concepts for 77th Avenue SE and SE 32nd Street have been provided in the updated TIA (Attachment O, appendix F). Drop-off and pick-up operations will take place in the public right of way and will utilize space from available on-street parking along 77th Avenue SE as needed. Time restrictions when on-street parking is needed as drop-off and pick-up space will be determined by the MICA activity schedule. Please see MICA's proposed Parking Management Plan, Attachment P, for detail.

### **B.14.6 Service Access**

*Comment 47*

*How are the refuse trucks supposed to get to the back of the building to pick the trash up?*

The loading dock for the theater is on the north side of the building, accessed from the intersection of 77th Avenue SE and SE 32nd Street. Deliveries will occur here intermittently, mostly in small trucks. Screened trash facilities would be located on the north side of the building, accessible by trash truck. Updated design concepts for 77th Avenue SE and SE 32nd Street have been provided that address this in more detail.

### **B.15 Public Services**

*Comment 74*

*The project's impact on public services is not answered sufficiently.*

The City already provides services such as Police and Fire protection to many of the activities that will be housed in MICA, including YTN and Island Youth Ballet, which operate elsewhere on the Island. These programs would be expanded with the new facility, but would not be expected to require additional staff or facilities for public services.

### **B.16 Utilities**

No comments received.

### **Other**

*Comment 53*

*Does MICA comply with the ADA requirement for access for the disabled?*

MICA will be fully accessible to people with disabilities, including ADA parking, accessible routes to all spaces including the theatre's orchestra area and lighting booths. Audio loop technology will be available for the hearing impaired.