
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.:	1709-128
Description of Request:	A request for a building permit for a proposed new single family residence. The proposed home is two levels with a gross floor area of about 3,600 square feet.
Applicant / Owner:	Josh Thurman, TDG Development Group / Siting Chen & Xiaoliu Li
Location of Property:	4009 97 th Ave SE, Mercer Island, WA, 98040; Identified by King County Assessor tax parcel number: 5456000010
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/1709-128/
Written Comments:	<p>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>
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
Other Associated Permits:	A copy of these regulations may be found here: http://www.codepublishing.com/WA/MercerIsland/ 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: April 10, 2018
Date of Notice of Application (Comment Period): April 23, 2018 through May 23rd, 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

PUBLIC NOTICE OF APPLICATION



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

File Nos.:	1803-056
Description of Request:	A request for a building permit for a proposed new single family residence. The proposed home is two levels plus an ADU in basement with an attached 2 car garage. Total gross floor area of about 4400 square feet.
Applicant / Owner:	Tim Hammar / Jeff Kapsner
Location of Property:	9301 SE 43 RD ST, Mercer Island, WA, 98040; Identified by King County Assessor tax parcel number: 5459900040
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/1803-056/
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: April 11th, 2018 Date of Notice of Application (Comment Period): April 23 rd , 2018 through May 23 rd , 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:

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 Nos.:	1804-138
Description of Request:	A request for a building permit for a proposed 143 sq ft mud room addition and new covered porch.
Applicant / Owner:	Craig Stillwell / Douglas & Leeann Steding
Location of Property:	2010 72nd Ave SE, Mercer Island, WA, 98040; Identified by King County Assessor tax parcel number:5315100203
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/1804-138/
Written Comments:	<p>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>
Applicable Development Regulations:	<p>Building permits are reviewed for compliance with:</p> <ul style="list-style-type: none">Title 15 – Water, Sewers, and Public UtilitiesTitle 17 – Construction CodesTitle 19 – Unified Land Development Code <p>A copy of these regulations may be found here: http://www.codepublishing.com/WA/MercerIsland/</p>
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: April 16th, 2018
Date of Notice of Application (Comment Period): April 23rd, 2018 through May 23rd, 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:

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

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

REVISED NOTICE OF SMALL CELL APPLICATION



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

Site No. MIN 07 (Permit #1701-166)

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 submitted a revised small cell design and location on April 13, 2018, relocating the proposed small cell facility to an alternate PSE pole, located approximately 80 feet to the southwest of the original location. The proposed small cell facility will be approximately 10 feet shorter than the original proposed facility.

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: 2825 West Mercer Way, 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/1701-166_MIN07

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, May 7, 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, May 7, 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: June 3, 2016
Date Franchise Agreement Approved: December 5, 2016
Comment Period Ends: 5:00PM on January 6, 2017
Initial Notice Date: December 16, 2016
Revised Notice of Application Date: April 23, 2018
Revised Comment Period Ends: 5:00PM on May 7, 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.

REVISED NOTICE OF SMALL CELL APPLICATION



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

Site No. MIN15 (Permit #1701-141)

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 submitted a revised small cell design on April 13, 2018, reducing the height of the proposed small facility and PSE replacement pole.

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: 3726 Gallagher Hill Road, 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/1701-141_MIN15

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, May 7, 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, May 7, 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: June 3, 2016
Date Franchise Agreement Approved: December 5, 2016
Comment Period Ends: 5:00PM on January 6, 2017
Initial Notice Date: December 16, 2016
Revised Notice of Application Date: April 23, 2018
Revised Comment Period Ends: 5:00PM on May 7, 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.



DETERMINATION OF NON-SIGNIFICANCE (DNS)

Application Nos.: **SEP18-002**

Description of proposal: **Review under the State Environmental Policy Act (SEPA) for the mitigation of an incised pipe outfall at the head of a seasonal watercourse. The project involves the enhancement and stabilization of about 80 feet of the eroded watercourse and banks with stream bed materials, woody debris, and native plants.**

Proponent/Owner: **Fred Gu (City of Mercer Island)**

Location of proposal: **4690 91st Ave SE, Mercer Island WA 98040;**

Lead agency: **City of Mercer Island**

Project Documents: **Please follow this file path to access the associated documents for this project: <https://mieplan.mercergov.org/public/SEP18-002>**

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist. This information is available to the public on request.

_____ There is no comment period for this DNS.

✓
_____ This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.

_____ This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date below. Comments must be submitted by _____.

Responsible Official: Andrew Leon, Planner
City of Mercer Island
9611 SE 36th Street
Mercer Island, WA 98040
Phone: (206) 275-7704
Email: andrew.leon@mercergov.org

Date: **April 23, 2018**

Signature:

APPEAL INFORMATION

This decision to issue a Determination of Non-significance (DNS) rather than to require an EIS may be appealed pursuant to Section 19.07 of the Mercer Island Unified Land Development Code, Environmental procedures.



Any party of record may appeal this determination to the City Clerk at 9611 SE 36th Street Mercer Island, WA 98040 no later than **5:00 PM on Monday May 7, 2018** by filing a timely and complete appeal application and paying the appeal fee. You should be prepared to make specific factual objections. Contact the City Clerk to read or ask about the procedures for SEPA appeals. To reverse, modify or remand this 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.

There is no agency appeal.

PUBLIC NOTICE OF DECISION



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

- File No.:** SUB17-017
- Description:** The applicant has requested a lot line revision between two properties.
- Applicant / Owner:** Andy McAndrews (Terrane) / Dale & Sheila Shirley and Marlene Wallace
- Location of Properties:** 3623 90th Ave SE, Mercer Island, WA 98040, identified by King County Assessor tax parcel number 502190-0395 (Parcel A)
3633 90th Ave SE, Mercer Island, WA 98040, identified by King County Assessor tax parcel number 502190-0400 (Parcel B)
- SEPA Determination:** The proposal is categorically exempt from SEPA review per WAC 197-11-800(6)(f).
- Applicable Development Regulations:** Pursuant to MICC 19.15.010(E), an application for a lot line revision is required to be processed as a Ministerial Action. Processing requirements for Ministerial Actions are further detailed in MICC 19.15.020. The project has been reviewed for consistency with the following sections of the Mercer Island City Code: MICC 19.08 – Subdivisions, 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/SUB17-017/>
- Other Associated Permits:** None at this time.
- 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: December 26, 2017
Date Determined to Be Complete: January 19, 2018
Public Comment Period: N/A
Date Notice of Decision Issued: April 23, 2018
Appeal Filing Deadline: 5:00 PM on Monday May 7, 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