

CITY OF MERCER ISLAND

COMMUNITY PLANNING & DEVELOPMENT

9611 SE 36TH STREET | MERCER ISLAND, WA 98040

PHONE: 206.275.7605 | www.mercerisland.gov



Pre-Application Meeting (PRE21-052)

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:

Site Location:	7204 78 th Ave SE		
Lot Size:	21,916 sq ft	Zoning:	R-9.6 (Single Family)
Brief Project Description:	Proposal to subdivide existing lot into two lots.	Documents Provided:	<ul style="list-style-type: none">• Project narrative and list of questions• Site plan with tree location information• Topographic survey• Arborist Report
Applicant Information:			
<small>Name:</small>	Peikli Pang	<small>Email:</small>	peikli.pang@5ft2studio.com
		<small>Phone:</small>	425-287-1567
Second Pre-application Meeting Required:	Not Applicable	Click for explanation if necessary	

Applicant Questions:

Fire Department

1. Can the 20 feet wide fire access measures right from the side property line? This means to use up the side yard as the driveway.

Staff Response: Yes, from the Fire Department perspective the 20' can be placed anywhere as long as it is a clear 20' width. The owner must have the right to use the access.

2. Comment mentioned that the fire access shall not exceed 150 feet from furthest portion of the building as one would walk. What does it mean by "furthest portion of the building as one would walk"? Please see provided site plan, the distance of the road measuring from cut of 78th Ave Ave till the Garage of Lot B is 141 feet, does this fulfill the requirement of not exceeding 150 feet and hence a fire truck turnaround is not required?

Staff Response: This is outlined in the "Developer Manual". The furthest point shall not exceed 150' from the end of the fire access. If the access is not longer than 150' no turn around is needed. If the distance from the end of the access to the furthest point of the residence as one would walk

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around the residence does not exceed 150' then there is no deficiency in the code.

3. Understand that building need to setback 5 feet from the fire access, however, can the fire access end at a garage as shown on the site plan?

Staff Response: Yes.

4. Where in map could we find the nearest Fire Hydrant location? Does the project need to add a Fire Hydrant? As sprinkler system is required for the new building, hence the nearest hydrant can be 600 feet away, is this correct?

Staff Response: Fires hydrants may be up to 600' away for fully sprinklered residences if they meet current fire flow requirements. Plans indicate roughly 508' from hydrant H#-33 (94psi and 2467gpm).

Hydrants and their flow may be found on our GIS website at:

<https://chgis1.mercergov.org/Html5Viewer/Index.html?viewer=PubMaps&viewer=PubMaps>

Civil Engineering

1. Can the detention system/pond be placed within the yard (setback)? The lowest point of the land is on the Northwest corner of the land. We plan to have the detention pond within the yard. Please see new Site Plan.

Staff Response: The detention system can be located in the setback area.

Tree

1. Referring to previous tree comment as below. We would like to clarify the following based on the new Site Plan:

7. Two trees were removed within the last five years in a non-development tree permit. These trees must be included in the 30% calculation, they will be considered part of development proposal if applied for within five years. The 36" diameter exceptional tree previously removed must be shown as protected. The protection zone must be included in the plan since it was exceptional. This means the building pads must take this removed tree's protection zone into consideration even though it has been removed. They were not shown to be hazardous when removed.

Staff Response: The previous comment is still applicable to the new plan.

The locations of the two previously removed exceptional trees (36" and 30" diameter) are in the way of the shared access for Lot A and Lot B. Planning department do not allow Lot B to take access from 72nd St, hence using the existing curb cut from 78th Ave SE and extending the access to Lot B is the most logical solution.

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Please refer to the new Site Plan, the Site Plan shows the conflict between the two previously removed trees and the driveway access and the lot B garage. Both the driveway access and building pad of the garage will conflict with the removed tree's protection zone. The building pad could not be setback further eastward to avoid the tree protection zone, because by so doing, the driveway will be extending more than 150 feet from 78th Ave SE and a fire truck turnaround would be required by Fire Department. The fire truck turnaround will make the Lot B infeasible to for development. The removed Trees' driplines were not documented before they were removed, if the driplines data are required, what measure should be taken as an acceptable data?

Staff Response: Your Project Arborist could determine this retroactively. A standard of 1' of protection for every inch of diameter could also be used. So a 30' dripline radius for a 30" tree. You may be able to retroactively justify the removal of the tree that restricts the size of the building pad per 19.10.060.A.3.b.

There is no other access is feasible, could the requirement of the protection zone from the previous comment be waived due to the conflicting of code?

Staff Response: Exceptional tree removal could be justified under the following code: MICC 19.10.060.A.3. a, b or c.

Critical Area

1. How can we initiate a wetland reconnaissance, screening for potential wetlands or watercourse? This point was brought on second pre-application meeting and mentioned that it should be requested for final confirmation of critical area.

Staff Response: You will need to hire a qualified professional to perform the wetland and watercourse reconnaissance. There are no wetlands or watercourses mapped on the subject property. If the reconnaissance confirms that is the case, please provide a letter or memorandum from the qualified professional documenting their findings. If the reconnaissance determines that a wetland, watercourse, or associated buffer is located on the property, a Critical Area Review 1 or Critical Area Review 2 application is required. A Critical Area Review 1 would review the wetland, watercourse, and/or buffer delineation. If buffer averaging or reduction will be required, a Critical Area Review 2 would review the wetland, watercourse, and/or buffer delineation and the proposed buffer averaging or reduction plan.

Qualified professional is defined in MICC 19.16.010 as follows:

Qualified professional: A person with experience, training and competence in the pertinent discipline. A qualified professional must be licensed to practice in the state of Washington in the related professional field, if such field is licensed. If not licensed, a qualified professional must have a national certification in the pertinent field. If neither licensing nor national certification in the field exists, the minimum qualification should be a bachelor's degree with ten years of related professional work, or master's degree in the field and three years of related professional work.

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Minimum qualifications for specific fields of practice shall include but not be limited to the following:

1. Arborists must be qualified arborists as defined in this section.
2. Professional for geologic hazard areas must be licensed and endorsed in the state of Washington as a geotechnical engineer or engineering geologist.
3. Professional for watercourses and other fish and wildlife habitat must have a degree in biology, environmental planning, natural science, stream ecology or related field and the minimum years of experience, listed above, related to the subject habitat or species.
4. Professionals for vegetation restoration planning where specific expertise for wetlands, watercourses or other fish and wildlife habitat is not required must have a degree in botany, environmental planning, natural science, ecology, landscape architecture or a related field and the minimum years of experience, listed above, with an emphasis on restoration ecology and vegetation management associated with critical areas and buffer. Professionals must demonstrate a minimum of three years of experience with the type of critical area or buffer for which the critical area report is being submitted.
5. Professionals for wetlands must be currently certified as a professional wetland scientist (PWS) with the Society of Wetland Scientists or meet the minimum education and years of experience, listed above, as a wetlands professional.
6. Minimum qualifications of professionals for other disciplines shall be consistent with the minimum qualifications defined above and specific to the discipline identified.

Planning

1. Yards

- a. Lot A building will be 30 feet high abutting to the shared access, referring to the code, “yards are required to be kept clear of structures and are measured from the edge of an easement that affords or could be capable of affording vehicular access or from a property line.” Please see the new Site plan, as the building plan to be 30 feet in height, does it mean that the side setback from the fire access has to be 10 feet?

Staff Response: No. The proposed vehicular access easement is located along a side property line. The 20 foot easement exceeds the required 10 foot side yard setback, so no additional side yard setback is required. Only the 5 foot setback required from vehicular access easements is required per MICC 19.02.020.H.1. This means that the structure can be a minimum of 25 feet from the side property line (i.e. 20 foot vehicular access easement width plus 5 foot vehicular access easement setback).

Note that there is no requirement for the vehicular access easement to be set back from the property line. The 7.5 foot building setback for Lot B does not apply to the vehicular access easement, only to the Lot B building/garage. The easement can be shifted 7.5 feet to the south along the entirety of the Lot A side lot line, and then curve to the north to access the Lot B garage.

- b. On a corner lot, the front yard shall be measured from the narrowest dimension of the lot abutting a street. In the case of Lot A, the narrowest dimension is facing 72nd St, therefore the front yard should be facing the 72nd St, however this will conflict with the planning comment

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which do not allow the front yard to face an arterial street (72nd St). How can we resolve this conflict?

Staff Response: In this case, the front yard from Lot A will be along the lot line from which it gains access. The front yard of Lot A is along 78th Ave SE, and the side yard is along SE 72nd St, as shown on the site plan.

2. Lot coverage: Lot coverage is based on net lot area, does this mean the lot size after deducting easement's area? Please clarify what is net lot area.

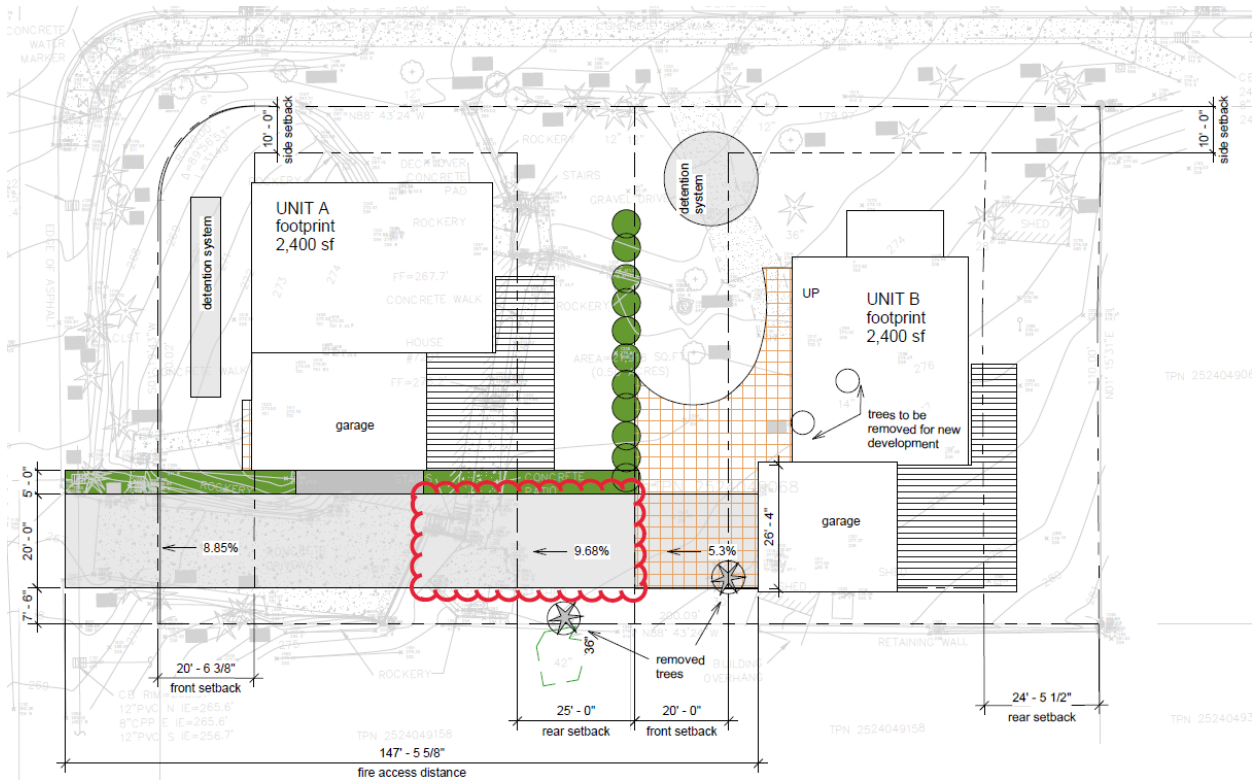
Staff Response: Please refer to the definition of "lot area, net" in MICC 19.16.010:

"The area contained within the established boundaries of a lot, less any area used for public or private vehicular access easements, excluding that portion of the easement used for a driveway access to the encumbered lot.

For example, the net lot area of a lot encumbered by a private vehicle access easement with an area of 1,000 square feet and of which 400 square feet of the vehicle access easement is used for a driveway to a home on the encumbered lot is the area within the established boundaries of the lot less 600 square feet."

The area of the shared access easement on Lot A bubbled in red below would be subtracted from the gross lot area to calculate the net lot area.

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Review Comments:

Fire Comments:

Fire Contact: Jeromy.Hicks@mercerisland.gov or 206-275-7966.

I have included some basic notes regarding the Fire Review and evaluation processes. Please see the below information. There are several hyperlinks that may be used to help guide you through this process.

All this information is consolidated in our help guide: [“Developer Manual”](#).

1. [Fire access:](#)

- a. Access roads (defined under IFC 202) under 500’ are required to be 20’ in width. For access roads over 500’ they are required to be 26’. IFC 503.2.1, D103.1, MICC 17.07.020)
- b. Minimum driveway widths (for planning purposes) are outline in [MICC 19.09.040](#)
- c. Grade shall not exceed 10%. Grades over 10% but under 20% (max) may be evaluated for code alternative requests. (IFC 503.2.7)
- d. Length shall not exceed 150’ from furthest portion of the building as one would walk. (IFC 503.2.1)

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- e. Surface shall be able to withstand and imposed load of 75,000 pounds and be constructed of asphalt. (If grade exceeds 15% this shall be brushed concrete) (IFC D102.1, MICC 19.09.040)
 - f. Fire access roads, private access roads, driveways in excess of 150' shall have provisions for fire apparatus turn-around as listed/illustrated in Appendix D of the IFC.
2. Fire Flow (Hydrants)
- a. A hydrant capable of flowing the required fire flow as outline in the International Fire Code Appendix B shall be located within 300' of the furthest portion of the building (600') for a building with an approved sprinkler system. (IFC Appendix B)
 - b. Nearest Hydrant H3-33 (94psi, 2467GPM)
3. Sprinklers
- a. All new construction and alterations over 50% valuation are required to install a minimum of a NFPA 13d fire sprinkler system.
 - b. Decreased fire flow, access, grade, or building size may required the installation of a NFPA 13r of 13 sprinkler system.
 - c. Water meter sizing is required for the install of a fire sprinkler system.
4. Fire Alarm Systems
- a. NFPA 72 Monitored Fire Alarm systems may be required as part of mitigation for deficiencies as listed above or may be proposed as a code alternative.
5. Fire code alternatives
- a. These may be considered upon application of a building permit. The building designer must propose such alternative and it must show how the alternative is equal to or above the required code.
 - b. Fire Code alternatives are not considered as a replacement for the fire code. The individual building applicant must show that the adopted prescriptive code may not be followed as a result of extenuating circumstances.
 - c. [Fire Code Alternative help sheet:](#)
6. Plat Map Final Approval Statement REQUIRED: Please place on Final Plat Map

a. "All buildings are subject to meeting current fire code requirements at the time of permit submittal. Access shall be provided as outlined in the International Fire Code Appendix D and MICC 19.70.040. 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 approval."

For additional information please refer to this helpful webpage:

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

*Subject to change pending submittal of plans and plan review. Plan approval/ Plan review does not relieve the designer/contractor from complying with all applicable codes and requirements as adopted by the City of Mercer Island and the State of Washington, nor does it abrogate the requirements of other authorities having jurisdiction.

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Tree Comments:

Tree Contact: John.Kenney@mercerisland.gov or 206-275-7713.

1. Please see above responses to the submitted pre-application questions. No additional comments at this time .

For additional information please refer to this helpful webpage:

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

Civil Engineering Comments:

Civil Contact: Ruji.Ding@mercerisland.gov or 206-275-7703.

1. The side sewers for both lots can either be shared or separated. If the side sewer is shared, the size must be 6". The permit for the side sewer will be a part of the main building permit.
2. The water services for both lots must be separated. The permit for the water service will be a part of the main building permit.
3. The site is in the City LID infeasible area, so the onsite detention system is required. You can either use a shared detention system for both lots, or two separate detention systems for both lots. The detention system will be connecting to the city storm system on SE 72nd Street, near the intersection.
4. The frontage improvements will be gravel on 78th Ave. SE. The restoration of the sidewalk due to the demolition of the existing gravel driveway on SE 72nd Street will be required.
5. 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>

Planning Comments:

Planning Contact: tim.mcharg@mercerisland.gov or 206-275-7717.

1. A 25 foot rear yard is required for Lot B. The Site Plan shows a rear yard of 24 feet 5.5 inches. Please increase the rear yard to the required 25 feet.
2. The total side yard depth for Lots A and B are 18.7 feet based on the lot widths of 110 feet (i.e. 17% of the lot width). The minimum individual side yard is 6.2 feet (i.e. 33% of the total side yard depth). Note that variable side yard setback requirements may increase the minimum individual side yard requirements based on building height adjacent to the side yards. The greater of the side yard setbacks applies. See MICC 19.02.020.C.1.c.

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- a. If the building height is less than 15 feet along the side yard, no variable side yard setback requirement applies. The side yards would be determined by lot width: 18.7 feet total side yard depth and minimum individual side yard depth of 6.2 feet.
 - b. If the building height is greater than 15 feet but less than 25 feet, the applicable variable side yard setback is 7.5 feet. The minimum side yard adjacent to the building would be 7.5 feet, and the total side yard setback would be 18.7 feet.
 - c. If the building height is greater than 25 feet, the applicable variable side yard setback is 10 feet. The minimum side yard adjacent to the building would be 10 feet.
3. Note that the southerly lot line is an interior side lot line. No projections, including eaves, are permitted into the minimum side yard setbacks from interior lot lines. Please design the garage on Lot B accordingly.
 4. No projections into the 5 foot setback from the vehicular access easement are permitted. This includes roof eaves. Please design the garage on Lot A accordingly.
 5. There are several encroachments into required yards shown on the Site Plan. Please clarify the following:
 - a. Lot A:
 - i. Encroachment into front yard at southwest building corner: Is this an eave? Eaves may project a maximum of 18 inches into a front setback.
 - ii. Encroachment into rear yard: Is this a deck or patio? Decks or patios less than 30 inches above grade may project into a rear yard. If the deck is greater than 30 inches above grade, it may project a maximum of three feet into the rear yard.
 - b. Lot B:
 - i. Encroachment into rear yard: Is this a deck or patio? Decks or patios less than 30 inches above grade may project into a rear yard. If the deck is greater than 30 inches above grade, it may project a maximum of three feet into the rear yard.
 6. Submittal requirements for a short plat preliminary approval application can be found [HERE](#). Note that a SEPA Checklist is not required unless a wetland or watercourse is located on the subject property.
 7. Submittal requirements for a short plat final approval application can be found [HERE](#).

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>

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