

August 20th, 2023

**Responses to City Review Comments Dated June 5th, 2023
Cui Preliminary Short Plat
SUB22 – 009**

General:

1. When resubmitting, provide a response letter to address each review comment. Please also state where the proposed changes can be found (i.e. sheet number, document name, etc.). When the City receives your resubmittal, we will review it to determine if the materials provided represent a complete resubmission. Failure to address any item listed in this letter shall constitute an incomplete resubmission.

Response,

This list of responses, the attached Arborist responses, and attached Attorney responses are provided herein as official applicant responses to city review comments as requested.

2. The applicant bears the burden of proof that the proposed project is consistent with all laws, standards, and requirements provided in the MICC. The City does not defend the legitimacy of an application. It is up to the applicant to provide the City with enough information to determine if the proposal is consistent with the provisions of the MICC or not.

Response,

Noted

3. Emails or letters containing application documents, plans, and studies directed to staff are not resubmittals. All resubmittal documents, plans, and studies shall be uploaded electronically to the SFTP website. There are no exceptions to this requirement.

Response,

Noted

4. When resubmitting electronically to the SFTP website, please make it clear in the file name that the resubmittal is for all associated land use applications and notify the Permitting Staff at epermittech@mercerisland.gov.

Response,

Noted

5. The City received several comment letters from neighbors about this proposal. Please review the attached comment letters and provide a response to the neighbors' concerns. All public comments received during the public comment period shall be addressed by the applicant. The applicant shall respond to all comments in writing and provide a copy of the communication to the city to include in the case record.

Response,

See attached responses prepared by Attorney Jacque St. Romain on behalf of the applicant.

6. Please remove Sheet C-1.1 from the plan set.

Response,

This Sheet has been removed form the plan set as requested.

Planning:

1. Provide a revised project narrative that describes how the proposal meets all relevant code sections in the city's subdivision code. In particular, provide an itemized list that addresses the following sections:

- MICC 19.08.020(D)(1), Findings of fact.

Response,

See attached Revised Project Narrative

- MICC 19.08.030, Design standards, subsections (B) through (E).

Response,

See attached Revised Project Narrative

2. Provide more information about the provisions this short subdivision is proposing for public health, safety, and general welfare. Such information includes provisions for:

- Open space.

Response,

The proposed 4 Lot Short Plat is not required to provide designated Open Space and therefore none is provided. However, the developed site conditions will include planting new trees around the perimeters of the subject Short Plat creating healthy natural vegetation spaces, see attached Planting Plan prepared by the Project Arborist.

- Drainage ways, potable water supplies, and sanitary waste.

Response,

The proposed 4 Lot short plat will provide an on-site underground concrete stormwater vault to control and mitigate stormwater impacts which will protect downstream storm waters and drainage ways consistent with the Washington State DOE Manual.

The proposed 4 Lot Short Plat will be served by the existing potable water and sanitary systems in 90th Ave SE and therefore additional potable water and sanitary systems are not warranted, and none will be provided.

- Streets, roads, alleys, other public ways, and transit stops.

Response,

Other than providing one on-site private 20' wide X 102' long paved road to serve the proposed 4 lots and piping existing roadside ditch across the subject parcel frontage in 90th Ave SE as requested by the City of Mercer Island, the proposed 4 Lot Short Plat is not required to provide any additional facilities and therefore none is provided.

- Parks and recreation, including playgrounds.

Response,

The proposed 4 Lot Short Plat is not required to provide any such improvements, the city of Mercer Island did not mandate such improvement and therefore none is provided.

- Schools and schoolgrounds.

Response,

The proposed 4 Lot Short Plat is not required to provide any such improvements, the city of Mercer Island did not mandate such improvement and therefore none is provided.

3. Describe whether the public use and interest will be served by this proposal. Also describe how the proposed short subdivision conforms to applicable zoning and land use regulations.

Response,

Please refer to attached Revised Project Narratives for detailed responses to this review comment.

4. Show how building pads for Parcels 1 through 4 that are consistent with the requirements of MICC 19.09.090:

- The building pad shall be located to minimize or prevent impacts as indicated in the following:
 - Removal of trees and vegetation required for retention pursuant to Chapter 19.10 MICC shall be prevented.

Response,

Every effort has been made to comply with MICC 19.10 provisions, proposed building pads will be located in a manner that retains the maximum numbers of existing healthy trees and new trees will be planted around the perimeters of the subject parcel. Please refer to the attached Arborist Report, attached Trees Retention Plan, and Trees Planting Plan for more information regarding this issue.

- Disturbance of the existing, natural topography as a result of anticipated development within the building pad shall be minimized.

Response,

As shown on the attached revised Civil Plans, Sheet C – 7.0 the proposed building pads are located in a manner that minimizes site grading work and impact to existing topography while maintaining on-site positive gravity drainage systems. The anticipated grading work within building pads is very minimal and is not expected to exceed 24" of grade cut / fill as necessary to construct the new building pads.

- Impacts to critical areas and critical area buffers shall be minimized, consistent with the provisions of Chapter 19.07 MICC.

Response,

As shown on the attached revised Civil Plans Sheets C – 6.0 and C – 7.0 the proposed building pads are not located within controlled slopes or landslide hazards limits. Note the previously submitted Geotechnical Report dated February 18th, 2022 includes sufficient information to address the city concerns regarding these issues.

- Access to the building pad shall be consistent with the standards contained in MICC 19.09.040.

Response,

As shown on the attached revised Civil Plans Sheets C – 6.0 and C – 7.0 the proposed access to building pads is consistent with MICC 19.09.040. The proposed access road is 20' wide, and 102' long paved surface and will have a 28' turning radius at its intersection with 90th Ave SE, the proposed access road is less than 150' long and therefore Cul-De-Sac (CDS) improvement is not warranted for the fire access. The proposed individual driveways are more than 8' in width and are at the right angle to the proposed access road.

- Building pads shall not be located within:
 - Required front, rear, or side yard setbacks.
 - Streets or rights-of-way.
 - Critical areas, buffers, or critical area setbacks. Building pads may be located within geologically hazardous areas and associated buffers when all of the criteria listed in MICC 19.09.090(A)(2)(c)(i) through (iii) are met.

Response,

The attached revised Civil Plans Sheet Sheets C – 6.0 and C – 7.0 will show the proposed building pads are not located within required front, rear, or side yard setbacks, not located within street right-of-way, and not located within critical areas limits, buffer, or setback areas.

The building pads must be designed to exclude the driplines of trees required to be retained under the provisions of Chapter 19.10 MICC.

Response,

The building pads will not be constructed within driplines of trees required to be retained. However, in unavoidable circumstances, some of the tree branches may be trimmed back to make room for the building construction and the attached Arborist Report proposes special construction provisions / methods to maintain the tress viable roots conditions.

5. The applicant shall provide an analysis of school bus stops or safe walking routes to schools. The applicant shall coordinate with the school district on bus stop locations that will serve the proposed development. The applicant shall provide the analysis and approval from the school district at the next submittal.

Response,

The property owner contacted the City of Mercer Island School District; and based on the district emails; existing walks / paths to and from school facilities do provide safe student walking measures, the district did not ask for any additional student walks improvement and therefore none will be provided.

6. MICC 19.08.030(E)(4) and MICC 19.09.100(A) require development proposals to use common utility corridors where feasible. The site plan shows that each of the lots of the proposed short subdivision will have its own utility corridor. Revise the location of the utilities so they use a common utility corridor. Alternatively, provide documentation showing how using a common utility corridor is infeasible for this proposal.

Response,

The attached revised Civil Plans Sheet C – 7.0 will show one utilities corridor under the proposed on-site access road within proposed utilities easements along the frontage of each proposed lot.

Civil Engineering:

1. Provide a plat map that shows only bearings/distances, easements, and legal descriptions. The plat map must be tied to at least two known city monuments.

Response,

This information is now shown on the attached revised Civil Plans Sheet C – 4.0

2. The private drainage pipe on Island Crest Way (Item 13 on Sheet C-6.0) should not be located in the public right-of-way. The drainage connection from the new development shall be perpendicularly connected to the existing City catch basin #27a-234 to minimize impacts to the public right-of-way.

Response,

It is not possible to connect the storm water outfall to existing catch basin # 27a – 234 as requested by the city. The reason is that to make such connection will require additional stormwater easement on the west side of proposed lot 2, providing additional stormwater easement will compromise available land areas which we want to utilize to plant new trees consistent with MICC 19.10. Instead, we are proposing to connect the proposed stormwater outfall to the existing public stormwater system in Island Crest Way at a location upstream of existing CB # 27a-234 but we removed the previously proposed 12” stormwater pipe as requested by the City of Mercer Island, please see attached revised Civil Plans Sheet C – 7.0 for additional information.

3. The existing drainage ditch along the frontage of 90th Ave SE shall be piped as a part of the plat improvements.

Response,

The attached revised Civil Plans Sheet C – 7.0 will show stormwater pipes in said ditch as requested by the city.

4. Add the following note to Sheet C-6.0:

“The utility design (water, sewer, and storm) shown on Sheet C-6.0 is conceptual only. The basic layout and conceptual design of the utility design will be reviewed under this short plat application. The detailed design has not been reviewed for construction. All design related to water, sewer, storm and roadway are not approved and will be reviewed under a separate permit.”

Response,

Please note the plan sheet number has been changed, and therefore this note is now shown on Plan Sheet C – 7.0

For questions about civil engineering requirements, contact Ruji Ding, Senior Development Engineer, at ruji.ding@mercerisland.gov or at 206-275-7703.

Fire:

1. Add the following note to the face of the plat:

“All building permits are subject to meeting current fire code requirements at the time of a complete

submittal, including fire apparatus access as outlined in adopted code sections of the International Fire Code Appendix D. Fire plan reviews will be conducted at time of building permit submittal and may require additional fire protection systems and/or additional fire prevention measures for building permit approval.”

Response,

Please note the plan sheet number has been changed, and therefore this note is now shown on Plan Sheet C – 4.0

For questions about fire requirements, contact Jeromy Hicks, Fire Marshal, at jeromy.hicks@mercerisland.gov or at 206-794-2512.

Arborist

Response,

Please refer to the attached responses from the project Arborist.

We trust the above responses fully address the city review comments as we look forward to the city approval for this 4 Lot Preliminary Short.

Sincerely,

Mazen Haidar, PE



Pacific Land Engineering

Attachments