
CITY OF MERCER ISLAND

DEVELOPMENT SERVICES GROUP

9611 SE 36TH STREET | MERCER ISLAND, WA 98040

PHONE: 206.275.7605 | www.mercergov.org



WEEKLY BULLETIN

FREQUENTLY ASKED QUESTIONS

3. IF I OBJECT TO THE PROPOSED WORK, HOW CAN I COMMENT?

There are criteria in the MICC for which the application is reviewed. If the proposal meets the criteria required by City Code, the City must approve the permit. If the proposal does not meet the criteria, the applicant is notified and has the option to revise the proposed design. If you provide comments within the specified comment period, they will be forwarded to the appropriate reviewer, and you will become a party of record. Written comments can specifically address how the proposed work does not meet one or more of the criteria listed in the Applicable Development Regulations.

2. WHAT ARE THE CRITERIA FOR APPROVAL OF A PERMIT?

The criteria for review of a permit are found within the Mercer Island City Code and are listed in the Applicable Development Regulations section of the bulletin. Here is a link to the [City Code](#). Please feel free to call or email the staff contact listed on the front of the notice, and we will be happy to discuss the review process in more detail.

3. WILL THERE BE A PUBLIC HEARING ON THIS APPLICATION?

Public Hearings are only required for Discretionary Actions. For a list of Discretionary Actions, please refer to MICC 19.15.010(E). The public bulletin for each project will state under the Public Hearing section if a hearing is required.

4. WHO CAN I CONTACT TO GET MORE INFORMATION?

The contact information for the planner assigned to each specific project is listed on the bottom of the first page of each notice. You can call or email the planner assigned to the project using the provided contact information. You can also call the "Planner helpline" for zoning related questions at 206-275-7729. Additional resources available on-line include:

<http://www.mercergov.org/>: Staff directory, city regulations, and additional information about permits

<http://www.mybuildingpermit.com>: Follow the status of a specific permit by address or permit number

[Mercer Island Map Portal](#): A tool to search for site-specific information

5. I WANT TO ACCESS AND REVIEW SPECIFIC PROJECT DOCUMENTS.

Please click on the associated link under “Project Documents” on each Public Notice to access the folder with the project documents associated with the application. The project documents available through this link contain most, but may not contain all the publicly available information for each project. For example, when a project is updated with a different project design, older designs may be removed from the public folder to avoid confusion. Each folder will be updated when there is a project revision.

6. I WANT TO LEARN MORE ABOUT SEPA.

What is SEPA?

SEPA is an acronym for the State Environmental Policy Act and is a review that is intended to act as a “safety net” in protecting the environment. Following SEPA review, the City must issue a determination of Significance, Non Significance, or a Mitigated Determination of Non Significance. Applicants for a SEPA review must complete a SEPA [checklist](#), and may need to prepare additional mitigation to avoid a “probable significant impact” to the environment.

When is a project SEPA exempt?

The state Department of Ecology establishes categorical exemptions to SEPA review, which are generally described here: [WAC 197-11-800](#). For example, a shoreline dock may be SEPA exempt if the dock was legally established and normal maintenance and repair is proposed. However, SEPA is required if the dock will expand or if a new dock is being built.

Where can I find more information?

Please check out the Washington State Department of Ecology SEPA [website](#) and the SEPA [handbook](#). Another useful page is the SEPA form templates found [here](#).

7. I APPRECIATE RECEIVING THESE NOTICES. HOW DO I AUTOMATICALLY GET A COPY OF ALL PUBLIC NOTICE OF APPLICATIONS AND DECISIONS?

Simply send us an e-mail a request and we will email a link to any future notice of applications and decisions that are published in the city’s Weekly Permit Bulletin. Currently, the request can be sent to lauren.anderson@mercergov.org.

BUILDING PERMIT NOTICE OF APPLICATION

PUBLIC NOTICE OF APPLICATION



NOTICE IS HEREBY GIVEN that the City of Mercer Island has received the application described below:

File Nos.:	1801-080
Description of Request:	This building permit request is for a proposed 200 square foot extension to the garage and interior remodel.
Applicant / Owner:	Michael & Carolyn Tierney
Location of Property:	8902 SE 56 TH ST, Mercer Island, WA, 98040; Identified by King County Assessor tax parcel number: 6672900360
SEPA Compliance:	The proposal is categorically exempt from SEPA review per WAC 197-11-800.
Project Documents:	Please follow this file path to access the associated documents for this project: https://mieplan.mercergov.org/public/1801-080/
Written Comments:	Written comments on this proposal may be submitted to the City of Mercer Island either by email, in person, or by mail to the City of Mercer Island, 9611 SE 36th Street, Mercer Island, WA 98040-3732. Anyone may comment on the application, receive notice, and request a copy of the decision once made. Only those persons who submit written comments or participate at the public hearing (if a hearing is required) will be parties of record; and only parties of record will have the right to appeal.
Applicable Development Regulations:	Building permits are reviewed for compliance with: Title 15 – Water, Sewers, and Public Utilities Title 17 – Construction Codes Title 19 – Unified Land Development Code

A copy of these regulations may be found here:
<http://www.codepublishing.com/WA/MercerIsland/>

Environmental Documents: A copy of all studies and / or environment documents is available through the above project documents link.

Public Hearing: Pursuant to MICC 19.15.010(E) and MICC 19.15.020(F)(1), a public hearing is not required for this proposal.

Application Process Information: Date of Complete Application: January 5th, 2018
Date of Notice of Application (Comment Period): January 16th to February 15th, 2018

The application is available for review at the City of Mercer Island, Development Services Group, 9611 SE 36th Street, Mercer Island, Washington.

Project Contact:
Andrew Leon, Planner
Development Services Group
City of Mercer Island
9611 SE 36th Street
Mercer Island, WA 98040
(206) 275-7720
Andrew.Leon@mercergov.org

**LAND USE PERMIT NOTICE OF APPLICATION
AND DECISION**

PUBLIC NOTICE OF APPLICATION



NOTICE IS HEREBY GIVEN that the City of Mercer Island has received the application described below:

File Nos.:	ADU17-012
Description of Request:	A request for an Accessory Dwelling Unit Permit to allow a 469 square foot attached accessory dwelling unit to be established within an existing single family residence.
Applicant / Owner:	Luis Jimenez
Location of Property:	9208 SE 33 rd Street, Mercer Island, WA, 98040; Identified by King County Assessor tax parcel number: 140285-0030
SEPA Compliance:	This project is SEPA exempt per WAC 197-11-800(1)(b)(i).
Project Documents:	Please follow this file path to access the associated documents for this project: https://mieplan.mercergov.org/public/ADU17-012/
Written Comments:	<p>This may be the only opportunity to comment on the impacts of the proposal. Written comments on this proposal may be submitted to the City of Mercer Island either by email, in person, or by mail to the City of Mercer Island, 9611 SE 36th Street, Mercer Island, WA 98040-3732. Anyone may comment on the application, receive notice, and request a copy of the decision once made.</p> <p>Only those persons who submit written comments or participate at the public hearing (if a hearing is required) will be parties of record; and only parties of record will have the right to appeal.</p>
Public Hearing and Public Meeting:	Pursuant to MICC 19.15.010(E) and MICC 19.15.020(F)(1), a public hearing is not required for this proposal.
Applicable Development Regulations:	Applications for Accessory Dwelling Units are required to be processed as an Administrative Action pursuant to Mercer Island City Code (MICC) 19.15.010(E). Processing requirements for an Administrative Action are further detailed in MICC 19.15.020. Accessory Dwelling Unit requirements are contained in MICC 19.02.030.

**Other Associated
Permits:**

None at this time

**Environmental
Documents:**

None

**Application
Process
Information:**

Date of Application: December 1, 2017

Determined to Be Complete: January 8, 2018

Bulletin Notice: January 16, 2018

Date Mailed: January 16, 2018

Date Posted on Site: January 16, 2018

Comment Period Ends: 5:00PM on February 15, 2018

The project is available for review at the City of Mercer Island, Development Services Group, 9611 SE 36th Street, Mercer Island, Washington.

Project Contact:

Andrew Leon, Planner

Development Services Group

City of Mercer Island

9611 SE 36th Street

Mercer Island, WA 98040

(206) 275-7720

andrew.leon@mercergov.org

PUBLIC NOTICE OF DECISION



NOTICE IS HEREBY GIVEN that approval has been granted for the application described below:

- File No.:** SHL17-027
- Description:** The request is for approval of a Shoreline Exemption Permit for the repair of an existing pier by splicing five (5) piles, replacing one (1) pile and replacing one hundred fifty (150) square feet of miscellaneous 2x6 cedar deck boards.
- Applicant / Owner:** Evan Wehr (Ecco Design) / Nancy Kiviat
- Location of Property:** 8137 West Mercer Way, Mercer Island, WA, 98040;
Identified by King County Assessor tax parcel number 335850-0335
- SEPA Determination:** The proposal is categorically exempt from SEPA review per WAC 197-11-800(3).
- Applicable Development Regulations:** Pursuant to MICC 19.15.010(E), an application for a Shoreline Exemption is required to be processed as a Ministerial Action. Processing requirements for Ministerial Actions are further detailed in MICC 19.15.020. The project will be reviewed for consistency with the following sections of the Mercer Island City Code: MICC 19.07 – Environment, MICC 19.15 - Administration, and MICC 19.16 - Definitions.
- Project Documents:** Please follow this file path to access the associated documents for this project:
<https://mieplan.mercergov.org/public/SHL17-027/>
- Other Associated Permits:** A future building permit is anticipated.
- Decision:** Approved subject to conditions.
- 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 an appeal.*
- Parties of record have the right to appeal certain permit and land use decisions. In some cases, other affected parties also have appeal rights. Depending on the type of decision, the appeal may be heard by a City Hearing Examiner, Commission, Board, or City Council, or outside the City to the State Shoreline Hearings Board, the State Growth Management Hearings Board, or King County

Superior Court. For a comprehensive list of actions and the applicable entity who will hear the appeal, see MICC 19.15.010(E).

If you desire to file an appeal of a decision that is appealable to the City, you must submit the appropriate form and file it with the City Clerk **within the time stated in the Notice of Decision**. Forms are available from the Development Services Group. Upon receipt of a timely complete [appeal application](#) and [appeal fee](#), an appeal hearing will be scheduled. To reverse, modify or remand a decision, the appeal hearing body must find that there has been substantial error; the proceedings were materially affected by irregularities in procedure; the decision was unsupported by material and substantial evidence in view of the entire record; or the decision is in conflict with the City's applicable decision criteria.

**Property Tax
Revaluation:**

Affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation. For more information, please contact the King County Assessor's office at (206) 296-7300.

**Application
Process
Information:**

Date of Application: November 16, 2017
Date Determined to Be Complete: December 22, 2017
Public Comment Period: N/A
Date Notice of Decision Issued: January 16, 2018
Appeal Filing Deadline: 5:00 PM on January 30, 2018

The project is available for review at the City of Mercer Island, Development Services Group, 9611 SE 36th Street, Mercer Island, Washington.

Project Contact:

Lauren Anderson, Assistant Planner
Development Services Group
City of Mercer Island
9611 SE 36th Street
Mercer Island, WA 98040
(206) 275-7704
lauren.anderson@mercergov.org

PUBLIC NOTICE OF DECISION



NOTICE IS HEREBY GIVEN that approval has been granted for the application described below:

- File No.:** SHL17-028
- Description:** The request is for approval of a Shoreline Exemption Permit for the repair of an existing pier and dolphin.
- Applicant / Owner:** Evan Wehr (Ecco Design) / Jonathan Burdick
- Location of Property:** 4030 E Mercer Way, Mercer Island, WA, 98040;
Identified by King County Assessor tax parcel number 4131900020
- SEPA Determination:** The proposal is categorically exempt from SEPA review per WAC 197-11-800(3).
- Applicable Development Regulations:** Pursuant to MICC 19.15.010(E), an application for a Shoreline Exemption is required to be processed as a Ministerial Action. Processing requirements for Ministerial Actions are further detailed in MICC 19.15.020. The project will be reviewed for consistency with the following sections of the Mercer Island City Code: MICC 19.07 – Environment, MICC 19.15 - Administration, and MICC 19.16 - Definitions.
- Project Documents:** Please follow this file path to access the associated documents for this project:
<https://mieplan.mercergov.org/public/SHL17-028/>
- Other Associated Permits:** A future building permit is anticipated.
- Decision:** Approved subject to conditions.
- 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 an appeal.*
- Parties of record have the right to appeal certain permit and land use decisions. In some cases, other affected parties also have appeal rights. Depending on the type of decision, the appeal may be heard by a City Hearing Examiner, Commission, Board, or City Council, or outside the City to the State Shoreline Hearings Board, the State Growth Management Hearings Board, or King County

Superior Court. For a comprehensive list of actions and the applicable entity who will hear the appeal, see MICC 19.15.010(E).

If you desire to file an appeal of a decision that is appealable to the City, you must submit the appropriate form and file it with the City Clerk **within the time stated in the Notice of Decision**. Forms are available from the Development Services Group. Upon receipt of a timely complete [appeal application](#) and [appeal fee](#), an appeal hearing will be scheduled. To reverse, modify or remand a decision, the appeal hearing body must find that there has been substantial error; the proceedings were materially affected by irregularities in procedure; the decision was unsupported by material and substantial evidence in view of the entire record; or the decision is in conflict with the City's applicable decision criteria.

**Property Tax
Revaluation:**

Affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation. For more information, please contact the King County Assessor's office at (206) 296-7300.

**Application
Process
Information:**

Date of Application: November 22, 2017
Date Determined to Be Complete: December 18, 2017
Public Comment Period: N/A
Date Notice of Decision Issued: January 16, 2018
Appeal Filing Deadline: 5:00 PM on January 30, 2018

The project is available for review at the City of Mercer Island, Development Services Group, 9611 SE 36th Street, Mercer Island, Washington.

Project Contact:

Robin Proebsting, Senior Planner
Development Services Group
City of Mercer Island
9611 SE 36th Street
Mercer Island, WA 98040
(206) 275-7717
robin.proebsting@mercergov.org

PUBLIC NOTICE OF APPLICATION



NOTICE IS HEREBY GIVEN that the City of Mercer Island has received the application described below:

File No.: WCF17-007

Description of Request: A request for approval of a wireless communications facility (WCF) permit to modify an existing WCF. The applicants propose to install 3 panel antennas and 18 coaxial cables on the exterior of an existing 130-foot tall stealth pole currently used as a WCF.

Applicant/ Owner: Marla Gutzwiler (of Gutzwiler Consulting, LLC) representing Verizon Wireless/ Puget Sound Energy

Location of Property: 8477 SE 68th Street, Mercer Island, WA, 98040
Identified by King County Assessor tax parcel number: 302405-9095

SEPA Compliance: The proposal is categorically exempt from the State Environmental Policy Act (SEPA) per MICC 19.07.120(D), MICC 1907.120(J)(2), and WAC 197-11-800(25)(a)(i).

Project Documents: Please follow this file path to access the associated documents for this project: <https://mieplan.mercergov.org/public/WCF17-007/>

Written Comments: **This may be the only opportunity to comment on the impacts of the proposal.** Written comments on this proposal may be submitted to the City of Mercer Island either by email, in person, or by mail to the City of Mercer Island, 9611 SE 36th Street, Mercer Island, WA 98040-3732. Anyone may comment on the application, receive notice, and request a copy of the decision once made.

Only those persons who submit written comments or participate at the public hearing (if a hearing is required) will be parties of record; and only parties of record will have the right to appeal.

Public Hearing: Pursuant to MICC 19.15.010(E) and MICC 19.15.020(F)(1), a public hearing is not required for this proposal.

Applicable Development: The application will be reviewed for consistency with the approval of criteria in Mercer Island City Code (MICC) section 19.06.040. MICC 15.15.010(E)

Regulations: requires that the wireless communications facility application be processed as an Administrative Action with public notice. Processing requirements for Administrative Actions are further detailed in MICC 19.15.020. The project is being reviewed in compliance with RCW 43.21C, WAC 197-11, and the following chapters of the MICC: 19.05, 19.07, 19.08, 19.09, and 19.10.

Other Associated Permits: A future building permit is anticipated.

Environmental Documents: A copy of all studies and / or environmental documents is available through the above project documents link.

Application Process Information: Date of Application: October 9, 2017
Determined to Be Complete: January 4, 2018
Bulletin Notice: January 16, 2018
Date Mailed: January 16, 2018
Date Posted on Site: January 16, 2018
Comment Period Ends: 5:00PM on February 15, 2018

The application on file on this matter are available for review at the City of Mercer Island, Development Services Group, 9611 SE 36th Street, Mercer Island, Washington. Written comments and/or requests for additional information should be referred to:

Andrew Leon, Planner
Development Services Group
City of Mercer Island
9611 SE 36th Street
Mercer Island, WA 98040
(206) 275-7720
andrew.leon@mercergov.org

PUBLIC NOTICE OF APPLICATION



NOTICE IS HEREBY GIVEN that the City of Mercer Island has received the application described below:

File Nos.:	WCF17-009
Description of Request:	A request for a Wireless Communication Facility Permit to construct a 2-story high, 11-foot by 17-foot equipment shelter building, as part of an existing wireless communications facility. This WCF is located within a Puget Sound Energy substation. The exterior of the building will be clad to match the fire station on the abutting property to the west.
Applicant/ Owner:	Gary Abrahams on behalf of T-Mobile / Puget Sound Energy
Location of Property:	8477 SE 68 th Street, Mercer Island, WA, 98040; Identified by King County Assessor tax parcel number: 3024059095
SEPA Compliance:	This proposal is categorically exempt from SEPA pursuant to WAC 197-11-800(25)(a)(i).
Project Documents:	Please follow this file path to access the associated documents for this project: https://mieplan.mercergov.org/public/WCF17-009/
Written Comments:	<p>This may be the only opportunity to comment on the impacts of the proposal. Written comments on this proposal may be submitted to the City of Mercer Island either by email, in person, or by mail to the City of Mercer Island, 9611 SE 36th Street, Mercer Island, WA 98040-3732. Anyone may comment on the application, receive notice, and request a copy of the decision once made.</p> <p>Only those persons who submit written comments or participate at the public hearing (if a hearing is required) will be parties of record; and only parties of record will have the right to appeal.</p>
Public Hearing and Public Meeting:	Pursuant to MICC 19.15.010(E) and MICC 19.15.020(F)(1), a public hearing is not required for this proposal.

**Applicable
Development
Regulations:**

The application will be reviewed for consistency with the approval of criteria in Mercer Island City Code (MICC) section 19.06.040. MICC 19.15.010(E) requires that the wireless communications facility application be processed as an Administrative Action with public notice. Processing requirements for Administrative Actions are further detailed in MICC 19.15.020. The project is being reviewed in compliance with RCW 43.21C, WAC 197-11, and the following chapters of the MICC: 19.05, 19.07, 19.08, 19.09, and 19.10.

**Other Associated
Permits:**

A future building permit is anticipated.

**Environmental
Documents:**

A copy of all studies and / or environmental documents is available through the above project documents link.

**Application
Process
Information:**

Date of Application: November 12, 2017
Determined to Be Complete: January 12, 2018
Bulletin Notice: January 16, 2018
Date Mailed: January 16, 2018
Date Posted on Site: January 16, 2018
Comment Period Ends: 5:00PM on February 13, 2018

The project is available for review at the City of Mercer Island, Development Services Group, 9611 SE 36th Street, Mercer Island, Washington.

Project Contact:

Nicole Gaudette, Senior Planner
Development Services Group
City of Mercer Island
9611 SE 36th Street
Mercer Island, WA 98040
(206) 275-7719

nicole.gaudette@mercergov.org

RE-NOTICE OF SMALL CELL APPLICATION



NOTICE IS HEREBY GIVEN that the City of Mercer Island has received the application described below:

Site No. MIS05

Description of Request: The City of Mercer Island is providing notice of a private proposal to install one small cell facilities on Puget Sound Energy ("PSE") poles throughout the City. Each location requires issuance of a Right-of-Way permit by the City in accordance with a franchise agreement (Ordinance 16-12) approved by the City Council on December 5, 2016 with WA-CLEC LLC, d/b/a Crown Castle.

MIS 05 was noticed on December 16, 2016; following the original notice and subsequent approval the applicant has proposed to revise the location, please refer to the address listed below.

More information provided by the applicant is available here:
www.crowncastle.com/projects/mercer-island-wa.aspx

Applicant: WA-CLEC LLC, d/b/a Crown Castle, representing T-Mobile

Utility Pole Owner: Puget Sound Energy ("PSE")

Address of Nearest Property to the Proposed Small Cell: Pole is located on the corner of SE 78th Street and 78th Avenue SE, near 7753 78th Avenue SE, Mercer Island, WA 98040

Project Documents: Please follow this file path to access the associated documents for this project: <https://mieplan.mercergov.org/public/MIS05/>

Applicable Development Regulations: The application will be reviewed for consistency with applicable Right-of-Way Permit requirements in Chapter 19.09 Mercer Island City Code (MICC) and small cell requirements in Sections 5 and 6 of the franchise agreement.

Written Comments: Comments will be accepted on whether or not the proposed small cell facility effectively complies with the Right-of-Way permit and the franchise agreement requirements and criteria (as noted below). **The City cannot consider comments requesting changes to the requirements or criteria themselves.**

Written comments on this proposal may be submitted to the City of Mercer Island **on or before Monday, September 25, 2017 at 5:00 p.m.** by email to evan.maxim@mercergov.org, in person, or mailed to the City of Mercer Island, 9611 SE 36th Street, Mercer Island, WA 98040-3732. Please include the site number listed above in your comments.

Anyone may comment on the application, receive notice, and request a copy of the decision once made. Only those persons who submit written comments will be parties of record; and only parties of record will receive a notice of the decision and have the right to appeal the City staff's decision on the right-of-way permit.

Associated Permits: Right-of-Way Permit 1701-139

Application Date of Right-of-Way Application: June 3, 2016
Process Date Franchise Agreement Approved: December 5, 2016
Information: First Notice Mailing Date: December 16, 2016
First Notice Comment Period Ended: 5:00PM on January 6, 2017
Re-Notice Mailing Date: Tuesday January 16, 2018
Re-Notice Comment Period Ends: 5pm on January 30, 2018

The small cell franchise agreement between the City of Mercer Island and WA-CLEC LLC, d/b/a Crown Castle is available online at www.mercergov.org/files/ORD16-12.pdf. The franchise agreement and the associated right-of-way permits are also available for review at the City of Mercer Island, Development Services Group, 9611 SE 36th Street, Mercer Island, Washington.

Written comments and/or requests for additional information should be referred to:

Evan Maxim, Planner Manager
Development Services Group
City of Mercer Island
9611 SE 36th Street
Mercer Island, WA 98040
(206) 275-7732
Evan.maxim@mercergov.org

RE-NOTICE OF SMALL CELL APPLICATION



NOTICE IS HEREBY GIVEN that the City of Mercer Island has received the application described below:

Site No. MIS17

Description of Request: The City of Mercer Island is providing notice of a private proposal to install one small cell facilities on Puget Sound Energy ("PSE") poles throughout the City. Each location requires issuance of a Right-of-Way permit by the City in accordance with a franchise agreement (Ordinance 16-12) approved by the City Council on December 5, 2016 with WA-CLEC LLC, d/b/a Crown Castle.

MIS 17 was noticed on December 16, 2016; following the original notice the applicant has proposed to revise the location, please refer to the address listed below.

More information provided by the applicant is available here:
www.crowncastle.com/projects/mercer-island-wa.aspx

Applicant: WA-CLEC LLC, d/b/a Crown Castle, representing T-Mobile

Utility Pole Owner: Puget Sound Energy ("PSE")

Address of Nearest Property to the Proposed Small Cell: Pole is located on the corner of SE 67th Street and 80th Avenue SE, near 7970 SE 67th Street, Mercer Island, WA 98040

Project Documents: Please follow this file path to access the associated documents for this project: <https://mieplan.mercergov.org/public/MIS17/>

Applicable Development Regulations: The application will be reviewed for consistency with applicable Right-of-Way Permit requirements in Chapter 19.09 Mercer Island City Code (MICC) and small cell requirements in Sections 5 and 6 of the franchise agreement.

Written Comments: Comments will be accepted on whether or not the proposed small cell facility effectively complies with the Right-of-Way permit and the franchise agreement requirements and criteria (as noted below). **The City cannot consider comments requesting changes to the requirements or criteria themselves.**

Written comments on this proposal may be submitted to the City of Mercer Island **on or before Monday, September 25, 2017 at 5:00 p.m.** by email to evan.maxim@mercergov.org, in person, or mailed to the City of Mercer Island, 9611 SE 36th Street, Mercer Island, WA 98040-3732. Please include the site number listed above in your comments.

Anyone may comment on the application, receive notice, and request a copy of the decision once made. Only those persons who submit written comments will be parties of record; and only parties of record will receive a notice of the decision and have the right to appeal the City staff's decision on the right-of-way permit.

Associated Permits: Right-of-Way Permit 1701-139

Application Date of Right-of-Way Application: June 3, 2016
Process Date Franchise Agreement Approved: December 5, 2016
Information: First Notice Mailing Date: December 16, 2016
First Notice Comment Period Ended: 5:00PM on January 6, 2017
Re-Notice Mailing Date: Tuesday January 16, 2018
Re-Notice Comment Period Ends: 5pm on January 30, 2018

The small cell franchise agreement between the City of Mercer Island and WA-CLEC LLC, d/b/a Crown Castle is available online at www.mercergov.org/files/ORD16-12.pdf. The franchise agreement and the associated right-of-way permits are also available for review at the City of Mercer Island, Development Services Group, 9611 SE 36th Street, Mercer Island, Washington.

Written comments and/or requests for additional information should be referred to:

Evan Maxim, Planner Manager
Development Services Group
City of Mercer Island
9611 SE 36th Street
Mercer Island, WA 98040
(206) 275-7732
Evan.maxim@mercergov.org

FREQUENTLY ASKED QUESTIONS



1. WHY DID I RECEIVE THIS NOTICE?

On December 5, 2016 the Mercer Island City Council adopted Ordinance No. 16-12 approving a small cell franchise agreement between the City of Mercer Island and WA-CLEC LLC, d/b/a Crown Castle. The franchise agreement requires a notice of application be sent to all property owners within 150-feet of the proposed small cell facility

2. WHAT IS A SMALL CELL?

The Federal Communications Commission (“FCC”) describes small cells as low-powered and low profile wireless base stations that function like cells in a mobile wireless network and typically cover targeted indoor or localized outdoor areas. Wireless providers use small cells to provide connectivity to consumers in areas where the coverage and capacity of traditional cell towers (or macrocells) are challenged by terrain or buildings. Small cells transmit at much lower signal power levels than traditional cell towers and antenna arrays on buildings.

3. WHO IS WA-CLEC, LLC AND CROWN CASTLE?

WA-CLEC, LLC, is a wholly-owned indirect subsidiary of Crown Castle International Corp (“Crown Castle”). Crown Castle is a telecommunications infrastructure company that designs, develops, operates, upgrades, maintains and owns fiber-fed small cell networks and represents T-Mobile in these applications.

4. IF I OBJECT TO THE APPLICATION, WILL IT BE DENIED?

There are specific locational priorities and design criteria outlined in the Franchise Agreement adopted by City Ord. No. 16-12 for which each small cell application must be reviewed. Each proposal must also comply with the right-of-way permit requirements outlined under Chapter 19.09 MICC. If the application meets those aforementioned requirements and criteria required by the right-of-way permit and the franchise agreement, the City is legally obligated to approve the permit.

5. WHAT ARE THE CRITERIA FOR APPROVAL OF A PERMIT?

The criteria for review of each proposed small cell facility are contained in Exhibit A of City Ordinance No. 16-12 (*City of Mercer Island Small Cell Facilities Franchise Agreement By and Between the City of Mercer Island And WA – CLEC LLC, d/b/a Crown Castle.*) Specific criteria can be found in Section 5. *Approval of Small Cell Facilities* and Section 6. *Construction of Facilities Requirements*. There is a link to the small cell facilities franchise agreement at www.mercergov.org/files/ORD16-12.pdf. Please feel free to contact the City staff person listed on the second page of this notice if you have questions about this proposal or the review criteria.

4. WILL THERE BE A PUBLIC HEARING ON THIS APPLICATION?

No, a public hearing is not required for Right-of-Way Permits. If you wish to comment on the proposal, please send written comments to the City of Mercer Island contact listed on the second page of this notice. Comments must be received within the specified comment period stated above.

5. WHAT IF I DISAGREE WITH THE PERMIT DECISION?

An appeal of the right-of-way permit can be filed by anyone who has submitted written comments on the application during the comment period stated above. Many concerns can be addressed prior to issuance of the permit. It is the City’s goal to work with applicants and neighbors to resolve potential concerns.

6. WHO CAN I CONTACT TO GET MORE INFORMATION?

Please contact the planner assigned to this specific project, listed on the bottom left of the second page of this notice.