

Public Comment Submitted to the City of Mercer Island

Planning Commission

On (or before) January 30, 2019

By Peter L Struck

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With respect to:

Agenda Item #1: ZTR18-004 Community Facility Code Amendment

- Seeks guidance on:
 - Any preliminary revisions or corrections on the draft amendment
 - Additional information that the Planning Commission (“PC”) will need to form a recommendation

Recommendation

The draft amendment needs significant work to fully protect the community from unintended consequences of this ill-defined proposal.

General Observations & Comments:

- Section A.4 of 19.04.060 states that “community facilities *should be* located on properties of existing community facilities and on properties adjacent to existing community facilities”.
 - *The City should provide a map of all existing community facilities or properties that would meet the definition (as established under section C.1);*
 - By using the verb, “should be” the City, de facto, opens up the whole Island, especially residential areas, for a developer to accumulate a series of properties and then apply for the community facilities designation. Thus, if so desired, someone could put in a golf course, etc.
 - If this conclusion is incorrect, then the code needs to explicitly define what restrictions are in place to prevent such an action.

(Note – this example is probably not feasible from a reasonable economic perspective, but who knows what the future holds).

- As proposed, the amendment establishes a two-prong approach for additional development of an existing Community Facility zone. First, prescribed development standards are put forth in sections B – N. Then, in Section O the master planning concept is introduced which is voluntary for smaller properties and single use properties, but mandatory for larger properties and multi-use properties.
 - For certain properties Section O provides an option for the developer that says if the prescribed standards are too restrictive, etc. then the developer can opt to a Master Plan approach that would permit greater flexibility, more variances, etc.
 - *The PC should explore other ways to mitigate the Master Plan approach or to raise the bar for its use through additional user fees for development.*
- Section B.2 states “significant public benefit” will be provided consistent with subsection O. Subsection O goes on to list (under O.4) that public benefits are defined as site specific improvements such as parking improvements, traffic mitigation, etc.
 - This approach does not really meet the common definition of “significant public benefit” such as the facility being an “asset” to the community or improving the standard of living or quality of life of Island residents.
- Section B.3 states alcohol use shall be limited to special events.
 - *How will the City realistically enforce this provision?*
- There is a community concern about the intensity of use, especially in the future. One method that the City has used in the past is a limit on memberships or enrolled students. Or, separately, limit future expansion of the zone.

Specific Observations & Comments

- Amend N.2.g. – Compact Vehicle Parking:
 - The standard being proposed states “up to 50 percent of the required off-street parking spaces may be designated for accommodating compact vehicles.”

- Clearly, developers prefer more designated compact parking as a means to save on costs.
 - However, there needs to a recognition of actual usage patterns in terms of vehicle size as 50% may be too high, and that level needs to be reduced. For example, at the proposed JCC-FAS site parking demand for compact vehicles is much less.
 - Furthermore, all major auto manufacturers have recently discontinued compact vehicle production or sharply curtailed their production in response to tepid demand for the product.
 - *The PC should require a ceiling of 20% for compact spaces unless a bona fide, comprehensive parking study can demonstrate that a higher ceiling is warranted by actual usage data.*
- Delete N.2.i. – Variances
 - This section essentially overrides all previous guidance on parking, and states that the code official may grant variances.
 - Rather than provide this flexibility in the prescribed code requirements, if a variance is needed/requested the Master Planning process (Section O) is tailored to handle such special requirements.
- Amend N.3 – Minimum Parking Requirements for Specific Uses
 - Section N.3.a. should clarify if it means employees on site or just total employment or some other definition.
 - Section N.3.d. should review the requirement of an “additional parking space per 10 high school students”. That ratio sounds too high when examining the amount of parking (on-street and off) at Mercer Island High School. I don’t believe the community wants to repeat the parking overflow on to City streets that exists at the High School – ask the neighborhood!