
COMMUNITY PLANNING & DEVELOPMENT

9611 SE 36TH STREET | MERCER ISLAND, WA 98040
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PUBLIC NOTICE OF DECISION

NOTICE IS HEREBY GIVEN that the City of Mercer Island Hearing Examiner has granted preliminary approval for the application described below:

File No.: SUB19-002

Permit Type: Type IV

Description of Request: A request preliminary long plat approval to subdivide 2.88 acres, zoned R-8.4, into 14 lots with associated infrastructure to support single-family residences. Lots 5, 6, 7, 8, 9, and 10 will be accessed from 62nd Avenue SE. Lots 1 and 2 will be accessed from a private access easement from SE 28th Street. Lots 3, 4, 11, 12, 13, and 14 will be accessed from a shared private access easement that runs north to south on the subject property, connecting SE 28th Street to SE 30th Street. The proposed development contains a private easement for open space and a community open space tract.

Applicant/ Owner: Brett Pudists, Atwell, LLC. / Eric Hansen, OB Mercer Island Properties, LLC.

Location of Property: 2825 West Mercer Way, Mercer Island WA 98040
Identified by King County Assessor tax parcel number: 2174502425

SEPA Compliance: The SEPA Responsible Official reviewed the Environmental Checklist, proposed plans, studies, existing environmental documents, etc., and issued a SEPA Threshold Determination of Nonsignificance ("DNS"), dated March 6, 2023, for the proposed development in accordance with the City's SEPA regulations, Chapter 19.21 Mercer Island City Code ("MICC") and pursuant to the optional DNS process specified in Washington Administrative Code ("WAC") 197-11-355. No appeals were filed.

Applicable Development Regulations: Pursuant to Mercer Island City Code (MICC) [19.15.030](#) Table A, applications for Preliminary Short Subdivisions are required to be processed as Type IV land use reviews. Processing requirements for Type IV land use reviews are further detailed in MICC 19.15.030 Table B.

Project Documents: <https://mieplan.mercergov.org/public/SUB19-002>

Decision: Approved subject to conditions.

Reconsideration and Appeal Rights: *DISCLAIMER: This information is provided as a courtesy. It is the ultimate responsibility of the appellant to comply with all legal requirements for the filing of a request for reconsideration or an appeal.*

Final decisions by the City’s hearing examiner may be subject to reconsideration if a written request for reconsideration is submitted within ten days following the issuance of the decision in accordance with the procedures of MICC 3.40.110. The hearing examiner shall reconsider a final decision based on the criteria listed below: 1. The decision was based in whole or in part on erroneous facts or information; 2. The decision when taken failed to comply with existing laws or regulations applicable thereto; or 3. An error of procedure occurred that prevented consideration of the interests of persons directly affected by the decision. See MICC 3.40.110 for additional information and requirements regarding reconsideration.

Decision of the Hearing Examiner on a Permit Type IV may be appealed to Superior Court pursuant to state laws.

Project Dates:

Date of Application:	March 1, 2019
Determined to Be Complete:	March 29, 2019
Bulletin Notice:	April 8, 2019
Date Mailed:	April 8, 2019
Date Posted on the Subject Property:	April 8, 2019
Comment Period Ended:	5:00 PM on May 8, 2019
SEPA DNS Issued:	March 6, 2023
SEPA Appeal Period Ended:	April 5, 2023
SEPA DNS Addendum:	November 8, 2023
Notice of Public Hearing Issued:	December 13, 2023
Notice of Public Hearing Bulletin Notice:	December 13, 2023
Notice of Public Hearing Mailed:	December 13, 2023
Notice of Public Hearing Posted on the Subject Property:	December 13, 2023
Notice of Public Hearing Published in the Newspaper of Record:	December 13, 2023
Open Record Public Hearing Held:	9:00 AM on January 24, 2024
Hearing Examiner’s Decision:	January 29, 2024
Notice of Decision Issued:	January 29, 2024

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