

Scott Greenberg

From: Meg Lippert <meg.lippert@gmail.com>
Sent: Monday, August 22, 2016 3:29 PM
To: Scott Greenberg
Cc: Ali Spietz; Kari Sand
Subject: Re: Ordinance Amendment comments?
Attachments: ZTR16-002 Proposal-Revised-1.docx

Dear Scott,

Thank you for the most recent proposal of the code amendments. When were they submitted? I did not see that they were announced publicly or published in the Mercer Island Reporter for comment--I must have missed this due to the fact that I am out of town.

I would like to go on record opposing the code amendments as described below..

The proposed change to

19.05.010 Public institution – P.

A. Uses Permitted.

number 7 reads "

7. Public Facilities in Mercerdale Park, with primary uses of theatre, lecture hall, classroom, performing studio, visual arts studio, exhibition gallery, gathering and meeting spaces, café and bar, and accessory functions thereof (hereafter referred to as “Mercerdale Park Public Facilities”), subject to the requirements in subsection G of this section.

However, the proposed theatre, lecture hall, classroom performing studio, visual arts studio, exhibition gallery, gathering and meeting spaces, cafe and bar and accessory functions are not public. They are privately owned, operated, financed, and controlled by the private non-profit group currently known as MICA (Mercer Island Center for the Arts). The public and the city will not build nor own the facility and will not have control over the programs and/or activities that take place within and/or adjacent to the building in the area facing the Mercerdale Park Lawn.

F. Public Schools. The following requirements apply to public schools: [MICA proposes no changes to this section and, therefore, the text is excluded [sic].

It is clear that the statement above, quoted from the attached document, in which it is noted in red, has been inserted to clarify that the changes are proposed by MICA, which is a private group governed by a private board raising private funds for this privately owned building with private employees and currently renting private office space. MICA is NOT a public institution and it is not constructing a public building and thus none of the proposed changes to the City code, which focus on public facilities, would apply to the proposed MICA structure in Mercerdale Park.

G. Mercerdale Park Public Facilities, shall be subject to the following requirements:

Again, none of the exceptions listed in the chart below this heading, nor the footnotes, apply to MICA, since MICA is not a public building.

19.05.020 Parking requirements.

C. Minimum Parking Requirements for Specific Uses.

"3. Mercerdale Park Public Facilities shall provide parking as follows:

a. A parking demand study shall be prepared by a professional traffic engineer and approved by the City Engineer determining the parking requirements for the proposed public facility.

b. The amount of parking required by the approved parking demand study may be met by entirely off-site with a combination of on-street parking and shared off-street parking pursuant to a traffic management plan approved by the City Engineer determining that parking demand for all land uses shall not significantly overlap and that uses will be served by adequate parking if on-street parking and shared parking reductions are authorized.

c. Prior to establishing shared parking, the property owner or owners shall enter into an unrecorded written agreement approved by the code official that can only be terminated upon not less than ninety (90) day notice to the code official, provided that one of the affected property owners has agreed to either enter into a replacement parking contract or make alternative parking arrangements, such as shuttle service, in either case satisfactory to the code official prior to the end of the notice period.

4. Mercerdale Park Public Facilities shall be exempt from the requirements of MICC 19.05.020.B.4. "

None of these exceptions apply to MICA since MICA is not a "Mercerdale Park Public Facility." Because MICA is not a "Mercerdale Park Public Facility," there is absolutely no justification for exempting the private MICA facility from the city requirement to provide off-street parking as defined in B.4: "Location. Off-street parking shall be located on the same lot or on an adjoining lot or lots to the building to be served; except, that off-street parking may be located in an area beginning within 500 feet of the building to be served; provided there are no intersecting street [sic] between the parking area and building to be served. This requirement does not apply to transit facilities."

In addition, regardless of whether or not a proposed arts facility in Mercerdale Park is publicly or privately owned, parking for any new facility should always be provided in accordance with the current, un-amended City code, which was designed to provide safe, adequate and convenient parking for building patrons and to protect resident and commercial parking in the affected area/s.

Please include me as a party of record and acknowledge receipt of this email and that it was received prior to the deadline for initial comments pertaining to the proposed code amendments of 5 PM on Monday, August 22, 2016.

Thank you,

Meg Lippert

On Mon, Aug 22, 2016 at 11:14 AM, Scott Greenberg <Scott.Greenberg@mercergov.org> wrote:

I attached the most recent proposal. You can submit your comments at any time on the code amendment. Our code has a 14-day comment period for certain applications, including code amendments. However, since there are multiple public comment opportunities until the City Council decides on the code amendment, you don't need to have comments in today.

Scott

From: Meg Lippert [mailto:meg.lippert@gmail.com]
Sent: Monday, August 22, 2016 1:33 PM
To: Scott Greenberg <Scott.Greenberg@mercergov.org>
Cc: Ali Spietz <Ali.Spietz@mercergov.org>
Subject: Re: Ordinance Amendment comments?

Hi Scott,

I did not understand that the initial comments on the code amendment are also due today.

Where can I find the code amendment along with the original wording of the code that is proposed to be changed?

Thank you,

Meg

On Mon, Aug 22, 2016 at 7:33 AM, Scott Greenberg <Scott.Greenberg@mercergov.org> wrote:

Hi Meg. The short answer is that the code amendment is a legislative item, so comments can be received all the way until the City Council makes a decision on the code amendment. Initial comments on the code amendment are also due today, but other comment periods will be available at the Planning Commission and then, City Council levels.

Thanks,

Scott

From: Ali Spietz
Sent: Monday, August 22, 2016 9:56 AM
To: Scott Greenberg <Scott.Greenberg@mercergov.org>
Cc: Meg Lippert <meg.lippert@gmail.com>
Subject: RE: Ordinance Amendment comments?

Hi Scott,

Can you please respond to Meg's question below?

Thank you

Ali

From: Meg Lippert [<mailto:meg.lippert@gmail.com>]
Sent: Monday, August 22, 2016 9:27 AM
To: Ali Spietz <Ali.Spietz@mercergov.org>
Subject: Ordinance Amendment comments?

Hi Ali,

Greetings from Maine!

We are having wild winds and a thunderstorm brewing here.

I understand that the SEPA comments are due today at 5 PM.

When are the Ordinance Amendment comments due?

Thanks,

Meg