

**CITY OF MERCER ISLAND  
ORDINANCE NO. 14C-07**

**AN ORDINANCE OF THE CITY OF MERCER ISLAND, WASHINGTON,  
AMENDING THE ZONING MAP (MERCER ISLAND CITY CODE, TITLE  
19, UNIFIED LAND DEVELOPMENT CODE) DESIGNATION OF CERTAIN  
PROPERTIES WITHIN THE CITY LIMITS OF MERCER ISLAND AS  
SPECIFICALLY DESCRIBED BELOW, FROM R-9.6 AND R-15 SINGLE  
FAMILY RESIDENTIAL TO P, PUBLIC INSTITUTION; AND FROM R-9.6  
TO R-15 SINGLE FAMILY RESIDENTIAL**

WHEREAS, in compliance with the Washington State Growth Management Act, Chapter 36.70A RCW, the City of Mercer Island adopted a Comprehensive Plan in 1994 and has amended the plan on several occasions since that time; and

WHEREAS, in compliance with the Washington State Growth Management Act, Chapter 36.70A RCW, the City of Mercer Island has adopted a zoning code and map (Mercer Island City Code, Title 19, Unified Land Development Code); and

WHEREAS, the existing zoning map in the Unified Land Development Code is not consistent with the adopted Comprehensive Plan Land Use Designation; and

WHEREAS, 36.70A requires the Comprehensive Plan and Unified Land Development Code to be consistent; and

WHEREAS, The City of Mercer Island has met all applicable public notice requirements for said rezoning according to MICC 19.15.020, as detailed below; and

WHEREAS, state agencies received 60 day notice of Mercer Island's proposed development code map amendments on February 21, 2014, and no formal comments were received; and

WHEREAS, on February 24, 2014 a Public Notice of Application, Public Hearing and SEPA DNS Likely was mailed to all property owners within 600 feet of the subject properties, published in the City's permit bulletin, posted at City Hall and posted on each rezone site, giving notice of three public open houses regarding the rezone proposals and of the Planning Commission open record public hearing, and encouraging public participation; and

WHEREAS, on February 26, 2014 a Public Notice of Application, Public Hearing and SEPA DNS Likely was published in the Mercer Island Reporter, giving notice of the Planning Commission open record public hearing, and encouraging public participation; and

WHEREAS, on March 17, 2014 the City of Mercer Island issued a SEPA Threshold Determination (DNS) for the rezones which was mailed to all property owners within 600 feet of the subject properties, emailed to SEPA agencies and parties of record, published in the City's permit bulletin, and posted at City Hall; and

WHEREAS, the Planning Commission held an open record public hearing on April 2, 2014, and continued the open record public hearing to April 16, 2014, May 7, 2014 and May 14, 2014, and recommended approval of the proposed rezones, finding the application consistent with the prescribed review criteria of MICC 19.15.020 (G)(2); and

WHEREAS, the City Council decided, after receiving a request from the Mercer Island School District, to remand to the Planning Commission for further deliberation the application of the proposed rezone as it was proposed for Lakeridge Elementary School; and

WHEREAS, the PEAK facility was developed under a Conditional Use Permit and rezoning of the school property does not relieve PEAK of its rights and obligations under the Conditional Use Permit; and

WHEREAS, the City Council held a public meeting on May 19, 2014 to provide opportunities for formal public comment on these matters.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MERCER ISLAND, WASHINGTON HEREBY ORDAINS AS FOLLOWS:

**Section 1. Reclassification - Rezone.** The Mercer Island City Council hereby approves the amendment to the City's zoning map, as shown in Exhibit 1, by reclassification and rezone, from "R-9.6" and "R-15" to "P", the real property legally described as:

*WHITES HARRY PLAT E SEATTLE AC TR LESS W 25 FT OF S 1/2 OF LOT 9 AND TRACT 12 LESS THAT POR LY SWLY OF NELY R/W LN OF W MERCER WAY ALL IN HARRY WHITES EAST SEATTLE ACRE TRACTS - LESS THAT POR DAF BEG AT SW COR OF LOT 7 BLK 3 ISLAND RIDGE TRACTS TH S 00-05-56 E ALG E LN OF SD TR 12 A DIST OF 59.42 FT TAP ON NELY R/W LN OF W MERCER WAY BEING APT ON CRV THE CENTER OF WCH BEARS S 81-26-16 W A DIST OF 220.99 FT TH NWLY ALG SD 220.99 FT RAD CRV AN ARC DIST OF 94 FT TAP ON A CRV THE CEBTER WCH BEARS N 32-56-01 W A DIST OF 32.55 FT TH NELY ALG SD 32.55 FT RAD CRV AN ARC DIST OF 32.47 FT TAP OF TANGENCY TH N 00-05-56 W ALG A LN 18 FT W OF & PLT W LN OF SD BLK 3 WCH LN IS ALSO E LN OF SD TRACT 12 A DIST OF 188.08 FT TH N 60-50-47 E 20.59 FT TH S 00-05-56 E 30 FT TO SW COR OF LOT 5 SD BLK 3 TH CONT S 00-05-56 E 223.31 FT TO POB - A AKA PARCEL A MERCER ISLAND LOT LN REVISION NO MI 90-07-16 (D-3) REC NO 9103059012*

*(Commonly known as West Mercer Elementary School)*

**Section 2. Reclassification - Rezone.** The Mercer Island City Council hereby approves the amendment to the City's zoning map, as shown in Exhibit 1, by reclassification and rezone, from "R-9.6" to "R-15", the real property legally described as:

*THE WEST 25 FEET OF THE SOUTH HALF OF TRACT 9, HARRY WHITE'S PLOT OF EAST SEATTLE ACRE TRACTS, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 3 OF PLATS, PAGE 36, IN KING COUNTY, WASHINGTON, AND THE NORTH HALF OF SOUTHEAST 42<sup>ND</sup> STREET (FORMERLY "E" STREET), AS DELINEATED ON SAID PLAT, INCLUDED THEREIN OR ABUTTING THEREON AND LYING BETWEEN THE SOUTHERLY EXTENSION OF THE EAST AND WEST LINES OF THE WEST 25 FEET OF SAID TRACT 9.*

*(Commonly known as the Chan property)*

**Section 3.** **Reclassification - Rezone.** The Mercer Island City Council hereby approves the amendment to the City's zoning map, as shown in Exhibit 2, by reclassification and rezone, from "R-9.6" to "P", the real property legally described as:

*LOT 1 MERCER ISLAND LLR#SUB07-008 REC #20090506900003 SD SP BEING  
POR N 1/2 OF NW1/4*

*(Commonly known as Mercer Island High School, Mercer Island School District  
Maintenance and Transportation Facilities, District Administration Building, the  
Crest Building and M.O.T. Building)*

**Section 4.** **Reclassification - Rezone.** The Mercer Island City Council hereby approves the amendment to the City's zoning map, as shown in Exhibit 2, by reclassification and rezone, from "R-9.6" to "P", the real property legally described as:

*LOT 2 MERCER ISLAND LLR#SUB07-008 REC #20090506900003 SD SP BEING  
POR N 1/2 OF NW 1/4*

*(Commonly known as PEAK)*

**Section 5.** **Reclassification - Rezone.** The Mercer Island City Council hereby approves the amendment to the City's zoning map, as shown in Exhibit 2, by reclassification and rezone, from "R-9.6" to "P", the real property legally described as:

*LOT 3 MERCER ISLAND LLR#SUB07-008 REC #20090506900003 SD SP BEING  
POR N 1/2 OF NW1/4*

*(Commonly known as North Mercer Campus)*

**Section 6.** **Reclassification - Rezone.** The Mercer Island City Council hereby approves the amendment to the City's zoning map, as shown in Exhibit 2, by reclassification and rezone, from "R-9.6" to "P", the real property legally described as:

*LOT 4 MERCER ISLAND LLR#SUB07-008 REC #20090506900003 SD SP BEING  
POR N 1/2 OF NW1/4*

*(Commonly known as Mary Wayte Pool)*

**Section 7.** **Reclassification - Rezone.** The Mercer Island City Council hereby approves the amendment to the City's zoning map, as shown in Exhibit 3, by reclassification and rezone, from "R-9.6" to "P", the real property legally described as:

*SE 1/4 OF SW 1/4 OF NW 1/4 LESS CO RD LESS BEG NW COR TH S 88-31-54 E  
139 FT TH SWLY ALG CURVE LFT RAD 135 FT ARC DIST 180.03 FT & AN  
INITIAL TANGENT BEARING OF N 88-31-54 W TH ALG CURVE RGT RAD 165  
FT ARC DIST 23.87 FT TO W LN SD SUBD TH N 01-13-54 E 125.99 FT TO POB  
(Commonly known as Island Park Elementary School)*

**Section 8.** **Reclassification - Rezone.** The Mercer Island City Council hereby approves the amendment to the City's zoning map, as shown in Exhibit 4, by reclassification and rezone, from "R-9.6" to "P", the real property legally described as:

E 1/2 OF NE 1/4 OF SE 1/4 & NE 1/4 OF SE 1/4 OF SE 1/4 LESS CO RDS AND LESS POR DAF – COMM AT EAST 1/4 COR SD SEC 25 TH N88-41-03W ALG NORTH LN OF SD SE 1/4 657.29 FT TO WEST LN SD SUBD TH S01-14-26W ALG SD WEST LN 30.00 FT TO SLY MGN OF SE 72ND ST & POB TH CONT S01-14-26W 435.72 FT TH S88-45-34E 63.00 FT TH N 01-14-26 E 357.94 FT TH N 11-01-25 W 79.54 FT TO SLY MGN OF SE 72ND ST TH N 88-41-03 W ALG SD MGN 46.11 FT TO POB

(Commonly known as Islander Middle School and South Mercer Playfields)

**Section 9. Reclassification - Rezone.** The Mercer Island City Council hereby approves the amendment to the City's zoning map, as shown in Exhibit 4, by reclassification and rezone, from "R-9.6" to "P", the real property legally described as:

POR OF NE 1/4 OF NE 1/4 OF SE 1/4 STR 25-24-04 DAF - COMM AT EAST 1/4 COR SD SEC 25 TH N 88-41-03 W ALG NORTH LN OF SD SE1/4 657.29FT TO WEST LN SD SUBD TH S01-14-26W ALG SD WEST LN 30.00 FT TO SLY MGN OF SE 72ND ST & POB TH CONT S 01-14-26 W 435.72 FT TH S88-45-34E 63.00 FT TH N 01-14-26 E 357.94 FT TH N 11-01-25 W 79.54 FT TO SLY MGN OF SE 72ND ST TH N 88-41-03 W ALG SD MGN 46.11 FT TO POB

(Commonly known as a storm drainage detention facility for Islander Middle School)

**Section 10. Severability.** If any section, sentence, clause or phrase of this ordinance or any municipal code section amended hereby should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of any other section, sentence, clause or phrase of this ordinance or the amended code section.

**Section 11: Ratification.** Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and affirmed.

**Section 12: Effective Date.** This Ordinance shall take effect and be in force on 30 days after its passage and publication.

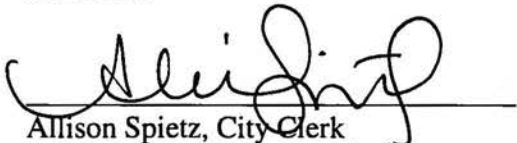
PASSED by the City Council of the City of Mercer Island, Washington at its regular meeting on the 2nd day of June 2014 and signed in authentication of its passage.

CITY OF MERCER ISLAND



Bruce Bassett, Mayor

ATTEST:



Allison Spietz, City Clerk

Approved as to Form:






Katie H. Knight, City Attorney

Date of Publication: 6/11/2014

EXHIBIT 1

#1A- West Mercer Elementary

#1B- 4198 W Mercer Way

-  Zone Change
-  Existing Zoning Line
-  Property Lines



IGS  
Information & Geographic Services  
WestMercerElementary.mxd  
Map Version: 2/25/2014

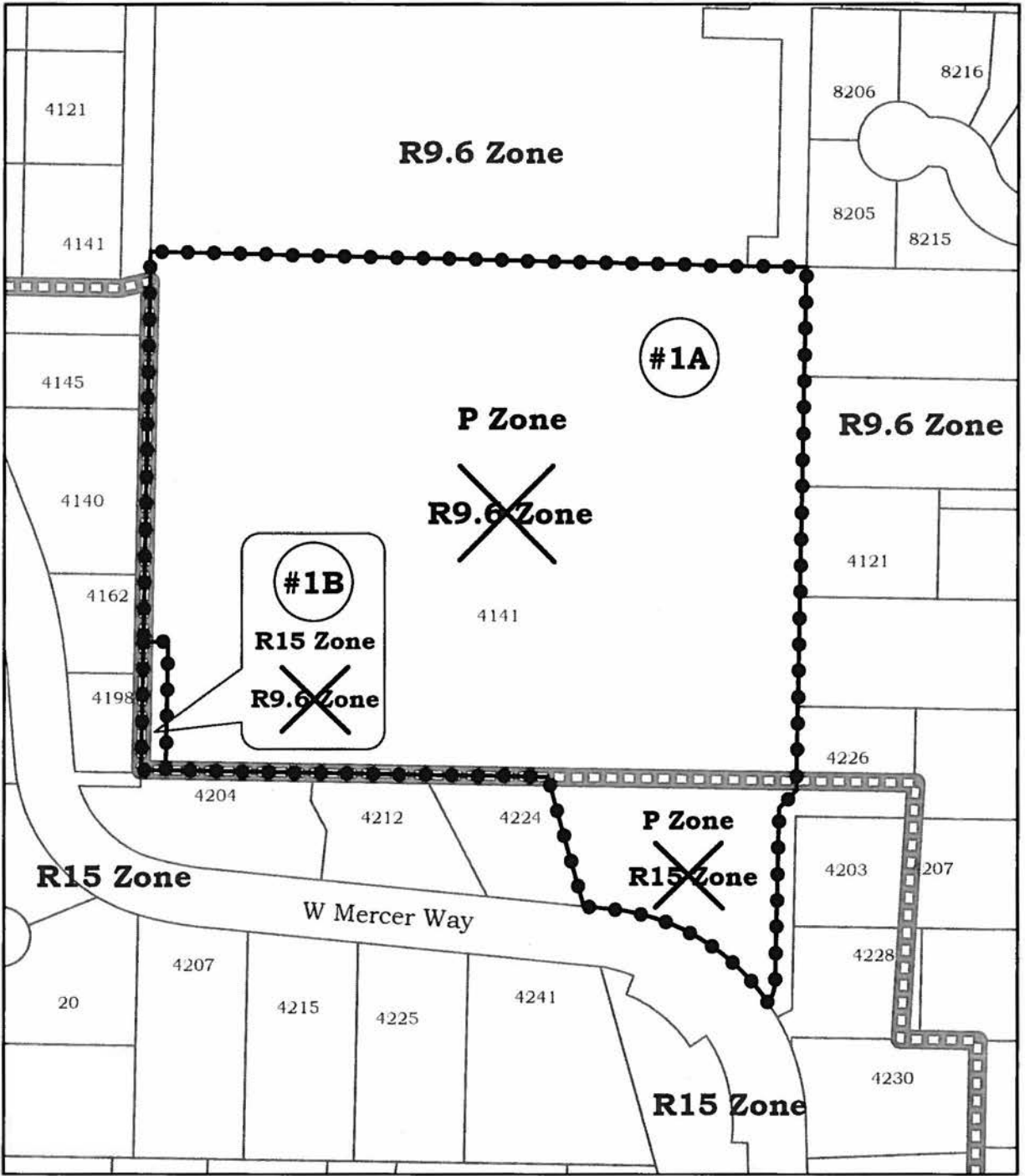







EXHIBIT 2

#2 Mega-Block

(Mercer Island High School)

-  Zone Change
-  Existing Zoning Line
-  Property Lines



MegaBlock: mxd  
Map Version: 2/7/2014

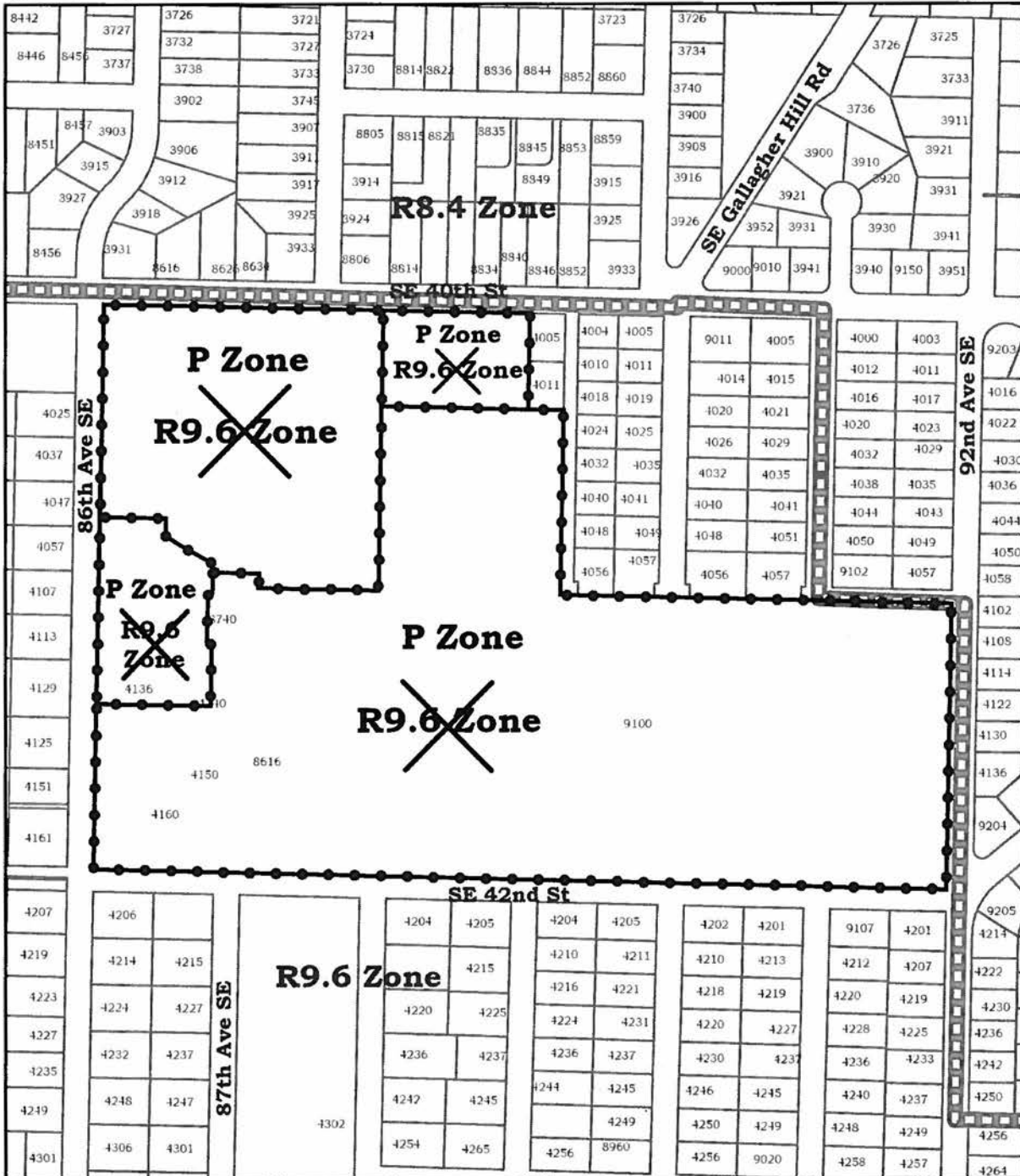


EXHIBIT 3

#3 Island Park Elementary



IslandParkElementary.mxd  
Map Version: 2/7/2014

- Zone Change
- Existing Zoning Line
- Property Lines

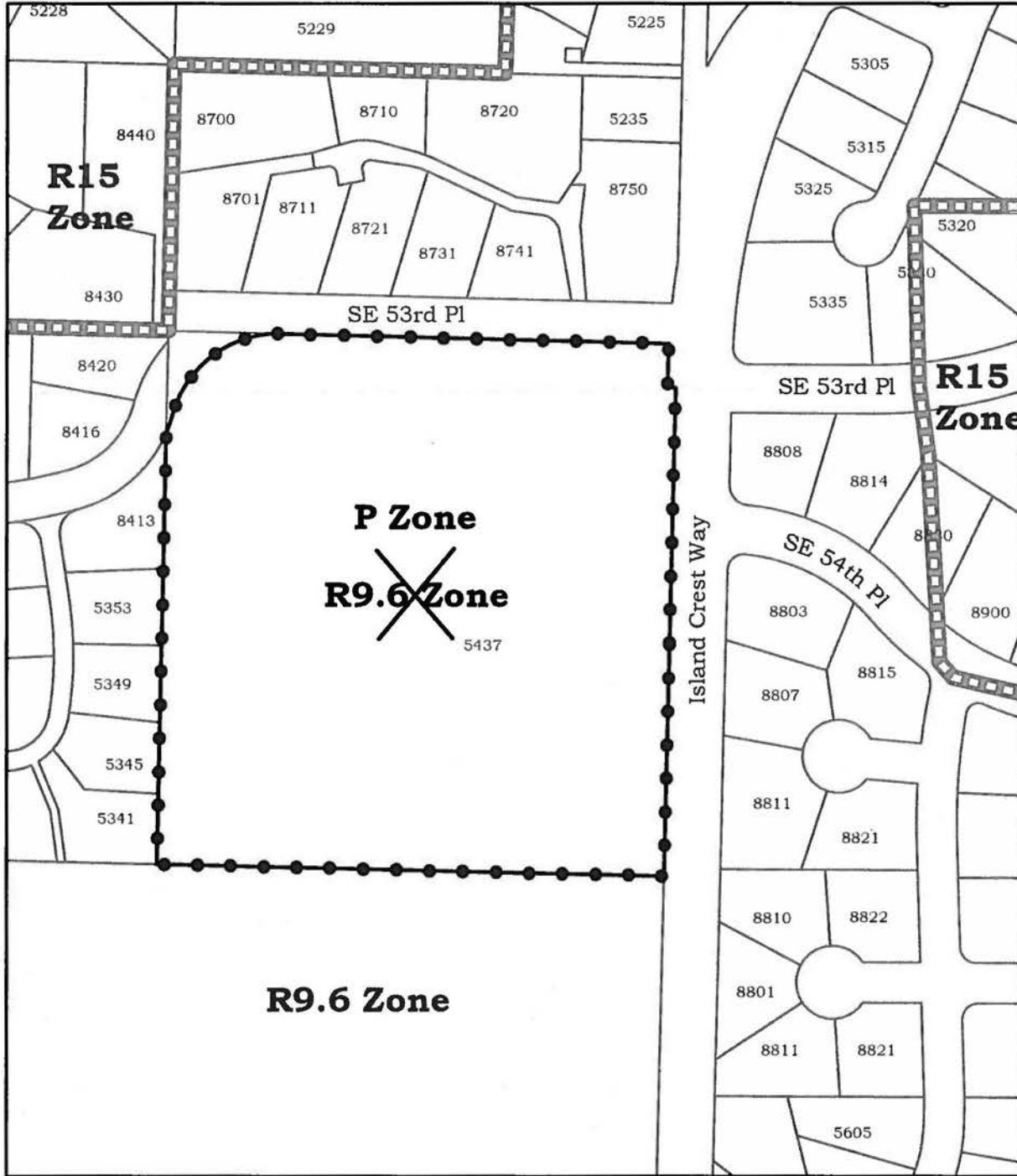


EXHIBIT 4

#4 Islander Middle School



LakeridgeIslander.mxd  
Map Version: 5/21/2014

- Zone Change
- Existing Zoning Line
- Property Lines

