

# 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)



### Pre-Application Meeting (PRE24-002)

*An Intake Screening is required in addition to a Pre-Application Meeting. A Pre-Application Meeting does not replace the required Intake Screening. This meeting is to provide guidance and information include prior to formal submittal.*

#### Summary:

<b>Site Location:</b>	6855 W Mercer Way	<b>Parcel Number</b>	2524049080		
<b>Lot Size:</b>	78662 SF	<b>Zoning:</b>	R-15 (Single Family)		
<b>Brief Project Description:</b>	Remove 289 SF of the existing dock, remove the existing moorage cover, relocate the existing boat lift, repair 259 SF of the existing dock	<b>Documents Provided:</b>	<ol style="list-style-type: none"><li>1. Pre-Application Meeting Request Form</li><li>2. Plan Set</li><li>3. Questions</li><li>4. NNL</li><li>5. SEPA Checklist</li><li>6. Sewer Affidavit</li></ol>		
<b>Applicant Information:</b>					
<b>Name:</b>	Zion Napier (Seaborn Pile Driving Co)	<b>Email:</b>	<a href="mailto:permits@seabornpiledriving.com">permits@seabornpiledriving.com</a>	<b>Phone:</b>	(206)236-1700
<b>Second Pre-application Meeting Required:</b>	Not Applicable				

#### Applicant Questions:

1. *Is the submitted material correct to move forward with a SHL Exemption with SEPA review?*

**Staff Response:** The Shoreline Exemption application materials are missing the following for a complete application:

- Code compliance narrative detailing compliance with one of the criteria in [WAC 173-27-040](#).
- Code compliance narrative detailing compliance with MICC 19.13.050(F)(1) for moorage facilities. The current plan only lists the standards in the codes. This must include responses to the code demonstrating in detail how the proposal complies with these standards.
- Narrative detailing the nonconforming moorage facility. Per MICC 19.13.050(D), only one moorage facility per upland residential waterfront lot is authorized. It appears that the nonconformity was created when the lots were consolidated in 2009 via SUB09-004. See attached plat map for more information.

**PLEASE NOTE:** *These pre-application meeting notes have been prepared to assist the applicant in completing and submitting the application in a manner that complies with applicable development standards and permit processing requirements. Although care has been taken, in the event of a conflict between these notes and any applicable law, regulation or decision criteria, the latter shall prevail. The City of Mercer Island makes no warranty of any kind to the accuracy of the information contained in these notes. The information herein notwithstanding, it is the applicant's sole duty to ensure that the proposed development complies with all applicable laws, regulations and decision criteria. Neither the discussions nor the notes provided at the pre-application meeting shall bind the City in any manner or prevent the City's future application or enforcement of all laws, regulations and decision criteria.*

## Review Comments:

### Fire Comments:

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Fire Contact: [Jeromy.Hicks@mercerisland.gov](mailto:Jeromy.Hicks@mercerisland.gov) or 206-275-7966.

Fire Review was not requested for this pre-application meeting.

For additional information please refer to this helpful webpage:

<https://www.mercerisland.gov/cpd/page/fire-permits-and-prevention-information>

### Tree Comments:

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Tree Contact: [John.Kenney@mercerisland.gov](mailto:John.Kenney@mercerisland.gov) or 206-275-7713.

Tree Review was not requested for this pre-application meeting.

1. Please refer to MICC 19.10 for our tree code.
2. 30% of trees with a diameter of 10 inches or greater is required; additionally, development must be designed to minimize tree removal.
3. Replacement is required for any trees that are removed, according to the replacement ratios in MICC 19.10.070.
4. Tree protection (typically at tree dripline) of retained trees will be required
5. Sequential (phased) tree removal may be required (only remove trees necessary at each step of the review process)

For shoreline development, please provide the following:

1. Please illustrate existing trees (type, diameter, driplines) located near the proposed development.
2. If there is a recent building permit for an addition or new house: if the property has a required shoreline planting plan per MICC 19.07.110(E)(9)(d), please illustrate the existing shoreline plantings and integrate the proposed vegetation with this project. (E)(9)(d) requires all development adding over 500sf of GFA or impervious surface requires a native shoreline vegetation plan.
3. Please provide a tree protection plan for all development that will impact regulated trees.

For additional information please refer to this helpful webpage:

<https://www.mercerisland.gov/cpd/page/tree-permits>

### Civil Engineering Comments:

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Civil Contact: [Ruji.Ding@mercerisland.gov](mailto:Ruji.Ding@mercerisland.gov) or 206-275-7703.

Civil Review was not requested for this pre-application meeting.

Please refer to MICC Title 15 for our Water, Sewers, and Public Utilities code.

For more information on Stormwater Permits please visit here:

<https://www.mercerisland.gov/cpd/page/stormwater-permits>

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## Building Comments:

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Building Contact: [Gareth.Reece@mercerisland.gov](mailto:Gareth.Reece@mercerisland.gov) or 206-275-7710.

Building Review was not requested for this pre-application meeting.

For additional information please refer to this helpful webpage:

<https://www.mercerisland.gov/cpd/page/codes-design-criteria-research>

## Planning Comments:

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Planning Contact: [Molly.McGuire@mercerisland.gov](mailto:Molly.McGuire@mercerisland.gov) or 206-275-7712.

19.13.050 – Shoreline Master Program, Shoreland development standards.

- A. Requirements for development landward of the OHWM.
  1. No structures are allowed within 25 feet of the OHWM.
  2. Height is limited to the general residential standards above but shall not exceed 35 feet above average building elevation.
  3. Development is limited within 50 feet of the OHWM. Maximum hardscape and Lot coverage:
    - a. 10% between 0 and 25 feet from the OHWM
    - b. 30% between 25 and 50 feet from the OHWM
  4. For single-family residences, apply for a [Shoreline Exemption Permit](#) and provide a signed Shoreline Substantial Development Permit [Exempt Affidavit](#). The Shoreline Exemption Permit should include a detailed description demonstrating compliance with one of the exemptions in [WAC 173-27-040](#).
- B. MICC 19.13.050(F)(1) A proposed moorage facility shall be presumed to not create a net loss of ecological functions pursuant to subsection (B)(2) of this section if:
  - i. The surface coverage area of the moorage facility is:
    - a. Four hundred eighty square feet or less for a single property owner;
    - b. Seven hundred square feet or less for two residential property owners (residential); or
    - c. One thousand square feet or less for three or more residential property owners;
  - ii. Piers, docks, and platform lifts must be fully grated with materials that allow a minimum of 40 percent light transmittance;
  - iii. The code official approves a vegetation plan that conforms to the following:

Vegetation must be planted as provided in Figure C and as follows: Within the 25-foot shoreline setback, a 20-foot vegetation area shall be established, measured landward from the OHWM. Twenty-five percent of the area shall contain vegetation coverage. The five feet nearest the OHWM shall contain at least 25 percent native vegetation coverage. A shoreline vegetation plan shall be submitted to the city for approval. The vegetation coverage shall consist of a variety of ground cover shrubs and trees, excluding nonnative grasses. No plants on the current King County noxious weed lists shall be planted within the shorelands. [See Figure C](#).
  - iv. Only docks, ramps, and boatlifts may be within the first 30 feet from the OHWM. No skirting is allowed on any structure;
  - v. The height above the OHWM for docks shall be a minimum of one and one-half feet and a maximum of five feet;
  - vi. The first in-water (nearest the OHWM) set of pilings shall be steel, ten inches in diameter or less, and at least 18 feet from the OHWM. Piling sets beyond the first shall also be spaced at least 18 feet apart and shall not be greater than 12 inches in diameter. Piles

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shall not be treated with pentachlorophenol, creosote, CCA or comparably toxic compounds. If ammoniacal copper zinc arsenate (ACZA) pilings are proposed, the applicant shall meet all of the best management practices, including a post-treatment procedure, as outlined in the amended Best Management Practices of the Western Wood Preservers. All piling sizes are in nominal diameter;

- vii. Any paint, stain or preservative applied to components of the dock must be leach resistant, completely dried or cured prior to installation. Materials shall not be treated with pentachlorophenol, creosote, CCA or comparably toxic compounds;
  - viii. No more than two mooring piles shall be installed per structure. Joint-use structures may have up to four mooring piles. The limits include existing mooring piles. Moorage piling shall not be installed within 30 feet of the OHWM. These piles shall be as far offshore as possible;
  - ix. The applicant shall abide by the work windows for listed species established by the U.S. Army Corps of Engineers and Washington Fish and Wildlife; and
  - x. Disturbance of bank vegetation shall be limited to the minimum amount necessary to accomplish the project. Disturbed bank vegetation shall be replaced with native, locally adapted herbaceous and/or woody vegetation. Herbaceous plantings shall occur within 48 hours of the completion of construction. Woody vegetation components shall be planted in the fall or early winter, whichever occurs first. The applicant shall take appropriate measures to ensure revegetation success.
- C. State Environmental Policy Act (SEPA) Review.
- 1. The proposed scope of work requires SEPA review pursuant to WAC 197-11-800.
  - 2. If the scope of work changes, SEPA review may not be required.

**Notes:** The plan set should describe in detail how the proposed development meets the above criteria. If any of these criteria cannot be met, consider applying for the project to be reviewed under MICC 19.13.050(F)(3) for alternative development standards.

Other Regulations:

- 1. Underlying Plat limits
  - a. Conditions: None found at this time.
  - b. Covenants: None found at this time.
  - c. Easements:
    - i. Vehicular Access Easements: No structures shall be constructed on or over any vehicular access easements. A minimum 5-foot yard setback from the edge of any easement that affords or could afford vehicular access to a property is required for all structures; provided that improvements such as gates, fences, rockeries, retaining walls and landscaping may be installed within the 5-foot yard setback so long as improvements do not interfere with emergency vehicle access or sight distance for vehicles and pedestrians.
    - ii. Utility and Other Easements: No structure shall be constructed on or over any easement for water, sewer, storm drainage, utilities, trail, or other public purposes unless it is permitted within the language of the easement or is mutually agreed in writing between the grantee and grantor of the easement.
- 2. Nonconforming issues
  - a. MICC 19.01.050. See Staff Response to Question 1 above.
- 3. Vesting: Please see the standards in MICC 19.15.170.

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4. Application fees
  - a. Deposit due at time of application
  - b. Review time is billed hourly against the deposit; additional fees may be requested if additional review time is required.
  - c. When third-party technical review is required (e.g. geotechnical, wetland, watercourse etc.), this is billed separately, in addition to staff review time.
5. Land Use Application Process and Estimated Timeline:
  - a. Required land use approvals
    - i. Shoreline Exemption
    - ii. SEPA Review
  - b. [Consolidated Review](#)
  - c. Summary of procedural steps
    - i. Pre-Application meeting
    - ii. Submit application electronically
    - iii. Application Completeness check
    - iv. Notice of Application (public notice via sign on site, mailing, notice in bulletin), begin 30-day comment period
    - v. Review
    - vi. Review comments sent out if needed and subsequent submissions returned by applicant
    - vii. Notice of Decision
    - viii. Appeal period
  - d. Land use approvals are valid for a period of 3 years from the date of approval.

#### Land Use Decisions

Type of Review	Target
Completeness Review	4 weeks
First review	8-12 weeks
Second and subsequent reviews	6 weeks
Staff Report / Decision (following completion of review)	3-4 weeks
Single Family Residential	
First Review	8-12 weeks
Second Review	3 weeks
Third and subsequent reviews	2 weeks
Revisions	2-3 weeks
Express Reviews (see note below)**	4 weeks

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For more information on Land Use and Planning please refer to this useful webpage:  
<https://www.mercerisland.gov/cpd/page/land-use-application-forms-and-submittal-requirements>

**Pre-Application Fees:**

The minimum fee for the pre-application meeting must be paid to initiate the pre-application process. If staff time exceeds the minimum hours allotted, the applicant will be invoiced via email for additional staff hours at the current hourly rate. Note: All involved staff members track time spent researching and preparing, attending the meeting, corresponding, responding to questions pre and post meeting, and/or on any other activity related to the pre-application process for the project. Applicants who continue to discuss the meeting with staff should expect to be invoiced for additional staff time.

Sincerely,

Molly McGuire  
Planner  
Community Planning & Development  
City of Mercer Island

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MARTIN LOTT  
 MERCER ISLAND LOT CONSOLIDATION  
 M.I. SUB 09-004

EXISTING LEGAL DESCRIPTIONS

PARCEL C-3  
 LOT C-3, MERCER ISLAND SHORT PLAT NO. MI-85-06-16 PER KING COUNTY RECORDING NO. 8511139001  
 PARCEL NO. 2524049080

PARCEL A:  
 LOT A, MERCER ISLAND SHORT PLAT NUMBER MI-79-03-08, ACCORDING TO THE SHORT PLAT RECORDED  
 UNDER RECORDING NUMBER 7911130595, RECORDS OF KING COUNTY WASHINGTON. PARCEL NO. 2524049080

PARCEL B:  
 LOT B, MERCER ISLAND SHORT PLAT NUMBER MI-79-03-08, ACCORDING TO THE SHORT PLAT RECORDED  
 UNDER RECORDING NUMBER 7911130595, RECORDS OF KING COUNTY WASHINGTON. PARCEL NO. 2524049080

LEGAL DESCRIPTION (AFTER CONSOLIDATION)

PARCEL C-3  
 LOT C-3, MERCER ISLAND SHORT PLAT NO. MI-85-06-16 PER KING COUNTY RECORDING NO. 8511139001

TOGETHER WITH  
 PARCEL A:  
 LOT A, MERCER ISLAND SHORT PLAT NUMBER MI-79-03-08, ACCORDING TO THE SHORT PLAT RECORDED  
 UNDER RECORDING NUMBER 7911130595, RECORDS OF KING COUNTY WASHINGTON.

TOGETHER WITH  
 PARCEL B:  
 LOT B, MERCER ISLAND SHORT PLAT NUMBER MI-79-03-08, ACCORDING TO THE SHORT PLAT RECORDED  
 UNDER RECORDING NUMBER 7911130595, RECORDS OF KING COUNTY WASHINGTON.

TOTAL LOT AREA AFTER LOT CONSOLIDATION = 78,662 SQ. FT.

VICINITY MAP  
 NEIGHBORHOOD DETAIL MAP



DECLARATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED, OWNERS IN INTEREST OF THE LAND HEREIN DESCRIBED DO HEREBY MAKE A REVISION THEREOF AND DECLARE THIS DRAWING TO BE THE GRAPHIC REPRESENTATION OF SAME, AND THAT SAID REVISION IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE OWNERS.

IN WITNESS WHEREOF WE HAVE SET OUR HANDS AND SEALS

Martin J. Lott                      Sharon S. Lott  
 MARTIN J. LOTT                      SHARON S. LOTT

APPROVALS

CITY OF MERCER ISLAND  
 PLANNER George Stru DATE 12/2/09  
 CITY ENGINEER John R. Rife DATE 12/2/2009

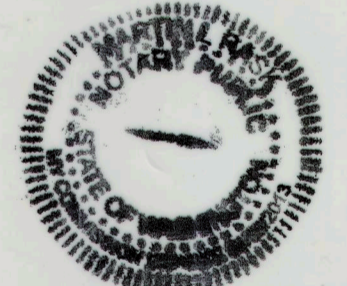
KING COUNTY ASSESSMENTS  
 EXAMINED AND APPROVED THIS 2nd DAY OF December, 2009  
Lloyd Hara by Alan Walton  
 KING COUNTY ASSESSOR                      DEPUTY KING COUNTY ASSESSOR

DEPARTMENT OF RECORDS

ACKNOWLEDGMENT

STATE OF WASHINGTON }  
 COUNTY OF KING                      } SS

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT MARTIN J. LOTT SIGNED THIS INSTRUMENT, ON OATH STATED THAT HE WAS AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED THAT HE IS THE OWNER OF LAND AND HE SIGNED THE SAME AS A FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT DATED DECEMBER 1, 2009  
 SIGNATURE Martin J. Lott  
 OF NOTARY PUBLIC  
 MY APPOINTMENT EXPIRES APRIL 5, 2013



ACKNOWLEDGMENT

STATE OF WASHINGTON }  
 COUNTY OF KING                      } SS

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT SHARON S. LOTT SIGNED THIS INSTRUMENT, ON OATH STATED THAT SHE WAS AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED THAT SHE IS THE OWNER OF LAND AND SHE SIGNED THE SAME AS A FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT DATED DECEMBER 1, 2009  
 SIGNATURE Sharon S. Lott  
 OF NOTARY PUBLIC  
 MY APPOINTMENT EXPIRES APRIL 8, 2013



SW 1/4, NE 1/4, SEC. 25, T.24N., R.4E., W.M.  
 SE 1/4, NW 1/4, SEC. 25, T.24N., R.4E., W.M.  
 NW 1/4, NE 1/4, SEC. 25, T.24N., R.4E., W.M.



CONFORMED COPY

20091202900012

MARSHALL M W BLAM 133.00  
 PAGE-001 OF 002  
 12/02/2009 12:57

B.A. Kelly  
 Mgr. Supt. of Records

SURVEYOR'S CERTIFICATE

This map correctly represents a survey made by me or under my direction in conformance with the requirements of the Survey Recording Act at the request of MARTIN LOTT IN DEC 2009

Michael W. Marshall

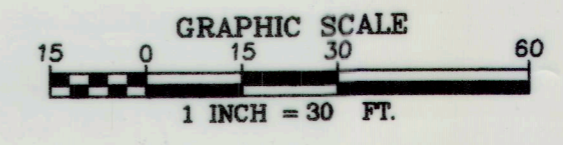
Certificate No. 20784

M. W. MARSHALL  
 PROFESSIONAL LAND SURVEYOR

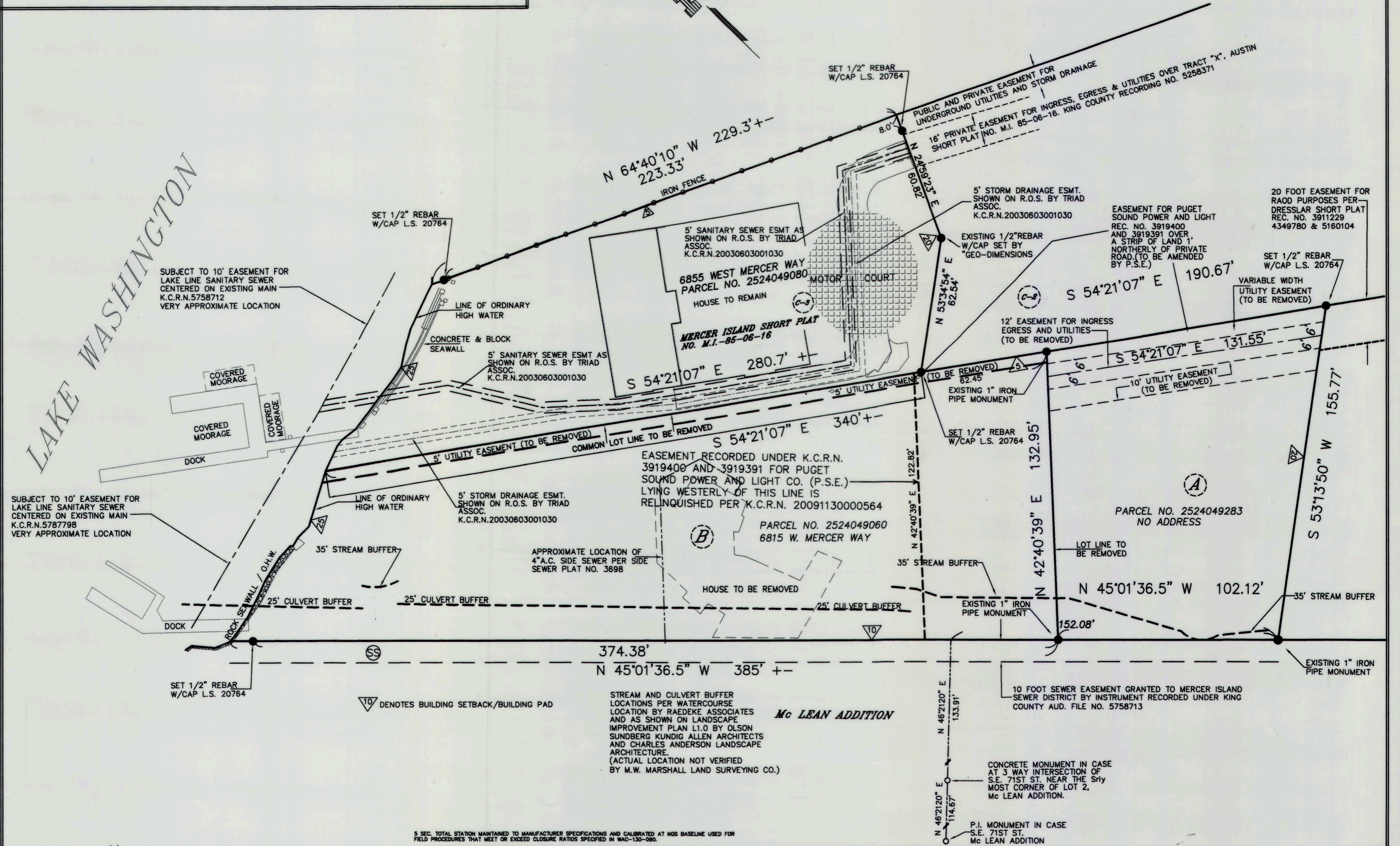
7834 S.E. 32ND ST. MERCER ISLAND, WASHINGTON 98040 TEL: (206) 232 - 5282

DWN	TMM	SCALE	DATE
SVD	TMM&MWM	N/A	JUNE 15 2009
APP'D		F.B. NO.	PAGE
			JOB NO.
			3209-A2

MARTIN LOTT  
 MERCER ISLAND LOT CONSOLIDATION  
 M.I. SUB 09-004



LAKE WASHINGTON



SUBJECT TO 10' EASEMENT FOR LAKE LINE SANITARY SEWER CENTERED ON EXISTING MAIN K.C.R.N. 5758712 VERY APPROXIMATE LOCATION

SUBJECT TO 10' EASEMENT FOR LAKE LINE SANITARY SEWER CENTERED ON EXISTING MAIN K.C.R.N. 5787798 VERY APPROXIMATE LOCATION

STREAM AND CULVERT BUFFER LOCATIONS PER WATERCOURSE LOCATION BY RAEDKE ASSOCIATES AND AS SHOWN ON LANDSCAPE IMPROVEMENT PLAN L1.0 BY OLSON SUNDBERG KUNDIG ALLEN ARCHITECTS AND CHARLES ANDERSON LANDSCAPE ARCHITECTURE. (ACTUAL LOCATION NOT VERIFIED BY M.W. MARSHALL LAND SURVEYING CO.)



5 SEC. TOTAL STATION MAINTAINED TO MANUFACTURER SPECIFICATIONS AND CALIBRATED AT NGS BASELINE USED FOR FIELD PROCEDURES THAT MEET OR EXCEED CLOSURE RATIOS SPECIFIED IN WAC-130-090.

RECORDERS CERTIFICATE

Filed for record this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ at \_\_\_\_\_ M in book \_\_\_\_\_ of \_\_\_\_\_ at page \_\_\_\_\_ at the request of \_\_\_\_\_

Mgr. \_\_\_\_\_ Supt. of Records \_\_\_\_\_

SURVEYOR'S CERTIFICATE

This map correctly represents a survey made by me or under my direction in conformance with the requirements of the Survey Recording Act at the request of MARTIN LOTT IN DEC 2009

Certificate No. 20764

**M. W. MARSHALL**  
 PROFESSIONAL LAND SURVEYOR  
 7834 S.E. 32ND ST. MERCER ISLAND, WASHINGTON 98040 TEL: (206) 232 - 5282

DWN TMM	SCALE 1"=30'	DATE JUNE 15 2009
SVD TMM&MWM	F.B. NO.	PAGE
APP'D		JOB NO. 3209-A2