
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.:	1804-019
Description of Request:	A request for a building permit to add an additional bedroom and bath on the main floor on the north side of the existing residence (approximately 198 sq. ft)
Applicant / Owner:	David Sheldon
Location of Property:	7627 SE 22 ND Street, Mercer Island, WA, 98040; Identified by King County Assessor tax parcel number:5315101856
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/1804-019/
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/>

- Other Associated Permits:** A future stormwater, ROW use, tree, sewer, demolition, water meter, temporary power may be required at a later date.
- 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: March 28th, 2018
Date of Notice of Application (Comment Period): April 9th, 2018 through May 9th 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**

RE-NOTICE OF SMALL CELL APPLICATION



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

Site No. MIS 18A (Permit #1803-234)

Description of Request: The City of Mercer Island is providing notice of a private proposal to install up to 39 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. **This notice is for 1 of the 39 proposed small cell facilities as located at the address below.**

The applicant has revised the proposed small cell site location and design; PSE has received an application to underground the original pole location for the small cell site originally known as MIS 18.

The proposed new small cell is located on the north side of the intersection of 78th Avenue SE and 77th Avenue SE. The proposed pole is 25 feet tall and is topped by a 2-foot antenna for a total height of 27 feet. Additional details, including a rendering are available using the “Project Documents” link, below. This site has been re-noticed to allow for additional public comment.

More information provided by the applicant is available here:

www.crowncastle.com/projects/mercercastle-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: 6065 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/Small_Cell_ROW_Use/Permits/1803-234 MIS18A](https://mieplan.mercergov.org/Public/Small_Cell_ROW_Use/Permits/1803-234_MIS18A)

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, April 23, 2018 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 **on or before Monday, April 23, 2018, at 5:00 p.m.** 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.

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

Date of Right-of-Way Application: March 13, 2018
Date Franchise Agreement Approved: December 5, 2016
Initial Comment Period Ends: 5:00PM on April 10, 2018
Initial Mailing Date: March 27, 2018
Second Comment Period Ends: 5:00PM on April 23, 2018
Second Mailing Date: April 9, 2018

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.