



**CITY OF MERCER ISLAND
DESIGN COMMISSION
STAFF REPORT**

**Agenda Item: 1
May 27, 2015**

Project Nos.:	DSR15-014 and SEP15-011
Project Name:	Hines Mixed-Use Development
Description:	A request for preliminary design review of a major new construction consisting of a five-story mixed-use building with a total area of approximately 397,185 square feet; 196 residential units; 15,938 square feet of proposed commercial space; 518 parking stalls, a public plaza; and an east-west pedestrian connection.
Applicant:	Evan Kaseguma of Hines
Site Addresses:	2728 and 2750 77 th Avenue SE and 2885 78 th Avenue SE, Mercer Island WA 98040; Identified by King County Assessor Tax Parcel Identification numbers 531510-1326, 531510-1316, and 531510-1325
Zoning District:	Town Center (TC)
Exhibits:	<ol style="list-style-type: none">1. Design Package prepared by Runberg Architecture Group and received by the City of Mercer Island Development Services Group on May 4, 20152. Plan set prepared by Runberg Architecture Group and received by the City of Mercer Island Development Services Group on April 15 20153. Development Application Cover Sheet received by the City of Mercer Island Development Services Group on April 15, 20154. State Environmental Policy Act (SEPA) Checklist received by the City of Mercer Island Development Services Group on April 15, 20155. Preliminary Transportation Summary prepared by TranspoGroup and received by the City of Mercer Island Development Services Group on May 11, 20156. Geotechnical Engineering Design Report prepared by HartCrowser and received by the City of Mercer Island Development Services Group on May 15, 20157. Public Notice of Application issued by the City of Mercer Island Development Services Group on May 11, 2015
Staff Contact:	Shana Restall, Principal Planner City of Mercer Island Development Services Group 9611 SE 36 th Street Mercer Island, WA 98040 (206) 275-7732 shana.restall@mercergov.org

I. SUMMARY

The applicant, Evan Kaseguma of Hines, is seeking preliminary Design Commission approval of a new five-story mixed-use building inside the Town Center zone located at 2728 and 2750 77th Avenue SE and 2885 78th Avenue SE. The proposed development would include approximately 196 apartment units; 15,938 square feet of proposed commercial space; 518 parking stalls, a public plaza; and an east-west pedestrian connection. The existing site is comprised of three separate parcels that presently feature retail and service uses along with associated parking.

The site is bordered on the west, south, and east by public rights-of-way – 77th Avenue SE, SE 29th Street, and 78th Avenue SE. The site is bounded to the north by a McDonald's restaurant. Access to the site is presently located off of 77th Avenue SE, 78th Avenue SE, and SE 29th Street (Page 1, Exhibit 2).

The applicant has participated in two study sessions to allow for the Design Commission to provide guidance and direction to the applicant. The first study session was held on November 13, 2013 and the second study session took place on December 10, 2014. No formal action was taken during either study session.

Public Notice of the Application and State Environmental Policy Act (SEPA) Determination of Nonsignificance (DNS) Likely was published in the City's Weekly Permit Bulletin, mailed to parties within 300 feet of the subject site, and posted on the subject property on May 11, 2015 (Exhibit 7). A 15-day public comment period that extended from May 11, 2015 through 5:00 PM on May 26, 2015 was provided with the Notice of Application. At the time this staff report was completed, no comment letters had been received from the public. The date and time of the public meeting was included within the Notice of Application. Additional notice will be provided when the open record hearing for final design review is scheduled. Additionally, parties of record will receive a copy of the SEPA threshold determination when it is issued.

II. CRITERIA FOR REVIEW AND STAFF ANALYSIS

Pursuant to MICC 19.15.010(E), 19.15.040(F)(1)(b), and 19.15.040(F)(1)(c), major new construction inside of the Town Center is subject to review by the Design Commission. The sections in italics are applicable design criteria followed by staff findings of the criteria in bold.

MICC 19.11.010(B). General Intent of Design and Development Standards.

1. Urban Design Vision.

a. Scale and Form. The urban design vision for the Town Center is intended to support an environment that is convenient and accessible to the pedestrian, motorist and public transit user. Building designs that are urban in character and oriented to the pedestrian are encouraged. Development should enhance the Town Center as a vibrant, healthy, mixed use downtown that serves as the city's retail, business, social, cultural and entertainment center and ensures the commercial and economic vitality of the area. New development should increase the attractions and pedestrian amenities that bring residents to the Town Center, including local shopping, services, offices, specialty retail, restaurants, residences, festivals, special events, and entertainment. Outdoor spaces should function as social settings for a variety of experiences, adding to the comfort and complexity of life in an urban environment, while maintaining a human scale and ability for easy pedestrian circulation.

Staff Findings: The proposed development would increase the function, positive experience, and comfort of residents and motorists utilizing the services provided at the subject site. The proposal would maintain human scale and pedestrian circulation.

b. Site Features. New development should include public amenities, such as storefronts with canopies, street trees, seating, fountains or water features, outdoor cafes, sculpture or other forms of art, and places for gathering and lingering. The use of materials, color, texture, form and massing, proportion, public amenities, mitigation of environmental impacts, landscaping and vegetation, and architectural detail should be incorporated in the design of new development with the purpose of supporting a human scale, pedestrian-oriented Town Center. New development shall be coordinated and consistent with the downtown street plan.

Staff Findings: The development is proposing new public amenities such as storefronts with canopies, street trees, seating, and places for gathering. The proposed building will support a human scale, pedestrian-oriented Town Center. The proposed development is coordinated and consistent with the downtown street plan.

c. Pedestrian Orientation. Pedestrian-oriented and customer intensive retail businesses and offices are encouraged to locate on the ground floor level in the gateway, mixed use, and mid-rise office focus areas to promote active use of sidewalks by pedestrians, thus increasing the activity level and economic viability of the Town Center. New development should also enhance and support a range of transportation choices and be designed to maximize opportunities for alternative modes of transportation and maintain individual mobility. Even with a healthy variety of development in the Town Center, each individual development or redevelopment project shall favor the pedestrian over the automobile in terms of site design, building placement and parking locations.

Staff Findings: The proposed mixed use development will be located in the Mixed Use focus area. The development is within the immediate vicinity of bus stops, and the applicant will be required to provide bicycle facilities. There is a public plaza proposed. The entrances to the garage are not on the front façade.

e. Design and Development Standards. The design and development standards that follow are intended to enhance the Town Center for the pedestrian and develop a sense of place. To accomplish this vision, new development is encouraged to orient buildings toward the public right-of way with buildings brought forward to the sidewalk edge; place parking behind buildings and in less visible areas or underground; design structures with varied mass and scale, modulation of heights and wall planes; and develop new or enhanced pedestrian mid-block connections that will break up very large or long blocks for improved pedestrian and vehicular circulation from one side of the block through to the other side.

Staff Findings: The proposed building will be oriented towards the corner of SE 29th Street and 78th Avenue SE and will be brought to the edge of either the sidewalk or the public plaza. The parking will be inside a garage that will be below the commercial and residential levels. The proposed building will also have varied mass and scale with modulation of heights and wall planes. The proposal includes an east-west mid-block connection to improve pedestrian circulation.

2. Scale. *The design of all structures shall consider how the structure and site development will be viewed from the street and adjacent properties. Scale is not simply the size of the buildings, it is the proportion of buildings in relationship to each other, to the street and to the pedestrian environment.*

Staff Findings: The proposed structure will in proportion with nearby buildings, particularly the Avellino Apartments across 78th Avenue SE from the proposed site and Island Market Square, which is one block northeast.

3. Form. *Building forms shall not present visual mass or bulk impacts that are out of proportion to the adjoining structures, or that appear from the street or sidewalk as having unmodulated visual mass or*

bulk. Building additions should complement the original structure in design.

Staff Findings: The proposed building incorporates substantial articulation, which minimizes visual mass or bulk impacts that are out of proportion to the adjoining structures in the Town Center. The proposed structure does not appear from the street or sidewalk as having unmodulated visual mass or bulk.

4. Style. *The objectives and standards do not set a particular style of architecture or design theme. The style and site design shall be pedestrian in scale and address design features such as sloped roof lines; view protection; distinctive building shapes; integration of art; textures; patterns; treatment of pedestrian and public spaces; interface with the public right-of-way; landscaping; signage and facade treatments.*

Staff Findings: The proposed development is pedestrian in scale, as it provides a plaza at street level with pedestrian space that interfaces with all three adjacent public rights-of-way. Articulation created by proposed canopies and the decks of the upper stories also contributes to the pedestrian scale (Page 47, Exhibit 1).

MICC 19.11.020(C) Required Ground Floor Uses.

1. Street Classifications. *Within the Town Center, there shall be two types of street classifications as shown in Exhibit 2 with the following required ground floor use:*

Classification	Location	Ground Floor Use Requirement
Type 1 Street	All of SE 27th St. All of SE 29th St. SE 28th St. west of 80th Ave. SE All of 77th Ave. SE All of 78th Ave. SE 76th Ave. SE north of SE 27th St. SE 32nd St. west of 78th Ave. SE	<ol style="list-style-type: none"> 1. If public parking is provided pursuant to MICC 19.11.110(B)(6), then the following applies: <ol style="list-style-type: none"> a. 40% or more of the ground floor street shall be occupied by one or more of the following permitted uses: retail, restaurant or personal services. b. No more than 60% of the ground floor street shall be occupied by one or more of the following permitted uses: hotel/motel; public facilities; services; or office. c. Driveways, service and truck loading areas, parking garage entrances and lobbies shall not be included in calculating the required percentages of ground floor use. 2. If public parking is not provided pursuant to MICC 19.11.110(B)(6), then the following applies: <ol style="list-style-type: none"> a. 60% or more of the ground floor street shall be occupied by one or more of the following permitted uses: retail, restaurant, or personal services. b. No more than 40% of the ground floor street shall be occupied by one or more of the following permitted uses: hotel/motel; public facilities; services; or office. c. Driveways, service and truck loading areas, parking garage entrances and lobbies shall not be included in calculating the required percentages of ground floor use. d. There shall be no net loss to the square footage of existing ground floor retail and restaurant, in the aggregate, based upon the maximum retail and restaurant square footage existing during the immediately preceding three years on the site.
Type 2 Street	All of Sunset Highway 76th Ave. SE south of SE 27th St. All of 80th Ave. SE SE 32nd St. east of 78th Ave. SE All of SE 30th St.	If public parking is not provided pursuant to MICC 19.11.110(B)(6) , then there shall be no net loss to the square footage of existing ground floor retail and restaurant, in the aggregate, based upon the maximum retail and restaurant square footage existing during the immediately preceding three years on the site.

Staff Findings: The proposal fronts onto three streets classified as “Type 1” and the applicant is proposing public parking. Therefore, the development will be subject to the requirements in MICC 19.11.020(C)(1). These provisions are enforced after the building is constructed. However, the applicant is showing adequate street frontage designated for commercial space to meet the above requirements.

2. Minimum Depth and Width for Retail Uses. *All ground floor retail shall be a minimum depth of 20 feet measured from the wall abutting the street frontage to the rear wall of the retail use and a minimum width of 20 feet measured from the interior walls of the retail use.*

Staff Findings: The retail spaces illustrated on Page 2 30 and 31 of Exhibit 1 will be at least 20 feet deep and 20 feet wide.

MICC 19.11.020(D) Accessory Uses.

1. Outdoor Storage and Display of Merchandise. *The total area allowed for outdoor storage and/or merchandise display shall be less than five percent of the total gross square footage of the use; provided, however, that such area may exceed five percent if it is fenced, screened and located in a manner acceptable to the design commission. This standard does not apply to temporary uses such as material storage during construction or street vendors.*

Staff Findings: This provision does not currently apply, as the applicant has not requested to outdoor storage and display of merchandise.

2. Commerce on Public Property. *Commerce on public property may be allowed pursuant to MICC 19.06.050.*

Staff Findings: This provision does not currently apply, as the applicant has not requested to conduct commerce on public property.

3. Transit Facilities. *Bus parking/loading space, and shelters and facilities for transit users should be integrated in the design of major new construction. Plans should be coordinated with transit providers to maximize the interface with community-wide and regional transit systems.*

Staff Findings: There is an existing bus stop one block north of the subject site and another approximately two blocks south on 78th Avenue SE.

4. Bicycle Facilities. *Parking and facilities that support bicycle use, including racks, covered and secured bike-storage areas, and in the case of office buildings, lockers and showers, should be included in the design of major new construction.*

Staff Findings: Bicycle storage facilities designed to hold up to 51 bicycles will be located on level L1 of the proposed development. Eight additional bicycle parking spaces are proposed around the building at ground level (Page 29, Exhibit 1).

5. Utility and Equipment Cabinets. *Existing or proposed utility and equipment cabinets or boxes, including wireless communication facilities, shall be placed inside a building or placed underground if physically feasible. In the event the city determines such location is not physically feasible, the utility and equipment cabinets must be screened by fencing, landscaping and/or stealth screening technologies so they are not visible.*

Staff Findings: A detailed plan indicating the proposed locations of utility and equipment cabinets was not provided with the application. Staff is including a recommended condition of

preliminary approval requiring that a plan be submitted to the City prior to final design review.

MICC 19.11.040(B) Building Height.

1. Calculation of Building Height. *Building height is the vertical distance measured from the average building elevation to the highest point of the roof structure. This does not include rooftop appurtenances.*

Staff Findings: Exhibit 1 contains building sections on pages 35 through 37. Page 27 of Exhibit 1 specifies that the average building elevation is 85.35 feet. Provided the applicant meets the criteria for an additional story, the maximum building height is five stories and/or 65 feet from average building elevation. Therefore, the maximum height of the building is 150.35 feet (106.35 feet to the top of the appurtenances). The proposed roof height is 149.5 feet. Therefore, the building does not appear to exceed its maximum height.

The building also is limited to five stories. Per MICC 19.16.010(S), a story is defined as:

That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a usable or unused under-floor space is more than six feet (1,829 mm) above grade for more than 50 percent of the total perimeter, or is more than 12 feet (3,658 mm) above grade at any point, such usable or unused under-floor space shall be considered as a story. Grade is measured as the lowest point on the property within a distance of five feet from the exterior wall.

Per pages 10 through 13 of Exhibit 2, Levels 1, 2, 3, 4, and 5 are entirely above grade and are considered stories for a total of five stories, as allowed by the MICC. Levels P1 and P2 are completely below grade and not included as stories.

2. Base Building Height. *A base building height of up to two stories (not to exceed 26 feet) shall be allowed. One-story structures located adjacent to the public right-of-way shall be a minimum of 18 feet.*

Staff Findings: The proposed structure may have a base height of four stories (but not to exceed 52 feet) as allowed by MICC 19.11.040(B)(3)(a).

3. Additional Building Height.

a. Increase in Building Height in Exchange for Major Site Feature/Significant Public Amenity. The following chart sets forth the increased building height available for adding a major site feature or significant public amenity to the development:

Focus Area	Building Height with Major Site Feature	Maximum Building Height with Significant Public Amenity
Mixed Use	Four stories but not to exceed 52 feet	Five stories but not to exceed 65 feet

Staff Findings: The applicant will be providing a significant public amenity in the form of a public plaza to qualify for an increase in building height.

b. Eligibility for Maximum Building Height. Every lot in the Town Center is eligible for the maximum building height described in the above chart by providing a significant public amenity. The intent of this developer incentive is to obtain three significant public plazas in the Town Center, provide a single mid-block pedestrian connection across large city blocks in the Town Center and provide affordable housing in the Town Center. The type of significant public amenity that an applicant must provide is

described in Exhibit 3 in MICC 19.11.040 and in MICC 19.11.050(B)(1).

Staff Findings: Exhibit 3 in MICC 19.11.040 shows that the project site is eligible for both a significant public plaza and a significant pedestrian connection to gain the maximum height allowance. This significant public plaza has not been used by a previous development for a height bonus. Therefore, the site is eligible to use the public plaza for a height bonus, as proposed by the applicant.

4. Rooftop Appurtenances. *Rooftop appurtenances are discouraged. If necessary, rooftop appurtenances may extend up to 10 feet above the maximum building height allowed, if there is a functional need for the appurtenance and that functional need cannot be met with an appurtenance of a lesser height. This provision shall not be construed to allow building height in excess of the maximum limit. Rooftop appurtenances should be located at least 10 feet from the exterior edge of any building, and together with the screening provided for below, shall not cover more than 20 percent of the rooftop area.*

Staff Findings: The applicant appears to be incorporating rooftop appurtenances into the building's design (Pages 34, 42, and 43, Exhibit 1). The appurtenances must meet the above requirements. The City will verify conformance with MICC 19.11.040(B)(4)(a) at the time of building permit submittal.

a. Screening of Rooftop Appurtenances. Appurtenances shall not be located on the roof of a structure unless they are hidden or camouflaged by building elements that were designed for that purpose as an integral part of the building design. All appurtenances located on the roof should be grouped together and incorporated into the roof design and thoroughly screened. The screening should be sight-obscuring, located at least 10 feet from the exterior edge of any building; and effective in obscuring the view of the appurtenances from public streets or sidewalks or residential areas located on the hillside surrounding the Town Center.

Staff Findings: The applicant appears to be incorporating rooftop appurtenances into the building's design (Pages 34, 42, and 43, Exhibit 1). The appurtenances must meet the above requirements. The City will verify conformance with MICC 19.11.040(B)(4)(a) at the time of building permit submittal.

MICC 19.11.050(B) Development and Design Standards.

1. Type of Significant Public Amenity Required.

a. If an applicant owns a lot shown on Exhibit 3 in MICC 19.11.040 as eligible for either a significant pedestrian connection or significant public plaza, the applicant must provide such connection or plaza to qualify for the maximum building height except as otherwise described in subsections (B)(1)(c) and (d) of this section. If an applicant owns a lot shown on Exhibit 3 in MICC 19.11.040 as eligible for both a significant public plaza and a pedestrian connection, the design commission will select either a significant public plaza or connection based upon which amenity provides the greatest public benefit.

Staff Findings: The subject property is shown in Exhibit 3 of MICC 19.11.040 as being eligible for both a significant public plaza and a significant pedestrian connection. The applicant is proposing a significant public plaza as their significant public amenity.

b. If an applicant owns a lot that is not highlighted on Exhibit 3 in MICC 19.11.040 as eligible for a connection or plaza, then the applicant must provide significant affordable housing to qualify for the maximum building height.

Staff Findings: The subject site is eligible for a public plaza. Significant affordable housing is not proposed.

c. Once a significant public plaza has been approved by the design commission on Site 1, 2 or 3 shown on Exhibit 3 in MICC 19.11.040, no subsequent development may use a significant public plaza with respect to that site to qualify for the maximum building height but will still be eligible for the maximum building height by providing significant affordable housing.

Staff Findings: The subject property is shown in Exhibit 3 of MICC 19.11.040 as being eligible for both a significant public plaza and a significant pedestrian connection. Neither public amenity has been used by a previous development. The applicant is proposing a public plaza as their significant public amenity.

d. Once a significant pedestrian connection has been approved by the design commission to create a mid-block connection for a large city block shown in Exhibit 3 in MICC 19.11.040, no subsequent development on such block may use a connection to qualify for the maximum building height but will still be eligible for the maximum building height by providing significant affordable housing.

Staff Findings: The subject property is eligible for a significant pedestrian connection. However, the applicant is proposing a public plaza as a significant public amenity.

2. Significant Public Plaza.

a. *Location and Size.* Significant public plazas shall be approximately located in the areas described in Exhibit 3 in MICC 19.11.040 as Sites 1, 2 and 3. A single plaza shall be a minimum size equal to three percent of the gross floor area of the development, but not less than 4,000 square feet in area. The plaza should be at least 20 feet in width. The design commission may allow a development to provide two or more plazas so long as the design commission determines that such multiple plazas will have an equal or greater public benefit and each plaza is at least 2,000 square feet in area. The primary purpose of the plaza shall be as a public gathering place. Other uses, including access to parking areas, lobby entrances, and stairs, must be secondary to the plaza purpose and areas required for such uses shall not be included in calculating the minimum size. Areas devoted to a plaza shall be in addition to any area required as a minor site feature under MICC 19.11.060.

Staff Findings: As shown on page 47 of Exhibit 1, the applicant is eligible for a public plaza and it proposing a public plaza as a significant public amenity. MICC 19.16.010(G) defines “Gross Floor Area” in the Town Center as “the area included within the surrounding exterior finish wall surface of a building, excluding courtyards and parking surfaces.” After excluding parking areas, the gross floor area of the proposed building is 223,087 square feet. Three percent of the gross floor area is 6,693 square feet. The applicant is proposing a public plaza with an area of 13,488 square feet, which is over twice the required area. The plaza exceeds the minimum area of 4,000 square feet. The plaza is also wider than the minimum width of 20 feet throughout most of its area. However, a small portion of the plaza is likely less than 20 feet wide. Furthermore, page 31 of Exhibit 1 shows that part of the proposed plaza will provide access to parking, the lobby, and stairs. With the upper court of the plaza excluded, which is the portion of the plaza dedicated to secondary uses, the area of the plaza is 9,802 square feet. This exceeds the minimum required plaza area.

b. Design Elements.

i. *The plaza shall be at the same level as the public sidewalk, serve as a focal point for pedestrian activity within the Town Center, and should be fully integrated and designed consistent with any pedestrian connection or other public amenity.*

Staff Findings: The proposed plaza is located at the same level as the public sidewalk, and serves as a focal point for pedestrian activity in the Town Center.

ii. Plazas shall be designed with sufficient pedestrian amenities including seating, lighting, water features, special paving, landscaping, artwork and special recreational features, as determined by the design commission. At least two linear feet of seating surfaces per 100 square feet of space should be provided. To qualify, seating surfaces shall be a minimum of 18 inches in depth. At least half the seating should have seat backs and have surfaces made of wood, rather than metal, stone or concrete. In addition, moveable chairs should be provided and shall not be for the sole use of an adjacent retail business.

Staff Findings: As illustrated on page 53 of Exhibit 1, the proposed plaza incorporates seating, landscaping, and a stage. Based on the full area of the plaza of 13,488 square feet, the applicant must provide a minimum of 269.76 linear feet of seating surfaces. Based on staff's calculations, the applicant is proposing at least 300 linear feet of seating surfaces in the plaza. The seating has a minimum depth of 18 inches and is made of wood (Page 54, Exhibit 1). It is difficult to determine whether a minimum of half the seating will have seat backs, so staff is including this a recommended condition of preliminary approval.

iii. Pedestrian-oriented frontage is required on at least two sides unless the space is linear in design, in which case pedestrian-oriented frontage is required on at least one side.

Staff Findings: The plaza space is linear in design. Therefore, pedestrian oriented frontage is provided along SE 29th Street, as required.

iv. At least 25 percent but not more than 60 percent of the open space should be landscaped with trees, groundcover or other vegetation.

Staff Findings: Based on a plaza area of 13,488 square feet, a minimum of 3,372 square feet and a maximum of 8,093 square feet of the plaza area should be landscaped. Staff calculated that approximately 3,500 square feet of the plaza will be landscaped.

v. The plaza may not be covered by a roof, story or skybridge; provided portions of the plaza may be covered for weather protection, but not enclosed.

Staff Findings: The plaza is generally uncovered and is not enclosed.

vi. All city approvals or permits for any structure shall be reviewed for compatibility with the alignment of any existing or approved plaza.

Staff Findings: The applicant shall be required to comply with the above provision. However, there are no approved or existing plazas that affect the subject site.

c. Plaza Plan. The applicant shall submit a plan with a minimum scale of one-quarter inch equals one foot for the plaza which shall include a description of all landscaping; lighting; street furniture; color and materials; relationship to building frontage; specific location of the plaza; and the relationship to and coordination with any pedestrian connection or other public amenity.

Staff Findings: The applicant shall be required to provide a plaza plan as described above for final design review.

d. Public Access. The entire plaza should be open to the public 24 hours per day. Temporary closures will be allowed as necessary for maintenance purposes. Upon city approval, portions of the plaza may be separated, as required by the State of Washington Liquor Control Board, in order to allow outdoor seating for restaurant purposes.

Staff Findings: The applicant shall comply with these requirements.

MICC 19.11.060(B) Development and Design Standards.

1. Minor Site Features. *All major new construction regardless of its height shall have at least three minor site features, subject to design commission determination that such choices contribute to a well-balanced mix of features in that focus area. All major new construction should have canopies or all-weather features described in subsection (B)(1)(b) of this section along 80 percent of all Type 1 streets. Minor site features may include the following:*

a. Decorative Landmarks. Imaginative features that complement the building design and create visual focal points that give identity to an area, such as decorative clocks, special paving in pedestrian areas, art features, water features, drinking fountains, or creative designs for necessary building features or functions. Art should be integrated with the public street improvements. Examples include sculpture, murals, inlays, mosaics, friezes or bas-reliefs. The location of art shall provide for public view but not hinder pedestrian traffic.

Staff Findings: The applicant is proposing special paving in a pedestrian area (Page 53, Exhibit 1).

b. Canopies or All-Weather Features. Specially designed all-weather features that integrate weather protection systems at the sidewalk level of buildings to mitigate the effects of rain, wind, glare, shadow, reflection and sunlight on the pedestrian environment to make spending time outdoors feasible in all seasons, such as awnings, canopies, trellises, pergolas, or covered arcades.

i. Any canopy or awning over a public sidewalk should be a permanent architectural element.

ii. Any canopy or awning over a public sidewalk should project out from the building facade a minimum horizontal width of six feet and be between eight to 12 feet above grade.

iii. Architectural details should not be concealed by awnings or canopies.

iv. Awning shapes should relate to the shape of the facade's architectural elements. The use of traditionally shaped awnings is encouraged.

v. Vinyl or plastic awnings or canopies are not allowed.

vi. All awnings or canopies must function to protect pedestrians from rain and other weather conditions.

Staff Findings: Canopies or all weather features appear to be located at the sidewalk level of the building as shown on pages 20, 22, 23, 42, and 43 of Exhibit 1. They appear to be permanent architectural features and do not conceal the architectural details of the building. The canopy shape and materials relate to the façade's architectural elements, as they continue the lines of the building and will be constructed of similar materials. They appear to be functional and will be constructed of metal and glass (Page 21, Exhibit 1). The plans provided do not indicate whether the canopies or all weather features are located along at least 80% of the Type 1 street frontage. Since the submitted do not provide this information of canopy elevations, it cannot be determined whether the canopies meet the dimensional standards in MICC 19.11.060(B)(1)(b).

c. Kiosks. Community-oriented kiosks, which may include bulletin boards and newsstands or racks, creatively designed and consolidated and placed in areas where large numbers of people gather which complements the site design and streetscape and reduces visual clutter.

Staff Findings: The applicant does not appear to be proposing a kiosk.

d. Courtyards. An outdoor covered or uncovered area easily accessible to the public at the same level as the public sidewalk or pedestrian connections which should:

i. Be at least 10 feet in width, with a building facade on at least one side;

- ii. Be covered with trees, groundcover, or other landscaping over at least 50 percent of its area; and
- iii. Include seating, special paving material, pedestrian-scale lighting and other pedestrian furnishings;
- iv. Runoff from courtyard pavement may be managed with low impact development techniques when allowed by the code official;
- v. The courtyard may not be covered by a roof, story or skybridge; provided portions of the courtyard may be covered for weather protection, but not enclosed.

Staff Findings: The applicant is proposing to use an uncovered courtyard at the plaza level as a minor site feature. The smallest dimension of the public portion of the courtyard is approximately 67 feet and it flanked by building façades on all four sides. The area of the courtyard is 11,481 square feet and over 50 percent will be covered with landscaping. Pedestrian seating will be available in the public courtyard (Page 32, Exhibit 1).

e. Additional Sidewalk Setback. At least five feet of sidewalk width, in addition to the minimum sidewalk setback provided for in MICC 19.11.110(B)(4), may be provided along 78th Avenue SE, along the entire street frontage of the development site. Such additional sidewalk should be designed to provide additional pedestrian access where parking pockets narrow the sidewalk, to accommodate street trees and benches, or to create spaces for more pedestrian-oriented activities such as outdoor dining or seating.

Staff Findings: The proposed development is located on 78th Avenue SE, but the applicant does not appear to be proposing additional sidewalk width.

2. Major Site Features. Any major new construction which exceeds the two-story base height shall include at least one of the following major site features, subject to design commission determination that such choices contribute to a well-balanced mix of features in that focus area; provided, that a development providing a significant public amenity pursuant to MICC 19.11.050 is exempt from this major site feature requirement.

a. Pedestrian Connection. Pedestrian connections will qualify as a major site feature upon satisfaction of the design and development standards set forth in MICC 19.11.050(B)(3) except that the minimum width shall be 10 feet.

Staff Findings: The applicant is proposing an east-west pedestrian connection as a major site feature. The proposed width of the pedestrian connection is 10 feet (Page 48, Exhibit 1).

b. Public Plazas. Public plazas will qualify as a major site feature upon satisfaction of the design and development standards set forth in MICC 19.11.050(B)(2) except the plaza may be located anywhere in the Town Center including the sites identified on Exhibit 3 in MICC 19.11.040 and the minimum size of a single public plaza shall be at least two percent of the gross floor area of the development, but not less than 1,500 square feet in area. The design commission may allow a development to provide two or more plazas so long as the design commission determines that such multiple plazas will have an equal or greater public benefit as the single plaza, the combined square footage of the multiple plazas is at least two percent of the gross floor area of the development and each public plaza is at least 1,500 square feet in area.

Staff Findings: The applicant is proposing a public plaza as a significant public amenity. This does not apply.

c. Water Feature. A water feature shall be accessible and/or visible by pedestrians from an adjacent sidewalk or plaza.

i. Any water feature should be designed to use water efficiently with low water loss from evaporation and wind.

ii. In order to qualify as a major site feature, the cost of the water feature shall be equivalent to at least

two percent of the construction costs.
iii. Water features should be located in sunny areas.

Staff Findings: The applicant is not proposing a water feature. This does not apply.

d. Affordable Income Housing Units. Affordable housing will qualify as a major site feature upon satisfaction of the design and development standards set forth in MICC 19.11.050(B)(5) except that the affordable housing ratio shall be as follows:

- i. One square foot of affordable housing area in the development for every four additional square feet of market building area provided on the highest story; or*
- ii. One affordable housing unit in the development for every four additional market residential units provided on the highest story, whichever is greater.*

Staff Findings: The applicant is not proposing affordable housing units as major site feature.

3. Other Site Features. *The design commission may approve other major or minor site features in place of those listed above.*

a. "Major" Criteria. A site feature will only be considered as "major" if it is of equal or greater public benefit than one or more of the major site features listed above and should not be less than one percent of the construction costs.

Staff Findings: The proposal does not include, nor is it required to include any other elements that may meet the requirement for a major site feature.

b. Other Site Features. Examples of other site features include contribution to a public art or design project within close proximity to the new construction, such as the city's I-90 Artway; transit-oriented development (TOD) amenities, such as underground or structured parking that supports park and ride use or facilities that support bicycle use; or contribution to a public/private partnership, such as street improvements, that result in the development of a community-oriented public gathering place (such as at 78th Avenue SE between SE 27th Street and Sunset Highway).

Staff Findings: The applicant is not proposing another major site feature. Bicycle facilities are required by MICC 19.11.020(C)(4), and the applicant has included bicycle storage on level L1 of the proposed development.

MICC 19.11.065(B) Development and Design Standards.

1. Street-Facing Facade Elements. *All major new construction shall include at least seven of the following elements on the street facing facades, at least four of which shall be located on the ground floor level:*

- a. Window and door treatments which embellish the facade.*
- b. Decorative light fixtures.*
- c. Unique facade treatment, such as decorative materials and design elements.*
- d. Decorative paving.*
- e. Trellises, railings, gates, grill work, or unique landscaping.*
- f. Flower baskets supported by ornamental brackets.*
- g. Recessed entrances.*
- h. Balconies.*
- i. Medallions.*
- j. Belt courses.*
- k. Decorative tilework.*
- l. Unique, handcrafted pedestrian-scaled designs.*
- m. Planter boxes with seasonal color.*
- n. Projecting metal and glass canopy.*

- o. Clerestories over storefront windows.*
- p. Other elements as approved by the design commission.*

Staff Findings: The development will incorporate window and door treatments which embellish the façade, decorative light features, unique façade treatment, decorative paving, Trellises, railings, gates, grill work, or unique landscaping, balconies, handcrafted pedestrian-scaled designs, planter boxes with seasonal color, projecting metal and glass canopies, and clerestories over storefront windows. Decorative light fixtures, projecting metal and glass canopies, decorative paving, planter boxes with seasonal color, and clerestories over storefront windows are located on the ground floor level (Page 21, Exhibit 1).

2. Walls. *Blank walls without visual or architectural interest shall not be designed. Buildings shall provide massing breaks along wall expanses and walls shall include visual or architectural treatments. Walls facing the sidewalk or other pedestrian-accessible space should be architecturally treated with recesses, trellises with climbing vines or landscaping, artwork, windows, seating, recessed secondary entrances, balconies, belt courses, cornices, plinths and other means of breaking up the blank wall surface. Buildings without pedestrian-oriented uses on the ground-floor facade may substitute artwork, fountains, garden type landscape areas and/or display windows.*

Staff Findings: The applicant is not proposing blank walls. Windows line the walls facing the sidewalks. The applicant is also proposing to increase visual interest through variation in form and materials used on the facades. Additionally, pedestrian accessible space will be provided in the form of a plaza and a courtyard.

3. Ground Floor Windows and Doors. *Major new construction along 78th Avenue SE and SE 27th Street, within the gateway, mixed use, and mid-rise office focus areas, should have at least 75 percent of the length of the ground-floor facade between the height of two feet and seven feet devoted to windows and doors affording views into retail, office, or lobby space.*

Staff Findings: The proposed development is within the specified area and appears to meet this requirement.

4. Upper Story Facades. *Upper stories of buildings above two stories should maintain an expression line along the facade such as a setback, change of material, or a projection to reduce the perceived building mass. Upper floor windows should be divided into individual units and not consist of a “ribbon” of glass. Upper-story features should improve the relationship between the upper story and the street. Such features include, but are not limited to, balconies, roof decks, bay windows or upper-story commercial activities.*

Staff Findings: The upper story façade has recessed gaskets and projecting eyebrow caps to reduce the perceived mass. The windows are divided into individual units or varying sizes.

5. Transparent Facades. *Articulated, transparent facades should be created along pedestrian rights-of-way. Highly tinted or mirrored glass windows, shades, blinds or screens that prevent pedestrian view into buildings should not be allowed.*

Staff Findings: Exhibit 1 shows that nearly the entire lengths of the façades adjacent the public rights-of-way will be comprised of windows. The windows shall not be highly tinted or have mirrored glass.

6. Long Buildings. *Long buildings (more than 50 feet) shall provide relief to perceived building mass through such features as varied setbacks or heights; or projecting windows, entrances or walls. Long linear walls should be staggered horizontally and vertically to provide interest.*

Staff Findings: The proposed building will have walls that are 50 feet or longer. These walls will have projections and recesses to provide relief to perceived building mass. Additionally, the applicant is using variation in materials to provide visual interest (Exhibit 1).

7. Contiguous Building Facade. *A contiguous building facade (longer than 50 feet) along the street frontage shall have a building element, such as an embellished entrance, courtyard, arcade or other architectural element dividing the facade visually.*

Staff Findings: The façade adjacent to SE 29th Street has a courtyard and the façade to divide the façade visually. Recessed gaskets visually divide the facades adjacent to 77th Avenue Se and 78th Avenue SE.

8. Entrances. *Building entrances should concentrate along the sidewalk and should be physically and visually inviting. Entrance doors should be recessed from the facade surface to emphasize the entrance and provide a sheltered transition to the interior of the building. Special paving treatments may be used to enhance the entry. Corner building should be designed with angled entrances at the corner, or entrances that open onto a public plaza or courtyard. Minimum eight-foot wide pedestrian walkways with wheelchair ramps should be constructed between the sidewalk and building entrances.*

Staff Findings: The proposed development will have recessed main doors under a projected façade surface. While there is not a corner entrance proposed, the main building entrance opens onto a public plaza. Wheelchair ramps shall be constructed as required and shall meet all pertinent standards.

9. Residential Uses on Ground Floor. *Where permitted, residential uses on the ground floor should be oriented to the street and provide pedestrian-oriented elements such as entry porches, steps, window boxes, or bay windows.*

Staff Findings: Residential uses are not permitted on the ground floor pursuant to MICC 19.11.020(C)(1).

10. Roofs. *Roofs are a design element and shall relate to the building facade articulations. A variety of roof types and configurations should be used to add interest and reduce the perceived building bulk. Varied parapet height or roofline is encouraged.*

Staff Findings: The roof relates to the façade articulation. There is horizontal variation in the roof configuration.

11. Identity Emphasis. *Public buildings, unique community structures and corner structures should have a prominent scale, emphasizing their identity.*

Staff Findings: The proposed building is a corner structure. It has a prominent scale that emphasizes its identity.

12. Corner Lots. *Buildings on corner lots should be oriented to the corner. Corner entries and/or architectural treatment should be used to emphasize the corner.*

Staff Findings: The proposed building is located on a corner. While the main entrance fronts onto SE 29th Street, the design of the building orients the building towards the corner of SE 29th Street and 78th Avenue SE with the plaza framing and emphasizing the corner.

13. Franchise Design. *Prototype design for franchises should use customized components consistent with the design requirements for the Town Center that achieve the purpose, intent and urban vision set forth in MICC 19.11.010.*

Staff Findings: The proposal is not for a franchise. This does not apply.

14. Consistency. *The elements of a building should relate logically to each other, as well as to the surrounding buildings. A single building or complex should be stylistically consistent; architectural style, materials, colors and forms should all work together.*

Staff Findings: The proposed building appears to be stylistically consistent. There is a uniform use of color, form, and Mid-Century Modern architectural style.

MICC 19.11.070(B) Materials and Color.

1. Building Exteriors. *Building exteriors should be constructed from high quality and durable materials. It is important that the materials and colors will weather well and that building exteriors will need minimal maintenance.*

Staff Findings: The applicant is proposing to use wood paneling, textured paneling, cementitious paneling, and wood look paneling or mottled steel. (Page 43, Exhibit 1). Additional information is needed about the exact materials to be used before it can be determined if the materials will weather well and require minimal maintenance.

2. Consistency on All Sides. *Materials and colors should be used with consistency on all sides of a building.*

Staff Findings: The structure, as proposed, appears to use a consistent color and material palette.

3. Concrete Walls. *Concrete walls should be architecturally treated. The enhancement may include textured concrete such as exposed aggregate, sand blasting, stamping or color coating.*

Staff Findings: As shown on page 43 of Exhibit 1, the applicant is not proposing concrete walls.

4. Harmonious Range of Colors. *A harmonious range of colors should be used within the Town Center. Neon or very bright colors, which have the effect of unreasonably setting the building apart from other adjacent buildings on the street, should not be used.*

Staff Findings: The proposed building will not have any bright colors. Page 43 of Exhibit 1 shows a harmonious color palette.

5. Bright Colors. *Bright colors should be used only for trim and accents. The design commission may approve bright colors if the use is consistent with the building design and other design requirements.*

Staff Findings: Per page 43 of Exhibit 1, the proposed building will feature earth tones and will not have any bright colors.

6. Prohibited Materials. *Beveled metal siding, mirrored glass, and vinyl siding should not be used.*

Staff Findings: The applicant is not proposing to use any of the prohibited materials listed above (Page 43, Exhibit 1).

MICC 19.11.080(B) Development and Design Standards.

1. On-Site Service Areas. *All on-site service areas, loading zones, outdoor storage areas, garbage collection and recycling areas and similar activities should be located in an area not visible from public streets. Consideration should be given to developing common service courts at the interior of blocks. Service areas should accommodate loading, trash bins, recycling facilities, storage areas, utility cabinets, utility meters, transformers, etc. Service areas should be located and designed for easy access by service vehicles and for convenient access by each tenant. Any emissions of noise, vapor, heat or fumes should be mitigated. Loading activities should generally be concentrated and located where they will not create a nuisance for adjacent uses.*

Staff Findings: The proposed service areas will be located within the parking garage and will not be visible from the public street. Information regarding the locations of utility areas shall be submitted to the City prior to final design review.

2. Garbage, Recycling Collection and Utility Areas. *Garbage, recycling collection and utility areas shall be enclosed and screened around their perimeter by a wall or fence at least seven feet high, concealed on the top and must have self-closing doors. If the area is adjacent to a public street or pedestrian alley, a landscaped planting strip, minimum three feet wide, shall be located on three sides of such facility. Any emissions of noise, vapor, heat or fumes should be mitigated.*

Staff Findings: The proposed garbage and recycling collection areas will be located within the parking garage. It shall be required that these facilities be enclosed and screened. Utility information is requested from the applicant prior to final design review.

3. Meters and Mechanical Units. *Water meters, gas meters, electric meters, ground-mounted mechanical units and any other similar structures should be hidden from public view or screened.*

Staff Findings: As discussed previously, the City has not been provided with information regarding the locations of meters and mechanical units. The applicant shall provide a plan with this information to City staff prior to final design review.

4. Fences. *Fences should be made of masonry, ornamental metal or wood, or some combination of the three. The use of chain link, plastic or wire fencing is prohibited.*

Staff Findings: No exterior fences are proposed by the applicant. Any fences shall comply with the above requirements.

19.11.090 Lighting.

A. Objectives. *Lighting shall be an integral part of any new or existing development. Lighting shall contribute to the individuality, security and safety of the site design without having overpowering effects on the adjacent areas. Lighting is viewed as an important feature, for functional and security purposes, as well as to enhance the streetscape and public spaces. The design of light fixtures and their structural support should be integrated with the architectural theme and style of the main structures on the site.*

Staff Findings: Lighting plans have not been provided at this time, which is consistent with MICC 19.15.040(F)(2)(c)(ii). However, they shall be part of the final design review submittal and the applicant shall comply with all appropriate requirements of MICC 19.11.090. Staff has recommended that a condition of preliminary design approval be included to ensure that the applicant

MICC 19.11.100(B) Landscaping and Outdoor Spaces.

1. Suitable Plant Species. *Indigenous, drought tolerant or plant species proven adaptable to the local climate should be used.*

Staff Findings: Page 58 of Exhibit 1 details the plants proposed. The plant schedule is generally comprised of indigenous, drought tolerant or plant species proven adaptable to the local climate.

2. Trees and Groundcover.

a. Prominent trees should be preserved.

b. Trees planted near public curbs or in paved areas shall be installed in such a manner as to prevent physical damage to sidewalks, curbs, gutters, pavement and other public or private improvements.

c. Groundcover should be planted to have 100 percent groundcover in two years.

d. Any tree cutting or pruning shall be consistent with Chapter 19.10 MICC.

Staff Findings: The applicant shall comply with the above requirements at the time of site development construction and subsequent to construction. The City Arborist will consult with the applicant to ensure that trees are preserved and protected.

3. Surface Parking Lots. *Surface parking lots should be landscaped to reduce and break up large areas of asphalt and paving.*

a. The landscape design may incorporate low impact development techniques to manage runoff from parking lot pavement when allowed by the code official.

b. A minimum four-foot-wide (interior dimension) landscape bulb should be provided at the end of parking aisles.

c. A ratio of one tree for every six parking spaces should be provided throughout any surface parking lot. Of the total number of trees required, 50 percent shall be a minimum of 24-inch box in size, and 50 percent shall be a minimum of 15gallon in size.

d. Planting areas for trees required within the parking rows of a surface parking lot should be achieved by one of the following:

i. A continuous landscape strip, at least four feet wide (interior dimension), between rows of parking spaces; or

ii. Tree wells, eight feet wide, resulting from the conversion of two opposing full sized spaces to compact spaces; or

iii. Tree wells, at least five feet square, placed diagonally between standard or compact spaces

Staff Findings: The applicant is not proposing a surface parking lot. These provisions do not apply.

4. Landscape Screening. *All grade-level parking, structures for storage, trash and loading should be separated from the street and screened from pedestrian view by landscaping. The landscaping must include shrubs and trees, be located on private property and be wide enough to maintain the plant material and screen the view but not less than three feet wide.*

Staff Findings: The proposed parking, loading areas, and structures for trash will be located inside the building. Therefore, they will be separated from the street and screened from pedestrian view (Pages 28-31, Exhibit 1).

5. Building Entries. *Building entries should be emphasized with special landscaping and/or paving in combination with lighting.*

Staff Findings: The main building entry is emphasized with specialty paving (Page 52, Exhibit 1). A lighting plan has not yet been provided.

6. Building Facades. *Building facade modulation and setbacks should include features such as courtyards, fountains or landscaping.*

Staff Findings: The proposal includes a private courtyard, which contributes to the building modulation along its southern façade (Page 20, Exhibit 1). Landscaping will be integrated into the entire site (Page 52, Exhibit 1).

7. Amount and Location. *The amount and location of landscaping should complement the design of the development. As a guideline, approximately one square foot of landscape space should be provided for every 100 square feet of gross building floor area. Landscaping should be selected, placed and of a scale that relates to adjacent structures and be of appropriate size at maturity to accomplish its intended purpose.*

Staff Findings: According to page 3 of Exhibit 1, approximately 2,438 square feet of pervious area will be provided on site. Page 3 of Exhibit 1 indicates that the proposed building will have a gross floor area of 223,087 square feet. This requires 2,231 square feet of landscaping on site.

8. Continuity. *Landscaping should provide design continuity between the neighboring properties.*

Staff Findings: The subject site is bordered on three sides by public right-of-way. A landscaped pedestrian connection will be provided along the north property line (Pages 48 and 52, Exhibit 1).

9. Irrigation. *All landscaped areas shall be provided with an approved automatic irrigation system consisting of waterlines, sprinklers designed to provide head to head coverage and to minimize overspray onto structures, walks and windows. Water conserving types of irrigation systems should be used.*

Staff Findings: Planting note number 4 on page 56 of Exhibit 1 states “all planted areas to receive permanent irrigation.” “Irrigation Notes” on page 56 of Exhibit 1 provides details regarding the proposed automatic irrigation system.

10. Maintenance. *All landscaping shall be maintained in good condition. Maintenance shall include regular watering, mowing, pruning, clearance of debris and weeds, removal and replacement of dead plants and the repair and replacement of irrigation systems.*

Staff Findings: Landscaping shall be required to be maintained in good condition. Staff has included as a condition of design approval that the applicant provide to the City a landscaping bond prior to the issuance of the Certificate of Occupancy.

MICC 19.11.110(B) Development and Design Standards.

1. Parking.

a. Number of Parking Stalls Required. All new development and remodels greater than 10 percent of the existing gross floor area shall provide the number of parking stalls set forth in this table:

RETAIL (Stalls per gross square foot)			OFFICE (Stalls per gross square foot)			RESIDENTIAL (Stalls per unit)				
General Retail	Restaurant/ Deli/Bakery/ Food	Hotel	Financial Services	Health/ Barber/ Beauty	Other Professional Services	Studio	One Bed-room	Two Bed-room	Three Plus Bedroom	Senior
3 to 5/1000	8 to 11/1,000	1/Guest Room plus 2/3 Emp. on shift, plus 5/1,000 sq ft of retail/office	3 to 5/1,000	4 to 5/1,000	3 to 5/1,000	1 to 3 per unit				1/Guest Room plus 2/3 Emp. on shift, plus 5/1,000 sq ft of retail/office

Staff Findings: As shown on page 5 of Exhibit 1, the applicant is required to provide between 244 and 668 parking stalls per MICC 19.11.110(B)(1)(a). Since the applicant is proposing 196 residential units, the parking requirement range is 196 stalls (1 stall per unit) to 668 stalls (3 stalls per unit) for residential use alone. The applicant is proposing 15,938 square feet of commercial space. Using the “general retail” requirements in MICC 19.11.110(B)(1)(a), the applicant must provide between 48 and 80 parking stalls for commercial use (3 to 5 stalls per 1,000 square feet). This provides a total parking requirement of 244 to 668 parking stalls for the development. The applicant is proposing 255 residential parking stalls, 63 stalls for retail, and 200 public stalls for a total of 518 parking stalls. Eleven proposed stalls are tandem, which would accommodate 22 vehicles. Even if the tandem stalls were excluded, the applicant would provide 507 stalls, which is within the required range.

b. Determination within Range. The code official shall have the final authority to require parking within the minimum and maximum limits based upon the applicant’s submittal of a completed site plan and traffic impact analysis.

Staff Findings: The code official and Design Commission have generally required applicants to provide parking that corresponds to the lower end of the range, even granting parking variances in some instances. However, the ultimate determination shall be made with the guidance of a completed site plan and traffic study. The traffic study submitted (Exhibit 5) indicates that the applicant will need a minimum of 261 parking spaces to meet peak demand (Page 7, Exhibit 5). As described above, the applicant is proposing 518 parking stalls.

c. Underground or Structured Parking Required. If the applicant for a mixed use project or for a residential project provides more parking than two spaces per unit for any part of a project consisting of residential units or 3.5 spaces per 1,000 square feet for any part of a project that is not used for residential units, then all such additional parking shall either be underground or on the second or higher story of structured parking. This subsection shall not apply to additional parking spaces that may be required pursuant to MICC 19.11.030(D) or (E).

Staff Findings: All parking will be within the proposed building.

d. Parking Lot Configuration. Parking lot design should conform to the standard stall diagrams set out in Appendix A to this title, unless alternative design standards are approved by the design commission and the city engineer. No more than 50 percent of the required off-street parking spaces for office and residential uses may be designed for accommodating compact vehicles. No more than 25 percent of the required off-street parking spaces for all other uses may be designed for accommodating compact vehicles. Such parking spaces must be clearly designated as compact stalls.

Staff Findings: The proposal shall comply with the standards set by Appendix A to Title 19. This will be verified during final design review.

e. Shared Parking.

i. Mixed Use Projects. The code official, with approval from both the design commission and city engineer, may permit shared parking on the same site or adjoining sites by reducing the total required parking spaces by up to 20 percent of the total combined required spaces in Town Center mixed use projects. In such cases, the applicant must demonstrate that no substantial impact will occur due to the reduced number of stalls.

ii. Adjoining Properties. Shared parking spaces between adjoining properties or the use of off-site parking spaces is encouraged.

Staff Findings: The applicant is not proposing shared parking at this time. This does not apply.

f. Access Restriction Prohibited. Restricting vehicular and pedestrian access between adjoining parking lots at the same grade is prohibited.

Staff Findings: There are no adjoining parking lots at the same grade on the subject property. This provision does not apply.

g. Surface Parking Lot Location.

i. Behind Structure. All surface parking lots shall be located behind structures.

ii. Corner. Parking lots shall not be located on a corner facing an intersection.

Staff Findings: The applicant is not proposing a surface parking lot. These provisions do not apply.

h. Design of Surface Parking and Pedestrian Access.

i. Entrances.

(A) Shared. The number of parking lot entrances, driveways and curb cuts should be minimized in favor of combined driveways and coordinated parking areas among business owners.

(B) 78th Avenue SE. Individual parking entrances and curb cuts on 78th Avenue SE should be consolidated.

ii. Pedestrian Walkways. Pedestrian walkways should be provided through all parking lots. Raised concrete pavement should be provided where the walkway traverses between parking stalls and/or is adjacent to vehicular circulation.

iii. Landscaping and Lighting. Landscaping and lighting of surface parking lots should be in conformance with MICC 19.11.090 and MICC 19.11.100.

iv. Concrete Curbs. All parking areas, landscaping areas and driveways should be surrounded by six-inch high vertical concrete curbs.

v. Wheel Stops. All landscape and pedestrian areas should be protected from encroachment by parked cars. Two-foot wide wheel stops (as measured outward from the paved or planted area) should be constructed for all nonparallel parking stalls.

vi. Amenities. Amenities such as seating and planters should be provided to encourage pedestrian circulation.

Staff Findings: The applicant is not proposing a surface parking lot. These provisions do not apply.

i. Design of Structured Parking.

i. Relationship to Main Building. Parking structures should be architecturally integrated or designed with an architectural theme similar to the main building.

ii. Screening. The perimeter of each floor of a parking structure facing the street should have a screening mechanism designed to shield automobiles and any mechanical appurtenances from public views.

iii. Street Side Edges. An architectural treatment, landscaping and/or space for pedestrian-oriented

businesses along the street-side edges of the parking structure shall be provided.

Staff Findings: The proposed parking will be located internally underneath the building and will not be visible to the public.

2. Loading Space. *Off-street loading space with access to a public street shall be required adjacent to or within or underneath each building. Such loading space shall be of adequate size to accommodate the maximum number and size of vehicles simultaneously loaded or unloaded in connection with the business or businesses conducted in the building. No part of the vehicle or vehicles using the loading space may project into the public right-of-way.*

Staff Findings: The loading area measures approximately 20 feet wide by 42 feet deep and is proposed to be located within the building. The loading area itself does not project into the right-of-way. However, additional information must be provided to verify that its proposed location will not impact traffic visibility (Page 30, Exhibit 1).

3. Drive-Through Facilities. *Drive-through facilities and stacking lanes should not be located along the street frontage of a building that faces a right-of-way. Stacking lanes shall be designed so as to be able to accommodate all vehicles on-site, and no part of a vehicle using a drive-through facility shall project into the public right-of-way.*

Staff Findings: Drive-through facilities are not proposed. This does not apply.

4. Sidewalks.

a. 78th Avenue SE. All structures abutting 78th Avenue SE shall be set back so that at least 15 feet of sidewalk exists between the structure and the face of the street curb, excluding locations where the curbline is interrupted by parking pockets. Additional setbacks along 78th Avenue SE are encouraged to provide space for more pedestrian-oriented activities and to accommodate the existing trees and parking pockets.

i. Reduction of Sidewalk Setback. The design commission may allow the 15-foot setback to be reduced to 12 feet, but only if the square footage omitted from the setback is provided elsewhere on the private property for the public benefit, such as a public plaza, pedestrian connection, courtyard or pocket park that is accessible from adjacent sidewalks or pedestrian linkages. This square footage may not be calculated as part of the minimum area requirement for any major or minor site feature pursuant to MICC 19.11.060.

b. All Other Public Rights-of-Way. All structures abutting a public right-of-way, except 78th Avenue SE, shall be set back so that at least 12 feet of sidewalk exists between the structure and the face of the street curb, excluding locations where the curbline is interrupted by parking pockets.

c. Pedestrian Access to Building Entrances. Minimum eight-foot-wide pedestrian entrances with wheelchair ramps, if necessary, should be constructed between the sidewalk and building entrances.

Staff Findings: The eastern façade of the project fronts onto 78th Avenue SE. As shown on pages 26 and 52 of Exhibit 1, the applicant appears to be providing along 78th Avenue SE sidewalks that measure at least 15 feet in width excluding parking pockets. The public plaza along SE 29th Street is also greater than 12 feet wide. Therefore, the sidewalk requirements are met along SE 29th Street. However, Exhibit 1 also indicates that the applicant is proposing sidewalks that are only 7.5 feet in width along 77th Avenue SE. Landscaping planters cannot be included within the sidewalk width since they do not provide a walking surface. Staff is proposing as a condition of preliminary design approval that the applicant be required to construct 12 foot wide sidewalks that meet the requirements of MICC 19.11.110(B)(4)(b) along 77th Avenue SE. The applicant shall provide eight-foot-wide pedestrian entrances and wheelchair ramps, if necessary, between the sidewalk and building entrances.

5. Through-Block Circulation. *Through block connections, when proposed as part of a project, should provide for vehicular access and/or publicly accessible pedestrian connections through mid-blocks and between properties. Pedestrian connections, when proposed as part of a project, should provide amenities such as alternative paving methods, seating and planters to encourage pedestrian circulation. Lighting for both vehicular and pedestrian connections shall provide for pedestrian safety. Runoff may be managed with low impact development techniques when allowed by the code official.*

Staff Findings: The applicant is proposing a pedestrian connection along the northern boundary of the site. The applicant does not appear to be using an alternative paving method. However, planters have been included. A lighting plan has not been submitted to the City.

6. Public Parking. *On-site public parking complying with the following requirements shall be provided in any new mixed use or nonresidential development and for all existing developments desiring to provide public parking that meets the requirements of this section. Nothing contained in this provision shall be deemed to prevent a building owner from designating parking spaces as being available to the public exclusively for electric vehicle charging or as being available exclusively to an operator of a car sharing service that makes vehicles available for public use.*

Staff Findings: The applicant is proposing public parking, as required.

a. All parking stalls provided for nonresidential uses, or if the primary use in the building is office then for nonoffice uses, or if the primary use of the building is hotel/motel then for non-hotel/motel uses, shall be available for public parking, provided, however, parking stalls that the code official concludes were required to be dedicated for the use of a specific tenant in accordance with a written lease provision in effect as of January 12, 2013, and which were specifically signed for that purpose on January 12, 2013, may be excluded from this requirement until the earlier of the expiration, termination, modification or amendment of the lease.

Staff Findings: All stalls provided for nonresidential uses have been designated as available for public parking (Page 28, Exhibit 1).

b. Public parking stalls shall be available to motorists for such time period as is determined by the owner, but not less than two hours.

Staff Findings: The public parking provided will include 200 public stalls available for commuter parking. An additional 63 parking stalls will be provided as 2-hour commercial parking.

c. An owner may require that the motorist patronize at least one business in the development but otherwise will be entitled to leave the development without moving their vehicle, subject to the time period specified by the owner as provided in subsection (B)(6)(b) of this section.

Staff Findings: This may be implemented subsequent to occupancy of the building.

d. Once public parking is provided under this provision, it may not thereafter be eliminated.

Staff Findings: The applicant will not be allowed to eliminate public parking designated under this provision.

19.11.120 Signs.

B. Development and Design Standards.

Staff Findings: The applicant has not submitted a signage plan for the proposal. However,

pursuant to MICC 19.15.040(F)(2)(c)(ii), "...Submittal of lighting and sign master plans may be deferred to final design review." Staff has recommended that a condition of preliminary design approval be included to ensure that the applicant provide a signage plan prior to final design review.

III. RECOMMENDATION

Based on the analysis and findings included herein, staff recommends to the Planning Commission the following:

Recommended Motion: Move to grant Hines preliminary design approval for a proposed mixed use development to be located at 2728 and 2750 77th Avenue SE and 2885 78th Avenue SE, as shown in Exhibits 1 and 2, and as conditioned by the May 27, 2015 staff report to the Design Commission.

First Alternative Motion: Move to grant Hines preliminary design approval for a proposed mixed use development to be located at 2728 and 2750 77th Avenue SE and 2885 78th Avenue SE, as shown in Exhibits 1 and 2, and as conditioned by the May 27, 2015 staff report to the Design Commission, provided that Exhibits 1 and/or 2 shall be modified as follows: [describe modifications].

Second Alternative Motion: Move to deny Hines preliminary design approval for a proposed mixed use development to be located at 2728 and 2750 77th Avenue SE and 2885 78th Avenue SE, as shown in Exhibits 1 and 2.

IV. RECOMMENDED CONDITIONS OF APPROVAL

1. All landscaping depicted in pages 52 through 58 of Exhibit 1 shall be maintained in good condition. Maintenance shall include regular watering, mowing, pruning, clearance of debris and weeds, removal and replacement of dead plants and the repair and replacement of irrigation systems. All required landscaping must be installed prior to issuance of the Certificate of Occupancy. A performance bond for the landscaping installation may be obtained instead of plant installation at the approval of the Code Official. A landscaping maintenance bond is required prior to any Certificate of Occupancy for the proposed building to ensure that the approved landscape plan will achieve total coverage within three years after installation. The bond amount shall be set by City staff based on the approved landscape plan, and cost for labor and materials.
2. The applicant shall revise and resubmit the proposed plans prior to final design review to demonstrate that the width of the sidewalks along 77th Avenue SE have been increased to a minimum of 12 feet per MICC 19.11.110(B)(4)(b).
3. Prior to final design review, provide to the City a site plan showing the proposed locations of existing and proposed utility and equipment cabinets or boxes. Please note that these cabinets and boxes shall be placed inside a building or placed underground if physically feasible.
4. The applicant shall submit a plaza plan prior to final design review. The plaza plan shall have a minimum scale of one-quarter inch equals one foot for the plaza, and the plan shall include a description of all landscaping; lighting; street furniture; color and materials; relationship to building frontage; specific location of the plaza; and the relationship to and coordination with any pedestrian connection or other public amenity.
5. At least half the seating in the public plaza must have seat backs.
6. The applicant must provide a traffic sight distance/visibility analysis for both proposed driveways.
7. The applicant shall provide a detailed signage plan to the City prior to final design review. The signage plan shall show the location, colors, and dimensions of each proposed sign.
8. The applicant shall provide a detailed lighting plan to the City prior to final design review.
9. Provide to the City a revised colors and materials palette with information specific to the materials proposed to be used.
10. Tree grates proposed must comply with City standards.
11. Provide scaled elevations of the proposed canopies and a scaled site plan showing the locations of the proposed canopies/all weather features prior to final design review.
12. Per MICC 19.15.040(F)(2)(f)(1), any materials required for final design review must be submitted a minimum of 21 days prior to the Design Commission final review hearing date.

EXHIBIT 1 PRELIMINARY DESIGN REVIEW SUBMITTAL

MAY 1, 2015

2885 78TH AVE SE MERCER ISLAND

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HEWITT

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CONTENTS CONTINUED

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(Additional enlarged plans,
dimensions, etc.)
- B- SEPA Checklist
- C- Transportation Memo

PROJECT OVERVIEW

PROJECT NARRATIVE

It is abundantly clear that the residents of Mercer Island care deeply about their community. Hines' new mixed-use project aims to reflect and amplify that powerful sense of community. Located in the heart of the Mercer Island Town Center, the project will enhance and enrich the Town Center by providing high-quality retailers, increased public parking, new housing options, and a well-designed public plaza. The intent of this mixed-use development is duly aligned with the Town Center Development and Design Standards of creating a "place of diverse land uses within an aesthetically attractive, easily accessible and economically healthy environment". These standards also call for integration wherever possible. In this mixed use project, pedestrians can come and go as easily as vehicles, grandparents can navigate the site as easily as their grandchildren, and the public feels as welcome in the open plaza as residents feel in their homes above.

The new mixed-use building will replace an existing restaurant, pet supply store, bike shop, insurance agency and approximately 38,000 square feet of at-grade asphalt surface parking. The site has frontages along three Type 1 streets; 78th Avenue SE to the east, SE 29th Street to the south, and 77th Avenue SE to the west. The north side of the building will share a property line with the McDonald's restaurant and parking lot. There is approximately nine feet of grade change from the northeast corner to the northwest. Five existing curb cuts for passenger vehicles will be replaced with two, forming an efficient traffic flow along the north edge of the property. Vehicles bound for residential, retail, and public parking will be able to access their respective garage level via entry and exit points on 77th Avenue and 78th Avenue.

This project celebrates its place as a civic anchor by hosting a significant public plaza that stitches together activity between its adjacent bustling streets. The wide sidewalks flanking the project allow for easy pedestrian circulation around the site, culminating in the public plaza, more than forty feet wide along the entire southern facade. The southwestern side of the plaza is an open and inviting sitting space where patrons of the grocery store and members of the public may sit and enjoy a snack in the sun as they watch people pass by. Plentiful, lush plantings with deciduous trees form an eye-pleasing backdrop toward the street from the perspective of shoppers or walkers in the plaza area. Around the midpoint of the plaza length, people will emerge from public parking elevators to see a stage in front of them, hosting gentle jazz music on a summer evening, carolers on a wintry day, or even children giving an impromptu show en route to the store with their parents. Stairs and bleacher seats terrace up from the stage providing ample space to enjoy a performance or an ice cream cone in the afternoon sun. Near the top of the amphitheater is a landing primed for activity with public elevator and residential unit access, interior public passageways to parking and retail,

and a pathway around the main residential lobby. The southeastern bookend to the plaza, eight feet higher in grade than the southwestern side, is home to a cozier seating area adjacent to the lobby with a public outdoor fireplace surrounded by planters and tree beds. As the unique paving patterns turn the corner from 29th Street to 78th Avenue, an open interior passageway bisects lobby and retail space to either return pedestrians to the public and private elevators or carry on along the tree-lined 78th Avenue promenade.

The proposed retail spaces have high ceilings and clerestory windows. On 77th Avenue the large retail space has rear access to Level 1 (77th) parking for its patrons. On 78th Avenue there is a separate retail space that may host one large shop or several smaller ones also with parking accessed from Level 1 (78th). The residential lobby sits at the corner of 78th Avenue and 29th Street with a similar material language to both retailers that gives the sense that the floors above are floating. Ample seating will flank all facades as well as overhead weather protection and large storefront windows.

The residential floors begin at level 2 and enclose a private courtyard that looks out onto the South Plaza below and provides light and air to the interior units. Flanking the view out to the plaza are the residential amenity areas which include a club room and fitness area. The activity centralized around the plaza will enhance the lively and safe nature of the surrounds. An exterior stairwell draws residents from their homes down to the 78th plaza level as an architectural feature with a secure yet unassuming presence in the plaza. Within the four residential levels are 196 apartments; a mix of studios, one, two, and a few three bedroom units. Some units will have balconies or private terraces filled out with greenery to soften the edges between residential and retail levels.

The materials and massing are inspired by the history of regional mid-century modernism on the Island. By addressing the mass with clean, simple lines, generous roof overhangs, and highlighting structural elements, the building stays true to its inspired scale and form. Each façade has a markedly deep recess to balance the overall proportion of the frontage. Careful detailing and high quality exterior materials embellish the form with an elegant modernism befitting the tastes of the Island. Native plants and trees in the right-of-way and on site stitch the overall building into its surroundings and elevate the quality of the pedestrian experience in the Town Center.

PROJECT OVERVIEW

PROJECT DATA

PROPERTY ADDRESS:

2885 78th Ave SE, Mercer Island, WA

ZONING TYPE: Town Center - Mixed-Use Focus Area

Assumes 5 story - 65' Height limit with significant public amenity

SITE AREA: 75,935 sf - 1.74 acres

LOT COVERAGE BY STRUCTURES: 76% (57,495 sf)

LOT COVERAGE BY PERVIOUS AREA: 3% (2,438 sf)

TOTAL LOT COVERAGE BY IMPERVIOUS SURFACES:

97% (73,497 sf)

BUILDING AREA:

RESIDENTIAL - 157,731 sf

COMMERCIAL - 15,938 sf

PARKING - 174,098 sf

MISC. SUPPORT - 49,418 sf

TOTAL AREA - 397,185 sf

BUILDING CODE:

2012 International Building Code with Washington State Amendments

PROPOSED USE:

Mixed-Use Apartments

UNIT COUNT: 196 (113 units per acre)

COMMERCIAL: 15,938 sf

PARKING: 518 stalls - Standard (min) and ADA

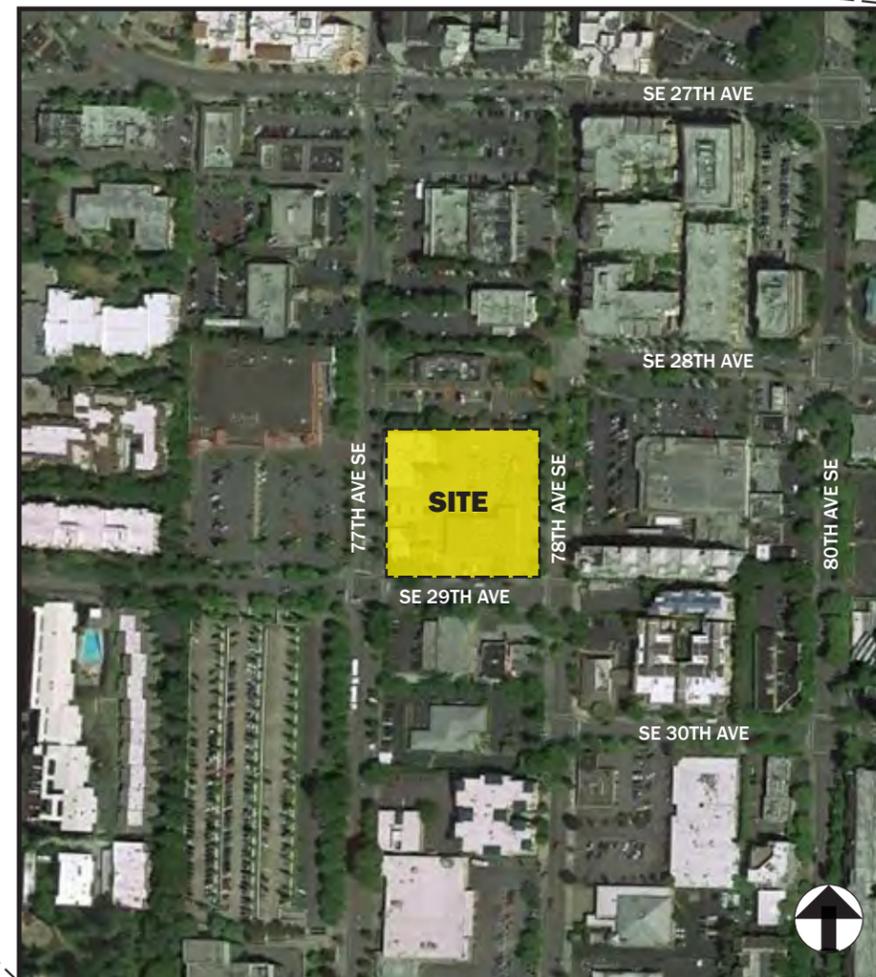
255 residential

63 commercial

200 public



VICINITY MAP



PROJECT SITE

ZONING SUMMARY

19.11.010 GENERAL
 Zone: TC
 This chapter establishes development and design standards for Mercer Island Town Center (TC)

B.1 Urban Design Vision
 a Scale and Form: buildings that are urban in character, pedestrian oriented
 Site Features: new development to include public amenities ie: storefronts with canopies, street trees, seating, fountains/ water features, outdoor cafes, sculpture/art, places for gathering and lingering
 b Pedestrian Orientation: promote active use of sidewalks with ground floor level retail and offices to increase economic viability of Town Center
 c Opportunity Sites: See 19.11.040 for building height incentive for significant public plaza
 d Design and development standards: means of enhancing pedestrian experience and creating genius loci

19.11.020 TOWN CENTER DEVELOPMENT - GENERAL
 B.1 Outright Permitted Uses: Bar, Care services, hotel/motel, residential dwelling, restaurant, small scale retail, service,
 C.1 Street Classifications
 29th St, 77th Ave and 78th Ave. are classified as Type 1 Streets
 When public parking is provided; 40% or more of ground floor street shall be occupied by retail, restaurant or personal services.
 (Driveways, parking garage entrances and lobbies are not included in calculating required percentage)
 C.2 All ground floor retail shall be a minimum depth and width of 20'
 Face of retail frontage to back of retail interior and interior to interior wall dimensions
 D.4 Bicycle Facilities: parking and facilities for bike use (covered, secure racks and storage areas) should be included

19.11.040 BUILDING HEIGHT
 B.1 Calculation of building height: Measured from avg bldg elevation to highest point of roof structure (not including rooftop appurtenances)
 B.2 Base building height allowed: 2 stories, not to exceed 26'
 B.3 Additional Building Height (Mixed Use Focus Area)
 Maximum building height with a significant public amenity: 5 stories, not to exceed 65'
 Exhibit 3: Lots Eligible for Significant Public Plazas & Significant Pedestrian Connections
 B.4 Rooftop Appurtenances 10' from exterior edge, less than 20% of rooftop area

19.11.050 SIGNIFICANT PUBLIC AMENITIES
 B.1 Exhibit 3 indicates that this site is a Significant Public Plaza potential site
 Plaza should be located at the west edge of the site (along 78th Ave. SE)*
 Exhibit 3 indicates that this site may be eligible for a Significant Pedestrian Connection
 This should run east / west at the north end of the site
 There is about a 10' fall from 78th to 77th Aves. (this would result in a 3.8% sidewalk)
 Public plaza or pedestrian connection must be provided to qualify for the maximum building height
 The design commission will select either a public plaza or pedestrian connection based on greatest public benefit
 *Based on the Jan 2015 Code Update Review and Analysis Workshop, the site has been recommended for an Anchor Civic Space with a 'major south-facing plaza' that would anchor the connection from 78th to 77th and a potential new arts center.
 B.2 Significant Public Plaza
 The size should be equal to 3% of the gross floor area (in the TC zone this does not include parking or courtyards)
 The minimum dimension is 20' and minimum area is 4,000sf

Plaza Analysis	223,087 sf x .03	6,693 sf required
----------------	------------------	-------------------

 Plaza shall be at sidewalk level
 Design elements to include seating, lighting, water features, special paving, landscaping, artwork or other items det. by the design comm.
 2 linear feet of seating per 100sf of plaza space; 18" min depth
 50% min seating should have seat backs and have wood surfaces (rather than metal, stone or concrete)
 Moveable chairs to be provided for public use, not solely for retail use

25% min, 60% max of open space to be landscaped
 Portions of plaza may be covered for weather protection, but not enclosed
 1/4" Plaza plan required describing all landscaping; lighting; street furniture; color and materials; relationship to building frontage; specific plaza location; relationship to any pedestrian connection or other public amenity
 24 hour public plaza access required

B.3 Significant Pedestrian Connection
 This should connect between right of ways having the effect of dividing a long city block
 Per Exhibit 3, it looks as if portions of our north property line border the site requiring a SPC.

B.4 Legal Agreements Required for Significant Public Plazas
 Legal agreement required that plaza property is subject to a right of pedestrian use and access by the public. 50 year statute accepted by city attorney and recorded by King County division of records.

19.11.060 SITE FEATURES
 B.1 Minor Site Features
 All new major construction shall have at least three minor site features:
 Decorative Landmarks: decorative clocks, special paving, art, water features, drinking fountains
 Canopies (required on 80% of all Type 1 streets) Minimum 6' projection from building over sidewalk, between 8' and 12' above grade. Traditional 'shape' is encouraged
 Kiosk:community oriented bulletin board or newsstand/rack complementary to site design
 Courtyards: 10' min width, 50% landscaping, low impact runoff, weather protected
 Additional Sidewalk Setback: 5' min. in addition to min sidewalk setback per 19.11.110.B4 along 78th for the entire street frontage
 B.2 Major Site Features
 A development providing a significant public amenity is exempt from this requirement.

19.11.065 BUILDING FACADES - VISUAL INTEREST
 B.1 Street-Facing Façade Elements: include (7) of the following elements, (4) min at grade:
 a. Window and door treatments which embellish the facade.
 b. Decorative light fixtures.
 c. Unique facade treatment, such as decorative materials and design elements.
 d. Decorative paving.
 e. Trellises, railings, gates, grill work, or unique landscaping.
 f. Flower baskets supported by ornamental brackets.
 g. Recessed entrances.
 h. Balconies.
 i. Medallions.
 j. Belt courses.
 k. Decorative tilework.
 l. Unique, handcrafted pedestrian-scaled designs.
 m. Planter boxes with seasonal color.
 n. Projecting metal and glass canopy.
 o. Clerestories over storefront windows.
 p. Other elements as approved by the design commission.
 B.2 Walls: no blank facades, esp at pedestrian level
 Use recesses, trellises with climbing vines or landscaping, artwork, windows, seating, recessed secondary entrances, balconies, belt courses, cornices, plinths etc
 B.3 Ground Floor Windows and Doors: 75% min. of ground floor façade to have windows and doors between 2' tp7'
 B.4 Upper Story Facades: bldg to change expression above 2 stories to reduce perceived bldg mass via setback, change of material, or projection
 No 'ribbons of glass' allowed at upper levels
 Balconies, roof decks, bay windows, upper story commercial encouraged to relate to street activity
 B.6 Long Buildings: Buildings longer than 50' shall provide relief to mass via varied setbacks or heights, projecting windows, entrances or walls.
 Long walls to be staggered horizontally and vertically for interest
 B.7 Contiguous Building Façade: buildings longer than 50' at street frontage shall have a building element, ie embellished entrance, courtyard, arcade, etc to divide the façade visually
 B.8 Entrances: Should be concentrated, physically/visually inviting, recessed/sheltered.
 At corners, entrances should open to public plaza/courtyard
 8' wide min. pedestrian walkways w/ wheelchair access to be constructed between sidewalk and entry

ZONING SUMMARY

19.11.070 MATERIALS AND COLOR

- B.1 Building Exteriors: high quality, durable, weather resistant, low maintenance materials
- B.3 Concrete Walls: should be architecturally treated concrete ie exposed aggregate, sandblasted, stamped or color coated
- B.4 Harmonious Range of Colors: no neon or very bright colors should be used to set building apart from others in TC
- B.5 Bright Colors: To be used only for trim and accents. Other uses must be approved by design commission
- B.6 Prohibited Materials: beveled metal siding, mirrored glass, vinyl siding

19.11.080 SCREENING

- B.1 On-Site Service Areas: loading zones, outdoor storage, garbage collection, recycling areas etc. should not be visible from public streets
Service areas should accommodate loading, trash bins, recycling facilities, storage areas, utility cabinets, utility meters, transformers, etc.
Locate for easy access by service vehicles and tenant access
Emissions of noise, vapor, heat or fumes should be mitigated.
- B.2 Garbage, Recycling Collection and Utility Areas
Enclosed and screened at the perimeter by a 7' min high fence, concealed top, with self closing doors
If adjacent to public street, a landscaped planting strip, minimum 3' wide, shall be located on three sides of such facility
Emissions of noise, vapor, heat or fumes should be mitigated
- B.3 Meters and Mechanical Units:
Water/ gas/ electric meters, ground-mounted mechanical units, and sim structures should be hidden from public view or screened
- B.4 Fences: Masonry, ornamental metal/wood or combo of the three allowable. Chain link, plastic or wire fencing is prohibited.

19.11.090 LIGHTING

- B.1 Pedestrian-Scale Light Fixtures: Should give visual variety/distinction from other buildings nearby and blend with the architectural style
- B.2 Light Type: Minimum wattage metal halide or color corrected sodium for more "natural" light.
Non-color corrected low-pressure sodium and mercury vapor light sources are prohibited.
- B.6 Neon Lighting: May be used as lighting element provided that tubes are concealed and integral to building design. Prohibited when used to outline bldg
- B.7 Shielding: Fixtures should confine light spread within site boundaries to the extent possible

19.11.100 LANDSCAPE AND OUTDOOR SPACES

- B.2 Trees and Groundcover:
Prominent trees should be preserved
Trees planted near public curbs or paved areas should be planted to prevent damage to adjacent improvements
Groundcover should be planted to have 100% coverage within two years
Tree cutting or pruning shall be consistent with MICC 19.10
- B.4 Landscape Screening: At storage, trash, loading, blank wall locations
Must include shrubs and trees, be located on private property, and be wide enough to maintain plant material and screen view but not less than 3' wide
- B.5 Building Entries: Should be emphasized with special landscaping and/or paving in combination with lighting.
- B.7 Amount and location: Complementary to design of the development
Approx. 1sf per every 100sf of gross building floor area
- B.8 Continuity: Landscaping should provide design continuity between neighboring properties
- B.9 Irrigation: Landscaped areas should have an automatic, conservation conscious irrigation system (waterlines, sprinklers that minimize overspray onto structures/walks/windows)

19.11.110 VEHICULAR AND PEDESTRIAN CIRCULATION

- B.1 a. Parking stalls required

Residential (1 - 3 per unit based on site plan and traffic impact analysis)			
Retail (3 - 5 per 1000sf for General Retail)			
Parking Analysis	Min	Max	(See Table 5 of Preliminary Transportation Summary for Traffic Analysis)
Required			
Residential	196	588	
Retail	48	80	
Public	0	0	(Non-specified use stalls per gsf determined by code official)
Total	244	668	
Provided			
Residential	255	(1/bedroom)	
Retail	63	(4/1000 SF)	
Public	200	(no gsf determined yet)	
Total	518		

- b. Determination within range: Code official has final authority to require parking within min/max limits based on applicant's submitted site plan and traffic impact analysis

- d. Parking Lot Configuration: Parking lot design should conform with Appendix A standard stall diagrams.

Residential/Office spaces	50% max compact stalls
All other uses	25% max compact stalls
Compact Stall	8'x16'
Standard Stall	8.5'x18.5'
Minimum Drive Aisle Width, 2-way Traffic	20'

- e. Shared Parking - Mixed Use Projects
Possible to reduce parking requirement by 20% if applicant can prove no substantial impact will occur due to reduced stall count

- B.2 Loading Space: Must be adjacent to or within or underneath the building. Must accommodate max number and size of vehicles simultaneously loading in connection with business without projecting into the Right of Way

- B.4 Sidewalks

- a. On 78th, structures shall be set back so that 15' minimum sidewalk exists between structure and face of street curb, excluding areas where curb is interrupted by parking pockets
Additional setbacks along 78th are encouraged to provide space for pedestrian activity and maintain existing street trees and parking
Reduction of Sidewalk Setback: Design commission may allow 15' reduced to 12' if omitted area is provided elsewhere onsite such as a public plaza or pedestrian connection

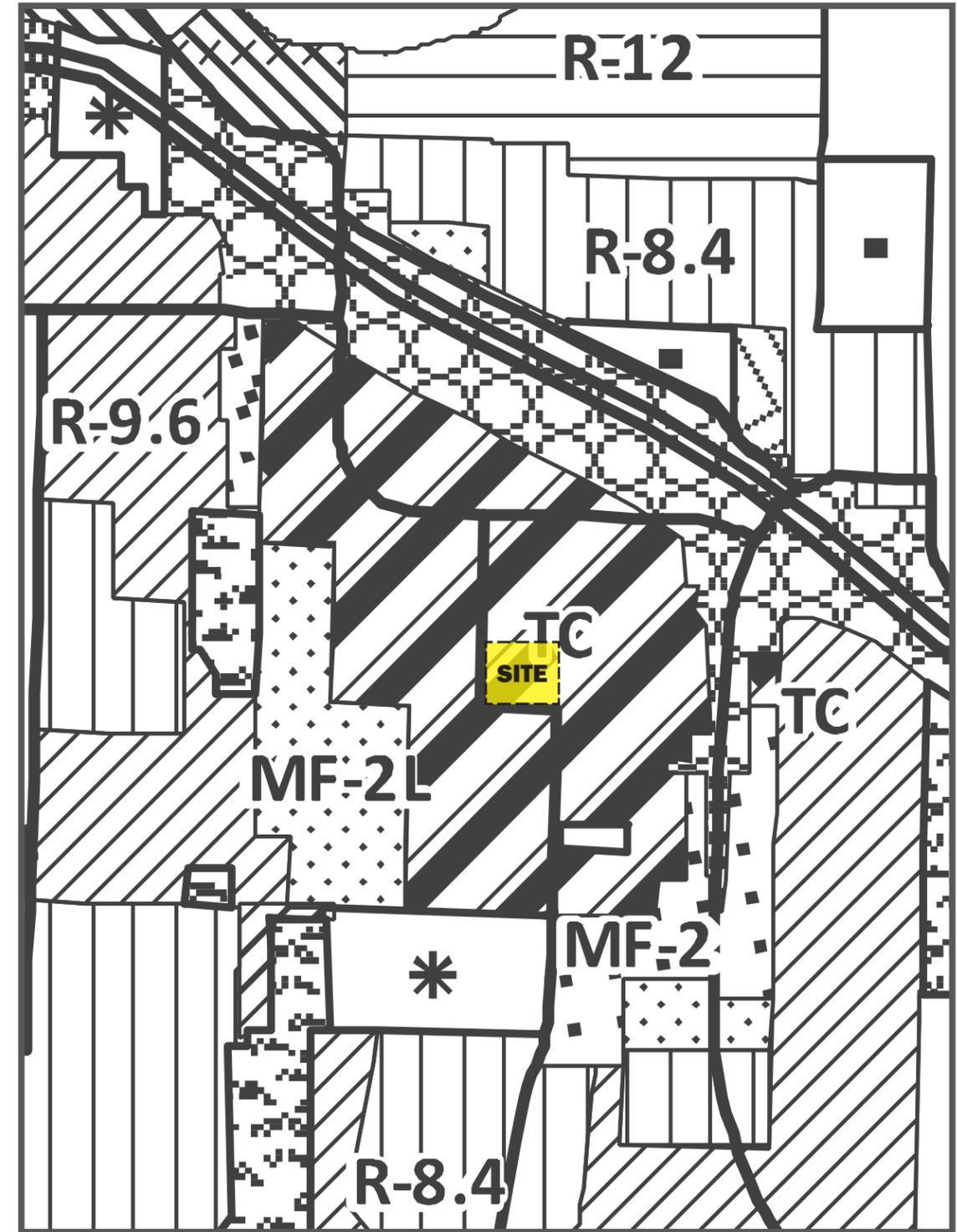
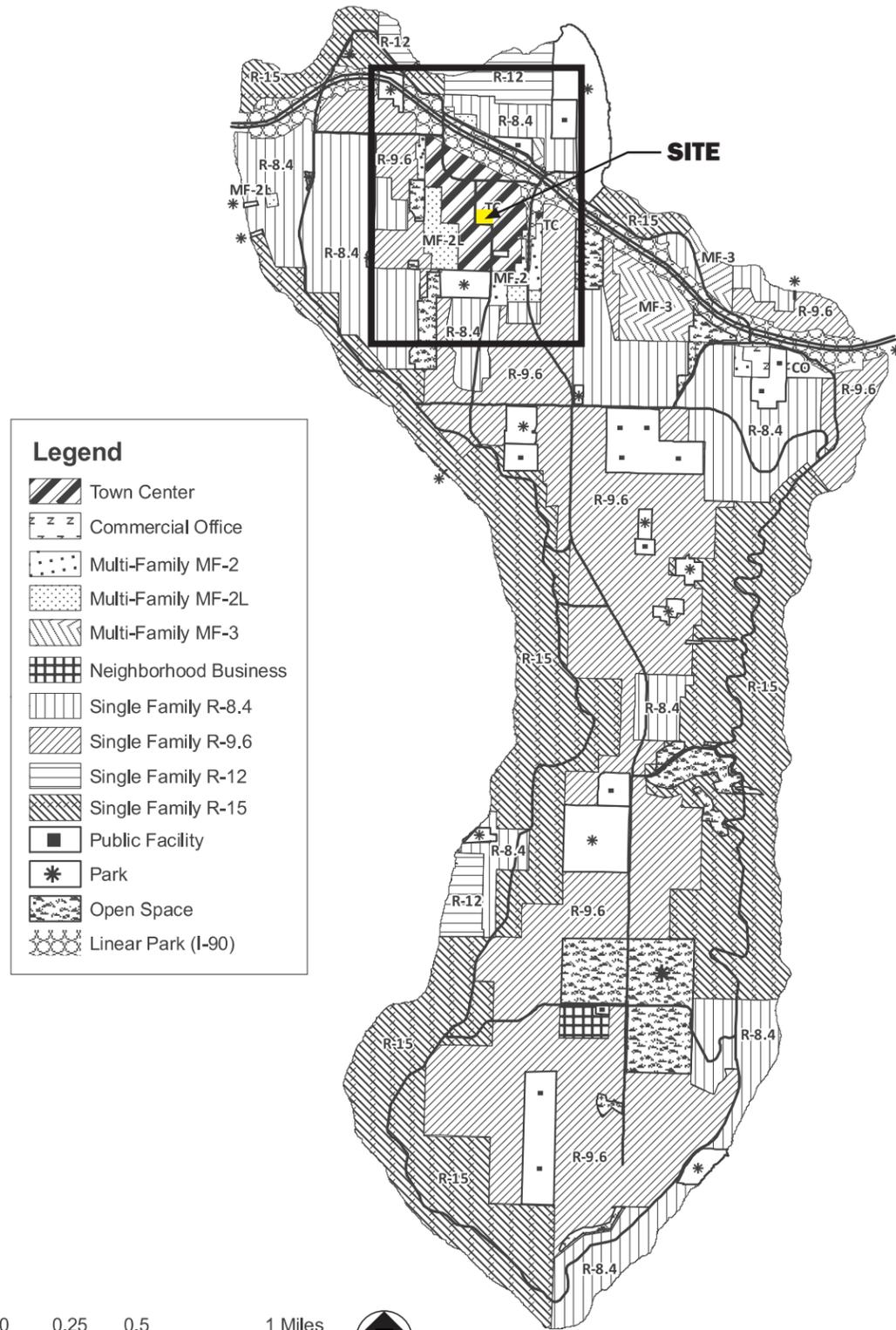
Area may not be calculated as part of min area requirement for any major/minor site feature per 19.11.060

- b. All Other Public Rights of Way: 12' minimum sidewalk required between structure and face of street curb, excluding locations where curbline is interrupted by parking pockets.

- B.6 Public Parking

- a. All parking provided for non residential uses shall be available for public parking
- b. Public Parking shall be available for a time period determined by owner, but not less than 2 hours
Owner may require motorist to patronize at least one business in development but otherwise will be entitled to leave the development without moving their vehicle per time specified by owner
- c. Once public parking has been provided, it may not be eliminated

SITE CONTEXT
ZONING MAPS



ZONING MAP - CURRENT

The site is located at the heart of Mercer Island's Town Center zone.
(City of Mercer Island Comprehensive Plan, 2005)

SITE CONTEXT
NEIGHBORHOOD DEVELOPMENT AND USES



- Recreation / Open Space
- Multifamily / Mixed-Use Residential
- Commercial / Retail / Office
- Civic / Religious
- Institution / Education
- Single Family Residential
- Future Development

SITE CONTEXT
AERIAL VIEW OF SITE



Aerial View of site from the southeast, looking towards I-90.

SITE CONTEXT CONTEXT PHOTOGRAPHS



SITE CONTEXT

STREETSCAPES - 78TH AVE SE

PROJECT SITE



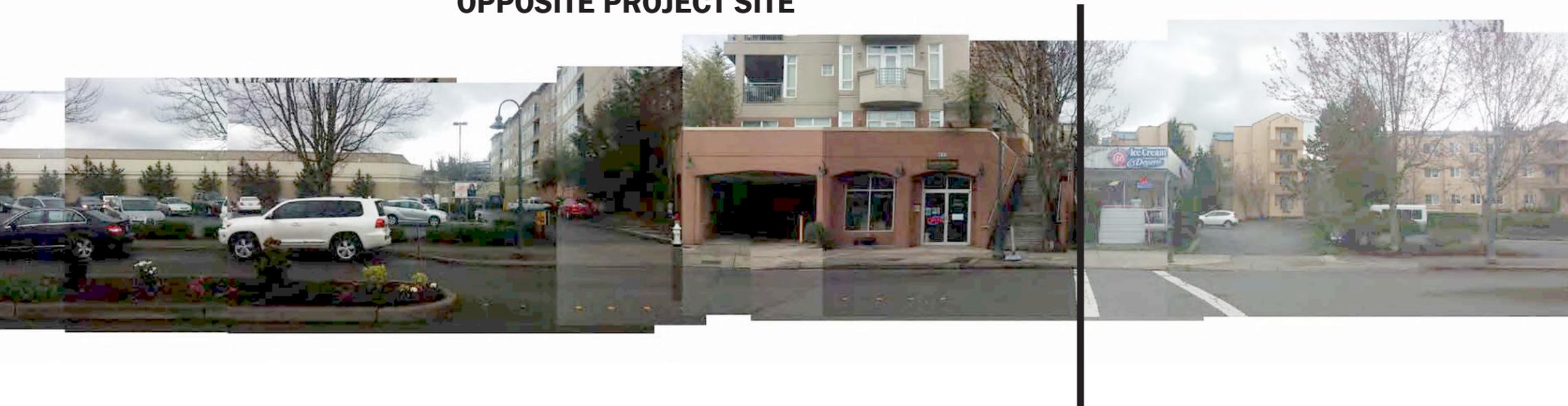
OPPOSITE PROJECT SITE



SITE CONTEXT
STREETSCAPES - 78TH AVE SE



OPPOSITE PROJECT SITE



SITE CONTEXT

STREETSCAPES - SE 29TH ST

PROJECT SITE



A

OPPOSITE PROJECT SITE



B

PROJECT SITE



OPPOSITE PROJECT SITE



SITE CONTEXT

STREETSCAPES - 77TH AVE SE

OPPOSITE PROJECT SITE



A

PROJECT SITE



B

SITE CONTEXT
STREETSCAPES - 77TH AVE SE



PROJECT SITE



SITE CONTEXT
STREETSCAPES - NORTH PROPERTY LINE



PROJECT SITE



A

OPPOSITE PROJECT SITE



B



ARCHITECTURAL CONTEXT

EXISTING MERCER ISLAND MIXED-USE RESIDENTIAL



ARCHITECTURAL LANGUAGE PRECEPT

MERCER ISLAND MID-CENTURY MODERN

TENETS OF MID-CENTURY MODERNISM AND NORTHWEST REGIONALISM

SITING: The position of the building within the landscape seeking harmony with the landscape rather than separation.

REGULARITY: Visually evident structural components (beams, columns, etc.) allow for the materiality between such elements to appear paper-like or floating

CONNECTION: Materials that extend beyond the heated envelope of the building. Paving from a courtyard that continues into the foyer. Wood on the ceiling that extends to the outside edge of the eaves. Also, weather-resistant outdoor rooms to enhance the perceived size of a dwelling and enjoyment of the outdoors.

SIMPLICITY: Simple forms and clean lines are aesthetically pleasing and allow for a play of daylight and weightlessness.

JAPANESE INSPIRED: From heavily detailed roof structures balanced on delicate columns to wabi sabi order and chaos of surrounding gardens, Mid-Century Modernism and the regionalism of the Pacific Northwest borrow many cues from Japanese tradition.

MATERIALITY: Exposing materials as their intended use; exposed wood beams, brick fireplaces, concrete walls or floors, wood sheathing, etc.



Architect: Ralph Anderson



Architect: John Johansen



Architect: Lars Bang



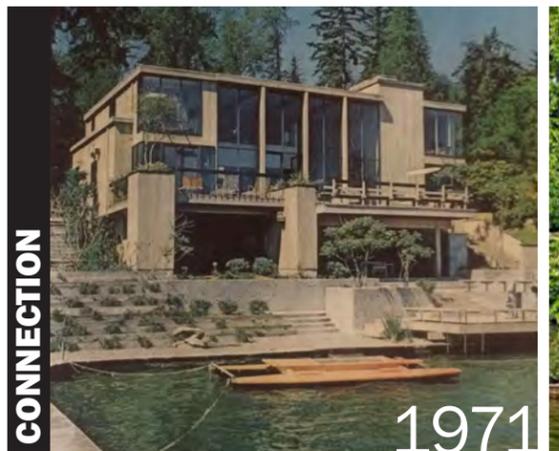
Architect: Jamie Bush & Co.



Architect: Fred Bassetti



Architect: Arne Bystrom



1971



Architect: Reid Morgan

2010



Architect: Roland Terry



Architect: Ralph Anderson



Architect: Wendell Lovett

BUILDING PERSPECTIVES
SOUTH FACADE AT SOUTHEAST



ARCHITECTURAL CONTEXT

BUILDING FACADE ZONING REQUIREMENTS

All of the items bold listed will be incorporated into the design of all three Type 1 street facades along 77th Avenue SE, SE 29th Street, and 78th Avenue SE unless noted otherwise.

Mercer Island Municipal Code 19.11.065.B:
Building Facades - Visual Interest Development and Design Standards.

1. Street-Facing Facade Elements. All major new construction shall include at least seven of the following elements on the street facing facades, at least four of which shall be located on the ground floor level:

- a. Window and door treatments which embellish the facade.
- b. Decorative light fixtures.
- c. Unique facade treatment, such as decorative materials and design elements.
- d. Decorative paving.
- e. Trellises, railings, gates, grill work, or unique landscaping.
- f. Flower baskets supported by ornamental brackets. (Not Pursued)
- g. Recessed entrances. (Not Pursued)
- h. Balconies.
- i. Medallions. (Not Pursued)
- j. Belt courses. (Not Pursued)
- k. Decorative tilework. (Not Pursued)
- l. Unique, handcrafted pedestrian-scaled designs. (SE 29th Street only)
- m. Planter boxes with seasonal color.
- n. Projecting metal and glass canopy.
- o. Clerestories over storefront windows.
- p. Other elements as approved by the design commission.



BUILDING PERSPECTIVES
SOUTH FACADE FROM SOUTHWEST

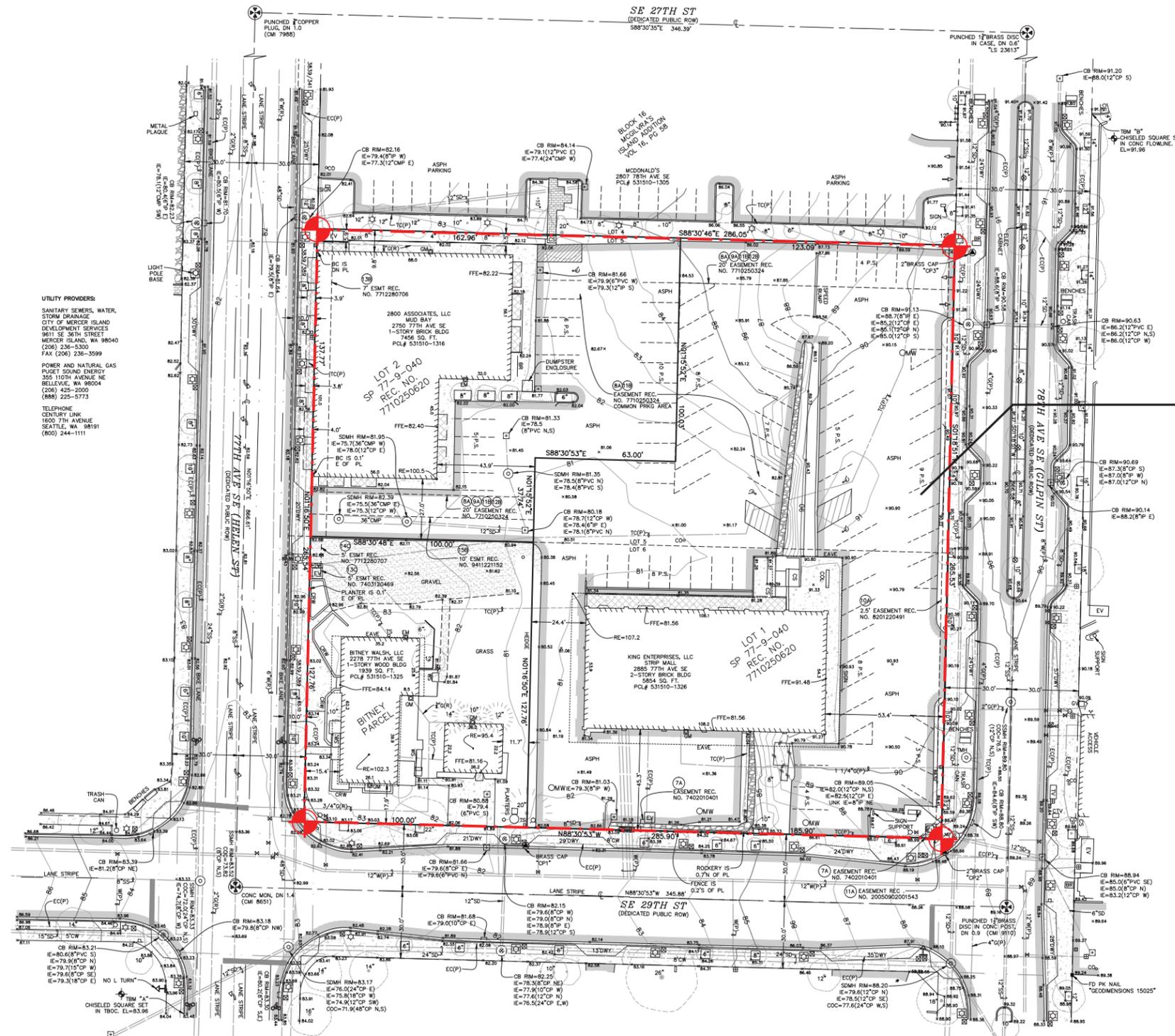


BUILDING PERSPECTIVES
SOUTHWEST CORNER PLAZA



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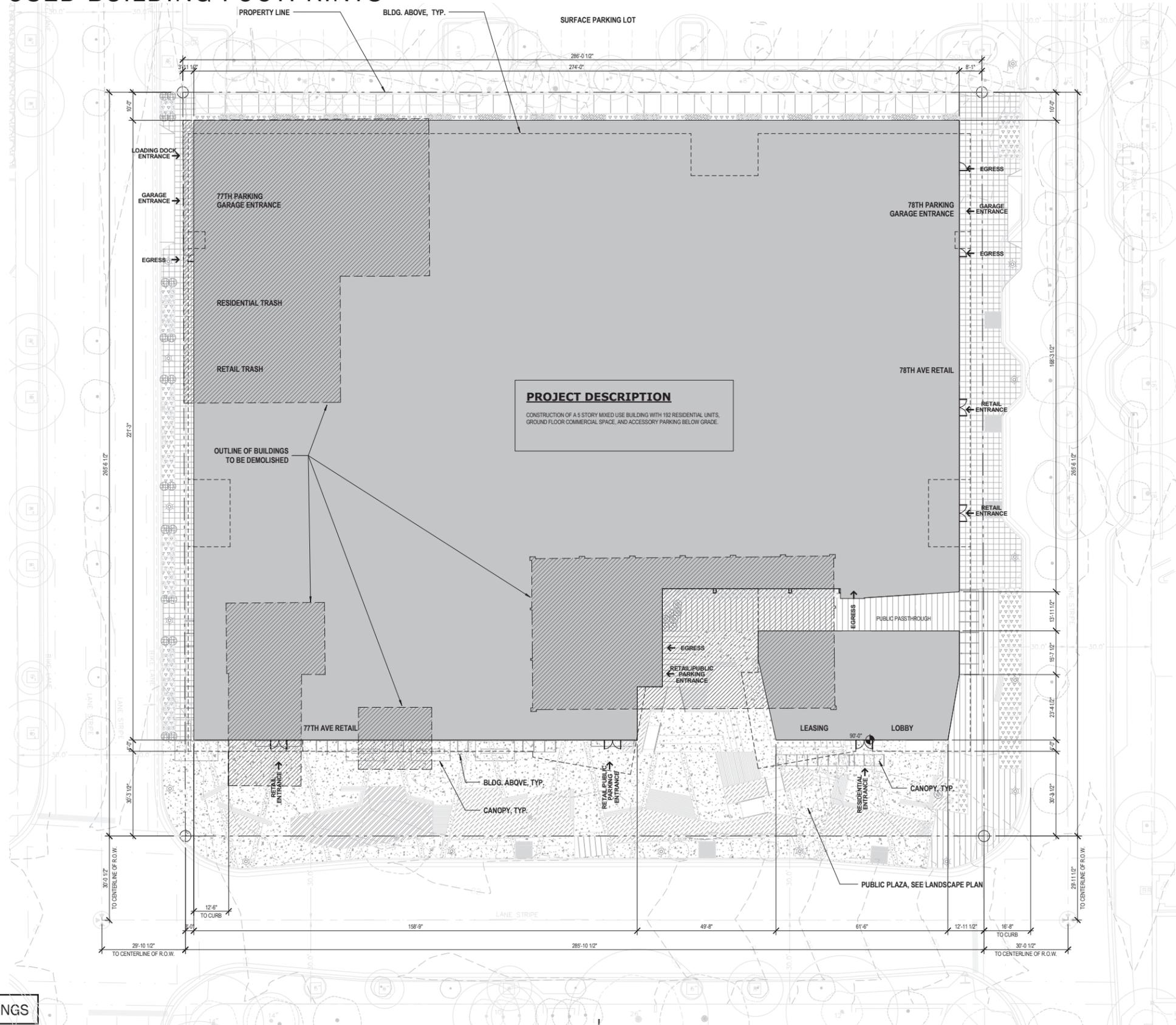
SITE PLAN SITE SURVEY



SEE APPENDIX A FOR FULL SIZE DRAWINGS

SITE PLAN

EXISTING AND PROPOSED BUILDING FOOTPRINTS



See Landscape Plans for information regarding paving, planting, and removed trees.

See Survey for additional information regarding existing topographic contours, existing traffic, parking, and planting.



SEE APPENDIX A FOR FULL SIZE DRAWINGS

SITE PLAN AVERAGE BUILDING ELEVATION

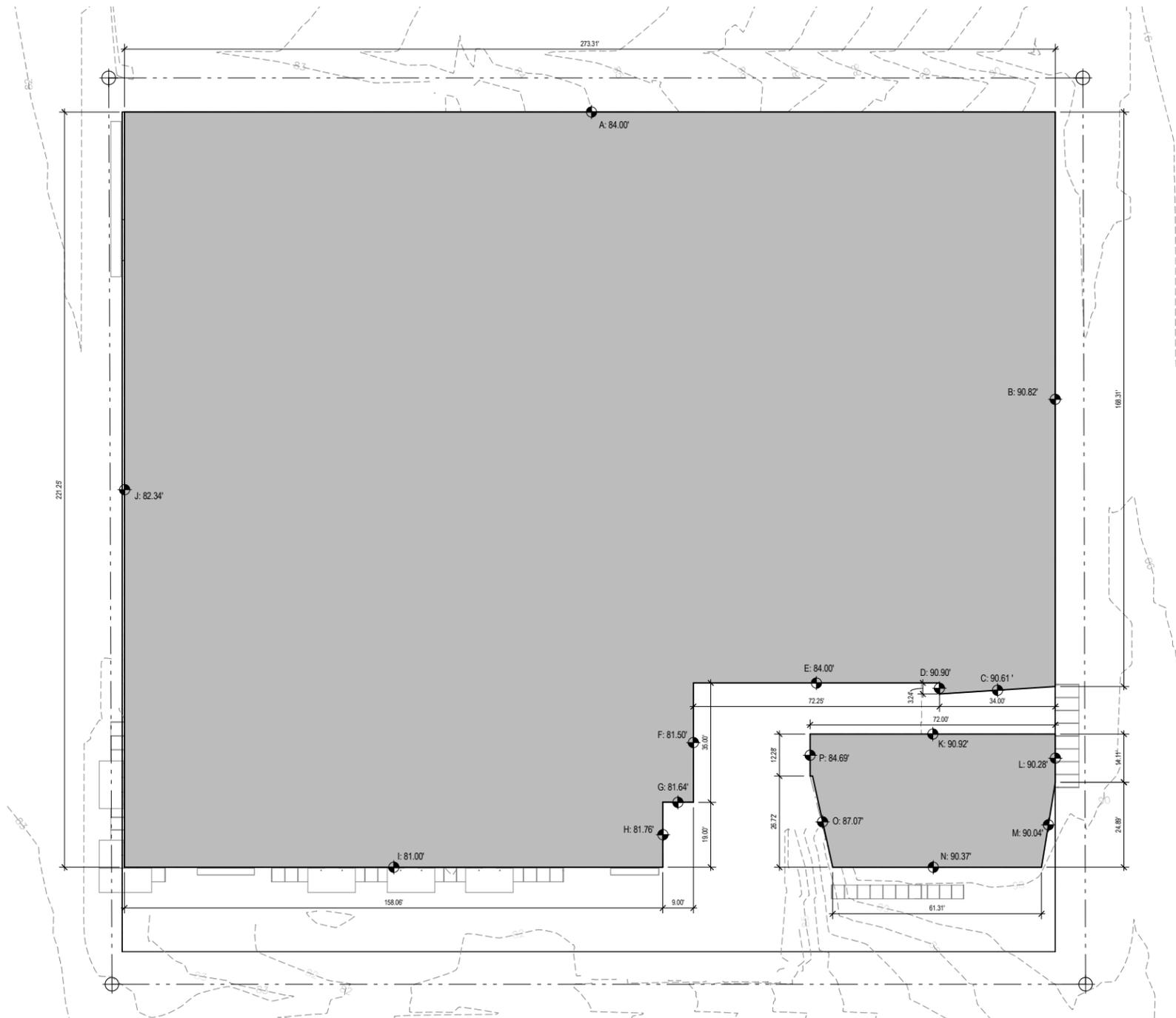
The elevation established by averaging the elevation of the existing grade, prior to any development activity, at the center of all exterior walls of the building.

$$\frac{(\text{Midpoint Elevations}) \times (\text{Length of Wall Segments})}{(\text{Total Length of Wall Segments})} = \text{Average Building Elevation}$$

WALL SEGMENT	MIDPOINT ELEVATION (A)	LENGTH (a)	AVERAGE (A*a)
A	84.00	273.31	22958.25
B	90.82	168.31	15285.82
C	90.61	34.07	3087.08
D	90.90	3.24	294.63
E	84.00	72.25	6069.00
F	81.50	35.00	2852.51
G	81.64	9.00	734.76
H	81.76	19.00	1553.43
I	81.00	158.06	12803.06
J	82.34	221.25	18217.72
K	90.92	31.67	2879.13
K	90.92	30.33	2757.91
L	90.28	14.11	1273.94
M	90.04	25.22	2270.55
N	90.37	61.31	5540.21
O	87.07	27.53	2397.33
P	84.69	12.28	1039.89
		1195.94	102015.22

(total of the AVERAGE (A*a) divided by the total of the Lengths (a))

$$102924.42' / 1205.94' = 85.35' \text{ AVERAGE BUILDING ELEVATION}$$



SEE APPENDIX A FOR FULL SIZE DRAWINGS

BUILDING PLANS

PARKING LEVEL 2

BY LOCATION	COUNT
RESIDENTIAL 43% large stalls (9'-0" X 18'-6")	
LEVEL 1 77TH	1
LEVEL P1	87
LEVEL P2	167

COMMERCIAL 40% large stalls (9'-0" X 18'-6")	COUNT
LEVEL 1 78TH	70
LEVEL 1 77TH	49
LEVEL P1	81

2 HOUR COMMERCIAL 52% large stalls (9'-0" X 18'-6")	COUNT
LEVEL 1 78TH	19
LEVEL 1 77TH	44
TOTAL:	518

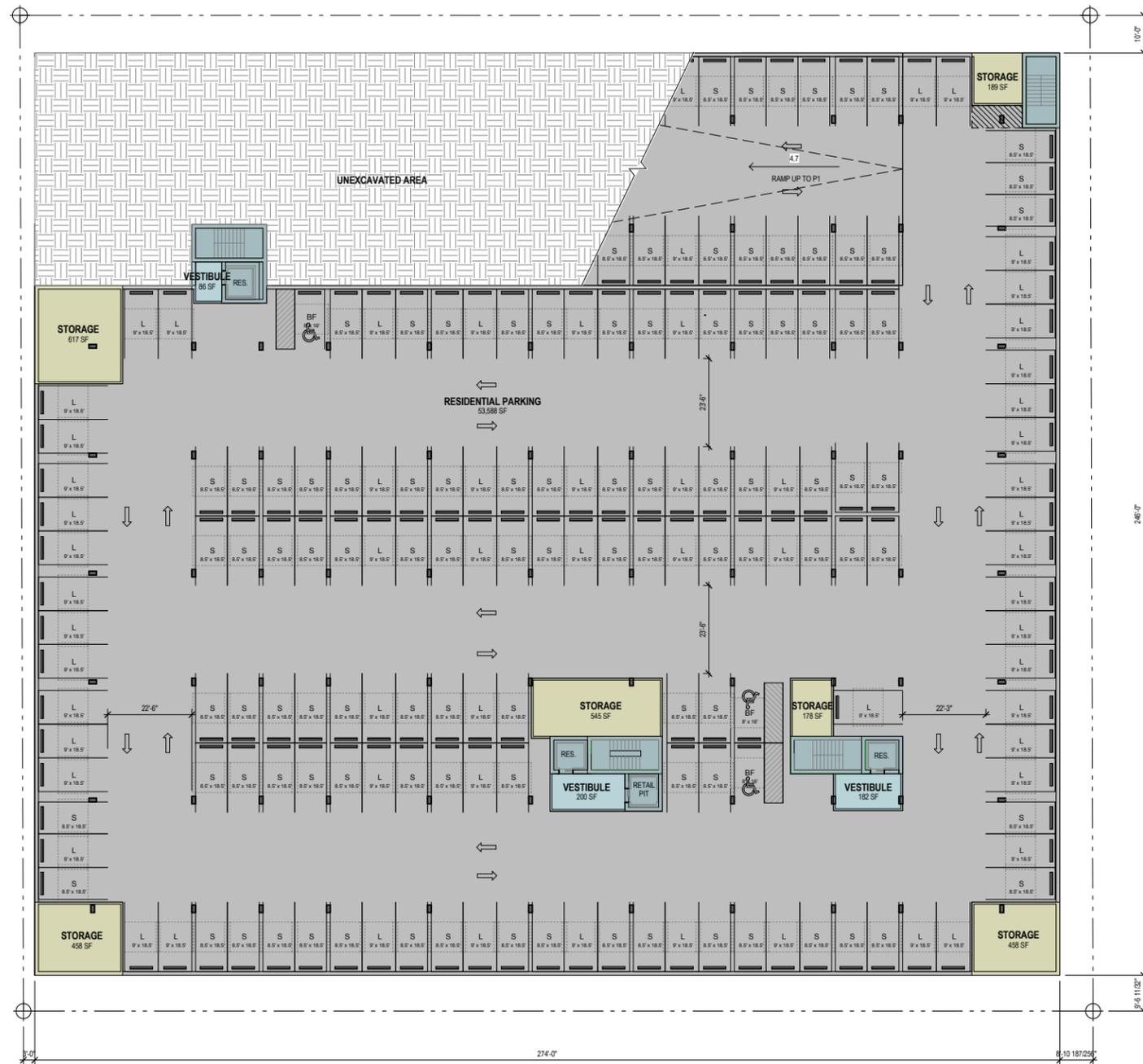
BY STALL TYPE	COUNT
LEVEL P2	
ACCESSIBLE STALL	3
LARGE STALL	62
MI STANDARD STALL	102
	167

BIKE PARKING

Residential 1 space per 4 units = 49 spaces provided in rooms on L1 77TH
 Retail long term 1 space per 1200sf = 2 spaces provided in room on L1 77TH
 Retail short term 1 space per 2000sf = 8 spaces provided around building at grade under cover

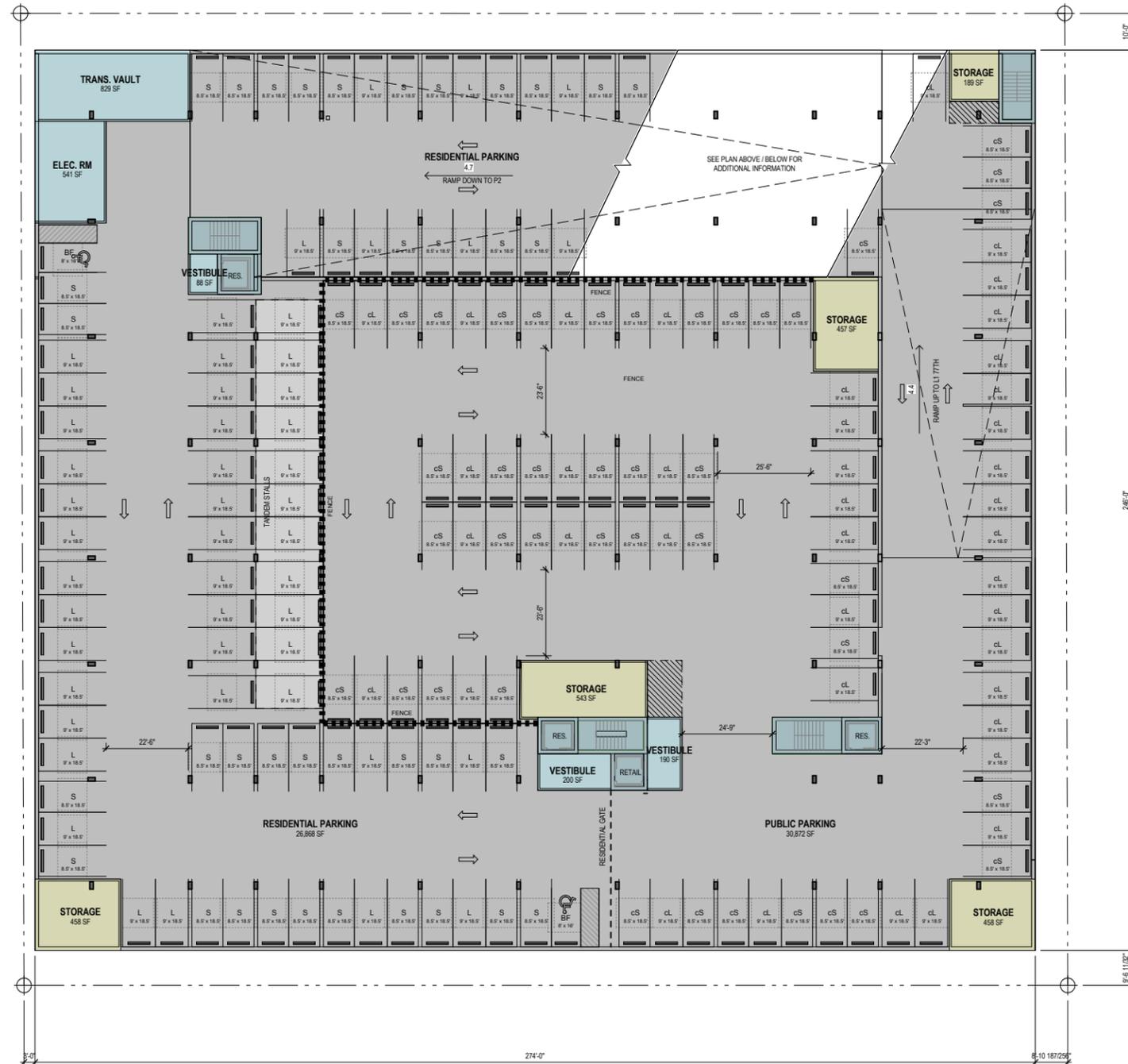


- Parking
- Commercial
- Residential
- Vertical Circulation
- Lobby/Circulation/Mechanical
- Interior Amenity/Storage
- Outdoor Amenity



SEE APPENDIX A FOR FULL SIZE DRAWINGS

BUILDING PLANS PARKING LEVEL 1



BY LOCATION	COUNT
RESIDENTIAL 43% large stalls (9'-0" X 18'-6")	
LEVEL 1 77TH	1
LEVEL P1	87
LEVEL P2	167

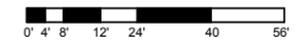
COMMERCIAL 40% large stalls (9'-0" X 18'-6")	
LEVEL 1 78TH	70
LEVEL 1 77TH	49
LEVEL P1	81

2 HOUR COMMERCIAL 52% large stalls (9'-0" X 18'-6")	
LEVEL 1 78TH	19
LEVEL 1 77TH	44
TOTAL:	518

BY STALL TYPE	COUNT
LEVEL P1	
LARGE STALL COMMERCIAL	40
MI STANDARD STALL COMMERCIAL	41
ACCESSIBLE STALL	2
LARGE STALL	48
MI STANDARD STALL	37
	168

BIKE PARKING

Residential 1 space per 4 units = 49 spaces provided in rooms on L1 77TH
 Retail long term 1 space per 12000sf = 2 spaces provided in room on L1 77TH
 Retail short term 1 space per 2000sf = 8 spaces provided around building at grade under cover



- Parking
- Commercial
- Residential
- Vertical Circulation
- Lobby/Circulation/Mechanical
- Interior Amenity/Storage
- Outdoor Amenity

SEE APPENDIX A FOR FULL SIZE DRAWINGS

BUILDING PLANS

LEVEL 1 - 77TH AVE SE

BY LOCATION	COUNT
RESIDENTIAL 43% large stalls (9'-0" X 18'-6")	
LEVEL 1 77TH	1
LEVEL P1	87
LEVEL P2	167

COMMERCIAL 40% large stalls (9'-0" X 18'-6")	
LEVEL 1 78TH	70
LEVEL 1 77TH	49
LEVEL P1	81

2 HOUR COMMERCIAL 52% large stalls (9'-0" X 18'-6")	
LEVEL 1 78TH	19
LEVEL 1 77TH	44
TOTAL:	518

BY STALL TYPE	COUNT
LEVEL 1 77TH	
LARGE STALL COMMERCIAL 2HR	26
MI STANDARD STALL COMMERCIAL 2HR	18
COMMERCIAL ACCESSIBLE PARKING STALL	2
COMMERCIAL VAN ACCESSIBLE STALL	1
LARGE STALL COMMERCIAL	12
MI STANDARD STALL COMMERCIAL	34
VAN ACCESSIBLE STALL	1
TOTAL:	94

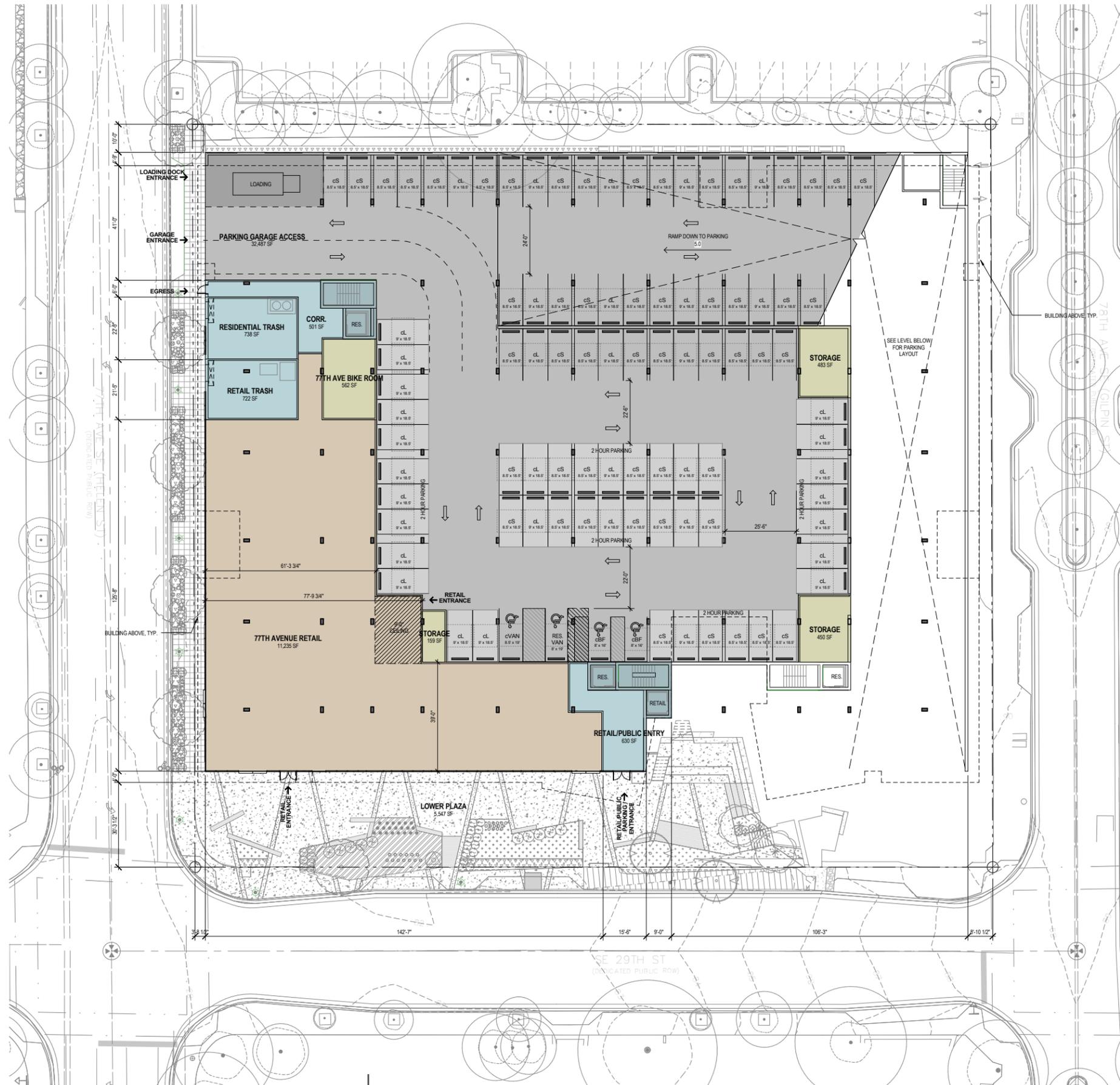
BIKE PARKING

Residential 1 space per 4 units = 49 spaces provided in rooms on L1 77TH
 Retail long term 1 space per 12000sf = 2 spaces provided in room on L1 77TH
 Retail short term 1 space per 2000sf = 8 spaces provided around building at grade under cover



- Parking
- Commercial
- Residential
- Vertical Circulation
- Lobby/Circulation
- Interior Amenity/Storage
- Outdoor Amenity

SEE APPENDIX A FOR FULL SIZE DRAWINGS



BUILDING PLANS

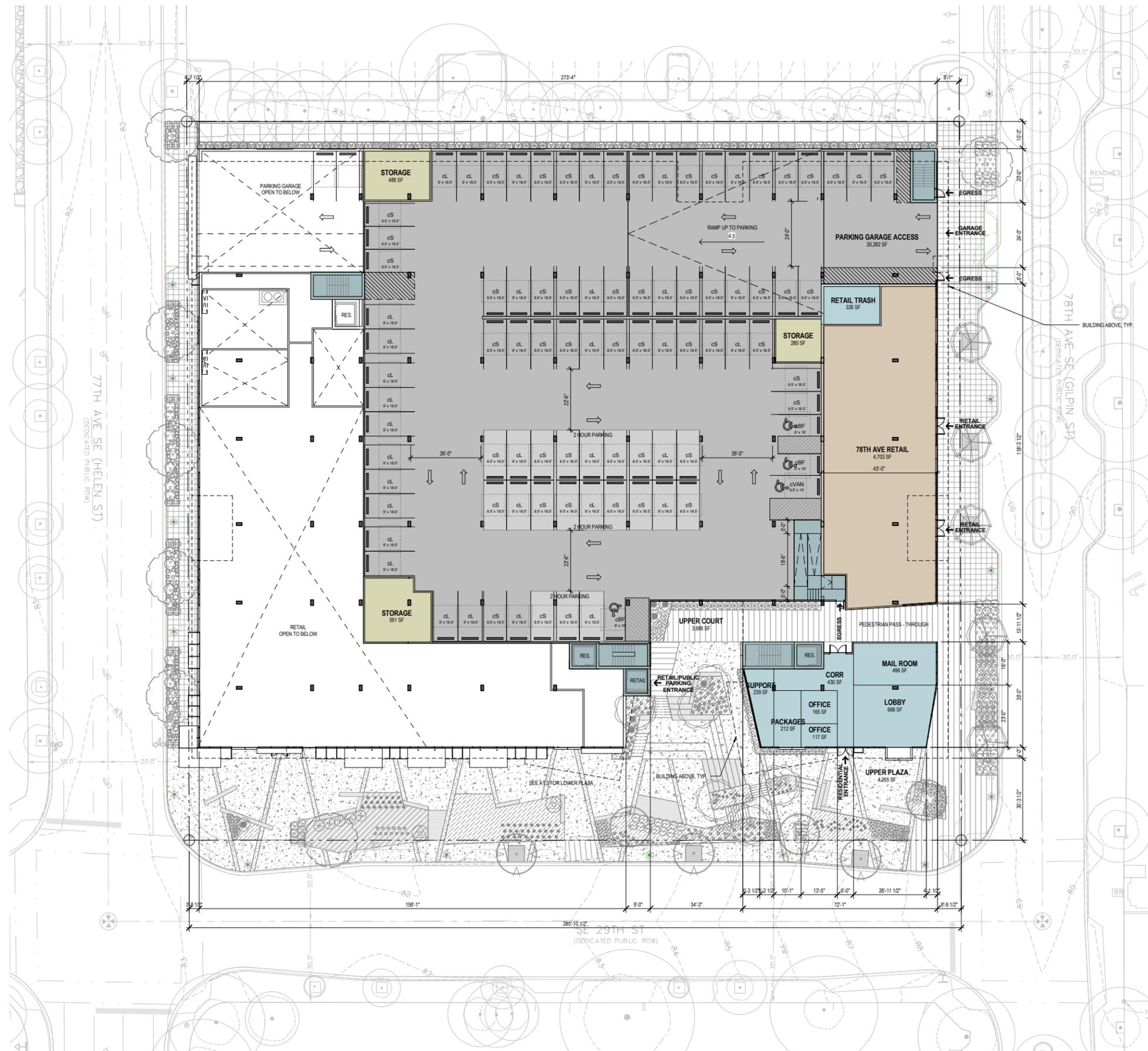
LEVEL 1 - 78TH AVE SE

BY LOCATION	COUNT
RESIDENTIAL	43% large stalls (9'-0" X 18'-6")
LEVEL 1 77TH	1
LEVEL P1	87
LEVEL P2	167
COMMERCIAL	40% large stalls (9'-0" X 18'-6")
LEVEL 1 78TH	70
LEVEL 1 77TH	49
LEVEL P1	81
2 HOUR COMMERCIAL	52% large stalls (9'-0" X 18'-6")
LEVEL 1 78TH	19
LEVEL 1 77TH	44
TOTAL:	518

BY STALL TYPE	COUNT
LEVEL 1 78TH	
LARGE STALL COMMERCIAL 2HR	7
MI STANDARD STALL COMMERCIAL 2HR	12
COMMERCIAL ACCESSIBLE PARKING STALL	3
COMMERCIAL VAN ACCESSIBLE STALL	1
LARGE STALL COMMERCIAL	28
MI STANDARD STALL COMMERCIAL	38
	89

BIKE PARKING

Residential 1 space per 4 units = 49 spaces provided in rooms on L1 77TH
 Retail long term 1 space per 1200sf = 2 spaces provided in room on L1 77TH
 Retail short term 1 space per 2000sf = 8 spaces provided around building at grade under cover

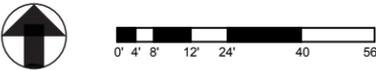
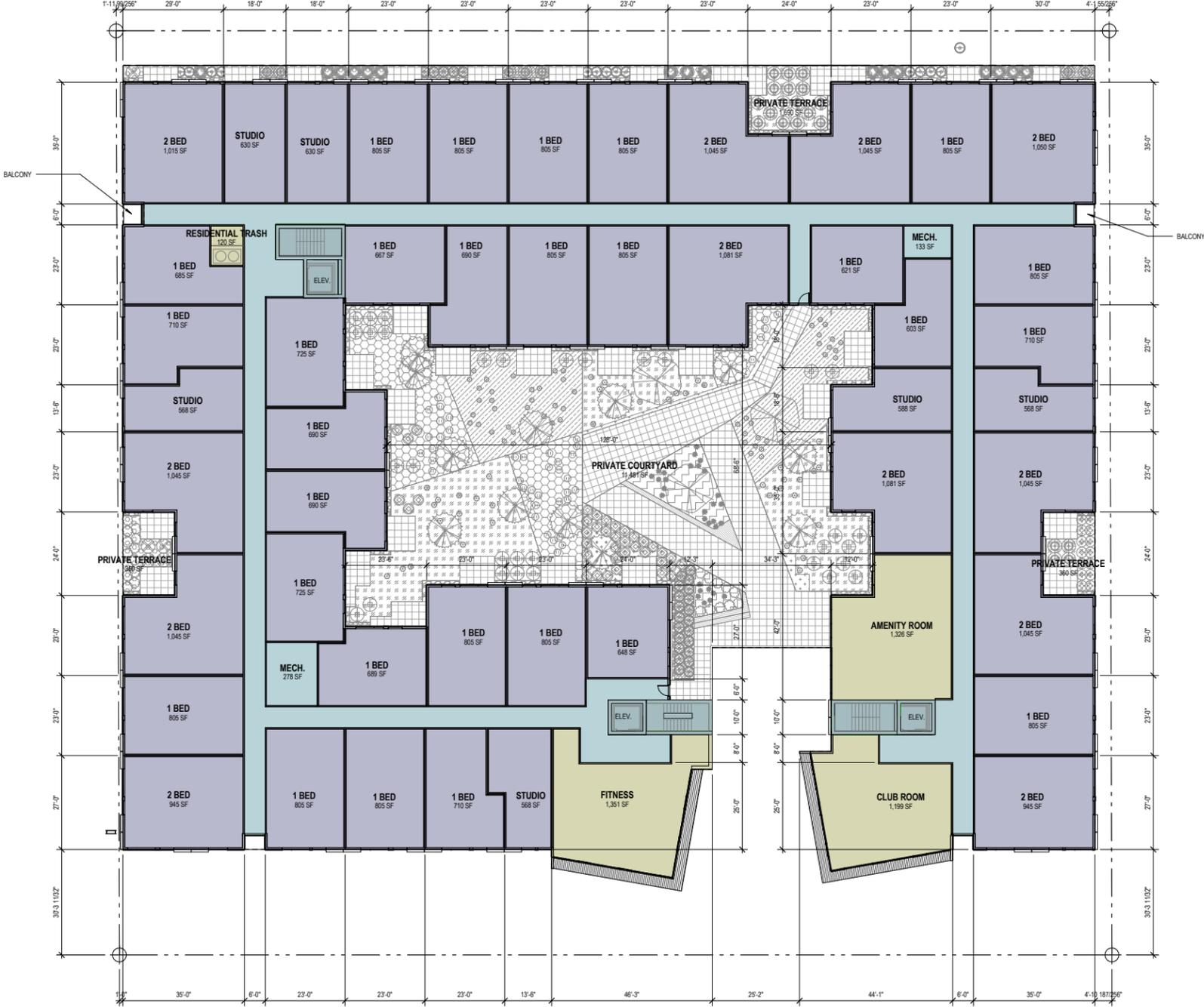


- Parking
- Commercial
- Residential
- Vertical Circulation
- Lobby/Circulation
- Interior Amenity/Storage
- Outdoor Amenity

SEE APPENDIX A FOR FULL SIZE DRAWINGS

BUILDING PLANS

LEVEL 2



- Parking
- Commercial
- Residential
- Vertical Circulation
- Lobby/Circulation
- Interior Amenity/Storage
- Outdoor Amenity

SEE APPENDIX A FOR FULL SIZE DRAWINGS

BUILDING PLANS

LEVEL 3-5

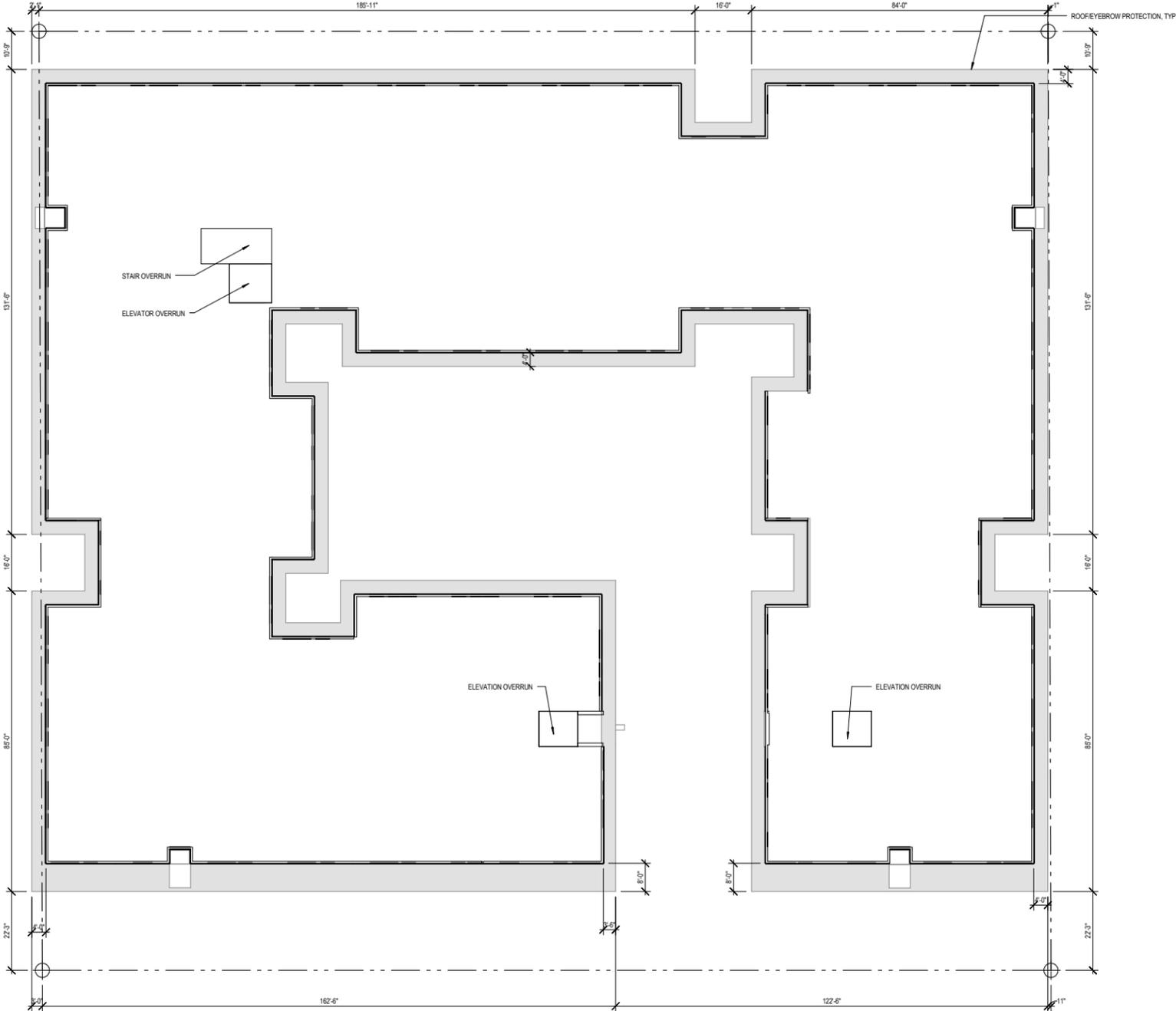


- Parking
- Commercial
- Residential
- Vertical Circulation
- Lobby/Circulation
- Interior Amenity/Storage
- Outdoor Amenity

SEE APPENDIX A FOR FULL SIZE DRAWINGS

BUILDING PLANS

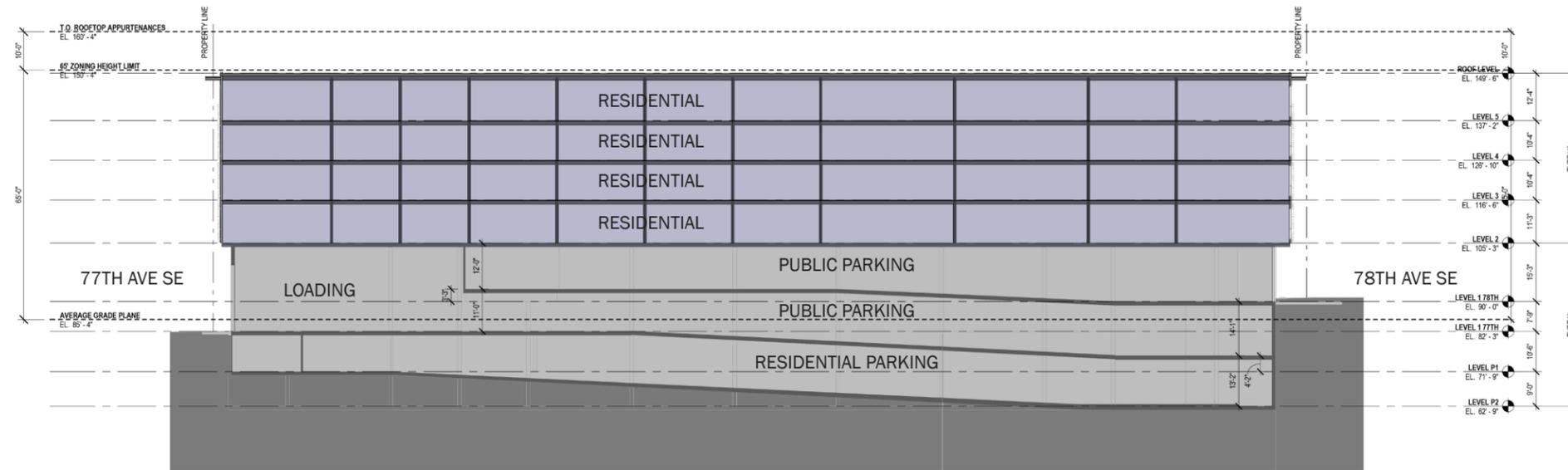
ROOF



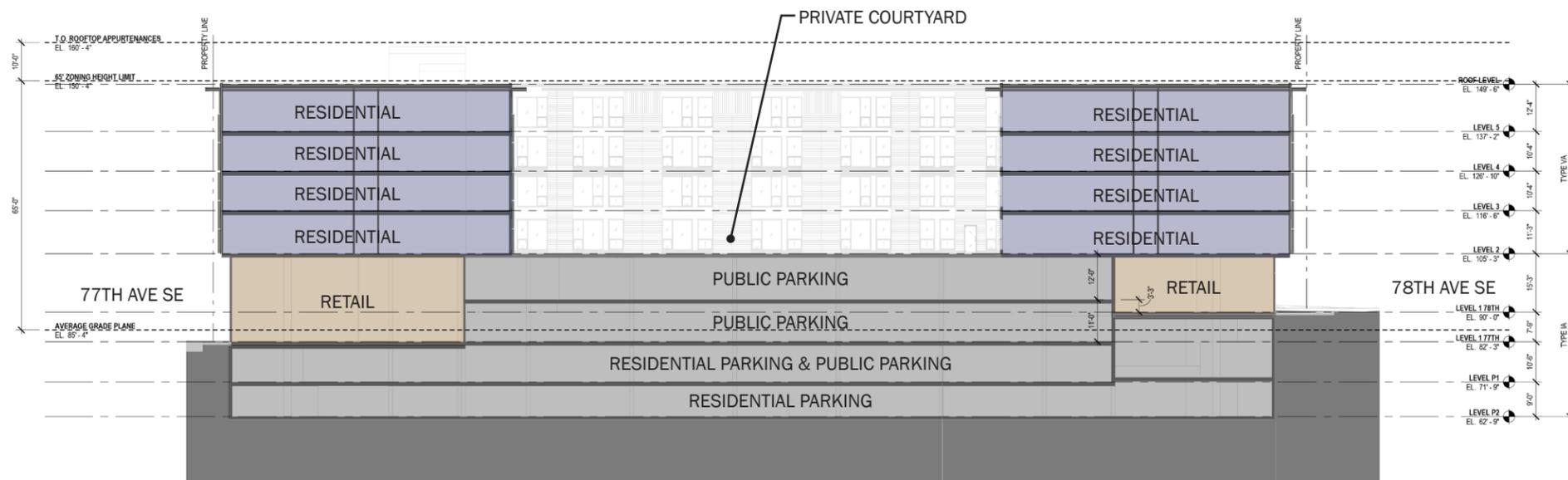
- Parking
- Commercial
- Residential
- Vertical Circulation
- Lobby/Circulation
- Interior Amenity/Storage
- Outdoor Amenity

SEE APPENDIX A FOR FULL SIZE DRAWINGS

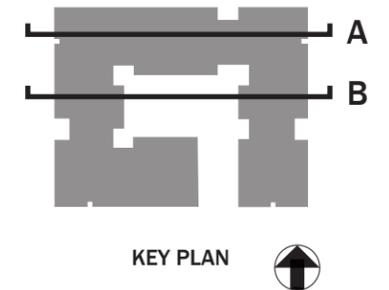
BUILDING SECTIONS EAST - WEST



SECTION A



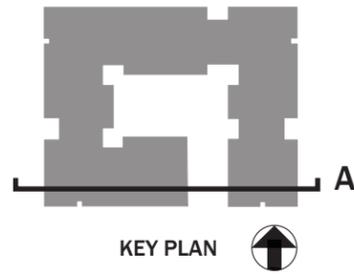
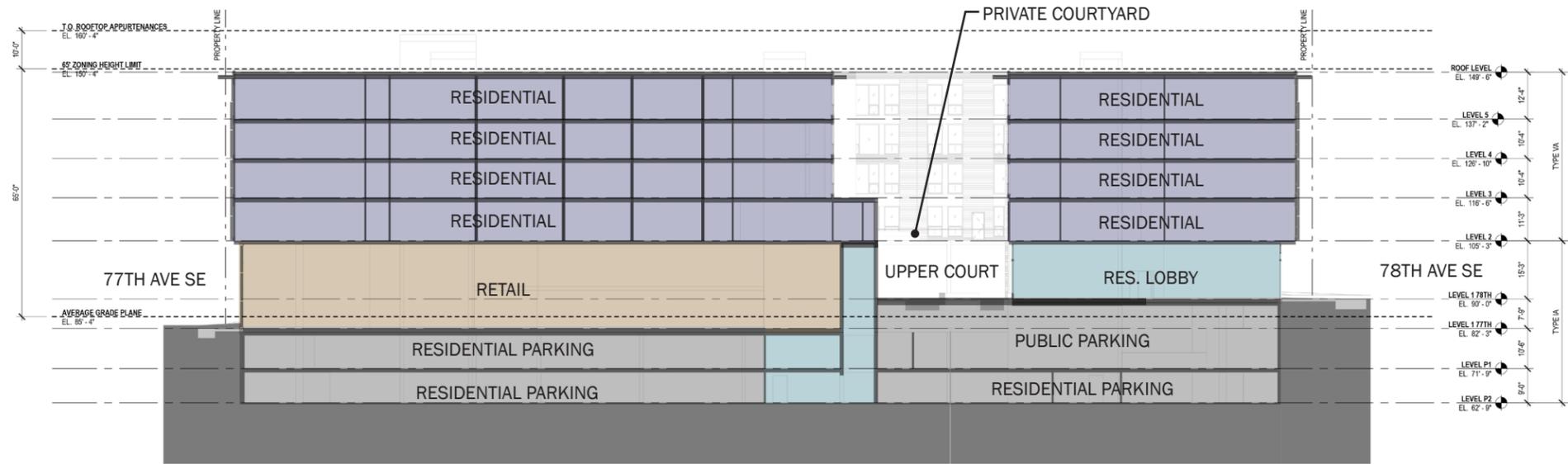
SECTION B



- Parking
- Commercial
- Residential
- Vertical Circulation
- Lobby/Circulation
- Interior Amenity/Storage

SEE APPENDIX A FOR FULL SIZE DRAWINGS

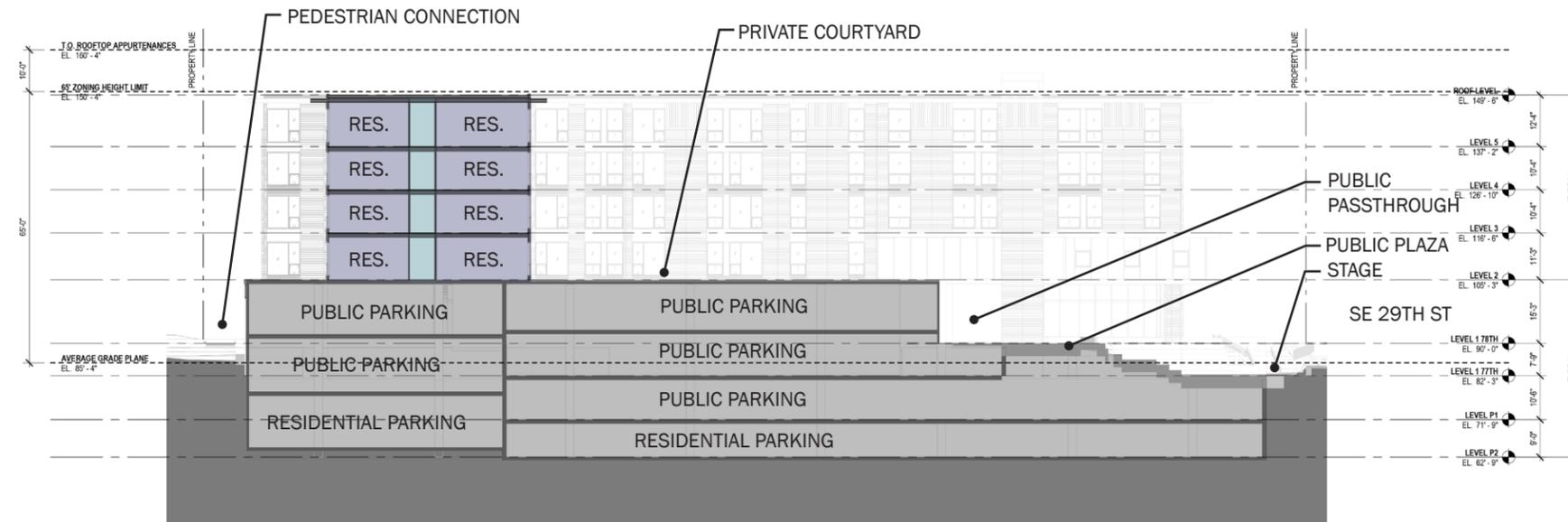
BUILDING SECTIONS EAST - WEST



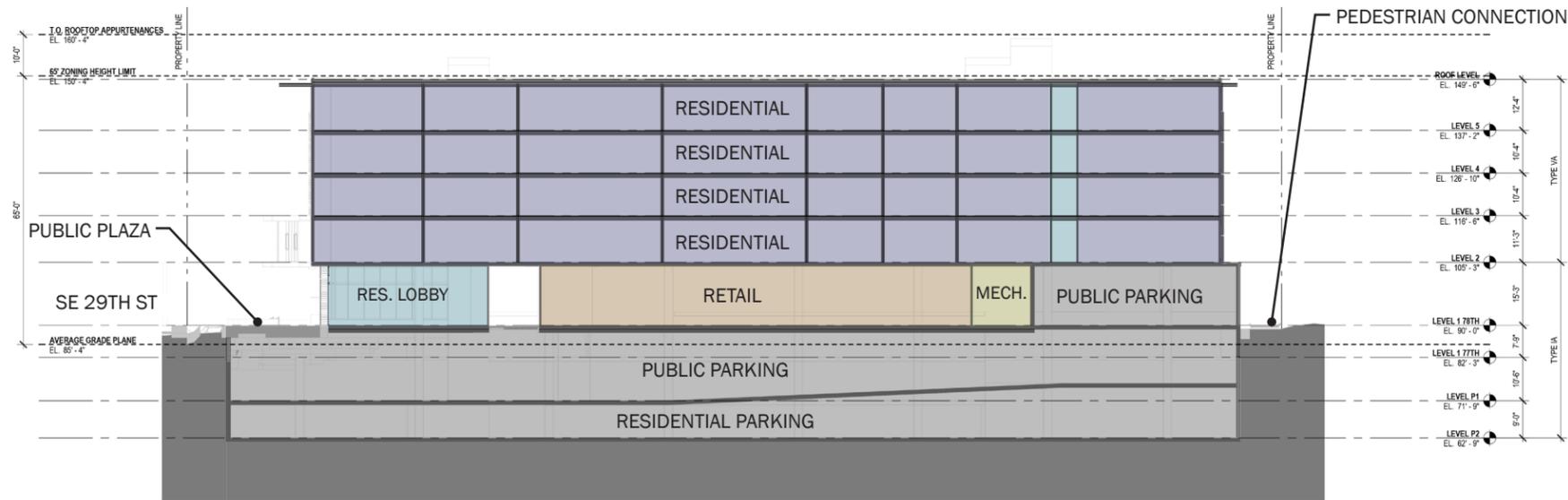
- Parking
- Commercial
- Residential
- Vertical Circulation
- Lobby/Circulation
- Interior Amenity/Storage

SEE APPENDIX A FOR FULL SIZE DRAWINGS

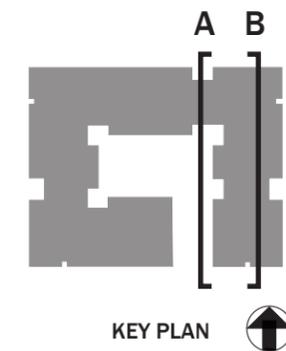
BUILDING SECTIONS NORTH - SOUTH



SECTION A



SECTION B

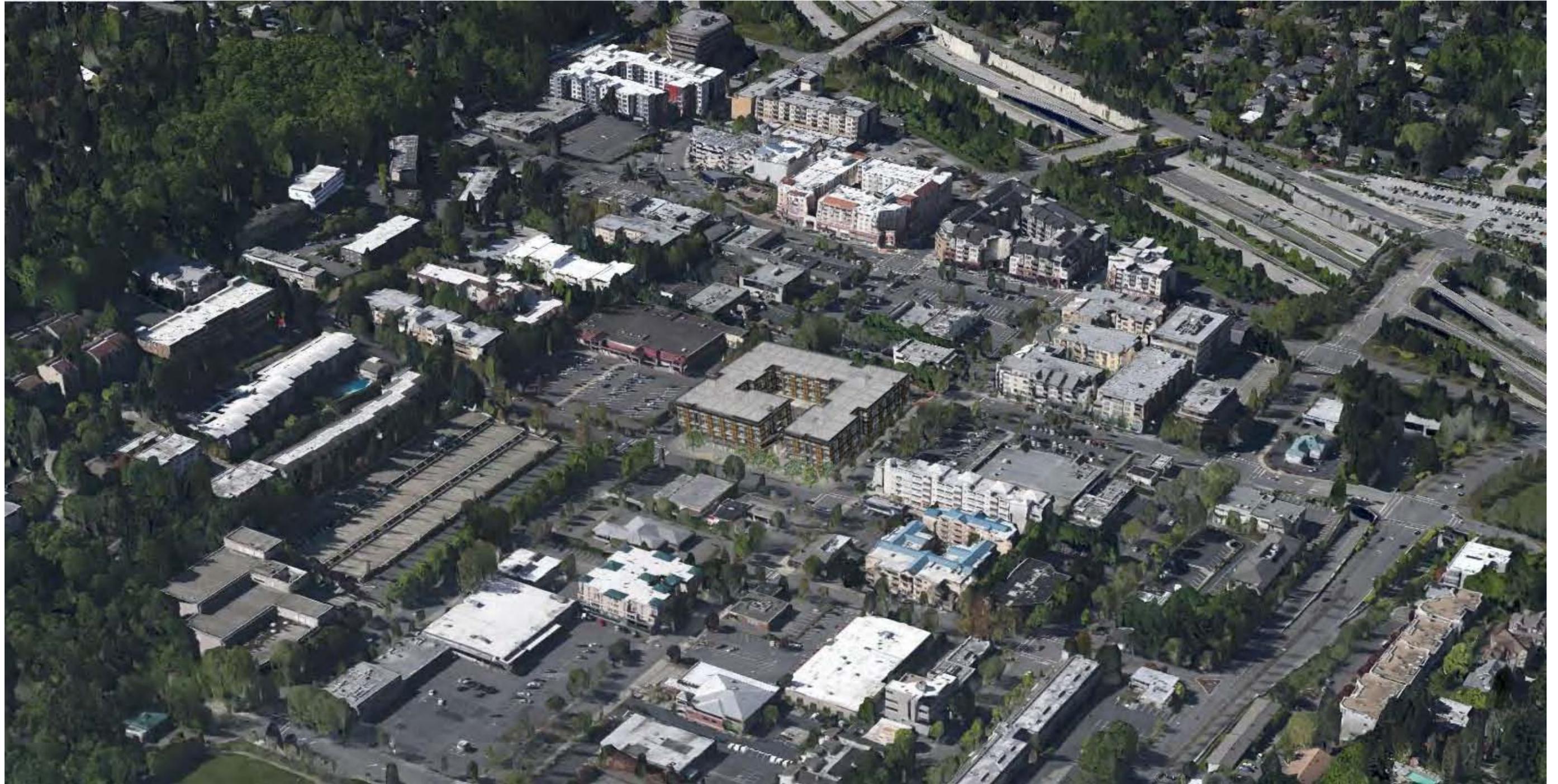


- Parking
- Commercial
- Residential
- Vertical Circulation
- Lobby/Circulation
- Interior Amenity/Storage

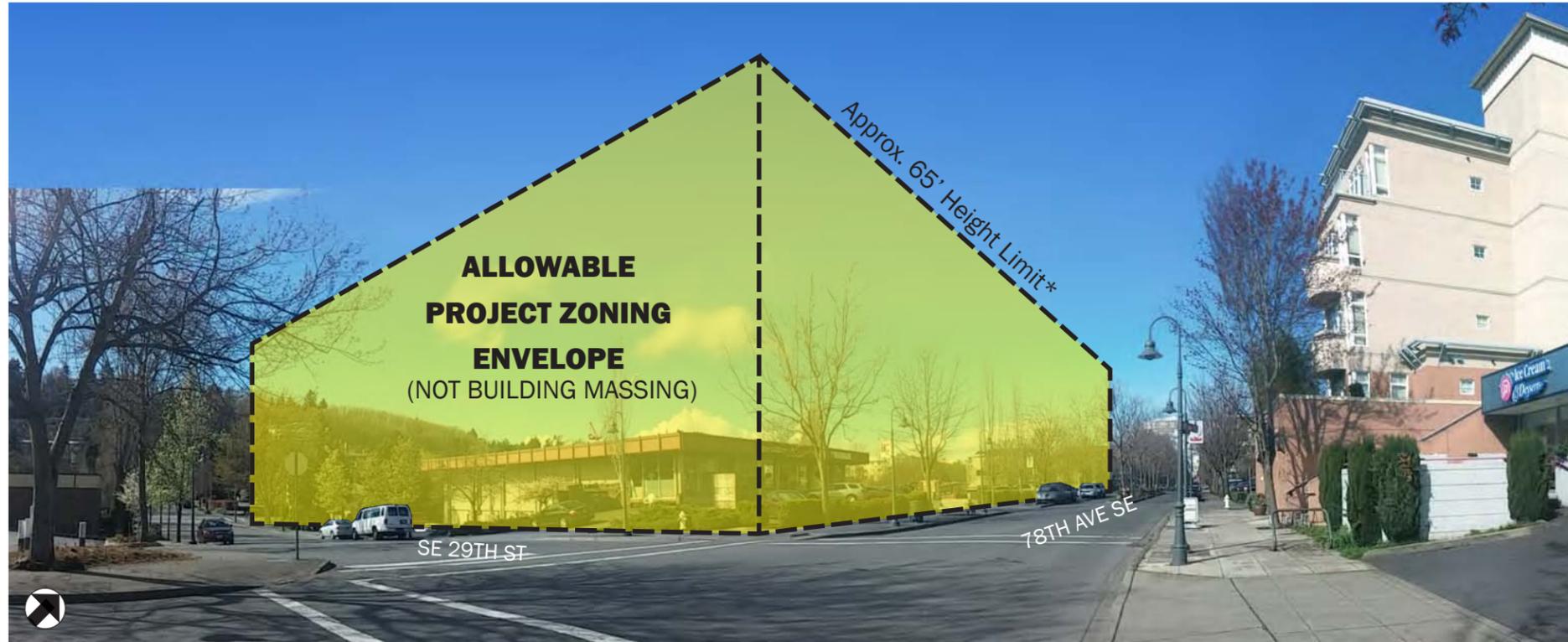
SEE APPENDIX A FOR FULL SIZE DRAWINGS

BUILDING PERSPECTIVES

AERIAL VIEW



BUILDING MASSING
ALLOWABLE ENVELOPE PER ZONING



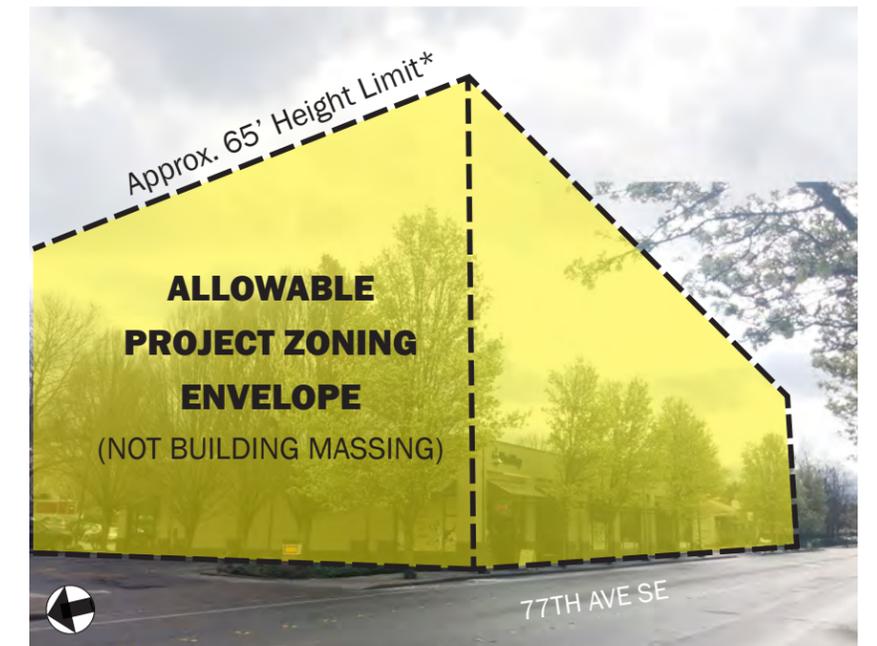
78TH AVE SE LOOKING NORTHWEST



78TH AVE SE LOOKING SOUTHWEST



77TH AVE SE LOOKING NORTHEAST

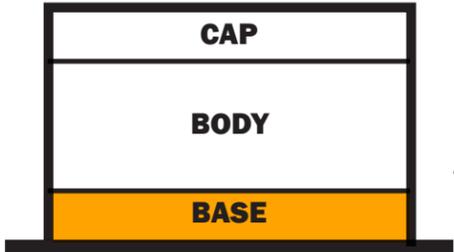


77TH AVE SE LOOKING SOUTHEAST

* MAXIMUM BUILDING HEIGHT WITH SIGNIFICANT PUBLIC AMENITY: 5 STORIES NOT TO EXCEED 65'

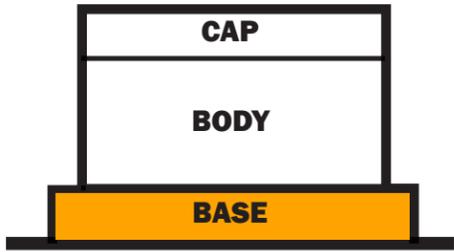
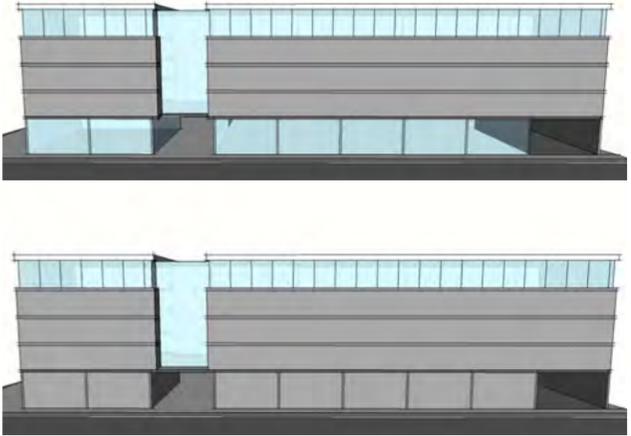
BUILDING MASSING

FACADE DESIGN EXERCISE

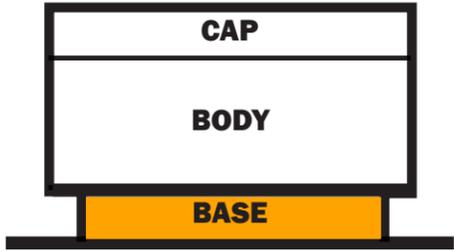
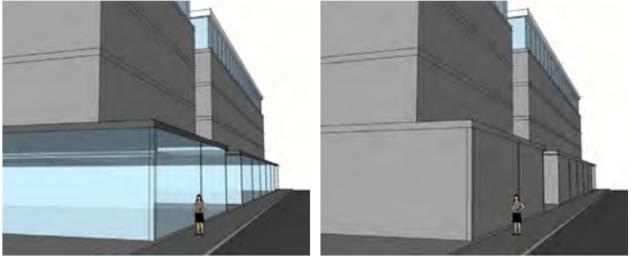


Heavy Base —

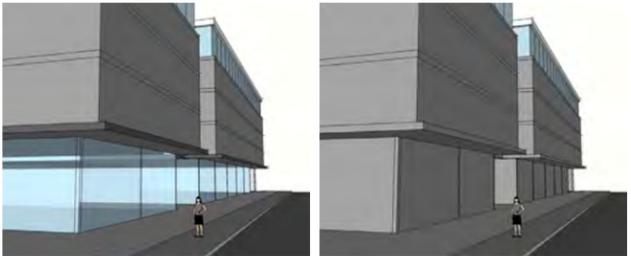
Light Base —



Protruding Base —

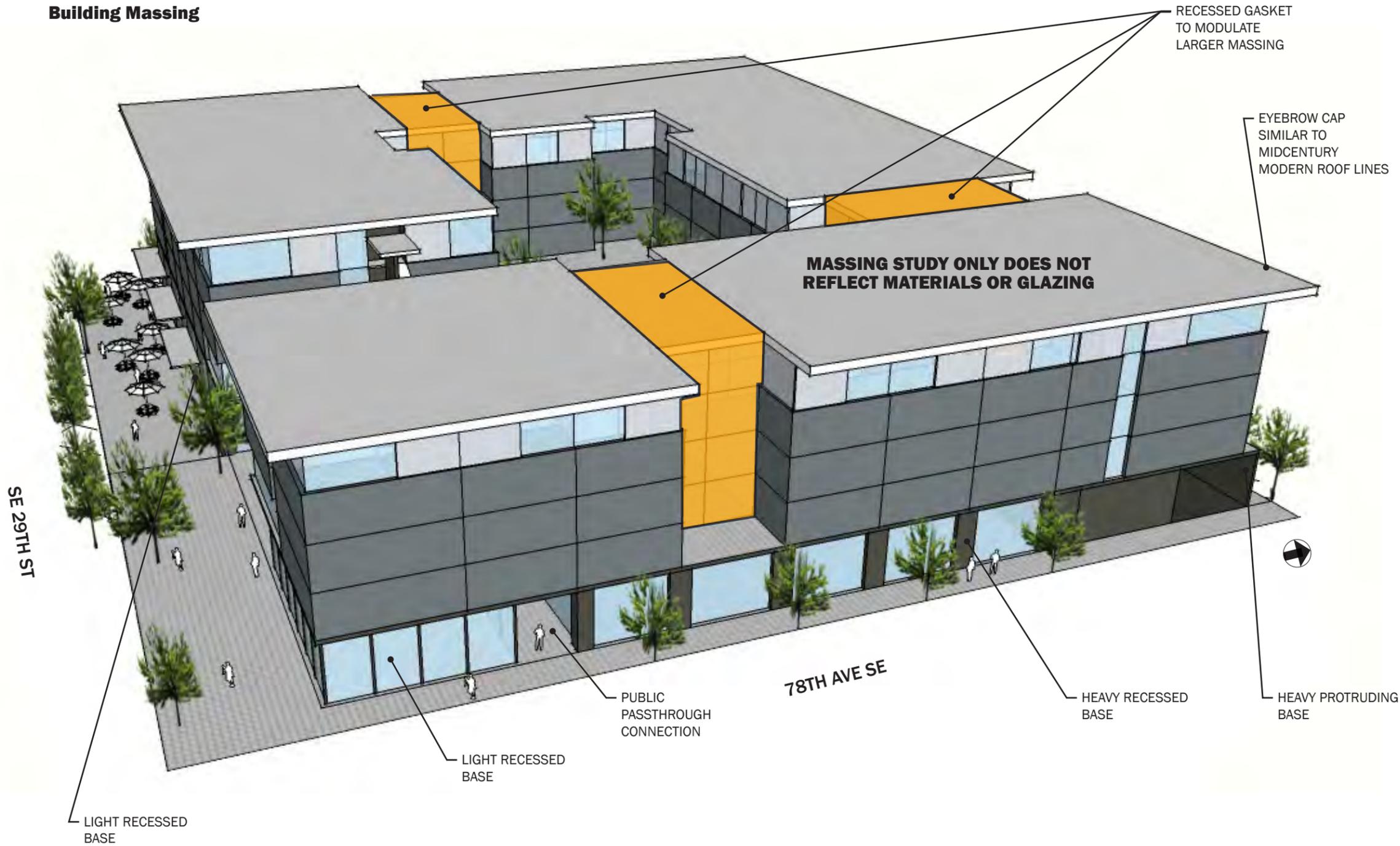


Recessed Base —

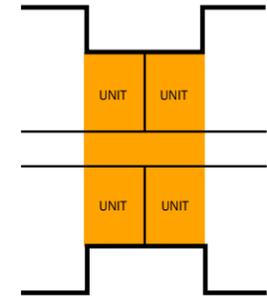


BUILDING MASSING MODULATION STUDY

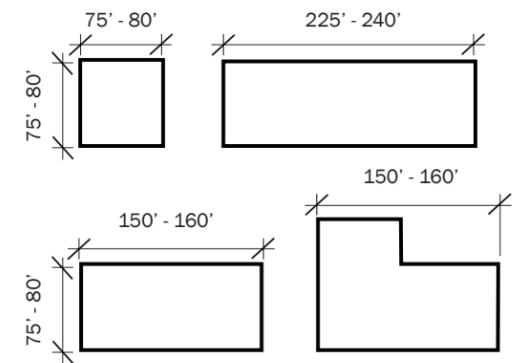
Building Massing



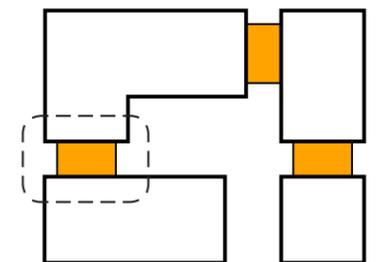
Gasket Configuration



Building Components



Gasket Placement



BUILDING ELEVATIONS

EAST, NORTH, AND WEST FACADES



EAST ELEVATION



NORTH FACADE



WEST ELEVATION



KEY PLAN 

SEE APPENDIX A FOR FULL SIZE DRAWINGS

BUILDING ELEVATIONS
SOUTH FACADE AND MATERIALS

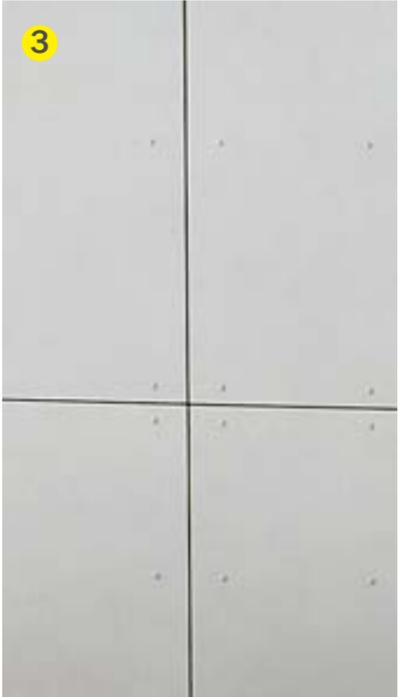
FACADE MATERIALS



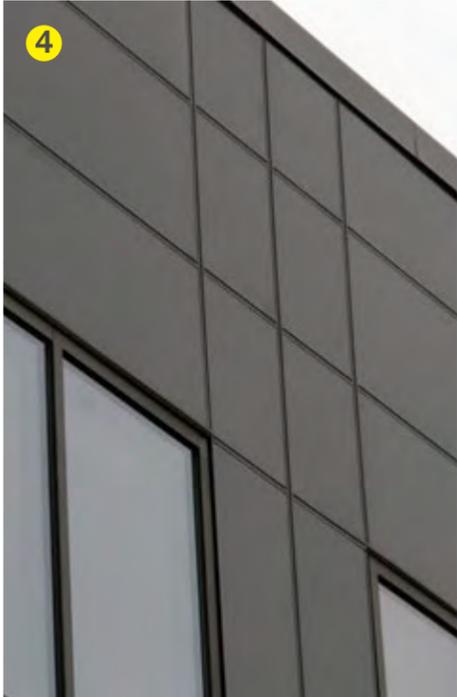
WOOD-LOOK PANEL
 OR MOTTLED STEEL



TEXTURED PANEL



LIGHT COLORED
 CEMENTITIOUS PANEL



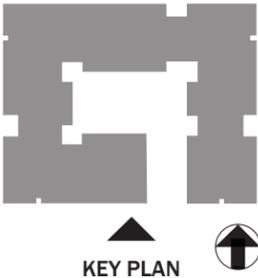
DARK COLORED
 CEMENTITIOUS PANEL



CEMENTITIOUS LAP SIDING OR
 WEATHERED WOOD PANEL



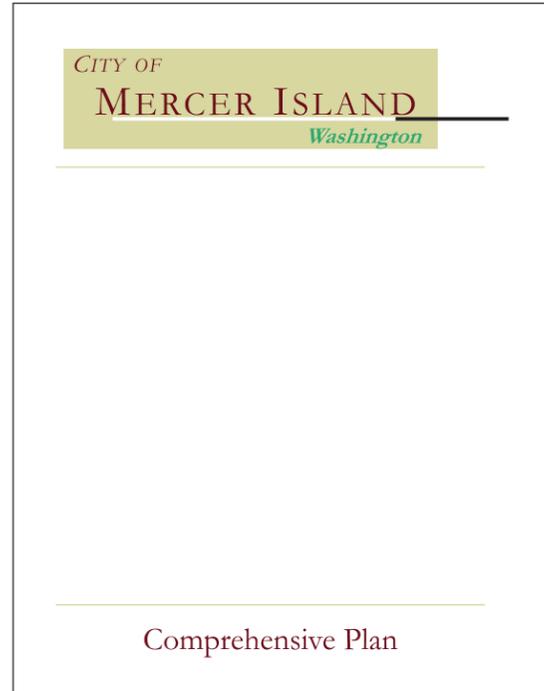
SOUTH FACADE



SEE APPENDIX A FOR FULL SIZE DRAWINGS

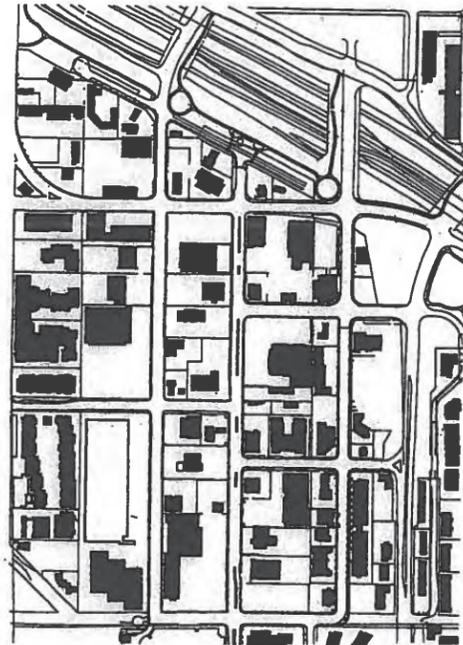
SIGNIFICANT PUBLIC AMENITY

CITY OF MERCER ISLAND (PAST & PROPOSED)



CITY OF MERCER ISLAND COMPREHENSIVE PLAN, 1994

- Original plan for Mercer Island growth per Growth Management Act
- New zoning adopted to promote growth and density in Town Center
- Base Height: 2 stories
- Projects allowed to exceed base height limit in exchange for public amenities (plaza, mid-block connections, affordable housing)
- Several developments used these incentives to build above base building height

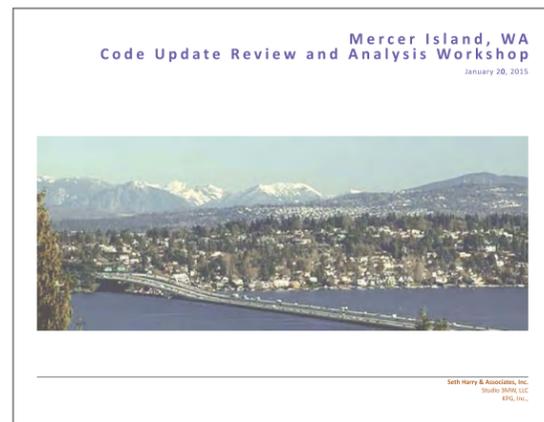
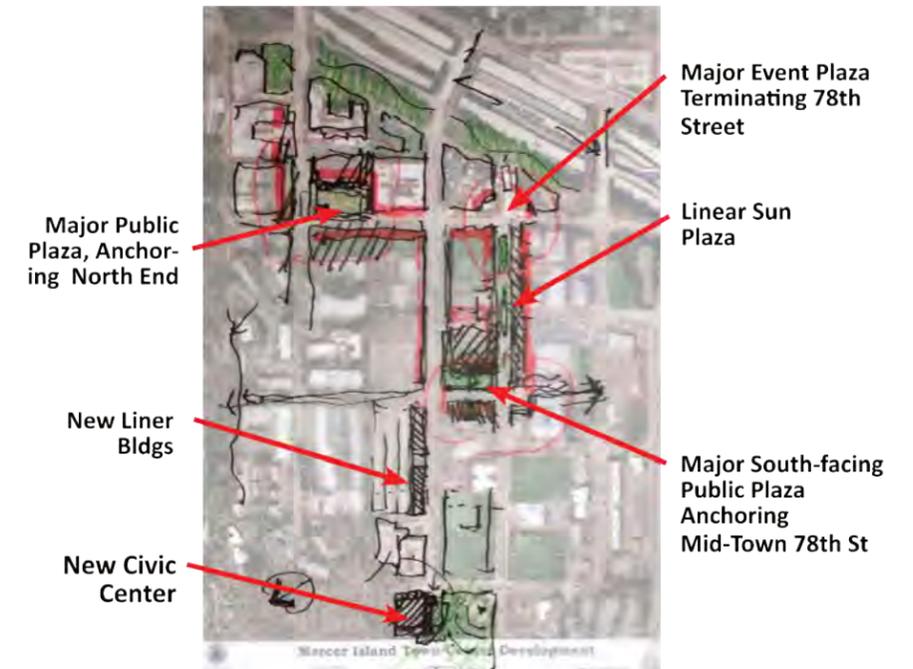
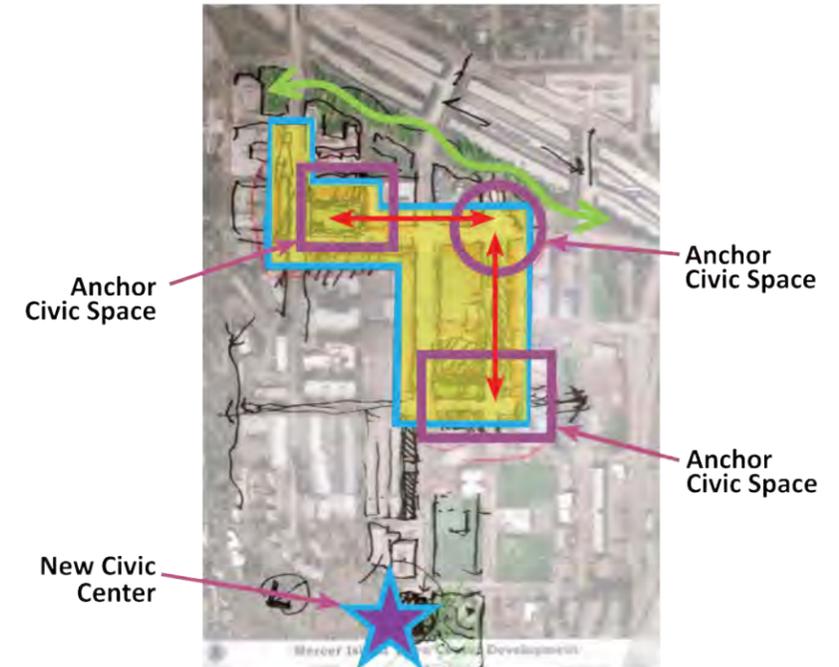


EXISTING TOWN CENTER, 1994



PROPOSED TOWN CENTER, 1994

PROPOSED MERCER ISLAND TOWN CENTER



MERCER ISLAND, WA CODE UPDATE REVIEW AND ANALYSIS WORKSHOP, JANUARY 2015

In 2014, the City of Mercer Island decided to revisit its Town Center zoning and design codes. Seth Harry & Associates, an urban design and town planning consultant, was hired by the City to review the 1994 Comprehensive Plan and Land Use Code. In January 2015, Seth Harry & Associates released a report that analyzed what has worked and what as not. The report also offered several recommendations to improve the Town Center experience. Such recommendations include:

- Create three “Anchor Civic Spaces” in the Town Center
- Integrate one of the Anchor Civic Spaces into the Hines Project Site
- Orient the Hines Project Site’s Anchor Civic Space as a south-facing Public Plaza along SE 29th Street based on workshop recommendation.

SIGNIFICANT PUBLIC AMENITY
EXISTING PUBLIC OUTDOOR AMENITIES



SIGNIFICANT PUBLIC AMENITY

PUBLIC PLAZA EVOLUTION

Based on input from Mercer Island's Design Commission and the City of Mercer Island's urban design and town planning consultant, Seth Harry & Associates, Hines' proposed public plaza has transformed from a linear plaza along 78th Avenue SE to an anchor civic space along SE 29th Street.



OCTOBER 2013 - SITE PLAN (OPTIONAL STUDY SESSION 1)

APPROX. PUBLIC PLAZA AREA: 4,200 SF



NOVEMBER 2014 - SITE PLAN (OPTIONAL STUDY SESSION 2)

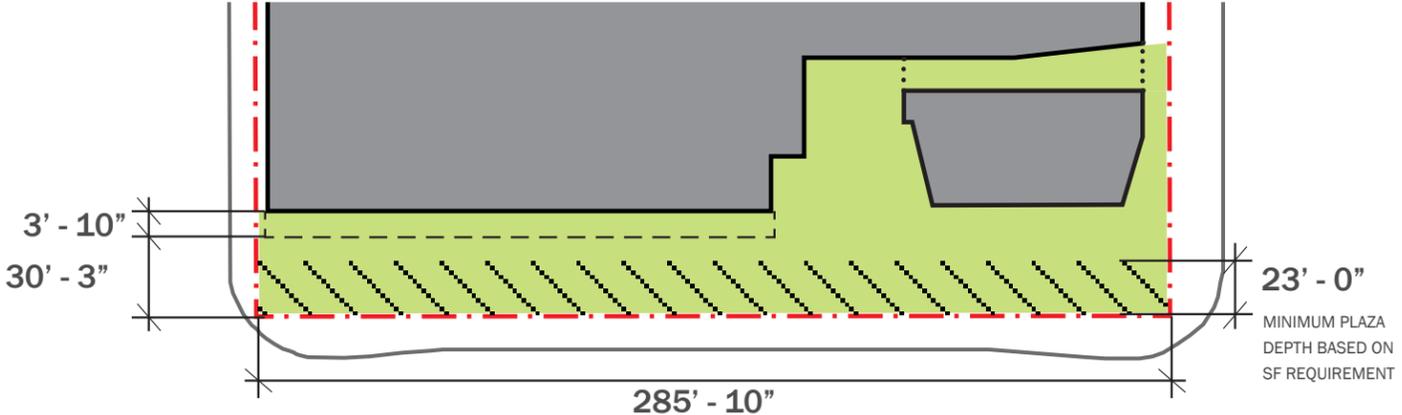
APPROX. PUBLIC PLAZA AREA: 8,275 SF



APRIL 2015 - SITE PLAN (PRELIMINARY DESIGN REVIEW)

APPROX. PUBLIC PLAZA AREA: 13,488 SF

**SIGNIFICANT PUBLIC AMENITY
PUBLIC PLAZA**



REQUIRED SIGNIFICANT PUBLIC PLAZA REQUIREMENTS
6,693 SF (3% GROSS FLOOR AREA)

PROPOSED SIGNIFICANT PUBLIC PLAZA
13,488 SF (6% GROSS FLOOR AREA)

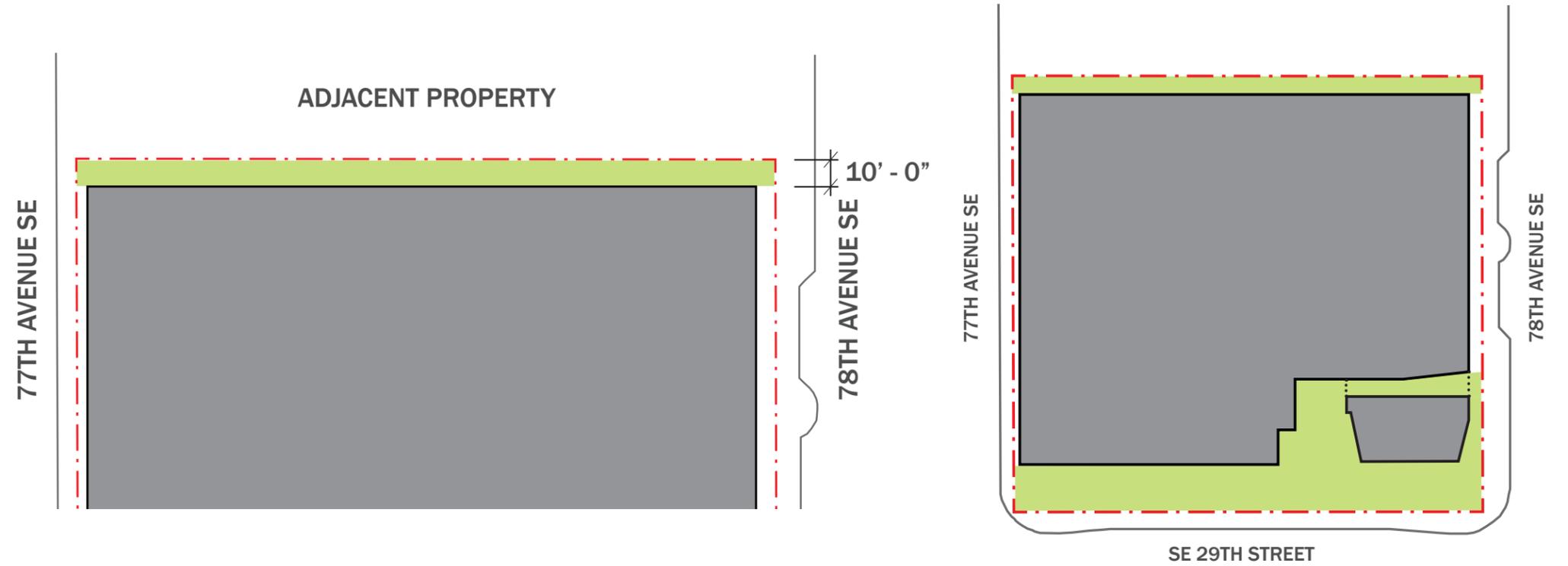
PROVIDED AREA ABOVE CODE REQUIREMENT
6,795 SF OVER REQUIRED AREA

 DENOTES MINIMUM REQUIRED PLAZA AREA (6,693 SF)



ADDITIONAL PUBLIC AMENITY MID-BLOCK CONNECTION

Per MICC development code, new developments may exceed the Town Center's 2-story height limit by providing a Significant Public Amenity. Hines has already satisfied such requirement through its Public Plaza. Although not required by code, Hines is proposing to provide a 2,860 sf mid-block connection along the north property boundary to enhance the pedestrian experience in the Town Center.

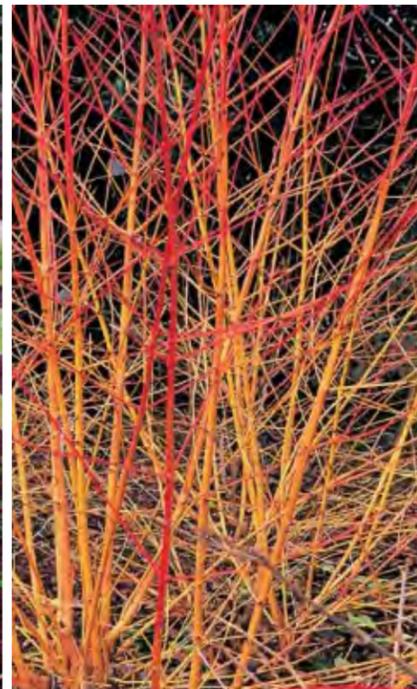
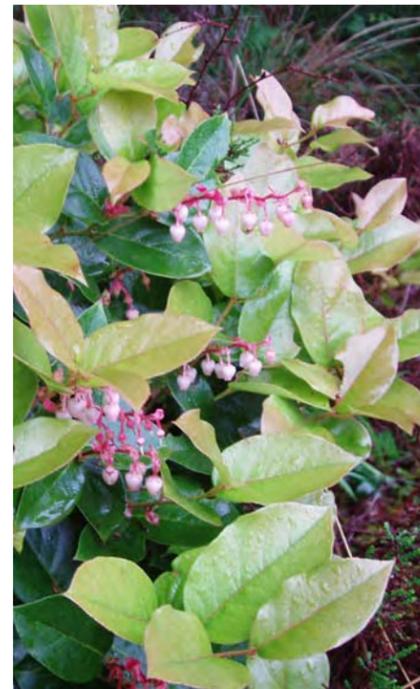


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LANDSCAPING INSPIRATION



Architecture and Landscape Integration



Pacific Northwest Planting Palette



Plazas



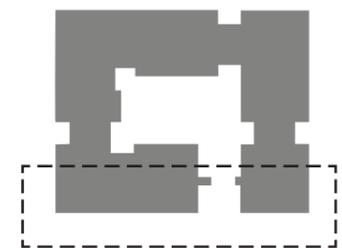
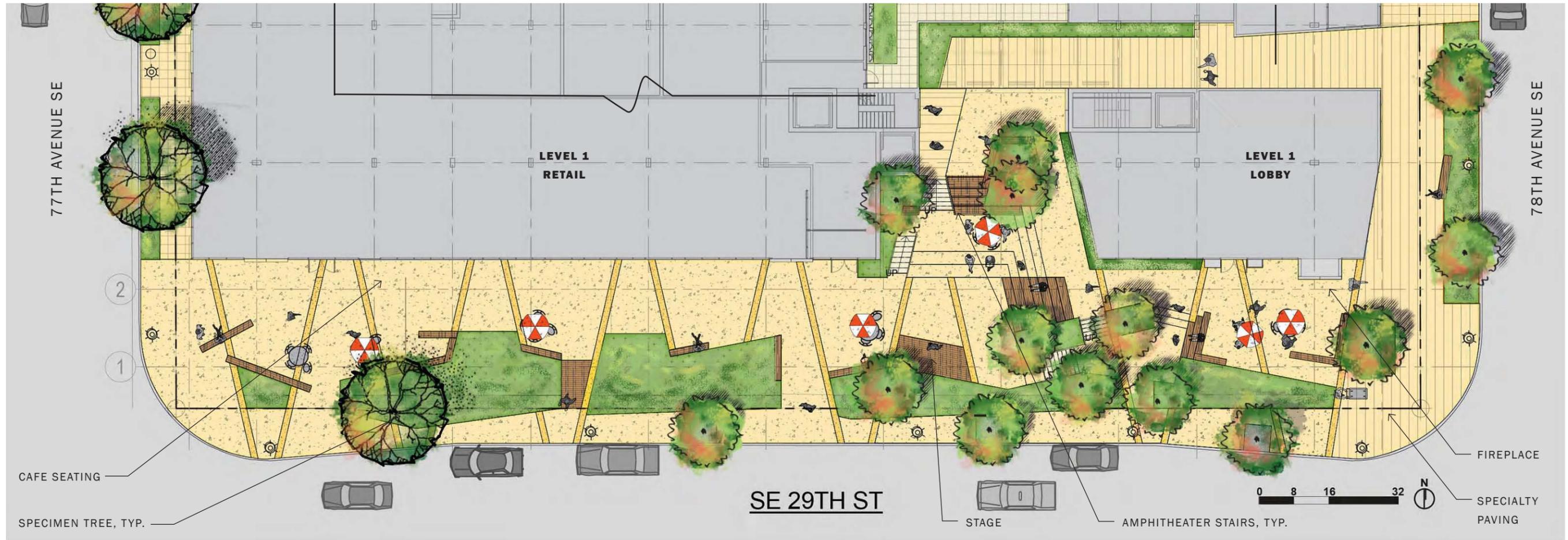
Site Amenities

**LANDSCAPING
OVERALL GROUND LEVEL**



SEE APPENDIX A FOR FULL SIZE DRAWINGS

LANDSCAPING GROUND LEVEL PLAZA



KEY PLAN

SEE APPENDIX A FOR FULL SIZE DRAWINGS

LANDSCAPING

MATERIALS PLAN AT GRADE

MATERIALS NOTES

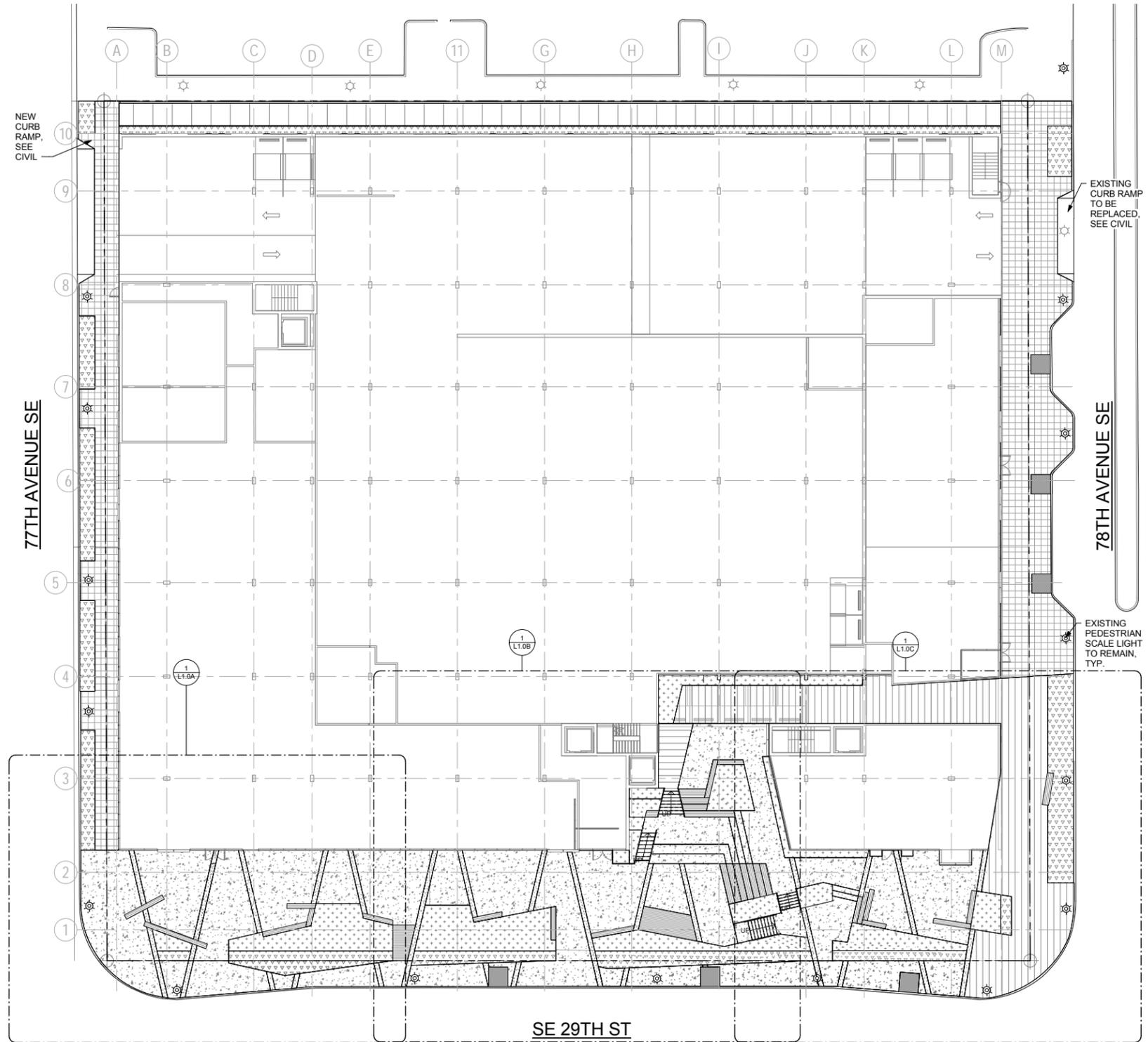
1. REFER TO CIVIL DRAWINGS FOR ALL EXISTING AND PROPOSED UTILITY LINES, POLES, METERS, VAULTS, AND STRUCTURES LOCATED IN THE R.O.W.
2. REFER TO CIVIL DRAWINGS FOR ALL GRADING INFORMATION IN THE R.O.W. SEE ARCH. DWGS. FOR TOPPING SLAB AND TOP OF PAVER FINISHED GRADES.
3. REFER TO ENLARGEMENT PLANS FOR PLAZA PLANTER DIMENSIONS
4. REFER TO LAYOUT PLANS FOR ALL SCORING AND JOINTING OF PAVEMENT AREAS ON SITE (FORTHCOMING).
5. REFER TO L5.0 FOR SITE DETAILS.
6. ALL SITE FURNISHINGS INCLUDING BUT NOT LIMITED TO TABLES, CHAIRS, AND TRASH RECEPTACLES ARE TO BE OWNER FURNISHED AND CONTRACTOR INSTALLED (OFCI), TYP. FINAL LOCATIONS AND QUANTITIES TO BE DETERMINED.
7. REPORT ANY DISCREPANCIES BETWEEN THESE DRAWINGS AND ACTUAL FIELD CONDITIONS TO LANDSCAPE ARCHITECT PRIOR TO CONSTRUCTION/INSTALLATION.

GRADING NOTES

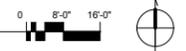
1. REFERENCE CIVIL DRAWINGS FOR ALL GRADING AND LAYOUT IN THE R.O.W.
2. CALL THE UTILITIES UNDERGROUND LOCATION CENTER FOR FIELD LOCATION OF ALL UTILITIES. DO NOT PERFORM ANY EXCAVATION OR OTHER GRADING OPERATIONS PRIOR TO THEIR LOCATION.
3. SLOPE FINISHED SURFACE A MINIMUM OF 2% AWAY FROM THE BUILDING ON ALL SIDES UNLESS NOTED OTHERWISE.
4. COORDINATE FINE GRADING AND SURFACE DRAINAGE WITH LANDSCAPE INSTALLATION. SEE MATERIALS PLANS AND ARCHITECTURAL PLANS FOR HARDSCAPE, WALLS, STEPS, LANDSCAPE FEATURES, AND PLANTING AREAS.
5. REFER TO SHEETS L5.0 FOR SITE DETAILS.
6. REPORT ANY DISCREPANCIES BETWEEN THESE DRAWINGS AND ACTUAL FIELD CONDITIONS TO THE LANDSCAPE ARCHITECT PRIOR TO CONSTRUCTION / INSTALLATION.

MATERIALS LEGEND - AT GRADE

-  CIP CONCRETE SIDEWALK 18" WIDE BAND, SANDBLASTED AND INTEGRALLY COLORED, TYP.
-  WOOD SEATING PLINTH W/ BACK, TYP.
-  CIP CONCRETE SIDEWALK, TYP. CITY OF MERCER ISLAND, FINISH W/ N/S JOINTS AT 2'-0" O.C., TYP.
-  CIP CONCRETE SIDEWALK, SANDBLASTED, TYP.
-  CIP CONCRETE SIDEWALK, TYP. CITY OF MERCER ISLAND, FINISH W/ JOINTS AT 2'-0" O.C. BOTH WAYS, TYP.
-  PLANTING ON STRUCTURE, ASSUMES 18" DEPTH OF SOIL OVER DRAINAGE MAT, PROTECTION BOARD AND ROOFING MEMBRANE. AT ALL TREES, 30" SOIL DEPTH TO BE PROVIDED FOR 6" Ø. MULCH 2" DEEP OVER ENTIRE PLANTING AREA
-  PLANTING ON GRADE, ASSUMES 18" DEPTH OF SOIL. FIRST 6" LIFT OF SOIL TO BE FILLED INTO FIRST 8" OF SUBGRADE OR BACKFILL. AT ALL TREES, 30" SOIL DPETH TO BE PROVIDED FOR 6" Ø. MULCH 2" DEEP OVER ENTIRE PLANTING AREA
-  TREE GRATE, 6' X 6', TYP.

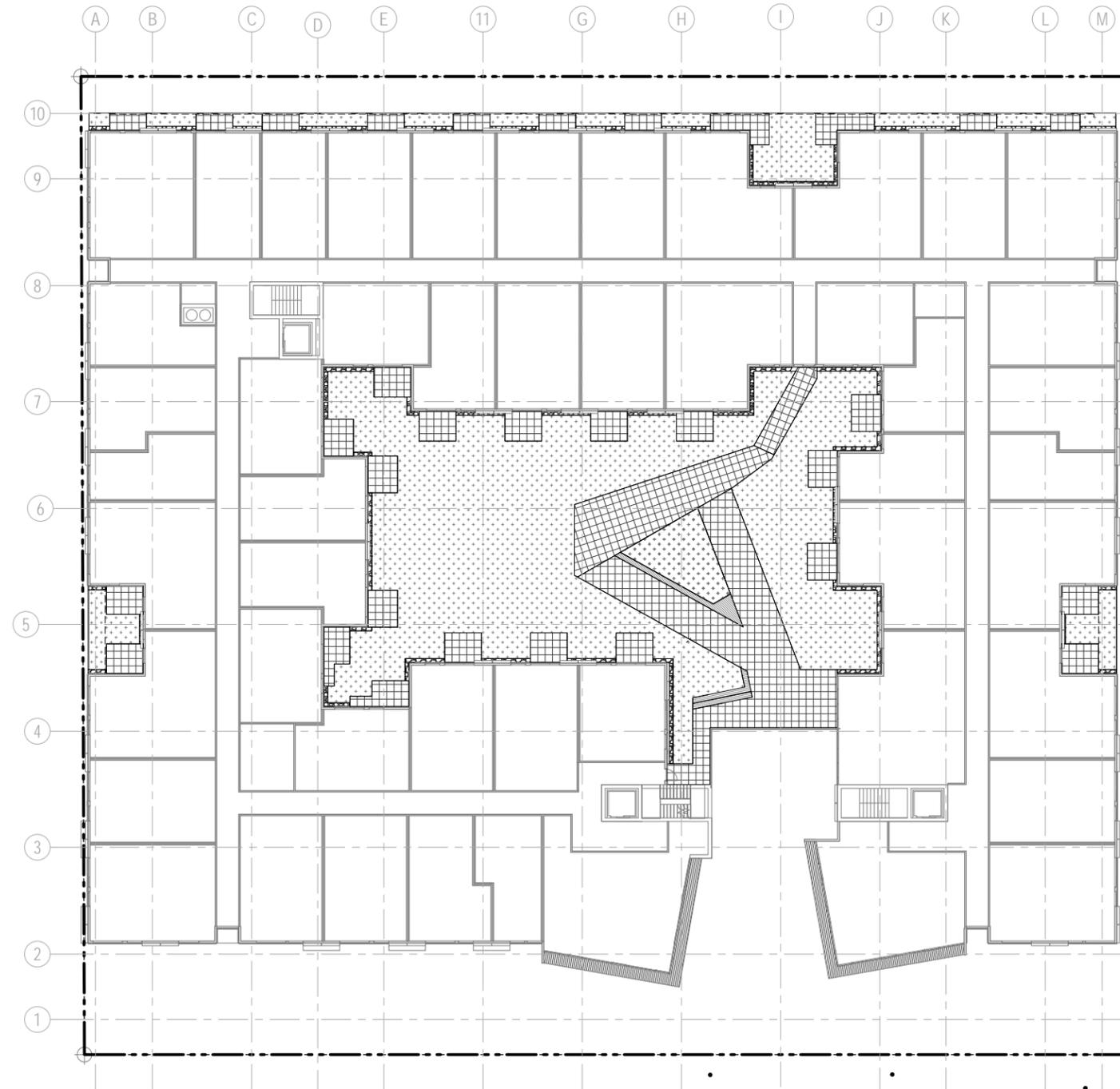


1 MATERIALS PLAN - AT GRADE



SEE APPENDIX A FOR FULL SIZE DRAWINGS

LANDSCAPING MATERIALS PLAN LEVEL 2



MATERIALS LEGEND - LEVEL 2

-  2' X 2' PRECAST CONCRETE PAVERS, TYP.
-  4" DEEP GRAVEL BALLAST, TYP.
-  PLANTING AREA ON TRUCTURE, SURROUNDED BY 14" TALL STEEL 'L' ANGLE. SOIL TO BE MIN. 12" DEEP. MOUNDING TO 18" @ 3:1 SLOPE & TO 30" DEEP @ 3:1 SLOPE AT 6" AROUND ALL TREES. MULCH ENTIRE AREA TO 2" DEPTH.
-  BARRIER RAIL, SEE ARCHITECTURE, TYP.
-  WOOD SEATING PLINTH, TYP.

1 MATERIALS PLAN - LEVEL 2

0 8'-0" 16'-0" SEE APPENDIX A FOR FULL SIZE DRAWINGS

LANDSCAPING

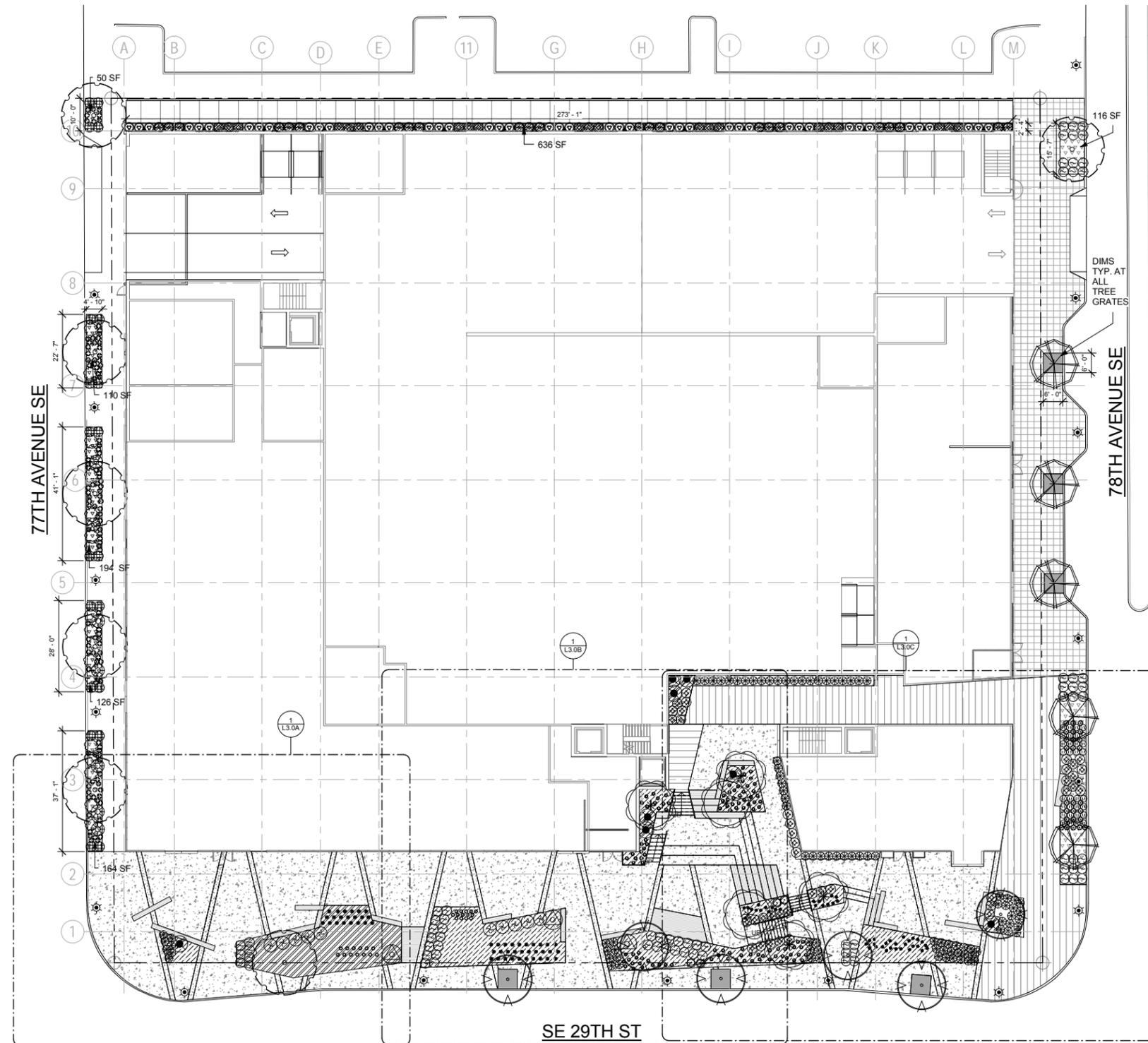
PLANTING PLAN AT GRADE

PLANTING NOTES

1. REFER TO CIVIL DRAWINGS FOR UTILITY INFORMATION.
2. REFER TO SHEET L3.3 FOR PLANT SCHEDULE AND L3.2 FOR PLANTING DETAILS.
3. PROVIDE 2" DEPTH OF COMPOST MULCH AT ALL PLANTED AREAS.
4. ALL PLANTED AREAS TO RECEIVE PERMANENT IRRIGATION. REFER TO IRRIGATION NOTES THIS SHEET.
5. REFER TO LAYOUT PLANS, SHEETS L2.0 - L2.1 FOR SOIL DEPTHS AT ON-STRUCTURE PLANTER LOCATIONS (FORTHCOMING). SEE L3.2 FOR TYPICAL SOIL SECTIONS (FORTHCOMING).
6. REPORT ANY DISCREPANCIES BETWEEN THESE DRAWINGS AND ACTUAL FIELD CONDITIONS TO LANDSCAPE ARCHITECT PRIOR TO CONSTRUCTION/INSTALLATION.

IRRIGATION NOTES

1. PROVIDE SUB-SURFACE DRIP IRRIGATION AT ALL LANDSCAPE PLANTERS ON GRADE IN THE R.O.W. AND RAISED PLANTERS ON-STRUCTURE. P
2. PROVIDE AIR BUBBLERS AT ALL TREES IN THE R.O.W.
3. PROVIDE POINT OF CONNECTION INCLUDING PRESSURE REDUCING VALVE (AS NECESSARY), DOUBLE CHECK BACKFLOW ASSEMBLY, AND MASTER VALVE IN WATER SERVICE ROOM #TBD. MAINLINE TO BE 1" SIZE FOR R.O.W. STUB TO R.O.W. IRRIGATION SYSTEM AND 1" SIZE STUBBED TO COURTYARD AT LEVELS 02. COORDINATE LOCATION OF IRRIGATION APPURTENANCES IN WATER SERVICE ROOM AND MAINLINE STUBS AT COURTYARD AND ROOF WITH PLUMBER. ALL PIPING INTERIOR TO BUILDING TO BE COPPER.
4. PROVIDE IRRIGATION CONTROLLER IN WATER SERVICE ROOM #TBD. FINAL LOCATION TO BE COORDINATED WITH ARCHITECT PRIOR TO INSTALLATION.
5. PROVIDE HARD-WIRED RAIN SENSOR MOUNTED AT ROOF LEVEL CONNECTED TO CONTROLLER IN WATER SERVICE ROOM. FINAL LOCATION OF RAIN SENSOR TO BE COORDINATED WITH ARCHITECT PRIOR TO INSTALLATION.

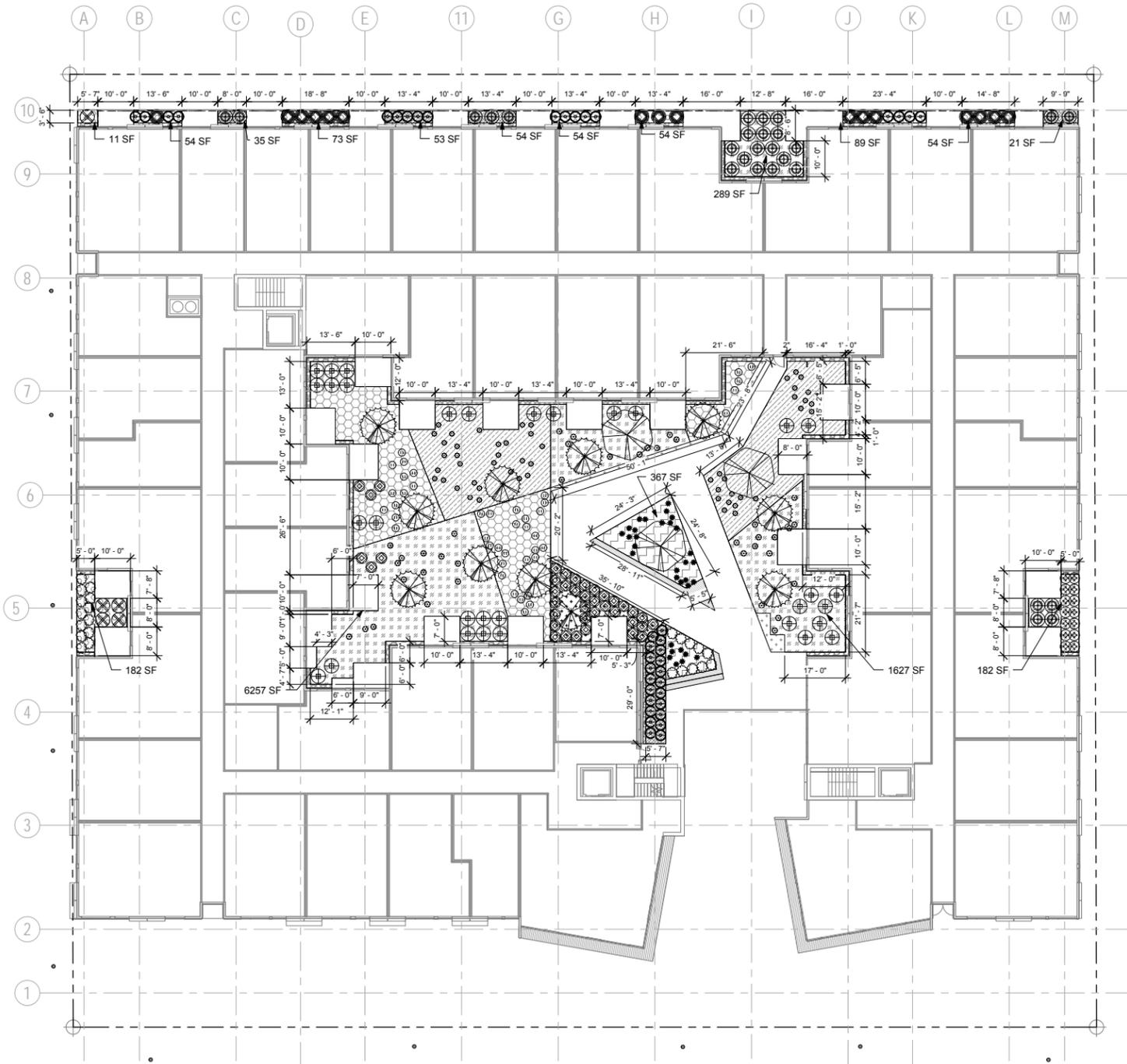


1 PLANTING PLAN - AT GRADE



SEE APPENDIX A FOR FULL SIZE DRAWINGS

LANDSCAPING PLANTING PLAN LEVEL 2



PLANTING NOTES

1. REFER TO CIVIL DRAWINGS FOR UTILITY INFORMATION.
2. REFER TO SHEET L3.3 FOR PLANT SCHEDULE AND L3.2 FOR PLANTING DETAILS.
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5. REFER TO LAYOUT PLANS, SHEETS L2.0 - L2.1 FOR SOIL DEPTHS AT ON-STRUCTURE PLANTER LOCATIONS (FORTHCOMING). SEE L3.2 FOR TYPICAL SOIL SECTIONS (FORTHCOMING).
6. REPORT ANY DISCREPANCIES BETWEEN THESE DRAWINGS AND ACTUAL FIELD CONDITIONS TO LANDSCAPE ARCHITECT PRIOR TO CONSTRUCTION/INSTALLATION.

IRRIGATION NOTES

1. PROVIDE SUB-SURFACE DRIP IRRIGATION AT ALL LANDSCAPE PLANTERS ON GRADE IN THE R.O.W. AND RAISED PLANTERS ON-STRUCTURE. P
2. PROVIDE TWO BUBBLERS AT ALL TREES IN THE R.O.W.
3. PROVIDE POINT OF CONNECTION INCLUDING PRESSURE REDUCING VALVE (AS NECESSARY), DOUBLE CHECK BACKFLOW ASSEMBLY, AND MASTER VALVE IN WATER SERVICE ROOM #TBD. MAINLINE TO BE 1" SIZE FOR R.O.W. STUB TO R.O.W. IRRIGATION SYSTEM AND 1" SIZE STUBBED TO COURTYARD AT LEVELS 02. COORDINATE LOCATION OF IRRIGATION APPURTENANCES IN WATER SERVICE ROOM AND MAINLINE STUBS AT COURTYARD AND ROOF WITH PLUMBER. ALL PIPING INTERIOR TO BUILDING TO BE COPPER.
4. PROVIDE IRRIGATION CONTROLLER IN WATER SERVICE ROOM #TBD, FINAL LOCATION TO BE COORDINATED WITH ARCHITECT PRIOR TO INSTALLATION.
5. PROVIDE HARD-WIRED RAIN SENSOR MOUNTED AT ROOF LEVEL CONNECTED TO CONTROLLER IN WATER SERVICE ROOM. FINAL LOCATION OF RAIN SENSOR TO BE COORDINATED WITH ARCHITECT PRIOR TO INSTALLATION.

1 PLANTING PLAN - LEVEL 2



SEE APPENDIX A FOR FULL SIZE DRAWINGS

LANDSCAPING PLANTING SCHEDULE

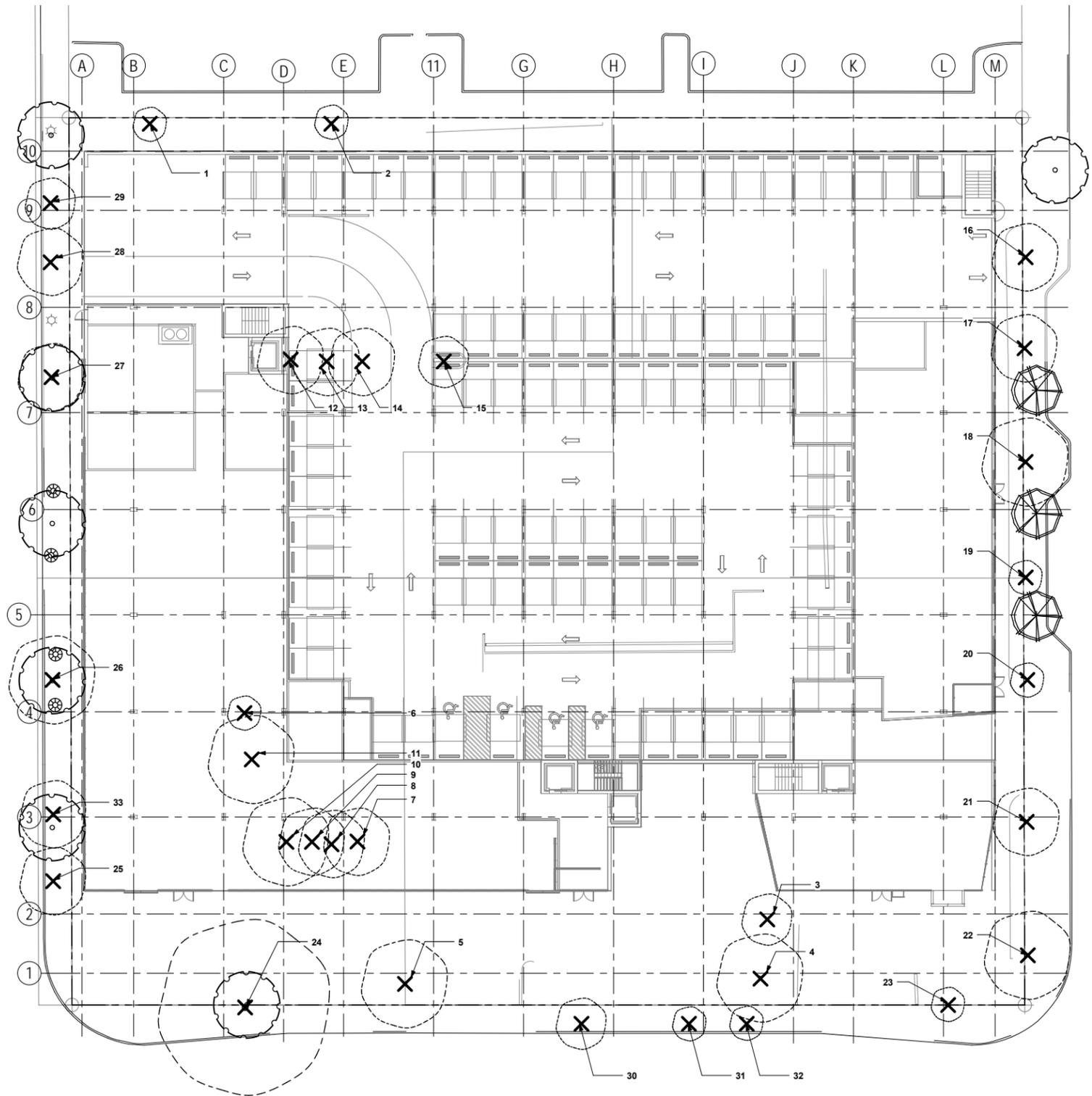
PLANTING LEGEND - AT GRADE

PLANTING SCHEDULE - AT GRADE						
QTY	BOTANICAL NAME	COMMON NAME	SIZE	ON-CENTER SPACING	COMMENTS	DROUGHT TOLERANT
TREES						
6	<i>Acer griseum</i>	Paperbark Maple	4" CAL	PER PLAN	5' MIN. BRANCHING HT.	Y
5	<i>Acer rubrum</i> 'Armstrong'	Armstrong Red Maple	4" CAL	PER PLAN	5' MIN. BRANCHING HT.	Y
6	<i>Amelanchier x grandiflora</i> 'Autumn Brilliance'	Autumn Brilliance Serviceberry	3 1/2" CAL	PER PLAN	5' MIN. BRANCHING HT.	Y
7	<i>Liriodendron tulipifera</i> 'Fastigiata'	Columnar tulip tree	4" CAL	PER PLAN	5' MIN. BRANCHING HT.	Y
PERENNIALS AND GRASSES						
32	<i>Acanthus mollis</i>	Bear's Breeches	#2 POT	PER PLAN		Y
47	<i>Achillea</i> 'Moonshine'	Moonshine Yarrow	#1 POT	12"		Y
27	<i>Camassia quamash</i>	Camas	#1 POT	12"		Y
14	<i>Chionochloa rubra</i>	Red Tussock Grass	#3 POT	36"		Y
105	<i>Digitalis grandiflora</i>	Large yellow foxglove	#1 POT	12"		Y
114	<i>Hemerocallis</i> 'Little Business'	Little Business Daylily	#1 POT	PER PLAN		Y
51	<i>Iris sibirica</i> 'Caesar's Brother'	Siberian Iris	#1 POT	PER PLAN		Y
26	<i>Ligularia</i> 'Little Rocket'	Dwarf Ligularia	#1 POT	PER PLAN		N
15	<i>Parthenocissus tricuspidata</i>	Boston Ivy	#1 POT	PER PLAN		Y
EVERGREEN SHRUBS						
7	<i>Cephalotaxus harringtonia</i> 'Nana'	Dwarf Japanese Plum Yew	#5 POT	PER PLAN	UNDERPLANT PER PLAN	Y
20	<i>Lonicera pileata</i> 'Moss Green'	Moss Green Privet Honeysuckle	24" SPREAD	Per Plan	NATURAL	Y
93	<i>Mahonia nervosa</i>	Oregon Grape	#5 POT	30"		Y
30	<i>Prunus laurocerasus</i> 'Otto Luyken'	Otto Luyken English Laurel	#5 POT	PER PLAN	UNDERPLANT PER PLAN	N
45	<i>Sarcococca hookeriana</i> var. <i>humilis</i>	Sweet Box	#3 POT	PER PLAN		N
21	<i>Sarcococca ruscifolia</i>	Fragrant Sweetbox	#5 POT	PER PLAN	UNDERPLANT PER PLAN	N
DECIDUOUS SHRUBS						
39	<i>Clethra alnifolia</i> 'Hummingbird'	Summersweet	#5 POT	PER PLAN	UNDERPLANT PER PLAN	Y
23	<i>Cornus sanguinea</i> 'Midwinter Fire'	Midwinter Fire Dogwood	#5 POT	PER PLAN	UNDERPLANT PER PLAN	N
10	<i>Cornus sericea</i> 'Bailey'	Red Twig Dogwood	60" HT, B&B	PER PLAN	NATURAL	N
8	<i>Philadelphus</i> 'Belle Etoile'	Mock orange	#5 POT	PER PLAN		
4	<i>Ribes sanguineum</i> 'White Icicle'	White Icicle Flowering Currant	#5 POT	PER PLAN	UNDERPLANT PER PLAN	
17	<i>Senecio greyii</i>	Daisy Bush	#5 POT	PER PLAN	UNDERPLANT PER PLAN	Y
GROUND COVER						
152	<i>Acorus gramineus</i> 'Ogon'	Golden Variegated Sweet Flag	4" POT	12" O.C.		N
373	<i>Carex testacea</i>	New Zealand Orange Sedge	#2 POT	24" O.C.		
1126	<i>Sesleria autumnalis</i>	Autumn Moor Grass	#1 POT	12" O.C.		

PLANTING LEGEND - LEVEL 2

PLANTING SCHEDULE - LEVEL 2						
QTY	BOTANICAL NAME	COMMON NAME	SIZE	ON-CENTER SPACING	COMMENTS	DROUGHT TOLERANT
TREE						
12	<i>Acer circinatum</i> 'Pacific Fire'	Pacific Fire Vine Maple	7-8' HT	PER PLAN	3 LEADERS MIN.	N
3	<i>Acer palmatum</i> 'Emperor I'	Emperor I Red Japanese Maple	4" CAL.	PER PLAN	5' MIN BRANCHING HT	N
PERENNIALS AND GRASSES						
42	<i>Acanthus mollis</i>	Bear's Breeches	#2 POT	PER PLAN		Y
32	<i>Anemone x hybrida</i> 'Honorine Jobert'	Windflower	#1 POT	PER PLAN		N
53	<i>Hosta sieboldiana</i> 'Elegans'	Hosta	18" O.C., #1 POT	PER PLAN		N
38	<i>Ligularia</i> 'Little Rocket'	Dwarf Ligularia	#1 POT	PER PLAN		N
EVERGREEN SHRUBS						
27	<i>Arbutus unedo</i> 'Compacta'	Compact Strawberry Tree	#5 POT	PER PLAN		Y
5	<i>Ceanothus</i> 'Julia Phelps'	Julia Phelps California Lilac	#5 POT	PER PLAN	UNDERPLANT PER PLAN	Y
39	<i>Sarcococca ruscifolia</i>	Fragrant Sweetbox	#5 POT	PER PLAN	UNDERPLANT PER PLAN	N
19	<i>Senecio greyii</i>	Daisy Bush	#5 POT	PER PLAN		Y
DECIDUOUS SHRUBS						
14	<i>Clethra alnifolia</i> 'Hummingbird'	Summersweet	#5 POT	PER PLAN	UNDERPLANT PER PLAN	Y
40	<i>Cornus sanguinea</i> 'Midwinter Fire'	Midwinter Fire Dogwood	#5 POT	PER PLAN	UNDERPLANT PER PLAN	N
16	<i>Corylopsis spicata</i>	Spike Winter Hazel	#5 POT	PER PLAN	UNDERPLANT PER PLAN	Y
32	<i>Hydrangea quercifolia</i> 'Snow Queen'	Oak Leaf Hydrangea 'Snow Queen'	#5 POT	PER PLAN	UNDERPLANT PER PLAN	N
GROUND COVER						
170	<i>Acorus gramineus</i> 'Ogon'	Golden Variegated Sweet Flag	4" POT	12" O.C.		N
866	<i>Dryopteris erythrosa</i> 'Brilliance'	Brilliance Autumn Fern	#1 POT	18" O.C.		Y
	<i>Liriope muscari</i> 'Big Blue'	'Big Blue' Lilyturf	#1 POT	15" O.C.		Y
1596	<i>Liriope spicata</i> 'Silver Dragon'	Creeping Lilyturf	#1 POT	24" O.C.		Y
304	<i>Polystichum munitum</i>	Sword Fern	#3 POT	24" O.C.		Y
277	<i>Rubus calycinoides</i>	Creeping Raspberry	#1 POT	18" O.C.		Y

SEE APPENDIX A FOR FULL SIZE DRAWINGS



EXISTING TREES

1.	9" CAL.	PRUNUS SP.	(CHERRY OR PLUM)	TO BE REMOVED
2.	7" CAL.	PRUNUS SP.	(CHERRY OR PLUM)	TO BE REMOVED
3.	7" CAL.	PRUNUS SP.	(FLOWERING CHERRY)	TO BE REMOVED
4.	9" CAL.	PRUNUS SP.	(FLOWERING CHERRY)	TO BE REMOVED
5.	21" CAL.	THUJA PLICATA	(WESTERN RED CEDAR)	TO BE REMOVED
6.	9" CAL.	PINUS CONTORTA	(SHORE PINE)	TO BE REMOVED
7.	12" CAL.	THUJA PLICATA	(WESTERN RED CEDAR)	TO BE REMOVED
8.	10" CAL.	THUJA PLICATA	(WESTERN RED CEDAR)	TO BE REMOVED
9.	9" CAL.	THUJA PLICATA	(WESTERN RED CEDAR)	TO BE REMOVED
10.	15" CAL.	THUJA PLICATA	(WESTERN RED CEDAR)	TO BE REMOVED
11.	14", 9", 14" CAL.	QUERCUS ALBA	(WHITE OAK)	TO BE REMOVED
12.	7" CAL.	PRUNUS SP.	(CHERRY OR PLUM)	TO BE REMOVED
13.	7" CAL.	PRUNUS SP.	(CHERRY OR PLUM)	TO BE REMOVED
14.	8" CAL.	PRUNUS SP.	(CHERRY OR PLUM)	TO BE REMOVED
15.	6" CAL.	PRUNUS SP.	(CHERRY OR PLUM)	TO BE REMOVED
16.	10" CAL.	ACER RUBRUM 'ARMSTRONG'	(ARMSTRONG MAPLE)	TO BE REMOVED
17.	10" CAL.	ACER RUBRUM 'ARMSTRONG'	(ARMSTRONG MAPLE)	TO BE REMOVED
18.	11" CAL.	ACER RUBRUM 'ARMSTRONG'	(ARMSTRONG MAPLE)	TO BE REMOVED
19.	9" CAL.	ACER PLATANOIDES 'COLUMNAIRE'	(COLUMNAR NORWAY MAPLE)	TO BE REMOVED
20.	9" CAL.	ACER PLATANOIDES 'COLUMNAIRE'	(COLUMNAR NORWAY MAPLE)	TO BE REMOVED
21.	11" CAL.	ACER PLATANOIDES 'COLUMNAIRE'	(COLUMNAR NORWAY MAPLE)	TO BE REMOVED
22.	12" CAL.	ACER PLATANOIDES 'COLUMNAIRE'	(COLUMNAR NORWAY MAPLE)	TO BE REMOVED
23.	6" CAL.	ACER PLATANOIDES 'COLUMNAIRE'	(COLUMNAR NORWAY MAPLE)	TO BE REMOVED
24.	24" CAL.	ACER RUBRUM	(RED MAPLE)	TO BE REMOVED
25.	9" CAL.	PRUNUS SP.	(CHERRY OR PLUM)	TO BE REMOVED
26.	10" CAL.	PRUNUS SP.	(CHERRY OR PLUM)	TO BE REMOVED
27.	9" CAL.	PRUNUS SP.	(CHERRY OR PLUM)	TO BE REMOVED
28.	8" CAL.	PRUNUS SP.	(CHERRY OR PLUM)	TO BE REMOVED
29.	8" CAL.	PRUNUS SP.	(CHERRY OR PLUM)	TO BE REMOVED
30.	5" CAL.	PRUNUS SP.	(CHERRY OR PLUM)	TO BE REMOVED
31.	5" CAL.	PRUNUS SP.	(CHERRY OR PLUM)	TO BE REMOVED
32.	5" CAL.	PRUNUS SP.	(CHERRY OR PLUM)	TO BE REMOVED
33.	4", 5", 2" CAL.	PRUNUS SP.	(CHERRY OR PLUM)	TO BE REMOVED

EXISTING TREES LEGEND

-  EXISTING TREE TO BE REMOVED, TYP.
-  EXISTING TREE TO REMAIN, TYP.

- NOTES:
1. SEE L3.4 FOR PLANT SCHEDULE AND GREEN FACTOR CALCULATIONS
 2. (34) TREES TO BE REMOVED

1 AT GRADE - TREES TO REMAIN AND TREES TO BE REMOVED



SEE APPENDIX A FOR FULL SIZE DRAWINGS

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NE 1/4 SEC 12, T24N, R4E, W.M.

SITE ADDRESS: 2278, 2750 & 2885 77TH AVENUE SE MERCER ISLAND, WA

TAX ACCOUNT NO.'S: 531510-1325 531510-1326 531510-1316

ZONING: TC

ZONING AGENCY: CITY OF MERCER ISLAND DEVELOPMENT SERVICES 9611 SE 36TH STREET MERCER ISLAND, WA 98040

SETBACKS: CURRENT SETBACK REQUIREMENTS SUBJECT TO SITE PLAN REVIEW. CURRENT SETBACKS MAY DIFFER FROM THOSE IN EFFECT DURING SURVEY, WHICH COULD BE UNDERGROUND LINES WITHIN ADJACENT RIGHTS-OF-WAY.

THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY BY THE GOVERNING JURISDICTION INDICATES THAT STRUCTURES ON THIS PROPERTY COMPLIED WITH MINIMUM SETBACK AND HEIGHT REQUIREMENTS FOLLOWING CONSTRUCTION.

FLOOD ZONE: THIS SITE APPEARS ON NATIONAL FLOOD INSURANCE RATE MAP INDEX, DATED DECEMBER 5, 2001, COMMUNITY PANEL NO. 530330ND, AND IS SITUATED IN ZONE "X", AREA DETERMINED TO BE OUTSIDE 500 YEAR FLOOD PLAIN.

HORIZONTAL DATUM: NAD 83/91 EXHIBIT 2

VERTICAL DATUM: NAVD 83

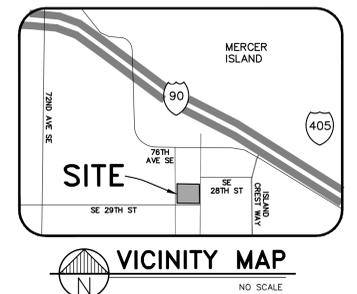
ORIGINATING BENCHMARK: MERCER ISLAND 2 BRASS CAP DESIGNATED 9110 (STAMPED LS 23613 1995) IN CONC POST, DN 0.9', LOCATED AT THE INTERSECTION OF SE 29TH ST & 78TH AVE SE. EL=88.42'

AREA: SITE AS SHOWN CONTAINS 75,935 SQUARE FEET OR 1.7432 ACRES, MORE OR LESS.

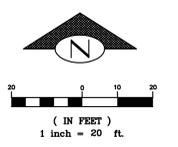
PARKING SPACE COUNT: PARKING SPACES TOTAL 81 INCLUDING 4 HANDICAP SPACES.

UTILITIES: BURIED UTILITIES ARE SHOWN AS INDICATED ON RECORDS MAPS FURNISHED BY OTHERS AND VERIFIED WHERE POSSIBLE BY FEATURES LOCATED IN THE FIELD. WE ASSUME NO LIABILITY FOR THE ACCURACY OF THOSE RECORDS. FOR THE FINAL LOCATION OF EXISTING UTILITIES IN AREAS CRITICAL TO DESIGN CONTACT THE UTILITY OWNER/AGENCY.

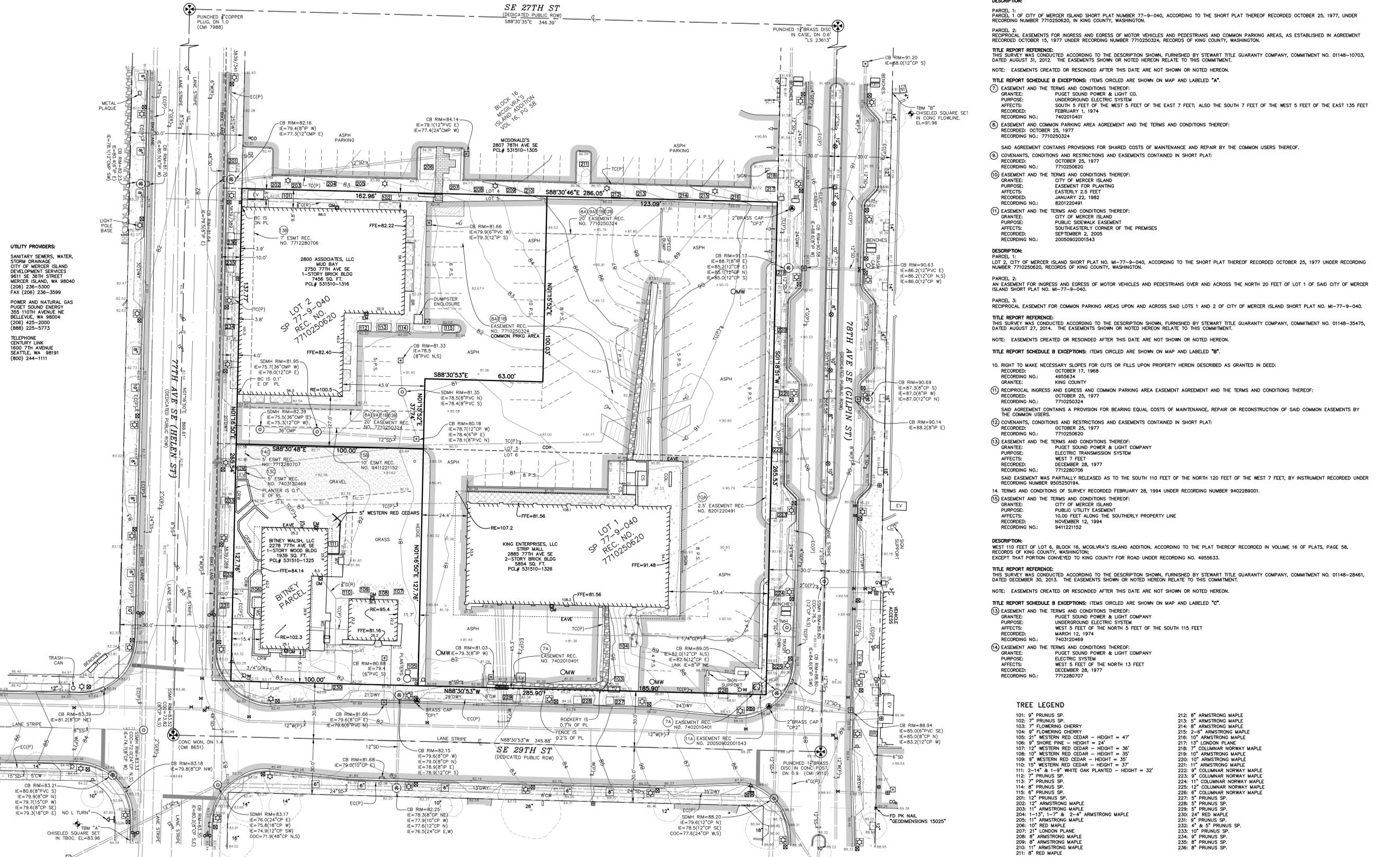
TELECOMMUNICATIONS/FIBER OPTIC DISCLAIMER: RECORDS OF UNDERGROUND TELECOMMUNICATIONS AND/OR FIBER OPTIC LINES ARE NOT ALWAYS AVAILABLE TO THE PUBLIC. BRH HAS NOT CONTACTED EACH OF THE MANY COMPANIES, IN THE COURSE OF THIS SURVEY, WHICH COULD HAVE UNDERGROUND LINES WITHIN ADJACENT RIGHTS-OF-WAY. THEREFORE, BRH DOES NOT ACCEPT RESPONSIBILITY FOR THE EXISTENCE OF UNDERGROUND TELECOMMUNICATIONS/FIBER OPTIC LINES WHICH ARE NOT MADE PUBLIC RECORD WITH THE LOCAL JURISDICTION. ALWAYS, CALL 1-800-424-5555 BEFORE CONSTRUCTION.



LEGEND table with symbols for various features like asphalt, brick surface, building line, catch basin, concrete surface, etc.



SURVEYOR'S NOTES: DURING THE FIELD SURVEY BRH DID NOT OBSERVE ANY OF THE FOLLOWING: EVIDENCE OF WATER OR WETLANDS, EVIDENCE OF A SOLID WASTE DUMP OR LANDFILL, EVIDENCE OF EARTH MOVING WORK OR CONSTRUCTION.



UTILITY PROVIDERS: SANITARY SEWERS, WATER, STORM DRAINAGE, CITY OF MERCER ISLAND DEVELOPMENT SERVICES, PUEGET SOUND ENERGY, TELEPHONE CENTURY LINK.

- DESCRIPTION: PARCEL 1: PARCEL 2: TITLE REPORT REFERENCE: TITLE REPORT SCHEDULE B EXCEPTIONS: 1) EASEMENT AND THE TERMS AND CONDITIONS THEREOF: 2) EASEMENT AND THE TERMS AND CONDITIONS THEREOF: 3) EASEMENT AND THE TERMS AND CONDITIONS THEREOF: 4) EASEMENT AND THE TERMS AND CONDITIONS THEREOF: 5) EASEMENT AND THE TERMS AND CONDITIONS THEREOF: 6) EASEMENT AND THE TERMS AND CONDITIONS THEREOF: 7) EASEMENT AND THE TERMS AND CONDITIONS THEREOF: 8) EASEMENT AND THE TERMS AND CONDITIONS THEREOF: 9) EASEMENT AND THE TERMS AND CONDITIONS THEREOF: 10) EASEMENT AND THE TERMS AND CONDITIONS THEREOF: 11) EASEMENT AND THE TERMS AND CONDITIONS THEREOF: 12) EASEMENT AND THE TERMS AND CONDITIONS THEREOF: 13) EASEMENT AND THE TERMS AND CONDITIONS THEREOF: 14) TERMS AND CONDITIONS OF SURVEY RECORDED FEBRUARY 28, 1994 UNDER RECORDING NUMBER 9402289001.

TREE LEGEND table listing tree species and their heights, such as 101: 9" PRUNUS SP., 102: 7" PRUNUS SP., etc.

Professional seal and contact information for BUSH, ROED & HITCHINGS, INC. and HINES TOPOGRAPHIC SITE SURVEY. Includes address, phone numbers, and website.

**MERCER ISLAND
MIXED USE
2885 78TH AVENUE SE,
MERCER ISLAND, WA**

REVISIONS

NO.	DESCRIPTION	DATE

SUBMITTALS

PRELIMINARY DESIGN REVIEW	2015.04.13
PRELIM DESIGN REVIEW REVISED	2015.05.01

SITE PLAN

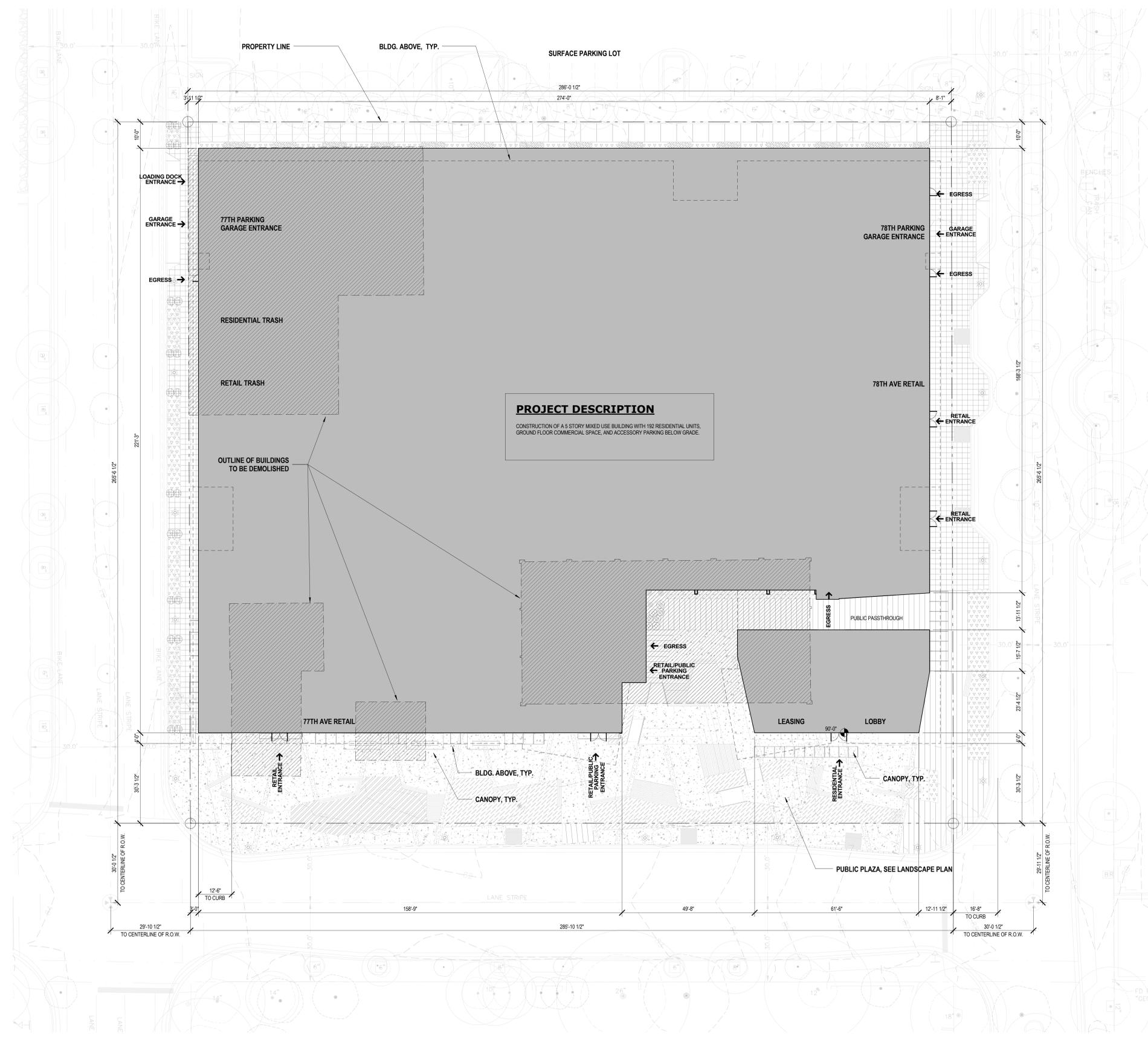
DATE: 05/01/2015
SCALE: As indicated
DRAWN: 14-119
JOB #: 14-119
DPD MUP #:
DPD SW #:
DPD PH1 #:
DPD PH2 #:

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SHEET

A0.1

5/12/2015 4:54:31 PM



PROJECT DESCRIPTION
CONSTRUCTION OF A 5 STORY MIXED USE BUILDING WITH 192 RESIDENTIAL UNITS, GROUND FLOOR COMMERCIAL SPACE, AND ACCESSORY PARKING BELOW GRADE.

SITE GENERAL NOTES

- SITE INFORMATION IS BASED ON "BOUNDARY AND TOPOGRAPHICAL SURVEY" BY BUSH, ROED & HITCHINGS, INC. DATED 10/14/14 (206) 323-4144
- REFER TO SURVEY FOR EXISTING UTILITY INFORMATION
 - REFER TO LANDSCAPING DRAWINGS FOR LOCATIONS OF SITE ACCESSORIES AND PLANTERS
 - REFER TO LANDSCAPING DRAWINGS FOR INFORMATION ON EXISTING TREES TO BE REMOVED AND EXISTING TREES TO REMAIN
 - FINISHED GRADES TO BE COORDINATED WITH CIVIL AND LANDSCAPE ARCHITECT
 - SEWER/WALK TO SLOPE AWAY FROM BUILDING 1/4" PER FOOT TYPICAL
 - EXTERIOR LIGHTING WILL BE SHIELDED - DIRECTED AWAY FOR ADJACENT USES
 - SEE MEMORANDUM PRELIMINARY TRANSPORTATION SUMMARY BY TRASPOGROUP DATED 04/09/2015 FOR VEHICULAR CIRCULATION SYSTEM

1 SITE PLAN
SCALE: 1/8" = 1'-0"
PARCEL SIZE: **75,935 SF 1.74 acres**



**MERCER ISLAND
MIXED USE
2885 78TH AVENUE SE,
MERCER ISLAND, WA**

REVISIONS

NO.	DATE	DESCRIPTION

SUBMITTALS

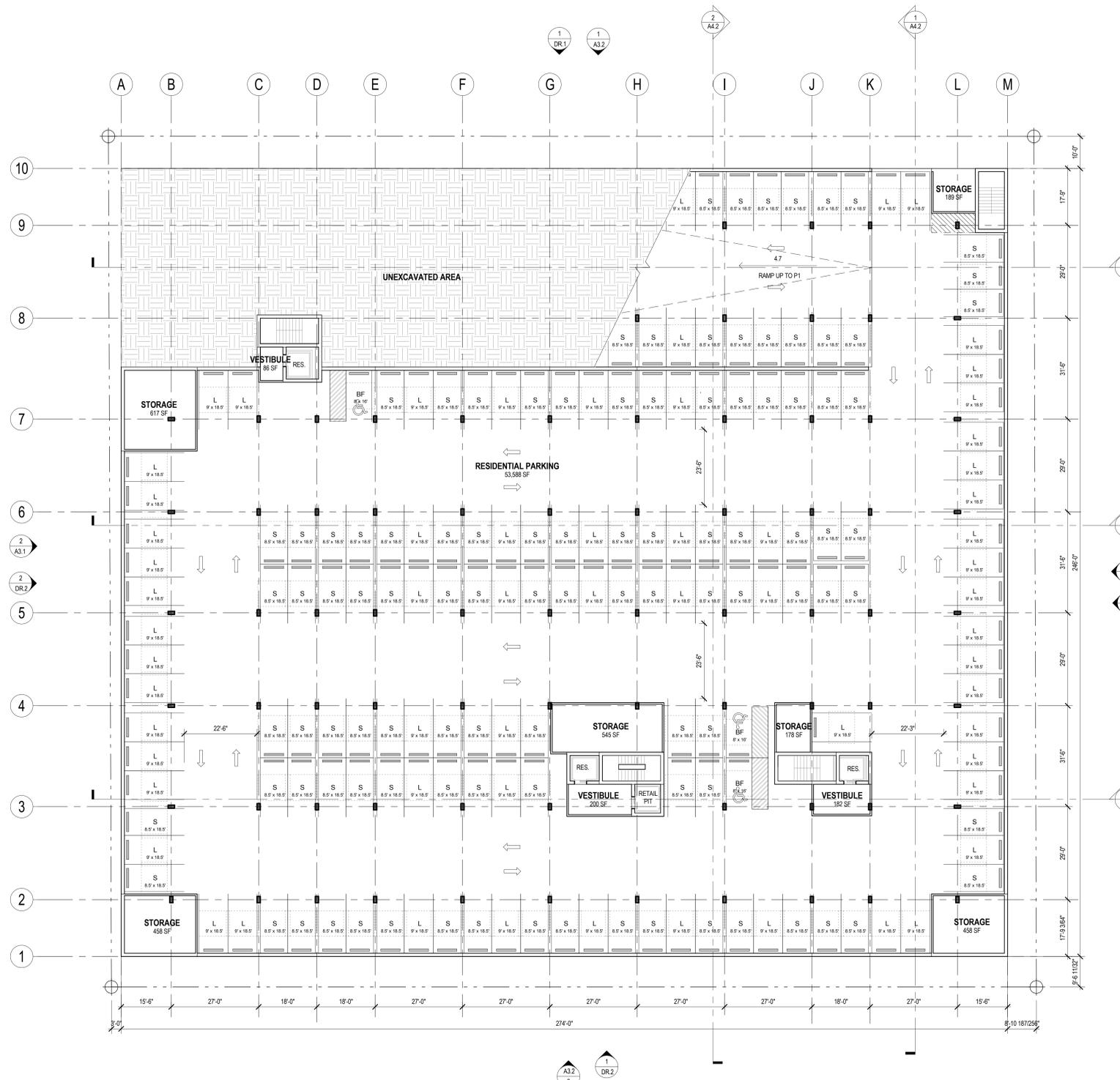
PRELIMINARY DESIGN REVIEW	2015.04.13
PRELIM DESIGN REVIEW REVISED	2015.05.01

**LEVEL P2 -
OVERALL
PLAN**

DATE:	05/01/2015
SCALE:	As indicated
DRAWN:	
JOB #:	14-119
DPD MUP #:	
DPD SW #:	
DPD PH1 #:	
DPD PH2 #:	

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**SHEET
A1.1**



FLOOR PLAN GENERAL NOTES

- REFER TO SURVEY FOR EXISTING UTILITY INFORMATION
- ELEVATIONS AND GRADES TAKEN FROM SURVEY BY OTHERS, REFER TO SURVEY
- REFER TO LANDSCAPING DRAWINGS FOR LOCATIONS OF SITE ACCESSORIES AND PLANTERS
- REFER TO LANDSCAPING DRAWINGS FOR INFORMATION ON EXISTING TREES TO BE REMOVED AND EXISTING TREES TO REMAIN
- FINISHED GRADES TO BE COORDINATED WITH CIVIL AND LANDSCAPE ARCHITECT
- SIDEWALK TO SLOPE AWAY FROM BUILDING 1/4" PER FOOT TYPICAL
- EXTERIOR LIGHTING WILL BE SHIELDED - DIRECTED AWAY FOR ADJACENT USES
- SEE MEMORANDUM - PRELIMINARY TRANSPORTATION SUMMARY BY TRANSPD GROUP DATED 04/29/2015 FOR VEHICULAR CIRCULATION SYSTEM

1 LEVEL P2 - FLOOR PLAN
A1.1 SCALE: 1/16" = 1'-0"

TARGET V. PROVIDED PARKING	Target	Provided
Residential	253	255
Public	200	200
2 Hour Commercial (4 stalls / 1,000 SF)	63	63

BY LOCATION	COUNT
RESIDENTIAL 43% large stalls (9'-0" X 18'-6")	
LEVEL 1 77TH	1
LEVEL P1	87
LEVEL P2	167
COMMERCIAL 40% large stalls (9'-0" X 18'-6")	
LEVEL 1 78TH	70
LEVEL 1 77TH	49
LEVEL P1	81
2 HOUR COMMERCIAL 52% large stalls (9'-0" X 18'-6")	
LEVEL 1 78TH	19
LEVEL 1 77TH	44
TOTAL:	518

BY STALL TYPE	COUNT
LEVEL 1 78TH	
LARGE STALL COMMERCIAL 2HR	7
MI STANDARD STALL COMMERCIAL 2HR	12
COMMERCIAL ACCESSIBLE PARKING STALL	3
COMMERCIAL VAN ACCESSIBLE STALL	1
LARGE STALL COMMERCIAL	28
MI STANDARD STALL COMMERCIAL	38
LEVEL 1 77TH	89
LARGE STALL COMMERCIAL 2HR	26
MI STANDARD STALL COMMERCIAL 2HR	18
COMMERCIAL ACCESSIBLE PARKING STALL	2
COMMERCIAL VAN ACCESSIBLE STALL	1
LARGE STALL COMMERCIAL	12

BY STALL TYPE	COUNT
MI STANDARD STALL COMMERCIAL	34
VAN ACCESSIBLE STALL	1
LEVEL P1	94
LARGE STALL COMMERCIAL	40
MI STANDARD STALL COMMERCIAL	41
ACCESSIBLE STALL	2
LARGE STALL	48
MI STANDARD STALL	37
LEVEL P2	168
ACCESSIBLE STALL	3
LARGE STALL	62
MI STANDARD STALL	102
TOTAL:	518

BIKE PARKING

Residential 1 space per 4 units = 49 spaces provided in rooms on L1 77TH
Retail long term 1 space per 12000sf = 2 spaces provided in room on L1 77TH
Retail short term 1 space per 2000sf = 8 spaces provided around building at grade under cover

PARKING GENERAL NOTES

- SEE SHEET TO 1 FOR PARKING SUMMARY
- PROVIDE A MINIMUM VERTICAL CLEARANCE OF 98" FROM STREET / GARAGE ENTRY TO AND INCLUDING ALL BARRIER FREE VAN STALLS AND LANDING AREAS
- VERIFY DIMENSION OF MECHANICAL OPENINGS WITH DESIGN BUILD CONTRACTOR



**MERCER ISLAND
MIXED USE
2885 78TH AVENUE SE,
MERCER ISLAND, WA**

REVISIONS

NO.	DATE	DESCRIPTION

SUBMITTALS

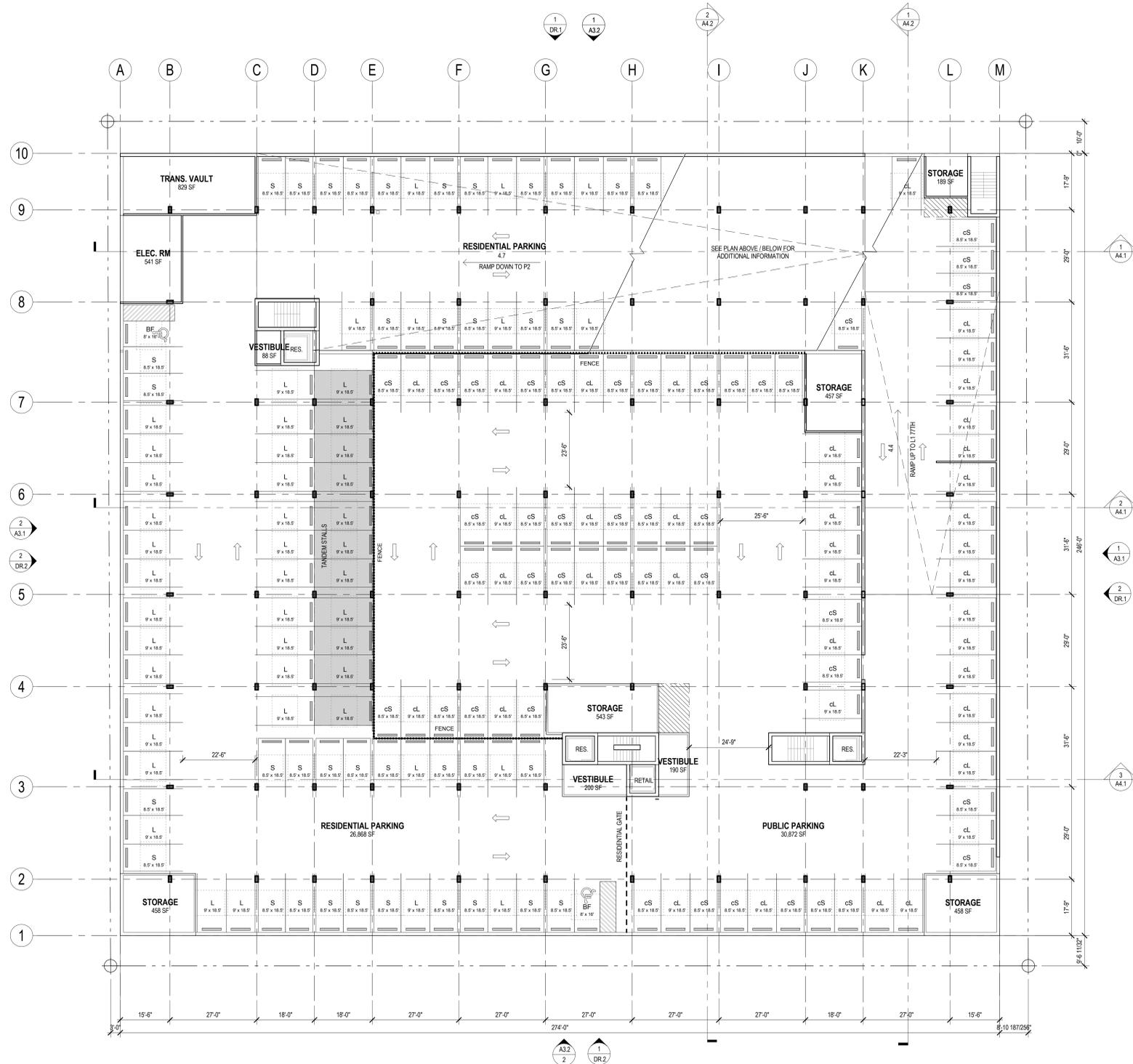
NO.	DATE	DESCRIPTION
1	2015.04.13	PRELIMINARY DESIGN REVIEW
2	2015.05.01	PRELIM DESIGN REVIEW REVISED

**LEVEL P1 -
OVERALL
PLAN**

DATE: 05/01/2015
SCALE: As indicated
DRAWN: 14-119
JOB #: 14-119
DPO MUP #:
DPO SW #:
DPO PH1 #:
DPO PH2 #:

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**SHEET
A1.2**



FLOOR PLAN GENERAL NOTES

- REFER TO SURVEY FOR EXISTING UTILITY INFORMATION
- ELEVATIONS AND GRADES TAKEN FROM SURVEY BY OTHERS, REFER TO SURVEY
- REFER TO LANDSCAPING DRAWINGS FOR LOCATIONS OF SITE ACCESSORIES AND PLANTERS
- REFER TO LANDSCAPING DRAWINGS FOR INFORMATION ON EXISTING TREES TO BE REMOVED AND EXISTING TREES TO REMAIN
- FINISHED GRADES TO BE COORDINATED WITH CIVIL AND LANDSCAPE ARCHITECT
- SIDEWALK TO SLOPE AWAY FROM BUILDING 1/4" PER FOOT TYPICAL
- EXTERIOR LIGHTING WILL BE SHIELDED - DIRECTED AWAY FOR ADJACENT USES
- SEE MEMORANDUM - PRELIMINARY TRANSPORTATION SUMMARY BY TRANSPRO GROUP DATED 04/09/2015 FOR VEHICULAR CIRCULATION SYSTEM

1 LEVEL P1 - FLOOR PLAN
SCALE: 1/16" = 1'-0"

TARGET V. PROVIDED PARKING	PROVIDED
Residential	
Target: 253	Provided: 255
Public	
Target: 200	Provided: 200
2 Hour Commercial	
(4 stalls / 1,000 SF)	
Target: 63	Provided: 63

BY LOCATION	COUNT
RESIDENTIAL	43% large stalls (9'-0" X 18'-6")
LEVEL 1 77TH	1
LEVEL P1	87
LEVEL P2	167
COMMERCIAL	40% large stalls (9'-0" X 18'-6")
LEVEL 1 78TH	70
LEVEL 1 77TH	49
LEVEL P1	81
2 HOUR COMMERCIAL	52% large stalls (9'-0" X 18'-6")
LEVEL 1 78TH	19
LEVEL 1 77TH	44
TOTAL	518

BY STALL TYPE	COUNT
LEVEL 1 78TH	
LARGE STALL COMMERCIAL 2HR	7
MI STANDARD STALL COMMERCIAL 2HR	12
COMMERCIAL ACCESSIBLE PARKING STALL	3
COMMERCIAL VAN ACCESSIBLE STALL	1
LARGE STALL COMMERCIAL	28
MI STANDARD STALL COMMERCIAL	38
MI STANDARD STALL	69
LEVEL 1 77TH	
LARGE STALL COMMERCIAL 2HR	26
MI STANDARD STALL COMMERCIAL 2HR	18
COMMERCIAL ACCESSIBLE PARKING STALL	2
COMMERCIAL VAN ACCESSIBLE STALL	1
LARGE STALL COMMERCIAL	12

BY STALL TYPE	COUNT
MI STANDARD STALL COMMERCIAL	34
VAN ACCESSIBLE STALL	1
LEVEL P1	
LARGE STALL COMMERCIAL	40
MI STANDARD STALL COMMERCIAL	41
ACCESSIBLE STALL	2
LARGE STALL	48
MI STANDARD STALL	37
LEVEL P2	
ACCESSIBLE STALL	3
LARGE STALL	62
MI STANDARD STALL	102
TOTAL	518

BIKE PARKING

Residential 1 space per 4 units = 49 spaces provided in rooms on L1 77TH
Retail long term 1 space per 12000sf = 2 spaces provided in room on L1 77TH
Retail short term 1 space per 2000sf = 8 spaces provided around building at grade under cover

PARKING GENERAL NOTES

- SEE SHEET TO 1 FOR PARKING SUMMARY
- PROVIDE A MINIMUM VERTICAL CLEARANCE OF 9'-0" FROM STREET / GARAGE ENTRY TO AND INCLUDING ALL BARRIER FREE VAN STALLS AND LANDING AREAS
- VERIFY DIMENSION OF MECHANICAL OPENINGS WITH DESIGN BUILD CONTRACTOR



**MERCER ISLAND
MIXED USE
2885 78TH AVENUE SE,
MERCER ISLAND, WA**

REVISIONS

SUBMITTALS

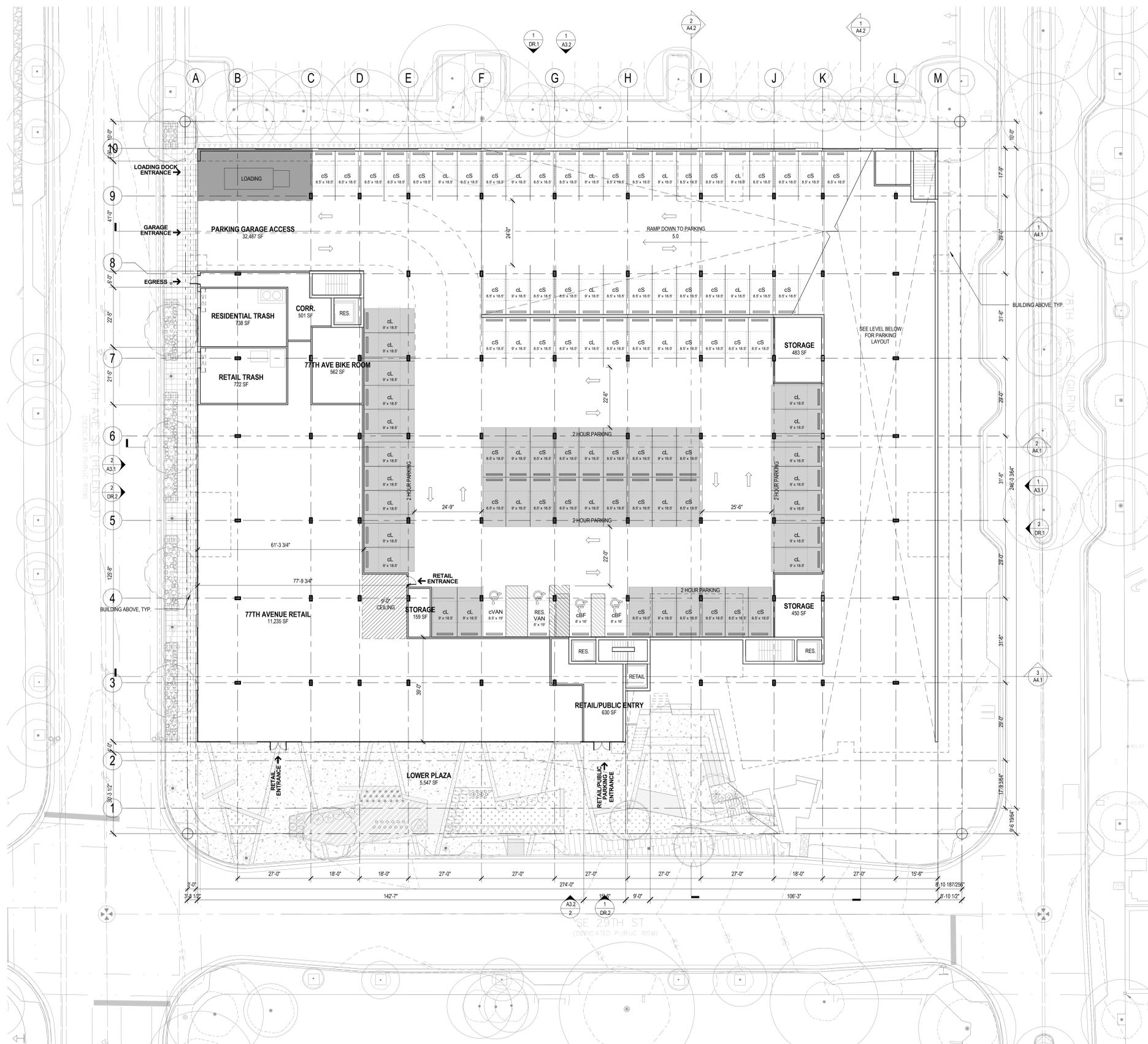
PRELIMINARY DESIGN REVIEW 2015.04.13
PRELIM DESIGN REVIEW REVISED 2015.05.01

**LEVEL 1
(77TH) -
OVERALL
PLAN**

DATE: 05/01/2015
SCALE: As indicated
DRAWN: As indicated
JOB #: 14-119
DPD MUP #:
DPD SW #:
DPD PH1 #:
DPD PH2 #:

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**SHEET
A1.3**



FLOOR PLAN GENERAL NOTES

- REFER TO SURVEY FOR EXISTING UTILITY INFORMATION
- ELEVATIONS AND GRADES TAKEN FROM SURVEY BY OTHERS, REFER TO SURVEY
- REFER TO LANDSCAPING DRAWINGS FOR LOCATIONS OF SITE ACCESSORIES AND PLANTERS
- REFER TO LANDSCAPING DRAWINGS FOR INFORMATION ON EXISTING TREES TO BE REMOVED AND EXISTING TREES TO REMAIN
- FINISHED GRADES TO BE COORDINATED WITH CIVIL AND LANDSCAPE ARCHITECT
- SIDEWALK TO SLOPE AWAY FROM BUILDING 1/4" PER FOOT TYPICAL
- EXTERIOR LIGHTING WILL BE SHIELDED - DIRECTED AWAY FOR ADJACENT USES
- SEE MEMORANDUM - PRELIMINARY TRANSPORTATION SUMMARY BY TRANSPRO GROUP DATED 04/09/2015 FOR VEHICULAR CIRCULATION SYSTEM

PARKING GENERAL NOTES

- SEE SHEET T01 FOR PARKING SUMMARY
- PROVIDE A MINIMUM VERTICAL CLEARANCE OF 9' FROM STREET / GARAGE ENTRY TO AND INCLUDING ALL BARRIER FREE VAN STALLS AND LANDING AREAS
- VERIFY DIMENSION OF MECHANICAL OPENINGS WITH DESIGN BUILD CONTRACTOR

1 LEVEL 1 (77TH) - FLOOR PLAN
SCALE: 1/16" = 1'-0"

TARGET V. PROVIDED PARKING	Provided:
Residential Target: 253	Provided: 255
Public Target: 200	Provided: 200
2 Hour Commercial (4 stalls / 1,200 SF) Target: 63	Provided: 63

BY LOCATION	COUNT
RESIDENTIAL 43% large stalls (9'-0" X 18'-6")	
LEVEL 1 77TH	1
LEVEL P1	87
LEVEL P2	167
COMMERCIAL 40% large stalls (9'-0" X 18'-6")	
LEVEL 1 78TH	70
LEVEL 1 77TH	49
LEVEL P1	81
2 HOUR COMMERCIAL 52% large stalls (9'-0" X 18'-6")	
LEVEL 1 78TH	19
LEVEL 1 77TH	44
TOTAL:	518

BY STALL TYPE	COUNT
LEVEL 1 78TH	
LARGE STALL COMMERCIAL 2HR	7
M STANDARD STALL COMMERCIAL 2HR	12
COMMERCIAL ACCESSIBLE PARKING STALL	3
COMMERCIAL VAN ACCESSIBLE STALL	1
LARGE STALL COMMERCIAL	28
M STANDARD STALL COMMERCIAL	38
LEVEL 1 77TH	89
LEVEL 1 77TH	
LARGE STALL COMMERCIAL 2HR	26
M STANDARD STALL COMMERCIAL 2HR	18
COMMERCIAL ACCESSIBLE PARKING	2
STALL	44
COMMERCIAL VAN ACCESSIBLE STALL	1
LARGE STALL COMMERCIAL	12

BY STALL TYPE	COUNT
M STANDARD STALL COMMERCIAL	34
VAN ACCESSIBLE STALL	1
LEVEL P1	94
LEVEL P1	
LARGE STALL COMMERCIAL	40
M STANDARD STALL COMMERCIAL	41
ACCESSIBLE STALL	2
LARGE STALL	48
M STANDARD STALL	38
LEVEL P2	168
ACCESSIBLE STALL	3
LARGE STALL	67
M STANDARD STALL	102
TOTAL:	167
TOTAL:	518

BIKE PARKING

Residential 1 space per 4 units = 49 spaces provided in rooms on L1 77TH
Retail long term 1 space per 1200sf = 2 spaces provided in room on L1 77TH
Retail short term 1 space per 2000sf = 8 spaces provided around building at grade under cover



**MERCER ISLAND
MIXED USE
2885 78TH AVENUE SE,
MERCER ISLAND, WA**

REVISIONS

SUBMITTALS

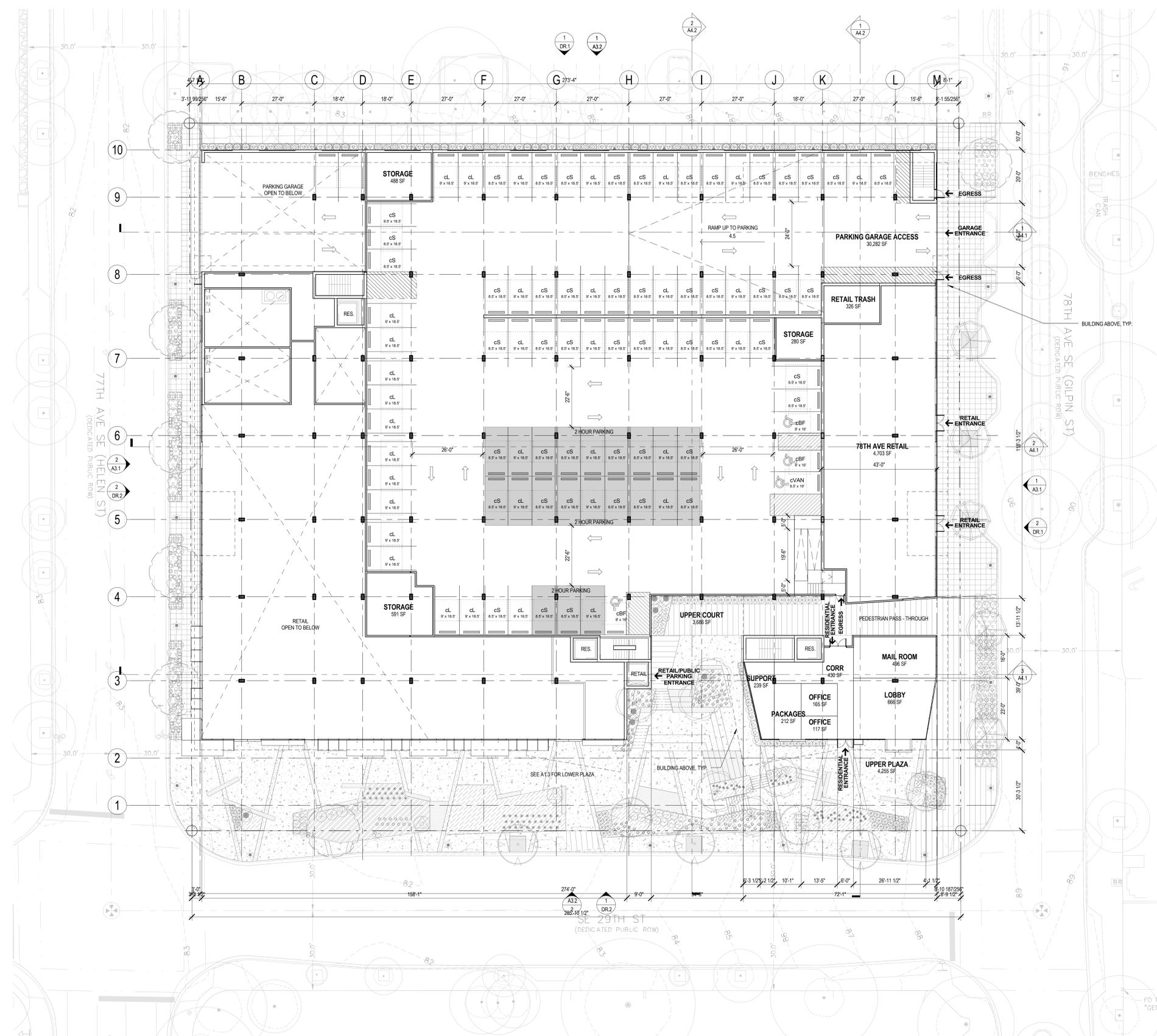
PRELIMINARY DESIGN REVIEW 2015.04.13
PRELIM DESIGN REVIEW REVISED 2015.05.01

**LEVEL 1
(78TH) -
OVERALL
PLAN**

DATE: 05/01/2015
SCALE: As indicated
DRAWN:
JOB #: 14-119
DPD MUP #:
DPD SW #:
DPD PH1 #:
DPD PH2 #:

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**SHEET
A1.4**



FLOOR PLAN GENERAL NOTES

- REFER TO SURVEY FOR EXISTING UTILITY INFORMATION
- ELEVATIONS AND GRADES TAKEN FROM SURVEY BY OTHERS. REFER TO SURVEY
- REFER TO LANDSCAPING DRAWINGS FOR LOCATIONS OF SITE ACCESSORIES AND PLANTERS
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- SEE MEMORANDUM: PRELIMINARY TRANSPORTATION SUMMARY BY TRANSPRO GROUP DATED 04/09/2015 FOR VEHICULAR CIRCULATION SYSTEM

PARKING GENERAL NOTES

- SEE SHEET T0.1 FOR PARKING SUMMARY
- PROVIDE A MINIMUM VERTICAL CLEARANCE OF 8'0" FROM STREET / GARAGE ENTRY TO AND INCLUDING ALL BARRIER FREE VAN STALLS AND LANDING AREAS
- VERIFY DIMENSION OF MECHANICAL OPENINGS WITH DESIGN BUILD CONTRACTOR

1 LEVEL 1 (78TH) - FLOOR PLAN
SCALE: 1/8" = 1'-0"

TARGET V. PROVIDED PARKING	RESIDENTIAL	Public	2 Hour Commercial (4 stalls / 1,300 SF)
Target: 253	Provided: 235	Target: 200	Provided: 200
		Target: 63	Provided: 63

BY LOCATION	COUNT
RESIDENTIAL	43% large stalls (9'-0" X 18'-6")
LEVEL 1 P1	87
LEVEL P2	167
COMMERCIAL	40% large stalls (9'-0" X 18'-6")
LEVEL 1 78TH	70
LEVEL 1 77TH	49
LEVEL P1	81
2 HOUR COMMERCIAL	52% large stalls (9'-0" X 18'-6")
LEVEL 1 78TH	19
LEVEL 1 77TH	44
TOTAL:	518

BY STALL TYPE	COUNT
LEVEL 1 78TH	
LARGE STALL COMMERCIAL 2HR	7
MI STANDARD STALL COMMERCIAL 2HR	12
COMMERCIAL ACCESSIBLE PARKING STALL	3
COMMERCIAL VAN ACCESSIBLE STALL	1
LARGE STALL COMMERCIAL	28
MI STANDARD STALL COMMERCIAL	38
MI STANDARD STALL	89
LEVEL 1 77TH	
LARGE STALL COMMERCIAL 2HR	26
MI STANDARD STALL COMMERCIAL 2HR	18
COMMERCIAL ACCESSIBLE PARKING STALL	2
COMMERCIAL VAN ACCESSIBLE STALL	1
LARGE STALL COMMERCIAL	12

BY STALL TYPE	COUNT
MI STANDARD STALL COMMERCIAL	34
VAN ACCESSIBLE STALL	1
TOTAL	94
LEVEL P1	
LARGE STALL COMMERCIAL	40
MI STANDARD STALL COMMERCIAL	41
ACCESSIBLE STALL	2
LARGE STALL	48
MI STANDARD STALL	37
TOTAL	168
LEVEL P2	
ACCESSIBLE STALL	3
LARGE STALL	62
MI STANDARD STALL	102
TOTAL	167

BY STALL TYPE	COUNT
BIKE PARKING	
RESIDENTIAL 1 space per 4 units = 49 spaces provided in rooms on L1 77TH	
Retail long term 1 space per 12000sf = 2 spaces provided in room on L1 77TH	
Retail short term 1 space per 2000sf = 8 spaces provided around building at grade under cover	



**MERCER ISLAND
MIXED USE
2885 78TH AVENUE SE,
MERCER ISLAND, WA**

REVISIONS

NO.	DATE	DESCRIPTION

SUBMITTALS

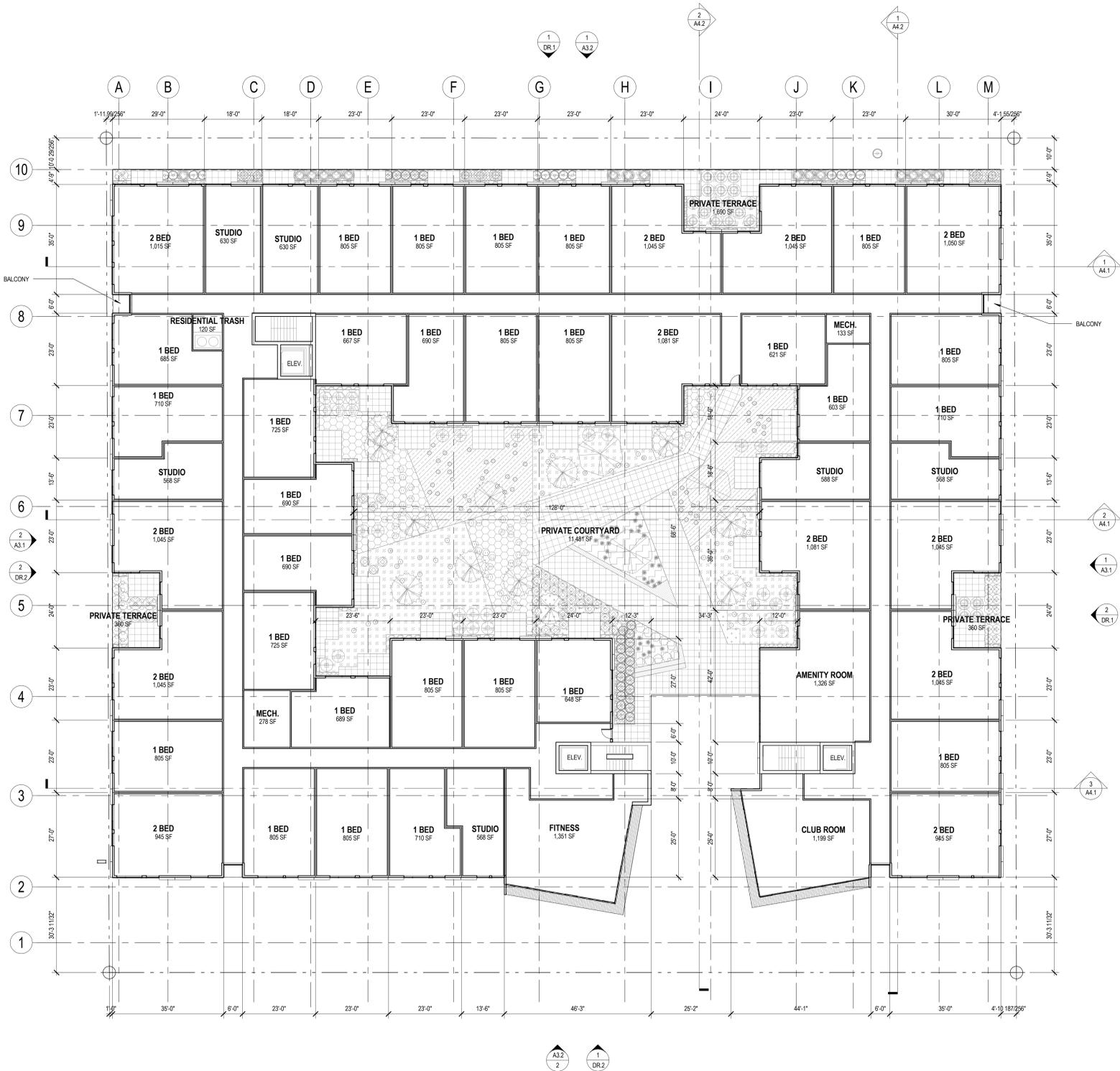
PRELIMINARY DESIGN REVIEW	2015.04.13
PRELIM DESIGN REVIEW REVISED	2015.05.01

**LEVEL 2 -
OVERALL
PLAN**

DATE	05/01/2015
SCALE	As indicated
DRAWN	
JOB #	14-119
DPD MUP #	
DPD SW #	
DPD PH1 #	
DPD PH2 #	

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SHEET
A1.5



1 LEVEL 2 - FLOOR PLAN
SCALE: 1/16" = 1'-0"

FLOOR PLAN GENERAL NOTES

- REFER TO SURVEY FOR EXISTING UTILITY INFORMATION
- ELEVATIONS AND GRADES TAKEN FROM SURVEY BY OTHERS, REFER TO SURVEY
- REFER TO LANDSCAPING DRAWINGS FOR LOCATIONS OF SITE ACCESSORIES AND PLANTERS
- REFER TO LANDSCAPING DRAWINGS FOR INFORMATION ON EXISTING TREES TO BE REMOVED AND EXISTING TREES TO REMAIN
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- SIDEWALK TO SLOPE AWAY FROM BUILDING 1/4" PER FOOT TYPICAL
- EXTERIOR LIGHTING WILL BE SHIELDED - DIRECTED AWAY FOR ADJACENT USES
- SEE MEMORANDUM: PRELIMINARY TRANSPORTATION SUMMARY BY TRANSPRO GROUP DATED 04/09/2015 FOR VEHICULAR CIRCULATION SYSTEM



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**MERCER ISLAND
MIXED USE
2885 78TH AVENUE SE,
MERCER ISLAND, WA**

REVISIONS

NO.	DATE	DESCRIPTION

SUBMITTALS

PRELIMINARY DESIGN REVIEW	2015.04.13
PRELIM DESIGN REVIEW REVISED	2015.05.01

**LEVEL 3-5 -
OVERALL
PLAN**

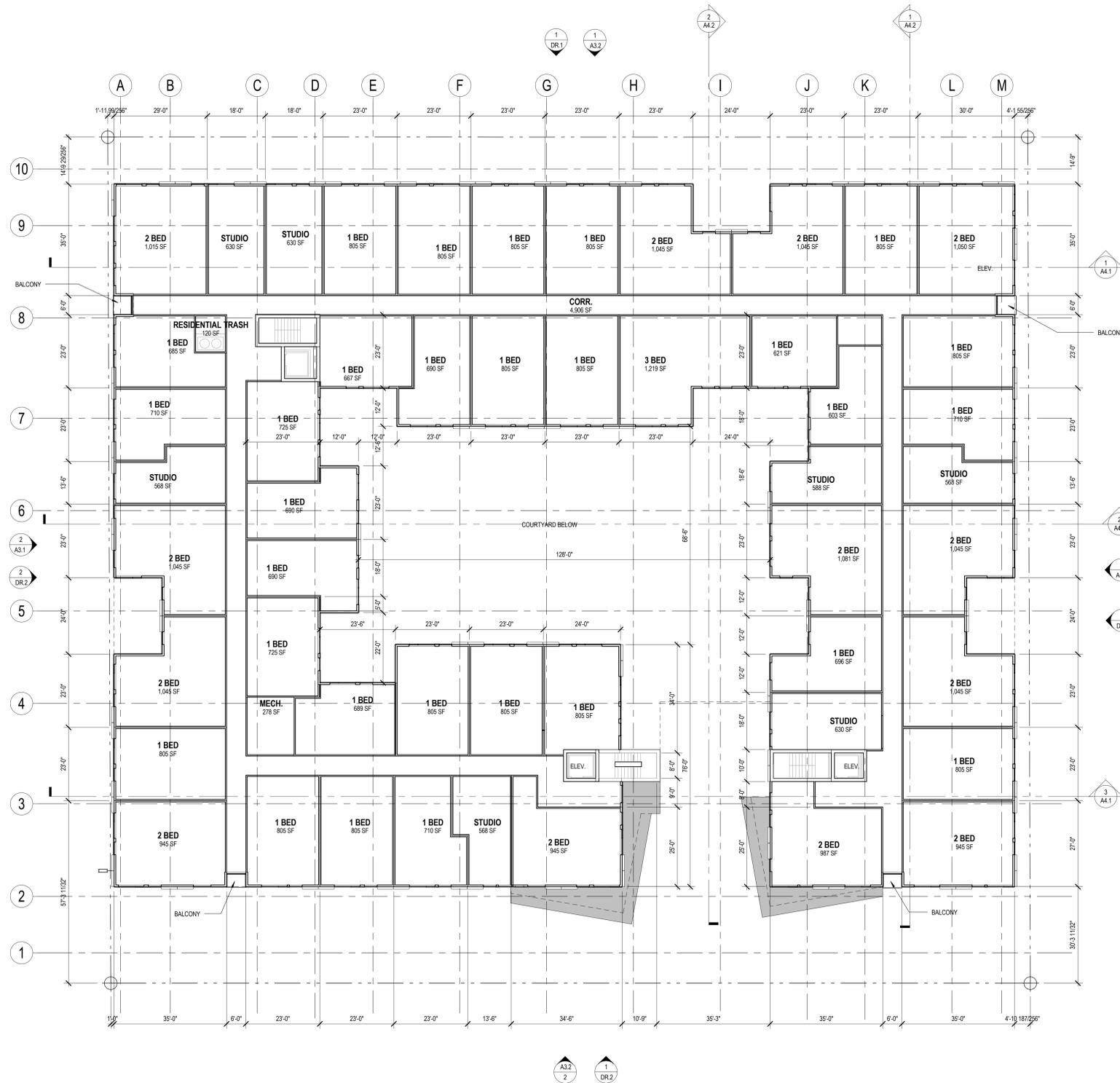
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JOB #	14-119
DPD MUP #	
DPD SW #	
DPD PH1 #	
DPD PH2 #	

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SHEET

A1.6

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1 LEVEL 3-5 - FLOOR PLAN
SCALE: 1/16" = 1'-0"

FLOOR PLAN GENERAL NOTES

- REFER TO SURVEY FOR EXISTING UTILITY INFORMATION
- ELEVATIONS AND GRADES TAKEN FROM SURVEY BY OTHERS, REFER TO SURVEY
- REFER TO LANDSCAPING DRAWINGS FOR LOCATIONS OF SITE ACCESSORIES AND PLANTERS
- REFER TO LANDSCAPING DRAWINGS FOR INFORMATION ON EXISTING TREES TO BE REMOVED AND EXISTING TREES TO REMAIN
- FINISHED GRADES TO BE COORDINATED WITH CIVIL AND LANDSCAPE ARCHITECT
- SIDEWALK TO SLOPE AWAY FROM BUILDING 1/4" PER FOOT TYPICAL
- EXTERIOR LIGHTING WILL BE SHIELDED - DIRECTED AWAY FOR ADJACENT USES
- SEE MEMORANDUM, PRELIMINARY TRANSPORTATION SUMMARY BY TRANSPRO GROUP DATED 04/09/2015 FOR VEHICULAR CIRCULATION SYSTEM



**MERCER ISLAND
 MIXED USE
 2885 78TH AVENUE SE,
 MERCER ISLAND, WA**

REVISIONS

NO.	DESCRIPTION

SUBMITTALS

NO.	DESCRIPTION	DATE
1	PRELIMINARY DESIGN REVIEW	2015.04.13
2	PRELIM DESIGN REVIEW REVISED	2015.05.01

**ROOF LEVEL -
 OVERALL
 PLAN**

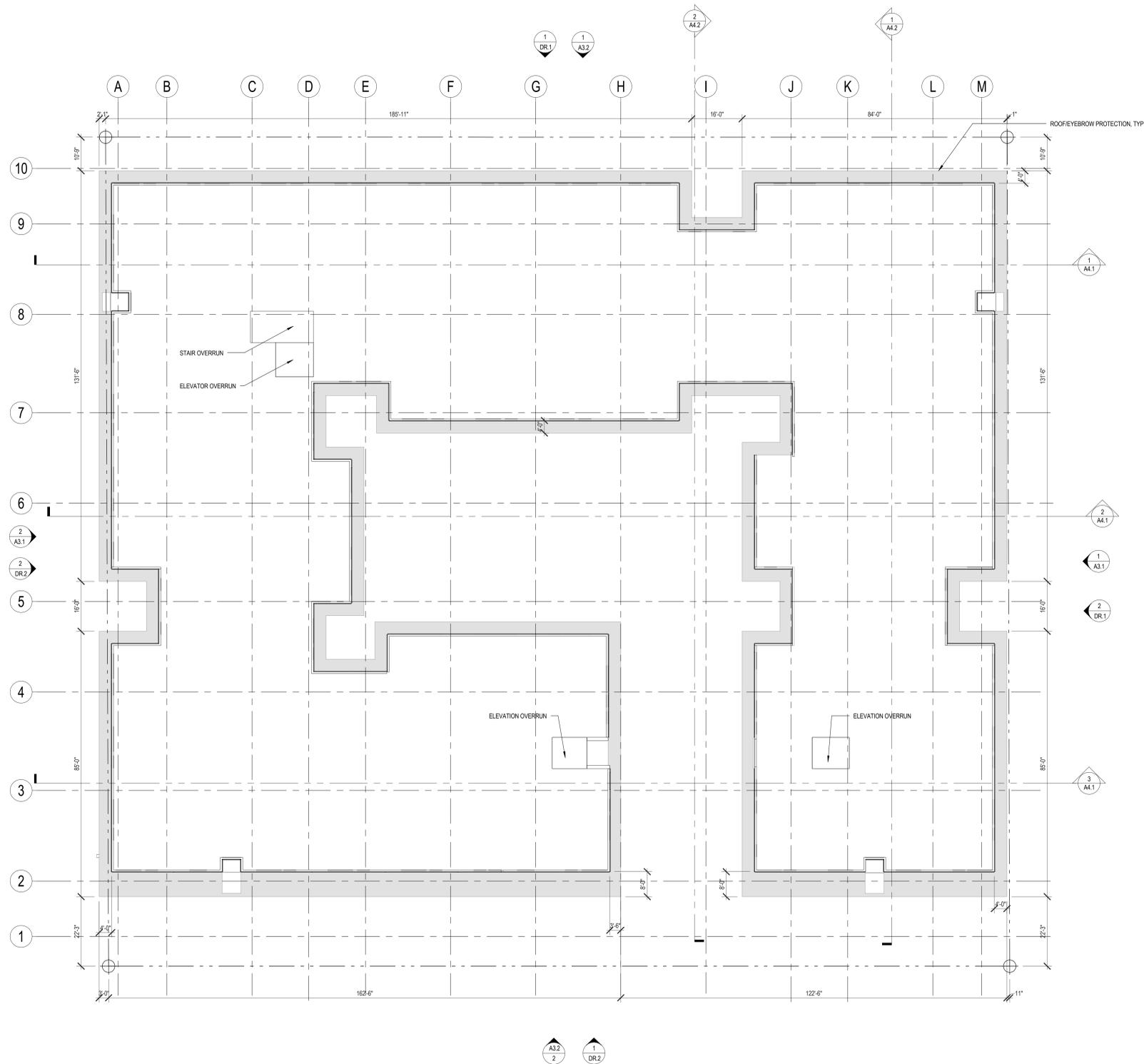
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DRAWN:	
JOB #:	14-119
DPD MUP #:	
DPD SW #:	
DPD PH1 #:	
DPD PH2 #:	

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SHEET

A1.7

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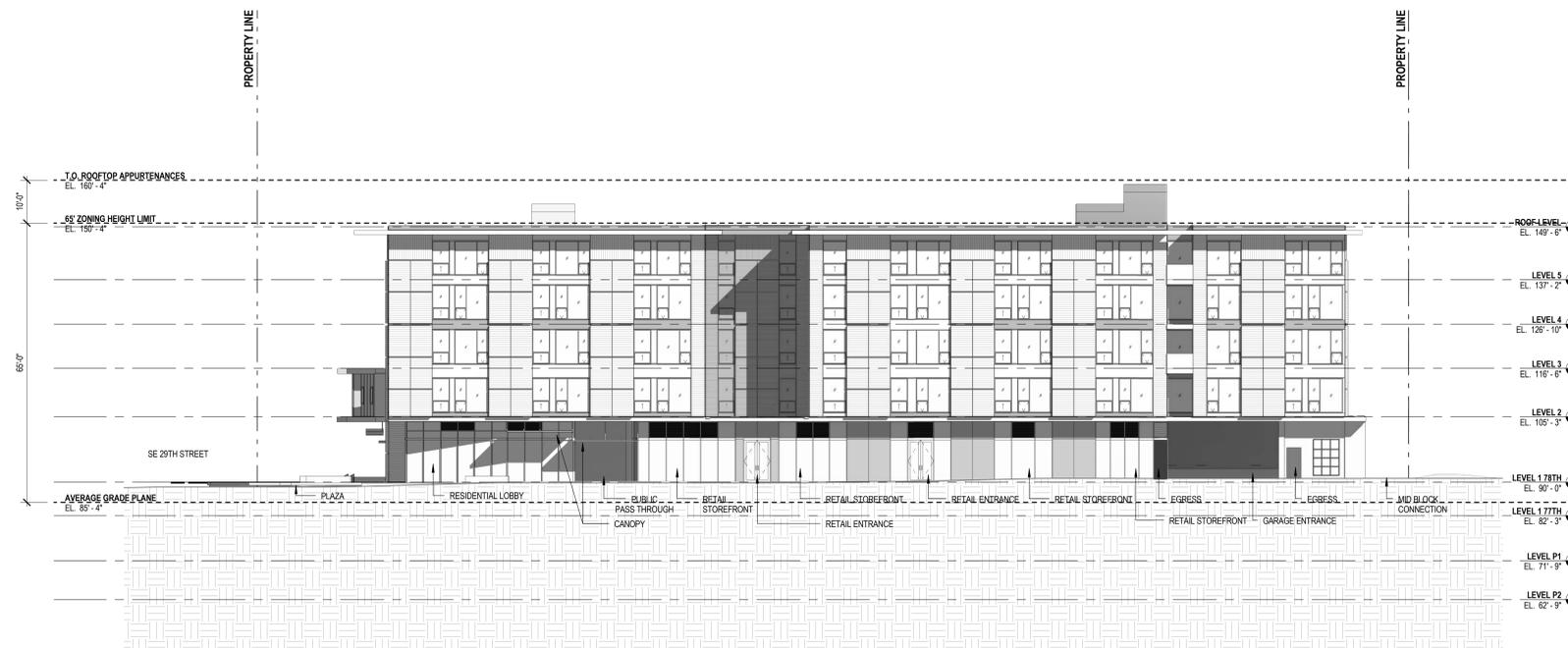
1 ROOF LEVEL - FLOOR PLAN
 SCALE: 1/16" = 1'-0"

ROOF NOTES

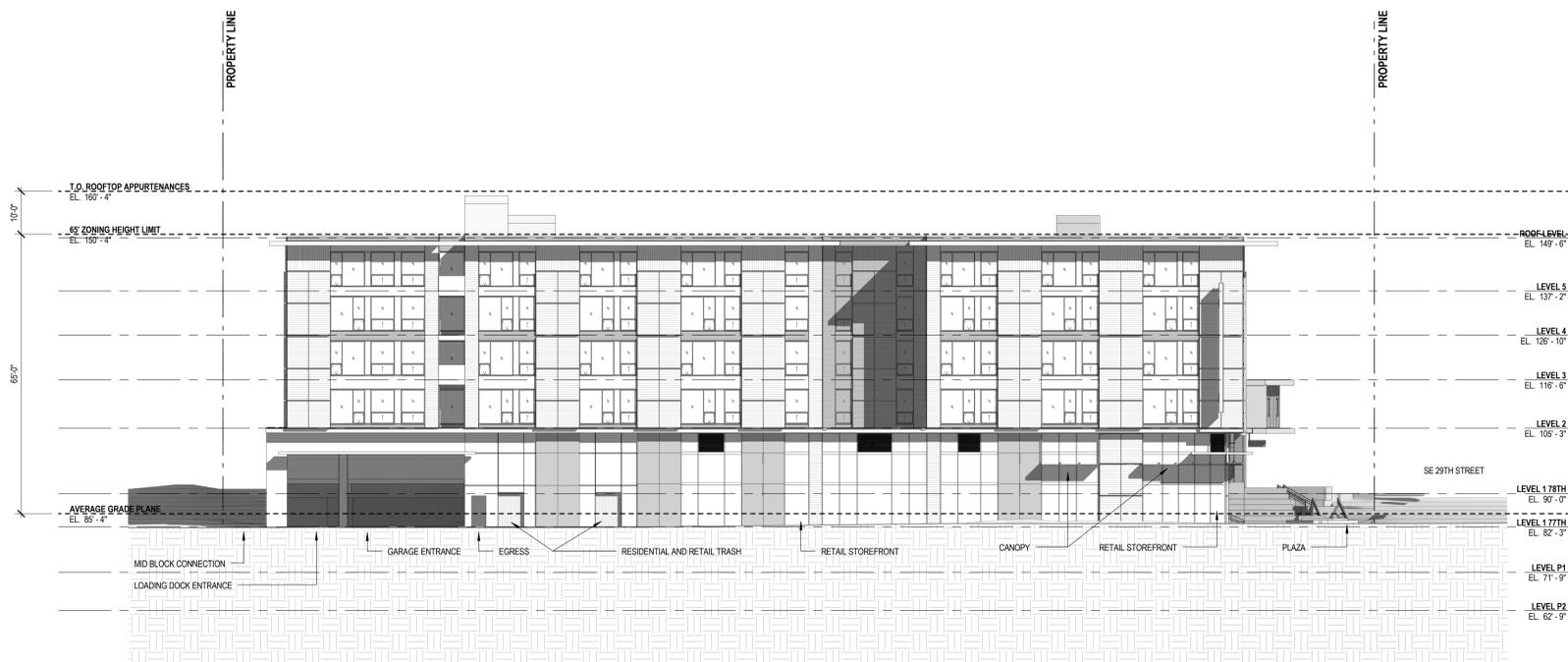
1. REFER TO LANDSCAPING DRAWINGS FOR LANDSCAPE AND HARDSCAPE DESIGN
2. REFER TO LANDSCAPING AND PLUMBING DRAWINGS FOR DOWNSPOUT CONNECTION TO STORMWATER OR LANDSCAPING
3. -



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1 BUILDING ELEVATION - EAST FACADE
 SCALE: 1/16" = 1'-0"



2 BUILDING ELEVATION - WEST FACADE
 SCALE: 1/16" = 1'-0"

**MERCER ISLAND
 MIXED USE
 2885 78TH AVENUE SE,
 MERCER ISLAND, WA**

REVISIONS

NO.	DESCRIPTION	DATE

SUBMITTALS

NO.	DESCRIPTION	DATE

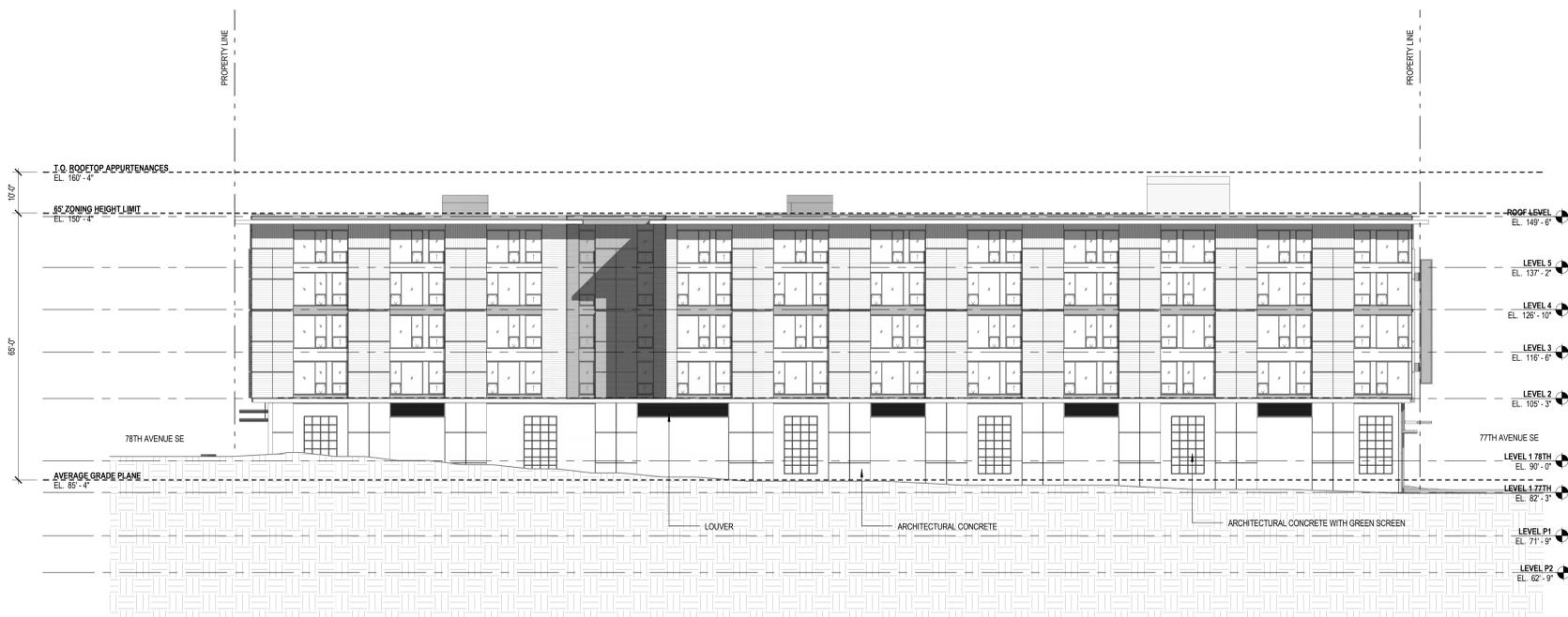
BUILDING ELEVATION - EAST AND WEST FACADES

DATE: 05/01/2015
 SCALE: 1/16" = 1'-0"
 DRAWN: _____
 JOB #: 14-119
 DPD SUP #: _____
 DPD PH1 #: _____
 DPD PH2 #: _____

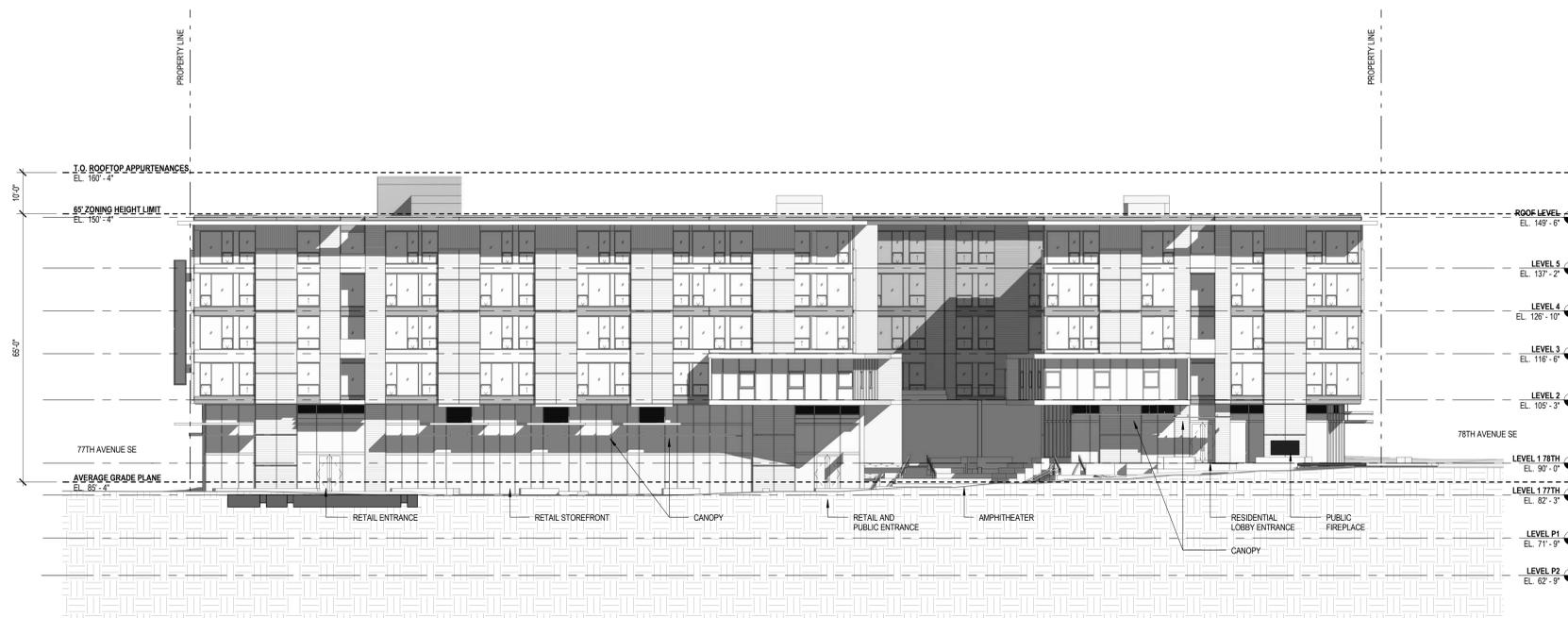
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**SHEET
 A3.1**



1 BUILDING ELEVATION - NORTH FACADE
 SCALE: 1/16" = 1'-0"



2 BUILDING ELEVATION - SOUTH FACADE
 SCALE: 1/16" = 1'-0"

**MERCER ISLAND
 MIXED USE
 2885 78TH AVENUE SE,
 MERCER ISLAND, WA**

REVISIONS

NO.	DATE	DESCRIPTION

SUBMITTALS

NO.	DATE	DESCRIPTION

BUILDING ELEVATION - NORTH AND SOUTH FACADES

DATE	05/01/2015
SCALE	1/16" = 1'-0"
DRAWN	
JOB #	14-119
DPD MUP #	
DPD SW #	
DPD PH1 #	
DPD PH2 #	

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**MERCER ISLAND
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 2885 78TH AVENUE SE,
 MERCER ISLAND, WA**

REVISIONS

NO.	DESCRIPTION	DATE

SUBMITTALS

DESCRIPTION	DATE
PRELIMINARY DESIGN REVIEW	2015.04.13
PRELIM DESIGN REVIEW REVISED	2015.05.01

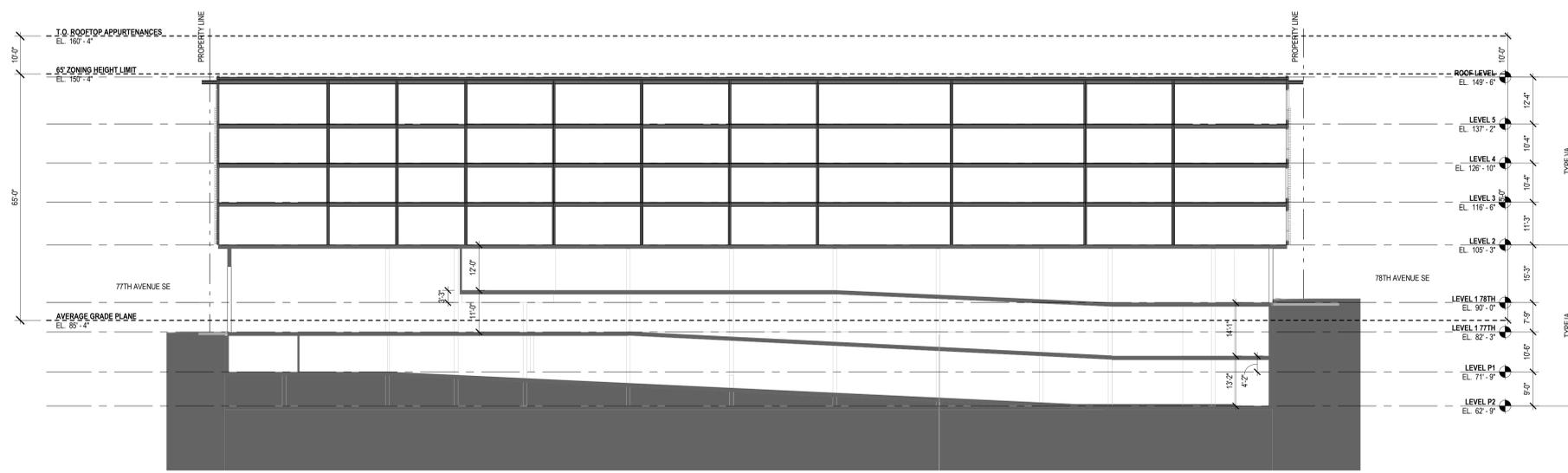
**BUILDING
 SECTIONS**

DATE	05/01/2015
SCALE	1/16" = 1'-0"
DRAWN	
JOB #	14-119
DDP MUP #	
DDP SW #	
DDP PH1 #	
DDP PH2 #	

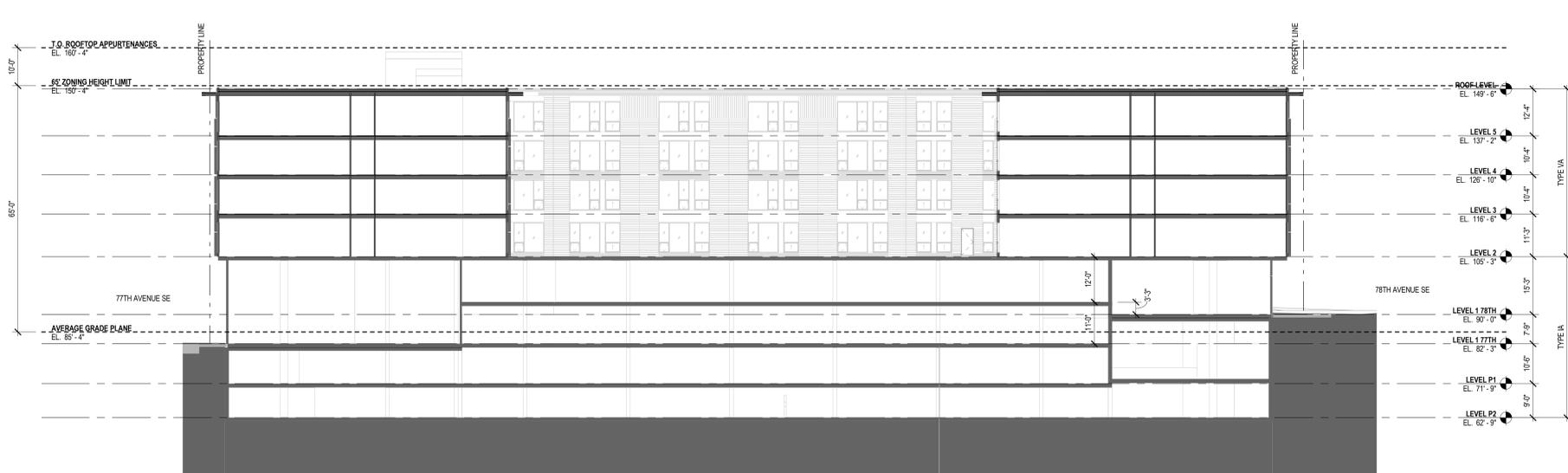
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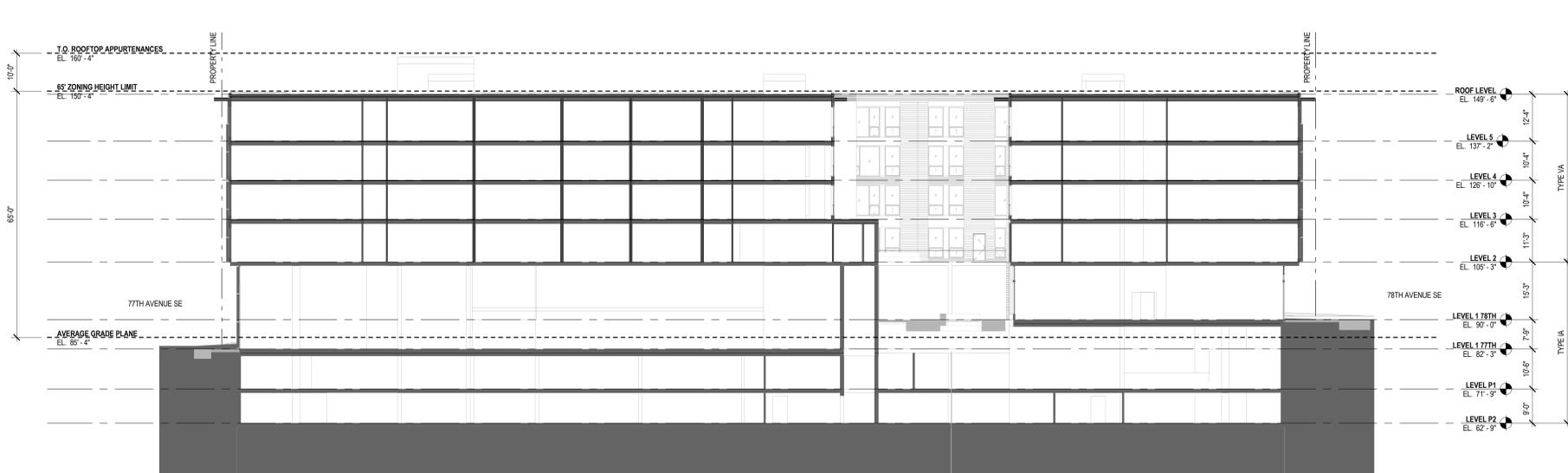
A4.1



1 EAST WEST SECTION 1
 A4.1 SCALE: 1/16" = 1'-0"

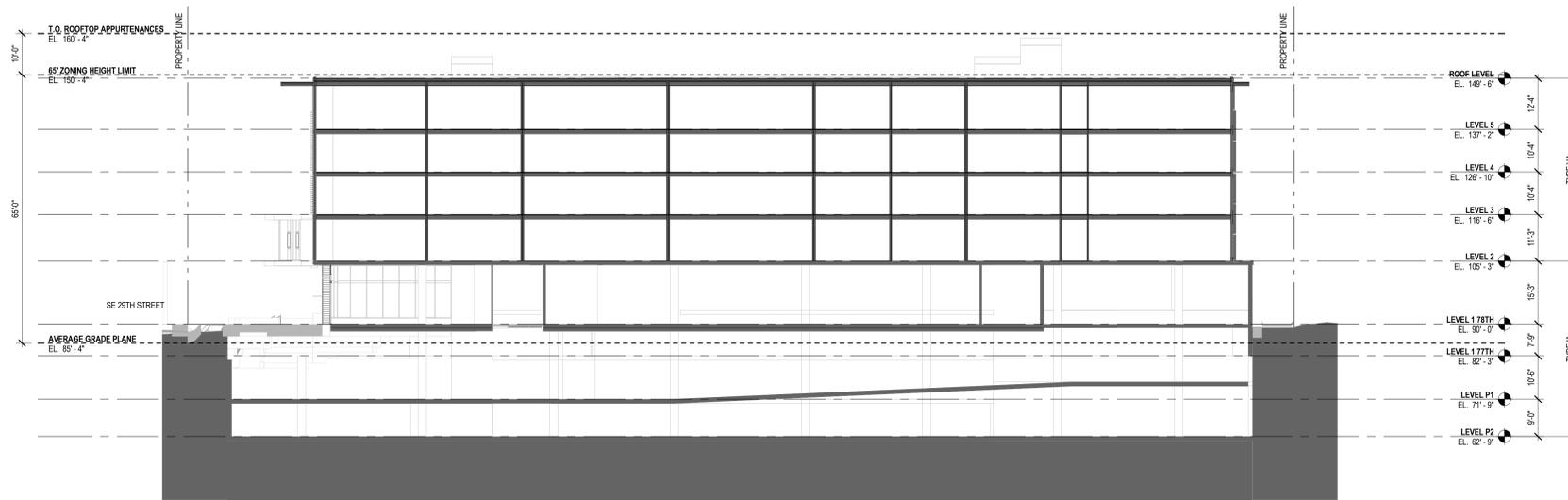


2 EAST WEST SECTION 2
 A4.1 SCALE: 1/16" = 1'-0"



3 EAST WEST SECTION 3
 A4.1 SCALE: 1/16" = 1'-0"





1 NORTH SOUTH SECTION 1
 SCALE: 1/16" = 1'-0"



2 NORTH SOUTH SECTION 2
 SCALE: 1/16" = 1'-0"

**MERCER ISLAND
 MIXED USE
 2885 78TH AVENUE SE,
 MERCER ISLAND, WA**

REVISIONS

NO.	DESCRIPTION	DATE

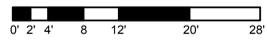
SUBMITTALS

NO.	DESCRIPTION	DATE

BUILDING SECTIONS

DATE:	05/01/2015
SCALE:	1/16" = 1'-0"
DRAWN:	
JOB #:	14-119
DPD MUP #:	
DPD SW #:	
DPD PH1 #:	
DPD PH2 #:	

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1 RENDERED ELEVATION - NORTH FACADE
DR.1 SCALE: 1/16" = 1'-0"



2 RENDERED ELEVATION - EAST FACADE
DR.1 SCALE: 1/16" = 1'-0"

**MERCER ISLAND
MIXED USE
2885 78TH AVENUE SE,
MERCER ISLAND, WA**

REVISIONS

SUBMITTALS

PRELIMINARY DESIGN REVIEW	2015.04.13
PRELIM DESIGN REVIEW REVISED	2015.05.01

**RENDERED
ELEVATIONS**

DATE	05/01/2015
SCALE	1/16" = 1'-0"
DRAWN	
JOB #	14-119
DPD MUP #	
DPD DW #	
DPD PH1 #	
DPD PH2 #	

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1 RENDERED ELEVATION - SOUTH FACADE
DR.2 SCALE: 1/16" = 1'-0"



2 RENDERED ELEVATION - WEST FACADE
DR.2 SCALE: 1/16" = 1'-0"

**MERCER ISLAND
MIXED USE
2885 78TH AVENUE SE,
MERCER ISLAND, WA**

REVISIONS

SUBMITTALS

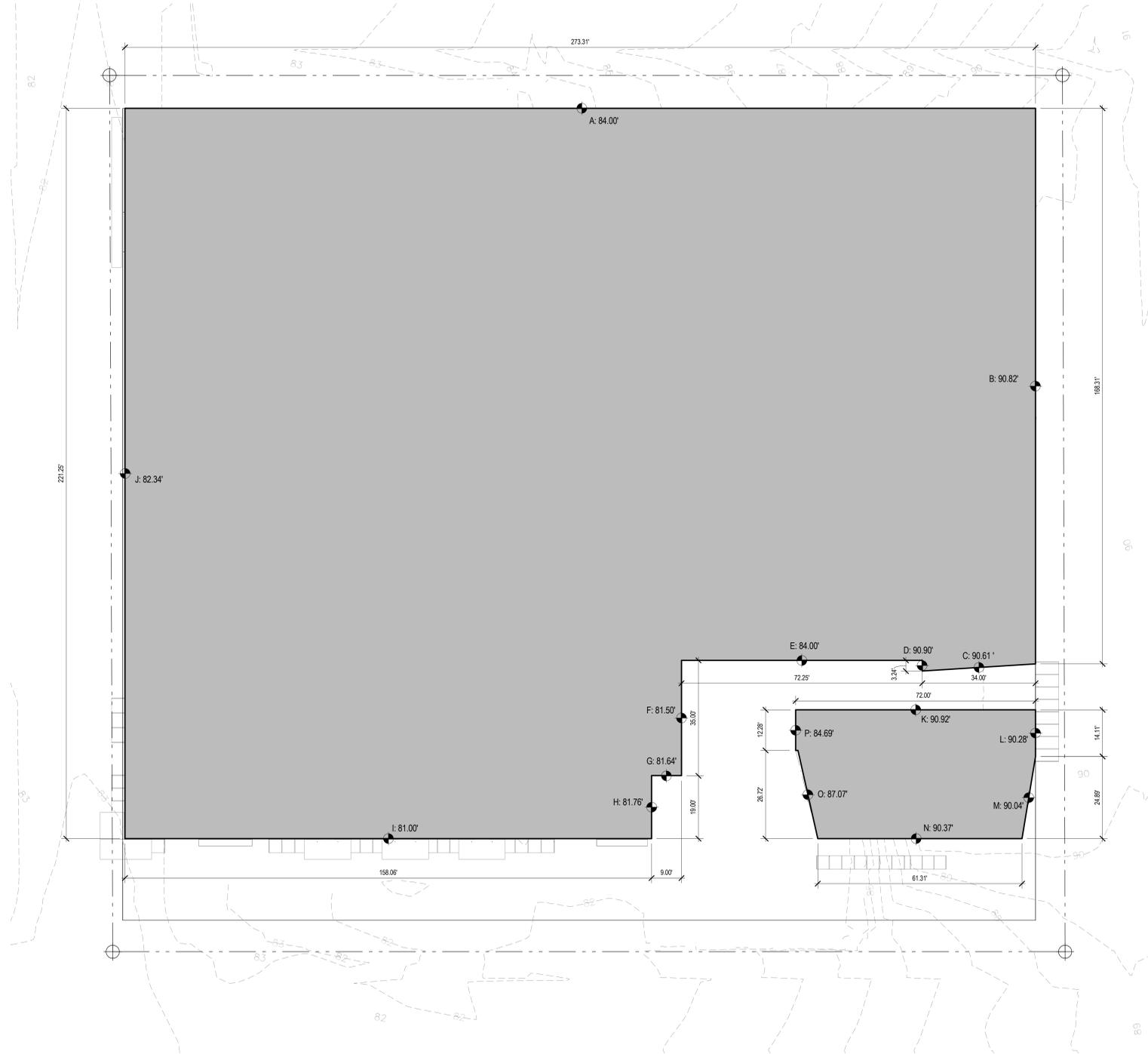
PRELIMINARY DESIGN REVIEW	2015.04.13
PRELIM DESIGN REVIEW REVISED	2015.05.01

**RENDERED
ELEVATIONS**

DATE	05/01/2015
SCALE	1/16" = 1'-0"
DRAWN	
JOB #	14-119
DPD MUP #	
DPD DW #	
DPD PH1 #	
DPD PH2 #	

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AVERAGE BUILDING ELEVATION DIAGRAMS:



AVERAGE BUILDING ELEVATION CALCULATIONS:

The elevation established by averaging the elevation of the existing grade, prior to any development activity, at the center of all exterior walls of the building.

$$\frac{\text{Midpoint Elevations} \times \text{Length of Wall Segments}}{\text{Total Length of Wall Segments}} = \text{Average Building Elevation}$$

WALL SEGMENT	MIDPOINT ELEVATION (A)	LENGTH (a)	AVERAGE (A*a)
A	84.00	273.31	22968.25
B	90.82	168.31	15285.82
C	90.61	34.07	3087.08
D	90.90	3.24	294.63
E	84.00	72.25	6069.00
F	81.50	35.00	2852.51
G	81.64	9.00	734.76
H	81.76	19.00	1553.43
I	81.00	158.06	12803.06
J	82.34	21.25	1821.72
K	90.92	31.67	2879.13
L	90.92	30.33	2757.91
M	90.28	14.11	1273.94
N	90.04	25.22	2270.55
O	87.07	27.53	2397.33
P	84.69	12.28	1039.89
		1195.94	102015.22

(total of the AVERAGE (A*a) divided by the total of the Lengths (a))

$$102924.42' / 1205.94' = 85.35' \text{ AVERAGE BUILDING ELEVATION}$$

**MERCER ISLAND
 MIXED USE
 2885 78TH AVENUE SE,
 MERCER ISLAND, WA**

REVISIONS

SUBMITTALS

PRELIMINARY DESIGN REVIEW	2015.04.13
PRELIM DESIGN REVIEW REVISED	2015.05.01

**AVERAGE
 GRADE
 PLANE AND
 SETBACK
 DIAGRAMS**

DATE: 05/01/2015
 SCALE: 1/16" = 1'-0"
 DRAWN: _____
 JOB #: 14-119
 DPD MUP #: _____
 DPD DW #: _____
 DPD PH1 #: _____
 DPD PH2 #: _____

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NO.	DESCRIPTION	DATE

SUBMITTALS

DESCRIPTION	DATE
PRELIMINARY DESIGN REVIEW	2015.04.10
PELIM DESIGN REVIEW REVISED	2015.05.01

MATERIALS PLAN - AT GRADE

DATE:	05/01/2015
SCALE:	As indicated
DRAWN:	
JOB #:	PROJECT # 15011
DPD MUP #:	
DPD PH1 #:	
DPD PH2 #:	

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MATERIALS NOTES

- REFER TO CIVIL DRAWINGS FOR ALL EXISTING AND PROPOSED UTILITY LINES, POLES, METERS, VAULTS, AND STRUCTURES LOCATED IN THE R.O.W.
- REFER TO CIVIL DRAWINGS FOR ALL GRADING INFORMATION IN THE R.O.W. SEE ARCH. DWGS. FOR TOPPING SLAB AND TOP OF PAVEMENT FINISHED GRADES.
- REFER TO ENLARGEMENT PLANS FOR PLAZA PLANTER DIMENSIONS
- REFER TO LAYOUT PLANS FOR ALL SCORING AND JOINTING OF PAVEMENT AREAS ON SITE (FORTHCOMING).
- REFER TO L5.0 FOR SITE DETAILS.
- ALL SITE FURNISHINGS INCLUDING BUT NOT LIMITED TO TABLES, CHAIRS, AND TRASH RECEPTACLES ARE TO BE OWNER FURNISHED AND CONTRACTOR INSTALLED (OFCI), TYP. FINAL LOCATIONS AND QUANTITIES TO BE DETERMINED.
- REPORT ANY DISCREPANCIES BETWEEN THESE DRAWINGS AND ACTUAL FIELD CONDITIONS TO LANDSCAPE ARCHITECT PRIOR TO CONSTRUCTION/INSTALLATION.

GRADING NOTES

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- SLOPE FINISHED SURFACE A MINIMUM OF 2% AWAY FROM THE BUILDING ON ALL SIDES UNLESS NOTED OTHERWISE.
- COORDINATE FINE GRADING AND SURFACE DRAINAGE WITH LANDSCAPE INSTALLATION. SEE MATERIALS PLANS AND ARCHITECTURAL PLANS FOR HARDSCAPE, WALLS, STEPS, LANDSCAPE FEATURES, AND PLANTING AREAS.
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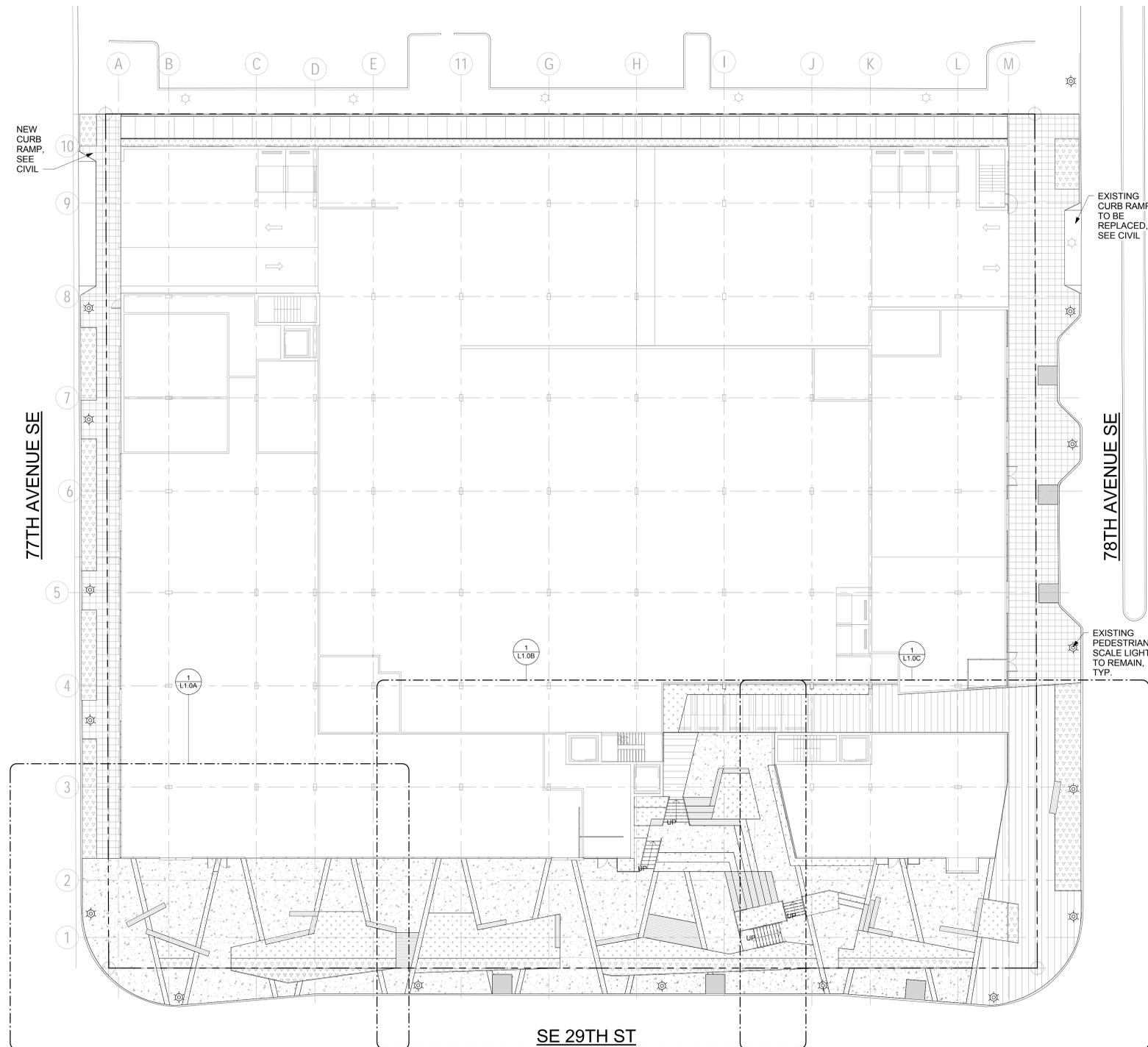
MATERIALS LEGEND - AT GRADE

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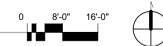
PLAZA DESIGN ELEMENTS:

LANDSCAPED OPEN SPACE REQUIREMENT
PLAZA DIMENSIONS: 285'-10 3/4" x 30'
PLAZA AREA: 8577 S.F.
MINIMUM PLANTED AREA: 2144 S.F.
PROVIDED PLANTED AREA: 2473 S.F.

SEATING SURFACE REQUIREMENT
PLAZA DIMENSIONS: 285'-10 3/4" x 30'
PLAZA AREA: 8577 S.F.
REQUIRED SEATING SURFACE LENGTH: 172 L.F.
PROVIDED SEATING SURFACE LENGTH: 262 L.F.
REQUIRED BACKED SEATING LENGTH: 86 L.F.
PROVIDED BACKED SEATING LENGTH: 111 L.F.
REQUIRED WOOD SEATING LENGTH: 86 L.F.
PROVIDED WOOD SEATING LENGTH: 262 L.F.



1 MATERIALS PLAN - AT GRADE



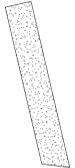
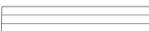
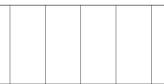
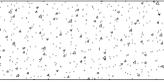
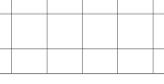
GRADING NOTES

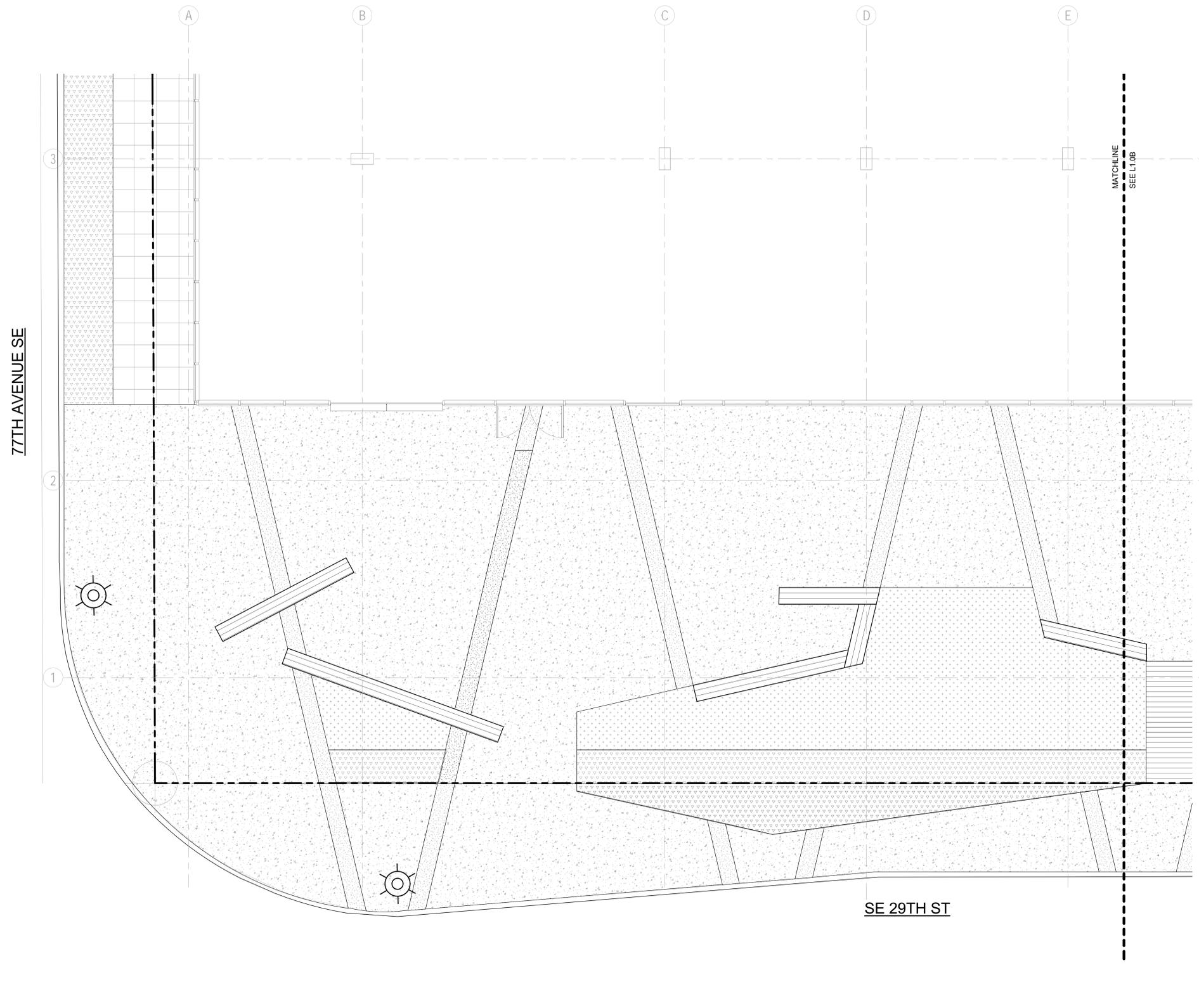
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5. REFER TO SHEETS L5.0 FOR SITE DETAILS.
6. REPORT ANY DISCREPANCIES BETWEEN THESE DRAWINGS AND ACTUAL FIELD CONDITIONS TO THE LANDSCAPE ARCHITECT PRIOR TO CONSTRUCTION / INSTALLATION.

MATERIALS NOTES

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3. REFER TO ENLARGEMENT PLANS FOR PLAZA PLANTER DIMENSIONS.
4. REFER TO LAYOUT PLANS FOR ALL SCORING AND JOINTING OF PAVEMENT AREAS ON SITE (FORTHCOMING).
5. REFER TO L5.0 FOR SITE DETAILS.
6. ALL SITE FURNISHINGS INCLUDING BUT NOT LIMITED TO TABLES, CHAIRS, AND TRASH RECEPTACLES ARE TO BE OWNER FURNISHED AND CONTRACTOR INSTALLED (OFCI), TYP. FINAL LOCATIONS AND QUANTITIES TO BE DETERMINED.
7. REPORT ANY DISCREPANCIES BETWEEN THESE DRAWINGS AND ACTUAL FIELD CONDITIONS TO LANDSCAPE ARCHITECT PRIOR TO CONSTRUCTION/INSTALLATION.

MATERIALS LEGEND - AT GRADE

-  CIP CONCRETE SIDEWALK 18" WIDE BAND, SANDBLASTED AND INTEGRALLY COLORED, TYP.
-  WOOD SEATING PLINTH W/ BACK, TYP.
-  CIP CONCRETE SIDEWALK, TYP. CITY OF MERCER ISLAND, FINISH W/ N/S JOINTS AT 2'-0" O.C., TYP.
-  CIP CONCRETE SIDEWALK, SANDBLASTED, TYP.
-  CIP CONCRETE SIDEWALK, TYP. CITY OF MERCER ISLAND, FINISH W/ JOINTS AT 2'-0" O.C. BOTH WAYS, TYP.
-  PLANTING ON STRUCTURE, ASSUMES 18" DEPTH OF SOIL OVER DRAINAGE MAT, PROTECTION BOARD AND ROOFING MEMBRANE. AT ALL TREES, 30" SOIL DEPTH TO BE PROVIDED FOR 6" Ø. MULCH 2" DEEP OVER ENTIRE PLANTING AREA
-  PLANTING ON GRADE, ASSUMES 18" DEPTH OF SOIL. FIRST 6" LIFT OF SOIL TO BE TILLED INTO FIRST 8" OF SUBGRADE OR BACKFILL. AT ALL TREES, 30" SOIL DEPTH TO BE PROVIDED FOR 6" Ø. MULCH 2" DEEP OVER ENTIRE PLANTING AREA
-  TREE GRATE, 6' X 6' TYP.



1 MATERIALS PLAN - AT GRADE - PLAZA ENLARGEMENT WEST



R: RUNBERG ARCHITECTURE GROUP
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 Seattle, WA 98104
 206.956.1970 Main
 206.956.1971 Fax
 www.runberg.com

HEWITT architecture landscape architecture urban design
 101 stewart street
 suite 200
 98101 seattle, washington
 (206) 624-8154 phone
 (206) 626-0541 fax

MERCER ISLAND MIXED USE
 2885 78TH AVENUE SE,
 MERCER ISLAND, WA

REVISIONS

SUBMITTALS

PRELIMINARY DESIGN REVIEW	2015.04.10
PELIM DESIGN REVIEW REVISED	2015.05.01

MATERIALS PLAN - PLAZA ENLARGEMENT WEST

DATE: 05/01/2015
 SCALE: As Indicated
 DRAWN: PROJECT # 15011
 DPD MUP #:
 DPD DW #:
 DPD PH1 #:
 DPD PH2 #:

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REVISIONS

NO.	DESCRIPTION	DATE

SUBMITTALS

DATE	DESCRIPTION
2015.04.10	PRELIMINARY DESIGN REVIEW
2015.05.01	PELIM DESIGN REVIEW REVISED

MATERIALS PLAN - PLAZA ENLARGEMENT CENTRAL

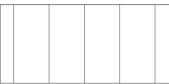
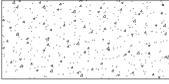
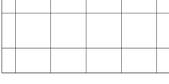
DATE: 05/01/2015
SCALE: As indicated
JOB #: PROJECT # 15011
DPD MUP #: _____
DPD DW #: _____
DPD PH1 #: _____
DPD PH2 #: _____

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MATERIALS LEGEND - AT GRADE

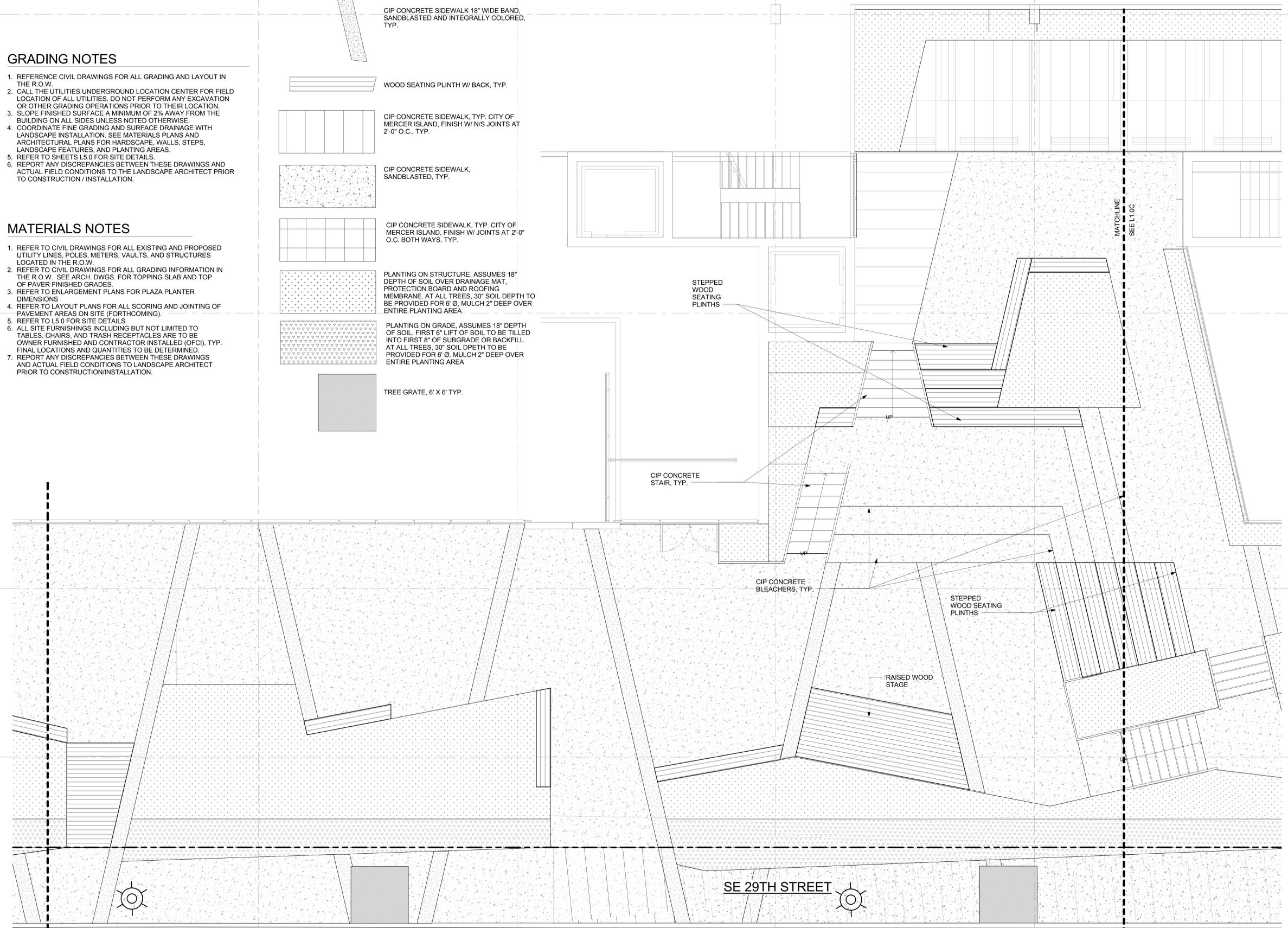
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-  PLANTING ON GRADE, ASSUMES 18" DEPTH OF SOIL. FIRST 6" LIFT OF SOIL TO BE TILLED INTO FIRST 8" OF SUBGRADE OR BACKFILL. AT ALL TREES, 30" SOIL DPETH TO BE PROVIDED FOR 6" Ø, MULCH 2" DEEP OVER ENTIRE PLANTING AREA
-  TREE GRATE, 6' X 6' TYP.

GRADING NOTES

1. REFERENCE CIVIL DRAWINGS FOR ALL GRADING AND LAYOUT IN THE R.O.W.
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5. REFER TO SHEETS L5.0 FOR SITE DETAILS.
6. REPORT ANY DISCREPANCIES BETWEEN THESE DRAWINGS AND ACTUAL FIELD CONDITIONS TO THE LANDSCAPE ARCHITECT PRIOR TO CONSTRUCTION / INSTALLATION.

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GRADING NOTES

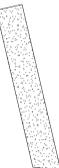
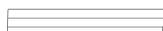
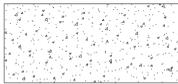
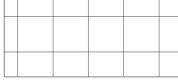
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78TH AVENUE SE

MATERIALS LEGEND - AT GRADE

-  CIP CONCRETE SIDEWALK 18" WIDE BAND, SANDBLASTED AND INTEGRALLY COLORED, TYP.
-  WOOD SEATING PLINTH W/ BACK, TYP.
-  CIP CONCRETE SIDEWALK, TYP. CITY OF MERCER ISLAND, FINISH W/ N/S JOINTS AT 2'-0" O.C., TYP.
-  CIP CONCRETE SIDEWALK, SANDBLASTED, TYP.
-  CIP CONCRETE SIDEWALK, TYP. CITY OF MERCER ISLAND, FINISH W/ JOINTS AT 2'-0" O.C. BOTH WAYS, TYP.
-  PLANTING ON STRUCTURE, ASSUMES 18" DEPTH OF SOIL OVER DRAINAGE MAT, PROTECTION BOARD AND ROOFING MEMBRANE. AT ALL TREES, 30" SOIL DEPTH TO BE PROVIDED FOR 6' Ø. MULCH 2" DEEP OVER ENTIRE PLANTING AREA
-  PLANTING ON GRADE, ASSUMES 18" DEPTH OF SOIL. FIRST 6" LIFT OF SOIL TO BE TILLED INTO FIRST 8" OF SUBGRADE OR BACKFILL. AT ALL TREES, 30" SOIL DEPTH TO BE PROVIDED FOR 6' Ø. MULCH 2" DEEP OVER ENTIRE PLANTING AREA
-  TREE GRATE, 6' X 6' TYP.

REVISIONS

NO.	DESCRIPTION	DATE

SUBMITTALS

PRELIMINARY DESIGN REVIEW	2015.04.10
PELIM DESIGN REVIEW REVISED	2015.05.01

MATERIALS PLAN - PLAZA ENLARGEMENT EAST

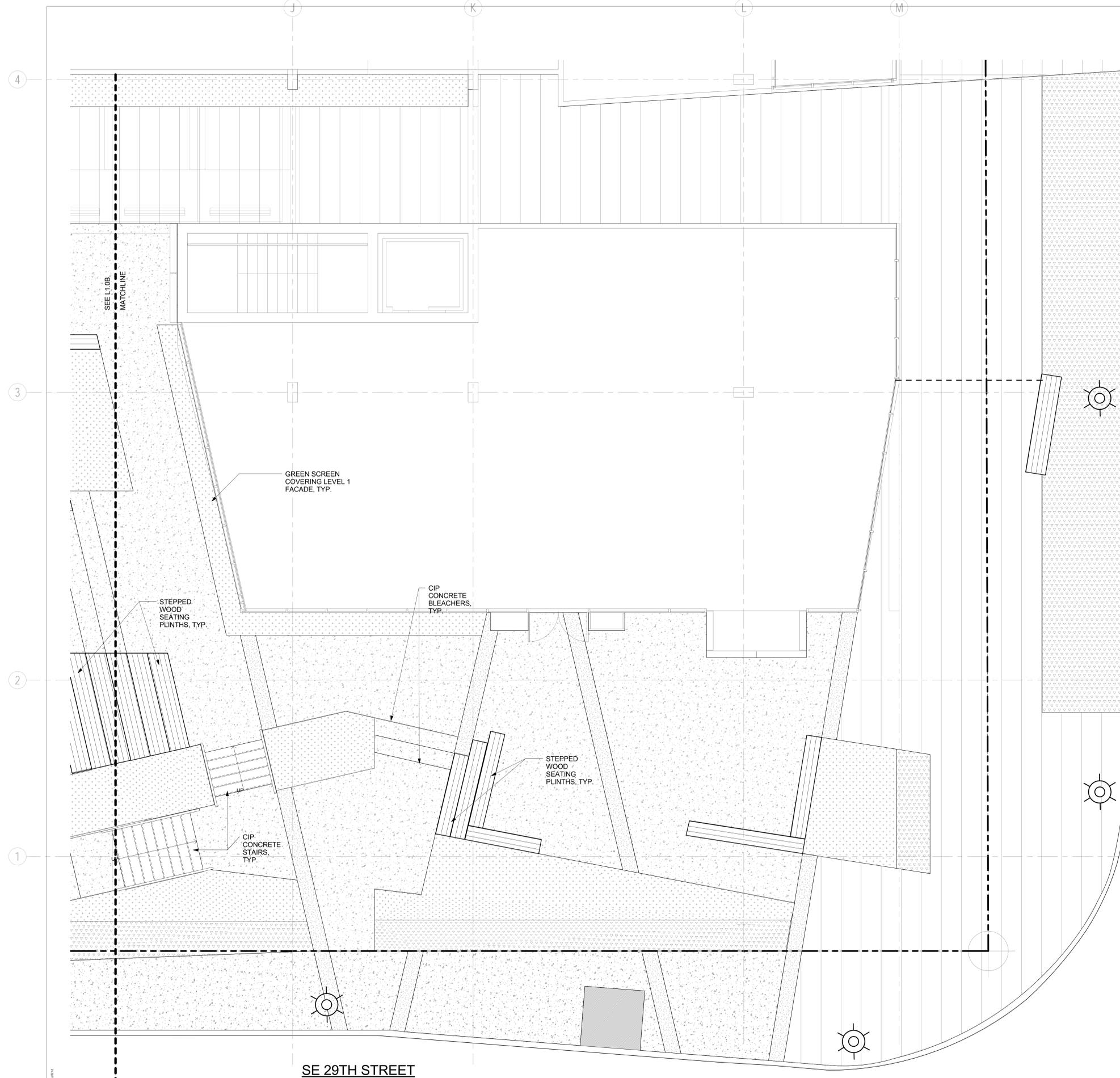
DATE:	05/01/2015
SCALE:	As Indicated
DRAWN:	
JOB #:	PROJECT # 15011
DPD MUP #:	
DPD DW #:	
DPD PH1 #:	
DPD PH2 #:	

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5/1/2015 11:37:50 AM



1 MATERIALS PLAN - AT GRADE - PLAZA ENLARGEMENT EAST



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**MERCER ISLAND
MIXED USE
2885 78TH AVENUE SE,
MERCER ISLAND, WA**

REVISIONS

NO.	DATE	DESCRIPTION

SUBMITTALS

NO.	DATE	DESCRIPTION
1	2015.04.10	PRELIMINARY DESIGN REVIEW
2	2015.05.01	PELIM DESIGN REVIEW REVISED

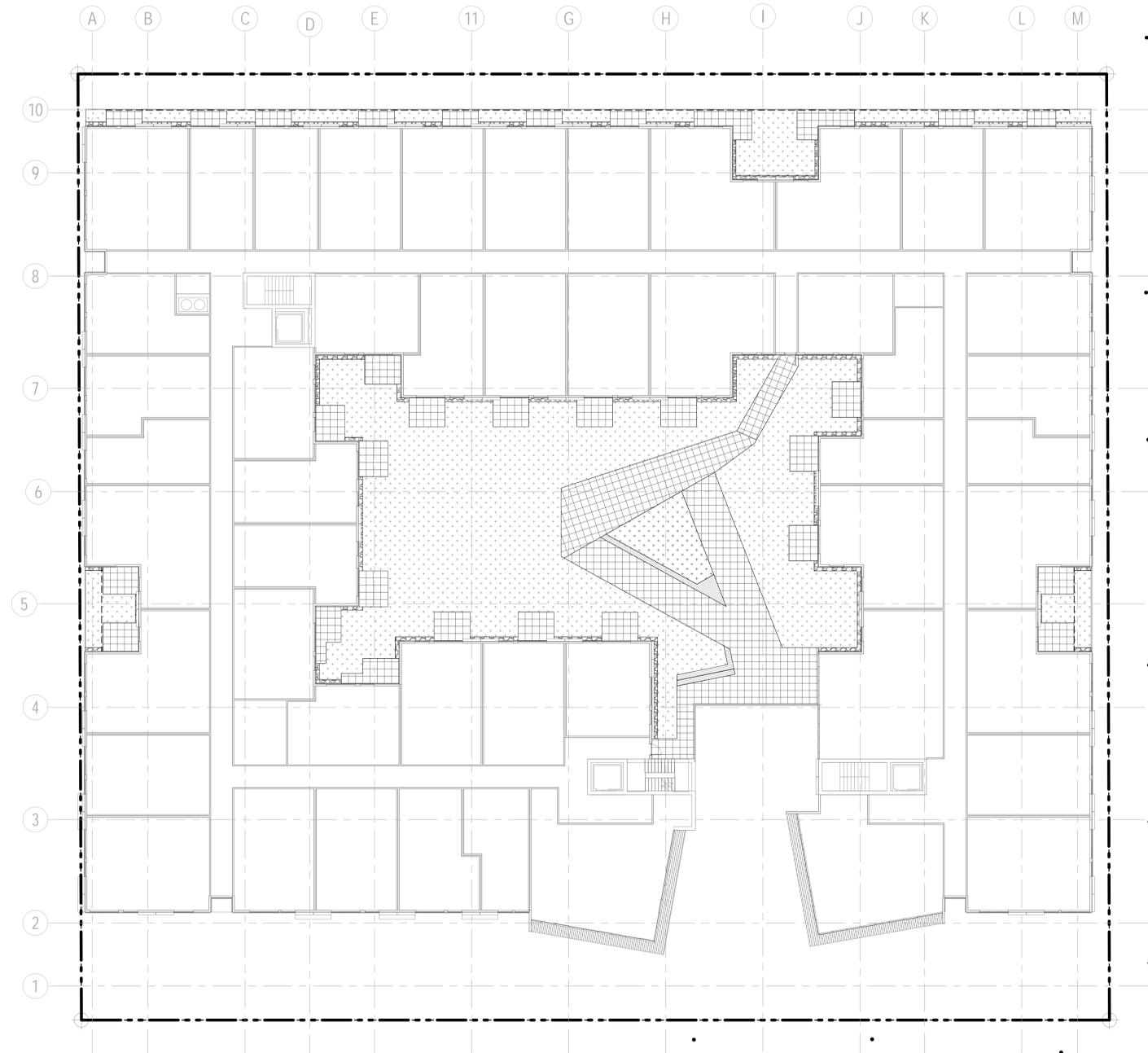
**MATERIALS
PLAN - LEVEL
2**

DATE:	05/01/2015
SCALE:	1/8" = 1'-0"
DRAWN:	
JOB #:	PROJECT # 15011
DPD MUP #:	
DPD EW #:	
DPD PH1 #:	
DPD PH2 #:	

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SHEET

L1.1



MATERIALS LEGEND - LEVEL 2

-  2' X 2' PRECAST CONCRETE PAVERS, TYP.
- 4" DEEP GRAVEL BALLAST, TYP.
-  PLANTING AREA ON STRUCTURE, SURROUNDED BY 14" TALL STEEL 'L' ANGLE. SOIL TO BE MIN. 12" DEEP, MOUNDING TO 18" @ 3:1 SLOPE & TO 30" DEEP @ 3:1 SLOPE AT 6' AROUND ALL TREES. MULCH ENTIRE AREA TO 2" DEPTH.
-  BARRIER RAIL, SEE ARCHITECTURE, TYP.
-  WOOD SEATING PLINTH, TYP.

1 MATERIALS PLAN - LEVEL 2



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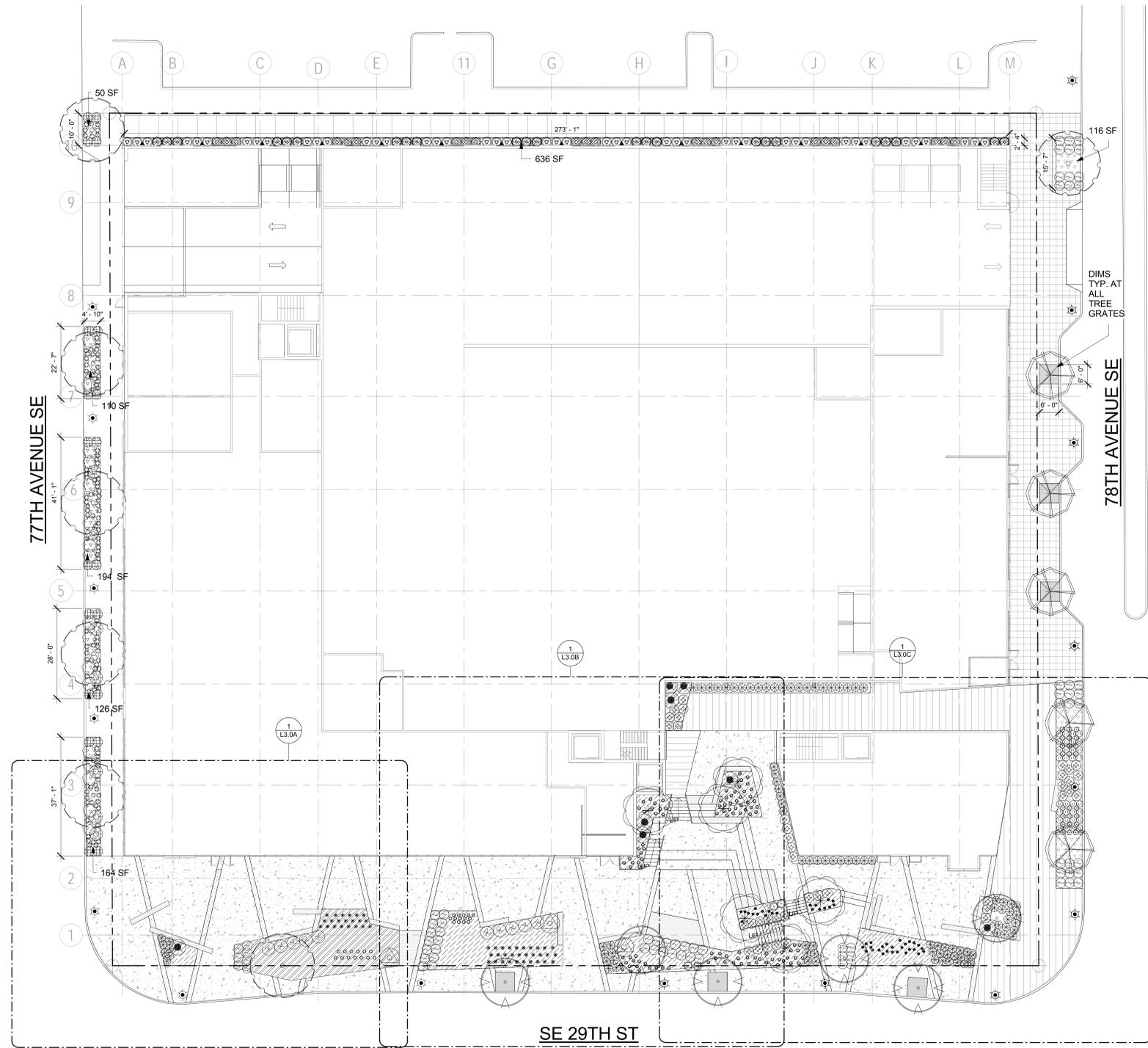
**PLANTING
PLAN - AT
GRADE**

DATE:	05/01/2015
SCALE:	As Indicated
DRAWN:	
JOB #:	PROJECT # 15011
DPD MUP #:	
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SHEET

L3.0



1 PLANTING PLAN - AT GRADE



PLANTING NOTES

1. REFER TO CIVIL DRAWINGS FOR UTILITY INFORMATION.
2. REFER TO SHEET L3.3 FOR PLANT SCHEDULE AND L3.2 FOR PLANTING DETAILS.
3. PROVIDE 2" DEPTH OF COMPOST MULCH AT ALL PLANTED AREAS.
4. ALL PLANTED AREAS TO RECEIVE PERMANENT IRRIGATION. REFER TO IRRIGATION NOTES THIS SHEET.
5. REFER TO LAYOUT PLANS, SHEETS L2.0 - L2.1 FOR SOIL DEPTHS AT ON-STRUCTURE PLANTER LOCATIONS (FORTHCOMING). SEE L3.2 FOR TYPICAL SOIL SECTIONS (FORTHCOMING).
6. REPORT ANY DISCREPANCIES BETWEEN THESE DRAWINGS AND ACTUAL FIELD CONDITIONS TO LANDSCAPE ARCHITECT PRIOR TO CONSTRUCTION/INSTALLATION.

IRRIGATION NOTES

1. PROVIDE SUB-SURFACE DRIP IRRIGATION AT ALL LANDSCAPE PLANTERS ON GRADE IN THE R.O.W. AND RAISED PLANTERS ON-STRUCTURE. P
2. PROVIDE TWO BUBBLERS AT ALL TREES IN THE R.O.W.
3. PROVIDE POINT OF CONNECTION INCLUDING PRESSURE REDUCING VALVE (AS NECESSARY), DOUBLE CHECK BACKFLOW ASSEMBLY, AND MASTER VALVE IN WATER SERVICE ROOM #TBD. MAINLINE TO BE 1" SIZE FOR R.O.W. STUB TO R.O.W. IRRIGATION SYSTEM AND 1" SIZE STUBBED TO COURTYARD AT LEVELS 02. COORDINATE LOCATION OF IRRIGATION APPURTENANCES IN WATER SERVICE ROOM AND MAINLINE STUBS AT COURTYARD AND ROOF WITH PLUMBER. ALL PIPING INTERIOR TO BUILDING TO BE COPPER.
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5. PROVIDE HARD-WIRED RAIN SENSOR MOUNTED AT ROOF LEVEL CONNECTED TO CONTROLLER IN WATER SERVICE ROOM. FINAL LOCATION OF RAIN SENSOR TO BE COORDINATED WITH ARCHITECT PRIOR TO INSTALLATION.

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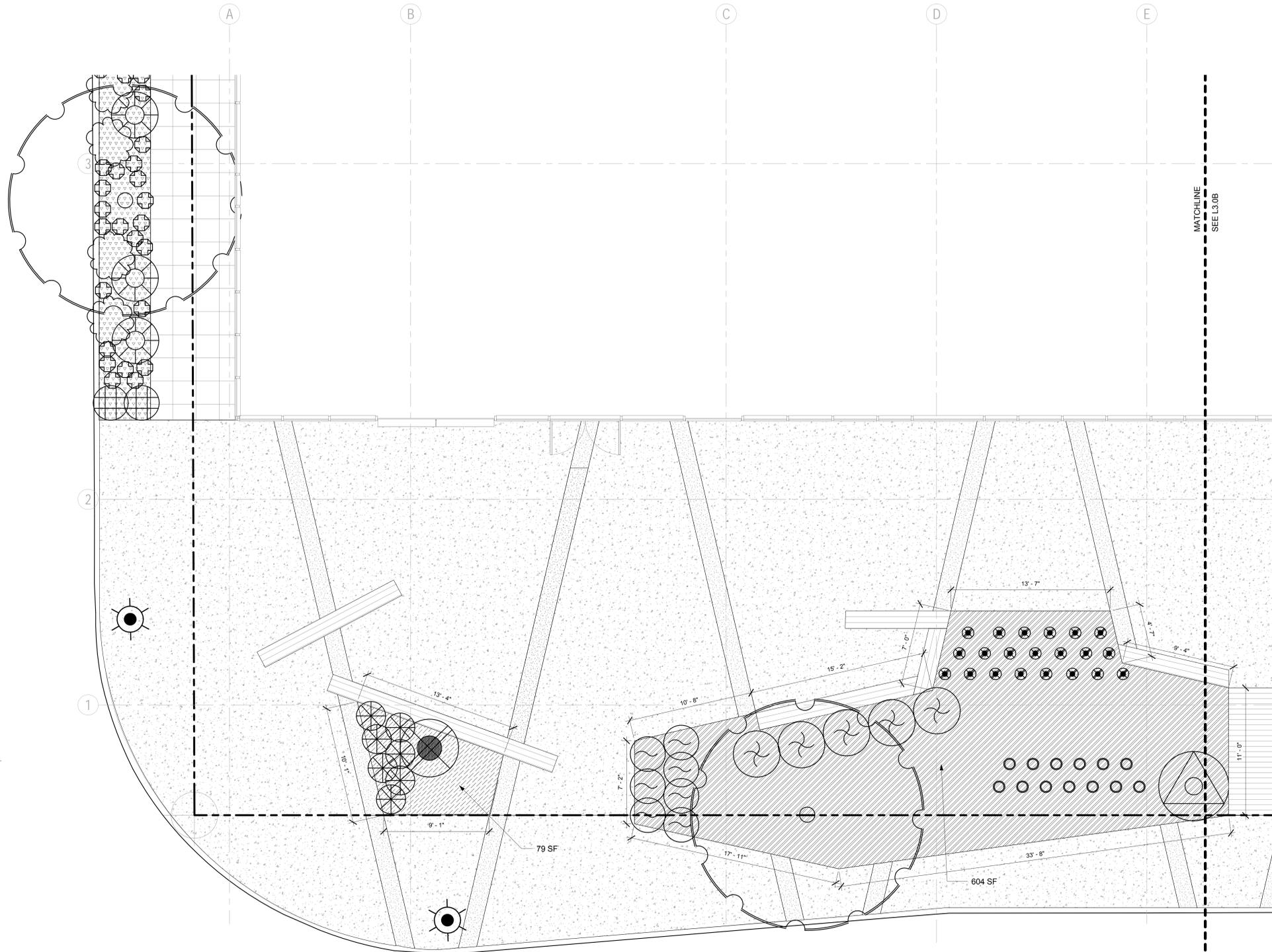
NO.	DATE	DESCRIPTION

**PLANTING
PLAN - PLAZA
ENLARGEMENT
WEST**

DATE:	05/01/2015
SCALE:	As Indicated
DRAWN:	
JOB #:	PROJECT # 15011
DPD MUP #:	
DPD SW #:	
DPD PH1 #:	
DPD PH2 #:	

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SHEET
L3.0A



1 PLANTING PLAN - AT GRADE - PLAZA ENLARGEMENT WEST

PLANTING NOTES

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2. REFER TO SHEET L3.3 FOR PLANT SCHEDULE AND L3.2 FOR PLANTING DETAILS.
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NO.	DESCRIPTION	DATE

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PRELIMINARY DESIGN REVIEW	2015.04.10
PELIM DESIGN REVIEW REVISED	2015.05.01

PLANTING PLAN - PLAZA ENLARGEMENT EAST

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DPD SW #:	
DPD PH1 #:	
DPD PH2 #:	

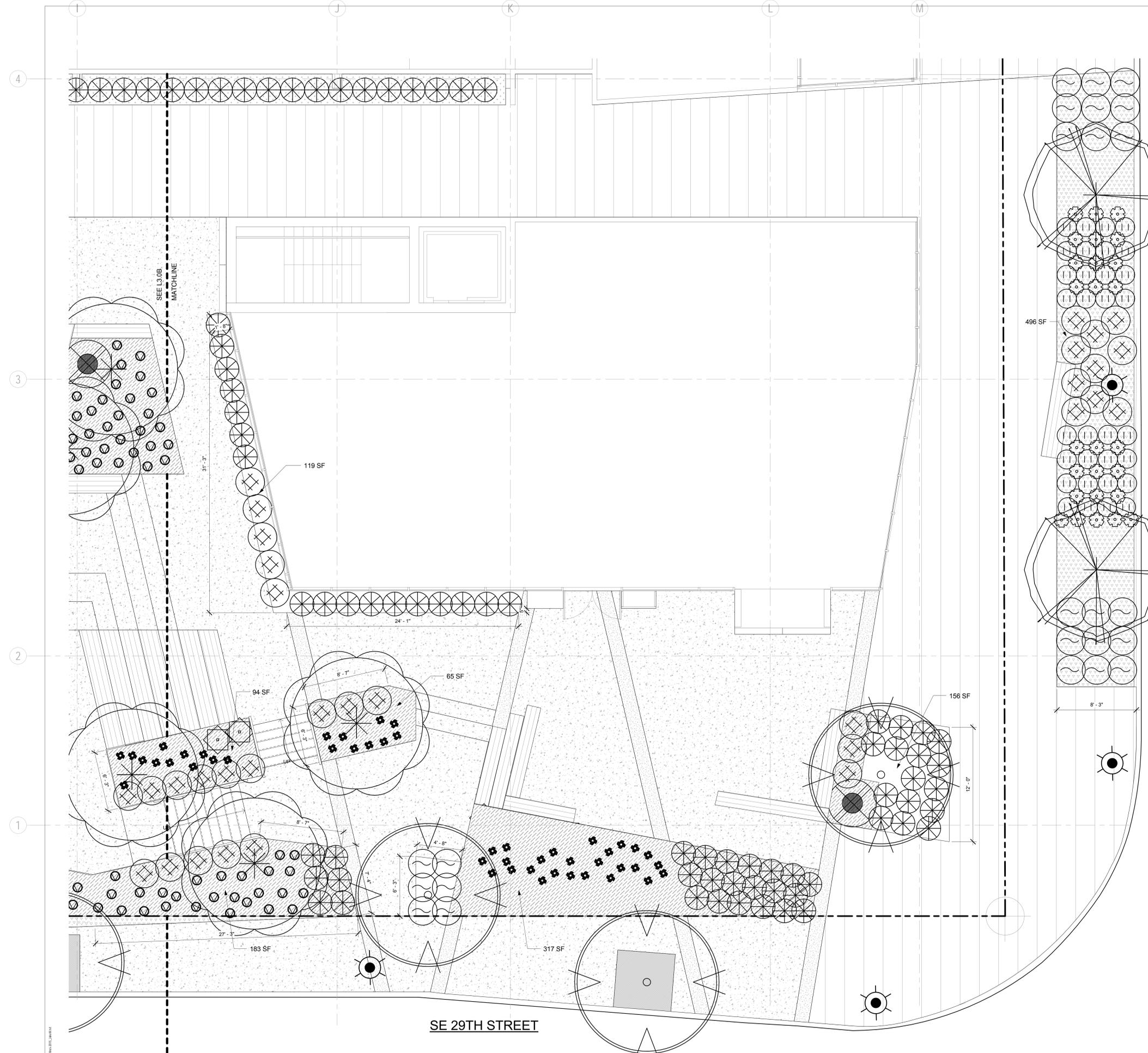
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1 PLANTING PLAN - AT GRADE - PLAZA ENLARGEMENT EAST



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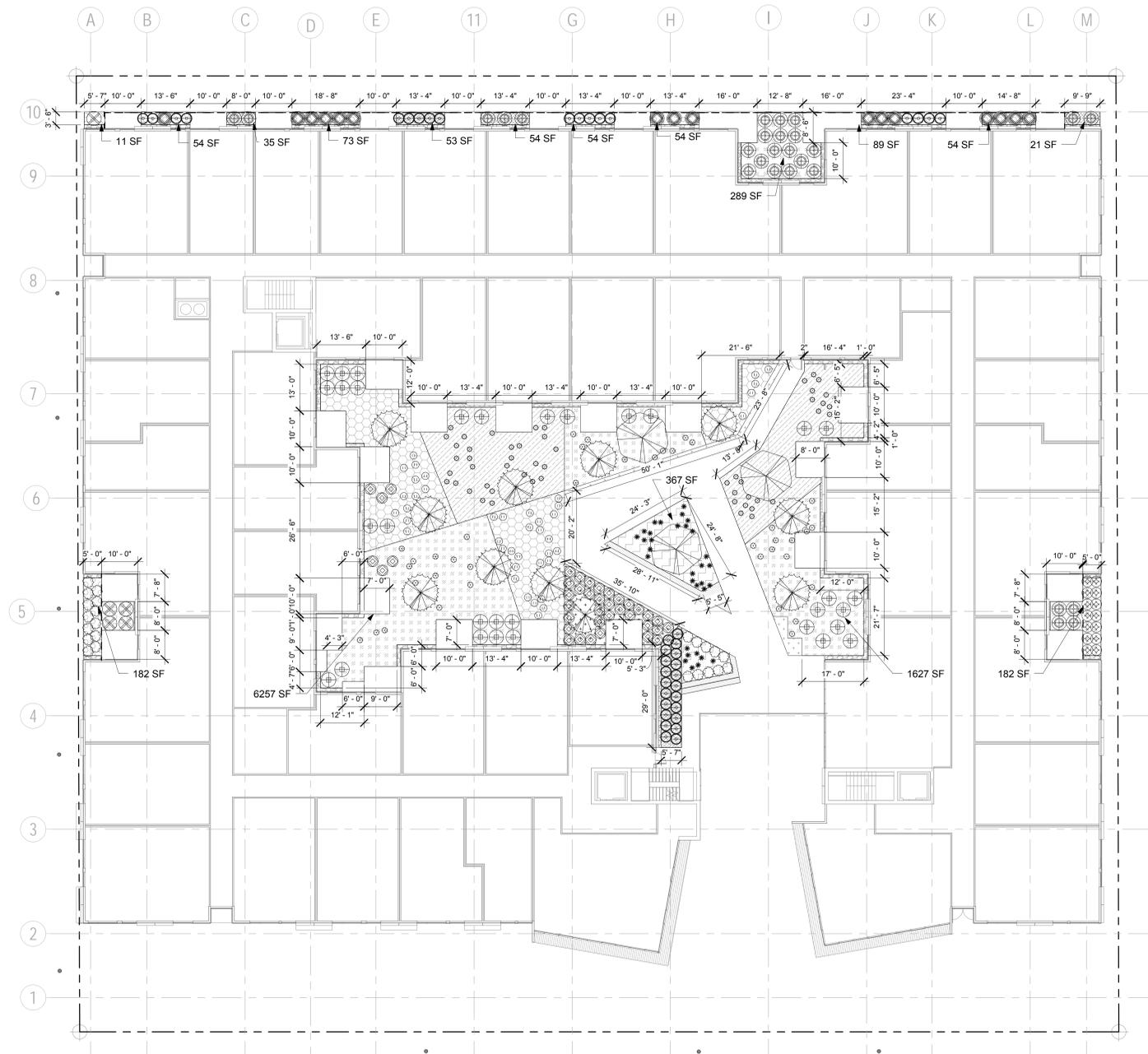
**PLANTING
PLAN - LEVEL
2**

DATE:	05/01/2015
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DRAWN:	
JOB #:	PROJECT # 15011
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DPD PH2 #:	

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SHEET

L3.1



1 PLANTING PLAN - LEVEL 2

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PLANTING LEGEND - AT GRADE

PLANTING SCHEDULE - AT GRADE						
QTY	BOTANICAL NAME	COMMON NAME	SIZE	ON-CENTER SPACING	COMMENTS	DROUGHT TOLERANT
TREES						
6	Acer griseum	Paperbark Maple	4" CAL	PER PLAN	5' MIN. BRANCHING HT.	Y
5	Acer rubrum 'Armstrong'	Armstrong Red Maple	4" CAL	PER PLAN	5' MIN. BRANCHING HT.	Y
6	Amelanchier x grandiflora 'Autumn Brilliance'	Autumn Brilliance Serviceberry	3 1/2" CAL	PER PLAN	5' MIN. BRANCHING HT.	Y
7	Liriodendron tulipifera 'Fastigiata'	Columnar tulip tree	4" CAL	PER PLAN	5' MIN. BRANCHING HT.	Y
PERENNIALS AND GRASSES						
32	Acanthus mollis	Bear's Breeches	#2 POT	PER PLAN		Y
47	Achillea 'Moonshine'	Moonshine Yarrow	#1 POT	12"		Y
27	Camassia quamash	Camas	#1 POT	12"		Y
14	Chionochloa rubra	Red Tussock Grass	#3 POT	36"		Y
105	Digitalis grandiflora	Large yellow foxglove	#1 POT	12"		Y
114	Hemerocallis 'Little Business'	Little Business Daylily	#1 POT	PER PLAN		Y
51	Iris sibirica 'Caesar's Brother'	Siberian Iris	#1 POT	PER PLAN		Y
26	Ligularia 'Little Rocket'	Dwarf Ligularia	#1 POT	PER PLAN		N
15	Parthenocissus tricuspidata	Boston Ivy	#1 POT	PER PLAN		Y
EVERGREEN SHRUBS						
7	Cephalotaxus harringtonia 'Nana'	Dwarf Japanese Plum Yew	#5 POT	PER PLAN	UNDERPLANT PER PLAN	Y
20	Lonicera pileata 'Moss Green'	Moss Green Privet	24" SPREAD	Per Plan	NATURAL	Y
93	Mahonia nervosa	Oregon Grape	#5 POT	30"		Y
30	Prunus laurocerasus 'Otto Luyken'	Otto Luyken English Laurel	#5 POT	PER PLAN	UNDERPLANT PER PLAN	N
45	Sarcococca hookeriana var. humilis	Sweet Box	#3 POT	PER PLAN		N
21	Sarcococca ruscifolia	Fragrant Sweetbox	#5 POT	PER PLAN	UNDERPLANT PER PLAN	N
DECIDUOUS SHRUBS						
39	Clethra alnifolia 'Hummingbird'	Summersweet	#5 POT	PER PLAN	UNDERPLANT PER PLAN	Y
23	Cornus sanguinea 'Midwinter Fire'	Midwinter Fire Dogwood	#5 POT	PER PLAN	UNDERPLANT PER PLAN	N
10	Cornus sericea 'Bailey'	Red Twig Dogwood	60" HT. B&B	PER PLAN	NATURAL	N
8	Philadelphus 'Belle Etoile'	Mock orange	#5 POT	PER PLAN		
4	Ribes sanguineum 'White Icicle'	White Icicle Flowering Currant	#5 POT	PER PLAN	UNDERPLANT PER PLAN	
17	Senecio greyii	Daisy Bush	#5 POT	PER PLAN	UNDERPLANT PER PLAN	Y
GROUND COVER						
152	Acorus gramineus 'Ogon'	Golden Variegated Sweet Flag	4" POT	12" O.C.		N
373	Carex testacea	New Zealand Orange Sedge	#2 POT	24" O.C.		
1126	Sesleria autumnalis	Autumn Moor Grass	#1 POT	12" O.C.		

PLANTING LEGEND - LEVEL 2

PLANTING SCHEDULE - LEVEL 2						
QTY	BOTANICAL NAME	COMMON NAME	SIZE	ON-CENTER SPACING	COMMENTS	DROUGHT TOLERANT
TREE						
12	Acer circinatum 'Pacific Fire'	Pacific Fire Vine Maple	7-8' HT	PER PLAN	3 LEADERS MIN.	N
3	Acer palmatum 'Emperor I'	Emperor I Red Japanese Maple	4" CAL.	PER PLAN	5' MIN BRANCHING HT	N
PERENNIALS AND GRASSES						
42	Acanthus mollis	Bear's Breeches	#2 POT	PER PLAN		Y
32	Anemone x hybrida 'Honorine Jobert'	Windflower	#1 POT	PER PLAN		N
53	Hosta sieboldiana 'Elegans'	Hosta	18" O.C., #1 POT	PER PLAN		N
38	Ligularia 'Little Rocket'	Dwarf Ligularia	#1 POT	PER PLAN		N
EVERGREEN SHRUBS						
27	Arbutus unedo 'Compacta'	Compact Strawberry Tree	#5 POT	PER PLAN		Y
5	Ceanothus 'Julia Phelps'	Julia Phelps California Lilac	#5 POT	PER PLAN	UNDERPLANT PER PLAN	Y
39	Sarcococca ruscifolia	Fragrant Sweetbox	#5 POT	PER PLAN	UNDERPLANT PER PLAN	N
19	Senecio greyii	Daisy Bush	#5 POT	PER PLAN		Y
DECIDUOUS SHRUBS						
14	Clethra alnifolia 'Hummingbird'	Summersweet	#5 POT	PER PLAN	UNDERPLANT PER PLAN	Y
40	Cornus sanguinea 'Midwinter Fire'	Midwinter Fire Dogwood	#5 POT	PER PLAN	UNDERPLANT PER PLAN	N
16	Corylopsis spicata	Spike Winter Hazel	#5 POT	PER PLAN	UNDERPLANT PER PLAN	Y
32	Hydrangea quercifolia 'Snow Queen'	Oak Leaf Hydrangea 'Snow Queen'	#5 POT	PER PLAN	UNDERPLANT PER PLAN	N
GROUND COVER						
170	Acorus gramineus 'Ogon'	Golden Variegated Sweet Flag	4" POT	12" O.C.		N
866	Dryopteris erythrosora 'Brilliance'	Brilliance Autumn Fern	#1 POT	18" O.C.		Y
1596	Liriope muscari 'Big Blue'	'Big Blue' Lilyturf	#1 POT	15" O.C.		Y
304	Liriope spicata 'Silver Dragon'	Creeping Lilyturf	#1 POT	24" O.C.		Y
304	Polystichum munitum	Sword Fern	#3 POT	24" O.C.		Y
277	Rubus calycinoides	Creeping Raspberry	#1 POT	18" O.C.		Y

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REVISIONS

SUBMITTALS

PRELIMINARY DESIGN REVIEW	2015.04.10
PELIM DESIGN REVIEW REVISED	2015.05.01

PLANTING SCHEDULE

DATE: 05/01/2015
 SCALE: 1/16" = 1'-0"
 DRAWN: PROJECT # 15011
 JOB #: PROJECT # 15011
 DPD MUP #:
 DPD DW #:
 DPD PH1 #:
 DPD PH2 #:
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REVISIONS

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PRELIMINARY DESIGN REVIEW	2015.04.10
PELIM DESIGN REVIEW REVISED	2015.05.01

TREE PROTECTION AND REMOVAL PLAN

DATE:	05/01/2015
SCALE:	1/16" = 1'-0"
DRAWN:	
JOB #:	PROJECT # 15011
DPD MUP #:	
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EXISTING TREES

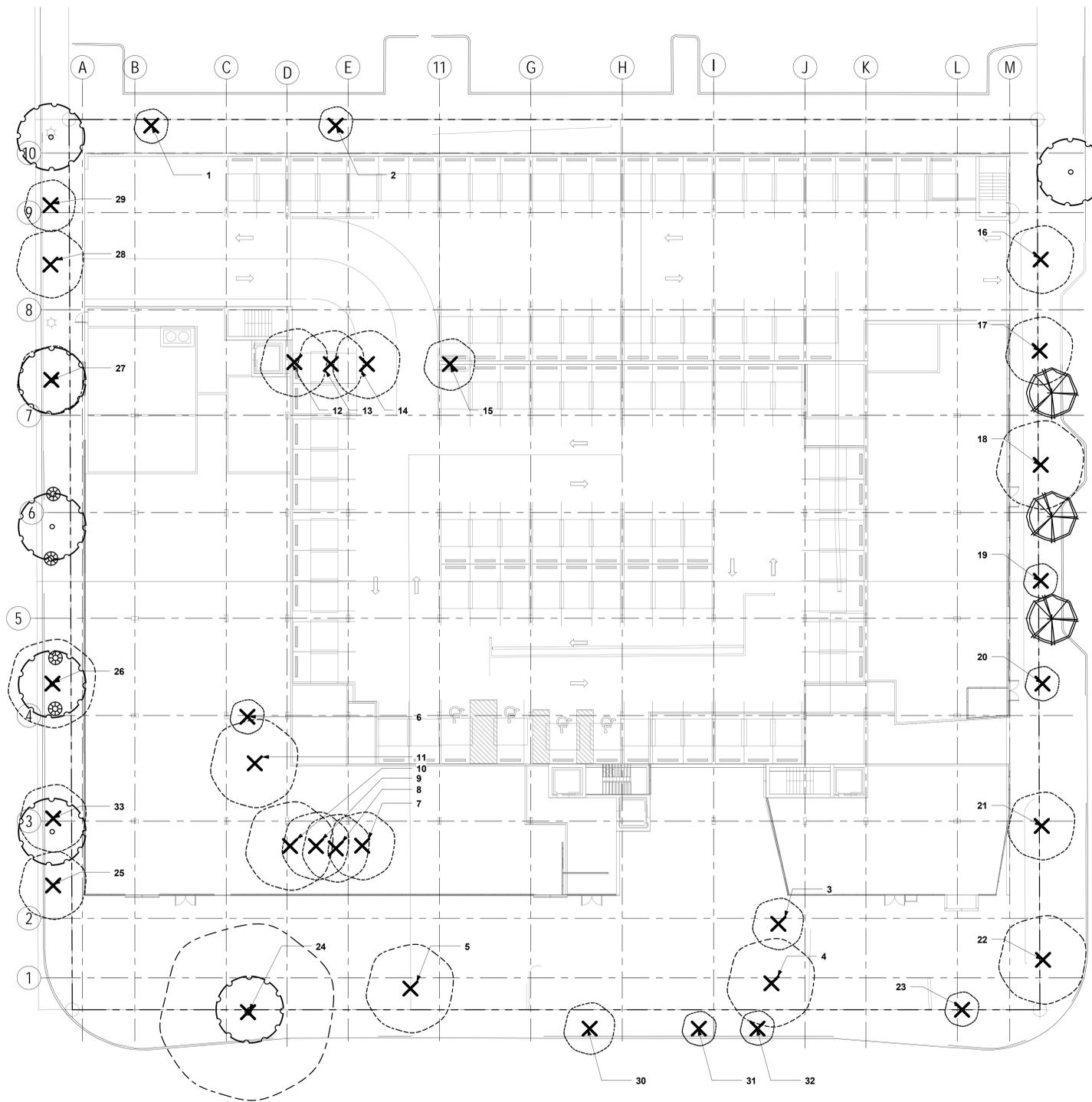
1.	9" CAL.	PRUNUS SP.	(CHERRY OR PLUM)	TO BE REMOVED
2.	7" CAL.	PRUNUS SP.	(CHERRY OR PLUM)	TO BE REMOVED
3.	7" CAL.	PRUNUS SP.	(FLOWERING CHERRY)	TO BE REMOVED
4.	9" CAL.	PRUNUS SP.	(FLOWERING CHERRY)	TO BE REMOVED
5.	21" CAL.	THUJA PLICATA	(WESTERN RED CEDAR)	TO BE REMOVED
6.	9" CAL.	PINUS CONTORTA	(SHORE PINE)	TO BE REMOVED
7.	12" CAL.	THUJA PLICATA	(WESTERN RED CEDAR)	TO BE REMOVED
8.	10" CAL.	THUJA PLICATA	(WESTERN RED CEDAR)	TO BE REMOVED
9.	9" CAL.	THUJA PLICATA	(WESTERN RED CEDAR)	TO BE REMOVED
10.	15" CAL.	THUJA PLICATA	(WESTERN RED CEDAR)	TO BE REMOVED
11.	14", 9", 14" CAL.	QUERCUS ALBA	(WHITE OAK)	TO BE REMOVED
12.	7" CAL.	PRUNUS SP.	(CHERRY OR PLUM)	TO BE REMOVED
13.	7" CAL.	PRUNUS SP.	(CHERRY OR PLUM)	TO BE REMOVED
14.	8" CAL.	PRUNUS SP.	(CHERRY OR PLUM)	TO BE REMOVED
15.	6" CAL.	PRUNUS SP.	(CHERRY OR PLUM)	TO BE REMOVED
16.	10" CAL.	ACER RUBRUM 'ARMSTRONG'	(ARMSTRONG MAPLE)	TO BE REMOVED
17.	10" CAL.	ACER RUBRUM 'ARMSTRONG'	(ARMSTRONG MAPLE)	TO BE REMOVED
18.	11" CAL.	ACER RUBRUM 'ARMSTRONG'	(ARMSTRONG MAPLE)	TO BE REMOVED
19.	9" CAL.	ACER PLATANOIDES 'COLUMNNAIRE'	(COLUMNAR NORWAY MAPLE)	TO BE REMOVED
20.	9" CAL.	ACER PLATANOIDES 'COLUMNNAIRE'	(COLUMNAR NORWAY MAPLE)	TO BE REMOVED
21.	11" CAL.	ACER PLATANOIDES 'COLUMNNAIRE'	(COLUMNAR NORWAY MAPLE)	TO BE REMOVED
22.	12" CAL.	ACER PLATANOIDES 'COLUMNNAIRE'	(COLUMNAR NORWAY MAPLE)	TO BE REMOVED
23.	6" CAL.	ACER PLATANOIDES 'COLUMNNAIRE'	(COLUMNAR NORWAY MAPLE)	TO BE REMOVED
24.	24" CAL.	ACER RUBRUM	(RED MAPLE)	TO BE REMOVED
25.	9" CAL.	PRUNUS SP.	(CHERRY OR PLUM)	TO BE REMOVED
26.	10" CAL.	PRUNUS SP.	(CHERRY OR PLUM)	TO BE REMOVED
27.	9" CAL.	PRUNUS SP.	(CHERRY OR PLUM)	TO BE REMOVED
28.	8" CAL.	PRUNUS SP.	(CHERRY OR PLUM)	TO BE REMOVED
29.	8" CAL.	PRUNUS SP.	(CHERRY OR PLUM)	TO BE REMOVED
30.	5" CAL.	PRUNUS SP.	(CHERRY OR PLUM)	TO BE REMOVED
31.	5" CAL.	PRUNUS SP.	(CHERRY OR PLUM)	TO BE REMOVED
32.	5" CAL.	PRUNUS SP.	(CHERRY OR PLUM)	TO BE REMOVED
33.	4", 5", 2" CAL.	PRUNUS SP.	(CHERRY OR PLUM)	TO BE REMOVED

EXISTING TREES LEGEND

-  EXISTING TREE TO BE REMOVED, TYP.
-  EXISTING TREE TO REMAIN, TYP.

NOTES:

1. SEE L3.4 FOR PLANT SCHEDULE AND GREEN FACTOR CALCULATIONS
2. (34) TREES TO BE REMOVED



1 AT GRADE - TREES TO REMAIN AND TREES TO BE REMOVED



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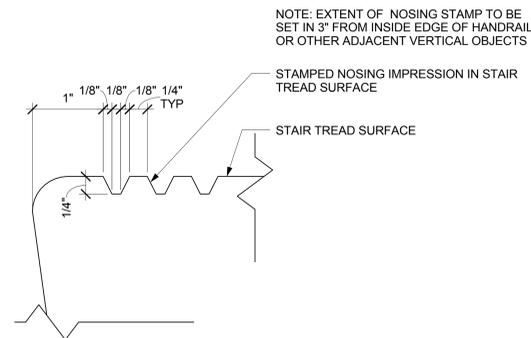
NO.	DATE	DESCRIPTION

HARDSCAPE DETAILS

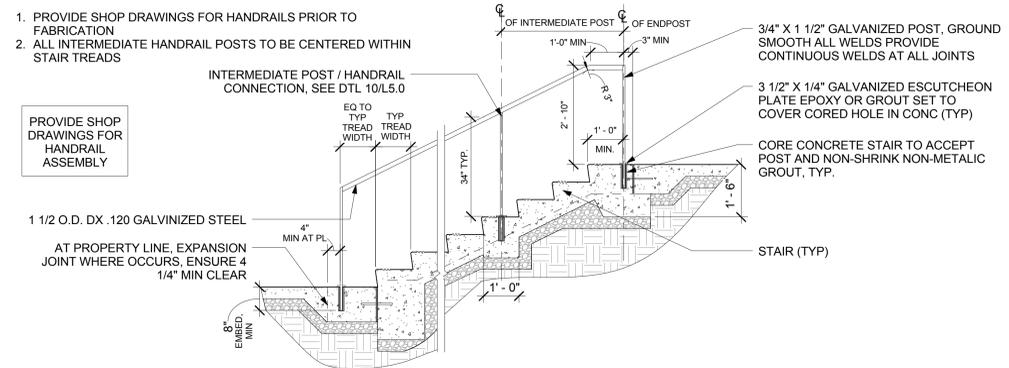
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SCALE:	As Indicated
DRAWN:	PROJECT # 15011
JOB #:	
DPD MUP #:	
DPD SW #:	
DPD PH1 #:	
DPD PH2 #:	

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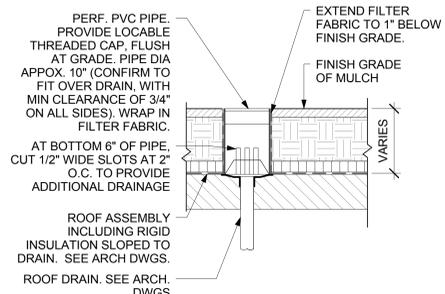
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L5.0



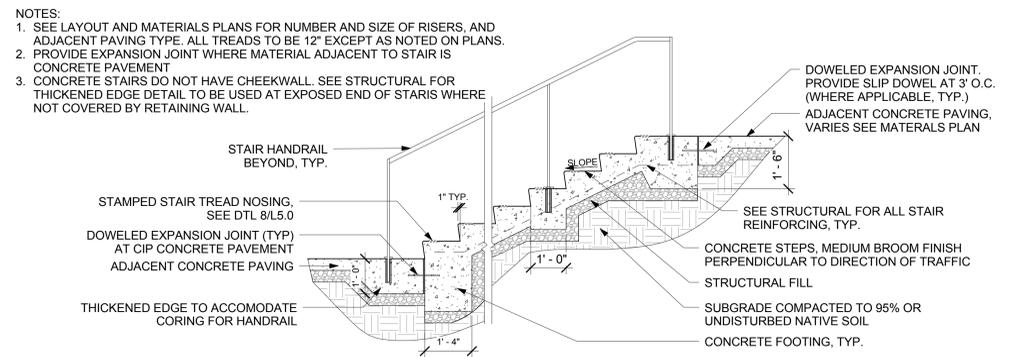
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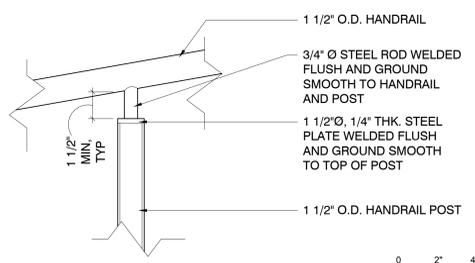
3 HANDRAIL AT STAIR - SECTION



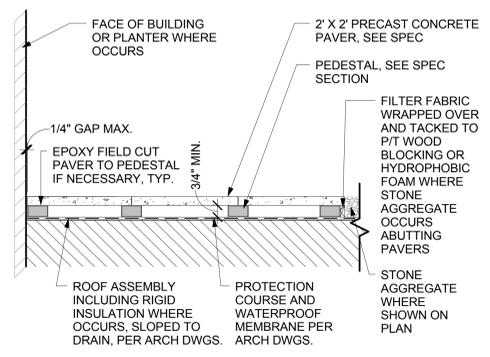
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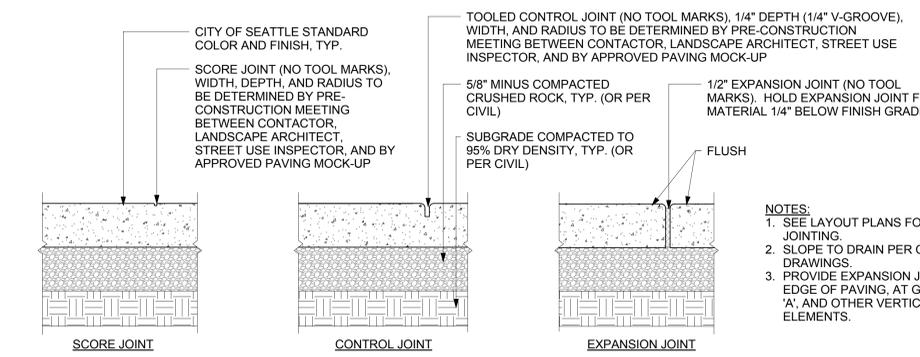
2 CIP CONCRETE STAIR - SECTION



10 INTERMEDIATE POST / HANDRAIL CONNECTION



6 PEDESTAL PAVER ON STRUCTURE



1 CIP CONCRETE SCORING AND JOINTING

EXHIBIT 3

CITY OF MERCER ISLAND

DEVELOPMENT SERVICES GROUP

9611 SE 36TH STREET | MERCER ISLAND, WA 98040

PHONE: 206.275.7605 | www.mercergov.org



CITY USE ONLY		
PERMIT #	RECEIPT #	FEE
Date Received:		

DEVELOPMENT APPLICATION

Received By:

STREET ADDRESS/LOCATION 2885 78th Ave SE, Mercer Island, WA 98040		ZONE Town Center
COUNTY ASSESSOR PARCEL #'S 5315101326, 5315101316, 5315101325		PARCEL SIZE (SQ. FT.) 75,935
PROPERTY OWNER King Enterprises of WA LLC 2800 Associates LLC Bitney Walsh LLC	ADDRESS 2885 78th Ave SE 2750 77th Ave SE 2728 77th Ave SE	CELL/OFFICE: 425-746-6063; jkingking@comcast.net E-MAIL: 425-688-1111; grl@nwlink.com 425-228-6094; bitneywalsh@hotmail.com
PROJECT CONTACT NAME Evan Kaseguma	ADDRESS 800 5th Ave, Suite 3838, Seattle WA 98104	CELL/OFFICE: 206-839-8400 E-MAIL: evan.kaseguma@hines.com
TENANT NAME N/A	ADDRESS N/A	CELL PHONE: E-MAIL: N/A

DECLARATION: I HEREBY STATE THAT I AM THE OWNER OF THE SUBJECT PROPERTY OR I HAVE BEEN AUTHORIZED BY THE OWNER(S) OF THE SUBJECT PROPERTY TO REPRESENT THIS APPLICATION, AND THAT THE INFORMATION FURNISHED BY ME IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE

[Signature]
SIGNATURE

4/9/15
DATE

PROPOSED APPLICATION(S) AND CLEAR DESCRIPTION OF PROPOSAL:

Design Review and Environmental Review (SEPA) for major new construction of a 5-story mixed-use development located on a three-parcel site assemblage in the Town Center.

(Please use additional paper if needed) ATTACH RESPONSE TO DECISION CRITERIA IF APPLICABLE

CHECK TYPE OF USE PERMIT(S) REQUESTED (3% Technology Fee is included in fees below):

<p>APPEALS</p> <p><input type="checkbox"/> Building (+cost of file preparation) \$875.50</p> <p><input type="checkbox"/> Land use (+cost of verbatim transcript) \$875.50</p> <p><input type="checkbox"/> Code interpretation \$875.50</p> <p>CRITICAL AREAS</p> <p><input type="checkbox"/> Determination \$2,708.87</p> <p><input type="checkbox"/> Reasonable Use Exception \$5,418.83</p> <p>DESIGN REVIEW</p> <p><input type="checkbox"/> Administrative Review (of sign & colors) \$433.63</p> <p><input type="checkbox"/> Administrative Review (of other than sign & colors) \$723.06</p> <p><input type="checkbox"/> Change to Final Design Approval \$723.06</p> <p><input type="checkbox"/> Design Commission Study Session \$723.06</p> <p>DESIGN REVIEW & WIRELESS COMMUNICATIONS FACILITIES</p> <p><input type="checkbox"/> \$0-5,000 \$723.06</p> <p><input type="checkbox"/> \$5,001-25,000 \$1,806.62</p> <p><input type="checkbox"/> \$25,001-50,000 \$2,708.90</p> <p><input type="checkbox"/> \$50,001-\$100,000 \$4,274.98</p> <p><input checked="" type="checkbox"/> Over \$100,001 Valuation \$7,224.42</p> <p>DEVIATIONS</p> <p><input type="checkbox"/> Changes to Antenna requirements \$1806.62</p> <p><input type="checkbox"/> Changes to Open Space \$1,806.62</p> <p><input type="checkbox"/> Fence Height \$903.31</p>	<p>DEVIATIONS (Continued)</p> <p><input type="checkbox"/> Critical Areas Setback \$2,709.87</p> <p><input type="checkbox"/> Impervious Surface (5% Lot overage) \$2,708.90</p> <p><input type="checkbox"/> Shoreline \$3,612.21</p> <p><input type="checkbox"/> Wet Season Construction Moratorium \$941.42</p> <p>ENVIRONMENTAL REVIEW (SEPA)</p> <p><input type="checkbox"/> Checklist: Single Family Residential Use \$541.78</p> <p><input checked="" type="checkbox"/> Checklist: Non-Single Family Residential Use \$1,805.59</p> <p><input type="checkbox"/> Environmental Impact Statement (Revision = 40% of Fee) \$2,708.90</p> <p>SHORELINE MANAGEMENT</p> <p><input type="checkbox"/> Exemption \$437.75</p> <p><input type="checkbox"/> Permit Revision \$723.06</p> <p><input type="checkbox"/> Semi-Private Recreation Tract (modification) \$723.06</p> <p><input type="checkbox"/> Semi-Private Recreation Tract (new) \$1,805.59</p> <p><input type="checkbox"/> Substantial Dev. Permit \$2,708.90</p> <p>SUBDIVISION LONG PLAT</p> <p><input type="checkbox"/> 2-3 Lots \$9,030.01</p> <p><input type="checkbox"/> 4-5 Lots \$12,643.25</p> <p><input type="checkbox"/> 6 Lots or greater \$16,255.46</p> <p><input type="checkbox"/> Subdivision Alteration to Existing Plat \$4,515.52</p> <p><input type="checkbox"/> Final Subdivision Review \$3,612.21</p> <p><input type="checkbox"/> Fire Review \$123.60/Hr</p>	<p>SUBDIVISION SHORT PLAT</p> <p><input type="checkbox"/> Two Lots \$4,515.52</p> <p><input type="checkbox"/> Three Lots \$5,417.80</p> <p><input type="checkbox"/> Four Lots \$6,321.11</p> <p><input type="checkbox"/> Deviation of Acreage Limitations \$903.31</p> <p><input type="checkbox"/> Short Plat Amendment \$2,256.73</p> <p><input type="checkbox"/> Final Short Plat Approval \$903.31</p> <p><input type="checkbox"/> Fire Review \$123.60/Hr</p> <p>VARIANCES (Plus Hearing Examiner Fee)</p> <p><input type="checkbox"/> Type 1* \$3,612.21</p> <p><input type="checkbox"/> Type 2** \$2,000.26</p> <p>OTHER LAND USE</p> <p><input type="checkbox"/> Accessory Dwelling Unit (ADU) \$180.28</p> <p><input type="checkbox"/> Code Interpretation Request (+\$146.03/hr over 6 hrs) \$876.53</p> <p><input type="checkbox"/> Comp Plan Amendment (CPA) \$4,153.99</p> <p><input type="checkbox"/> Conditional Use Permit (CUP) \$7,224.42</p> <p><input type="checkbox"/> Lot Line Revision \$2,708.90</p> <p><input type="checkbox"/> Lot Line Consolidation \$902.28</p> <p><input type="checkbox"/> Noise Variance (+\$146.03/hr over 3 hrs) \$437.75</p> <p><input type="checkbox"/> Reclassification of Property (Rezoning) \$4,515.52</p> <p><input type="checkbox"/> Right-of-Way Encroachment Agreement (Requires Separate ROW Use Permit) \$536.60</p> <p><input type="checkbox"/> Zoning Code Text Amendment \$4,153.99</p>
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* Includes all variances of any type or purpose in all zones other than single family residential zone: B,C,O,PBZ,MF-2,MF2L,MF-2L, MF-3,TC,P)
** Includes all variances of any type or purpose in single family residential zone: R-8.4, R-9.6, R-12, R-15)

CITY USE ONLY		
SEPA Categorically Exempt:	Yes	No
SEPA Checklist Required:	Yes	No
Permit Fee:		
Permit Fee:		
Total Fees:		

MEMORANDUM

Date:	May 7, 2015	TG:	15085.00
To:	Evan Kaseguma – Hines		
From:	Mike Swenson, PE, PTOE Jesse Birchman, PE, PTOE		
cc:	Mat Lipps – Runberg Architecture Group PLLC		
Subject:	Hines Mercer Island Apartments – Preliminary Transportation Summary		

This memorandum provides a summary of preliminary transportation related information for the proposed mixed-used development in the Town Center area in Mercer Island, Washington. A Transportation Impact Analysis (TIA) outlining the impacts of the project and any necessary mitigation is being prepared and will be submitted under a separate cover. This memorandum focuses on the following:

- The project’s description,
- An updated estimate of the project’s estimated trip generation,
- A preliminary evaluation of potential site access configurations and related driveway and on-site intersection operations,
- An evaluation of vehicle travel paths at the on-site intersections, and
- A review of the preliminary parking supply and estimated peak parking demands.

Project Description

The proposed project is located at 2885 - 78th Avenue SE and includes a mixed-use building providing up to 196 apartment units above the ground floor, approximately 11,300 gross square feet of supermarket, and 4,700 gross square feet of general retail space on the ground floor. The project site location is shown in Figure 1.

A total of 518 parking stalls are proposed:¹ 255 stalls for the residential use (11 of which are tandem parking stalls for 22 vehicles), 63 for supermarket and retail use, and 200 for general public use. The 200 general public use stalls would be located on the top three floor of the parking structure and are contingent on the City of Mercer Island’s negotiations with Sound Transit and Hines. A single berth loading area serving the grocery would be located along 77th Avenue SE. Vehicular access to the project site would be provided along the northern site limits where driveways would be provided onto 78th Avenue SE and 77th Avenue SE, as illustrated in Figure 1. The access onto 77th Avenue SE will provide access to 429 parking stalls and the 78th Avenue SE access will



Figure 1 – Project Vicinity

¹ One loading area would be provided in addition to the 518 stalls within the parking structure.

serve 89 stalls. A full access driveway onto 78th Avenue SE is proposed based on recommendations by City staff and research by Transpo (to be further summarized in the TIA).

Project Trips

Project trip generation estimates were developed for the project based on information contained in the Institute of Transportation Engineers (ITE) *Trip Generation* (9th Edition, 2012) and observations at the existing Mercer Island Park & Ride. Trip Generation is a nationally recognized and locally accepted method for determining trip generation for private and public developments. For land uses consistent with *Trip Generation* information, trips were calculated using the Supermarket (LU #850), Shopping Center (ITE LU #820), and Apartments (ITE LU #220). Weekday peak hour trips generated by the proposed public parking stalls were estimated based on three days of data at the Mercer Island Park & Ride that were collected and summarized consistent with ITE *Trip Generation Handbook* (3rd Edition, 2014) guidelines. Daily trips for the public parking were estimated by scaling observed PM peak hour rates using the Office (#710) weekday daily and PM peak hour trip generation rates since both experience morning and evening commuter peak travel behavior.

The project would generate internal, pass-by, and primary trips that were estimated based on the methods outlined in the ITE *Trip Generation Handbook* (3rd Edition, 2014). Internal trips are trips between the retail and residential uses on-site and do not impact the site access driveways or surrounding roadway network and are completely internal to the development. Pass-by trips represent intermediate stops on the way from an origin to a primary trip destination that are attracted from existing traffic on roadways immediately adjacent to the project site. Table 1 through Table 3 summarize the project's updated estimated trip generation for weekday daily, AM peak hour, and PM peak hour time periods. Detailed trip generation calculation worksheets are provided in Attachment A.

Table 1. Weekday Daily Trip Generation

Land Use	Size	Gross Trips ¹	Internal Trips ²	Pass-by Trips ³	Primary Vehicle Trips		
					Total	In	Out
Apartments (LU #220)	196 units	1,304	-142	0	1,162	581	581
Shopping Center (LU #820)	4,700 gsf	200	-61	-48	92	46	46
Supermarket (LU #850)	11,300 gsf	1,156	-161	-358	638	319	319
Public Parking ⁴	200 stalls	770	0	0	770	385	385
Total Proposed Trips		3,430	-364	-406	2,662	1,331	1,331

1. Average trip rates & regression equation from ITE Trip Generation Manual, 9th Edition (2012). Rate or equation used consistent with ITE Trip Generation Handbook, 3rd Edition (2014) methodologies.
2. Internal Capture methodology consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
3. Pass-by trips consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
4. Daily trip rate for the Public Parking use is estimated by factoring the observed weekday PM peak hour rate using rates for the General Office (LU #710) land use.

Table 2. Weekday AM Peak Hour Trip Generation

Land Use	Size	Gross Trips ¹	Internal Trips ²	Pass-by Trips ³	Primary Vehicle Trips		
					Total	In	Out
Apartments (LU #220)	196 units	100	-1	0	99	20	79
Shopping Center (LU #820)	4,700 gsf	5	0	-2	3	2	1
Supermarket (LU #850)	11,300 gsf	38	-1	-14	23	16	7
Public Parking ⁴	200 stalls	116	0	0	116	95	21
Total Proposed Trips		259	-2	-16	241	133	108

1. Average trip rates & regression equation from ITE Trip Generation Manual, 9th Edition (2012). Rate or equation used consistent with ITE Trip Generation Handbook, 3rd Edition (2014) methodologies.
2. Internal Capture methodology consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
3. Pass-by trips consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
4. Trip rate for the Public Parking use is based on observations at the existing Mercer Island Park & Ride (March 2015).

Table 3. Weekday PM Peak Hour Trip Generation

Land Use	Size	Gross Trips ¹	Internal Trips ²	Pass-by Trips ³	Primary Vehicle Trips		
					Total	In	Out
Apartments (LU #220)	196 units	125	-22	0	103	65	38
Shopping Center (LU #820)	4,700 gsf	17	-3	-4	10	5	5
Supermarket (LU #850)	11,300 gsf	107	-19	-32	56	34	22
Public Parking ⁴	200 stalls	104	0	0	104	27	77
Total Proposed Trips		353	-44	-36	273	131	142

1. Average trip rates & regression equation from ITE Trip Generation Manual, 9th Edition (2012). Rate or equation used consistent with ITE Trip Generation Handbook, 3rd Edition (2014) methodologies.
2. Internal Capture methodology consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
3. Pass-by trips consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
4. Trip rate for the Public Parking use is based on observations at the existing Mercer Island Park & Ride (March 2015).

Vehicular trip distribution for this project is based on travel patterns summarized in studies for a previously approved development in the Town Center² and comments received on behalf of the City from the City's consultant. A separate primary vehicular trip distribution was determined for commercial/parking and residential trips consistent with Mercer Island General Traffic Impact Analysis Requirements. In general, approximately 35 percent of primary commercial trips would travel to/from north of the site with the remainder to/from the south while 80 percent of residential trips are from the north with the remainder for the south. The full distribution patterns to the study area intersection are summarized in the TIA being prepared for this project.

Site Access & On-Site Operations Analysis

A preliminary evaluation of driveway operations with full-access driveways onto 78th Avenue SE and 77th Avenue SE was conducted to inform that project's site design. Figure 2 illustrates the current draft site plan. The site access driveways are oriented east-west along the sites northern boundary. The 77th Avenue SE access will ramp down with access to 3 floors of parking including 255 stalls for residential throughout the bottom two floors, 130 stalls for the public on the top 2 floors, and 44 stalls for the supermarket and retail uses on the top floor. The 78th Avenue SE access will ramp up with access to a single floor of parking including 70 stalls for the public and 19 stalls for the supermarket and retail uses. No residential access or stalls will be provided via 78th Avenue SE.

² Final Transportation Impact Analysis – SE 27th Street & 76th Avenue SE Mercer Island Mixed Use, Transpo Group (February 2013).

As described above, the residential parking provided is primarily on the lower two levels of parking of the three provided via the 77th Avenue SE access and is gated on the second floor (below the 77th Avenue SE parking level). The second level of parking has parking stalls for the public and residential uses only such that there is anticipated to be minimal delay for the public parking and none for the commercial uses due to the residential gate having a maximum queue of 2 vehicles.

At both driveways, one inbound and one outbound travel lane were assumed; operations with additional turn lanes were not evaluated.

development project trips included in this previous TIA. The forecast weekday peak hour traffic volumes at the site access driveways are summarized in Figure 3.



Figure 3 – Preliminary Estimate of Site Access Traffic Volumes

Traffic operations at the site access driveways were evaluated consistent with the procedures identified in the *Highway Capacity Manual* (2010), and evaluated using Synchro version 9.0. At stop-sign controlled intersections such as these locations, LOS is measured in average control delay per vehicle and is reported using the intersection delay. Traffic operations for an intersection can be described alphabetically with a range of levels of service (LOS A through F), with LOS A indicating free-flowing traffic and LOS F indicating extreme congestion and long vehicle delays.

Preliminary traffic operation results for 2018 with-project conditions at the site access driveways and on-site intersections are summarized in 0. The City of Mercer Island has defined a standard of LOS C for public intersections. The table shows, both site access driveways are anticipated to operate well at LOS C or better. These results for the project driveways and on-site intersections indicate that a single travel lane at all on-site locations are forecast to adequately serve on-site traffic.

Table 4. Preliminary 2018 Site Access & On-Site Intersection Weekday Peak Hour Level of Service

Location	AM Peak Hour			PM Peak Hour		
	LOS ¹	Delay ²	Worst Movement ³	LOS	Delay	Worst Movement
A. Driveway A / 77th Ave SE	B	14	EB	C	18	WB
B. Driveway B / 78th Ave SE	B	11	EB	B	12	EB

1. Level of service (LOS), based on 2010 Highway Capacity Manual methodology.
2. Average delay in seconds per vehicle.
3. The reported LOS and delay are for the worst operating movement at side-street stop-controlled driveways and intersections (a.k.a. two-way stop-controlled) while overall intersection results are reported for all-way stop intersections (shown as "-").

Parking Demand & Supply

As previously described, a total of 518 parking stalls are proposed: 255 stalls reserved for residential use, 63 reserved for supermarket and retail use, and 200 for general public use. Of the 255 stalls being provided for the residential use, 11 of the stalls are tandem for 22 vehicles.

The project is located in the Town Center area and the minimum required parking spaces for this zone are identified in the City of Mercer Island Municipal Code.³ The peak parking demand for the project was estimated using the King County Right Size Parking Calculator⁴ for the apartment units and ITE *Parking Generation* (4th Edition, 2010) for retail (LU #820) and urban supermarket (LU #850) uses. The number of required parking spaces consistent with City code, estimated peak parking demand, and proposed parking supply are summarized in Table 5.

Table 5. Code Required Parking Supply

Proposed Land Use	Size ¹	Required Parking Stalls ²		Peak Parking Demand ³	Proposed Parking Supply
		Rate	Required		
<u>Residential Parking</u>					
Apartments (LU #220)	196 units	1 to 3	196 to 588	223 vehicles	255 stalls
<u>Retail Parking</u>					
Shopping Center (LU #820)	4,700 gsf	3 to 5 per 1,000 gsf	14 to 24	12 vehicles	
Supermarket (LU #850)	11,300 gsf	3 to 5 per 1,000 gsf	34 to 57	26 vehicles	
Total Retail Parking	16,000 gsf		48 to 81	38 vehicles	63 stalls
<u>Public Parking</u>					
Public Parking Stalls	200 stalls	0	0	-	200 stalls
Total Parking			244 to 669	261 vehicles + public parking	518 stalls

1. du = dwelling unit, gsf = gross square-feet, sf = square-feet
2. Mercer Island City Code 19.11.110 B.1

As shown in Table 5, proposed parking supply exceeds the minimum required number parking spaces and estimate peak parking demand for each land use. The parking supply for the residential use exceeds the demand even if the 11 tandem stalls for 22 vehicles proposed are not included, reducing the residential supply to 244 but still exceeding the anticipated demand of less than 223 vehicles.

³ MICC 19.11.110 B.1

⁴ www.rightsizeparking.org

Attachment A: Trip Generation Worksheet

Attachment A

Daily Trip Generation

Proposed Land Use	Size	Units	Trip Rate ¹	Total Unadjusted Veh. Trips	Reduction for Internal Capture	Subtotal	Pass-by Rate ³	Reduction for Pass-by	Diverted Rate ⁴	Reduction for Diverted Trips	New Daily Trips ²			
											Total	In	Out	
Proposed														
Apartments (LU 220)	196	DU	6.65	1,304	142	1,162	0%	0	0%	0	1,162	581	581	
Retail (LU #820)	4,700	1,000 gsf	42.70	200	61	139	34%	48	0%	0	92	46	46	
Supermarket (LU 850)	11,300	1,000 gsf	102.24	1,156	161	995	36%	358	0%	0	638	319	319	
Public Parking ⁴	200	1 stall	3.85	770	0	770	0%	0	0%	0	770	385	385	
Subtotal				3,430	364	3,066		406		0	2,662	1,331	1,331	

1. Trip Rate from ITE Trip Generation Manual, 9th Edition (2012) under Land Use Code 495
2. In/out percentages based on ITE Trip Generation Manual, 9th Edition (2012).
3. Pass-by rates based on ITE Trip Generation Handbook, 3rd Edition (2014).
4. Daily trip rate for the Public Parking use is estimated by factoring the observed weekday PM peak hour rate using rates for the General Office (LU #710) land use.

Weekday AM Peak Hour Trip Generation

Proposed Land Use	Size	Units	Trip Generation Rate ¹	Trip Generation Equation ¹ (if used)	% IN ²	Total Unadjusted Veh. Trips	Unadjusted Veh. Trips IN	Unadjusted Veh. Trips OUT	Reduction for Internal Capture ³	Internal Capture IN	Internal Capture OUT	Internal Capture Rate	Subtotal Driveway Trips				Net New Offsite AM Peak Trips ²					
													Subtotal Trips	Subtotal IN	Subtotal OUT	Pass-by Rate ⁴	Pass-by Trips	Pass-by IN	Pass-by OUT	Total	In	Out
Apartments (LU 220)	196	1 du		T=0.49(X)+3.73	20%	100	20	80	1		1	1%	99	20	79	0%				99	20	79
Retail (LU #820)	4,700	1,000 gsf	0.96		62%	5	3	2					5	3	2	34%	2	1	1	3	2	1
Supermarket (LU 850)	11,300	1,000 gsf	3.4		62%	38	24	14	1	1		3%	37	23	14	36%	14	7	7	23	16	7
Public Parking ⁵	200	1 stall	0.58		82%	116	95	21					116	95	21	0%				116	95	21
Subtotal						259	142	117	2	1	1	1%	257	141	116		16	8	8	241	133	108

- The Transpo Group, 2015
1. Average trip rates & regression equation from ITE Trip Generation Manual, 9th Edition (2012). Rate or equation used consistent with ITE Trip Generation Handbook, 3rd Edition (2014) methodologies.
 2. In/out percentages based on ITE Trip Generation Manual, 9th Edition (2012)
 3. Internal Capture methodology consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
 4. Pass-by rates based on ITE Trip Generation Handbook, 3rd Edition (2014).
 5. Trip rate for the Public Parking use is based on observations at the existing Mercer Island Park & Ride (March 2015).

Weekday PM Peak Hour Trip Generation

Proposed Land Use	Size	Units	Trip Generation Rate ¹	Trip Generation Equation ¹ (if used)	% IN ²	Total Unadjusted Veh. Trips	Unadjusted Veh. Trips IN	Unadjusted Veh. Trips OUT	Reduction for Internal Capture ³	Internal Capture IN	Internal Capture OUT	Internal Capture Rate	Subtotal Driveway Trips				Net New Offsite PM Peak Trips ²					
													Subtotal Trips	Subtotal IN	Subtotal OUT	Pass-by Rate ⁴	Pass-by Trips	Pass-by IN	Pass-by OUT	Total	In	Out
Apartments (LU 220)	196	1 du		T=0.55(X)+17.65	65%	125	81	44	22	16	6	18%	103	65	38	0%				103	65	38
Retail (LU #820)	4,700	1,000 gsf	3.71		48%	17	8	9	3	1	2	18%	14	7	7	34%	4	2	2	10	5	5
Supermarket (LU 850)	11,300	1,000 gsf	9.48		51%	107	55	52	19	5	14	18%	88	50	38	36%	32	16	16	56	34	22
Public Parking ⁵	200	1 stall	0.52		26%	104	27	77					104	27	77	0%				104	27	77
Subtotal						353	171	182	44	22	22	12%	309	149	160		36	18	18	273	131	142

- The Transpo Group, 2015
1. Average trip rates & regression equation from ITE Trip Generation Manual, 9th Edition (2012). Rate or equation used consistent with ITE Trip Generation Handbook, 3rd Edition (2014) methodologies.
 2. In/out percentages based on ITE Trip Generation Manual, 9th Edition (2012)
 3. Internal Capture methodology consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
 4. Pass-by rates based on ITE Trip Generation Handbook, 3rd Edition (2014).

EXHIBIT 6



Geotechnical Engineering Design Report
Mercer Island Multi-Family
Development
Seattle, Washington

Prepared for
Hines

May 1, 2015
17984-01

Geotechnical Engineering Design Report

Mercer Island Multi-Family Development

Mercer Island, Washington

Prepared for

Hines

May 1, 2015

17984-01

Prepared by

Hart Crowser, Inc.



Matthew W. Veenstra, PE
Geotechnical Engineer



May 1, 2015

David G. Winter, PE
Vice President

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ATTACHMENT 1

Slug Test Results

APPENDIX A

Field Exploration Methods and Analysis

APPENDIX B

Historical Explorations

Geotechnical Report

Mercer Island Multi-Family Development

Mercer Island, Washington

This report provides our geotechnical engineering recommendations for the Mercer Island Multi-Family Development in Mercer Island, Washington.

Our scope of work included:

- Collecting and assessing subsurface conditions from historical explorations;
- Drilling four borings;
- Installing monitoring wells in two of the borings;
- Conducting one dynamic cone penetration test in the northwest corner of the site;
- Preparing logs of the soil explorations;
- Assessing groundwater conditions including slug testing of new and existing wells;
- Conducting engineering analysis; and
- Preparing this report summarizing our findings and presenting geotechnical recommendations.

We completed this work in general accordance with our contract dated October 15, 2014. This report is for the exclusive use of Hines and its design consultants for specific application to this project and site. We completed this work in accordance with generally accepted geotechnical engineering practices for the nature and conditions of the work completed in the same or similar localities, at the time the work was performed. We make no other warranty, express or implied.

PROJECT UNDERSTANDING

The project consists of a five-story, mixed-use building with one to two levels of below-grade parking. The proposed development site is shown on Figures 1 and 2.

We understand that the grading plan is for a basement finish floor elevation of 63 feet with a ramp up to elevation 72 feet in the northwest corner of the site. The existing ground surface generally slopes from about elevation 90 feet along 78th Avenue SE to about elevation 82 feet along 77th Avenue SE. The bottom of the excavation is expected to be about 22 to 32 feet below existing ground surface.

In this report, the elevation datum is NAVD 88 and the horizontal datum is NAD 83/91. Length and distance units are in U.S. feet unless otherwise noted.

SITE CONDITIONS

We visited the site on September 29, 2013, to observe the condition of the on-site buildings, nearby buildings, and paved surfaces. The buildings did not show signs of excessive building settlement such as large cracks in the walls or sloping lines. We did observe concrete cracking on the exterior stairway on the north side of the 2885 78th Avenue SE building that houses the Seven Star restaurant and a slight separation of concrete masonry unit (CMU) joints on the southwest corner of the 2864 77th

Avenue SE building that houses Terra Bella; however, these observed conditions are not definitively caused by foundation settlement.

According to property records accessed on the City of Mercer Island website, it appears that most of the buildings on or near the site are founded on spread foundations. However, the McDonald's restaurant immediately north of the site and the building immediately north of the McDonald's (2737 78th Avenue SE) were both constructed using timber pile foundations up to 25 feet long, which indicates unsuitable soils in the vicinity.

FIELD EXPLORATIONS

Exploration locations by Hart Crowser for the current project are shown on Figure 2 and exploration logs are provided in Appendix A. We also observed push probes conducted by Farralon Consulting and made our own exploration logs for those explorations. We also reviewed geotechnical reports by Terra Associates, Inc. (Terra 2012) and ABPB Consulting (ABPB 2012). The locations of historical explorations and Farralon's push probes are provided on Figure 2 and the logs are provided in Appendix B.

On November 12 to 13, 2014, we performed a subsurface investigation including four hollow-stem auger borings, HC-1 to HC-4, from 36.5 to 41.5 feet below ground surface (bgs) and one dynamic cone penetrometer, HC-5, to 20.5 feet bgs. We installed monitoring wells in borings HC-1 and HC-2. On November 14, 2014, we developed the monitoring wells and on November 17, 2014, we performed slug testing on monitoring wells in borings HC-1, HC-2, APBP M3, and Terra B-1.

Our understanding of the subsurface conditions is based on current and historical explorations at the site. Subsurface conditions interpreted from explorations at discrete locations on the site and soil properties inferred from the field and laboratory tests formed the basis of the geotechnical recommendations in this report. The nature and extent of variations between explorations may not become evident until additional explorations are performed or construction begins. If variations are encountered, it may be necessary to reevaluate the recommendations made in this report. General soil and groundwater conditions are addressed below. Refer to exploration logs for more detailed information at specific locations.

SOIL CONDITIONS

The subsurface soil conditions are illustrated by generalized subsurface profiles AA' through DD' on Figures 3 through 6. Based on our interpretation of the borings, the regional topography, and our conversations with the current property owners, the site is likely a filled in swamp/marsh lowland area underlain by relatively impermeable glacial silt and clay.

As shown on the subsurface profiles, we have divided the lithology into four main soil units:

Unit 1. Loose to medium dense silty granular FILL, soft SILT, and PEAT. This unit is generally not suitable for conventional spread footings.

Unit 2. Medium stiff to hard SILT and silty CLAY. This unit is generally suitable for conventional spread footings with moderate bearing pressures but may require localized overexcavation and replacement with structural fill to provide adequate foundation subgrade.

Unit 3. Medium dense to dense SAND and silty SAND. This unit may be interbedded with Unit 2 and Unit 4 and is expected to be most prominent and most likely to be encountered along the southern end of the site. Excavations into this unit will likely require dewatering.

Unit 4. Hard SILT. This unit generally underlies the other soil units except along the southern end of the site. This unit is suitable for conventional spread footings with moderate to high bearing pressures.

In this report we define “competent soils” as Soil Units 2, 3 and 4.

GROUNDWATER CONDITIONS

Groundwater was observed during drilling at the site at depths of 5 to 25 feet. Groundwater occurs in the predominantly fine-grain soils (Units 1, 2, and 4) as perched water within discontinuous permeable lenses. Saturated groundwater conditions were observed in Unit 3. For design purposes, we recommend a groundwater table elevation of 75 feet.

GEOTECHNICAL ENGINEERING CONCLUSIONS AND RECOMMENDATIONS

Our recommendations are based on our current understanding of the project and the subsurface conditions interpreted from explorations at and near the site by Hart Crowser and others. If the nature or location of the facilities is different than we have assumed, we should be notified so we can review, change, and/or confirm our recommendations.

Earthquake Engineering

Seismic Setting

The seismicity of Western Washington is dominated by the Cascadia Subduction Zone (CSZ), where the offshore Juan de Fuca plate subducts beneath the continental North American plate. Three main types of earthquakes are typically associated with subduction zone environments: crustal, intraplate, and interplate earthquakes. Seismic records in the Puget Sound area clearly indicate a distinct shallow zone of crustal seismicity, the Seattle Fault, which may have surficial expressions and can extend to depths of 25 to 30 km. A deeper zone is associated with the subducting Juan de Fuca plate and produces intraplate earthquakes at depths of 40 to 70 km beneath the Puget Sound region (e.g., the 1949, 1965, and 2001 earthquakes) and interplate earthquakes at shallow depths near the Washington coast (e.g., the 1700 earthquake with an approximate magnitude of 9.0).

Seismic Hazards

- Based on our analysis and the planned depth of excavation, it is our opinion that the risk of liquefaction occurring across the site is low.
- The site is flat and there is no sloping ground near the site so the risk of lateral spreading or slope failure is low.
- The mapped northernmost splay of the Seattle Fault is about 0.5 miles south of the site. There is a remote potential for surface rupture at the site from a new splay of the Seattle Fault; however, this hazard is very low considering the Seattle Fault's 3,000-year recurrence interval, the many possible locations for surface rupture, and the chance that the fault would not produce surface rupture in this segment of the fault.

Building Code Seismic Parameters

Table 1 provides 2012 International Building Code (IBC) seismic design parameters for the site latitude and longitude and the soil Site Class. The parameters were obtained from the USGS US Seismic Design Maps web application (<http://earthquake.usgs.gov/designmaps/us/application.php>) accessed on December 9, 2014.

Based on the soil conditions across the site, it is our opinion that the site is best characterized as site class D.

Table 1 – 2012 IBC Seismic Design Parameters

Parameter	Value
Latitude	47.58485
Longitude	122.23438
Site Class	D
PGA	0.568
S _s	1.380
S ₁	0.531
F _a	1.0
F _v	1.5

Excavation and Shoring

We recommend a conventional shoring system of soldier piles, tiebacks, and wood lagging.

Our shoring recommendations assume that the excavation will extend down to at least the top of competent soils. Because the actual depth of competent soils may differ from our estimate, we recommend designing the shoring assuming the excavation extends an additional 2 feet below the planned bottom of excavation to allow for potential over-excavation along the shoring wall if needed.

At the ramp in the northwest corner, the shoring should be designed assuming the existing ramp subgrade soils will be excavated down to competent soils, the same as for the rest of the site.

Perched groundwater will likely be encountered in sand zones throughout the excavation depth. Excavations into Soil Unit 3, sandy soils, will likely require active dewatering.

Shoring should be designed by a professional structural engineer registered in the State of Washington. We also recommend that we be given the opportunity to review the geotechnical aspects of the shoring design before construction. It is generally not the purpose of this report to provide specific criteria for the contractor's construction means and methods. It should be the responsibility of the shoring contractor to verify actual ground conditions and determine the construction methods and procedures needed to install an appropriate shoring system.

Lateral Soil Pressures for Design of Temporary Shoring Walls

Lateral earth pressures for the shoring design depend on the type of shoring and its ability to deform. If the top of the shoring is allowed to deform on the order of 0.001 to 0.002 times the shoring height, and if no settlement-sensitive structures or utilities are within the zone of deformation, the shoring may be designed using active earth pressures. If settlement-sensitive structures or utilities exist within the potential zone of deformation, or where the shoring system is too stiff to allow sufficient lateral movement to develop an active condition, at-rest earth pressures should be used to design the shoring.

We expect that temporary shoring will consist of soldier piles and timber lagging with one or more levels of tiebacks. Tied-back or braced walls should be designed using a trapezoidal apparent earth pressure distribution. General earth pressure diagrams and recommendations for temporary shoring are provided on Figure 7.

The lateral earth pressures presented herein for soldier piles are based on non-sloping conditions behind the walls and drained conditions so that hydrostatic water pressure does not act on the walls above the base of the excavation. For design calculations, we recommend adding at least 2 feet to the proposed excavation depth to allow for possible surface pressures near the excavation (e.g., light vehicles, small material stockpiles).

Based on the assumed loading conditions and the applied loads, we expect the shoring system to deflect about 1 inch or less into the excavation. Individual soldier piles may deflect more than 1 inch or deflect away from the excavation.

Hart Crowser should review any soldier piles that deflect more than 1/2 inch to try to identify the cause of the deflection and to determine whether remedial measures are required.

Surcharge Pressures on Shoring

Additional lateral pressures due to surcharge loads (e.g., buildings, footings, heavy equipment, large material stockpiles) should be calculated using methods shown on Figure 8. These loads would be added to the loads calculated for the shoring walls. We recommend Hart Crowser review or complete the estimated surcharge loads when surcharge loads, footprints, and foundation plans of adjacent structures are available.

Soldier Pile Design

We recommend the following for soldier pile design:

- Soldier piles must be designed by a licensed structural engineer;
- Soldier piles should be designed for bending using a uniform loading equivalent to 80 percent of the design values and analyzed for shear using total load;
- To design against kickout, the lateral resistance should be computed using the passive pressure on Figure 7, acting over 2 times the diameter of the concreted shaft section or the pile spacing, whichever is less;
- The embedded portion of the pile shaft should be at least 2 feet in diameter; and
- Piles should be embedded at least 8 feet below the bottom of the excavation.

These recommendations assume proper installation of the soldier piles as discussed later in this report.

We recommend the allowable axial pile capacity parameters in Table 2 to calculate the vertical resistance of the soldier piles. The values assume that soldier piles are embedded into competent soils. The pile side friction above the bottom of the excavation should be neglected. The soldier piles should be embedded at least 10 feet below the base of the excavation.

Table 2 – Axial Capacity Parameters for Drilled Soldier Piles

Soil Unit	Allowable Unit Side Capacity	Allowable Unit End Capacity
Unit 1	0.5 ksf	NA
Units 2 – 4	2 ksf	10 ksf

Lagging Design

Temporary lagging should be designed in accordance with Federal Highway Administration (FHWA) Geotechnical Engineering Circular (GEC) 4 (FHWA 1999), structural engineering guidelines, soil type, and local experience. Table 3 provides recommended lagging thicknesses based on the FHWA recommendations.

Based on our site investigation, we recommend using a Soil Type of “Competent” for the eastern half of the site and “Difficult” for the western half of the site.

Table 3 – Recommended Temporary Lagging Thickness

		Clear Span of Lagging (feet)					
		5	6	7	8	9	10
		Minimum Actual Thickness of Rough Cut Timber Lagging (inches)					
Competent ^a	25 and under	2	3	3	3	4	4
	Over 25 to 60	3	3	3	4	4	5
Difficult ^a	25 and under	3	3	3	4	4	5
	Over 25 to 60	3	3	4	4	5	5
Potentially Dangerous ^a	15 and under	3	3	4	5	See note ^b	See note ^b
	Over 15 to 25	3	4	5	6	See note ^b	See note ^b
	Over 25	4	5	6	See note ^b	See Note ^b	See note ^b

Notes:

- a. Soil type as defined in WSDOT Standard Specifications section 6-16.3(6)A.
- b. For exposed wall heights exceeding the limits in Table 3, or where minimum rough-cut lagging thickness is not provided, the contractor should design the lagging in accordance with structural engineering guidelines and local experience. Soldier pile and lagging shoring may not be appropriate for these cases.

Tieback Design

We recommend the tentative allowable tieback pullout value in Table 4 for a typical 6-inch-diameter drilled hole with a pressure-grouted bond zone. The allowable transfer load includes a recommended factor of safety of 2.0. The factor of safety should be confirmed by completing at least two successful verification tests in each soil type. Additionally, each tieback should be proof-tested to 133 percent of the design load. Our recommended tieback testing program is included in Attachment 1. We recommend that the shoring contractor and/or designer determine a final design tieback pullout resistance based on their previous experience in Seattle, which must then be confirmed by field testing.

Table 4 – Tentative Pullout Resistance for Tiebacks with Pressure-Grouted Bond Zone

Soil Type	Allowable Transfer Load
Competent soils – Soil Units 2 through 4	2 kip/ft

We make the following additional recommendations for tieback design:

- Do not install the bond zone within Soil Unit 1 (fill, soft silt and clay, peat), if present.
- Tieback bond zones should be outside of the no-load zone. The no-load zone is shown on Figure 5 as a zone bounded by a 60-degree line to the horizontal that starts at a distance of $H/4$ from the bottom of the excavation, where H is the excavation height.
- Locate anchors at least three tieback diameters apart.
- Design anchor lengths so that they do not conflict with any underground support elements of adjacent structures.
- Identify existing facilities adjacent to the project site including buried utilities and foundations, as these may affect the location and length of the anchors.
- Allow the contractor to select the tieback anchor material and the installation technique. The shoring contractor should be contractually responsible for the design of the tieback anchors, as tieback capacity is largely a function of the means and methods of installation. The selected installation method must be confirmed using verification and proof-testing, as discussed in Attachment 1.
- Hart Crowser should review the design for anchor locations, capacities, and related criteria prior to implementation.

Permanent Subgrade Wall Design

This section and Figures 8 and 9 provide guidance for determining the permanent subgrade wall loads.

Earth Pressures

Permanent subsurface walls constructed adjacent to soldier pile shoring may be designed using the same earth pressure values and distribution that was used for shoring design. The earth pressure does not include surcharge loads such as loads from adjacent buildings; these must be calculated separately and added to get the total permanent lateral pressure.

Permanent walls that are backfilled and are not adjacent to shoring walls should be designed using a triangular earth pressure distribution. For typical granular fill soil, active and at-rest pressures may be determined using the equivalent fluid unit weights in Table 5. Note that the equivalent fluid density does not include any surface loading conditions or loading due to groundwater hydrostatic pressure; also, the ground surface behind the wall is assumed to be horizontal. Walls without drainage must be designed for full hydrostatic pressure.

The use of active and passive pressure is appropriate if the wall is allowed to yield a minimum of 0.001 times the wall height. For a non-yielding wall, at-rest pressures should be used.

Table 5 – Soil Equivalent Fluid Unit Weights for Walls Backfilled with Structural Fill

Soil Type	Parameter	Value (pcf)
Structural fill	Active earth pressure	35
	At-rest earth pressure	55
	Passive earth pressure ^a	300

Note:

a. Includes a factor of safety of 1.5.

Hydrostatic Groundwater Pressure

For walls permanently drained over the full height of the wall, hydrostatic groundwater pressure buildup is prevented and permanent wall design may neglect groundwater pressure. Hydrostatic uplift of the mat slab can be prevented by installing a drainage system beneath the mat slab.

For walls and floors that are not drained, a triangular lateral hydrostatic pressure of $62.4h_w$ psf should be added, where h_w is the depth of structure below the design groundwater level. The depth of the basement is expected to be above the regional groundwater table. However, perched groundwater will exert full hydrostatic pressure against the walls if they are not adequately drained. For undrained walls, we recommend a design water level of 5 feet bgs.

Seismic Earth Pressure on Walls

Lateral earth pressures based on the design earthquake for active and at-rest conditions can be assumed as uniform pressures in pounds per square foot of $8H$ and $12H$ (where H is the height of the wall in feet), respectively. The seismic earth pressure should be applied from the top of the wall to the bottom of the excavation, as shown on Figure 9. This seismic earth pressure is calculated using the 2012 IBC design hazard level for the site.

Surcharge Pressures on Walls

The pressures shown on Figures 7 and 9 do not include surcharge loads due to buildings, footings, heavy equipment, large stockpiles, and so forth. These loads must be calculated separately, using the methods shown on Figure 8 or similar, and added to the pressures determined using Figures 7 and 9.

We recommend Hart Crowser review or complete the estimated surcharge loads when surcharge loads, footprints, and foundation plans of adjacent structures are available.

Foundation Design Recommendations

We recommend using shallow spread footings bearing on competent soil. For shallow spread foundations bearing on competent soils we recommend an allowable bearing capacity of 3 kips per square foot (ksf). We expect less than 1 inch of post-construction settlement for foundations bearing on competent soils.

Figure 10 provides a contour map of the estimated elevation of the top of competent soils. The contours on Figure 10 are only an estimate and some amount of overexcavation and replacement with structural fill should be expected in order to reach competent soils. Also, any soil on site that is not firm and unyielding, or that is otherwise considered inadequate by Hart Crowser, will need to be over-excavated and replaced with structural fill or controlled density fill (CDF).

At the ramp location in the northwest corner of the site, we recommend over-excavating the ramp subgrade soils down to competent soil and then backfilling back up to ramp subgrade elevation with structural fill. The bottom of footings at the ramp location should be below the ramp backfill.

GROUNDWATER CONTROL

Slug Results

Water levels and slug testing results are presented in Attachment 1 and may be used for design of construction dewatering and estimating water flow into a permanent drainage system. Based on the slug test results we recommend average hydraulic conductivities for wells screened in Soil Unit 3, sand and silty sand, 9.0×10^{-5} to 8.3×10^{-4} centimeters per second (0.3 to 2.4 feet per day).

Temporary Construction Dewatering

Because construction will likely extend below the water table, temporary construction dewatering to maintain suitable working conditions in the excavation will be required. Water collected and discharged during construction will include surface water from precipitation and groundwater and may include process water from construction activities. For excavations to about elevation 70 feet, groundwater inflow is expected to be minimal and we expect that groundwater can be managed using trenches and sumps. For excavations deeper than elevation 70 feet, we recommend active dewatering during construction. We expect that the most efficient dewatering system will be a vacuum wellpoint system installed through the shoring system into saturated sands.

Our field testing and analysis results indicate that groundwater discharge during temporary construction dewatering could be on the order of 25 to 100 gallons per minute for an excavation to elevation 60 feet. Stormwater and process water are not included in this estimate and would generate additional water.

The amount of water discharged from the site depends on many factors including design and operation of the dewatering system (if applicable), the excavation depth and extent, and the variability in soil and groundwater properties. Rainfall, surface water, and groundwater from adjacent utility trenches can significantly increase short-term water discharge rates. Also, the time of year and nearby construction dewatering activities can affect groundwater flows.

Permanent Drainage

We modeled groundwater using the results of our field testing and the excavation footprint. Using the modeling results, we estimate that the average, long-term drainage rates for a subsurface drainage

system are on the order of 10 to 25 gallons per minute. Based on this low discharge rate, it should be feasible to construct the basement using permanent drainage. With a permanent subsurface drainage system, the structure does not have to be designed for hydrostatic groundwater pressure or as a “bathtub.” Limited waterproofing, such as bentonite panels, may be desirable at below-grade stairwells, elevator shafts, equipment rooms, and so forth to reduce seepage potential at the concrete joints. Additional recommendations for permanent drainage are provided below.

Walls Placed Against Shoring

Drainage board (e.g., Miradrain 6100) should be placed full coverage across the shoring wall below elevation 70 feet. Above elevation 70 feet, drainage panel coverage may be reduced to 2-foot-wide strips placed in between the soldier piles and up to the ground surface. The drainage board should be connected to a collector pipe and conveyed to a suitable discharge point.

Slabs-on-Grade

- Slab-on-grade floors should be underlain by a drainage layer consisting of at least 12 inches of free-draining material. We recommend mineral aggregate Type 21 or Type 22, City of Seattle Standard Specification 9-03.16, with the exception that this material should have less than 10 percent sand and less than 3 percent fines based on the minus-3/4 inch fraction.
- Drainage layer material should be submitted to Hart Crowser for gradation analysis and approval.
- Perimeter and cross drains should be placed at the bottom of the drainage layer.
- Cross drains should be spaced no more than 30 feet apart and perimeter drains should extend around the perimeter of the building. The cross drains and the perimeter drains should be tied together and sloped to drain to a suitable discharge point.
- A layer of polyethylene sheeting should be used to protect the drainage layer from concrete as the floor slab is poured.
- Drainage material should be compacted to 90 percent of maximum dry density as determined by the Modified Proctor Method, ASTM D 1557.

Backfilled Walls

Walls with soil backfilled on only one side will require drainage or they must be designed for full hydrostatic pressure. We recommend the following:

- Backfilling should be done with a minimum thickness of 18 inches of free-draining sand or sand and gravel that is well-graded (i.e., that has a wide range in particle size).
- Drains should be installed behind any backfilled subgrade walls. The drains, with cleanouts, should consist of perforated pipe a minimum of 4 inches in diameter placed on a bed of, and surrounded by, at least 6 inches of free-draining sand or sand and gravel. The drains should be sloped to carry the water to a sump or other suitable discharge.

- The backfill should be continuous and should envelop the drainage behind the wall.
- The drainage fill surrounding the pipe should be compatible with the size of the holes in the pipe.

Final Site Drainage

- The site should be graded in such a way that surface water will not pond near the structures.
- Roof drains should not be connected to the subgrade drainage system and should be sloped and tightlined to a suitable outlet away from the proposed building.

Pavement Areas

The pavement areas should be graded in such a way that surface water will not pond and will drain to a suitable outlet.

GEOTECHNICAL RECOMMENDATIONS FOR CONSTRUCTION

Soldier Pile Installation

- Installation methods should minimize caving soils or loosening of soil at the bottom of the drilled shaft which can reduce the bearing capacity in the zone of disturbed soil. Groundwater increases the chances of soil disturbance.
- Tieback de-tensioning and shoring failure could occur if bearing capacity is inadequate and soldier piles settle under the vertical component of the inclined tieback load. We recommend that a Hart Crowser representative closely monitor soldier pile installation for these conditions so construction methods can be adjusted accordingly.
- The contractor should be prepared to case the soldier pile holes where loose soils or groundwater seepage could cause loss of ground. Fill soils can be especially prone to caving and may require casing. The actual need for casing should be determined in the field at the time of installation.
- If the shaft excavation contains water or slurry, the contractor should tremie concrete to the bottom of the hole. Lean mix, concrete, and controlled density fill should not be end-dumped through water or slurry.
- The contractor should be prepared to excavate the soldier piles in a manner that prevents heave or boiling at the bottom of the soldier pile excavation. It may be possible to over-drill the borehole and backfill the bottom of the borehole with structural concrete bearing on undisturbed soil.
- Drilling mud should not be used unless reviewed and approved by Hart Crowser and the structural engineer.

- Soldier pile shoring construction may be difficult if cobbles or loose sand and gravel are encountered in the excavation. If these conditions are encountered, substantial soil raveling could occur. If raveling soils are encountered, we recommend shaft construction methods such as slurry or temporary casing be used to minimize raveling and loss of soil.

Lagging Installation

- Prompt and careful installation of lagging, particularly in areas of seepage and loose soil, is important to maintain the integrity of the excavation. The contractor should be prepared to place lagging in small vertical increments and should also be prepared to backfill voids caused by ground loss behind the shoring system. The proper installation should be the responsibility of the shoring contractor to prevent soil failure or sloughing and loss of ground, and to provide safe working conditions.
- Voids greater than 1 inch should be backfilled with sand, pea gravel, or a porous slurry. The void spaces progressively as the excavation deepens. The backfill must not allow potential hydrostatic pressure buildup behind the wall. Drainage behind the wall must be maintained or hydrostatic water pressure should be added to the recommended lateral earth pressures.
- If there is a slope above the wall, extra lagging should be installed above the shoring wall to provide a partial barrier for material that could ravel down from the slope face and fall into the excavation.

Tieback Installation

- Structural grout should be pumped into the anchor zone using a grout hose or tremie hose placed at the bottom of the anchor.
- The portion of the tieback in the no-load zone should be filled with a non-cohesive mixture of sand-pozzolan-water or equivalent; or, a bond breaker such as plastic sheathing or a PVC pipe should be installed around the tie rods within the no-load zone.
- Tiebacks should be grouted and backfilled immediately after placing the anchor. To prevent collapse of the holes, ground loss, and surface subsidence, anchor holes should not be left open overnight.
- Care should be taken not to mine out large cavities in granular soil.
- Continuous cutting return should be maintained if pneumatic drilling techniques are used, so that air pressure is not channeled to nearby utility vaults, corridors, or subgrade slabs, which may be damaged by air pressure.
- Anchors should be installed to minimize ground loss and previously installed anchors should not be disturbed. During tieback drilling, wet or saturated zones may be encountered and caving or

blow-in could occur. Drilling with a casing may reduce the potential for these conditions and ground loss.

- Tiebacks should be tested to confirm the appropriateness of the anchor design values and to verify that a suitable installation is achieved. The recommended procedures for verification and proof-testing are provided below.

Recommendations for Tieback Testing

The tieback anchor testing program should include verification testing of select tiebacks and proof testing of all production tiebacks. We recommend that tieback testing be done in general accordance with the recommendations in the publication Recommendations for Prestressed Rock and Soil Anchors by the Post Tensioning Institute (PTI 2004) and the recommendations below.

Verification Tests

We recommend a minimum of two verification tests per soil type before installation of production anchors to validate the design pullout value. The geotechnical engineer will select the testing locations with input from the shoring subcontractor. The geotechnical engineer or shoring designer may require additional verification tests when creep susceptibility is suspected or when varying ground conditions are encountered.

Verification tiebacks should be installed by the same methods and personnel, using the same material and equipment, as the production tiebacks; the engineer will determine whether deviations require additional verification testing. At least two successful verification tests should be performed for each installation method and each soil type.

Verification tests load the tieback to 200 percent of the DL and include a 60-minute hold time at 150 percent of the DL. The tieback DLs will be on the shoring drawings. The tieback load should not exceed 80 percent of the steel's ultimate tensile strength. Verification test tiebacks should be incrementally loaded and unloaded using the schedule in Table 11.

Table 11 – Tieback Verification Test Schedule

Load Level	Hold Time
Alignment load	Until stable
0.25DL	10 min
0.5DL	10 min
0.75DL	10 min
1.0DL	10 min
1.25DL	10 min
1.5DL	60 min
1.75DL	10 min
2.0DL	10 min

The alignment load should be the minimum load required to align the testing assembly and should be less than 5 percent of the DL. The dial gauge should be zeroed after the alignment load has stabilized. Perform a creep test at 1.5DL by holding the load constant to within 50 psi and recording deflections at 1, 2, 3, 5, 6, 10, 20, 30, 50, and 60 minutes.

The acceptance criteria for a verification test are:

- The creep rate at 1.5DL is less than 0.08 inches between 6 and 60 minutes and the creep rate is linear or decreasing during the creep test;
- The total tieback displacement is greater than 80 percent of the theoretical elastic elongation of the design unbonded length plus the jack length; and
- The anchor does not pull out under repeated loading.

Proof Tests

Proof tests load the tieback to 1.33DL and include a 10-minute hold time at 1.33DL. The tieback DLs should be on the shoring drawings. The tieback load should not exceed 80 percent of the steel's ultimate tensile strength. Proof tests should be incrementally loaded and unloaded using the schedule in Table 12.

Table 12 – Tieback Proof Test Schedule

Load Level	Hold Time
Alignment load	Until stable
0.25DL	1 min
0.5DL	1 min
0.75DL	1 min
1.0DL	1 min
1.33DL	10 min

The alignment load should be the minimum load required to align the testing assembly and should be less than 5 percent of the design load. The dial gauge should be zeroed after the alignment load has stabilized.

The load should be held constant to within 50 psi and deflections recorded at 1, 2, 3, 5, 6 and 10 minutes. If the tieback deflection between 1 and 10 minutes at 1.33DL exceeds 0.04 inches, the load should be held for an additional 50 minutes and deflections recorded at 20, 30, 50, and 60 minutes.

The acceptance criteria for a proof test are:

- The creep rate at 1.33DL is less than 0.04 inches between 1 and 10 minutes or less than 0.08 inches between 6 and 60 minutes and the creep rate is linear or decreasing during the creep test;

- The total tieback displacement is greater than 80 percent of the theoretical elastic elongation of the design unbonded length plus the jack length; and
- The anchor does not pull out under repeated loading.

Shoring Monitoring

A shoring monitoring program provides early warning if the shoring does not perform as expected. The monitoring program should include a preconstruction survey, periodic surveys during construction, and a post-construction survey.

Preconstruction Survey

A preconstruction survey documents the condition of existing streets, utilities, and buildings. The survey should include video and/or photographic documentation. The size and location of existing cracks in streets and buildings should receive special attention and may be monitored with a crack gauge.

Construction Survey

We recommend adjacent building surveys, optical survey, and inclinometer survey be included in the shoring monitoring program during construction.

All monitoring data should be submitted to Hart Crowser for weekly review. The data will be included in our field transmittals to the project team during construction. Details of our expectations for shoring monitoring are included below.

Adjacent Building Surveys. We recommend that adjacent buildings be surveyed before, during, and after construction. The pre-construction survey will establish the baseline of existing conditions (e.g., identifying the size and locations of any cracks). The surveys should consist of a videotape and/or photographs of the interior and exterior of adjacent buildings and detailed mapping of all cracks. Any existing cracks could be monitored with a crack gauge.

Optical Surveying. We recommend optical surveys of horizontal and vertical movements of: (1) the surface of the adjacent streets, (2) buildings on and adjacent to the site, and (3) the shoring system itself. The contractor, in coordination with the geotechnical engineer, should establish two reference lines adjacent to the excavation at horizontal distances back from the excavation face of about $1/3 H$ and H , where H is the final excavation height. Typically, these lines will be established near the curb line and across the street from the excavation face. The points on the adjacent buildings can be set either at the base or on the roof of the buildings.

Shoring system monitoring should include measuring vertical and horizontal movement at the top of every other soldier pile, and any geotechnical instrumentation (e.g., inclinometers) used for the project.

The measuring system for the shoring monitoring should have an accuracy of at least 0.01 foot. All reference points on the ground surface should be installed and read before excavation begins. The frequency of readings will depend on the results of previous readings and the rate of construction. At a minimum, readings on the external points should be taken twice a week through construction until below-grade structural elements (floors, decks, columns, etc.) are completed, or as specified by the structural and geotechnical engineers. Readings on the top of soldier piles and the face of existing buildings on or adjacent to the property should be taken at least twice a week during this time. We recommend that an independent surveyor hired by the owner to record the data at least once per week with the other reading taken by the surveyor or contractor.

Inclinometer. We recommend installing at least one inclinometer casing behind each shoring wall. The final number and location of the casings should be coordinated with Hart Crowser and the contractor. Hart Crowser can be hired to install the casings behind the shoring using a subcontracted driller; or, the shoring contractor may install the inclinometer casings. We recommend inclinometer surveys at least once per week during shoring construction. After the perimeter footing has been placed and cured, Hart Crowser may elect to reduce the inclinometer survey frequency.

Post-Construction Survey

A post-construction survey includes reviewing the preconstruction survey and comparing it to post-construction conditions. The survey should include video and/or photographic documentation. Changes in the number, size and location of cracks in streets and buildings should be given special attention.

Foundation Construction

Hart Crowser must observe exposed subgrades before footing construction begins to confirm design assumptions about subsurface conditions and subgrade preparation.

The exposed subgrade should be carefully prepared and protected before concrete placement. Considering the high allowable bearing pressures, any loosening of the materials during construction could result in more settlement. It is important that foundation excavations be cleaned of loose or disturbed soil before placing any concrete and that there is no standing water in any foundation excavation. These conditions should be observed by our representative.

Maintain groundwater levels at least 2 feet below the base grade of the footing excavation at all times to prevent the risk of heave, piping, boiling, and other loss or disturbance of subgrade material. This groundwater level should be maintained until after the footing steel and concrete are placed.

Any loose or soft soils that occurs naturally or is disturbed during construction should be overexcavated and replaced with structural for footings. Any visible organic and other unsuitable material should be removed from the exposed subgrade.

It may be necessary to place a 2- to 4-inch-thick lean or structural concrete mat in footing excavations to protect subgrade soil from being softened by water or construction activities after it is exposed. Concrete may only be placed after the geotechnical engineer has checked the subgrade.

Lean mix concrete should be in accordance with 2011 City of Seattle Standard Specifications Section 6-02.3(2)D. Lean concrete should contain between 145 and 200 pounds of cement per cubic yard and have a maximum water-to-cement ratio of 2.

Earthwork

Site Preparation and Grading

We recommend conducting all site grading, paving, and any utility trenching during relatively dry weather conditions.

It may be necessary to relocate or abandon some utilities. Excavation of these utility lines will probably occur through backfill. Abandoned underground utilities should be removed or completely grouted. Ends of remaining abandoned utility lines should be sealed to prevent piping of soil or water into the pipe. Soft or loose backfill should be removed, and excavations should be backfilled with structural fill. Coordination with the utility agency is generally required.

Structural Fill

Backfill placed within the building area or below paved areas should be considered structural fill. We recommend the following for structural fill:

- For imported soil to be used as structural fill, a clean, well-graded sand or sand and gravel with less than 5 percent by weight passing the No. 200 mesh sieve (based on the minus 3/4-inch fraction) should be used. Compaction of soil containing more than about 5 percent fines may be difficult if the material is wet or becomes wet during rainy weather.
- All structural fill should be placed and compacted in lifts with a loose thickness no greater than 10 inches. For hand-operated “jumping jack” compactors, loose lifts should not exceed 6 inches. For small vibrating plate/sled compactors, loose lifts should not exceed 3 inches.
- All structural fill should be compacted to at least 95 percent of the modified Proctor maximum dry density (as determined by ASTM D1557 test procedure).
- The moisture content of the fill should be controlled to within 2 percent of the optimum moisture. Optimum moisture is the moisture content corresponding to the maximum Proctor dry density.
- In wet subgrade areas, clean material with a gravel content of at least 30 to 35 percent may be necessary. Gravel is material coarser than a US No. 4 sieve.
- Before filling begins, samples of the structural and drainage fill should be provided for laboratory testing. Laboratory testing will include a Proctor test and gradation for structural fill and a

gradation for drainage fill. Field testing with a nuclear density gauge uses the maximum dry density determined from a Proctor test so it is important to complete the laboratory testing as soon as possible so backfilling is not delayed.

Use of On-Site Soil as Structural Fill

Our explorations indicated that the near-surface site soil includes silty sand, silt, and clay; we do not recommend using these soils for structural fill. The deeper sand and gravel soils may be used, but they are likely to contain more than 5 percent fines; they will be moisture-sensitive and could be difficult to compact in wet weather.

Temporary Cuts

Because of the variables involved, actual slope grades required for stability in temporary cut areas can only be estimated before construction. We recommend that stability of the temporary slopes used for construction be the sole responsibility of the contractor, since the contractor is in control of the construction operation and is continuously at the site to observe the nature and condition of the subsurface. Excavations should be made in accordance with all local, state, and federal safety requirements.

For planning purposes, the soils across the site are likely OSHA Soil Classification Type C; however, the soil classification must be reevaluated at the time of construction.

The stability and safety of open trenches and cut slopes depend on a number of factors, including:

- Type and density of the soil;
- Presence and amount of any seepage;
- Depth of cut;
- Proximity of the cut to any surcharge loads near the top of the cut, such as stockpiled material, traffic loads, or structures;
- Duration of the open excavation; and
- Care and methods used by the contractor.

Considering these factors, we recommend:

- Using plastic sheeting to protect slopes from erosion; and
- Limiting the duration of open excavations as much as possible.

RECOMMENDATIONS FOR CONTINUING GEOTECHNICAL SERVICES

Before construction begins, we recommend that Hart Crowser continue to meet with the design team as needed to address geotechnical questions that may arise throughout the remainder of the design and permitting process. We also recommend that Hart Crowser review the project plans and specifications to confirm that the geotechnical engineering recommendations have been properly interpreted.

During construction, we recommend that Hart Crowser be retained to perform the following tasks:

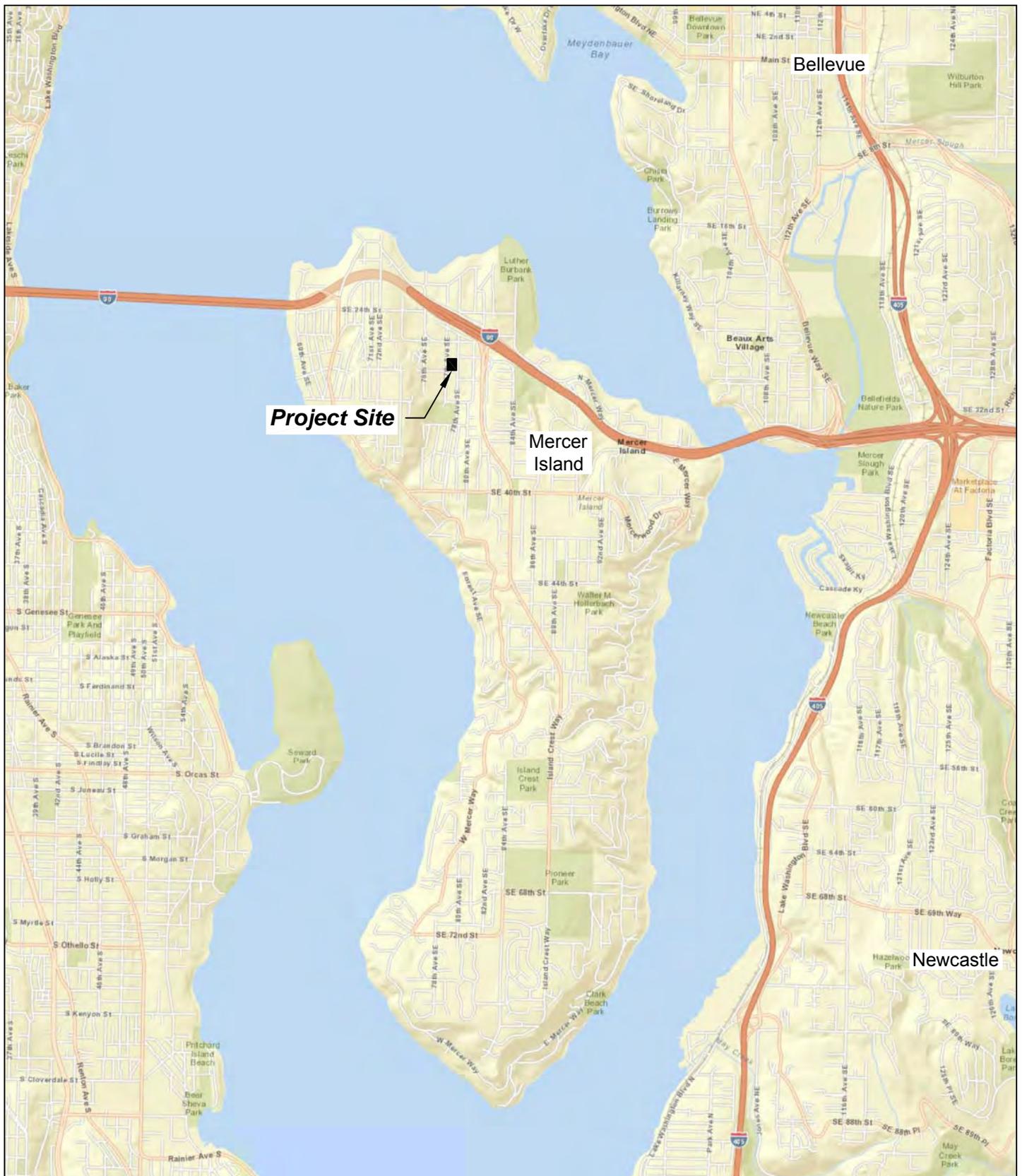
- Review contractor submittals;
- Observe shoring installation;
- Observe foundation installations;
- Observe foundation drainage installation;
- Perform other observations as required by the Seattle Department of Planning and Development;
- Attend meetings, as needed; and
- Provide geotechnical engineering support that may arise during construction.

REFERENCES

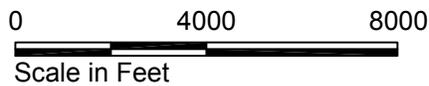
FHWA 1999. Geotechnical Engineering Circular No. 4, Ground Anchors and Anchored Systems. FHWA-IF-99-015. June 1999.

IBC 2012. International Building Code. International Code Council.

PTI 2004. Recommendations for Prestressed Rock and Soil Anchors, Third Edition. Post Tensioning Institute.



Source: Base map prepared from ArcGIS Online, 2013.



Mercer Island Multi-Family Development
Mercer Island, Washington

Vicinity Map

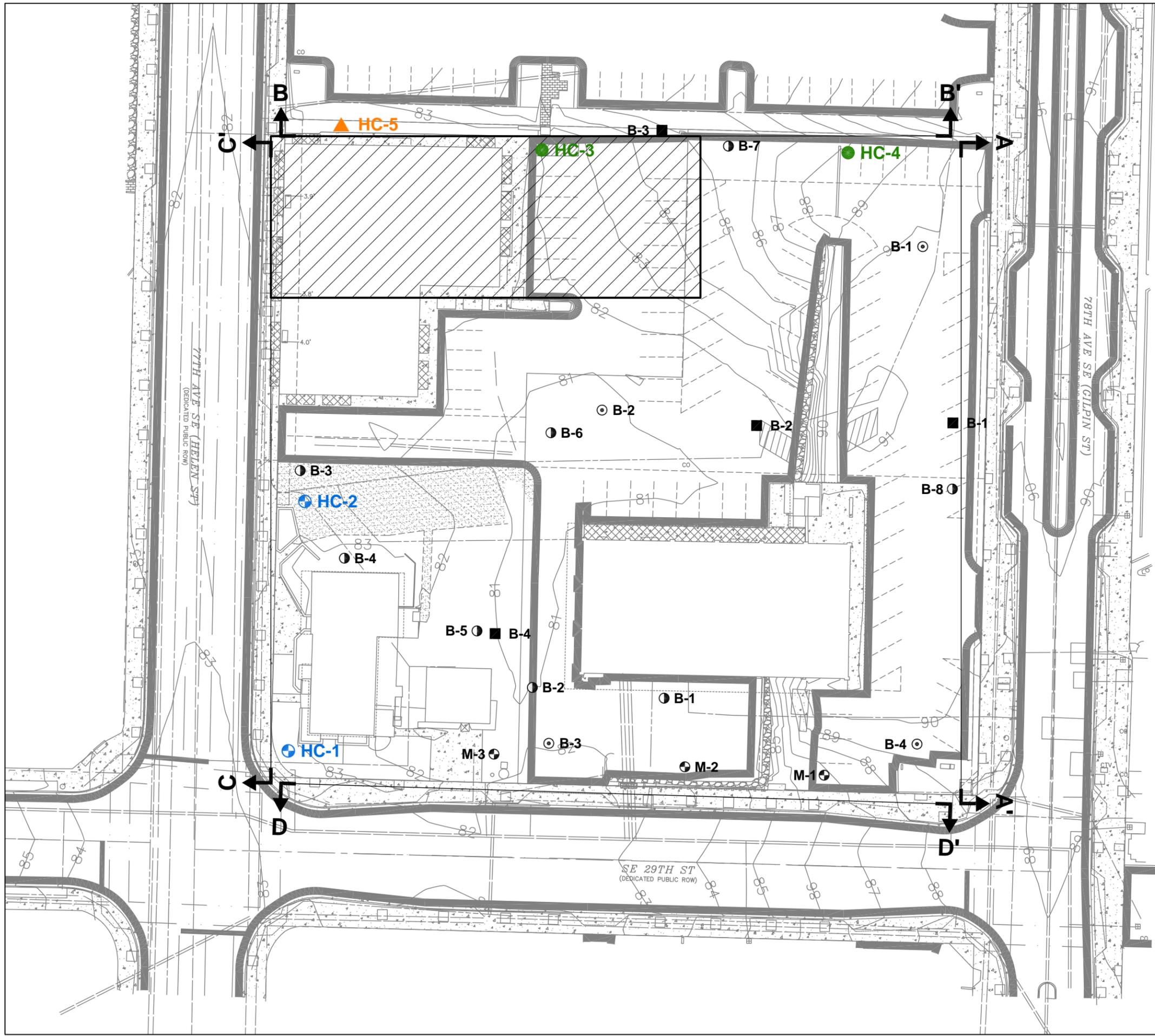
17984-01

12/14



Figure

1



- Current Exploration Location and Number
- HC-3 ● Boring (Hart Crowser)
 - HC-5 ▲ Hand Probe (Hart Crowser)
 - HC-1 ● Monitoring Well (Hart Crowser)

- Previous Exploration Location and Number
- B-1 ■ Boring (ABPB Consulting)
 - B-6 ● Push Probe (Farallon)
 - M-1 ● Monitoring Well (ABPB Consulting)
 - B-1 ⊙ Boring (Terra)

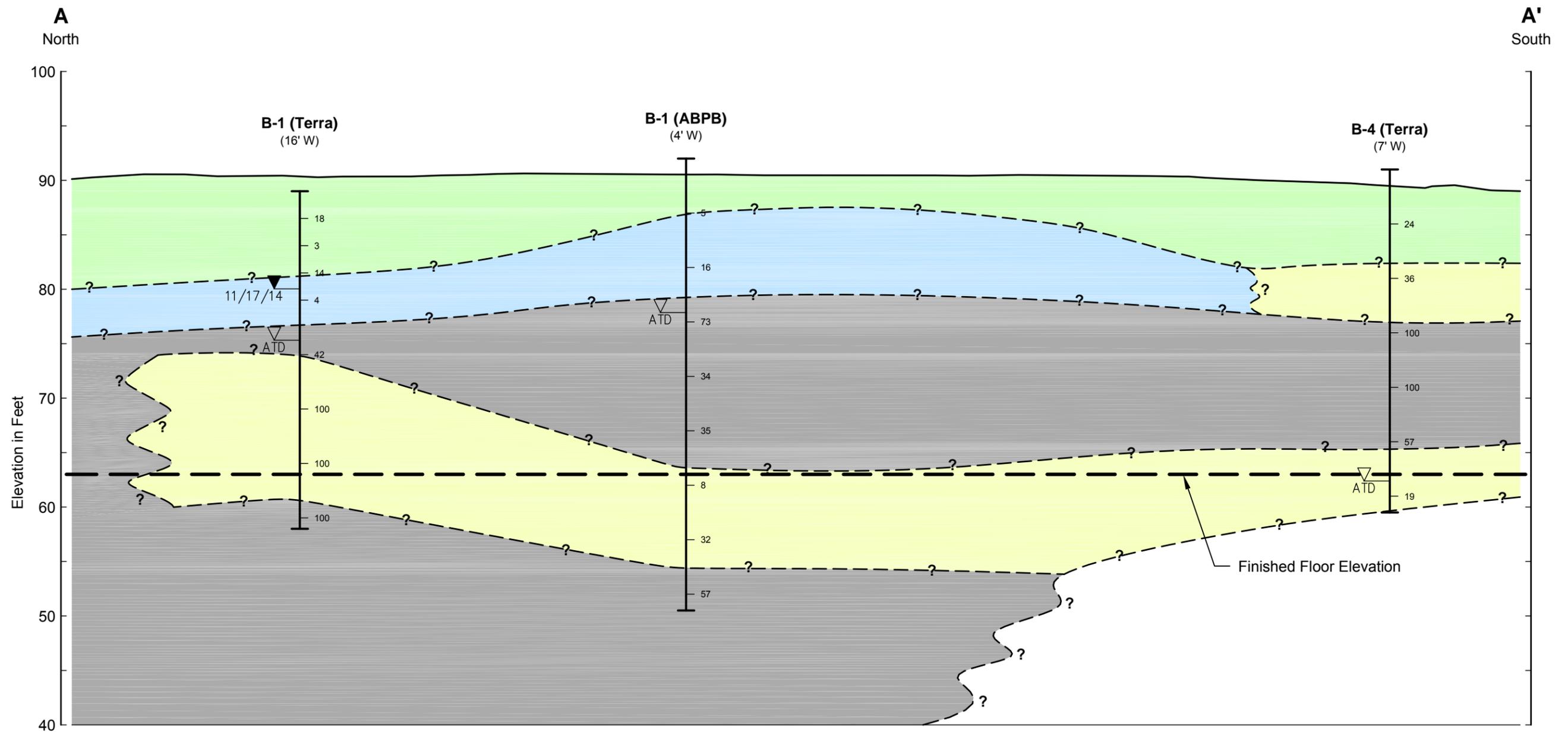
- A A' Approximate Cross Section Location and Designation
- Approximate Ramp Location



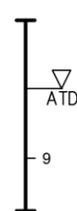
Source: Base map prepared from survey "XS-ALTA-02.dwg," created by Bush, Roed & Hitchings, dated 10/14/14.

Mercer Island Multi-Family Development Mercer Island, Washington	
Site and Exploration Plan	
17984-01	4/15
	Figure 2

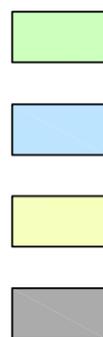
EAL 04/24/15 1798401-002.dwg



B-1 (Terra) Exploration Number
(16' W) (Offset Distance and Direction)



Exploration Location
 Water Level
 Standard Penetration Resistance in Blows per Foot



Unit 1
Loose to medium dense granular FILL, soft SILT, and PEAT

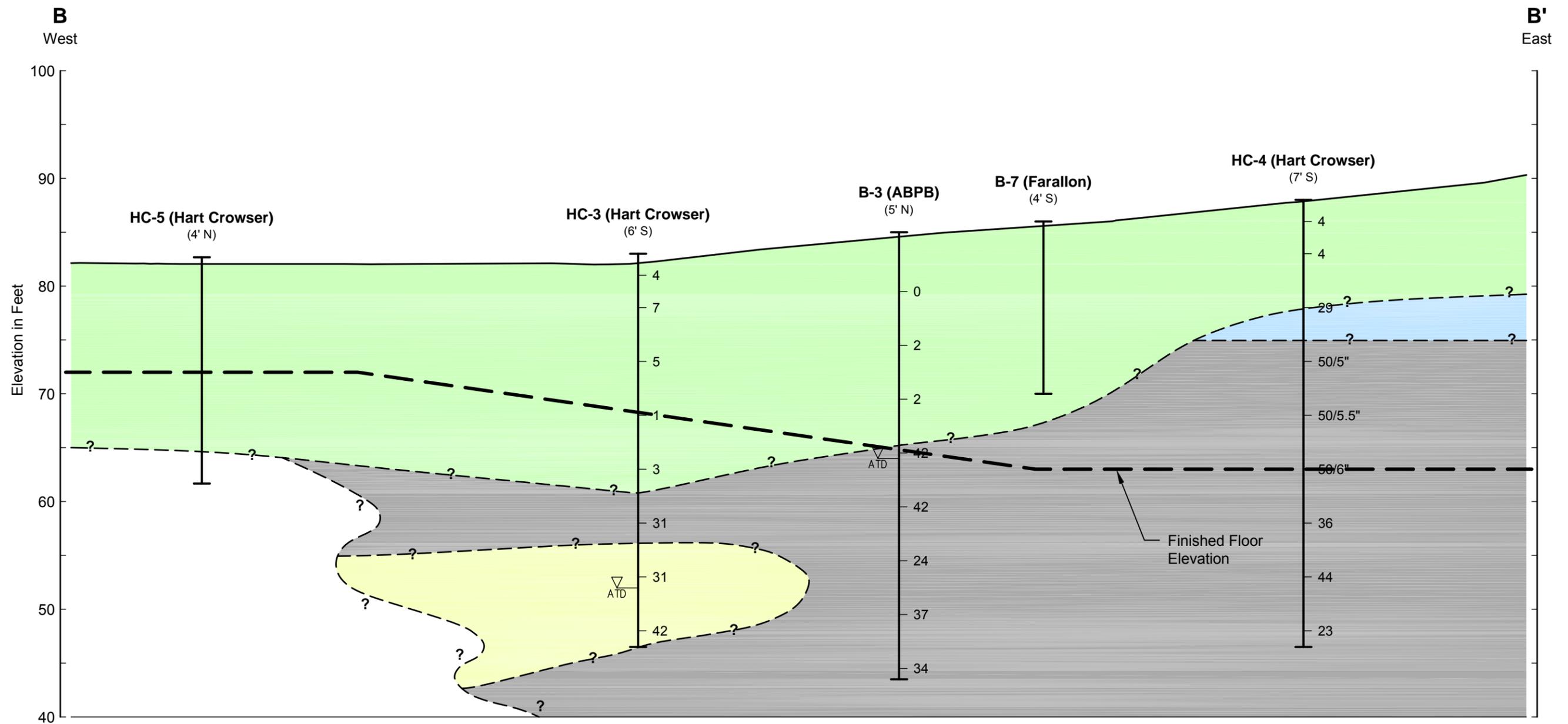
Unit 2
Medium stiff to hard SILT and silty CLAY

Unit 3
Medium dense to dense SAND and silty SAND

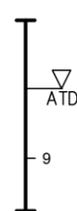
Unit 4
Hard SILT

Horizontal Scale in Feet
 0 20 40
 Vertical Scale in Feet
 0 10 20
 Vertical Exaggeration x 2

Mercer Island Multi-Family Development Mercer Island, Washington	
Generalized Subsurface Cross Section A-A'	
17984-01	4/15
	Figure 3



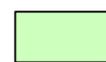
B-1 (Terra) (16' W)
Exploration Number
(Offset Distance and Direction)



Exploration Location

Water Level

Standard Penetration Resistance in
Blows per Foot



Unit 1
Loose to medium dense granular FILL, soft SILT, and PEAT



Unit 2
Medium stiff to hard SILT and silty CLAY



Unit 3
Medium dense to dense SAND and silty SAND



Unit 4
Hard SILT

Horizontal Scale in Feet
0 20 40
Vertical Scale in Feet
0 10 20
Vertical Exaggeration x 2

Mercer Island Multi-Family Development
Mercer Island, Washington

Generalized Subsurface Cross Section B-B'

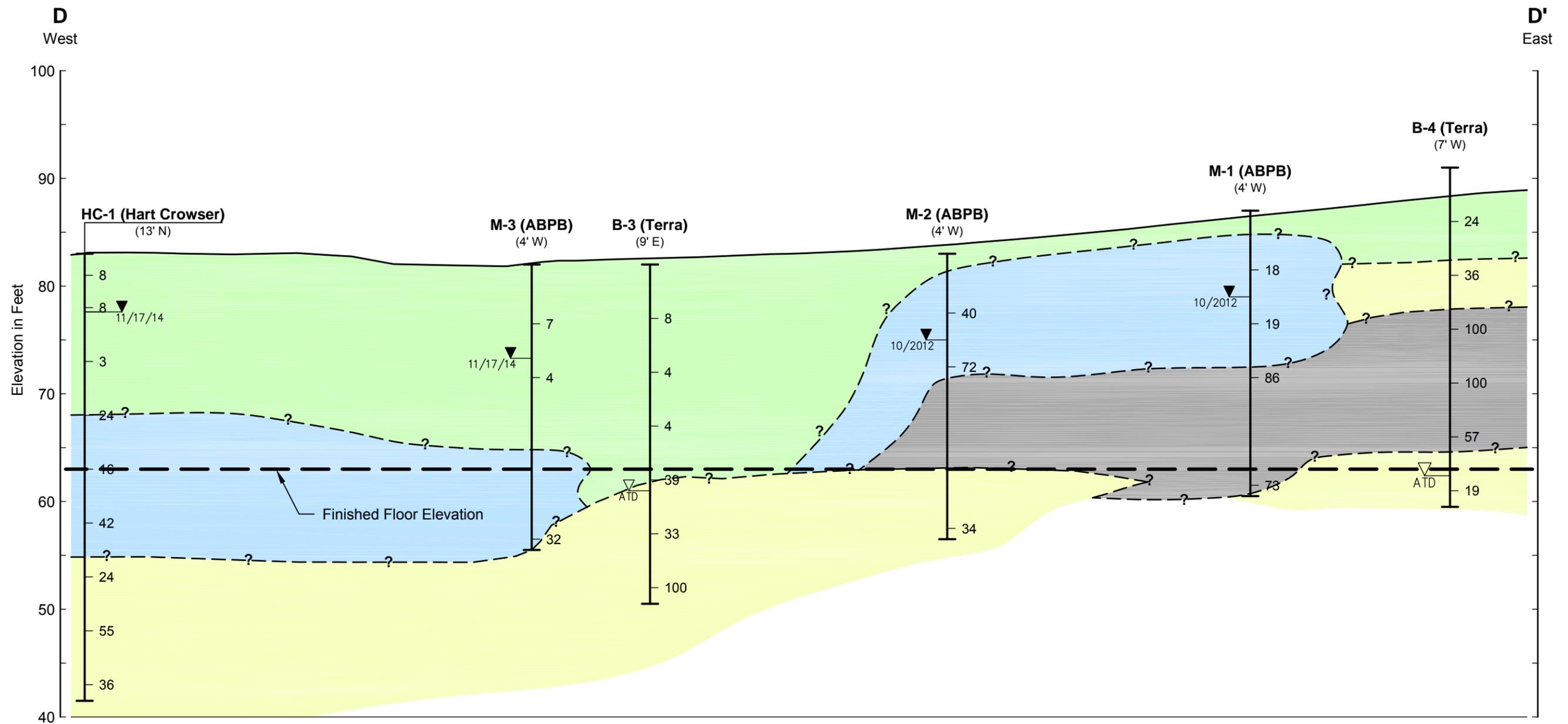
17984-01

4/15

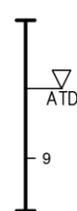


Figure

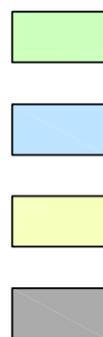
4



B-1 (Terra) (16' W)
Exploration Number
(Offset Distance and Direction)



Exploration Location
Water Level
Standard Penetration Resistance in Blows per Foot



Unit 1
Loose to medium dense granular FILL, soft SILT, and PEAT

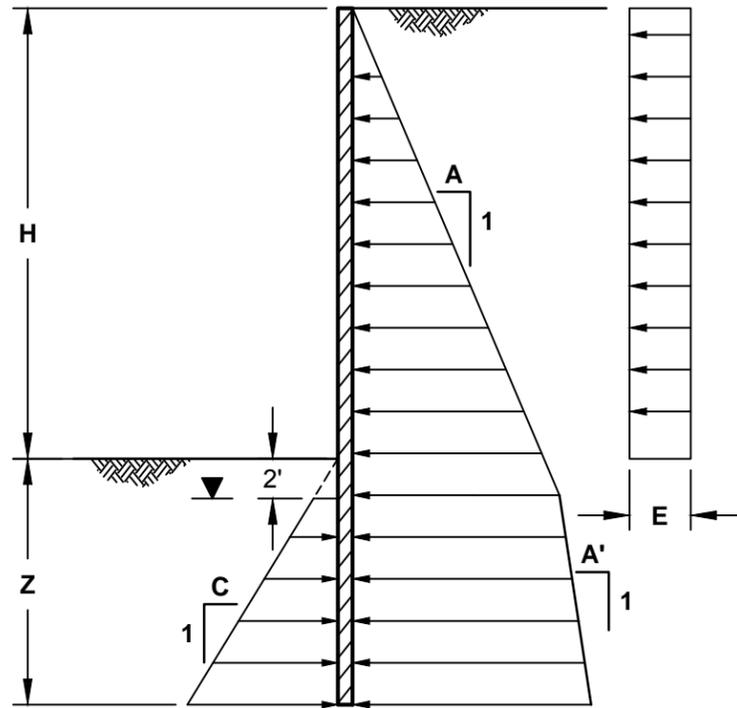
Unit 2
Medium stiff to hard SILT and silty CLAY

Unit 3
Medium dense to dense SAND and silty SAND

Unit 4
Hard SILT

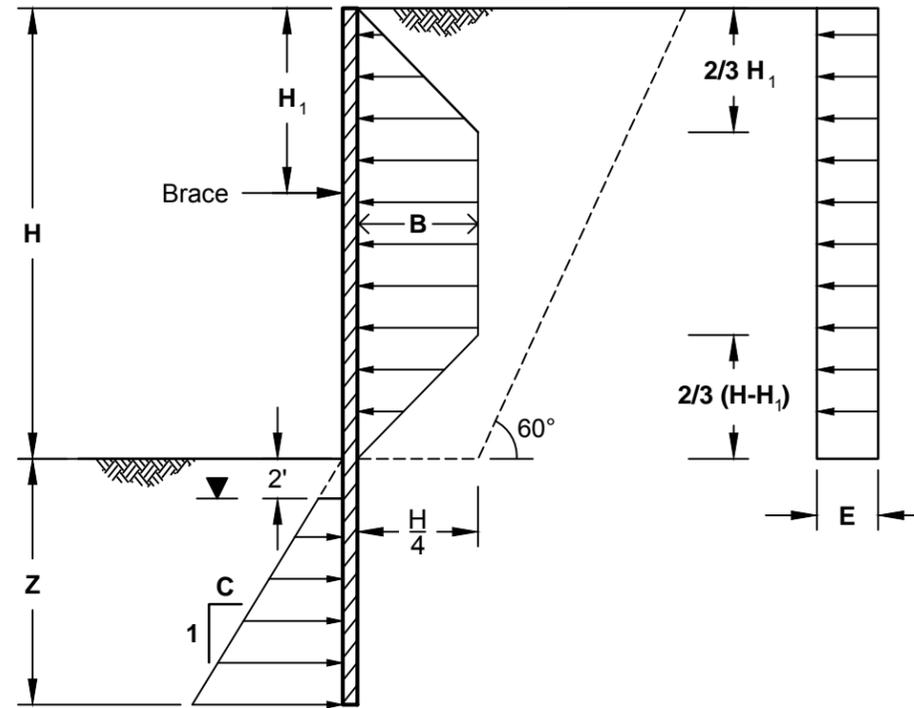
Horizontal Scale in Feet
0 20 40
Vertical Scale in Feet
0 10 20
Vertical Exaggeration x 2

Mercer Island Multi-Family Development Mercer Island, Washington	
Generalized Subsurface Cross Section D-D'	
17984-01	4/15
	Figure 6



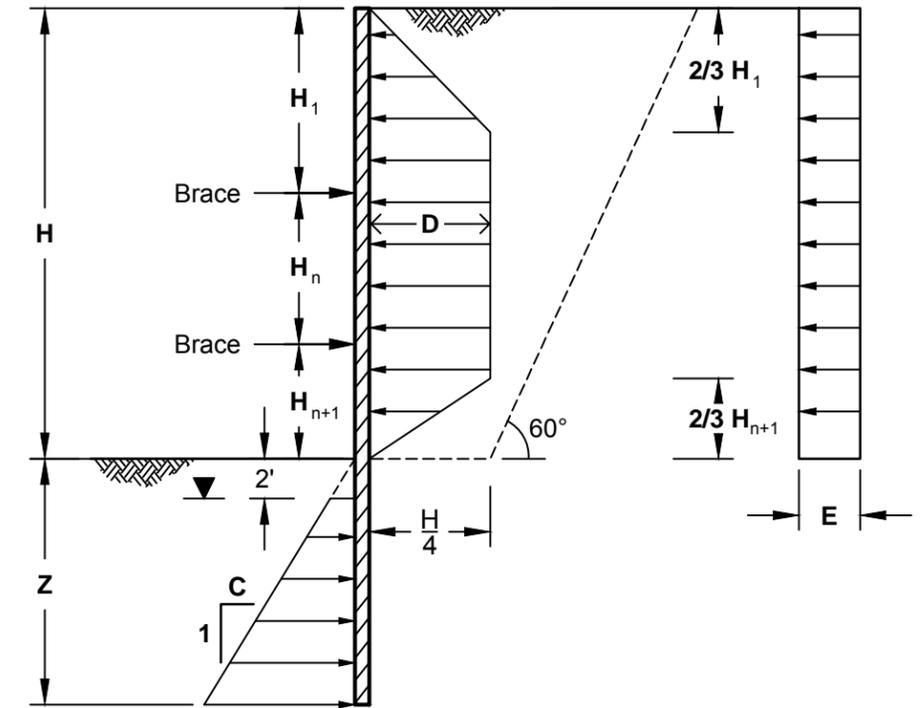
Passive Earth Pressure Active Earth Pressure Uniform Surcharge Pressure

Cantilever Soldier Pile



Passive Earth Pressure Apparent Earth Pressure Uniform Surcharge Pressure

Single Braced Wall



Passive Earth Pressure Apparent Earth Pressure Uniform Surcharge Pressure

Multiple Braced Wall

Recommended Lateral Earth Pressures

	A (Above GWT)	A' (Below GWT)	B	C (Above GWT)	C (Below GWT)	D	E
Active	42 pcf	21 pcf	42H psf	-	-	30H psf	85 psf
At-Rest	60 pcf	30 pcf	60H psf	-	-	45H psf	125 psf
Passive	-	-	-	300 pcf	175 pcf	-	-

Notes:

1. All earth pressures are in units of pounds per square foot.
2. Minimum recommended embedment (D) is 8 feet.
3. Passive pressures are allowable values and include a 1.5 factor of safety.
4. Passive pressure acts over 2.5 times the concreted diameter of the soldier pile or the the pile spacing, whichever is less.
5. Apparent earth pressure, active earth pressure, and surcharge act over the pile spacing above the base of the excavation.
6. Active pressure acts over the pile diameter below the excavation.
7. Additional surcharge from footings, large stockpiles, heavy equipment, etc., must be added to these pressures.
8. All dimensions are in feet.
9. Diagrams are not to scale.

Legend

- H Total Height of Excavation, Feet
- H₁ Depth to Uppermost Tieback, Feet
- H_n Height Between Tiebacks, Feet
- H_{n+1} Distance from Base of Excavation to Lowermost Tieback, Feet
- Z Embedment Depth, Feet
- A,B,C, ... Earth Pressure Factors, See Table
- No-Load Zone
- ▼ Groundwater Table (GWT)

Mercer Island Multi-Family Development
Mercer Island, Washington

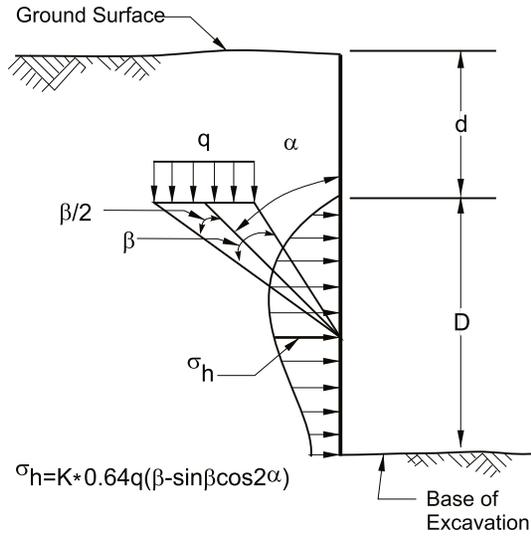
**Lateral Earth Pressures
Temporary Shoring**

17984-01 12/14

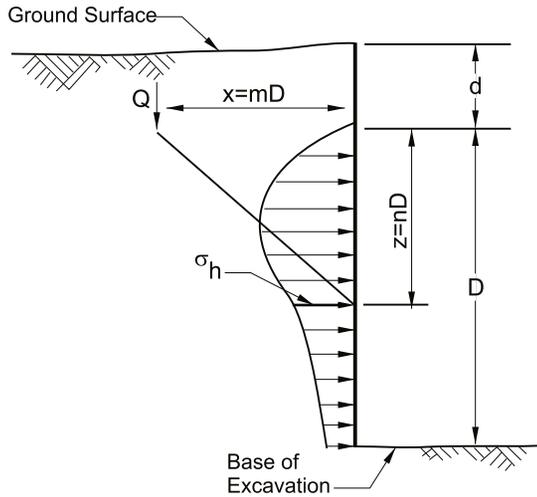
HARTCROWSER

Figure
7

**A. Strip Footing
Cross Section View**



**B(1). Small Isolated Footing
Cross Section View**



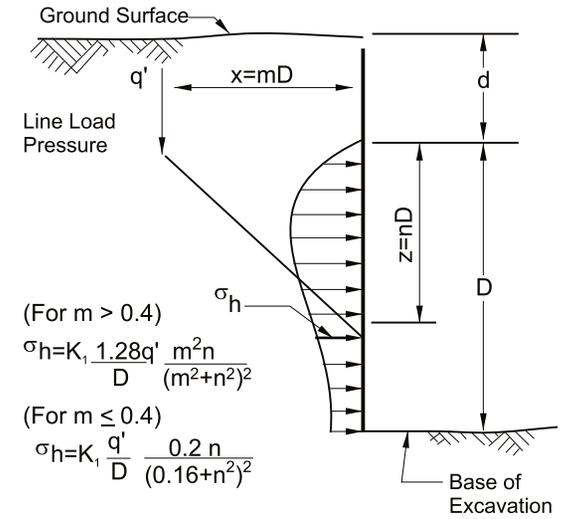
(For $m > 0.4$)

$$\sigma_h = K_1 \frac{1.77Q}{D^2} \frac{m^2 n^2}{(m^2 + n^2)^3}$$

(For $m \leq 0.4$)

$$\sigma_h = K_1 \frac{0.28Q}{D^2} \frac{n^2}{(0.16 + n^2)^3}$$

**C. Continuous Wall Footing
Parallel to Excavation
Cross Section View**



(For $m > 0.4$)

$$\sigma_h = K_1 \frac{1.28q' m^2 n}{D (m^2 + n^2)^2}$$

(For $m \leq 0.4$)

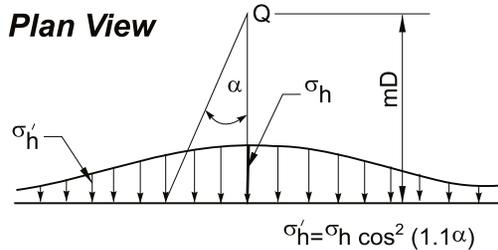
$$\sigma_h = K_1 \frac{q'}{D} \frac{0.2 n}{(0.16 + n^2)^2}$$

Definition and Units

- Q Footing Load in Pounds
- D Excavation Depth below Footing in Feet
- d Depth to Base of Footing in Feet
- σ_h Lateral Soil Pressure in PSF
- q Unit Loading Pressure in PSF
- q' Footing Load in Pounds per Foot
- α, β Radians

K_1	Conditions
0.35	Active earth pressure on a flexible wall (e.g., shoring)
0.5	At-rest conditions, where surcharge loads exist prior to excavation
1.0	At-rest conditions, where surcharge loads are applied after construction of permanent wall

B(2). Plan View



- Notes:
1. Lateral pressures from adjacent structures should be added to lateral pressures on Figures 7 and 9.
 2. Wall footings acting other than parallel to the excavation can be treated as series of discrete point loads, using Approach B.
 3. Contact Hart Crowser for surcharge recommendations, if necessary.

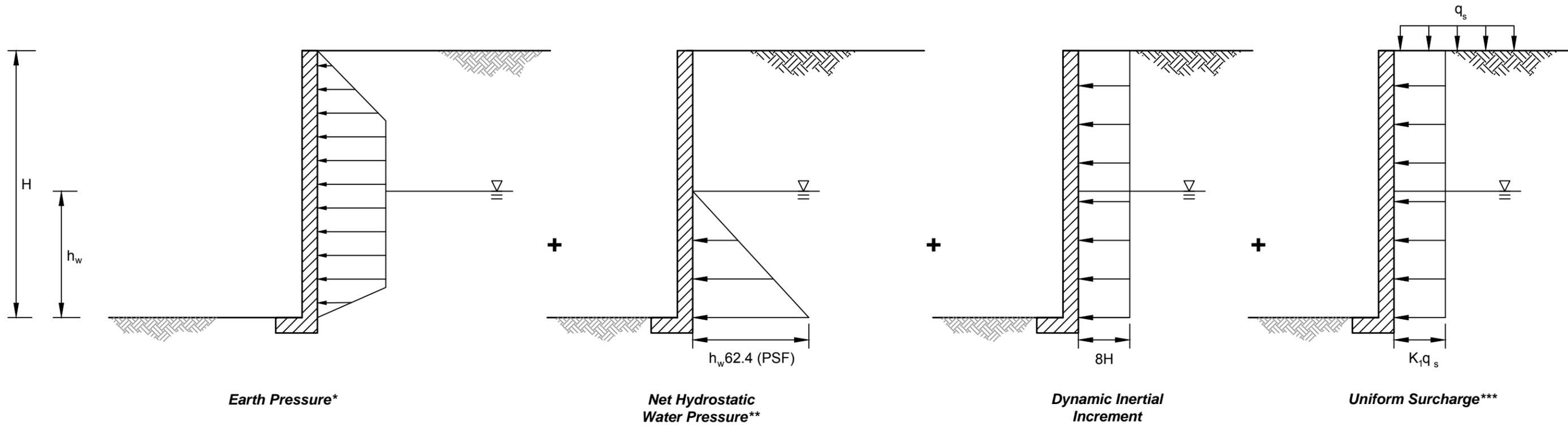
Mercer Island Multi-Family Development
Mercer Island, Washington

Surcharge Pressures Determination of Lateral Pressure Acting on Adjacent Shoring

17984-01

HART CROWSER

Figure 8
12/14



* The same earth pressure distributions determined for temporary shoring should be used for permanent walls constructed against shoring (See Figure 7).

** Neglect water pressure if permanently drained

*** See Figure 8 for K_1

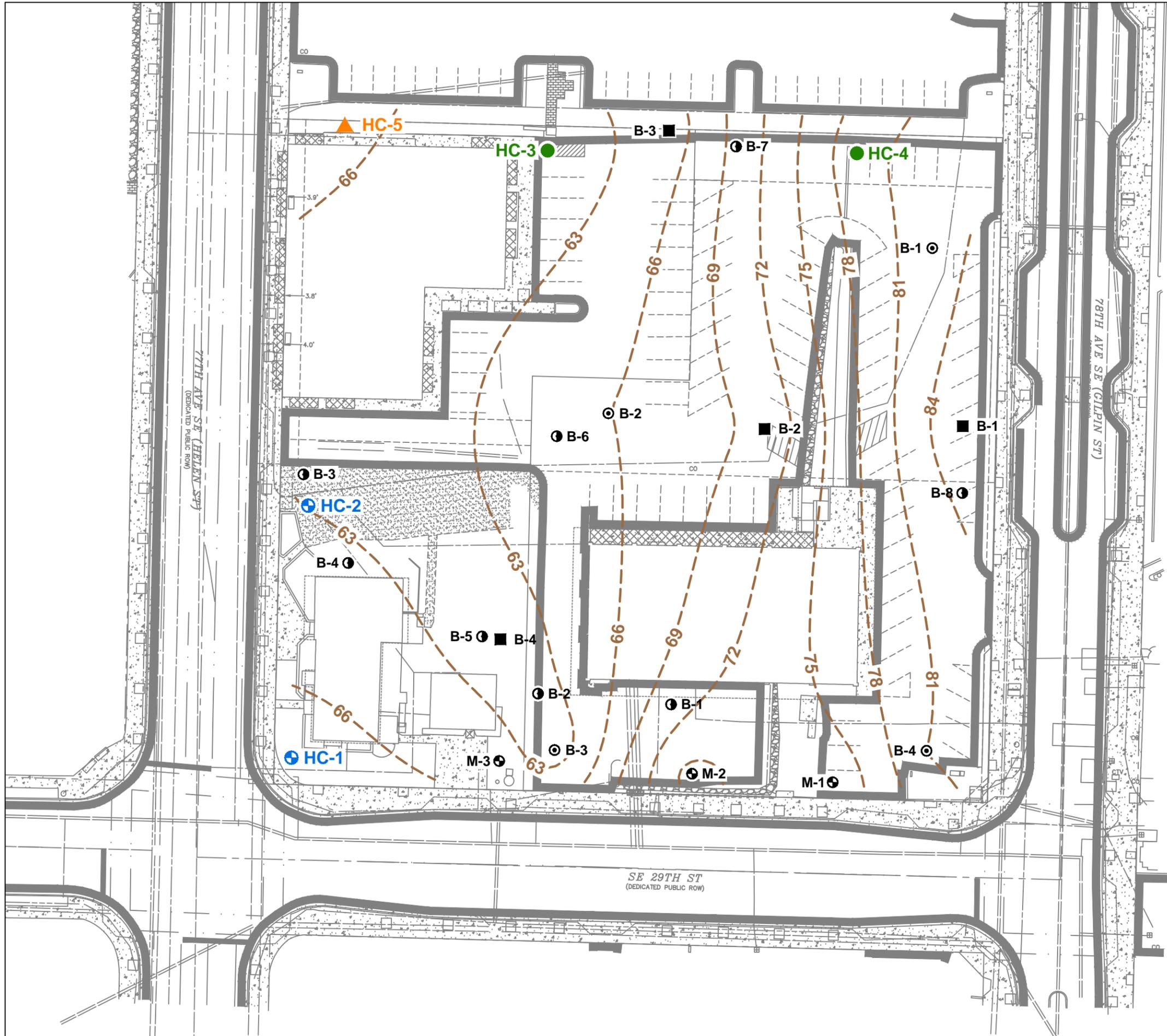
Legend

- H Height from bottom of excavation to ground surface in feet
- q_s Traffic surcharge
- h_w Depth of excavation below groundwater table
- ∇ Groundwater table

Notes

1. All pressures are in units of pounds per square foot.
2. Diagrams do not include surcharge loading due to adjacent structures; see Figure 8.
3. Diagrams not to scale.

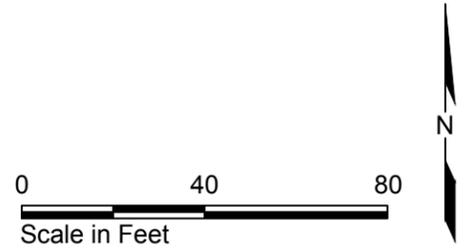
Mercer Island Multi-Family Development Mercer Island, Washington	
Lateral Pressures for Permanent Walls Constructed Against Shoring	
17984-01	12/14
	Figure 9



- Current Exploration Location and Number**
- HC-3** ● Boring (Hart Crowser)
 - HC-5** ▲ DCP (Hart Crowser)
 - HC-1** ⊕ Monitoring Well (Hart Crowser)

- Previous Exploration Location and Number**
- B-1** ■ Boring (ABPB Consulting)
 - B-6** ⊕ Push Probe (Farallon)
 - M-1** ⊕ Monitoring Well (ABPB Consulting)
 - B-1** ⊙ Boring (Terra)

84 - - - Top of Competent Soils Contour Elevation in Feet



Source: Base map prepared from survey "XS-ALTA-02.dwg," created by Bush, Roed & Hitchings, dated 10/14/14.

Mercer Island Multi-Family Development Mercer Island, Washington	
Elevation of Top of Competent Soils	
17984-01	12/14
	Figure 10

ATTACHMENT 1
Slug Test Results

MEMORANDUM

DATE: December 12, 2014

TO: Hines

FROM: Angie Goodwin, LHG
Roy Jensen, LHG

RE: **Summary of Mercer Island Multi-Family Development Slug Test Results
Mercer Island, Washington
17984-01**

This technical memorandum presents the results of slug testing that was conducted for the Mercer Island Multi-Family Development in Mercer Island, Washington. The development is located on the northwest corner of the intersection of SE 29th Street and 78th Avenue SE. We understand that current development plans include one to two stories of below grade parking and five levels of housing and mixed-use space plus rooftop mechanical equipment. Slug tests were performed to determine hydraulic conductivity of formation for use in estimating flow rates during dewatering.

Slug tests are performed by suddenly inserting or removing a solid PVC rod in a well and measuring the recovery of the water levels during the test. A test conducted by the insertion of the PVC rod into the well is referred to as a falling head test and the following removal of the rod is called a rising head test. The water level data generated from the tests were analyzed using the commercial software Aquifer^{Win32} Version 3 (Environmental Simulations, Inc., 2003). The slug test analysis is based on the Bouwer and Rice method (Bouwer and Rice 1976; Bouwer 1989) to obtain an estimated value of hydraulic conductivity of the aquifer.

Slug Testing Results

Slug testing was conducted in wells HC-1, HC-2, ABPB-M3, and Terra-B1 on November 17, 2014. A summary of monitoring well construction details is provided in Table 1. Shallow soils at the project site consist of Fill, silty Sand, and Silt units. The wells were screened in two stratigraphic units and are summarized below:

- HC-1 was screened in the Silt and silty Sand units;
- HC-2 was screened in the silty Sand unit;



- ABPB-M3 boring log did not identify the screened interval, but it was assumed the well was screened in the Silt and silty Sand units; and
- Terra-B1 was screened in the Silt unit.

A summary of slug testing results is provided in Table 2. The slug test plots are provided as Figures 1 through 6. Multiple sets of falling and rising head tests were performed on each well. The results of the falling and rising head tests compare favorably. Average hydraulic conductivities determined from slug tests range from 9.0×10^{-5} to 8.3×10^{-4} cm/sec (0.3 to 2.4 feet/day). This hydraulic conductivity range is typical for silt and silty sand (Freeze and Cherry 1979).

References

Bouwer H. 1989. The Bouwer and Rice Slug Test – An Update. *Ground Water* 27(3): 304-309.

Bouwer H. and R.C. Rice 1976. A Slug Test for Determining Hydraulic Conductivity of Unconfined Aquifers with Completely or Partially Penetrating Wells. *Water Resources Research* 12(3): 423-428.

Environmental Simulations, Inc. 2003. Guide to Using Aquifer^{Win32} Version 3.

Freeze, R.A. and J.A. Cherry 1979. *Groundwater*. Prentice-Hall, Englewood Cliffs, New Jersey.

Attachments:

Table 1 – Monitoring Well Construction Summary

Table 2 – Summary of Slug Test Results

Figure 1 – HC-1 and HC-2 Hydrographs

Figure 2 – ABPB-M3 and Terra-B1 Hydrographs

Figure 3 – HC-1 Representative Slug Tests Results

Figure 4 – HC-2 Representative Slug Tests Results

Figure 5 – ABPB-M3 Representative Slug Tests Results

Figure 6 – Terra-B1 Representative Slug Tests Results

Table 1 - Monitoring Well Construction Summary

Well ID	HC-1	HC-2	ABPB-M3	Terra-B1
Boring Depth in Feet	41.5	41.5	26.5	31
Well Depth in Feet	40	39	25	17
Screen Interval Depth in Feet	20 to 40	29 to 39	NA	7 to 17
Depth to Sediment in Feet (1)	39.95	36.74	23.10	16.54
Depth to Water in Feet (1)	5.38	5.43	2.75	8.71
Saturated Thickness in Feet	35	31	20	8
Screened Interval Soil Description	ML - SM	SM	ML - SM	ML

Notes:

(1) Depth to sediment and depth to water was measured on November 17, 2014.

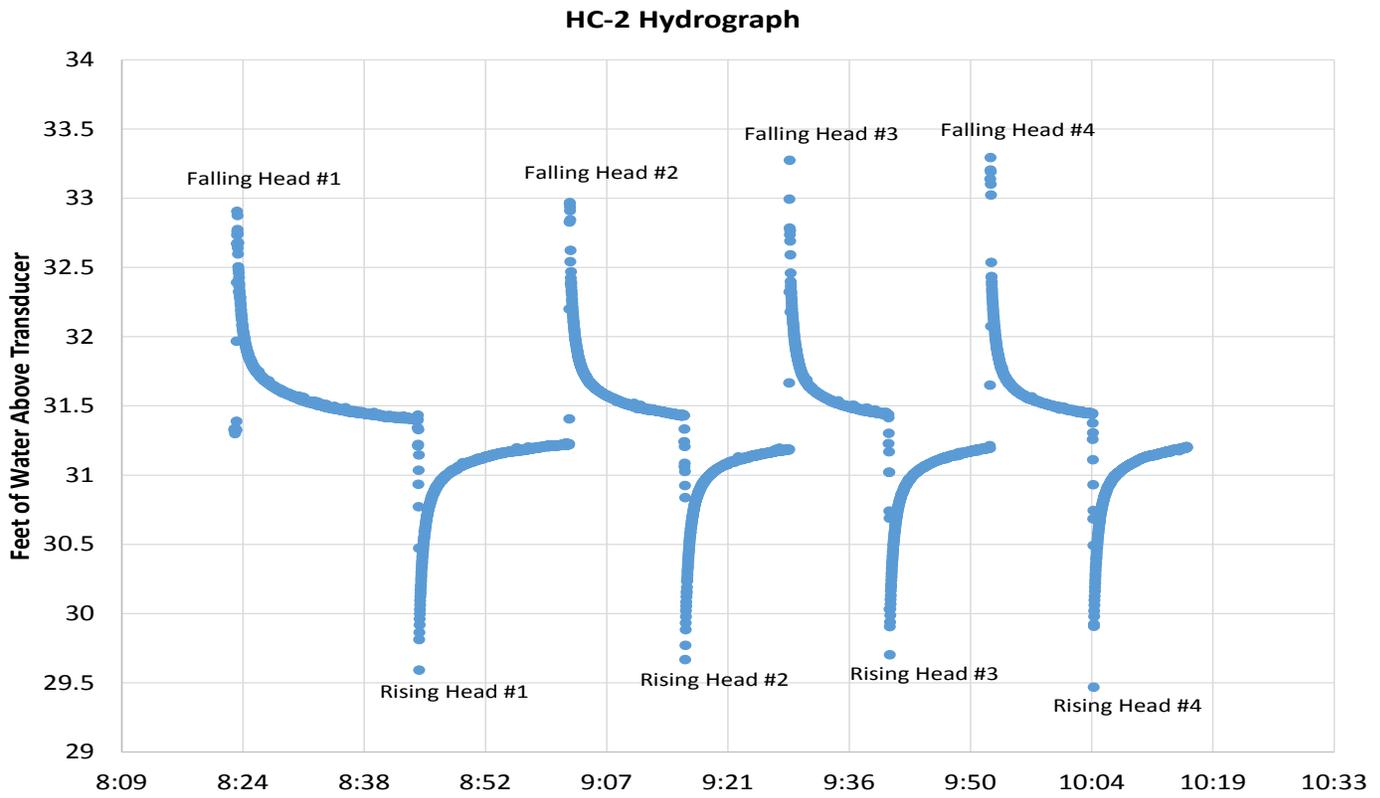
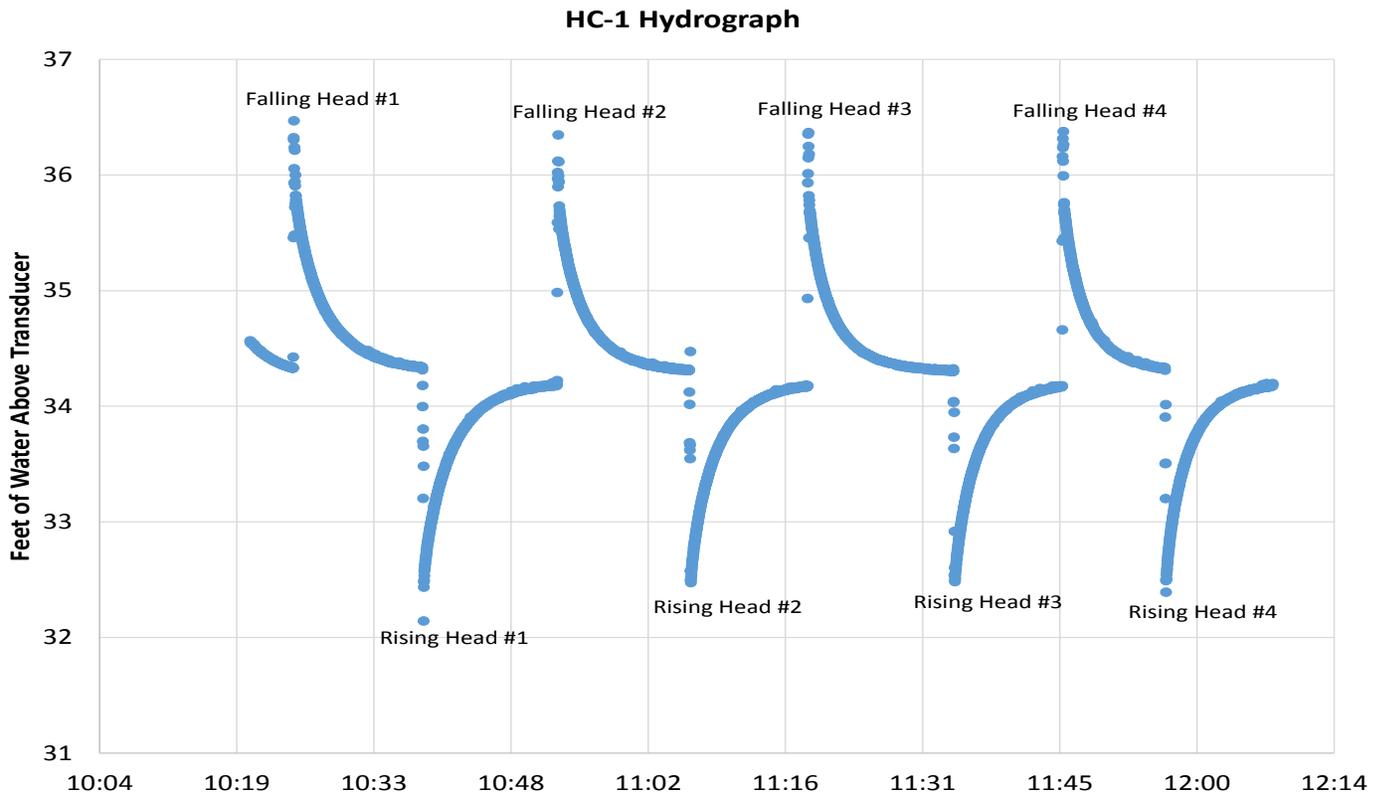
SM = Silty SAND

ML = Sandy SILT

NA = Data not available.

Table 2 - Summary of Slug Test Results

Well ID	Test Type	Test Number	Bouwer and Rice	
			K in ft/day	K in cm/sec
HC-1	Falling Head	Test 1	0.3	1.1E-04
	Rising Head	Test 1	0.4	1.4E-04
	Falling Head	Test 2	0.3	1.2E-04
	Rising Head	Test 2	0.4	1.5E-04
	Falling Head	Test 3	0.4	1.5E-04
	Rising Head	Test 3	0.4	1.5E-04
	Falling Head	Test 4	0.4	1.4E-04
	Rising Head	Test 4	0.4	1.5E-04
	<i>Average</i>		<i>0.4</i>	<i>1.4E-04</i>
HC-2	Falling Head	Test 1	2.4	8.4E-04
	Rising Head	Test 1	2.6	9.2E-04
	Falling Head	Test 2	2.1	7.5E-04
	Rising Head	Test 2	2.2	7.7E-04
	Falling Head	Test 3	2.6	9.3E-04
	Rising Head	Test 3	2.4	8.6E-04
	Falling Head	Test 4	1.9	6.6E-04
	Rising Head	Test 4	2.7	9.4E-04
	<i>Average</i>		<i>2.4</i>	<i>8.3E-04</i>
ABPB-M3	Falling Head	Test 1	1.8	6.3E-04
	Rising Head	Test 1	1.8	6.2E-04
	Falling Head	Test 2	1.8	6.5E-04
	Rising Head	Test 2	1.9	6.6E-04
	Falling Head	Test 3	1.6	5.7E-04
	Rising Head	Test 3	1.9	6.8E-04
	Falling Head	Test 4	1.9	6.7E-04
	Rising Head	Test 4	2.1	7.3E-04
	<i>Average</i>		<i>1.8</i>	<i>6.5E-04</i>
Terra-B1	Falling Head	Test 1	0.2	5.7E-05
	Rising Head	Test 1	0.5	1.8E-04
	Falling Head	Test 2	0.1	3.1E-05
	Rising Head	Test 2	0.3	1.2E-04
	Falling Head	Test 3	0.2	5.3E-05
	Rising Head	Test 3	0.3	1.1E-04
	Falling Head	Test 4	0.2	6.5E-05
	Rising Head	Test 4	0.3	1.0E-04
	<i>Average</i>		<i>0.3</i>	<i>9.0E-05</i>



Mercer Island Multi-Family Development
Mercer Island, Washington

HC-1 and HC-2 Hydrographs

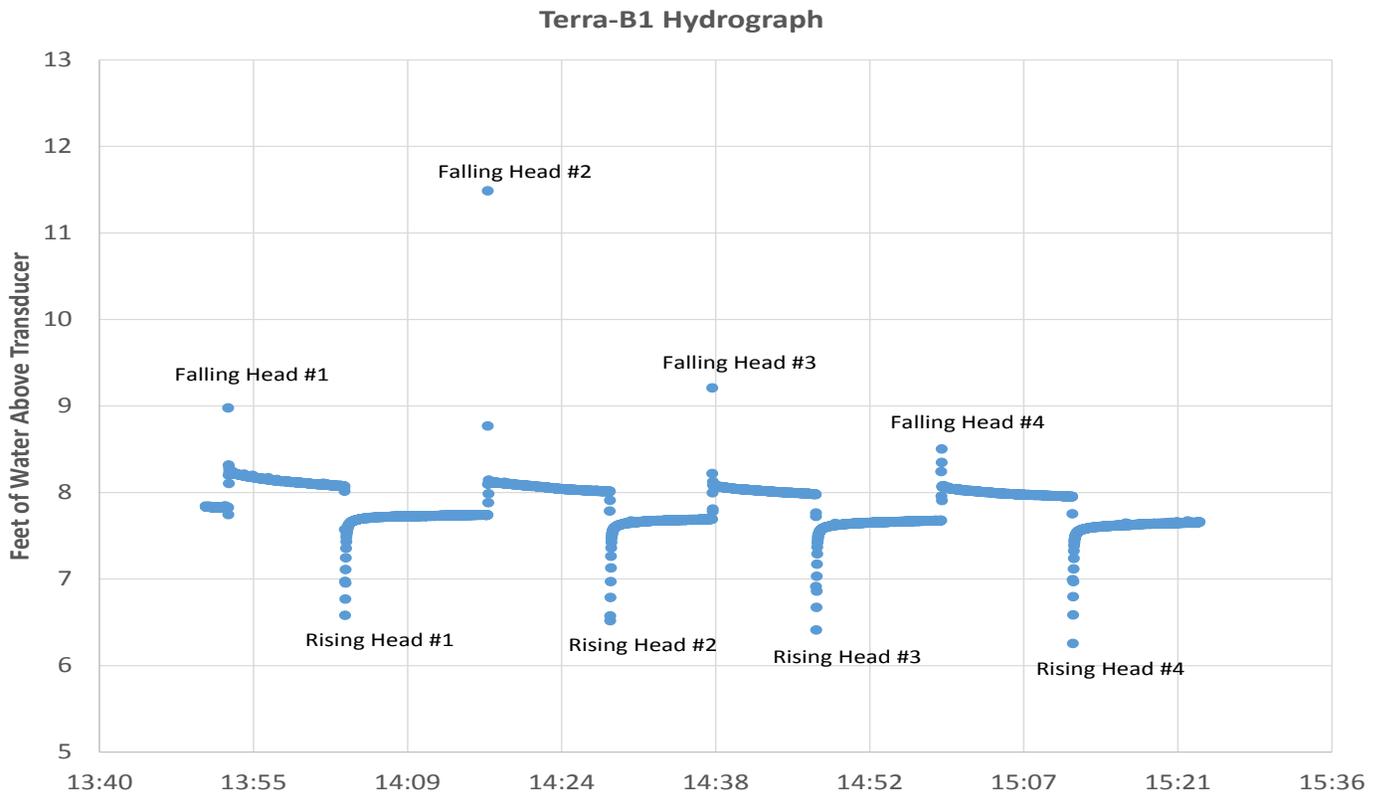
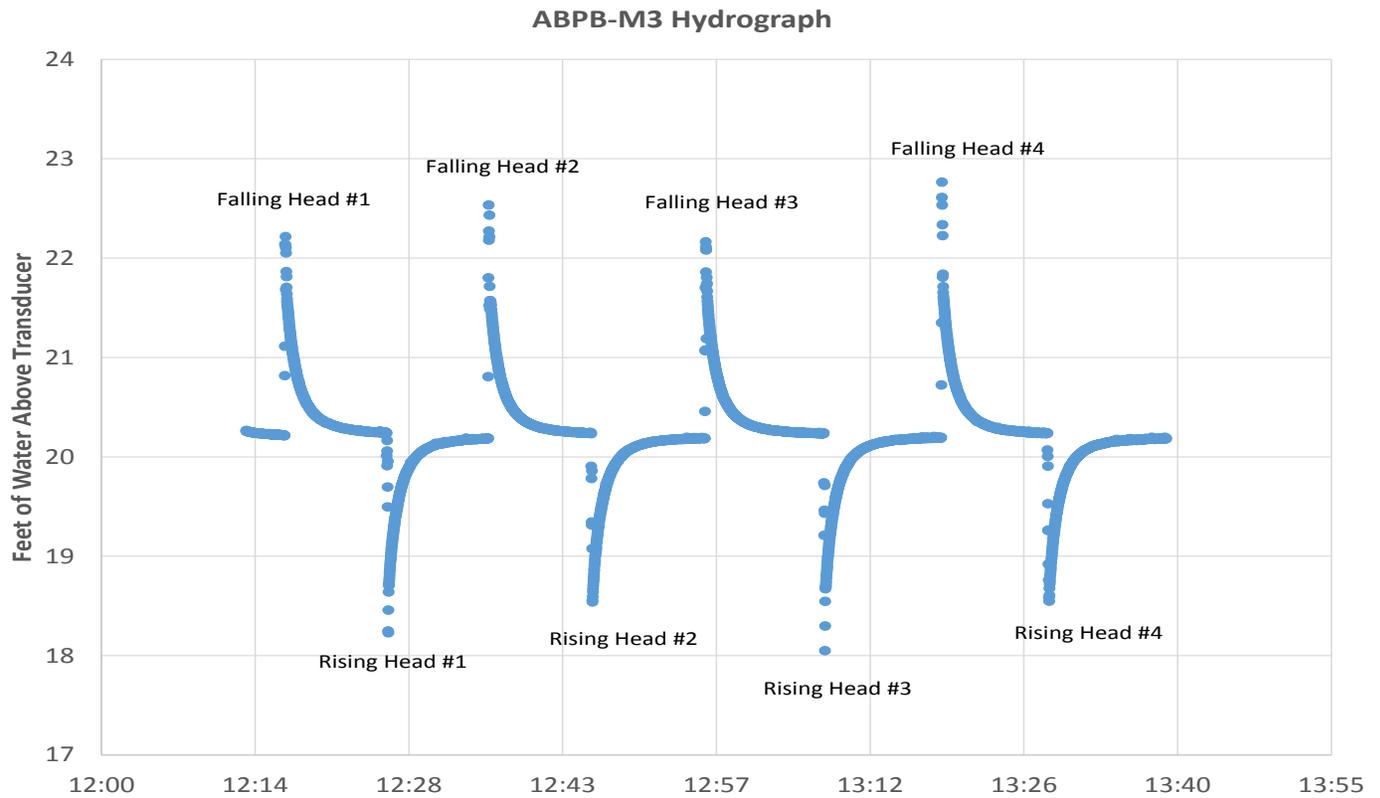
17984-01

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Figure

1



Mercer Island Multi-Family Development
Mercer Island, Washington

ABPB-M3 and Terra B-1 Hydrographs

17984-01

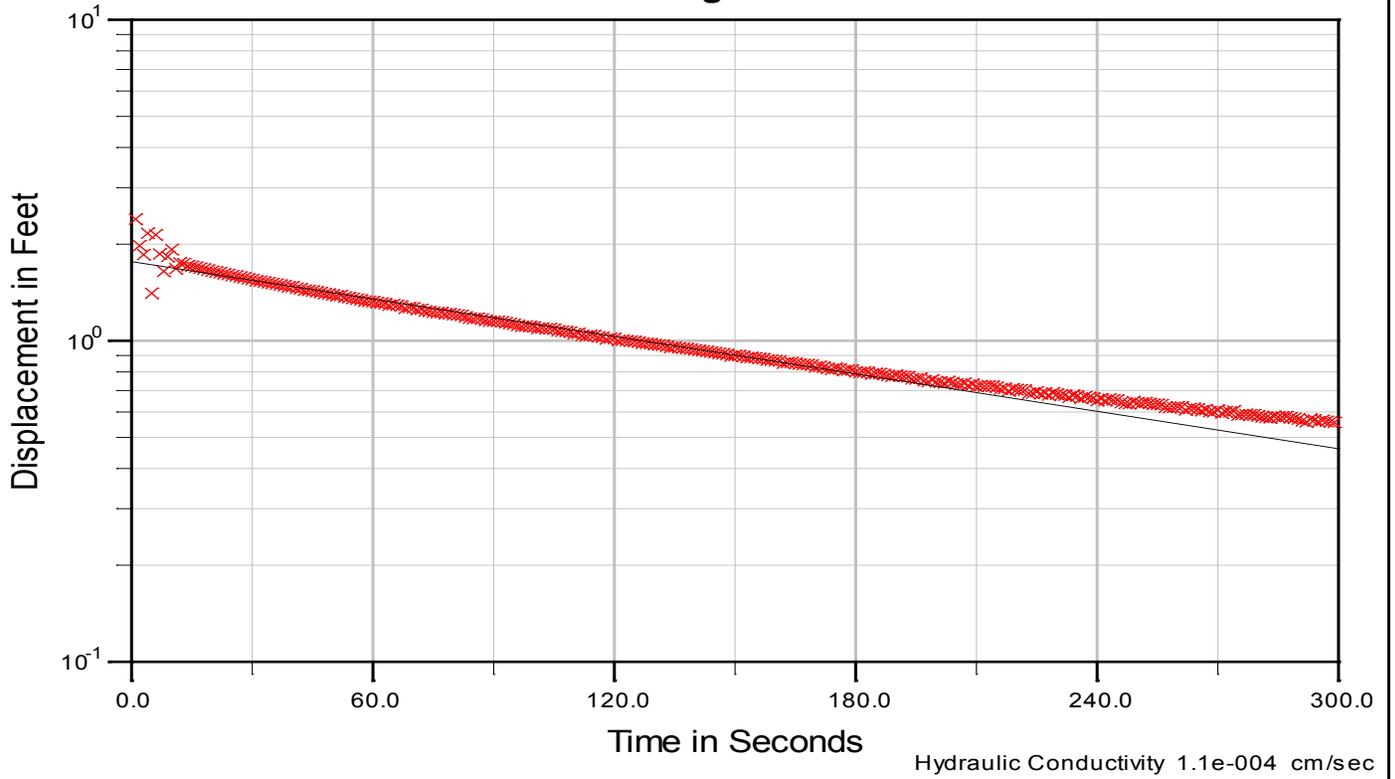
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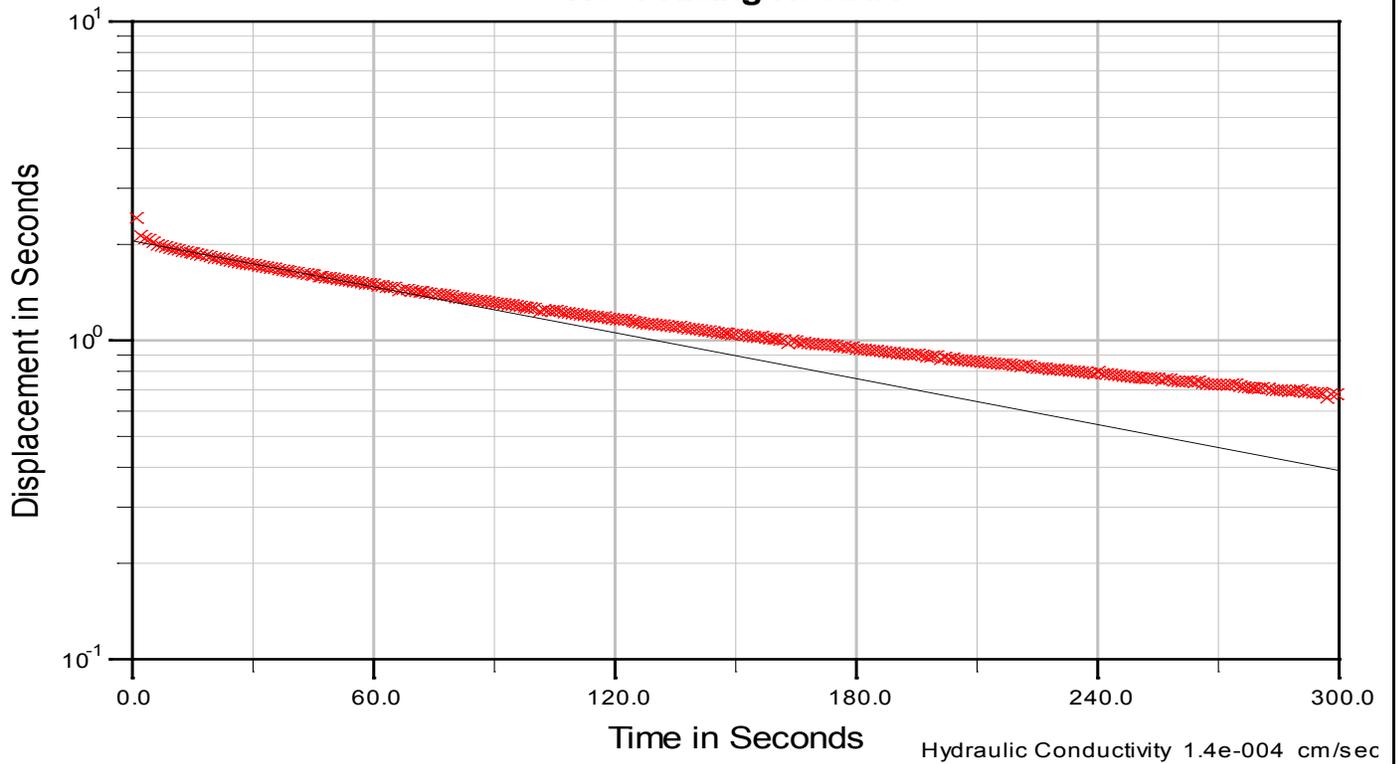
Figure

2

HC-1 Falling Head Test #1



HC-1 Rising Head #1



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Note:
Bouwer and Rice method was used for the slug test analysis.

Mercer Island Multi-Family Development
Mercer Island, Washington

HC-1 Representative Slug Tests Results

17984-01

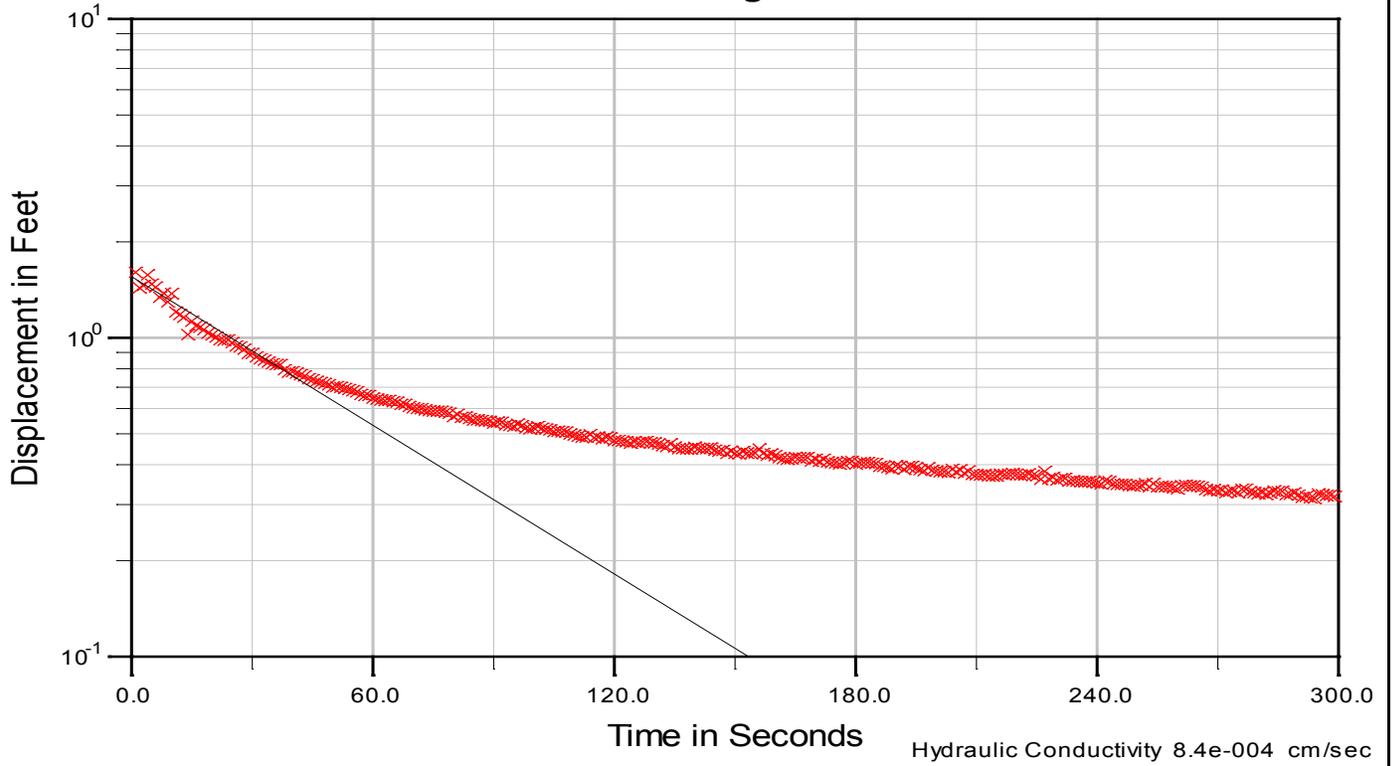
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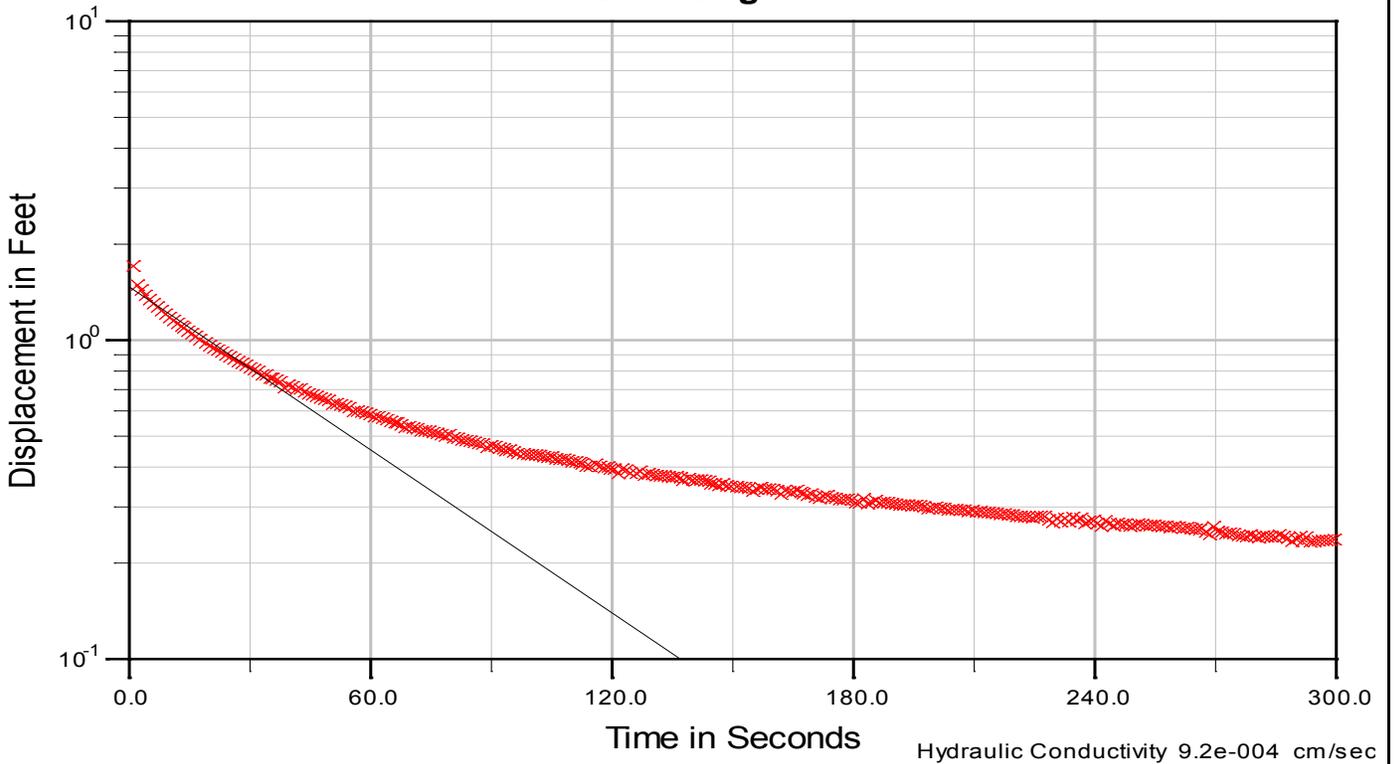
Figure

3

HC-2 Falling Head #1



HC-2 Rising Head #1



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Note:
Bouwer and Rice method was used for the slug test analysis.

Mercer Island Multi-Family Development
Mercer Island, Washington

HC-2 Representative Slug Tests Results

17984-01

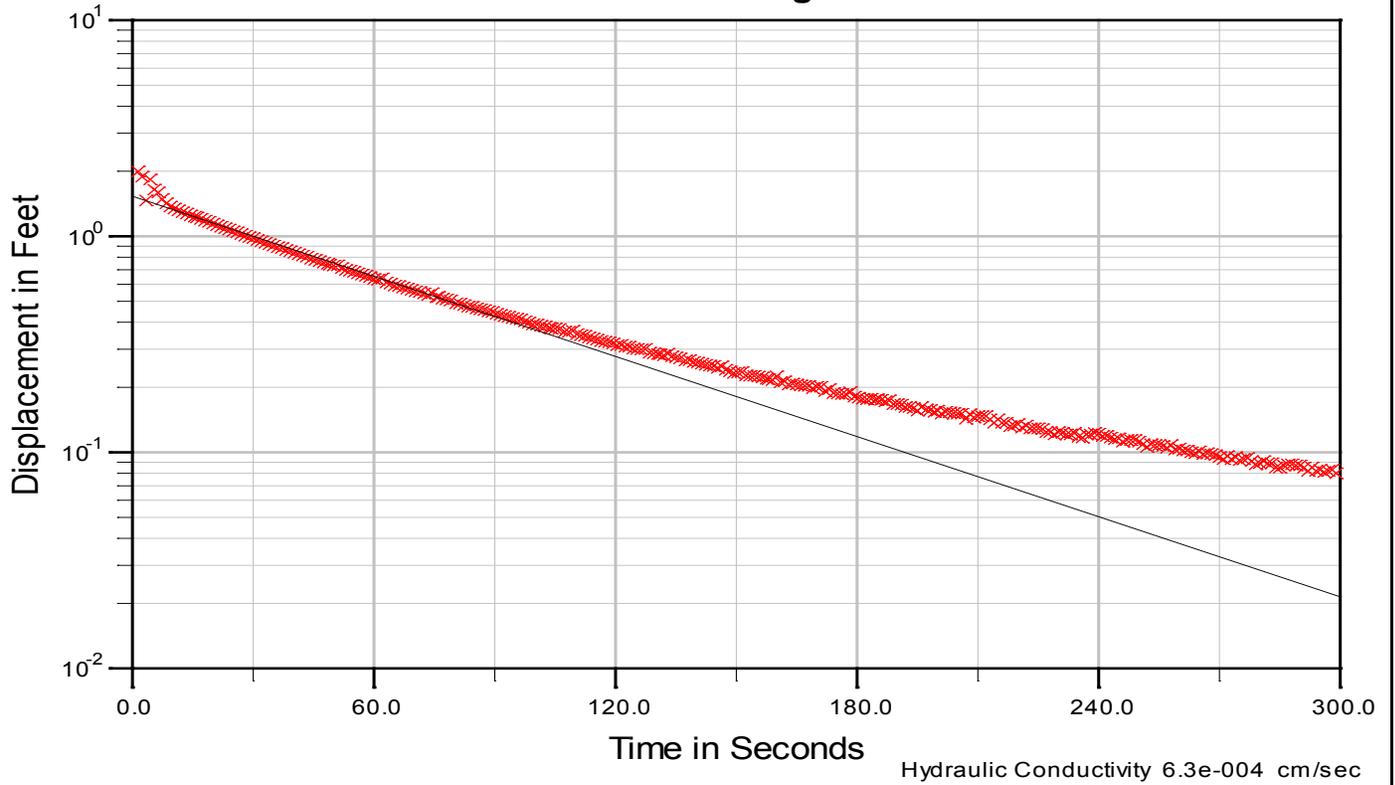
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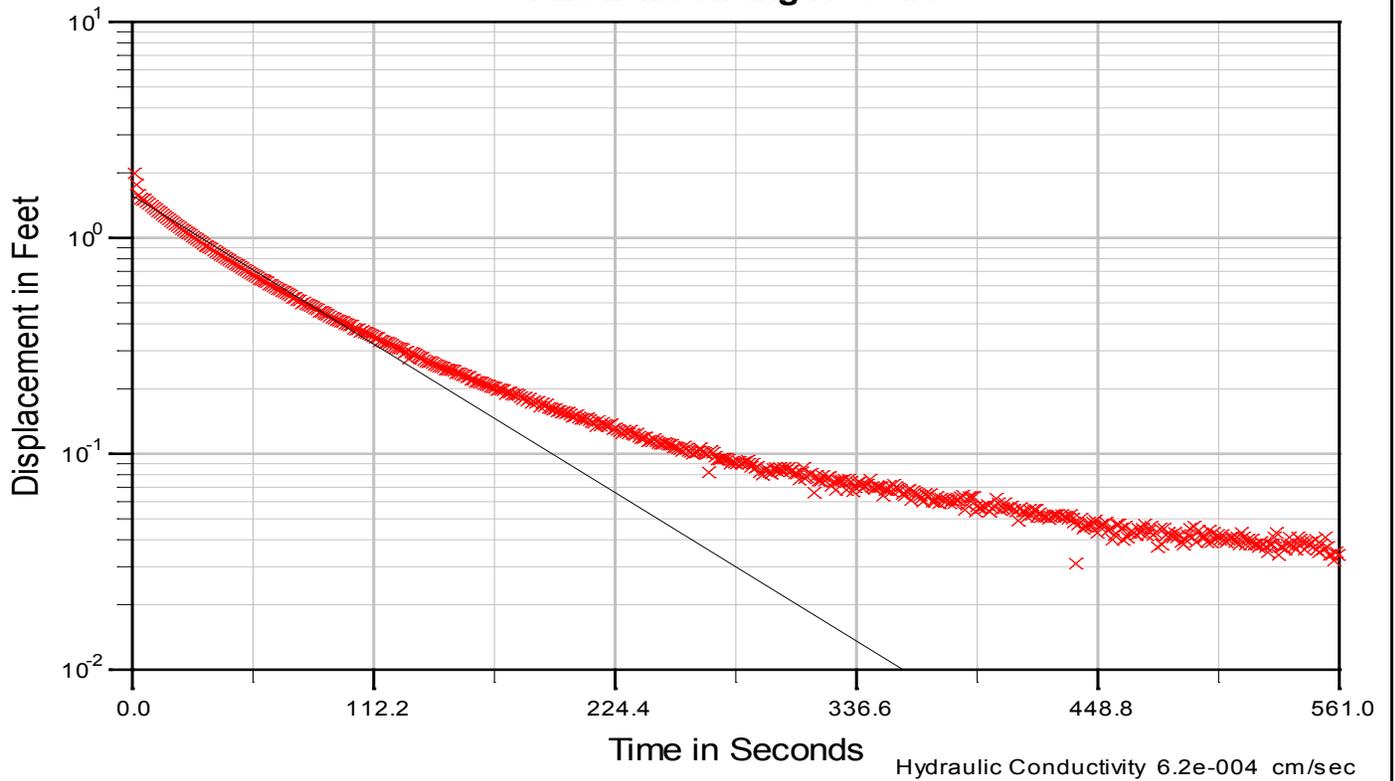
Figure

4

ABPB-M3 - Falling Head #1



ABPB-M3 Rising Head #1



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Note:
Bouwer and Rice method was used for the slug test analysis.

Mercer Island Multi-Family Development
Mercer Island, Washington

ABPB-M3 Representative Slug Tests Results

17984-01

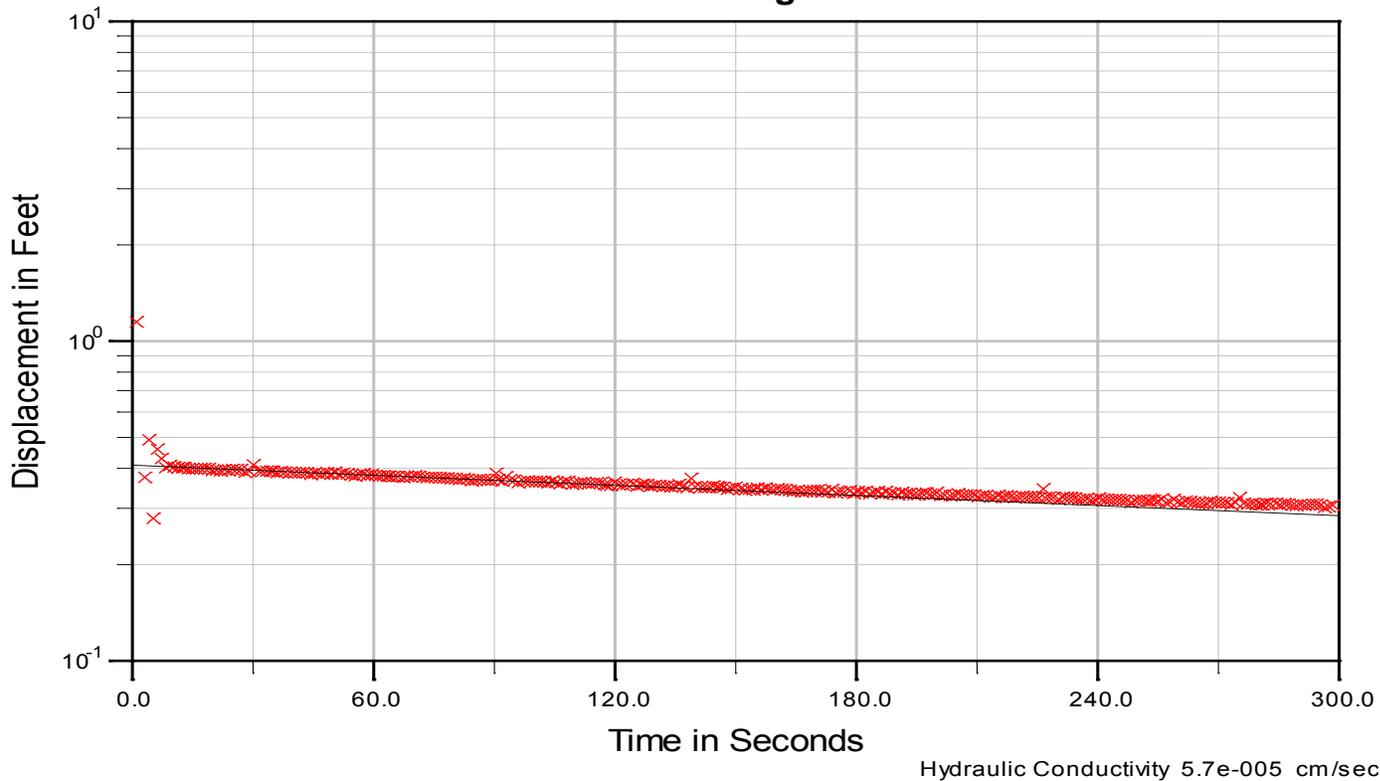
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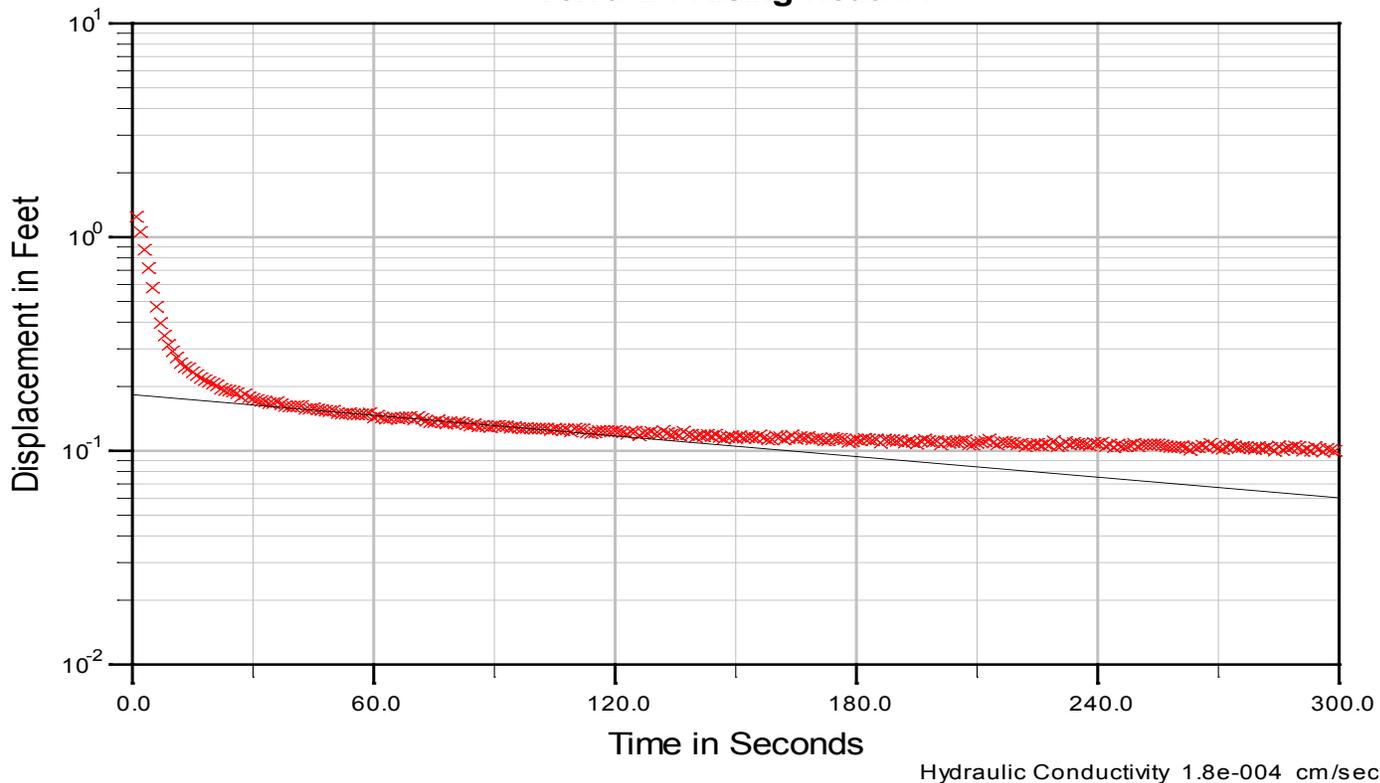
Figure

5

Terra-B1 Falling Head #1



Terra-B1 Rising Head #1



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Note:

Bouwer and Rice method was used for the slug test analysis.

Mercer Island Multi-Family Development
Mercer Island, Washington

Terra-B1 Representative Slug Tests Results

17984-01

12/14



Figure

6

APPENDIX A

Field Exploration Methods and Analysis

APPENDIX A

Field Exploration Methods and Analysis

This appendix documents the processes Hart Crowser used to determine the nature of the soils at the project site, and discusses:

- Explorations and their locations;
- Auger borings; and
- Standard Penetration Test procedures.

Explorations and Their Locations

The exploration logs in this appendix show our interpretation of the drilling, sampling, and testing data. These logs indicate the approximate depth where the soils change. Note that the soil changes may be gradual and may vary in depth across the site.

In the field, we classified the soil samples according to the methods shown on Figure A-1 - Key to Exploration Logs. This figure also provides a legend explaining the symbols and abbreviations used on the logs.

Explorations were located with a measuring tape from existing physical features. Elevations are referenced to the North American Vertical Datum of 1988 (NAVD88) and were estimated from the provided topographic survey.

Auger Borings

Borings were drilled with a 5.5-inch-inside-diameter, hollow-stem auger and were advanced with a truck-mounted drill rig subcontracted by Hart Crowser. The drilling was continuously observed by a geologist from Hart Crowser. A detailed field log was prepared for the boring. Using the Standard Penetration Test (SPT), we obtained samples at minimum 5-foot intervals.

Standard Penetration Test Procedures

The SPT is an approximate measure of soil density and consistency. To be useful, the results must be interpreted in conjunction with other tests. The SPT (as described in ASTM D 1586) was used to obtain disturbed soil samples.

This test employs a standard 2-inch-outside-diameter, split-spoon sampler. Using a 140-pound autohammer, free-falling 30 inches, the sampler is driven into the soil for 18 inches. The number of blows required to drive the sampler the last 12 inches is the Standard Penetration Resistance. This resistance, or blow count, measures the relative density of granular soils and the consistency of cohesive soils. The blow counts are plotted on the boring logs at their respective sample depths.

Soil samples were recovered from the split-spoon sampler, field classified, and placed into watertight jars. They were taken to Hart Crowser's laboratory for further testing.

In the Event of Hard Driving

Occasionally, very dense materials preclude driving the total 18-inch sample. When this happens, the penetration resistance is entered on logs as follows:

Penetration less than 6 inches. The log indicates the total number of blows over the number of inches of penetration.

Penetration greater than 6 inches. The blow count noted on the log is the sum of the total number of blows completed after the first 6 inches of penetration. This sum is expressed over the number of inches driven that exceed the first 6 inches. The number of blows needed to drive the first 6 inches are not reported. For example, a blow count series of 12 blows for 6 inches, 30 blows for 6 inches, and 50 (the maximum number of blows counted within a 6-inch increment for SPT) for 3 inches would be recorded as 80/9.

Monitoring Well Installation

After drilling, monitoring wells were installed in HC-1 and HC-2 for groundwater level monitoring and slug testing.

Two-inch-diameter Schedule 40 PVC riser pipe and two-inch-diameter 0.020-inch machine-slotted screen were used for the well casings and screens. The well screen and casing riser were lowered down through the open hole. Well seals were constructed by placing bentonite chips in the annular space on top of the filter sand to within 3 feet of the ground surface. The remaining annular space was backfilled with concrete to complete the surface seal. The monitoring well construction details are illustrated on the boring logs.

The monitoring wells were installed in accordance with Washington State Department of Ecology regulations.

Key to Exploration Logs

Sample Description

Classification of soils in this report is based on visual field and laboratory observations which include density/consistency, moisture condition, grain size, and plasticity estimates and should not be construed to imply field nor laboratory testing unless presented herein. Visual-manual classification methods of ASTM D 2488 were used as an identification guide.

Soil descriptions consist of the following:

Density/consistency, moisture, color, minor constituents, MAJOR CONSTITUENT, additional remarks.

Density/Consistency

Soil density/consistency in borings is related primarily to the Standard Penetration Resistance. Soil density/consistency in test pits and probes is estimated based on visual observation and is presented parenthetically on the logs.

SAND or GRAVEL Density	Standard Penetration Resistance (N) in Blows/Foot	SILT or CLAY Consistency	Standard Penetration Resistance (N) in Blows/Foot	Approximate Shear Strength in TSF
Very loose	0 to 4	Very soft	0 to 2	<0.125
Loose	4 to 10	Soft	2 to 4	0.125 to 0.25
Medium dense	10 to 30	Medium stiff	4 to 8	0.25 to 0.5
Dense	30 to 50	Stiff	8 to 15	0.5 to 1.0
Very dense	>50	Very stiff	15 to 30	1.0 to 2.0
		Hard	>30	>2.0

Sampling Test Symbols

1.5" I.D. Split Spoon	Grab (Jar)	3.0" I.D. Split Spoon
Shelby Tube (Pushed)	Bag	
Cuttings	Core Run	

SOIL CLASSIFICATION CHART

MAJOR DIVISIONS			SYMBOLS		TYPICAL DESCRIPTIONS	
			GRAPH	LETTER		
COARSE GRAINED SOILS MORE THAN 50% OF MATERIAL IS LARGER THAN NO. 200 SIEVE SIZE	GRAVEL AND GRAVELLY SOILS	CLEAN GRAVELS (LITTLE OR NO FINES)		GW	WELL-GRADED GRAVELS, GRAVEL - SAND MIXTURES, LITTLE OR NO FINES	
		GRAVELS WITH FINES (APPRECIABLE AMOUNT OF FINES)		GP	POORLY-GRADED GRAVELS, GRAVEL - SAND MIXTURES, LITTLE OR NO FINES	
	SAND AND SANDY SOILS	CLEAN SANDS (LITTLE OR NO FINES)		SW	WELL-GRADED SANDS, GRAVELLY SANDS, LITTLE OR NO FINES	
		SANDS WITH FINES (APPRECIABLE AMOUNT OF FINES)		SM	POORLY-GRADED SANDS, GRAVELLY SAND, LITTLE OR NO FINES	
	FINE GRAINED SOILS MORE THAN 50% OF MATERIAL IS SMALLER THAN NO. 200 SIEVE SIZE	SILTS AND CLAYS	LIQUID LIMIT LESS THAN 50		ML	INORGANIC SILTS AND VERY FINE SANDS, ROCK FLOUR, SILTY OR CLAYEY FINE SANDS OR CLAYEY SILTS WITH SLIGHT PLASTICITY
					CL	INORGANIC CLAYS OF LOW TO MEDIUM PLASTICITY, GRAVELLY CLAYS, SANDY CLAYS, SILTY CLAYS, LEAN CLAYS
				OL	ORGANIC SILTS AND ORGANIC SILTY CLAYS OF LOW PLASTICITY	
SILTS AND CLAYS	LIQUID LIMIT GREATER THAN 50		MH	INORGANIC SILTS, MICACEOUS OR DIATOMACEOUS FINE SAND OR SILTY SOILS		
			CH	INORGANIC CLAYS OF HIGH PLASTICITY		
			OH	ORGANIC CLAYS OF MEDIUM TO HIGH PLASTICITY, ORGANIC SILTS		
HIGHLY ORGANIC SOILS				PT	PEAT, HUMUS, SWAMP SOILS WITH HIGH ORGANIC CONTENTS	

NOTE: DUAL SYMBOLS ARE USED TO INDICATE BORDERLINE SOIL CLASSIFICATIONS

Moisture

Dry	Little perceptible moisture
Damp	Some perceptible moisture, likely below optimum
Moist	Likely near optimum moisture content
Wet	Much perceptible moisture, likely above optimum

Minor Constituents

Estimated Percentage

Trace	<5
Slightly (clayey, silty, etc.)	5 - 12
Clayey, silty, sandy, gravelly	12 - 30
Very (clayey, silty, etc.)	30 - 50

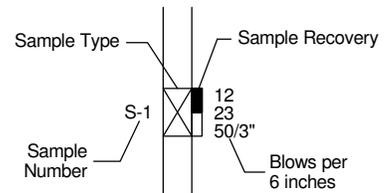
Laboratory Test Symbols

GS	Grain Size Classification
CN	Consolidation
UU	Unconsolidated Undrained Triaxial
CU	Consolidated Undrained Triaxial
CD	Consolidated Drained Triaxial
QU	Unconfined Compression
DS	Direct Shear
K	Permeability
PP	Pocket Penetrometer
	Approximate Compressive Strength in TSF
TV	Torvane
	Approximate Shear Strength in TSF
CBR	California Bearing Ratio
MD	Moisture Density Relationship
AL	Atterberg Limits
	Water Content in Percent
	Liquid Limit
	Natural Plastic Limit
PID	Photoionization Detector Reading
CA	Chemical Analysis
DT	In Situ Density in PCF
OT	Tests by Others

Groundwater Indicators

	Groundwater Level on Date or (ATD) At Time of Drilling
	Groundwater Seepage (Test Pits)

Sample Key



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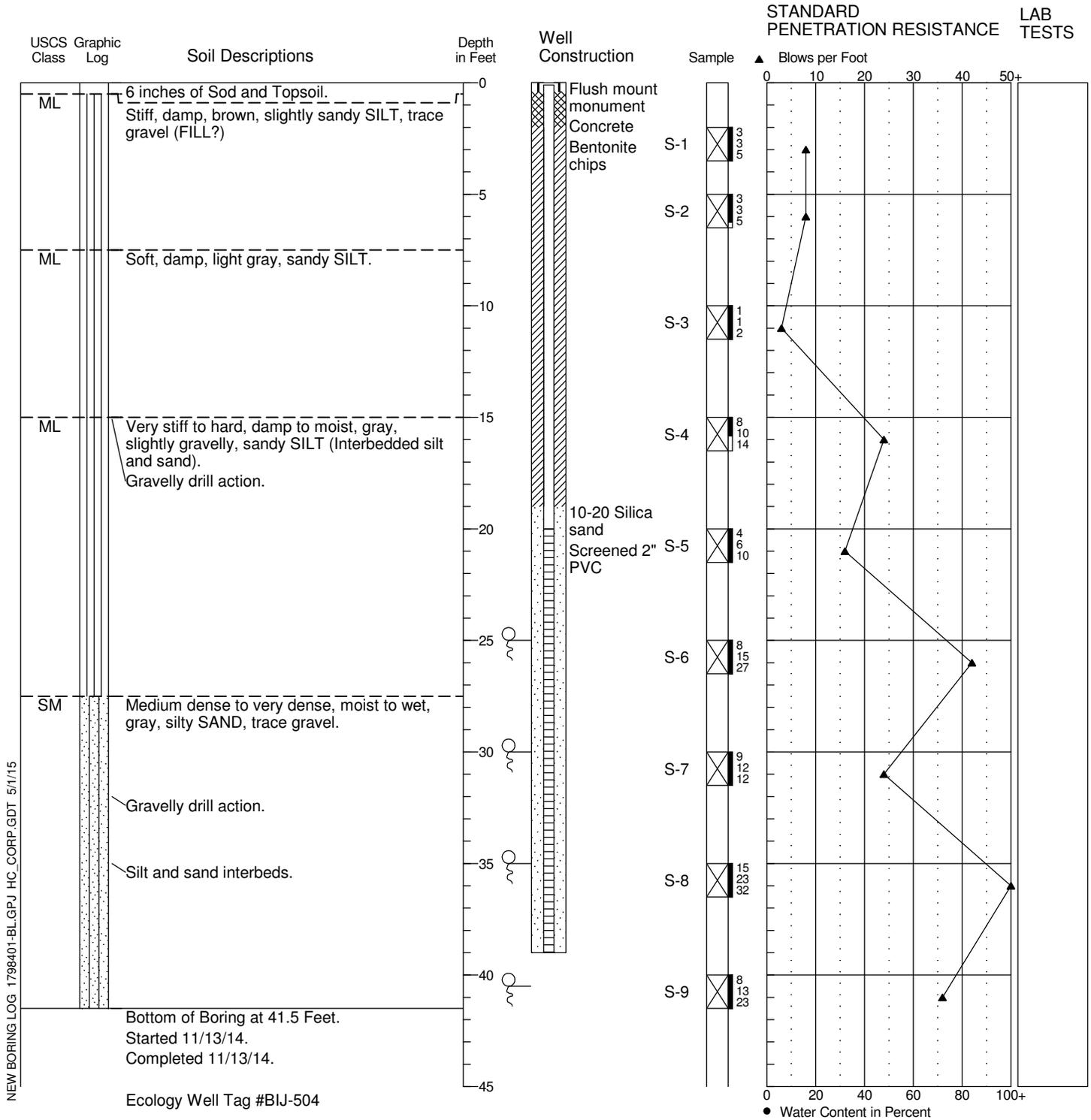
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Figure A-1

Boring Log HC-1

Location: 47.584459, -122.234890
 Approximate Ground Surface Elevation: 83 Feet
 Horizontal Datum: WGS84
 Vertical Datum: NAVD88

Drill Equipment: HSA (Diedrich D50)
 Hammer Type: Auto-Trip
 Hole Diameter: 8 inches
 Logged By: M. Smith Reviewed By: M. Veenstra

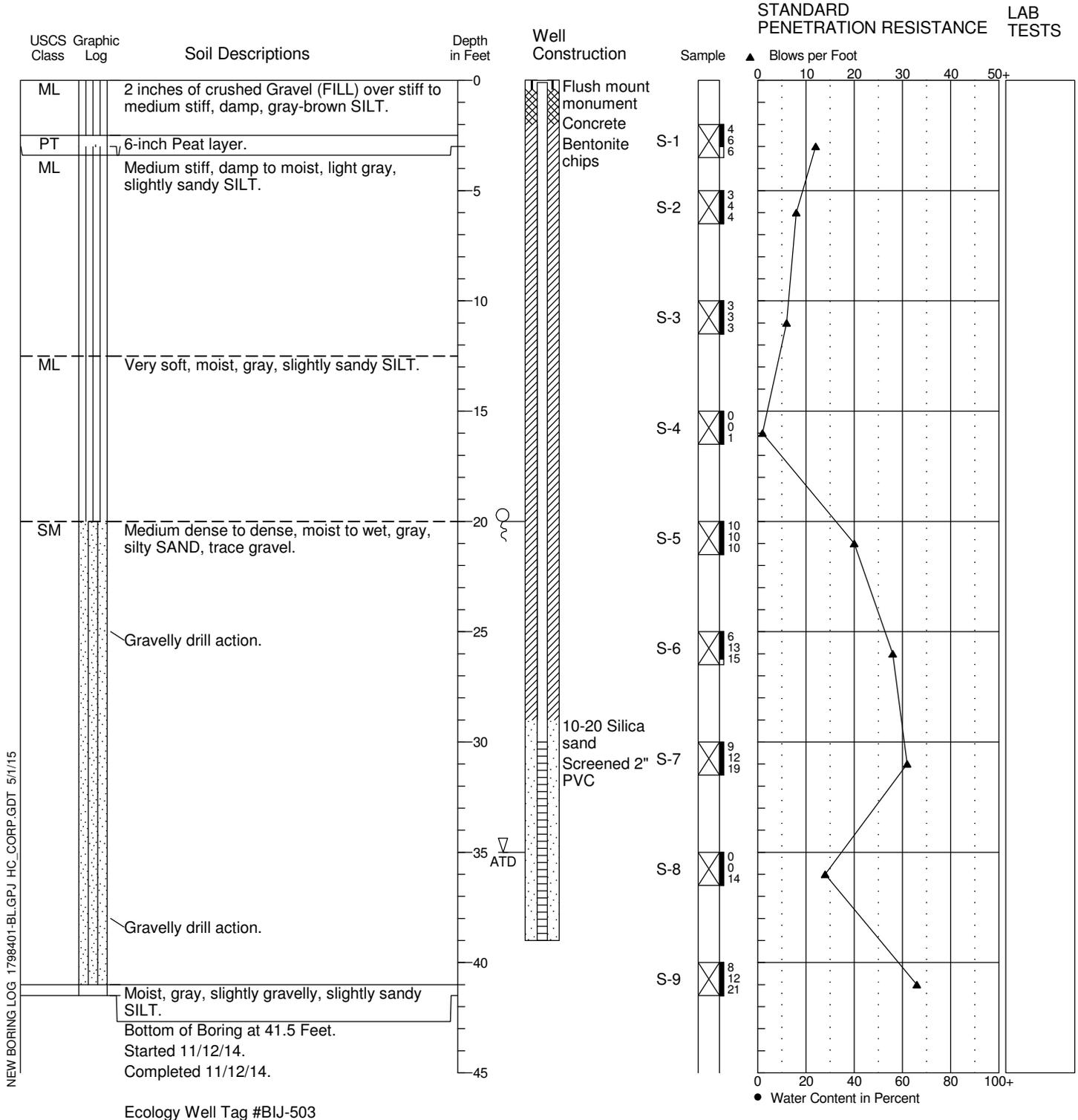


1. Refer to Figure A-1 for explanation of descriptions and symbols.
2. Soil descriptions and stratum lines are interpretive and actual changes may be gradual.
3. USCS designations are based on visual manual classification (ASTM D 2488) unless otherwise supported by laboratory testing (ASTM D 2487).
4. Groundwater level, if indicated, is at time of drilling (ATD) or for date specified. Level may vary with time.

Boring Log HC-2

Location: 47.584729, -122.234870
 Approximate Ground Surface Elevation: 83 Feet
 Horizontal Datum: WGS84
 Vertical Datum: NAVD88

Drill Equipment: HSA (Diedrich D50)
 Hammer Type: Auto-Trip
 Hole Diameter: 8 inches
 Logged By: M. Smith Reviewed By: M. Veenstra

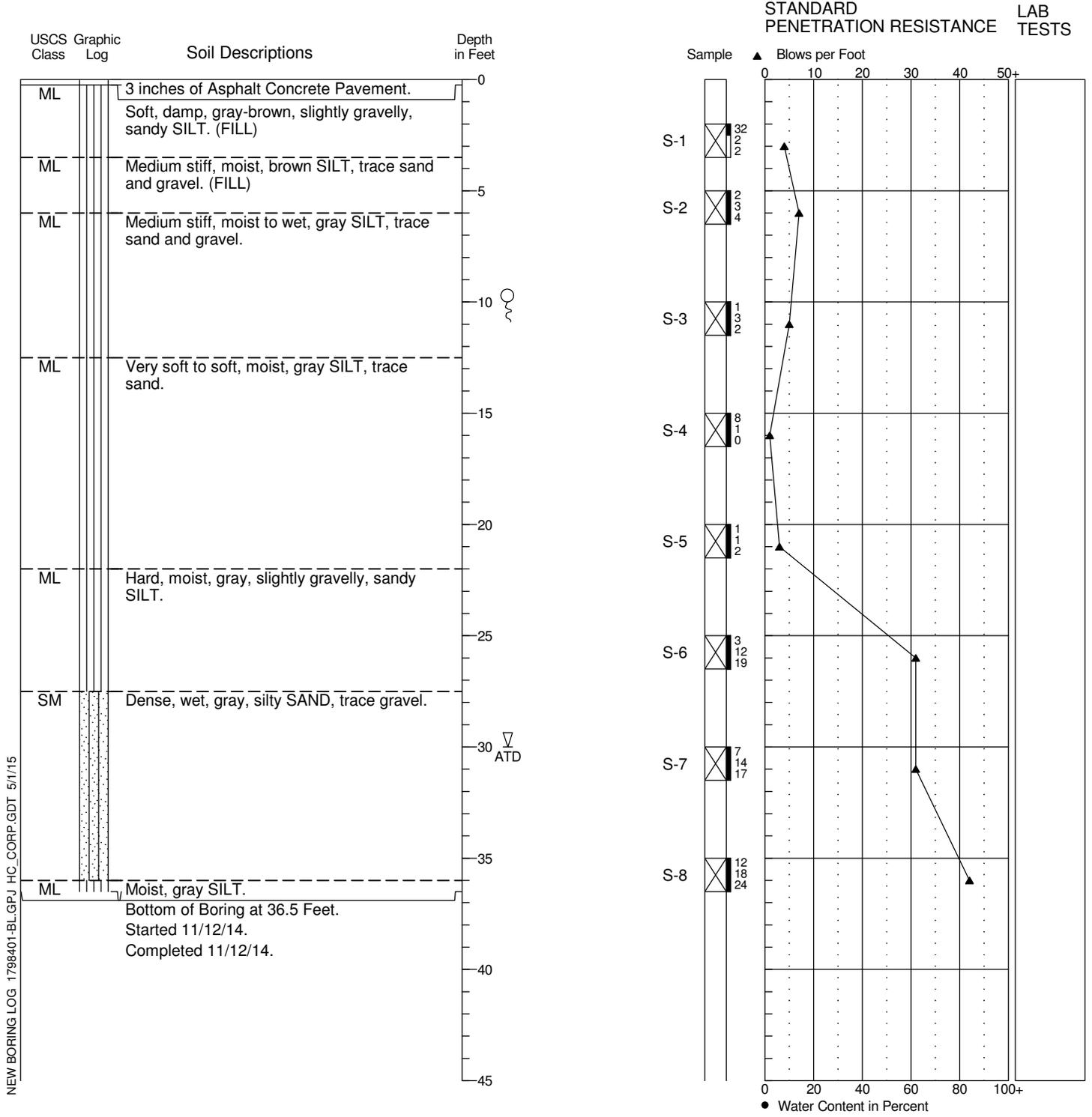


- Refer to Figure A-1 for explanation of descriptions and symbols.
- Soil descriptions and stratum lines are interpretive and actual changes may be gradual.
- USCS designations are based on visual manual classification (ASTM D 2488) unless otherwise supported by laboratory testing (ASTM D 2487).
- Groundwater level, if indicated, is at time of drilling (ATD) or for date specified. Level may vary with time.

Boring Log HC-3

Location: 47.585134, -122.234493
 Approximate Ground Surface Elevation: 83 Feet
 Horizontal Datum: WGS84
 Vertical Datum: NAVD88

Drill Equipment: HSA (Diedrich D50)
 Hammer Type: Auto-Trip
 Hole Diameter: 8 inches
 Logged By: M. Smith Reviewed By: M. Veenstra



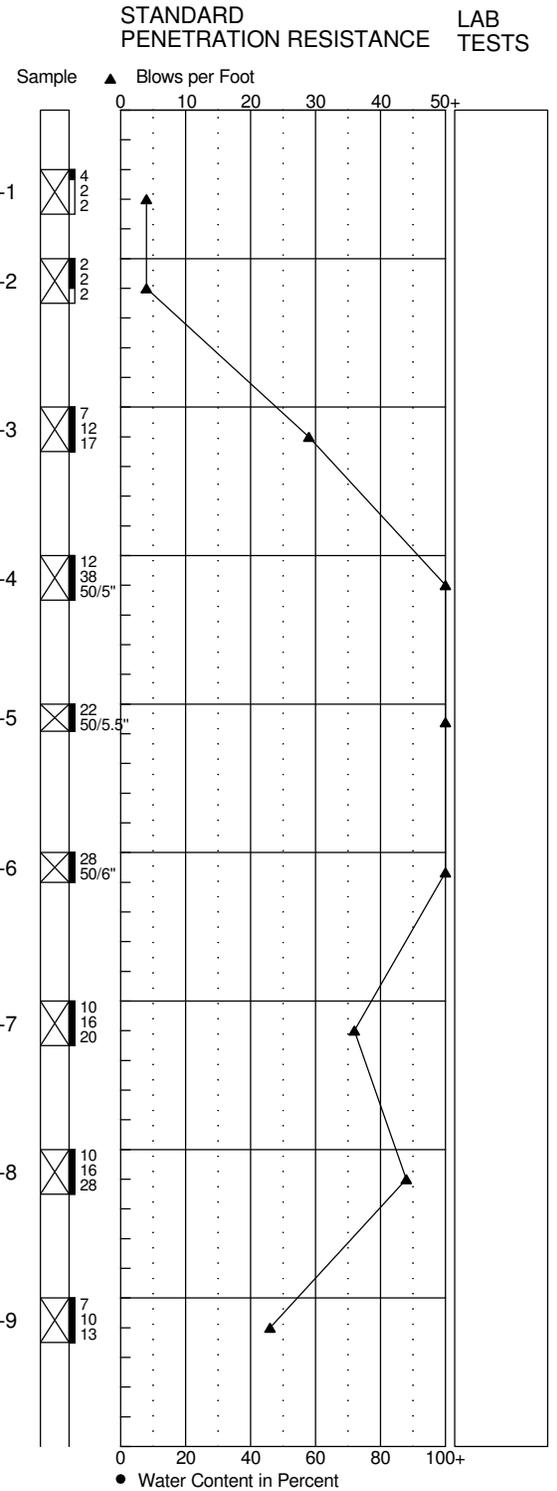
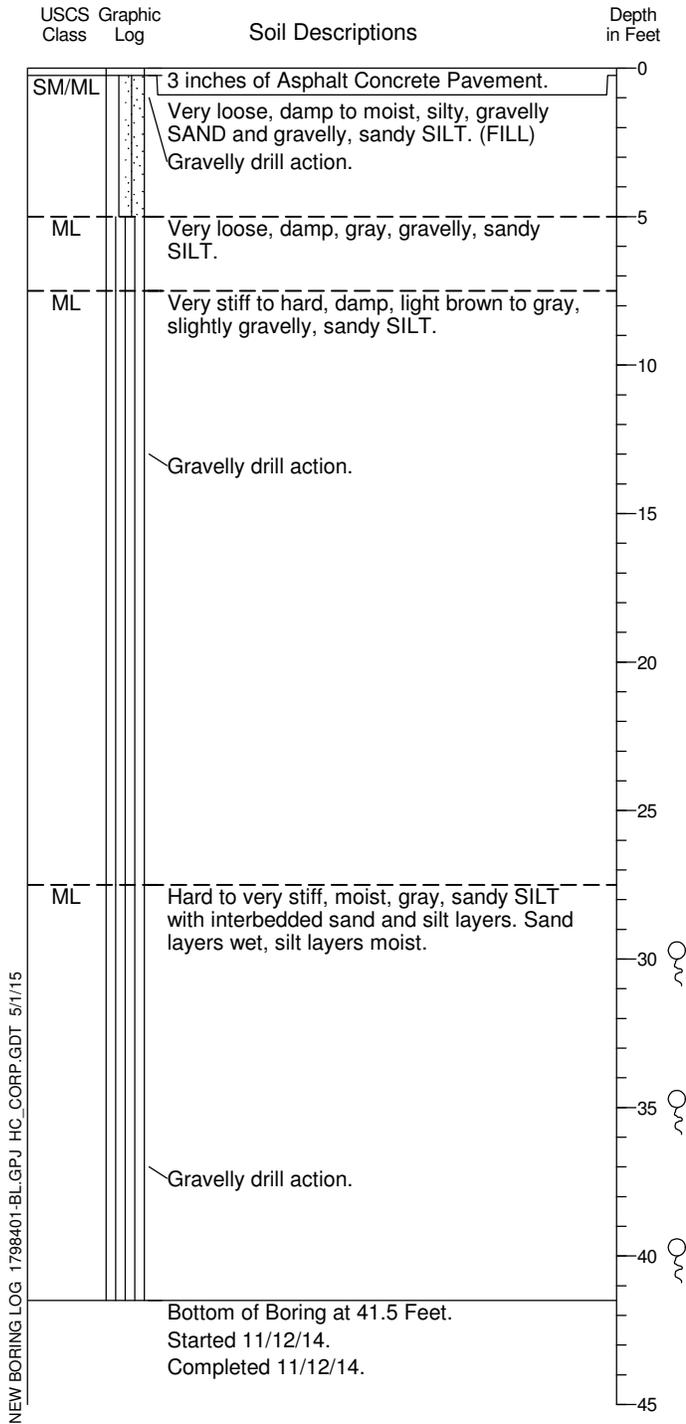
NEW BORING LOG 1798401-BL.GPJ HC_CORP.GDT 5/1/15

1. Refer to Figure A-1 for explanation of descriptions and symbols.
2. Soil descriptions and stratum lines are interpretive and actual changes may be gradual.
3. USCS designations are based on visual manual classification (ASTM D 2488) unless otherwise supported by laboratory testing (ASTM D 2487).
4. Groundwater level, if indicated, is at time of drilling (ATD) or for date specified. Level may vary with time.

Boring Log HC-4

Location: 47.585142, -122.233965
 Approximate Ground Surface Elevation: 88 Feet
 Horizontal Datum: WGS84
 Vertical Datum: NAVD88

Drill Equipment: HSA (Diedrich D50)
 Hammer Type: Auto-Trip
 Hole Diameter: 8 inches
 Logged By: M. Smith Reviewed By: M. Veenstra

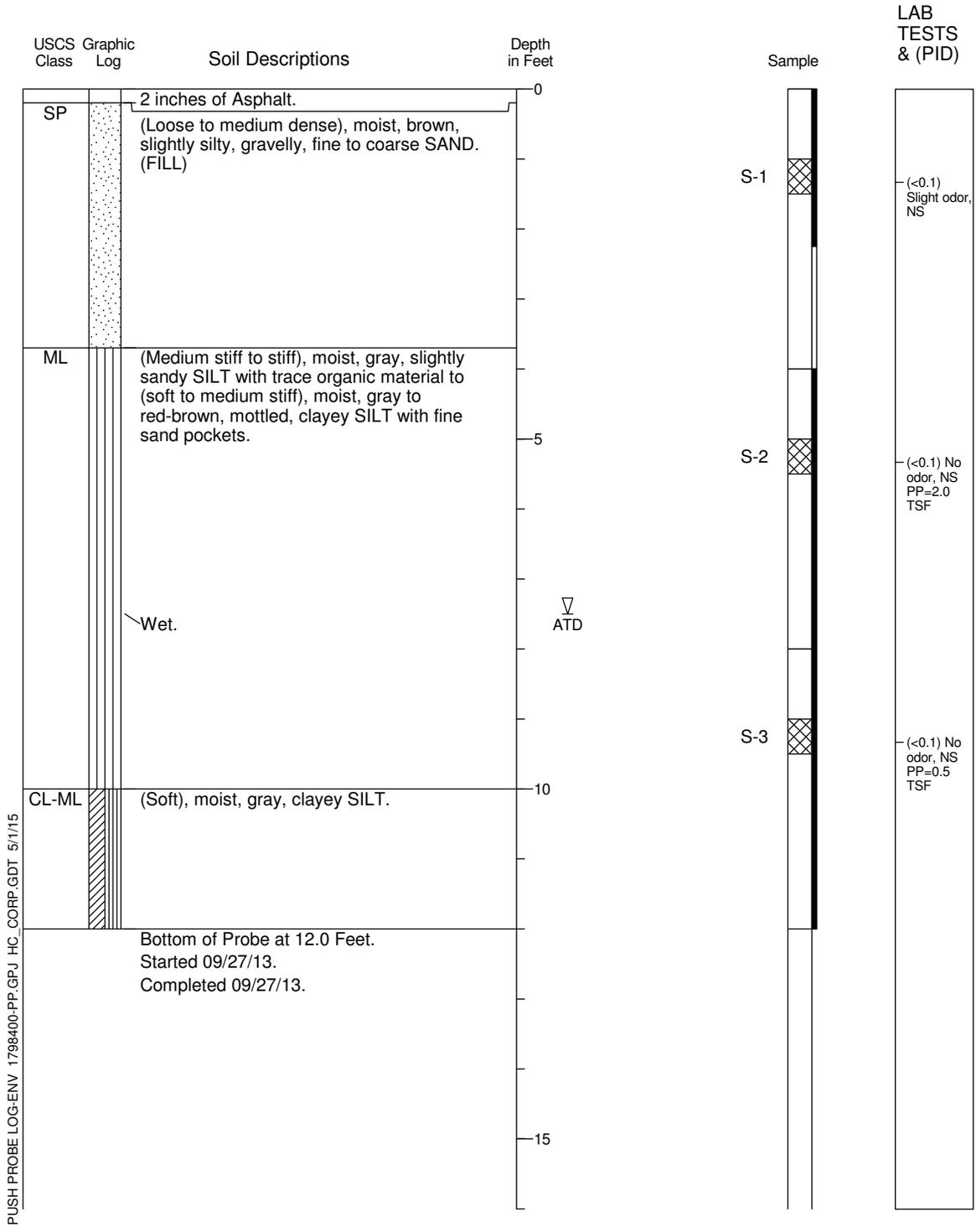


1. Refer to Figure A-1 for explanation of descriptions and symbols.
2. Soil descriptions and stratum lines are interpretive and actual changes may be gradual.
3. USCS designations are based on visual manual classification (ASTM D 2488) unless otherwise supported by laboratory testing (ASTM D 2487).
4. Groundwater level, if indicated, is at time of drilling (ATD) or for date specified. Level may vary with time.

Push Probe Log B-2

Location: Lat: 47.58454 Long: -122.2345
 Approximate Ground Surface Elevation: 82 Feet
 Horizontal Datum: WGS 84
 Vertical Datum: NAVD88

Drill Equipment: Push Probe
 Sample Type: Acetate Liner
 Hole Diameter: 2 inches
 Logged By: W. McDonald Reviewed By: M. Veenstra



PUSH PROBE LOG-ENV 1798400-PP.GPJ HC_CORP.GDT 5/1/15

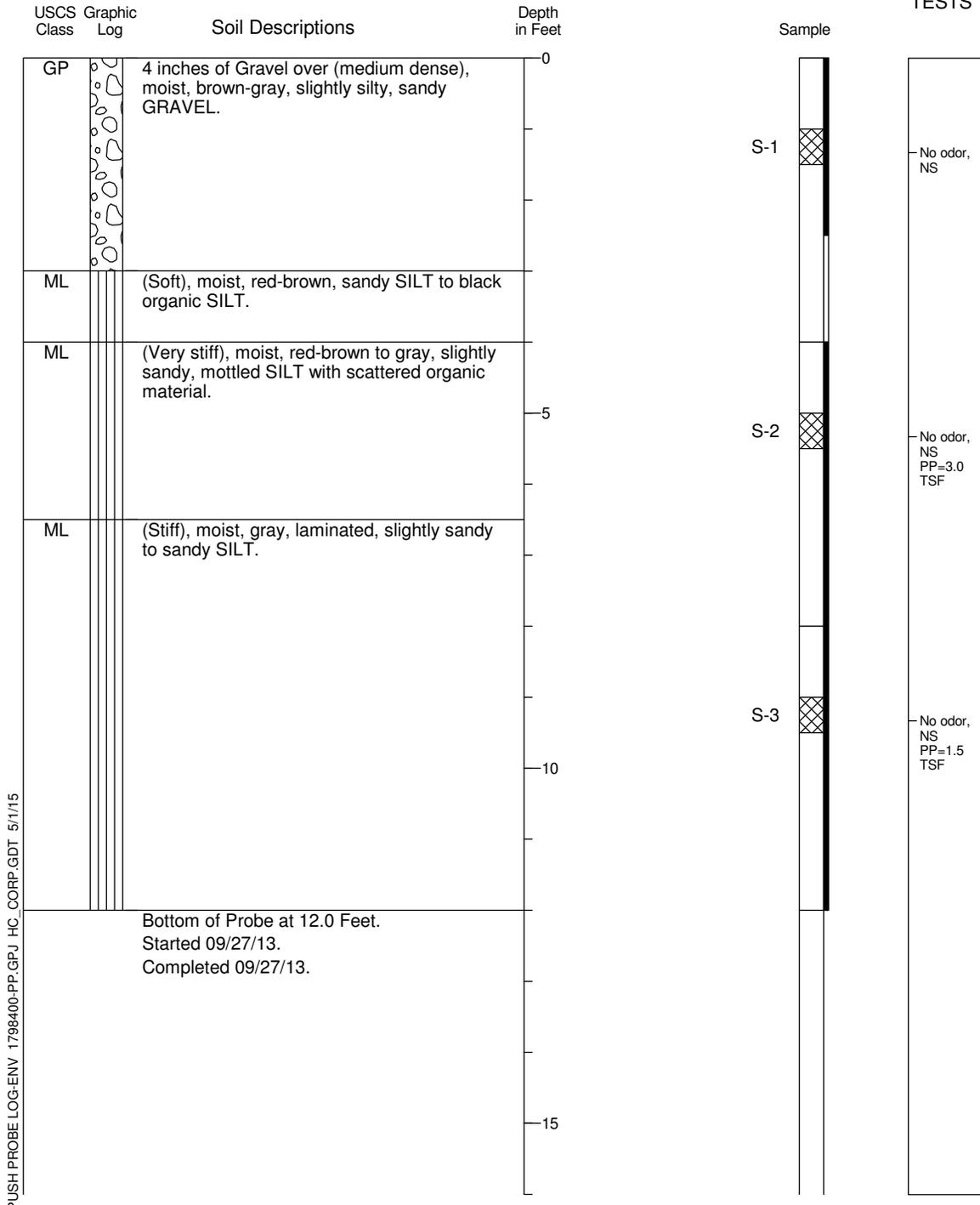
1. Refer to Figure A-1 for explanation of descriptions and symbols.
2. Soil descriptions and stratum lines are interpretive and actual changes may be gradual.
3. USCS designations are based on visual manual classification (ASTM D 2488) unless otherwise supported by laboratory testing (ASTM D 2487).
4. Groundwater level, if indicated, is at time of drilling (ATD) or for date specified. Level may vary with time.
5. NS = No Sheen; SS = Slight Sheen; MS = Moderate Sheen; HS = Heavy Sheen

Push Probe Log B-3

Location: Lat: 47.58477 Long: -122.2349
 Approximate Ground Surface Elevation: 84 Feet
 Horizontal Datum: WGS 84
 Vertical Datum: NAVD88

Drill Equipment: Push Probe
 Sample Type: Acetate Liner
 Hole Diameter: 2 inches
 Logged By: W. McDonald Reviewed By: M. Veenstra

LAB TESTS



PUSH PROBE LOG-ENV 1798400-PP.GPJ HC_CORP.GDT 5/1/15

1. Refer to Figure A-1 for explanation of descriptions and symbols.
2. Soil descriptions and stratum lines are interpretive and actual changes may be gradual.
3. USCS designations are based on visual manual classification (ASTM D 2488) unless otherwise supported by laboratory testing (ASTM D 2487).
4. Groundwater level, if indicated, is at time of drilling (ATD) or for date specified. Level may vary with time.
5. NS = No Sheen; SS = Slight Sheen; MS = Moderate Sheen; HS = Heavy Sheen



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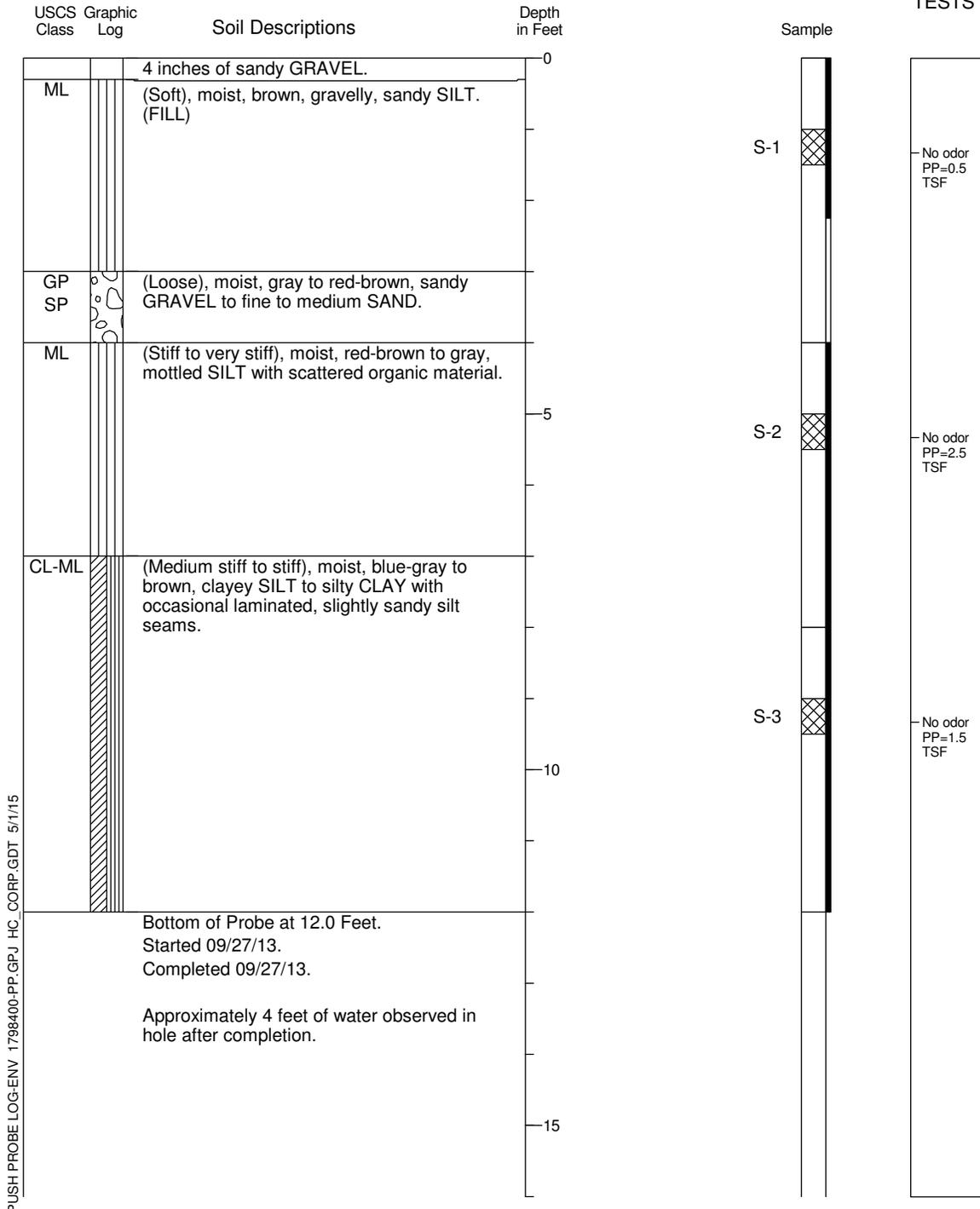
Figure A-8

Push Probe Log B-4

Location: Lat: 47.58468 Long: -122.2348
 Approximate Ground Surface Elevation: 84 Feet
 Horizontal Datum: WGS 84
 Vertical Datum: NAVD88

Drill Equipment: Push Probe
 Sample Type: Acetate Liner
 Hole Diameter: 2 inches
 Logged By: W. McDonald Reviewed By: M. Veenstra

LAB TESTS



1. Refer to Figure A-1 for explanation of descriptions and symbols.
2. Soil descriptions and stratum lines are interpretive and actual changes may be gradual.
3. USCS designations are based on visual manual classification (ASTM D 2488) unless otherwise supported by laboratory testing (ASTM D 2487).
4. Groundwater level, if indicated, is at time of drilling (ATD) or for date specified. Level may vary with time.
5. NS = No Sheen; SS = Slight Sheen; MS = Moderate Sheen; HS = Heavy Sheen



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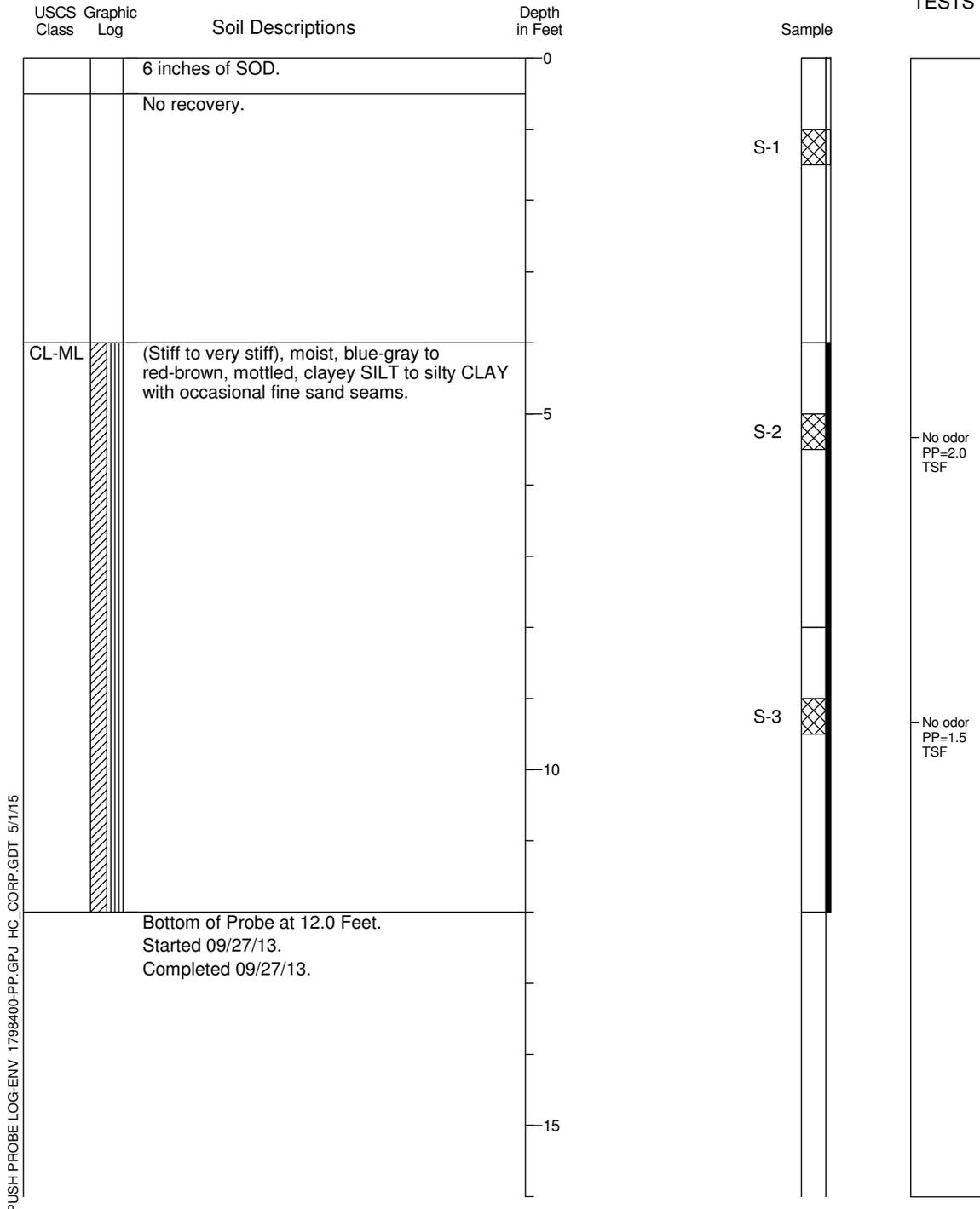
Figure A-9

Push Probe Log B-5

Location: Lat: 47.5846 Long: -122.2346
 Approximate Ground Surface Elevation: 81 Feet
 Horizontal Datum: WGS 84
 Vertical Datum: NAVD88

Drill Equipment: Push Probe
 Sample Type: Acetate Liner
 Hole Diameter: 2 inches
 Logged By: W. McDonald Reviewed By: M. Veenstra

LAB TESTS



1. Refer to Figure A-1 for explanation of descriptions and symbols.
2. Soil descriptions and stratum lines are interpretive and actual changes may be gradual.
3. USCS designations are based on visual manual classification (ASTM D 2488) unless otherwise supported by laboratory testing (ASTM D 2487).
4. Groundwater level, if indicated, is at time of drilling (ATD) or for date specified. Level may vary with time.
5. NS = No Sheen; SS = Slight Sheen; MS = Moderate Sheen; HS = Heavy Sheen



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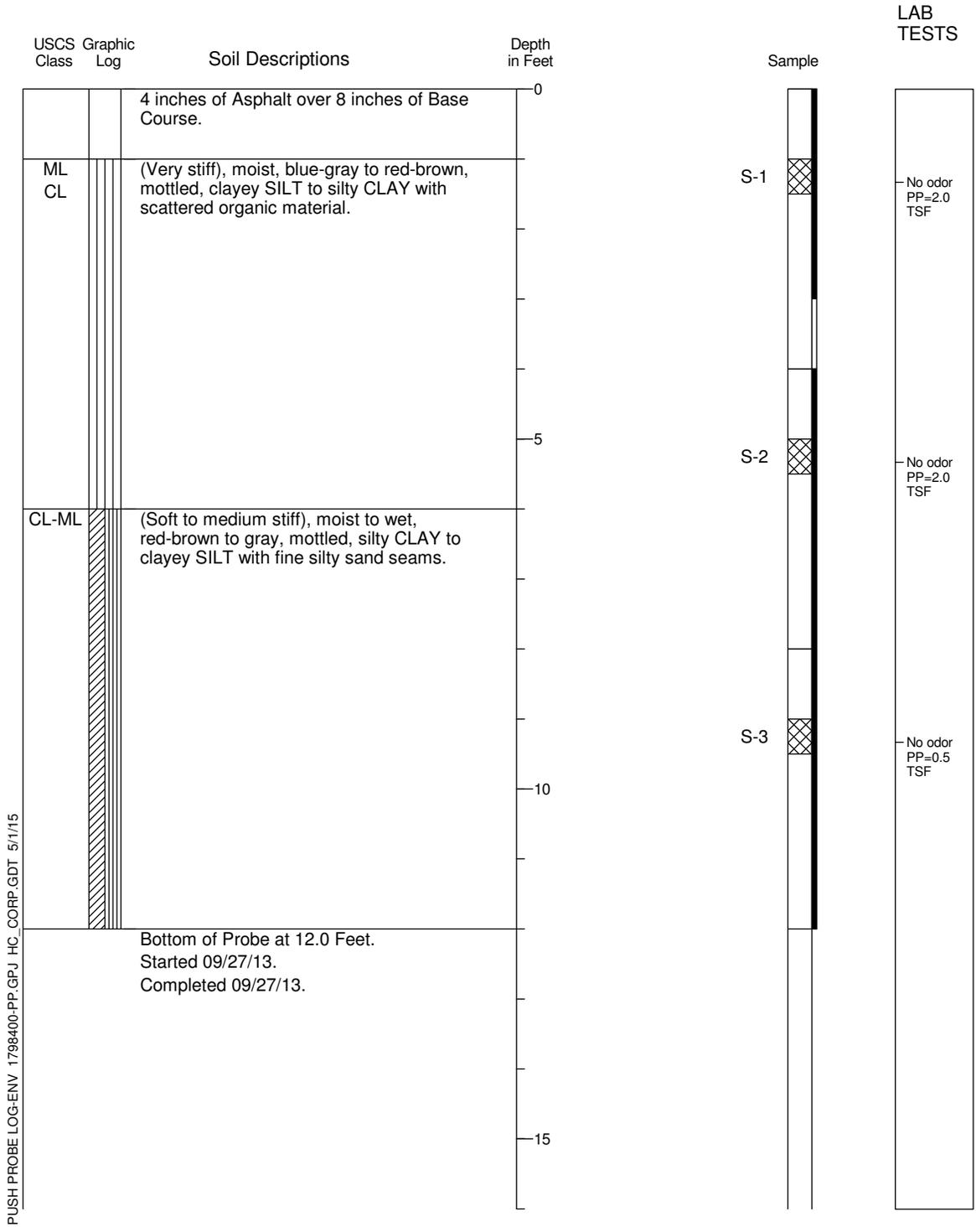
9/13

Figure A-10

Push Probe Log B-6

Location: Lat: 47.58482 Long: -122.2345
 Approximate Ground Surface Elevation: 81 Feet
 Horizontal Datum: WGS 84
 Vertical Datum: NAVD88

Drill Equipment: Push Probe
 Sample Type: Acetate Liner
 Hole Diameter: 2 inches
 Logged By: W. McDonald Reviewed By: M. Veenstra



1. Refer to Figure A-1 for explanation of descriptions and symbols.
2. Soil descriptions and stratum lines are interpretive and actual changes may be gradual.
3. USCS designations are based on visual manual classification (ASTM D 2488) unless otherwise supported by laboratory testing (ASTM D 2487).
4. Groundwater level, if indicated, is at time of drilling (ATD) or for date specified. Level may vary with time.
5. NS = No Sheen; SS = Slight Sheen; MS = Moderate Sheen; HS = Heavy Sheen



HARTCROWSER

17984-00

9/13

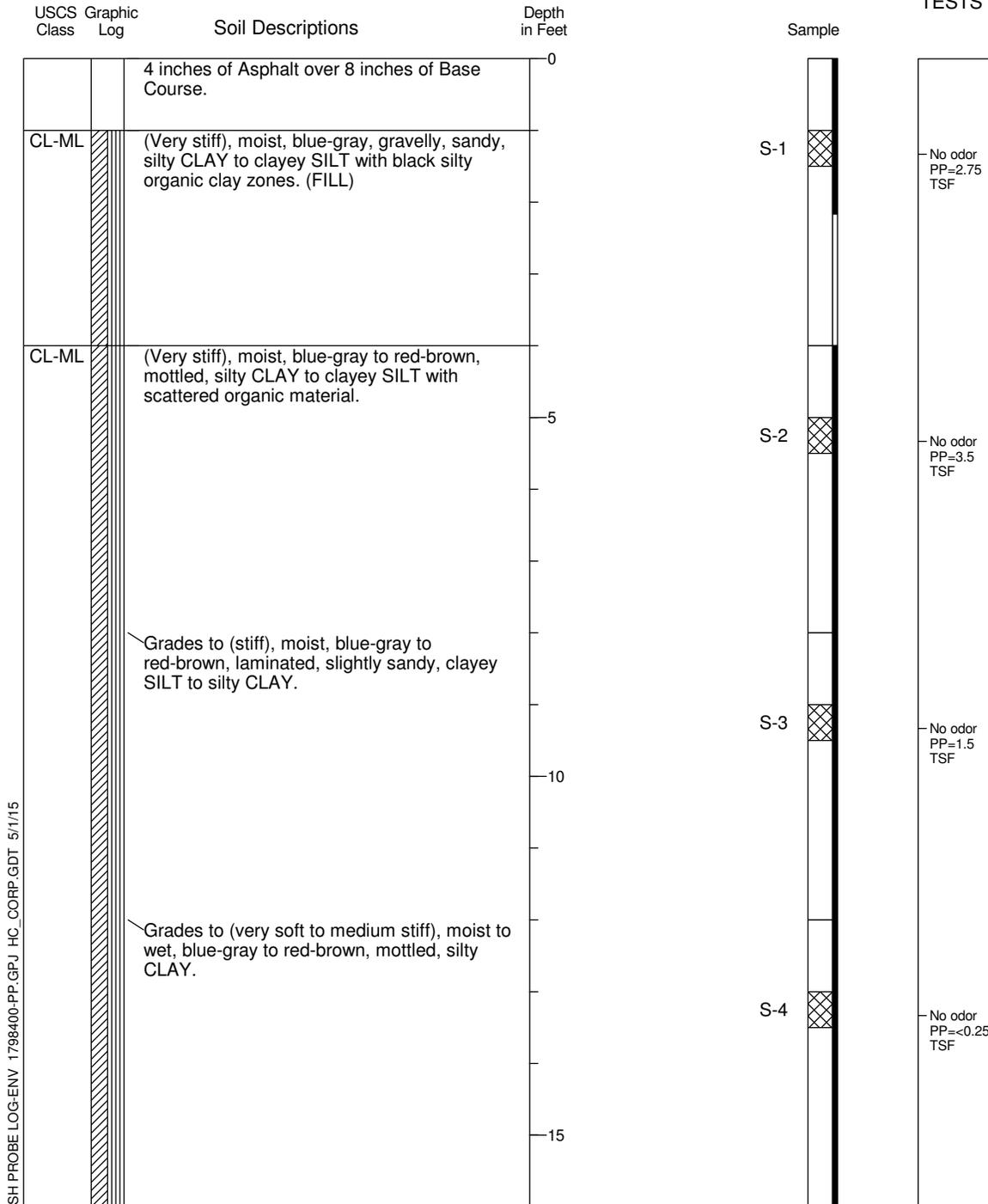
Figure A-11

Push Probe Log B-7

Location: Lat: 47.58514 Long: -122.2342
 Approximate Ground Surface Elevation: 86 Feet
 Horizontal Datum: WGS 84
 Vertical Datum: NAVD88

Drill Equipment: Push Probe
 Sample Type: Acetate Liner
 Hole Diameter: 2 inches
 Logged By: W. McDonald Reviewed By: M. Veenstra

LAB TESTS



PUSH PROBE LOG-ENV 1798400-PP.GPJ HC_CORP.GDT 5/1/15

Bottom of Probe at 16.0 Feet.
 Started 09/27/13.
 Completed 09/27/13.

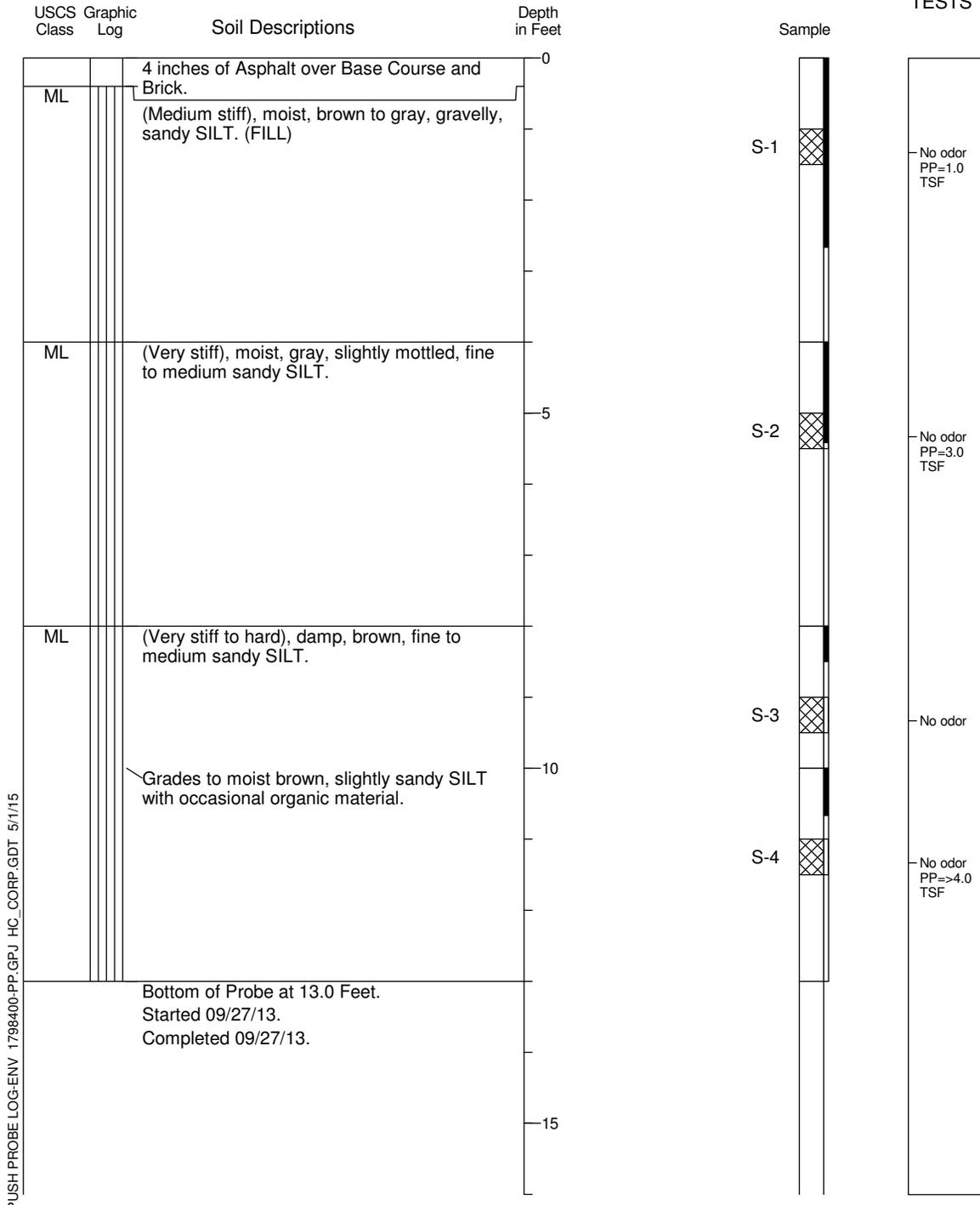
1. Refer to Figure A-1 for explanation of descriptions and symbols.
2. Soil descriptions and stratum lines are interpretive and actual changes may be gradual.
3. USCS designations are based on visual manual classification (ASTM D 2488) unless otherwise supported by laboratory testing (ASTM D 2487).
4. Groundwater level, if indicated, is at time of drilling (ATD) or for date specified. Level may vary with time.
5. NS = No Sheen; SS = Slight Sheen; MS = Moderate Sheen; HS = Heavy Sheen

Push Probe Log B-8

Location: Lat: 47.58477 Long: -122.2338
 Approximate Ground Surface Elevation: 92 Feet
 Horizontal Datum: WGS 84
 Vertical Datum: NAVD88

Drill Equipment: Push Probe
 Sample Type: Acetate Liner
 Hole Diameter: 2 inches
 Logged By: W. McDonald Reviewed By: M. Veenstra

LAB TESTS



1. Refer to Figure A-1 for explanation of descriptions and symbols.
2. Soil descriptions and stratum lines are interpretive and actual changes may be gradual.
3. USCS designations are based on visual manual classification (ASTM D 2488) unless otherwise supported by laboratory testing (ASTM D 2487).
4. Groundwater level, if indicated, is at time of drilling (ATD) or for date specified. Level may vary with time.
5. NS = No Sheen; SS = Slight Sheen; MS = Moderate Sheen; HS = Heavy Sheen



HARTCROWSER

17984-00

9/13

Figure A-13

WILDCAT DYNAMIC CONE LOG

Hart Crowser
1700 Westlake Ave N.
Seattle, WA 98109

PROJECT NUMBER: 1798401
DATE STARTED: 11-20-2014
DATE COMPLETED: 11-20-2014

HOLE #: HC-5
CREW: Jesse Overton
PROJECT: Mercer Island Multi-Family
ADDRESS: _____
LOCATION: Mercer Island, Washington

SURFACE ELEVATION: _____
WATER ON COMPLETION: _____
HAMMER WEIGHT: 35 lbs.
CONE AREA: 10 sq. cm

DEPTH	BLOWS PER 10 cm	RESISTANCE Kg/cm ²	GRAPH OF CONE RESISTANCE				N'	TESTED CONSISTENCY	
			0	50	100	150		NON-COHESIVE	COHESIVE
-	18	79.9	.....				22	MEDIUM DENSE	VERY STIFF
-	23	102.1	.....				25+	MEDIUM DENSE	VERY STIFF
- 1 ft	14	62.2	.....				17	MEDIUM DENSE	VERY STIFF
-	12	53.3	.....				15	MEDIUM DENSE	STIFF
-	10	44.4	.....				12	MEDIUM DENSE	STIFF
- 2 ft	9	40.0	.....				11	MEDIUM DENSE	STIFF
-	9	40.0	.....				11	MEDIUM DENSE	STIFF
-	10	44.4	.....				12	MEDIUM DENSE	STIFF
- 3 ft	14	62.2	.....				17	MEDIUM DENSE	VERY STIFF
- 1 m	9	40.0	.....				11	MEDIUM DENSE	STIFF
-	11	42.5	.....				12	MEDIUM DENSE	STIFF
- 4 ft	11	42.5	.....				12	MEDIUM DENSE	STIFF
-	11	42.5	.....				12	MEDIUM DENSE	STIFF
-	10	38.6	.....				11	MEDIUM DENSE	STIFF
- 5 ft	8	30.9	.....				8	LOOSE	MEDIUM STIFF
-	6	23.2	.....				6	LOOSE	MEDIUM STIFF
-	6	23.2	.....				6	LOOSE	MEDIUM STIFF
- 6 ft	7	27.0	.....				7	LOOSE	MEDIUM STIFF
-	6	23.2	.....				6	LOOSE	MEDIUM STIFF
- 2 m	6	23.2	.....				6	LOOSE	MEDIUM STIFF
- 7 ft	6	20.5	.....				5	LOOSE	MEDIUM STIFF
-	6	20.5	.....				5	LOOSE	MEDIUM STIFF
-	5	17.1	.....				4	VERY LOOSE	SOFT
- 8 ft	6	20.5	.....				5	LOOSE	MEDIUM STIFF
-	5	17.1	.....				4	VERY LOOSE	SOFT
-	5	17.1	.....				4	VERY LOOSE	SOFT
- 9 ft	6	20.5	.....				5	LOOSE	MEDIUM STIFF
-	6	20.5	.....				5	LOOSE	MEDIUM STIFF
-	6	20.5	.....				5	LOOSE	MEDIUM STIFF
- 3 m 10 ft	6	20.5	.....				5	LOOSE	MEDIUM STIFF
-	6	18.4	.....				5	LOOSE	MEDIUM STIFF
-	6	18.4	.....				5	LOOSE	MEDIUM STIFF
-	12	36.7	.....				10	LOOSE	STIFF
- 11 ft	9	27.5	.....				7	LOOSE	MEDIUM STIFF
-	6	18.4	.....				5	LOOSE	MEDIUM STIFF
-	7	21.4	.....				6	LOOSE	MEDIUM STIFF
- 12 ft	4	12.2	...				3	VERY LOOSE	SOFT
-	5	15.3	.....				4	VERY LOOSE	SOFT
-	6	18.4	.....				5	LOOSE	MEDIUM STIFF
- 4 m 13 ft	6	18.4	.....				5	LOOSE	MEDIUM STIFF

APPENDIX B Historical Explorations

APPENDIX B

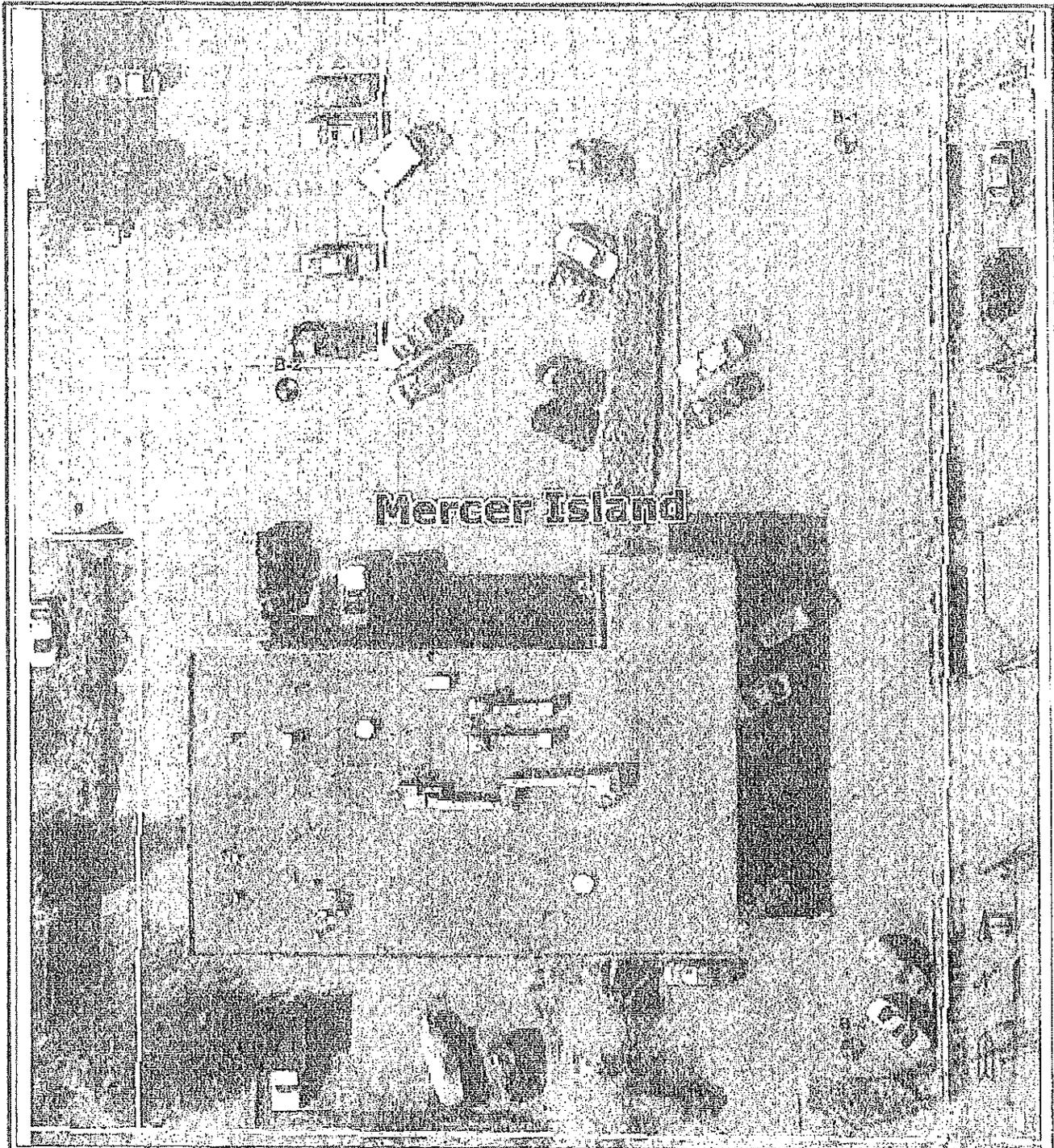
Historical Explorations

Historical exploration logs are included in this appendix as follows:

Terra 2012. Preliminary Geotechnical Report, Mercer Island North, 2885 - 78th Avenue SE, Mercer Island, Washington. May 10, 2012. Project No. T-6714.

ABPB 2012. Preliminary Geotechnical Report, Multifamily Residential Project, 2885 - 78th Avenue SE, Mercer Island, Washington. October 23, 2012. Project No. 1350.

Logs and test reports by others are included as they were produced by others for reference only and Hart Crowser is not responsible for the accuracy or completeness of the information presented in the logs. Approximate locations of the explorations by others are shown on Figure 2 of this report; actual locations may differ from those shown.



NOTE:

THIS SITE PLAN IS SCHEMATIC. ALL LOCATIONS AND DIMENSIONS ARE APPROXIMATE. IT IS INTENDED FOR REFERENCE ONLY AND SHOULD NOT BE USED FOR DESIGN OR CONSTRUCTION PURPOSES.

LEGEND:

⊕ APPROXIMATE BORING LOCATION

REFERENCE:

SITE PLAN PROVIDED BY KING COUNTY IMAP



Terra Associates, Inc.
 Consultants in Geotechnical Engineering
 Geology and
 Environmental Earth Sciences

**EXPLORATION LOCATION PLAN
 MERCER ISLAND NORTH
 MERCER ISLAND, WASHINGTON**

Proj. No. T-6714

Date MAY 2012

Figure 2

MAJOR DIVISIONS			LETTER SYMBOL	TYPICAL DESCRIPTION
COARSE GRAINED SOILS More than 50% material larger than No. 200 sieve size	GRAVELS More than 50% of coarse fraction is larger than No. 4 sieve	Clean Gravels (less than 5% fines)	GW	Well-graded gravels, gravel-sand mixtures, little or no fines.
		Gravels with fines	GP	Poorly-graded gravels, gravel-sand mixtures, little or no fines.
			GM	Silly gravels, gravel-sand-silt mixtures, non-plastic fines.
			GC	Clayey gravels, gravel-sand-clay mixtures, plastic fines.
	SANDS More than 50% of coarse fraction is smaller than No. 4 sieve	Clean Sands (less than 5% fines)	SW	Well-graded sands, gravelly sands, little or no fines.
		Sands with fines	SP	Poorly-graded sands or gravelly sands, little or no fines.
			SM	Silly sands, sand-silt mixtures, non-plastic fines.
			SC	Clayey sands, sand-clay mixtures, plastic fines.
FINE GRAINED SOILS More than 50% material smaller than No. 200 sieve size	SILTS AND CLAYS Liquid limit is less than 50%	ML	Inorganic silts, rock flour, clayey silts with slight plasticity.	
		CL	Inorganic clays of low to medium plasticity, (lean clay).	
		OL	Organic silts and organic clays of low plasticity.	
	SILTS AND CLAYS Liquid limit is greater than 50%	MH	Inorganic silts, elastic.	
		CH	Inorganic clays of high plasticity, fat clays.	
		OH	Organic clays of high plasticity.	
HIGHLY ORGANIC SOILS			PT	Peat.

DEFINITION OF TERMS AND SYMBOLS

COHESIONLESS	Density	Standard Penetration Resistance in Blows/Foot	I 2" OUTSIDE DIAMETER SPLIT SPOON SAMPLER I 2.4" INSIDE DIAMETER RING SAMPLER OR SHELBY TUBE SAMPLER ∇ WATER LEVEL (DATE) Tr TORVANE READINGS, tsf Pp PENETROMETER READING, tsf DD DRY DENSITY, pounds per cubic foot LL LIQUID LIMIT, percent PI PLASTIC INDEX N STANDARD PENETRATION, blows per foot
	Very loose	0-4	
Loose	4-10		
Medium dense	10-30		
Dense	30-50		
Very dense	>50		
COHESIVE	Consistency	Standard Penetration Resistance in Blows/Foot	
	Very soft	0-2	
	Soft	2-4	
	Medium stiff	4-8	
	Stiff	8-16	
	Very stiff	16-32	
	Hard	>32	



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Environmental Earth Sciences

UNIFIED SOIL CLASSIFICATION SYSTEM
MERCER ISLAND NORTH
MERCER ISLAND, WASHINGTON

Proj. No. T-6714

Date MAY 2012

Figure A-1

LOG OF BORING NO. B-1

Figure No. A-2

Project: Mercer Island North Project No: T-6714 Date Drilled: 4-25-12

Client: PMF Investments Driller: BORETEC Logged By: CSD

Location: Mercer Island, Washington Approx. Elev: N/A

Depth (ft)	Sample Interval	Soil Description	Consistency/ Relative Density	Moisture Content % Wp |-----x-----| Wl 10 20 30 40	Pocket Penetrometer				Observ. Well
					1	2	3	4	
					SPT (N) Blows/ft				
					10	20	30	40	
1		(4 inches ASPHALT)							
2									
3		FILL: brown sand with silt and gravel, fine to coarse grained, moist.	Medium Dense					18	
4									
5		FILL: brown and gray silty sand with gravel, fine to medium grained, moist.	Loose	18.3 x				3	
6									
7		Dark brown SILT with organics, fine grained, moist.	Loose						
8									
9		Gray SILT, fine grained, moist, sand pockets, slight mottling.	Stiff	40.0 x				14	
10									
11			Medium Stiff	28.2 x				4	
12		Brown SILT, fine grained, moist to wet, sand pockets.							
13									
14									
15			Hard	22.5 x				42	
16				14.5 x					
17		Gray silty SAND, fine to medium grained, moist to wet. (SM)	Very Dense						
18									
19									
20		*See Next Page							

Note: This borehole log has been prepared for geotechnical purposes. This information pertains only to this boring location and should not be interpreted as being indicative of other areas of the site.



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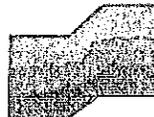
LOG OF BORING NO. B-1

Figure No. A-2

Project: Mercer Island North Project No: T-6714 Date Drilled: 4-25-12
 Client: PMF Investments Driller: BORETEC Logged By: CSD
 Location: Mercer Island, Washington Approx. Elev: N/A

Depth (ft)	Sample Interval	Soil Description	Consistency/ Relative Density	Moisture Content % Wp |-----x-----| Wl 10 20 30 40	Pocket Penetrometer				Observ. Well		
					1	2	3	4			
					SPT (N)						
					Blows/ft						
					10	20	30	40			
21		Gray silty SAND, fine to medium grained, moist to wet. (SM)	Very Dense	12.5 x					50/4		
22											
23											
24											
25						15.2 x					50/6
26											
27		Gray SILT, fine grained, moist. (ML)	Hard								
28											
29											
30				12.4 x					50/4		
31		Test boring terminated at 31 feet. Perched groundwater observed at 13 feet during drilling. Boring converted to 2-inch monitoring well.									
32											
33											
34											
35											
36											
37											
38											
39											
40											

Note: This borehole log has been prepared for geotechnical purposes. This information pertains only to this boring location and should not be interpreted as being indicative of other areas of the site.



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LOG OF BORING NO. B-2

Figure No. A-3

Project: Mercer Island North Project No: T-6714 Date Drilled: 4-25-12

Client: PMF Investments Driller: BORETEC Logged By: CSD

Location: Mercer Island, Washington Approx. Elev: N/A

Depth (ft)	Sample Interval	Soil Description	Consistency/ Relative Density	Moisture Content % Wp |---x---| Wl 10 30 50 70 90	Pocket Penetrometer					
					TSP			SPT (N)		
					1	2	3	4	Blows/ft	
1		(4 inches ASPHALT)								
2		FILL: brown gravel, fine to coarse grained, saturated.		43.0 x					13	
3										
4		Gray sandy SILT, fine grained, moist to wet, mottled. (ML) LL=33 PL=26 PI=7	Soft	40.0 x					6	
5										
6										
7						43.7 x				4
8										
9										
10				50.3 x					2	
11										
12										
13		Gray SILT, fine grained, moist to wet. (ML)	Hard							
14										
15						17.5 x				41
16										
17										
18										
19										
20			Loose	25.1 x					6	
21										
22										
23		Gray SAND, fine to medium grained, saturated. (SP)	Medium Dense							
24										
25						23.2 x				29
26										
27										
28										
29			Dense							
30				20.6 x						
31										
32										
33		Test boring terminated at 31.5 feet.								
34		Groundwater observed at 19.5 feet during drilling.								
35										

80/5"

Note: This borehole log has been prepared for geotechnical purposes. This information pertains only to this boring location and should not be interpreted as being indicative of other areas of the site.



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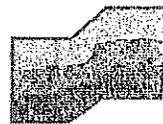
LOG OF BORING NO. B-3

Figure No. A-4

Project: Mercer Island North Project No: T-6714 Date Drilled: 4-25-12
 Client: PMF Investments Driller: BORETEC Logged By: CSD
 Location: Mercer Island, Washington Approx. Elev: N/A

Depth (ft)	Sample Interval	Soil Description	Consistency/ Relative Density	Moisture Content % Wp |-----x-----| Wl 10 30 50 70 90	Pocket Penetrometer
					Δ TSF Δ 1 2 3 4 SPT (N) Blows/ft 10 20 30 40
1		(4 inches ASPHALT)			
2		FILL: gray silty sand with gravel, fine to medium grained, moist.	Medium Dense		
3					
4					
5				46.4 x	8 °
6					
7					
8		Gray SILT, fine grained, moist, occasional brown sand pocket, mollified. (ML)			
9					
10				46.2 x	4 °
11		LL=34			
12		PL=27			
13		PI=7	Medium Stiff		
14					
15		*At 15 feet soil becomes wet, no sand pockets		43.4 x	4 °
16					
17					
18					
19					
20				20.8 x	
21				17.2 x	39 °
22					
23					
24					
25				21.0 x	33 °
26		Gray SAND, fine to medium grained, saturated, (SP)	Dense		
27					
28					
29					
30				26.7 x	80/5" °
31					
32					
33		Test boring terminated at 31.5 feet.			
34		Groundwater observed at 21 feet during drilling.			
35		Groundwater observed at 15.5 feet after drilling.			
36					
37					
38					
39					
40					

Note: This borehole log has been prepared for geotechnical purposes. This information pertains only to this boring location and should not be interpreted as being indicative of other areas of the site.



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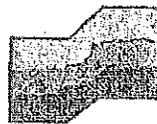
LOG OF BORING NO. B-4

Figure No. A-5

Project: Mercer Island North Project No: T-6714 Date Drilled: 4-25-12
 Client: PMF Investments Driller: BORETEC Logged By: CSD
 Location: Mercer Island, Washington Approx. Elev: N/A

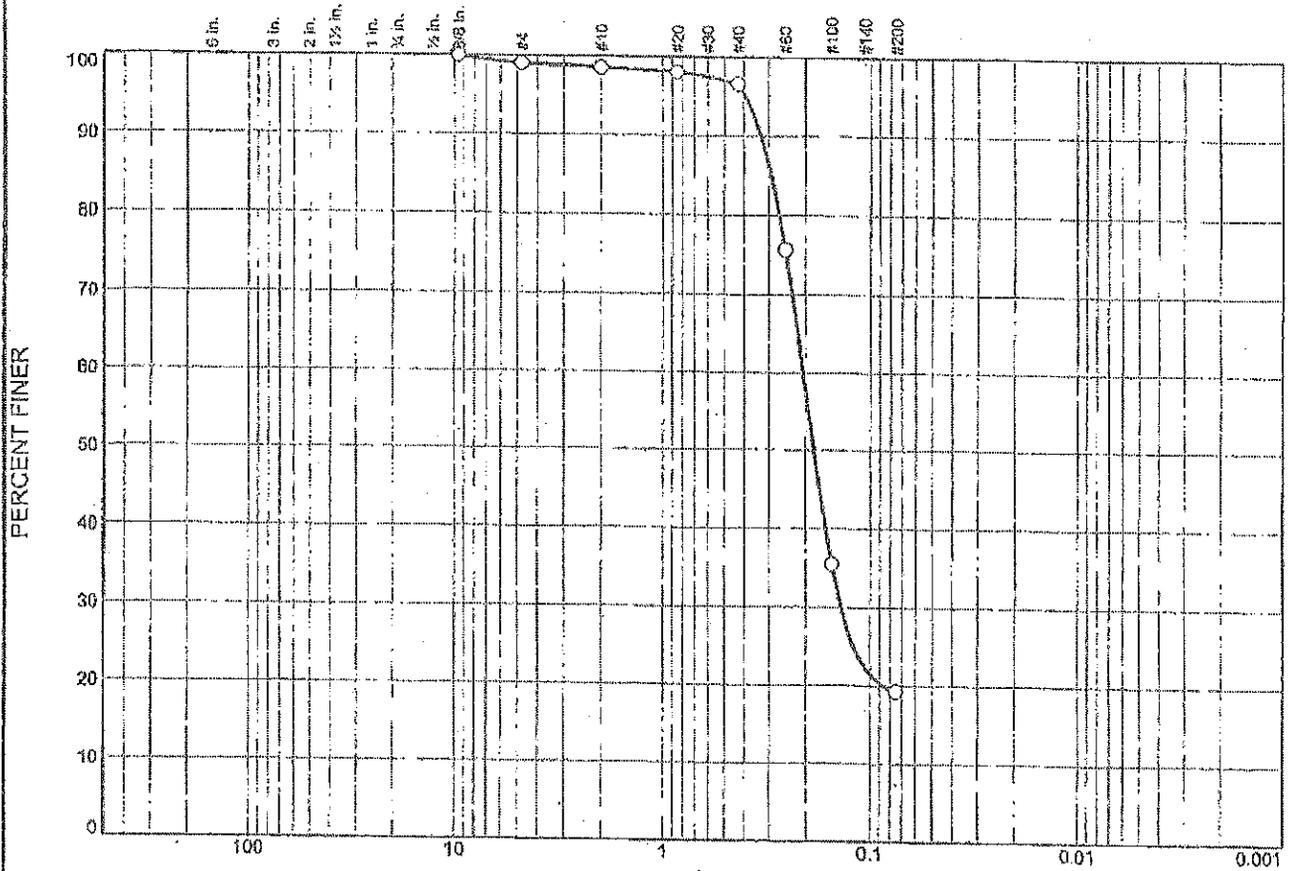
Depth (ft)	Sample Interval	Soil Description	Consistency/ Relative Density	Moisture Content % Wp |-----x-----| Wl 10 30 50 70 90	Pocket Penetrometer			
					Δ	TSF	Δ	SPT (N) Blows/ft
1		(3.5 inches ASPHALT)						
2								
3		FILL; mix of brown sand with silt and gravel and gray silty sand with gravel, fine to coarse grained, moist.	Medium Dense	16.9 x			24 *	
4								
5								
6								
7								
8								
9								
10		Brown silty SAND, fine to medium grained, moist. (SM)	Very Dense	15.2 x				56 *
11								
12								
13								
14								
15		Gray SILT, fine grained, moist. (ML)	Hard	17.8 x				90/4" *
16								
17								
18								
19								
20								
21								
22								
23								
24								
25								
26								
27								
28		Gray SAND, fine to medium grained, saturated. (SP)	Medium Dense	11.2 x			19 *	50/5" *
29								
30								
31								
32								
33		Test boring terminated at 31.5 feet. Groundwater observed at 28 feet during drilling. Groundwater observed at 22 feet after drilling.						
34								
35								
36								
37								
38								
39								
40								

Note: This borehole log has been prepared for geotechnical purposes. This information pertains only to this boring location and should not be interpreted as being indicative of other areas of the site.



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Particle Size Distribution Report



GRAIN SIZE - mm.

%	+3"	% Gravel		% Sand			% Fines			
		Coarse	Fine	Coarse	Medium	Fine	Silt	Clay		
○	0.0	0.0	1.0	0.5	1.9	77.3	19.3			
×	LL	PL	D ₈₅	D ₆₀	D ₅₀	D ₃₀	D ₁₅	D ₁₀	C _c	C _u
○			0.2925	0.2051	0.1822	0.1354				

Material Description						USCS	AASHTO
○ Silty SAND						SM	

Project No. T-6714 Client: PMF Investments
 Project: Mercer Island North
 Mercer Island, Washington
 ○ Location: Test Boring B-1 Depth: -25' Sample Number: 7

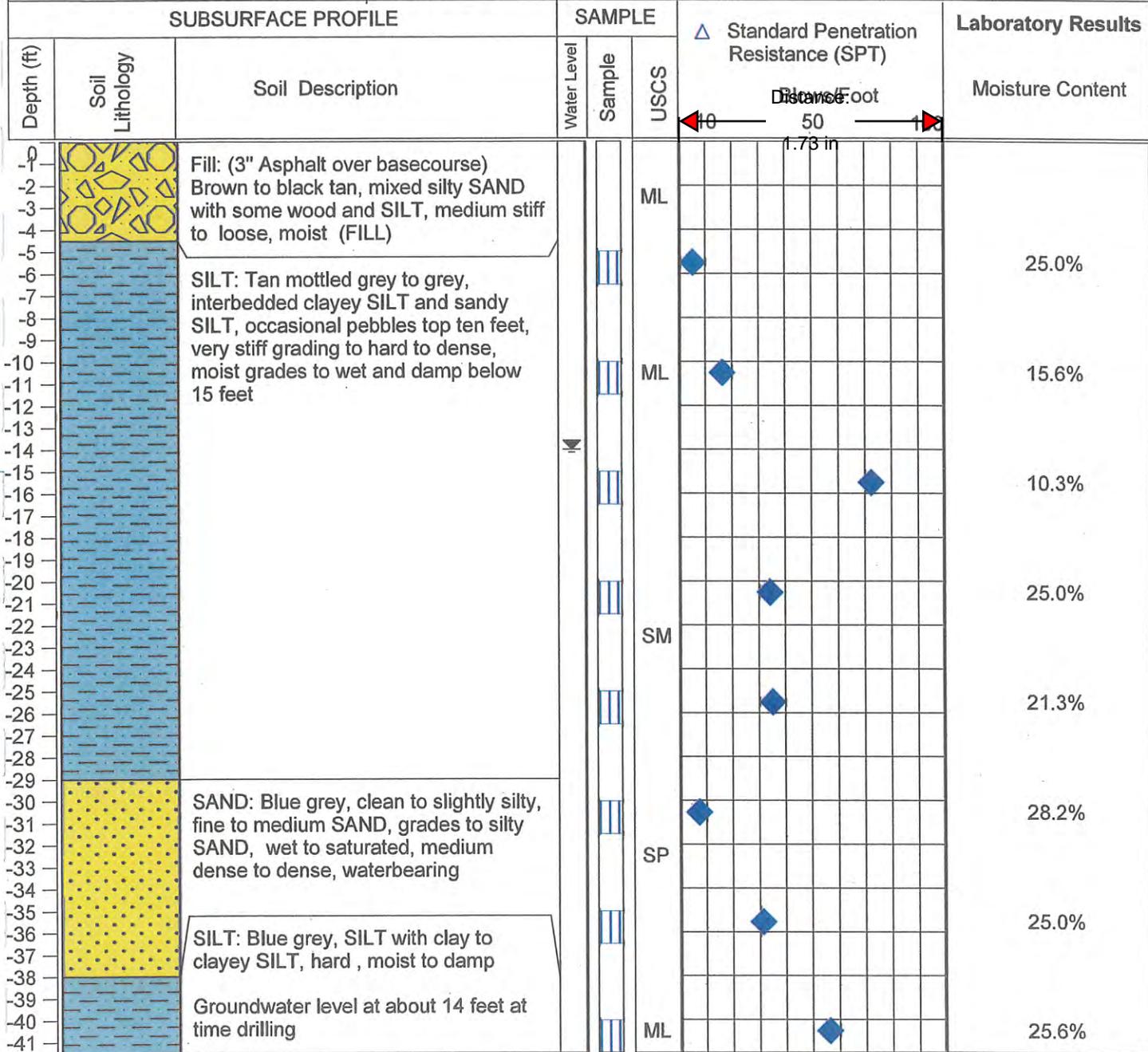
 Terra Associates, Inc.
 Kirkland, WA

Remarks:
 ○ Tested on 4/27/2012

Figure A-6

Tested By: BS

Project : Mercer Island Multi-Family		Boring No. B-1	
Project No. 1350	Date : 10-2-12		
Client : Continental Pacific	Elevation 92 Feet		
Location: East Side	Logged By: Paul Bonifaci		

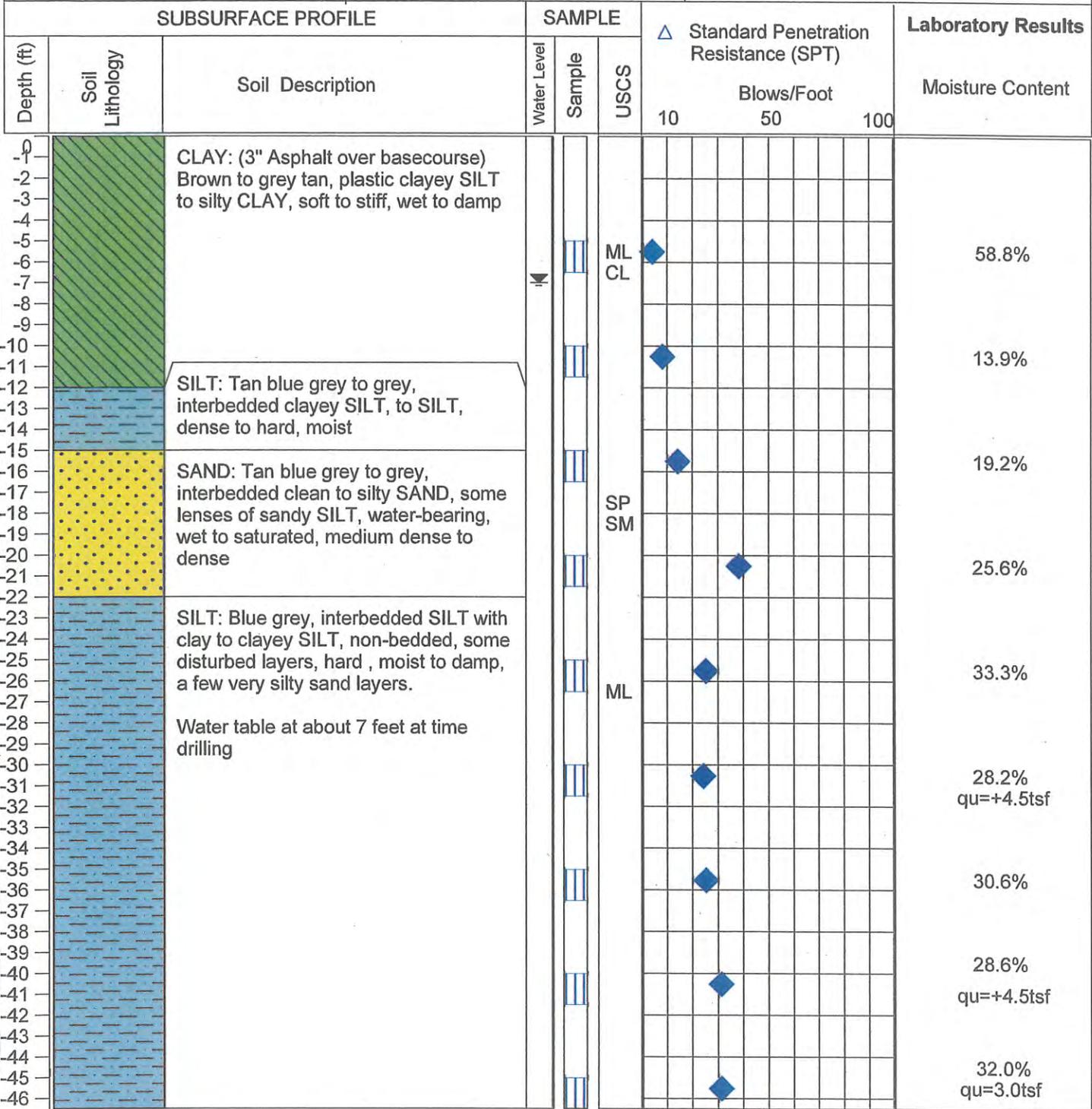


**ABPB Consulting
Geotechnical Consultants**

12525 Willows Road, Suite 80, Kirkland, Washington (425) 820-2544

Project : Mercer Island Multi-Family
Project No. 1350 **Date :** 10-2-12
Client : Continental Pacific **Elevation** 82 Feet
Location: East Side **Logged By:** Paul Bonifaci

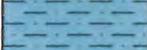
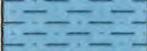
Boring No. B-2



ABPB Consulting
Geotechnical Consultants

12525 Willows Road, Suite 80, Kirkland, Washington (425) 820-2544

Project : Mercer Island Multi-Family			Boring No. B-3
Project No. 1350	Date :	10-2-12	
Client : Continental Pacific	Elevation	85 Feet	
Location: NW corner	Logged By:	Paul Bonifaci	

SUBSURFACE PROFILE			SAMPLE			Standard Penetration Resistance (SPT)			Laboratory Results
Depth (ft)	Soil Lithology	Soil Description	Water Level	Sample	USCS	Blows/Foot			Moisture Content
						10	50	100	
-0		FILL: (3" Asphalt over basecourse)							
-2		Brown to grey tan, silty gravelly SAND (FILL), loose, moist			SM				
-4		PEAT: Interbedded brown, organic			Pt				65.2%
-5		PEAT, mixed with silty organic CLAY, very soft, wet							
-9		CLAY: Tan blue grey, interbedded silty							
-11		CLAY and clayey SILT, scattered organic fragments, very soft to soft, damp to wet			CL				45.0% qu=0.75tsf
-13					ML				
-15									
-16									44.7% qu=0.25tsf
-20		SILT: Blue grey, interbedded SILT with clay to clayey SILT, non-bedded, occasional sandy SILT layers, hard, moist to damp, a few very silty sand layers.							26.5%
-25					ML				21.9% qu=2.5tsf
-27		Water table at about 7 feet at time drilling							
-30									37.9%
-35									
-36									20.0% qu=+4.5tsf
-40									29.0

**ABPB Consulting
Geotechnical Consultants**

12525 Willows Road, Suite 80, Kirkland, Washington (425) 820-2544

Date : Oct. 2012

Project Name: Mercer Island Multi-Family

Figure 5

Project : Mercer Island Multi-Family

Project No. 1350

Date : 10-2-12

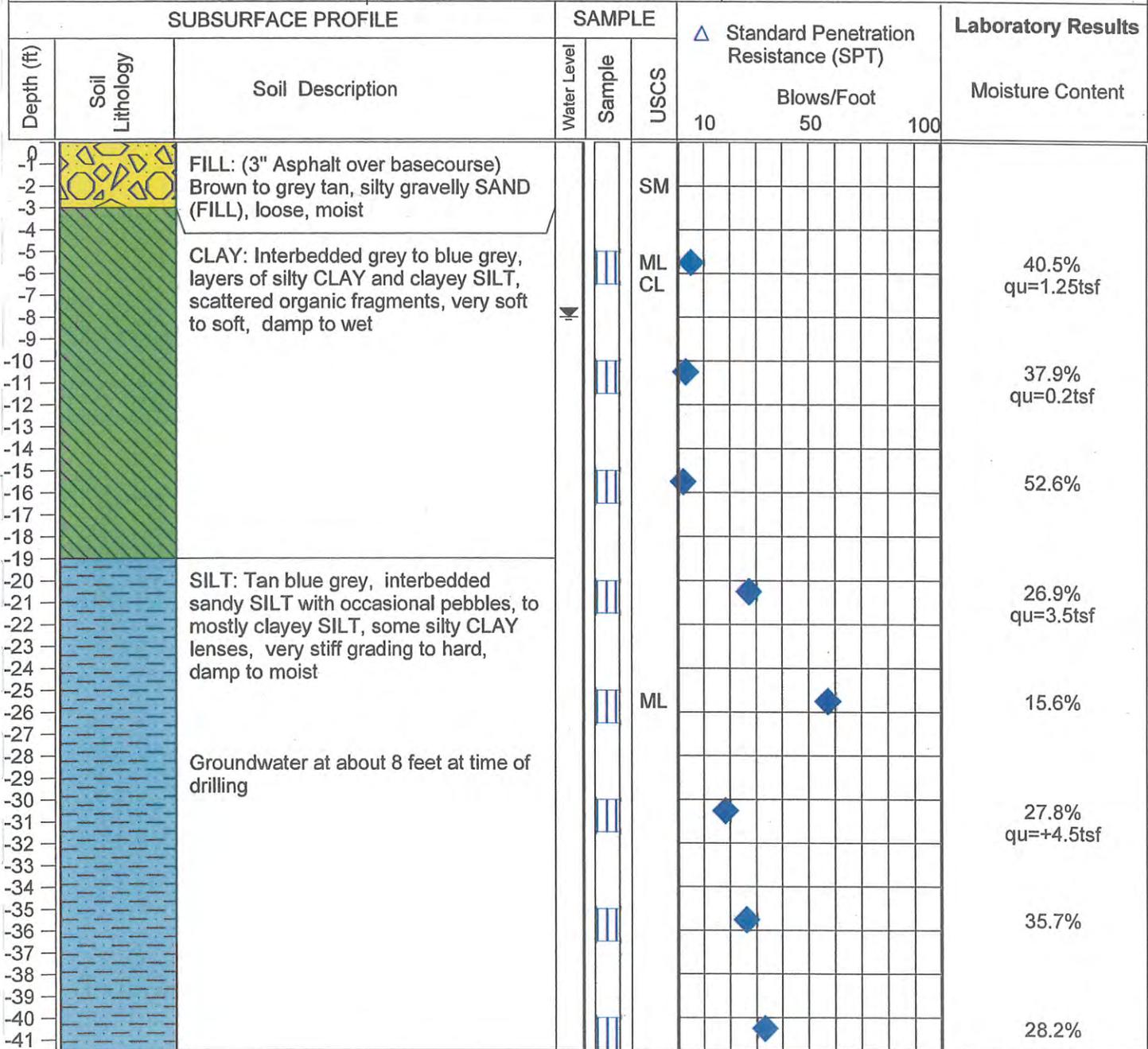
Client : Continental Pacific

Elevation 81 Feet

Location: SW side

Logged By: Paul Bonifaci

Boring No. B -4



**ABPB Consulting
Geotechnical Consultants**

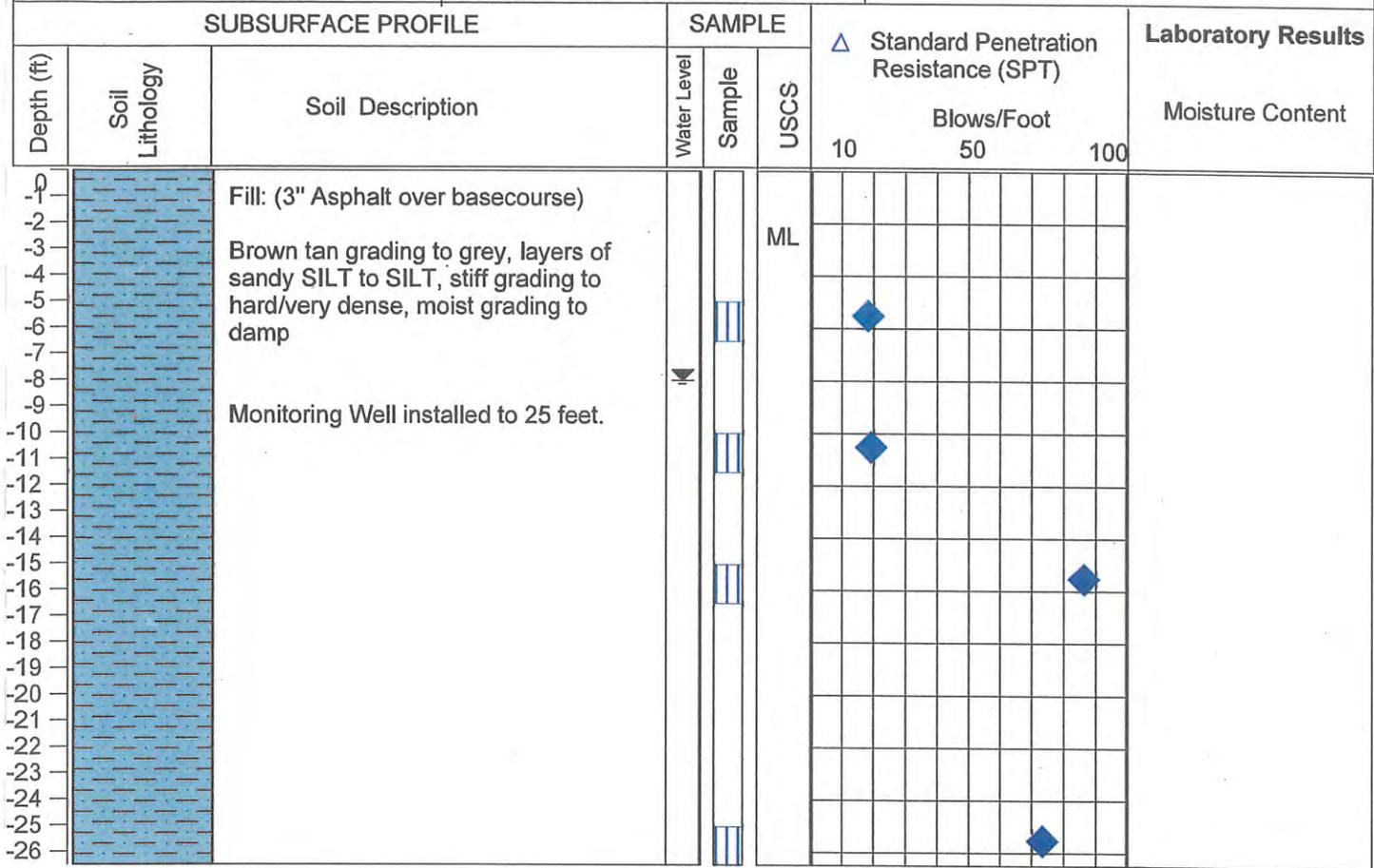
12525 Willows Road, Suite 80, Kirkland, Washington (425) 820-2544

Date : Oct. 2012

Project Name: Mercer Island Multi-Family

Figure 6

Project : Mercer Island Multi-Family		Boring No. M-1	
Project No. 1350	Date : 10-19-12		
Client : Continental Pacific	Elevation 87 feet		
Location: South Side	Logged By: Terry Bukowsky		



**ABPB Consulting
Geotechnical Consultants**

12525 Willows Road, Suite 80, Kirkland, Washington (425) 820-2544

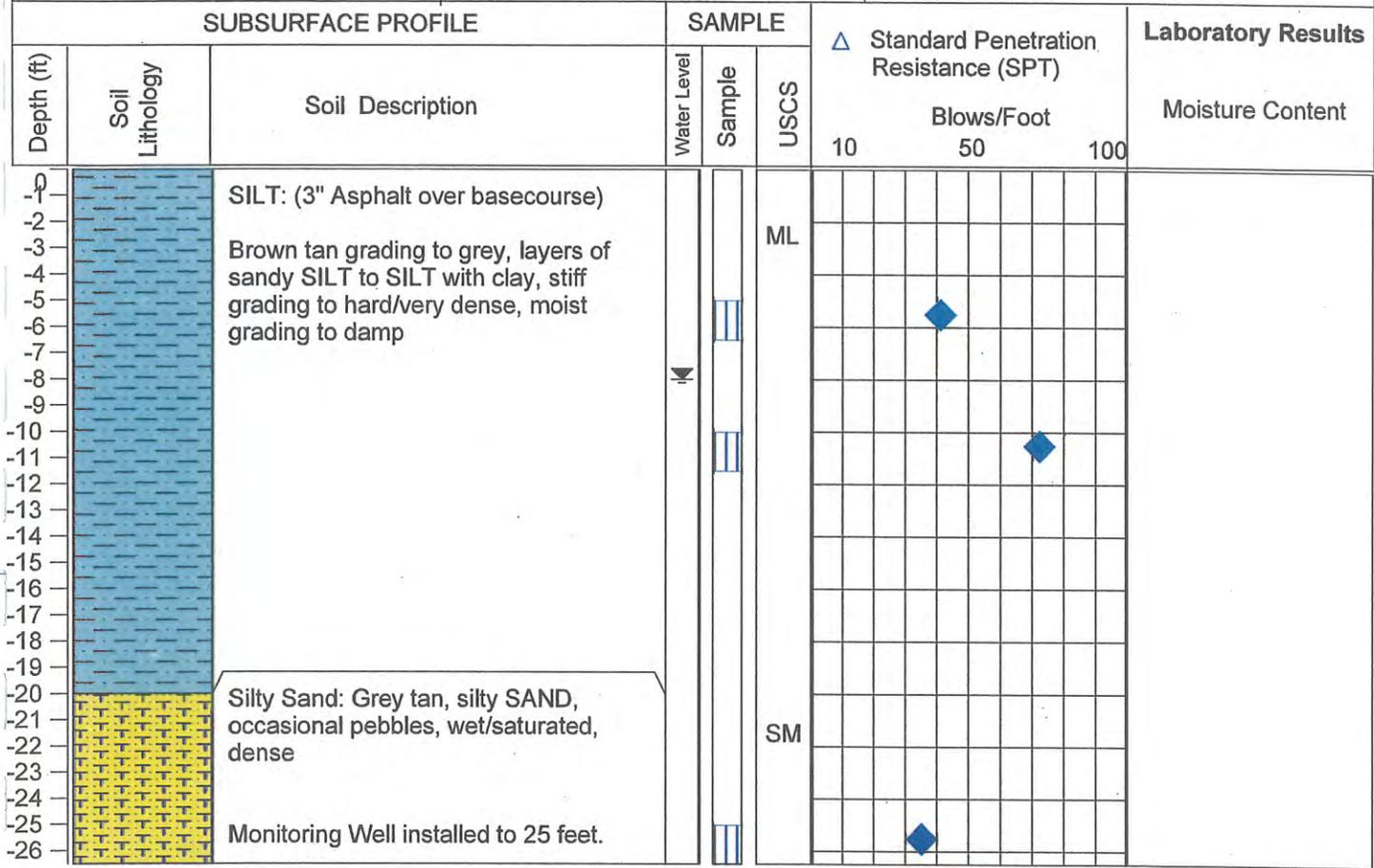
Date : Oct. 2012

Project Name: Mercer Island Multi-Family

Figure 7

Project : Mercer Island Multi-Family
Project No. 1350 **Date :** 10-20-12
Client : Continental Pacific **Elevation** 83 feet
Location: South Side **Logged By:** Terry Bukowsky

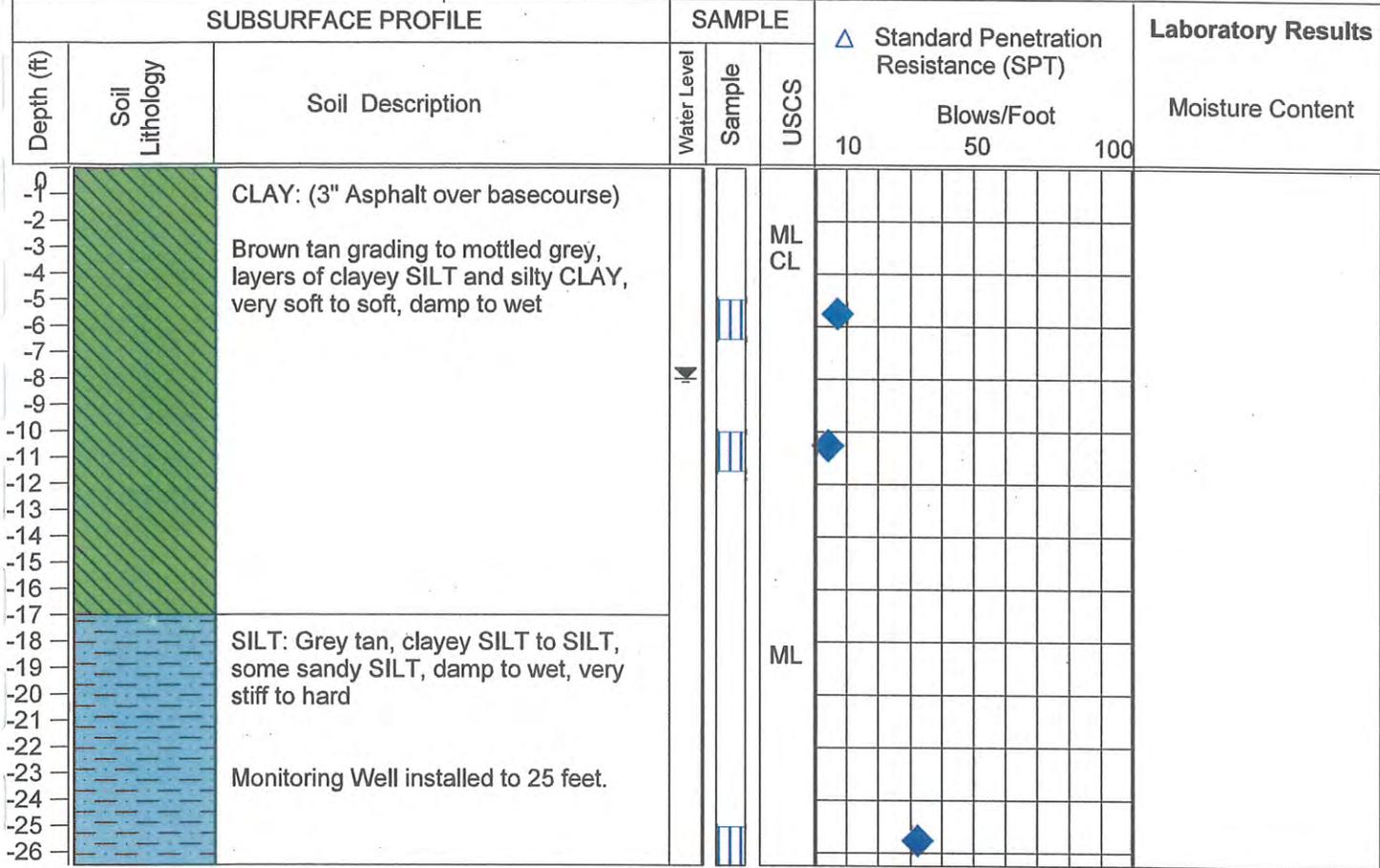
Boring No. M-2



ABPB Consulting
Geotechnical Consultants

12525 Willows Road, Suite 80, Kirkland, Washington (425) 820-2544

Project : Mercer Island Multi-Family		Boring No. M-3	
Project No. 1350	Date : 10-20-12		
Client : Continental Pacific	Elevation 82 feet		
Location: South Side	Logged By: Terry Bukowsky		



**ABPB Consulting
Geotechnical Consultants**

12525 Willows Road, Suite 80, Kirkland, Washington (425) 820-2544



DESIGN REVIEW OF MAJOR NEW CONSTRUCTION

PUBLIC NOTICE OF APPLICATION

May 11, 2015

NOTICE IS HEREBY GIVEN that an application for Design Review of a new mixed use development for the property described below has been filed with the City of Mercer Island.

- File Nos.:** DSR15-014 and SEP15-011
- Description of Request:** Design review of a major new construction consisting of a five-story mixed-use building with a total area of approximately 397,185 square feet; 196 residential units; approximately 16,000 square feet of proposed commercial space; 518 parking stalls, a public plaza; and an east-west pedestrian connection.
- Applicant:** Evan Kaseguma of Hines
- Owners:** King Enterprises of WA, LLC (2885 78th Avenue SE), 2800 Associates, LLC (2750 77th Avenue SE), and Bitney Walsh, LLC (2728 77th Avenue SE)
- Location of Property:** 2728 and 2750 77th Avenue SE and 2885 78th Avenue SE, Mercer Island WA 98040; Identified by King County Assessor Tax Parcel Identification numbers 531510-1326, 531510-1316, and 531510-1325
- SEPA Review:** Following review of the submitted State Environmental Policy Act (SEPA) environmental checklist, an initial evaluation of the proposed project for probable significant adverse environmental impacts has been conducted. The City expects to issue a SEPA Mitigated Determination of Non-Significance (MDNS) for this project. The optional DNS process, as specified in Washington Administrative Code (WAC) 197-11-355, is being used. This may be your only opportunity to comment on the environmental impacts of the proposal. The proposal may include mitigation measures under applicable codes, and the project review process may incorporate or require mitigation measures regardless of whether an Environmental Impact Statement (EIS) is prepared. Mitigation conditions are being considered to mitigate possible environmental impacts resulting from, but not limited to traffic, noise, dust, hauling routes, development within geohazard areas, and Mercer Island School District mitigation fees. A copy of the subsequent threshold determination for this specific proposal may be obtained upon request.
- Written Comments:** **This may be your only opportunity to comment on the environmental impacts of this proposal.** Written comments on this proposal must be submitted to the City of Mercer Island **on or before Tuesday, May 26, 2015 at 5:00 PM** either in person or mailed to the City of Mercer Island at 9611 SE 36th Street, Mercer Island, WA 98040-3732. Only those persons who submit written comments within this fifteen (15) day comment period or who testify at the future open record hearing will become parties of record and receive the subsequent Notice of Decision on these actions. Only parties of record will have the right to file an appeal action.
- Public Meeting and Public Hearing:** Pursuant to MICC 19.15.040(F)(2), the applicant is required to participate in both a public meeting and a subsequent open record public hearing in front of the Design Commission. The date of the public meeting is scheduled for May 27, 2015 at 7:00 pm in the Mercer Island City Council Chambers, located at 9611 SE 36th Street, Mercer Island, Washington. The date of the open record public hearing will be scheduled after the public meeting.
- Applicable Development Regulations:** Pursuant to Mercer Island City Code (MICC) 19.15.010(E), applications for Design Review of major new construction are required to be processed as Discretionary Actions. Processing requirements for Discretionary Actions are further detailed in

MICC 19.15.020. Design Review procedures are contained within MICC 19.15.040. Design Standards for development inside of the Town Center are contained within MICC 19.11. SEPA regulations are contained in RCW 43.21C, WAC 197-11, and MICC 19.07.120.

Other Associated Permits:

The project is currently being reviewed under the State Environmental Policy Act using the optional DNS process in WAC 197-11-800. There are no additional permit applications associated with the property currently pending. Future applications anticipated include a building permit, demolition permit, stormwater drainage plan, and grading permit.

Studies and/or Environmental Documents:

Environmental documents submitted include a completed State Environmental Policy Act (SEPA) environmental checklist and a Preliminary Transportation Summary prepared by the TranspoGROUP, dated May 7, 2015.

The application and any associated studies can be reviewed 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:

Shana Restall, Principal Planner
Development Services Group
City of Mercer Island
9611 SE 36th Street
Mercer Island, WA 98040
(206) 275-7732
shana.restall@mercergov.org

DESIGN REVIEW APPLICATION INFORMATION

<u>Date of Application:</u>	April 15, 2015
<u>Determined to Be Complete:</u>	May 11, 2015
<u>Bulletin Notice:</u>	May 11, 2015
<u>Date Mailed:</u>	May 11, 2015
<u>Date Posted on Site:</u>	May 11, 2015
<u>Comment Period Ends:</u>	5:00PM on May 26, 2015

PROJECT NUMBERS DSR15-014/SEP15-011 – HINES MIXED-USE DEVELOPMENT

Exhibit Number	Description	Party Submitting Exhibit	Date Received by The City
8	Public written comments	Sarah Fletcher	May 23, 2015
9	Public written comments	Lisa Richardson	May 23, 2015
10	Public written comments	Thomas Imrich	May 23, 2015
11	Public written comments	Peter Sheill	May 23, 2015
12	Public written comments	Richard Winslow	May 24, 2015
13	Public written comments	Thomas Imrich	May 24, 2015
14	Public written comments	Ira Appelman	May 25, 2015
15	Public written comments	Joy Matsuura	May 26, 2015
16	Public written comments	Don Gulliford	May 26, 2015
17	Public written comments	Charon Gooding	May 26, 2015
18	Public written comments	Terry Deeny	May 26, 2015
19	Public written comments	David Brondstetter	May 26, 2015
20	Public written comments	Michelle Goldberg	May 26, 2015
21	Public written comments	Robert Medved	May 26, 2015
22	Public written comments	Michael Gates	May 26, 2015
23	Public written comments	Cynthia Winiski	May 26, 2015
24	Public written comments	Tom Acker	May 26, 2015
25	Public written comments	Michelle Goldberg	May 26, 2015
26	Public written comments	Baron Dickey	May 26, 2015
27	Public written comments	Michelle Goldberg	May 26, 2015
28	Public written comments	Gary Robinson	May 26, 2015
29	Public written comments	Michelle Goldberg	May 26, 2015
30	Public written comments	Salim Nice	May 26, 2015
31	Public written comments	Ira Appelman	May 26, 2015
32	Public written comments	Claus Jensen	May 26, 2015
33	Public written comments	Morrene and Terry Jacobson	May 26, 2015
34	Public written comments	Stacy Dimmich	May 26, 2015

Shana Restall

From: Sarah Fletcher <fletchsa1@gmail.com>
Sent: Saturday, May 23, 2015 11:37 AM
To: Shana Restall
Cc: Mike Cero; Dan Grausz; saveoursuburbs@yahoo.com
Subject: DSR15-014 and SEP15-011

I am writing in response to the Public Notice of Application for the 2728 and 2750 77th Ave SE and 2885 78th Ave SE, Mercer Island WA 98040; identified by King County Assessor Tax Parcel Identification numbers 531510-1326, 531510-1316 and 531510-1325. See my response below for the record:

For 1 to 3 years, Hines was in negotiations with the owners of the proposed premises to buy their properties in order to build a Whole Foods. Now it turns out that Whole Foods are now not interested, yet Hines is determined to still go ahead and build a five-story mixed-use development and ask the City for a SEPA Mitigated Determination of Non-Significance. I would like to ask why they need to now purchase three properties in order to build this five-story new mixed-use development when the current code does not justify the building of a five-story new mixed use development?

First of all, with regard to the design review of a major new construction consisting of a five-story, mixed-use building with a total area of approximately 397,185 square feet; 196 residential units; approximately 16,000 square feet of proposed commercial space; 518 parking stalls, a public plaza; and an east-west pedestrian connection, **one building that size is out of proportion for that lot.** Are you asking us to comment on one large building or a few buildings for that lot? It is just that in the Public Notice of Application, you are asking for permission to build a five-story building, but from their design in the Mercer Island Reporter, it looks like there are **two buildings** so what are you/they actually asking for?

Second of all, with regard to their request for 196 residential units, that is about 100 too many. Aesthetically, that will be too much as it will change the look of that corridor and create a worse congestion problem. If you allow one development to be built with all these units, then that opens the door for other residential units to be built along that corridor which will definitely spoil the aesthetics and character of our village.

Third of all, with regard to the 518 parking stalls Hines is requesting, how many of the parking stalls are to accommodate Sound Transit? Either way, 518 is too many, there should not be more than 200 parking stalls total (ie, 100 for retail and 100 for residential). Please understand that there is already traffic congestion in the downtown area and that area cannot handle that many cars because it will only create more congestion and traffic pollution.

Under the SEPA Review, it states that an initial evaluation of the proposed project for probable significant adverse environmental impacts has been conducted. Have you seen it and do the Public get to see it? Was this an independent study or was it paid for by Hines? Has anyone done a congestion management plan for that downtown area and if so, does the public get to see it? Have any tests been done so far to monitor how many cars are currently using those stretches of road surrounding the proposed buildings, what the decibel levels are, what the sound level is? You see, if monitoring was being done, we could at least get an idea of how many cars are using those thoroughfares and what current adverse environmental effects we are dealing with. Without that knowledge, we cannot really see what is happening and I don't know how you can ask us to make an informed decision without all the information and to grant Hines a

permit. There will be an impact on the flow of traffic as there is only single lane traffic for both the cars, cyclists and buses to use on 78th Ave SE. Are they planning to block off SE 78th Street when they do construction? If so, that will be of significant impact.

This proposed lot should have more open space . Currently, with the retail spaces that are currently there, you can clearly see each business. With a proposed 5-story mixed use building, it will be hard to see the businesses because the rental units above the retail businesses are camouflaged and you can't expect people to walk their bicycles through an apartment building to get to the bicycle shop for example.

With regard to the protection of the environment and enhancement of high quality of life, including air and water quality, there is nothing about this proposed site which will enhance our high quality of life. It is impossible to add 518 parking stalls and try to tell us that all those cars are not going to be detrimental to our health and enhance our high quality of life. There will be an environmental impact with regard to the aesthetics, traffic, noise, dust, and hauling routes. How do they expect to mitigate all of these environmental issues? Money can't compensate as a mitigation for all these environmental issues.

Please realize that if you change the Code to allow this corridor to be built up with more large developments like the one proposed above , then more large properties will be allowed to be developed in the same way and if they all decide to build that corridor up, we will be stuck with large developments in that corridor which will have a major detrimental impact on the character, look and feel of downtown Mercer Island and will significantly add to the congestion and environmental problems. Please look at the whole picture and not just this proposed Hines development.

Thank you for your consideration.

Sarah Fletcher

Shana Restall

From: Lisa Richardson <tlrusa@q.com>
Sent: Saturday, May 23, 2015 4:15 PM
To: Shana Restall; Scott Greenberg
Subject: Re: Hines Project DSR15-014/SEP15-011

Follow Up Flag: Follow up
Flag Status: Flagged

Good Afternoon,

I am writing regarding the upcoming Design Commission review of the proposed Hines development as I may be unable to attend the meeting in person and would like to enter some formal comments.

I am a 15-year resident of Mercer Island, currently living in the town center at Island Square. I have carefully and fully reviewed the proposal, and as a member of the Stakeholder Group involved in the Town Center code review have familiarized myself in depth regarding current and proposed building codes.

There are two aspects to his project I would like to address.

1. In the Environmental Checklist submitted by Hines, item 10 "Aesthetics" addresses impact on views. As a resident of the Town Center I strongly disagree with the statement that no views would be impacted by this building. All Island Square residents who face in a south-southwest direction (myself included) will have their territorial view of the northern end of the island obscured if not totally blocked by this development. A single building approach to the development (the doughnut shape) creates a massive, imposing structure whose presence is hard to ignore from any area in the Town Center. All residents on the surrounding hillsides as well as those in multi-family dwellings in the Town Center will be looking at four sheer walls of concrete, glass, and wood rising from what is visually the center of town. It is imperative if this development is so prominently viewed that it be the aesthetically pleasing to the greatest degree possible.
2. Building mass and scale. As part of the Stakeholder Group I have attended all public input meetings to date regarding the community's vision for the Town Center. The massing of this building is in direct conflict with what the community is not just requesting but almost demanding. It has been abundantly clear the community wants greater setbacks from the street along with step backs for upper floors and articulation of building facades. Although I realize this is not required in current code, none of these requests appear to be present in the renderings provided by Hines. They are proposing a full city block of 5 stories of unarticulated, non stepped back construction. The elevation renderings clearly show the "canyon" effect the community is so strongly objecting to that exists in current developments such as The Mercer. This proposed building mass is coupled with a disturbing lack of street setback on all but one side. The southern elevation rendering provides a view that is both utilitarian and pleasing to the eye. The public plaza proposed along the south side is an improvement over previous development and in its current proposed configuration would greatly enhance the site. However, along the northern edge of the development is a proposed "mid block connection." This is shown as only 10 feet in width. Were the property to the north developed in the future to a comparable 5 stories, the end result would be nothing more than a dark alley between the buildings. The east and west sides of the building are long, unbroken expanses of windows and walls 5 stories in height with no variation at all. I urge the Design Commission to view these elevations and imagine them lining 77th and 78th Aves. These vast expanses are totally contrary to community expectations in areas where the most variation in building facade is needed.

It is the Design Commissions job to interpret standards as set forth in the code but also to ensure the community's desires and interests are protected not only now but for the future. I strongly believe this current proposal is in conflict with community values and expectations. Mercer Island is the "brass ring" of development locations. It is important we hold high standards if we want great results. Although this is a good proposal, it is not great and in fact falls short in many areas. Further alterations in building design are necessary if this development is allowed to move forward.

Respectfully submitted,

Lisa M. Richardson
206-250-7588

Shana Restall

From: Thomas Imrich <7478ti@gmail.com>
Sent: Saturday, May 23, 2015 8:17 PM
To: Scott Greenberg; Shana Restall
Cc: Ira B. Appelman; 'Joy Matsuura'; Mike Cero; Benson Wong; Debbie Bertlin
Subject: SEPA Comments: Proposed Hines Project DSR15-014 /SEP15-011

Follow Up Flag: Follow up
Flag Status: Flagged

SEPA Comments: Proposed Hines Project

Ref: DSR15-014 /SEP15-011

Submitted by: Thomas Imrich
6231 Island Crest Way, Mercer Island, WA 98040-4520
May 23, 2015

The following comments are provided reference the Hines proposed building complex for Mercer Island including the planned apartments to be incorporated.

The overall concept of adding population density to Mercer island, embodied by the Hines project's addition to Island population density through adding new apartments is unnecessary, inappropriate, environmentally undesirable, and should not be approved regardless of potential mitigations proposed by Hines.

1) The GMA is fatally flawed by incorrectly asserting that Mercer Island can absorb more population density than at present, without seriously increasing potential adverse environmental and safety effects. GMA's assumptions and analysis are simply wrong. Due to the seismic and volcanic effect vulnerability of the island, with limited resources and limited external access, MI already likely has MORE PRESENT POPULATION DENSITY overall than can be safely sustained at present, or that it can safely accommodate in the future. With proper analysis of the island's geology, such as by past history assessments, and LIDAR studies, particularly for conditions in or near ravines, as well as in the TC, MI is subject to extreme geologic effects such that NO additional building construction above approximately 2 stories in height (depending on slope effects) should ever be attempted or allowed on MI, anywhere. In fact many existing structures may even need to eventually be reinforced or removed (as from ravine areas), or reduced in height, to be safely and environmentally compatible with feasible environmentally sound infrastructure support, for the long term, for both utilities, other infrastructure (e.g., sanitation and water), as well as transportation.

2) There is no evidence whatsoever presented so far that the construction of a five or more story complex on the "Hines Site" can be conducted with due regard to environmental factors such as ground water protection and removal, or without increasing TC congestion to levels that increase long term pollution and adverse environmental effects.

3) The Hines project will add to the burden of other adverse environmental effects on the Island, such as by forcing additional school construction, and road reconfiguration, which itself will further compound adverse environmental effects.

Accordingly, no construction above TWO STORIES should be approved for any development of the proposed Hines parcel on Mercer Island. Period.

Further, Councilman Grausz's frequent assertions that TWO STORIES [does not work on Mercer Island] is completely false, and has no basis in fact whatsoever. Cities like our all over the world, very similar to ours, make it work just fine, all the time.

[an example of Council member Grausz flawed position on this issue is repeated below]

From: Dan Grausz [Grausz](#)
To: Miller; Jeffrey D jeffrey.d.miller@boeing.com
Cc:
Subject: Re: Moratorium Update
Date: 2/9/2015 6:13:46 PM
Attachments:

Jeff:I think anything is possible but I do not see our Town Center having its future with 2-story buildings. We tried that in the 1980s, all development ground to a halt and the heights were raised. I think it likely the same would happen again if we dropped the heights. The property owners would just wait out the City government and what little retail we have left would slowly die. ***[This above Grausz email assessment is a completely unjustified and flawed assessment, especially with the light rail train about to come to MI. The severely flawed past zoning and land use development policies of the Council are in fact the cause of this alleged failure, as well as the cause of CHASING needed and desired service businesses off the island...]***

Shana Restall

From: Pete <psheill@gmail.com>
Sent: Saturday, May 23, 2015 9:02 PM
To: Shana Restall
Subject: Hines project SEPA comments

Hello. Please don't allow such a monstrous 5-story building project on Mercer Island - our roads, schools and parking lots are strained enough as it is and tall buildings ruin the aesthetics of downtown.

Thanks,
Peter Sheill
4035 79th Ave SE
Mercer Island, WA 98040
"DSR15-014 / SEP15-011."

Shana Restall

From: Richard Winslow <w0301@aol.com>
Sent: Sunday, May 24, 2015 11:19 AM
To: Shana Restall; Scott Greenberg
Cc: saveoursuburbs@yahoo.com
Subject: Objections to the "Hines Project"

Dear Ms. Restall and Mr. Greenberg:

As a long-time Mercer Island resident, I am writing to offer my comments and to express my formal objection to the so-called Hines Project on environmental grounds. That is, DSR15-014/SEP15-011.

Put simply, my objections are as follows: 1) significantly increased auto traffic impacting the Town Center area with worsened air quality and increased risk to the pedestrian public; 2) significantly increased household and commercial solid waste which will need to be disposed of; 3) a risk to our already compromised water system; and 4) a negative impact on our already crowded Mercer Island Schools.

Thank you for taking my objections into account.

Richard Winslow
3761 77th Ave. SE
Mercer Island, WA 98040
Phone: 206-236-1710

Richard Winslow w0301@aol.com

Shana Restall

From: Travis Saunders
Sent: Tuesday, May 26, 2015 9:37 AM
To: Shana Restall
Subject: FW: To The MI Design Commission - Comments on the Hines proposed development for Mercer Island

FYI

Travis Saunders | Senior Planner

City of Mercer Island Development Services
9611 SE 36th Street, Mercer Island, WA 98040-3732
p: 206.275.7717 fx: 206.275.7726
travis.saunders@mercergov.org

View the status of permits at www.mybuildingpermit.com

View information for a geographic area [here](#)

View application and other zoning information [here](#)

NOTICE OF PUBLIC DISCLOSURE: This e-mail account is public domain. Any correspondence from or to this e-mail account may be a public record. Accordingly, this e-mail, in whole or in part, may be subject to disclosure pursuant to RCW 42.56, regardless of any claim of confidentiality or privilege asserted by an external party.

From: Thomas Imrich [mailto:7478ti@gmail.com]
Sent: Sunday, May 24, 2015 5:52 PM
To: Travis Saunders; Kirsten Taylor; Noel Treat
Cc: Scott Greenberg; Ira B. Appelman; 'Michelle Goldberg'; lisabelden@aol.com; Mike Cero; Debbie Bertlin; Benson Wong; Jane Brahm
Subject: To The MI Design Commission - Comments on the Hines proposed development for Mercer Island

To the Mercer Island Design Commission:

Comments: Proposed Hines Project – for the Design Commission Wed May 27th 2015 Meeting

Ref: DSR15-014 /SEP15-011

The following comments are provided reference the Hines proposed building complex for Mercer Island including the planned apartments to be incorporated.

The overall concept of adding population density to Mercer island, embodied by the Hines project's addition to Island population density through adding new apartments is unnecessary, inappropriate, environmentally undesirable, and should not be approved regardless of potential mitigations proposed by Hines.

1) The GMA is fatally flawed by incorrectly asserting that Mercer Island can absorb more population density than at present, without seriously increasing potential adverse environmental and safety effects. GMA's assumptions and analysis are simply wrong. Due to the seismic and volcanic effect vulnerability of the island, with limited resources and limited external access, MI already likely has MORE PRESENT POPULATION DENSITY overall than can be safely sustained

at present, or that it can safely accommodate in the future. With proper analysis of the island's geology, such as by past history assessments, and LIDAR studies, particularly for conditions in or near ravines, as well as in the TC, MI is subject to extreme geologic effects such that NO additional building construction above approximately 2 stories in height (depending on slope effects) should ever be attempted or allowed on MI, anywhere. In fact many existing structures may even need to eventually be reinforced or removed (as from ravine areas), or reduced in height, to be safely and environmentally compatible with feasible environmentally sound infrastructure support, for the long term, for both utilities, other infrastructure (e.g., sanitation and water), as well as transportation.

2) There is no evidence whatsoever presented so far that the construction of a five or more story complex on the "Hines Site" can be conducted with due regard to environmental factors such as ground water protection and removal, or without increasing TC congestion to levels that increase long term pollution and adverse environmental effects.

3) The Hines project will add to the burden of other adverse environmental effects on the Island, such as by forcing additional school construction, and road reconfiguration, which itself will further compound adverse environmental effects.

Accordingly, no construction above TWO STORIES should be approved for any development of the proposed Hines parcel on Mercer Island. Period.

Further Considerations:

The HINES Plan, as posted and described on the Design Commission Website is a "disaster" in the making for Mercer Island.

- 1) **The proposed Hines building is UGLY as sin,**
- 2) **The building will inappropriately block light and views in a neighborhood that should be limited to a height of two stories,**
- 3) **The facility will likely require additional expensive fire and police assets to manage its long term safety, at disproportionate taxpayer expense,**
- 4) **We already have all the population on the island that MI can safely stand and support on this restricted access island, due to the probability of being stranded in seismic or nearby volcanic events (GMA targets for MI are seriously incorrect, and are already stated as higher values than the island can safely sustain – that is due to excessive populations already living in ravine areas that LIDAR studies will likely subsequently show to be dangerous). Hence we don't need or want yet even more apartments being built there on the property proposed for development by Hines, to further increase our MI population.**
- 5) **Hines and the additional residents are not being assessed to pay ANYWHERE NEAR their fair share of fully allocated costs for the school system to the MISD, ...which by any fair and technically appropriate calculation should be well over \$40M alone in capital costs to the MISD, from these Hines new units over the next 12 years, and that amount is IN ADDITION TO ANY normally assessed property tax assessments, just based on the number of living units proposed for this new residential development, and realistic projections for resident student population,**
- 6) **No "useful to MI citizens" service businesses will ever be likely to take up residence in this high priced, developer ROI profit driven facility, now being forced on MI citizens,**
- 7) **At least one Council member appears to have inappropriate secondary motivations for facilitating this Hines facility as proposed, (e.g., such as to set up an informal side agreement relative to parking downtown, to help get the Council "off the hook" for past culpability for having so completely fouled up downtown traffic and parking already, with the recent downtown Council induced undesirable changes),**
- 8) **At least one Council member has been suggested to have had at least THE APPEARANCE of a conflict of interest regarding inappropriate secondary motivations for facilitating this Hines facility approval, regarding getting implicit or indirect aid from Hines for MICA (e.g., Hines indirect or direct advocacy or support for**

MICA, such as for shared parking), even while that Council member was serving as a MICA Board Member, and had not recused himself,

- 9) The recent “Whole Foods stunt” by Hines, likely spurred by a Council Member, at the advent of the moratorium, was despicable. The dangling of a prospect for “Whole Foods to come to this Hines development” as a factor to exclude the Hines development from the moratorium was an insult to the entire MI community. Worse, the “stunt” showed bad faith on the part of Hines. Hines should now be summarily INCLUDED in the MORATORIUM. Period. Further, that Council member involved should be recused from dealing with any aspect of this Hines project’s review or approval, from this point on.
- 10) There is NO VALID “VALUABLE” MITIGATION WHATSOEVER being offered by Hines to the City of Mercer Island and to its citizens in this blatantly destructive proposal to the quality of life on the entirety of Mercer Island.

Accordingly, the design Commission should summarily disapprove this ridiculous Hines proposal, limit zoning in that region on that property to two stories maximum, and encourage Hines to take their project elsewhere, anywhere OFF Mercer Island.

Submitted by: Thomas Imrich
6231 Island Crest Way, Mercer Island, WA 98040-4520
May 24, 2015

Ira B. Appelman
4436 Ferncroft Road
Mercer Island, WA 98040-3818

EXHIBIT 14

May 25, 2015

Principal Planner Shana Restall
Development Services Group
City of Mercer Island
9611 SE 36th Street
Mercer Island, WA 98040

BY EMAIL & HAND DELIVERED

RE: Comments on SEPA review of King/Hines project SEP15-011

Dear Principal Planner Restall:

The following comments, timely filed by 5PM on May 26, 2015, concern the SEPA permit application (SEP15-011) related to the King/Hines project covering three lots at 2728 & 2750 77th Avenue SE and 2885 78th Avenue SE (DSR15-014) as described in the Notice of Application published in the DSG Weekly Permit Information Bulletin for May 11, 2015:

1. The optional DNS process described in WAC 197-11-355 is inappropriate because the City doesn't have "a reasonable basis for determining significant adverse environmental impacts are unlikely," as required by WAC 197-11-355(1), which states: "If a GMA county/city with an integrated project review process (RCW 36.70B.060) is lead agency for a proposal and has a reasonable basis for determining significant adverse environmental impacts are unlikely, it may use a single integrated comment period..." **Furthermore, even if the City can legally use the optional DNS process, WAC 197-11-355(2)(b) requires that the agency shall, "List in the notice of application the conditions being considered to mitigate environmental impacts, if a mitigated DNS is expected," but the City failed to comply with this requirement.** The City's notice of application confirms that, "The City expects to issue a SEPA Mitigated Determination of Non-Significance (MDNS) for this project." But the City fails to list the conditions being considered to mitigate environmental impacts as required. I have appended WAC 197-11-355 taken from the WA Legislature website (<http://app.leg.wa.gov/WAC/default.aspx?cite=197-11-355>) and the Notice of Application published in the City's May 11, 2015 Weekly Permit Information Bulletin taken from the City's website (<http://www.mercergov.org/SIB/files/BULL05112015.pdf>).

2. The proposed King/Hines development is inconsistent with transportation infrastructure required to keep critical roads at the City's adopted Level of Service (LOS) C and even at a proposed LOS D, so the project cannot go forward. The City is blatantly out of compliance with concurrency standards for streets in many locations, and, in some instances, hasn't been concurrent for over twenty (20) years. The City's adopted LOS is C. I have attached Table 5 from the previous Comprehensive Plan which shows 2004 traffic volumes and LOS for numerous Mercer Island streets. Eleven years ago, locations on Island Crest Way, SE 40th Street, and SE 68th Street were below LOS C at D, E, or F. There was a lack of concurrency at far back as the original 1994 traffic volumes.

How has the City responded to the lack of transportation concurrency? In the 2015 proposed Comprehensive Plan, the City has deleted the equivalent of Table 5, so the City doesn't reveal the

LOS on Island Crest Way, SE 40th Street, and SE 68th Street, and the City generally eliminates reference to current LOS reporting only projected LOS for 2035. Island Crest Way between Merrimount and SE 53rd Street was at LOS D, so the City NARROWED the street from four lanes to two lanes with a “road diet” aggravating traffic problems. At the May 4, 2015 City Council meeting, the City’s transportation consultant from KPG, Joe Giacobazzi, recommended that the City NOT MEASURE the traffic at side-street stop controlled intersections. Before the road diet, staff had recommended a traffic signal at Merrimount and Island Crest Way, but for political reasons and to create bike lanes, the road diet was constructed. Now, Giacobazzi is recommending not measuring traffic at intersections like Merrimount because that might show something like signalizing the intersection must be done.

The proposed King/Hines development has hundreds of units and parking spots and will put considerable traffic onto locations that haven’t been concurrent for ten to twenty years. The Island has only one middle school, Islander Middle School (IMS), at the south end of the Island at SE 72nd Street and 84th Avenue SE. Not only does every student between 6th and 8th grade attend the school, but many activities are scheduled at the school. Right next to IMS are the South Mercer Playfields, which consist of four baseball/softball fields, two soccer/lacrosse fields, and a track with an artificial soccer/lacrosse field in the center. This is the largest complex of fields on the Island. Also on the south end of the Island is Island Crest Park at SE 59th Street and Island Crest Way. The park includes the only two full-size baseball fields on the Island and is the home of the high school baseball team. In the off-season, the baseball fields are heavily used for football and soccer. The additional traffic from the King/Hines project will overload locations that are already below the LOS standard, and so shouldn’t be allowed until the City solves the concurrency problem.

3. The public comment period should NOT have begun BEFORE the Traffic Impact Analysis report was completed. How exactly can the public comment on a report that doesn’t exist? The City appears to be trying to rush this King/Hines project through. The comment period clock was started on May 11, 2015, the day the application was determined to be “complete” and noticed, but the application wasn’t complete because there wasn’t a traffic study. The City should start over with the comment period when the application is ACTUALLY COMPLETE.

4. The impact on the Mercer Island School District (MISD) should be more carefully studied and mitigated. MISD and the City have underestimated the impact of development on the schools. We were promised with the new construction bond that portables would disappear, but they’re back. Students from this development will most likely attend the closest grade school, West Mercer Elementary, the traditionally most crowded elementary school, which could easily accelerate the rebuilding of the elementary schools, WHICH IS THE CURRENT MISD PLAN!

Sincerely,

Ira B. Appelman
4436 Ferncroft Road
Mercer Island, WA 98040-3818
appelman@bmi.net
(206)232-8511

WAC 197-11-355

Optional DNS process.

(1) If a GMA county/city with an integrated project review process (RCW [36.70B.060](#)) is lead agency for a proposal and has a reasonable basis for determining significant adverse environmental impacts are unlikely, it may use a single integrated comment period to obtain comments on the notice of application and the likely threshold determination for the proposal. If this process is used, a second comment period will typically not be required when the DNS is issued (refer to subsection (4) of this section).

(2) If the lead agency uses the optional process specified in subsection (1) of this section, the lead agency shall:

(a) State on the first page of the notice of application that it expects to issue a DNS for the proposal, and that:

- (i) The optional DNS process is being used;
- (ii) This may be the only opportunity to comment on the environmental impacts of the proposal;
- (iii) The proposal may include mitigation measures under applicable codes, and the project review process may incorporate or require mitigation measures regardless of whether an EIS is prepared; and
- (iv) A copy of the subsequent threshold determination for the specific proposal may be obtained upon request (in addition, the lead agency may choose to maintain a general mailing list for threshold determination distribution).

(b) List in the notice of application the conditions being considered to mitigate environmental impacts, if a mitigated DNS is expected;

(c) Comply with the requirements for a notice of application and public notice in RCW [36.70B.110](#); and

(d) Send the notice of application and environmental checklist to:

(i) Agencies with jurisdiction, the department of ecology, affected tribes, and each local agency or political subdivision whose public services would be changed as a result of implementation of the proposal; and

(ii) Anyone requesting a copy of the environmental checklist for the specific proposal (in addition, the lead agency may choose to maintain a general mailing list for checklist distribution).

(3) If the lead agency indicates on the notice of application that a DNS is likely, an agency with jurisdiction may assume lead agency status during the comment period on the notice of application (WAC [197-11-948](#)).

(4) The responsible official shall consider timely comments on the notice of application and either:

(a) Issue a DNS or mitigated DNS with no comment period using the procedures in subsection (5) of this section;

(b) Issue a DNS or mitigated DNS with a comment period using the procedures in subsection (5) of this section, if the lead agency determines a comment period is necessary;

(c) Issue a DS; or

(d) Require additional information or studies prior to making a threshold determination.

(5) If a DNS or mitigated DNS is issued under subsection (4)(a) of this section, the lead agency shall send a copy of the DNS or mitigated DNS to the department of ecology, agencies with jurisdiction, those who commented, and anyone requesting a copy. A copy of the environmental checklist need not be recirculated.

[Statutory Authority: 1995 c 347 (ESHB 1724) and RCW [43.21C.110](#). WSR 97-21-030 (Order 95-16), § 197-11-355, filed 10/10/97, effective 11/10/97.]

WEEKLY PERMIT INFORMATION BULLETIN

REPORT DATE: 5/11/2015

A PUBLICATION OF THE CITY OF MERCER ISLAND ISSUED WEEKLY TO PROVIDE OFFICIAL NOTICE OF LAND USE APPLICATIONS FILED AND DECISIONS MADE ON DEVELOPMENT PERMITS.

You may review the files on projects at the offices of Development Services, 9611 SE 36th St, Mercer Island. Comments on proposals are accepted for a period of not less than fourteen (14) days from the date of publication of this bulletin. Comments must be in writing and contain your name and address and must also include the project number and location. All written comments must be filed with the Development Services Group. If there is a public hearing, testimony may be given at the public hearing before a decision is made in order to establish standing to appeal the decision.

When the SEPA field indicates a Determination of Nonsignificance (DNS) is expected, the optional DNS process is being used and a DNS is likely. This may be the only opportunity to comment on the environmental impacts of the proposal. The proposal may include mitigation measures under applicable codes and the project review process may incorporate or require mitigation measures regardless of whether an Environmental Impact Statement (EIS) is prepared. A copy of the subsequent Threshold Determination for the proposal may be obtained upon request.

PUBLIC NOTICE OF APPLICATION

Project #: DSR15-014

Description: Design review of a major new construction consisting of a five-story mixed-use building with a total area of approximately 397,185 square feet; 196 residential units; approximately 16,000 square feet of proposed commercial space; 518 parking stalls, a public plaza; and an east-west pedestrian connection.

Status: IN_REVIEW

Address: 2728 AND 2750 77TH AVENUE SE, AND 2885 78TH AVENUE SE [Click Here For Map](#)

KC Assessor's Parcel: 5315101326, 5315101316, AND 5315101325

Applicant: EVAN KASEGUMA OF HINES

Owner: KING ENTERPRISES OF WA, LLC (2885 78TH AVENUE SE), 2800 ASSOCIATES, LLC (2750 77TH AVENUE SE), AND BITNEY WALSH, LLC (2728 77TH AVENUE SE)

Date of Application: Wednesday, April 15, 2015

Date Determined to be Complete: Monday, May 11, 2015

End of Comment Period: By 5:00pm on Tuesday, May 26, 2015

Applicable Regulations: Pursuant to Mercer Island City Code (MICC) 19.15.010(E), applications for Design Review of major new construction are required to be processed as Discretionary Actions. Processing requirements for Discretionary Actions are further detailed in MICC 19.15.020. Design Review procedures are contained within MICC 19.15.040. Design Standards for development inside of the Town Center are contained within MICC 19.11. SEPA regulations are contained in RCW 43.21C, WAC 197-11, and MICC 19.07.120.

Decision Authority: Design Commission

SEPA Review: Following review of the submitted State Environmental Policy Act (SEPA) environmental checklist, an initial evaluation of the proposed project for probable significant adverse environmental impacts has been conducted. The City expects to issue a SEPA Mitigated Determination of Non-Significance (MDNS) for this project. The optional DNS process, as specified in Washington Administrative Code (WAC) 197-11-355, is being used. This may be your only opportunity to comment on the environmental impacts of the proposal. The proposal may include mitigation measures under applicable codes, and the project review process may incorporate or require mitigation measures regardless of whether an Environmental Impact Statement (EIS) is prepared. Mitigation conditions are being considered to mitigate possible environmental impacts resulting from, but not limited to traffic, noise, dust, hauling routes, development within geohazard areas, and Mercer Island School District mitigation fees. A copy of the subsequent threshold determination for this specific proposal may be obtained upon request.

Staff Contact: Shana Restall

Staff Email: shana.restall@mercergov.org

Staff Phone: (206)275-7732

Related Permits/Projects: Permit Number Permit Type Project Number Project Type
SEP15-011 SEPA REVIEW

Table 5 - 2022 Traffic Volume Forecast for Mercer Island

Principal Arterials	Location	# of Lanes	2004 Capacity	2004 Volume*	2004 V/C Ratio	2004 LOS	2022 Capacity	2022 Volume**	2022 V/C Ratio	2022 LOS
Island Crest Way	N of SE 40 th St.	4	27,600	23,125	0.84	D	27,000	24,995	0.93	E
Secondary Arterials										
Island Crest Way	S of SE 40 th St.	4	27,600	23,433	0.85	D	27,600	24,896	0.90	E
Island Crest Way	N of SE 68 th St	2	13,800	13,417	0.97	E	13,800	14,589	1.06	F
West Mercer Way	S of SE 24 th St	2	13,800	9,020	0.65	B	13,800	9,308	0.67	B
West Mercer Way	N of SE 40 th St	2	13,800	4,290	0.31	A	13,800	4,411	0.32	A
78 th Avenue SE	S of SE 40 th St	2	13,800	2,688	0.19	A	13,800	2,747	0.20	A
SE 40 th Street	W of Is. Crest Way	2	13,800	7,700	0.56	A	13,800	8,200	0.59	B
SE 40 th Street	E of Is. Crest Way	2	13,000	16,280	1.18	F	13,000	16,529	1.20	F
Gallagher Hill Road	NE of SE 40 th St.	2	13,800	9,900	0.72	C	13,800	10,075	0.73	C
SE 36 th Street	E of Gallagher Hill	3	17,000	11,000	0.65	B	17,000	11,487	0.68	C

Collector Arterials										
East Mercer Way	S of SE 36 th Street	2	13,800	6,710	0.49	A	13,800	7,191	0.52	A
East Mercer Way	E of W Mercer Way	2	13,800	2,400	0.17	A	13,800	2,551	0.18	A
North Mercer Way	E of 76 th Ave. SE	2	13,800	7,711	0.56	A	13,800	7,711	0.56	A
SE 53 rd Street	W of E Mercer Way	2	13,800	1,920	0.14	A	13,800	1,920	0.14	A
SE 72 nd Street	SE of SE 68 th St.	2	13,800	3,000	0.22	A	13,800	3,124	0.23	A
84 th Avenue SE	SE of SE 68 th St.	2	13,800	5,040	0.37	A	13,800	5,177	0.38	A
SE 68 th Street	W of Is. Crest Way	2	13,800	9,011	0.65	B	13,800	9,654	0.70	C
SE 68 th Street	E of Is. Crest Way	2	13,800	8,760	0.63	B	13,800	9,017	0.65	B
SE 70 th Place	E of W Mercer Way	2	13,800	1,920	0.14	A	13,800	1,195	0.14	A
78 th Avenue SE	N of SE 40 th St.	2	13,800	7,445	0.54	A	13,800	7,495	0.54	A
72 nd Avenue SE	N of SE 29 th St	2	13,800	3,080	0.22	A	13,800	3,139	0.23	A
Mercerwood Dr. SE	W of E Mercer Way	2	13,800	4,950	0.36	A	13,800	5,024	0.36	A
Merrimount Dr. SE	W of Is. Crest Way	2	13,800	2,970	0.22	A	13,800	3,087	0.22	A

* Existing counts have been factored by 1% per year to reflect 2004 conditions.
 ** 2004 counts have been factored by 1% per year to reflect 2022 conditions.

Arterials in the Downtown Area

Secondary Arterials	Location	# of Lanes	2004 Capacity	2004 Volume*	2004 V/C Ratio	2004 LOS	2022 Capacity	2022 Volume**	2022 V/C Ratio	2022 LOS
78 th Avenue SE	N of SE 32 nd St.	2	13,800	6,242	0.45	A	13,800	7,025	0.51	A
80 th Avenue SE	N of SE 32 nd St.	2	13,800	8,360	0.61	B	13,800	9,317	0.68	C
SE 27 th Street	W of 80 th Ave. SE	3	13,800	8,690	0.63	B	13,800	10,372	0.75	C
SE 32 nd Street	W of 80 th Ave. SE	2	13,800	6,270	0.45	A	13,800	7,002	0.51	A
SE 28 th Street	W of Is. Crest Way	3	13,800	8,405	0.61	B	13,800	9,607	0.70	C

Collector Arterials										
76 th Avenue SE	N of SE 27 th St.	2	13,800	8,030	0.58	B	13,800	9,357	0.68	B
SE 29 th Street	W of 78 th Ave. SE	2	13,800	3,321	0.24	A	13,800	3,857	0.28	A
SE 30 th Street	E of 78 th Ave. SE	2	13,800	3,190	0.23	A	13,800	3,627	0.26	A
SE 24 th Street	W of 76 th Ave. SE	2	13,800	8,910	0.65	B	13,800	9,337	0.68	B
77 th Avenue SE	N of SE 27 th St.	2	13,800	10,010	0.73	C	13,800	11,330	0.82	D

* Existing counts have been factored by 1% per year to reflect 2004 conditions.
 ** Volumes based on downtown improvement study.

LOS Definitions

V/C Ratio	LOS
0.00	A
0.58	B
0.68	C
0.78	D
0.88	E
0.99	F

Shana Restall

From: Joy Matsuura <jmatsu999@yahoo.com>
Sent: Tuesday, May 26, 2015 3:15 AM
To: Shana Restall; Scott Greenberg
Subject: SEPA Comments DSR15-014/SEP15-011

(please respond to let me know this was received)

I am writing in regard to the Hines Mixed-Use Development on 78th Ave SE between QFC and Albertson's.

1) I'd like the Mercer Island Design Commission to have a completed traffic analysis BEFORE deciding on the feasibility of the current layout as submitted by Hines. Of particular concern is the following:

a) The presence of the wide, solid median essentially converts that portion of 78th Ave SE into a narrow, one-way street. Cars exiting the driveways north of Hines MUST head south toward Hines. This section of roadway is adequate for the current light traffic that uses it, but insufficient for heavy volumes of car traffic.

b) A backup can impact cars trying to enter/exit McDonald's. A severe backup can impact cars trying to enter/exit the Sushi Joa parking lot and may impact the ability of cars to turn from SE 27th St.

c) A backup can result from:

- cars sharing the narrow roadway with bicyclists

- heavy pedestrian traffic, preventing cars from turning into Hines or McDonald's at just the wrong time. This is not an issue if traffic is light, but if there are several cars heading down this road intending to turn into McDonald's or Hines, then the impact can be severe.

- Hines has added 200 additional parking stalls to accommodate the City's request for more parking. As I understand it, the extra parking is requested so that it will be available for the performing arts center that is expected to be built in a few years. As performances have set times, this is likely to mean that 200 cars may arrive within a 15-30 minute period (as the performing arts center has a 400-seat capacity, this estimate may be conservative).

- if the Hines structure has any type of gated entry system (e.g. if cars have to push a button to get a ticket and wait for a barrier to be raised), this will increase the likelihood of backups. So if the proposed layout is approved, the approval MUST MANDATE that no such entry system can be used.

d) One thing that dramatically increases the likelihood of traffic backups is the proposed location of the entrance to the parking structure. Currently it is at the Northeast corner

of the lot. If the entrance were moved to the middle or southern corner of the lot, there would be room for cars to pull to the side and get out of the way of through traffic. If the entrance were located further south it would further reduce the likelihood of it interfering with cars trying to enter/exit McDonald's (and vice versa).

e) Any traffic study HAS to take into account the possibility of the proposed Scenario 5 Bus Intercept that Sound Transit is currently pursuing. Although the City Council has recently said that it is not in favor of the current scenario, the City Council missed the important East Link Light Rail baseline deadline. As a result Sound Transit has indicated that it will continue to pursue implementing the Bus Intercept here.

- Of even further concern is that Sound Transit is currently working on an addendum to it's EIS that includes a traffic analysis for SE 27th Street, based on CURRENT traffic conditions, which do NOT include any traffic impacts that the Hines Development will have. I believe that Hines is conducting a traffic analysis based on CURRENT traffic conditions, which do NOT include any traffic impacts that the Bus Intercept will have. If both of these go through, the result may be LOS levels that are unacceptable.

f) A traffic study also has to look into the impact of diverted traffic (traffic that would have used 78th, but instead use 77th).

2) There must also be consideration for whether the increase in traffic will affect the volume of business of those stores and restaurants in the Sushi Joa parking lot. Will the traffic burden cause more people to abuse the parking of nearby businesses, such as QFC and McDonald's.

3) Thought must also be given to the sidewalk, especially on 78th Ave SE. The narrowness of the car lanes means there is an increased likelihood that bicyclists will ride on the sidewalk. The City has been promoting pedestrian use of the sidewalk, so it is important that the plans allow for a safe environment for both. According to the City's newsletter, bicyclists on shared paths are to stay 5 feet from pedestrians. So the area for pedestrians should be wide enough to accommodate, pedestrians (preferably with strollers), bicyclists and a 5-foot clearance. Any plantings or lampposts should be outside this swath of clear space. (All too often, cities build sidewalks that are wide enough—but then fill them with trees, lampposts, planters, etc and heavy traffic has to weave between the two, creating a safety problem when bicyclists go too fast. It would be nice if they slow down, but so far that often isn't the case).

4) With regard to determining the necessary width of the sidewalk, please also take into consideration that 78th Ave SE is on the City's parade route and can be congested with onlookers.

5) I have heard people talk about how the mitigation fees for school impacts can be higher than before because of the recent passage of the school bond. Please look into that.

6) I think that a 3-story building of the footprint proposed would be okay (not optimum, but okay). I think that a massive 5-story structure might reduce the amount of sun that

nearby areas (especially McDonald's) would experience, especially in the winter when the sun is to the south. Currently McDonald's is sunny and pleasant (on nice days). Cloud cover can be heavy in the morning, so the afternoon is when the light is best. How far to the west will the light be blocked and the land be cast in perpetual shadow?

7) Will this have an impact on Seasonal Affective Disorder?

8) I challenge Hine's statement that no views will be affected. If I stand in the parking lot at Albertson's and look east, I look down on trees and see trees going up to the hillside. I can see bits of buildings, but the view is a happy, nature-filled one. After Hines builds it's monolith, the view will be a building. Instead of looking down on trees, I will be looking up at a large, massive wall. It will be prettier than some other buildings, but it is not so lovely as a tree.

Joy Matsuura
7264 W Mercer Way
Mercer Island, WA 98040

Shana Restall

From: Don Gulliford <dongulliford@comcast.net>
Sent: Tuesday, May 26, 2015 7:48 AM
To: Shana Restall
Subject: FW: Hines project

Follow Up Flag: Follow up
Flag Status: Flagged

5-26-2015 it was suggested I forward this to you, ref. "DSR15-014/SEP11-011.
Don Gulliford

From: Don Gulliford [mailto:dongulliford@comcast.net]
Sent: Sunday, May 24, 2015 12:47 PM
To: 'dan.grausz@mercergov.org'; 'Lee Carlson'
Subject: FW: Hines project

5/24/2015 Got Dan's name spelled correctly. FYI to Lee Voorhees.DG

From: Don Gulliford [mailto:dongulliford@comcast.net]
Sent: Sunday, May 24, 2015 12:39 PM
To: 'bruce.bassett@mercergov.org'; 'Debbie.Bertlin@mercergov.org'; 'Jane.Brahm@mercergov.org';
'mike.cero@mercergov.org'; 'Dan.Grautz@mercergov.org'; 'Benson.Wong@mercergov.org';
'noel.treat@mercergov.org'; 'Terry Deeny'; 'Tom Acker'; 'kari.sand@mercergov.org'; 'Joanie Kinsman'; 'Helen Owens'
Subject: Hines project

5-24-2015 Dear City Council, City Mgr., City Attorney and others "involved" with City development issues, including "Hines" project:
This lifetime voter/resident wonders if something is being overlooked. As I understand this bouillabaisse after having practiced law a little short of 50 years, Hines Corp. project is exempted from the "moratorium". The Washington State Constiution Sec. 12 states: *No law shall be passed granting to any citizen, class of citizens, or corporation other than municipal, privileges or immunities which upon the same terms shall not equally belong to all citizens, or corporations.*
That means what it says, and says what it means.
Our City has lost or spent considerable dollars on litigation in past years/ Sec. 12 would seem to foretell a repeat if Hines is immune from restric tions applicable to others. Am I missing something?
Don Gulliford 206-232-0183

Shana Restall

From: Travis Saunders
Sent: Tuesday, May 26, 2015 9:36 AM
To: Shana Restall
Subject: FW: Hines and the Town Center

FYI

Travis Saunders | Senior Planner

City of Mercer Island Development Services
9611 SE 36th Street, Mercer Island, WA 98040-3732
p: 206.275.7717 fx: 206.275.7726
travis.saunders@mercergov.org

View the status of permits at www.mybuildingpermit.com

View information for a geographic area [here](#)

View application and other zoning information [here](#)

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From: Charon Gooding [mailto:charong@comcast.net]
Sent: Tuesday, May 26, 2015 8:58 AM
To: Travis Saunders
Subject: Hines and the Town Center

Just to add to the comments re Hines—please do not rubber stamp the Council’s suggestions re Hines’ proposed development plans. I believe that the majority of Islanders do not want this to be approved without at least a vote by the people who live here. I’ve been reading the comments on Next Door and have heard very, very few positive comments. The overwhelming majority are against this. I have attended meetings—one in which a representative from Hines stood up and led people to believe that Whole Foods was looking at coming to the Island. I personally knew this was hogwash – which it turned out to be. Smoke and mirrors. A nice word is ‘hoodwinked’ by Hines which actually means that we were lied to. Whole Foods or any other grocery store has no bearing on our feelings re Hines.

Thank you for giving me the opportunity to address the committee.

Charon Gooding

Shana Restall

From: Travis Saunders
Sent: Tuesday, May 26, 2015 9:36 AM
To: Shana Restall
Subject: FW: Hines

FYI

Travis Saunders | Senior Planner

City of Mercer Island Development Services
9611 SE 36th Street, Mercer Island, WA 98040-3732
p: 206.275.7717 fx: 206.275.7726
travis.saunders@mercergov.org

View the status of permits at www.mybuildingpermit.com
View information for a geographic area [here](#)
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From: Terry Deeny [mailto:Terry@Deeny.com]
Sent: Tuesday, May 26, 2015 9:09 AM
To: Travis Saunders
Subject: Hines

It is time to stop this apparently illegal action by the city council. Please do your job! Thank you.

PS I have lived on Mercer Island for 45 years and have not met or known one person who is happy with the last 10 years development strategy

Terry Deeny

Please Remove My Name Before Forwarding

Shana Restall

From: Travis Saunders
Sent: Tuesday, May 26, 2015 1:25 PM
To: Shana Restall
Subject: FW: Hines Design Review

FYI

Travis Saunders | Senior Planner

City of Mercer Island Development Services
9611 SE 36th Street, Mercer Island, WA 98040-3732
p: 206.275.7717 fx: 206.275.7726
travis.saunders@mercergov.org

View the status of permits at www.mybuildingpermit.com
View information for a geographic area [here](#)
View application and other zoning information [here](#)

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From: David Brondstetter [mailto:david@surecritic.com]
Sent: Tuesday, May 26, 2015 11:35 AM
To: Travis Saunders
Subject: Hines Design Review

Travis,

It is certainly unfortunate that we are even having this review as Hines should have been included in the moratorium. I do not believe a factual and accurate traffic impact study has been done for this project with over 500 parking spots. When will those parking spots see in and out traffic? How does that correspond to normal use traffic now and when Bus Intercept is shoved down our collective throats?

If we do not know the impact of Bus Intercept, than how can we know the impact of Hines? For this reason alone, all potentially impactful building should be under the moratorium until such time that impact studies can be done based on what we know will happen in the future.

Additionally, I believe Hines was excluded in part because City Council wanted parking spots for MICA. At the time of the vote, the Deputy Mayor served in a leadership position with MICA. I believe this constitutes a clear conflict of interest with potential for litigation. As such, I call for Hines to be added to the moratorium immediately and this application be rejected based on conflicts of interest that allow the project to be exempt. Additionally, without sufficient means to determine the exponential impact of Hines and Bus Intercept, the only way to prevent irreversible damage to Town Center is to put this one hold.

Regards,

David

David A. Brondstetter
CEO
SureCritic
p. 206-769-1289
e. david@surecritic.com

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Shana Restall

From: Michelle Goldberg <megold7ny@aol.com>
Sent: Tuesday, May 26, 2015 3:27 PM
To: Shana Restall
Cc: Bruce Bassett; Debbie Bertlin; Jane Brahm; Mike Cero; Dan Grausz; Benson Wong; Travis Saunders; Sung Lee
Subject: Hine SEPA Review Comments -- Memorandum
Attachments: Hines SEPA Review Memo.pdf

Dear Principal Planner Restall, Members of the Mercer Island City Council, Members of the Mercer Island Design Commission and Members of the Mercer Island Planning Commission:

Attached please find a Memorandum submitted by Save Our Suburbs.

Please let me know if you have any questions.

Thank you,
Michelle Goldberg

home: 206-232-8051

PS As there are no individual email addresses listed on the City's website for the Design and Planning Commissioners, I have emailed this Memo to Travis Saunders and Sung Lee, staff contacts for these Commissions. I ask that this Memo be distributed to all the members of the Design and Planning Commissions by Travis Saunders and Sung Lee, respectively. Thank you.

MEMORANDUM

To: Shana Restall, Principal Planner Mercer Island Design Services Group
Copy To: Mercer Island City Council
Mercer Island Design Commission
Mercer Island Planning Commission

From: Save Our Suburbs
2212 78th Avenue SE
Mercer Island, Washington 98040

Date: May 26, 2015

Re: *Comments on DSR File No. 15-014*
Comments on SEPA File No. 15-011
Location of the Property: 2728 and 2750 77th Avenue SE and
2885 78th Avenue SE, Mercer Island, Washington 98040

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EXECUTIVE SUMMARY

The Preliminary Design Review process for the 2015 Hines Project Proposal (“2015 Hines Proposal”) is legally flawed. It is unlawful for the Design Commission to act or consider the 2015 Hines Proposal until after the Development Services Group (“DSG”) and Hines cure these legal flaws.

The SEPA Review process for the 2015 Hines Proposal is legally flawed. It is unlawful for the Design Commission to act on or consider the 2015 Hines Proposal until after the DSG and Hines cure these legal flaws.

The 2015 Hines Proposal contemplates a building that is the antithesis of the 1994 Town Center Plan For The City Of Mercer Island (“1994 Town Center Vision”) and the 2015 Town Center Visioning Process (“2015 Town Center Vision”).

The SEPA Checklist for the 2015 Hines Proposal is inaccurate and incomplete.

Hines has not provided sufficient information about the 2015 Hines Proposal to allow the DSG to make an informed environmental decision or to allow the citizens of Mercer Island to make informed comments.

Each and every comment herein applies to all matters within the scope of DSR File No. 15-014 and SEPA File No. 15-011.

THE 2015 HINES PROPOSAL IN CONTEXT

1) *The Hines Special Expedited Review*

Hines requested that the City “commit to expediting” the 2015 Hines Proposal. The City committed to give the 2015 Hines Proposal “top priority in design review and plan review.” *See* Exhibit 2.

2) *The Hines Moratorium Special Exception*

Five Councilmembers adopted a Town Center wide moratorium and granted Hines an exemption from the Town Center wide moratorium despite the fact that no other City, County or Town in the State of Washington has granted such a moratorium exemption. The proffered excuse for that special Hines exemption was Hines’ representations to provide: (i) two hundred (200) or more public parking spaces, (ii) a “grand plaza along SE 29th”, and (iii) a “Whole Foods or some upscale grocery store.” *See, e.g.*, Exhibit 3 and Exhibit 4.

Various Councilmembers stated that Hines exemption should be terminated and that Hines should be included in the Town Center wide moratorium if Hines reneges on its representations. *See, e.g.*, Exhibit 3, and Exhibit 5.

Hines has reneged on its representations. Hines is demanding \$10,000,000 to \$12,000,000 for the public parking spaces. The Hines project that will be reviewed by the

Design Commission on May 27, 2015, precludes a “Whole Foods or some upscale grocery store” being included in that Hines project. See, e.g., Exhibit 6.

3) *The 2015 Town Center Vision*

The 2015 Town Center Vision and the Town Center Code Amendments, when adopted will, without limitation: (i) eliminate two Town Center sub-areas, (ii) down-zone heights in certain Town Center sub-areas, (iii) up-zone heights in certain Town Center sub-areas, (iv) down-zone uses in certain Town Center sub-areas, (v) require substantial building modulation for stories 3-5, (vi) change traffic flows in certain Town Center sub-areas, (vii) change street widths in certain Town Center sub-areas, (viii) change street locations in certain Town Center sub-areas, (ix) mandate midblock connection points in certain Town Center sub-areas, (x) create mandatory requirements in certain Town Center sub-areas, (xi) change incentive requirements in certain Town Center sub-areas. See, e.g., Exhibit 7 through Exhibit 12.

THE PRELIMINARY DESIGN REVIEW PROCESS IS FLAWED

1) *The April 2015 Hines Proposal*

In April of 2015, Hines submitted documents for the 2015 Hines Proposal that proposed a building containing: (i) up to 192 apartment units, (ii) approximately 30,000 gross square feet of space for a supermarket, (iii) 10,000 gross square feet of general retail space, (iv) 247 parking stalls for the residential use, (v) 151 parking stalls for supermarket and retail use, and (vi) 211 parking stalls for general public use. See, e.g., Exhibit 1, at pp. 1 and 2, and Exhibit 13 at pp. 1.

2) *The May 2015 Hines Proposal*

In May of 2015, Hines submitted documents for the 2015 Hines Proposal that proposed a building containing: (i) 196 apartment units, (ii) 16,000 square feet of commercial space and (iii) 518 parking stalls.

3) *Hines Failed To Attend A Predesign Meeting*

MICC 19.15.040(F)(2)(b)(i) requires Hines to attend a Predesign Meeting regarding its 2015 Hines Proposal. Hines failed to attend a Predesign Meeting for its 2015 Hines Proposal. See, e.g., Exhibit 14.

Hines’ failure to attend a Predesign Meeting for its 2015 Hines Proposal materially prejudiced the City and its citizens.

Because Hines failed to attend a Predesign Meeting for its 2015 Hines Proposal, it is unlawful for the Design Commission to act on or consider the 2015 Hines Proposal until after the DSG and Hines cure this legal flaw. See, e.g., RCW 36.70C.130.

4) *Hines Failed To Attend A Preapplication Meeting*

MICC 19.15.040(F)(2)(c)(i) requires Hines to attend a Preapplication Meeting regarding its 2015 Hines Proposal. Hines failed to attend a Preapplication Meeting for its 2015 Hines Proposal. See, e.g., Exhibit 14.

Hines' failure to schedule and attend a Preapplication Meeting for its 2015 Hines Proposal materially prejudiced the City and its citizens.

Because Hines failed to attend a Preapplication Meeting for its 2015 Hines Proposal, it is unlawful for the Design Commission to act on or consider the 2015 Hines Proposal until after the DSG and Hines cure this legal flaw. See, e.g., RCW 36.70C.130.

5) *The Notices Of Application Are Legally Flawed*

MICC 19.15.020(D)(1) requires the City to issue a Notice of Application. MICC 19.15.020(D)(4) requires that the Notice of Application "shall be provided in the bi-weekly DSG bulletin, posted at City Hall...."

The Public Notice of Application published in the DGS bulletin is different than the Public Notice of Application posted at City Hall, but both appear not to comply with MICC 19.15.020.

The Public Notice of Application published in the DGS bulletin appears not to comply with, among other things: MICC 19.15.020(D)(2)(f), MICC 19.15.020(D)(2)(i) and MICC 19.15.020(D)(2)(j).

The Public Notice of Application posted at City Hall appears not to comply with, among other things, MICC 19.15.020(D)(2)(j).

MICC 19.15.020(D)(2)(j) is critical and requires "A description of those development regulations used in determining consistency of the project with the city's comprehensive plan." The 2015 Hines Proposal must be consistent with the following elements of the comprehensive plan: (i) the Land Use Element, (ii) the Housing Element, (iii) the Capital Facilities Element, (iv) the Transportation Element and (v) the Park And Recreation Element. See RCW 36.70A.070.

The Public Notice Of Application's failure to comply with MICC 19.15.020(D) materially prejudiced the citizens of Mercer Island.

Because the Public Notice Of Application failed to comply with MICC 19.15.020(D), it is unlawful for the Design Commission to act on or consider the 2015 Hines Proposal until after the DSG and Hines cure this legal flaw. See, e.g., RCW 36.70C.130.

6) *The First Page Of The Staff Report Memorializes Additional Flaws*

Hines requested and was granted a special expedited review process. *See* Exhibit 2. The Hines special expedited review process has culminated in flaws and chaos as evidenced by, without limitation, the Staff Report.

By way of example and without limitation, page one of the Staff Report discloses the following:

1. The “Design Packet” was not received by the City until May 4, 2015, hardly sufficient time for the necessary analysis, consideration and review from which to make decisions.
2. The “Plan Set” received by the City on April 15, 2015, was for the April 2015 Hines Proposal and not for the May 2015 Hines Proposal. *See, e.g.*, Exhibit 1, at pp. 1 and 2, and Exhibit 13 at pp. 1.
3. The SEPA Checklist is dated May 1, 2015, and could not have been received by the City on April 15, 2015.
4. The “Preliminary Transportation Summary” was not received by the City until May 11, 2015, the same day the City issued Notices Of Application and hardly sufficient time for the necessary analysis, consideration and review from which to make decisions.¹
5. The “Geotechnical Engineering Design Report” was not received by the City until May 15, 2015, four days after the City issued Notices Of Application and, thus, precluding the necessary analysis, consideration and review from which to make decisions.

Because the Staff Report is inaccurate, the Design Commission should not act on or consider the 2015 Hines Proposal until after the DSG and Hines cure this legal flaw. *See, e.g.*, RCW 36.70C.130.

¹ The May 7, 2015 “Preliminary Transportation Summary” is deficient in numerous regards. For example, without limitation, it does not consider the impacts of the increased traffic on the local intersections, such as 77th Ave SE at SE 29th St (Albertson's), SE 27th St (Walgreens) and 78th Ave SE at SE 30th St (Rite Aid), SE 29th St (Shell), SE 28th St (QFC), and SE 27th St (Island Square). Given that 60 vehicles are expected exit the property and turn left onto 77th Ave SE, the impact of those additional 60 vehicles on the intersection of 77th Ave SE and SE 29th St should must be considered and addressed.

DECISION CRITERIA

1) *The 2015 Hines Proposal Fails To Comply With The Town Center Vision*

The 2015 Hines Proposal fails to comply with, and without limitation: (i) MICC 19.11.010, (ii) the 1994 Town Center Vision, and (iii) the 2015 Town Center Vision.

Indeed, Deputy Mayor Grausz stated that the 2014 Hines Proposal (which is similar to the 2015 Hines Proposal in bulk and mass) “unnerves” him and that he found that proposal to be “disconcerting.” *See* Exhibit 15 and Exhibit 16.

Deputy Mayor Grausz also (as to that proposal) advised the City Manager as follows:

This is the time for a very strong message to be sent to this developer. Otherwise, I think we need to seriously consider a moratorium until we complete work on the Town Center effort. This project will destroy what we are hoping to do. (bold added).

See Exhibit 17.

THE SEPA REVIEW PROCESS IS FLAWED

1) *The SEPA Notices Are Legally Flawed*

WAC 197-11-335 requires that a Notice Of Application list “the conditions being considered to mitigate environmental impacts, if a mitigated DNS is expected.” *See* Exhibit 18.

The Public Notice of Application published in the DGS bulletin and the Public Notice of Application posted at City Hall appear not to comply with WAC 197-11-335.

The Public Notice Of Application’s failure to comply with MICC 19.15.020(D) materially prejudiced the citizens of Mercer Island.

Because the Public Notice Of Application failed to comply with WAC 197-11-335, it is unlawful for the Design Commission to act on or consider the 2015 Hines Proposal until after the DSG and Hines cure this legal flaw. *See, e.g.*, RCW 36.70C.130.

2) *The SEPA Information Is Legally Flawed*

The SEPA information and the SEPA Checklist are inaccurate and incomplete, and, as such: (i) precludes the citizens of Mercer Island from making any informed comments, and (ii) precludes the City from making any informed environmental decisions.

By way of example and without limitation:

1. With regard to B(2)(a), the Hines' response fails to address air emissions "when the project is completed."
2. With regard to B(4)(b), the Hines' response fails to disclose that the "Nine existing trees [that] will remain" are on the MacDonald property, not the 2015 Hines Proposal property.
3. With regard to B(10)(b), the Hines' response affirmatively misrepresents that the 2015 Hines Proposal will not alter or obstruct views in the immediate vicinity.
4. With regard to B(14), the Hines' response fails to provide any information upon which any informed comments or environmental decisions can be made.

Because the SEPA Checklist is inaccurate and incomplete, the Design Commission should not act on or consider the 2015 Hines Proposal until after the DSG and Hines cure this legal flaw. *See, e.g.*, RCW 36.70C.130.

LIST OF EXHIBITS

1	May 12-23, 2015, E-Mail String
2	January 12-13, 2015, E-Mail String (highlighted)
3	March 16, 2015, City Council Meeting Partial Transcript (highlighted)
4	March 30, 2015, City Council Meeting Partial Transcript (highlighted)
5	Deputy Mayor Grausz's April Update (highlighted)
6	Retail Space Analysis
7	Existing Town Center Sub-Areas
8	Proposed Town Center Regulating Plan
9	Proposed Town Center Retail Frontage
10	Town Center Stakeholder Group Meeting Summary
11	Proposed Town Center Incentive Structure (highlighted)
12	Deputy Mayor Grausz's May Update (highlighted)
13	April 10, 2015, Memorandum
14	Design Commission Process (highlighted)
15	December 4, 2014, E-Mail To Councilmember Bertlin
16	December 4, 2014, E-Mail To Councilmembers Bassett And Wong
17	December 7, 2014, E-Mail To City Manager Treat
18	WAC 197-11-355 (highlighted)

EXHIBIT 1

RE: Hines project design review plans (Part 2 of 3)

Robert A. Medved
5/23/15
To: Shana Restall

Shana:

A review of the five documents you provided on May 12, 2015 and the seven documents posted to the City's website on May 21, 2015 evidence the existence of additional documents and materials regarding File Nos. DSR 15-014 and SEPA 15-011.

The "Development Application" you provided on May 12, 2015, is dated April 9, 2015. Please advise me when the City received that April 9, 2015, "Development Application." Please advise me of any additional documents or materials that accompanied that April 9, 2015, "Development Application" regardless of whether those documents and materials were or were not "formally submitted with the application."

The traffic "Memorandum" you provided on May 12, 2015, is dated April 10, 2015. Please advise me when the City received the April 10, 2015, traffic "Memorandum." Please advise me of any additional documents or materials that accompanied or are related to the April 10, 2015, traffic "Memorandum" regardless of whether those documents and materials were or were not "formally submitted with the application."

The metadata to the "DSR15-014-Plans" you provided on May 12, 2015, memorialize the fact that the "DSR15-014-Plans" were created on April 10, 2015. Those "DSR15-014-Plans" also identify and memorialize the existence of an April 13, 2015, "PRELIMINARY DESIGN REVIEW" submittal. Please provide me a copy of that at April 13, 2015, "PRELIMINARY DESIGN REVIEW" submittal. Please advise me when the City received that April 13, 2015, "PRELIMINARY DESIGN REVIEW" submittal. Please advise me of any additional documents or materials that accompanied or are related to the April 13, 2015, "PRELIMINARY DESIGN REVIEW" submittal regardless of whether those documents and materials were or were not "formally submitted with the application."

The Preliminary Design Review Submittal you provided on May 12, 2015, identifies and memorializes the existence of an "Appendix A." Please provide me a copy of that "Appendix A." Please advise me when the City received that "Appendix A."

The traffic "Memorandum" posted to the City's website on May 21, 2015, is dated May 7, 2015. Please advise me when the City received that May 7, 2015, traffic "Memorandum."

It is problematic to prepare and submit comments based upon incomplete and changing information. Your prompt respond to the above requests is appreciated especially since the deadline for filing comments is May 26, 2015.

Bob

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
Facsimile: 206-236-2200
Cellular: 206-550-3300
E-mail: robertamedved@msn.com

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From: shana.restall@mercergov.org
To: robertamedved@msn.com
Subject: RE: Hines project design review plans (Part 2 of 3)
Date: Sat, 23 May 2015 06:06:49 +0000

Dear Bob,

The Traffic Memo on the website (dated May 7, 2015) is the one included in the application. I accidentally sent you an earlier version that was not formally submitted with the application. The staff report for project DSR15-014 for the May 27, 2015 Design Commission meeting is attached.

Thanks,

Shana

Shana Restall | Principal Planner

City of Mercer Island Development Services
9611 SE 36th Street, Mercer Island, WA 98040-3732
p: 206.275.7732 fx: 206.275.7726
shana.restall@mercergov.org

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From: Robert A. Medved [mailto:robertamedved@msn.com]
Sent: Friday, May 22, 2015 1:50 PM
To: Shana Restall
Subject: RE: Hines project design review plans (Part 2 of 3)

Shana:

2013 Hines Proposal:

On November 13, 2013, the Design Commission conducted a Study Session for the 2013 Hines Proposal containing 156 residential units, 9,300 square feet of commercial space and 211 parking stalls. See the first and second attachments.

The packet for the November 13, 2013, the Design Commission Study Session for the 2013 Hines Proposal, included a "Study Session Staff Report" to the Design Commission.

2014 Hines Proposal:

On December 10, 2014, the Design Commission conducted a Study Session for the 2014 Hines Proposal containing 215-230 residential units, 14,625 square feet of commercial space and 400-430 parking stalls. See the third and fourth attachments.

The packet for the December 10, 2014, the Design Commission Study Session for the 2014 Hines Proposal included a "Memorandum" to the Design Commission.

2015 Hines Proposal:

On May 26, 2015, the Design Commission will conduct a preliminary review of the Hines 2015 Proposal containing 196 residential units, 16,000 square feet of commercial space and 518 parking stalls. See <http://www.mercergov.org/Agendas.asp?AMID=2363>

The packet for the May 26, 2015, the Design Commission Preliminary Review for the 2015 Hines Proposal does not contain a Staff Report, a Memorandum or any other sort of document to inform the Design Commission and the public. Is this an intended omission? What is the reason for the omission?

Additionally, on May 12, 2015, you provided me five documents, one of which is a "Memorandum" that is the fifth attachment to this e-mail. Yesterday you advised me that "the Hines application materials are now posted" on the City website. The sixth attachment to this e-mail is a "Memorandum" from that website. The fifth attachment to this e-mail is materially different from the sixth attachment to this e-mail. When did the City receive the fifth attachment to this e-mail?

Please respond to the above inquires since the deadline for filing comments is May 26, 2015.

Thank you,
Bob

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
Facsimile: 206-236-2200
Cellular: 206-550-3300
E-mail: robertamedved@msn.com

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From: shana.restall@mercergov.org
To: robertamedved@msn.com
Subject: RE: Hines project design review plans (Part 2 of 3)
Date: Fri, 22 May 2015 19:24:08 +0000

Dear Bob,

My email from yesterday was incorrect. The geotech report was received by the City on May 15, 2015.

Thanks,
Shana

Shana Restall | Principal Planner
City of Mercer Island Development Services
9611 SE 36th Street, Mercer Island, WA 98040-3732
p: 206.275.7732 fx: 206.275.7726
shana.restall@mercergov.org

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From: Shana Restall
Sent: Thursday, May 21, 2015 2:34 PM
To: Robert A. Medved
Subject: RE: Hines project design review plans (Part 2 of 3)

Dear Bob,

Just an FYI - the Hines application materials are now posted here:
<http://www.mercergov.org/Agendas.asp?AMID=2363>

Thanks,
Shana

Shana Restall | Principal Planner
City of Mercer Island Development Services
9611 SE 36th Street, Mercer Island, WA 98040-3732
p: 206.275.7732 fx: 206.275.7726
shana.restall@mercergov.org

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From: Robert A. Medved [<mailto:robertamedved@msn.com>]
Sent: Thursday, May 21, 2015 10:08 AM
To: Shana Restall
Subject: RE: Hines project design review plans (Part 2 of 3)

Shana:

Thank you.

Bob

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
Facsimile: 206-236-2200
Cellular: 206-550-3300
E-mail: robertamedved@msn.com

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From: shana.restall@mercergov.org
To: robertamedved@msn.com
Subject: Re: Hines project design review plans (Part 2 of 3)
Date: Thu, 21 May 2015 17:05:25 +0000

I have given you everything formally taken in for the applications for project numbers DSR15-014 and SEP15-011.

Sent using OWA for iPhone

From: Robert A. Medved <robertamedved@msn.com>
Sent: Thursday, May 21, 2015 10:03:17 AM
To: Shana Restall
Subject: RE: Hines project design review plans (Part 2 of 3)

Shana:

Thank you for the below information.

Please confirm that, other than notes of the “pre-application meeting on November 18, 2014,” I have been provided with all the documents and materials the City reviewed prior to issuing the May 11, 2015 Public Notice of Application.

Your prompt response to these issues is sincerely appreciated.

Bob

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
Facsimile: 206-236-2200
Cellular: 206-550-3300
E-mail: robertamedved@msn.com

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From: shana.restall@mercergov.org
To: robertamedved@msn.com
Subject: RE: Hines project design review plans (Part 2 of 3)
Date: Thu, 21 May 2015 16:13:06 +0000

Dear Bob,

I'll respond to your requests below:

- (i) The application was not formally taken in during the pre-application meeting, which happens when the applicant does not bring a complete application to the pre-app. So, the City does not have formal materials related to the pre-app. However, there may be notes. To get any notes that may exist, please submit a public records request to the City Clerk's office:
<http://www.mercergov.org/files/records%20request%20form.pdf>
- (ii) The Geotechnical report was received on May 13, 2015.
- (iii) You may submit electronic comments to include in the record directly to me at shana.restall@mercergov.org

Thanks,
Shana

Shana Restall | Principal Planner
City of Mercer Island Development Services
9611 SE 36th Street, Mercer Island, WA 98040-3732
p: 206.275.7732 fx: 206.275.7726
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From: Robert A. Medved [<mailto:robertamedved@msn.com>]
Sent: Wednesday, May 20, 2015 10:17 PM
To: Shana Restall
Subject: RE: Hines project design review plans (Part 2 of 3)

Shana:

Thank you for the information below and for a copy of the Geotechnical report.

Would you please: (i) provide me with the documents relating to the “pre-application meeting on November 18, 2014,” (ii) let me know what date the City received the “Geotechnical report” and (iii) provide me the e-mail address to submit electronic comments.

I am assuming that I have been provided with all the documents and materials the City reviewed prior to issuing the May 11, 2015 Public Notice of Application. If my assumption is incorrect, please provide me with all additional documents.

Thank you for your prompt response to these issues.

Bob

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
Facsimile: 206-236-2200
Cellular: 206-550-3300
E-mail: robertamedved@msn.com

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From: shana.restall@mercergov.org
To: robertamedved@msn.com
Subject: RE: Hines project design review plans (Part 2 of 3)
Date: Thu, 21 May 2015 00:09:56 +0000

Dear Bob,

The Hines project had a pre-design meeting on October 15, 2013 and a pre-application meeting on November 18, 2014. I apologize for the SEPA checklist being truncated in parts. Our website form does that at times. My copy has a plus sign in the bottom right corner of some boxes that can be clicked to allow for the boxes to be expanded. If that doesn't work for you, here are the responses that appear to overflow the boxes of the form:

***B.2.a.** - Minor dust emissions may result from demolition and earthwork construction procedures. Construction equipment (drilling equipment, excavators and trucks) will also be present on-site during excavation and shoring and may cause minor air emissions. Upon project completion, car emissions will be generated from cars traveling to and from the building.*

***B.2.c.** - Dust will be carefully controlled to meet all City/State and Federal emission requirements, most commonly through the use of water hose and spray to keep particulates settled on the site. Emissions from construction equipment are mitigated by built-in emissions controls on the equipment itself which will be required to meet all emissions standards.*

***B.10.a.** - The roof structure is 65' above average building elevation. From the site's lowest point (NW corner), the building measures approximately 67'-11" from finished grade to top of parapet. Elevator overruns, stair penthouses and rooftop mechanical equipment will be maintained at or below the 10' maximum overrun height beyond 65' zoning height. The principal exterior materials proposed are metallic and fiber cement panels on a rain screen system, concrete, aluminum and vinyl windows. Glazing will be at or below 45% at residential levels with storefront glazing predominately at grade.*

***B.11.a.** - The proposed structure will include lights typical of a mixed use project: decorative wall sconces and/or special lighting at retail facades, street lights in the right-of-way, landscape lighting, and residential and retail entry lighting for the safety and security of occupants and visitors. Light pollution shall be mitigated per the requirements of the Mercer Island Municipal Code Section 19.11.090.B7. Lighting around the site is anticipated to occur from dusk through dawn.*

The documents that I emailed to you were the only documents formally submitted to the City at the time of application. We have since received a Geotechnical report, which is attached.

Thanks,
Shana

Shana Restall | Principal Planner
City of Mercer Island Development Services
9611 SE 36th Street, Mercer Island, WA 98040-3732
p: 206.275.7732 fx: 206.275.7726
shana.restall@mercergov.org

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From: Robert A. Medved [<mailto:robertamedved@msn.com>]

Sent: Wednesday, May 20, 2015 3:43 PM

To: Shana Restall

Subject: RE: Hines project design review plans (Part 2 of 3)

Shana:

ADDITIONAL DOCUMENTS AND MATERIALS NECESSARY TO PREPARE WRITTEN COMMENTS.

I appreciate the five documents you sent to me. A review of those five documents makes it clear that there are additional documents and materials that the City reviewed prior to publishing the Public Notice Of Application on May 11, 2015.

For example, the SEPA Checklist you sent me provides that the “applicant has conducted ... a Pre-App meeting with City Staff.” I assume that “Pre-App meeting” was governed by 19.15.040(F)(2)(c)(i) which requires a “complete application on forms provided by the development services group (DSG) and all materials pertaining to the project shall be submitted at a formal preapplication meeting with DSG staff.”

A review of all of the documents and materials pertaining to the project and reviewed by the City is critical to submitting the written comments identified in the Public Notice Of Application.

Please advise me when I can review those documents and materials so as to allow sufficient time for the preparation of written comments within the comment period provided in the Public Notice Of Application. Also, please provide me the e-mail address to submit those comments electronically.

INCOMPLETE DOCUMENTS.

The SEPA Checklist you sent me appears to be incomplete. For example, the response to subsection B(2)(a) at page 3 prematurely ends with “and tr” and the response to subsection B(11)(a) at page 7 prematurely ends with “facades street”.

I would appreciate a complete SEPA Checklist.

Thank you for your prompt attention to these issues.

Bob.

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
Facsimile: 206-236-2200
Cellular: 206-550-3300
E-mail: robertamedved@msn.com

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From: shana.restall@mercergov.org
To: robertamedved@msn.com
Subject: Re: Hines project design review plans (Part 2 of 3)
Date: Wed, 20 May 2015 19:10:30 +0000

Dear Bob,

I just listened to your voicemail. I'm in Meetings for the rest of the day and all day tomorrow. Is there any possibility that you could send me your questions via email so that I could get back to you today?

Thanks,
Shana

Sent using OWA for iPhone

From: Robert A. Medved <robertamedved@msn.com>
Sent: Wednesday, May 20, 2015 10:21:09 AM
To: Shana Restall
Subject: RE: Hines project design review plans (Part 2 of 3)

Shana:

I just left a voice message asking you to call me at (206) 550-3300.

Thanks,
Bob

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
Facsimile: 206-236-2200
Cellular: 206-550-3300
E-mail: robertamedved@msn.com

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From: robertamedved@msn.com
To: shana.restall@mercergov.org
Subject: RE: Hines project design review plans (Part 2 of 3)
Date: Wed, 20 May 2015 00:25:03 -0700

Shana:

I have received three e-mails with attachments.

Thank you,
Bob

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
Facsimile: 206-236-2200
Cellular: 206-550-3300
E-mail: robertamedved@msn.com

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From: shana.restall@mercergov.org
To: robertamedved@msn.com
Subject: Hines project design review plans (Part 2 of 3)
Date: Tue, 12 May 2015 19:22:15 +0000

Dear Bob,

Attached please find the submitted plans for the Hines proposal. Please confirm that you have received all three emails. Please note that the comment period ends fourteen (14) days from today on May 26, 2015 at 5:00 PM.

Thanks,
Shana

Shana Restall | Principal Planner
City of Mercer Island Development Services
9611 SE 36th Street, Mercer Island, WA 98040-3732
p: 206.275.7732 fx: 206.275.7726
shana.restall@mercergov.org

View the status of permits at www.mybuildingpermit.com
View information for a geographic area [here](#)
View application and other zoning information [here](#)

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From: Robert A. Medved [<mailto:robertamedved@msn.com>]
Sent: Tuesday, May 12, 2015 9:53 AM
To: Shana Restall
Subject: Hines Project

Shana:

I just left a voice message asking you to please call me at (206) 550-3300.

Thank you,
Bob

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
Facsimile: 206-236-2200
Cellular: 206-550-3300
E-mail: robertamedved@msn.com

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EXHIBIT 2

From:
To: Kaseguma; Evan Evan.Kaseguma@hines.com
Cc: Favreau; John John.Favreau@hines.com
Subject: RE: Draft Term Sheet
Date: 1/13/2015 10:58:04 AM
Attachments:

Hi Evan and John. I met with Noel, Kirsten and Katie (City Attorney) yesterday to get some direction. Here is the outcome of that meeting:

1. We want to move forward with a term sheet, which would be the basis for a future development agreement. The term sheet can be signed by the City Manager and does not need City Council approval. The term sheet is non-binding and will establish the deal points that will be brought forward to City Council. I will be working on edits to the term sheet and starting work on a draft development agreement. We are bringing in some outside resources (at City cost) to advise us on some elements of the term sheet, since we are not in the development business.
2. We will consider a lease/buyout idea.
3. There are no issues with two larger retail tenants.
4. **We will give the project top priority in design review and plan review.**
5. Term Sheet Paragraph 4: We will pay fair share of design costs including geotech, other engineers, etc. Again, we will need more definition of what's included.
6. Paragraph 7c: We can edit the language. The intent is to avoid commuters having to drive through Hines-only parking and vice-versa. Allowing both types of parking to share a curb cut would be ok.
7. Paragraph 8a: We agree to substitute "reasonable" for "sole and absolute" or similar language achieving the intent of that paragraph. Maybe focusing on compatible use would be better language.
8. Paragraph 15: Paying fair share of real estate taxes, operating costs, etc. is reasonable. We need to define that a bit more.
9. Paragraph 20: We can remove this paragraph and simply work on a separate schedule for the project.

Some important dates you should be aware of:

Jan. 23 (3:00-6:00 pm): City Council Planning Session (at Community Center)—discussion of Town Center planning, commuter parking (Ben's report) and Metro bus issues. We expect City Council to give staff
Jan. 29 (evening): Parking Options Open House (Community Center, time TBD between 5-8 pm)

From: Kaseguma, Evan [mailto:Evan.Kaseguma@hines.com]
Sent: Monday, January 12, 2015 9:10 AM
To: Scott Greenberg
Cc: Favreau, John
Subject: RE: Draft Term Sheet

Scott:

Thanks for a productive discussion on Thursday. I wanted to send a list of follow-up items:

1. Scott to check if the City will consider an interim lease with buyout provision
2. Scott to confirm the City will pay its fair share of real estate taxes and its actual operating costs (not just a pro-rata share of total garage costs, since the public parking is likely to demand a higher level of cleaning, security, etc)
3. **Scott to check if the City will commit to expediting our project and covering the costs of**

expedited review

Thanks,

Evan

EXHIBIT 3

March 16, 2015 – City Council Meeting

40:38 AB-5055

CA Knight: Just to put context on this, on February 2nd, the City Council passed a moratorium which excepted out Hines and it also excepted out building underneath two Stories

1:49:50

Evan Kasaguma: Evan Kasaguma, with Hines. Four months ago, we stood before the Design Commission, and presented our plans for our original project.

Then, on December 10th, the City approached us about public parking. The –City- asked –us- to work in good faith to figure out a solution for the community. We could have said no. If we had said no, we would be vested right now. And Mercer Island would be left with a major parking problem, more empty retail, and another concrete plaza that does little to enhance the Town Center.

1:50:36

We could have said no. But instead, we said yes. We agreed to work with you in good faith. We put our project on hold for several months. We spent hundreds of thousands of dollars, of our own money, money that we'll never get back. We did this because we thought it was right. Even though it wasn't convenient or cost effective. We did this to be a good neighbor and provide public benefits in the Town Center. And now, unfortunately, opponents of our project are pressuring you to throw these public benefits away.

1:51:11

Let me be very clear. If we are included in the moratorium, the land assemblage dies. And the public benefits will be killed. These are not idle words. They are not threats. It's the truth. At the last council meeting, one of the landowners stated that, if we are

included in the moratorium, they'll go their separate way. Without the full block, we can't provide potential for 240 stalls of commuter parking. A high-end grocer, like Whole Foods, which is the anchor retailer that the Town Center desperately needs, a grand plaza, along SE 29th, that your consultant and citizens badly want. Youth Theater Northwest, and MICA's best chance to solve what could be a very expensive parking problem.

1:52:41

... We ask that you protect and preserve these great public benefits. That both of us have been working very hard to achieve. We ask that you honor your word, and stand up for your commitments, and do what's right. Please don't include our project in the moratorium. Thank you.

2:31:56

CM Bertlin: One interesting thing that has come out is there seems to be a general sense that there is legal weight behind the letter from Hines insofar as the commitment to 15 day notification. And for me that is a very important part of my processing, and then again, also the ability to create distinctions and understand clear differentiation between the Hines project and Cassan, Cohen, and other, that might be in the works. Finally, there's the element of negotiating in good faith. And I think that is relevant to the extent to which we entered into conversations with Hines back in December in good faith knowing that they were on an expedited path. So where I am when I add A and B, I come out with, right now, as I said, still very much interested in hearing from fellow Councilmembers, is to keep the moratorium in place and keep the exception for Hines.

2:33:34

CM Wong: I'll try to be brief, but, this is a very difficult decision. I mean, I've been on the Council for a little over a year, and this by far, is the most difficult decision that I've been asked to make.

2:35:47

The questions that percolate within the community, that's been percolating for several months now, is basically, why the Hines project was excluded in the first place, and now, why is being excluded, possibly, going forward. I think we all need to answer these questions, each one of us here to explain how he or she came to his or her own decision, I think what I wanted to hear, and again, I was in favor of delaying, and continuing, not delaying, but continuing this public hearing, so that we had more time for outside legal counsel to look at questions that I and other City Councilmembers basically were raising with them. Because, again, this is a difficult issue.

2:36:33

So with the Findings of Fact, that we're obviously going to go through, and take a hard look at, is going to be basically the story, behind why the moratorium was adopted and what exemptions are going to be in there, or not in there. And it, basically, is going to be the justification for our actions. And I think in looking at why I am moving to the decision I am moving is basically, a couple ones. There is a concern about litigation. Now we have had, as you now know, we have had a couple of legal counsels provide advice. And, the bottom line is that whatever decision we make, there's a risk of litigation. I mean, that's just the way it is. But, because there is a risk of litigation, I think, we as stewards of the City's resources, we need to be mindful of, what that litigation might mean.

2:38:22

So I guess, the question is well, if it's not an equal protection violation, how is that possible if we're treating people differently. And that's possible as long as you have a rational basis for your decision. And I believe that, again, subject to future change, I think the Findings of Fact that have been part of the Agenda bill, provide some glimmer of what that rational basis is.

2:38:50

And you've heard discussions already about some of the public benefits that have been represented. Hines did it again, tonight. They represented that potential parking, the

plaza, and so those are things that are being represented to the public. And so, you know, I am –not- happy, I mean, this is not an ideal world, if it was, we'd be in a much better place. But I am not happy that we don't have a lot of things in hard fast writing.

2:39:21

And I know that would provide me a lot more comfort than just public statements and representations by the people of Hines and others. But we have to deal with what we have. And at this point, I'm looking at those representations, and believe that this letter that they sent is something that we can hang out hats on and basically hold them. And if they renege on their representation and take a step backwards, I will be the first to vote them back into the moratorium. So at this point in time, I am in favor of version A.

2:55:00

CM Brahm: I'm going to be much briefer. In my years on the Council, this is definitely my most difficult decision as well. I'm up nights, my husband said I hope you finally vote on that thing because I've been impossible to live with. There's been a lot of passion around our house and in this community on all sides, bringing in so much. Bringing in schools, height, parking, traffic, amenities, canyons, gathering places, plazas, GMA, schools, retail anchors, we're talking heights and villages, it's daunting. There's so much involved and inter-related as we've discussed. And I want to thank everybody for being so involved and passionate about this. And I want to focus on the future, the long term future. I have faith in our Town Center process, that's going on and I do hope people will get involved and go online to the City's website and give their feedback about what they want to see in the Town Center. I am neither pro-development or anti-development. I am pro-Mercer Island, and pro-Town Center. I think much of our 1994 Town Center Vision still applies, I believe. But I've seen that, and many in the community have seen, for years, that what was developed in 1994, and what sat on a shelf for 10 years, hasn't yielded quite what was envisioned. And now we're in the process of revisiting that, tweaking the plan, changing the code where necessary, and we have a developer who has, I think a good plan. But I'm fearful about it, because it's our job to protect the citizens of the City. We don't have anything in writing. We have a letter and a promise.

We don't have a legally binding contract. We're being asked to go on good faith that this project is going to be good, that the Hines project will bring parking for 240 cars, and a Whole Foods, but there's no guarantee. I think it may be an exceptional opportunity, but I am not willing to go down that line without something in writing. There may be, we've heard tonight that if Hines isn't excluded from the moratorium that they'll go away. I think that if Hines wanted to work with us, if they are true to the letter that they gave to us, that Councilmember Grausz solicited from Hines, then, they'll wait for the moratorium to be over and come back. There may be the possibility of a development agreement, something that will allow them to produce a good project, but still be acceptable to the community.

2:58:34

I don't think that this should kill the Hines project, necessarily. It could be a good project for our community, but there are too many unknowns. If including them in the moratorium causes Hines to walk away, it tells us something about their sincerity in wanting to work with the community. Why would we allow a business to develop under zoning regulations that we know are flawed right now? With no written contract. So, I have a lot of respect for Hines, and Evan and Ty have been most accommodating, they have bent over backwards to explain our project to our community, but I think that I'm not willing to run the risk, it's our job to protect the citizens and the interest of the community, and so I, one thing that was interesting, we did hear a lot from lawyers lately, lawyers' opinions on all sides, relative risk, litigation threats, etc., but they couldn't find case law for an exemption like ours, which is pretty interesting. But there's a possibility down the road.... OK, yes, I'm sorry. Development agreements, interim zoning, I think that, I'm going to be supporting option B.

3:01:25

DM Grausz: So, this is, this is not a situation where this Council has been, just woke up all of a sudden two months ago and said that the sky is falling, we've got to do something. It's a situation where we have been working conscientiously towards trying to find a solution to what we recognized, and what the community told us back then was

a problem that needed to be dealt with. So, then suddenly in December, you know, the Hines project shows up. I think for the first time, pretty much everyone on this Council, when we started seeing an agenda packet for the Design Commission. And so we all had to sit there and go through some very hard thinking as to, how did that fit into what we were doing.

3:02:29

Because as I, because as Mike said, they were operating under a development code that we had all identified nine months earlier as having deficiencies, and which in fact our consultant confirmed to us that it had deficiencies. So suddenly Hines shows up. And then, so we have to think, okay, so what does this mean to the process. And we said to our staff, talk to us. And talk to them. Because there are some real concerns that we have, and that's why we're going through this Town Center Visioning process, and how does that fit into it.

3:03:13

And coincidentally, at the same time this is all happening, the sky is falling down on top of us because we proposed to the community that they look at putting commuter parking at, near the Community Center, and there was a public outcry to that. So, we suddenly found ourselves with two things coming together all at once that we had this Hines project which we weren't expecting, and we had commuter parking, a commuted parking mess on our hands. And so, we go to staff and we say, is there a way this can fit together. And so, staff basically talked with Hines, and says, is there a way this can fit together. And Hines says, okay, we'll talk about it. They didn't have to, as one of the representatives of Hines said tonight, they didn't have to do anything with us. But they said well, we'll stop and we'll talk about it.

3:14:11

And then we said to them, and by the way, here's our Phase 1 report which talks about something on SE 29th Street, a different public park, and they had gone to the Design Commission and talked about on 77th, and talked about something on 78th, and in fact, the Design Commission, if I recall correctly, told them, don't do it on 77th, do it on 78th, or I may have that reversed. But then staff says, no, don't do it there, you know, think about 29th. They said, okay, we can think about 29th.

3:04:43

And then, then they came to us and we didn't ask them for this, but they said and, by the way, we're willing to talk to a high-end retailer, high-end grocer, because we understand that's something that the City has been very interested in. So they did all these things, and so this is in the middle of our process to try to come up with a better Town Center. And so, and we say, you know, this is amazing. Because, you know, finally we're talking with someone who can maybe address some of the key problems that we have and that we're wrestling with at the same time that we're also trying to come up with a better Town Center.

3:05:20

And it's not, this is not a situation where they tried to force anything down our throat, they haven't, they haven't threatened to sue us, in fact, you know, they were so forthcoming in this letter that I have acknowledged having solicited, they didn't have to provide that. But what they provided us is a letter saying, you know, if you don't trust us, and I understand what Jane is saying because we don't have a contract from them, but I would point out, Jane, that we don't have a contract from them because the City is in no position to enter into a contract with them.

3:05:57

So, my guess is, if the City was prepared to sign a contract with them tomorrow for a 240-spaced commuter parking facility, they'd say, where do we sign. But we're not even close to being ready to sign that. If the City was to tell them tomorrow, you know, we have a contract to put a public plaza on 29th, they'd say where do we sign. But we don't have a contract to offer them to put a Plaza on 29th. So it, but they did do, is they did sign a letter, which is an enforceable letter, which says, we are willing to deal with you in good faith, and if we don't deal with you in good faith, then we'll give you notice, or if we don't, if we're going to give you notice 15 days before we file for a building permit, before we can possibly vest, if you don't think we've dealt with you in good faith, then, you know, call us on it. And put us under your moratorium. And they wrote us that letter, and to me, I've never met any developer willing to except them, willing to extend themselves like that.

3:07:03

Where they're saying, not only in their acts, and their deeds have they done what the city has asked them to do and what this Council asked them to consider, but they have gone further and said, you know, we don't have a contract from you, City of Mercer Island. We don't have any guarantees from you as to what you're going to do, but we are willing to take it on faith that you will act in good faith, and we will agree that we'll give you 15 days' notice before we vest. So who does that? I mean the City wouldn't write them a letter like that, the City wouldn't say to them, we'll give you 15 days' notice before we change the law. So we can give you an opportunity to vest.

3:07:43

There's no way in the world we would write them that letter, but they wrote us a letter saying that we'll give you notice. So I look at this situation, you know, we are trying to improve this Town Center. We are fortunate enough to have a developer who has come in and said, we agree with you, we want to improve this Town Center. And we want to work with you, and we want to try to address your issues because we want to be part of this community and we want to have a successful project. And so I hear the concerns, I hear the statements that have been made, I, as Debbie has said, we've had some phenomenal public input and I read every one of them and I, I'm, some of them, there's no question in my mind that people are amazingly sincere in everything they write on both sides of this issue. And I'm so truly impressed, as Mike said, that to represent a community like this is just awesome.

3:08:39

In this situation, I think, we do the best for our citizens by ensuring that we end up with a Town Center that could have the benefits that the Hines project offers us. So, I will go for Option A tonight, and encourage the rest of the Council to do so as well.

3:14:28

Mayor Bassett: So, first, thank you to the public, as everyone else has said I have very little to add beyond what they have said, and they've said it more articulately than I can. I do want to sort of harken to Ira's comment, which, Ira said, you ought to just do a blanket review of this, and he said better than I've just said it. My first position on this,

as I've pondered the over the past few days was to think exactly the same thing. Why in the world don't we just start with a blanket moratorium because it's the simple place to start. The problem is that we're not starting with a blank slate, though. If we were, that would absolutely be the place we should be on this.

3:15:14

But this is not a blank slate. And I asked Scott to give me a quick list of projects that have come recently. In 2010 we had The Mercer, Phase 1, 159 units. In 2013, we had Aviara, 166 units. In 2013 we also had Mercer Phase 2, 85 units. We've got Legacy now, 209 units, under construction. We've got a mish-mash of new construction, and old construction in our Town Center. We've got a group that has put together three properties that, by all accounts, don't get put together except in this one instance. We've got a opportunity where significant public benefit can be achieved out of this with a developer that has expressed a willingness beyond what we've heard anywhere else to work with the City.

3:17:54

Yeah, we all think a pause makes sense. But what do we do about Hines? Because it brings these special benefits to our, potentially to our Town Center. And it's at a point in it's development process where it's farther along than anything else. So, with that all as context, I stand with option A, which is to carry on, keep Hines out of the moratorium, but absolutely in favor of going forward with the moratorium and everything else, and working with Hines to make sure that project is absolutely all that it can be to the benefit, the long-term benefit of our citizenry, and our community.

EXHIBIT 4

March 30, 2015 – City Council Meeting

Mayor Bassett: “It will be an interesting conversation on the day that they tell us that they’re two weeks from filing a building permit, right?”

CM Cero: “We’re way behind on minutes. So, I don’t know any other way to document what was said at the meeting for us to have a record, a documentation, on what was said at the meeting. And, I think it was at the last Council Meeting, that we talked about it, right?”

Deputy Mayor Grausz: “...When they give the 15-day notice, then, there’s going to have to be, we’ll have to decide whether to have a meeting, or whether to bring it up at the meeting if there’s a scheduled meeting or if not whether to schedule a meeting. Again we don’t, they haven’t committed to what they’re going to do. And we don’t know, so we, we’re saying that, you know, we want to see what you’re going to do, but I think it’s been made clear to them through, the three things that have come up time and again in our discussions about Hines, have been the parking, have been the 29th Street, and have been the Whole Foods or some upscale grocery store. Those are the three things which have come up time and again. And those are three things which are referred to in the Findings of Fact...”

EXHIBIT 5

April Update

From: **Dan Grausz** (Dan.Grausz@mercergov.org)

Sent: Fri 4/10/15 4:34 PM

To: Dan Grausz (dangrausz@gmail.com)

April 10, 2015

Fellow Islanders:

First, my best wishes to all Islanders during this Easter/Passover season. As I sat with family and friends a few days ago for the Passover Seder, I thought how truly fortunate we are to live in this fantastic country and community and how lucky I am to represent Islanders during what is indeed an exciting and challenging time.

These updates are my opportunity to let Islanders know the latest on what is happening with your City government. While I always start these updates with the desire to be brief, that rarely turns out to be the case as there is much to cover. For those who have not received these updates previously, if you would prefer not receiving these in the future, please email me.

1. Bus Intercept/Turnaround: this refers to the proposal by Sound Transit and Metro to have buses from Issaquah and other communities to the east drop off and pick-up their passengers on Mercer Island so they can use light rail between Mercer Island and Seattle. It would not begin until 2023 (when light rail is scheduled to start), has obvious benefits to the region in terms of reducing transportation costs and air pollution, but will have impacts on Islanders that have not yet been quantified.

Although nothing has changed on this in the past several months, this has become a cause for immediate concern on the part of some Islanders due to recent emails and social media posts. While we are still waiting for a detailed proposal from Sound Transit and Metro that will enable everyone to give this an informed evaluation, we do know from prior discussions that the numbers and statements being bantered around in those recent communications (more than 500 buses in 6 hours and diesel spewing onto people eating in Town Center) are incorrect. Some of the facts we are already aware of include:

- The total number of buses on Mercer Island during the day if Bus Intercept is operational (estimated to be 338) will be less than what we now have (352) as many existing bus routes, such as the 550, are discontinued. These numbers do not include the 147 buses that now go across Mercer Island on I-90 but do not stop; those buses, and the pollution they create, all go away once light rail starts running whether or not Bus Intercept is implemented. Bottom line is that even with Bus Intercept, we would have less buses stopping on Mercer Island than we now have and far fewer buses polluting our air.
- About 90% or more of the buses involved in Bus Intercept will never leave the 80th Ave. overpass area (between North Mercer Way and SE 27th St.). They will get off I-90 on 80th Ave., drop off or pick-up people on 80th Ave., and get back onto I-90 from 80th Ave.
- Any parking of buses will only occur on the 80th Ave. overpass and in or next to the existing loading zones on North Mercer. What we are still trying to confirm are prior statements which suggested that parking would be limited to the afternoon rush hour and would only involve a small number of buses at any given time during that period.

The most important message I can deliver right now is to ask everyone to wait and see what the details are in the Sound Transit and Metro proposal – which is exactly what your City Council is doing. Let’s see what the impacts will be and what kind of mitigation we will require (such as commuter and Town Center parking for Islanders and other improvements that address existing mobility issues we face due to the lack of parking in the Town Center). The article in today’s [Seattle Times](#) as to the deal just reached between Sound Transit and the City of Bellevue was enlightening, to say the least, and will definitely factor into what we will be demanding of Sound Transit.

In any event, our response cannot just be that we only support what is ideal for Islanders. We may be an island but we are part of a region – a region whose help we needed and received when we successfully fought off I-90 tolling and that we rely upon for such things as 911 emergency dispatch, firefighting support (Bellevue trucks travel to Mercer Island for almost every significant fire) and other services that we cannot afford on our own. Furthermore, the savings free up monies for road and other transit projects that also benefit Islanders as most of us deal with the existing regional gridlock on a daily basis.

Please do not interpret this as anyone saying that we should put regional interests in front of Islander interests. This may just be one of those situations where our respective interests are compatible. What a refreshing possibility in the current political climate that people might be able to actually find solutions that address both our own interests and those of the people around us. We will not know that, however, until we have the details.

2. Hines Project: at its March 16th meeting, the City Council reaffirmed its prior decision that

exempted the Hines Project (the proposed mixed-use development just south of McDonald's) from the recently-imposed Town Center development moratorium. I have discussed the moratorium and Hines Project at length in prior updates and won't repeat myself here. The Findings of Fact adopted by the Council can be read at http://www.mercergov.org/files/Moratorium_ORD15-05.pdf. As I have said before, if the Hines Project does not include the community benefits that have been publicly discussed, then I would support putting them under the moratorium.

3. Town Center Visioning: the Town Center Visioning project was started over a year ago when the Council recognized that our Town Center Development Code needed updating to guide the development we expected to occur with the arrival of light rail. In January of this year, outside urban planning experts confirmed in their initial report that changes should be considered. In February, we implemented a 4-month development moratorium to give us time to progress this work. We also approved a community engagement process that is now in full swing.

A key part of the community engagement process was naming a 42-person Stakeholder Group that included a broad cross section of Islanders. That Group has now met three times and reached a consensus agreement on general principles as to what they want to see in the Town Center. The hard work lies ahead as the Stakeholder Group must still weigh in on such issues as:

- How do we achieve the boulevard look (wider and greener sidewalks) that people are seeking: narrower streets, larger building setbacks or a combination of both?
- Do we want more on-street parking if that means having to accept narrower sidewalks?
- Should we change permitted uses in the Town Center; for example, should residential be the required use for new development on parts of 76th Ave. and/or 80th Ave.
- Should permitted heights be changed?
- How do we bring about meaningful public plazas?
- What major public benefits should we require in exchange for allowing building heights to exceed 2 stories?

The general public will have additional opportunities to comment on whatever changes are being proposed before the Council makes further decisions on these issues at its June 1st meeting.

4. Library: KCLS is conducting a brief survey that will guide next steps on the Mercer Island library renovation project. Please take a minute to answer the questions at <http://www.kcls.org/MISurvey>. KCLS has also scheduled a public meeting for April 23rd at the Library from 6:00 – 7:30pm to discuss the

survey results.

5. South End Fire Station: we are still on track to begin operating out of the new fire station later this month. The same issues that I have mentioned before – delay damages payable by the contractor and roof warranty questions – remain to be resolved. As we have used very little of the contingency fund for this project by avoiding change orders, we remain well under the Council-approved budget even without factoring in delay damages.

6. Tolling I-90: the news out of Olympia remains unchanged. No one in the Legislature is talking about tolling I-90; there is nothing in either the House or Senate budgets that would suggest tolling is under consideration; and Representatives Clibborn and Senn as well as Senator Litzow remain bulwarks against it happening.

7. Improving our Parks and Open Space: earlier this month, the Council received a 10-year update on the City's efforts to improve the health of our parks and open spaces, such as Pioneer Park. It is a good news report as we have made excellent progress in both replanting trees and controlling invasives. I remember a time back around 2000 where we felt we were losing the battle to save Pioneer Park and other open spaces. That has turned around as we now have a coordinated and effective program to restore our open spaces with the proper vegetation while eliminating undesirable plants. This study will be used to guide our efforts for the next 10 years and includes strategic initiatives that take into account the special challenges we face from climate change. Please let me know if you would like a copy of the report.

8. Water Quality: the City continues to move ahead on its program to reduce the risk of a reoccurrence of last summer's boil water alert. We are spending hundreds of thousands of dollars to safeguard the points in our system where contamination is most likely to enter, such as underground vaults. Later this year, we will consider changes to our programs designed to reduce risks at the individual household level, primarily with sprinkler systems that are not fully protected by working backflow preventers.

While these and other changes are being implemented, we are continuing to maintain higher than normal (but still safe) chlorine levels in our water. No one likes these higher levels but chlorine is the best means we have to kill contaminants that may enter the system. One piece of good news is that we have been able to maintain higher chlorine levels throughout our system without having to add major new pieces of equipment that were originally thought to be required. Please be assured that the goal, and it is an achievable goal, is to bring chlorine levels back down within the next year or so to levels that will be far less noticeable and more in line with what Islanders had become used to prior to last Summer.

9. Boards and Commissions: the City is seeking volunteers to serve on Board and Commissions.

Almost everyone on the Council started their City public service in that manner. More important is that critical City business is only accomplished because we have dedicated women and men prepared to give their time. For more information, please look at <http://www.mercergov.org/News.asp?NewsID=1873> which provides information on open positions. Most important, please get involved in your community by volunteering to serve. You can make a difference.

10. Solicitor's Ordinance: the City was recently required to amend and, in doing so, weaken, its Solicitor's Ordinance that we had passed last year. This was in response to a U.S. District Court decision against the City in a lawsuit brought by a religious, non-profit group that challenged the ordinance. If you do not want solicitors ringing your doorbell, the most effective means is to put a sign in front of your house or on your door making that clear.

11. Shoreline Development: an almost 8-year process that involved great work by the City's Planning Commission and staff as well as considerable back and forth with the State Department of Ecology finally concluded last month with the adoption of changes to the City's shoreline development permitting rules that will primarily impact dock construction and replacement. This was required in response to a State mandate that impacted all communities with shorelines. The final product seeks to create a fair balance between property rights and environmental protection.

Thanks to everyone for taking the time to stay involved and keeping up with the issues in our City. It remains an honor and a privilege to work for you on the City Council.

Dan Grausz

Deputy Mayor

EXHIBIT 6

Hines Project – 11/26/2014 77th Ave Level - Plan

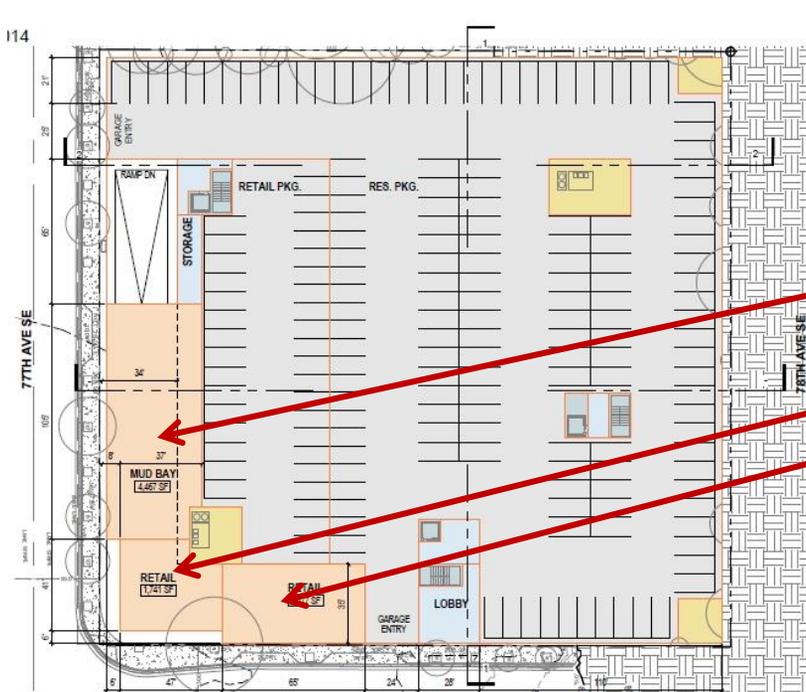
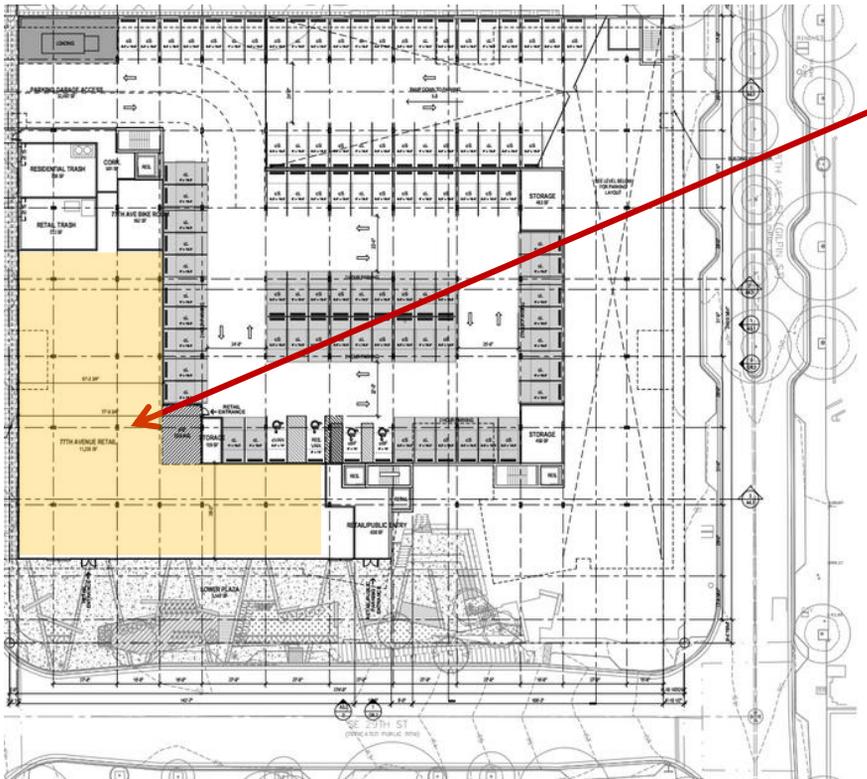


Exhibit 1
LEVEL 1 77TH - PLAN

Retail Space
 a) Mud Bay
Available:
 b) 1,741 sf
 c) 2,277 sf

Hines Project – 5/11/2015 77th Ave Level - Plan



Retail Space Available:
 11,235 sf
(only available space in building)

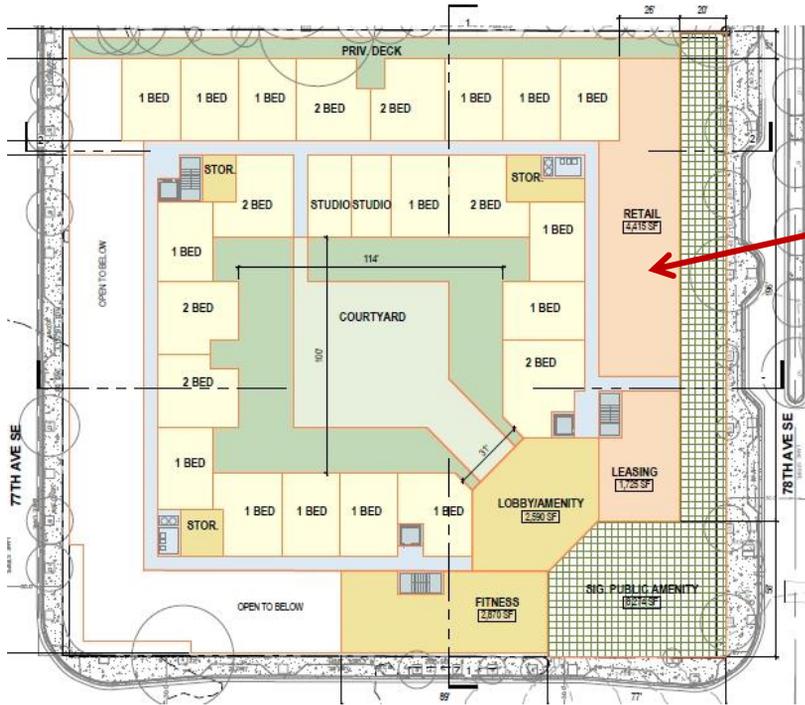
MERCER ISLAND
 MIXED USE
 2885 78TH AVENUE SE,
 MERCER ISLAND, WA

REVISIONS
 SUBMITTALS

LEVEL 1
 (77TH) -
 OVERALL
 PLAN

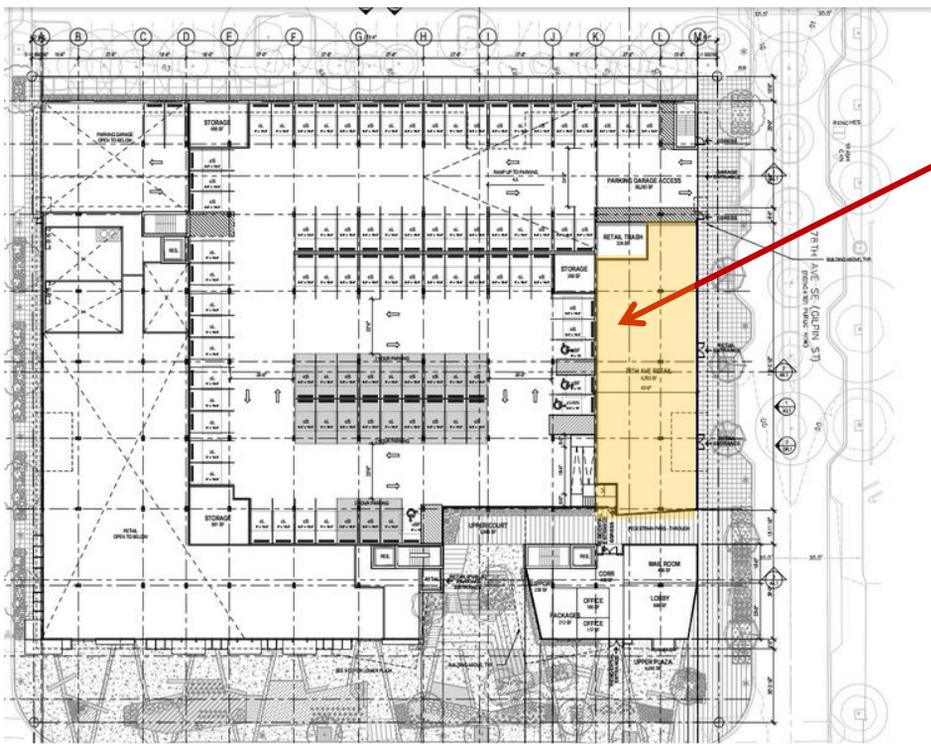
Hines Project – 11/26/2014 78th Ave Level - Plan

Exhibit 1
LEVEL 1 78TH - PLAN



Retail Space Available
4.467 sf

Hines Project – 5/11/2015 78th Ave Level - Plan



Mud Bay
4,703 sf

Site Name: 2885 78th Ave SE
2885 78th Ave SE
2885 78th Ave SE
www.cantieri.com

**MERCER ISLAND
MIXED USE**
2885 78TH AVENUE SE,
MERCER ISLAND, WA

REVISIONS

SUBMITTALS

LEVEL 1
(78TH) -
OVERALL
PLAN

Grocery Store Square Footage Comparison

Store	Setting	Square Footage
Whole Foods (new)	Capital Hill *Mixed Use bldg.	40,000
Whole Foods	Bellevue	56,949
PCC Market	Issaquah	23,000
PCC Market	Redmond	23,367
PCC Market	Columbia City *Mixed Use bldg.	25,000
Safeway	Bellevue Way *Mixed Use bldg.	55,330
Albertson's	Mercer Island	37,076
<u>Average Square Footage</u>		<u>37,246</u>

Hines Project 2015 Retail Spaces

Square Footage

1. 77 th Ave SE	11,235
2. 78 th Ave SE (Mud Bay)	4,703
<u>Total Available Space</u>	<u>11,235</u>

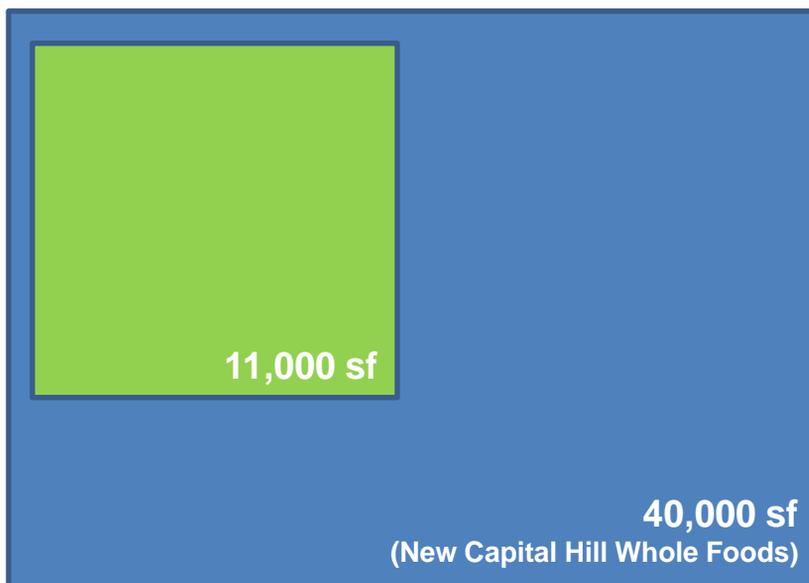
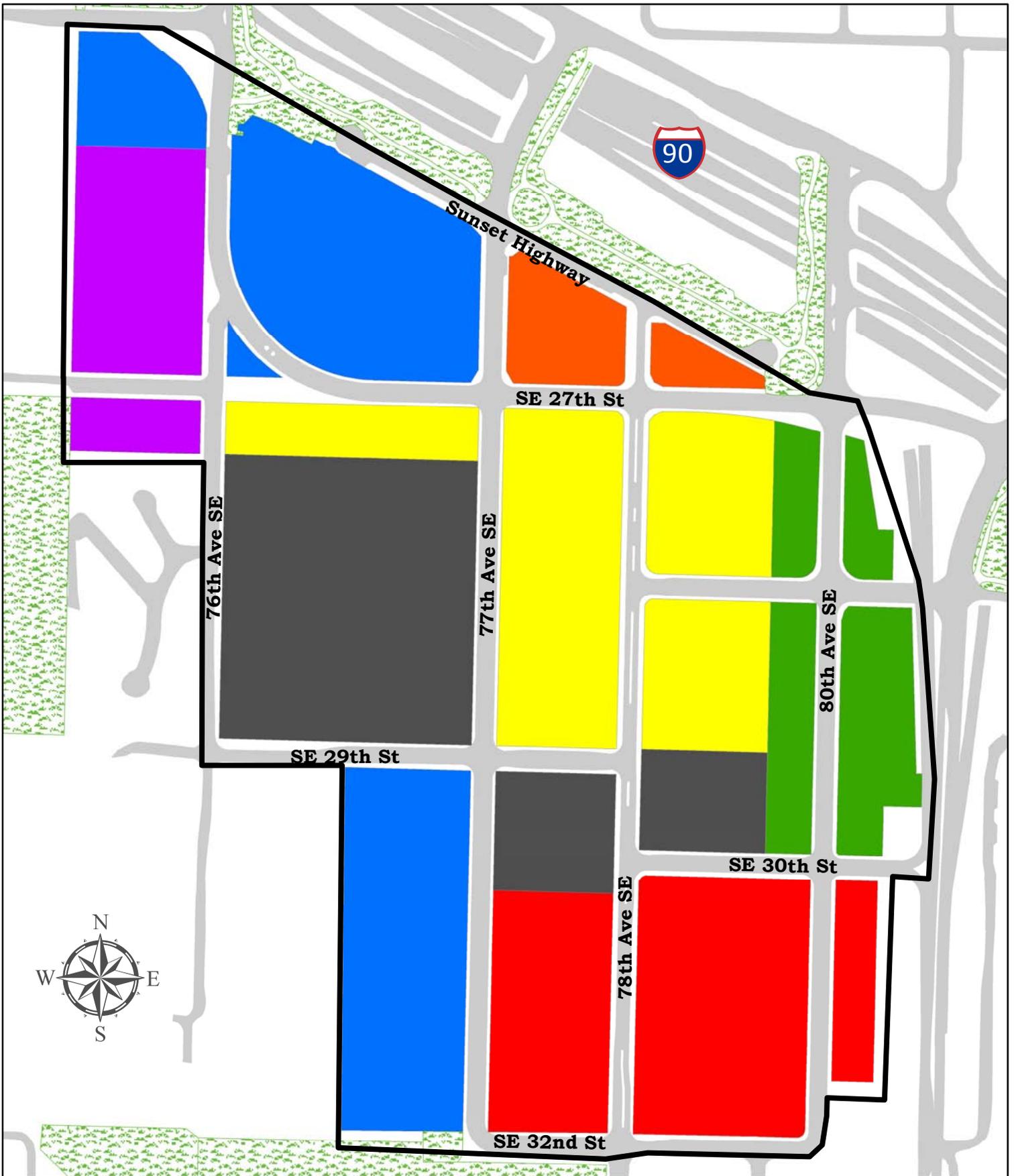


EXHIBIT 7



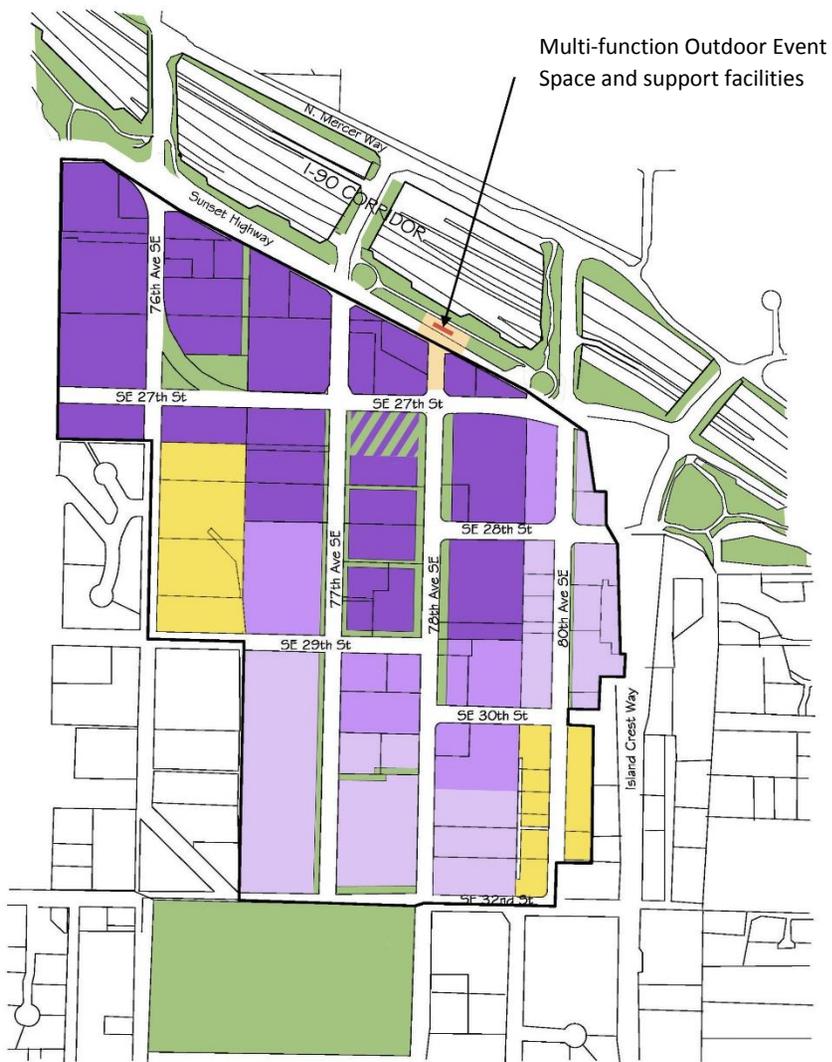
Legend

- | | |
|--|---|
|  Auto-Oriented |  Residential (Central) |
|  Gateway |  Residential (North) |
|  Mid-Rise Office |  Residential (South) |
|  Mixed Use |  Town Center Boundary |

Town Center Sub-Areas

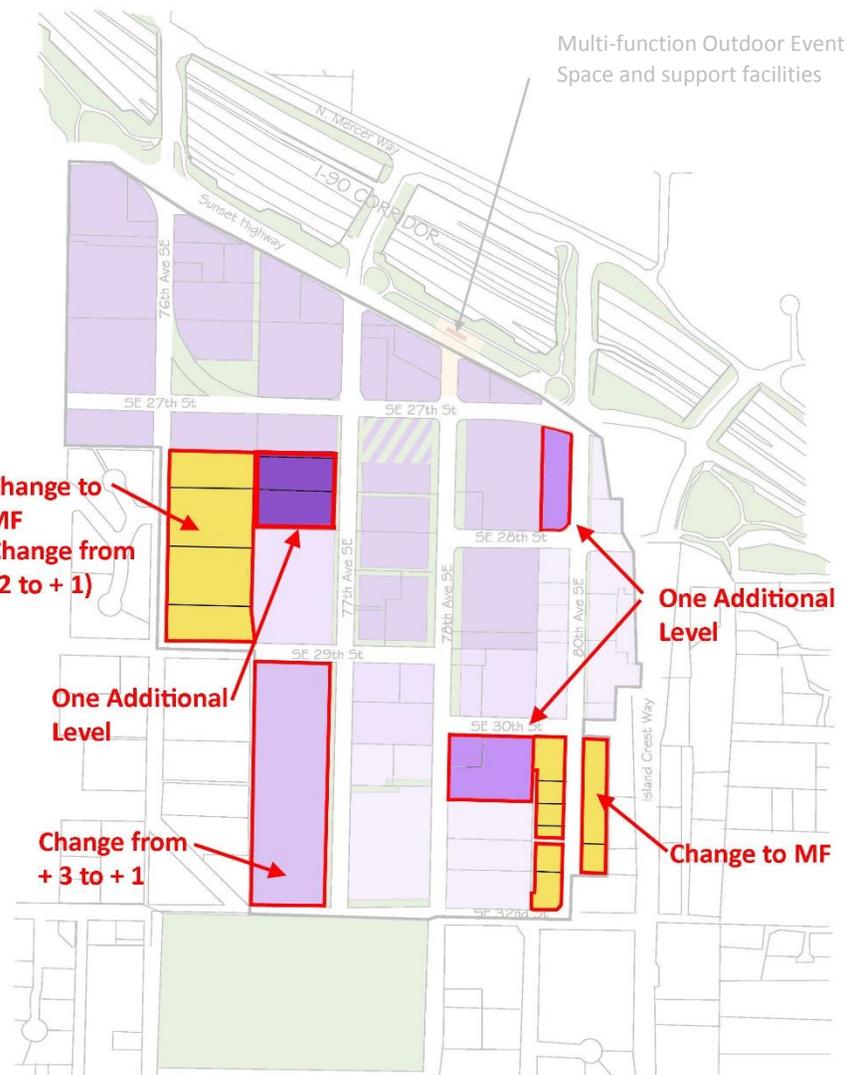


EXHIBIT 8



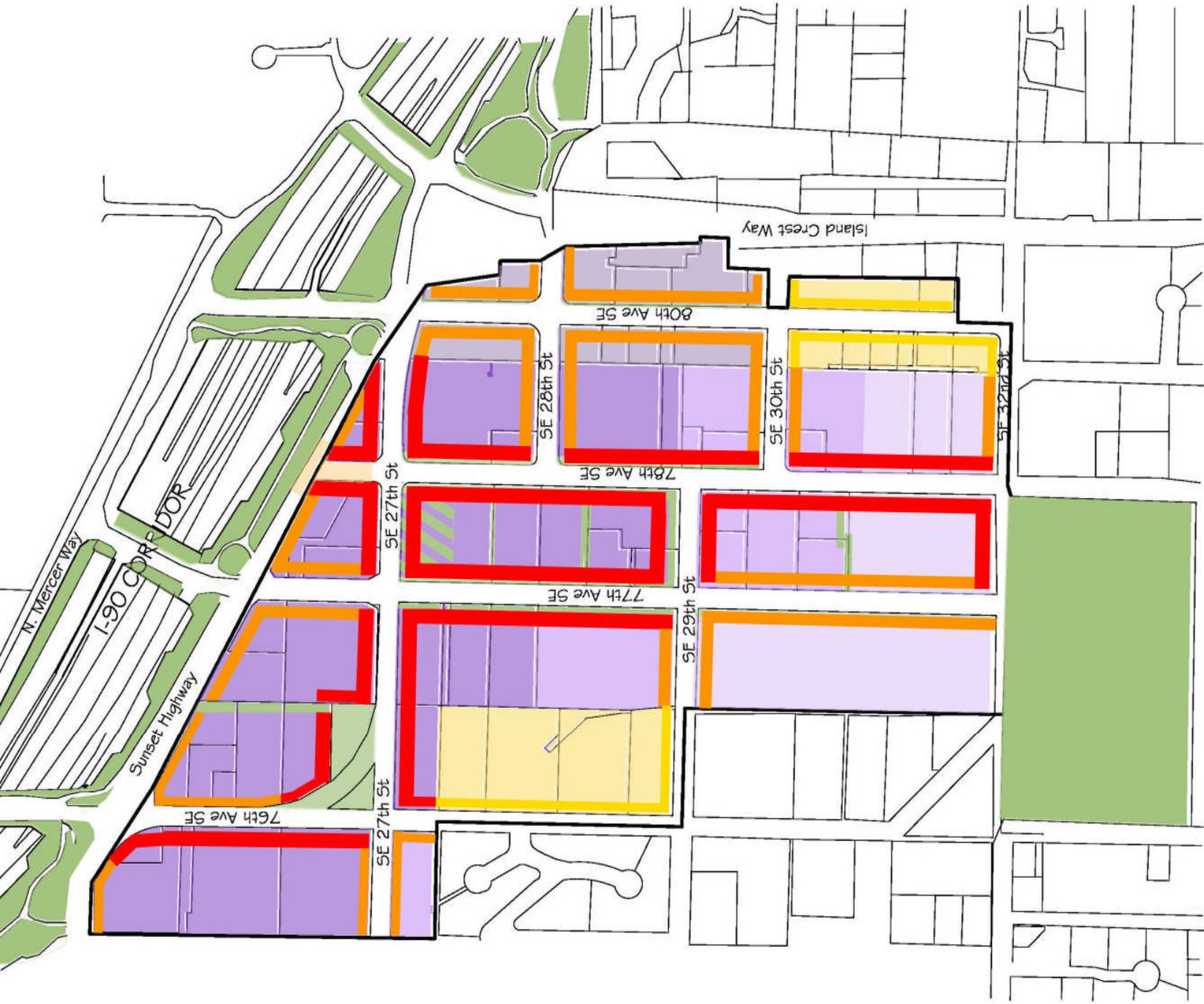
**Mercer Island Town Center
Proposed Regulating Plan**

- TC - 5 Sub-area
- TC - 4 Sub-area
- TC - 3 Sub-area
- TC MF-3 Sub-area



**Proposed Regulating Plan change in Use and
Building Heights from Existing Code**

EXHIBIT 9



Mercer Island Town Center Proposed Retail Frontage Types

Primary (limited personal services allowed)

Secondary (more flexible for non-retail uses)

Limited (live/work and home-based occupations allowed)

EXHIBIT 10



TOWN CENTER

Development & Design Guideline Update

Mercer Island Town Center
Stakeholder Group Meeting # C-2

April 27, 2015
Mercer Island Community and Event Center

Meeting Introduction and Overview

Seth Harry provided an introduction and overview of the meeting agenda.

Summary of Stakeholder Group Input, Meeting #C (April 24, 2015)

Seth Harry presented an overview of Stakeholder Group Meeting # C input:

Areas of Consensus – Streets & Regulating Plan

- 80th Avenue SE. (These discussions occurred before City traffic staff input).
 - The bike lanes should be relocated from 77th Ave SE to 80th Ave SE. (this was before City traffic staff input)
 - There should be on-street parking with street trees and no planting strip.
 - The proposed mix of secondary retail frontage along the north end of 80th and limited retail frontage to the south end of 80th is appropriate.

- 78th Ave SE.
 - There should be parking pockets on 78th similar to today's parking.
 - The proposed mix of primary retail frontage to the north end of 77th and secondary retail frontage to the south end of 77th is appropriate.

Regulating Plan.

- The Multifamily and Special district areas should be separate sub-areas with different uses or other characteristics.

Areas of Mixed Opinion – Streets, Base Requirements and Incentives and Regulating Plan

- 77th Ave SE.
 - *Differences of opinion as to which side or both, and angled or parallel.*

- 78th Ave SE.
 - Split opinions about the proposal for primary retail frontage along the full length of 78th Ave SE.
 - Comments on the public places/plazas shown on the regulating plan mostly related to the Walgreen's plaza; mixed opinions.

- Base Requirements and Incentives.
 - Many different responses.
- Regulating Plan.
 - Many different responses.

Stakeholder Group comments and questions as follow up to the Meeting #C summary included:

- Location of bike facility on 80th; how retail frontage types were determined and apply to existing development, requests to see the full retail map in worksheet and request for parking map similar to retail map. Questions were also asked clarifying what policies were referenced and which elements are code-derived and existing parking requirements.

Presentation of Clarifying Material

Seth Harry presented new graphic material to clarify points from previous Stakeholder Group meetings. Primary points included:

- Existing and Proposed Building Height Definition. Height for sites with variations in topography (see graphics). Current height allowed is 5 stories rather than measure of feet. Currently median height is measured; the proposed measure considers both sides of property. The proposal addresses the needs of sites with multiple frontages and those with varying elevations at different site access points. This enables building heights to be calculated in response to more than one site frontage rather than from one point for an entire site with varying topography. Stakeholder Group questions and comments related to purpose of changing building height measurement method and actual height versus number of stories.
- Regulating Plan. Stakeholder Group questions and comments related to building height guidance in the existing code, potential location of taller buildings near hillsides so as to not block views, and rationale for building heights in the Multifamily areas.
- Bicycle/Pedestrian Networks Map. This discussion related to City engineers' recommendation to relocate bicycle facilities on 77th rather than 80th; also that existing businesses need on-street parking.

Table Discussions - Regulatory Plan and Street Sections

Stakeholder Group members moved into 4 discussion groups to respond to the following questions:

1. *Are the sub-area descriptions appropriate? Are there unique features or characteristic you would include in any of the sub-area descriptions?*
2. *Is the Special District appropriate as a separate sub-area? If so, what sets it apart from other sub-areas? If not, what should replace it?*
3. *Are the sub-area boundaries correct? How should they be changed?*

Report Back: Regulating Plan

Table 1.

- Rite Aid property - change from +1 to +2.
- Special District: Multi-family only, +1.

Table 2.

- Ok in general with overall Regulating Plan.

- Need to accommodate automotive service (gas stations).
- Rite Aid – increase density so more likely to redevelop. (is +1 or +2 enough incentive for that?)
- Light rail – need to discuss transit parking.

Table 3.

- Like 7 subareas trimmed down to 5.
- Not sold on shifting density toward freeway.
- Multifamily instead of Special District.
- Vary heights in lower intensity area while leaving total building mass the same.

Table 4.

- Special District – don't see the need for it (reduce # of district categories).
- Rite Aid - Ok with +1 by Mercerdale Park.

Bike Lanes

Table 1.

- Move bike lanes back to 77th, no concrete divider, 2 bikes lanes on same side of street.

Table 2.

- Wrong question – move bike lane from 77th or 80th, should be what do we want to accomplish on 77th?
- Not right question to ask; maybe a sharrow.
- Low traffic volume with low speeds so no need for bike lane.
- Unnecessary center turn lanes can provide room for a boulevard with wider sidewalks and planter strips.
- No dedicated bike lanes, focus on creating a great urban streetscape on 77th.

Table 3.

- Street section – bike lanes better on 77th, what's the intent of the street?
- Need to know purpose of street to determine what's needed; what to give for wider sidewalk.

Table 4.

- Bike lane should be on 77th, but more in favor of more parking.
- Dedicated bike lane on 77th.
- Angled parking on 77th if can fit bike lane if it fits.
- Parking more important on 77th; would also still like bike lane.
- Parking for the Performing Arts Center – prefer parallel.

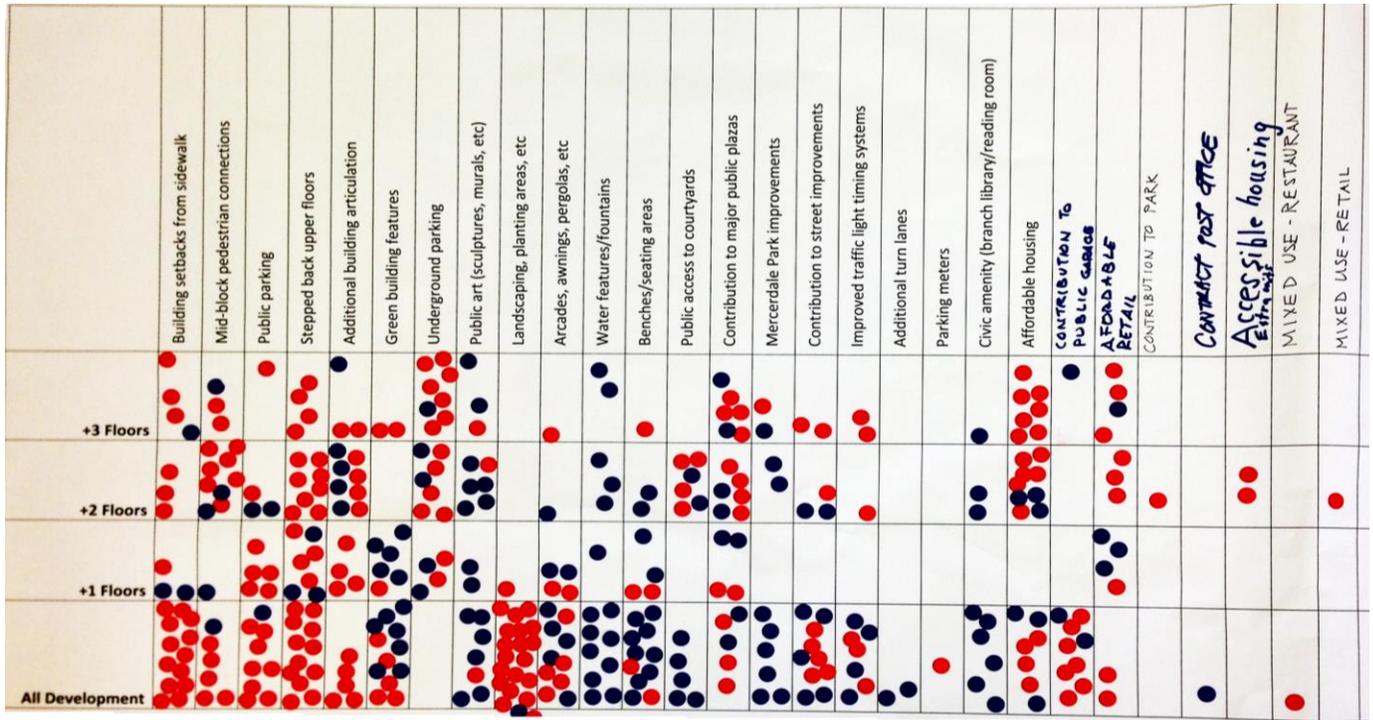
Other Comments/Questions

- Important to still allow auto-oriented and service uses in Town Center, so people don't have to go off-Island for those.
- Residential – In favor of more residential along the fringes, including Farmer's.
- Bicycle questions are not so much about current condition now, rather about people bicycling downtown to get to transit in the future.

Dot Exercise

The dot exercise enabled Group members to use color to identify features that should be base (mandatory) requirements and tiered amenities, with red for mandatory and blue for tiered incentives

above mandatory. The first graphic below reveals patterns of red and blue dots placed by Group members. The second graphic below shows number of dots placed per cell and are color coded to indicate red and blue dots.



	Building setbacks from sidewalk	Mid-block pedestrian connections	Public parking	Stepped back upper floors	Additional building articulation	Green building features	Underground parking	Public art (sculptures, murals, etc)	Landscaping, planting areas, etc	Arcades, awnings, pergolas, etc	Water features/fountains	Benches/seating areas	Public access to courtyards	Contribution to major public plazas	Mercerdale Park improvements	Contribution to street improvements	Improved traffic light timing systems	Additional turn lanes	Parking meters	Civic amenity (branch library/reading room)	Affordable housing	Contribution to public garage	Affordable retail	Contribution to park	Contract post office	Accessible housing (extra units)	Mixed use - restaurant	Mixed use - Retail
+3 Floors	3	2	1	4	2	2	7	1		1		1		4	1	2	2				7		3					
	1	1			1		1	2			2			2	1				1		1	1						
+2 Floors	3	7	1	8	4		5	1			1	3	2	4	4		1	1			6		3	1		2		1
		2	2		4		2	5				2	2	2	2	2				2	3							
+1 Floors	1		5	4	4	1	2		1	2		2		2									1					
	2	1		3		5	2	2		2	1	2		2								3						
All Development	13	5	8	12	5	5		1	19	5		2		3		5	3		1		4	7	2			1		
		1	1			7		6	1	5	9	9	5	2	6	5	4	2		6	3	2		1				

Next Steps

The next Stakeholder Group is Tuesday, May 5.

EXHIBIT 11

Proposed Town Center Incentive Structure

The following charts are a conceptual framework for an incentive structure to allow Town Center buildings to achieve heights above 2 stories. The purpose of this conceptual framework is to organize stakeholder feedback to-date and provide a model for further input. This concept has not yet been filtered through the lenses of technical or market feasibility, so the final incentive structure proposed in the draft code may require additional changes.

ALL DEVELOPMENT

MANDATORY	ELECTIVE
<ol style="list-style-type: none"> 1. Building setbacks from sidewalk 2. Building setback to allow mid-block connection when adjacent to designated connection 3. Walk-Off requirement for non-residential parking spaces 4. Green building standards 5. Street level façade standards to ensure attractive streetscape 6. Site design features (e.g. benches, fountains, public art, etc.) 7. Landscaping features (e.g. greenery, planting areas, trees, etc) 	

TC-3: 3 stories

MANDATORY	ELECTIVE
<ol style="list-style-type: none"> 1. Building setbacks from sidewalk 2. Building setback to allow mid-block connection when adjacent to designated connection 3. Walk-Off requirement for non-residential parking spaces 4. Green building standards 5. Street level façade standards to ensure attractive streetscape 6. Site design features (e.g. benches, fountains, public art, etc.) 7. Landscaping features (e.g. greenery, planting areas, trees, etc) 8. Stepped back upper floors 9. Additional building articulation 10. Additional public parking 	<p>Choice of:</p> <ol style="list-style-type: none"> 1. Affordable retail 2. Affordable housing 3. On-site public plaza 4. Public reading room 5. Contribution to Town Center Improvements/Amenities Fund (for plazas, public parking, reading room, etc)

Note: **Bold** font indicates mandatory requirements that are new to that tier.

TC-4: 4 stories

MANDATORY	ELECTIVE
<ol style="list-style-type: none"> 1. Building setbacks from sidewalk 2. Building setback to allow mid-block connection when adjacent to designated connection 3. Walk-Off requirement for non-residential parking spaces 4. Green building standards 5. Street level façade standards to ensure attractive streetscape 6. Site design features (e.g. benches, fountains, public art, etc.) 7. Landscaping features (e.g. greenery, planting areas, trees, etc) 8. Stepped back upper floors 9. Additional building articulation 10. Additional public parking 11. Affordable Retail 12. Affordable Housing 	<p>Choice of:</p> <ol style="list-style-type: none"> 1. Underground parking 2. On-site public plaza 3. Public reading room 4. Public access to courtyard 5. Contribution to Town Center Improvements/Amenities Fund (for plazas, public parking, reading room, etc)

TC-5: 5 stories

MANDATORY	ELECTIVE
<ol style="list-style-type: none"> 1. Building setbacks from sidewalk 2. Building setback to allow mid-block connection when adjacent to designated connection 3. Walk-Off requirement for non-residential parking spaces 4. Green building standards 5. Street level façade standards to ensure attractive streetscape 6. Site design features (e.g. benches, fountains, public art, etc.) 7. Landscaping features (e.g. greenery, planting areas, trees, etc) 8. Stepped back upper floors 9. Additional building articulation 10. Additional public parking 11. Affordable Retail 12. Affordable Housing 13. Underground parking 	<p>Choice of:</p> <ol style="list-style-type: none"> 1. Public access to courtyard 2. On-site public plaza 3. Public reading room 4. Contribution to Town Center Improvements/Amenities Fund (for plazas, public parking, reading room, etc)

Note: **Bold** font indicates mandatory requirements that are new to that tier.

EXHIBIT 12

May 2015 Update

From: **Dan Grausz** (Dan.Grausz@mercergov.org)

Sent: Sun 5/10/15 5:15 PM

To: Dan Grausz (dangrausz@gmail.com)

May 10, 2015

Fellow Islanders:

I have to say that writing an update on Mother's Day in the middle of what has been a spectacular Pacific Northwest weekend is challenging. Much is going on with your City, however, that you may want to hear about. For those of you who have not received these updates before, I always tell people that if you would prefer not receiving them in the future, please email me.

1. City Council/School Board Changes: unfortunately, Joel Wachs had to resign from the Council a few days ago for health reasons. While Joel's tenure on the Council was brief, he believes in this community and wanted to do what he could to keep Mercer Island the great place it is to live. I wish him a speedy recovery and know that he will be back in the future to continue working for Islanders. Joel's seat will be one of the five Council seats that Islanders will choose someone for in the upcoming November election.

Also last week, Ralph Jorgenson was selected by the School Board to replace Janet Frohnmayer, who has resigned as a result of her leaving Mercer Island. Janet has done a great job for Islanders during her long tenure on the School Board and will be sorely missed throughout our community. Ralph showed his mettle as one of the leaders of last year's successful School Bond campaign. I look forward to working with him in the months ahead. Ralph's seat will be one of three that will be on the ballot in November.

2. South End Fire Station: I had hoped that our firefighters would be using the new South End Fire Station by now. Completing the punch list, however, has delayed hand over of the station, which is now expected to happen in about two weeks. The City has notified the contractor that we are rejecting the roof and will require that it be replaced. As the issue involves the roof covering and not the structure, I am hoping it can be done while the firefighters are using the station. It is likely that both the roof issue and the City's claim for in excess of \$500,000 of delay damages will result in litigation with the contractor.

3. Transportation Improvement Plan: on Monday, May 18th, the City Council will take public comment on desired road, pedestrian and bicycle projects as the first part of our annual development of the Transportation Improvement Plan. In the past, groups of citizens have been able to influence what projects are done by coming to this meeting and providing comments, particularly when something is required to address an important neighborhood safety concern. Please take advantage of this opportunity. As I have in the past, I will push hard to continue the widening of the shoulders project on the Mercers that the City has been doing in increments for more than 10 years. This not only protects pedestrians and cyclists but is also very important for drivers who are able to pass cyclists without crossing the center stripe.

4. Bus Intercept: bus intercept refers to the Sound Transit proposal to have buses from Issaquah and other communities to the east drop off and pick-up their passengers on Mercer Island so they can use light rail between Seattle and Mercer Island. It would not begin until 2023 (when light rail is scheduled to start), has benefits to the region in terms of reducing transportation costs and air pollution, but if not done right, will adversely impact Islanders. The City has said from the outset that we will oppose this project unless those impacts were both significantly limited and mitigated.

On April 20th, Sound Transit and Metro provided the City with its latest thinking for this project. What was laid out for us was a non-starter. It included adding over 12 bus parking spaces, laid out an arrangement that was likely to significantly impact vehicle, pedestrian and bicycle traffic on 80th Ave. and nearby streets, and included no operating limitations that would enable us to cap the impacts. It was completely out-of-scale for our Town Center and for what we had been told were the goals of Bus Intercept.

On May 4th, the Council voted unanimously to reject this. We concluded that there was no combination of minor revisions and mitigating efforts that could lead us to approve what had been presented. Islanders need to know, however, that this likely is not the final word on Mercer Island Bus Intercept as the idea of having bus/rail connections throughout the light rail network (not just on Mercer Island) is a cornerstone of regional transportation policy. At this time, we have no idea what Sound Transit and Metro may come back to us with.

5. Mitigation for Loss of Mobility: at the May 4th meeting, the Council also decided that for the present, we would focus our negotiations with Sound Transit on obtaining mitigation for loss of mobility due to closure of the I-90 center roadway. We are contractually entitled to this mitigation under the terms of an agreement signed in 2004.

In my opinion, mitigation must include additional commuter parking for Islanders but also should

look at other measures (such as shuttle service to and from the north end) as we will never be able to find enough space in our Town Center to meet what I expect to be substantial parking demands once light rail is operational in 2023. We also need to advance what until now have been dormant discussions with the Washington State Department of Transportation on promised Islander single occupancy vehicle access to the additional HOV lane now being added to each of the I-90 outer roadways between Mercer Island and Seattle. Expect some very difficult discussions in the months ahead.

6. Town Center Visioning: since my last update, the 42-person Town Center Stakeholder Group held three more meetings during which substantial progress was made towards finding a way forward in our ongoing project to update the Town Center Development Code. In its advisory capacity, the stakeholders have generally favored a series of changes that will now go before the Planning Commission, Design Commission and City Council for further review and public comment. Those changes include:

- While the maximum 5-story height limit would be retained, **certain parcels were designated for either an increase or decrease in the currently permitted height**. The general policy remains one of allowing taller (5-story) buildings at the north end of the Town Center with 3 or 4-story maximum heights as one moves away from the north end.
- **Certain areas along 76th Ave. and 80th Ave. that are now designated as being available for office or retail use would now be restricted to primarily residential development.**
- **Mandatory mid-block connection points** would be created along certain lot lines to avoid the possibility of being unable to walk through the super blocks we now have once they are developed (such as the block bounded by 77th, 78th, 27th and 29th). **Similarly, a setback along 32nd between 77th and 78th would be required** to avoid a future development from being too imposing on Mercerdale Park.
- **77th Ave. (the street that Albertson's is on) would be changed to a 2-lane street to allow room for on-street parking** and possibly wider and better landscaped sidewalks.
- Serious consideration will be given to **changing the SE 27th Street traffic flow in front of the large Starbucks by eliminating the curve, having 27th meet 76th Ave. on a right angle** and developing an attractive green space between that intersection and the large Starbucks.
- **Design requirements for buildings would be changed to require more modulation** of higher floors (a wedding cake appearance).

- The public benefits and amenities that are mandated in exchange for allowing additional height would be significantly increased.

The next step in this will be a public input session at the Community Center this Monday (May 11th) evening followed by City Council initial review at its June 1st meeting. On June 1st or at the following meeting on June 15th, the Council is also likely to decide whether or not to extend the existing development moratorium which otherwise expires on June 16th.

7. Impact Fee Ordinance: Separate and apart from this visioning process, the Council will soon be considering adoption of an impact fee ordinance that will require most new development, including single family residential, to pay money that will help finance school, transportation, parks and/or fire safety capital projects that are needed in response to the additional growth. Until now, the City and School District have relied on what are referred to in the law as SEPA (State Environmental Protect Act) mitigation fees. The School District has recently asked the City to replace school mitigation fees with school impact fees. At the same time, the City will consider imposing impact fees for the other areas noted above.

With our fantastic Farmers Market about to begin again on June 7th, we know that summer is quickly approaching. I encourage all Islanders to take advantage of this program as it really promotes our sense of community. Summer Celebration, including fireworks, will be the weekend of July 11th. We also have a full calendar of Shakespeare in the Park and Mostly Music in the Park events in July and August; specifics are on the City's website calendar. I look forward to seeing and talking with you at these and other community events.

Thanks again for taking the time to read this update. It remains an honor and a privilege to represent Islanders.

Dan Grausz

Deputy Mayor

EXHIBIT 13

MEMORANDUM

Date:	April 10, 2015	TG:	15085.00
To:	Evan Kaseguma – Hines		
From:	Mike Swenson, PE, PTOE Jesse Birchman, PE, PTOE		
cc:	Mat Lipps – Runberg Architecture Group PLLC		
Subject:	Hines Mercer Island Apartments – Preliminary Transportation Summary		

This memorandum provides a summary of preliminary transportation related information for the proposed mixed-used development in the Town Center area in Mercer Island, Washington. A Transportation Impact Analysis (TIA) outlining the impacts of the project and any necessary mitigation is being prepared and will be submitted under a separate cover. This memorandum focuses on the following:

- The project’s description,
- An updated estimate of the project’s estimated trip generation,
- A preliminary evaluation of potential site access configurations and related driveway and on-site intersection operations,
- An evaluation of vehicle travel paths at the on-site intersections, and
- A review of the preliminary parking supply and estimated peak parking demands.

Project Description

The proposed project is located at 2885 - 78th Avenue SE and includes a mixed-use building providing up to 192 apartment units above the ground floor, approximately 30,000 gross square feet of supermarket, and 10,000 gross square feet of general retail space on the ground floor. The project site location is shown in Figure 1.

A total of 609 parking stalls are proposed:¹ 247 stalls for the residential use, 151 for supermarket and retail use, and 211 for general public use. The 211 general public use stalls would be located on the third level of the underground parking structure and are contingent on the City of Mercer Island’s negotiations with Sound Transit and Hines. A double berth loading dock serving the grocery would be located parallel to 77th Avenue SE. Vehicular access to the project site would be provided along the northern site limits where driveways would be provided onto 78th Avenue SE and 77th Avenue SE, as illustrated in Figure 1. A full access driveway onto 78th Avenue SE is proposed based on recommendations by City staff and research by Transpo (to be further summarized in the TIA).



Figure 1 – Project Vicinity

¹ Two loading berth would be provided in addition to the 609 stalls within the parking structure.

Project Trips

Project trip generation estimates were developed for the project based on information contained in the Institute of Transportation Engineers (ITE) *Trip Generation* (9th Edition, 2012) and observations at the existing Mercer Island Park & Ride. Trip Generation is a nationally recognized and locally accepted method for determining trip generation for private and public developments. For land uses consistent with *Trip Generation* information, trips were calculated using the Supermarket (LU #850), Shopping Center (ITE LU #820), and Apartments (ITE LU #220). Weekday peak hour trips generated by the proposed public parking stalls were estimated based on three days of data at the Mercer Island Park & Ride that were collected and summarized consistent with ITE *Trip Generation Handbook* (3rd Edition, 2014) guidelines. Daily trips for the public parking were estimated by scaling observed PM peak hour rates using the Office (#710) weekday daily and PM peak hour trip generation rates since both experience morning and evening commuter peak travel behavior.

The project would generate internal, pass-by, and primary trips that were estimated based on the methods outlined in the ITE *Trip Generation Handbook* (3rd Edition, 2014). Internal trips are trips between the retail and residential uses on-site and do not impact the site access driveways or surrounding roadway network and are completely internal to the development. Pass-by trips represent intermediate stops on the way from an origin to a primary trip destination that are attracted from existing traffic on roadways immediately adjacent to the project site. Table 1 through Table 3 summarize the project's updated estimated trip generation for weekday daily, AM peak hour, and PM peak hour time periods. Detailed trip generation calculation worksheets are provided in Attachment A.

Table 1. Weekday Daily Trip Generation

Land Use	Size	Gross Trips ¹	Internal Trips ²	Pass-by Trips ³	Primary Vehicle Trips		
					Total	In	Out
Apartments (LU #220)	192 units	1,276	-367	0	909	454	455
Shopping Center (LU #820)	10,000 gsf	428	-131	-100	197	99	98
Supermarket (LU #850)	30,000 gsf	3,068	-408	-958	1,702	851	851
Public Parking ⁴	211 stalls	812	0	0	812	406	406
Total Proposed Trips		5,584	-906	-1,058	3,620	1,810	1,810

1. Average trip rates & regression equation from ITE Trip Generation Manual, 9th Edition (2012). Rate or equation used consistent with ITE Trip Generation Handbook, 3rd Edition (2014) methodologies.
2. Internal Capture methodology consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
3. Pass-by trips consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
4. Daily trip rate for the Public Parking use is estimated by factoring the observed weekday PM peak hour rate using rates for the General Office (LU #710) land use.

Table 2. Weekday AM Peak Hour Trip Generation

Land Use	Size	Gross Trips ¹	Internal Trips ²	Pass-by Trips ³	Primary Vehicle Trips		
					Total	In	Out
Apartments (LU #220)	192 units	98	-1	0	97	20	77
Shopping Center (LU #820)	10,000 gsf	10	0	-4	6	4	2
Supermarket (LU #850)	30,000 gsf	102	-1	-36	65	44	21
Public Parking ⁴	211 stalls	122	0	0	122	100	22
Total Proposed Trips		332	-2	-40	290	168	122

1. Average trip rates & regression equation from ITE Trip Generation Manual, 9th Edition (2012). Rate or equation used consistent with ITE Trip Generation Handbook, 3rd Edition (2014) methodologies.
2. Internal Capture methodology consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
3. Pass-by trips consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
4. Trip rate for the Public Parking use is based on observations at the existing Mercer Island Park & Ride (March 2015).

Table 3. Weekday PM Peak Hour Trip Generation

Land Use	Size	Gross Trips ¹	Internal Trips ²	Pass-by Trips ³	Primary Vehicle Trips		
					Total	In	Out
Apartments (LU #220)	192 units	119	-51	0	68	42	26
Shopping Center (LU #820)	10,000 gsf	37	-6	-10	21	11	10
Supermarket (LU #850)	30,000 gsf	284	-45	-86	153	88	65
Public Parking ⁴	211 stalls	110	0	0	110	29	81
Total Proposed Trips		550	-102	-96	352	170	182

1. Average trip rates & regression equation from ITE Trip Generation Manual, 9th Edition (2012). Rate or equation used consistent with ITE Trip Generation Handbook, 3rd Edition (2014) methodologies.
2. Internal Capture methodology consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
3. Pass-by trips consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
4. Trip rate for the Public Parking use is based on observations at the existing Mercer Island Park & Ride (March 2015).

Vehicular trip distribution for this project is based on travel patterns summarized in studies for a previously approved development in the Town Center² and comments received on behalf of the City from the City's consultant. A separate primary vehicular trip distribution was determined for commercial/parking and residential trips consistent with Mercer Island General Traffic Impact Analysis Requirements. In general, approximately 35 percent of primary commercial trips would travel to/from north of the site with the remainder to/from the south while 80 percent of residential trips are from the north with the remainder for the south. The full distribution patterns to the study area intersection are summarized in the TIA being prepared for this project.

Site Access & On-Site Operations Analysis

A preliminary evaluation of driveway operations with full-access driveways onto 78th Avenue SE and 77th Avenue SE and at two on-site intersections was conducted to inform that project's site design. Figure 2 illustrates the current draft site plan. The site access driveways are oriented east-west along the sites northern boundary and will ramp down towards the underground parking structure. At the approximate mid-point of the lot, the driveways intersect a single north-south drive aisle that ramps down into the top floor of the underground parking structure. A short distance south of this on-site "T" intersection, a second on-site intersection with four legs would provide access to separate floors of parking. The lowest floor provides the proposed public parking, the middle floor would serve residents only, and the upper floor would primarily serve commercial uses but also some residents.

Only minor differences in travel time would be experienced between the lowest and middle floors. Ramp connections to the internal four-leg garage intersection with public parking on the lowest floor and residential parking on the middle floor would reduce the likelihood of delay and conflicts between residential, public parking, and commercial traffic. For example, the highest inbound commercial traffic volume occurs during the PM peak and locating the public parking on the lowest floor prevents peak outbound public parking traffic from conflicting with the peak inbound commercial traffic.

At both intersections and both driveways, one inbound and one outbound travel lane were assumed; operations with additional turn lanes were not evaluated. The on-site driveway intersection with the garage access was assumed to be all-way stop-controlled.

² Final Transportation Impact Analysis – SE 27th Street & 76th Avenue SE Mercer Island Mixed Use, Transpo Group (February 2013).

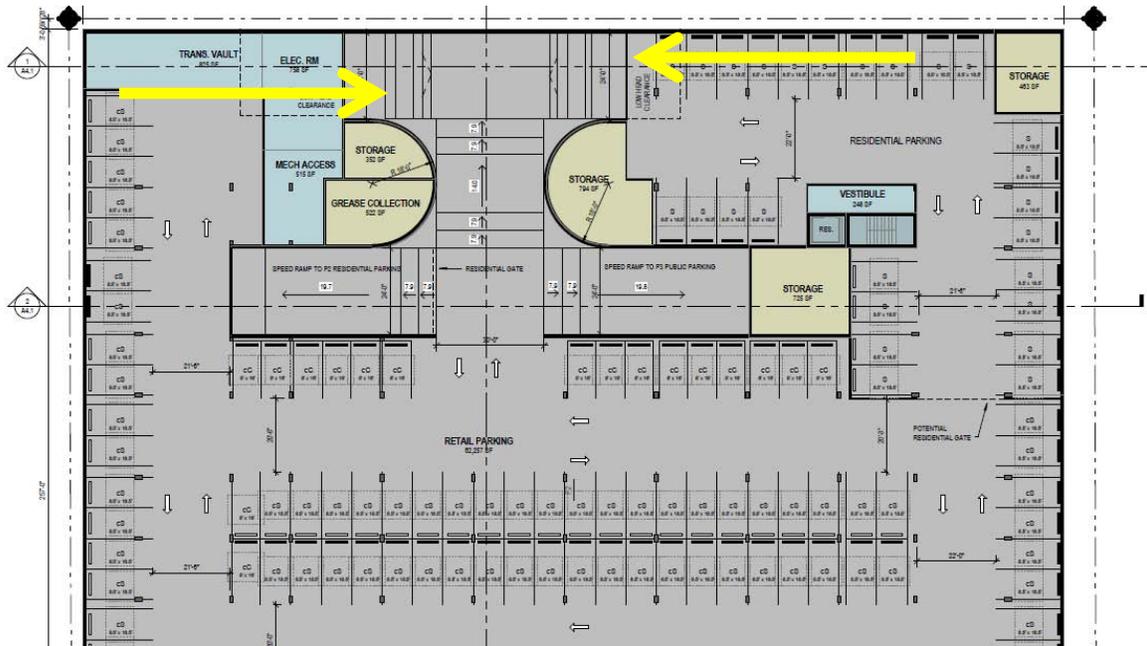


Figure 2 – Current Draft Garage Access Site Plan

Existing weekday AM and PM peak hour traffic volumes were collected at intersections adjacent to the project site and one driveway on 77th Avenue SE that would align with the project driveway. Existing traffic volumes along 78th Avenue SE and 77th Avenue SE were grown at an annual rate of 1 percent per year to 2018 conditions consistent with the Final TIA for the SE 27th Street & 76th Avenue SE Mercer Island Mixed Use project (see Footnote 2) and adding the same pipeline development project trips included in this previous TIA. The forecast weekday peak hour traffic volumes at the site access driveways and on-site intersections are summarized in Figure 3.

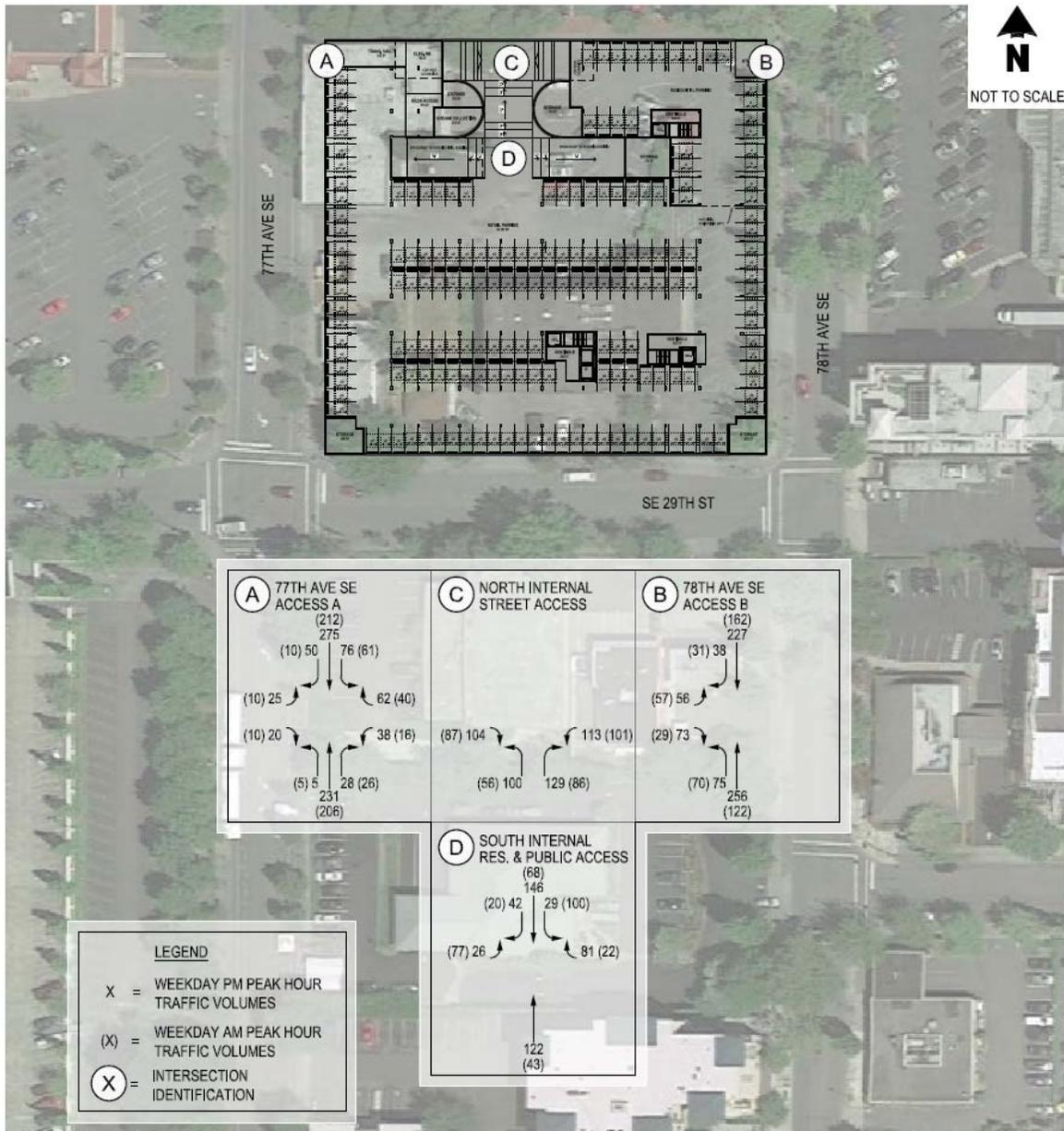


Figure 3 – Preliminary Estimate of Site Access Traffic Volumes

Traffic operations at the site access driveways and on-site intersections were evaluated consistent with the procedures identified in the *Highway Capacity Manual* (2010), and evaluated using Synchro version 9.0. At stop-sign controlled intersections such as these locations, LOS is measured in average control delay per vehicle and is reported using the intersection delay. Traffic operations for an intersection can be described alphabetically with a range of levels of service (LOS A through F), with LOS A indicating free-flowing traffic and LOS F indicating extreme congestion and long vehicle delays.

Preliminary traffic operation results for 2018 with-project conditions at the site access driveways and on-site intersections are summarized in Table 4. The City of Mercer Island has defined a standard of LOS C for public intersections.

Table 4. Preliminary 2018 Site Access & On-Site Intersection Weekday Peak Hour Level of Service

Location	AM Peak Hour			PM Peak Hour		
	LOS ¹	Delay ²	Worst Movement ³	LOS	Delay	Worst Movement
A. Driveway A / 77th Ave SE	B	14	EB	C	17	EB
B. Driveway B / 78th Ave SE	B	13	EB	B	15	EB
C. Driveway / Garage Access	A	8	-	A	9	-
D. Internal Garage Intersection	B	13	EB	B	12	EB

1. Level of service (LOS), based on 2010 Highway Capacity Manual methodology.
2. Average delay in seconds per vehicle.
3. The reported LOS and delay are for the worst operating movement at side-street stop-controlled driveways and intersections (a.k.a. two-way stop-controlled) while overall intersection results are reported for all-way stop intersections (shown as "-").

As shown, both site access driveways and the on-site intersections are anticipated to operate well at LOS C or better. Note that the worst-operating movement during both AM and PM peak hour conditions at the driveway onto 77th Avenue SE is the eastbound Albertsons driveway aligned with the proposed project driveway. These results for the project driveways and on-site intersections indicate that a single travel lane at all on-site locations are forecast to adequately serve on-site traffic.

Vehicle Travel Path Analysis

An evaluation of potential vehicle paths at the on-site intersections and roadways was conducted to inform the design of the building structures to accommodate expected passenger car and delivery truck routes on-site. These paths are shown in Attachments B and demonstrate how passenger cars can travel through the highest on-site traffic volume locations without obstructing on-coming traffic traveling in the opposite direction.

Parking Demand & Supply

As previously described, a total of 609 parking stalls are proposed: 247 stalls reserved for residential use, 151 reserved for supermarket and retail use, and 211 for general public use.

The project is located in the Town Center area and the minimum required parking spaces for this zone are identified in the City of Mercer Island Municipal Code.³ The peak parking demand for the project was estimated using the King County Right Size Parking Calculator⁴ for the apartment units and ITE *Parking Generation* (4th Edition, 2010) for retail (LU #820) and urban supermarket (LU #850) uses. The number of required parking spaces consistent with City code, estimated peak parking demand, and proposed parking supply are summarized in Table 5.

³ MICC 19.11.110 B.1

⁴ www.rightsizeparking.org

Table 5. Code Required Parking Supply

Proposed Land Use	Size ¹	Required Parking Stalls ²		Peak Parking Demand ³	Proposed Parking Supply
		Rate	Required		
<u>Residential Parking</u>					
Apartments (LU #220)	192 units	1 to 3	192 to 576	219 vehicles	247 stalls
<u>Retail Parking</u>					
Shopping Center (LU #820)	10,000 gsf	3 to 5 per 1,000 gsf	30 to 50	26 vehicles	
Supermarket (LU #850)	<u>30,000 gsf</u>	<u>3 to 5 per 1,000 gsf</u>	<u>90 to 150</u>	<u>69 vehicles</u>	
Total Retail Parking	40,000 gsf		120 to 200	95 vehicles	151 stalls
<u>Public Parking</u>					
Public Parking Stalls	211 stalls	0	0	-	211 stalls
Total Parking			312 to 776	314 vehicles + public parking	398 stalls
1. du = dwelling unit, gsf = gross square-feet, sf = square-feet 2. Mercer Island City Code 19.11.110 B.1					

As shown in Table 5, proposed parking supply exceeds the minimum required number parking spaces and estimate peak parking demand for each land use.

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Attachment A: Trip Generation Worksheet

Attachment A

Daily Trip Generation

Proposed Land Use	Size	Units	Trip Rate ¹	Total Unadjusted Veh. Trips	Reduction for Internal Capture	Subtotal	Pass-by Rate ³	Reduction for Pass-by	Diverted Rate ⁴	Reduction for Diverted Trips	New Daily Trips ²			
											Total	In	Out	
Proposed														
Apartments (LU 220)	192	DU	6.65	1,276	367	909	0%	0	0%	0	909	454	455	
Retail (LU #820)	10,000	1,000 gsf	42.70	428	131	297	34%	100	0%	0	197	99	98	
Supermarket (LU 850)	30,000	1,000 gsf	102.24	3,068	408	2,660	36%	958	0%	0	1,702	851	851	
Public Parking ⁴	211	1 stall	3.85	812	0	812	0%	0	0%	0	812	406	406	
Subtotal				5,584	906	4,678		1,058		0	3,620	1,810	1,810	

1. Trip Rate from ITE Trip Generation Manual, 9th Edition (2012) under Land Use Code 495
2. In/out percentages based on ITE Trip Generation Manual, 9th Edition (2012).
3. Pass-by rates based on ITE Trip Generation Handbook, 3rd Edition (2014).
4. Daily trip rate for the Public Parking use is estimated by factoring the observed weekday PM peak hour rate using rates for the General Office (LU #710) land use.

Weekday AM Peak Hour Trip Generation

Proposed Land Use	Size	Units	Trip Generation Rate ¹	Trip Generation Equation ¹ (if used)	% IN ²	Total Unadjusted Veh. Trips	Unadjusted Veh. Trips IN	Unadjusted Veh. Trips OUT	Reduction for Internal Capture ³	Internal Capture IN	Internal Capture OUT	Internal Capture Rate	Subtotal Driveway Trips				Net New Offsite AM Peak Trips ²					
													Subtotal Trips	Subtotal IN	Subtotal OUT	Pass-by Rate ⁴	Pass-by Trips	Pass-by IN	Pass-by OUT	Total	In	Out
Apartments (LU 220)	192	1 du		T=0.49(X)+3.73	20%	98	20	78	1		1	1%	97	20	77	0%				97	20	77
Retail (LU #820)	10,000	1,000 gsf	0.96		62%	10	6	4					10	6	4	34%	4	2	2	6	4	2
Supermarket (LU 850)	30,000	1,000 gsf	3.4		62%	102	63	39	1	1		1%	101	62	39	36%	36	18	18	65	44	21
Public Parking ⁵	211	1 stall	0.58		82%	122	100	22					122	100	22	0%				122	100	22
Subtotal						332	189	143	2	1	1	1%	330	188	142		40	20	20	290	168	122

- The Transpo Group, 2015
1. Average trip rates & regression equation from ITE Trip Generation Manual, 9th Edition (2012). Rate or equation used consistent with ITE Trip Generation Handbook, 3rd Edition (2014) methodologies.
 2. In/out percentages based on ITE Trip Generation Manual, 9th Edition (2012)
 3. Internal Capture methodology consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
 4. Pass-by rates based on ITE Trip Generation Handbook, 3rd Edition (2014).
 5. Trip rate for the Public Parking use is based on observations at the existing Mercer Island Park & Ride (March 2015).

Weekday PM Peak Hour Trip Generation

Proposed Land Use	Size	Units	Trip Generation Rate ¹	Trip Generation Equation ¹ (if used)	% IN ²	Total Unadjusted Veh. Trips	Unadjusted Veh. Trips IN	Unadjusted Veh. Trips OUT	Reduction for Internal Capture ³	Internal Capture IN	Internal Capture OUT	Internal Capture Rate	Subtotal Driveway Trips				Net New Offsite PM Peak Trips ²					
													Subtotal Trips	Subtotal IN	Subtotal OUT	Pass-by Rate ⁴	Pass-by Trips	Pass-by IN	Pass-by OUT	Total	In	Out
Apartments (LU 220)	184	1 du		T=0.55(X)+17.65	65%	119	77	42	51	35	16	43%	68	42	26	0%				68	42	26
Retail (LU #820)	10,000	1,000 gsf	3.71		48%	37	18	19	6	2	4	16%	31	16	15	34%	10	5	5	21	11	10
Supermarket (LU 850)	30,000	1,000 gsf	9.48		51%	284	145	139	45	14	31	16%	239	131	108	36%	86	43	43	153	88	65
Public Parking ⁵	211	1 stall	0.52		26%	110	29	81					110	29	81	0%				110	29	81
Subtotal						550	269	281	102	51	51	19%	448	218	230		96	48	48	352	170	182

- The Transpo Group, 2015
1. Average trip rates & regression equation from ITE Trip Generation Manual, 9th Edition (2012). Rate or equation used consistent with ITE Trip Generation Handbook, 3rd Edition (2014) methodologies.
 2. In/out percentages based on ITE Trip Generation Manual, 9th Edition (2012)
 3. Internal Capture methodology consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
 4. Pass-by rates based on ITE Trip Generation Handbook, 3rd Edition (2014).

MULTI-USE DEVELOPMENT TRIP GENERATION AND INTERNAL CAPTURE SUMMARY
 Source: ITE Trip Generation Handbook, 2nd Edition (2004)

PM Peak Hour Trip Generation

Exit to External

481

ITE Land Use = Residential (220)			
Size =	192	Rate =	6.65
% Enter =	50%	% Exit =	50%
Total	Internal	External	
Enter	638	210	428
Exit	638	157	481
Total	1276	367	909
%	100%	29%	71%

428

Enter From External

Demand
31% 198

Balanced
184

Demand
12% 184

Demand
53% 338

Balanced
138

Demand
9% 138

Demand
20% 307

ITE Land Use = Supermarket			
Size =	30.0	Rate =	102.24
% Enter =	50%	% Exit =	50%
Total	Internal	External	
Enter	1534	181	1353
Exit	1534	227	1307
Total	3068	408	2660
%	100%	13%	87%

Enter From External

1353

1307

Exit to External

Demand
53% 338

Demand
31% 198

Demand
53% 338

Balanced
0

Demand
20% 43

Balanced
43

Demand
23% 353

Demand
31% 476

Balanced
19

Balanced
26

Demand
9% 0

Demand
20% 43

Demand
31% 198

Balanced
0

Balanced
0

Demand
9% 19

Demand
12% 26

Demand
20% 307

Demand
31% 198

Demand
2% 0

Demand
3% 0

Balanced
43

Demand
20% 43

Balanced
43

Demand
12% 0

Exit to External

145

ITE Land Use = Retail (820)			
Size =	10	Rate =	42.7
% Enter =	50%	% Exit =	50%
Total	Internal	External	
Enter	214	62	152
Exit	214	69	145
Total	428	131	297
%	100%	31%	69%

152

Enter From External

Demand
20% 43

Balanced
0

Demand
20% 0

Demand
20% 43

Balanced
0

Demand
20% 0

ITE Land Use =			
Size =		Rate =	
% Enter =		% Exit =	100%
Total	Internal	External	
Enter	0	0	0
Exit	0	0	0
Total	0	0	0
%	#DIV/0!	#DIV/0!	#DIV/0!

Enter From External

0

0

Exit to External

Net External PM Peak Hour Trips for Multi-Use Development									
	Residential (220)	Supermarket	Retail (820)	-		Total			
Enter	428	1353	152	0		1933			
Exit	481	1307	145	0		1933			
Total after internal capture	909	2660	297	0		3866			
Not including internal capture	1276	3068	428	0		4772			
Total After Pass-By and Internal	0%	909	43%	1516	34%	197	0%	0	2622

= Inputs from ITE Handbook for % Internal Capture

= ITE Land Use & Trip Generation Inputs

Red = Inputs

ITE Land Use = Total Development After Internal Capture Reduction			
% Enter =	50%	% Exit =	50%
Total	Internal	External	
Enter	2386	453	1933
Exit	2386	453	1933
Total	4772	906	3866
%	100%	19%	81%

NCHRP 684 Internal Trip Capture Estimation Tool					
Project Name:	Mercer Island Apartments			Organization:	Transpo Group
Project Location:	Mercer Island			Performed By:	KLL
Scenario Description:	Proposed Land Uses - Retail			Date:	3/9/2015
Analysis Year:				Checked By:	
Analysis Period:	AM Street Peak Hour			Date:	

Table 1-A: Base Vehicle-Trip Generation Estimates (Single-Use Site Estimate)						
Land Use	Development Data (For Information Only)			Estimated Vehicle-Trips ³		
	ITE LUCs ¹	Quantity	Units	Total	Entering	Exiting
Office				0		
Retail	820/850	10,000	1,000 gsf	112	69	43
Restaurant				0		
Cinema/Entertainment				0		
Residential	220	184	dwelling units	98	20	78
Hotel				0		
All Other Land Uses ²				0		
				210	89	121

Table 2-A: Mode Split and Vehicle Occupancy Estimates						
Land Use	Entering Trips			Exiting Trips		
	Veh. Occ. ⁴	% Transit	% Non-Motorized	Veh. Occ. ⁴	% Transit	% Non-Motorized
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						
All Other Land Uses ²						

Table 3-A: Average Land Use Interchange Distances (Feet Walking Distance)						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						

Table 4-A: Internal Person-Trip Origin-Destination Matrix*						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		0	0	0	0	0
Retail	0		0	0	0	0
Restaurant	0	0		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	0	1	0	0		0
Hotel	0	0	0	0	0	

Table 5-A: Computations Summary			
	Total	Entering	Exiting
All Person-Trips	210	89	121
Internal Capture Percentage	1%	1%	1%
External Vehicle-Trips ⁵	208	88	120
External Transit-Trips ⁶	0	0	0
External Non-Motorized Trips ⁶	0	0	0

Table 6-A: Internal Trip Capture Percentages by Land Use		
Land Use	Entering Trips	Exiting Trips
Office	N/A	N/A
Retail	1%	0%
Restaurant	N/A	N/A
Cinema/Entertainment	N/A	N/A
Residential	0%	1%
Hotel	N/A	N/A

¹Land Use Codes (LUCs) from *Trip Generation Manual*, published by the Institute of Transportation Engineers.

²Total estimate for all other land uses at mixed-use development site is not subject to internal trip capture computations in this estimator.

³Enter trips assuming no transit or non-motorized trips (as assumed in ITE *Trip Generation Manual*).

⁴Enter vehicle occupancy assumed in Table 1-A vehicle trips. If vehicle occupancy changes for proposed mixed-use project, manual adjustments must be made to Tables 5-A, 9-A (O and D). Enter transit, non-motorized percentages that will result with proposed mixed-use project complete.

⁵Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-A.

⁶Person-Trips

*Indicates computation that has been rounded to the nearest whole number.

Estimation Tool Developed by the Texas A&M Transportation Institute - Version 2013.1

Project Name:	Mercer Island Apartments
Analysis Period:	AM Street Peak Hour

Table 7-A: Conversion of Vehicle-Trip Ends to Person-Trip Ends						
Land Use	Table 7-A (D): Entering Trips			Table 7-A (O): Exiting Trips		
	Veh. Occ.	Vehicle-Trips	Person-Trips*	Veh. Occ.	Vehicle-Trips	Person-Trips*
Office	1.00	0	0	1.00	0	0
Retail	1.00	69	69	1.00	43	43
Restaurant	1.00	0	0	1.00	0	0
Cinema/Entertainment	1.00	0	0	1.00	0	0
Residential	1.00	20	20	1.00	78	78
Hotel	1.00	0	0	1.00	0	0

Table 8-A (O): Internal Person-Trip Origin-Destination Matrix (Computed at Origin)						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office	0	0	0	0	0	0
Retail	12	0	6	0	6	0
Restaurant	0	0	0	0	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	2	1	16	0	0	0
Hotel	0	0	0	0	0	0

Table 8-A (D): Internal Person-Trip Origin-Destination Matrix (Computed at Destination)						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office	0	22	0	0	0	0
Retail	0	0	0	0	0	0
Restaurant	0	6	0	0	1	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	0	12	0	0	0	0
Hotel	0	3	0	0	0	0

Table 9-A (D): Internal and External Trips Summary (Entering Trips)						
Destination Land Use	Person-Trip Estimates			External Trips by Mode*		
	Internal	External	Total	Vehicles ¹	Transit ²	Non-Motorized ²
Office	0	0	0	0	0	0
Retail	1	68	69	68	0	0
Restaurant	0	0	0	0	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	0	20	20	20	0	0
Hotel	0	0	0	0	0	0
All Other Land Uses ³	0	0	0	0	0	0

Table 9-A (O): Internal and External Trips Summary (Exiting Trips)						
Origin Land Use	Person-Trip Estimates			External Trips by Mode*		
	Internal	External	Total	Vehicles ¹	Transit ²	Non-Motorized ²
Office	0	0	0	0	0	0
Retail	0	43	43	43	0	0
Restaurant	0	0	0	0	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	1	77	78	77	0	0
Hotel	0	0	0	0	0	0
All Other Land Uses ³	0	0	0	0	0	0

¹Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-A

²Person-Trips

³Total estimate for all other land uses at mixed-use development site is not subject to internal trip capture computations in this estimator

*Indicates computation that has been rounded to the nearest whole number.

NCHRP 684 Internal Trip Capture Estimation Tool				
Project Name:	Mercer Island Apartments		Organization:	Transpo Group
Project Location:	Mercer Island		Performed By:	KLL
Scenario Description:	Proposed Land Uses - Retail		Date:	3/9/2015
Analysis Year:			Checked By:	
Analysis Period:	PM Peak Hour		Date:	

Table 1-P: Base Vehicle-Trip Generation Estimates (Single-Use Site Estimate)						
Land Use	Development Data (For Information Only)			Estimated Vehicle-Trips ³		
	ITE LUCs ¹	Quantity	Units	Total	Entering	Exiting
Office				0		
Retail	820/850	10,000	1,000 gsf	321	163	158
Restaurant				0		
Cinema/Entertainment				0		
Residential	220	184	dwelling units	119	77	42
Hotel				0		
All Other Land Uses ²				0		
				440	240	200

Table 2-P: Mode Split and Vehicle Occupancy Estimates						
Land Use	Entering Trips			Exiting Trips		
	Veh. Occ. ⁴	% Transit	% Non-Motorized	Veh. Occ. ⁴	% Transit	% Non-Motorized
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						
All Other Land Uses ²						

Table 3-P: Average Land Use Interchange Distances (Feet Walking Distance)						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						

Table 4-P: Internal Person-Trip Origin-Destination Matrix*						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		0	0	0	0	0
Retail	0		0	0	35	0
Restaurant	0	0		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	0	16	0	0		0
Hotel	0	0	0	0	0	

Table 5-P: Computations Summary			
	Total	Entering	Exiting
All Person-Trips	440	240	200
Internal Capture Percentage	23%	21%	26%
External Vehicle-Trips ⁵	338	189	149
External Transit-Trips ⁶	0	0	0
External Non-Motorized Trips ⁶	0	0	0

Table 6-P: Internal Trip Capture Percentages by Land Use		
Land Use	Entering Trips	Exiting Trips
Office	N/A	N/A
Retail	10%	22%
Restaurant	N/A	N/A
Cinema/Entertainment	N/A	N/A
Residential	45%	38%
Hotel	N/A	N/A

¹Land Use Codes (LUCs) from *Trip Generation Manual*, published by the Institute of Transportation Engineers.

²Total estimate for all other land uses at mixed-use development site is not subject to internal trip capture computations in this estimator.

³Enter trips assuming no transit or non-motorized trips (as assumed in ITE *Trip Generation Manual*).

⁴Enter vehicle occupancy assumed in Table 1-P vehicle trips. If vehicle occupancy changes for proposed mixed-use project, manual adjustments must be

⁵Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-P.

⁶Person-Trips

*Indicates computation that has been rounded to the nearest whole number.

Project Name:	Mercer Island Apartments
Analysis Period:	PM Street Peak Hour

Table 7-P: Conversion of Vehicle-Trip Ends to Person-Trip Ends						
Land Use	Table 7-P (D): Entering Trips			Table 7-P (O): Exiting Trips		
	Veh. Occ.	Vehicle-Trips	Person-Trips*	Veh. Occ.	Vehicle-Trips	Person-Trips*
Office	1.00	0	0	1.00	0	0
Retail	1.00	163	163	1.00	158	158
Restaurant	1.00	0	0	1.00	0	0
Cinema/Entertainment	1.00	0	0	1.00	0	0
Residential	1.00	77	77	1.00	42	42
Hotel	1.00	0	0	1.00	0	0

Table 8-P (O): Internal Person-Trip Origin-Destination Matrix (Computed at Origin)						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		0	0	0	0	0
Retail	3		46	6	41	8
Restaurant	0	0		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	2	18	9	0		1
Hotel	0	0	0	0	0	

Table 8-P (D): Internal Person-Trip Origin-Destination Matrix (Computed at Destination)						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		13	0	0	3	0
Retail	0		0	0	35	0
Restaurant	0	82		0	12	0
Cinema/Entertainment	0	7	0		3	0
Residential	0	16	0	0		0
Hotel	0	3	0	0	0	

Table 9-P (D): Internal and External Trips Summary (Entering Trips)						
Destination Land Use	Person-Trip Estimates			External Trips by Mode*		
	Internal	External	Total	Vehicles ¹	Transit ²	Non-Motorized ²
Office	0	0	0	0	0	0
Retail	16	147	163	147	0	0
Restaurant	0	0	0	0	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	35	42	77	42	0	0
Hotel	0	0	0	0	0	0
All Other Land Uses ³	0	0	0	0	0	0

Table 9-P (O): Internal and External Trips Summary (Exiting Trips)						
Origin Land Use	Person-Trip Estimates			External Trips by Mode*		
	Internal	External	Total	Vehicles ¹	Transit ²	Non-Motorized ²
Office	0	0	0	0	0	0
Retail	35	123	158	123	0	0
Restaurant	0	0	0	0	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	16	26	42	26	0	0
Hotel	0	0	0	0	0	0
All Other Land Uses ³	0	0	0	0	0	0

¹Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-P

²Person-Trips

³Total estimate for all other land uses at mixed-use development site is not subject to internal trip capture computations in this estimator

*Indicates computation that has been rounded to the nearest whole number.

Attachment A - Mercer Island Park Ride Trip Generation

Weekday PM Peak Hour

T-Entrance

Time	3/26/2015								Total	Hourly	3/24/2015								Total	Hourly	3/25/2015								Total	Hourly
	EBL	WBR	Total In	SBL	SBT	SBR	Total Out	EBL			WBR	Total In	SBL	SBT	SBR	Total Out	EBL	WBR			Total In	SBL	SBT	SBR	Total Out					
4:00 PM	0	0	0	0		4	4	4		0	1	1	0		4	4	5		0	0	0	0		2	2	2				
4:15 PM	0	0	0	0		3	3	3		0	1	1	0		4	4	5		0	1	1	0		4	4	5				
4:30 PM	0	0	0	0		6	6	6		0	0	0	0		10	10	10		0	0	0	1		6	7	7				
4:45 PM	0	0	0	0		5	5	5	18	0	1	1	0		3	3	4	24	0	0	0	0		5	5	5	19			
5:00 PM	0	0	0	0		2	2	2	16	0	0	0	1		7	8	8	27	0	0	0	0		13	13	13	30			
5:15 PM	0	0	0	0		9	9	9	22	0	0	0	0		9	9	9	31	0	0	0	0		10	10	10	35			
5:30 PM	0	0	0	0		4	4	4	20	0	0	0	0		4	4	4	25	0	0	0	0		5	5	5	33			
5:45 PM	0	0	0	0		9	9	9	24	0	0	0	0		9	9	9	30	0	0	0	0		9	9	9	37			
6:00 PM	0	0	0	0		10	10	10	32	0	0	0	0		5	5	5	27	0	1	1	0		6	6	7	31			
6:15 PM	0	0	0	0		3	3	3	26	0	0	0	0		3	3	3	21	0	0	0	0		6	6	6	27			
6:30 PM	0	1	1	0		3	3	4	26	0	2	2	0		5	5	7	24	0	1	1	0		1	1	2	24			
6:45 PM	0	0	0	0		0	0	0	17	0	0	0	0		5	5	5	20	0	0	0	1		2	3	3	18			

Signal Entrance

Time	3/26/2015								Total	Hourly	3/24/2015								Total	Hourly	3/25/2015								Total	Hourly
	EBL	WBR	Total In	SBL	SBT	SBR	Total Out	EBL			WBR	Total In	SBL	SBT	SBR	Total Out	EBL	WBR			Total In	SBL	SBT	SBR	Total Out					
4:00 PM	5	3	8	0	15	5	20	28		5	8	13	3	26	5	34	47		1	1	2	3	15	4	22	24				
4:15 PM	3	3	6	9	37	0	46	52		2	4	6	3	19	3	25	31		3	7	10	4	23	5	32	42				
4:30 PM	3	2	5	5	21	5	31	36		5	3	8	12	40	3	55	63		2	2	4	6	28	2	36	40				
4:45 PM	3	9	12	3	25	2	30	42	158	6	5	11	6	21	2	29	40	181	2	5	7	3	14	2	19	26	132			
5:00 PM	4	9	13	6	20	3	29	42	172	6	5	11	7	20	8	35	46	180	4	11	15	8	27	5	40	55	163			
5:15 PM	7	7	14	6	37	9	52	66	186	6	10	16	5	22	4	31	47	196	8	4	12	5	34	2	41	53	174			
5:30 PM	4	9	13	3	23	6	32	45	195	6	11	17	3	15	5	23	40	173	8	9	17	4	24	5	33	50	184			
5:45 PM	2	9	11	4	15	7	26	37	190	8	17	25	4	21	8	33	58	191	2	4	6	4	25	6	35	41	199			
6:00 PM	2	14	16	6	24	1	31	47	195	5	10	15	6	26	9	41	56	201	0	5	5	4	18	2	24	29	173			
6:15 PM	3	4	7	5	12	2	19	26	155	3	11	14	2	16	4	22	36	190	5	9	14	2	23	3	28	42	162			
6:30 PM	6	9	15	3	15	2	20	35	145	4	9	13	2	14	7	23	36	186	5	5	10	5	15	5	25	35	147			
6:45 PM	2	4	6	2	18	4	24	30	138	7	2	9	3	18	4	25	34	162	1	4	5	3	12	1	16	21	127			

Combined

Time	3/26/2015								Total	In	Out	Hourly	3/24/2015								Total	In	Out	Hourly	3/25/2015								Total	In	Out	Hourly	3-day Average			
	EBL	WBR	Total In	SBL	SBR	Total Out	EBL	WBR					Total In	SBL	SBR	Total Out	EBL	WBR	Total In	SBL					SBR	Total Out	Total	In	Out	Hourly	Total	In					Out	Hourly		
4:00 PM			8			24	32					14			38	52							2			24	26													
4:15 PM			6			49	55					7			29	36							11			36	47													
4:30 PM			5			37	42					8			65	73							4			43	47													
4:45 PM			12			35	47				176	12			32	44							7			24	31									151				
5:00 PM			13			31	44				188	11			43	54							15			53	68									193				
5:15 PM			14			61	75				208	16			40	56							12			51	63									209				
5:30 PM			13			36	49				215	17			27	44							17			38	55									217				
5:45 PM			11			35	46				214	25			42	67							6			44	55									214				
6:00 PM			16			41	57	54	173		227	15			46	61	73	155	228				6			30	36	21%	186		236		59	171	230					
6:15 PM			7			22	29	24%			181	14			25	39	32%	155	211				14			34	48								189					
6:30 PM			16			23	39				171	15			28	43							11			26	37									171				
6:45 PM			6			24	30				155	9			30	39							5			19	24									145				

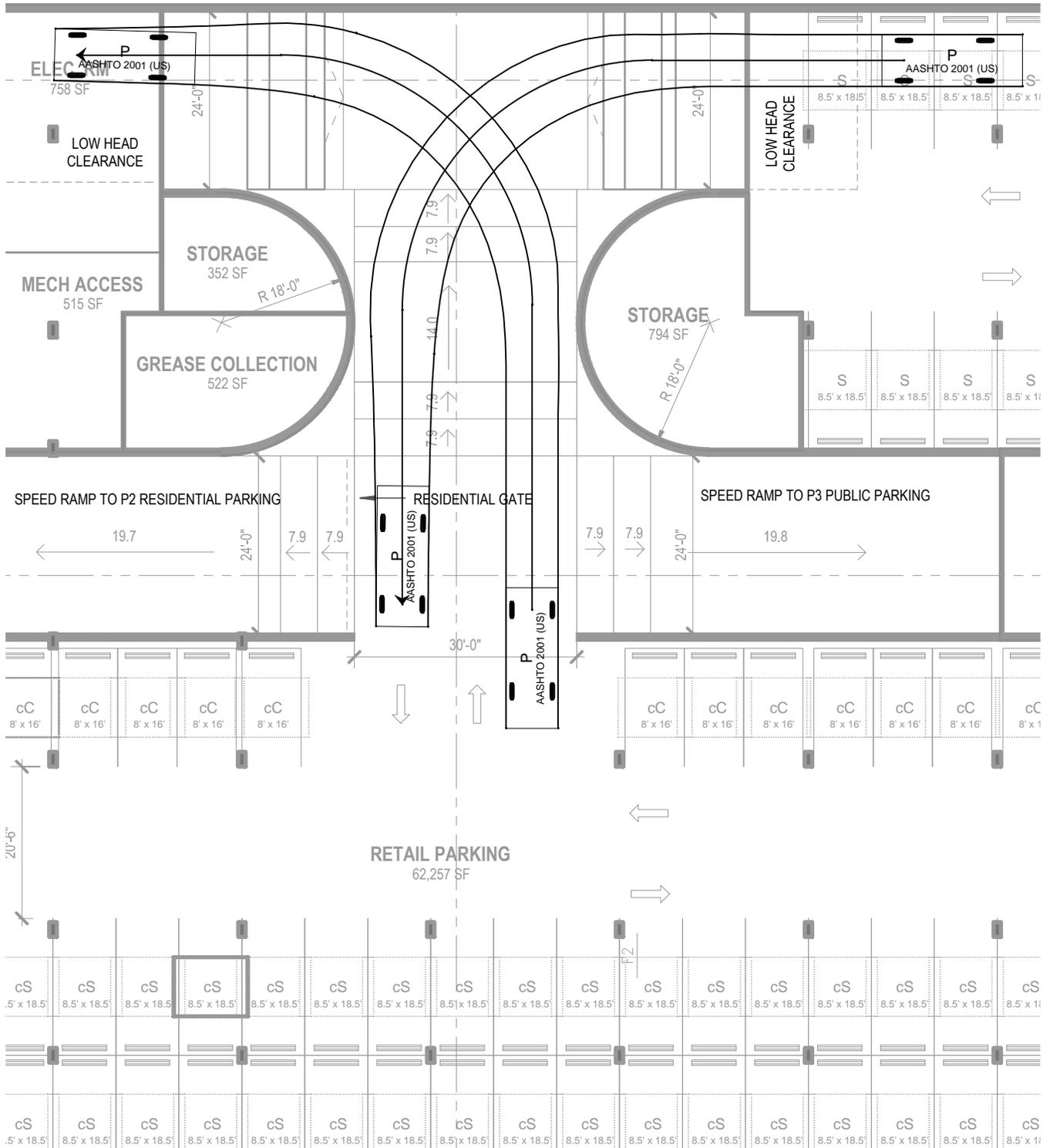
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Attachment B: Vehicle Travel Paths



273'-9"

NOT TO SCALE



Commercial Inbound and Outbound Left-Turns

ATTACHMENT

Mercer Island Apartments

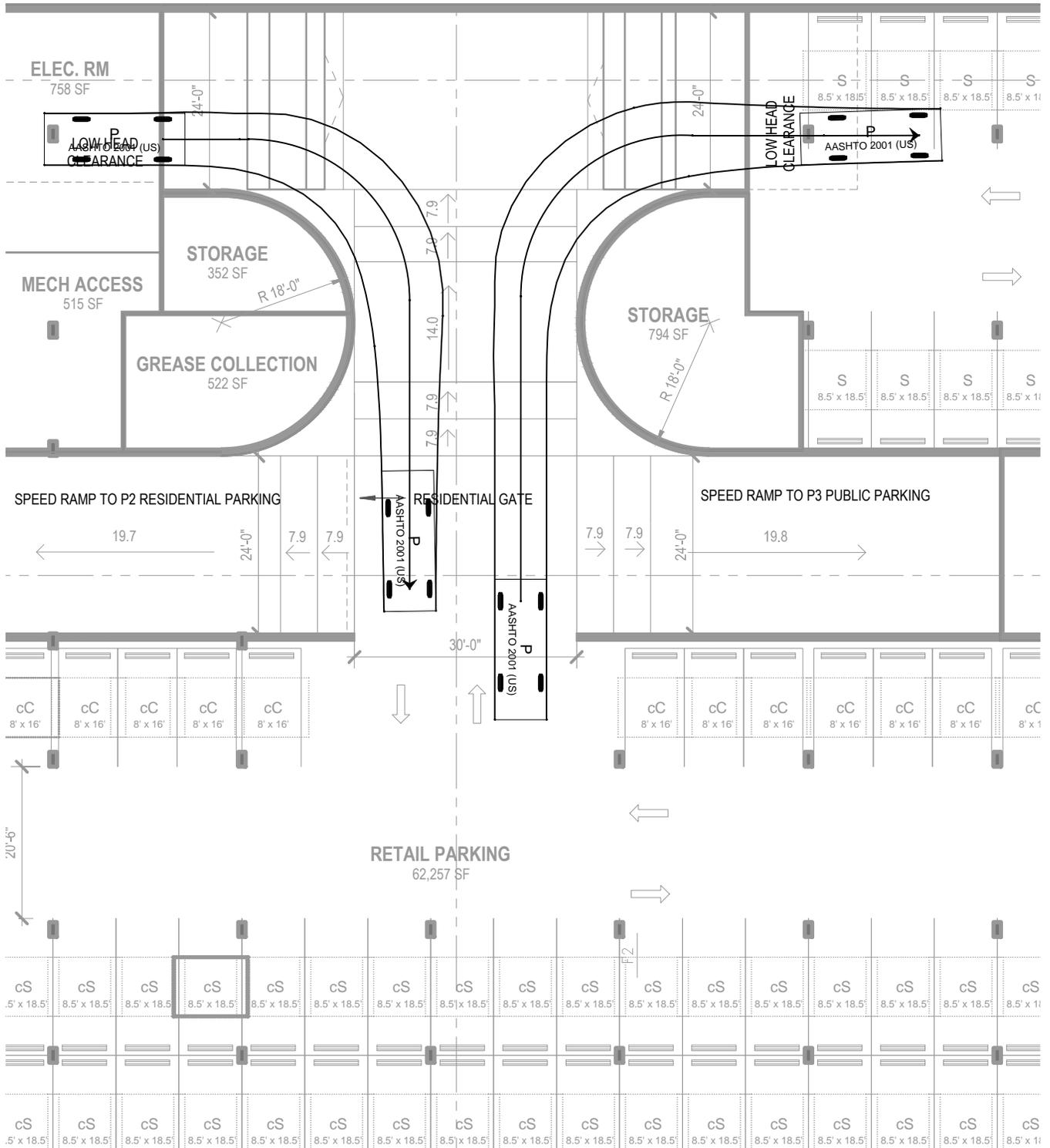


B-1



273'-9"

NOT TO SCALE



Commercial Inbound and Outbound Right-Turns

ATTACHMENT

Mercer Island Apartments



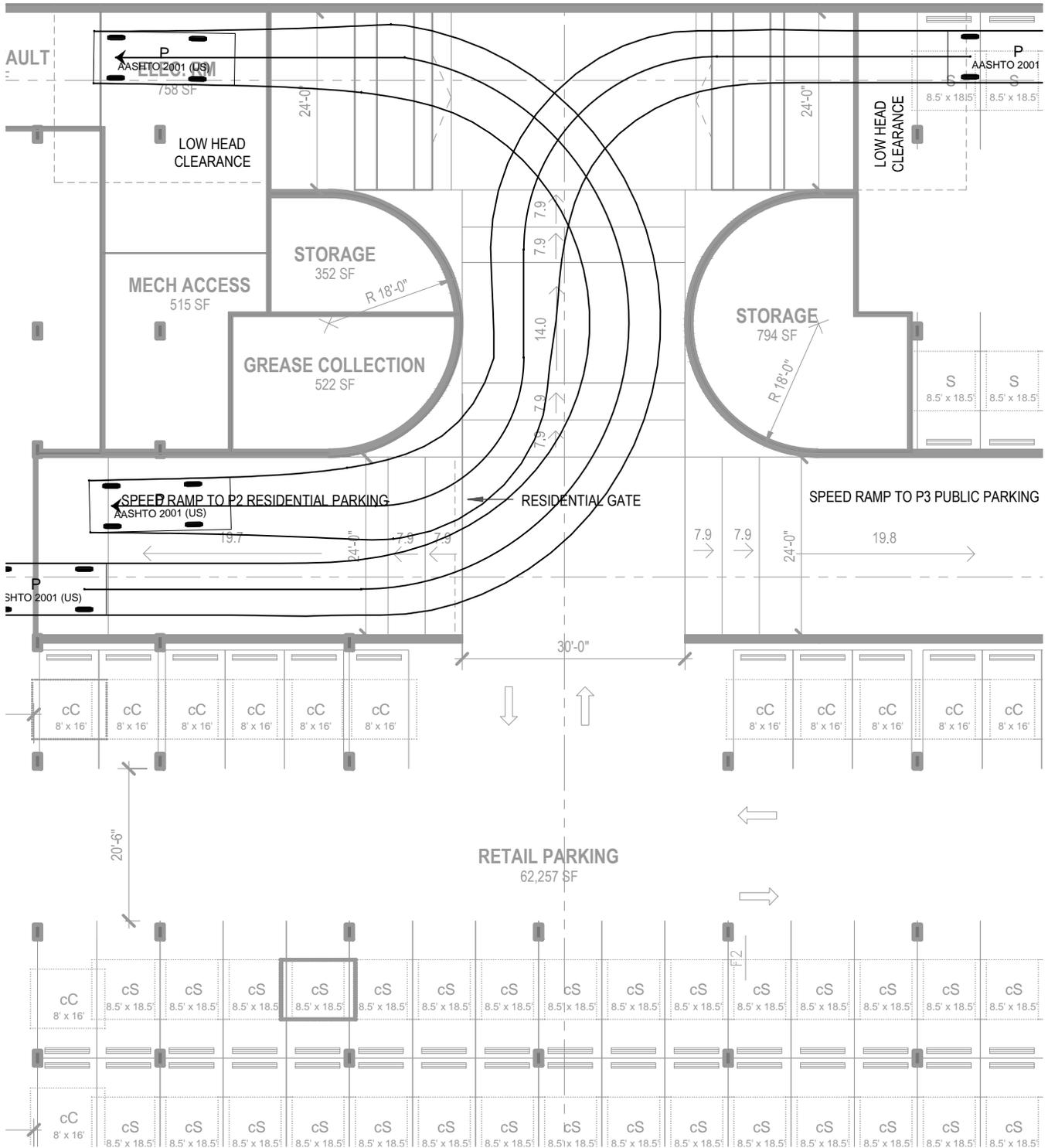
B-2



NOT TO SCALE



273'-9"



Residential Inbound and Outbound Left-Turns

ATTACHMENT

Mercer Island Apartments



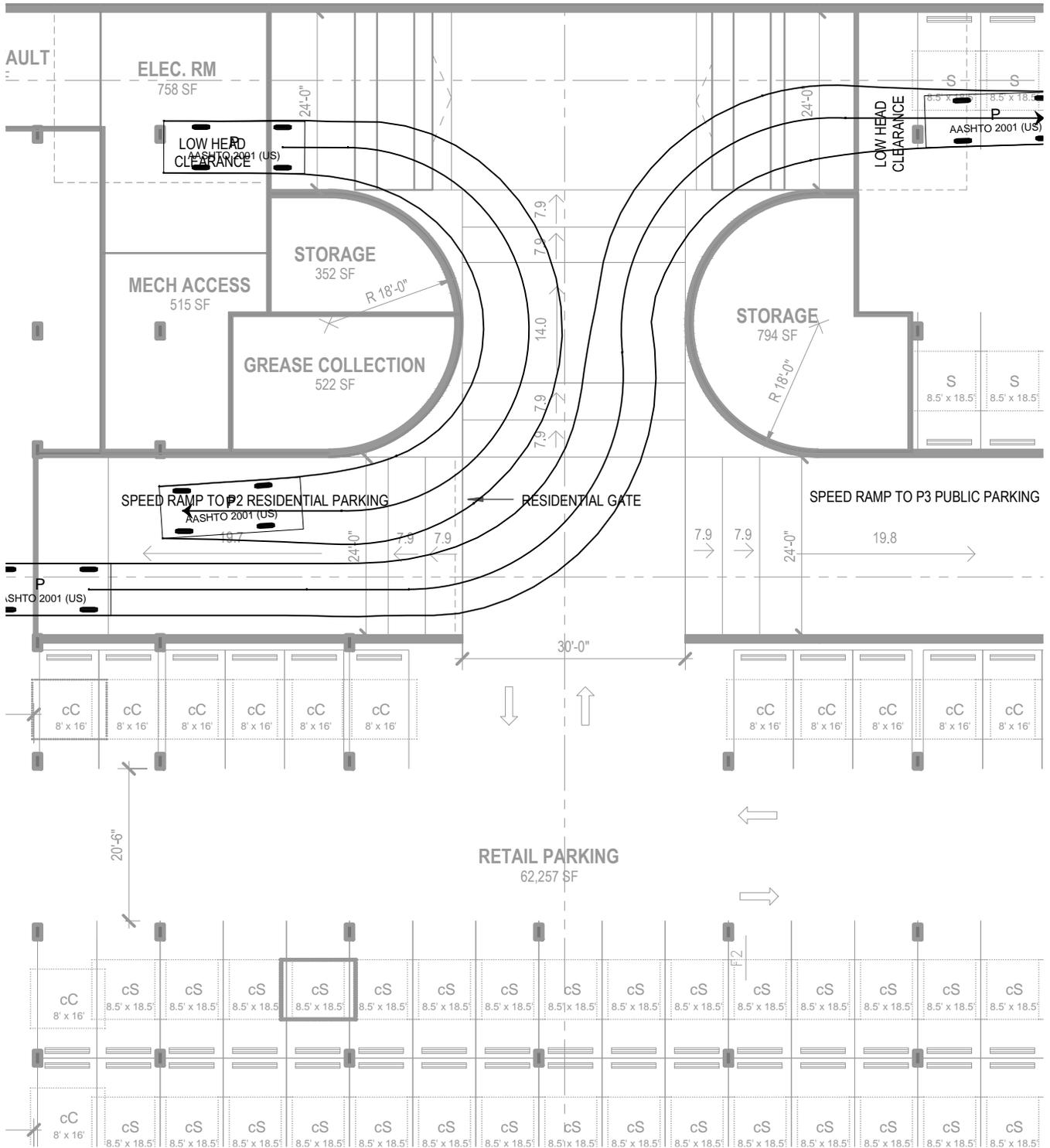
B-3



NOT TO SCALE



273'-9"



Residential Inbound and Outbound Right-Turns

ATTACHMENT

Mercer Island Apartments



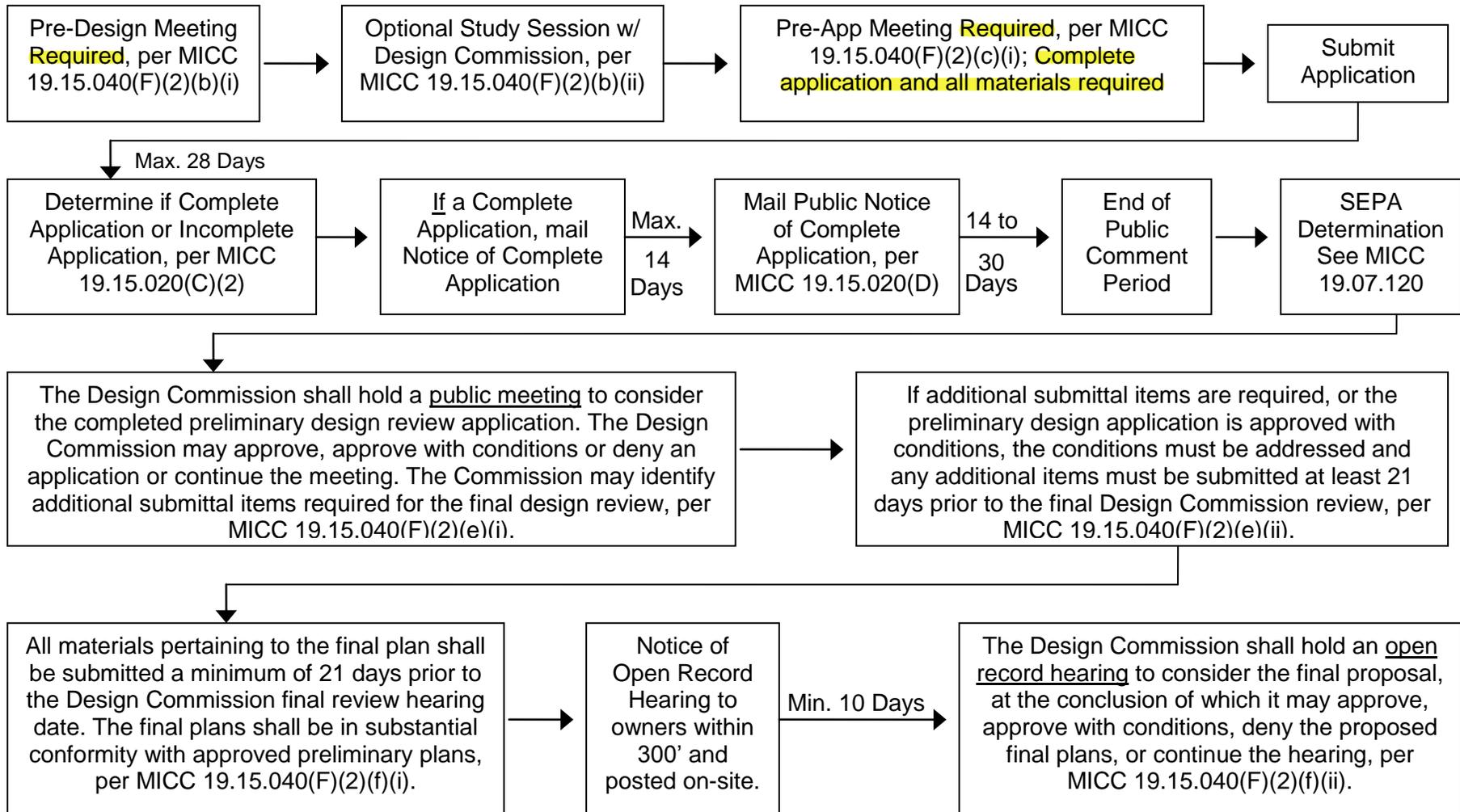
B-4

EXHIBIT 14



TYPICAL DESIGN COMMISSION PROCESS FOR MAJOR NEW CONSTRUCTION

The following is only a summary of the City of Mercer Island Design Review Process. Please refer to Mercer Island City Code (MICC) requirements for design review, which shall always govern.



This summary is provided for informational purposes only and is not intended as a complete or legally sufficient summary. The City of Mercer Island, its elected officials, officers, employees or agents make no warranty of any kind, express or implied, in relation to any information on this summary or any use made of this summary by any person. As with any document affecting the rights and responsibilities of real property ownership, the City of Mercer Island recommends that you consult with your private legal counsel before proceeding on any land use action after review of this summary.

S:\



CITY OF MERCER ISLAND, DEVELOPMENT SERVICES GROUP

9611 S.E. 36 ST., MERCER ISLAND, WA 98040 (206) 275-7605 FAX: (206) 275-7726
WWW.MERCERGOV.ORG

Submittal Requirements for Design Commission Review - Major New Construction

Design Review is the process by which the City evaluates developments within the City that meet the definition of “regulated improvements” in Mercer Island City Code (MICC) 19.16.010. Regulated improvements are defined as:

Any development of any property within the city, except:

- 1. Property owned or controlled by the city; or*
- 2. Single-family dwellings and the buildings, structures and uses accessory thereto; or*
- 3. Wireless communications structures, including associated support structures and equipment cabinets.*

Design review ensures a proposal’s consistency with MICC 19.11 Town Center Development and Design Standards or MICC 19.12 Design Standards for Zones outside Town Center and is intended to promote and enhance environmental and aesthetic design. Single family development is not a regulated improvement, and is therefore excluded from design review.

Regulated improvements are classified as either a major new construction, which is defined by MICC 19.16.010 as “construction from bare ground or an enlargement or alteration that changes the exterior of an existing structure that costs in excess of 50 percent of the structure’s assessed value” or a minor new construction. Minor new construction is “exterior modification to an existing development or site that does not constitute major new construction.”

The Design Commission is the decision authority for review of major new construction as well as minor exterior modifications in the Town Center with a with a construction valuation (as defined by MICC 17.14.010) of \$100,000 or greater. All minor exterior modifications outside of the Town Center as well as minor exterior modifications in the Town Center with a with a construction valuation (as defined by MICC 17.14.010) less than \$100,000 are reviewed by the Code Official. The Code Official may choose to send any application to the Design Commission for review.

PRE-DESIGN MEETING AND STUDY SESSION: The applicant shall participate in a pre-design meeting with staff prior to formal project development and application. The applicant may present schematic sketches and a general outline of the proposal for the City staff comments prior to preparation of formal plans. This meeting will allow city staff to acquaint the applicant with the design standards, submittal requirements, and the application procedures and provide early input on the proposed project. Additionally, the applicant is strongly encouraged to schedule a Study Session with the Design Commission to discuss project concepts before the plans are fully developed. At this session, which will be open to the public, the applicant should provide information regarding the site, the intended mix of uses, and how it will fit into the focus area objectives. The Commission may provide feedback to be considered in the design of the project.

PRE-APPLICATION: Applicants are required to participate in a pre-application meeting with City staff per MICC 19.15.040(F)(2)(c). Call Development Services staff to schedule a pre-application meeting. Pre-application meetings with the staff provide an opportunity to discuss the proposal in conceptual terms, identify the applicable City requirements, and delineate the proposal review process. Applicants are also encouraged to talk with surrounding property owner and residents about their proposal. Meetings and/or correspondence with the neighborhood serve the purpose of informing the neighborhood of the project proposal prior to the formal notice provided by the City.

APPLICATION: All applications for permits or actions by the City shall be submitted on forms provided by the Development Services Group. An application shall contain all information required by the applicable development regulations. The city cannot accept an application that does not have all of the required items. In order to accept your application, each of the required items shall be submitted to permit counter staff at the same time.

FILING REQUIREMENTS: Please fold all plans and attachments to a size not exceeding 8½" x 14" for storage in a legal-size folder. Plans not folded to the proper size will not be accepted. Please submit **fifteen (15) copies** each of the following:

- Development Application Coversheet
- Design Review Filing Fee: **see Development Application**
- Land Use Action sign deposit (refunded when sign is returned to the City): **see Development Application**
- A **State Environmental Policy Act (SEPA) Checklist** may be required. The checklist is available at the Development Services Group counter. Development Services Group personnel can assist you in determining if your proposal is exempt.

- Conceptual Floor Plans including the following:
 - Include exterior access points
 - Clarify the relationship between the interior spaces and the outside (decks, etc.) spaces
- Landscape Plan to include the following:
 - Minimum landscaping plan sheet size is 11" X 17".
 - Extent and location of all plant materials and other landscape features. Plant materials must be identified by direct labeling of each plant or by a clearly understandable legend.
 - Flower and shrub bed definition must be clear and drawn to scale with dimensions.
 - Proposed plant material should be indicated at mature sizes and in appropriate relation to scale.
 - Species and size of existing plant materials.
 - Proposed treatment of all ground surfaces must be clearly indicated (paving, turf, gravel, grading, etc.)
 - Location of water outlets. If areas of planting are extensive, plans for an underground sprinkler system will be required.
- Exterior Lighting Plan: Indicate new or modified lighting locations and provide specifications for proposed lighting.
- Indication of Materials & Colors: Two color copies of a color palette. The palette shall indicate which construction materials will be used.
- Sign Program: Illustrate location, size, height, material, color, letter dimensions, structural components and landscaping
- Birdseye Perspective or Massing Model: *Major projects only*
- Staff may require additional information or materials when necessary.

EXHIBIT 15

From: Dan Grausz [Grausz](#)
To: Debbie Bertlin
Cc:
Subject: Proposed Development
Date: 12/4/2014 11:03:30 PM
Attachments: Design Package.pdf

This unnerves me.

EXHIBIT 16

From: Dan Grausz [Grausz](#)
To: Bruce Bassett; Benson Wong
Cc:
Subject: Proposed Development
Date: 12/4/2014 11:02:21 PM
Attachments: Design Package.pdf

You should look at this. It is really disconcerting.

EXHIBIT 17

From: Dan Grausz [Grausz](#)
To: Noel Treat
Cc:
Subject: Re: Hines Property
Date: 12/7/2014 11:54:48 PM
Attachments:

This is the time for a very strong message to be sent to this developer. Otherwise, I think we need to seriously consider a moratorium until we complete work on the Town Center effort. This project will destroy what we are hoping to do. Bruce Lorig has offered to help work with the developer if we would like him to do so - at no charge.

EXHIBIT 18

Optional DNS process.

(1) If a GMA county/city with an integrated project review process (RCW 36.70B.060) is lead agency for a proposal and has a reasonable basis for determining significant adverse environmental impacts are unlikely, it may use a single integrated comment period to obtain comments on the notice of application and the likely threshold determination for the proposal. If this process is used, a second comment period will typically not be required when the DNS is issued (refer to subsection (4) of this section).

(2) If the lead agency uses the optional process specified in subsection (1) of this section, the lead agency shall:

(a) State on the first page of the notice of application that it expects to issue a DNS for the proposal, and that:

(i) The optional DNS process is being used;

(ii) This may be the only opportunity to comment on the environmental impacts of the proposal;

(iii) The proposal may include mitigation measures under applicable codes, and the project review process may incorporate or require mitigation measures regardless of whether an EIS is prepared; and

(iv) A copy of the subsequent threshold determination for the specific proposal may be obtained upon request (in addition, the lead agency may choose to maintain a general mailing list for threshold determination distribution).

(b) List in the notice of application the conditions being considered to mitigate environmental impacts, if a mitigated DNS is expected;

(c) Comply with the requirements for a notice of application and public notice in RCW 36.70B.110; and

(d) Send the notice of application and environmental checklist to:

(i) Agencies with jurisdiction, the department of ecology, affected tribes, and each local agency or political subdivision whose public services would be changed as a result of implementation of the proposal; and

(ii) Anyone requesting a copy of the environmental checklist for the specific proposal (in addition, the lead agency may choose to maintain a general mailing list for checklist distribution).

(3) If the lead agency indicates on the notice of application that a DNS is likely, an agency with jurisdiction may assume lead agency status during the comment period on the notice of application (WAC 197-11-948).

(4) The responsible official shall consider timely comments on the notice of application and either:

(a) Issue a DNS or mitigated DNS with no comment period using the procedures in subsection (5) of this section;

(b) Issue a DNS or mitigated DNS with a comment period using the procedures in subsection (5) of this section, if the lead agency determines a comment period is necessary;

(c) Issue a DS; or

(d) Require additional information or studies prior to making a threshold determination.

(5) If a DNS or mitigated DNS is issued under subsection (4)(a) of this section, the lead agency shall send a copy of the DNS or mitigated DNS to the department of ecology, agencies with jurisdiction, those who commented, and anyone requesting a copy. A copy of the environmental checklist need not be recirculated.

[Statutory Authority: 1995 c 347 (ESHB 1724) and RCW 43.21C.110. WSR 97-21-030 (Order 95-16), § 197-11-355, filed 10/10/97, effective 11/10/97.]

Shana Restall

From: Robert A. Medved <robertamedved@msn.com>
Sent: Tuesday, May 26, 2015 3:50 PM
To: Shana Restall
Subject: Written Comments on DSR File No. 15-014 and SEPA File No. 15-011.
Attachments: Hines SEPA Review Memo.pdf

Shana:

I hereby adopt and incorporate the attached Memorandum as my written comments on DSR File No. 15-014 and SEPA File No. 15-011.

The project property is located at the following three street addresses:

2728 77th Avenue SE, Mercer Island Washington 98040.
2750 77th Avenue SE, Mercer Island Washington 98040.
2885 78th Avenue SE, Mercer Island, Washington 98040.

My address is 7238 SE 32nd Street, Mercer Island, Washington 98040, and you will find additional contact information below.

Thank you,
Bob

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
Facsimile: 206-236-2200
Cellular: 206-550-3300
E-mail: robertamedved@msn.com

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MEMORANDUM

To: Shana Restall, Principal Planner Mercer Island Design Services Group
Copy To: Mercer Island City Council
Mercer Island Design Commission
Mercer Island Planning Commission

From: Save Our Suburbs
2212 78th Avenue SE
Mercer Island, Washington 98040

Date: May 26, 2015

Re: *Comments on DSR File No. 15-014*
Comments on SEPA File No. 15-011
Location of the Property: 2728 and 2750 77th Avenue SE and
2885 78th Avenue SE, Mercer Island, Washington 98040

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EXECUTIVE SUMMARY

The Preliminary Design Review process for the 2015 Hines Project Proposal (“2015 Hines Proposal”) is legally flawed. It is unlawful for the Design Commission to act or consider the 2015 Hines Proposal until after the Development Services Group (“DSG”) and Hines cure these legal flaws.

The SEPA Review process for the 2015 Hines Proposal is legally flawed. It is unlawful for the Design Commission to act on or consider the 2015 Hines Proposal until after the DSG and Hines cure these legal flaws.

The 2015 Hines Proposal contemplates a building that is the antithesis of the 1994 Town Center Plan For The City Of Mercer Island (“1994 Town Center Vision”) and the 2015 Town Center Visioning Process (“2015 Town Center Vision”).

The SEPA Checklist for the 2015 Hines Proposal is inaccurate and incomplete.

Hines has not provided sufficient information about the 2015 Hines Proposal to allow the DSG to make an informed environmental decision or to allow the citizens of Mercer Island to make informed comments.

Each and every comment herein applies to all matters within the scope of DSR File No. 15-014 and SEPA File No. 15-011.

THE 2015 HINES PROPOSAL IN CONTEXT

1) *The Hines Special Expedited Review*

Hines requested that the City “commit to expediting” the 2015 Hines Proposal. The City committed to give the 2015 Hines Proposal “top priority in design review and plan review.” *See* Exhibit 2.

2) *The Hines Moratorium Special Exception*

Five Councilmembers adopted a Town Center wide moratorium and granted Hines an exemption from the Town Center wide moratorium despite the fact that no other City, County or Town in the State of Washington has granted such a moratorium exemption. The proffered excuse for that special Hines exemption was Hines’ representations to provide: (i) two hundred (200) or more public parking spaces, (ii) a “grand plaza along SE 29th”, and (iii) a “Whole Foods or some upscale grocery store.” *See, e.g.*, Exhibit 3 and Exhibit 4.

Various Councilmembers stated that Hines exemption should be terminated and that Hines should be included in the Town Center wide moratorium if Hines reneges on its representations. *See, e.g.*, Exhibit 3, and Exhibit 5.

Hines has reneged on its representations. Hines is demanding \$10,000,000 to \$12,000,000 for the public parking spaces. The Hines project that will be reviewed by the

Design Commission on May 27, 2015, precludes a “Whole Foods or some upscale grocery store” being included in that Hines project. See, e.g., Exhibit 6.

3) *The 2015 Town Center Vision*

The 2015 Town Center Vision and the Town Center Code Amendments, when adopted will, without limitation: (i) eliminate two Town Center sub-areas, (ii) down-zone heights in certain Town Center sub-areas, (iii) up-zone heights in certain Town Center sub-areas, (iv) down-zone uses in certain Town Center sub-areas, (v) require substantial building modulation for stories 3-5, (vi) change traffic flows in certain Town Center sub-areas, (vii) change street widths in certain Town Center sub-areas, (viii) change street locations in certain Town Center sub-areas, (ix) mandate midblock connection points in certain Town Center sub-areas, (x) create mandatory requirements in certain Town Center sub-areas, (xi) change incentive requirements in certain Town Center sub-areas. See, e.g., Exhibit 7 through Exhibit 12.

THE PRELIMINARY DESIGN REVIEW PROCESS IS FLAWED

1) *The April 2015 Hines Proposal*

In April of 2015, Hines submitted documents for the 2015 Hines Proposal that proposed a building containing: (i) up to 192 apartment units, (ii) approximately 30,000 gross square feet of space for a supermarket, (iii) 10,000 gross square feet of general retail space, (iv) 247 parking stalls for the residential use, (v) 151 parking stalls for supermarket and retail use, and (vi) 211 parking stalls for general public use. See, e.g., Exhibit 1, at pp. 1 and 2, and Exhibit 13 at pp. 1.

2) *The May 2015 Hines Proposal*

In May of 2015, Hines submitted documents for the 2015 Hines Proposal that proposed a building containing: (i) 196 apartment units, (ii) 16,000 square feet of commercial space and (iii) 518 parking stalls.

3) *Hines Failed To Attend A Predesign Meeting*

MICC 19.15.040(F)(2)(b)(i) requires Hines to attend a Predesign Meeting regarding its 2015 Hines Proposal. Hines failed to attend a Predesign Meeting for its 2015 Hines Proposal. See, e.g., Exhibit 14.

Hines’ failure to attend a Predesign Meeting for its 2015 Hines Proposal materially prejudiced the City and its citizens.

Because Hines failed to attend a Predesign Meeting for its 2015 Hines Proposal, it is unlawful for the Design Commission to act on or consider the 2015 Hines Proposal until after the DSG and Hines cure this legal flaw. See, e.g., RCW 36.70C.130.

4) *Hines Failed To Attend A Preapplication Meeting*

MICC 19.15.040(F)(2)(c)(i) requires Hines to attend a Preapplication Meeting regarding its 2015 Hines Proposal. Hines failed to attend a Preapplication Meeting for its 2015 Hines Proposal. See, e.g., Exhibit 14.

Hines' failure to schedule and attend a Preapplication Meeting for its 2015 Hines Proposal materially prejudiced the City and its citizens.

Because Hines failed to attend a Preapplication Meeting for its 2015 Hines Proposal, it is unlawful for the Design Commission to act on or consider the 2015 Hines Proposal until after the DSG and Hines cure this legal flaw. See, e.g., RCW 36.70C.130.

5) *The Notices Of Application Are Legally Flawed*

MICC 19.15.020(D)(1) requires the City to issue a Notice of Application. MICC 19.15.020(D)(4) requires that the Notice of Application "shall be provided in the bi-weekly DSG bulletin, posted at City Hall...."

The Public Notice of Application published in the DGS bulletin is different than the Public Notice of Application posted at City Hall, but both appear not to comply with MICC 19.15.020.

The Public Notice of Application published in the DGS bulletin appears not to comply with, among other things: MICC 19.15.020(D)(2)(f), MICC 19.15.020(D)(2)(i) and MICC 19.15.020(D)(2)(j).

The Public Notice of Application posted at City Hall appears not to comply with, among other things, MICC 19.15.020(D)(2)(j).

MICC 19.15.020(D)(2)(j) is critical and requires "A description of those development regulations used in determining consistency of the project with the city's comprehensive plan." The 2015 Hines Proposal must be consistent with the following elements of the comprehensive plan: (i) the Land Use Element, (ii) the Housing Element, (iii) the Capital Facilities Element, (iv) the Transportation Element and (v) the Park And Recreation Element. See RCW 36.70A.070.

The Public Notice Of Application's failure to comply with MICC 19.15.020(D) materially prejudiced the citizens of Mercer Island.

Because the Public Notice Of Application failed to comply with MICC 19.15.020(D), it is unlawful for the Design Commission to act on or consider the 2015 Hines Proposal until after the DSG and Hines cure this legal flaw. See, e.g., RCW 36.70C.130.

6) *The First Page Of The Staff Report Memorializes Additional Flaws*

Hines requested and was granted a special expedited review process. *See* Exhibit 2. The Hines special expedited review process has culminated in flaws and chaos as evidenced by, without limitation, the Staff Report.

By way of example and without limitation, page one of the Staff Report discloses the following:

1. The “Design Packet” was not received by the City until May 4, 2015, hardly sufficient time for the necessary analysis, consideration and review from which to make decisions.
2. The “Plan Set” received by the City on April 15, 2015, was for the April 2015 Hines Proposal and not for the May 2015 Hines Proposal. *See, e.g.*, Exhibit 1, at pp. 1 and 2, and Exhibit 13 at pp. 1.
3. The SEPA Checklist is dated May 1, 2015, and could not have been received by the City on April 15, 2015.
4. The “Preliminary Transportation Summary” was not received by the City until May 11, 2015, the same day the City issued Notices Of Application and hardly sufficient time for the necessary analysis, consideration and review from which to make decisions.¹
5. The “Geotechnical Engineering Design Report” was not received by the City until May 15, 2015, four days after the City issued Notices Of Application and, thus, precluding the necessary analysis, consideration and review from which to make decisions.

Because the Staff Report is inaccurate, the Design Commission should not act on or consider the 2015 Hines Proposal until after the DSG and Hines cure this legal flaw. *See, e.g.*, RCW 36.70C.130.

¹ The May 7, 2015 “Preliminary Transportation Summary” is deficient in numerous regards. For example, without limitation, it does not consider the impacts of the increased traffic on the local intersections, such as 77th Ave SE at SE 29th St (Albertson's), SE 27th St (Walgreens) and 78th Ave SE at SE 30th St (Rite Aid), SE 29th St (Shell), SE 28th St (QFC), and SE 27th St (Island Square). Given that 60 vehicles are expected exit the property and turn left onto 77th Ave SE, the impact of those additional 60 vehicles on the intersection of 77th Ave SE and SE 29th St should must be considered and addressed.

DECISION CRITERIA

1) *The 2015 Hines Proposal Fails To Comply With The Town Center Vision*

The 2015 Hines Proposal fails to comply with, and without limitation: (i) MICC 19.11.010, (ii) the 1994 Town Center Vision, and (iii) the 2015 Town Center Vision.

Indeed, Deputy Mayor Grausz stated that the 2014 Hines Proposal (which is similar to the 2015 Hines Proposal in bulk and mass) “unnerves” him and that he found that proposal to be “disconcerting.” *See* Exhibit 15 and Exhibit 16.

Deputy Mayor Grausz also (as to that proposal) advised the City Manager as follows:

This is the time for a very strong message to be sent to this developer. Otherwise, I think we need to seriously consider a moratorium until we complete work on the Town Center effort. This project will destroy what we are hoping to do. (bold added).

See Exhibit 17.

THE SEPA REVIEW PROCESS IS FLAWED

1) *The SEPA Notices Are Legally Flawed*

WAC 197-11-335 requires that a Notice Of Application list “the conditions being considered to mitigate environmental impacts, if a mitigated DNS is expected.” *See* Exhibit 18.

The Public Notice of Application published in the DGS bulletin and the Public Notice of Application posted at City Hall appear not to comply with WAC 197-11-335.

The Public Notice Of Application’s failure to comply with MICC 19.15.020(D) materially prejudiced the citizens of Mercer Island.

Because the Public Notice Of Application failed to comply with WAC 197-11-335, it is unlawful for the Design Commission to act on or consider the 2015 Hines Proposal until after the DSG and Hines cure this legal flaw. *See, e.g.*, RCW 36.70C.130.

2) *The SEPA Information Is Legally Flawed*

The SEPA information and the SEPA Checklist are inaccurate and incomplete, and, as such: (i) precludes the citizens of Mercer Island from making any informed comments, and (ii) precludes the City from making any informed environmental decisions.

By way of example and without limitation:

1. With regard to B(2)(a), the Hines' response fails to address air emissions "when the project is completed."
2. With regard to B(4)(b), the Hines' response fails to disclose that the "Nine existing trees [that] will remain" are on the MacDonald property, not the 2015 Hines Proposal property.
3. With regard to B(10)(b), the Hines' response affirmatively misrepresents that the 2015 Hines Proposal will not alter or obstruct views in the immediate vicinity.
4. With regard to B(14), the Hines' response fails to provide any information upon which any informed comments or environmental decisions can be made.

Because the SEPA Checklist is inaccurate and incomplete, the Design Commission should not act on or consider the 2015 Hines Proposal until after the DSG and Hines cure this legal flaw. *See, e.g.*, RCW 36.70C.130.

LIST OF EXHIBITS

1	May 12-23, 2015, E-Mail String
2	January 12-13, 2015, E-Mail String (highlighted)
3	March 16, 2015, City Council Meeting Partial Transcript (highlighted)
4	March 30, 2015, City Council Meeting Partial Transcript (highlighted)
5	Deputy Mayor Grausz's April Update (highlighted)
6	Retail Space Analysis
7	Existing Town Center Sub-Areas
8	Proposed Town Center Regulating Plan
9	Proposed Town Center Retail Frontage
10	Town Center Stakeholder Group Meeting Summary
11	Proposed Town Center Incentive Structure (highlighted)
12	Deputy Mayor Grausz's May Update (highlighted)
13	April 10, 2015, Memorandum
14	Design Commission Process (highlighted)
15	December 4, 2014, E-Mail To Councilmember Bertlin
16	December 4, 2014, E-Mail To Councilmembers Bassett And Wong
17	December 7, 2014, E-Mail To City Manager Treat
18	WAC 197-11-355 (highlighted)

EXHIBIT 1

RE: Hines project design review plans (Part 2 of 3)

Robert A. Medved
5/23/15
To: Shana Restall

Shana:

A review of the five documents you provided on May 12, 2015 and the seven documents posted to the City's website on May 21, 2015 evidence the existence of additional documents and materials regarding File Nos. DSR 15-014 and SEPA 15-011.

The "Development Application" you provided on May 12, 2015, is dated April 9, 2015. Please advise me when the City received that April 9, 2015, "Development Application." Please advise me of any additional documents or materials that accompanied that April 9, 2015, "Development Application" regardless of whether those documents and materials were or were not "formally submitted with the application."

The traffic "Memorandum" you provided on May 12, 2015, is dated April 10, 2015. Please advise me when the City received the April 10, 2015, traffic "Memorandum." Please advise me of any additional documents or materials that accompanied or are related to the April 10, 2015, traffic "Memorandum" regardless of whether those documents and materials were or were not "formally submitted with the application."

The metadata to the "DSR15-014-Plans" you provided on May 12, 2015, memorialize the fact that the "DSR15-014-Plans" were created on April 10, 2015. Those "DSR15-014-Plans" also identify and memorialize the existence of an April 13, 2015, "PRELIMINARY DESIGN REVIEW" submittal. Please provide me a copy of that at April 13, 2015, "PRELIMINARY DESIGN REVIEW" submittal. Please advise me when the City received that April 13, 2015, "PRELIMINARY DESIGN REVIEW" submittal. Please advise me of any additional documents or materials that accompanied or are related to the April 13, 2015, "PRELIMINARY DESIGN REVIEW" submittal regardless of whether those documents and materials were or were not "formally submitted with the application."

The Preliminary Design Review Submittal you provided on May 12, 2015, identifies and memorializes the existence of an "Appendix A." Please provide me a copy of that "Appendix A." Please advise me when the City received that "Appendix A."

The traffic "Memorandum" posted to the City's website on May 21, 2015, is dated May 7, 2015. Please advise me when the City received that May 7, 2015, traffic "Memorandum."

It is problematic to prepare and submit comments based upon incomplete and changing information. Your prompt respond to the above requests is appreciated especially since the deadline for filing comments is May 26, 2015.

Bob

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
Facsimile: 206-236-2200
Cellular: 206-550-3300
E-mail: robertamedved@msn.com

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From: shana.restall@mercergov.org
To: robertamedved@msn.com
Subject: RE: Hines project design review plans (Part 2 of 3)
Date: Sat, 23 May 2015 06:06:49 +0000

Dear Bob,

The Traffic Memo on the website (dated May 7, 2015) is the one included in the application. I accidentally sent you an earlier version that was not formally submitted with the application. The staff report for project DSR15-014 for the May 27, 2015 Design Commission meeting is attached.

Thanks,

Shana

Shana Restall | Principal Planner

City of Mercer Island Development Services
9611 SE 36th Street, Mercer Island, WA 98040-3732
p: 206.275.7732 fx: 206.275.7726
shana.restall@mercergov.org

View the status of permits at www.mybuildingpermit.com
View information for a geographic area [here](#)
View application and other zoning information [here](#)

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From: Robert A. Medved [mailto:robertamedved@msn.com]
Sent: Friday, May 22, 2015 1:50 PM
To: Shana Restall
Subject: RE: Hines project design review plans (Part 2 of 3)

Shana:

2013 Hines Proposal:

On November 13, 2013, the Design Commission conducted a Study Session for the 2013 Hines Proposal containing 156 residential units, 9,300 square feet of commercial space and 211 parking stalls. See the first and second attachments.

The packet for the November 13, 2013, the Design Commission Study Session for the 2013 Hines Proposal, included a "Study Session Staff Report" to the Design Commission.

2014 Hines Proposal:

On December 10, 2014, the Design Commission conducted a Study Session for the 2014 Hines Proposal containing 215-230 residential units, 14,625 square feet of commercial space and 400-430 parking stalls. See the third and fourth attachments.

The packet for the December 10, 2014, the Design Commission Study Session for the 2014 Hines Proposal included a "Memorandum" to the Design Commission.

2015 Hines Proposal:

On May 26, 2015, the Design Commission will conduct a preliminary review of the Hines 2015 Proposal containing 196 residential units, 16,000 square feet of commercial space and 518 parking stalls. See <http://www.mercergov.org/Agendas.asp?AMID=2363>

The packet for the May 26, 2015, the Design Commission Preliminary Review for the 2015 Hines Proposal does not contain a Staff Report, a Memorandum or any other sort of document to inform the Design Commission and the public. Is this an intended omission? What is the reason for the omission?

Additionally, on May 12, 2015, you provided me five documents, one of which is a "Memorandum" that is the fifth attachment to this e-mail. Yesterday you advised me that "the Hines application materials are now posted" on the City website. The sixth attachment to this e-mail is a "Memorandum" from that website. The fifth attachment to this e-mail is materially different from the sixth attachment to this e-mail. When did the City receive the fifth attachment to this e-mail?

Please respond to the above inquires since the deadline for filing comments is May 26, 2015.

Thank you,
Bob

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
Facsimile: 206-236-2200
Cellular: 206-550-3300
E-mail: robertamedved@msn.com

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From: shana.restall@mercergov.org
To: robertamedved@msn.com
Subject: RE: Hines project design review plans (Part 2 of 3)
Date: Fri, 22 May 2015 19:24:08 +0000

Dear Bob,

My email from yesterday was incorrect. The geotech report was received by the City on May 15, 2015.

Thanks,
Shana

Shana Restall | Principal Planner
City of Mercer Island Development Services
9611 SE 36th Street, Mercer Island, WA 98040-3732
p: 206.275.7732 fx: 206.275.7726
shana.restall@mercergov.org

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View information for a geographic area [here](#)
View application and other zoning information [here](#)

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From: Shana Restall
Sent: Thursday, May 21, 2015 2:34 PM
To: Robert A. Medved
Subject: RE: Hines project design review plans (Part 2 of 3)

Dear Bob,

Just an FYI - the Hines application materials are now posted here:
<http://www.mercergov.org/Agendas.asp?AMID=2363>

Thanks,
Shana

Shana Restall | Principal Planner
City of Mercer Island Development Services
9611 SE 36th Street, Mercer Island, WA 98040-3732
p: 206.275.7732 fx: 206.275.7726
shana.restall@mercergov.org

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From: Robert A. Medved [<mailto:robertamedved@msn.com>]
Sent: Thursday, May 21, 2015 10:08 AM
To: Shana Restall
Subject: RE: Hines project design review plans (Part 2 of 3)

Shana:

Thank you.

Bob

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
Facsimile: 206-236-2200
Cellular: 206-550-3300
E-mail: robertamedved@msn.com

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From: shana.restall@mercergov.org
To: robertamedved@msn.com
Subject: Re: Hines project design review plans (Part 2 of 3)
Date: Thu, 21 May 2015 17:05:25 +0000

I have given you everything formally taken in for the applications for project numbers DSR15-014 and SEP15-011.

Sent using OWA for iPhone

From: Robert A. Medved <robertamedved@msn.com>
Sent: Thursday, May 21, 2015 10:03:17 AM
To: Shana Restall
Subject: RE: Hines project design review plans (Part 2 of 3)

Shana:

Thank you for the below information.

Please confirm that, other than notes of the “pre-application meeting on November 18, 2014,” I have been provided with all the documents and materials the City reviewed prior to issuing the May 11, 2015 Public Notice of Application.

Your prompt response to these issues is sincerely appreciated.

Bob

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
Facsimile: 206-236-2200
Cellular: 206-550-3300
E-mail: robertamedved@msn.com

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From: shana.restall@mercergov.org
To: robertamedved@msn.com
Subject: RE: Hines project design review plans (Part 2 of 3)
Date: Thu, 21 May 2015 16:13:06 +0000

Dear Bob,

I'll respond to your requests below:

- (i) The application was not formally taken in during the pre-application meeting, which happens when the applicant does not bring a complete application to the pre-app. So, the City does not have formal materials related to the pre-app. However, there may be notes. To get any notes that may exist, please submit a public records request to the City Clerk's office:
<http://www.mercergov.org/files/records%20request%20form.pdf>
- (ii) The Geotechnical report was received on May 13, 2015.
- (iii) You may submit electronic comments to include in the record directly to me at shana.restall@mercergov.org

Thanks,
Shana

Shana Restall | Principal Planner
City of Mercer Island Development Services
9611 SE 36th Street, Mercer Island, WA 98040-3732
p: 206.275.7732 fx: 206.275.7726
shana.restall@mercergov.org

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From: Robert A. Medved [<mailto:robertamedved@msn.com>]
Sent: Wednesday, May 20, 2015 10:17 PM
To: Shana Restall
Subject: RE: Hines project design review plans (Part 2 of 3)

Shana:

Thank you for the information below and for a copy of the Geotechnical report.

Would you please: (i) provide me with the documents relating to the “pre-application meeting on November 18, 2014,” (ii) let me know what date the City received the “Geotechnical report” and (iii) provide me the e-mail address to submit electronic comments.

I am assuming that I have been provided with all the documents and materials the City reviewed prior to issuing the May 11, 2015 Public Notice of Application. If my assumption is incorrect, please provide me with all additional documents.

Thank you for your prompt response to these issues.

Bob

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
Facsimile: 206-236-2200
Cellular: 206-550-3300
E-mail: robertamedved@msn.com

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From: shana.restall@mercergov.org
To: robertamedved@msn.com
Subject: RE: Hines project design review plans (Part 2 of 3)
Date: Thu, 21 May 2015 00:09:56 +0000

Dear Bob,

The Hines project had a pre-design meeting on October 15, 2013 and a pre-application meeting on November 18, 2014. I apologize for the SEPA checklist being truncated in parts. Our website form does that at times. My copy has a plus sign in the bottom right corner of some boxes that can be clicked to allow for the boxes to be expanded. If that doesn't work for you, here are the responses that appear to overflow the boxes of the form:

***B.2.a.** - Minor dust emissions may result from demolition and earthwork construction procedures. Construction equipment (drilling equipment, excavators and trucks) will also be present on-site during excavation and shoring and may cause minor air emissions. Upon project completion, car emissions will be generated from cars traveling to and from the building.*

***B.2.c.** - Dust will be carefully controlled to meet all City/State and Federal emission requirements, most commonly through the use of water hose and spray to keep particulates settled on the site. Emissions from construction equipment are mitigated by built-in emissions controls on the equipment itself which will be required to meet all emissions standards.*

***B.10.a.** - The roof structure is 65' above average building elevation. From the site's lowest point (NW corner), the building measures approximately 67'-11" from finished grade to top of parapet. Elevator overruns, stair penthouses and rooftop mechanical equipment will be maintained at or below the 10' maximum overrun height beyond 65' zoning height. The principal exterior materials proposed are metallic and fiber cement panels on a rain screen system, concrete, aluminum and vinyl windows. Glazing will be at or below 45% at residential levels with storefront glazing predominately at grade.*

***B.11.a.** - The proposed structure will include lights typical of a mixed use project: decorative wall sconces and/or special lighting at retail facades, street lights in the right-of-way, landscape lighting, and residential and retail entry lighting for the safety and security of occupants and visitors. Light pollution shall be mitigated per the requirements of the Mercer Island Municipal Code Section 19.11.090.B7. Lighting around the site is anticipated to occur from dusk through dawn.*

The documents that I emailed to you were the only documents formally submitted to the City at the time of application. We have since received a Geotechnical report, which is attached.

Thanks,
Shana

Shana Restall | Principal Planner
City of Mercer Island Development Services
9611 SE 36th Street, Mercer Island, WA 98040-3732
p: 206.275.7732 fx: 206.275.7726
shana.restall@mercergov.org

View the status of permits at www.mybuildingpermit.com

View information for a geographic area [here](#)

View application and other zoning information [here](#)

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From: Robert A. Medved [<mailto:robertamedved@msn.com>]

Sent: Wednesday, May 20, 2015 3:43 PM

To: Shana Restall

Subject: RE: Hines project design review plans (Part 2 of 3)

Shana:

ADDITIONAL DOCUMENTS AND MATERIALS NECESSARY TO PREPARE WRITTEN COMMENTS.

I appreciate the five documents you sent to me. A review of those five documents makes it clear that there are additional documents and materials that the City reviewed prior to publishing the Public Notice Of Application on May 11, 2015.

For example, the SEPA Checklist you sent me provides that the “applicant has conducted ... a Pre-App meeting with City Staff.” I assume that “Pre-App meeting” was governed by 19.15.040(F)(2)(c)(i) which requires a “complete application on forms provided by the development services group (DSG) and all materials pertaining to the project shall be submitted at a formal preapplication meeting with DSG staff.”

A review of all of the documents and materials pertaining to the project and reviewed by the City is critical to submitting the written comments identified in the Public Notice Of Application.

Please advise me when I can review those documents and materials so as to allow sufficient time for the preparation of written comments within the comment period provided in the Public Notice Of Application. Also, please provide me the e-mail address to submit those comments electronically.

INCOMPLETE DOCUMENTS.

The SEPA Checklist you sent me appears to be incomplete. For example, the response to subsection B(2)(a) at page 3 prematurely ends with “and tr” and the response to subsection B(11)(a) at page 7 prematurely ends with “facades street”.

I would appreciate a complete SEPA Checklist.

Thank you for your prompt attention to these issues.

Bob.

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
Facsimile: 206-236-2200
Cellular: 206-550-3300
E-mail: robertamedved@msn.com

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From: shana.restall@mercergov.org
To: robertamedved@msn.com
Subject: Re: Hines project design review plans (Part 2 of 3)
Date: Wed, 20 May 2015 19:10:30 +0000

Dear Bob,

I just listened to your voicemail. I'm in Meetings for the rest of the day and all day tomorrow. Is there any possibility that you could send me your questions via email so that I could get back to you today?

Thanks,
Shana

Sent using OWA for iPhone

From: Robert A. Medved <robertamedved@msn.com>
Sent: Wednesday, May 20, 2015 10:21:09 AM
To: Shana Restall
Subject: RE: Hines project design review plans (Part 2 of 3)

Shana:

I just left a voice message asking you to call me at (206) 550-3300.

Thanks,
Bob

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
Facsimile: 206-236-2200
Cellular: 206-550-3300
E-mail: robertamedved@msn.com

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From: robertamedved@msn.com
To: shana.restall@mercergov.org
Subject: RE: Hines project design review plans (Part 2 of 3)
Date: Wed, 20 May 2015 00:25:03 -0700

Shana:

I have received three e-mails with attachments.

Thank you,
Bob

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
Facsimile: 206-236-2200
Cellular: 206-550-3300
E-mail: robertamedved@msn.com

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From: shana.restall@mercergov.org
To: robertamedved@msn.com
Subject: Hines project design review plans (Part 2 of 3)
Date: Tue, 12 May 2015 19:22:15 +0000

Dear Bob,

Attached please find the submitted plans for the Hines proposal. Please confirm that you have received all three emails. Please note that the comment period ends fourteen (14) days from today on May 26, 2015 at 5:00 PM.

Thanks,
Shana

Shana Restall | Principal Planner
City of Mercer Island Development Services
9611 SE 36th Street, Mercer Island, WA 98040-3732
p: 206.275.7732 fx: 206.275.7726
shana.restall@mercergov.org

View the status of permits at www.mybuildingpermit.com
View information for a geographic area [here](#)
View application and other zoning information [here](#)

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From: Robert A. Medved [<mailto:robertamedved@msn.com>]
Sent: Tuesday, May 12, 2015 9:53 AM
To: Shana Restall
Subject: Hines Project

Shana:

I just left a voice message asking you to please call me at (206) 550-3300.

Thank you,
Bob

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
Facsimile: 206-236-2200
Cellular: 206-550-3300
E-mail: robertamedved@msn.com

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EXHIBIT 2

From:
To: Kaseguma; Evan Evan.Kaseguma@hines.com
Cc: Favreau; John John.Favreau@hines.com
Subject: RE: Draft Term Sheet
Date: 1/13/2015 10:58:04 AM
Attachments:

Hi Evan and John. I met with Noel, Kirsten and Katie (City Attorney) yesterday to get some direction. Here is the outcome of that meeting:

1. We want to move forward with a term sheet, which would be the basis for a future development agreement. The term sheet can be signed by the City Manager and does not need City Council approval. The term sheet is non-binding and will establish the deal points that will be brought forward to City Council. I will be working on edits to the term sheet and starting work on a draft development agreement. We are bringing in some outside resources (at City cost) to advise us on some elements of the term sheet, since we are not in the development business.
2. We will consider a lease/buyout idea.
3. There are no issues with two larger retail tenants.
4. **We will give the project top priority in design review and plan review.**
5. Term Sheet Paragraph 4: We will pay fair share of design costs including geotech, other engineers, etc. Again, we will need more definition of what's included.
6. Paragraph 7c: We can edit the language. The intent is to avoid commuters having to drive through Hines-only parking and vice-versa. Allowing both types of parking to share a curb cut would be ok.
7. Paragraph 8a: We agree to substitute "reasonable" for "sole and absolute" or similar language achieving the intent of that paragraph. Maybe focusing on compatible use would be better language.
8. Paragraph 15: Paying fair share of real estate taxes, operating costs, etc. is reasonable. We need to define that a bit more.
9. Paragraph 20: We can remove this paragraph and simply work on a separate schedule for the project.

Some important dates you should be aware of:

Jan. 23 (3:00-6:00 pm): City Council Planning Session (at Community Center)—discussion of Town Center planning, commuter parking (Ben's report) and Metro bus issues. We expect City Council to give staff
Jan. 29 (evening): Parking Options Open House (Community Center, time TBD between 5-8 pm)

From: Kaseguma, Evan [mailto:Evan.Kaseguma@hines.com]
Sent: Monday, January 12, 2015 9:10 AM
To: Scott Greenberg
Cc: Favreau, John
Subject: RE: Draft Term Sheet

Scott:

Thanks for a productive discussion on Thursday. I wanted to send a list of follow-up items:

1. Scott to check if the City will consider an interim lease with buyout provision
2. Scott to confirm the City will pay its fair share of real estate taxes and its actual operating costs (not just a pro-rata share of total garage costs, since the public parking is likely to demand a higher level of cleaning, security, etc)
3. **Scott to check if the City will commit to expediting our project and covering the costs of**

expedited review

Thanks,

Evan

EXHIBIT 3

March 16, 2015 – City Council Meeting

40:38 AB-5055

CA Knight: Just to put context on this, on February 2nd, the City Council passed a moratorium which excepted out Hines and it also excepted out building underneath two Stories

1:49:50

Evan Kasaguma: Evan Kasaguma, with Hines. Four months ago, we stood before the Design Commission, and presented our plans for our original project.

Then, on December 10th, the City approached us about public parking. The –City- asked –us- to work in good faith to figure out a solution for the community. We could have said no. If we had said no, we would be vested right now. And Mercer Island would be left with a major parking problem, more empty retail, and another concrete plaza that does little to enhance the Town Center.

1:50:36

We could have said no. But instead, we said yes. We agreed to work with you in good faith. We put our project on hold for several months. We spent hundreds of thousands of dollars, of our own money, money that we'll never get back. We did this because we thought it was right. Even though it wasn't convenient or cost effective. We did this to be a good neighbor and provide public benefits in the Town Center. And now, unfortunately, opponents of our project are pressuring you to throw these public benefits away.

1:51:11

Let me be very clear. If we are included in the moratorium, the land assemblage dies. And the public benefits will be killed. These are not idle words. They are not threats. It's the truth. At the last council meeting, one of the landowners stated that, if we are

included in the moratorium, they'll go their separate way. Without the full block, we can't provide potential for 240 stalls of commuter parking. A high-end grocer, like Whole Foods, which is the anchor retailer that the Town Center desperately needs, a grand plaza, along SE 29th, that your consultant and citizens badly want. Youth Theater Northwest, and MICA's best chance to solve what could be a very expensive parking problem.

1:52:41

... We ask that you protect and preserve these great public benefits. That both of us have been working very hard to achieve. We ask that you honor your word, and stand up for your commitments, and do what's right. Please don't include our project in the moratorium. Thank you.

2:31:56

CM Bertlin: One interesting thing that has come out is there seems to be a general sense that there is legal weight behind the letter from Hines insofar as the commitment to 15 day notification. And for me that is a very important part of my processing, and then again, also the ability to create distinctions and understand clear differentiation between the Hines project and Cassan, Cohen, and other, that might be in the works. Finally, there's the element of negotiating in good faith. And I think that is relevant to the extent to which we entered into conversations with Hines back in December in good faith knowing that they were on an expedited path. So where I am when I add A and B, I come out with, right now, as I said, still very much interested in hearing from fellow Councilmembers, is to keep the moratorium in place and keep the exception for Hines.

2:33:34

CM Wong: I'll try to be brief, but, this is a very difficult decision. I mean, I've been on the Council for a little over a year, and this by far, is the most difficult decision that I've been asked to make.

2:35:47

The questions that percolate within the community, that's been percolating for several months now, is basically, why the Hines project was excluded in the first place, and now, why is being excluded, possibly, going forward. I think we all need to answer these questions, each one of us here to explain how he or she came to his or her own decision, I think what I wanted to hear, and again, I was in favor of delaying, and continuing, not delaying, but continuing this public hearing, so that we had more time for outside legal counsel to look at questions that I and other City Councilmembers basically were raising with them. Because, again, this is a difficult issue.

2:36:33

So with the Findings of Fact, that we're obviously going to go through, and take a hard look at, is going to be basically the story, behind why the moratorium was adopted and what exemptions are going to be in there, or not in there. And it, basically, is going to be the justification for our actions. And I think in looking at why I am moving to the decision I am moving is basically, a couple ones. There is a concern about litigation. Now we have had, as you now know, we have had a couple of legal counsels provide advice. And, the bottom line is that whatever decision we make, there's a risk of litigation. I mean, that's just the way it is. But, because there is a risk of litigation, I think, we as stewards of the City's resources, we need to be mindful of, what that litigation might mean.

2:38:22

So I guess, the question is well, if it's not an equal protection violation, how is that possible if we're treating people differently. And that's possible as long as you have a rational basis for your decision. And I believe that, again, subject to future change, I think the Findings of Fact that have been part of the Agenda bill, provide some glimmer of what that rational basis is.

2:38:50

And you've heard discussions already about some of the public benefits that have been represented. Hines did it again, tonight. They represented that potential parking, the

plaza, and so those are things that are being represented to the public. And so, you know, I am –not- happy, I mean, this is not an ideal world, if it was, we'd be in a much better place. But I am not happy that we don't have a lot of things in hard fast writing.

2:39:21

And I know that would provide me a lot more comfort than just public statements and representations by the people of Hines and others. But we have to deal with what we have. And at this point, I'm looking at those representations, and believe that this letter that they sent is something that we can hang out hats on and basically hold them. And if they renege on their representation and take a step backwards, I will be the first to vote them back into the moratorium. So at this point in time, I am in favor of version A.

2:55:00

CM Brahm: I'm going to be much briefer. In my years on the Council, this is definitely my most difficult decision as well. I'm up nights, my husband said I hope you finally vote on that thing because I've been impossible to live with. There's been a lot of passion around our house and in this community on all sides, bringing in so much. Bringing in schools, height, parking, traffic, amenities, canyons, gathering places, plazas, GMA, schools, retail anchors, we're talking heights and villages, it's daunting. There's so much involved and inter-related as we've discussed. And I want to thank everybody for being so involved and passionate about this. And I want to focus on the future, the long term future. I have faith in our Town Center process, that's going on and I do hope people will get involved and go online to the City's website and give their feedback about what they want to see in the Town Center. I am neither pro-development or anti-development. I am pro-Mercer Island, and pro-Town Center. I think much of our 1994 Town Center Vision still applies, I believe. But I've seen that, and many in the community have seen, for years, that what was developed in 1994, and what sat on a shelf for 10 years, hasn't yielded quite what was envisioned. And now we're in the process of revisiting that, tweaking the plan, changing the code where necessary, and we have a developer who has, I think a good plan. But I'm fearful about it, because it's our job to protect the citizens of the City. We don't have anything in writing. We have a letter and a promise.

We don't have a legally binding contract. We're being asked to go on good faith that this project is going to be good, that the Hines project will bring parking for 240 cars, and a Whole Foods, but there's no guarantee. I think it may be an exceptional opportunity, but I am not willing to go down that line without something in writing. There may be, we've heard tonight that if Hines isn't excluded from the moratorium that they'll go away. I think that if Hines wanted to work with us, if they are true to the letter that they gave to us, that Councilmember Grausz solicited from Hines, then, they'll wait for the moratorium to be over and come back. There may be the possibility of a development agreement, something that will allow them to produce a good project, but still be acceptable to the community.

2:58:34

I don't think that this should kill the Hines project, necessarily. It could be a good project for our community, but there are too many unknowns. If including them in the moratorium causes Hines to walk away, it tells us something about their sincerity in wanting to work with the community. Why would we allow a business to develop under zoning regulations that we know are flawed right now? With no written contract. So, I have a lot of respect for Hines, and Evan and Ty have been most accommodating, they have bent over backwards to explain our project to our community, but I think that I'm not willing to run the risk, it's our job to protect the citizens and the interest of the community, and so I, one thing that was interesting, we did hear a lot from lawyers lately, lawyers' opinions on all sides, relative risk, litigation threats, etc., but they couldn't find case law for an exemption like ours, which is pretty interesting. But there's a possibility down the road.... OK, yes, I'm sorry. Development agreements, interim zoning, I think that, I'm going to be supporting option B.

3:01:25

DM Grausz: So, this is, this is not a situation where this Council has been, just woke up all of a sudden two months ago and said that the sky is falling, we've got to do something. It's a situation where we have been working conscientiously towards trying to find a solution to what we recognized, and what the community told us back then was

a problem that needed to be dealt with. So, then suddenly in December, you know, the Hines project shows up. I think for the first time, pretty much everyone on this Council, when we started seeing an agenda packet for the Design Commission. And so we all had to sit there and go through some very hard thinking as to, how did that fit into what we were doing.

3:02:29

Because as I, because as Mike said, they were operating under a development code that we had all identified nine months earlier as having deficiencies, and which in fact our consultant confirmed to us that it had deficiencies. So suddenly Hines shows up. And then, so we have to think, okay, so what does this mean to the process. And we said to our staff, talk to us. And talk to them. Because there are some real concerns that we have, and that's why we're going through this Town Center Visioning process, and how does that fit into it.

3:03:13

And coincidentally, at the same time this is all happening, the sky is falling down on top of us because we proposed to the community that they look at putting commuter parking at, near the Community Center, and there was a public outcry to that. So, we suddenly found ourselves with two things coming together all at once that we had this Hines project which we weren't expecting, and we had commuter parking, a commuted parking mess on our hands. And so, we go to staff and we say, is there a way this can fit together. And so, staff basically talked with Hines, and says, is there a way this can fit together. And Hines says, okay, we'll talk about it. They didn't have to, as one of the representatives of Hines said tonight, they didn't have to do anything with us. But they said well, we'll stop and we'll talk about it.

3:14:11

And then we said to them, and by the way, here's our Phase 1 report which talks about something on SE 29th Street, a different public park, and they had gone to the Design Commission and talked about on 77th, and talked about something on 78th, and in fact, the Design Commission, if I recall correctly, told them, don't do it on 77th, do it on 78th, or I may have that reversed. But then staff says, no, don't do it there, you know, think about 29th. They said, okay, we can think about 29th.

3:04:43

And then, then they came to us and we didn't ask them for this, but they said and, by the way, we're willing to talk to a high-end retailer, high-end grocer, because we understand that's something that the City has been very interested in. So they did all these things, and so this is in the middle of our process to try to come up with a better Town Center. And so, and we say, you know, this is amazing. Because, you know, finally we're talking with someone who can maybe address some of the key problems that we have and that we're wrestling with at the same time that we're also trying to come up with a better Town Center.

3:05:20

And it's not, this is not a situation where they tried to force anything down our throat, they haven't, they haven't threatened to sue us, in fact, you know, they were so forthcoming in this letter that I have acknowledged having solicited, they didn't have to provide that. But what they provided us is a letter saying, you know, if you don't trust us, and I understand what Jane is saying because we don't have a contract from them, but I would point out, Jane, that we don't have a contract from them because the City is in no position to enter into a contract with them.

3:05:57

So, my guess is, if the City was prepared to sign a contract with them tomorrow for a 240-spaced commuter parking facility, they'd say, where do we sign. But we're not even close to being ready to sign that. If the City was to tell them tomorrow, you know, we have a contract to put a public plaza on 29th, they'd say where do we sign. But we don't have a contract to offer them to put a Plaza on 29th. So it, but they did do, is they did sign a letter, which is an enforceable letter, which says, we are willing to deal with you in good faith, and if we don't deal with you in good faith, then we'll give you notice, or if we don't, if we're going to give you notice 15 days before we file for a building permit, before we can possibly vest, if you don't think we've dealt with you in good faith, then, you know, call us on it. And put us under your moratorium. And they wrote us that letter, and to me, I've never met any developer willing to except them, willing to extend themselves like that.

3:07:03

Where they're saying, not only in their acts, and their deeds have they done what the city has asked them to do and what this Council asked them to consider, but they have gone further and said, you know, we don't have a contract from you, City of Mercer Island. We don't have any guarantees from you as to what you're going to do, but we are willing to take it on faith that you will act in good faith, and we will agree that we'll give you 15 days' notice before we vest. So who does that? I mean the City wouldn't write them a letter like that, the City wouldn't say to them, we'll give you 15 days' notice before we change the law. So we can give you an opportunity to vest.

3:07:43

There's no way in the world we would write them that letter, but they wrote us a letter saying that we'll give you notice. So I look at this situation, you know, we are trying to improve this Town Center. We are fortunate enough to have a developer who has come in and said, we agree with you, we want to improve this Town Center. And we want to work with you, and we want to try to address your issues because we want to be part of this community and we want to have a successful project. And so I hear the concerns, I hear the statements that have been made, I, as Debbie has said, we've had some phenomenal public input and I read every one of them and I, I'm, some of them, there's no question in my mind that people are amazingly sincere in everything they write on both sides of this issue. And I'm so truly impressed, as Mike said, that to represent a community like this is just awesome.

3:08:39

In this situation, I think, we do the best for our citizens by ensuring that we end up with a Town Center that could have the benefits that the Hines project offers us. So, I will go for Option A tonight, and encourage the rest of the Council to do so as well.

3:14:28

Mayor Bassett: So, first, thank you to the public, as everyone else has said I have very little to add beyond what they have said, and they've said it more articulately than I can. I do want to sort of harken to Ira's comment, which, Ira said, you ought to just do a blanket review of this, and he said better than I've just said it. My first position on this,

as I've pondered the over the past few days was to think exactly the same thing. Why in the world don't we just start with a blanket moratorium because it's the simple place to start. The problem is that we're not starting with a blank slate, though. If we were, that would absolutely be the place we should be on this.

3:15:14

But this is not a blank slate. And I asked Scott to give me a quick list of projects that have come recently. In 2010 we had The Mercer, Phase 1, 159 units. In 2013, we had Aviara, 166 units. In 2013 we also had Mercer Phase 2, 85 units. We've got Legacy now, 209 units, under construction. We've got a mish-mash of new construction, and old construction in our Town Center. We've got a group that has put together three properties that, by all accounts, don't get put together except in this one instance. We've got a opportunity where significant public benefit can be achieved out of this with a developer that has expressed a willingness beyond what we've heard anywhere else to work with the City.

3:17:54

Yeah, we all think a pause makes sense. But what do we do about Hines? Because it brings these special benefits to our, potentially to our Town Center. And it's at a point in it's development process where it's farther along than anything else. So, with that all as context, I stand with option A, which is to carry on, keep Hines out of the moratorium, but absolutely in favor of going forward with the moratorium and everything else, and working with Hines to make sure that project is absolutely all that it can be to the benefit, the long-term benefit of our citizenry, and our community.

EXHIBIT 4

March 30, 2015 – City Council Meeting

Mayor Bassett: “It will be an interesting conversation on the day that they tell us that they’re two weeks from filing a building permit, right?”

CM Cero: “We’re way behind on minutes. So, I don’t know any other way to document what was said at the meeting for us to have a record, a documentation, on what was said at the meeting. And, I think it was at the last Council Meeting, that we talked about it, right?”

Deputy Mayor Grausz: “...When they give the 15-day notice, then, there’s going to have to be, we’ll have to decide whether to have a meeting, or whether to bring it up at the meeting if there’s a scheduled meeting or if not whether to schedule a meeting. Again we don’t, they haven’t committed to what they’re going to do. And we don’t know, so we, we’re saying that, you know, we want to see what you’re going to do, but I think it’s been made clear to them through, the three things that have come up time and again in our discussions about Hines, have been the parking, have been the 29th Street, and have been the Whole Foods or some upscale grocery store. Those are the three things which have come up time and again. And those are three things which are referred to in the Findings of Fact...”

EXHIBIT 5

April Update

From: **Dan Grausz** (Dan.Grausz@mercergov.org)

Sent: Fri 4/10/15 4:34 PM

To: Dan Grausz (dangrausz@gmail.com)

April 10, 2015

Fellow Islanders:

First, my best wishes to all Islanders during this Easter/Passover season. As I sat with family and friends a few days ago for the Passover Seder, I thought how truly fortunate we are to live in this fantastic country and community and how lucky I am to represent Islanders during what is indeed an exciting and challenging time.

These updates are my opportunity to let Islanders know the latest on what is happening with your City government. While I always start these updates with the desire to be brief, that rarely turns out to be the case as there is much to cover. For those who have not received these updates previously, if you would prefer not receiving these in the future, please email me.

1. Bus Intercept/Turnaround: this refers to the proposal by Sound Transit and Metro to have buses from Issaquah and other communities to the east drop off and pick-up their passengers on Mercer Island so they can use light rail between Mercer Island and Seattle. It would not begin until 2023 (when light rail is scheduled to start), has obvious benefits to the region in terms of reducing transportation costs and air pollution, but will have impacts on Islanders that have not yet been quantified.

Although nothing has changed on this in the past several months, this has become a cause for immediate concern on the part of some Islanders due to recent emails and social media posts. While we are still waiting for a detailed proposal from Sound Transit and Metro that will enable everyone to give this an informed evaluation, we do know from prior discussions that the numbers and statements being bantered around in those recent communications (more than 500 buses in 6 hours and diesel spewing onto people eating in Town Center) are incorrect. Some of the facts we are already aware of include:

- The total number of buses on Mercer Island during the day if Bus Intercept is operational (estimated to be 338) will be less than what we now have (352) as many existing bus routes, such as the 550, are discontinued. These numbers do not include the 147 buses that now go across Mercer Island on I-90 but do not stop; those buses, and the pollution they create, all go away once light rail starts running whether or not Bus Intercept is implemented. Bottom line is that even with Bus Intercept, we would have less buses stopping on Mercer Island than we now have and far fewer buses polluting our air.
- About 90% or more of the buses involved in Bus Intercept will never leave the 80th Ave. overpass area (between North Mercer Way and SE 27th St.). They will get off I-90 on 80th Ave., drop off or pick-up people on 80th Ave., and get back onto I-90 from 80th Ave.
- Any parking of buses will only occur on the 80th Ave. overpass and in or next to the existing loading zones on North Mercer. What we are still trying to confirm are prior statements which suggested that parking would be limited to the afternoon rush hour and would only involve a small number of buses at any given time during that period.

The most important message I can deliver right now is to ask everyone to wait and see what the details are in the Sound Transit and Metro proposal – which is exactly what your City Council is doing. Let’s see what the impacts will be and what kind of mitigation we will require (such as commuter and Town Center parking for Islanders and other improvements that address existing mobility issues we face due to the lack of parking in the Town Center). The article in today’s Seattle Times as to the deal just reached between Sound Transit and the City of Bellevue was enlightening, to say the least, and will definitely factor into what we will be demanding of Sound Transit.

In any event, our response cannot just be that we only support what is ideal for Islanders. We may be an island but we are part of a region – a region whose help we needed and received when we successfully fought off I-90 tolling and that we rely upon for such things as 911 emergency dispatch, firefighting support (Bellevue trucks travel to Mercer Island for almost every significant fire) and other services that we cannot afford on our own. Furthermore, the savings free up monies for road and other transit projects that also benefit Islanders as most of us deal with the existing regional gridlock on a daily basis.

Please do not interpret this as anyone saying that we should put regional interests in front of Islander interests. This may just be one of those situations where our respective interests are compatible. What a refreshing possibility in the current political climate that people might be able to actually find solutions that address both our own interests and those of the people around us. We will not know that, however, until we have the details.

2. Hines Project: at its March 16th meeting, the City Council reaffirmed its prior decision that

exempted the Hines Project (the proposed mixed-use development just south of McDonald's) from the recently-imposed Town Center development moratorium. I have discussed the moratorium and Hines Project at length in prior updates and won't repeat myself here. The Findings of Fact adopted by the Council can be read at http://www.mercergov.org/files/Moratorium_ORD15-05.pdf. As I have said before, if the Hines Project does not include the community benefits that have been publicly discussed, then I would support putting them under the moratorium.

3. Town Center Visioning: the Town Center Visioning project was started over a year ago when the Council recognized that our Town Center Development Code needed updating to guide the development we expected to occur with the arrival of light rail. In January of this year, outside urban planning experts confirmed in their initial report that changes should be considered. In February, we implemented a 4-month development moratorium to give us time to progress this work. We also approved a community engagement process that is now in full swing.

A key part of the community engagement process was naming a 42-person Stakeholder Group that included a broad cross section of Islanders. That Group has now met three times and reached a consensus agreement on general principles as to what they want to see in the Town Center. The hard work lies ahead as the Stakeholder Group must still weigh in on such issues as:

- How do we achieve the boulevard look (wider and greener sidewalks) that people are seeking: narrower streets, larger building setbacks or a combination of both?
- Do we want more on-street parking if that means having to accept narrower sidewalks?
- Should we change permitted uses in the Town Center; for example, should residential be the required use for new development on parts of 76th Ave. and/or 80th Ave.
- Should permitted heights be changed?
- How do we bring about meaningful public plazas?
- What major public benefits should we require in exchange for allowing building heights to exceed 2 stories?

The general public will have additional opportunities to comment on whatever changes are being proposed before the Council makes further decisions on these issues at its June 1st meeting.

4. Library: KCLS is conducting a brief survey that will guide next steps on the Mercer Island library renovation project. Please take a minute to answer the questions at <http://www.kcls.org/MISurvey>. KCLS has also scheduled a public meeting for April 23rd at the Library from 6:00 – 7:30pm to discuss the

survey results.

5. South End Fire Station: we are still on track to begin operating out of the new fire station later this month. The same issues that I have mentioned before – delay damages payable by the contractor and roof warranty questions – remain to be resolved. As we have used very little of the contingency fund for this project by avoiding change orders, we remain well under the Council-approved budget even without factoring in delay damages.

6. Tolling I-90: the news out of Olympia remains unchanged. No one in the Legislature is talking about tolling I-90; there is nothing in either the House or Senate budgets that would suggest tolling is under consideration; and Representatives Clibborn and Senn as well as Senator Litzow remain bulwarks against it happening.

7. Improving our Parks and Open Space: earlier this month, the Council received a 10-year update on the City's efforts to improve the health of our parks and open spaces, such as Pioneer Park. It is a good news report as we have made excellent progress in both replanting trees and controlling invasives. I remember a time back around 2000 where we felt we were losing the battle to save Pioneer Park and other open spaces. That has turned around as we now have a coordinated and effective program to restore our open spaces with the proper vegetation while eliminating undesirable plants. This study will be used to guide our efforts for the next 10 years and includes strategic initiatives that take into account the special challenges we face from climate change. Please let me know if you would like a copy of the report.

8. Water Quality: the City continues to move ahead on its program to reduce the risk of a reoccurrence of last summer's boil water alert. We are spending hundreds of thousands of dollars to safeguard the points in our system where contamination is most likely to enter, such as underground vaults. Later this year, we will consider changes to our programs designed to reduce risks at the individual household level, primarily with sprinkler systems that are not fully protected by working backflow preventers.

While these and other changes are being implemented, we are continuing to maintain higher than normal (but still safe) chlorine levels in our water. No one likes these higher levels but chlorine is the best means we have to kill contaminants that may enter the system. One piece of good news is that we have been able to maintain higher chlorine levels throughout our system without having to add major new pieces of equipment that were originally thought to be required. Please be assured that the goal, and it is an achievable goal, is to bring chlorine levels back down within the next year or so to levels that will be far less noticeable and more in line with what Islanders had become used to prior to last Summer.

9. Boards and Commissions: the City is seeking volunteers to serve on Board and Commissions.

Almost everyone on the Council started their City public service in that manner. More important is that critical City business is only accomplished because we have dedicated women and men prepared to give their time. For more information, please look at <http://www.mercergov.org/News.asp?NewsID=1873> which provides information on open positions. Most important, please get involved in your community by volunteering to serve. You can make a difference.

10. Solicitor's Ordinance: the City was recently required to amend and, in doing so, weaken, its Solicitor's Ordinance that we had passed last year. This was in response to a U.S. District Court decision against the City in a lawsuit brought by a religious, non-profit group that challenged the ordinance. If you do not want solicitors ringing your doorbell, the most effective means is to put a sign in front of your house or on your door making that clear.

11. Shoreline Development: an almost 8-year process that involved great work by the City's Planning Commission and staff as well as considerable back and forth with the State Department of Ecology finally concluded last month with the adoption of changes to the City's shoreline development permitting rules that will primarily impact dock construction and replacement. This was required in response to a State mandate that impacted all communities with shorelines. The final product seeks to create a fair balance between property rights and environmental protection.

Thanks to everyone for taking the time to stay involved and keeping up with the issues in our City. It remains an honor and a privilege to work for you on the City Council.

Dan Grausz

Deputy Mayor

EXHIBIT 6

Hines Project – 11/26/2014 77th Ave Level - Plan

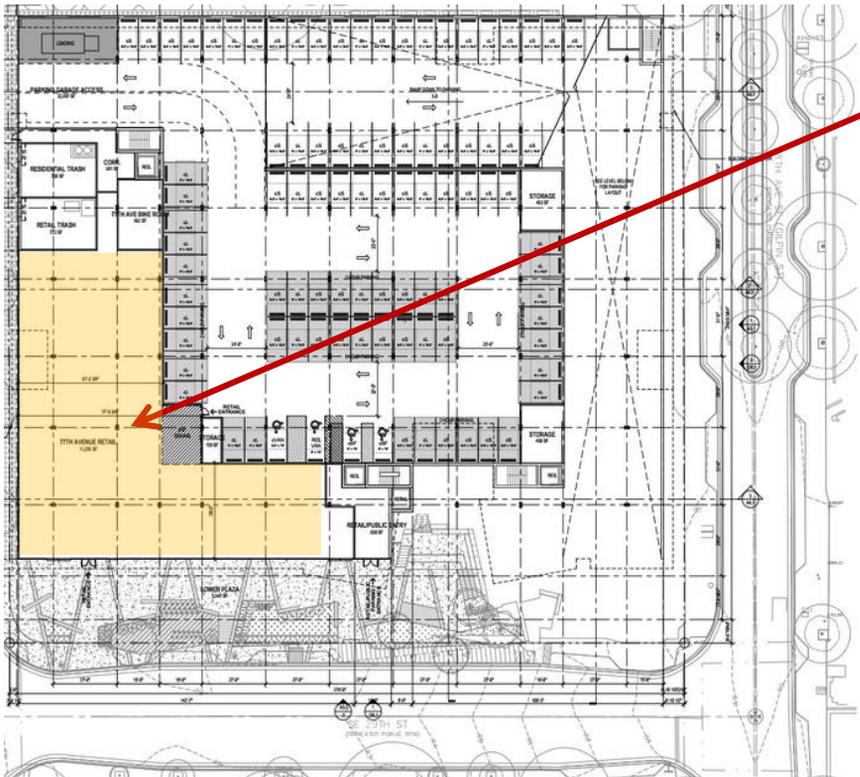


Exhibit 1
LEVEL 1 77TH - PLAN

Retail Space Available:

- a) Mud Bay
- b) 1,741 sf
- c) 2,277 sf

Hines Project – 5/11/2015 77th Ave Level - Plan



Retail Space Available:

11,235 sf

(only available space in building)

MERCER ISLAND
MIXED USE
2885 78TH AVENUE SE,
MERCER ISLAND, WA

REVISIONS

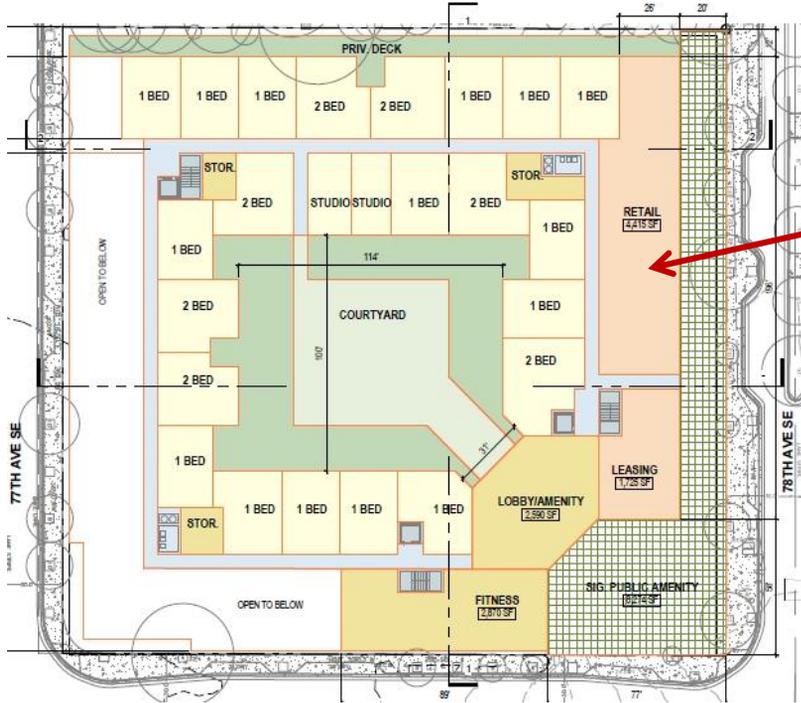
SUBMITTALS

LEVEL 1
(77TH) -
OVERALL
PLAN

Hines Project – 11/26/2014 78th Ave Level - Plan

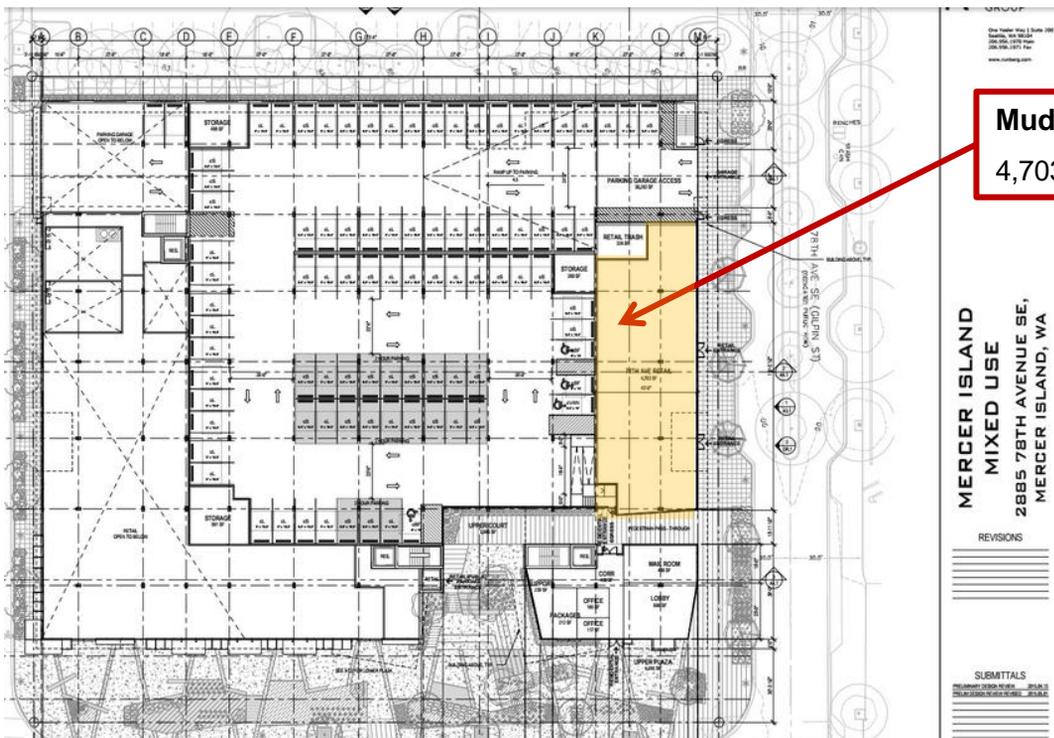
Exhibit 1

LEVEL 1 78TH - PLAN



Retail Space Available
4.467 sf

Hines Project – 5/11/2015 78th Ave Level - Plan



Mud Bay
4,703 sf

**MERCER ISLAND
MIXED USE
2885 78TH AVENUE SE,
MERCER ISLAND, WA**

REVISIONS

SUBMITTALS

LEVEL 1
(78TH) -
OVERALL
PLAN

Grocery Store Square Footage Comparison

Store	Setting	Square Footage
Whole Foods (new)	Capital Hill *Mixed Use bldg.	40,000
Whole Foods	Bellevue	56,949
PCC Market	Issaquah	23,000
PCC Market	Redmond	23,367
PCC Market	Columbia City *Mixed Use bldg.	25,000
Safeway	Bellevue Way *Mixed Use bldg.	55,330
Albertson's	Mercer Island	37,076
<u>Average Square Footage</u>		<u>37,246</u>

Hines Project 2015 Retail Spaces

Square Footage

1. 77 th Ave SE	11,235
2. 78 th Ave SE (Mud Bay)	4,703
<u>Total Available Space</u>	<u>11,235</u>

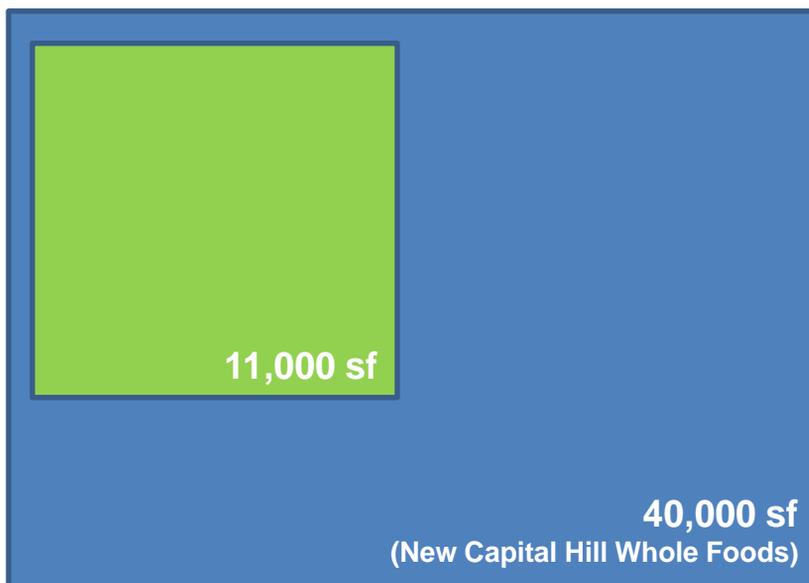
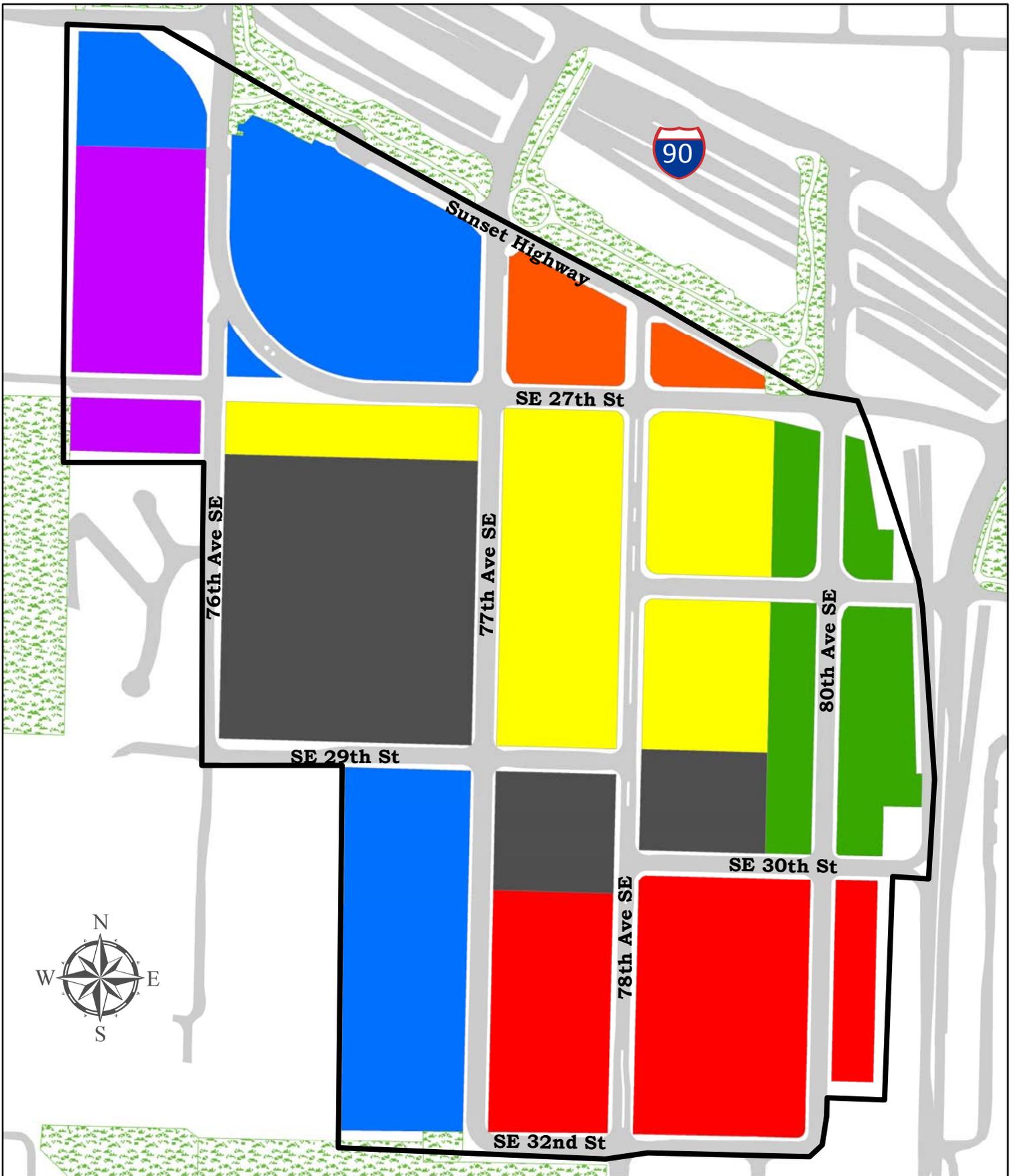


EXHIBIT 7



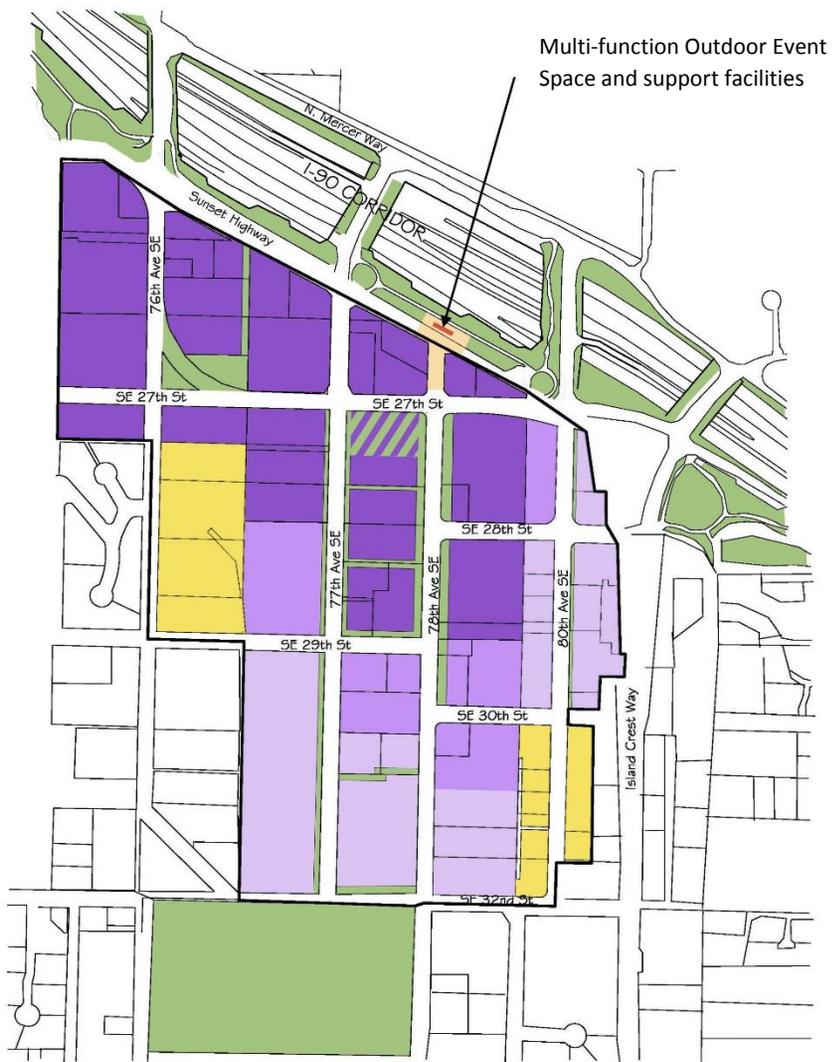
Legend

- | | |
|--|---|
|  Auto-Oriented |  Residential (Central) |
|  Gateway |  Residential (North) |
|  Mid-Rise Office |  Residential (South) |
|  Mixed Use |  Town Center Boundary |

Town Center Sub-Areas

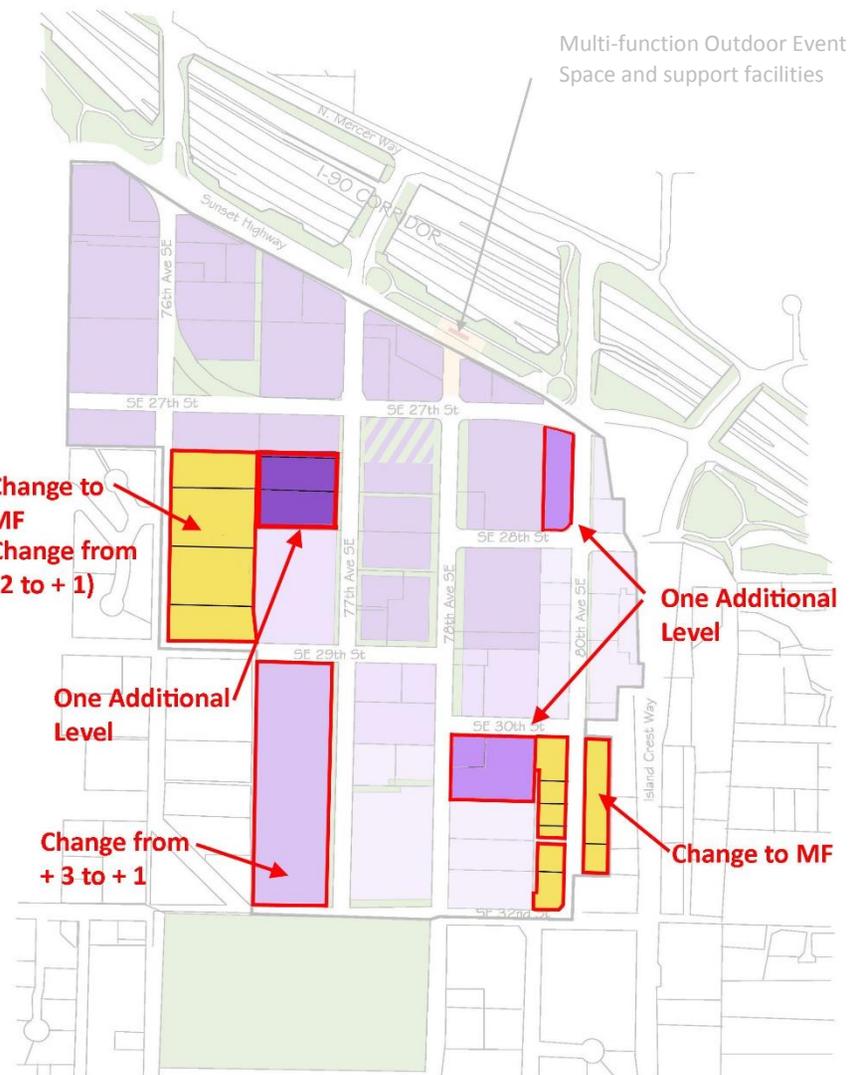


EXHIBIT 8



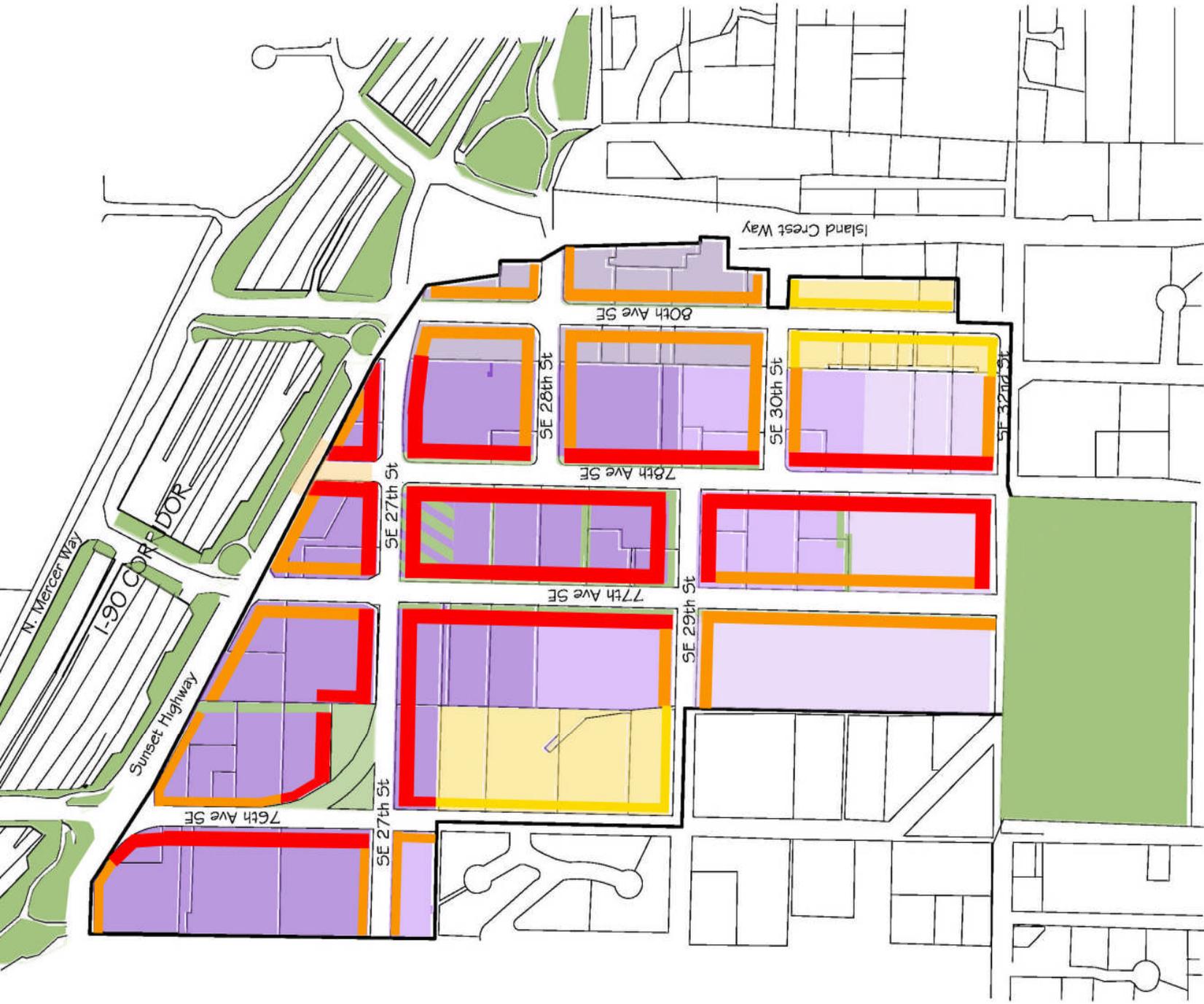
**Mercer Island Town Center
Proposed Regulating Plan**

- TC - 5 Sub-area
- TC - 4 Sub-area
- TC - 3 Sub-area
- TC MF-3 Sub-area



**Proposed Regulating Plan change in Use and
Building Heights from Existing Code**

EXHIBIT 9



Mercer Island Town Center Proposed Retail Frontage Types

Primary (limited personal services allowed)

Secondary (more flexible for non-retail uses)

Limited (live/work and home-based occupations allowed)

EXHIBIT 10



TOWN CENTER

Development & Design Guideline Update

Mercer Island Town Center
Stakeholder Group Meeting # C-2

April 27, 2015
Mercer Island Community and Event Center

Meeting Introduction and Overview

Seth Harry provided an introduction and overview of the meeting agenda.

Summary of Stakeholder Group Input, Meeting #C (April 24, 2015)

Seth Harry presented an overview of Stakeholder Group Meeting # C input:

Areas of Consensus – Streets & Regulating Plan

- 80th Avenue SE. (These discussions occurred before City traffic staff input).
 - The bike lanes should be relocated from 77th Ave SE to 80th Ave SE. (this was before City traffic staff input)
 - There should be on-street parking with street trees and no planting strip.
 - The proposed mix of secondary retail frontage along the north end of 80th and limited retail frontage to the south end of 80th is appropriate.

- 78th Ave SE.
 - There should be parking pockets on 78th similar to today's parking.
 - The proposed mix of primary retail frontage to the north end of 77th and secondary retail frontage to the south end of 77th is appropriate.

Regulating Plan.

- The Multifamily and Special district areas should be separate sub-areas with different uses or other characteristics.

Areas of Mixed Opinion – Streets, Base Requirements and Incentives and Regulating Plan

- 77th Ave SE.
 - *Differences of opinion as to which side or both, and angled or parallel.*

- 78th Ave SE.
 - Split opinions about the proposal for primary retail frontage along the full length of 78th Ave SE.
 - Comments on the public places/plazas shown on the regulating plan mostly related to the Walgreen's plaza; mixed opinions.

- Base Requirements and Incentives.
 - Many different responses.
- Regulating Plan.
 - Many different responses.

Stakeholder Group comments and questions as follow up to the Meeting #C summary included:

- Location of bike facility on 80th; how retail frontage types were determined and apply to existing development, requests to see the full retail map in worksheet and request for parking map similar to retail map. Questions were also asked clarifying what policies were referenced and which elements are code-derived and existing parking requirements.

Presentation of Clarifying Material

Seth Harry presented new graphic material to clarify points from previous Stakeholder Group meetings. Primary points included:

- Existing and Proposed Building Height Definition. Height for sites with variations in topography (see graphics). Current height allowed is 5 stories rather than measure of feet. Currently median height is measured; the proposed measure considers both sides of property. The proposal addresses the needs of sites with multiple frontages and those with varying elevations at different site access points. This enables building heights to be calculated in response to more than one site frontage rather than from one point for an entire site with varying topography. Stakeholder Group questions and comments related to purpose of changing building height measurement method and actual height versus number of stories.
- Regulating Plan. Stakeholder Group questions and comments related to building height guidance in the existing code, potential location of taller buildings near hillsides so as to not block views, and rationale for building heights in the Multifamily areas.
- Bicycle/Pedestrian Networks Map. This discussion related to City engineers' recommendation to relocate bicycle facilities on 77th rather than 80th; also that existing businesses need on-street parking.

Table Discussions - Regulatory Plan and Street Sections

Stakeholder Group members moved into 4 discussion groups to respond to the following questions:

1. *Are the sub-area descriptions appropriate? Are there unique features or characteristic you would include in any of the sub-area descriptions?*
2. *Is the Special District appropriate as a separate sub-area? If so, what sets it apart from other sub-areas? If not, what should replace it?*
3. *Are the sub-area boundaries correct? How should they be changed?*

Report Back: Regulating Plan

Table 1.

- Rite Aid property - change from +1 to +2.
- Special District: Multi-family only, +1.

Table 2.

- Ok in general with overall Regulating Plan.

- Need to accommodate automotive service (gas stations).
- Rite Aid – increase density so more likely to redevelop. (is +1 or +2 enough incentive for that?)
- Light rail – need to discuss transit parking.

Table 3.

- Like 7 subareas trimmed down to 5.
- Not sold on shifting density toward freeway.
- Multifamily instead of Special District.
- Vary heights in lower intensity area while leaving total building mass the same.

Table 4.

- Special District – don't see the need for it (reduce # of district categories).
- Rite Aid - Ok with +1 by Mercedale Park.

Bike Lanes

Table 1.

- Move bike lanes back to 77th, no concrete divider, 2 bikes lanes on same side of street.

Table 2.

- Wrong question – move bike lane from 77th or 80th, should be what do we want to accomplish on 77th?
- Not right question to ask; maybe a sharrow.
- Low traffic volume with low speeds so no need for bike lane.
- Unnecessary center turn lanes can provide room for a boulevard with wider sidewalks and planter strips.
- No dedicated bike lanes, focus on creating a great urban streetscape on 77th.

Table 3.

- Street section – bike lanes better on 77th, what's the intent of the street?
- Need to know purpose of street to determine what's needed; what to give for wider sidewalk.

Table 4.

- Bike lane should be on 77th, but more in favor of more parking.
- Dedicated bike lane on 77th.
- Angled parking on 77th if can fit bike lane if it fits.
- Parking more important on 77th; would also still like bike lane.
- Parking for the Performing Arts Center – prefer parallel.

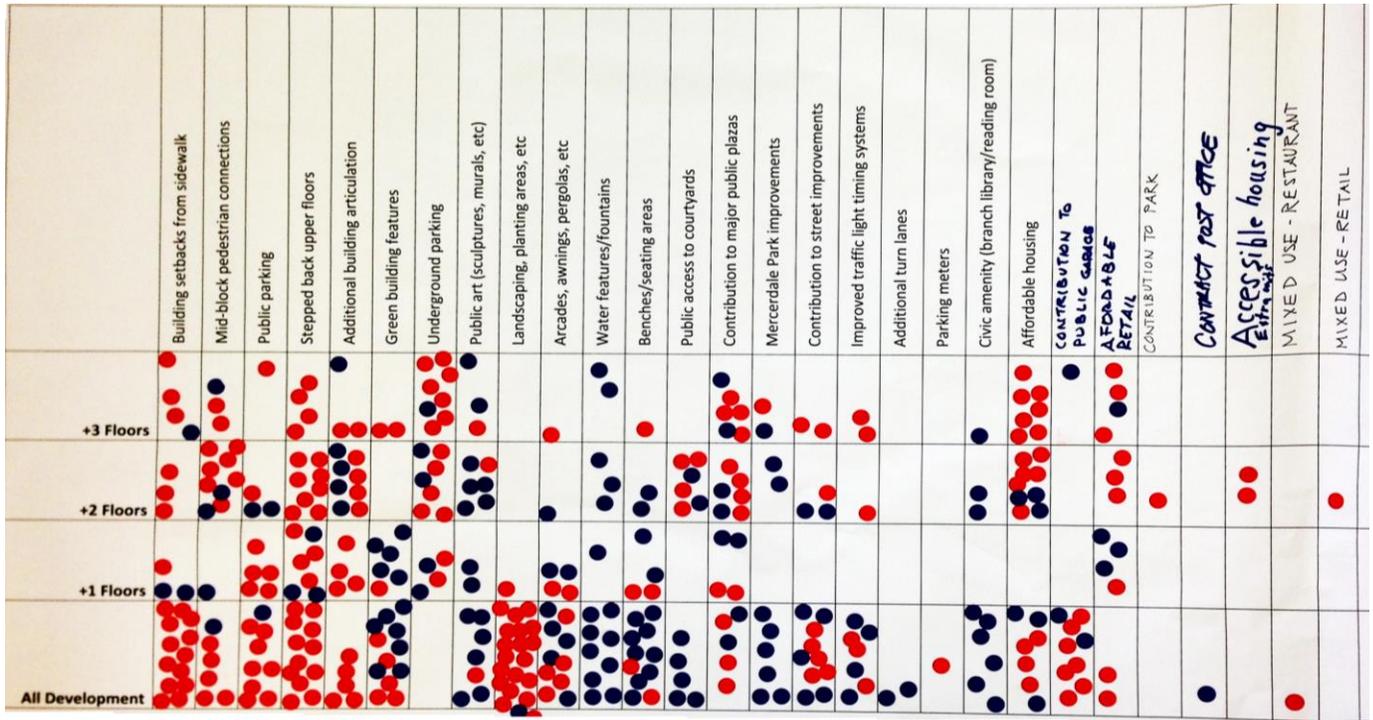
Other Comments/Questions

- Important to still allow auto-oriented and service uses in Town Center, so people don't have to go off-Island for those.
- Residential – In favor of more residential along the fringes, including Farmer's.
- Bicycle questions are not so much about current condition now, rather about people bicycling downtown to get to transit in the future.

Dot Exercise

The dot exercise enabled Group members to use color to identify features that should be base (mandatory) requirements and tiered amenities, with red for mandatory and blue for tiered incentives

above mandatory. The first graphic below reveals patterns of red and blue dots placed by Group members. The second graphic below shows number of dots placed per cell and are color coded to indicate red and blue dots.



	Building setbacks from sidewalk	Mid-block pedestrian connections	Public parking	Stepped back upper floors	Additional building articulation	Green building features	Underground parking	Public art (sculptures, murals, etc)	Landscaping, planting areas, etc	Arcades, awnings, pergolas, etc	Water features/fountains	Benches/seating areas	Public access to courtyards	Contribution to major public plazas	Mercerdale Park improvements	Contribution to street improvements	Improved traffic light timing systems	Additional turn lanes	Parking meters	Civic amenity (branch library/reading room)	Affordable housing	Contribution to public garage	Affordable retail	Contribution to park	Contract post office	Accessible housing (extra units)	Mixed use - restaurant	Mixed use - Retail
+3 Floors	3	2	1	4	2	2	7	1		1		1		4	1	2	2				7		3					
	1	1			1		1	2			2			2	1				1		1	1						
+2 Floors	3	7	1	8	4		5	1			1	3	2	4	4		1	1			6		3	1		2		1
		2	2		4		2	5				2	2	2	2	2				2	3							
+1 Floors	1		5	4	4	1	2		1	2		2		2									1					
	2	1		3		5	2	2		2	1	2		2								3						
All Development	13	5	8	12	5	5		1	19	5		2		3		5	3		1		4	7	2			1		
		1	1			7		6	1	5	9	9	5	2	6	5	4	2		6	3	2		1				

Next Steps

The next Stakeholder Group is Tuesday, May 5.

EXHIBIT 11

Proposed Town Center Incentive Structure

The following charts are a conceptual framework for an incentive structure to allow Town Center buildings to achieve heights above 2 stories. The purpose of this conceptual framework is to organize stakeholder feedback to-date and provide a model for further input. This concept has not yet been filtered through the lenses of technical or market feasibility, so the final incentive structure proposed in the draft code may require additional changes.

ALL DEVELOPMENT

MANDATORY	ELECTIVE
<ol style="list-style-type: none"> 1. Building setbacks from sidewalk 2. Building setback to allow mid-block connection when adjacent to designated connection 3. Walk-Off requirement for non-residential parking spaces 4. Green building standards 5. Street level façade standards to ensure attractive streetscape 6. Site design features (e.g. benches, fountains, public art, etc.) 7. Landscaping features (e.g. greenery, planting areas, trees, etc) 	

TC-3: 3 stories

MANDATORY	ELECTIVE
<ol style="list-style-type: none"> 1. Building setbacks from sidewalk 2. Building setback to allow mid-block connection when adjacent to designated connection 3. Walk-Off requirement for non-residential parking spaces 4. Green building standards 5. Street level façade standards to ensure attractive streetscape 6. Site design features (e.g. benches, fountains, public art, etc.) 7. Landscaping features (e.g. greenery, planting areas, trees, etc) 8. Stepped back upper floors 9. Additional building articulation 10. Additional public parking 	<p>Choice of:</p> <ol style="list-style-type: none"> 1. Affordable retail 2. Affordable housing 3. On-site public plaza 4. Public reading room 5. Contribution to Town Center Improvements/Amenities Fund (for plazas, public parking, reading room, etc)

Note: **Bold** font indicates mandatory requirements that are new to that tier.

TC-4: 4 stories

MANDATORY	ELECTIVE
<ol style="list-style-type: none"> 1. Building setbacks from sidewalk 2. Building setback to allow mid-block connection when adjacent to designated connection 3. Walk-Off requirement for non-residential parking spaces 4. Green building standards 5. Street level façade standards to ensure attractive streetscape 6. Site design features (e.g. benches, fountains, public art, etc.) 7. Landscaping features (e.g. greenery, planting areas, trees, etc) 8. Stepped back upper floors 9. Additional building articulation 10. Additional public parking 11. Affordable Retail 12. Affordable Housing 	<p>Choice of:</p> <ol style="list-style-type: none"> 1. Underground parking 2. On-site public plaza 3. Public reading room 4. Public access to courtyard 5. Contribution to Town Center Improvements/Amenities Fund (for plazas, public parking, reading room, etc)

TC-5: 5 stories

MANDATORY	ELECTIVE
<ol style="list-style-type: none"> 1. Building setbacks from sidewalk 2. Building setback to allow mid-block connection when adjacent to designated connection 3. Walk-Off requirement for non-residential parking spaces 4. Green building standards 5. Street level façade standards to ensure attractive streetscape 6. Site design features (e.g. benches, fountains, public art, etc.) 7. Landscaping features (e.g. greenery, planting areas, trees, etc) 8. Stepped back upper floors 9. Additional building articulation 10. Additional public parking 11. Affordable Retail 12. Affordable Housing 13. Underground parking 	<p>Choice of:</p> <ol style="list-style-type: none"> 1. Public access to courtyard 2. On-site public plaza 3. Public reading room 4. Contribution to Town Center Improvements/Amenities Fund (for plazas, public parking, reading room, etc)

Note: **Bold** font indicates mandatory requirements that are new to that tier.

EXHIBIT 12

May 2015 Update

From: **Dan Grausz** (Dan.Grausz@mercergov.org)

Sent: Sun 5/10/15 5:15 PM

To: Dan Grausz (dangrausz@gmail.com)

May 10, 2015

Fellow Islanders:

I have to say that writing an update on Mother's Day in the middle of what has been a spectacular Pacific Northwest weekend is challenging. Much is going on with your City, however, that you may want to hear about. For those of you who have not received these updates before, I always tell people that if you would prefer not receiving them in the future, please email me.

1. City Council/School Board Changes: unfortunately, Joel Wachs had to resign from the Council a few days ago for health reasons. While Joel's tenure on the Council was brief, he believes in this community and wanted to do what he could to keep Mercer Island the great place it is to live. I wish him a speedy recovery and know that he will be back in the future to continue working for Islanders. Joel's seat will be one of the five Council seats that Islanders will choose someone for in the upcoming November election.

Also last week, Ralph Jorgenson was selected by the School Board to replace Janet Frohnmayer, who has resigned as a result of her leaving Mercer Island. Janet has done a great job for Islanders during her long tenure on the School Board and will be sorely missed throughout our community. Ralph showed his mettle as one of the leaders of last year's successful School Bond campaign. I look forward to working with him in the months ahead. Ralph's seat will be one of three that will be on the ballot in November.

2. South End Fire Station: I had hoped that our firefighters would be using the new South End Fire Station by now. Completing the punch list, however, has delayed hand over of the station, which is now expected to happen in about two weeks. The City has notified the contractor that we are rejecting the roof and will require that it be replaced. As the issue involves the roof covering and not the structure, I am hoping it can be done while the firefighters are using the station. It is likely that both the roof issue and the City's claim for in excess of \$500,000 of delay damages will result in litigation with the contractor.

3. Transportation Improvement Plan: on Monday, May 18th, the City Council will take public comment on desired road, pedestrian and bicycle projects as the first part of our annual development of the Transportation Improvement Plan. In the past, groups of citizens have been able to influence what projects are done by coming to this meeting and providing comments, particularly when something is required to address an important neighborhood safety concern. Please take advantage of this opportunity. As I have in the past, I will push hard to continue the widening of the shoulders project on the Mercers that the City has been doing in increments for more than 10 years. This not only protects pedestrians and cyclists but is also very important for drivers who are able to pass cyclists without crossing the center stripe.

4. Bus Intercept: bus intercept refers to the Sound Transit proposal to have buses from Issaquah and other communities to the east drop off and pick-up their passengers on Mercer Island so they can use light rail between Seattle and Mercer Island. It would not begin until 2023 (when light rail is scheduled to start), has benefits to the region in terms of reducing transportation costs and air pollution, but if not done right, will adversely impact Islanders. The City has said from the outset that we will oppose this project unless those impacts were both significantly limited and mitigated.

On April 20th, Sound Transit and Metro provided the City with its latest thinking for this project. What was laid out for us was a non-starter. It included adding over 12 bus parking spaces, laid out an arrangement that was likely to significantly impact vehicle, pedestrian and bicycle traffic on 80th Ave. and nearby streets, and included no operating limitations that would enable us to cap the impacts. It was completely out-of-scale for our Town Center and for what we had been told were the goals of Bus Intercept.

On May 4th, the Council voted unanimously to reject this. We concluded that there was no combination of minor revisions and mitigating efforts that could lead us to approve what had been presented. Islanders need to know, however, that this likely is not the final word on Mercer Island Bus Intercept as the idea of having bus/rail connections throughout the light rail network (not just on Mercer Island) is a cornerstone of regional transportation policy. At this time, we have no idea what Sound Transit and Metro may come back to us with.

5. Mitigation for Loss of Mobility: at the May 4th meeting, the Council also decided that for the present, we would focus our negotiations with Sound Transit on obtaining mitigation for loss of mobility due to closure of the I-90 center roadway. We are contractually entitled to this mitigation under the terms of an agreement signed in 2004.

In my opinion, mitigation must include additional commuter parking for Islanders but also should

look at other measures (such as shuttle service to and from the north end) as we will never be able to find enough space in our Town Center to meet what I expect to be substantial parking demands once light rail is operational in 2023. We also need to advance what until now have been dormant discussions with the Washington State Department of Transportation on promised Islander single occupancy vehicle access to the additional HOV lane now being added to each of the I-90 outer roadways between Mercer Island and Seattle. Expect some very difficult discussions in the months ahead.

6. Town Center Visioning: since my last update, the 42-person Town Center Stakeholder Group held three more meetings during which substantial progress was made towards finding a way forward in our ongoing project to update the Town Center Development Code. In its advisory capacity, the stakeholders have generally favored a series of changes that will now go before the Planning Commission, Design Commission and City Council for further review and public comment. Those changes include:

- While the maximum 5-story height limit would be retained, **certain parcels were designated for either an increase or decrease in the currently permitted height**. The general policy remains one of allowing taller (5-story) buildings at the north end of the Town Center with 3 or 4-story maximum heights as one moves away from the north end.
- **Certain areas along 76th Ave. and 80th Ave. that are now designated as being available for office or retail use would now be restricted to primarily residential development.**
- **Mandatory mid-block connection points** would be created along certain lot lines to avoid the possibility of being unable to walk through the super blocks we now have once they are developed (such as the block bounded by 77th, 78th, 27th and 29th). **Similarly, a setback along 32nd between 77th and 78th would be required** to avoid a future development from being too imposing on Mercerdale Park.
- **77th Ave. (the street that Albertson's is on) would be changed to a 2-lane street to allow room for on-street parking** and possibly wider and better landscaped sidewalks.
- Serious consideration will be given to **changing the SE 27th Street traffic flow in front of the large Starbucks by eliminating the curve, having 27th meet 76th Ave. on a right angle** and developing an attractive green space between that intersection and the large Starbucks.
- **Design requirements for buildings would be changed to require more modulation** of higher floors (a wedding cake appearance).

- The public benefits and amenities that are mandated in exchange for allowing additional height would be significantly increased.

The next step in this will be a public input session at the Community Center this Monday (May 11th) evening followed by City Council initial review at its June 1st meeting. On June 1st or at the following meeting on June 15th, the Council is also likely to decide whether or not to extend the existing development moratorium which otherwise expires on June 16th.

7. Impact Fee Ordinance: Separate and apart from this visioning process, the Council will soon be considering adoption of an impact fee ordinance that will require most new development, including single family residential, to pay money that will help finance school, transportation, parks and/or fire safety capital projects that are needed in response to the additional growth. Until now, the City and School District have relied on what are referred to in the law as SEPA (State Environmental Protection Act) mitigation fees. The School District has recently asked the City to replace school mitigation fees with school impact fees. At the same time, the City will consider imposing impact fees for the other areas noted above.

With our fantastic Farmers Market about to begin again on June 7th, we know that summer is quickly approaching. I encourage all Islanders to take advantage of this program as it really promotes our sense of community. Summer Celebration, including fireworks, will be the weekend of July 11th. We also have a full calendar of Shakespeare in the Park and Mostly Music in the Park events in July and August; specifics are on the City's website calendar. I look forward to seeing and talking with you at these and other community events.

Thanks again for taking the time to read this update. It remains an honor and a privilege to represent Islanders.

Dan Grausz

Deputy Mayor

EXHIBIT 13

MEMORANDUM

Date:	April 10, 2015	TG:	15085.00
To:	Evan Kaseguma – Hines		
From:	Mike Swenson, PE, PTOE Jesse Birchman, PE, PTOE		
cc:	Mat Lipps – Runberg Architecture Group PLLC		
Subject:	Hines Mercer Island Apartments – Preliminary Transportation Summary		

This memorandum provides a summary of preliminary transportation related information for the proposed mixed-used development in the Town Center area in Mercer Island, Washington. A Transportation Impact Analysis (TIA) outlining the impacts of the project and any necessary mitigation is being prepared and will be submitted under a separate cover. This memorandum focuses on the following:

- The project’s description,
- An updated estimate of the project’s estimated trip generation,
- A preliminary evaluation of potential site access configurations and related driveway and on-site intersection operations,
- An evaluation of vehicle travel paths at the on-site intersections, and
- A review of the preliminary parking supply and estimated peak parking demands.

Project Description

The proposed project is located at 2885 - 78th Avenue SE and includes a mixed-use building providing up to 192 apartment units above the ground floor, approximately 30,000 gross square feet of supermarket, and 10,000 gross square feet of general retail space on the ground floor. The project site location is shown in Figure 1.

A total of 609 parking stalls are proposed:¹ 247 stalls for the residential use, 151 for supermarket and retail use, and 211 for general public use. The 211 general public use stalls would be located on the third level of the underground parking structure and are contingent on the City of Mercer Island’s negotiations with Sound Transit and Hines. A double berth loading dock serving the grocery would be located parallel to 77th Avenue SE. Vehicular access to the project site would be provided along the northern site limits where driveways would be provided onto 78th Avenue SE and 77th Avenue SE, as illustrated in Figure 1. A full access driveway onto 78th Avenue SE is proposed based on recommendations by City staff and research by Transpo (to be further summarized in the TIA).



Figure 1 – Project Vicinity

¹ Two loading berth would be provided in addition to the 609 stalls within the parking structure.

Project Trips

Project trip generation estimates were developed for the project based on information contained in the Institute of Transportation Engineers (ITE) *Trip Generation* (9th Edition, 2012) and observations at the existing Mercer Island Park & Ride. Trip Generation is a nationally recognized and locally accepted method for determining trip generation for private and public developments. For land uses consistent with *Trip Generation* information, trips were calculated using the Supermarket (LU #850), Shopping Center (ITE LU #820), and Apartments (ITE LU #220). Weekday peak hour trips generated by the proposed public parking stalls were estimated based on three days of data at the Mercer Island Park & Ride that were collected and summarized consistent with ITE *Trip Generation Handbook* (3rd Edition, 2014) guidelines. Daily trips for the public parking were estimated by scaling observed PM peak hour rates using the Office (#710) weekday daily and PM peak hour trip generation rates since both experience morning and evening commuter peak travel behavior.

The project would generate internal, pass-by, and primary trips that were estimated based on the methods outlined in the ITE *Trip Generation Handbook* (3rd Edition, 2014). Internal trips are trips between the retail and residential uses on-site and do not impact the site access driveways or surrounding roadway network and are completely internal to the development. Pass-by trips represent intermediate stops on the way from an origin to a primary trip destination that are attracted from existing traffic on roadways immediately adjacent to the project site. Table 1 through Table 3 summarize the project's updated estimated trip generation for weekday daily, AM peak hour, and PM peak hour time periods. Detailed trip generation calculation worksheets are provided in Attachment A.

Table 1. Weekday Daily Trip Generation

Land Use	Size	Gross Trips ¹	Internal Trips ²	Pass-by Trips ³	Primary Vehicle Trips		
					Total	In	Out
Apartments (LU #220)	192 units	1,276	-367	0	909	454	455
Shopping Center (LU #820)	10,000 gsf	428	-131	-100	197	99	98
Supermarket (LU #850)	30,000 gsf	3,068	-408	-958	1,702	851	851
Public Parking ⁴	211 stalls	812	0	0	812	406	406
Total Proposed Trips		5,584	-906	-1,058	3,620	1,810	1,810

1. Average trip rates & regression equation from ITE Trip Generation Manual, 9th Edition (2012). Rate or equation used consistent with ITE Trip Generation Handbook, 3rd Edition (2014) methodologies.
2. Internal Capture methodology consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
3. Pass-by trips consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
4. Daily trip rate for the Public Parking use is estimated by factoring the observed weekday PM peak hour rate using rates for the General Office (LU #710) land use.

Table 2. Weekday AM Peak Hour Trip Generation

Land Use	Size	Gross Trips ¹	Internal Trips ²	Pass-by Trips ³	Primary Vehicle Trips		
					Total	In	Out
Apartments (LU #220)	192 units	98	-1	0	97	20	77
Shopping Center (LU #820)	10,000 gsf	10	0	-4	6	4	2
Supermarket (LU #850)	30,000 gsf	102	-1	-36	65	44	21
Public Parking ⁴	211 stalls	122	0	0	122	100	22
Total Proposed Trips		332	-2	-40	290	168	122

1. Average trip rates & regression equation from ITE Trip Generation Manual, 9th Edition (2012). Rate or equation used consistent with ITE Trip Generation Handbook, 3rd Edition (2014) methodologies.
2. Internal Capture methodology consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
3. Pass-by trips consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
4. Trip rate for the Public Parking use is based on observations at the existing Mercer Island Park & Ride (March 2015).

Table 3. Weekday PM Peak Hour Trip Generation

Land Use	Size	Gross Trips ¹	Internal Trips ²	Pass-by Trips ³	Primary Vehicle Trips		
					Total	In	Out
Apartments (LU #220)	192 units	119	-51	0	68	42	26
Shopping Center (LU #820)	10,000 gsf	37	-6	-10	21	11	10
Supermarket (LU #850)	30,000 gsf	284	-45	-86	153	88	65
Public Parking ⁴	211 stalls	110	0	0	110	29	81
Total Proposed Trips		550	-102	-96	352	170	182

1. Average trip rates & regression equation from ITE Trip Generation Manual, 9th Edition (2012). Rate or equation used consistent with ITE Trip Generation Handbook, 3rd Edition (2014) methodologies.
2. Internal Capture methodology consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
3. Pass-by trips consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
4. Trip rate for the Public Parking use is based on observations at the existing Mercer Island Park & Ride (March 2015).

Vehicular trip distribution for this project is based on travel patterns summarized in studies for a previously approved development in the Town Center² and comments received on behalf of the City from the City's consultant. A separate primary vehicular trip distribution was determined for commercial/parking and residential trips consistent with Mercer Island General Traffic Impact Analysis Requirements. In general, approximately 35 percent of primary commercial trips would travel to/from north of the site with the remainder to/from the south while 80 percent of residential trips are from the north with the remainder for the south. The full distribution patterns to the study area intersection are summarized in the TIA being prepared for this project.

Site Access & On-Site Operations Analysis

A preliminary evaluation of driveway operations with full-access driveways onto 78th Avenue SE and 77th Avenue SE and at two on-site intersections was conducted to inform that project's site design. Figure 2 illustrates the current draft site plan. The site access driveways are oriented east-west along the sites northern boundary and will ramp down towards the underground parking structure. At the approximate mid-point of the lot, the driveways intersect a single north-south drive aisle that ramps down into the top floor of the underground parking structure. A short distance south of this on-site "T" intersection, a second on-site intersection with four legs would provide access to separate floors of parking. The lowest floor provides the proposed public parking, the middle floor would serve residents only, and the upper floor would primarily serve commercial uses but also some residents.

Only minor differences in travel time would be experienced between the lowest and middle floors. Ramp connections to the internal four-leg garage intersection with public parking on the lowest floor and residential parking on the middle floor would reduce the likelihood of delay and conflicts between residential, public parking, and commercial traffic. For example, the highest inbound commercial traffic volume occurs during the PM peak and locating the public parking on the lowest floor prevents peak outbound public parking traffic from conflicting with the peak inbound commercial traffic.

At both intersections and both driveways, one inbound and one outbound travel lane were assumed; operations with additional turn lanes were not evaluated. The on-site driveway intersection with the garage access was assumed to be all-way stop-controlled.

² Final Transportation Impact Analysis – SE 27th Street & 76th Avenue SE Mercer Island Mixed Use, Transpo Group (February 2013).

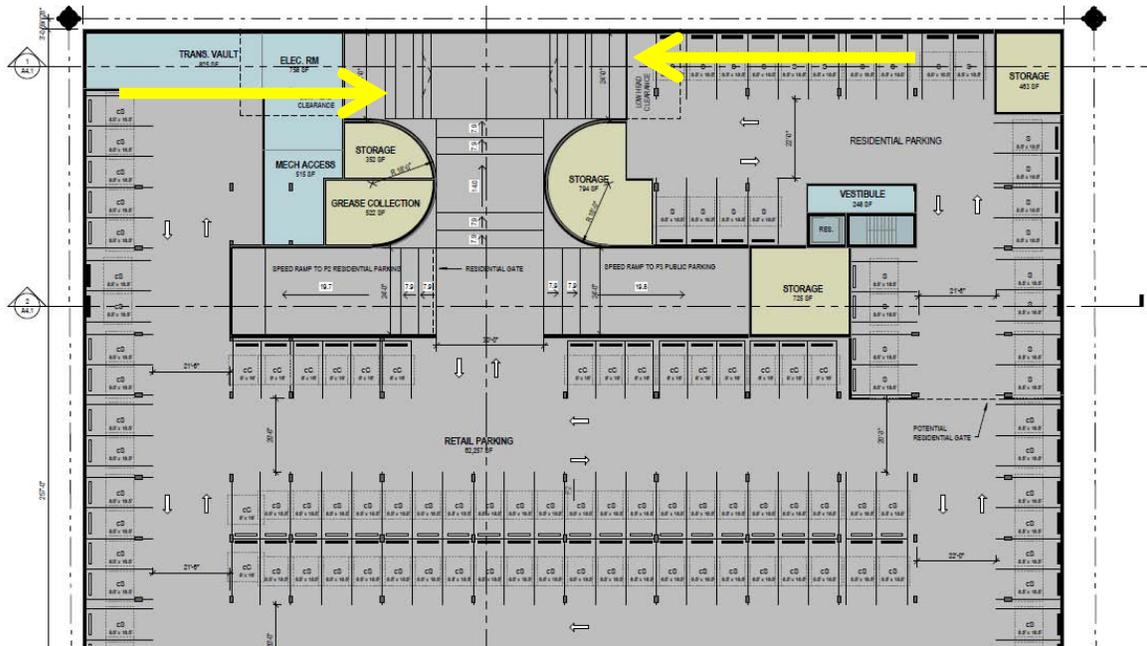


Figure 2 – Current Draft Garage Access Site Plan

Existing weekday AM and PM peak hour traffic volumes were collected at intersections adjacent to the project site and one driveway on 77th Avenue SE that would align with the project driveway. Existing traffic volumes along 78th Avenue SE and 77th Avenue SE were grown at an annual rate of 1 percent per year to 2018 conditions consistent with the Final TIA for the SE 27th Street & 76th Avenue SE Mercer Island Mixed Use project (see Footnote 2) and adding the same pipeline development project trips included in this previous TIA. The forecast weekday peak hour traffic volumes at the site access driveways and on-site intersections are summarized in Figure 3.

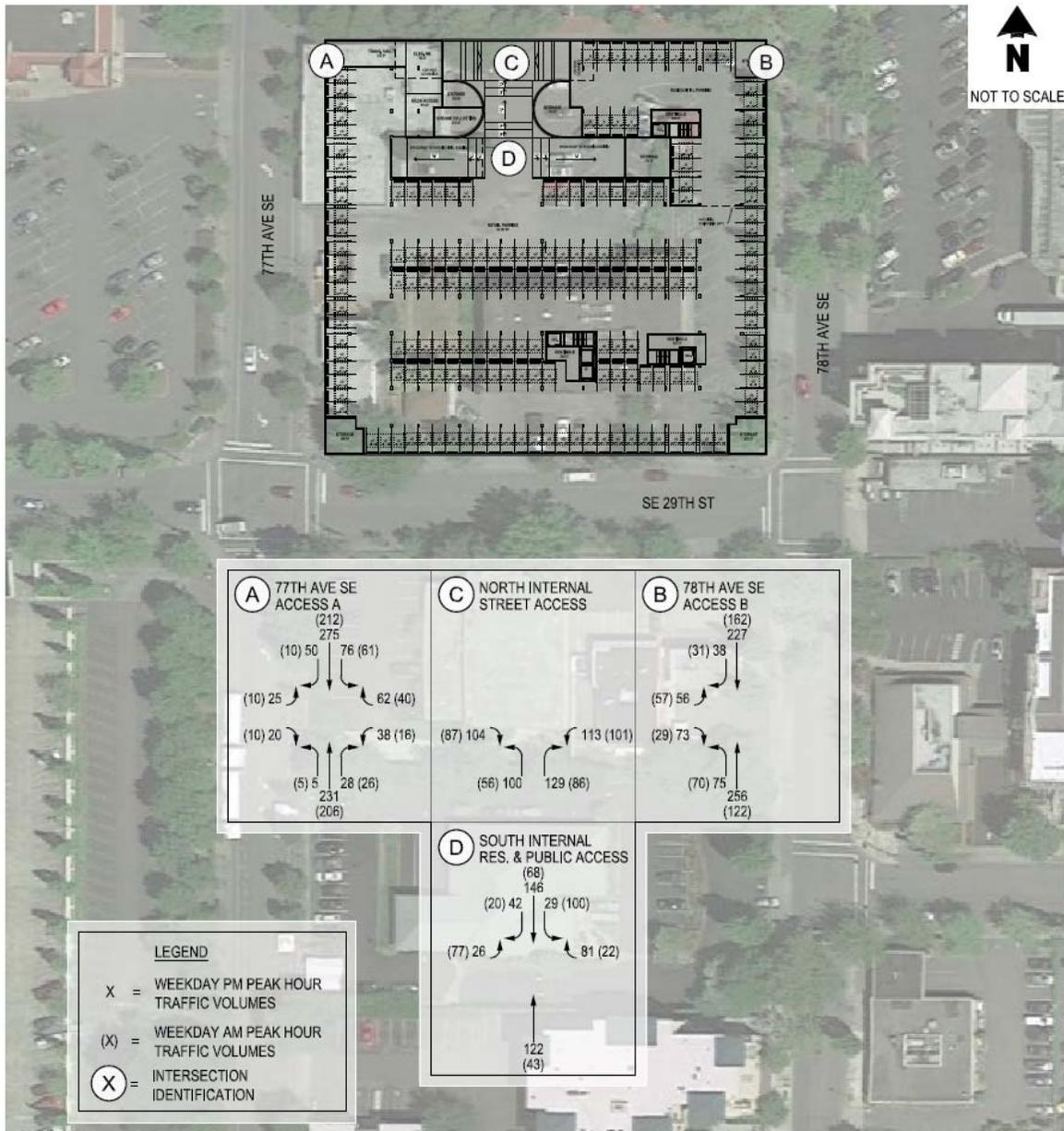


Figure 3 – Preliminary Estimate of Site Access Traffic Volumes

Traffic operations at the site access driveways and on-site intersections were evaluated consistent with the procedures identified in the *Highway Capacity Manual* (2010), and evaluated using Synchro version 9.0. At stop-sign controlled intersections such as these locations, LOS is measured in average control delay per vehicle and is reported using the intersection delay. Traffic operations for an intersection can be described alphabetically with a range of levels of service (LOS A through F), with LOS A indicating free-flowing traffic and LOS F indicating extreme congestion and long vehicle delays.

Preliminary traffic operation results for 2018 with-project conditions at the site access driveways and on-site intersections are summarized in Table 4. The City of Mercer Island has defined a standard of LOS C for public intersections.

Table 4. Preliminary 2018 Site Access & On-Site Intersection Weekday Peak Hour Level of Service

Location	AM Peak Hour			PM Peak Hour		
	LOS ¹	Delay ²	Worst Movement ³	LOS	Delay	Worst Movement
A. Driveway A / 77th Ave SE	B	14	EB	C	17	EB
B. Driveway B / 78th Ave SE	B	13	EB	B	15	EB
C. Driveway / Garage Access	A	8	-	A	9	-
D. Internal Garage Intersection	B	13	EB	B	12	EB

1. Level of service (LOS), based on 2010 Highway Capacity Manual methodology.
2. Average delay in seconds per vehicle.
3. The reported LOS and delay are for the worst operating movement at side-street stop-controlled driveways and intersections (a.k.a. two-way stop-controlled) while overall intersection results are reported for all-way stop intersections (shown as "-").

As shown, both site access driveways and the on-site intersections are anticipated to operate well at LOS C or better. Note that the worst-operating movement during both AM and PM peak hour conditions at the driveway onto 77th Avenue SE is the eastbound Albertsons driveway aligned with the proposed project driveway. These results for the project driveways and on-site intersections indicate that a single travel lane at all on-site locations are forecast to adequately serve on-site traffic.

Vehicle Travel Path Analysis

An evaluation of potential vehicle paths at the on-site intersections and roadways was conducted to inform the design of the building structures to accommodate expected passenger car and delivery truck routes on-site. These paths are shown in Attachments B and demonstrate how passenger cars can travel through the highest on-site traffic volume locations without obstructing on-coming traffic traveling in the opposite direction.

Parking Demand & Supply

As previously described, a total of 609 parking stalls are proposed: 247 stalls reserved for residential use, 151 reserved for supermarket and retail use, and 211 for general public use.

The project is located in the Town Center area and the minimum required parking spaces for this zone are identified in the City of Mercer Island Municipal Code.³ The peak parking demand for the project was estimated using the King County Right Size Parking Calculator⁴ for the apartment units and ITE *Parking Generation* (4th Edition, 2010) for retail (LU #820) and urban supermarket (LU #850) uses. The number of required parking spaces consistent with City code, estimated peak parking demand, and proposed parking supply are summarized in Table 5.

³ MICC 19.11.110 B.1

⁴ www.rightsizeparking.org

Table 5. Code Required Parking Supply

Proposed Land Use	Size ¹	Required Parking Stalls ²		Peak Parking Demand ³	Proposed Parking Supply
		Rate	Required		
<u>Residential Parking</u>					
Apartments (LU #220)	192 units	1 to 3	192 to 576	219 vehicles	247 stalls
<u>Retail Parking</u>					
Shopping Center (LU #820)	10,000 gsf	3 to 5 per 1,000 gsf	30 to 50	26 vehicles	
Supermarket (LU #850)	<u>30,000 gsf</u>	<u>3 to 5 per 1,000 gsf</u>	<u>90 to 150</u>	<u>69 vehicles</u>	
Total Retail Parking	40,000 gsf		120 to 200	95 vehicles	151 stalls
<u>Public Parking</u>					
Public Parking Stalls	211 stalls	0	0	-	211 stalls
Total Parking			312 to 776	314 vehicles + public parking	398 stalls
1. du = dwelling unit, gsf = gross square-feet, sf = square-feet 2. Mercer Island City Code 19.11.110 B.1					

As shown in Table 5, proposed parking supply exceeds the minimum required number parking spaces and estimate peak parking demand for each land use.

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Attachment A: Trip Generation Worksheet

Attachment A

Daily Trip Generation

Proposed Land Use	Size	Units	Trip Rate ¹	Total Unadjusted Veh. Trips	Reduction for Internal Capture	Subtotal	Pass-by Rate ³	Reduction for Pass-by	Diverted Rate ⁴	Reduction for Diverted Trips	New Daily Trips ²			
											Total	In	Out	
Proposed														
Apartments (LU 220)	192	DU	6.65	1,276	367	909	0%	0	0%	0	909	454	455	
Retail (LU #820)	10,000	1,000 gsf	42.70	428	131	297	34%	100	0%	0	197	99	98	
Supermarket (LU 850)	30,000	1,000 gsf	102.24	3,068	408	2,660	36%	958	0%	0	1,702	851	851	
Public Parking ⁴	211	1 stall	3.85	812	0	812	0%	0	0%	0	812	406	406	
Subtotal				5,584	906	4,678		1,058		0	3,620	1,810	1,810	

1. Trip Rate from ITE Trip Generation Manual, 9th Edition (2012) under Land Use Code 495
2. In/out percentages based on ITE Trip Generation Manual, 9th Edition (2012).
3. Pass-by rates based on ITE Trip Generation Handbook, 3rd Edition (2014).
4. Daily trip rate for the Public Parking use is estimated by factoring the observed weekday PM peak hour rate using rates for the General Office (LU #710) land use.

Weekday AM Peak Hour Trip Generation

Proposed Land Use	Size	Units	Trip Generation Rate ¹	Trip Generation Equation ¹ (if used)	% IN ²	Total Unadjusted Veh. Trips	Unadjusted Veh. Trips IN	Unadjusted Veh. Trips OUT	Reduction for Internal Capture ³	Internal Capture IN	Internal Capture OUT	Internal Capture Rate	Subtotal Driveway Trips				Net New Offsite AM Peak Trips ²					
													Subtotal Trips	Subtotal IN	Subtotal OUT	Pass-by Rate ⁴	Pass-by Trips	Pass-by IN	Pass-by OUT	Total	In	Out
Apartments (LU 220)	192	1 du		T=0.49(X)+3.73	20%	98	20	78	1		1	1%	97	20	77	0%				97	20	77
Retail (LU #820)	10,000	1,000 gsf	0.96		62%	10	6	4					10	6	4	34%	4	2	2	6	4	2
Supermarket (LU 850)	30,000	1,000 gsf	3.4		62%	102	63	39	1	1		1%	101	62	39	36%	36	18	18	65	44	21
Public Parking ⁵	211	1 stall	0.58		82%	122	100	22					122	100	22	0%				122	100	22
Subtotal						332	189	143	2	1	1	1%	330	188	142		40	20	20	290	168	122

- The Transpo Group, 2015
1. Average trip rates & regression equation from ITE Trip Generation Manual, 9th Edition (2012). Rate or equation used consistent with ITE Trip Generation Handbook, 3rd Edition (2014) methodologies.
 2. In/out percentages based on ITE Trip Generation Manual, 9th Edition (2012)
 3. Internal Capture methodology consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
 4. Pass-by rates based on ITE Trip Generation Handbook, 3rd Edition (2014).
 5. Trip rate for the Public Parking use is based on observations at the existing Mercer Island Park & Ride (March 2015).

Weekday PM Peak Hour Trip Generation

Proposed Land Use	Size	Units	Trip Generation Rate ¹	Trip Generation Equation ¹ (if used)	% IN ²	Total Unadjusted Veh. Trips	Unadjusted Veh. Trips IN	Unadjusted Veh. Trips OUT	Reduction for Internal Capture ³	Internal Capture IN	Internal Capture OUT	Internal Capture Rate	Subtotal Driveway Trips				Net New Offsite PM Peak Trips ²					
													Subtotal Trips	Subtotal IN	Subtotal OUT	Pass-by Rate ⁴	Pass-by Trips	Pass-by IN	Pass-by OUT	Total	In	Out
Apartments (LU 220)	184	1 du		T=0.55(X)+17.65	65%	119	77	42	51	35	16	43%	68	42	26	0%				68	42	26
Retail (LU #820)	10,000	1,000 gsf	3.71		48%	37	18	19	6	2	4	16%	31	16	15	34%	10	5	5	21	11	10
Supermarket (LU 850)	30,000	1,000 gsf	9.48		51%	284	145	139	45	14	31	16%	239	131	108	36%	86	43	43	153	88	65
Public Parking ⁵	211	1 stall	0.52		26%	110	29	81					110	29	81	0%				110	29	81
Subtotal						550	269	281	102	51	51	19%	448	218	230		96	48	48	352	170	182

- The Transpo Group, 2015
1. Average trip rates & regression equation from ITE Trip Generation Manual, 9th Edition (2012). Rate or equation used consistent with ITE Trip Generation Handbook, 3rd Edition (2014) methodologies.
 2. In/out percentages based on ITE Trip Generation Manual, 9th Edition (2012)
 3. Internal Capture methodology consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
 4. Pass-by rates based on ITE Trip Generation Handbook, 3rd Edition (2014).

MULTI-USE DEVELOPMENT TRIP GENERATION AND INTERNAL CAPTURE SUMMARY
 Source: ITE Trip Generation Handbook, 2nd Edition (2004)

PM Peak Hour Trip Generation

Exit to External

481

ITE Land Use = Residential (220)			
Size =	192	Rate =	6.65
% Enter =	50%	% Exit =	50%
Total	Internal	External	
Enter	638	210	428
Exit	638	157	481
Total	1276	367	909
%	100%	29%	71%

428

Enter From External

Demand
31% 198

Balanced
184

Demand
12% 184

Demand
53% 338

Balanced
138

Demand
9% 138

Demand
20% 307

ITE Land Use = Supermarket			
Size =	30.0	Rate =	102.24
% Enter =	50%	% Exit =	50%
Total	Internal	External	
Enter	1534	181	1353
Exit	1534	227	1307
Total	3068	408	2660
%	100%	13%	87%

Enter From External

1353

1307

Exit to External

Demand
53% 338

Demand
31% 198

Demand
53% 338

Balanced
0

Demand
20% 43

Balanced
43

Demand
23% 353

Demand
31% 476

Balanced
19

Balanced
26

Demand
9% 0

Demand
31% 198

Balanced
0

Balanced
0

Demand
9% 19

Demand
12% 26

Demand
20% 307

Demand
31% 198

Demand
2% 0

Demand
3% 0

Balanced
43

Balanced
0

Demand
12% 0

Exit to External

145

ITE Land Use = Retail (820)			
Size =	10	Rate =	42.7
% Enter =	50%	% Exit =	50%
Total	Internal	External	
Enter	214	62	152
Exit	214	69	145
Total	428	131	297
%	100%	31%	69%

152

Enter From External

Demand
20% 43

Balanced
0

Demand
20% 0

Demand
20% 43

Balanced
0

Demand
20% 0

Demand
20% 43

Balanced
0

Demand
20% 0

ITE Land Use =			
Size =		Rate =	
% Enter =		% Exit =	100%
Total	Internal	External	
Enter	0	0	0
Exit	0	0	0
Total	0	0	0
%	#DIV/0!	#DIV/0!	#DIV/0!

Enter From External

0

0

Exit to External

Net External PM Peak Hour Trips for Multi-Use Development							
	Residential (220)	Supermarket	Retail (820)	-		Total	
Enter	428	1353	152	0		1933	
Exit	481	1307	145	0		1933	
Total after internal capture	909	2660	297	0		3866	
Not including internal capture	1276	3068	428	0		4772	
Total After Pass-By and Internal	0%	909	43%	1516	34%	197	0%
						0	
						2622	

= Inputs from ITE Handbook for % Internal Capture

= ITE Land Use & Trip Generation Inputs

Red = Inputs

ITE Land Use = Total Development After Internal Capture Reduction			
% Enter =	50%	% Exit =	50%
Total	Internal	External	
Enter	2386	453	1933
Exit	2386	453	1933
Total	4772	906	3866
%	100%	19%	81%

NCHRP 684 Internal Trip Capture Estimation Tool						
Project Name:	Mercer Island Apartments			Organization:	Transpo Group	
Project Location:	Mercer Island			Performed By:	KLL	
Scenario Description:	Proposed Land Uses - Retail			Date:	3/9/2015	
Analysis Year:				Checked By:		
Analysis Period:	AM Street Peak Hour			Date:		

Table 1-A: Base Vehicle-Trip Generation Estimates (Single-Use Site Estimate)						
Land Use	Development Data (For Information Only)			Estimated Vehicle-Trips ³		
	ITE LUCs ¹	Quantity	Units	Total	Entering	Exiting
Office				0		
Retail	820/850	10,000	1,000 gsf	112	69	43
Restaurant				0		
Cinema/Entertainment				0		
Residential	220	184	dwelling units	98	20	78
Hotel				0		
All Other Land Uses ²				0		
				210	89	121

Table 2-A: Mode Split and Vehicle Occupancy Estimates						
Land Use	Entering Trips			Exiting Trips		
	Veh. Occ. ⁴	% Transit	% Non-Motorized	Veh. Occ. ⁴	% Transit	% Non-Motorized
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						
All Other Land Uses ²						

Table 3-A: Average Land Use Interchange Distances (Feet Walking Distance)						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						

Table 4-A: Internal Person-Trip Origin-Destination Matrix*						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		0	0	0	0	0
Retail	0		0	0	0	0
Restaurant	0	0		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	0	1	0	0		0
Hotel	0	0	0	0	0	

Table 5-A: Computations Summary			
	Total	Entering	Exiting
All Person-Trips	210	89	121
Internal Capture Percentage	1%	1%	1%
External Vehicle-Trips ⁵	208	88	120
External Transit-Trips ⁶	0	0	0
External Non-Motorized Trips ⁶	0	0	0

Table 6-A: Internal Trip Capture Percentages by Land Use		
Land Use	Entering Trips	Exiting Trips
Office	N/A	N/A
Retail	1%	0%
Restaurant	N/A	N/A
Cinema/Entertainment	N/A	N/A
Residential	0%	1%
Hotel	N/A	N/A

¹Land Use Codes (LUCs) from *Trip Generation Manual*, published by the Institute of Transportation Engineers.

²Total estimate for all other land uses at mixed-use development site is not subject to internal trip capture computations in this estimator.

³Enter trips assuming no transit or non-motorized trips (as assumed in ITE *Trip Generation Manual*).

⁴Enter vehicle occupancy assumed in Table 1-A vehicle trips. If vehicle occupancy changes for proposed mixed-use project, manual adjustments must be made to Tables 5-A, 9-A (O and D). Enter transit, non-motorized percentages that will result with proposed mixed-use project complete.

⁵Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-A.

⁶Person-Trips

*Indicates computation that has been rounded to the nearest whole number.

Estimation Tool Developed by the Texas A&M Transportation Institute - Version 2013.1

Project Name:	Mercer Island Apartments
Analysis Period:	AM Street Peak Hour

Land Use	Table 7-A (D): Entering Trips			Table 7-A (O): Exiting Trips		
	Veh. Occ.	Vehicle-Trips	Person-Trips*	Veh. Occ.	Vehicle-Trips	Person-Trips*
Office	1.00	0	0	1.00	0	0
Retail	1.00	69	69	1.00	43	43
Restaurant	1.00	0	0	1.00	0	0
Cinema/Entertainment	1.00	0	0	1.00	0	0
Residential	1.00	20	20	1.00	78	78
Hotel	1.00	0	0	1.00	0	0

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		0	0	0	0	0
Retail	12		6	0	6	0
Restaurant	0	0		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	2	1	16	0		0
Hotel	0	0	0	0	0	

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		22	0	0	0	0
Retail	0		0	0	0	0
Restaurant	0	6		0	1	0
Cinema/Entertainment	0	0	0		0	0
Residential	0	12	0	0		0
Hotel	0	3	0	0	0	

Destination Land Use	Person-Trip Estimates			External Trips by Mode*		
	Internal	External	Total	Vehicles ¹	Transit ²	Non-Motorized ²
Office	0	0	0	0	0	0
Retail	1	68	69	68	0	0
Restaurant	0	0	0	0	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	0	20	20	20	0	0
Hotel	0	0	0	0	0	0
All Other Land Uses ³	0	0	0	0	0	0

Origin Land Use	Person-Trip Estimates			External Trips by Mode*		
	Internal	External	Total	Vehicles ¹	Transit ²	Non-Motorized ²
Office	0	0	0	0	0	0
Retail	0	43	43	43	0	0
Restaurant	0	0	0	0	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	1	77	78	77	0	0
Hotel	0	0	0	0	0	0
All Other Land Uses ³	0	0	0	0	0	0

¹Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-A

²Person-Trips

³Total estimate for all other land uses at mixed-use development site is not subject to internal trip capture computations in this estimator

*Indicates computation that has been rounded to the nearest whole number.

NCHRP 684 Internal Trip Capture Estimation Tool				
Project Name:	Mercer Island Apartments		Organization:	Transpo Group
Project Location:	Mercer Island		Performed By:	KLL
Scenario Description:	Proposed Land Uses - Retail		Date:	3/9/2015
Analysis Year:			Checked By:	
Analysis Period:	PM Peak Hour		Date:	

Table 1-P: Base Vehicle-Trip Generation Estimates (Single-Use Site Estimate)						
Land Use	Development Data (For Information Only)			Estimated Vehicle-Trips ³		
	ITE LUCs ¹	Quantity	Units	Total	Entering	Exiting
Office				0		
Retail	820/850	10,000	1,000 gsf	321	163	158
Restaurant				0		
Cinema/Entertainment				0		
Residential	220	184	dwelling units	119	77	42
Hotel				0		
All Other Land Uses ²				0		
				440	240	200

Table 2-P: Mode Split and Vehicle Occupancy Estimates						
Land Use	Entering Trips			Exiting Trips		
	Veh. Occ. ⁴	% Transit	% Non-Motorized	Veh. Occ. ⁴	% Transit	% Non-Motorized
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						
All Other Land Uses ²						

Table 3-P: Average Land Use Interchange Distances (Feet Walking Distance)						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						

Table 4-P: Internal Person-Trip Origin-Destination Matrix*						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		0	0	0	0	0
Retail	0		0	0	35	0
Restaurant	0	0		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	0	16	0	0		0
Hotel	0	0	0	0	0	

Table 5-P: Computations Summary			
	Total	Entering	Exiting
All Person-Trips	440	240	200
Internal Capture Percentage	23%	21%	26%
External Vehicle-Trips ⁵	338	189	149
External Transit-Trips ⁶	0	0	0
External Non-Motorized Trips ⁶	0	0	0

Table 6-P: Internal Trip Capture Percentages by Land Use		
Land Use	Entering Trips	Exiting Trips
Office	N/A	N/A
Retail	10%	22%
Restaurant	N/A	N/A
Cinema/Entertainment	N/A	N/A
Residential	45%	38%
Hotel	N/A	N/A

¹Land Use Codes (LUCs) from *Trip Generation Manual*, published by the Institute of Transportation Engineers.

²Total estimate for all other land uses at mixed-use development site is not subject to internal trip capture computations in this estimator.

³Enter trips assuming no transit or non-motorized trips (as assumed in ITE *Trip Generation Manual*).

⁴Enter vehicle occupancy assumed in Table 1-P vehicle trips. If vehicle occupancy changes for proposed mixed-use project, manual adjustments must be

⁵Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-P.

⁶Person-Trips

*Indicates computation that has been rounded to the nearest whole number.

Project Name:	Mercer Island Apartments
Analysis Period:	PM Street Peak Hour

Table 7-P: Conversion of Vehicle-Trip Ends to Person-Trip Ends						
Land Use	Table 7-P (D): Entering Trips			Table 7-P (O): Exiting Trips		
	Veh. Occ.	Vehicle-Trips	Person-Trips*	Veh. Occ.	Vehicle-Trips	Person-Trips*
Office	1.00	0	0	1.00	0	0
Retail	1.00	163	163	1.00	158	158
Restaurant	1.00	0	0	1.00	0	0
Cinema/Entertainment	1.00	0	0	1.00	0	0
Residential	1.00	77	77	1.00	42	42
Hotel	1.00	0	0	1.00	0	0

Table 8-P (O): Internal Person-Trip Origin-Destination Matrix (Computed at Origin)						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		0	0	0	0	0
Retail	3		46	6	41	8
Restaurant	0	0		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	2	18	9	0		1
Hotel	0	0	0	0	0	

Table 8-P (D): Internal Person-Trip Origin-Destination Matrix (Computed at Destination)						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		13	0	0	3	0
Retail	0		0	0	35	0
Restaurant	0	82		0	12	0
Cinema/Entertainment	0	7	0		3	0
Residential	0	16	0	0		0
Hotel	0	3	0	0	0	

Table 9-P (D): Internal and External Trips Summary (Entering Trips)						
Destination Land Use	Person-Trip Estimates			External Trips by Mode*		
	Internal	External	Total	Vehicles ¹	Transit ²	Non-Motorized ²
Office	0	0	0	0	0	0
Retail	16	147	163	147	0	0
Restaurant	0	0	0	0	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	35	42	77	42	0	0
Hotel	0	0	0	0	0	0
All Other Land Uses ³	0	0	0	0	0	0

Table 9-P (O): Internal and External Trips Summary (Exiting Trips)						
Origin Land Use	Person-Trip Estimates			External Trips by Mode*		
	Internal	External	Total	Vehicles ¹	Transit ²	Non-Motorized ²
Office	0	0	0	0	0	0
Retail	35	123	158	123	0	0
Restaurant	0	0	0	0	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	16	26	42	26	0	0
Hotel	0	0	0	0	0	0
All Other Land Uses ³	0	0	0	0	0	0

¹Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-P

²Person-Trips

³Total estimate for all other land uses at mixed-use development site is not subject to internal trip capture computations in this estimator

*Indicates computation that has been rounded to the nearest whole number.

Attachment A - Mercer Island Park Ride Trip Generation

Weekday PM Peak Hour

T-Entrance

Time	3/26/2015								Total	Hourly	3/24/2015								Total	Hourly	3/25/2015								Total	Hourly
	EBL	WBR	Total In	SBL	SBT	SBR	Total Out	EBL			WBR	Total In	SBL	SBT	SBR	Total Out	EBL	WBR			Total In	SBL	SBT	SBR	Total Out					
4:00 PM	0	0	0	0		4	4	4		0	1	1	0		4	4	5		0	0	0	0		2	2	2				
4:15 PM	0	0	0	0		3	3	3		0	1	1	0		4	4	5		0	1	1	0		4	4	5				
4:30 PM	0	0	0	0		6	6	6		0	0	0	0		10	10	10		0	0	0	1		6	7	7				
4:45 PM	0	0	0	0		5	5	5	18	0	1	1	0		3	3	4	24	0	0	0	0		5	5	5	19			
5:00 PM	0	0	0	0		2	2	2	16	0	0	0	1		7	8	8	27	0	0	0	0		13	13	13	30			
5:15 PM	0	0	0	0		9	9	9	22	0	0	0	0		9	9	9	31	0	0	0	0		10	10	10	35			
5:30 PM	0	0	0	0		4	4	4	20	0	0	0	0		4	4	4	25	0	0	0	0		5	5	5	33			
5:45 PM	0	0	0	0		9	9	9	24	0	0	0	0		9	9	9	30	0	0	0	0		9	9	9	37			
6:00 PM	0	0	0	0		10	10	10	32	0	0	0	0		5	5	5	27	0	1	1	0		6	6	7	31			
6:15 PM	0	0	0	0		3	3	3	26	0	0	0	0		3	3	3	21	0	0	0	0		6	6	6	27			
6:30 PM	0	1	1	0		3	3	4	26	0	2	2	0		5	5	7	24	0	1	1	0		1	1	2	24			
6:45 PM	0	0	0	0		0	0	0	17	0	0	0	0		5	5	5	20	0	0	0	1		2	3	3	18			

Signal Entrance

Time	3/26/2015								Total	Hourly	3/24/2015								Total	Hourly	3/25/2015								Total	Hourly
	EBL	WBR	Total In	SBL	SBT	SBR	Total Out	EBL			WBR	Total In	SBL	SBT	SBR	Total Out	EBL	WBR			Total In	SBL	SBT	SBR	Total Out					
4:00 PM	5	3	8	0	15	5	20	28		5	8	13	3	26	5	34	47		1	1	2	3	15	4	22	24				
4:15 PM	3	3	6	9	37	0	46	52		2	4	6	3	19	3	25	31		3	7	10	4	23	5	32	42				
4:30 PM	3	2	5	5	21	5	31	36		5	3	8	12	40	3	55	63		2	2	4	6	28	2	36	40				
4:45 PM	3	9	12	3	25	2	30	42	158	6	5	11	6	21	2	29	40	181	2	5	7	3	14	2	19	26	132			
5:00 PM	4	9	13	6	20	3	29	42	172	6	5	11	7	20	8	35	46	180	4	11	15	8	27	5	40	55	163			
5:15 PM	7	7	14	6	37	9	52	66	186	6	10	16	5	22	4	31	47	196	8	4	12	5	34	2	41	53	174			
5:30 PM	4	9	13	3	23	6	32	45	195	6	11	17	3	15	5	23	40	173	8	9	17	4	24	5	33	50	184			
5:45 PM	2	9	11	4	15	7	26	37	190	8	17	25	4	21	8	33	58	191	2	4	6	4	25	6	35	41	199			
6:00 PM	2	14	16	6	24	1	31	47	195	5	10	15	6	26	9	41	56	201	0	5	5	4	18	2	24	29	173			
6:15 PM	3	4	7	5	12	2	19	26	155	3	11	14	2	16	4	22	36	190	5	9	14	2	23	3	28	42	162			
6:30 PM	6	9	15	3	15	2	20	35	145	4	9	13	2	14	7	23	36	186	5	5	10	5	15	5	25	35	147			
6:45 PM	2	4	6	2	18	4	24	30	138	7	2	9	3	18	4	25	34	162	1	4	5	3	12	1	16	21	127			

Combined

Time	3/26/2015								Total	In	Out	Hourly	3/24/2015								Total	In	Out	Hourly	3/25/2015								Total	In	Out	Hourly	3-day Average			
	EBL	WBR	Total In	SBL	SBR	Total Out	EBL	WBR					Total In	SBL	SBR	Total Out	EBL	WBR	Total In	SBL					SBR	Total Out	Total	In	Out	Hourly	Total	In					Out	Hourly		
4:00 PM			8			24	32					14			38	52							2			24	26													
4:15 PM			6			49	55					7			29	36							11			36	47													
4:30 PM			5			37	42					8			65	73							4			43	47													
4:45 PM			12			35	47				176	12			32	44							7			24	31								151					
5:00 PM			13			31	44				188	11			43	54							15			53	68								193					
5:15 PM			14			61	75				208	16			40	56							12			51	63								209					
5:30 PM			13			36	49				215	17			27	44							17			38	55								217					
5:45 PM			11			35	46				214	25			42	67							6			44	55								221					
6:00 PM			16			41	57	54	173		227	15			46	61	73	155	228				6			30	36	21%	186	236		59	171	230						
6:15 PM			7			22	29	24%			181	14			25	39	32%	155	211				14			34	48							189						
6:30 PM			16			23	39				171	15			28	43							11			26	37								171					
6:45 PM			6			24	30				155	9			30	39							5			19	24								145					

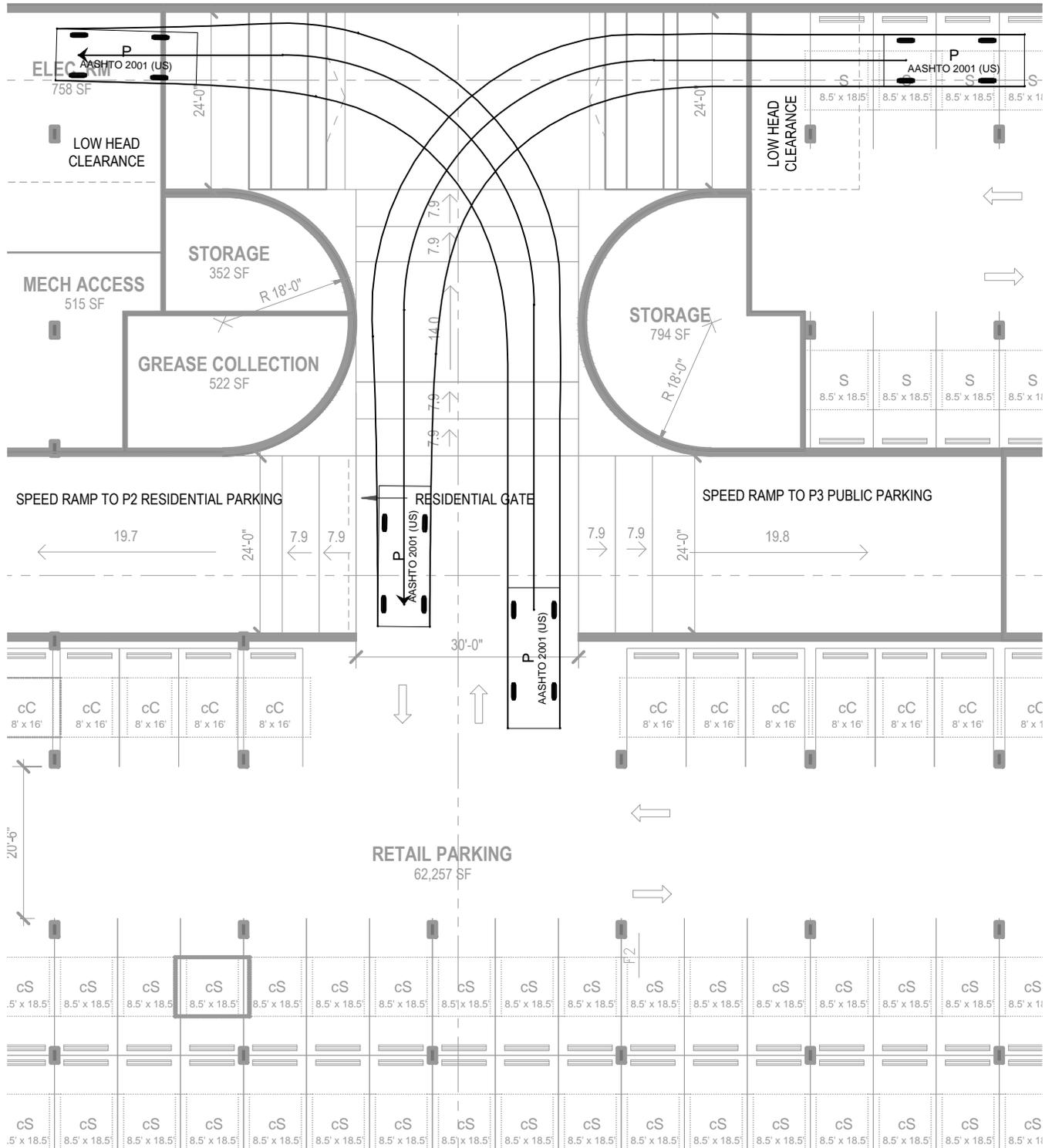
Supply 447 0.515287

Attachment B: Vehicle Travel Paths



273'-9"

NOT TO SCALE



Commercial Inbound and Outbound Left-Turns

ATTACHMENT

Mercer Island Apartments

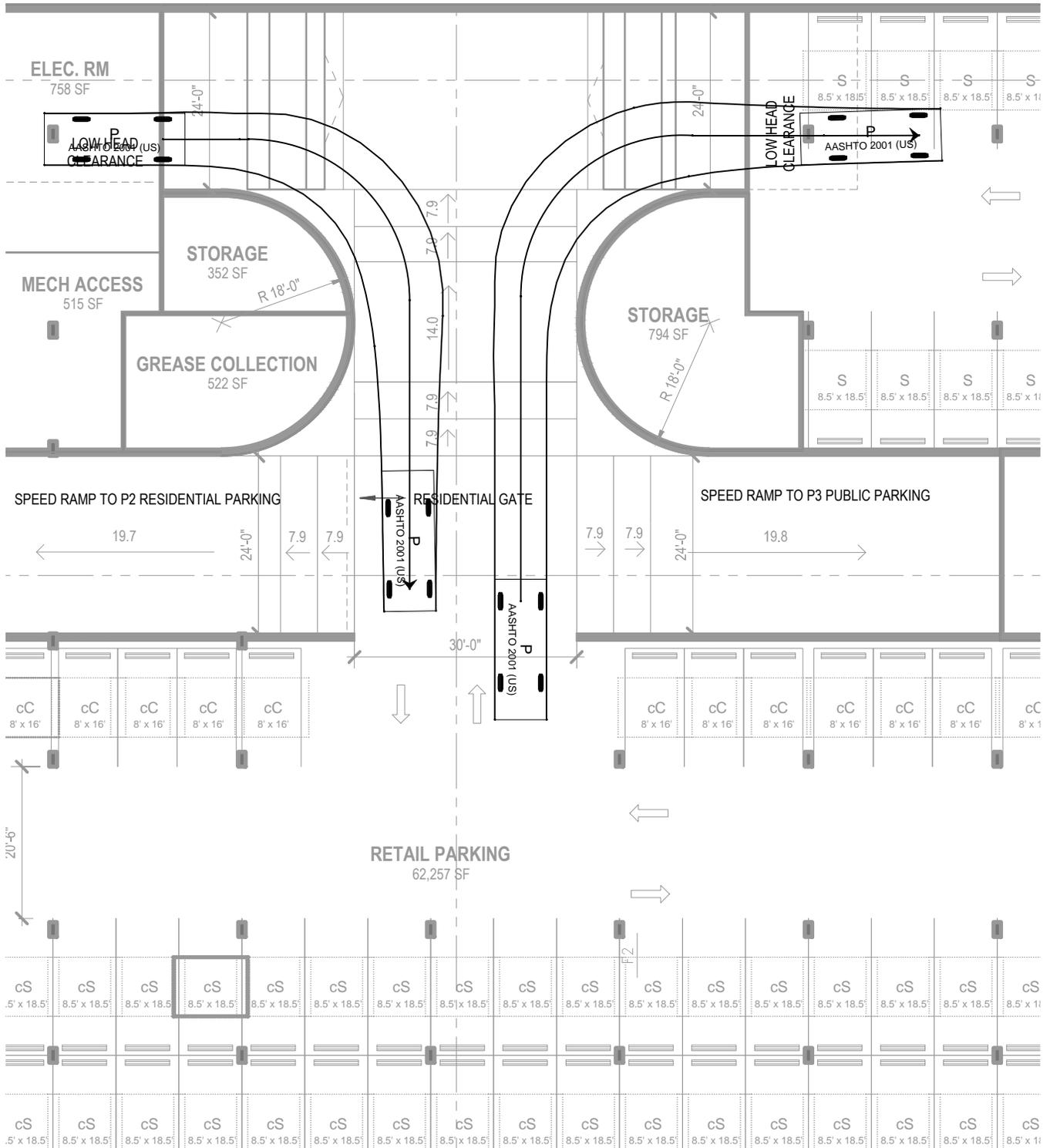


B-1



273'-9"

NOT TO SCALE



Commercial Inbound and Outbound Right-Turns

ATTACHMENT

Mercer Island Apartments



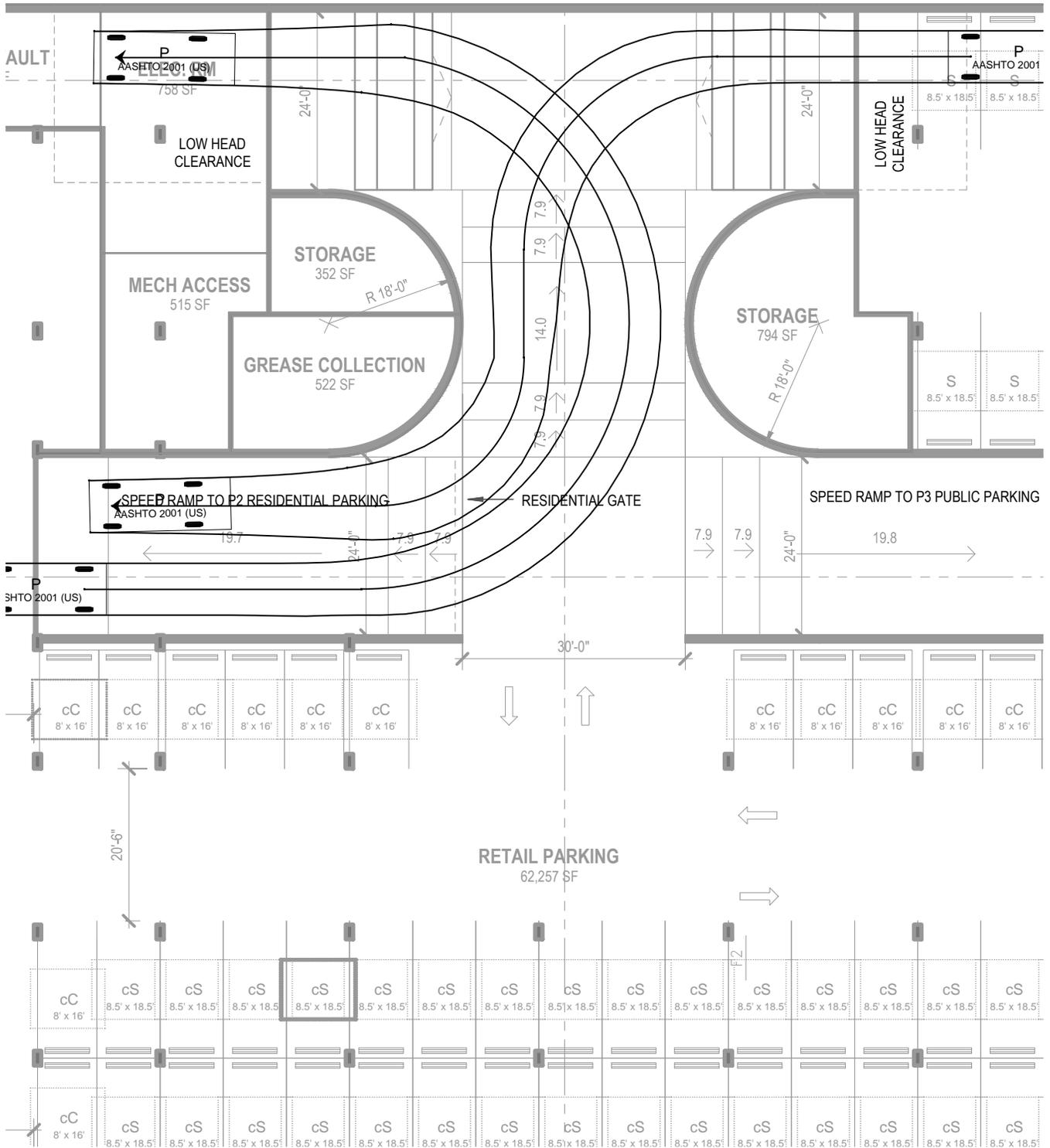
B-2



NOT TO SCALE



273'-9"



Residential Inbound and Outbound Left-Turns

ATTACHMENT

Mercer Island Apartments



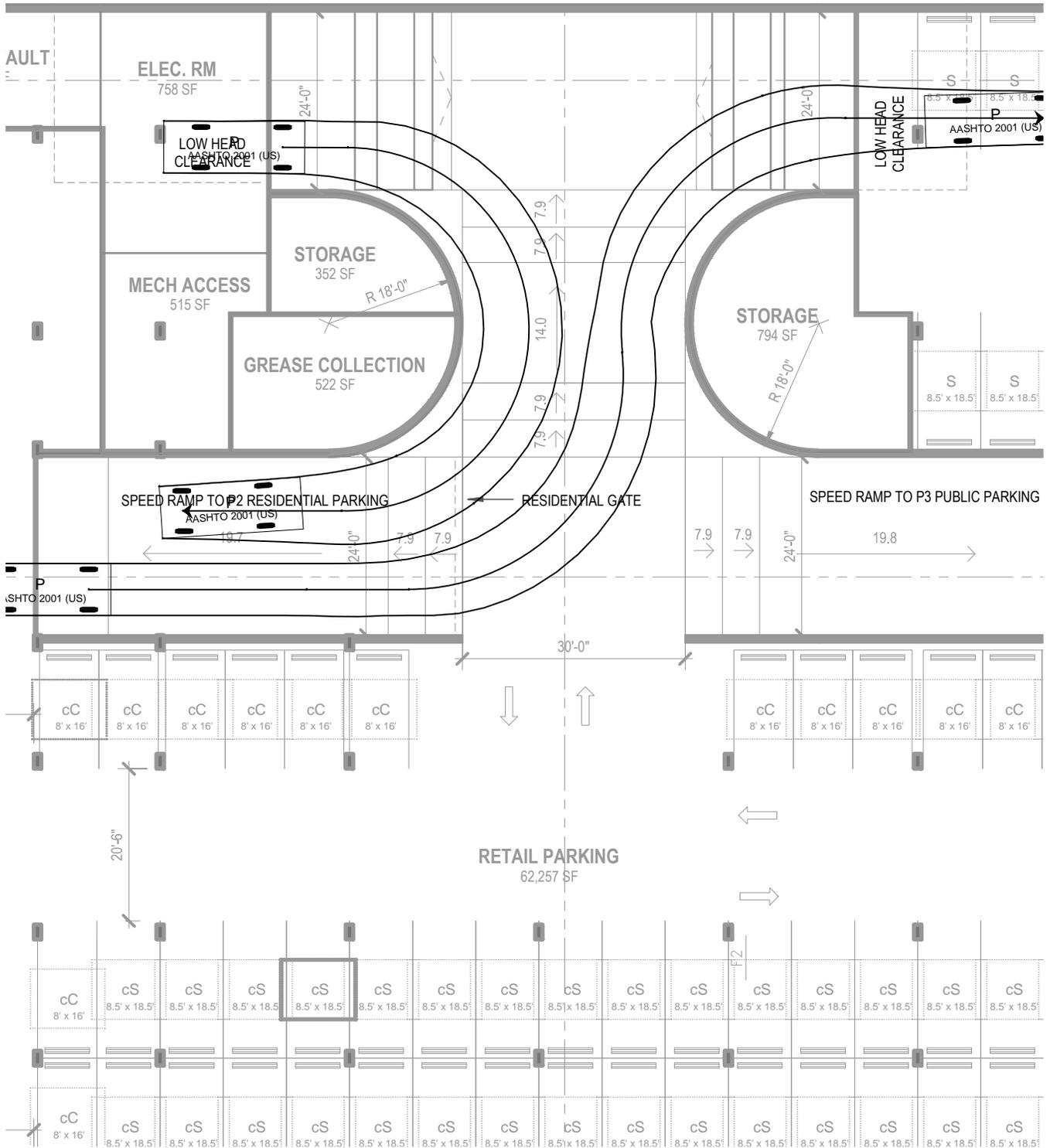
B-3



NOT TO SCALE



273'-9"



Residential Inbound and Outbound Right-Turns

ATTACHMENT

Mercer Island Apartments



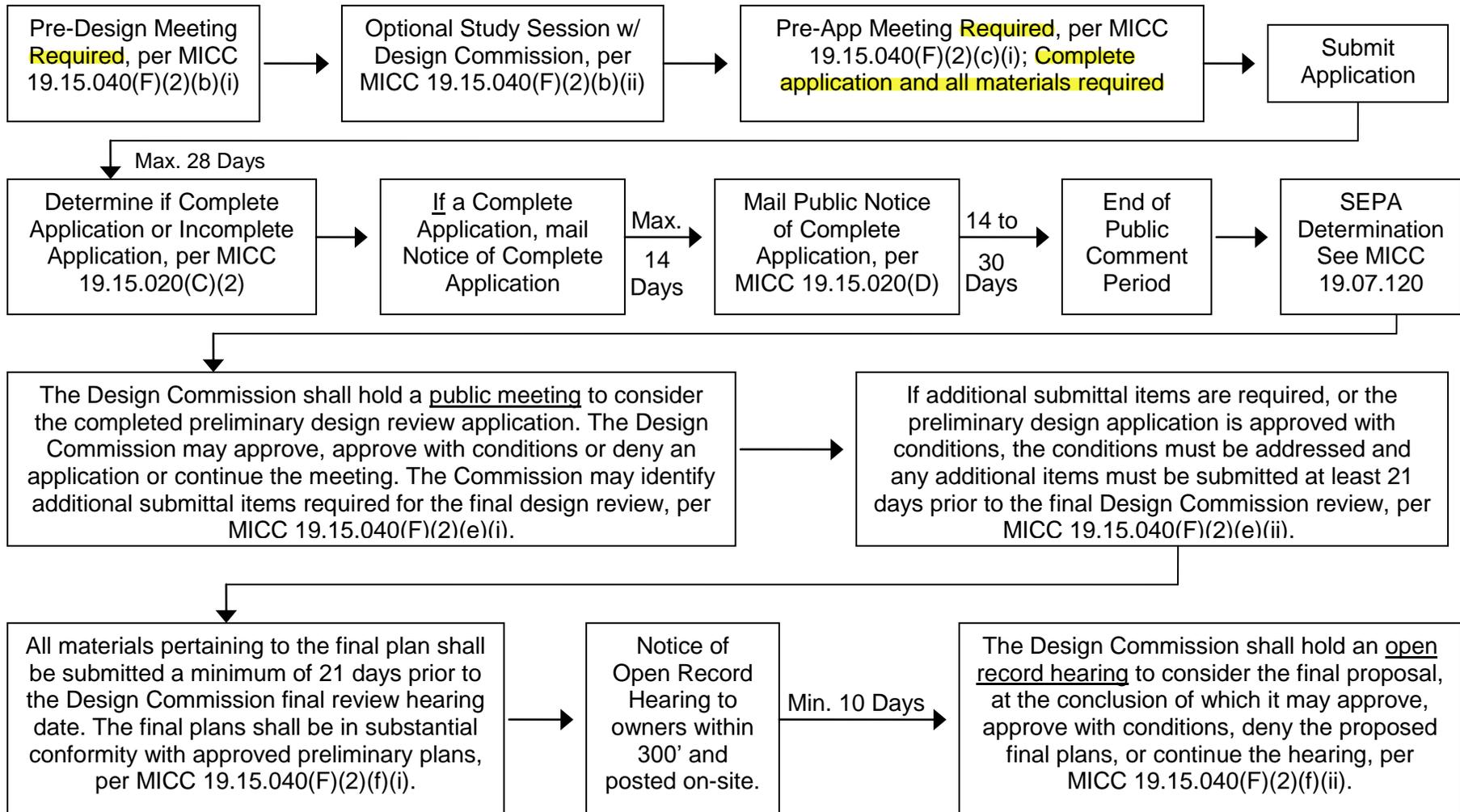
B-4

EXHIBIT 14



TYPICAL DESIGN COMMISSION PROCESS FOR MAJOR NEW CONSTRUCTION

The following is only a summary of the City of Mercer Island Design Review Process. Please refer to Mercer Island City Code (MICC) requirements for design review, which shall always govern.



This summary is provided for informational purposes only and is not intended as a complete or legally sufficient summary. The City of Mercer Island, its elected officials, officers, employees or agents make no warranty of any kind, express or implied, in relation to any information on this summary or any use made of this summary by any person. As with any document affecting the rights and responsibilities of real property ownership, the City of Mercer Island recommends that you consult with your private legal counsel before proceeding on any land use action after review of this summary.



CITY OF MERCER ISLAND, DEVELOPMENT SERVICES GROUP

9611 S.E. 36 ST., MERCER ISLAND, WA 98040 (206) 275-7605 FAX: (206) 275-7726
WWW.MERCERGOV.ORG

Submittal Requirements for Design Commission Review - Major New Construction

Design Review is the process by which the City evaluates developments within the City that meet the definition of “regulated improvements” in Mercer Island City Code (MICC) 19.16.010. Regulated improvements are defined as:

Any development of any property within the city, except:

- 1. Property owned or controlled by the city; or*
- 2. Single-family dwellings and the buildings, structures and uses accessory thereto; or*
- 3. Wireless communications structures, including associated support structures and equipment cabinets.*

Design review ensures a proposal’s consistency with MICC 19.11 Town Center Development and Design Standards or MICC 19.12 Design Standards for Zones outside Town Center and is intended to promote and enhance environmental and aesthetic design. Single family development is not a regulated improvement, and is therefore excluded from design review.

Regulated improvements are classified as either a major new construction, which is defined by MICC 19.16.010 as “construction from bare ground or an enlargement or alteration that changes the exterior of an existing structure that costs in excess of 50 percent of the structure’s assessed value” or a minor new construction. Minor new construction is “exterior modification to an existing development or site that does not constitute major new construction.”

The Design Commission is the decision authority for review of major new construction as well as minor exterior modifications in the Town Center with a with a construction valuation (as defined by MICC 17.14.010) of \$100,000 or greater. All minor exterior modifications outside of the Town Center as well as minor exterior modifications in the Town Center with a with a construction valuation (as defined by MICC 17.14.010) less than \$100,000 are reviewed by the Code Official. The Code Official may choose to send any application to the Design Commission for review.

PRE-DESIGN MEETING AND STUDY SESSION: The applicant shall participate in a pre-design meeting with staff prior to formal project development and application. The applicant may present schematic sketches and a general outline of the proposal for the City staff comments prior to preparation of formal plans. This meeting will allow city staff to acquaint the applicant with the design standards, submittal requirements, and the application procedures and provide early input on the proposed project. Additionally, the applicant is strongly encouraged to schedule a Study Session with the Design Commission to discuss project concepts before the plans are fully developed. At this session, which will be open to the public, the applicant should provide information regarding the site, the intended mix of uses, and how it will fit into the focus area objectives. The Commission may provide feedback to be considered in the design of the project.

PRE-APPLICATION: Applicants are required to participate in a pre-application meeting with City staff per MICC 19.15.040(F)(2)(c). Call Development Services staff to schedule a pre-application meeting. Pre-application meetings with the staff provide an opportunity to discuss the proposal in conceptual terms, identify the applicable City requirements, and delineate the proposal review process. Applicants are also encouraged to talk with surrounding property owner and residents about their proposal. Meetings and/or correspondence with the neighborhood serve the purpose of informing the neighborhood of the project proposal prior to the formal notice provided by the City.

APPLICATION: All applications for permits or actions by the City shall be submitted on forms provided by the Development Services Group. An application shall contain all information required by the applicable development regulations. The city cannot accept an application that does not have all of the required items. In order to accept your application, each of the required items shall be submitted to permit counter staff at the same time.

FILING REQUIREMENTS: Please fold all plans and attachments to a size not exceeding 8½" x 14" for storage in a legal-size folder. Plans not folded to the proper size will not be accepted. Please submit **fifteen (15) copies** each of the following:

- Development Application Coversheet
- Design Review Filing Fee: **see Development Application**
- Land Use Action sign deposit (refunded when sign is returned to the City): **see Development Application**
- A **State Environmental Policy Act (SEPA) Checklist** may be required. The checklist is available at the Development Services Group counter. Development Services Group personnel can assist you in determining if your proposal is exempt.

- Conceptual Floor Plans including the following:
 - Include exterior access points
 - Clarify the relationship between the interior spaces and the outside (decks, etc.) spaces
- Landscape Plan to include the following:
 - Minimum landscaping plan sheet size is 11" X 17".
 - Extent and location of all plant materials and other landscape features. Plant materials must be identified by direct labeling of each plant or by a clearly understandable legend.
 - Flower and shrub bed definition must be clear and drawn to scale with dimensions.
 - Proposed plant material should be indicated at mature sizes and in appropriate relation to scale.
 - Species and size of existing plant materials.
 - Proposed treatment of all ground surfaces must be clearly indicated (paving, turf, gravel, grading, etc.)
 - Location of water outlets. If areas of planting are extensive, plans for an underground sprinkler system will be required.
- Exterior Lighting Plan: Indicate new or modified lighting locations and provide specifications for proposed lighting.
- Indication of Materials & Colors: Two color copies of a color palette. The palette shall indicate which construction materials will be used.
- Sign Program: Illustrate location, size, height, material, color, letter dimensions, structural components and landscaping
- Birdseye Perspective or Massing Model: *Major projects only*
- Staff may require additional information or materials when necessary.

EXHIBIT 15

From: Dan Grausz [Grausz](#)
To: Debbie Bertlin
Cc:
Subject: Proposed Development
Date: 12/4/2014 11:03:30 PM
Attachments: Design Package.pdf

This unnerves me.

EXHIBIT 16

From: Dan Grausz [Grausz](#)
To: Bruce Bassett; Benson Wong
Cc:
Subject: Proposed Development
Date: 12/4/2014 11:02:21 PM
Attachments: Design Package.pdf

You should look at this. It is really disconcerting.

EXHIBIT 17

From: Dan Grausz [Grausz](#)
To: Noel Treat
Cc:
Subject: Re: Hines Property
Date: 12/7/2014 11:54:48 PM
Attachments:

This is the time for a very strong message to be sent to this developer. Otherwise, I think we need to seriously consider a moratorium until we complete work on the Town Center effort. This project will destroy what we are hoping to do. Bruce Lorig has offered to help work with the developer if we would like him to do so - at no charge.

EXHIBIT 18

Optional DNS process.

(1) If a GMA county/city with an integrated project review process (RCW 36.70B.060) is lead agency for a proposal and has a reasonable basis for determining significant adverse environmental impacts are unlikely, it may use a single integrated comment period to obtain comments on the notice of application and the likely threshold determination for the proposal. If this process is used, a second comment period will typically not be required when the DNS is issued (refer to subsection (4) of this section).

(2) If the lead agency uses the optional process specified in subsection (1) of this section, the lead agency shall:

(a) State on the first page of the notice of application that it expects to issue a DNS for the proposal, and that:

(i) The optional DNS process is being used;

(ii) This may be the only opportunity to comment on the environmental impacts of the proposal;

(iii) The proposal may include mitigation measures under applicable codes, and the project review process may incorporate or require mitigation measures regardless of whether an EIS is prepared; and

(iv) A copy of the subsequent threshold determination for the specific proposal may be obtained upon request (in addition, the lead agency may choose to maintain a general mailing list for threshold determination distribution).

(b) List in the notice of application the conditions being considered to mitigate environmental impacts, if a mitigated DNS is expected;

(c) Comply with the requirements for a notice of application and public notice in RCW 36.70B.110; and

(d) Send the notice of application and environmental checklist to:

(i) Agencies with jurisdiction, the department of ecology, affected tribes, and each local agency or political subdivision whose public services would be changed as a result of implementation of the proposal; and

(ii) Anyone requesting a copy of the environmental checklist for the specific proposal (in addition, the lead agency may choose to maintain a general mailing list for checklist distribution).

(3) If the lead agency indicates on the notice of application that a DNS is likely, an agency with jurisdiction may assume lead agency status during the comment period on the notice of application (WAC 197-11-948).

(4) The responsible official shall consider timely comments on the notice of application and either:

(a) Issue a DNS or mitigated DNS with no comment period using the procedures in subsection (5) of this section;

(b) Issue a DNS or mitigated DNS with a comment period using the procedures in subsection (5) of this section, if the lead agency determines a comment period is necessary;

(c) Issue a DS; or

(d) Require additional information or studies prior to making a threshold determination.

(5) If a DNS or mitigated DNS is issued under subsection (4)(a) of this section, the lead agency shall send a copy of the DNS or mitigated DNS to the department of ecology, agencies with jurisdiction, those who commented, and anyone requesting a copy. A copy of the environmental checklist need not be recirculated.

[Statutory Authority: 1995 c 347 (ESHB 1724) and RCW 43.21C.110. WSR 97-21-030 (Order 95-16), § 197-11-355, filed 10/10/97, effective 11/10/97.]

EXHIBIT 22

Shana Restall

From: Mike and Jane Gates <gates4fun2@gmail.com>
Sent: Tuesday, May 26, 2015 3:53 PM
To: Shana Restall; Scott Greenberg
Cc: saveoursuburbs@yahoo.com
Subject: Hines Project, Design Review project number DSR15-014, State Environmental Policy Act project number SEP15-011 SEP15-011

To: Members of the City Council, the Planning Commission the Design Commission and anyone else involved in the approval the 5 story projects along SE 27 including Aviara and Legacy as well as the Hines Project with its 196 residential units, its 518 parking stalls and its 5-6 stories.

In my opinion, those in the approval process have abandoned the interest of the residents of Mercer Island in favor of the developers. I went to the meeting at the Community Center and viewed the exhibits and listened to the consultant. In my view it was a dog and pony show. When it came time for the Q and A session, discussion was cutoff by the guy apparently from the planning commission. When asked about traffic he asserted that the traffic engineers had studied the issue. Obviously whatever studies on traffic for the Aviara and Legacy, as well as the Hines projects are worthless. I drive on SE 27 at all times of the day and the increase in traffic has been horrendous. I do not believe that a fair and impartial environmental impact study for these projects has been done giving due consideration to the maintenance of the culture and the character of Mercer Island. The same can be said of the failure to adequately consider the negative impacts on traffic, aesthetics, school enrollment, views and environmental health. The scales have obviously been tipped for the developers whose interests in those projects already approved are inimical to the interests of the residents of Mercer Island. I doubt seriously the seismic study years ago was even considered.

I have looked at the mock ups of the zoning showing the areas in the town center that may have 5 story buildings or perhaps 6 or 7 depending on whether they are measured from the highest elevation of the lot. That would apply to the Hines project. How in good conscience can the members of the City Council, the Planning Commission and the Design Commission go along with this debacle. Is there some ulterior motive or agenda that is not in the interest of Mercer Islanders? Do they want to have the schools inundated with new residents in these projects so renters can send their children to school at the expense of the property tax paying residents? It is obvious that the Hines project will be colossal wart and totally out of character to the Island.

I suspect the same mentality exhibited by allowing the town center to become a little Manhattan pervades the less than vociferous opposition the tolling on I 90. What about the City protecting our right to our easement to use the express lanes that are being inversely condemned by Sound Transit?

In closing, I am adamantly opposed to the Hines Project with its 196 residential units and its 5 and 6 stories.

Regards,

Michael Gates
2800 75th Pl. SE #203
Mercer Island WA 98040

Design Review project number DSR15-014 State Environmental Policy Act project number is SEP15-011 SEP15-011

Shana Restall

From: Cynthia Winiski <cynwiniski@gmail.com>
Sent: Tuesday, May 26, 2015 4:17 PM
To: Shana Restall
Subject: Written Comments on DSR File No. 15-014 and SEPA File No. 15-011
Attachments: Hines SEPA Review Memo.pdf

Shana:

I hereby adopt and incorporate the attached Memorandum as my written comments on DSR File No. 15-014 and SEPA File No. 15-011.

The project property is located at the following three street addresses:

2728 77th Avenue SE, Mercer Island Washington 98040.

2750 77th Avenue SE, Mercer Island Washington 98040.

2885 78th Avenue SE, Mercer Island, Washington 98040.

My address is 2750 68th Avenue SE, Mercer Island, Washington 98040. My phone number is 206-947-4878.

Thank you,

Cynthia Winiski

MEMORANDUM

To: Shana Restall, Principal Planner Mercer Island Design Services Group
Copy To: Mercer Island City Council
Mercer Island Design Commission
Mercer Island Planning Commission

From: Save Our Suburbs
2212 78th Avenue SE
Mercer Island, Washington 98040

Date: May 26, 2015

Re: *Comments on DSR File No. 15-014*
Comments on SEPA File No. 15-011
Location of the Property: 2728 and 2750 77th Avenue SE and
2885 78th Avenue SE, Mercer Island, Washington 98040

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EXECUTIVE SUMMARY

The Preliminary Design Review process for the 2015 Hines Project Proposal (“2015 Hines Proposal”) is legally flawed. It is unlawful for the Design Commission to act or consider the 2015 Hines Proposal until after the Development Services Group (“DSG”) and Hines cure these legal flaws.

The SEPA Review process for the 2015 Hines Proposal is legally flawed. It is unlawful for the Design Commission to act on or consider the 2015 Hines Proposal until after the DSG and Hines cure these legal flaws.

The 2015 Hines Proposal contemplates a building that is the antithesis of the 1994 Town Center Plan For The City Of Mercer Island (“1994 Town Center Vision”) and the 2015 Town Center Visioning Process (“2015 Town Center Vision”).

The SEPA Checklist for the 2015 Hines Proposal is inaccurate and incomplete.

Hines has not provided sufficient information about the 2015 Hines Proposal to allow the DSG to make an informed environmental decision or to allow the citizens of Mercer Island to make informed comments.

Each and every comment herein applies to all matters within the scope of DSR File No. 15-014 and SEPA File No. 15-011.

THE 2015 HINES PROPOSAL IN CONTEXT

1) *The Hines Special Expedited Review*

Hines requested that the City “commit to expediting” the 2015 Hines Proposal. The City committed to give the 2015 Hines Proposal “top priority in design review and plan review.” *See* Exhibit 2.

2) *The Hines Moratorium Special Exception*

Five Councilmembers adopted a Town Center wide moratorium and granted Hines an exemption from the Town Center wide moratorium despite the fact that no other City, County or Town in the State of Washington has granted such a moratorium exemption. The proffered excuse for that special Hines exemption was Hines’ representations to provide: (i) two hundred (200) or more public parking spaces, (ii) a “grand plaza along SE 29th”, and (iii) a “Whole Foods or some upscale grocery store.” *See, e.g.*, Exhibit 3 and Exhibit 4.

Various Councilmembers stated that Hines exemption should be terminated and that Hines should be included in the Town Center wide moratorium if Hines reneges on its representations. *See, e.g.*, Exhibit 3, and Exhibit 5.

Hines has reneged on its representations. Hines is demanding \$10,000,000 to \$12,000,000 for the public parking spaces. The Hines project that will be reviewed by the

Design Commission on May 27, 2015, precludes a “Whole Foods or some upscale grocery store” being included in that Hines project. See, e.g., Exhibit 6.

3) *The 2015 Town Center Vision*

The 2015 Town Center Vision and the Town Center Code Amendments, when adopted will, without limitation: (i) eliminate two Town Center sub-areas, (ii) down-zone heights in certain Town Center sub-areas, (iii) up-zone heights in certain Town Center sub-areas, (iv) down-zone uses in certain Town Center sub-areas, (v) require substantial building modulation for stories 3-5, (vi) change traffic flows in certain Town Center sub-areas, (vii) change street widths in certain Town Center sub-areas, (viii) change street locations in certain Town Center sub-areas, (ix) mandate midblock connection points in certain Town Center sub-areas, (x) create mandatory requirements in certain Town Center sub-areas, (xi) change incentive requirements in certain Town Center sub-areas. See, e.g., Exhibit 7 through Exhibit 12.

THE PRELIMINARY DESIGN REVIEW PROCESS IS FLAWED

1) *The April 2015 Hines Proposal*

In April of 2015, Hines submitted documents for the 2015 Hines Proposal that proposed a building containing: (i) up to 192 apartment units, (ii) approximately 30,000 gross square feet of space for a supermarket, (iii) 10,000 gross square feet of general retail space, (iv) 247 parking stalls for the residential use, (v) 151 parking stalls for supermarket and retail use, and (vi) 211 parking stalls for general public use. See, e.g., Exhibit 1, at pp. 1 and 2, and Exhibit 13 at pp. 1.

2) *The May 2015 Hines Proposal*

In May of 2015, Hines submitted documents for the 2015 Hines Proposal that proposed a building containing: (i) 196 apartment units, (ii) 16,000 square feet of commercial space and (iii) 518 parking stalls.

3) *Hines Failed To Attend A Predesign Meeting*

MICC 19.15.040(F)(2)(b)(i) requires Hines to attend a Predesign Meeting regarding its 2015 Hines Proposal. Hines failed to attend a Predesign Meeting for its 2015 Hines Proposal. See, e.g., Exhibit 14.

Hines’ failure to attend a Predesign Meeting for its 2015 Hines Proposal materially prejudiced the City and its citizens.

Because Hines failed to attend a Predesign Meeting for its 2015 Hines Proposal, it is unlawful for the Design Commission to act on or consider the 2015 Hines Proposal until after the DSG and Hines cure this legal flaw. See, e.g., RCW 36.70C.130.

4) *Hines Failed To Attend A Preapplication Meeting*

MICC 19.15.040(F)(2)(c)(i) requires Hines to attend a Preapplication Meeting regarding its 2015 Hines Proposal. Hines failed to attend a Preapplication Meeting for its 2015 Hines Proposal. See, e.g., Exhibit 14.

Hines' failure to schedule and attend a Preapplication Meeting for its 2015 Hines Proposal materially prejudiced the City and its citizens.

Because Hines failed to attend a Preapplication Meeting for its 2015 Hines Proposal, it is unlawful for the Design Commission to act on or consider the 2015 Hines Proposal until after the DSG and Hines cure this legal flaw. See, e.g., RCW 36.70C.130.

5) *The Notices Of Application Are Legally Flawed*

MICC 19.15.020(D)(1) requires the City to issue a Notice of Application. MICC 19.15.020(D)(4) requires that the Notice of Application "shall be provided in the bi-weekly DSG bulletin, posted at City Hall...."

The Public Notice of Application published in the DGS bulletin is different than the Public Notice of Application posted at City Hall, but both appear not to comply with MICC 19.15.020.

The Public Notice of Application published in the DGS bulletin appears not to comply with, among other things: MICC 19.15.020(D)(2)(f), MICC 19.15.020(D)(2)(i) and MICC 19.15.020(D)(2)(j).

The Public Notice of Application posted at City Hall appears not to comply with, among other things, MICC 19.15.020(D)(2)(j).

MICC 19.15.020(D)(2)(j) is critical and requires "A description of those development regulations used in determining consistency of the project with the city's comprehensive plan." The 2015 Hines Proposal must be consistent with the following elements of the comprehensive plan: (i) the Land Use Element, (ii) the Housing Element, (iii) the Capital Facilities Element, (iv) the Transportation Element and (v) the Park And Recreation Element. See RCW 36.70A.070.

The Public Notice Of Application's failure to comply with MICC 19.15.020(D) materially prejudiced the citizens of Mercer Island.

Because the Public Notice Of Application failed to comply with MICC 19.15.020(D), it is unlawful for the Design Commission to act on or consider the 2015 Hines Proposal until after the DSG and Hines cure this legal flaw. See, e.g., RCW 36.70C.130.

6) *The First Page Of The Staff Report Memorializes Additional Flaws*

Hines requested and was granted a special expedited review process. *See* Exhibit 2. The Hines special expedited review process has culminated in flaws and chaos as evidenced by, without limitation, the Staff Report.

By way of example and without limitation, page one of the Staff Report discloses the following:

1. The “Design Packet” was not received by the City until May 4, 2015, hardly sufficient time for the necessary analysis, consideration and review from which to make decisions.
2. The “Plan Set” received by the City on April 15, 2015, was for the April 2015 Hines Proposal and not for the May 2015 Hines Proposal. *See, e.g.*, Exhibit 1, at pp. 1 and 2, and Exhibit 13 at pp. 1.
3. The SEPA Checklist is dated May 1, 2015, and could not have been received by the City on April 15, 2015.
4. The “Preliminary Transportation Summary” was not received by the City until May 11, 2015, the same day the City issued Notices Of Application and hardly sufficient time for the necessary analysis, consideration and review from which to make decisions.¹
5. The “Geotechnical Engineering Design Report” was not received by the City until May 15, 2015, four days after the City issued Notices Of Application and, thus, precluding the necessary analysis, consideration and review from which to make decisions.

Because the Staff Report is inaccurate, the Design Commission should not act on or consider the 2015 Hines Proposal until after the DSG and Hines cure this legal flaw. *See, e.g.*, RCW 36.70C.130.

¹ The May 7, 2015 “Preliminary Transportation Summary” is deficient in numerous regards. For example, without limitation, it does not consider the impacts of the increased traffic on the local intersections, such as 77th Ave SE at SE 29th St (Albertson's), SE 27th St (Walgreens) and 78th Ave SE at SE 30th St (Rite Aid), SE 29th St (Shell), SE 28th St (QFC), and SE 27th St (Island Square). Given that 60 vehicles are expected exit the property and turn left onto 77th Ave SE, the impact of those additional 60 vehicles on the intersection of 77th Ave SE and SE 29th St should must be considered and addressed.

DECISION CRITERIA

1) *The 2015 Hines Proposal Fails To Comply With The Town Center Vision*

The 2015 Hines Proposal fails to comply with, and without limitation: (i) MICC 19.11.010, (ii) the 1994 Town Center Vision, and (iii) the 2015 Town Center Vision.

Indeed, Deputy Mayor Grausz stated that the 2014 Hines Proposal (which is similar to the 2015 Hines Proposal in bulk and mass) “unnerves” him and that he found that proposal to be “disconcerting.” *See* Exhibit 15 and Exhibit 16.

Deputy Mayor Grausz also (as to that proposal) advised the City Manager as follows:

This is the time for a very strong message to be sent to this developer. Otherwise, I think we need to seriously consider a moratorium until we complete work on the Town Center effort. This project will destroy what we are hoping to do. (bold added).

See Exhibit 17.

THE SEPA REVIEW PROCESS IS FLAWED

1) *The SEPA Notices Are Legally Flawed*

WAC 197-11-335 requires that a Notice Of Application list “the conditions being considered to mitigate environmental impacts, if a mitigated DNS is expected.” *See* Exhibit 18.

The Public Notice of Application published in the DGS bulletin and the Public Notice of Application posted at City Hall appear not to comply with WAC 197-11-335.

The Public Notice Of Application’s failure to comply with MICC 19.15.020(D) materially prejudiced the citizens of Mercer Island.

Because the Public Notice Of Application failed to comply with WAC 197-11-335, it is unlawful for the Design Commission to act on or consider the 2015 Hines Proposal until after the DSG and Hines cure this legal flaw. *See, e.g.*, RCW 36.70C.130.

2) *The SEPA Information Is Legally Flawed*

The SEPA information and the SEPA Checklist are inaccurate and incomplete, and, as such: (i) precludes the citizens of Mercer Island from making any informed comments, and (ii) precludes the City from making any informed environmental decisions.

By way of example and without limitation:

1. With regard to B(2)(a), the Hines' response fails to address air emissions "when the project is completed."
2. With regard to B(4)(b), the Hines' response fails to disclose that the "Nine existing trees [that] will remain" are on the MacDonald property, not the 2015 Hines Proposal property.
3. With regard to B(10)(b), the Hines' response affirmatively misrepresents that the 2015 Hines Proposal will not alter or obstruct views in the immediate vicinity.
4. With regard to B(14), the Hines' response fails to provide any information upon which any informed comments or environmental decisions can be made.

Because the SEPA Checklist is inaccurate and incomplete, the Design Commission should not act on or consider the 2015 Hines Proposal until after the DSG and Hines cure this legal flaw. *See, e.g.*, RCW 36.70C.130.

LIST OF EXHIBITS

1	May 12-23, 2015, E-Mail String
2	January 12-13, 2015, E-Mail String (highlighted)
3	March 16, 2015, City Council Meeting Partial Transcript (highlighted)
4	March 30, 2015, City Council Meeting Partial Transcript (highlighted)
5	Deputy Mayor Grausz's April Update (highlighted)
6	Retail Space Analysis
7	Existing Town Center Sub-Areas
8	Proposed Town Center Regulating Plan
9	Proposed Town Center Retail Frontage
10	Town Center Stakeholder Group Meeting Summary
11	Proposed Town Center Incentive Structure (highlighted)
12	Deputy Mayor Grausz's May Update (highlighted)
13	April 10, 2015, Memorandum
14	Design Commission Process (highlighted)
15	December 4, 2014, E-Mail To Councilmember Bertlin
16	December 4, 2014, E-Mail To Councilmembers Bassett And Wong
17	December 7, 2014, E-Mail To City Manager Treat
18	WAC 197-11-355 (highlighted)

EXHIBIT 1

RE: Hines project design review plans (Part 2 of 3)

Robert A. Medved
5/23/15
To: Shana Restall

Shana:

A review of the five documents you provided on May 12, 2015 and the seven documents posted to the City's website on May 21, 2015 evidence the existence of additional documents and materials regarding File Nos. DSR 15-014 and SEPA 15-011.

The "Development Application" you provided on May 12, 2015, is dated April 9, 2015. Please advise me when the City received that April 9, 2015, "Development Application." Please advise me of any additional documents or materials that accompanied that April 9, 2015, "Development Application" regardless of whether those documents and materials were or were not "formally submitted with the application."

The traffic "Memorandum" you provided on May 12, 2015, is dated April 10, 2015. Please advise me when the City received the April 10, 2015, traffic "Memorandum." Please advise me of any additional documents or materials that accompanied or are related to the April 10, 2015, traffic "Memorandum" regardless of whether those documents and materials were or were not "formally submitted with the application."

The metadata to the "DSR15-014-Plans" you provided on May 12, 2015, memorialize the fact that the "DSR15-014-Plans" were created on April 10, 2015. Those "DSR15-014-Plans" also identify and memorialize the existence of an April 13, 2015, "PRELIMINARY DESIGN REVIEW" submittal. Please provide me a copy of that at April 13, 2015, "PRELIMINARY DESIGN REVIEW" submittal. Please advise me when the City received that April 13, 2015, "PRELIMINARY DESIGN REVIEW" submittal. Please advise me of any additional documents or materials that accompanied or are related to the April 13, 2015, "PRELIMINARY DESIGN REVIEW" submittal regardless of whether those documents and materials were or were not "formally submitted with the application."

The Preliminary Design Review Submittal you provided on May 12, 2015, identifies and memorializes the existence of an "Appendix A." Please provide me a copy of that "Appendix A." Please advise me when the City received that "Appendix A."

The traffic "Memorandum" posted to the City's website on May 21, 2015, is dated May 7, 2015. Please advise me when the City received that May 7, 2015, traffic "Memorandum."

It is problematic to prepare and submit comments based upon incomplete and changing information. Your prompt respond to the above requests is appreciated especially since the deadline for filing comments is May 26, 2015.

Bob

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
Facsimile: 206-236-2200
Cellular: 206-550-3300
E-mail: robertamedved@msn.com

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From: shana.restall@mercergov.org
To: robertamedved@msn.com
Subject: RE: Hines project design review plans (Part 2 of 3)
Date: Sat, 23 May 2015 06:06:49 +0000

Dear Bob,

The Traffic Memo on the website (dated May 7, 2015) is the one included in the application. I accidentally sent you an earlier version that was not formally submitted with the application. The staff report for project DSR15-014 for the May 27, 2015 Design Commission meeting is attached.

Thanks,

Shana

Shana Restall | Principal Planner

City of Mercer Island Development Services
9611 SE 36th Street, Mercer Island, WA 98040-3732
p: 206.275.7732 fx: 206.275.7726
shana.restall@mercergov.org

View the status of permits at www.mybuildingpermit.com

View information for a geographic area [here](#)

View application and other zoning information [here](#)

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From: Robert A. Medved [mailto:robertamedved@msn.com]
Sent: Friday, May 22, 2015 1:50 PM
To: Shana Restall
Subject: RE: Hines project design review plans (Part 2 of 3)

Shana:

2013 Hines Proposal:

On November 13, 2013, the Design Commission conducted a Study Session for the 2013 Hines Proposal containing 156 residential units, 9,300 square feet of commercial space and 211 parking stalls. See the first and second attachments.

The packet for the November 13, 2013, the Design Commission Study Session for the 2013 Hines Proposal, included a "Study Session Staff Report" to the Design Commission.

2014 Hines Proposal:

On December 10, 2014, the Design Commission conducted a Study Session for the 2014 Hines Proposal containing 215-230 residential units, 14,625 square feet of commercial space and 400-430 parking stalls. See the third and fourth attachments.

The packet for the December 10, 2014, the Design Commission Study Session for the 2014 Hines Proposal included a "Memorandum" to the Design Commission.

2015 Hines Proposal:

On May 26, 2015, the Design Commission will conduct a preliminary review of the Hines 2015 Proposal containing 196 residential units, 16,000 square feet of commercial space and 518 parking stalls. See <http://www.mercergov.org/Agendas.asp?AMID=2363>

The packet for the May 26, 2015, the Design Commission Preliminary Review for the 2015 Hines Proposal does not contain a Staff Report, a Memorandum or any other sort of document to inform the Design Commission and the public. Is this an intended omission? What is the reason for the omission?

Additionally, on May 12, 2015, you provided me five documents, one of which is a "Memorandum" that is the fifth attachment to this e-mail. Yesterday you advised me that "the Hines application materials are now posted" on the City website. The sixth attachment to this e-mail is a "Memorandum" from that website. The fifth attachment to this e-mail is materially different from the sixth attachment to this e-mail. When did the City receive the fifth attachment to this e-mail?

Please respond to the above inquires since the deadline for filing comments is May 26, 2015.

Thank you,
Bob

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
Facsimile: 206-236-2200
Cellular: 206-550-3300
E-mail: robertamedved@msn.com

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From: shana.restall@mercergov.org
To: robertamedved@msn.com
Subject: RE: Hines project design review plans (Part 2 of 3)
Date: Fri, 22 May 2015 19:24:08 +0000

Dear Bob,

My email from yesterday was incorrect. The geotech report was received by the City on May 15, 2015.

Thanks,
Shana

Shana Restall | Principal Planner
City of Mercer Island Development Services
9611 SE 36th Street, Mercer Island, WA 98040-3732
p: 206.275.7732 fx: 206.275.7726
shana.restall@mercergov.org

View the status of permits at www.mybuildingpermit.com
View information for a geographic area [here](#)
View application and other zoning information [here](#)

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From: Shana Restall
Sent: Thursday, May 21, 2015 2:34 PM
To: Robert A. Medved
Subject: RE: Hines project design review plans (Part 2 of 3)

Dear Bob,

Just an FYI - the Hines application materials are now posted here:
<http://www.mercergov.org/Agendas.asp?AMID=2363>

Thanks,
Shana

Shana Restall | Principal Planner
City of Mercer Island Development Services
9611 SE 36th Street, Mercer Island, WA 98040-3732
p: 206.275.7732 fx: 206.275.7726
shana.restall@mercergov.org

View the status of permits at www.mybuildingpermit.com
View information for a geographic area [here](#)
View application and other zoning information [here](#)

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From: Robert A. Medved [<mailto:robertamedved@msn.com>]
Sent: Thursday, May 21, 2015 10:08 AM
To: Shana Restall
Subject: RE: Hines project design review plans (Part 2 of 3)

Shana:

Thank you.

Bob

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
Facsimile: 206-236-2200
Cellular: 206-550-3300
E-mail: robertamedved@msn.com

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From: shana.restall@mercergov.org
To: robertamedved@msn.com
Subject: Re: Hines project design review plans (Part 2 of 3)
Date: Thu, 21 May 2015 17:05:25 +0000

I have given you everything formally taken in for the applications for project numbers DSR15-014 and SEP15-011.

Sent using OWA for iPhone

From: Robert A. Medved <robertamedved@msn.com>
Sent: Thursday, May 21, 2015 10:03:17 AM
To: Shana Restall
Subject: RE: Hines project design review plans (Part 2 of 3)

Shana:

Thank you for the below information.

Please confirm that, other than notes of the “pre-application meeting on November 18, 2014,” I have been provided with all the documents and materials the City reviewed prior to issuing the May 11, 2015 Public Notice of Application.

Your prompt response to these issues is sincerely appreciated.

Bob

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
Facsimile: 206-236-2200
Cellular: 206-550-3300
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From: shana.restall@mercergov.org
To: robertamedved@msn.com
Subject: RE: Hines project design review plans (Part 2 of 3)
Date: Thu, 21 May 2015 16:13:06 +0000

Dear Bob,

I'll respond to your requests below:

- (i) The application was not formally taken in during the pre-application meeting, which happens when the applicant does not bring a complete application to the pre-app. So, the City does not have formal materials related to the pre-app. However, there may be notes. To get any notes that may exist, please submit a public records request to the City Clerk's office:
<http://www.mercergov.org/files/records%20request%20form.pdf>
- (ii) The Geotechnical report was received on May 13, 2015.
- (iii) You may submit electronic comments to include in the record directly to me at shana.restall@mercergov.org

Thanks,
Shana

Shana Restall | Principal Planner
City of Mercer Island Development Services
9611 SE 36th Street, Mercer Island, WA 98040-3732
p: 206.275.7732 fx: 206.275.7726
shana.restall@mercergov.org

View the status of permits at www.mybuildingpermit.com
View information for a geographic area [here](#)
View application and other zoning information [here](#)

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From: Robert A. Medved [<mailto:robertamedved@msn.com>]
Sent: Wednesday, May 20, 2015 10:17 PM
To: Shana Restall
Subject: RE: Hines project design review plans (Part 2 of 3)

Shana:

Thank you for the information below and for a copy of the Geotechnical report.

Would you please: (i) provide me with the documents relating to the “pre-application meeting on November 18, 2014,” (ii) let me know what date the City received the “Geotechnical report” and (iii) provide me the e-mail address to submit electronic comments.

I am assuming that I have been provided with all the documents and materials the City reviewed prior to issuing the May 11, 2015 Public Notice of Application. If my assumption is incorrect, please provide me with all additional documents.

Thank you for your prompt response to these issues.

Bob

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
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From: shana.restall@mercergov.org
To: robertamedved@msn.com
Subject: RE: Hines project design review plans (Part 2 of 3)
Date: Thu, 21 May 2015 00:09:56 +0000

Dear Bob,

The Hines project had a pre-design meeting on October 15, 2013 and a pre-application meeting on November 18, 2014. I apologize for the SEPA checklist being truncated in parts. Our website form does that at times. My copy has a plus sign in the bottom right corner of some boxes that can be clicked to allow for the boxes to be expanded. If that doesn't work for you, here are the responses that appear to overflow the boxes of the form:

***B.2.a.** - Minor dust emissions may result from demolition and earthwork construction procedures. Construction equipment (drilling equipment, excavators and trucks) will also be present on-site during excavation and shoring and may cause minor air emissions. Upon project completion, car emissions will be generated from cars traveling to and from the building.*

***B.2.c.** - Dust will be carefully controlled to meet all City/State and Federal emission requirements, most commonly through the use of water hose and spray to keep particulates settled on the site. Emissions from construction equipment are mitigated by built-in emissions controls on the equipment itself which will be required to meet all emissions standards.*

***B.10.a.** - The roof structure is 65' above average building elevation. From the site's lowest point (NW corner), the building measures approximately 67'-11" from finished grade to top of parapet. Elevator overruns, stair penthouses and rooftop mechanical equipment will be maintained at or below the 10' maximum overrun height beyond 65' zoning height. The principal exterior materials proposed are metallic and fiber cement panels on a rain screen system, concrete, aluminum and vinyl windows. Glazing will be at or below 45% at residential levels with storefront glazing predominately at grade.*

***B.11.a.** - The proposed structure will include lights typical of a mixed use project: decorative wall sconces and/or special lighting at retail facades, street lights in the right-of-way, landscape lighting, and residential and retail entry lighting for the safety and security of occupants and visitors. Light pollution shall be mitigated per the requirements of the Mercer Island Municipal Code Section 19.11.090.B7. Lighting around the site is anticipated to occur from dusk through dawn.*

The documents that I emailed to you were the only documents formally submitted to the City at the time of application. We have since received a Geotechnical report, which is attached.

Thanks,
Shana

Shana Restall | Principal Planner
City of Mercer Island Development Services
9611 SE 36th Street, Mercer Island, WA 98040-3732
p: 206.275.7732 fx: 206.275.7726
shana.restall@mercergov.org

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From: Robert A. Medved [<mailto:robertamedved@msn.com>]
Sent: Wednesday, May 20, 2015 3:43 PM
To: Shana Restall
Subject: RE: Hines project design review plans (Part 2 of 3)

Shana:

ADDITIONAL DOCUMENTS AND MATERIALS NECESSARY TO PREPARE WRITTEN COMMENTS.

I appreciate the five documents you sent to me. A review of those five documents makes it clear that there are additional documents and materials that the City reviewed prior to publishing the Public Notice Of Application on May 11, 2015.

For example, the SEPA Checklist you sent me provides that the “applicant has conducted ... a Pre-App meeting with City Staff.” I assume that “Pre-App meeting” was governed by 19.15.040(F)(2)(c)(i) which requires a “complete application on forms provided by the development services group (DSG) and all materials pertaining to the project shall be submitted at a formal preapplication meeting with DSG staff.”

A review of all of the documents and materials pertaining to the project and reviewed by the City is critical to submitting the written comments identified in the Public Notice Of Application.

Please advise me when I can review those documents and materials so as to allow sufficient time for the preparation of written comments within the comment period provided in the Public Notice Of Application. Also, please provide me the e-mail address to submit those comments electronically.

INCOMPLETE DOCUMENTS.

The SEPA Checklist you sent me appears to be incomplete. For example, the response to subsection B(2)(a) at page 3 prematurely ends with “and tr” and the response to subsection B(11)(a) at page 7 prematurely ends with “facades street”.

I would appreciate a complete SEPA Checklist.

Thank you for your prompt attention to these issues.

Bob.

Robert A. Medved
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From: shana.restall@mercergov.org
To: robertamedved@msn.com
Subject: Re: Hines project design review plans (Part 2 of 3)
Date: Wed, 20 May 2015 19:10:30 +0000

Dear Bob,

I just listened to your voicemail. I'm in Meetings for the rest of the day and all day tomorrow. Is there any possibility that you could send me your questions via email so that I could get back to you today?

Thanks,
Shana

Sent using OWA for iPhone

From: Robert A. Medved <robertamedved@msn.com>
Sent: Wednesday, May 20, 2015 10:21:09 AM
To: Shana Restall
Subject: RE: Hines project design review plans (Part 2 of 3)

Shana:

I just left a voice message asking you to call me at (206) 550-3300.

Thanks,
Bob

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
Facsimile: 206-236-2200
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From: robertamedved@msn.com
To: shana.restall@mercergov.org
Subject: RE: Hines project design review plans (Part 2 of 3)
Date: Wed, 20 May 2015 00:25:03 -0700

Shana:

I have received three e-mails with attachments.

Thank you,
Bob

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
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From: shana.restall@mercergov.org
To: robertamedved@msn.com
Subject: Hines project design review plans (Part 2 of 3)
Date: Tue, 12 May 2015 19:22:15 +0000

Dear Bob,

Attached please find the submitted plans for the Hines proposal. Please confirm that you have received all three emails. Please note that the comment period ends fourteen (14) days from today on May 26, 2015 at 5:00 PM.

Thanks,
Shana

Shana Restall | Principal Planner
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9611 SE 36th Street, Mercer Island, WA 98040-3732
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From: Robert A. Medved [<mailto:robertamedved@msn.com>]
Sent: Tuesday, May 12, 2015 9:53 AM
To: Shana Restall
Subject: Hines Project

Shana:

I just left a voice message asking you to please call me at (206) 550-3300.

Thank you,
Bob

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
Facsimile: 206-236-2200
Cellular: 206-550-3300
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EXHIBIT 2

From:
To: Kaseguma; Evan Evan.Kaseguma@hines.com
Cc: Favreau; John John.Favreau@hines.com
Subject: RE: Draft Term Sheet
Date: 1/13/2015 10:58:04 AM
Attachments:

Hi Evan and John. I met with Noel, Kirsten and Katie (City Attorney) yesterday to get some direction. Here is the outcome of that meeting:

1. We want to move forward with a term sheet, which would be the basis for a future development agreement. The term sheet can be signed by the City Manager and does not need City Council approval. The term sheet is non-binding and will establish the deal points that will be brought forward to City Council. I will be working on edits to the term sheet and starting work on a draft development agreement. We are bringing in some outside resources (at City cost) to advise us on some elements of the term sheet, since we are not in the development business.
2. We will consider a lease/buyout idea.
3. There are no issues with two larger retail tenants.
4. **We will give the project top priority in design review and plan review.**
5. Term Sheet Paragraph 4: We will pay fair share of design costs including geotech, other engineers, etc. Again, we will need more definition of what's included.
6. Paragraph 7c: We can edit the language. The intent is to avoid commuters having to drive through Hines-only parking and vice-versa. Allowing both types of parking to share a curb cut would be ok.
7. Paragraph 8a: We agree to substitute "reasonable" for "sole and absolute" or similar language achieving the intent of that paragraph. Maybe focusing on compatible use would be better language.
8. Paragraph 15: Paying fair share of real estate taxes, operating costs, etc. is reasonable. We need to define that a bit more.
9. Paragraph 20: We can remove this paragraph and simply work on a separate schedule for the project.

Some important dates you should be aware of:

Jan. 23 (3:00-6:00 pm): City Council Planning Session (at Community Center)—discussion of Town Center planning, commuter parking (Ben's report) and Metro bus issues. We expect City Council to give staff
Jan. 29 (evening): Parking Options Open House (Community Center, time TBD between 5-8 pm)

From: Kaseguma, Evan [mailto:Evan.Kaseguma@hines.com]
Sent: Monday, January 12, 2015 9:10 AM
To: Scott Greenberg
Cc: Favreau, John
Subject: RE: Draft Term Sheet

Scott:

Thanks for a productive discussion on Thursday. I wanted to send a list of follow-up items:

1. Scott to check if the City will consider an interim lease with buyout provision
2. Scott to confirm the City will pay its fair share of real estate taxes and its actual operating costs (not just a pro-rata share of total garage costs, since the public parking is likely to demand a higher level of cleaning, security, etc)
3. **Scott to check if the City will commit to expediting our project and covering the costs of**

expedited review

Thanks,

Evan

EXHIBIT 3

March 16, 2015 – City Council Meeting

40:38 AB-5055

CA Knight: Just to put context on this, on February 2nd, the City Council passed a moratorium which excepted out Hines and it also excepted out building underneath two Stories

1:49:50

Evan Kasaguma: Evan Kasaguma, with Hines. Four months ago, we stood before the Design Commission, and presented our plans for our original project.

Then, on December 10th, the City approached us about public parking. The –City- asked –us- to work in good faith to figure out a solution for the community. We could have said no. If we had said no, we would be vested right now. And Mercer Island would be left with a major parking problem, more empty retail, and another concrete plaza that does little to enhance the Town Center.

1:50:36

We could have said no. But instead, we said yes. We agreed to work with you in good faith. We put our project on hold for several months. We spent hundreds of thousands of dollars, of our own money, money that we'll never get back. We did this because we thought it was right. Even though it wasn't convenient or cost effective. We did this to be a good neighbor and provide public benefits in the Town Center. And now, unfortunately, opponents of our project are pressuring you to throw these public benefits away.

1:51:11

Let me be very clear. If we are included in the moratorium, the land assemblage dies. And the public benefits will be killed. These are not idle words. They are not threats. It's the truth. At the last council meeting, one of the landowners stated that, if we are

included in the moratorium, they'll go their separate way. Without the full block, we can't provide potential for 240 stalls of commuter parking. A high-end grocer, like Whole Foods, which is the anchor retailer that the Town Center desperately needs, a grand plaza, along SE 29th, that your consultant and citizens badly want. Youth Theater Northwest, and MICA's best chance to solve what could be a very expensive parking problem.

1:52:41

... We ask that you protect and preserve these great public benefits. That both of us have been working very hard to achieve. We ask that you honor your word, and stand up for your commitments, and do what's right. Please don't include our project in the moratorium. Thank you.

2:31:56

CM Bertlin: One interesting thing that has come out is there seems to be a general sense that there is legal weight behind the letter from Hines insofar as the commitment to 15 day notification. And for me that is a very important part of my processing, and then again, also the ability to create distinctions and understand clear differentiation between the Hines project and Cassan, Cohen, and other, that might be in the works. Finally, there's the element of negotiating in good faith. And I think that is relevant to the extent to which we entered into conversations with Hines back in December in good faith knowing that they were on an expedited path. So where I am when I add A and B, I come out with, right now, as I said, still very much interested in hearing from fellow Councilmembers, is to keep the moratorium in place and keep the exception for Hines.

2:33:34

CM Wong: I'll try to be brief, but, this is a very difficult decision. I mean, I've been on the Council for a little over a year, and this by far, is the most difficult decision that I've been asked to make.

2:35:47

The questions that percolate within the community, that's been percolating for several months now, is basically, why the Hines project was excluded in the first place, and now, why is being excluded, possibly, going forward. I think we all need to answer these questions, each one of us here to explain how he or she came to his or her own decision, I think what I wanted to hear, and again, I was in favor of delaying, and continuing, not delaying, but continuing this public hearing, so that we had more time for outside legal counsel to look at questions that I and other City Councilmembers basically were raising with them. Because, again, this is a difficult issue.

2:36:33

So with the Findings of Fact, that we're obviously going to go through, and take a hard look at, is going to be basically the story, behind why the moratorium was adopted and what exemptions are going to be in there, or not in there. And it, basically, is going to be the justification for our actions. And I think in looking at why I am moving to the decision I am moving is basically, a couple ones. There is a concern about litigation. Now we have had, as you now know, we have had a couple of legal counsels provide advice. And, the bottom line is that whatever decision we make, there's a risk of litigation. I mean, that's just the way it is. But, because there is a risk of litigation, I think, we as stewards of the City's resources, we need to be mindful of, what that litigation might mean.

2:38:22

So I guess, the question is well, if it's not an equal protection violation, how is that possible if we're treating people differently. And that's possible as long as you have a rational basis for your decision. And I believe that, again, subject to future change, I think the Findings of Fact that have been part of the Agenda bill, provide some glimmer of what that rational basis is.

2:38:50

And you've heard discussions already about some of the public benefits that have been represented. Hines did it again, tonight. They represented that potential parking, the

plaza, and so those are things that are being represented to the public. And so, you know, I am –not- happy, I mean, this is not an ideal world, if it was, we'd be in a much better place. But I am not happy that we don't have a lot of things in hard fast writing.

2:39:21

And I know that would provide me a lot more comfort than just public statements and representations by the people of Hines and others. But we have to deal with what we have. And at this point, I'm looking at those representations, and believe that this letter that they sent is something that we can hang out hats on and basically hold them. And if they renege on their representation and take a step backwards, I will be the first to vote them back into the moratorium. So at this point in time, I am in favor of version A.

2:55:00

CM Brahm: I'm going to be much briefer. In my years on the Council, this is definitely my most difficult decision as well. I'm up nights, my husband said I hope you finally vote on that thing because I've been impossible to live with. There's been a lot of passion around our house and in this community on all sides, bringing in so much. Bringing in schools, height, parking, traffic, amenities, canyons, gathering places, plazas, GMA, schools, retail anchors, we're talking heights and villages, it's daunting. There's so much involved and inter-related as we've discussed. And I want to thank everybody for being so involved and passionate about this. And I want to focus on the future, the long term future. I have faith in our Town Center process, that's going on and I do hope people will get involved and go online to the City's website and give their feedback about what they want to see in the Town Center. I am neither pro-development or anti-development. I am pro-Mercer Island, and pro-Town Center. I think much of our 1994 Town Center Vision still applies, I believe. But I've seen that, and many in the community have seen, for years, that what was developed in 1994, and what sat on a shelf for 10 years, hasn't yielded quite what was envisioned. And now we're in the process of revisiting that, tweaking the plan, changing the code where necessary, and we have a developer who has, I think a good plan. But I'm fearful about it, because it's our job to protect the citizens of the City. We don't have anything in writing. We have a letter and a promise.

We don't have a legally binding contract. We're being asked to go on good faith that this project is going to be good, that the Hines project will bring parking for 240 cars, and a Whole Foods, but there's no guarantee. I think it may be an exceptional opportunity, but I am not willing to go down that line without something in writing. There may be, we've heard tonight that if Hines isn't excluded from the moratorium that they'll go away. I think that if Hines wanted to work with us, if they are true to the letter that they gave to us, that Councilmember Grausz solicited from Hines, then, they'll wait for the moratorium to be over and come back. There may be the possibility of a development agreement, something that will allow them to produce a good project, but still be acceptable to the community.

2:58:34

I don't think that this should kill the Hines project, necessarily. It could be a good project for our community, but there are too many unknowns. If including them in the moratorium causes Hines to walk away, it tells us something about their sincerity in wanting to work with the community. Why would we allow a business to develop under zoning regulations that we know are flawed right now? With no written contract. So, I have a lot of respect for Hines, and Evan and Ty have been most accommodating, they have bent over backwards to explain our project to our community, but I think that I'm not willing to run the risk, it's our job to protect the citizens and the interest of the community, and so I, one thing that was interesting, we did hear a lot from lawyers lately, lawyers' opinions on all sides, relative risk, litigation threats, etc., but they couldn't find case law for an exemption like ours, which is pretty interesting. But there's a possibility down the road.... OK, yes, I'm sorry. Development agreements, interim zoning, I think that, I'm going to be supporting option B.

3:01:25

DM Grausz: So, this is, this is not a situation where this Council has been, just woke up all of a sudden two months ago and said that the sky is falling, we've got to do something. It's a situation where we have been working conscientiously towards trying to find a solution to what we recognized, and what the community told us back then was

a problem that needed to be dealt with. So, then suddenly in December, you know, the Hines project shows up. I think for the first time, pretty much everyone on this Council, when we started seeing an agenda packet for the Design Commission. And so we all had to sit there and go through some very hard thinking as to, how did that fit into what we were doing.

3:02:29

Because as I, because as Mike said, they were operating under a development code that we had all identified nine months earlier as having deficiencies, and which in fact our consultant confirmed to us that it had deficiencies. So suddenly Hines shows up. And then, so we have to think, okay, so what does this mean to the process. And we said to our staff, talk to us. And talk to them. Because there are some real concerns that we have, and that's why we're going through this Town Center Visioning process, and how does that fit into it.

3:03:13

And coincidentally, at the same time this is all happening, the sky is falling down on top of us because we proposed to the community that they look at putting commuter parking at, near the Community Center, and there was a public outcry to that. So, we suddenly found ourselves with two things coming together all at once that we had this Hines project which we weren't expecting, and we had commuter parking, a commuted parking mess on our hands. And so, we go to staff and we say, is there a way this can fit together. And so, staff basically talked with Hines, and says, is there a way this can fit together. And Hines says, okay, we'll talk about it. They didn't have to, as one of the representatives of Hines said tonight, they didn't have to do anything with us. But they said well, we'll stop and we'll talk about it.

3:14:11

And then we said to them, and by the way, here's our Phase 1 report which talks about something on SE 29th Street, a different public park, and they had gone to the Design Commission and talked about on 77th, and talked about something on 78th, and in fact, the Design Commission, if I recall correctly, told them, don't do it on 77th, do it on 78th, or I may have that reversed. But then staff says, no, don't do it there, you know, think about 29th. They said, okay, we can think about 29th.

3:04:43

And then, then they came to us and we didn't ask them for this, but they said and, by the way, we're willing to talk to a high-end retailer, high-end grocer, because we understand that's something that the City has been very interested in. So they did all these things, and so this is in the middle of our process to try to come up with a better Town Center. And so, and we say, you know, this is amazing. Because, you know, finally we're talking with someone who can maybe address some of the key problems that we have and that we're wrestling with at the same time that we're also trying to come up with a better Town Center.

3:05:20

And it's not, this is not a situation where they tried to force anything down our throat, they haven't, they haven't threatened to sue us, in fact, you know, they were so forthcoming in this letter that I have acknowledged having solicited, they didn't have to provide that. But what they provided us is a letter saying, you know, if you don't trust us, and I understand what Jane is saying because we don't have a contract from them, but I would point out, Jane, that we don't have a contract from them because the City is in no position to enter into a contract with them.

3:05:57

So, my guess is, if the City was prepared to sign a contract with them tomorrow for a 240-spaced commuter parking facility, they'd say, where do we sign. But we're not even close to being ready to sign that. If the City was to tell them tomorrow, you know, we have a contract to put a public plaza on 29th, they'd say where do we sign. But we don't have a contract to offer them to put a Plaza on 29th. So it, but they did do, is they did sign a letter, which is an enforceable letter, which says, we are willing to deal with you in good faith, and if we don't deal with you in good faith, then we'll give you notice, or if we don't, if we're going to give you notice 15 days before we file for a building permit, before we can possibly vest, if you don't think we've dealt with you in good faith, then, you know, call us on it. And put us under your moratorium. And they wrote us that letter, and to me, I've never met any developer willing to except them, willing to extend themselves like that.

3:07:03

Where they're saying, not only in their acts, and their deeds have they done what the city has asked them to do and what this Council asked them to consider, but they have gone further and said, you know, we don't have a contract from you, City of Mercer Island. We don't have any guarantees from you as to what you're going to do, but we are willing to take it on faith that you will act in good faith, and we will agree that we'll give you 15 days' notice before we vest. So who does that? I mean the City wouldn't write them a letter like that, the City wouldn't say to them, we'll give you 15 days' notice before we change the law. So we can give you an opportunity to vest.

3:07:43

There's no way in the world we would write them that letter, but they wrote us a letter saying that we'll give you notice. So I look at this situation, you know, we are trying to improve this Town Center. We are fortunate enough to have a developer who has come in and said, we agree with you, we want to improve this Town Center. And we want to work with you, and we want to try to address your issues because we want to be part of this community and we want to have a successful project. And so I hear the concerns, I hear the statements that have been made, I, as Debbie has said, we've had some phenomenal public input and I read every one of them and I, I'm, some of them, there's no question in my mind that people are amazingly sincere in everything they write on both sides of this issue. And I'm so truly impressed, as Mike said, that to represent a community like this is just awesome.

3:08:39

In this situation, I think, we do the best for our citizens by ensuring that we end up with a Town Center that could have the benefits that the Hines project offers us. So, I will go for Option A tonight, and encourage the rest of the Council to do so as well.

3:14:28

Mayor Bassett: So, first, thank you to the public, as everyone else has said I have very little to add beyond what they have said, and they've said it more articulately than I can. I do want to sort of harken to Ira's comment, which, Ira said, you ought to just do a blanket review of this, and he said better than I've just said it. My first position on this,

as I've pondered the over the past few days was to think exactly the same thing. Why in the world don't we just start with a blanket moratorium because it's the simple place to start. The problem is that we're not starting with a blank slate, though. If we were, that would absolutely be the place we should be on this.

3:15:14

But this is not a blank slate. And I asked Scott to give me a quick list of projects that have come recently. In 2010 we had The Mercer, Phase 1, 159 units. In 2013, we had Aviara, 166 units. In 2013 we also had Mercer Phase 2, 85 units. We've got Legacy now, 209 units, under construction. We've got a mish-mash of new construction, and old construction in our Town Center. We've got a group that has put together three properties that, by all accounts, don't get put together except in this one instance. We've got a opportunity where significant public benefit can be achieved out of this with a developer that has expressed a willingness beyond what we've heard anywhere else to work with the City.

3:17:54

Yeah, we all think a pause makes sense. But what do we do about Hines? Because it brings these special benefits to our, potentially to our Town Center. And it's at a point in it's development process where it's farther along than anything else. So, with that all as context, I stand with option A, which is to carry on, keep Hines out of the moratorium, but absolutely in favor of going forward with the moratorium and everything else, and working with Hines to make sure that project is absolutely all that it can be to the benefit, the long-term benefit of our citizenry, and our community.

EXHIBIT 4

March 30, 2015 – City Council Meeting

Mayor Bassett: “It will be an interesting conversation on the day that they tell us that they’re two weeks from filing a building permit, right?”

CM Cero: “We’re way behind on minutes. So, I don’t know any other way to document what was said at the meeting for us to have a record, a documentation, on what was said at the meeting. And, I think it was at the last Council Meeting, that we talked about it, right?”

Deputy Mayor Grausz: “...When they give the 15-day notice, then, there’s going to have to be, we’ll have to decide whether to have a meeting, or whether to bring it up at the meeting if there’s a scheduled meeting or if not whether to schedule a meeting. Again we don’t, they haven’t committed to what they’re going to do. And we don’t know, so we, we’re saying that, you know, we want to see what you’re going to do, but I think it’s been made clear to them through, the three things that have come up time and again in our discussions about Hines, have been the parking, have been the 29th Street, and have been the Whole Foods or some upscale grocery store. Those are the three things which have come up time and again. And those are three things which are referred to in the Findings of Fact...”

EXHIBIT 5

April Update

From: **Dan Grausz** (Dan.Grausz@mercergov.org)

Sent: Fri 4/10/15 4:34 PM

To: Dan Grausz (dangrausz@gmail.com)

April 10, 2015

Fellow Islanders:

First, my best wishes to all Islanders during this Easter/Passover season. As I sat with family and friends a few days ago for the Passover Seder, I thought how truly fortunate we are to live in this fantastic country and community and how lucky I am to represent Islanders during what is indeed an exciting and challenging time.

These updates are my opportunity to let Islanders know the latest on what is happening with your City government. While I always start these updates with the desire to be brief, that rarely turns out to be the case as there is much to cover. For those who have not received these updates previously, if you would prefer not receiving these in the future, please email me.

1. Bus Intercept/Turnaround: this refers to the proposal by Sound Transit and Metro to have buses from Issaquah and other communities to the east drop off and pick-up their passengers on Mercer Island so they can use light rail between Mercer Island and Seattle. It would not begin until 2023 (when light rail is scheduled to start), has obvious benefits to the region in terms of reducing transportation costs and air pollution, but will have impacts on Islanders that have not yet been quantified.

Although nothing has changed on this in the past several months, this has become a cause for immediate concern on the part of some Islanders due to recent emails and social media posts. While we are still waiting for a detailed proposal from Sound Transit and Metro that will enable everyone to give this an informed evaluation, we do know from prior discussions that the numbers and statements being bantered around in those recent communications (more than 500 buses in 6 hours and diesel spewing onto people eating in Town Center) are incorrect. Some of the facts we are already aware of include:

- The total number of buses on Mercer Island during the day if Bus Intercept is operational (estimated to be 338) will be less than what we now have (352) as many existing bus routes, such as the 550, are discontinued. These numbers do not include the 147 buses that now go across Mercer Island on I-90 but do not stop; those buses, and the pollution they create, all go away once light rail starts running whether or not Bus Intercept is implemented. Bottom line is that even with Bus Intercept, we would have less buses stopping on Mercer Island than we now have and far fewer buses polluting our air.
- About 90% or more of the buses involved in Bus Intercept will never leave the 80th Ave. overpass area (between North Mercer Way and SE 27th St.). They will get off I-90 on 80th Ave., drop off or pick-up people on 80th Ave., and get back onto I-90 from 80th Ave.
- Any parking of buses will only occur on the 80th Ave. overpass and in or next to the existing loading zones on North Mercer. What we are still trying to confirm are prior statements which suggested that parking would be limited to the afternoon rush hour and would only involve a small number of buses at any given time during that period.

The most important message I can deliver right now is to ask everyone to wait and see what the details are in the Sound Transit and Metro proposal – which is exactly what your City Council is doing. Let’s see what the impacts will be and what kind of mitigation we will require (such as commuter and Town Center parking for Islanders and other improvements that address existing mobility issues we face due to the lack of parking in the Town Center). The article in today’s Seattle Times as to the deal just reached between Sound Transit and the City of Bellevue was enlightening, to say the least, and will definitely factor into what we will be demanding of Sound Transit.

In any event, our response cannot just be that we only support what is ideal for Islanders. We may be an island but we are part of a region – a region whose help we needed and received when we successfully fought off I-90 tolling and that we rely upon for such things as 911 emergency dispatch, firefighting support (Bellevue trucks travel to Mercer Island for almost every significant fire) and other services that we cannot afford on our own. Furthermore, the savings free up monies for road and other transit projects that also benefit Islanders as most of us deal with the existing regional gridlock on a daily basis.

Please do not interpret this as anyone saying that we should put regional interests in front of Islander interests. This may just be one of those situations where our respective interests are compatible. What a refreshing possibility in the current political climate that people might be able to actually find solutions that address both our own interests and those of the people around us. We will not know that, however, until we have the details.

2. Hines Project: at its March 16th meeting, the City Council reaffirmed its prior decision that

exempted the Hines Project (the proposed mixed-use development just south of McDonald's) from the recently-imposed Town Center development moratorium. I have discussed the moratorium and Hines Project at length in prior updates and won't repeat myself here. The Findings of Fact adopted by the Council can be read at http://www.mercergov.org/files/Moratorium_ORD15-05.pdf. As I have said before, if the Hines Project does not include the community benefits that have been publicly discussed, then I would support putting them under the moratorium.

3. Town Center Visioning: the Town Center Visioning project was started over a year ago when the Council recognized that our Town Center Development Code needed updating to guide the development we expected to occur with the arrival of light rail. In January of this year, outside urban planning experts confirmed in their initial report that changes should be considered. In February, we implemented a 4-month development moratorium to give us time to progress this work. We also approved a community engagement process that is now in full swing.

A key part of the community engagement process was naming a 42-person Stakeholder Group that included a broad cross section of Islanders. That Group has now met three times and reached a consensus agreement on general principles as to what they want to see in the Town Center. The hard work lies ahead as the Stakeholder Group must still weigh in on such issues as:

- How do we achieve the boulevard look (wider and greener sidewalks) that people are seeking: narrower streets, larger building setbacks or a combination of both?
- Do we want more on-street parking if that means having to accept narrower sidewalks?
- Should we change permitted uses in the Town Center; for example, should residential be the required use for new development on parts of 76th Ave. and/or 80th Ave.
- Should permitted heights be changed?
- How do we bring about meaningful public plazas?
- What major public benefits should we require in exchange for allowing building heights to exceed 2 stories?

The general public will have additional opportunities to comment on whatever changes are being proposed before the Council makes further decisions on these issues at its June 1st meeting.

4. Library: KCLS is conducting a brief survey that will guide next steps on the Mercer Island library renovation project. Please take a minute to answer the questions at <http://www.kcls.org/MISurvey>. KCLS has also scheduled a public meeting for April 23rd at the Library from 6:00 – 7:30pm to discuss the

survey results.

5. South End Fire Station: we are still on track to begin operating out of the new fire station later this month. The same issues that I have mentioned before – delay damages payable by the contractor and roof warranty questions – remain to be resolved. As we have used very little of the contingency fund for this project by avoiding change orders, we remain well under the Council-approved budget even without factoring in delay damages.

6. Tolling I-90: the news out of Olympia remains unchanged. No one in the Legislature is talking about tolling I-90; there is nothing in either the House or Senate budgets that would suggest tolling is under consideration; and Representatives Clibborn and Senn as well as Senator Litzow remain bulwarks against it happening.

7. Improving our Parks and Open Space: earlier this month, the Council received a 10-year update on the City's efforts to improve the health of our parks and open spaces, such as Pioneer Park. It is a good news report as we have made excellent progress in both replanting trees and controlling invasives. I remember a time back around 2000 where we felt we were losing the battle to save Pioneer Park and other open spaces. That has turned around as we now have a coordinated and effective program to restore our open spaces with the proper vegetation while eliminating undesirable plants. This study will be used to guide our efforts for the next 10 years and includes strategic initiatives that take into account the special challenges we face from climate change. Please let me know if you would like a copy of the report.

8. Water Quality: the City continues to move ahead on its program to reduce the risk of a reoccurrence of last summer's boil water alert. We are spending hundreds of thousands of dollars to safeguard the points in our system where contamination is most likely to enter, such as underground vaults. Later this year, we will consider changes to our programs designed to reduce risks at the individual household level, primarily with sprinkler systems that are not fully protected by working backflow preventers.

While these and other changes are being implemented, we are continuing to maintain higher than normal (but still safe) chlorine levels in our water. No one likes these higher levels but chlorine is the best means we have to kill contaminants that may enter the system. One piece of good news is that we have been able to maintain higher chlorine levels throughout our system without having to add major new pieces of equipment that were originally thought to be required. Please be assured that the goal, and it is an achievable goal, is to bring chlorine levels back down within the next year or so to levels that will be far less noticeable and more in line with what Islanders had become used to prior to last Summer.

9. Boards and Commissions: the City is seeking volunteers to serve on Board and Commissions.

Almost everyone on the Council started their City public service in that manner. More important is that critical City business is only accomplished because we have dedicated women and men prepared to give their time. For more information, please look at <http://www.mercergov.org/News.asp?NewsID=1873> which provides information on open positions. Most important, please get involved in your community by volunteering to serve. You can make a difference.

10. Solicitor's Ordinance: the City was recently required to amend and, in doing so, weaken, its Solicitor's Ordinance that we had passed last year. This was in response to a U.S. District Court decision against the City in a lawsuit brought by a religious, non-profit group that challenged the ordinance. If you do not want solicitors ringing your doorbell, the most effective means is to put a sign in front of your house or on your door making that clear.

11. Shoreline Development: an almost 8-year process that involved great work by the City's Planning Commission and staff as well as considerable back and forth with the State Department of Ecology finally concluded last month with the adoption of changes to the City's shoreline development permitting rules that will primarily impact dock construction and replacement. This was required in response to a State mandate that impacted all communities with shorelines. The final product seeks to create a fair balance between property rights and environmental protection.

Thanks to everyone for taking the time to stay involved and keeping up with the issues in our City. It remains an honor and a privilege to work for you on the City Council.

Dan Grausz

Deputy Mayor

EXHIBIT 6

Hines Project – 11/26/2014 77th Ave Level - Plan

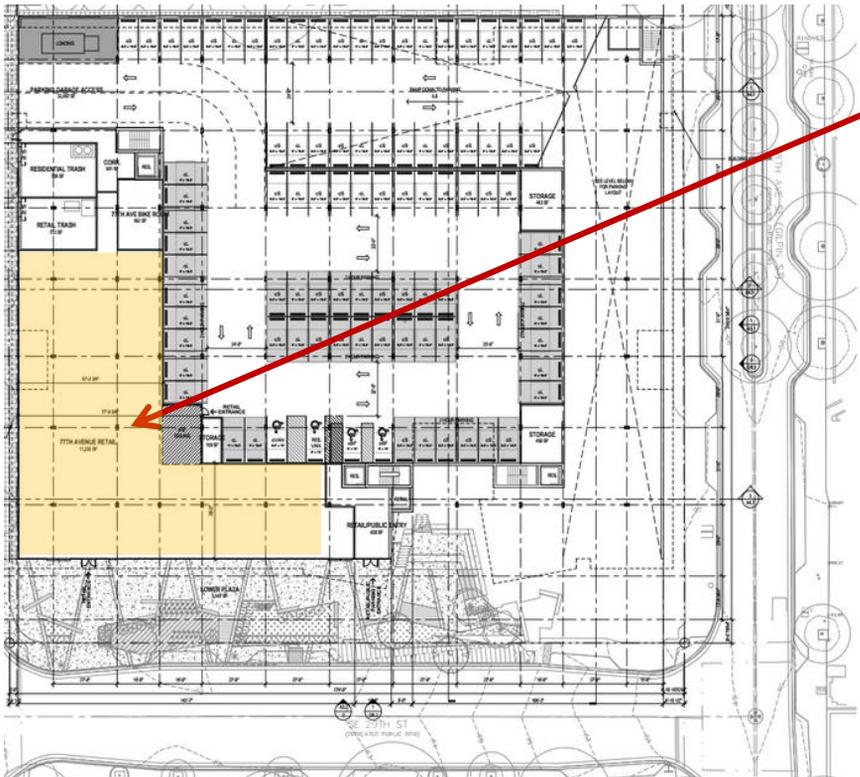


Exhibit 1
LEVEL 1 77TH - PLAN

Retail Space Available:

- a) Mud Bay
- b) 1,741 sf
- c) 2,277 sf

Hines Project – 5/11/2015 77th Ave Level - Plan



Retail Space Available:

11,235 sf

(only available space in building)

MERCER ISLAND
MIXED USE
2885 78TH AVENUE SE,
MERCER ISLAND, WA

REVISIONS

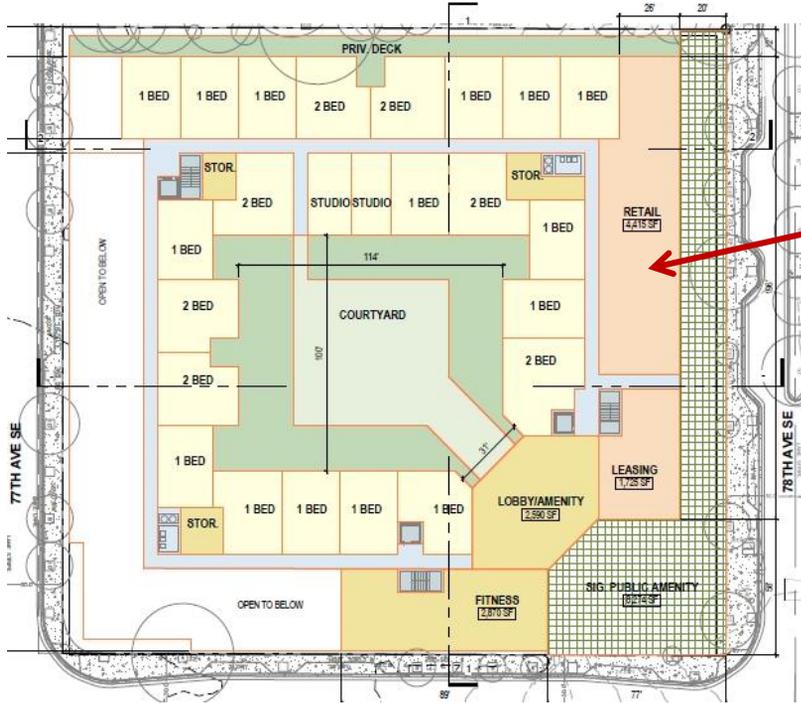
SUBMITTALS

LEVEL 1
(77TH) -
OVERALL
PLAN

Hines Project – 11/26/2014 78th Ave Level - Plan

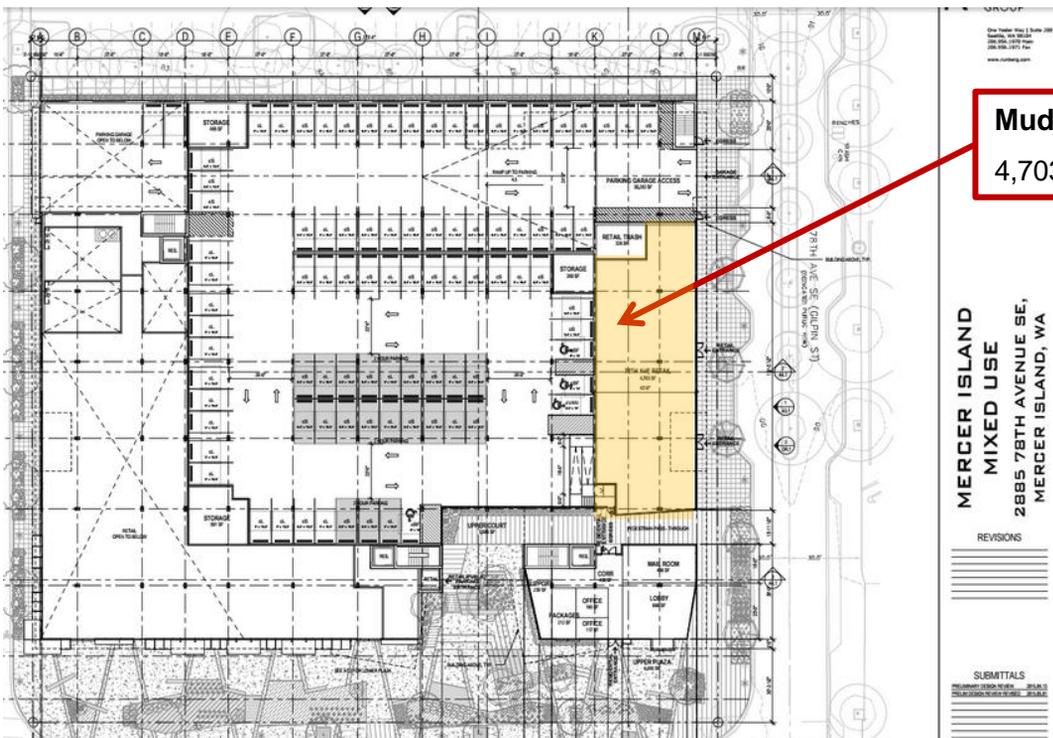
Exhibit 1

LEVEL 1 78TH - PLAN



Retail Space Available
4.467 sf

Hines Project – 5/11/2015 78th Ave Level - Plan



Mud Bay
4,703 sf

**MERCER ISLAND
MIXED USE
2885 78TH AVENUE SE,
MERCER ISLAND, WA**

REVISIONS

SUBMITTALS

LEVEL 1
(78TH) -
OVERALL
PLAN

Grocery Store Square Footage Comparison

Store	Setting	Square Footage
Whole Foods (new)	Capital Hill *Mixed Use bldg.	40,000
Whole Foods	Bellevue	56,949
PCC Market	Issaquah	23,000
PCC Market	Redmond	23,367
PCC Market	Columbia City *Mixed Use bldg.	25,000
Safeway	Bellevue Way *Mixed Use bldg.	55,330
Albertson's	Mercer Island	37,076
<u>Average Square Footage</u>		<u>37,246</u>

Hines Project 2015 Retail Spaces

Square Footage

1. 77 th Ave SE	11,235
2. 78 th Ave SE (Mud Bay)	4,703
<u>Total Available Space</u>	<u>11,235</u>

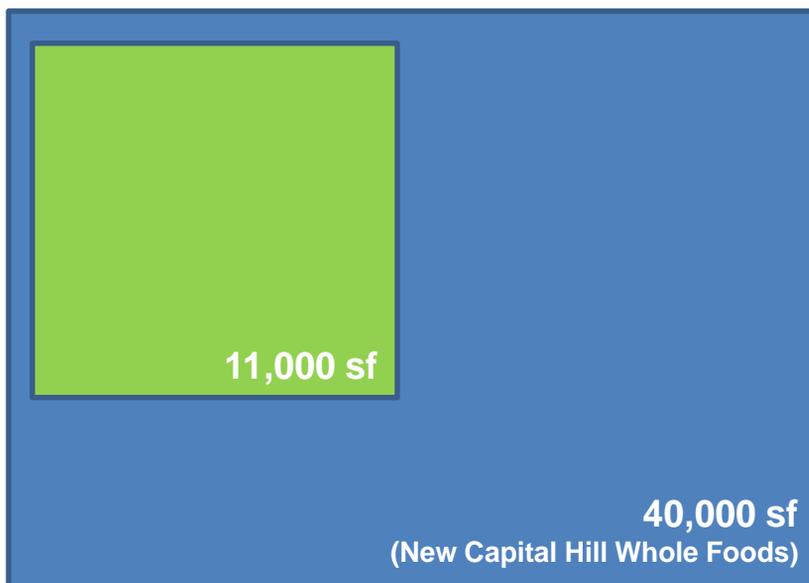
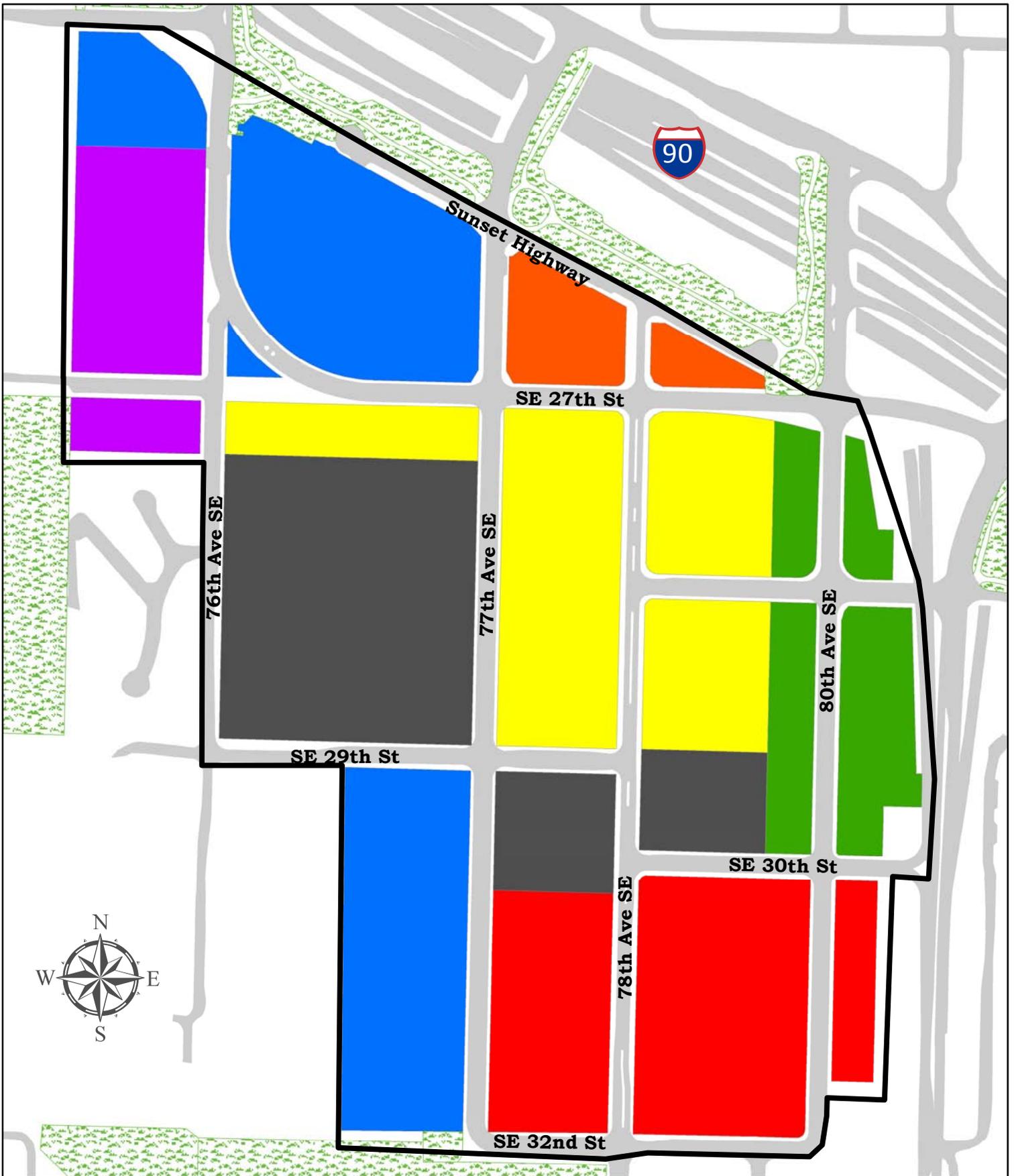


EXHIBIT 7



Legend

- | | | | |
|--|-----------------|---|-----------------------|
|  | Auto-Oriented |  | Residential (Central) |
|  | Gateway |  | Residential (North) |
|  | Mid-Rise Office |  | Residential (South) |
|  | Mixed Use |  | Town Center Boundary |

Town Center Sub-Areas

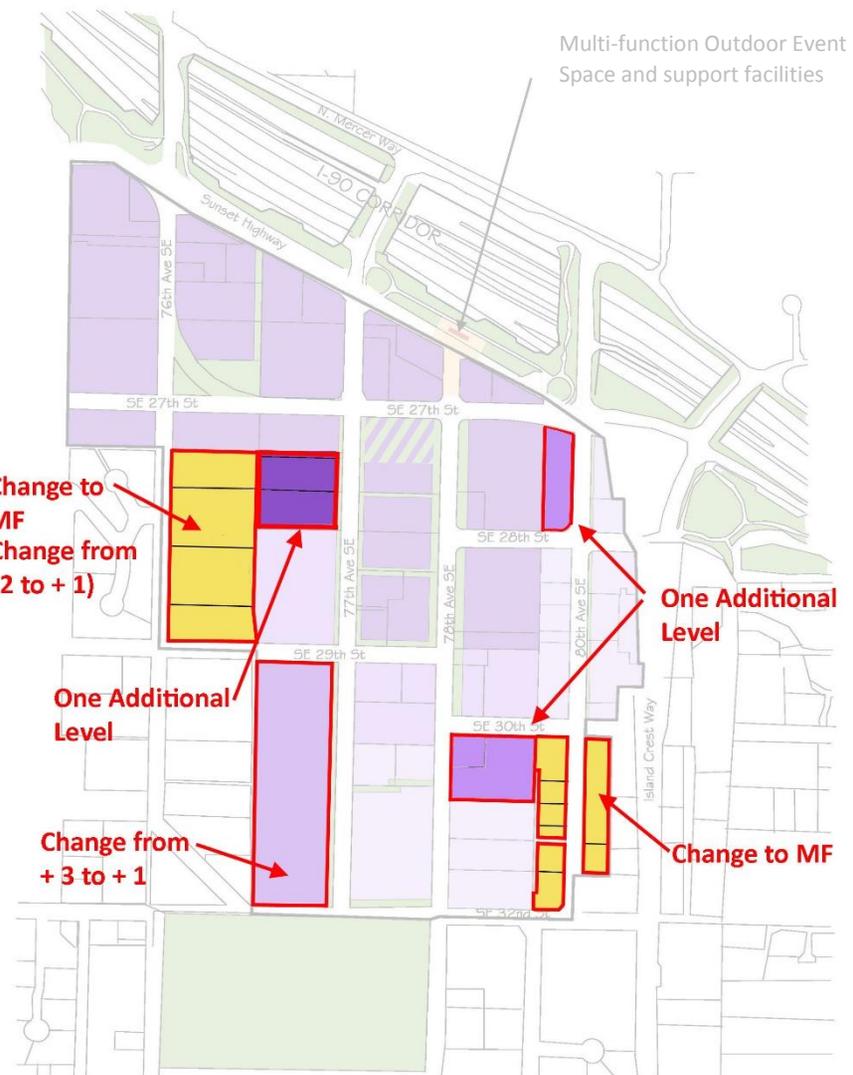


EXHIBIT 8



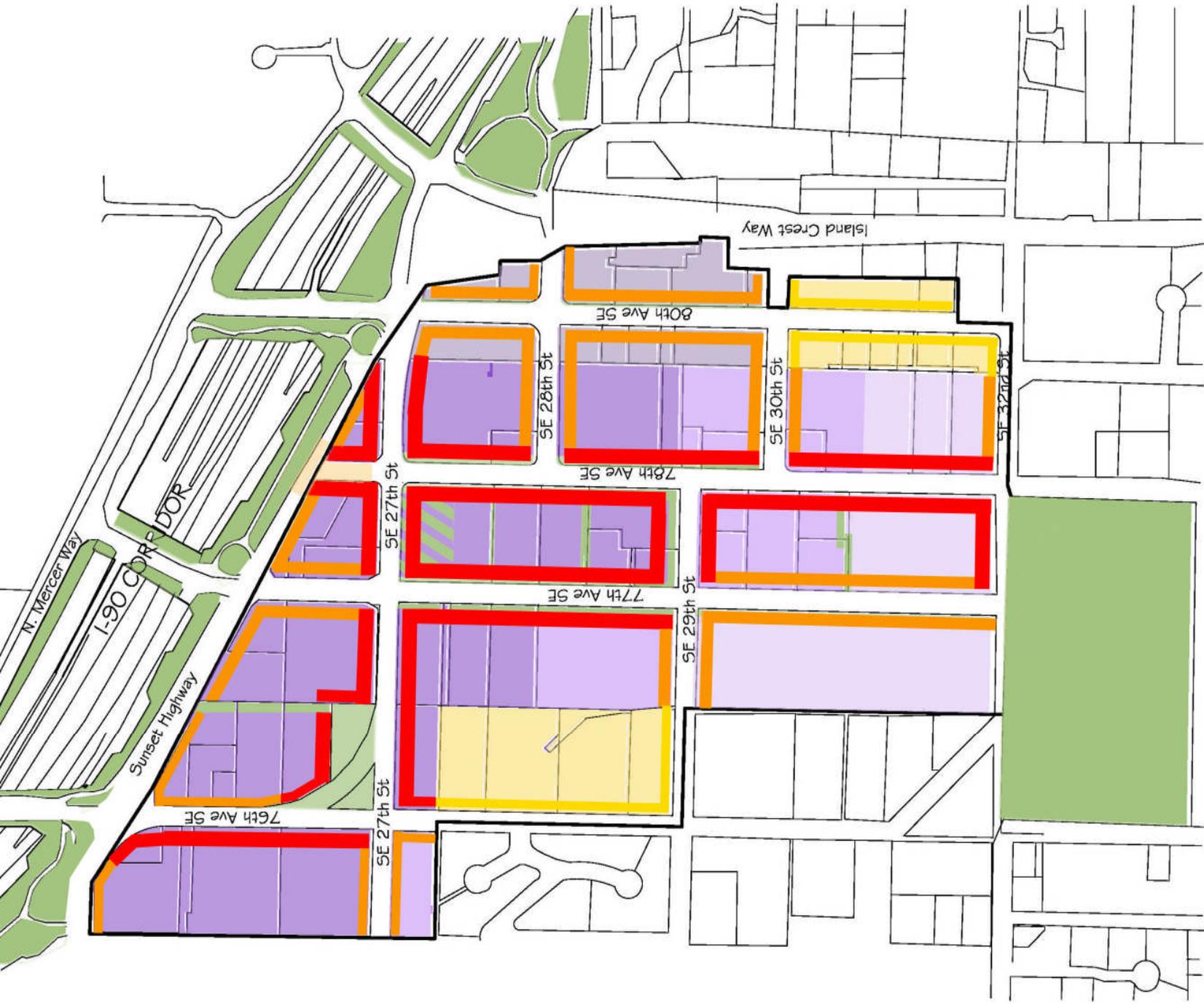
**Mercer Island Town Center
Proposed Regulating Plan**

- TC - 5 Sub-area
- TC - 4 Sub-area
- TC - 3 Sub-area
- TC MF-3 Sub-area



**Proposed Regulating Plan change in Use and
Building Heights from Existing Code**

EXHIBIT 9



Mercer Island Town Center Proposed Retail Frontage Types

Primary (limited personal services allowed)

Secondary (more flexible for non-retail uses)

Limited (live/work and home-based occupations allowed)

EXHIBIT 10



TOWN CENTER

Development & Design Guideline Update

Mercer Island Town Center
Stakeholder Group Meeting # C-2

April 27, 2015
Mercer Island Community and Event Center

Meeting Introduction and Overview

Seth Harry provided an introduction and overview of the meeting agenda.

Summary of Stakeholder Group Input, Meeting #C (April 24, 2015)

Seth Harry presented an overview of Stakeholder Group Meeting # C input:

Areas of Consensus – Streets & Regulating Plan

- 80th Avenue SE. (These discussions occurred before City traffic staff input).
 - The bike lanes should be relocated from 77th Ave SE to 80th Ave SE. (this was before City traffic staff input)
 - There should be on-street parking with street trees and no planting strip.
 - The proposed mix of secondary retail frontage along the north end of 80th and limited retail frontage to the south end of 80th is appropriate.

- 78th Ave SE.
 - There should be parking pockets on 78th similar to today's parking.
 - The proposed mix of primary retail frontage to the north end of 77th and secondary retail frontage to the south end of 77th is appropriate.

Regulating Plan.

- The Multifamily and Special district areas should be separate sub-areas with different uses or other characteristics.

Areas of Mixed Opinion – Streets, Base Requirements and Incentives and Regulating Plan

- 77th Ave SE.
 - *Differences of opinion as to which side or both, and angled or parallel.*

- 78th Ave SE.
 - Split opinions about the proposal for primary retail frontage along the full length of 78th Ave SE.
 - Comments on the public places/plazas shown on the regulating plan mostly related to the Walgreen's plaza; mixed opinions.

- Base Requirements and Incentives.
 - Many different responses.
- Regulating Plan.
 - Many different responses.

Stakeholder Group comments and questions as follow up to the Meeting #C summary included:

- Location of bike facility on 80th; how retail frontage types were determined and apply to existing development, requests to see the full retail map in worksheet and request for parking map similar to retail map. Questions were also asked clarifying what policies were referenced and which elements are code-derived and existing parking requirements.

Presentation of Clarifying Material

Seth Harry presented new graphic material to clarify points from previous Stakeholder Group meetings. Primary points included:

- Existing and Proposed Building Height Definition. Height for sites with variations in topography (see graphics). Current height allowed is 5 stories rather than measure of feet. Currently median height is measured; the proposed measure considers both sides of property. The proposal addresses the needs of sites with multiple frontages and those with varying elevations at different site access points. This enables building heights to be calculated in response to more than one site frontage rather than from one point for an entire site with varying topography. Stakeholder Group questions and comments related to purpose of changing building height measurement method and actual height versus number of stories.
- Regulating Plan. Stakeholder Group questions and comments related to building height guidance in the existing code, potential location of taller buildings near hillsides so as to not block views, and rationale for building heights in the Multifamily areas.
- Bicycle/Pedestrian Networks Map. This discussion related to City engineers' recommendation to relocate bicycle facilities on 77th rather than 80th; also that existing businesses need on-street parking.

Table Discussions - Regulatory Plan and Street Sections

Stakeholder Group members moved into 4 discussion groups to respond to the following questions:

1. *Are the sub-area descriptions appropriate? Are there unique features or characteristic you would include in any of the sub-area descriptions?*
2. *Is the Special District appropriate as a separate sub-area? If so, what sets it apart from other sub-areas? If not, what should replace it?*
3. *Are the sub-area boundaries correct? How should they be changed?*

Report Back: Regulating Plan

Table 1.

- Rite Aid property - change from +1 to +2.
- Special District: Multi-family only, +1.

Table 2.

- Ok in general with overall Regulating Plan.

- Need to accommodate automotive service (gas stations).
- Rite Aid – increase density so more likely to redevelop. (is +1 or +2 enough incentive for that?)
- Light rail – need to discuss transit parking.

Table 3.

- Like 7 subareas trimmed down to 5.
- Not sold on shifting density toward freeway.
- Multifamily instead of Special District.
- Vary heights in lower intensity area while leaving total building mass the same.

Table 4.

- Special District – don't see the need for it (reduce # of district categories).
- Rite Aid - Ok with +1 by Mercerdale Park.

Bike Lanes

Table 1.

- Move bike lanes back to 77th, no concrete divider, 2 bikes lanes on same side of street.

Table 2.

- Wrong question – move bike lane from 77th or 80th, should be what do we want to accomplish on 77th?
- Not right question to ask; maybe a sharrow.
- Low traffic volume with low speeds so no need for bike lane.
- Unnecessary center turn lanes can provide room for a boulevard with wider sidewalks and planter strips.
- No dedicated bike lanes, focus on creating a great urban streetscape on 77th.

Table 3.

- Street section – bike lanes better on 77th, what's the intent of the street?
- Need to know purpose of street to determine what's needed; what to give for wider sidewalk.

Table 4.

- Bike lane should be on 77th, but more in favor of more parking.
- Dedicated bike lane on 77th.
- Angled parking on 77th if can fit bike lane if it fits.
- Parking more important on 77th; would also still like bike lane.
- Parking for the Performing Arts Center – prefer parallel.

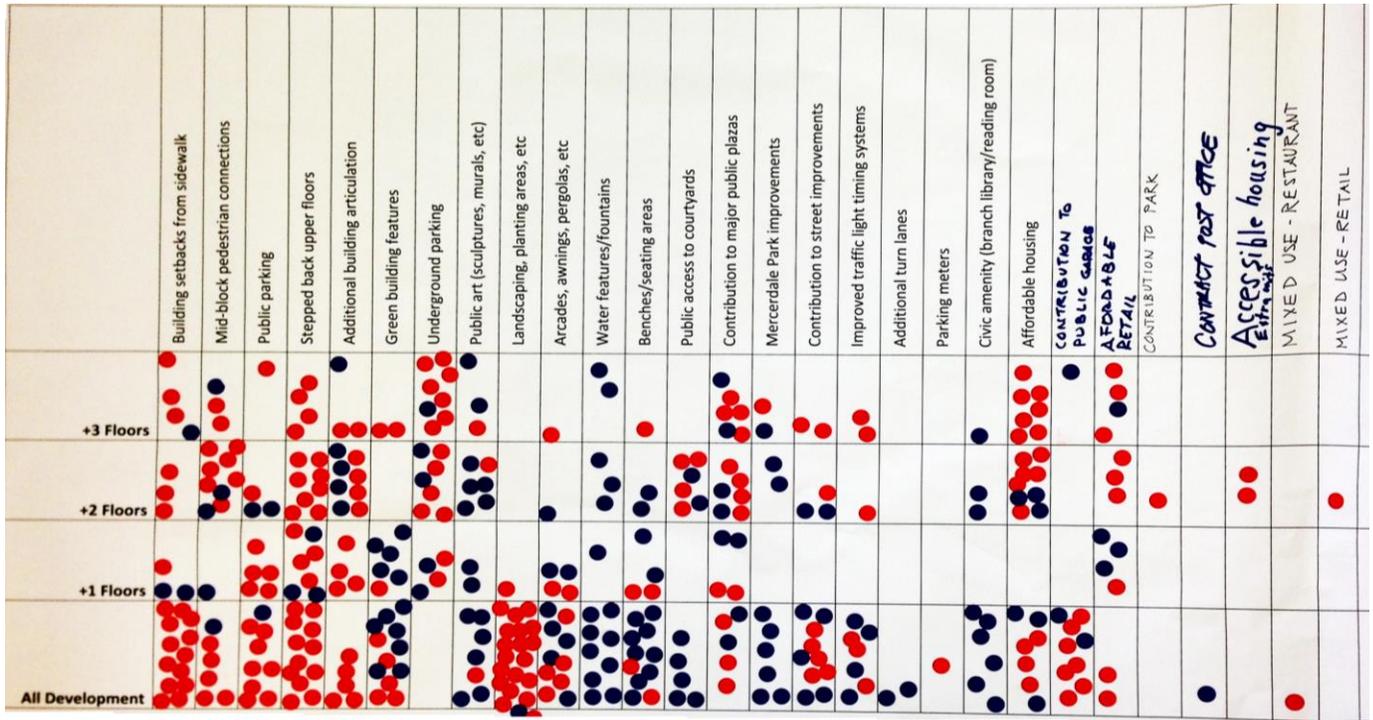
Other Comments/Questions

- Important to still allow auto-oriented and service uses in Town Center, so people don't have to go off-Island for those.
- Residential – In favor of more residential along the fringes, including Farmer's.
- Bicycle questions are not so much about current condition now, rather about people bicycling downtown to get to transit in the future.

Dot Exercise

The dot exercise enabled Group members to use color to identify features that should be base (mandatory) requirements and tiered amenities, with red for mandatory and blue for tiered incentives

above mandatory. The first graphic below reveals patterns of red and blue dots placed by Group members. The second graphic below shows number of dots placed per cell and are color coded to indicate red and blue dots.



	Building setbacks from sidewalk	Mid-block pedestrian connections	Public parking	Stepped back upper floors	Additional building articulation	Green building features	Underground parking	Public art (sculptures, murals, etc)	Landscaping, planting areas, etc	Arcades, awnings, pergolas, etc	Water features/fountains	Benches/seating areas	Public access to courtyards	Contribution to major public plazas	Mercerdale Park improvements	Contribution to street improvements	Improved traffic light timing systems	Additional turn lanes	Parking meters	Civic amenity (branch library/reading room)	Affordable housing	Contribution to public garage	Affordable retail	Contribution to park	Contract post office	Accessible housing (extra units)	Mixed use - restaurant	Mixed use - Retail
+3 Floors	3	2	1	4	2	2	7	1		1		1		4	1	2	2				7		3					
	1	1			1		1	2			2			2	1				1		1	1						
+2 Floors	3	7	1	8	4		5	1			1	3	2	4	4		1	1			6		3	1		2		1
		2	2		4		2	5				2	2	2	2	2				2	3							
+1 Floors	1		5	4	4	1	2		1	2		2		2									1					
	2	1		3		5	2	2		2	1	2		2								3						
All Development	13	5	8	12	5	5		1	19	5		2		3		5	3		1		4	7	2			1		
		1	1			7		6	1	5	9	9	5	2	6	5	4	2		6	3	2			1			

Next Steps

The next Stakeholder Group is Tuesday, May 5.

EXHIBIT 11

Proposed Town Center Incentive Structure

The following charts are a conceptual framework for an incentive structure to allow Town Center buildings to achieve heights above 2 stories. The purpose of this conceptual framework is to organize stakeholder feedback to-date and provide a model for further input. This concept has not yet been filtered through the lenses of technical or market feasibility, so the final incentive structure proposed in the draft code may require additional changes.

ALL DEVELOPMENT

MANDATORY	ELECTIVE
<ol style="list-style-type: none"> 1. Building setbacks from sidewalk 2. Building setback to allow mid-block connection when adjacent to designated connection 3. Walk-Off requirement for non-residential parking spaces 4. Green building standards 5. Street level façade standards to ensure attractive streetscape 6. Site design features (e.g. benches, fountains, public art, etc.) 7. Landscaping features (e.g. greenery, planting areas, trees, etc) 	

TC-3: 3 stories

MANDATORY	ELECTIVE
<ol style="list-style-type: none"> 1. Building setbacks from sidewalk 2. Building setback to allow mid-block connection when adjacent to designated connection 3. Walk-Off requirement for non-residential parking spaces 4. Green building standards 5. Street level façade standards to ensure attractive streetscape 6. Site design features (e.g. benches, fountains, public art, etc.) 7. Landscaping features (e.g. greenery, planting areas, trees, etc) 8. Stepped back upper floors 9. Additional building articulation 10. Additional public parking 	<p>Choice of:</p> <ol style="list-style-type: none"> 1. Affordable retail 2. Affordable housing 3. On-site public plaza 4. Public reading room 5. Contribution to Town Center Improvements/Amenities Fund (for plazas, public parking, reading room, etc)

Note: **Bold** font indicates mandatory requirements that are new to that tier.

TC-4: 4 stories

MANDATORY	ELECTIVE
<ol style="list-style-type: none"> 1. Building setbacks from sidewalk 2. Building setback to allow mid-block connection when adjacent to designated connection 3. Walk-Off requirement for non-residential parking spaces 4. Green building standards 5. Street level façade standards to ensure attractive streetscape 6. Site design features (e.g. benches, fountains, public art, etc.) 7. Landscaping features (e.g. greenery, planting areas, trees, etc) 8. Stepped back upper floors 9. Additional building articulation 10. Additional public parking 11. Affordable Retail 12. Affordable Housing 	<p>Choice of:</p> <ol style="list-style-type: none"> 1. Underground parking 2. On-site public plaza 3. Public reading room 4. Public access to courtyard 5. Contribution to Town Center Improvements/Amenities Fund (for plazas, public parking, reading room, etc)

TC-5: 5 stories

MANDATORY	ELECTIVE
<ol style="list-style-type: none"> 1. Building setbacks from sidewalk 2. Building setback to allow mid-block connection when adjacent to designated connection 3. Walk-Off requirement for non-residential parking spaces 4. Green building standards 5. Street level façade standards to ensure attractive streetscape 6. Site design features (e.g. benches, fountains, public art, etc.) 7. Landscaping features (e.g. greenery, planting areas, trees, etc) 8. Stepped back upper floors 9. Additional building articulation 10. Additional public parking 11. Affordable Retail 12. Affordable Housing 13. Underground parking 	<p>Choice of:</p> <ol style="list-style-type: none"> 1. Public access to courtyard 2. On-site public plaza 3. Public reading room 4. Contribution to Town Center Improvements/Amenities Fund (for plazas, public parking, reading room, etc)

Note: **Bold** font indicates mandatory requirements that are new to that tier.

EXHIBIT 12

May 2015 Update

From: **Dan Grausz** (Dan.Grausz@mercergov.org)

Sent: Sun 5/10/15 5:15 PM

To: Dan Grausz (dangrausz@gmail.com)

May 10, 2015

Fellow Islanders:

I have to say that writing an update on Mother's Day in the middle of what has been a spectacular Pacific Northwest weekend is challenging. Much is going on with your City, however, that you may want to hear about. For those of you who have not received these updates before, I always tell people that if you would prefer not receiving them in the future, please email me.

1. City Council/School Board Changes: unfortunately, Joel Wachs had to resign from the Council a few days ago for health reasons. While Joel's tenure on the Council was brief, he believes in this community and wanted to do what he could to keep Mercer Island the great place it is to live. I wish him a speedy recovery and know that he will be back in the future to continue working for Islanders. Joel's seat will be one of the five Council seats that Islanders will choose someone for in the upcoming November election.

Also last week, Ralph Jorgenson was selected by the School Board to replace Janet Frohnmayer, who has resigned as a result of her leaving Mercer Island. Janet has done a great job for Islanders during her long tenure on the School Board and will be sorely missed throughout our community. Ralph showed his mettle as one of the leaders of last year's successful School Bond campaign. I look forward to working with him in the months ahead. Ralph's seat will be one of three that will be on the ballot in November.

2. South End Fire Station: I had hoped that our firefighters would be using the new South End Fire Station by now. Completing the punch list, however, has delayed hand over of the station, which is now expected to happen in about two weeks. The City has notified the contractor that we are rejecting the roof and will require that it be replaced. As the issue involves the roof covering and not the structure, I am hoping it can be done while the firefighters are using the station. It is likely that both the roof issue and the City's claim for in excess of \$500,000 of delay damages will result in litigation with the contractor.

3. Transportation Improvement Plan: on Monday, May 18th, the City Council will take public comment on desired road, pedestrian and bicycle projects as the first part of our annual development of the Transportation Improvement Plan. In the past, groups of citizens have been able to influence what projects are done by coming to this meeting and providing comments, particularly when something is required to address an important neighborhood safety concern. Please take advantage of this opportunity. As I have in the past, I will push hard to continue the widening of the shoulders project on the Mercers that the City has been doing in increments for more than 10 years. This not only protects pedestrians and cyclists but is also very important for drivers who are able to pass cyclists without crossing the center stripe.

4. Bus Intercept: bus intercept refers to the Sound Transit proposal to have buses from Issaquah and other communities to the east drop off and pick-up their passengers on Mercer Island so they can use light rail between Seattle and Mercer Island. It would not begin until 2023 (when light rail is scheduled to start), has benefits to the region in terms of reducing transportation costs and air pollution, but if not done right, will adversely impact Islanders. The City has said from the outset that we will oppose this project unless those impacts were both significantly limited and mitigated.

On April 20th, Sound Transit and Metro provided the City with its latest thinking for this project. What was laid out for us was a non-starter. It included adding over 12 bus parking spaces, laid out an arrangement that was likely to significantly impact vehicle, pedestrian and bicycle traffic on 80th Ave. and nearby streets, and included no operating limitations that would enable us to cap the impacts. It was completely out-of-scale for our Town Center and for what we had been told were the goals of Bus Intercept.

On May 4th, the Council voted unanimously to reject this. We concluded that there was no combination of minor revisions and mitigating efforts that could lead us to approve what had been presented. Islanders need to know, however, that this likely is not the final word on Mercer Island Bus Intercept as the idea of having bus/rail connections throughout the light rail network (not just on Mercer Island) is a cornerstone of regional transportation policy. At this time, we have no idea what Sound Transit and Metro may come back to us with.

5. Mitigation for Loss of Mobility: at the May 4th meeting, the Council also decided that for the present, we would focus our negotiations with Sound Transit on obtaining mitigation for loss of mobility due to closure of the I-90 center roadway. We are contractually entitled to this mitigation under the terms of an agreement signed in 2004.

In my opinion, mitigation must include additional commuter parking for Islanders but also should

look at other measures (such as shuttle service to and from the north end) as we will never be able to find enough space in our Town Center to meet what I expect to be substantial parking demands once light rail is operational in 2023. We also need to advance what until now have been dormant discussions with the Washington State Department of Transportation on promised Islander single occupancy vehicle access to the additional HOV lane now being added to each of the I-90 outer roadways between Mercer Island and Seattle. Expect some very difficult discussions in the months ahead.

6. Town Center Visioning: since my last update, the 42-person Town Center Stakeholder Group held three more meetings during which substantial progress was made towards finding a way forward in our ongoing project to update the Town Center Development Code. In its advisory capacity, the stakeholders have generally favored a series of changes that will now go before the Planning Commission, Design Commission and City Council for further review and public comment. Those changes include:

- While the maximum 5-story height limit would be retained, certain parcels were designated for either an increase or decrease in the currently permitted height. The general policy remains one of allowing taller (5-story) buildings at the north end of the Town Center with 3 or 4-story maximum heights as one moves away from the north end.
- Certain areas along 76th Ave. and 80th Ave. that are now designated as being available for office or retail use would now be restricted to primarily residential development.
- Mandatory mid-block connection points would be created along certain lot lines to avoid the possibility of being unable to walk through the super blocks we now have once they are developed (such as the block bounded by 77th, 78th, 27th and 29th). Similarly, a setback along 32nd between 77th and 78th would be required to avoid a future development from being too imposing on Mercerdale Park.
- 77th Ave. (the street that Albertson's is on) would be changed to a 2-lane street to allow room for on-street parking and possibly wider and better landscaped sidewalks.
- Serious consideration will be given to changing the SE 27th Street traffic flow in front of the large Starbucks by eliminating the curve, having 27th meet 76th Ave. on a right angle and developing an attractive green space between that intersection and the large Starbucks.
- Design requirements for buildings would be changed to require more modulation of higher floors (a wedding cake appearance).

- The public benefits and amenities that are mandated in exchange for allowing additional height would be significantly increased.

The next step in this will be a public input session at the Community Center this Monday (May 11th) evening followed by City Council initial review at its June 1st meeting. On June 1st or at the following meeting on June 15th, the Council is also likely to decide whether or not to extend the existing development moratorium which otherwise expires on June 16th.

7. Impact Fee Ordinance: Separate and apart from this visioning process, the Council will soon be considering adoption of an impact fee ordinance that will require most new development, including single family residential, to pay money that will help finance school, transportation, parks and/or fire safety capital projects that are needed in response to the additional growth. Until now, the City and School District have relied on what are referred to in the law as SEPA (State Environmental Protection Act) mitigation fees. The School District has recently asked the City to replace school mitigation fees with school impact fees. At the same time, the City will consider imposing impact fees for the other areas noted above.

With our fantastic Farmers Market about to begin again on June 7th, we know that summer is quickly approaching. I encourage all Islanders to take advantage of this program as it really promotes our sense of community. Summer Celebration, including fireworks, will be the weekend of July 11th. We also have a full calendar of Shakespeare in the Park and Mostly Music in the Park events in July and August; specifics are on the City's website calendar. I look forward to seeing and talking with you at these and other community events.

Thanks again for taking the time to read this update. It remains an honor and a privilege to represent Islanders.

Dan Grausz

Deputy Mayor

EXHIBIT 13

MEMORANDUM

Date:	April 10, 2015	TG:	15085.00
To:	Evan Kaseguma – Hines		
From:	Mike Swenson, PE, PTOE Jesse Birchman, PE, PTOE		
cc:	Mat Lipps – Runberg Architecture Group PLLC		
Subject:	Hines Mercer Island Apartments – Preliminary Transportation Summary		

This memorandum provides a summary of preliminary transportation related information for the proposed mixed-used development in the Town Center area in Mercer Island, Washington. A Transportation Impact Analysis (TIA) outlining the impacts of the project and any necessary mitigation is being prepared and will be submitted under a separate cover. This memorandum focuses on the following:

- The project’s description,
- An updated estimate of the project’s estimated trip generation,
- A preliminary evaluation of potential site access configurations and related driveway and on-site intersection operations,
- An evaluation of vehicle travel paths at the on-site intersections, and
- A review of the preliminary parking supply and estimated peak parking demands.

Project Description

The proposed project is located at 2885 - 78th Avenue SE and includes a mixed-use building providing up to 192 apartment units above the ground floor, approximately 30,000 gross square feet of supermarket, and 10,000 gross square feet of general retail space on the ground floor. The project site location is shown in Figure 1.

A total of 609 parking stalls are proposed:¹ 247 stalls for the residential use, 151 for supermarket and retail use, and 211 for general public use. The 211 general public use stalls would be located on the third level of the underground parking structure and are contingent on the City of Mercer Island’s negotiations with Sound Transit and Hines. A double berth loading dock serving the grocery would be located parallel to 77th Avenue SE. Vehicular access to the project site would be provided along the northern site limits where driveways would be provided onto 78th Avenue SE and 77th Avenue SE, as illustrated in Figure 1. A full access driveway onto 78th Avenue SE is proposed based on recommendations by City staff and research by Transpo (to be further summarized in the TIA).



Figure 1 – Project Vicinity

¹ Two loading berth would be provided in addition to the 609 stalls within the parking structure.

Project Trips

Project trip generation estimates were developed for the project based on information contained in the Institute of Transportation Engineers (ITE) *Trip Generation* (9th Edition, 2012) and observations at the existing Mercer Island Park & Ride. Trip Generation is a nationally recognized and locally accepted method for determining trip generation for private and public developments. For land uses consistent with *Trip Generation* information, trips were calculated using the Supermarket (LU #850), Shopping Center (ITE LU #820), and Apartments (ITE LU #220). Weekday peak hour trips generated by the proposed public parking stalls were estimated based on three days of data at the Mercer Island Park & Ride that were collected and summarized consistent with ITE *Trip Generation Handbook* (3rd Edition, 2014) guidelines. Daily trips for the public parking were estimated by scaling observed PM peak hour rates using the Office (#710) weekday daily and PM peak hour trip generation rates since both experience morning and evening commuter peak travel behavior.

The project would generate internal, pass-by, and primary trips that were estimated based on the methods outlined in the ITE *Trip Generation Handbook* (3rd Edition, 2014). Internal trips are trips between the retail and residential uses on-site and do not impact the site access driveways or surrounding roadway network and are completely internal to the development. Pass-by trips represent intermediate stops on the way from an origin to a primary trip destination that are attracted from existing traffic on roadways immediately adjacent to the project site. Table 1 through Table 3 summarize the project's updated estimated trip generation for weekday daily, AM peak hour, and PM peak hour time periods. Detailed trip generation calculation worksheets are provided in Attachment A.

Table 1. Weekday Daily Trip Generation

Land Use	Size	Gross Trips ¹	Internal Trips ²	Pass-by Trips ³	Primary Vehicle Trips		
					Total	In	Out
Apartments (LU #220)	192 units	1,276	-367	0	909	454	455
Shopping Center (LU #820)	10,000 gsf	428	-131	-100	197	99	98
Supermarket (LU #850)	30,000 gsf	3,068	-408	-958	1,702	851	851
Public Parking ⁴	211 stalls	812	0	0	812	406	406
Total Proposed Trips		5,584	-906	-1,058	3,620	1,810	1,810

1. Average trip rates & regression equation from ITE Trip Generation Manual, 9th Edition (2012). Rate or equation used consistent with ITE Trip Generation Handbook, 3rd Edition (2014) methodologies.
2. Internal Capture methodology consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
3. Pass-by trips consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
4. Daily trip rate for the Public Parking use is estimated by factoring the observed weekday PM peak hour rate using rates for the General Office (LU #710) land use.

Table 2. Weekday AM Peak Hour Trip Generation

Land Use	Size	Gross Trips ¹	Internal Trips ²	Pass-by Trips ³	Primary Vehicle Trips		
					Total	In	Out
Apartments (LU #220)	192 units	98	-1	0	97	20	77
Shopping Center (LU #820)	10,000 gsf	10	0	-4	6	4	2
Supermarket (LU #850)	30,000 gsf	102	-1	-36	65	44	21
Public Parking ⁴	211 stalls	122	0	0	122	100	22
Total Proposed Trips		332	-2	-40	290	168	122

1. Average trip rates & regression equation from ITE Trip Generation Manual, 9th Edition (2012). Rate or equation used consistent with ITE Trip Generation Handbook, 3rd Edition (2014) methodologies.
2. Internal Capture methodology consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
3. Pass-by trips consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
4. Trip rate for the Public Parking use is based on observations at the existing Mercer Island Park & Ride (March 2015).

Table 3. Weekday PM Peak Hour Trip Generation

Land Use	Size	Gross Trips ¹	Internal Trips ²	Pass-by Trips ³	Primary Vehicle Trips		
					Total	In	Out
Apartments (LU #220)	192 units	119	-51	0	68	42	26
Shopping Center (LU #820)	10,000 gsf	37	-6	-10	21	11	10
Supermarket (LU #850)	30,000 gsf	284	-45	-86	153	88	65
Public Parking ⁴	211 stalls	110	0	0	110	29	81
Total Proposed Trips		550	-102	-96	352	170	182

1. Average trip rates & regression equation from ITE Trip Generation Manual, 9th Edition (2012). Rate or equation used consistent with ITE Trip Generation Handbook, 3rd Edition (2014) methodologies.
2. Internal Capture methodology consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
3. Pass-by trips consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
4. Trip rate for the Public Parking use is based on observations at the existing Mercer Island Park & Ride (March 2015).

Vehicular trip distribution for this project is based on travel patterns summarized in studies for a previously approved development in the Town Center² and comments received on behalf of the City from the City's consultant. A separate primary vehicular trip distribution was determined for commercial/parking and residential trips consistent with Mercer Island General Traffic Impact Analysis Requirements. In general, approximately 35 percent of primary commercial trips would travel to/from north of the site with the remainder to/from the south while 80 percent of residential trips are from the north with the remainder for the south. The full distribution patterns to the study area intersection are summarized in the TIA being prepared for this project.

Site Access & On-Site Operations Analysis

A preliminary evaluation of driveway operations with full-access driveways onto 78th Avenue SE and 77th Avenue SE and at two on-site intersections was conducted to inform that project's site design. Figure 2 illustrates the current draft site plan. The site access driveways are oriented east-west along the sites northern boundary and will ramp down towards the underground parking structure. At the approximate mid-point of the lot, the driveways intersect a single north-south drive aisle that ramps down into the top floor of the underground parking structure. A short distance south of this on-site "T" intersection, a second on-site intersection with four legs would provide access to separate floors of parking. The lowest floor provides the proposed public parking, the middle floor would serve residents only, and the upper floor would primarily serve commercial uses but also some residents.

Only minor differences in travel time would be experienced between the lowest and middle floors. Ramp connections to the internal four-leg garage intersection with public parking on the lowest floor and residential parking on the middle floor would reduce the likelihood of delay and conflicts between residential, public parking, and commercial traffic. For example, the highest inbound commercial traffic volume occurs during the PM peak and locating the public parking on the lowest floor prevents peak outbound public parking traffic from conflicting with the peak inbound commercial traffic.

At both intersections and both driveways, one inbound and one outbound travel lane were assumed; operations with additional turn lanes were not evaluated. The on-site driveway intersection with the garage access was assumed to be all-way stop-controlled.

² Final Transportation Impact Analysis – SE 27th Street & 76th Avenue SE Mercer Island Mixed Use, Transpo Group (February 2013).

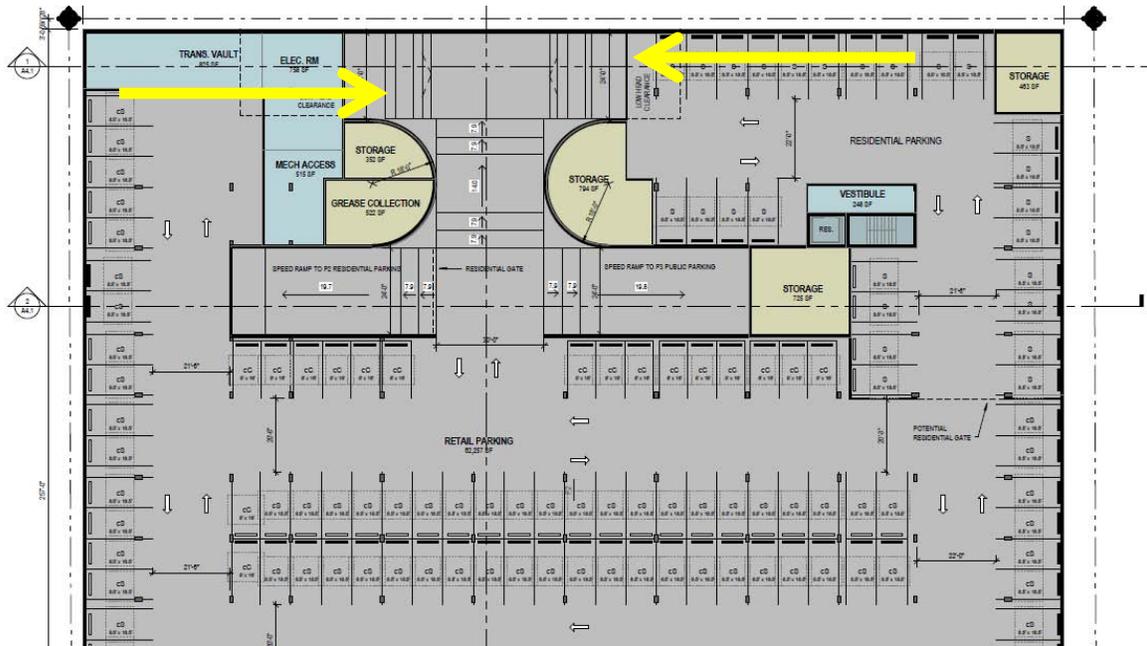


Figure 2 – Current Draft Garage Access Site Plan

Existing weekday AM and PM peak hour traffic volumes were collected at intersections adjacent to the project site and one driveway on 77th Avenue SE that would align with the project driveway. Existing traffic volumes along 78th Avenue SE and 77th Avenue SE were grown at an annual rate of 1 percent per year to 2018 conditions consistent with the Final TIA for the SE 27th Street & 76th Avenue SE Mercer Island Mixed Use project (see Footnote 2) and adding the same pipeline development project trips included in this previous TIA. The forecast weekday peak hour traffic volumes at the site access driveways and on-site intersections are summarized in Figure 3.

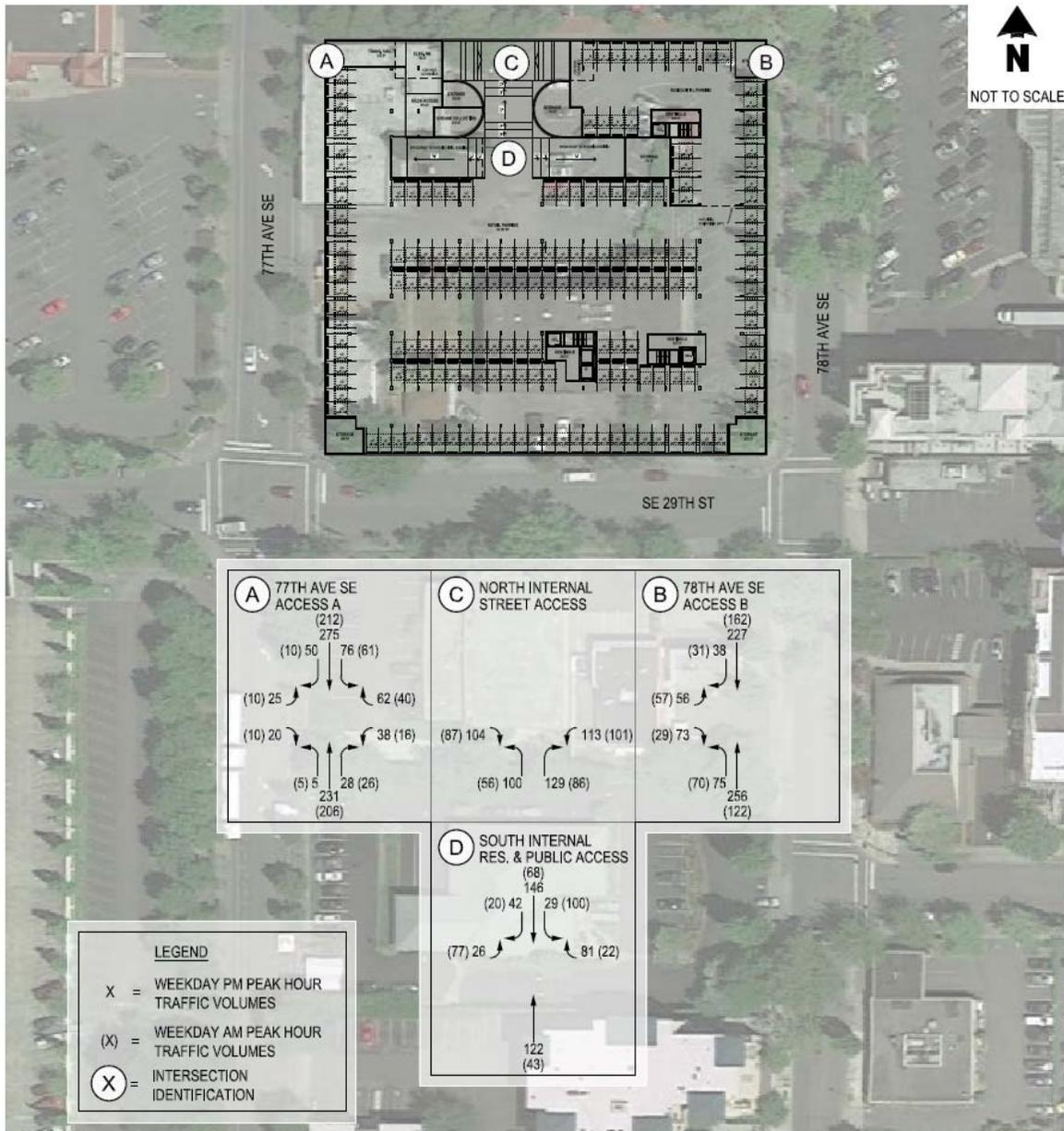


Figure 3 – Preliminary Estimate of Site Access Traffic Volumes

Traffic operations at the site access driveways and on-site intersections were evaluated consistent with the procedures identified in the *Highway Capacity Manual* (2010), and evaluated using Synchro version 9.0. At stop-sign controlled intersections such as these locations, LOS is measured in average control delay per vehicle and is reported using the intersection delay. Traffic operations for an intersection can be described alphabetically with a range of levels of service (LOS A through F), with LOS A indicating free-flowing traffic and LOS F indicating extreme congestion and long vehicle delays.

Preliminary traffic operation results for 2018 with-project conditions at the site access driveways and on-site intersections are summarized in Table 4. The City of Mercer Island has defined a standard of LOS C for public intersections.

Table 4. Preliminary 2018 Site Access & On-Site Intersection Weekday Peak Hour Level of Service

Location	AM Peak Hour			PM Peak Hour		
	LOS ¹	Delay ²	Worst Movement ³	LOS	Delay	Worst Movement
A. Driveway A / 77th Ave SE	B	14	EB	C	17	EB
B. Driveway B / 78th Ave SE	B	13	EB	B	15	EB
C. Driveway / Garage Access	A	8	-	A	9	-
D. Internal Garage Intersection	B	13	EB	B	12	EB

1. Level of service (LOS), based on 2010 Highway Capacity Manual methodology.
2. Average delay in seconds per vehicle.
3. The reported LOS and delay are for the worst operating movement at side-street stop-controlled driveways and intersections (a.k.a. two-way stop-controlled) while overall intersection results are reported for all-way stop intersections (shown as "-").

As shown, both site access driveways and the on-site intersections are anticipated to operate well at LOS C or better. Note that the worst-operating movement during both AM and PM peak hour conditions at the driveway onto 77th Avenue SE is the eastbound Albertsons driveway aligned with the proposed project driveway. These results for the project driveways and on-site intersections indicate that a single travel lane at all on-site locations are forecast to adequately serve on-site traffic.

Vehicle Travel Path Analysis

An evaluation of potential vehicle paths at the on-site intersections and roadways was conducted to inform the design of the building structures to accommodate expected passenger car and delivery truck routes on-site. These paths are shown in Attachments B and demonstrate how passenger cars can travel through the highest on-site traffic volume locations without obstructing on-coming traffic traveling in the opposite direction.

Parking Demand & Supply

As previously described, a total of 609 parking stalls are proposed: 247 stalls reserved for residential use, 151 reserved for supermarket and retail use, and 211 for general public use.

The project is located in the Town Center area and the minimum required parking spaces for this zone are identified in the City of Mercer Island Municipal Code.³ The peak parking demand for the project was estimated using the King County Right Size Parking Calculator⁴ for the apartment units and ITE *Parking Generation* (4th Edition, 2010) for retail (LU #820) and urban supermarket (LU #850) uses. The number of required parking spaces consistent with City code, estimated peak parking demand, and proposed parking supply are summarized in Table 5.

³ MICC 19.11.110 B.1

⁴ www.rightsizeparking.org

Table 5. Code Required Parking Supply

Proposed Land Use	Size ¹	Required Parking Stalls ²		Peak Parking Demand ³	Proposed Parking Supply
		Rate	Required		
<u>Residential Parking</u>					
Apartments (LU #220)	192 units	1 to 3	192 to 576	219 vehicles	247 stalls
<u>Retail Parking</u>					
Shopping Center (LU #820)	10,000 gsf	3 to 5 per 1,000 gsf	30 to 50	26 vehicles	
Supermarket (LU #850)	<u>30,000 gsf</u>	<u>3 to 5 per 1,000 gsf</u>	<u>90 to 150</u>	<u>69 vehicles</u>	
Total Retail Parking	40,000 gsf		120 to 200	95 vehicles	151 stalls
<u>Public Parking</u>					
Public Parking Stalls	211 stalls	0	0	-	211 stalls
Total Parking			312 to 776	314 vehicles + public parking	398 stalls
1. du = dwelling unit, gsf = gross square-feet, sf = square-feet 2. Mercer Island City Code 19.11.110 B.1					

As shown in Table 5, proposed parking supply exceeds the minimum required number parking spaces and estimate peak parking demand for each land use.

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Attachment A: Trip Generation Worksheet

Attachment A

Daily Trip Generation

Proposed Land Use	Size	Units	Trip Rate ¹	Total Unadjusted Veh. Trips	Reduction for Internal Capture	Subtotal	Pass-by Rate ³	Reduction for Pass-by	Diverted Rate ⁴	Reduction for Diverted Trips	New Daily Trips ²			
											Total	In	Out	
Proposed														
Apartments (LU 220)	192	DU	6.65	1,276	367	909	0%	0	0%	0	909	454	455	
Retail (LU #820)	10,000	1,000 gsf	42.70	428	131	297	34%	100	0%	0	197	99	98	
Supermarket (LU 850)	30,000	1,000 gsf	102.24	3,068	408	2,660	36%	958	0%	0	1,702	851	851	
Public Parking ⁴	211	1 stall	3.85	812	0	812	0%	0	0%	0	812	406	406	
Subtotal				5,584	906	4,678		1,058		0	3,620	1,810	1,810	

1. Trip Rate from ITE Trip Generation Manual, 9th Edition (2012) under Land Use Code 495
2. In/out percentages based on ITE Trip Generation Manual, 9th Edition (2012).
3. Pass-by rates based on ITE Trip Generation Handbook, 3rd Edition (2014).
4. Daily trip rate for the Public Parking use is estimated by factoring the observed weekday PM peak hour rate using rates for the General Office (LU #710) land use.

Weekday AM Peak Hour Trip Generation

Proposed Land Use	Size	Units	Trip Generation Rate ¹	Trip Generation Equation ¹ (if used)	% IN ²	Total Unadjusted Veh. Trips	Unadjusted Veh. Trips IN	Unadjusted Veh. Trips OUT	Reduction for Internal Capture ³	Internal Capture IN	Internal Capture OUT	Internal Capture Rate	Subtotal Driveway Trips				Net New Offsite AM Peak Trips ²					
													Subtotal Trips	Subtotal IN	Subtotal OUT	Pass-by Rate ⁴	Pass-by Trips	Pass-by IN	Pass-by OUT	Total	In	Out
Apartments (LU 220)	192	1 du		T=0.49(X)+3.73	20%	98	20	78	1		1	1%	97	20	77	0%				97	20	77
Retail (LU #820)	10,000	1,000 gsf	0.96		62%	10	6	4					10	6	4	34%	4	2	2	6	4	2
Supermarket (LU 850)	30,000	1,000 gsf	3.4		62%	102	63	39	1	1		1%	101	62	39	36%	36	18	18	65	44	21
Public Parking ⁵	211	1 stall	0.58		82%	122	100	22					122	100	22	0%				122	100	22
Subtotal						332	189	143	2	1	1	1%	330	188	142		40	20	20	290	168	122

- The Transpo Group, 2015
1. Average trip rates & regression equation from ITE Trip Generation Manual, 9th Edition (2012). Rate or equation used consistent with ITE Trip Generation Handbook, 3rd Edition (2014) methodologies.
 2. In/out percentages based on ITE Trip Generation Manual, 9th Edition (2012)
 3. Internal Capture methodology consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
 4. Pass-by rates based on ITE Trip Generation Handbook, 3rd Edition (2014).
 5. Trip rate for the Public Parking use is based on observations at the existing Mercer Island Park & Ride (March 2015).

Weekday PM Peak Hour Trip Generation

Proposed Land Use	Size	Units	Trip Generation Rate ¹	Trip Generation Equation ¹ (if used)	% IN ²	Total Unadjusted Veh. Trips	Unadjusted Veh. Trips IN	Unadjusted Veh. Trips OUT	Reduction for Internal Capture ³	Internal Capture IN	Internal Capture OUT	Internal Capture Rate	Subtotal Driveway Trips				Net New Offsite PM Peak Trips ²					
													Subtotal Trips	Subtotal IN	Subtotal OUT	Pass-by Rate ⁴	Pass-by Trips	Pass-by IN	Pass-by OUT	Total	In	Out
Apartments (LU 220)	184	1 du		T=0.55(X)+17.65	65%	119	77	42	51	35	16	43%	68	42	26	0%				68	42	26
Retail (LU #820)	10,000	1,000 gsf	3.71		48%	37	18	19	6	2	4	16%	31	16	15	34%	10	5	5	21	11	10
Supermarket (LU 850)	30,000	1,000 gsf	9.48		51%	284	145	139	45	14	31	16%	239	131	108	36%	86	43	43	153	88	65
Public Parking ⁵	211	1 stall	0.52		26%	110	29	81					110	29	81	0%				110	29	81
Subtotal						550	269	281	102	51	51	19%	448	218	230		96	48	48	352	170	182

- The Transpo Group, 2015
1. Average trip rates & regression equation from ITE Trip Generation Manual, 9th Edition (2012). Rate or equation used consistent with ITE Trip Generation Handbook, 3rd Edition (2014) methodologies.
 2. In/out percentages based on ITE Trip Generation Manual, 9th Edition (2012)
 3. Internal Capture methodology consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
 4. Pass-by rates based on ITE Trip Generation Handbook, 3rd Edition (2014).

MULTI-USE DEVELOPMENT TRIP GENERATION AND INTERNAL CAPTURE SUMMARY
 Source: ITE Trip Generation Handbook, 2nd Edition (2004)

PM Peak Hour Trip Generation

Exit to External

481

ITE Land Use = Residential (220)			
Size =	192	Rate =	6.65
% Enter =	50%	% Exit =	50%
	Total	Internal	External
Enter	638	210	428
Exit	638	157	481
Total	1276	367	909
%	100%	29%	71%

428

Enter From External

Demand
31% 198

Balanced
184

Demand
12% 184

Demand
53% 338

Balanced
138

Demand
9% 138

Demand
20% 307

ITE Land Use = Supermarket			
Size =	30.0	Rate =	102.24
% Enter =	50%	% Exit =	50%
	Total	Internal	External
Enter	1534	181	1353
Exit	1534	227	1307
Total	3068	408	2660
%	100%	13%	87%

Enter From External

1353

1307

Exit to External

Demand
53% 338

Demand
31% 198

Demand
53% 338

Balanced
0

Demand
20% 43

Balanced
43

Demand
23% 353

Demand
31% 476

Balanced
19

Balanced
26

Demand
9% 0

Demand
31% 198

Balanced
0

Balanced
0

Demand
9% 19

Demand
12% 26

Demand
20% 307

Balanced
0

Demand
2% 0

Demand
3% 0

Balanced
43

Demand
20% 43

Balanced
0

Demand
20% 0

Demand
12% 0

Exit to External

145

ITE Land Use = Retail (820)			
Size =	10	Rate =	42.7
% Enter =	50%	% Exit =	50%
	Total	Internal	External
Enter	214	62	152
Exit	214	69	145
Total	428	131	297
%	100%	31%	69%

152

Enter From External

Demand
20% 43

Balanced
0

Demand
20% 0

ITE Land Use =			
Size =		Rate =	
% Enter =		% Exit =	100%
	Total	Internal	External
Enter	0	0	0
Exit	0	0	0
Total	0	0	0
%	#DIV/0!	#DIV/0!	#DIV/0!

Enter From External

0

0

Exit to External

Net External PM Peak Hour Trips for Multi-Use Development									
	Residential (220)	Supermarket	Retail (820)	-			Total		
Enter	428	1353	152	0			1933		
Exit	481	1307	145	0			1933		
Total after internal capture	909	2660	297	0			3866		
Not including internal capture	1276	3068	428	0			4772		
Total After Pass-By and Internal	0%	909	43%	1516	34%	197	0%	0	2622

= Inputs from ITE Handbook for % Internal Capture

= ITE Land Use & Trip Generation Inputs

Red = Inputs

ITE Land Use = Total Development After Internal Capture Reduction			
% Enter =	50%	% Exit =	50%
	Total	Internal	External
Enter	2386	453	1933
Exit	2386	453	1933
Total	4772	906	3866
%	100%	19%	81%

NCHRP 684 Internal Trip Capture Estimation Tool			
Project Name:	Mercer Island Apartments	Organization:	Transpo Group
Project Location:	Mercer Island	Performed By:	KLL
Scenario Description:	Proposed Land Uses - Retail	Date:	3/9/2015
Analysis Year:		Checked By:	
Analysis Period:	AM Street Peak Hour	Date:	

Table 1-A: Base Vehicle-Trip Generation Estimates (Single-Use Site Estimate)						
Land Use	Development Data (For Information Only)			Estimated Vehicle-Trips ³		
	ITE LUCs ¹	Quantity	Units	Total	Entering	Exiting
Office				0		
Retail	820/850	10,000	1,000 gsf	112	69	43
Restaurant				0		
Cinema/Entertainment				0		
Residential	220	184	dwelling units	98	20	78
Hotel				0		
All Other Land Uses ²				0		
				210	89	121

Table 2-A: Mode Split and Vehicle Occupancy Estimates						
Land Use	Entering Trips			Exiting Trips		
	Veh. Occ. ⁴	% Transit	% Non-Motorized	Veh. Occ. ⁴	% Transit	% Non-Motorized
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						
All Other Land Uses ²						

Table 3-A: Average Land Use Interchange Distances (Feet Walking Distance)						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						

Table 4-A: Internal Person-Trip Origin-Destination Matrix*						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		0	0	0	0	0
Retail	0		0	0	0	0
Restaurant	0	0		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	0	1	0	0		0
Hotel	0	0	0	0	0	

Table 5-A: Computations Summary			
	Total	Entering	Exiting
All Person-Trips	210	89	121
Internal Capture Percentage	1%	1%	1%
External Vehicle-Trips ⁵	208	88	120
External Transit-Trips ⁶	0	0	0
External Non-Motorized Trips ⁶	0	0	0

Table 6-A: Internal Trip Capture Percentages by Land Use		
Land Use	Entering Trips	Exiting Trips
Office	N/A	N/A
Retail	1%	0%
Restaurant	N/A	N/A
Cinema/Entertainment	N/A	N/A
Residential	0%	1%
Hotel	N/A	N/A

¹Land Use Codes (LUCs) from *Trip Generation Manual*, published by the Institute of Transportation Engineers.

²Total estimate for all other land uses at mixed-use development site is not subject to internal trip capture computations in this estimator.

³Enter trips assuming no transit or non-motorized trips (as assumed in ITE *Trip Generation Manual*).

⁴Enter vehicle occupancy assumed in Table 1-A vehicle trips. If vehicle occupancy changes for proposed mixed-use project, manual adjustments must be made to Tables 5-A, 9-A (O and D). Enter transit, non-motorized percentages that will result with proposed mixed-use project complete.

⁵Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-A.

⁶Person-Trips

*Indicates computation that has been rounded to the nearest whole number.

Estimation Tool Developed by the Texas A&M Transportation Institute - Version 2013.1

Project Name:	Mercer Island Apartments
Analysis Period:	AM Street Peak Hour

Land Use	Table 7-A (D): Entering Trips			Table 7-A (O): Exiting Trips		
	Veh. Occ.	Vehicle-Trips	Person-Trips*	Veh. Occ.	Vehicle-Trips	Person-Trips*
Office	1.00	0	0	1.00	0	0
Retail	1.00	69	69	1.00	43	43
Restaurant	1.00	0	0	1.00	0	0
Cinema/Entertainment	1.00	0	0	1.00	0	0
Residential	1.00	20	20	1.00	78	78
Hotel	1.00	0	0	1.00	0	0

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		0	0	0	0	0
Retail	12		6	0	6	0
Restaurant	0	0		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	2	1	16	0		0
Hotel	0	0	0	0	0	

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		22	0	0	0	0
Retail	0		0	0	0	0
Restaurant	0	6		0	1	0
Cinema/Entertainment	0	0	0		0	0
Residential	0	12	0	0		0
Hotel	0	3	0	0	0	

Destination Land Use	Person-Trip Estimates			External Trips by Mode*		
	Internal	External	Total	Vehicles ¹	Transit ²	Non-Motorized ²
Office	0	0	0	0	0	0
Retail	1	68	69	68	0	0
Restaurant	0	0	0	0	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	0	20	20	20	0	0
Hotel	0	0	0	0	0	0
All Other Land Uses ³	0	0	0	0	0	0

Origin Land Use	Person-Trip Estimates			External Trips by Mode*		
	Internal	External	Total	Vehicles ¹	Transit ²	Non-Motorized ²
Office	0	0	0	0	0	0
Retail	0	43	43	43	0	0
Restaurant	0	0	0	0	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	1	77	78	77	0	0
Hotel	0	0	0	0	0	0
All Other Land Uses ³	0	0	0	0	0	0

¹Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-A
²Person-Trips
³Total estimate for all other land uses at mixed-use development site is not subject to internal trip capture computations in this estimator
*Indicates computation that has been rounded to the nearest whole number.

NCHRP 684 Internal Trip Capture Estimation Tool				
Project Name:	Mercer Island Apartments		Organization:	Transpo Group
Project Location:	Mercer Island		Performed By:	KLL
Scenario Description:	Proposed Land Uses - Retail		Date:	3/9/2015
Analysis Year:			Checked By:	
Analysis Period:	PM Peak Hour		Date:	

Table 1-P: Base Vehicle-Trip Generation Estimates (Single-Use Site Estimate)						
Land Use	Development Data (For Information Only)			Estimated Vehicle-Trips ³		
	ITE LUCs ¹	Quantity	Units	Total	Entering	Exiting
Office				0		
Retail	820/850	10,000	1,000 gsf	321	163	158
Restaurant				0		
Cinema/Entertainment				0		
Residential	220	184	dwelling units	119	77	42
Hotel				0		
All Other Land Uses ²				0		
				440	240	200

Table 2-P: Mode Split and Vehicle Occupancy Estimates						
Land Use	Entering Trips			Exiting Trips		
	Veh. Occ. ⁴	% Transit	% Non-Motorized	Veh. Occ. ⁴	% Transit	% Non-Motorized
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						
All Other Land Uses ²						

Table 3-P: Average Land Use Interchange Distances (Feet Walking Distance)						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						

Table 4-P: Internal Person-Trip Origin-Destination Matrix*						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		0	0	0	0	0
Retail	0		0	0	35	0
Restaurant	0	0		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	0	16	0	0		0
Hotel	0	0	0	0	0	

Table 5-P: Computations Summary			
	Total	Entering	Exiting
All Person-Trips	440	240	200
Internal Capture Percentage	23%	21%	26%
External Vehicle-Trips ⁵	338	189	149
External Transit-Trips ⁶	0	0	0
External Non-Motorized Trips ⁶	0	0	0

Table 6-P: Internal Trip Capture Percentages by Land Use		
Land Use	Entering Trips	Exiting Trips
Office	N/A	N/A
Retail	10%	22%
Restaurant	N/A	N/A
Cinema/Entertainment	N/A	N/A
Residential	45%	38%
Hotel	N/A	N/A

¹Land Use Codes (LUCs) from *Trip Generation Manual*, published by the Institute of Transportation Engineers.

²Total estimate for all other land uses at mixed-use development site is not subject to internal trip capture computations in this estimator.

³Enter trips assuming no transit or non-motorized trips (as assumed in ITE *Trip Generation Manual*).

⁴Enter vehicle occupancy assumed in Table 1-P vehicle trips. If vehicle occupancy changes for proposed mixed-use project, manual adjustments must be

⁵Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-P.

⁶Person-Trips

*Indicates computation that has been rounded to the nearest whole number.

Project Name:	Mercer Island Apartments
Analysis Period:	PM Street Peak Hour

Table 7-P: Conversion of Vehicle-Trip Ends to Person-Trip Ends						
Land Use	Table 7-P (D): Entering Trips			Table 7-P (O): Exiting Trips		
	Veh. Occ.	Vehicle-Trips	Person-Trips*	Veh. Occ.	Vehicle-Trips	Person-Trips*
Office	1.00	0	0	1.00	0	0
Retail	1.00	163	163	1.00	158	158
Restaurant	1.00	0	0	1.00	0	0
Cinema/Entertainment	1.00	0	0	1.00	0	0
Residential	1.00	77	77	1.00	42	42
Hotel	1.00	0	0	1.00	0	0

Table 8-P (O): Internal Person-Trip Origin-Destination Matrix (Computed at Origin)						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		0	0	0	0	0
Retail	3		46	6	41	8
Restaurant	0	0		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	2	18	9	0		1
Hotel	0	0	0	0	0	

Table 8-P (D): Internal Person-Trip Origin-Destination Matrix (Computed at Destination)						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		13	0	0	3	0
Retail	0		0	0	35	0
Restaurant	0	82		0	12	0
Cinema/Entertainment	0	7	0		3	0
Residential	0	16	0	0		0
Hotel	0	3	0	0	0	

Table 9-P (D): Internal and External Trips Summary (Entering Trips)						
Destination Land Use	Person-Trip Estimates			External Trips by Mode*		
	Internal	External	Total	Vehicles ¹	Transit ²	Non-Motorized ²
Office	0	0	0	0	0	0
Retail	16	147	163	147	0	0
Restaurant	0	0	0	0	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	35	42	77	42	0	0
Hotel	0	0	0	0	0	0
All Other Land Uses ³	0	0	0	0	0	0

Table 9-P (O): Internal and External Trips Summary (Exiting Trips)						
Origin Land Use	Person-Trip Estimates			External Trips by Mode*		
	Internal	External	Total	Vehicles ¹	Transit ²	Non-Motorized ²
Office	0	0	0	0	0	0
Retail	35	123	158	123	0	0
Restaurant	0	0	0	0	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	16	26	42	26	0	0
Hotel	0	0	0	0	0	0
All Other Land Uses ³	0	0	0	0	0	0

¹Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-P

²Person-Trips

³Total estimate for all other land uses at mixed-use development site is not subject to internal trip capture computations in this estimator

*Indicates computation that has been rounded to the nearest whole number.

Attachment A - Mercer Island Park Ride Trip Generation

Weekday PM Peak Hour

T-Entrance

Time	3/26/2015								Total	Hourly	3/24/2015								Total	Hourly	3/25/2015								Total	Hourly
	EBL	WBR	Total In	SBL	SBT	SBR	Total Out	EBL			WBR	Total In	SBL	SBT	SBR	Total Out	EBL	WBR			Total In	SBL	SBT	SBR	Total Out					
4:00 PM	0	0	0	0		4	4	4		0	1	1	0		4	4	5		0	0	0	0		2	2	2				
4:15 PM	0	0	0	0		3	3	3		0	1	1	0		4	4	5		0	1	1	0		4	4	5				
4:30 PM	0	0	0	0		6	6	6		0	0	0	0		10	10	10		0	0	0	1		6	7	7				
4:45 PM	0	0	0	0		5	5	5	18	0	1	1	0		3	3	4	24	0	0	0	0		5	5	5	19			
5:00 PM	0	0	0	0		2	2	2	16	0	0	0	1		7	8	8	27	0	0	0	0		13	13	13	30			
5:15 PM	0	0	0	0		9	9	9	22	0	0	0	0		9	9	9	31	0	0	0	0		10	10	10	35			
5:30 PM	0	0	0	0		4	4	4	20	0	0	0	0		4	4	4	25	0	0	0	0		5	5	5	33			
5:45 PM	0	0	0	0		9	9	9	24	0	0	0	0		9	9	9	30	0	0	0	0		9	9	9	37			
6:00 PM	0	0	0	0		10	10	10	32	0	0	0	0		5	5	5	27	0	1	1	0		6	6	7	31			
6:15 PM	0	0	0	0		3	3	3	26	0	0	0	0		3	3	3	21	0	0	0	0		6	6	6	27			
6:30 PM	0	1	1	0		3	3	4	26	0	2	2	0		5	5	7	24	0	1	1	0		1	1	2	24			
6:45 PM	0	0	0	0		0	0	0	17	0	0	0	0		5	5	5	20	0	0	0	1		2	3	3	18			

Signal Entrance

Time	3/26/2015								Total	Hourly	3/24/2015								Total	Hourly	3/25/2015								Total	Hourly
	EBL	WBR	Total In	SBL	SBT	SBR	Total Out	EBL			WBR	Total In	SBL	SBT	SBR	Total Out	EBL	WBR			Total In	SBL	SBT	SBR	Total Out					
4:00 PM	5	3	8	0	15	5	20	28		5	8	13	3	26	5	34	47		1	1	2	3	15	4	22	24				
4:15 PM	3	3	6	9	37	0	46	52		2	4	6	3	19	3	25	31		3	7	10	4	23	5	32	42				
4:30 PM	3	2	5	5	21	5	31	36		5	3	8	12	40	3	55	63		2	2	4	6	28	2	36	40				
4:45 PM	3	9	12	3	25	2	30	42	158	6	5	11	6	21	2	29	40	181	2	5	7	3	14	2	19	26	132			
5:00 PM	4	9	13	6	20	3	29	42	172	6	5	11	7	20	8	35	46	180	4	11	15	8	27	5	40	55	163			
5:15 PM	7	7	14	6	37	9	52	66	186	6	10	16	5	22	4	31	47	196	8	4	12	5	34	2	41	53	174			
5:30 PM	4	9	13	3	23	6	32	45	195	6	11	17	3	15	5	23	40	173	8	9	17	4	24	5	33	50	184			
5:45 PM	2	9	11	4	15	7	26	37	190	8	17	25	4	21	8	33	58	191	2	4	6	4	25	6	35	41	199			
6:00 PM	2	14	16	6	24	1	31	47	195	5	10	15	6	26	9	41	56	201	0	5	5	4	18	2	24	29	173			
6:15 PM	3	4	7	5	12	2	19	26	155	3	11	14	2	16	4	22	36	190	5	9	14	2	23	3	28	42	162			
6:30 PM	6	9	15	3	15	2	20	35	145	4	9	13	2	14	7	23	36	186	5	5	10	5	15	5	25	35	147			
6:45 PM	2	4	6	2	18	4	24	30	138	7	2	9	3	18	4	25	34	162	1	4	5	3	12	1	16	21	127			

Combined

Time	3/26/2015								Total	In	Out	Hourly	3/24/2015								Total	In	Out	Hourly	3/25/2015								Total	In	Out	Hourly	3-day Average			
	EBL	WBR	Total In	SBL	SBR	Total Out	EBL	WBR					Total In	SBL	SBR	Total Out	EBL	WBR	Total In	SBL					SBR	Total Out	Total	In	Out	Hourly	Total	In					Out	Hourly		
4:00 PM			8			24	32					14			38	52							2			24	26													
4:15 PM			6			49	55					7			29	36							11			36	47													
4:30 PM			5			37	42					8			65	73							4			43	47													
4:45 PM			12			35	47				176	12			32	44							7			24	31										151			
5:00 PM			13			31	44				188	11			43	54							15			53	68										193			
5:15 PM			14			61	75				208	16			40	56							12			51	63										209			
5:30 PM			13			36	49				215	17			27	44							17			38	55										217			
5:45 PM			11			35	46				214	25			42	67							6			44	55										217			
6:00 PM			16			41	57	54	173		227	15			46	61	73	155	228				6			44	50	50	186		236			59	171	230				
6:15 PM			7			22	29	24%			181	14			25	39	32%	155	211				14			34	48									189				
6:30 PM			16			23	39				171	15			28	43							11			26	37										171			
6:45 PM			6			24	30				155	9			30	39							5			19	24										145			

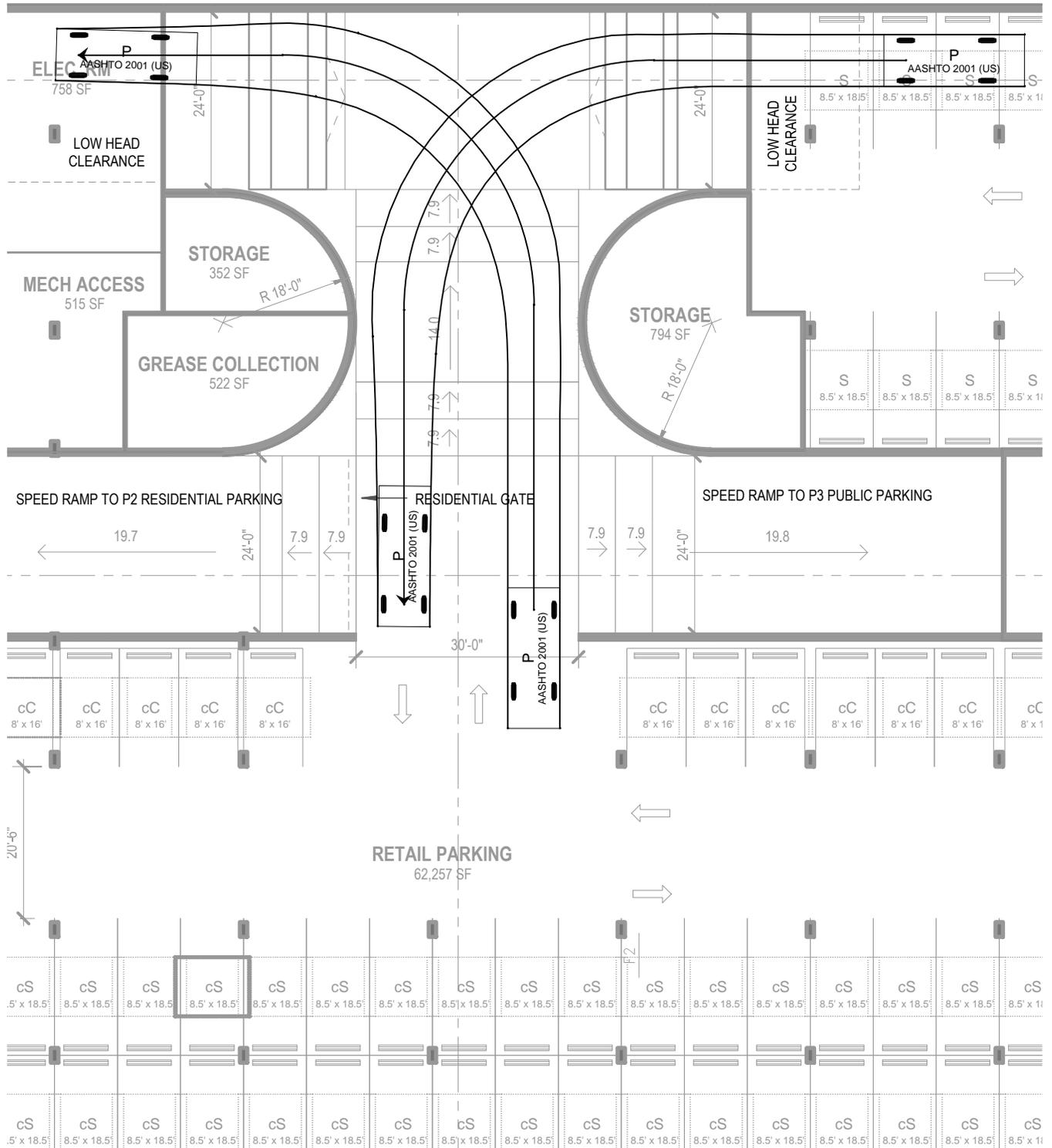
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Attachment B: Vehicle Travel Paths



273'-9"

NOT TO SCALE



Commercial Inbound and Outbound Left-Turns

ATTACHMENT

Mercer Island Apartments

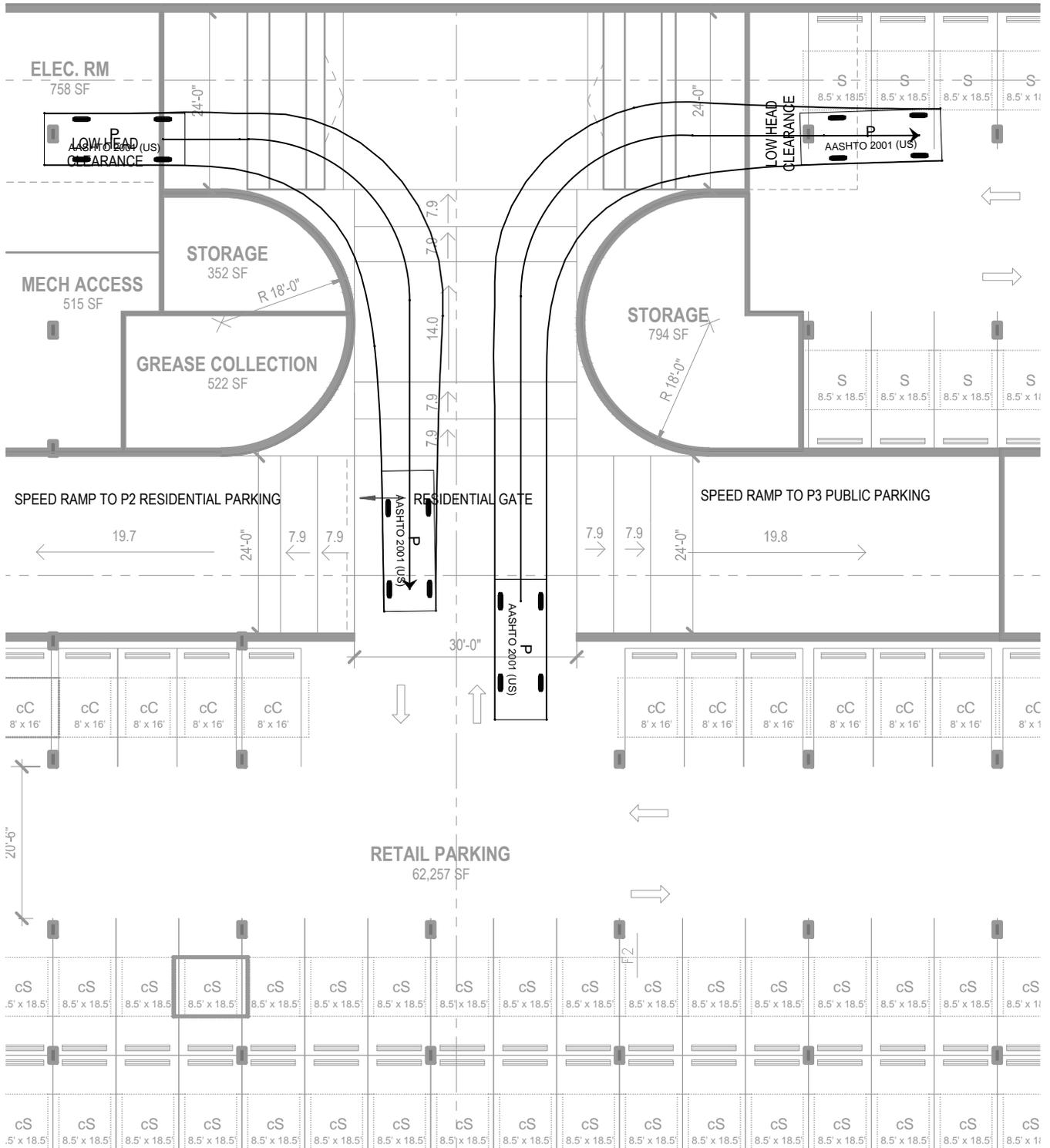


B-1



273'-9"

NOT TO SCALE



Commercial Inbound and Outbound Right-Turns

ATTACHMENT

Mercer Island Apartments



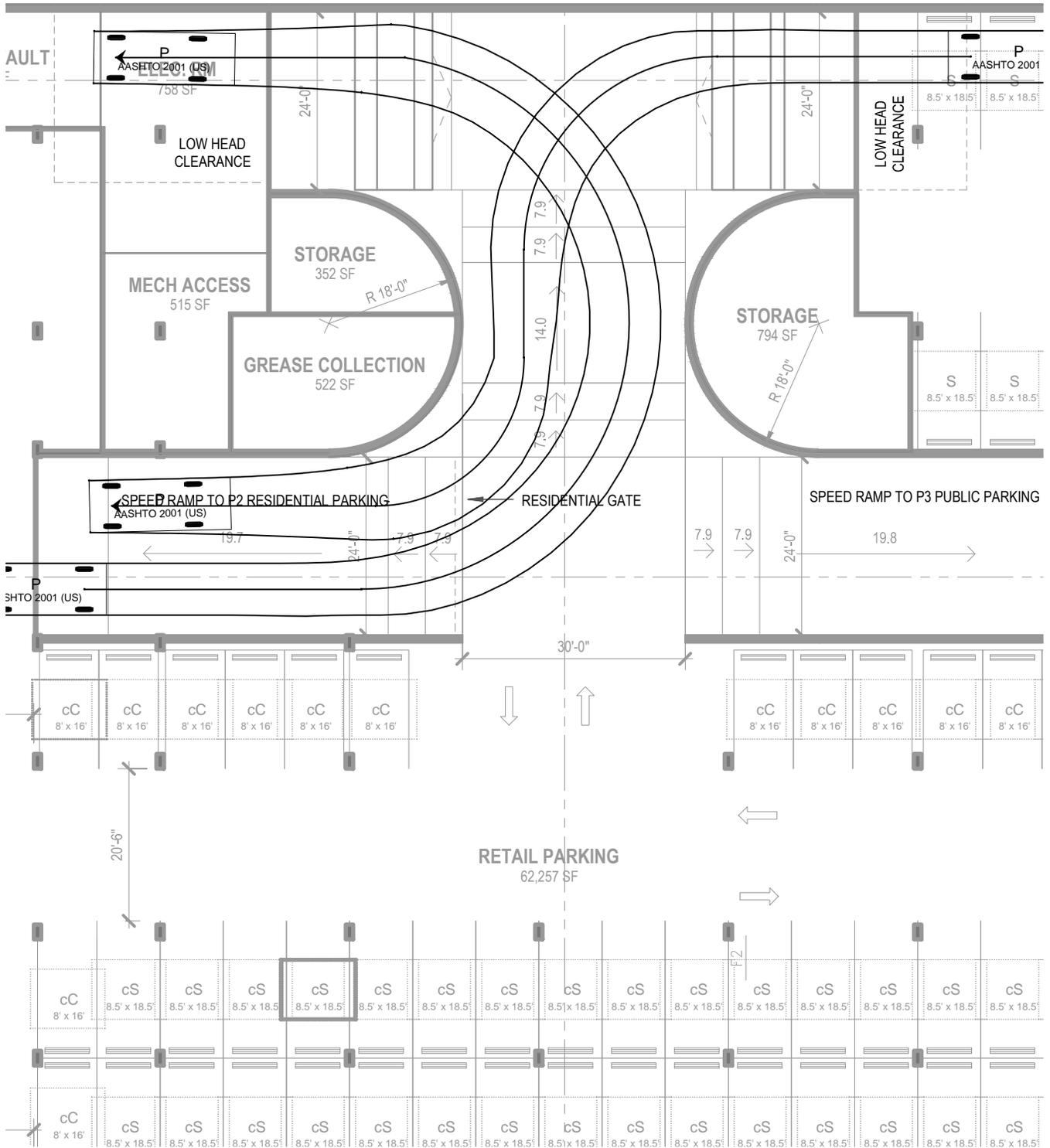
B-2



NOT TO SCALE



273'-9"



Residential Inbound and Outbound Left-Turns

ATTACHMENT

Mercer Island Apartments



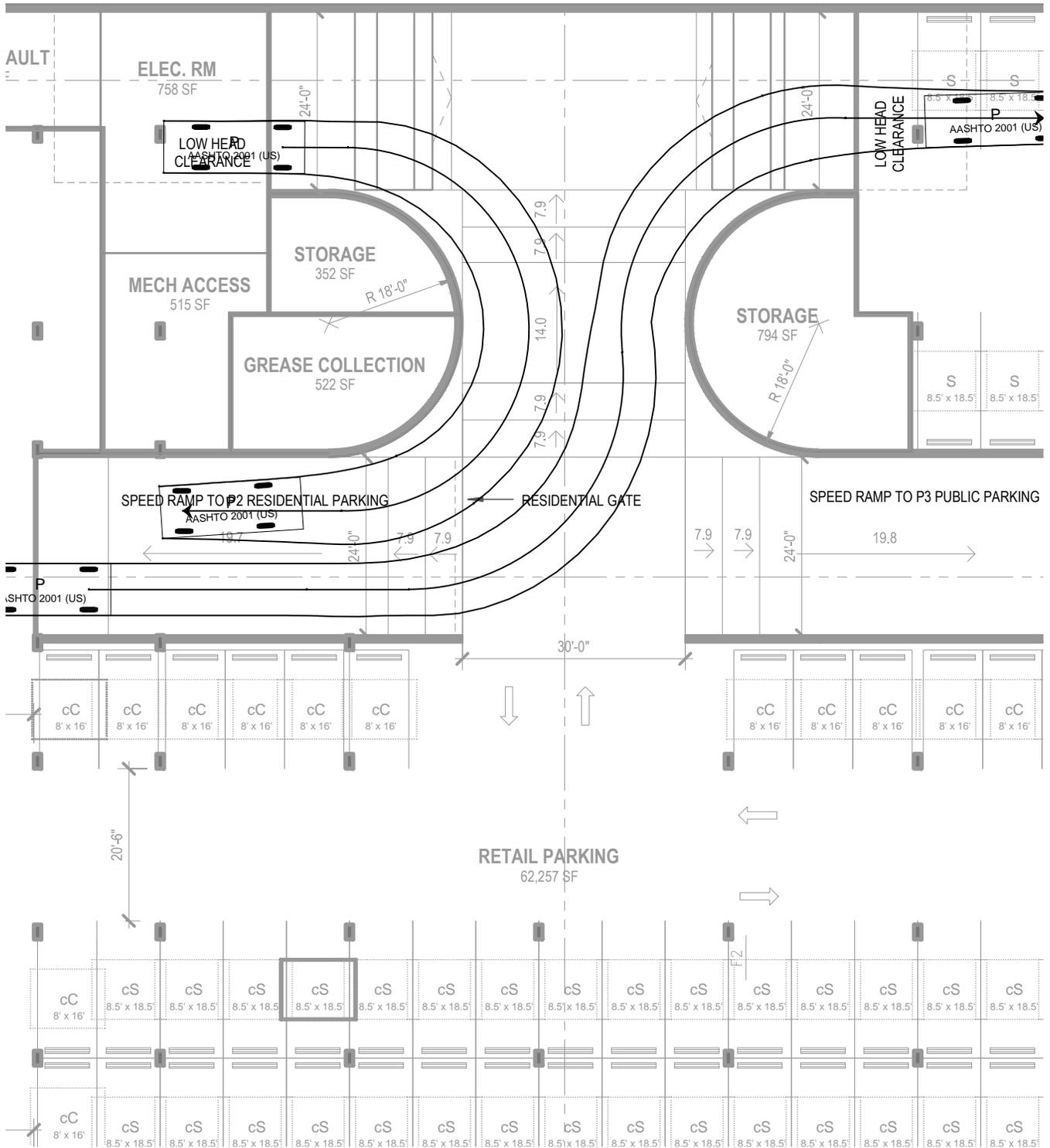
B-3



NOT TO SCALE



273'-9"



Residential Inbound and Outbound Right-Turns

ATTACHMENT

Mercer Island Apartments



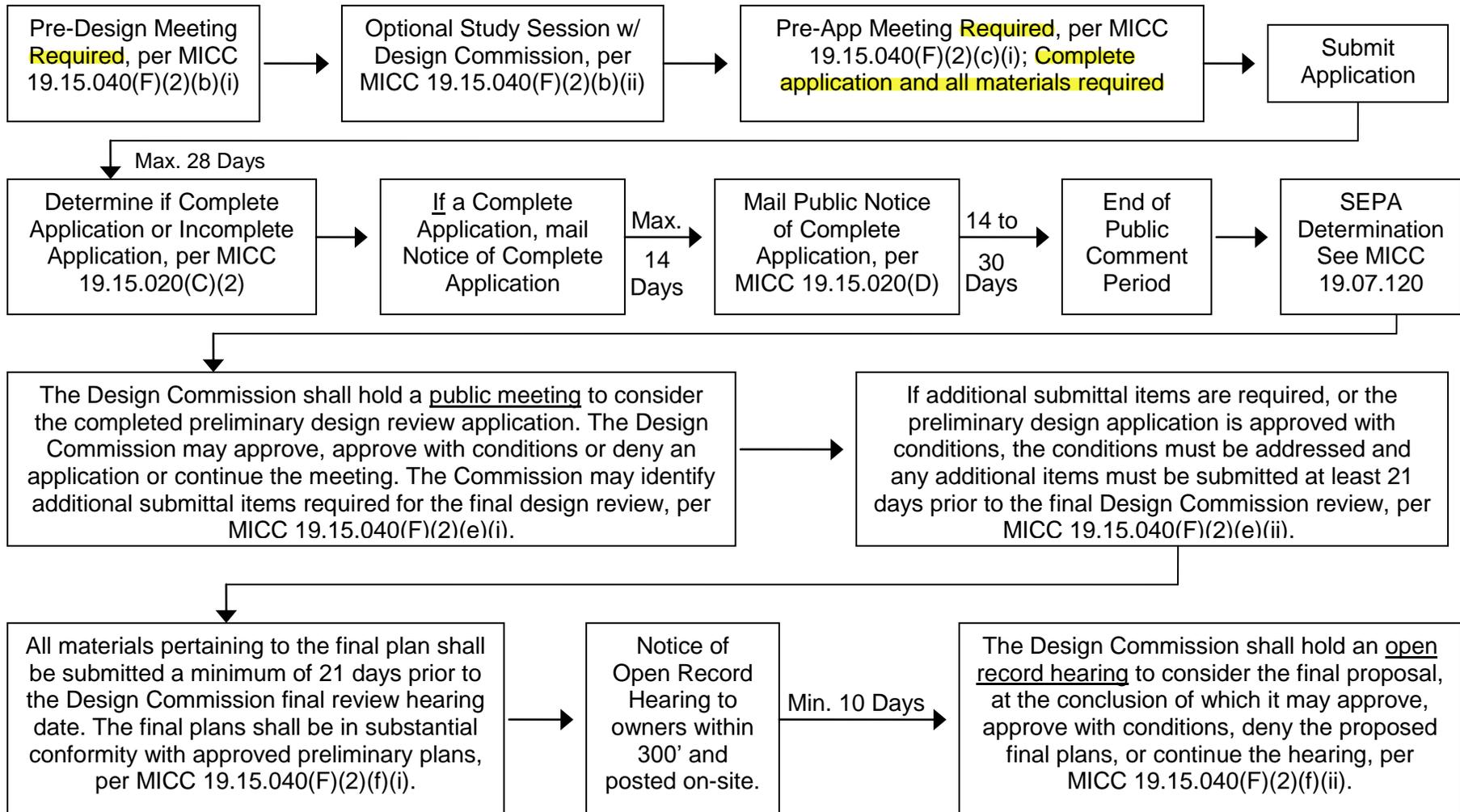
B-4

EXHIBIT 14



TYPICAL DESIGN COMMISSION PROCESS FOR MAJOR NEW CONSTRUCTION

The following is only a summary of the City of Mercer Island Design Review Process. Please refer to Mercer Island City Code (MICC) requirements for design review, which shall always govern.



This summary is provided for informational purposes only and is not intended as a complete or legally sufficient summary. The City of Mercer Island, its elected officials, officers, employees or agents make no warranty of any kind, express or implied, in relation to any information on this summary or any use made of this summary by any person. As with any document affecting the rights and responsibilities of real property ownership, the City of Mercer Island recommends that you consult with your private legal counsel before proceeding on any land use action after review of this summary.

S:\



CITY OF MERCER ISLAND, DEVELOPMENT SERVICES GROUP

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Submittal Requirements for Design Commission Review - Major New Construction

Design Review is the process by which the City evaluates developments within the City that meet the definition of “regulated improvements” in Mercer Island City Code (MICC) 19.16.010. Regulated improvements are defined as:

Any development of any property within the city, except:

- 1. Property owned or controlled by the city; or*
- 2. Single-family dwellings and the buildings, structures and uses accessory thereto; or*
- 3. Wireless communications structures, including associated support structures and equipment cabinets.*

Design review ensures a proposal’s consistency with MICC 19.11 Town Center Development and Design Standards or MICC 19.12 Design Standards for Zones outside Town Center and is intended to promote and enhance environmental and aesthetic design. Single family development is not a regulated improvement, and is therefore excluded from design review.

Regulated improvements are classified as either a major new construction, which is defined by MICC 19.16.010 as “construction from bare ground or an enlargement or alteration that changes the exterior of an existing structure that costs in excess of 50 percent of the structure’s assessed value” or a minor new construction. Minor new construction is “exterior modification to an existing development or site that does not constitute major new construction.”

The Design Commission is the decision authority for review of major new construction as well as minor exterior modifications in the Town Center with a with a construction valuation (as defined by MICC 17.14.010) of \$100,000 or greater. All minor exterior modifications outside of the Town Center as well as minor exterior modifications in the Town Center with a with a construction valuation (as defined by MICC 17.14.010) less than \$100,000 are reviewed by the Code Official. The Code Official may choose to send any application to the Design Commission for review.

PRE-DESIGN MEETING AND STUDY SESSION: The applicant shall participate in a pre-design meeting with staff prior to formal project development and application. The applicant may present schematic sketches and a general outline of the proposal for the City staff comments prior to preparation of formal plans. This meeting will allow city staff to acquaint the applicant with the design standards, submittal requirements, and the application procedures and provide early input on the proposed project. Additionally, the applicant is strongly encouraged to schedule a Study Session with the Design Commission to discuss project concepts before the plans are fully developed. At this session, which will be open to the public, the applicant should provide information regarding the site, the intended mix of uses, and how it will fit into the focus area objectives. The Commission may provide feedback to be considered in the design of the project.

PRE-APPLICATION: Applicants are required to participate in a pre-application meeting with City staff per MICC 19.15.040(F)(2)(c). Call Development Services staff to schedule a pre-application meeting. Pre-application meetings with the staff provide an opportunity to discuss the proposal in conceptual terms, identify the applicable City requirements, and delineate the proposal review process. Applicants are also encouraged to talk with surrounding property owner and residents about their proposal. Meetings and/or correspondence with the neighborhood serve the purpose of informing the neighborhood of the project proposal prior to the formal notice provided by the City.

APPLICATION: All applications for permits or actions by the City shall be submitted on forms provided by the Development Services Group. An application shall contain all information required by the applicable development regulations. The city cannot accept an application that does not have all of the required items. In order to accept your application, each of the required items shall be submitted to permit counter staff at the same time.

FILING REQUIREMENTS: Please fold all plans and attachments to a size not exceeding 8½" x 14" for storage in a legal-size folder. Plans not folded to the proper size will not be accepted. Please submit **fifteen (15) copies** each of the following:

- Development Application Coversheet
- Design Review Filing Fee: **see Development Application**
- Land Use Action sign deposit (refunded when sign is returned to the City): **see Development Application**
- A **State Environmental Policy Act (SEPA) Checklist** may be required. The checklist is available at the Development Services Group counter. Development Services Group personnel can assist you in determining if your proposal is exempt.

- Conceptual Floor Plans including the following:
 - Include exterior access points
 - Clarify the relationship between the interior spaces and the outside (decks, etc.) spaces
- Landscape Plan to include the following:
 - Minimum landscaping plan sheet size is 11" X 17".
 - Extent and location of all plant materials and other landscape features. Plant materials must be identified by direct labeling of each plant or by a clearly understandable legend.
 - Flower and shrub bed definition must be clear and drawn to scale with dimensions.
 - Proposed plant material should be indicated at mature sizes and in appropriate relation to scale.
 - Species and size of existing plant materials.
 - Proposed treatment of all ground surfaces must be clearly indicated (paving, turf, gravel, grading, etc.)
 - Location of water outlets. If areas of planting are extensive, plans for an underground sprinkler system will be required.
- Exterior Lighting Plan: Indicate new or modified lighting locations and provide specifications for proposed lighting.
- Indication of Materials & Colors: Two color copies of a color palette. The palette shall indicate which construction materials will be used.
- Sign Program: Illustrate location, size, height, material, color, letter dimensions, structural components and landscaping
- Birdseye Perspective or Massing Model: *Major projects only*
- Staff may require additional information or materials when necessary.

EXHIBIT 15

From: Dan Grausz [Grausz](#)
To: Debbie Bertlin
Cc:
Subject: Proposed Development
Date: 12/4/2014 11:03:30 PM
Attachments: Design Package.pdf

This unnerves me.

EXHIBIT 16

From: Dan Grausz [Grausz](#)
To: Bruce Bassett; Benson Wong
Cc:
Subject: Proposed Development
Date: 12/4/2014 11:02:21 PM
Attachments: Design Package.pdf

You should look at this. It is really disconcerting.

EXHIBIT 17

From: Dan Grausz [Grausz](#)
To: Noel Treat
Cc:
Subject: Re: Hines Property
Date: 12/7/2014 11:54:48 PM
Attachments:

This is the time for a very strong message to be sent to this developer. Otherwise, I think we need to seriously consider a moratorium until we complete work on the Town Center effort. This project will destroy what we are hoping to do. Bruce Lorig has offered to help work with the developer if we would like him to do so - at no charge.

EXHIBIT 18

Optional DNS process.

(1) If a GMA county/city with an integrated project review process (RCW 36.70B.060) is lead agency for a proposal and has a reasonable basis for determining significant adverse environmental impacts are unlikely, it may use a single integrated comment period to obtain comments on the notice of application and the likely threshold determination for the proposal. If this process is used, a second comment period will typically not be required when the DNS is issued (refer to subsection (4) of this section).

(2) If the lead agency uses the optional process specified in subsection (1) of this section, the lead agency shall:

(a) State on the first page of the notice of application that it expects to issue a DNS for the proposal, and that:

(i) The optional DNS process is being used;

(ii) This may be the only opportunity to comment on the environmental impacts of the proposal;

(iii) The proposal may include mitigation measures under applicable codes, and the project review process may incorporate or require mitigation measures regardless of whether an EIS is prepared; and

(iv) A copy of the subsequent threshold determination for the specific proposal may be obtained upon request (in addition, the lead agency may choose to maintain a general mailing list for threshold determination distribution).

(b) List in the notice of application the conditions being considered to mitigate environmental impacts, if a mitigated DNS is expected;

(c) Comply with the requirements for a notice of application and public notice in RCW 36.70B.110; and

(d) Send the notice of application and environmental checklist to:

(i) Agencies with jurisdiction, the department of ecology, affected tribes, and each local agency or political subdivision whose public services would be changed as a result of implementation of the proposal; and

(ii) Anyone requesting a copy of the environmental checklist for the specific proposal (in addition, the lead agency may choose to maintain a general mailing list for checklist distribution).

(3) If the lead agency indicates on the notice of application that a DNS is likely, an agency with jurisdiction may assume lead agency status during the comment period on the notice of application (WAC 197-11-948).

(4) The responsible official shall consider timely comments on the notice of application and either:

(a) Issue a DNS or mitigated DNS with no comment period using the procedures in subsection (5) of this section;

(b) Issue a DNS or mitigated DNS with a comment period using the procedures in subsection (5) of this section, if the lead agency determines a comment period is necessary;

(c) Issue a DS; or

(d) Require additional information or studies prior to making a threshold determination.

(5) If a DNS or mitigated DNS is issued under subsection (4)(a) of this section, the lead agency shall send a copy of the DNS or mitigated DNS to the department of ecology, agencies with jurisdiction, those who commented, and anyone requesting a copy. A copy of the environmental checklist need not be recirculated.

[Statutory Authority: 1995 c 347 (ESHB 1724) and RCW 43.21C.110. WSR 97-21-030 (Order 95-16), § 197-11-355, filed 10/10/97, effective 11/10/97.]

Shana Restall

From: Tom Acker <gngundr@comcast.net>
Sent: Tuesday, May 26, 2015 4:36 PM
To: Shana Restall
Subject: Comments on SEP15-011 associated with King-Hines project DSR15-014

Shana,

The purpose of this email is to respond to the city's request for public information related to the proposed Hines Project.

Let me first begin by stating the project should be held to the legally defined basic building height of two stories. Period.

As the public has stated for years, the community is not happy with the current trend of town center developments, and specifically the height. This sentiment was reinforced during the first 3 meetings of the Town Center Visioning Committee meetings held in February/March. For this reason, and within the construct of the law, it seems to me the city can hold the project to 2 Stories w/o granting any height variances. If Hines chooses to put in the 518 spaces at their own cost for the public, a 3rd story might be granted if the spaces are for the public and allow walk off parking with enforceable time limits (3 hours). The only way the city should consider a 3rd story is IF there is an extraordinary benefit to the community.

I'm still unclear as to what/why the parking is being pushed forward into the Hines project. What is it for? What is the need? In earlier discussions, I was told by City staff the location is too far away for public transportation commuters. And, if the purpose is for "commuter parking", the city would be gridlocked during morning hours as people tried to get in/out of the building thereby costing retailers valuable revenue as people avoided the town center.

In addition, the plan doesn't meet the criteria outlined by the City Council exempting Hines from the Hines' exclusion to the building moratorium. Hines should therefore be included in the moratorium and allow the visioning process to be concluded.

Other considerations:

- A thorough environmental review has not been completed that takes into considerations the following:
 1. Traffic Impacts to the central business district
 2. Impacts to the local level of services
 3. Light Pollution
 4. Impacts on safety
 5. Existing Pollution that may have spread off the property lines

6. Impacts to schools from population density/massing

- There are still games that can be played with height/number of stories that could make the lower half of the property line become 6 stories while the top half of the lot (QFC side) ends up being 5 stories.
- The retail uses are not beneficial to the community – there are already vacancies in the town center
- Hines seems to have missed at least 2 of their commitments to the community
- The visioning committee originally proposed capping the heights at 2-3 stories south of 27th to create an open-air feel (Seth Harry's Team later adjusted the trajectory of this concept)

Finally, a long-term resident shared the following with me but did not say whether or not he forwarded it to you. As I'm unsure, I wanted to be sure the comments were included as part of the review by the Design Commission.

This lifetime voter/resident wonders if something is being overlooked. As I understand this bouillabaisse after having practiced law a little short

of 50 years, Hines Corp. project is exempted from the "moratorium". The Washington State Constitution Sec. 12 states: *No law shall be passed granting to any citizen, class of citizens, or corporation other than municipal, privileges or immunities which upon the same terms shall not equally belong to all citizens, or corporations.* That means what it says, and says what it means.

Our City has lost or spent considerable dollars on litigation in past years/ Sec. 12 would seem to foretell a repeat if Hines is immune from restrictions applicable to others.

Since it is 4:30 Tuesday May 26, 2015 they are timely filed for the May 26, 2015 5PM deadline.

Thanks.

Tom Acker

2427 84th Avenue Southeast

Mercer Island, Wa 98040

(206) 498-4626

Shana Restall

From: Michelle Goldberg <megold7ny@aol.com>
Sent: Tuesday, May 26, 2015 4:36 PM
To: Shana Restall
Subject: Hines SEPA review comments
Attachments: hines sepa comments.docx

Dear Principal Planner Restall,

Attached please find my SEPA review comments for the proposed Hines project, DSR15-014 and SEP15-011.

Thank you,
Michelle Goldberg
2212 78th Ave SE
Mercer Island, WA 98040

Michelle Goldberg
2212 78th Ave SE
Mercer Island, WA 98040
Megold7ny@aol.com

May 26, 2015

Principal Planner Shana Restall
Development Services Group
City of Mercer Island
9611 SE 36th Street
Mercer Island, WA 98040

TRANSMITTED ELECTRONICALLY to
Shana.restall@mercergov.org

RE: Comments on SEPA review of the Hines Project,
DSR15-014 and SEP15-011

Dear Principal Planner Restall:

The following comments concern the SEPA review of the proposed project known as the Hines Project to be located between 77th Ave SE and 78th Ave SE, and between SE 29th Street and the current McDonalds. These are comments submitted by me, personally, and not on behalf of any organization:

Traffic Impacts: The impacts to traffic in the area, both during the construction and once the project is completed, are likely to be great and far-reaching. It is impossible, however, to ascertain the exact nature of these traffic or transportation impacts without a properly conducted analysis. As Hines has not submitted a Traffic Impact Analysis report ("TIA") (also referred to as a Transportation Impact Analysis report), then the SEPA review period should not have started to run. The SEPA review period should begin only once the TIA is completed and has been submitted, and there has been adequate review by the Mercer Island City Engineer and the peer reviewing firm. Residents and other interested parties should have an additional

opportunity to comment on these traffic impacts once all the reviews have been completed.

Toxic Hazards: Nowhere in the submitted documents does Hines mention that there has been a dry cleaner on the proposed project site for a few decades—possibly since the 1960s or 1970s. It is highly likely that the soil and ground water have been contaminated by PERC or other toxic by-products of this dry cleaning establishment. Further investigation should be conducted, or inquiries made, to make sure that hazardous materials have not leached into the soil or water table. If there has been contamination, then appropriate measures must be taken to clean the property.

Land Use: The SEPA Environmental checklist appears inaccurate in that the proposed building will be five stories on one side (78th Ave), but will appear to be six stories on the 77th Avenue side due to changes in the elevation. I am opposed to this added height as well as the added residential density because I do not believe the city's infrastructure and schools can support such growth. (Please see comments below regarding Public Services.)

Aesthetics: The SEPA checklist response to question 10b also appears inaccurate. Hines responds that no views in the immediate vicinity will be altered or obstructed. Clearly the neighboring properties will now be facing and viewing a massive five- or six-story building. This building will obstruct views of the surrounding hills (the Town Center bowl), as well as cut off sunlight to the neighboring properties.

Public Services: The building's population forecast seems low given the number of residential units. The impact to police and fire services also seems too low. Finally, the stated impact to the school district seems too low as it is based on incomplete information. School enrollment will increase in two ways: 1) the number of students who live at the Hines property; and 2) the number of children who move into the houses recently purchased from empty nesters or other child-less households who have moved to the Hines property. These numbers must be analyzed to accurately ascertain impact and determine mitigation or impact fees.

Timing of Project: As the city is still undergoing the Town Center Visioning process, as well as updating its Comprehensive Plan, and revising the city's codes, this project should not be approved. The Hines project should be included within the city's current moratorium and all construction permitting should be put on hold.

Sincerely,

Michelle Goldberg
2212 78th Ave SE
Mercer Island, WA 98040

Shana Restall

From: Baron Dickey <jandb6809@comcast.net>
Sent: Tuesday, May 26, 2015 4:39 PM
To: Scott Greenberg; Shana Restall
Subject: Hines Project Impact statement

To: Restall and Greenberg,
Re Proposed Hines Development project

It is well known that the city of Mercer Island city planing has been woefully negligent in assessing appropriate mitigation charges on new developments.

I therefor call upon you to "generously " apportion ALL foreseeable impact costs to these projects. I further call upon you to apportion additional impact fees sufficient to "make up" for under assessments of the town center development.

As just one example:

The Hines project is calling for 169 residential units. These units could be occupied by 2 or more children. The impact upon our schools could therefor be an additional burden of 300 to 500 children. With a class size of 25 this alone would call for an additional 20 class rooms and teachers. While I understand that the plan indicates a predominance of studio and one bedroom units my contacts at Jubilee Reach in Bellevue indicate that there may still be in excess of 3 children per unit.

I call upon you to very carefully asses the true cost of all impacted facilities and services and make these non negotiable requirements of ANY further expansion of residential units on the island.

Sincerely,

Baron Dickey
6809 96th Ave SE

Shana Restall

From: Michelle Goldberg <megold7ny@aol.com>
Sent: Tuesday, May 26, 2015 4:41 PM
To: Shana Restall
Subject: Hines SEPA review comments
Attachments: Hines SEPA Review Memo.pdf

Dear Principal Planner Restall:

I hereby adopt and incorporate the attached Memorandum as my written comments on DSR File No. 15-014 and SEPA File No. 15-011.

The project property is located at the following three street addresses:

2728 77th Avenue SE, Mercer Island Washington 98040.
2750 77th Avenue SE, Mercer Island Washington 98040.
2885 78th Avenue SE, Mercer Island, Washington 98040.

My address is 2212 78th Ave SE, Mercer Island, Washington 98040.

Thank you,
Michelle Goldberg

MEMORANDUM

To: Shana Restall, Principal Planner Mercer Island Design Services Group
Copy To: Mercer Island City Council
Mercer Island Design Commission
Mercer Island Planning Commission

From: Save Our Suburbs
2212 78th Avenue SE
Mercer Island, Washington 98040

Date: May 26, 2015

Re: *Comments on DSR File No. 15-014*
Comments on SEPA File No. 15-011
Location of the Property: 2728 and 2750 77th Avenue SE and
2885 78th Avenue SE, Mercer Island, Washington 98040

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EXECUTIVE SUMMARY

The Preliminary Design Review process for the 2015 Hines Project Proposal (“2015 Hines Proposal”) is legally flawed. It is unlawful for the Design Commission to act or consider the 2015 Hines Proposal until after the Development Services Group (“DSG”) and Hines cure these legal flaws.

The SEPA Review process for the 2015 Hines Proposal is legally flawed. It is unlawful for the Design Commission to act on or consider the 2015 Hines Proposal until after the DSG and Hines cure these legal flaws.

The 2015 Hines Proposal contemplates a building that is the antithesis of the 1994 Town Center Plan For The City Of Mercer Island (“1994 Town Center Vision”) and the 2015 Town Center Visioning Process (“2015 Town Center Vision”).

The SEPA Checklist for the 2015 Hines Proposal is inaccurate and incomplete.

Hines has not provided sufficient information about the 2015 Hines Proposal to allow the DSG to make an informed environmental decision or to allow the citizens of Mercer Island to make informed comments.

Each and every comment herein applies to all matters within the scope of DSR File No. 15-014 and SEPA File No. 15-011.

THE 2015 HINES PROPOSAL IN CONTEXT

1) *The Hines Special Expedited Review*

Hines requested that the City “commit to expediting” the 2015 Hines Proposal. The City committed to give the 2015 Hines Proposal “top priority in design review and plan review.” *See* Exhibit 2.

2) *The Hines Moratorium Special Exception*

Five Councilmembers adopted a Town Center wide moratorium and granted Hines an exemption from the Town Center wide moratorium despite the fact that no other City, County or Town in the State of Washington has granted such a moratorium exemption. The proffered excuse for that special Hines exemption was Hines’ representations to provide: (i) two hundred (200) or more public parking spaces, (ii) a “grand plaza along SE 29th”, and (iii) a “Whole Foods or some upscale grocery store.” *See, e.g.*, Exhibit 3 and Exhibit 4.

Various Councilmembers stated that Hines exemption should be terminated and that Hines should be included in the Town Center wide moratorium if Hines reneges on its representations. *See, e.g.*, Exhibit 3, and Exhibit 5.

Hines has reneged on its representations. Hines is demanding \$10,000,000 to \$12,000,000 for the public parking spaces. The Hines project that will be reviewed by the

Design Commission on May 27, 2015, precludes a “Whole Foods or some upscale grocery store” being included in that Hines project. See, e.g., Exhibit 6.

3) *The 2015 Town Center Vision*

The 2015 Town Center Vision and the Town Center Code Amendments, when adopted will, without limitation: (i) eliminate two Town Center sub-areas, (ii) down-zone heights in certain Town Center sub-areas, (iii) up-zone heights in certain Town Center sub-areas, (iv) down-zone uses in certain Town Center sub-areas, (v) require substantial building modulation for stories 3-5, (vi) change traffic flows in certain Town Center sub-areas, (vii) change street widths in certain Town Center sub-areas, (viii) change street locations in certain Town Center sub-areas, (ix) mandate midblock connection points in certain Town Center sub-areas, (x) create mandatory requirements in certain Town Center sub-areas, (xi) change incentive requirements in certain Town Center sub-areas. See, e.g., Exhibit 7 through Exhibit 12.

THE PRELIMINARY DESIGN REVIEW PROCESS IS FLAWED

1) *The April 2015 Hines Proposal*

In April of 2015, Hines submitted documents for the 2015 Hines Proposal that proposed a building containing: (i) up to 192 apartment units, (ii) approximately 30,000 gross square feet of space for a supermarket, (iii) 10,000 gross square feet of general retail space, (iv) 247 parking stalls for the residential use, (v) 151 parking stalls for supermarket and retail use, and (vi) 211 parking stalls for general public use. See, e.g., Exhibit 1, at pp. 1 and 2, and Exhibit 13 at pp. 1.

2) *The May 2015 Hines Proposal*

In May of 2015, Hines submitted documents for the 2015 Hines Proposal that proposed a building containing: (i) 196 apartment units, (ii) 16,000 square feet of commercial space and (iii) 518 parking stalls.

3) *Hines Failed To Attend A Predesign Meeting*

MICC 19.15.040(F)(2)(b)(i) requires Hines to attend a Predesign Meeting regarding its 2015 Hines Proposal. Hines failed to attend a Predesign Meeting for its 2015 Hines Proposal. See, e.g., Exhibit 14.

Hines’ failure to attend a Predesign Meeting for its 2015 Hines Proposal materially prejudiced the City and its citizens.

Because Hines failed to attend a Predesign Meeting for its 2015 Hines Proposal, it is unlawful for the Design Commission to act on or consider the 2015 Hines Proposal until after the DSG and Hines cure this legal flaw. See, e.g., RCW 36.70C.130.

4) *Hines Failed To Attend A Preapplication Meeting*

MICC 19.15.040(F)(2)(c)(i) requires Hines to attend a Preapplication Meeting regarding its 2015 Hines Proposal. Hines failed to attend a Preapplication Meeting for its 2015 Hines Proposal. *See, e.g.*, Exhibit 14.

Hines' failure to schedule and attend a Preapplication Meeting for its 2015 Hines Proposal materially prejudiced the City and its citizens.

Because Hines failed to attend a Preapplication Meeting for its 2015 Hines Proposal, it is unlawful for the Design Commission to act on or consider the 2015 Hines Proposal until after the DSG and Hines cure this legal flaw. *See, e.g.*, RCW 36.70C.130.

5) *The Notices Of Application Are Legally Flawed*

MICC 19.15.020(D)(1) requires the City to issue a Notice of Application. MICC 19.15.020(D)(4) requires that the Notice of Application "shall be provided in the bi-weekly DSG bulletin, posted at City Hall...."

The Public Notice of Application published in the DGS bulletin is different than the Public Notice of Application posted at City Hall, but both appear not to comply with MICC 19.15.020.

The Public Notice of Application published in the DGS bulletin appears not to comply with, among other things: MICC 19.15.020(D)(2)(f), MICC 19.15.020(D)(2)(i) and MICC 19.15.020(D)(2)(j).

The Public Notice of Application posted at City Hall appears not to comply with, among other things, MICC 19.15.020(D)(2)(j).

MICC 19.15.020(D)(2)(j) is critical and requires "A description of those development regulations used in determining consistency of the project with the city's comprehensive plan." The 2015 Hines Proposal must be consistent with the following elements of the comprehensive plan: (i) the Land Use Element, (ii) the Housing Element, (iii) the Capital Facilities Element, (iv) the Transportation Element and (v) the Park And Recreation Element. *See* RCW 36.70A.070.

The Public Notice Of Application's failure to comply with MICC 19.15.020(D) materially prejudiced the citizens of Mercer Island.

Because the Public Notice Of Application failed to comply with MICC 19.15.020(D), it is unlawful for the Design Commission to act on or consider the 2015 Hines Proposal until after the DSG and Hines cure this legal flaw. *See, e.g.*, RCW 36.70C.130.

6) *The First Page Of The Staff Report Memorializes Additional Flaws*

Hines requested and was granted a special expedited review process. *See* Exhibit 2. The Hines special expedited review process has culminated in flaws and chaos as evidenced by, without limitation, the Staff Report.

By way of example and without limitation, page one of the Staff Report discloses the following:

1. The “Design Packet” was not received by the City until May 4, 2015, hardly sufficient time for the necessary analysis, consideration and review from which to make decisions.
2. The “Plan Set” received by the City on April 15, 2015, was for the April 2015 Hines Proposal and not for the May 2015 Hines Proposal. *See, e.g.*, Exhibit 1, at pp. 1 and 2, and Exhibit 13 at pp. 1.
3. The SEPA Checklist is dated May 1, 2015, and could not have been received by the City on April 15, 2015.
4. The “Preliminary Transportation Summary” was not received by the City until May 11, 2015, the same day the City issued Notices Of Application and hardly sufficient time for the necessary analysis, consideration and review from which to make decisions.¹
5. The “Geotechnical Engineering Design Report” was not received by the City until May 15, 2015, four days after the City issued Notices Of Application and, thus, precluding the necessary analysis, consideration and review from which to make decisions.

Because the Staff Report is inaccurate, the Design Commission should not act on or consider the 2015 Hines Proposal until after the DSG and Hines cure this legal flaw. *See, e.g.*, RCW 36.70C.130.

¹ The May 7, 2015 “Preliminary Transportation Summary” is deficient in numerous regards. For example, without limitation, it does not consider the impacts of the increased traffic on the local intersections, such as 77th Ave SE at SE 29th St (Albertson's), SE 27th St (Walgreens) and 78th Ave SE at SE 30th St (Rite Aid), SE 29th St (Shell), SE 28th St (QFC), and SE 27th St (Island Square). Given that 60 vehicles are expected exit the property and turn left onto 77th Ave SE, the impact of those additional 60 vehicles on the intersection of 77th Ave SE and SE 29th St should must be considered and addressed.

DECISION CRITERIA

1) *The 2015 Hines Proposal Fails To Comply With The Town Center Vision*

The 2015 Hines Proposal fails to comply with, and without limitation: (i) MICC 19.11.010, (ii) the 1994 Town Center Vision, and (iii) the 2015 Town Center Vision.

Indeed, Deputy Mayor Grausz stated that the 2014 Hines Proposal (which is similar to the 2015 Hines Proposal in bulk and mass) “unnerves” him and that he found that proposal to be “disconcerting.” *See* Exhibit 15 and Exhibit 16.

Deputy Mayor Grausz also (as to that proposal) advised the City Manager as follows:

This is the time for a very strong message to be sent to this developer. Otherwise, I think we need to seriously consider a moratorium until we complete work on the Town Center effort. This project will destroy what we are hoping to do. (bold added).

See Exhibit 17.

THE SEPA REVIEW PROCESS IS FLAWED

1) *The SEPA Notices Are Legally Flawed*

WAC 197-11-335 requires that a Notice Of Application list “the conditions being considered to mitigate environmental impacts, if a mitigated DNS is expected.” *See* Exhibit 18.

The Public Notice of Application published in the DGS bulletin and the Public Notice of Application posted at City Hall appear not to comply with WAC 197-11-335.

The Public Notice Of Application’s failure to comply with MICC 19.15.020(D) materially prejudiced the citizens of Mercer Island.

Because the Public Notice Of Application failed to comply with WAC 197-11-335, it is unlawful for the Design Commission to act on or consider the 2015 Hines Proposal until after the DSG and Hines cure this legal flaw. *See, e.g.*, RCW 36.70C.130.

2) *The SEPA Information Is Legally Flawed*

The SEPA information and the SEPA Checklist are inaccurate and incomplete, and, as such: (i) precludes the citizens of Mercer Island from making any informed comments, and (ii) precludes the City from making any informed environmental decisions.

By way of example and without limitation:

1. With regard to B(2)(a), the Hines' response fails to address air emissions "when the project is completed."
2. With regard to B(4)(b), the Hines' response fails to disclose that the "Nine existing trees [that] will remain" are on the MacDonald property, not the 2015 Hines Proposal property.
3. With regard to B(10)(b), the Hines' response affirmatively misrepresents that the 2015 Hines Proposal will not alter or obstruct views in the immediate vicinity.
4. With regard to B(14), the Hines' response fails to provide any information upon which any informed comments or environmental decisions can be made.

Because the SEPA Checklist is inaccurate and incomplete, the Design Commission should not act on or consider the 2015 Hines Proposal until after the DSG and Hines cure this legal flaw. *See, e.g.*, RCW 36.70C.130.

LIST OF EXHIBITS

1	May 12-23, 2015, E-Mail String
2	January 12-13, 2015, E-Mail String (highlighted)
3	March 16, 2015, City Council Meeting Partial Transcript (highlighted)
4	March 30, 2015, City Council Meeting Partial Transcript (highlighted)
5	Deputy Mayor Grausz's April Update (highlighted)
6	Retail Space Analysis
7	Existing Town Center Sub-Areas
8	Proposed Town Center Regulating Plan
9	Proposed Town Center Retail Frontage
10	Town Center Stakeholder Group Meeting Summary
11	Proposed Town Center Incentive Structure (highlighted)
12	Deputy Mayor Grausz's May Update (highlighted)
13	April 10, 2015, Memorandum
14	Design Commission Process (highlighted)
15	December 4, 2014, E-Mail To Councilmember Bertlin
16	December 4, 2014, E-Mail To Councilmembers Bassett And Wong
17	December 7, 2014, E-Mail To City Manager Treat
18	WAC 197-11-355 (highlighted)

EXHIBIT 1

RE: Hines project design review plans (Part 2 of 3)

Robert A. Medved
5/23/15
To: Shana Restall

Shana:

A review of the five documents you provided on May 12, 2015 and the seven documents posted to the City's website on May 21, 2015 evidence the existence of additional documents and materials regarding File Nos. DSR 15-014 and SEPA 15-011.

The "Development Application" you provided on May 12, 2015, is dated April 9, 2015. Please advise me when the City received that April 9, 2015, "Development Application." Please advise me of any additional documents or materials that accompanied that April 9, 2015, "Development Application" regardless of whether those documents and materials were or were not "formally submitted with the application."

The traffic "Memorandum" you provided on May 12, 2015, is dated April 10, 2015. Please advise me when the City received the April 10, 2015, traffic "Memorandum." Please advise me of any additional documents or materials that accompanied or are related to the April 10, 2015, traffic "Memorandum" regardless of whether those documents and materials were or were not "formally submitted with the application."

The metadata to the "DSR15-014-Plans" you provided on May 12, 2015, memorialize the fact that the "DSR15-014-Plans" were created on April 10, 2015. Those "DSR15-014-Plans" also identify and memorialize the existence of an April 13, 2015, "PRELIMINARY DESIGN REVIEW" submittal. Please provide me a copy of that at April 13, 2015, "PRELIMINARY DESIGN REVIEW" submittal. Please advise me when the City received that April 13, 2015, "PRELIMINARY DESIGN REVIEW" submittal. Please advise me of any additional documents or materials that accompanied or are related to the April 13, 2015, "PRELIMINARY DESIGN REVIEW" submittal regardless of whether those documents and materials were or were not "formally submitted with the application."

The Preliminary Design Review Submittal you provided on May 12, 2015, identifies and memorializes the existence of an "Appendix A." Please provide me a copy of that "Appendix A." Please advise me when the City received that "Appendix A."

The traffic "Memorandum" posted to the City's website on May 21, 2015, is dated May 7, 2015. Please advise me when the City received that May 7, 2015, traffic "Memorandum."

It is problematic to prepare and submit comments based upon incomplete and changing information. Your prompt respond to the above requests is appreciated especially since the deadline for filing comments is May 26, 2015.

Bob

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
Facsimile: 206-236-2200
Cellular: 206-550-3300
E-mail: robertamedved@msn.com

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From: shana.restall@mercergov.org
To: robertamedved@msn.com
Subject: RE: Hines project design review plans (Part 2 of 3)
Date: Sat, 23 May 2015 06:06:49 +0000

Dear Bob,

The Traffic Memo on the website (dated May 7, 2015) is the one included in the application. I accidentally sent you an earlier version that was not formally submitted with the application. The staff report for project DSR15-014 for the May 27, 2015 Design Commission meeting is attached.

Thanks,

Shana

Shana Restall | Principal Planner

City of Mercer Island Development Services
9611 SE 36th Street, Mercer Island, WA 98040-3732
p: 206.275.7732 fx: 206.275.7726
shana.restall@mercergov.org

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View application and other zoning information [here](#)

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From: Robert A. Medved [mailto:robertamedved@msn.com]
Sent: Friday, May 22, 2015 1:50 PM
To: Shana Restall
Subject: RE: Hines project design review plans (Part 2 of 3)

Shana:

2013 Hines Proposal:

On November 13, 2013, the Design Commission conducted a Study Session for the 2013 Hines Proposal containing 156 residential units, 9,300 square feet of commercial space and 211 parking stalls. See the first and second attachments.

The packet for the November 13, 2013, the Design Commission Study Session for the 2013 Hines Proposal, included a "Study Session Staff Report" to the Design Commission.

2014 Hines Proposal:

On December 10, 2014, the Design Commission conducted a Study Session for the 2014 Hines Proposal containing 215-230 residential units, 14,625 square feet of commercial space and 400-430 parking stalls. See the third and fourth attachments.

The packet for the December 10, 2014, the Design Commission Study Session for the 2014 Hines Proposal included a "Memorandum" to the Design Commission.

2015 Hines Proposal:

On May 26, 2015, the Design Commission will conduct a preliminary review of the Hines 2015 Proposal containing 196 residential units, 16,000 square feet of commercial space and 518 parking stalls. See <http://www.mercergov.org/Agendas.asp?AMID=2363>

The packet for the May 26, 2015, the Design Commission Preliminary Review for the 2015 Hines Proposal does not contain a Staff Report, a Memorandum or any other sort of document to inform the Design Commission and the public. Is this an intended omission? What is the reason for the omission?

Additionally, on May 12, 2015, you provided me five documents, one of which is a "Memorandum" that is the fifth attachment to this e-mail. Yesterday you advised me that "the Hines application materials are now posted" on the City website. The sixth attachment to this e-mail is a "Memorandum" from that website. The fifth attachment to this e-mail is materially different from the sixth attachment to this e-mail. When did the City receive the fifth attachment to this e-mail?

Please respond to the above inquires since the deadline for filing comments is May 26, 2015.

Thank you,
Bob

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
Facsimile: 206-236-2200
Cellular: 206-550-3300
E-mail: robertamedved@msn.com

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From: shana.restall@mercergov.org
To: robertamedved@msn.com
Subject: RE: Hines project design review plans (Part 2 of 3)
Date: Fri, 22 May 2015 19:24:08 +0000

Dear Bob,

My email from yesterday was incorrect. The geotech report was received by the City on May 15, 2015.

Thanks,
Shana

Shana Restall | Principal Planner
City of Mercer Island Development Services
9611 SE 36th Street, Mercer Island, WA 98040-3732
p: 206.275.7732 fx: 206.275.7726
shana.restall@mercergov.org

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From: Shana Restall
Sent: Thursday, May 21, 2015 2:34 PM
To: Robert A. Medved
Subject: RE: Hines project design review plans (Part 2 of 3)

Dear Bob,

Just an FYI - the Hines application materials are now posted here:
<http://www.mercergov.org/Agendas.asp?AMID=2363>

Thanks,
Shana

Shana Restall | Principal Planner
City of Mercer Island Development Services
9611 SE 36th Street, Mercer Island, WA 98040-3732
p: 206.275.7732 fx: 206.275.7726
shana.restall@mercergov.org

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From: Robert A. Medved [<mailto:robertamedved@msn.com>]
Sent: Thursday, May 21, 2015 10:08 AM
To: Shana Restall
Subject: RE: Hines project design review plans (Part 2 of 3)

Shana:

Thank you.

Bob

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
Facsimile: 206-236-2200
Cellular: 206-550-3300
E-mail: robertamedved@msn.com

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From: shana.restall@mercergov.org
To: robertamedved@msn.com
Subject: Re: Hines project design review plans (Part 2 of 3)
Date: Thu, 21 May 2015 17:05:25 +0000

I have given you everything formally taken in for the applications for project numbers DSR15-014 and SEP15-011.

Sent using OWA for iPhone

From: Robert A. Medved <robertamedved@msn.com>
Sent: Thursday, May 21, 2015 10:03:17 AM
To: Shana Restall
Subject: RE: Hines project design review plans (Part 2 of 3)

Shana:

Thank you for the below information.

Please confirm that, other than notes of the “pre-application meeting on November 18, 2014,” I have been provided with all the documents and materials the City reviewed prior to issuing the May 11, 2015 Public Notice of Application.

Your prompt response to these issues is sincerely appreciated.

Bob

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
Facsimile: 206-236-2200
Cellular: 206-550-3300
E-mail: robertamedved@msn.com

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From: shana.restall@mercergov.org
To: robertamedved@msn.com
Subject: RE: Hines project design review plans (Part 2 of 3)
Date: Thu, 21 May 2015 16:13:06 +0000

Dear Bob,

I'll respond to your requests below:

- (i) The application was not formally taken in during the pre-application meeting, which happens when the applicant does not bring a complete application to the pre-app. So, the City does not have formal materials related to the pre-app. However, there may be notes. To get any notes that may exist, please submit a public records request to the City Clerk's office:
<http://www.mercergov.org/files/records%20request%20form.pdf>
- (ii) The Geotechnical report was received on May 13, 2015.
- (iii) You may submit electronic comments to include in the record directly to me at shana.restall@mercergov.org

Thanks,
Shana

Shana Restall | Principal Planner
City of Mercer Island Development Services
9611 SE 36th Street, Mercer Island, WA 98040-3732
p: 206.275.7732 fx: 206.275.7726
shana.restall@mercergov.org

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From: Robert A. Medved [<mailto:robertamedved@msn.com>]
Sent: Wednesday, May 20, 2015 10:17 PM
To: Shana Restall
Subject: RE: Hines project design review plans (Part 2 of 3)

Shana:

Thank you for the information below and for a copy of the Geotechnical report.

Would you please: (i) provide me with the documents relating to the “pre-application meeting on November 18, 2014,” (ii) let me know what date the City received the “Geotechnical report” and (iii) provide me the e-mail address to submit electronic comments.

I am assuming that I have been provided with all the documents and materials the City reviewed prior to issuing the May 11, 2015 Public Notice of Application. If my assumption is incorrect, please provide me with all additional documents.

Thank you for your prompt response to these issues.

Bob

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
Facsimile: 206-236-2200
Cellular: 206-550-3300
E-mail: robertamedved@msn.com

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From: shana.restall@mercergov.org
To: robertamedved@msn.com
Subject: RE: Hines project design review plans (Part 2 of 3)
Date: Thu, 21 May 2015 00:09:56 +0000

Dear Bob,

The Hines project had a pre-design meeting on October 15, 2013 and a pre-application meeting on November 18, 2014. I apologize for the SEPA checklist being truncated in parts. Our website form does that at times. My copy has a plus sign in the bottom right corner of some boxes that can be clicked to allow for the boxes to be expanded. If that doesn't work for you, here are the responses that appear to overflow the boxes of the form:

***B.2.a.** - Minor dust emissions may result from demolition and earthwork construction procedures. Construction equipment (drilling equipment, excavators and trucks) will also be present on-site during excavation and shoring and may cause minor air emissions. Upon project completion, car emissions will be generated from cars traveling to and from the building.*

***B.2.c.** - Dust will be carefully controlled to meet all City/State and Federal emission requirements, most commonly through the use of water hose and spray to keep particulates settled on the site. Emissions from construction equipment are mitigated by built-in emissions controls on the equipment itself which will be required to meet all emissions standards.*

***B.10.a.** - The roof structure is 65' above average building elevation. From the site's lowest point (NW corner), the building measures approximately 67'-11" from finished grade to top of parapet. Elevator overruns, stair penthouses and rooftop mechanical equipment will be maintained at or below the 10' maximum overrun height beyond 65' zoning height. The principal exterior materials proposed are metallic and fiber cement panels on a rain screen system, concrete, aluminum and vinyl windows. Glazing will be at or below 45% at residential levels with storefront glazing predominately at grade.*

***B.11.a.** - The proposed structure will include lights typical of a mixed use project: decorative wall sconces and/or special lighting at retail facades, street lights in the right-of-way, landscape lighting, and residential and retail entry lighting for the safety and security of occupants and visitors. Light pollution shall be mitigated per the requirements of the Mercer Island Municipal Code Section 19.11.090.B7. Lighting around the site is anticipated to occur from dusk through dawn.*

The documents that I emailed to you were the only documents formally submitted to the City at the time of application. We have since received a Geotechnical report, which is attached.

Thanks,
Shana

Shana Restall | Principal Planner
City of Mercer Island Development Services
9611 SE 36th Street, Mercer Island, WA 98040-3732
p: 206.275.7732 fx: 206.275.7726
shana.restall@mercergov.org

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From: Robert A. Medved [<mailto:robertamedved@msn.com>]

Sent: Wednesday, May 20, 2015 3:43 PM

To: Shana Restall

Subject: RE: Hines project design review plans (Part 2 of 3)

Shana:

ADDITIONAL DOCUMENTS AND MATERIALS NECESSARY TO PREPARE WRITTEN COMMENTS.

I appreciate the five documents you sent to me. A review of those five documents makes it clear that there are additional documents and materials that the City reviewed prior to publishing the Public Notice Of Application on May 11, 2015.

For example, the SEPA Checklist you sent me provides that the “applicant has conducted ... a Pre-App meeting with City Staff.” I assume that “Pre-App meeting” was governed by 19.15.040(F)(2)(c)(i) which requires a “complete application on forms provided by the development services group (DSG) and all materials pertaining to the project shall be submitted at a formal preapplication meeting with DSG staff.”

A review of all of the documents and materials pertaining to the project and reviewed by the City is critical to submitting the written comments identified in the Public Notice Of Application.

Please advise me when I can review those documents and materials so as to allow sufficient time for the preparation of written comments within the comment period provided in the Public Notice Of Application. Also, please provide me the e-mail address to submit those comments electronically.

INCOMPLETE DOCUMENTS.

The SEPA Checklist you sent me appears to be incomplete. For example, the response to subsection B(2)(a) at page 3 prematurely ends with “and tr” and the response to subsection B(11)(a) at page 7 prematurely ends with “facades street”.

I would appreciate a complete SEPA Checklist.

Thank you for your prompt attention to these issues.

Bob.

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
Facsimile: 206-236-2200
Cellular: 206-550-3300
E-mail: robertamedved@msn.com

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From: shana.restall@mercergov.org
To: robertamedved@msn.com
Subject: Re: Hines project design review plans (Part 2 of 3)
Date: Wed, 20 May 2015 19:10:30 +0000

Dear Bob,

I just listened to your voicemail. I'm in Meetings for the rest of the day and all day tomorrow. Is there any possibility that you could send me your questions via email so that I could get back to you today?

Thanks,
Shana

Sent using OWA for iPhone

From: Robert A. Medved <robertamedved@msn.com>
Sent: Wednesday, May 20, 2015 10:21:09 AM
To: Shana Restall
Subject: RE: Hines project design review plans (Part 2 of 3)

Shana:

I just left a voice message asking you to call me at (206) 550-3300.

Thanks,
Bob

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
Facsimile: 206-236-2200
Cellular: 206-550-3300
E-mail: robertamedved@msn.com

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From: robertamedved@msn.com
To: shana.restall@mercergov.org
Subject: RE: Hines project design review plans (Part 2 of 3)
Date: Wed, 20 May 2015 00:25:03 -0700

Shana:

I have received three e-mails with attachments.

Thank you,
Bob

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
Facsimile: 206-236-2200
Cellular: 206-550-3300
E-mail: robertamedved@msn.com

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From: shana.restall@mercergov.org
To: robertamedved@msn.com
Subject: Hines project design review plans (Part 2 of 3)
Date: Tue, 12 May 2015 19:22:15 +0000

Dear Bob,

Attached please find the submitted plans for the Hines proposal. Please confirm that you have received all three emails. Please note that the comment period ends fourteen (14) days from today on May 26, 2015 at 5:00 PM.

Thanks,
Shana

Shana Restall | Principal Planner
City of Mercer Island Development Services
9611 SE 36th Street, Mercer Island, WA 98040-3732
p: 206.275.7732 fx: 206.275.7726
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From: Robert A. Medved [<mailto:robertamedved@msn.com>]
Sent: Tuesday, May 12, 2015 9:53 AM
To: Shana Restall
Subject: Hines Project

Shana:

I just left a voice message asking you to please call me at (206) 550-3300.

Thank you,
Bob

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
Facsimile: 206-236-2200
Cellular: 206-550-3300
E-mail: robertamedved@msn.com

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EXHIBIT 2

From:
To: Kaseguma; Evan Evan.Kaseguma@hines.com
Cc: Favreau; John John.Favreau@hines.com
Subject: RE: Draft Term Sheet
Date: 1/13/2015 10:58:04 AM
Attachments:

Hi Evan and John. I met with Noel, Kirsten and Katie (City Attorney) yesterday to get some direction. Here is the outcome of that meeting:

1. We want to move forward with a term sheet, which would be the basis for a future development agreement. The term sheet can be signed by the City Manager and does not need City Council approval. The term sheet is non-binding and will establish the deal points that will be brought forward to City Council. I will be working on edits to the term sheet and starting work on a draft development agreement. We are bringing in some outside resources (at City cost) to advise us on some elements of the term sheet, since we are not in the development business.
2. We will consider a lease/buyout idea.
3. There are no issues with two larger retail tenants.
4. **We will give the project top priority in design review and plan review.**
5. Term Sheet Paragraph 4: We will pay fair share of design costs including geotech, other engineers, etc. Again, we will need more definition of what's included.
6. Paragraph 7c: We can edit the language. The intent is to avoid commuters having to drive through Hines-only parking and vice-versa. Allowing both types of parking to share a curb cut would be ok.
7. Paragraph 8a: We agree to substitute "reasonable" for "sole and absolute" or similar language achieving the intent of that paragraph. Maybe focusing on compatible use would be better language.
8. Paragraph 15: Paying fair share of real estate taxes, operating costs, etc. is reasonable. We need to define that a bit more.
9. Paragraph 20: We can remove this paragraph and simply work on a separate schedule for the project.

Some important dates you should be aware of:

Jan. 23 (3:00-6:00 pm): City Council Planning Session (at Community Center)—discussion of Town Center planning, commuter parking (Ben's report) and Metro bus issues. We expect City Council to give staff
Jan. 29 (evening): Parking Options Open House (Community Center, time TBD between 5-8 pm)

From: Kaseguma, Evan [mailto:Evan.Kaseguma@hines.com]
Sent: Monday, January 12, 2015 9:10 AM
To: Scott Greenberg
Cc: Favreau, John
Subject: RE: Draft Term Sheet

Scott:

Thanks for a productive discussion on Thursday. I wanted to send a list of follow-up items:

1. Scott to check if the City will consider an interim lease with buyout provision
2. Scott to confirm the City will pay its fair share of real estate taxes and its actual operating costs (not just a pro-rata share of total garage costs, since the public parking is likely to demand a higher level of cleaning, security, etc)
3. **Scott to check if the City will commit to expediting our project and covering the costs of**

expedited review

Thanks,

Evan

EXHIBIT 3

March 16, 2015 – City Council Meeting

40:38 AB-5055

CA Knight: Just to put context on this, on February 2nd, the City Council passed a moratorium which excepted out Hines and it also excepted out building underneath two Stories

1:49:50

Evan Kasaguma: Evan Kasaguma, with Hines. Four months ago, we stood before the Design Commission, and presented our plans for our original project.

Then, on December 10th, the City approached us about public parking. The –City- asked –us- to work in good faith to figure out a solution for the community. We could have said no. If we had said no, we would be vested right now. And Mercer Island would be left with a major parking problem, more empty retail, and another concrete plaza that does little to enhance the Town Center.

1:50:36

We could have said no. But instead, we said yes. We agreed to work with you in good faith. We put our project on hold for several months. We spent hundreds of thousands of dollars, of our own money, money that we'll never get back. We did this because we thought it was right. Even though it wasn't convenient or cost effective. We did this to be a good neighbor and provide public benefits in the Town Center. And now, unfortunately, opponents of our project are pressuring you to throw these public benefits away.

1:51:11

Let me be very clear. If we are included in the moratorium, the land assemblage dies. And the public benefits will be killed. These are not idle words. They are not threats. It's the truth. At the last council meeting, one of the landowners stated that, if we are

included in the moratorium, they'll go their separate way. Without the full block, we can't provide potential for 240 stalls of commuter parking. A high-end grocer, like Whole Foods, which is the anchor retailer that the Town Center desperately needs, a grand plaza, along SE 29th, that your consultant and citizens badly want. Youth Theater Northwest, and MICA's best chance to solve what could be a very expensive parking problem.

1:52:41

... We ask that you protect and preserve these great public benefits. That both of us have been working very hard to achieve. We ask that you honor your word, and stand up for your commitments, and do what's right. Please don't include our project in the moratorium. Thank you.

2:31:56

CM Bertlin: One interesting thing that has come out is there seems to be a general sense that there is legal weight behind the letter from Hines insofar as the commitment to 15 day notification. And for me that is a very important part of my processing, and then again, also the ability to create distinctions and understand clear differentiation between the Hines project and Cassan, Cohen, and other, that might be in the works. Finally, there's the element of negotiating in good faith. And I think that is relevant to the extent to which we entered into conversations with Hines back in December in good faith knowing that they were on an expedited path. So where I am when I add A and B, I come out with, right now, as I said, still very much interested in hearing from fellow Councilmembers, is to keep the moratorium in place and keep the exception for Hines.

2:33:34

CM Wong: I'll try to be brief, but, this is a very difficult decision. I mean, I've been on the Council for a little over a year, and this by far, is the most difficult decision that I've been asked to make.

2:35:47

The questions that percolate within the community, that's been percolating for several months now, is basically, why the Hines project was excluded in the first place, and now, why is being excluded, possibly, going forward. I think we all need to answer these questions, each one of us here to explain how he or she came to his or her own decision, I think what I wanted to hear, and again, I was in favor of delaying, and continuing, not delaying, but continuing this public hearing, so that we had more time for outside legal counsel to look at questions that I and other City Councilmembers basically were raising with them. Because, again, this is a difficult issue.

2:36:33

So with the Findings of Fact, that we're obviously going to go through, and take a hard look at, is going to be basically the story, behind why the moratorium was adopted and what exemptions are going to be in there, or not in there. And it, basically, is going to be the justification for our actions. And I think in looking at why I am moving to the decision I am moving is basically, a couple ones. There is a concern about litigation. Now we have had, as you now know, we have had a couple of legal counsels provide advice. And, the bottom line is that whatever decision we make, there's a risk of litigation. I mean, that's just the way it is. But, because there is a risk of litigation, I think, we as stewards of the City's resources, we need to be mindful of, what that litigation might mean.

2:38:22

So I guess, the question is well, if it's not an equal protection violation, how is that possible if we're treating people differently. And that's possible as long as you have a rational basis for your decision. And I believe that, again, subject to future change, I think the Findings of Fact that have been part of the Agenda bill, provide some glimmer of what that rational basis is.

2:38:50

And you've heard discussions already about some of the public benefits that have been represented. Hines did it again, tonight. They represented that potential parking, the

plaza, and so those are things that are being represented to the public. And so, you know, I am –not- happy, I mean, this is not an ideal world, if it was, we'd be in a much better place. But I am not happy that we don't have a lot of things in hard fast writing.

2:39:21

And I know that would provide me a lot more comfort than just public statements and representations by the people of Hines and others. But we have to deal with what we have. And at this point, I'm looking at those representations, and believe that this letter that they sent is something that we can hang out hats on and basically hold them. And if they renege on their representation and take a step backwards, I will be the first to vote them back into the moratorium. So at this point in time, I am in favor of version A.

2:55:00

CM Brahm: I'm going to be much briefer. In my years on the Council, this is definitely my most difficult decision as well. I'm up nights, my husband said I hope you finally vote on that thing because I've been impossible to live with. There's been a lot of passion around our house and in this community on all sides, bringing in so much. Bringing in schools, height, parking, traffic, amenities, canyons, gathering places, plazas, GMA, schools, retail anchors, we're talking heights and villages, it's daunting. There's so much involved and inter-related as we've discussed. And I want to thank everybody for being so involved and passionate about this. And I want to focus on the future, the long term future. I have faith in our Town Center process, that's going on and I do hope people will get involved and go online to the City's website and give their feedback about what they want to see in the Town Center. I am neither pro-development or anti-development. I am pro-Mercer Island, and pro-Town Center. I think much of our 1994 Town Center Vision still applies, I believe. But I've seen that, and many in the community have seen, for years, that what was developed in 1994, and what sat on a shelf for 10 years, hasn't yielded quite what was envisioned. And now we're in the process of revisiting that, tweaking the plan, changing the code where necessary, and we have a developer who has, I think a good plan. But I'm fearful about it, because it's our job to protect the citizens of the City. We don't have anything in writing. We have a letter and a promise.

We don't have a legally binding contract. We're being asked to go on good faith that this project is going to be good, that the Hines project will bring parking for 240 cars, and a Whole Foods, but there's no guarantee. I think it may be an exceptional opportunity, but I am not willing to go down that line without something in writing. There may be, we've heard tonight that if Hines isn't excluded from the moratorium that they'll go away. I think that if Hines wanted to work with us, if they are true to the letter that they gave to us, that Councilmember Grausz solicited from Hines, then, they'll wait for the moratorium to be over and come back. There may be the possibility of a development agreement, something that will allow them to produce a good project, but still be acceptable to the community.

2:58:34

I don't think that this should kill the Hines project, necessarily. It could be a good project for our community, but there are too many unknowns. If including them in the moratorium causes Hines to walk away, it tells us something about their sincerity in wanting to work with the community. Why would we allow a business to develop under zoning regulations that we know are flawed right now? With no written contract. So, I have a lot of respect for Hines, and Evan and Ty have been most accommodating, they have bent over backwards to explain our project to our community, but I think that I'm not willing to run the risk, it's our job to protect the citizens and the interest of the community, and so I, one thing that was interesting, we did hear a lot from lawyers lately, lawyers' opinions on all sides, relative risk, litigation threats, etc., but they couldn't find case law for an exemption like ours, which is pretty interesting. But there's a possibility down the road.... OK, yes, I'm sorry. Development agreements, interim zoning, I think that, I'm going to be supporting option B.

3:01:25

DM Grausz: So, this is, this is not a situation where this Council has been, just woke up all of a sudden two months ago and said that the sky is falling, we've got to do something. It's a situation where we have been working conscientiously towards trying to find a solution to what we recognized, and what the community told us back then was

a problem that needed to be dealt with. So, then suddenly in December, you know, the Hines project shows up. I think for the first time, pretty much everyone on this Council, when we started seeing an agenda packet for the Design Commission. And so we all had to sit there and go through some very hard thinking as to, how did that fit into what we were doing.

3:02:29

Because as I, because as Mike said, they were operating under a development code that we had all identified nine months earlier as having deficiencies, and which in fact our consultant confirmed to us that it had deficiencies. So suddenly Hines shows up. And then, so we have to think, okay, so what does this mean to the process. And we said to our staff, talk to us. And talk to them. Because there are some real concerns that we have, and that's why we're going through this Town Center Visioning process, and how does that fit into it.

3:03:13

And coincidentally, at the same time this is all happening, the sky is falling down on top of us because we proposed to the community that they look at putting commuter parking at, near the Community Center, and there was a public outcry to that. So, we suddenly found ourselves with two things coming together all at once that we had this Hines project which we weren't expecting, and we had commuter parking, a commuted parking mess on our hands. And so, we go to staff and we say, is there a way this can fit together. And so, staff basically talked with Hines, and says, is there a way this can fit together. And Hines says, okay, we'll talk about it. They didn't have to, as one of the representatives of Hines said tonight, they didn't have to do anything with us. But they said well, we'll stop and we'll talk about it.

3:14:11

And then we said to them, and by the way, here's our Phase 1 report which talks about something on SE 29th Street, a different public park, and they had gone to the Design Commission and talked about on 77th, and talked about something on 78th, and in fact, the Design Commission, if I recall correctly, told them, don't do it on 77th, do it on 78th, or I may have that reversed. But then staff says, no, don't do it there, you know, think about 29th. They said, okay, we can think about 29th.

3:04:43

And then, then they came to us and we didn't ask them for this, but they said and, by the way, we're willing to talk to a high-end retailer, high-end grocer, because we understand that's something that the City has been very interested in. So they did all these things, and so this is in the middle of our process to try to come up with a better Town Center. And so, and we say, you know, this is amazing. Because, you know, finally we're talking with someone who can maybe address some of the key problems that we have and that we're wrestling with at the same time that we're also trying to come up with a better Town Center.

3:05:20

And it's not, this is not a situation where they tried to force anything down our throat, they haven't, they haven't threatened to sue us, in fact, you know, they were so forthcoming in this letter that I have acknowledged having solicited, they didn't have to provide that. But what they provided us is a letter saying, you know, if you don't trust us, and I understand what Jane is saying because we don't have a contract from them, but I would point out, Jane, that we don't have a contract from them because the City is in no position to enter into a contract with them.

3:05:57

So, my guess is, if the City was prepared to sign a contract with them tomorrow for a 240-spaced commuter parking facility, they'd say, where do we sign. But we're not even close to being ready to sign that. If the City was to tell them tomorrow, you know, we have a contract to put a public plaza on 29th, they'd say where do we sign. But we don't have a contract to offer them to put a Plaza on 29th. So it, but they did do, is they did sign a letter, which is an enforceable letter, which says, we are willing to deal with you in good faith, and if we don't deal with you in good faith, then we'll give you notice, or if we don't, if we're going to give you notice 15 days before we file for a building permit, before we can possibly vest, if you don't think we've dealt with you in good faith, then, you know, call us on it. And put us under your moratorium. And they wrote us that letter, and to me, I've never met any developer willing to except them, willing to extend themselves like that.

3:07:03

Where they're saying, not only in their acts, and their deeds have they done what the city has asked them to do and what this Council asked them to consider, but they have gone further and said, you know, we don't have a contract from you, City of Mercer Island. We don't have any guarantees from you as to what you're going to do, but we are willing to take it on faith that you will act in good faith, and we will agree that we'll give you 15 days' notice before we vest. So who does that? I mean the City wouldn't write them a letter like that, the City wouldn't say to them, we'll give you 15 days' notice before we change the law. So we can give you an opportunity to vest.

3:07:43

There's no way in the world we would write them that letter, but they wrote us a letter saying that we'll give you notice. So I look at this situation, you know, we are trying to improve this Town Center. We are fortunate enough to have a developer who has come in and said, we agree with you, we want to improve this Town Center. And we want to work with you, and we want to try to address your issues because we want to be part of this community and we want to have a successful project. And so I hear the concerns, I hear the statements that have been made, I, as Debbie has said, we've had some phenomenal public input and I read every one of them and I, I'm, some of them, there's no question in my mind that people are amazingly sincere in everything they write on both sides of this issue. And I'm so truly impressed, as Mike said, that to represent a community like this is just awesome.

3:08:39

In this situation, I think, we do the best for our citizens by ensuring that we end up with a Town Center that could have the benefits that the Hines project offers us. So, I will go for Option A tonight, and encourage the rest of the Council to do so as well.

3:14:28

Mayor Bassett: So, first, thank you to the public, as everyone else has said I have very little to add beyond what they have said, and they've said it more articulately than I can. I do want to sort of harken to Ira's comment, which, Ira said, you ought to just do a blanket review of this, and he said better than I've just said it. My first position on this,

as I've pondered the over the past few days was to think exactly the same thing. Why in the world don't we just start with a blanket moratorium because it's the simple place to start. The problem is that we're not starting with a blank slate, though. If we were, that would absolutely be the place we should be on this.

3:15:14

But this is not a blank slate. And I asked Scott to give me a quick list of projects that have come recently. In 2010 we had The Mercer, Phase 1, 159 units. In 2013, we had Aviara, 166 units. In 2013 we also had Mercer Phase 2, 85 units. We've got Legacy now, 209 units, under construction. We've got a mish-mash of new construction, and old construction in our Town Center. We've got a group that has put together three properties that, by all accounts, don't get put together except in this one instance. We've got a opportunity where significant public benefit can be achieved out of this with a developer that has expressed a willingness beyond what we've heard anywhere else to work with the City.

3:17:54

Yeah, we all think a pause makes sense. But what do we do about Hines? Because it brings these special benefits to our, potentially to our Town Center. And it's at a point in it's development process where it's farther along than anything else. So, with that all as context, I stand with option A, which is to carry on, keep Hines out of the moratorium, but absolutely in favor of going forward with the moratorium and everything else, and working with Hines to make sure that project is absolutely all that it can be to the benefit, the long-term benefit of our citizenry, and our community.

EXHIBIT 4

March 30, 2015 – City Council Meeting

Mayor Bassett: “It will be an interesting conversation on the day that they tell us that they’re two weeks from filing a building permit, right?”

CM Cero: “We’re way behind on minutes. So, I don’t know any other way to document what was said at the meeting for us to have a record, a documentation, on what was said at the meeting. And, I think it was at the last Council Meeting, that we talked about it, right?”

Deputy Mayor Grausz: “...When they give the 15-day notice, then, there’s going to have to be, we’ll have to decide whether to have a meeting, or whether to bring it up at the meeting if there’s a scheduled meeting or if not whether to schedule a meeting. Again we don’t, they haven’t committed to what they’re going to do. And we don’t know, so we, we’re saying that, you know, we want to see what you’re going to do, but I think it’s been made clear to them through, the three things that have come up time and again in our discussions about Hines, have been the parking, have been the 29th Street, and have been the Whole Foods or some upscale grocery store. Those are the three things which have come up time and again. And those are three things which are referred to in the Findings of Fact...”

EXHIBIT 5

April Update

From: **Dan Grausz** (Dan.Grausz@mercergov.org)

Sent: Fri 4/10/15 4:34 PM

To: Dan Grausz (dangrausz@gmail.com)

April 10, 2015

Fellow Islanders:

First, my best wishes to all Islanders during this Easter/Passover season. As I sat with family and friends a few days ago for the Passover Seder, I thought how truly fortunate we are to live in this fantastic country and community and how lucky I am to represent Islanders during what is indeed an exciting and challenging time.

These updates are my opportunity to let Islanders know the latest on what is happening with your City government. While I always start these updates with the desire to be brief, that rarely turns out to be the case as there is much to cover. For those who have not received these updates previously, if you would prefer not receiving these in the future, please email me.

1. Bus Intercept/Turnaround: this refers to the proposal by Sound Transit and Metro to have buses from Issaquah and other communities to the east drop off and pick-up their passengers on Mercer Island so they can use light rail between Mercer Island and Seattle. It would not begin until 2023 (when light rail is scheduled to start), has obvious benefits to the region in terms of reducing transportation costs and air pollution, but will have impacts on Islanders that have not yet been quantified.

Although nothing has changed on this in the past several months, this has become a cause for immediate concern on the part of some Islanders due to recent emails and social media posts. While we are still waiting for a detailed proposal from Sound Transit and Metro that will enable everyone to give this an informed evaluation, we do know from prior discussions that the numbers and statements being bantered around in those recent communications (more than 500 buses in 6 hours and diesel spewing onto people eating in Town Center) are incorrect. Some of the facts we are already aware of include:

- The total number of buses on Mercer Island during the day if Bus Intercept is operational (estimated to be 338) will be less than what we now have (352) as many existing bus routes, such as the 550, are discontinued. These numbers do not include the 147 buses that now go across Mercer Island on I-90 but do not stop; those buses, and the pollution they create, all go away once light rail starts running whether or not Bus Intercept is implemented. Bottom line is that even with Bus Intercept, we would have less buses stopping on Mercer Island than we now have and far fewer buses polluting our air.
- About 90% or more of the buses involved in Bus Intercept will never leave the 80th Ave. overpass area (between North Mercer Way and SE 27th St.). They will get off I-90 on 80th Ave., drop off or pick-up people on 80th Ave., and get back onto I-90 from 80th Ave.
- Any parking of buses will only occur on the 80th Ave. overpass and in or next to the existing loading zones on North Mercer. What we are still trying to confirm are prior statements which suggested that parking would be limited to the afternoon rush hour and would only involve a small number of buses at any given time during that period.

The most important message I can deliver right now is to ask everyone to wait and see what the details are in the Sound Transit and Metro proposal – which is exactly what your City Council is doing. Let’s see what the impacts will be and what kind of mitigation we will require (such as commuter and Town Center parking for Islanders and other improvements that address existing mobility issues we face due to the lack of parking in the Town Center). The article in today’s Seattle Times as to the deal just reached between Sound Transit and the City of Bellevue was enlightening, to say the least, and will definitely factor into what we will be demanding of Sound Transit.

In any event, our response cannot just be that we only support what is ideal for Islanders. We may be an island but we are part of a region – a region whose help we needed and received when we successfully fought off I-90 tolling and that we rely upon for such things as 911 emergency dispatch, firefighting support (Bellevue trucks travel to Mercer Island for almost every significant fire) and other services that we cannot afford on our own. Furthermore, the savings free up monies for road and other transit projects that also benefit Islanders as most of us deal with the existing regional gridlock on a daily basis.

Please do not interpret this as anyone saying that we should put regional interests in front of Islander interests. This may just be one of those situations where our respective interests are compatible. What a refreshing possibility in the current political climate that people might be able to actually find solutions that address both our own interests and those of the people around us. We will not know that, however, until we have the details.

2. Hines Project: at its March 16th meeting, the City Council reaffirmed its prior decision that

exempted the Hines Project (the proposed mixed-use development just south of McDonald's) from the recently-imposed Town Center development moratorium. I have discussed the moratorium and Hines Project at length in prior updates and won't repeat myself here. The Findings of Fact adopted by the Council can be read at http://www.mercergov.org/files/Moratorium_ORD15-05.pdf. As I have said before, if the Hines Project does not include the community benefits that have been publicly discussed, then I would support putting them under the moratorium.

3. Town Center Visioning: the Town Center Visioning project was started over a year ago when the Council recognized that our Town Center Development Code needed updating to guide the development we expected to occur with the arrival of light rail. In January of this year, outside urban planning experts confirmed in their initial report that changes should be considered. In February, we implemented a 4-month development moratorium to give us time to progress this work. We also approved a community engagement process that is now in full swing.

A key part of the community engagement process was naming a 42-person Stakeholder Group that included a broad cross section of Islanders. That Group has now met three times and reached a consensus agreement on general principles as to what they want to see in the Town Center. The hard work lies ahead as the Stakeholder Group must still weigh in on such issues as:

- How do we achieve the boulevard look (wider and greener sidewalks) that people are seeking: narrower streets, larger building setbacks or a combination of both?
- Do we want more on-street parking if that means having to accept narrower sidewalks?
- Should we change permitted uses in the Town Center; for example, should residential be the required use for new development on parts of 76th Ave. and/or 80th Ave.
- Should permitted heights be changed?
- How do we bring about meaningful public plazas?
- What major public benefits should we require in exchange for allowing building heights to exceed 2 stories?

The general public will have additional opportunities to comment on whatever changes are being proposed before the Council makes further decisions on these issues at its June 1st meeting.

4. Library: KCLS is conducting a brief survey that will guide next steps on the Mercer Island library renovation project. Please take a minute to answer the questions at <http://www.kcls.org/MISurvey>. KCLS has also scheduled a public meeting for April 23rd at the Library from 6:00 – 7:30pm to discuss the

survey results.

5. South End Fire Station: we are still on track to begin operating out of the new fire station later this month. The same issues that I have mentioned before – delay damages payable by the contractor and roof warranty questions – remain to be resolved. As we have used very little of the contingency fund for this project by avoiding change orders, we remain well under the Council-approved budget even without factoring in delay damages.

6. Tolling I-90: the news out of Olympia remains unchanged. No one in the Legislature is talking about tolling I-90; there is nothing in either the House or Senate budgets that would suggest tolling is under consideration; and Representatives Clibborn and Senn as well as Senator Litzow remain bulwarks against it happening.

7. Improving our Parks and Open Space: earlier this month, the Council received a 10-year update on the City's efforts to improve the health of our parks and open spaces, such as Pioneer Park. It is a good news report as we have made excellent progress in both replanting trees and controlling invasives. I remember a time back around 2000 where we felt we were losing the battle to save Pioneer Park and other open spaces. That has turned around as we now have a coordinated and effective program to restore our open spaces with the proper vegetation while eliminating undesirable plants. This study will be used to guide our efforts for the next 10 years and includes strategic initiatives that take into account the special challenges we face from climate change. Please let me know if you would like a copy of the report.

8. Water Quality: the City continues to move ahead on its program to reduce the risk of a reoccurrence of last summer's boil water alert. We are spending hundreds of thousands of dollars to safeguard the points in our system where contamination is most likely to enter, such as underground vaults. Later this year, we will consider changes to our programs designed to reduce risks at the individual household level, primarily with sprinkler systems that are not fully protected by working backflow preventers.

While these and other changes are being implemented, we are continuing to maintain higher than normal (but still safe) chlorine levels in our water. No one likes these higher levels but chlorine is the best means we have to kill contaminants that may enter the system. One piece of good news is that we have been able to maintain higher chlorine levels throughout our system without having to add major new pieces of equipment that were originally thought to be required. Please be assured that the goal, and it is an achievable goal, is to bring chlorine levels back down within the next year or so to levels that will be far less noticeable and more in line with what Islanders had become used to prior to last Summer.

9. Boards and Commissions: the City is seeking volunteers to serve on Board and Commissions.

Almost everyone on the Council started their City public service in that manner. More important is that critical City business is only accomplished because we have dedicated women and men prepared to give their time. For more information, please look at <http://www.mercergov.org/News.asp?NewsID=1873> which provides information on open positions. Most important, please get involved in your community by volunteering to serve. You can make a difference.

10. Solicitor's Ordinance: the City was recently required to amend and, in doing so, weaken, its Solicitor's Ordinance that we had passed last year. This was in response to a U.S. District Court decision against the City in a lawsuit brought by a religious, non-profit group that challenged the ordinance. If you do not want solicitors ringing your doorbell, the most effective means is to put a sign in front of your house or on your door making that clear.

11. Shoreline Development: an almost 8-year process that involved great work by the City's Planning Commission and staff as well as considerable back and forth with the State Department of Ecology finally concluded last month with the adoption of changes to the City's shoreline development permitting rules that will primarily impact dock construction and replacement. This was required in response to a State mandate that impacted all communities with shorelines. The final product seeks to create a fair balance between property rights and environmental protection.

Thanks to everyone for taking the time to stay involved and keeping up with the issues in our City. It remains an honor and a privilege to work for you on the City Council.

Dan Grausz

Deputy Mayor

EXHIBIT 6

Hines Project – 11/26/2014 77th Ave Level - Plan

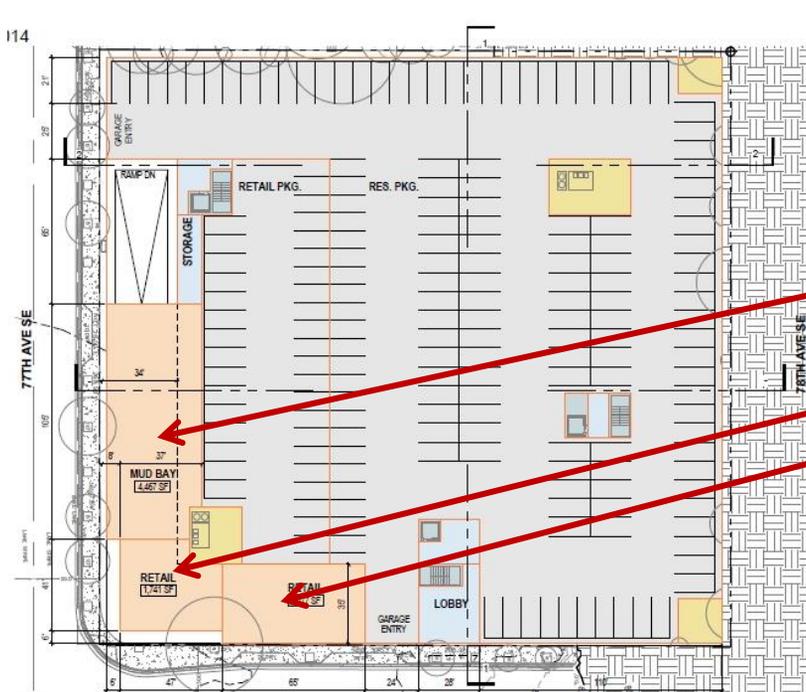
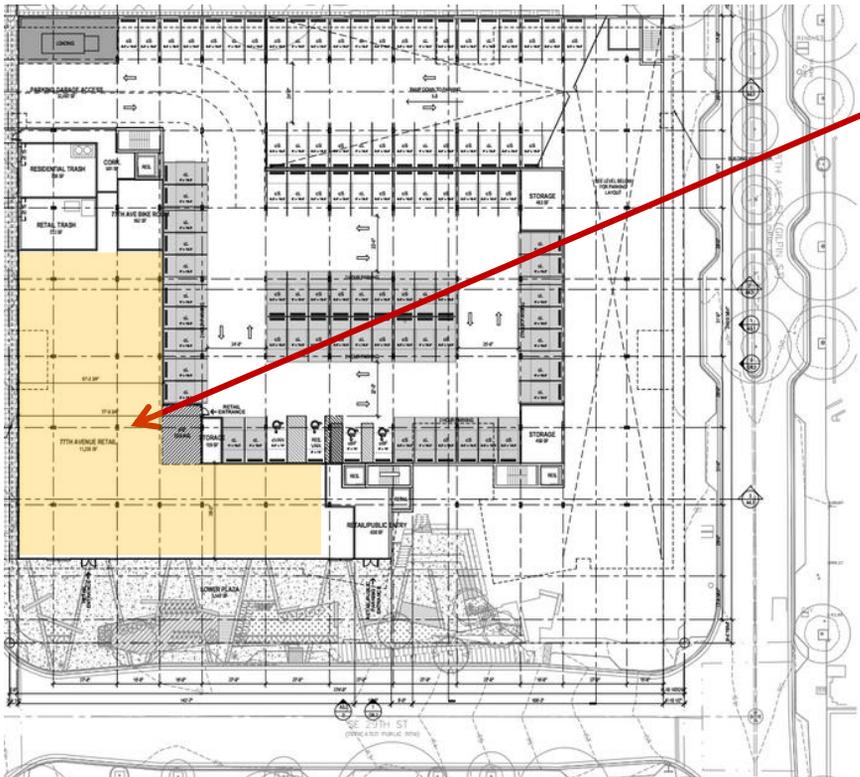


Exhibit 1
LEVEL 1 77TH - PLAN

Retail Space Available:

- a) Mud Bay
- b) 1,741 sf
- c) 2,277 sf

Hines Project – 5/11/2015 77th Ave Level - Plan



Retail Space Available:

11,235 sf

(only available space in building)

MERCER ISLAND
MIXED USE
2885 78TH AVENUE SE,
MERCER ISLAND, WA

REVISIONS

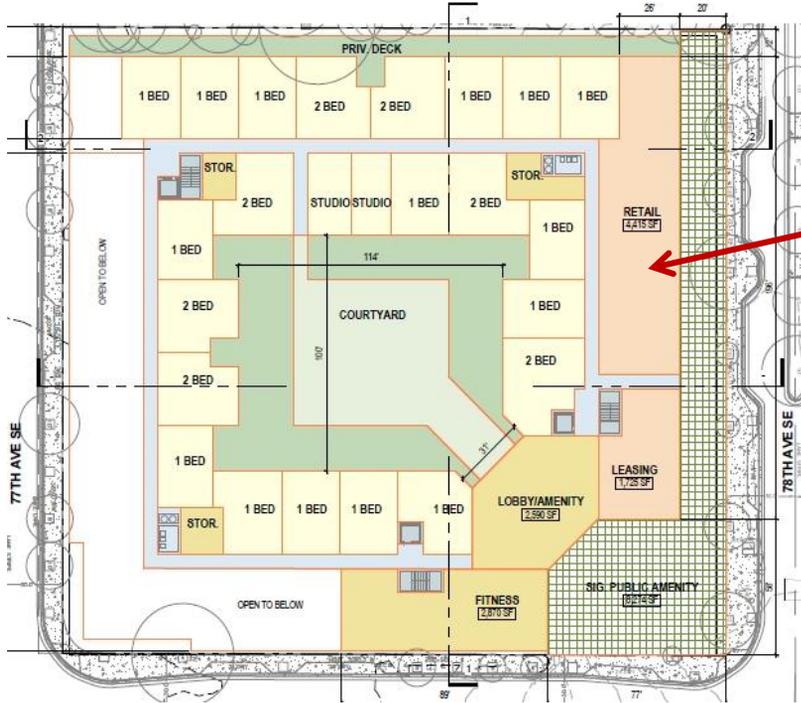
SUBMITTALS

LEVEL 1
(77TH) -
OVERALL
PLAN

Hines Project – 11/26/2014 78th Ave Level - Plan

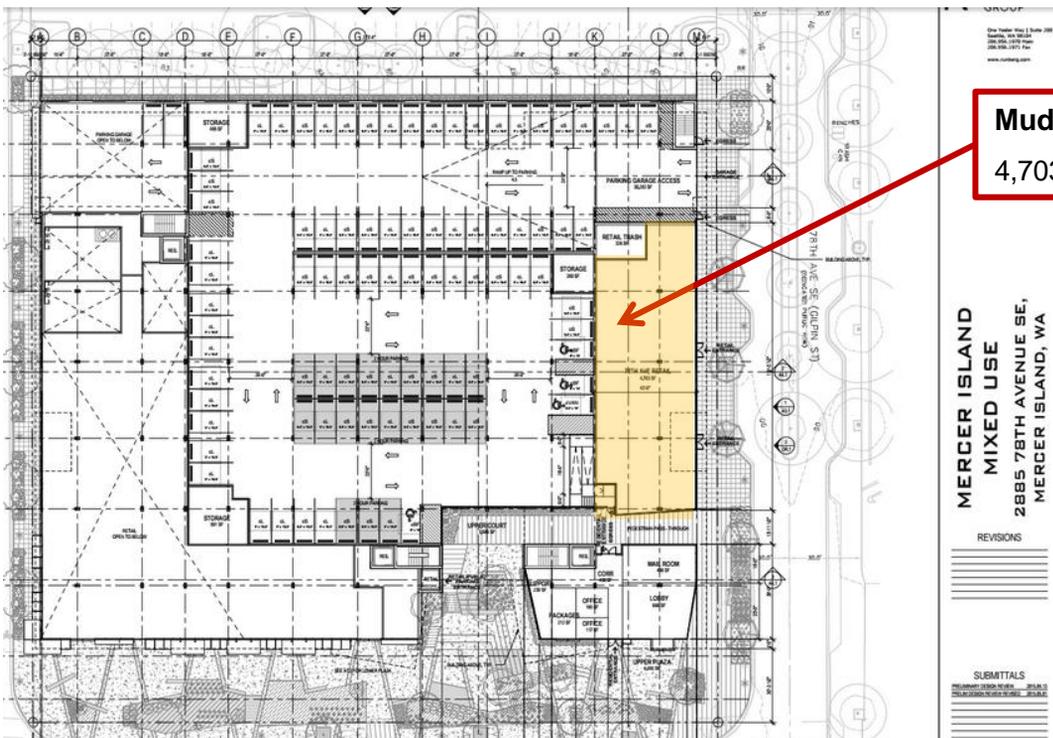
Exhibit 1

LEVEL 1 78TH - PLAN



Retail Space Available
4.467 sf

Hines Project – 5/11/2015 78th Ave Level - Plan



Mud Bay
4,703 sf

MERCER ISLAND
MIXED USE
2885 78TH AVENUE SE,
MERCER ISLAND, WA

REVISIONS

SUBMITTALS

LEVEL 1
(78TH) -
OVERALL
PLAN

Grocery Store Square Footage Comparison

Store	Setting	Square Footage
Whole Foods (new)	Capital Hill *Mixed Use bldg.	40,000
Whole Foods	Bellevue	56,949
PCC Market	Issaquah	23,000
PCC Market	Redmond	23,367
PCC Market	Columbia City *Mixed Use bldg.	25,000
Safeway	Bellevue Way *Mixed Use bldg.	55,330
Albertson's	Mercer Island	37,076
<u>Average Square Footage</u>		<u>37,246</u>

Hines Project 2015 Retail Spaces

Square Footage

1. 77 th Ave SE	11,235
2. 78 th Ave SE (Mud Bay)	4,703
<u>Total Available Space</u>	<u>11,235</u>

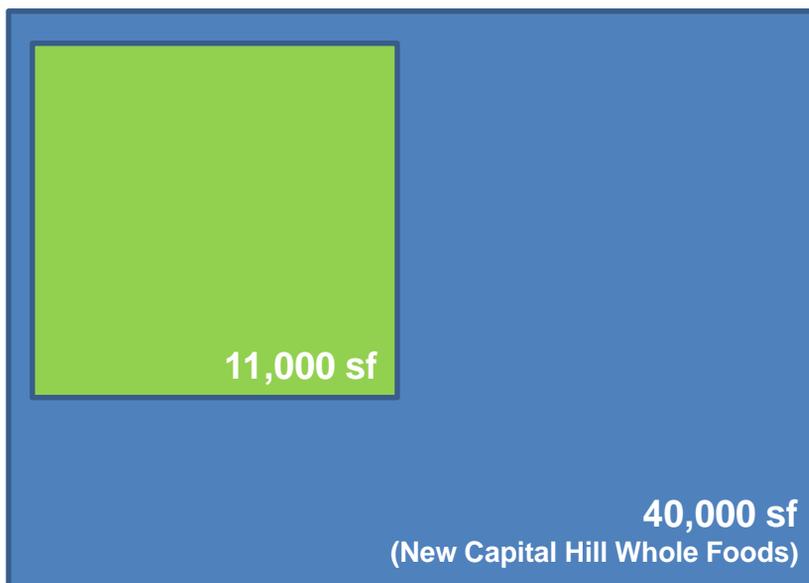
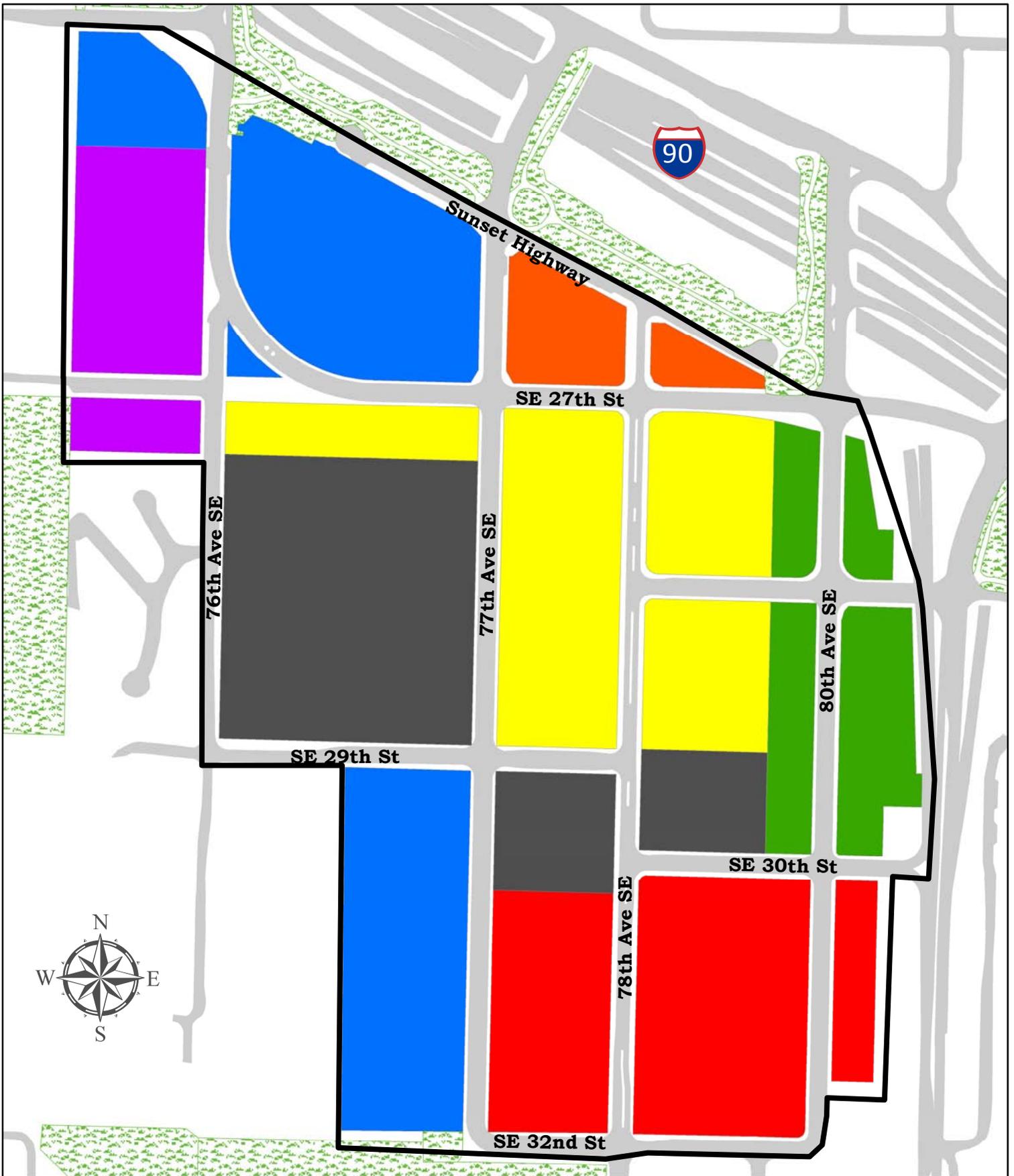


EXHIBIT 7



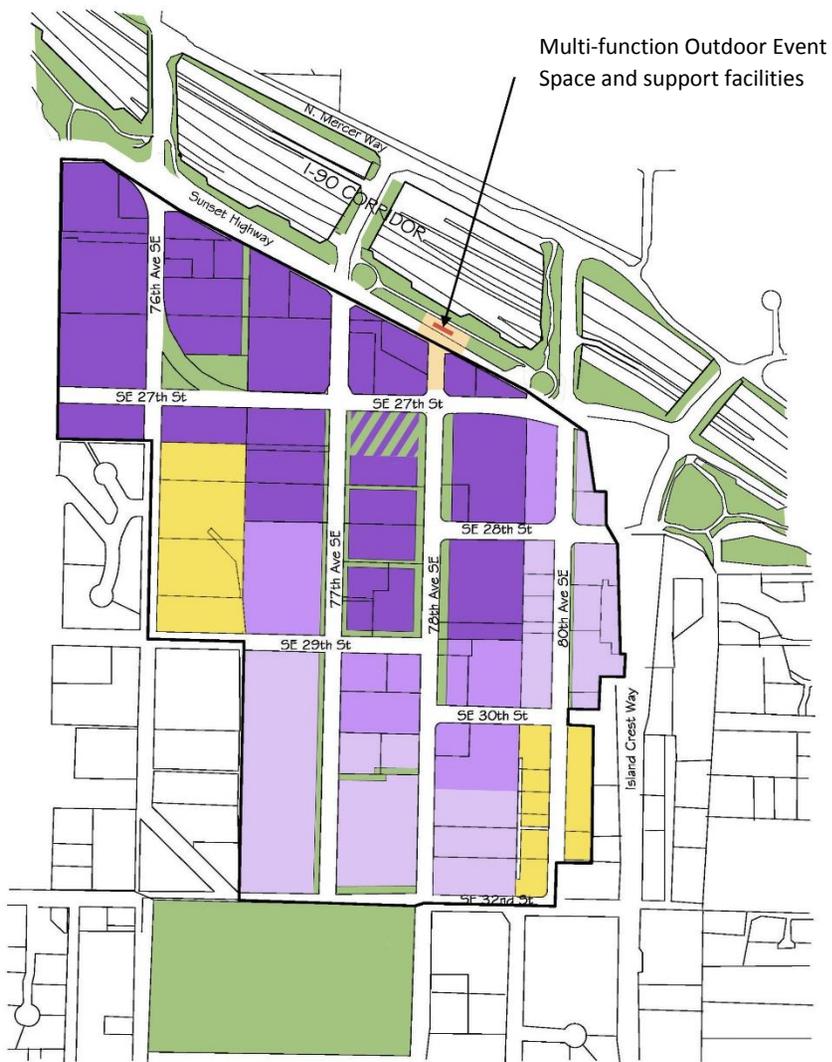
Legend

- | | |
|--|---|
|  Auto-Oriented |  Residential (Central) |
|  Gateway |  Residential (North) |
|  Mid-Rise Office |  Residential (South) |
|  Mixed Use |  Town Center Boundary |

Town Center Sub-Areas

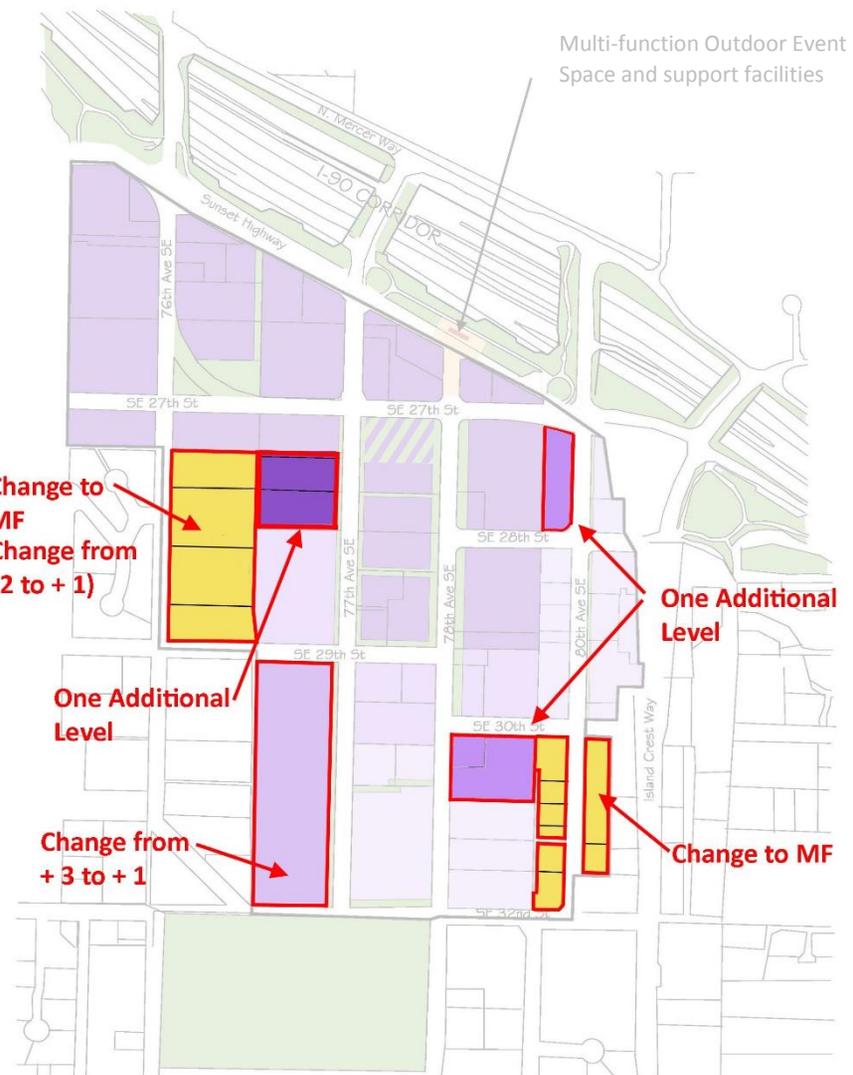


EXHIBIT 8



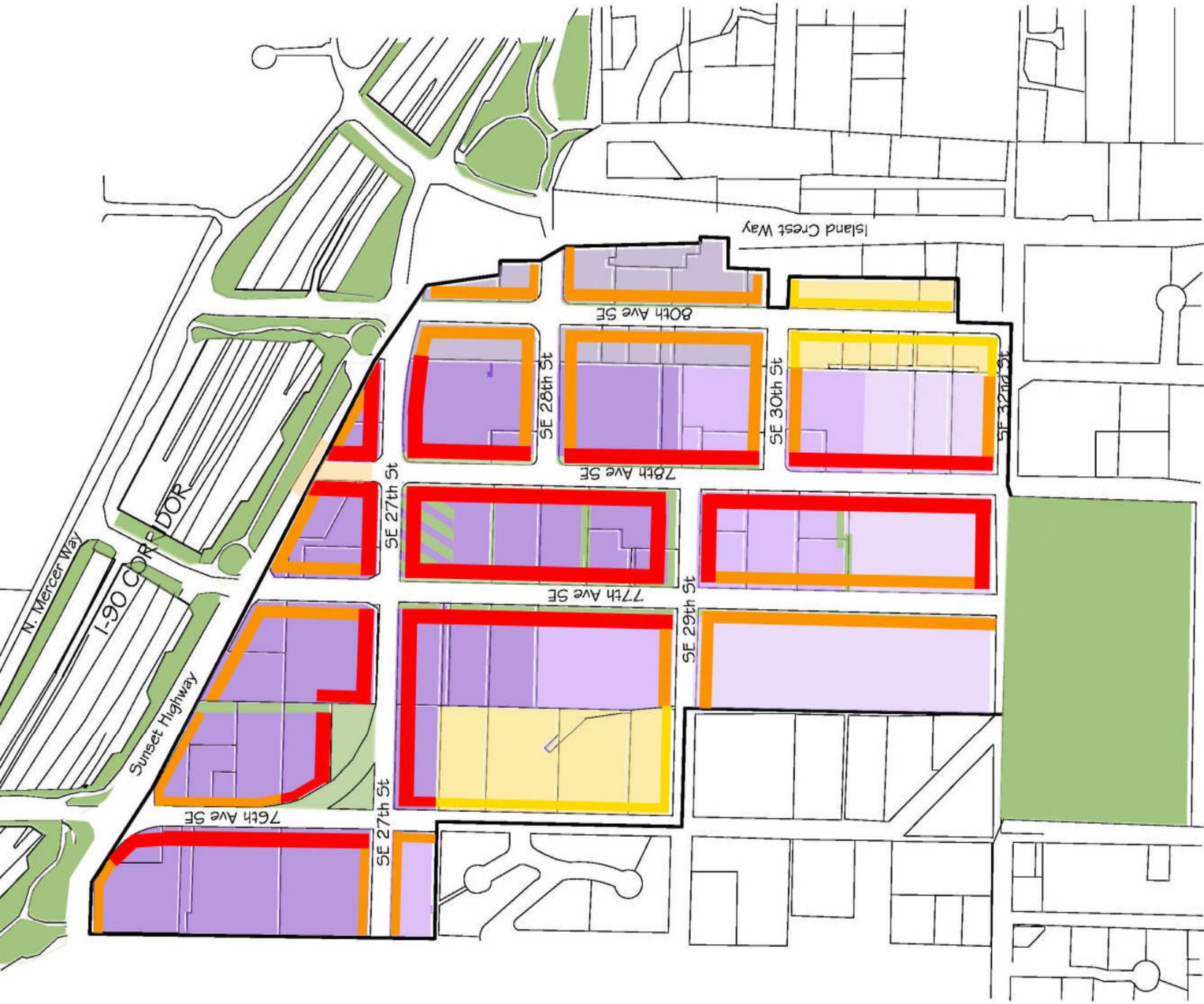
Mercer Island Town Center Proposed Regulating Plan

- TC - 5 Sub-area
- TC - 4 Sub-area
- TC - 3 Sub-area
- TC MF-3 Sub-area



Proposed Regulating Plan change in Use and Building Heights from Existing Code

EXHIBIT 9



Mercer Island Town Center Proposed Retail Frontage Types

- Primary** (limited personal services allowed)
- Secondary** (more flexible for non-retail uses)
- Limited** (live/work and home-based occupations allowed)

EXHIBIT 10



TOWN CENTER

Development & Design Guideline Update

Mercer Island Town Center
Stakeholder Group Meeting # C-2

April 27, 2015
Mercer Island Community and Event Center

Meeting Introduction and Overview

Seth Harry provided an introduction and overview of the meeting agenda.

Summary of Stakeholder Group Input, Meeting #C (April 24, 2015)

Seth Harry presented an overview of Stakeholder Group Meeting # C input:

Areas of Consensus – Streets & Regulating Plan

- 80th Avenue SE. (These discussions occurred before City traffic staff input).
 - The bike lanes should be relocated from 77th Ave SE to 80th Ave SE. (this was before City traffic staff input)
 - There should be on-street parking with street trees and no planting strip.
 - The proposed mix of secondary retail frontage along the north end of 80th and limited retail frontage to the south end of 80th is appropriate.

- 78th Ave SE.
 - There should be parking pockets on 78th similar to today's parking.
 - The proposed mix of primary retail frontage to the north end of 77th and secondary retail frontage to the south end of 77th is appropriate.

Regulating Plan.

- The Multifamily and Special district areas should be separate sub-areas with different uses or other characteristics.

Areas of Mixed Opinion – Streets, Base Requirements and Incentives and Regulating Plan

- 77th Ave SE.
 - *Differences of opinion as to which side or both, and angled or parallel.*

- 78th Ave SE.
 - Split opinions about the proposal for primary retail frontage along the full length of 78th Ave SE.
 - Comments on the public places/plazas shown on the regulating plan mostly related to the Walgreen's plaza; mixed opinions.

- Base Requirements and Incentives.
 - Many different responses.
- Regulating Plan.
 - Many different responses.

Stakeholder Group comments and questions as follow up to the Meeting #C summary included:

- Location of bike facility on 80th; how retail frontage types were determined and apply to existing development, requests to see the full retail map in worksheet and request for parking map similar to retail map. Questions were also asked clarifying what policies were referenced and which elements are code-derived and existing parking requirements.

Presentation of Clarifying Material

Seth Harry presented new graphic material to clarify points from previous Stakeholder Group meetings. Primary points included:

- Existing and Proposed Building Height Definition. Height for sites with variations in topography (see graphics). Current height allowed is 5 stories rather than measure of feet. Currently median height is measured; the proposed measure considers both sides of property. The proposal addresses the needs of sites with multiple frontages and those with varying elevations at different site access points. This enables building heights to be calculated in response to more than one site frontage rather than from one point for an entire site with varying topography. Stakeholder Group questions and comments related to purpose of changing building height measurement method and actual height versus number of stories.
- Regulating Plan. Stakeholder Group questions and comments related to building height guidance in the existing code, potential location of taller buildings near hillsides so as to not block views, and rationale for building heights in the Multifamily areas.
- Bicycle/Pedestrian Networks Map. This discussion related to City engineers' recommendation to relocate bicycle facilities on 77th rather than 80th; also that existing businesses need on-street parking.

Table Discussions - Regulatory Plan and Street Sections

Stakeholder Group members moved into 4 discussion groups to respond to the following questions:

1. *Are the sub-area descriptions appropriate? Are there unique features or characteristic you would include in any of the sub-area descriptions?*
2. *Is the Special District appropriate as a separate sub-area? If so, what sets it apart from other sub-areas? If not, what should replace it?*
3. *Are the sub-area boundaries correct? How should they be changed?*

Report Back: Regulating Plan

Table 1.

- Rite Aid property - change from +1 to +2.
- Special District: Multi-family only, +1.

Table 2.

- Ok in general with overall Regulating Plan.

- Need to accommodate automotive service (gas stations).
- Rite Aid – increase density so more likely to redevelop. (is +1 or +2 enough incentive for that?)
- Light rail – need to discuss transit parking.

Table 3.

- Like 7 subareas trimmed down to 5.
- Not sold on shifting density toward freeway.
- Multifamily instead of Special District.
- Vary heights in lower intensity area while leaving total building mass the same.

Table 4.

- Special District – don't see the need for it (reduce # of district categories).
- Rite Aid - Ok with +1 by Mercerdale Park.

Bike Lanes

Table 1.

- Move bike lanes back to 77th, no concrete divider, 2 bikes lanes on same side of street.

Table 2.

- Wrong question – move bike lane from 77th or 80th, should be what do we want to accomplish on 77th?
- Not right question to ask; maybe a sharrow.
- Low traffic volume with low speeds so no need for bike lane.
- Unnecessary center turn lanes can provide room for a boulevard with wider sidewalks and planter strips.
- No dedicated bike lanes, focus on creating a great urban streetscape on 77th.

Table 3.

- Street section – bike lanes better on 77th, what's the intent of the street?
- Need to know purpose of street to determine what's needed; what to give for wider sidewalk.

Table 4.

- Bike lane should be on 77th, but more in favor of more parking.
- Dedicated bike lane on 77th.
- Angled parking on 77th if can fit bike lane if it fits.
- Parking more important on 77th; would also still like bike lane.
- Parking for the Performing Arts Center – prefer parallel.

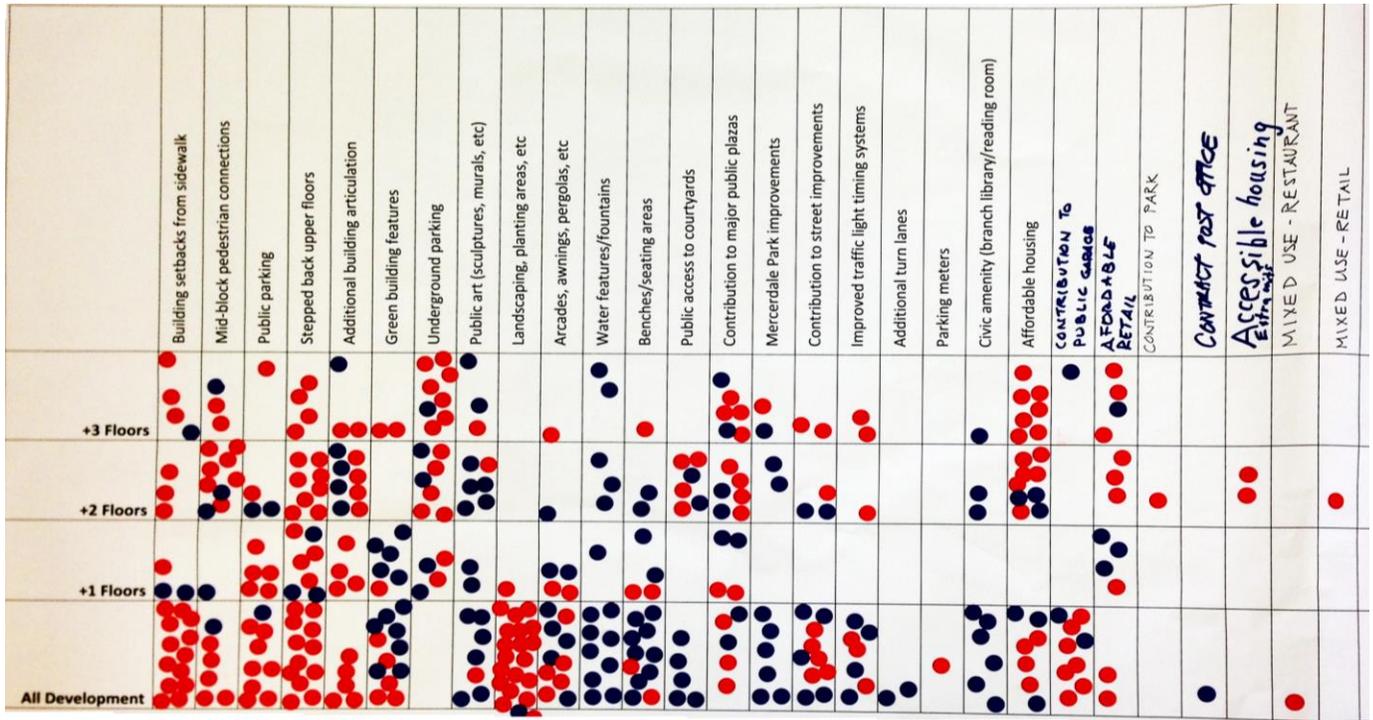
Other Comments/Questions

- Important to still allow auto-oriented and service uses in Town Center, so people don't have to go off-Island for those.
- Residential – In favor of more residential along the fringes, including Farmer's.
- Bicycle questions are not so much about current condition now, rather about people bicycling downtown to get to transit in the future.

Dot Exercise

The dot exercise enabled Group members to use color to identify features that should be base (mandatory) requirements and tiered amenities, with red for mandatory and blue for tiered incentives

above mandatory. The first graphic below reveals patterns of red and blue dots placed by Group members. The second graphic below shows number of dots placed per cell and are color coded to indicate red and blue dots.



	Building setbacks from sidewalk	Mid-block pedestrian connections	Public parking	Stepped back upper floors	Additional building articulation	Green building features	Underground parking	Public art (sculptures, murals, etc)	Landscaping, planting areas, etc	Arcades, awnings, pergolas, etc	Water features/fountains	Benches/seating areas	Public access to courtyards	Contribution to major public plazas	Mercerdale Park improvements	Contribution to street improvements	Improved traffic light timing systems	Additional turn lanes	Parking meters	Civic amenity (branch library/reading room)	Affordable housing	Contribution to public garage	Affordable retail	Contribution to park	Contract post office	Accessible housing (extra units)	Mixed use - restaurant	Mixed use - Retail
+3 Floors	3	2	1	4	2	2	7	1		1		1		4	1	2	2				7		3					
	1	1			1		1	2			2			2	1					1		1						
+2 Floors	3	7	1	8	4		5	1			1	3	2	4	4		1	1			6		3	1		2		1
		2	2		4		2	5				2	2	2	2	2				2	3							
+1 Floors	1		5	4	4	1	2		1	2		2		2									1					
	2	1		3		5	2	2		2	1	2		2								3						
All Development	13	5	8	12	5	5		1	19	5		2		3		5	3		1		4	7	2			1		
		1	1			7		6	1	5	9	9	5	2	6	5	4	2		6	3	2			1			

Next Steps

The next Stakeholder Group is Tuesday, May 5.

EXHIBIT 11

Proposed Town Center Incentive Structure

The following charts are a conceptual framework for an incentive structure to allow Town Center buildings to achieve heights above 2 stories. The purpose of this conceptual framework is to organize stakeholder feedback to-date and provide a model for further input. This concept has not yet been filtered through the lenses of technical or market feasibility, so the final incentive structure proposed in the draft code may require additional changes.

ALL DEVELOPMENT

MANDATORY	ELECTIVE
<ol style="list-style-type: none"> 1. Building setbacks from sidewalk 2. Building setback to allow mid-block connection when adjacent to designated connection 3. Walk-Off requirement for non-residential parking spaces 4. Green building standards 5. Street level façade standards to ensure attractive streetscape 6. Site design features (e.g. benches, fountains, public art, etc.) 7. Landscaping features (e.g. greenery, planting areas, trees, etc) 	

TC-3: 3 stories

MANDATORY	ELECTIVE
<ol style="list-style-type: none"> 1. Building setbacks from sidewalk 2. Building setback to allow mid-block connection when adjacent to designated connection 3. Walk-Off requirement for non-residential parking spaces 4. Green building standards 5. Street level façade standards to ensure attractive streetscape 6. Site design features (e.g. benches, fountains, public art, etc.) 7. Landscaping features (e.g. greenery, planting areas, trees, etc) 8. Stepped back upper floors 9. Additional building articulation 10. Additional public parking 	<p>Choice of:</p> <ol style="list-style-type: none"> 1. Affordable retail 2. Affordable housing 3. On-site public plaza 4. Public reading room 5. Contribution to Town Center Improvements/Amenities Fund (for plazas, public parking, reading room, etc)

Note: **Bold** font indicates mandatory requirements that are new to that tier.

TC-4: 4 stories

MANDATORY	ELECTIVE
<ol style="list-style-type: none"> 1. Building setbacks from sidewalk 2. Building setback to allow mid-block connection when adjacent to designated connection 3. Walk-Off requirement for non-residential parking spaces 4. Green building standards 5. Street level façade standards to ensure attractive streetscape 6. Site design features (e.g. benches, fountains, public art, etc.) 7. Landscaping features (e.g. greenery, planting areas, trees, etc) 8. Stepped back upper floors 9. Additional building articulation 10. Additional public parking 11. Affordable Retail 12. Affordable Housing 	<p>Choice of:</p> <ol style="list-style-type: none"> 1. Underground parking 2. On-site public plaza 3. Public reading room 4. Public access to courtyard 5. Contribution to Town Center Improvements/Amenities Fund (for plazas, public parking, reading room, etc)

TC-5: 5 stories

MANDATORY	ELECTIVE
<ol style="list-style-type: none"> 1. Building setbacks from sidewalk 2. Building setback to allow mid-block connection when adjacent to designated connection 3. Walk-Off requirement for non-residential parking spaces 4. Green building standards 5. Street level façade standards to ensure attractive streetscape 6. Site design features (e.g. benches, fountains, public art, etc.) 7. Landscaping features (e.g. greenery, planting areas, trees, etc) 8. Stepped back upper floors 9. Additional building articulation 10. Additional public parking 11. Affordable Retail 12. Affordable Housing 13. Underground parking 	<p>Choice of:</p> <ol style="list-style-type: none"> 1. Public access to courtyard 2. On-site public plaza 3. Public reading room 4. Contribution to Town Center Improvements/Amenities Fund (for plazas, public parking, reading room, etc)

Note: **Bold** font indicates mandatory requirements that are new to that tier.

EXHIBIT 12

May 2015 Update

From: **Dan Grausz** (Dan.Grausz@mercergov.org)

Sent: Sun 5/10/15 5:15 PM

To: Dan Grausz (dangrausz@gmail.com)

May 10, 2015

Fellow Islanders:

I have to say that writing an update on Mother's Day in the middle of what has been a spectacular Pacific Northwest weekend is challenging. Much is going on with your City, however, that you may want to hear about. For those of you who have not received these updates before, I always tell people that if you would prefer not receiving them in the future, please email me.

1. City Council/School Board Changes: unfortunately, Joel Wachs had to resign from the Council a few days ago for health reasons. While Joel's tenure on the Council was brief, he believes in this community and wanted to do what he could to keep Mercer Island the great place it is to live. I wish him a speedy recovery and know that he will be back in the future to continue working for Islanders. Joel's seat will be one of the five Council seats that Islanders will choose someone for in the upcoming November election.

Also last week, Ralph Jorgenson was selected by the School Board to replace Janet Frohnmayer, who has resigned as a result of her leaving Mercer Island. Janet has done a great job for Islanders during her long tenure on the School Board and will be sorely missed throughout our community. Ralph showed his mettle as one of the leaders of last year's successful School Bond campaign. I look forward to working with him in the months ahead. Ralph's seat will be one of three that will be on the ballot in November.

2. South End Fire Station: I had hoped that our firefighters would be using the new South End Fire Station by now. Completing the punch list, however, has delayed hand over of the station, which is now expected to happen in about two weeks. The City has notified the contractor that we are rejecting the roof and will require that it be replaced. As the issue involves the roof covering and not the structure, I am hoping it can be done while the firefighters are using the station. It is likely that both the roof issue and the City's claim for in excess of \$500,000 of delay damages will result in litigation with the contractor.

3. Transportation Improvement Plan: on Monday, May 18th, the City Council will take public comment on desired road, pedestrian and bicycle projects as the first part of our annual development of the Transportation Improvement Plan. In the past, groups of citizens have been able to influence what projects are done by coming to this meeting and providing comments, particularly when something is required to address an important neighborhood safety concern. Please take advantage of this opportunity. As I have in the past, I will push hard to continue the widening of the shoulders project on the Mercers that the City has been doing in increments for more than 10 years. This not only protects pedestrians and cyclists but is also very important for drivers who are able to pass cyclists without crossing the center stripe.

4. Bus Intercept: bus intercept refers to the Sound Transit proposal to have buses from Issaquah and other communities to the east drop off and pick-up their passengers on Mercer Island so they can use light rail between Seattle and Mercer Island. It would not begin until 2023 (when light rail is scheduled to start), has benefits to the region in terms of reducing transportation costs and air pollution, but if not done right, will adversely impact Islanders. The City has said from the outset that we will oppose this project unless those impacts were both significantly limited and mitigated.

On April 20th, Sound Transit and Metro provided the City with its latest thinking for this project. What was laid out for us was a non-starter. It included adding over 12 bus parking spaces, laid out an arrangement that was likely to significantly impact vehicle, pedestrian and bicycle traffic on 80th Ave. and nearby streets, and included no operating limitations that would enable us to cap the impacts. It was completely out-of-scale for our Town Center and for what we had been told were the goals of Bus Intercept.

On May 4th, the Council voted unanimously to reject this. We concluded that there was no combination of minor revisions and mitigating efforts that could lead us to approve what had been presented. Islanders need to know, however, that this likely is not the final word on Mercer Island Bus Intercept as the idea of having bus/rail connections throughout the light rail network (not just on Mercer Island) is a cornerstone of regional transportation policy. At this time, we have no idea what Sound Transit and Metro may come back to us with.

5. Mitigation for Loss of Mobility: at the May 4th meeting, the Council also decided that for the present, we would focus our negotiations with Sound Transit on obtaining mitigation for loss of mobility due to closure of the I-90 center roadway. We are contractually entitled to this mitigation under the terms of an agreement signed in 2004.

In my opinion, mitigation must include additional commuter parking for Islanders but also should

look at other measures (such as shuttle service to and from the north end) as we will never be able to find enough space in our Town Center to meet what I expect to be substantial parking demands once light rail is operational in 2023. We also need to advance what until now have been dormant discussions with the Washington State Department of Transportation on promised Islander single occupancy vehicle access to the additional HOV lane now being added to each of the I-90 outer roadways between Mercer Island and Seattle. Expect some very difficult discussions in the months ahead.

6. Town Center Visioning: since my last update, the 42-person Town Center Stakeholder Group held three more meetings during which substantial progress was made towards finding a way forward in our ongoing project to update the Town Center Development Code. In its advisory capacity, the stakeholders have generally favored a series of changes that will now go before the Planning Commission, Design Commission and City Council for further review and public comment. Those changes include:

- While the maximum 5-story height limit would be retained, **certain parcels were designated for either an increase or decrease in the currently permitted height**. The general policy remains one of allowing taller (5-story) buildings at the north end of the Town Center with 3 or 4-story maximum heights as one moves away from the north end.
- **Certain areas along 76th Ave. and 80th Ave. that are now designated as being available for office or retail use would now be restricted to primarily residential development.**
- **Mandatory mid-block connection points** would be created along certain lot lines to avoid the possibility of being unable to walk through the super blocks we now have once they are developed (such as the block bounded by 77th, 78th, 27th and 29th). **Similarly, a setback along 32nd between 77th and 78th would be required** to avoid a future development from being too imposing on Mercerdale Park.
- **77th Ave. (the street that Albertson's is on) would be changed to a 2-lane street to allow room for on-street parking** and possibly wider and better landscaped sidewalks.
- Serious consideration will be given to **changing the SE 27th Street traffic flow in front of the large Starbucks by eliminating the curve, having 27th meet 76th Ave. on a right angle** and developing an attractive green space between that intersection and the large Starbucks.
- **Design requirements for buildings would be changed to require more modulation** of higher floors (a wedding cake appearance).

- The public benefits and amenities that are mandated in exchange for allowing additional height would be significantly increased.

The next step in this will be a public input session at the Community Center this Monday (May 11th) evening followed by City Council initial review at its June 1st meeting. On June 1st or at the following meeting on June 15th, the Council is also likely to decide whether or not to extend the existing development moratorium which otherwise expires on June 16th.

7. Impact Fee Ordinance: Separate and apart from this visioning process, the Council will soon be considering adoption of an impact fee ordinance that will require most new development, including single family residential, to pay money that will help finance school, transportation, parks and/or fire safety capital projects that are needed in response to the additional growth. Until now, the City and School District have relied on what are referred to in the law as SEPA (State Environmental Protect Act) mitigation fees. The School District has recently asked the City to replace school mitigation fees with school impact fees. At the same time, the City will consider imposing impact fees for the other areas noted above.

With our fantastic Farmers Market about to begin again on June 7th, we know that summer is quickly approaching. I encourage all Islanders to take advantage of this program as it really promotes our sense of community. Summer Celebration, including fireworks, will be the weekend of July 11th. We also have a full calendar of Shakespeare in the Park and Mostly Music in the Park events in July and August; specifics are on the City's website calendar. I look forward to seeing and talking with you at these and other community events.

Thanks again for taking the time to read this update. It remains an honor and a privilege to represent Islanders.

Dan Grausz

Deputy Mayor

EXHIBIT 13

MEMORANDUM

Date:	April 10, 2015	TG:	15085.00
To:	Evan Kaseguma – Hines		
From:	Mike Swenson, PE, PTOE Jesse Birchman, PE, PTOE		
cc:	Mat Lipps – Runberg Architecture Group PLLC		
Subject:	Hines Mercer Island Apartments – Preliminary Transportation Summary		

This memorandum provides a summary of preliminary transportation related information for the proposed mixed-used development in the Town Center area in Mercer Island, Washington. A Transportation Impact Analysis (TIA) outlining the impacts of the project and any necessary mitigation is being prepared and will be submitted under a separate cover. This memorandum focuses on the following:

- The project’s description,
- An updated estimate of the project’s estimated trip generation,
- A preliminary evaluation of potential site access configurations and related driveway and on-site intersection operations,
- An evaluation of vehicle travel paths at the on-site intersections, and
- A review of the preliminary parking supply and estimated peak parking demands.

Project Description

The proposed project is located at 2885 - 78th Avenue SE and includes a mixed-use building providing up to 192 apartment units above the ground floor, approximately 30,000 gross square feet of supermarket, and 10,000 gross square feet of general retail space on the ground floor. The project site location is shown in Figure 1.

A total of 609 parking stalls are proposed:¹ 247 stalls for the residential use, 151 for supermarket and retail use, and 211 for general public use. The 211 general public use stalls would be located on the third level of the underground parking structure and are contingent on the City of Mercer Island’s negotiations with Sound Transit and Hines. A double berth loading dock serving the grocery would be located parallel to 77th Avenue SE. Vehicular access to the project site would be provided along the northern site limits where driveways would be provided onto 78th Avenue SE and 77th Avenue SE, as illustrated in Figure 1. A full access driveway onto 78th Avenue SE is proposed based on recommendations by City staff and research by Transpo (to be further summarized in the TIA).



Figure 1 – Project Vicinity

¹ Two loading berth would be provided in addition to the 609 stalls within the parking structure.

Project Trips

Project trip generation estimates were developed for the project based on information contained in the Institute of Transportation Engineers (ITE) *Trip Generation* (9th Edition, 2012) and observations at the existing Mercer Island Park & Ride. Trip Generation is a nationally recognized and locally accepted method for determining trip generation for private and public developments. For land uses consistent with *Trip Generation* information, trips were calculated using the Supermarket (LU #850), Shopping Center (ITE LU #820), and Apartments (ITE LU #220). Weekday peak hour trips generated by the proposed public parking stalls were estimated based on three days of data at the Mercer Island Park & Ride that were collected and summarized consistent with ITE *Trip Generation Handbook* (3rd Edition, 2014) guidelines. Daily trips for the public parking were estimated by scaling observed PM peak hour rates using the Office (#710) weekday daily and PM peak hour trip generation rates since both experience morning and evening commuter peak travel behavior.

The project would generate internal, pass-by, and primary trips that were estimated based on the methods outlined in the ITE *Trip Generation Handbook* (3rd Edition, 2014). Internal trips are trips between the retail and residential uses on-site and do not impact the site access driveways or surrounding roadway network and are completely internal to the development. Pass-by trips represent intermediate stops on the way from an origin to a primary trip destination that are attracted from existing traffic on roadways immediately adjacent to the project site. Table 1 through Table 3 summarize the project's updated estimated trip generation for weekday daily, AM peak hour, and PM peak hour time periods. Detailed trip generation calculation worksheets are provided in Attachment A.

Table 1. Weekday Daily Trip Generation

Land Use	Size	Gross Trips ¹	Internal Trips ²	Pass-by Trips ³	Primary Vehicle Trips		
					Total	In	Out
Apartments (LU #220)	192 units	1,276	-367	0	909	454	455
Shopping Center (LU #820)	10,000 gsf	428	-131	-100	197	99	98
Supermarket (LU #850)	30,000 gsf	3,068	-408	-958	1,702	851	851
Public Parking ⁴	211 stalls	812	0	0	812	406	406
Total Proposed Trips		5,584	-906	-1,058	3,620	1,810	1,810

1. Average trip rates & regression equation from ITE Trip Generation Manual, 9th Edition (2012). Rate or equation used consistent with ITE Trip Generation Handbook, 3rd Edition (2014) methodologies.
2. Internal Capture methodology consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
3. Pass-by trips consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
4. Daily trip rate for the Public Parking use is estimated by factoring the observed weekday PM peak hour rate using rates for the General Office (LU #710) land use.

Table 2. Weekday AM Peak Hour Trip Generation

Land Use	Size	Gross Trips ¹	Internal Trips ²	Pass-by Trips ³	Primary Vehicle Trips		
					Total	In	Out
Apartments (LU #220)	192 units	98	-1	0	97	20	77
Shopping Center (LU #820)	10,000 gsf	10	0	-4	6	4	2
Supermarket (LU #850)	30,000 gsf	102	-1	-36	65	44	21
Public Parking ⁴	211 stalls	122	0	0	122	100	22
Total Proposed Trips		332	-2	-40	290	168	122

1. Average trip rates & regression equation from ITE Trip Generation Manual, 9th Edition (2012). Rate or equation used consistent with ITE Trip Generation Handbook, 3rd Edition (2014) methodologies.
2. Internal Capture methodology consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
3. Pass-by trips consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
4. Trip rate for the Public Parking use is based on observations at the existing Mercer Island Park & Ride (March 2015).

Table 3. Weekday PM Peak Hour Trip Generation

Land Use	Size	Gross Trips ¹	Internal Trips ²	Pass-by Trips ³	Primary Vehicle Trips		
					Total	In	Out
Apartments (LU #220)	192 units	119	-51	0	68	42	26
Shopping Center (LU #820)	10,000 gsf	37	-6	-10	21	11	10
Supermarket (LU #850)	30,000 gsf	284	-45	-86	153	88	65
Public Parking ⁴	211 stalls	110	0	0	110	29	81
Total Proposed Trips		550	-102	-96	352	170	182

1. Average trip rates & regression equation from ITE Trip Generation Manual, 9th Edition (2012). Rate or equation used consistent with ITE Trip Generation Handbook, 3rd Edition (2014) methodologies.
2. Internal Capture methodology consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
3. Pass-by trips consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
4. Trip rate for the Public Parking use is based on observations at the existing Mercer Island Park & Ride (March 2015).

Vehicular trip distribution for this project is based on travel patterns summarized in studies for a previously approved development in the Town Center² and comments received on behalf of the City from the City's consultant. A separate primary vehicular trip distribution was determined for commercial/parking and residential trips consistent with Mercer Island General Traffic Impact Analysis Requirements. In general, approximately 35 percent of primary commercial trips would travel to/from north of the site with the remainder to/from the south while 80 percent of residential trips are from the north with the remainder for the south. The full distribution patterns to the study area intersection are summarized in the TIA being prepared for this project.

Site Access & On-Site Operations Analysis

A preliminary evaluation of driveway operations with full-access driveways onto 78th Avenue SE and 77th Avenue SE and at two on-site intersections was conducted to inform that project's site design. Figure 2 illustrates the current draft site plan. The site access driveways are oriented east-west along the sites northern boundary and will ramp down towards the underground parking structure. At the approximate mid-point of the lot, the driveways intersect a single north-south drive aisle that ramps down into the top floor of the underground parking structure. A short distance south of this on-site "T" intersection, a second on-site intersection with four legs would provide access to separate floors of parking. The lowest floor provides the proposed public parking, the middle floor would serve residents only, and the upper floor would primarily serve commercial uses but also some residents.

Only minor differences in travel time would be experienced between the lowest and middle floors. Ramp connections to the internal four-leg garage intersection with public parking on the lowest floor and residential parking on the middle floor would reduce the likelihood of delay and conflicts between residential, public parking, and commercial traffic. For example, the highest inbound commercial traffic volume occurs during the PM peak and locating the public parking on the lowest floor prevents peak outbound public parking traffic from conflicting with the peak inbound commercial traffic.

At both intersections and both driveways, one inbound and one outbound travel lane were assumed; operations with additional turn lanes were not evaluated. The on-site driveway intersection with the garage access was assumed to be all-way stop-controlled.

² Final Transportation Impact Analysis – SE 27th Street & 76th Avenue SE Mercer Island Mixed Use, Transpo Group (February 2013).

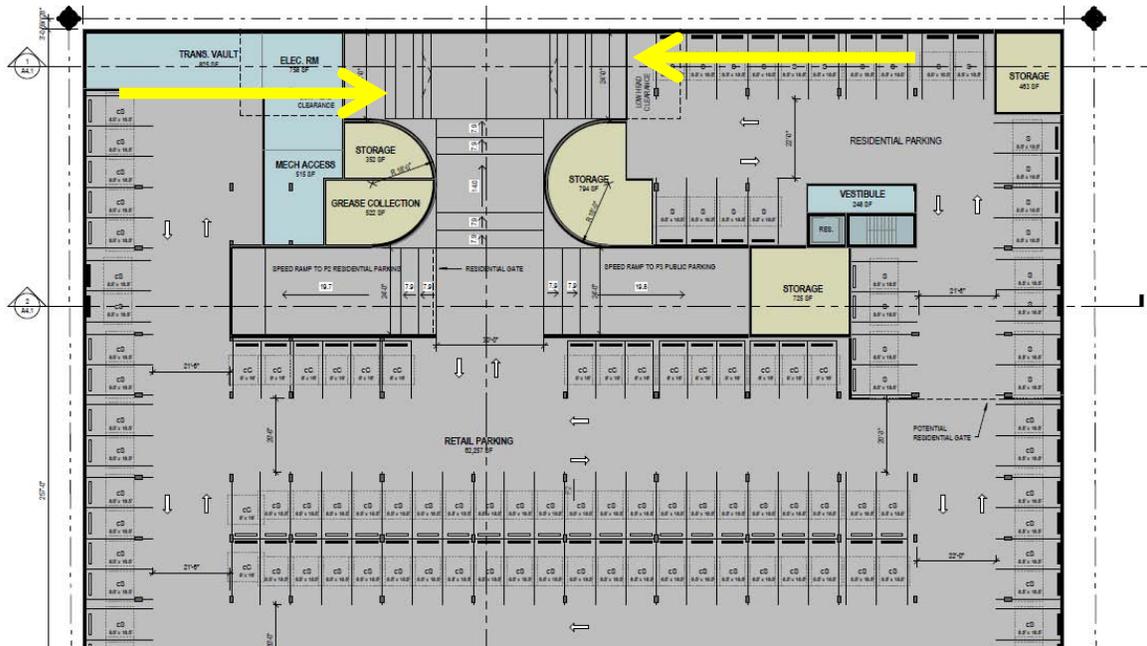


Figure 2 – Current Draft Garage Access Site Plan

Existing weekday AM and PM peak hour traffic volumes were collected at intersections adjacent to the project site and one driveway on 77th Avenue SE that would align with the project driveway. Existing traffic volumes along 78th Avenue SE and 77th Avenue SE were grown at an annual rate of 1 percent per year to 2018 conditions consistent with the Final TIA for the SE 27th Street & 76th Avenue SE Mercer Island Mixed Use project (see Footnote 2) and adding the same pipeline development project trips included in this previous TIA. The forecast weekday peak hour traffic volumes at the site access driveways and on-site intersections are summarized in Figure 3.

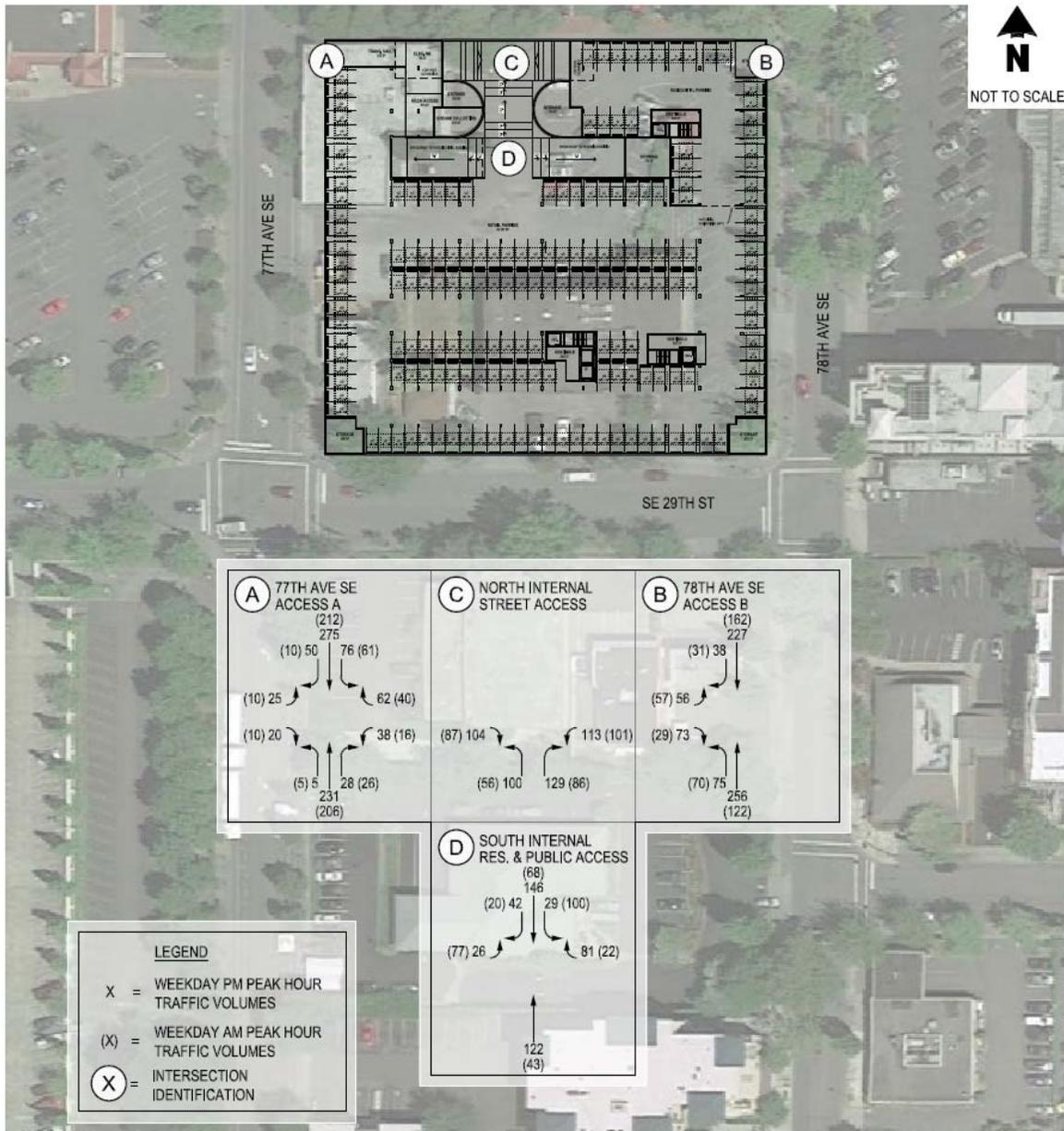


Figure 3 – Preliminary Estimate of Site Access Traffic Volumes

Traffic operations at the site access driveways and on-site intersections were evaluated consistent with the procedures identified in the *Highway Capacity Manual* (2010), and evaluated using Synchro version 9.0. At stop-sign controlled intersections such as these locations, LOS is measured in average control delay per vehicle and is reported using the intersection delay. Traffic operations for an intersection can be described alphabetically with a range of levels of service (LOS A through F), with LOS A indicating free-flowing traffic and LOS F indicating extreme congestion and long vehicle delays.

Preliminary traffic operation results for 2018 with-project conditions at the site access driveways and on-site intersections are summarized in Table 4. The City of Mercer Island has defined a standard of LOS C for public intersections.

Table 4. Preliminary 2018 Site Access & On-Site Intersection Weekday Peak Hour Level of Service

Location	AM Peak Hour			PM Peak Hour		
	LOS ¹	Delay ²	Worst Movement ³	LOS	Delay	Worst Movement
A. Driveway A / 77th Ave SE	B	14	EB	C	17	EB
B. Driveway B / 78th Ave SE	B	13	EB	B	15	EB
C. Driveway / Garage Access	A	8	-	A	9	-
D. Internal Garage Intersection	B	13	EB	B	12	EB

1. Level of service (LOS), based on 2010 Highway Capacity Manual methodology.

2. Average delay in seconds per vehicle.

3. The reported LOS and delay are for the worst operating movement at side-street stop-controlled driveways and intersections (a.k.a. two-way stop-controlled) while overall intersection results are reported for all-way stop intersections (shown as "-").

As shown, both site access driveways and the on-site intersections are anticipated to operate well at LOS C or better. Note that the worst-operating movement during both AM and PM peak hour conditions at the driveway onto 77th Avenue SE is the eastbound Albertsons driveway aligned with the proposed project driveway. These results for the project driveways and on-site intersections indicate that a single travel lane at all on-site locations are forecast to adequately serve on-site traffic.

Vehicle Travel Path Analysis

An evaluation of potential vehicle paths at the on-site intersections and roadways was conducted to inform the design of the building structures to accommodate expected passenger car and delivery truck routes on-site. These paths are shown in Attachments B and demonstrate how passenger cars can travel through the highest on-site traffic volume locations without obstructing on-coming traffic traveling in the opposite direction.

Parking Demand & Supply

As previously described, a total of 609 parking stalls are proposed: 247 stalls reserved for residential use, 151 reserved for supermarket and retail use, and 211 for general public use.

The project is located in the Town Center area and the minimum required parking spaces for this zone are identified in the City of Mercer Island Municipal Code.³ The peak parking demand for the project was estimated using the King County Right Size Parking Calculator⁴ for the apartment units and ITE *Parking Generation* (4th Edition, 2010) for retail (LU #820) and urban supermarket (LU #850) uses. The number of required parking spaces consistent with City code, estimated peak parking demand, and proposed parking supply are summarized in Table 5.

³ MICC 19.11.110 B.1

⁴ www.rightsizeparking.org

Table 5. Code Required Parking Supply

Proposed Land Use	Size ¹	Required Parking Stalls ²		Peak Parking Demand ³	Proposed Parking Supply
		Rate	Required		
<u>Residential Parking</u>					
Apartments (LU #220)	192 units	1 to 3	192 to 576	219 vehicles	247 stalls
<u>Retail Parking</u>					
Shopping Center (LU #820)	10,000 gsf	3 to 5 per 1,000 gsf	30 to 50	26 vehicles	
Supermarket (LU #850)	<u>30,000 gsf</u>	<u>3 to 5 per 1,000 gsf</u>	<u>90 to 150</u>	<u>69 vehicles</u>	
Total Retail Parking	40,000 gsf		120 to 200	95 vehicles	151 stalls
<u>Public Parking</u>					
Public Parking Stalls	211 stalls	0	0	-	211 stalls
Total Parking			312 to 776	314 vehicles + public parking	398 stalls
1. du = dwelling unit, gsf = gross square-feet, sf = square-feet 2. Mercer Island City Code 19.11.110 B.1					

As shown in Table 5, proposed parking supply exceeds the minimum required number parking spaces and estimate peak parking demand for each land use.

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Attachment A: Trip Generation Worksheet

Attachment A

Daily Trip Generation

Proposed Land Use	Size	Units	Trip Rate ¹	Total Unadjusted Veh. Trips	Reduction for Internal Capture	Subtotal	Pass-by Rate ³	Reduction for Pass-by	Diverted Rate ⁴	Reduction for Diverted Trips	New Daily Trips ²			
											Total	In	Out	
Proposed														
Apartments (LU 220)	192	DU	6.65	1,276	367	909	0%	0	0%	0	909	454	455	
Retail (LU #820)	10,000	1,000 gsf	42.70	428	131	297	34%	100	0%	0	197	99	98	
Supermarket (LU 850)	30,000	1,000 gsf	102.24	3,068	408	2,660	36%	958	0%	0	1,702	851	851	
Public Parking ⁴	211	1 stall	3.85	812	0	812	0%	0	0%	0	812	406	406	
Subtotal				5,584	906	4,678		1,058		0	3,620	1,810	1,810	

1. Trip Rate from ITE Trip Generation Manual, 9th Edition (2012) under Land Use Code 495
2. In/out percentages based on ITE Trip Generation Manual, 9th Edition (2012).
3. Pass-by rates based on ITE Trip Generation Handbook, 3rd Edition (2014).
4. Daily trip rate for the Public Parking use is estimated by factoring the observed weekday PM peak hour rate using rates for the General Office (LU #710) land use.

Weekday AM Peak Hour Trip Generation

Proposed Land Use	Size	Units	Trip Generation Rate ¹	Trip Generation Equation ¹ (if used)	% IN ²	Total Unadjusted Veh. Trips	Unadjusted Veh. Trips IN	Unadjusted Veh. Trips OUT	Reduction for Internal Capture ³	Internal Capture IN	Internal Capture OUT	Internal Capture Rate	Subtotal Driveway Trips				Net New Offsite AM Peak Trips ²					
													Subtotal Trips	Subtotal IN	Subtotal OUT	Pass-by Rate ⁴	Pass-by Trips	Pass-by IN	Pass-by OUT	Total	In	Out
Apartments (LU 220)	192	1 du		T=0.49(X)+3.73	20%	98	20	78	1		1	1%	97	20	77	0%				97	20	77
Retail (LU #820)	10,000	1,000 gsf	0.96		62%	10	6	4					10	6	4	34%	4	2	2	6	4	2
Supermarket (LU 850)	30,000	1,000 gsf	3.4		62%	102	63	39	1	1		1%	101	62	39	36%	36	18	18	65	44	21
Public Parking ⁵	211	1 stall	0.58		82%	122	100	22					122	100	22	0%				122	100	22
Subtotal						332	189	143	2	1	1	1%	330	188	142		40	20	20	290	168	122

- The Transpo Group, 2015
1. Average trip rates & regression equation from ITE Trip Generation Manual, 9th Edition (2012). Rate or equation used consistent with ITE Trip Generation Handbook, 3rd Edition (2014) methodologies.
 2. In/out percentages based on ITE Trip Generation Manual, 9th Edition (2012)
 3. Internal Capture methodology consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
 4. Pass-by rates based on ITE Trip Generation Handbook, 3rd Edition (2014).
 5. Trip rate for the Public Parking use is based on observations at the existing Mercer Island Park & Ride (March 2015).

Weekday PM Peak Hour Trip Generation

Proposed Land Use	Size	Units	Trip Generation Rate ¹	Trip Generation Equation ¹ (if used)	% IN ²	Total Unadjusted Veh. Trips	Unadjusted Veh. Trips IN	Unadjusted Veh. Trips OUT	Reduction for Internal Capture ³	Internal Capture IN	Internal Capture OUT	Internal Capture Rate	Subtotal Driveway Trips				Net New Offsite PM Peak Trips ²					
													Subtotal Trips	Subtotal IN	Subtotal OUT	Pass-by Rate ⁴	Pass-by Trips	Pass-by IN	Pass-by OUT	Total	In	Out
Apartments (LU 220)	184	1 du		T=0.55(X)+17.65	65%	119	77	42	51	35	16	43%	68	42	26	0%				68	42	26
Retail (LU #820)	10,000	1,000 gsf	3.71		48%	37	18	19	6	2	4	16%	31	16	15	34%	10	5	5	21	11	10
Supermarket (LU 850)	30,000	1,000 gsf	9.48		51%	284	145	139	45	14	31	16%	239	131	108	36%	86	43	43	153	88	65
Public Parking ⁵	211	1 stall	0.52		26%	110	29	81					110	29	81	0%				110	29	81
Subtotal						550	269	281	102	51	51	19%	448	218	230		96	48	48	352	170	182

- The Transpo Group, 2015
1. Average trip rates & regression equation from ITE Trip Generation Manual, 9th Edition (2012). Rate or equation used consistent with ITE Trip Generation Handbook, 3rd Edition (2014) methodologies.
 2. In/out percentages based on ITE Trip Generation Manual, 9th Edition (2012)
 3. Internal Capture methodology consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
 4. Pass-by rates based on ITE Trip Generation Handbook, 3rd Edition (2014).

MULTI-USE DEVELOPMENT TRIP GENERATION AND INTERNAL CAPTURE SUMMARY
 Source: ITE Trip Generation Handbook, 2nd Edition (2004)

PM Peak Hour Trip Generation

Exit to External

481

ITE Land Use = Residential (220)			
Size =	192	Rate =	6.65
% Enter =	50%	% Exit =	50%
Total	Internal	External	
Enter	638	210	428
Exit	638	157	481
Total	1276	367	909
%	100%	29%	71%

428

Enter From External

Demand
31% 198

Balanced
184

Demand
12% 184

Demand
53% 338

Balanced
138

Demand
9% 138

Demand
20% 307

ITE Land Use = Supermarket			
Size =	30.0	Rate =	102.24
% Enter =	50%	% Exit =	50%
Total	Internal	External	
Enter	1534	181	1353
Exit	1534	227	1307
Total	3068	408	2660
%	100%	13%	87%

Enter From External

1353

1307

Exit to External

Demand
53% 338

Demand
31% 198

Demand
53% 338

Balanced
0

Demand
20% 43

Balanced
43

Demand
23% 353

Demand
31% 476

Balanced
19

Balanced
26

Demand
9% 0

Demand
31% 198

Balanced
0

Balanced
0

Demand
9% 19

Demand
12% 26

Demand
20% 307

Demand
31% 198

Demand
2% 0

Demand
3% 0

Balanced
43

Demand
20% 43

Balanced
43

Demand
12% 0

Exit to External

145

ITE Land Use = Retail (820)			
Size =	10	Rate =	42.7
% Enter =	50%	% Exit =	50%
Total	Internal	External	
Enter	214	62	152
Exit	214	69	145
Total	428	131	297
%	100%	31%	69%

152

Enter From External

Demand
20% 43

Balanced
0

Demand
20% 0

Demand
20% 43

Balanced
0

Demand
20% 0

ITE Land Use =			
Size =		Rate =	
% Enter =		% Exit =	100%
Total	Internal	External	
Enter	0	0	0
Exit	0	0	0
Total	0	0	0
%	#DIV/0!	#DIV/0!	#DIV/0!

Enter From External

0

0

Exit to External

Net External PM Peak Hour Trips for Multi-Use Development									
	Residential (220)	Supermarket	Retail (820)	-		Total			
Enter	428	1353	152	0		1933			
Exit	481	1307	145	0		1933			
Total after internal capture	909	2660	297	0		3866			
Not including internal capture	1276	3068	428	0		4772			
Total After Pass-By and Internal	0%	909	43%	1516	34%	197	0%	0	2622

Blue = Inputs from ITE Handbook for % Internal Capture

Yellow = ITE Land Use & Trip Generation Inputs

Red = Inputs

ITE Land Use = Total Development After Internal Capture Reduction			
% Enter =	50%	% Exit =	50%
Total	Internal	External	
Enter	2386	453	1933
Exit	2386	453	1933
Total	4772	906	3866
%	100%	19%	81%

NCHRP 684 Internal Trip Capture Estimation Tool					
Project Name:	Mercer Island Apartments			Organization:	Transpo Group
Project Location:	Mercer Island			Performed By:	KLL
Scenario Description:	Proposed Land Uses - Retail			Date:	3/9/2015
Analysis Year:				Checked By:	
Analysis Period:	AM Street Peak Hour			Date:	

Table 1-A: Base Vehicle-Trip Generation Estimates (Single-Use Site Estimate)						
Land Use	Development Data (For Information Only)			Estimated Vehicle-Trips ³		
	ITE LUCs ¹	Quantity	Units	Total	Entering	Exiting
Office				0		
Retail	820/850	10,000	1,000 gsf	112	69	43
Restaurant				0		
Cinema/Entertainment				0		
Residential	220	184	dwelling units	98	20	78
Hotel				0		
All Other Land Uses ²				0		
				210	89	121

Table 2-A: Mode Split and Vehicle Occupancy Estimates						
Land Use	Entering Trips			Exiting Trips		
	Veh. Occ. ⁴	% Transit	% Non-Motorized	Veh. Occ. ⁴	% Transit	% Non-Motorized
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						
All Other Land Uses ²						

Table 3-A: Average Land Use Interchange Distances (Feet Walking Distance)						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						

Table 4-A: Internal Person-Trip Origin-Destination Matrix*						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		0	0	0	0	0
Retail	0		0	0	0	0
Restaurant	0	0		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	0	1	0	0		0
Hotel	0	0	0	0	0	

Table 5-A: Computations Summary			
	Total	Entering	Exiting
All Person-Trips	210	89	121
Internal Capture Percentage	1%	1%	1%
External Vehicle-Trips ⁵	208	88	120
External Transit-Trips ⁶	0	0	0
External Non-Motorized Trips ⁶	0	0	0

Table 6-A: Internal Trip Capture Percentages by Land Use		
Land Use	Entering Trips	Exiting Trips
Office	N/A	N/A
Retail	1%	0%
Restaurant	N/A	N/A
Cinema/Entertainment	N/A	N/A
Residential	0%	1%
Hotel	N/A	N/A

¹Land Use Codes (LUCs) from *Trip Generation Manual*, published by the Institute of Transportation Engineers.

²Total estimate for all other land uses at mixed-use development site is not subject to internal trip capture computations in this estimator.

³Enter trips assuming no transit or non-motorized trips (as assumed in ITE *Trip Generation Manual*).

⁴Enter vehicle occupancy assumed in Table 1-A vehicle trips. If vehicle occupancy changes for proposed mixed-use project, manual adjustments must be made to Tables 5-A, 9-A (O and D). Enter transit, non-motorized percentages that will result with proposed mixed-use project complete.

⁵Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-A.

⁶Person-Trips

*Indicates computation that has been rounded to the nearest whole number.

Estimation Tool Developed by the Texas A&M Transportation Institute - Version 2013.1

Project Name:	Mercer Island Apartments
Analysis Period:	AM Street Peak Hour

Land Use	Table 7-A (D): Entering Trips			Table 7-A (O): Exiting Trips		
	Veh. Occ.	Vehicle-Trips	Person-Trips*	Veh. Occ.	Vehicle-Trips	Person-Trips*
Office	1.00	0	0	1.00	0	0
Retail	1.00	69	69	1.00	43	43
Restaurant	1.00	0	0	1.00	0	0
Cinema/Entertainment	1.00	0	0	1.00	0	0
Residential	1.00	20	20	1.00	78	78
Hotel	1.00	0	0	1.00	0	0

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office	0	0	0	0	0	0
Retail	12	0	6	0	6	0
Restaurant	0	0	0	0	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	2	1	16	0	0	0
Hotel	0	0	0	0	0	0

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office	0	22	0	0	0	0
Retail	0	0	0	0	0	0
Restaurant	0	6	0	0	1	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	0	12	0	0	0	0
Hotel	0	3	0	0	0	0

Destination Land Use	Person-Trip Estimates			External Trips by Mode*		
	Internal	External	Total	Vehicles ¹	Transit ²	Non-Motorized ²
Office	0	0	0	0	0	0
Retail	1	68	69	68	0	0
Restaurant	0	0	0	0	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	0	20	20	20	0	0
Hotel	0	0	0	0	0	0
All Other Land Uses ³	0	0	0	0	0	0

Origin Land Use	Person-Trip Estimates			External Trips by Mode*		
	Internal	External	Total	Vehicles ¹	Transit ²	Non-Motorized ²
Office	0	0	0	0	0	0
Retail	0	43	43	43	0	0
Restaurant	0	0	0	0	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	1	77	78	77	0	0
Hotel	0	0	0	0	0	0
All Other Land Uses ³	0	0	0	0	0	0

¹Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-A
²Person-Trips
³Total estimate for all other land uses at mixed-use development site is not subject to internal trip capture computations in this estimator
*Indicates computation that has been rounded to the nearest whole number.

NCHRP 684 Internal Trip Capture Estimation Tool				
Project Name:	Mercer Island Apartments		Organization:	Transpo Group
Project Location:	Mercer Island		Performed By:	KLL
Scenario Description:	Proposed Land Uses - Retail		Date:	3/9/2015
Analysis Year:			Checked By:	
Analysis Period:	PM Peak Hour		Date:	

Table 1-P: Base Vehicle-Trip Generation Estimates (Single-Use Site Estimate)						
Land Use	Development Data (For Information Only)			Estimated Vehicle-Trips ³		
	ITE LUCs ¹	Quantity	Units	Total	Entering	Exiting
Office				0		
Retail	820/850	10,000	1,000 gsf	321	163	158
Restaurant				0		
Cinema/Entertainment				0		
Residential	220	184	dwelling units	119	77	42
Hotel				0		
All Other Land Uses ²				0		
				440	240	200

Table 2-P: Mode Split and Vehicle Occupancy Estimates						
Land Use	Entering Trips			Exiting Trips		
	Veh. Occ. ⁴	% Transit	% Non-Motorized	Veh. Occ. ⁴	% Transit	% Non-Motorized
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						
All Other Land Uses ²						

Table 3-P: Average Land Use Interchange Distances (Feet Walking Distance)						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						

Table 4-P: Internal Person-Trip Origin-Destination Matrix*						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		0	0	0	0	0
Retail	0		0	0	35	0
Restaurant	0	0		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	0	16	0	0		0
Hotel	0	0	0	0	0	

Table 5-P: Computations Summary			
	Total	Entering	Exiting
All Person-Trips	440	240	200
Internal Capture Percentage	23%	21%	26%
External Vehicle-Trips ⁵	338	189	149
External Transit-Trips ⁶	0	0	0
External Non-Motorized Trips ⁶	0	0	0

Table 6-P: Internal Trip Capture Percentages by Land Use		
Land Use	Entering Trips	Exiting Trips
Office	N/A	N/A
Retail	10%	22%
Restaurant	N/A	N/A
Cinema/Entertainment	N/A	N/A
Residential	45%	38%
Hotel	N/A	N/A

¹Land Use Codes (LUCs) from *Trip Generation Manual*, published by the Institute of Transportation Engineers.

²Total estimate for all other land uses at mixed-use development site is not subject to internal trip capture computations in this estimator.

³Enter trips assuming no transit or non-motorized trips (as assumed in ITE *Trip Generation Manual*).

⁴Enter vehicle occupancy assumed in Table 1-P vehicle trips. If vehicle occupancy changes for proposed mixed-use project, manual adjustments must be

⁵Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-P.

⁶Person-Trips

*Indicates computation that has been rounded to the nearest whole number.

Project Name:	Mercer Island Apartments
Analysis Period:	PM Street Peak Hour

Table 7-P: Conversion of Vehicle-Trip Ends to Person-Trip Ends						
Land Use	Table 7-P (D): Entering Trips			Table 7-P (O): Exiting Trips		
	Veh. Occ.	Vehicle-Trips	Person-Trips*	Veh. Occ.	Vehicle-Trips	Person-Trips*
Office	1.00	0	0	1.00	0	0
Retail	1.00	163	163	1.00	158	158
Restaurant	1.00	0	0	1.00	0	0
Cinema/Entertainment	1.00	0	0	1.00	0	0
Residential	1.00	77	77	1.00	42	42
Hotel	1.00	0	0	1.00	0	0

Table 8-P (O): Internal Person-Trip Origin-Destination Matrix (Computed at Origin)						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		0	0	0	0	0
Retail	3		46	6	41	8
Restaurant	0	0		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	2	18	9	0		1
Hotel	0	0	0	0	0	

Table 8-P (D): Internal Person-Trip Origin-Destination Matrix (Computed at Destination)						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		13	0	0	3	0
Retail	0		0	0	35	0
Restaurant	0	82		0	12	0
Cinema/Entertainment	0	7	0		3	0
Residential	0	16	0	0		0
Hotel	0	3	0	0	0	

Table 9-P (D): Internal and External Trips Summary (Entering Trips)						
Destination Land Use	Person-Trip Estimates			External Trips by Mode*		
	Internal	External	Total	Vehicles ¹	Transit ²	Non-Motorized ²
Office	0	0	0	0	0	0
Retail	16	147	163	147	0	0
Restaurant	0	0	0	0	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	35	42	77	42	0	0
Hotel	0	0	0	0	0	0
All Other Land Uses ³	0	0	0	0	0	0

Table 9-P (O): Internal and External Trips Summary (Exiting Trips)						
Origin Land Use	Person-Trip Estimates			External Trips by Mode*		
	Internal	External	Total	Vehicles ¹	Transit ²	Non-Motorized ²
Office	0	0	0	0	0	0
Retail	35	123	158	123	0	0
Restaurant	0	0	0	0	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	16	26	42	26	0	0
Hotel	0	0	0	0	0	0
All Other Land Uses ³	0	0	0	0	0	0

¹Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-P

²Person-Trips

³Total estimate for all other land uses at mixed-use development site is not subject to internal trip capture computations in this estimator

*Indicates computation that has been rounded to the nearest whole number.

Attachment A - Mercer Island Park Ride Trip Generation

Weekday PM Peak Hour

T-Entrance

Time	3/26/2015								Total	Hourly	3/24/2015								Total	Hourly	3/25/2015								Total	Hourly
	EBL	WBR	Total In	SBL	SBT	SBR	Total Out	EBL			WBR	Total In	SBL	SBT	SBR	Total Out	EBL	WBR			Total In	SBL	SBT	SBR	Total Out					
4:00 PM	0	0	0	0		4	4	4		0	1	1	0		4	4	5		0	0	0	0		2	2	2				
4:15 PM	0	0	0	0		3	3	3		0	1	1	0		4	4	5		0	1	1	0		4	4	5				
4:30 PM	0	0	0	0		6	6	6		0	0	0	0		10	10	10		0	0	0	1		6	7	7				
4:45 PM	0	0	0	0		5	5	5	18	0	1	1	0		3	3	4	24	0	0	0	0		5	5	5	19			
5:00 PM	0	0	0	0		2	2	2	16	0	0	0	1		7	8	8	27	0	0	0	0		13	13	13	30			
5:15 PM	0	0	0	0		9	9	9	22	0	0	0	0		9	9	9	31	0	0	0	0		10	10	10	35			
5:30 PM	0	0	0	0		4	4	4	20	0	0	0	0		4	4	4	25	0	0	0	0		5	5	5	33			
5:45 PM	0	0	0	0		9	9	9	24	0	0	0	0		9	9	9	30	0	0	0	0		9	9	9	37			
6:00 PM	0	0	0	0		10	10	10	32	0	0	0	0		5	5	5	27	0	1	1	0		6	6	7	31			
6:15 PM	0	0	0	0		3	3	3	26	0	0	0	0		3	3	3	21	0	0	0	0		6	6	6	27			
6:30 PM	0	1	1	0		3	3	4	26	0	2	2	0		5	5	7	24	0	1	1	0		1	1	2	24			
6:45 PM	0	0	0	0		0	0	0	17	0	0	0	0		5	5	5	20	0	0	0	1		2	3	3	18			

Signal Entrance

Time	3/26/2015								Total	Hourly	3/24/2015								Total	Hourly	3/25/2015								Total	Hourly
	EBL	WBR	Total In	SBL	SBT	SBR	Total Out	EBL			WBR	Total In	SBL	SBT	SBR	Total Out	EBL	WBR			Total In	SBL	SBT	SBR	Total Out					
4:00 PM	5	3	8	0	15	5	20	28		5	8	13	3	26	5	34	47		1	1	2	3	15	4	22	24				
4:15 PM	3	3	6	9	37	0	46	52		2	4	6	3	19	3	25	31		3	7	10	4	23	5	32	42				
4:30 PM	3	2	5	5	21	5	31	36		5	3	8	12	40	3	55	63		2	2	4	6	28	2	36	40				
4:45 PM	3	9	12	3	25	2	30	42	158	6	5	11	6	21	2	29	40	181	2	5	7	3	14	2	19	26	132			
5:00 PM	4	9	13	6	20	3	29	42	172	6	5	11	7	20	8	35	46	180	4	11	15	8	27	5	40	55	163			
5:15 PM	7	7	14	6	37	9	52	66	186	6	10	16	5	22	4	31	47	196	8	4	12	5	34	2	41	53	174			
5:30 PM	4	9	13	3	23	6	32	45	195	6	11	17	3	15	5	23	40	173	8	9	17	4	24	5	33	50	184			
5:45 PM	2	9	11	4	15	7	26	37	190	8	17	25	4	21	8	33	58	191	2	4	6	4	25	6	35	41	199			
6:00 PM	2	14	16	6	24	1	31	47	195	5	10	15	6	26	9	41	56	201	0	5	5	4	18	2	24	29	173			
6:15 PM	3	4	7	5	12	2	19	26	155	3	11	14	2	16	4	22	36	190	5	9	14	2	23	3	28	42	162			
6:30 PM	6	9	15	3	15	2	20	35	145	4	9	13	2	14	7	23	36	186	5	5	10	5	15	5	25	35	147			
6:45 PM	2	4	6	2	18	4	24	30	138	7	2	9	3	18	4	25	34	162	1	4	5	3	12	1	16	21	127			

Combined

Time	3/26/2015								Total	In	Out	Hourly	3/24/2015								Total	In	Out	Hourly	3/25/2015								Total	In	Out	Hourly	3-day Average			
	EBL	WBR	Total In	SBL	SBR	Total Out	EBL	WBR					Total In	SBL	SBR	Total Out	EBL	WBR	Total In	SBL					SBR	Total Out	Total	In	Out	Hourly	Total	In					Out	Hourly		
4:00 PM			8			24	32					14			38	52							2			24	26													
4:15 PM			6			49	55					7			29	36							11			36	47													
4:30 PM			5			37	42					8			65	73							4			43	47													
4:45 PM			12			35	47				176	12			32	44							7			24	31									151				
5:00 PM			13			31	44				188	11			43	54							15			53	68									193				
5:15 PM			14			61	75				208	16			40	56							12			51	63									209				
5:30 PM			13			36	49				215	17			27	44							17			38	55									217				
5:45 PM			11			35	46				214	25			42	67							6			44	55									214				
6:00 PM			16			41	57	54	173		227	15			46	61	73	155	228				6			30	36	21%	186		236		59	171	230					
6:15 PM			7			22	29	24%			181	14			25	39	32%	155	211				14			34	48								189					
6:30 PM			16			23	39				171	15			28	43							11			26	37									171				
6:45 PM			6			24	30				155	9			30	39							5			19	24									145				

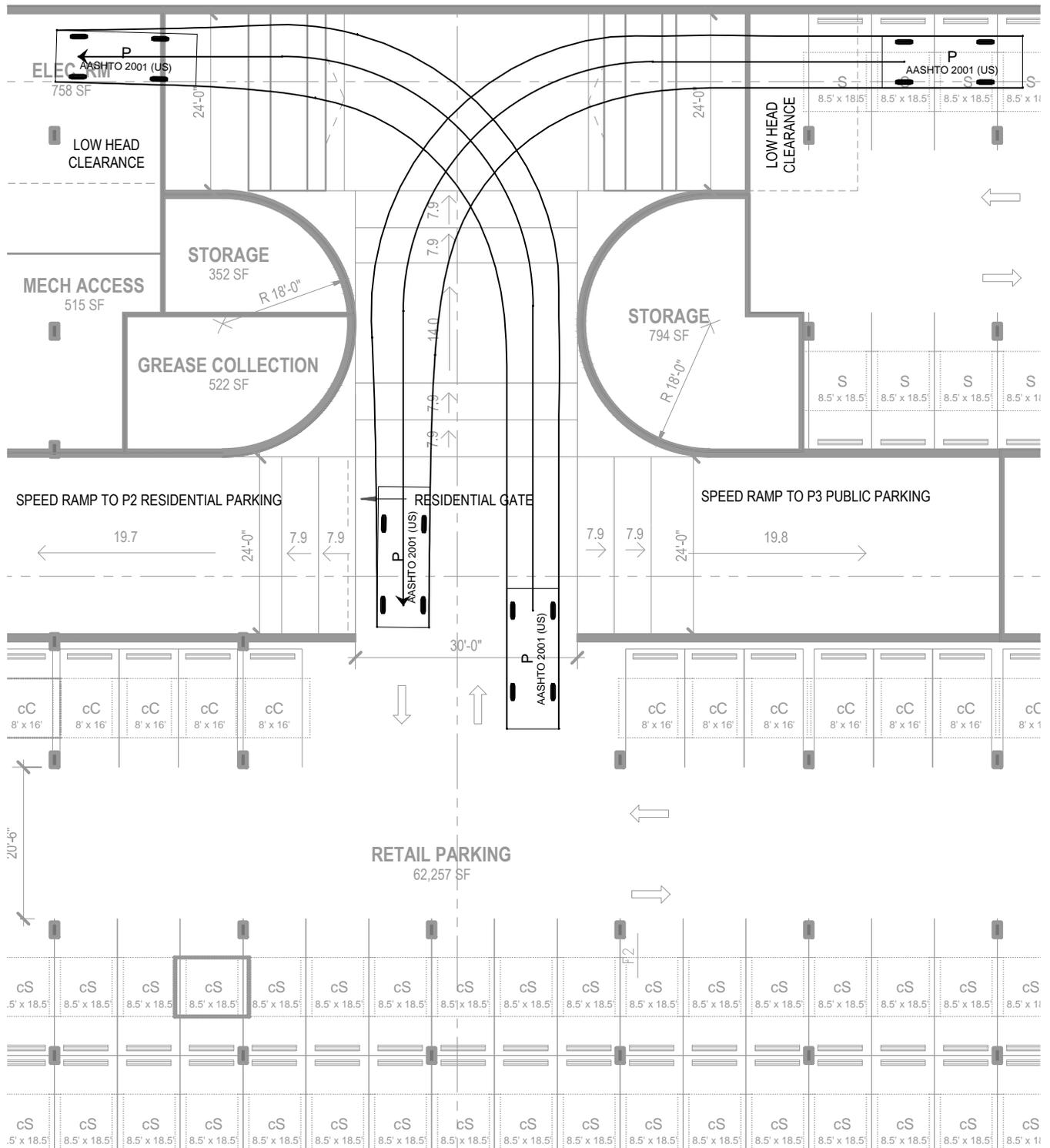
Supply 447 0.515287

Attachment B: Vehicle Travel Paths



273'-9"

NOT TO SCALE



Commercial Inbound and Outbound Left-Turns

ATTACHMENT

Mercer Island Apartments

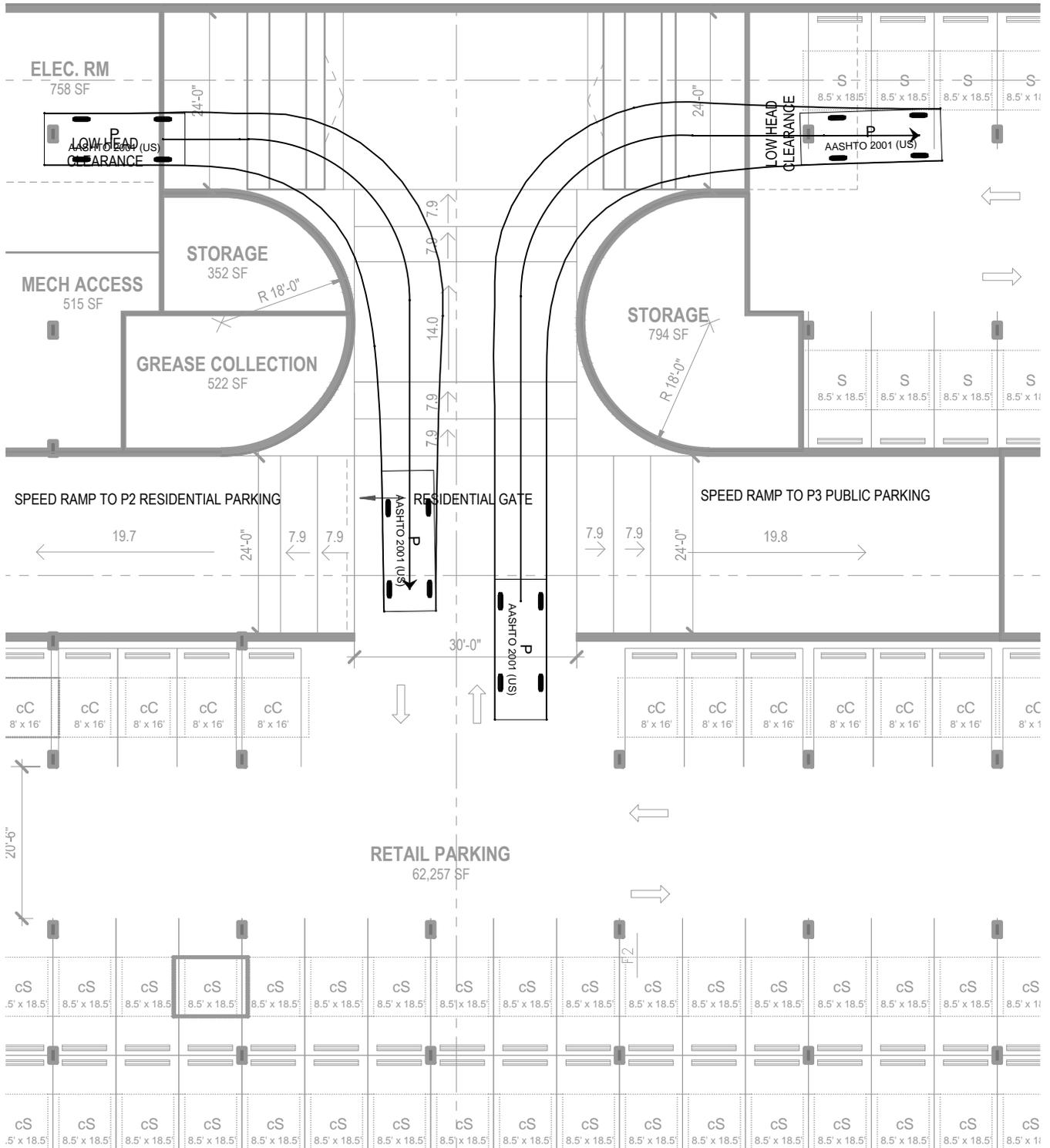


B-1



273'-9"

NOT TO SCALE



Commercial Inbound and Outbound Right-Turns

ATTACHMENT

Mercer Island Apartments



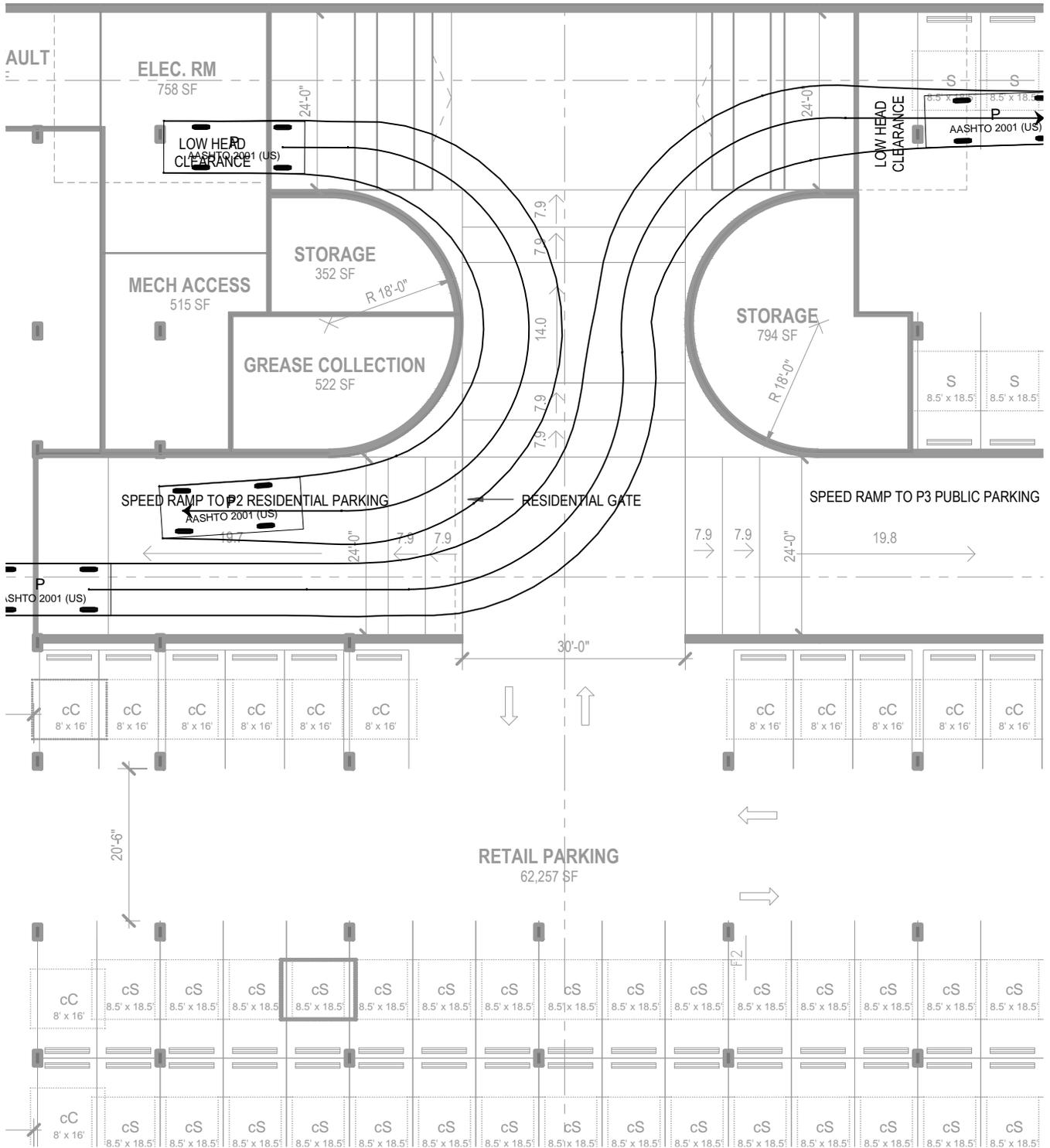
B-2



NOT TO SCALE



273'-9"



Residential Inbound and Outbound Right-Turns

ATTACHMENT

Mercer Island Apartments



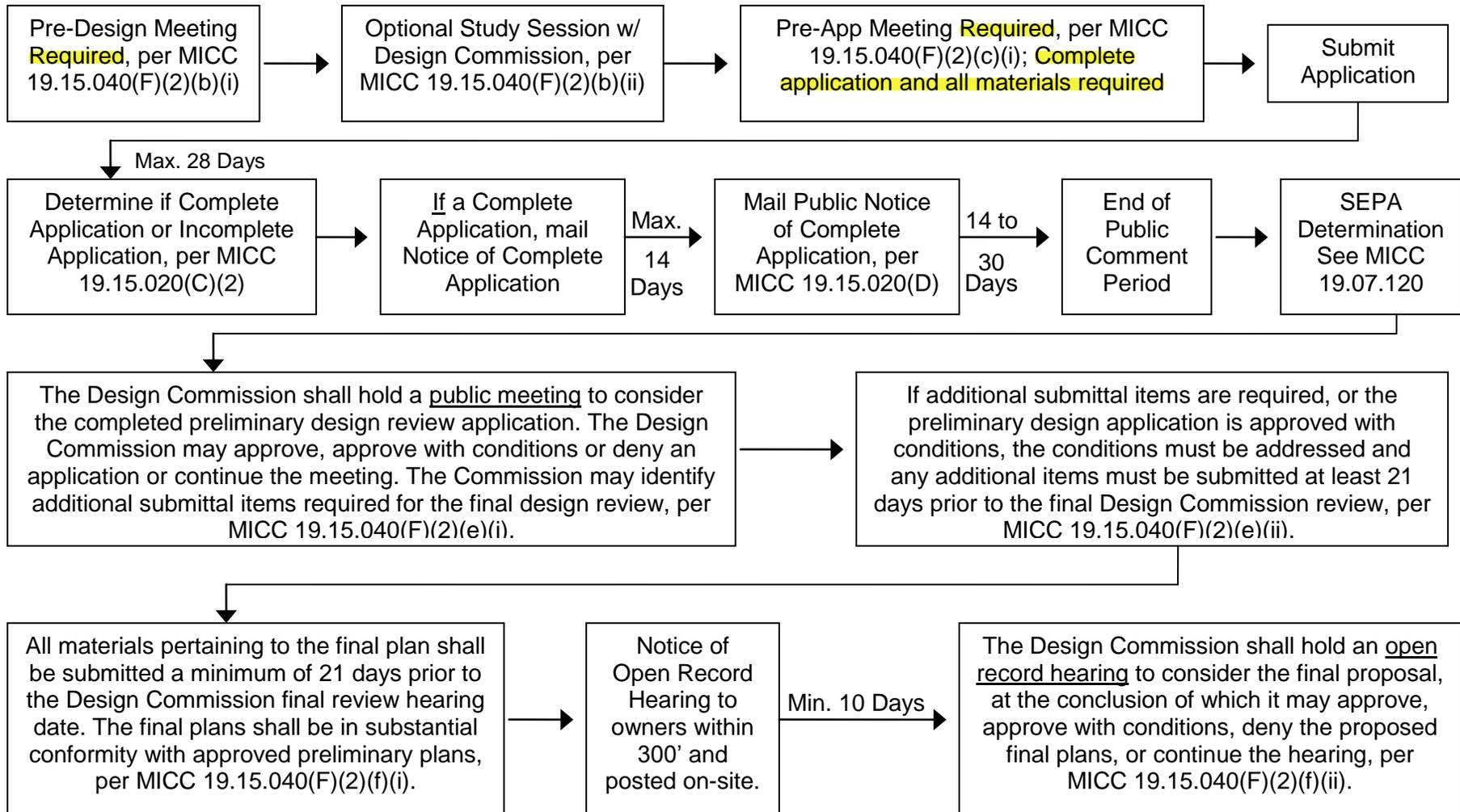
B-4

EXHIBIT 14



TYPICAL DESIGN COMMISSION PROCESS FOR MAJOR NEW CONSTRUCTION

The following is only a summary of the City of Mercer Island Design Review Process. Please refer to Mercer Island City Code (MICC) requirements for design review, which shall always govern.



This summary is provided for informational purposes only and is not intended as a complete or legally sufficient summary. The City of Mercer Island, its elected officials, officers, employees or agents make no warranty of any kind, express or implied, in relation to any information on this summary or any use made of this summary by any person. As with any document affecting the rights and responsibilities of real property ownership, the City of Mercer Island recommends that you consult with your private legal counsel before proceeding on any land use action after review of this summary.

S:\



CITY OF MERCER ISLAND, DEVELOPMENT SERVICES GROUP

9611 S.E. 36 ST., MERCER ISLAND, WA 98040 (206) 275-7605 FAX: (206) 275-7726
WWW.MERCERGOV.ORG

Submittal Requirements for Design Commission Review - Major New Construction

Design Review is the process by which the City evaluates developments within the City that meet the definition of “regulated improvements” in Mercer Island City Code (MICC) 19.16.010. Regulated improvements are defined as:

Any development of any property within the city, except:

- 1. Property owned or controlled by the city; or*
- 2. Single-family dwellings and the buildings, structures and uses accessory thereto; or*
- 3. Wireless communications structures, including associated support structures and equipment cabinets.*

Design review ensures a proposal’s consistency with MICC 19.11 Town Center Development and Design Standards or MICC 19.12 Design Standards for Zones outside Town Center and is intended to promote and enhance environmental and aesthetic design. Single family development is not a regulated improvement, and is therefore excluded from design review.

Regulated improvements are classified as either a major new construction, which is defined by MICC 19.16.010 as “construction from bare ground or an enlargement or alteration that changes the exterior of an existing structure that costs in excess of 50 percent of the structure’s assessed value” or a minor new construction. Minor new construction is “exterior modification to an existing development or site that does not constitute major new construction.”

The Design Commission is the decision authority for review of major new construction as well as minor exterior modifications in the Town Center with a with a construction valuation (as defined by MICC 17.14.010) of \$100,000 or greater. All minor exterior modifications outside of the Town Center as well as minor exterior modifications in the Town Center with a with a construction valuation (as defined by MICC 17.14.010) less than \$100,000 are reviewed by the Code Official. The Code Official may choose to send any application to the Design Commission for review.

PRE-DESIGN MEETING AND STUDY SESSION: The applicant shall participate in a pre-design meeting with staff prior to formal project development and application. The applicant may present schematic sketches and a general outline of the proposal for the City staff comments prior to preparation of formal plans. This meeting will allow city staff to acquaint the applicant with the design standards, submittal requirements, and the application procedures and provide early input on the proposed project. Additionally, the applicant is strongly encouraged to schedule a Study Session with the Design Commission to discuss project concepts before the plans are fully developed. At this session, which will be open to the public, the applicant should provide information regarding the site, the intended mix of uses, and how it will fit into the focus area objectives. The Commission may provide feedback to be considered in the design of the project.

PRE-APPLICATION: Applicants are required to participate in a pre-application meeting with City staff per MICC 19.15.040(F)(2)(c). Call Development Services staff to schedule a pre-application meeting. Pre-application meetings with the staff provide an opportunity to discuss the proposal in conceptual terms, identify the applicable City requirements, and delineate the proposal review process. Applicants are also encouraged to talk with surrounding property owner and residents about their proposal. Meetings and/or correspondence with the neighborhood serve the purpose of informing the neighborhood of the project proposal prior to the formal notice provided by the City.

APPLICATION: All applications for permits or actions by the City shall be submitted on forms provided by the Development Services Group. An application shall contain all information required by the applicable development regulations. The city cannot accept an application that does not have all of the required items. In order to accept your application, each of the required items shall be submitted to permit counter staff at the same time.

FILING REQUIREMENTS: Please fold all plans and attachments to a size not exceeding 8½" x 14" for storage in a legal-size folder. Plans not folded to the proper size will not be accepted. Please submit **fifteen (15) copies** each of the following:

- Development Application Coversheet
- Design Review Filing Fee: **see Development Application**
- Land Use Action sign deposit (refunded when sign is returned to the City): **see Development Application**
- A **State Environmental Policy Act (SEPA) Checklist** may be required. The checklist is available at the Development Services Group counter. Development Services Group personnel can assist you in determining if your proposal is exempt.

- Conceptual Floor Plans including the following:
 - Include exterior access points
 - Clarify the relationship between the interior spaces and the outside (decks, etc.) spaces
- Landscape Plan to include the following:
 - Minimum landscaping plan sheet size is 11" X 17".
 - Extent and location of all plant materials and other landscape features. Plant materials must be identified by direct labeling of each plant or by a clearly understandable legend.
 - Flower and shrub bed definition must be clear and drawn to scale with dimensions.
 - Proposed plant material should be indicated at mature sizes and in appropriate relation to scale.
 - Species and size of existing plant materials.
 - Proposed treatment of all ground surfaces must be clearly indicated (paving, turf, gravel, grading, etc.)
 - Location of water outlets. If areas of planting are extensive, plans for an underground sprinkler system will be required.
- Exterior Lighting Plan: Indicate new or modified lighting locations and provide specifications for proposed lighting.
- Indication of Materials & Colors: Two color copies of a color palette. The palette shall indicate which construction materials will be used.
- Sign Program: Illustrate location, size, height, material, color, letter dimensions, structural components and landscaping
- Birdseye Perspective or Massing Model: *Major projects only*
- Staff may require additional information or materials when necessary.

EXHIBIT 15

From: Dan Grausz [Grausz](#)
To: Debbie Bertlin
Cc:
Subject: Proposed Development
Date: 12/4/2014 11:03:30 PM
Attachments: Design Package.pdf

This unnerves me.

EXHIBIT 16

From: Dan Grausz [Grausz](#)
To: Bruce Bassett; Benson Wong
Cc:
Subject: Proposed Development
Date: 12/4/2014 11:02:21 PM
Attachments: Design Package.pdf

You should look at this. It is really disconcerting.

EXHIBIT 17

From: Dan Grausz [Grausz](#)
To: Noel Treat
Cc:
Subject: Re: Hines Property
Date: 12/7/2014 11:54:48 PM
Attachments:

This is the time for a very strong message to be sent to this developer. Otherwise, I think we need to seriously consider a moratorium until we complete work on the Town Center effort. This project will destroy what we are hoping to do. Bruce Lorig has offered to help work with the developer if we would like him to do so - at no charge.

EXHIBIT 18

Optional DNS process.

(1) If a GMA county/city with an integrated project review process (RCW 36.70B.060) is lead agency for a proposal and has a reasonable basis for determining significant adverse environmental impacts are unlikely, it may use a single integrated comment period to obtain comments on the notice of application and the likely threshold determination for the proposal. If this process is used, a second comment period will typically not be required when the DNS is issued (refer to subsection (4) of this section).

(2) If the lead agency uses the optional process specified in subsection (1) of this section, the lead agency shall:

(a) State on the first page of the notice of application that it expects to issue a DNS for the proposal, and that:

(i) The optional DNS process is being used;

(ii) This may be the only opportunity to comment on the environmental impacts of the proposal;

(iii) The proposal may include mitigation measures under applicable codes, and the project review process may incorporate or require mitigation measures regardless of whether an EIS is prepared; and

(iv) A copy of the subsequent threshold determination for the specific proposal may be obtained upon request (in addition, the lead agency may choose to maintain a general mailing list for threshold determination distribution).

(b) List in the notice of application the conditions being considered to mitigate environmental impacts, if a mitigated DNS is expected;

(c) Comply with the requirements for a notice of application and public notice in RCW 36.70B.110; and

(d) Send the notice of application and environmental checklist to:

(i) Agencies with jurisdiction, the department of ecology, affected tribes, and each local agency or political subdivision whose public services would be changed as a result of implementation of the proposal; and

(ii) Anyone requesting a copy of the environmental checklist for the specific proposal (in addition, the lead agency may choose to maintain a general mailing list for checklist distribution).

(3) If the lead agency indicates on the notice of application that a DNS is likely, an agency with jurisdiction may assume lead agency status during the comment period on the notice of application (WAC 197-11-948).

(4) The responsible official shall consider timely comments on the notice of application and either:

(a) Issue a DNS or mitigated DNS with no comment period using the procedures in subsection (5) of this section;

(b) Issue a DNS or mitigated DNS with a comment period using the procedures in subsection (5) of this section, if the lead agency determines a comment period is necessary;

(c) Issue a DS; or

(d) Require additional information or studies prior to making a threshold determination.

(5) If a DNS or mitigated DNS is issued under subsection (4)(a) of this section, the lead agency shall send a copy of the DNS or mitigated DNS to the department of ecology, agencies with jurisdiction, those who commented, and anyone requesting a copy. A copy of the environmental checklist need not be recirculated.

[Statutory Authority: 1995 c 347 (ESHB 1724) and RCW 43.21C.110. WSR 97-21-030 (Order 95-16), § 197-11-355, filed 10/10/97, effective 11/10/97.]

Shana Restall

From: Scott Greenberg
Sent: Tuesday, May 26, 2015 4:54 PM
To: Shana Restall
Subject: FW: City of Mercer Island New Website Content

-----Original Message-----

From: Tami Szerlip [mailto:tszerlip@hotmail.com]
Sent: Tuesday, May 26, 2015 1:32 PM
To: Scott Greenberg
Subject: FW: City of Mercer Island New Website Content

Scott,
Plz let me know if this came thru...I am still figuring out how to use Outlook and I had to retrieve this from deletes. T

-----Original Message-----

From: Gary Robinson [mailto:gdrobinsong@gmail.com]
Sent: Thursday, May 21, 2015 10:12 PM
To: 'Tami Szerlip'
Subject: FW: City of Mercer Island New Website Content

Tamiami,

As I recall you are a member of this august body. What is your opinion of the Hines project being exempted from the moratorium? Just a personal query.

Best,

G.

-----Original Message-----

From: City of Mercer Island [mailto:webmaster@mercergov.org]
Sent: Thursday, May 21, 2015 7:23 PM
To:
Subject: City of Mercer Island New Website Content

You have requested information from this Website in the following areas:

Agendas & Minutes:

5/27/2015 - Design Commission Regular Meeting

Read More at <http://www.mercergov.org/Agendas.asp?AMID=2363>

News:

MI Weekly 5/20/15 | Burglary Survey | MIPR Award | Flash Family Award | FS92 Opening | Green Gardening App
5/20/2015

The latest issue of the MI Weekly, the City of Mercer Island's weekly email newsletter, is now available here.

Past editions of the MI Weekly are available here.

Subscribe to the MI Weekly.

...

Read More at <http://www.mercergov.org/News.asp?NewsID=1903>

*** Please do not reply to this email.***

Shana Restall

From: Michelle Goldberg <megold7ny@aol.com>
Sent: Tuesday, May 26, 2015 4:56 PM
To: Shana Restall
Subject: SEPA Comments for Hines project
Attachments: Hines SEPA Review Memo.pdf; hines sepa comments.docx

Hi Shana,

Within the last two hours, I submitted three separate emails with sets of comments:

- 1) a Memo from SOS from the SOS organization (around 3:20 pm);
- 2) my personal written comments (around 4:30 pm); and
- 3) my personal comments incorporating the SOS Memo (around 4:40 pm).

Can you please confirm your receipt of these three emails and that they were timely filed?

Thanks very much,
Michelle Goldberg

PS I've attached the SOS Memo as well as my personal written comments again, just in case. Thanks.

MEMORANDUM

To: Shana Restall, Principal Planner Mercer Island Design Services Group
Copy To: Mercer Island City Council
Mercer Island Design Commission
Mercer Island Planning Commission

From: Save Our Suburbs
2212 78th Avenue SE
Mercer Island, Washington 98040

Date: May 26, 2015

Re: *Comments on DSR File No. 15-014*
Comments on SEPA File No. 15-011
Location of the Property: 2728 and 2750 77th Avenue SE and
2885 78th Avenue SE, Mercer Island, Washington 98040

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EXECUTIVE SUMMARY

The Preliminary Design Review process for the 2015 Hines Project Proposal (“2015 Hines Proposal”) is legally flawed. It is unlawful for the Design Commission to act or consider the 2015 Hines Proposal until after the Development Services Group (“DSG”) and Hines cure these legal flaws.

The SEPA Review process for the 2015 Hines Proposal is legally flawed. It is unlawful for the Design Commission to act on or consider the 2015 Hines Proposal until after the DSG and Hines cure these legal flaws.

The 2015 Hines Proposal contemplates a building that is the antithesis of the 1994 Town Center Plan For The City Of Mercer Island (“1994 Town Center Vision”) and the 2015 Town Center Visioning Process (“2015 Town Center Vision”).

The SEPA Checklist for the 2015 Hines Proposal is inaccurate and incomplete.

Hines has not provided sufficient information about the 2015 Hines Proposal to allow the DSG to make an informed environmental decision or to allow the citizens of Mercer Island to make informed comments.

Each and every comment herein applies to all matters within the scope of DSR File No. 15-014 and SEPA File No. 15-011.

THE 2015 HINES PROPOSAL IN CONTEXT

1) *The Hines Special Expedited Review*

Hines requested that the City “commit to expediting” the 2015 Hines Proposal. The City committed to give the 2015 Hines Proposal “top priority in design review and plan review.” *See* Exhibit 2.

2) *The Hines Moratorium Special Exception*

Five Councilmembers adopted a Town Center wide moratorium and granted Hines an exemption from the Town Center wide moratorium despite the fact that no other City, County or Town in the State of Washington has granted such a moratorium exemption. The proffered excuse for that special Hines exemption was Hines’ representations to provide: (i) two hundred (200) or more public parking spaces, (ii) a “grand plaza along SE 29th”, and (iii) a “Whole Foods or some upscale grocery store.” *See, e.g.*, Exhibit 3 and Exhibit 4.

Various Councilmembers stated that Hines exemption should be terminated and that Hines should be included in the Town Center wide moratorium if Hines reneges on its representations. *See, e.g.*, Exhibit 3, and Exhibit 5.

Hines has reneged on its representations. Hines is demanding \$10,000,000 to \$12,000,000 for the public parking spaces. The Hines project that will be reviewed by the

Design Commission on May 27, 2015, precludes a “Whole Foods or some upscale grocery store” being included in that Hines project. See, e.g., Exhibit 6.

3) *The 2015 Town Center Vision*

The 2015 Town Center Vision and the Town Center Code Amendments, when adopted will, without limitation: (i) eliminate two Town Center sub-areas, (ii) down-zone heights in certain Town Center sub-areas, (iii) up-zone heights in certain Town Center sub-areas, (iv) down-zone uses in certain Town Center sub-areas, (v) require substantial building modulation for stories 3-5, (vi) change traffic flows in certain Town Center sub-areas, (vii) change street widths in certain Town Center sub-areas, (viii) change street locations in certain Town Center sub-areas, (ix) mandate midblock connection points in certain Town Center sub-areas, (x) create mandatory requirements in certain Town Center sub-areas, (xi) change incentive requirements in certain Town Center sub-areas. See, e.g., Exhibit 7 through Exhibit 12.

THE PRELIMINARY DESIGN REVIEW PROCESS IS FLAWED

1) *The April 2015 Hines Proposal*

In April of 2015, Hines submitted documents for the 2015 Hines Proposal that proposed a building containing: (i) up to 192 apartment units, (ii) approximately 30,000 gross square feet of space for a supermarket, (iii) 10,000 gross square feet of general retail space, (iv) 247 parking stalls for the residential use, (v) 151 parking stalls for supermarket and retail use, and (vi) 211 parking stalls for general public use. See, e.g., Exhibit 1, at pp. 1 and 2, and Exhibit 13 at pp. 1.

2) *The May 2015 Hines Proposal*

In May of 2015, Hines submitted documents for the 2015 Hines Proposal that proposed a building containing: (i) 196 apartment units, (ii) 16,000 square feet of commercial space and (iii) 518 parking stalls.

3) *Hines Failed To Attend A Predesign Meeting*

MICC 19.15.040(F)(2)(b)(i) requires Hines to attend a Predesign Meeting regarding its 2015 Hines Proposal. Hines failed to attend a Predesign Meeting for its 2015 Hines Proposal. See, e.g., Exhibit 14.

Hines’ failure to attend a Predesign Meeting for its 2015 Hines Proposal materially prejudiced the City and its citizens.

Because Hines failed to attend a Predesign Meeting for its 2015 Hines Proposal, it is unlawful for the Design Commission to act on or consider the 2015 Hines Proposal until after the DSG and Hines cure this legal flaw. See, e.g., RCW 36.70C.130.

4) *Hines Failed To Attend A Preapplication Meeting*

MICC 19.15.040(F)(2)(c)(i) requires Hines to attend a Preapplication Meeting regarding its 2015 Hines Proposal. Hines failed to attend a Preapplication Meeting for its 2015 Hines Proposal. See, e.g., Exhibit 14.

Hines' failure to schedule and attend a Preapplication Meeting for its 2015 Hines Proposal materially prejudiced the City and its citizens.

Because Hines failed to attend a Preapplication Meeting for its 2015 Hines Proposal, it is unlawful for the Design Commission to act on or consider the 2015 Hines Proposal until after the DSG and Hines cure this legal flaw. See, e.g., RCW 36.70C.130.

5) *The Notices Of Application Are Legally Flawed*

MICC 19.15.020(D)(1) requires the City to issue a Notice of Application. MICC 19.15.020(D)(4) requires that the Notice of Application "shall be provided in the bi-weekly DSG bulletin, posted at City Hall...."

The Public Notice of Application published in the DGS bulletin is different than the Public Notice of Application posted at City Hall, but both appear not to comply with MICC 19.15.020.

The Public Notice of Application published in the DGS bulletin appears not to comply with, among other things: MICC 19.15.020(D)(2)(f), MICC 19.15.020(D)(2)(i) and MICC 19.15.020(D)(2)(j).

The Public Notice of Application posted at City Hall appears not to comply with, among other things, MICC 19.15.020(D)(2)(j).

MICC 19.15.020(D)(2)(j) is critical and requires "A description of those development regulations used in determining consistency of the project with the city's comprehensive plan." The 2015 Hines Proposal must be consistent with the following elements of the comprehensive plan: (i) the Land Use Element, (ii) the Housing Element, (iii) the Capital Facilities Element, (iv) the Transportation Element and (v) the Park And Recreation Element. See RCW 36.70A.070.

The Public Notice Of Application's failure to comply with MICC 19.15.020(D) materially prejudiced the citizens of Mercer Island.

Because the Public Notice Of Application failed to comply with MICC 19.15.020(D), it is unlawful for the Design Commission to act on or consider the 2015 Hines Proposal until after the DSG and Hines cure this legal flaw. See, e.g., RCW 36.70C.130.

6) *The First Page Of The Staff Report Memorializes Additional Flaws*

Hines requested and was granted a special expedited review process. *See* Exhibit 2. The Hines special expedited review process has culminated in flaws and chaos as evidenced by, without limitation, the Staff Report.

By way of example and without limitation, page one of the Staff Report discloses the following:

1. The “Design Packet” was not received by the City until May 4, 2015, hardly sufficient time for the necessary analysis, consideration and review from which to make decisions.
2. The “Plan Set” received by the City on April 15, 2015, was for the April 2015 Hines Proposal and not for the May 2015 Hines Proposal. *See, e.g.*, Exhibit 1, at pp. 1 and 2, and Exhibit 13 at pp. 1.
3. The SEPA Checklist is dated May 1, 2015, and could not have been received by the City on April 15, 2015.
4. The “Preliminary Transportation Summary” was not received by the City until May 11, 2015, the same day the City issued Notices Of Application and hardly sufficient time for the necessary analysis, consideration and review from which to make decisions.¹
5. The “Geotechnical Engineering Design Report” was not received by the City until May 15, 2015, four days after the City issued Notices Of Application and, thus, precluding the necessary analysis, consideration and review from which to make decisions.

Because the Staff Report is inaccurate, the Design Commission should not act on or consider the 2015 Hines Proposal until after the DSG and Hines cure this legal flaw. *See, e.g.*, RCW 36.70C.130.

¹ The May 7, 2015 “Preliminary Transportation Summary” is deficient in numerous regards. For example, without limitation, it does not consider the impacts of the increased traffic on the local intersections, such as 77th Ave SE at SE 29th St (Albertson's), SE 27th St (Walgreens) and 78th Ave SE at SE 30th St (Rite Aid), SE 29th St (Shell), SE 28th St (QFC), and SE 27th St (Island Square). Given that 60 vehicles are expected exit the property and turn left onto 77th Ave SE, the impact of those additional 60 vehicles on the intersection of 77th Ave SE and SE 29th St should must be considered and addressed.

DECISION CRITERIA

1) *The 2015 Hines Proposal Fails To Comply With The Town Center Vision*

The 2015 Hines Proposal fails to comply with, and without limitation: (i) MICC 19.11.010, (ii) the 1994 Town Center Vision, and (iii) the 2015 Town Center Vision.

Indeed, Deputy Mayor Grausz stated that the 2014 Hines Proposal (which is similar to the 2015 Hines Proposal in bulk and mass) “unnerves” him and that he found that proposal to be “disconcerting.” *See* Exhibit 15 and Exhibit 16.

Deputy Mayor Grausz also (as to that proposal) advised the City Manager as follows:

This is the time for a very strong message to be sent to this developer. Otherwise, I think we need to seriously consider a moratorium until we complete work on the Town Center effort. This project will destroy what we are hoping to do. (bold added).

See Exhibit 17.

THE SEPA REVIEW PROCESS IS FLAWED

1) *The SEPA Notices Are Legally Flawed*

WAC 197-11-335 requires that a Notice Of Application list “the conditions being considered to mitigate environmental impacts, if a mitigated DNS is expected.” *See* Exhibit 18.

The Public Notice of Application published in the DGS bulletin and the Public Notice of Application posted at City Hall appear not to comply with WAC 197-11-335.

The Public Notice Of Application’s failure to comply with MICC 19.15.020(D) materially prejudiced the citizens of Mercer Island.

Because the Public Notice Of Application failed to comply with WAC 197-11-335, it is unlawful for the Design Commission to act on or consider the 2015 Hines Proposal until after the DSG and Hines cure this legal flaw. *See, e.g.*, RCW 36.70C.130.

2) *The SEPA Information Is Legally Flawed*

The SEPA information and the SEPA Checklist are inaccurate and incomplete, and, as such: (i) precludes the citizens of Mercer Island from making any informed comments, and (ii) precludes the City from making any informed environmental decisions.

By way of example and without limitation:

1. With regard to B(2)(a), the Hines' response fails to address air emissions "when the project is completed."
2. With regard to B(4)(b), the Hines' response fails to disclose that the "Nine existing trees [that] will remain" are on the MacDonald property, not the 2015 Hines Proposal property.
3. With regard to B(10)(b), the Hines' response affirmatively misrepresents that the 2015 Hines Proposal will not alter or obstruct views in the immediate vicinity.
4. With regard to B(14), the Hines' response fails to provide any information upon which any informed comments or environmental decisions can be made.

Because the SEPA Checklist is inaccurate and incomplete, the Design Commission should not act on or consider the 2015 Hines Proposal until after the DSG and Hines cure this legal flaw. *See, e.g.*, RCW 36.70C.130.

LIST OF EXHIBITS

1	May 12-23, 2015, E-Mail String
2	January 12-13, 2015, E-Mail String (highlighted)
3	March 16, 2015, City Council Meeting Partial Transcript (highlighted)
4	March 30, 2015, City Council Meeting Partial Transcript (highlighted)
5	Deputy Mayor Grausz's April Update (highlighted)
6	Retail Space Analysis
7	Existing Town Center Sub-Areas
8	Proposed Town Center Regulating Plan
9	Proposed Town Center Retail Frontage
10	Town Center Stakeholder Group Meeting Summary
11	Proposed Town Center Incentive Structure (highlighted)
12	Deputy Mayor Grausz's May Update (highlighted)
13	April 10, 2015, Memorandum
14	Design Commission Process (highlighted)
15	December 4, 2014, E-Mail To Councilmember Bertlin
16	December 4, 2014, E-Mail To Councilmembers Bassett And Wong
17	December 7, 2014, E-Mail To City Manager Treat
18	WAC 197-11-355 (highlighted)

EXHIBIT 1

RE: Hines project design review plans (Part 2 of 3)

Robert A. Medved
5/23/15
To: Shana Restall

Shana:

A review of the five documents you provided on May 12, 2015 and the seven documents posted to the City's website on May 21, 2015 evidence the existence of additional documents and materials regarding File Nos. DSR 15-014 and SEPA 15-011.

The "Development Application" you provided on May 12, 2015, is dated April 9, 2015. Please advise me when the City received that April 9, 2015, "Development Application." Please advise me of any additional documents or materials that accompanied that April 9, 2015, "Development Application" regardless of whether those documents and materials were or were not "formally submitted with the application."

The traffic "Memorandum" you provided on May 12, 2015, is dated April 10, 2015. Please advise me when the City received the April 10, 2015, traffic "Memorandum." Please advise me of any additional documents or materials that accompanied or are related to the April 10, 2015, traffic "Memorandum" regardless of whether those documents and materials were or were not "formally submitted with the application."

The metadata to the "DSR15-014-Plans" you provided on May 12, 2015, memorialize the fact that the "DSR15-014-Plans" were created on April 10, 2015. Those "DSR15-014-Plans" also identify and memorialize the existence of an April 13, 2015, "PRELIMINARY DESIGN REVIEW" submittal. Please provide me a copy of that at April 13, 2015, "PRELIMINARY DESIGN REVIEW" submittal. Please advise me when the City received that April 13, 2015, "PRELIMINARY DESIGN REVIEW" submittal. Please advise me of any additional documents or materials that accompanied or are related to the April 13, 2015, "PRELIMINARY DESIGN REVIEW" submittal regardless of whether those documents and materials were or were not "formally submitted with the application."

The Preliminary Design Review Submittal you provided on May 12, 2015, identifies and memorializes the existence of an "Appendix A." Please provide me a copy of that "Appendix A." Please advise me when the City received that "Appendix A."

The traffic "Memorandum" posted to the City's website on May 21, 2015, is dated May 7, 2015. Please advise me when the City received that May 7, 2015, traffic "Memorandum."

It is problematic to prepare and submit comments based upon incomplete and changing information. Your prompt respond to the above requests is appreciated especially since the deadline for filing comments is May 26, 2015.

Bob

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
Facsimile: 206-236-2200
Cellular: 206-550-3300
E-mail: robertamedved@msn.com

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From: shana.restall@mercergov.org
To: robertamedved@msn.com
Subject: RE: Hines project design review plans (Part 2 of 3)
Date: Sat, 23 May 2015 06:06:49 +0000

Dear Bob,

The Traffic Memo on the website (dated May 7, 2015) is the one included in the application. I accidentally sent you an earlier version that was not formally submitted with the application. The staff report for project DSR15-014 for the May 27, 2015 Design Commission meeting is attached.

Thanks,

Shana

Shana Restall | Principal Planner

City of Mercer Island Development Services
9611 SE 36th Street, Mercer Island, WA 98040-3732
p: 206.275.7732 fx: 206.275.7726
shana.restall@mercergov.org

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View information for a geographic area [here](#)

View application and other zoning information [here](#)

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From: Robert A. Medved [mailto:robertamedved@msn.com]
Sent: Friday, May 22, 2015 1:50 PM
To: Shana Restall
Subject: RE: Hines project design review plans (Part 2 of 3)

Shana:

2013 Hines Proposal:

On November 13, 2013, the Design Commission conducted a Study Session for the 2013 Hines Proposal containing 156 residential units, 9,300 square feet of commercial space and 211 parking stalls. See the first and second attachments.

The packet for the November 13, 2013, the Design Commission Study Session for the 2013 Hines Proposal, included a "Study Session Staff Report" to the Design Commission.

2014 Hines Proposal:

On December 10, 2014, the Design Commission conducted a Study Session for the 2014 Hines Proposal containing 215-230 residential units, 14,625 square feet of commercial space and 400-430 parking stalls. See the third and fourth attachments.

The packet for the December 10, 2014, the Design Commission Study Session for the 2014 Hines Proposal included a "Memorandum" to the Design Commission.

2015 Hines Proposal:

On May 26, 2015, the Design Commission will conduct a preliminary review of the Hines 2015 Proposal containing 196 residential units, 16,000 square feet of commercial space and 518 parking stalls. See <http://www.mercergov.org/Agendas.asp?AMID=2363>

The packet for the May 26, 2015, the Design Commission Preliminary Review for the 2015 Hines Proposal does not contain a Staff Report, a Memorandum or any other sort of document to inform the Design Commission and the public. Is this an intended omission? What is the reason for the omission?

Additionally, on May 12, 2015, you provided me five documents, one of which is a "Memorandum" that is the fifth attachment to this e-mail. Yesterday you advised me that "the Hines application materials are now posted" on the City website. The sixth attachment to this e-mail is a "Memorandum" from that website. The fifth attachment to this e-mail is materially different from the sixth attachment to this e-mail. When did the City receive the fifth attachment to this e-mail?

Please respond to the above inquires since the deadline for filing comments is May 26, 2015.

Thank you,
Bob

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
Facsimile: 206-236-2200
Cellular: 206-550-3300
E-mail: robertamedved@msn.com

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From: shana.restall@mercergov.org
To: robertamedved@msn.com
Subject: RE: Hines project design review plans (Part 2 of 3)
Date: Fri, 22 May 2015 19:24:08 +0000

Dear Bob,

My email from yesterday was incorrect. The geotech report was received by the City on May 15, 2015.

Thanks,
Shana

Shana Restall | Principal Planner
City of Mercer Island Development Services
9611 SE 36th Street, Mercer Island, WA 98040-3732
p: 206.275.7732 fx: 206.275.7726
shana.restall@mercergov.org

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View information for a geographic area [here](#)
View application and other zoning information [here](#)

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From: Shana Restall
Sent: Thursday, May 21, 2015 2:34 PM
To: Robert A. Medved
Subject: RE: Hines project design review plans (Part 2 of 3)

Dear Bob,

Just an FYI - the Hines application materials are now posted here:
<http://www.mercergov.org/Agendas.asp?AMID=2363>

Thanks,
Shana

Shana Restall | Principal Planner
City of Mercer Island Development Services
9611 SE 36th Street, Mercer Island, WA 98040-3732
p: 206.275.7732 fx: 206.275.7726
shana.restall@mercergov.org

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From: Robert A. Medved [<mailto:robertamedved@msn.com>]
Sent: Thursday, May 21, 2015 10:08 AM
To: Shana Restall
Subject: RE: Hines project design review plans (Part 2 of 3)

Shana:

Thank you.

Bob

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
Facsimile: 206-236-2200
Cellular: 206-550-3300
E-mail: robertamedved@msn.com

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From: shana.restall@mercergov.org
To: robertamedved@msn.com
Subject: Re: Hines project design review plans (Part 2 of 3)
Date: Thu, 21 May 2015 17:05:25 +0000

I have given you everything formally taken in for the applications for project numbers DSR15-014 and SEP15-011.

Sent using OWA for iPhone

From: Robert A. Medved <robertamedved@msn.com>
Sent: Thursday, May 21, 2015 10:03:17 AM
To: Shana Restall
Subject: RE: Hines project design review plans (Part 2 of 3)

Shana:

Thank you for the below information.

Please confirm that, other than notes of the “pre-application meeting on November 18, 2014,” I have been provided with all the documents and materials the City reviewed prior to issuing the May 11, 2015 Public Notice of Application.

Your prompt response to these issues is sincerely appreciated.

Bob

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
Facsimile: 206-236-2200
Cellular: 206-550-3300
E-mail: robertamedved@msn.com

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From: shana.restall@mercergov.org
To: robertamedved@msn.com
Subject: RE: Hines project design review plans (Part 2 of 3)
Date: Thu, 21 May 2015 16:13:06 +0000

Dear Bob,

I'll respond to your requests below:

- (i) The application was not formally taken in during the pre-application meeting, which happens when the applicant does not bring a complete application to the pre-app. So, the City does not have formal materials related to the pre-app. However, there may be notes. To get any notes that may exist, please submit a public records request to the City Clerk's office:
<http://www.mercergov.org/files/records%20request%20form.pdf>
- (ii) The Geotechnical report was received on May 13, 2015.
- (iii) You may submit electronic comments to include in the record directly to me at shana.restall@mercergov.org

Thanks,
Shana

Shana Restall | Principal Planner
City of Mercer Island Development Services
9611 SE 36th Street, Mercer Island, WA 98040-3732
p: 206.275.7732 fx: 206.275.7726
shana.restall@mercergov.org

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From: Robert A. Medved [<mailto:robertamedved@msn.com>]
Sent: Wednesday, May 20, 2015 10:17 PM
To: Shana Restall
Subject: RE: Hines project design review plans (Part 2 of 3)

Shana:

Thank you for the information below and for a copy of the Geotechnical report.

Would you please: (i) provide me with the documents relating to the “pre-application meeting on November 18, 2014,” (ii) let me know what date the City received the “Geotechnical report” and (iii) provide me the e-mail address to submit electronic comments.

I am assuming that I have been provided with all the documents and materials the City reviewed prior to issuing the May 11, 2015 Public Notice of Application. If my assumption is incorrect, please provide me with all additional documents.

Thank you for your prompt response to these issues.

Bob

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
Facsimile: 206-236-2200
Cellular: 206-550-3300
E-mail: robertamedved@msn.com

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From: shana.restall@mercergov.org
To: robertamedved@msn.com
Subject: RE: Hines project design review plans (Part 2 of 3)
Date: Thu, 21 May 2015 00:09:56 +0000

Dear Bob,

The Hines project had a pre-design meeting on October 15, 2013 and a pre-application meeting on November 18, 2014. I apologize for the SEPA checklist being truncated in parts. Our website form does that at times. My copy has a plus sign in the bottom right corner of some boxes that can be clicked to allow for the boxes to be expanded. If that doesn't work for you, here are the responses that appear to overflow the boxes of the form:

***B.2.a.** - Minor dust emissions may result from demolition and earthwork construction procedures. Construction equipment (drilling equipment, excavators and trucks) will also be present on-site during excavation and shoring and may cause minor air emissions. Upon project completion, car emissions will be generated from cars traveling to and from the building.*

***B.2.c.** - Dust will be carefully controlled to meet all City/State and Federal emission requirements, most commonly through the use of water hose and spray to keep particulates settled on the site. Emissions from construction equipment are mitigated by built-in emissions controls on the equipment itself which will be required to meet all emissions standards.*

***B.10.a.** - The roof structure is 65' above average building elevation. From the site's lowest point (NW corner), the building measures approximately 67'-11" from finished grade to top of parapet. Elevator overruns, stair penthouses and rooftop mechanical equipment will be maintained at or below the 10' maximum overrun height beyond 65' zoning height. The principal exterior materials proposed are metallic and fiber cement panels on a rain screen system, concrete, aluminum and vinyl windows. Glazing will be at or below 45% at residential levels with storefront glazing predominately at grade.*

***B.11.a.** - The proposed structure will include lights typical of a mixed use project: decorative wall sconces and/or special lighting at retail facades, street lights in the right-of-way, landscape lighting, and residential and retail entry lighting for the safety and security of occupants and visitors. Light pollution shall be mitigated per the requirements of the Mercer Island Municipal Code Section 19.11.090.B7. Lighting around the site is anticipated to occur from dusk through dawn.*

The documents that I emailed to you were the only documents formally submitted to the City at the time of application. We have since received a Geotechnical report, which is attached.

Thanks,
Shana

Shana Restall | Principal Planner
City of Mercer Island Development Services
9611 SE 36th Street, Mercer Island, WA 98040-3732
p: 206.275.7732 fx: 206.275.7726
shana.restall@mercergov.org

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From: Robert A. Medved [<mailto:robertamedved@msn.com>]

Sent: Wednesday, May 20, 2015 3:43 PM

To: Shana Restall

Subject: RE: Hines project design review plans (Part 2 of 3)

Shana:

ADDITIONAL DOCUMENTS AND MATERIALS NECESSARY TO PREPARE WRITTEN COMMENTS.

I appreciate the five documents you sent to me. A review of those five documents makes it clear that there are additional documents and materials that the City reviewed prior to publishing the Public Notice Of Application on May 11, 2015.

For example, the SEPA Checklist you sent me provides that the “applicant has conducted ... a Pre-App meeting with City Staff.” I assume that “Pre-App meeting” was governed by 19.15.040(F)(2)(c)(i) which requires a “complete application on forms provided by the development services group (DSG) and all materials pertaining to the project shall be submitted at a formal preapplication meeting with DSG staff.”

A review of all of the documents and materials pertaining to the project and reviewed by the City is critical to submitting the written comments identified in the Public Notice Of Application.

Please advise me when I can review those documents and materials so as to allow sufficient time for the preparation of written comments within the comment period provided in the Public Notice Of Application. Also, please provide me the e-mail address to submit those comments electronically.

INCOMPLETE DOCUMENTS.

The SEPA Checklist you sent me appears to be incomplete. For example, the response to subsection B(2)(a) at page 3 prematurely ends with “and tr” and the response to subsection B(11)(a) at page 7 prematurely ends with “facades street”.

I would appreciate a complete SEPA Checklist.

Thank you for your prompt attention to these issues.

Bob.

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
Facsimile: 206-236-2200
Cellular: 206-550-3300
E-mail: robertamedved@msn.com

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From: shana.restall@mercergov.org
To: robertamedved@msn.com
Subject: Re: Hines project design review plans (Part 2 of 3)
Date: Wed, 20 May 2015 19:10:30 +0000

Dear Bob,

I just listened to your voicemail. I'm in Meetings for the rest of the day and all day tomorrow. Is there any possibility that you could send me your questions via email so that I could get back to you today?

Thanks,
Shana

Sent using OWA for iPhone

From: Robert A. Medved <robertamedved@msn.com>
Sent: Wednesday, May 20, 2015 10:21:09 AM
To: Shana Restall
Subject: RE: Hines project design review plans (Part 2 of 3)

Shana:

I just left a voice message asking you to call me at (206) 550-3300.

Thanks,
Bob

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
Facsimile: 206-236-2200
Cellular: 206-550-3300
E-mail: robertamedved@msn.com

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From: robertamedved@msn.com
To: shana.restall@mercergov.org
Subject: RE: Hines project design review plans (Part 2 of 3)
Date: Wed, 20 May 2015 00:25:03 -0700

Shana:

I have received three e-mails with attachments.

Thank you,
Bob

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
Facsimile: 206-236-2200
Cellular: 206-550-3300
E-mail: robertamedved@msn.com

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From: shana.restall@mercergov.org
To: robertamedved@msn.com
Subject: Hines project design review plans (Part 2 of 3)
Date: Tue, 12 May 2015 19:22:15 +0000

Dear Bob,

Attached please find the submitted plans for the Hines proposal. Please confirm that you have received all three emails. Please note that the comment period ends fourteen (14) days from today on May 26, 2015 at 5:00 PM.

Thanks,
Shana

Shana Restall | Principal Planner
City of Mercer Island Development Services
9611 SE 36th Street, Mercer Island, WA 98040-3732
p: 206.275.7732 fx: 206.275.7726
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From: Robert A. Medved [<mailto:robertamedved@msn.com>]
Sent: Tuesday, May 12, 2015 9:53 AM
To: Shana Restall
Subject: Hines Project

Shana:

I just left a voice message asking you to please call me at (206) 550-3300.

Thank you,
Bob

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
Facsimile: 206-236-2200
Cellular: 206-550-3300
E-mail: robertamedved@msn.com

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EXHIBIT 2

From:
To: Kaseguma; Evan Evan.Kaseguma@hines.com
Cc: Favreau; John John.Favreau@hines.com
Subject: RE: Draft Term Sheet
Date: 1/13/2015 10:58:04 AM
Attachments:

Hi Evan and John. I met with Noel, Kirsten and Katie (City Attorney) yesterday to get some direction. Here is the outcome of that meeting:

1. We want to move forward with a term sheet, which would be the basis for a future development agreement. The term sheet can be signed by the City Manager and does not need City Council approval. The term sheet is non-binding and will establish the deal points that will be brought forward to City Council. I will be working on edits to the term sheet and starting work on a draft development agreement. We are bringing in some outside resources (at City cost) to advise us on some elements of the term sheet, since we are not in the development business.
2. We will consider a lease/buyout idea.
3. There are no issues with two larger retail tenants.
4. **We will give the project top priority in design review and plan review.**
5. Term Sheet Paragraph 4: We will pay fair share of design costs including geotech, other engineers, etc. Again, we will need more definition of what's included.
6. Paragraph 7c: We can edit the language. The intent is to avoid commuters having to drive through Hines-only parking and vice-versa. Allowing both types of parking to share a curb cut would be ok.
7. Paragraph 8a: We agree to substitute "reasonable" for "sole and absolute" or similar language achieving the intent of that paragraph. Maybe focusing on compatible use would be better language.
8. Paragraph 15: Paying fair share of real estate taxes, operating costs, etc. is reasonable. We need to define that a bit more.
9. Paragraph 20: We can remove this paragraph and simply work on a separate schedule for the project.

Some important dates you should be aware of:

Jan. 23 (3:00-6:00 pm): City Council Planning Session (at Community Center)—discussion of Town Center planning, commuter parking (Ben's report) and Metro bus issues. We expect City Council to give staff
Jan. 29 (evening): Parking Options Open House (Community Center, time TBD between 5-8 pm)

From: Kaseguma, Evan [mailto:Evan.Kaseguma@hines.com]
Sent: Monday, January 12, 2015 9:10 AM
To: Scott Greenberg
Cc: Favreau, John
Subject: RE: Draft Term Sheet

Scott:

Thanks for a productive discussion on Thursday. I wanted to send a list of follow-up items:

1. Scott to check if the City will consider an interim lease with buyout provision
2. Scott to confirm the City will pay its fair share of real estate taxes and its actual operating costs (not just a pro-rata share of total garage costs, since the public parking is likely to demand a higher level of cleaning, security, etc)
3. **Scott to check if the City will commit to expediting our project and covering the costs of**

expedited review

Thanks,

Evan

EXHIBIT 3

March 16, 2015 – City Council Meeting

40:38 AB-5055

CA Knight: Just to put context on this, on February 2nd, the City Council passed a moratorium which excepted out Hines and it also excepted out building underneath two Stories

1:49:50

Evan Kasaguma: Evan Kasaguma, with Hines. Four months ago, we stood before the Design Commission, and presented our plans for our original project.

Then, on December 10th, the City approached us about public parking. The –City- asked –us- to work in good faith to figure out a solution for the community. We could have said no. If we had said no, we would be vested right now. And Mercer Island would be left with a major parking problem, more empty retail, and another concrete plaza that does little to enhance the Town Center.

1:50:36

We could have said no. But instead, we said yes. We agreed to work with you in good faith. We put our project on hold for several months. We spent hundreds of thousands of dollars, of our own money, money that we'll never get back. We did this because we thought it was right. Even though it wasn't convenient or cost effective. We did this to be a good neighbor and provide public benefits in the Town Center. And now, unfortunately, opponents of our project are pressuring you to throw these public benefits away.

1:51:11

Let me be very clear. If we are included in the moratorium, the land assemblage dies. And the public benefits will be killed. These are not idle words. They are not threats. It's the truth. At the last council meeting, one of the landowners stated that, if we are

included in the moratorium, they'll go their separate way. Without the full block, we can't provide potential for 240 stalls of commuter parking. A high-end grocer, like Whole Foods, which is the anchor retailer that the Town Center desperately needs, a grand plaza, along SE 29th, that your consultant and citizens badly want. Youth Theater Northwest, and MICA's best chance to solve what could be a very expensive parking problem.

1:52:41

... We ask that you protect and preserve these great public benefits. That both of us have been working very hard to achieve. We ask that you honor your word, and stand up for your commitments, and do what's right. Please don't include our project in the moratorium. Thank you.

2:31:56

CM Bertlin: One interesting thing that has come out is there seems to be a general sense that there is legal weight behind the letter from Hines insofar as the commitment to 15 day notification. And for me that is a very important part of my processing, and then again, also the ability to create distinctions and understand clear differentiation between the Hines project and Cassan, Cohen, and other, that might be in the works. Finally, there's the element of negotiating in good faith. And I think that is relevant to the extent to which we entered into conversations with Hines back in December in good faith knowing that they were on an expedited path. So where I am when I add A and B, I come out with, right now, as I said, still very much interested in hearing from fellow Councilmembers, is to keep the moratorium in place and keep the exception for Hines.

2:33:34

CM Wong: I'll try to be brief, but, this is a very difficult decision. I mean, I've been on the Council for a little over a year, and this by far, is the most difficult decision that I've been asked to make.

2:35:47

The questions that percolate within the community, that's been percolating for several months now, is basically, why the Hines project was excluded in the first place, and now, why is being excluded, possibly, going forward. I think we all need to answer these questions, each one of us here to explain how he or she came to his or her own decision, I think what I wanted to hear, and again, I was in favor of delaying, and continuing, not delaying, but continuing this public hearing, so that we had more time for outside legal counsel to look at questions that I and other City Councilmembers basically were raising with them. Because, again, this is a difficult issue.

2:36:33

So with the Findings of Fact, that we're obviously going to go through, and take a hard look at, is going to be basically the story, behind why the moratorium was adopted and what exemptions are going to be in there, or not in there. And it, basically, is going to be the justification for our actions. And I think in looking at why I am moving to the decision I am moving is basically, a couple ones. There is a concern about litigation. Now we have had, as you now know, we have had a couple of legal counsels provide advice. And, the bottom line is that whatever decision we make, there's a risk of litigation. I mean, that's just the way it is. But, because there is a risk of litigation, I think, we as stewards of the City's resources, we need to be mindful of, what that litigation might mean.

2:38:22

So I guess, the question is well, if it's not an equal protection violation, how is that possible if we're treating people differently. And that's possible as long as you have a rational basis for your decision. And I believe that, again, subject to future change, I think the Findings of Fact that have been part of the Agenda bill, provide some glimmer of what that rational basis is.

2:38:50

And you've heard discussions already about some of the public benefits that have been represented. Hines did it again, tonight. They represented that potential parking, the

plaza, and so those are things that are being represented to the public. And so, you know, I am –not- happy, I mean, this is not an ideal world, if it was, we'd be in a much better place. But I am not happy that we don't have a lot of things in hard fast writing.

2:39:21

And I know that would provide me a lot more comfort than just public statements and representations by the people of Hines and others. But we have to deal with what we have. And at this point, I'm looking at those representations, and believe that this letter that they sent is something that we can hang out hats on and basically hold them. And if they renege on their representation and take a step backwards, I will be the first to vote them back into the moratorium. So at this point in time, I am in favor of version A.

2:55:00

CM Brahm: I'm going to be much briefer. In my years on the Council, this is definitely my most difficult decision as well. I'm up nights, my husband said I hope you finally vote on that thing because I've been impossible to live with. There's been a lot of passion around our house and in this community on all sides, bringing in so much. Bringing in schools, height, parking, traffic, amenities, canyons, gathering places, plazas, GMA, schools, retail anchors, we're talking heights and villages, it's daunting. There's so much involved and inter-related as we've discussed. And I want to thank everybody for being so involved and passionate about this. And I want to focus on the future, the long term future. I have faith in our Town Center process, that's going on and I do hope people will get involved and go online to the City's website and give their feedback about what they want to see in the Town Center. I am neither pro-development or anti-development. I am pro-Mercer Island, and pro-Town Center. I think much of our 1994 Town Center Vision still applies, I believe. But I've seen that, and many in the community have seen, for years, that what was developed in 1994, and what sat on a shelf for 10 years, hasn't yielded quite what was envisioned. And now we're in the process of revisiting that, tweaking the plan, changing the code where necessary, and we have a developer who has, I think a good plan. But I'm fearful about it, because it's our job to protect the citizens of the City. We don't have anything in writing. We have a letter and a promise.

We don't have a legally binding contract. We're being asked to go on good faith that this project is going to be good, that the Hines project will bring parking for 240 cars, and a Whole Foods, but there's no guarantee. I think it may be an exceptional opportunity, but I am not willing to go down that line without something in writing. There may be, we've heard tonight that if Hines isn't excluded from the moratorium that they'll go away. I think that if Hines wanted to work with us, if they are true to the letter that they gave to us, that Councilmember Grausz solicited from Hines, then, they'll wait for the moratorium to be over and come back. There may be the possibility of a development agreement, something that will allow them to produce a good project, but still be acceptable to the community.

2:58:34

I don't think that this should kill the Hines project, necessarily. It could be a good project for our community, but there are too many unknowns. If including them in the moratorium causes Hines to walk away, it tells us something about their sincerity in wanting to work with the community. Why would we allow a business to develop under zoning regulations that we know are flawed right now? With no written contract. So, I have a lot of respect for Hines, and Evan and Ty have been most accommodating, they have bent over backwards to explain our project to our community, but I think that I'm not willing to run the risk, it's our job to protect the citizens and the interest of the community, and so I, one thing that was interesting, we did hear a lot from lawyers lately, lawyers' opinions on all sides, relative risk, litigation threats, etc., but they couldn't find case law for an exemption like ours, which is pretty interesting. But there's a possibility down the road.... OK, yes, I'm sorry. Development agreements, interim zoning, I think that, I'm going to be supporting option B.

3:01:25

DM Grausz: So, this is, this is not a situation where this Council has been, just woke up all of a sudden two months ago and said that the sky is falling, we've got to do something. It's a situation where we have been working conscientiously towards trying to find a solution to what we recognized, and what the community told us back then was

a problem that needed to be dealt with. So, then suddenly in December, you know, the Hines project shows up. I think for the first time, pretty much everyone on this Council, when we started seeing an agenda packet for the Design Commission. And so we all had to sit there and go through some very hard thinking as to, how did that fit into what we were doing.

3:02:29

Because as I, because as Mike said, they were operating under a development code that we had all identified nine months earlier as having deficiencies, and which in fact our consultant confirmed to us that it had deficiencies. So suddenly Hines shows up. And then, so we have to think, okay, so what does this mean to the process. And we said to our staff, talk to us. And talk to them. Because there are some real concerns that we have, and that's why we're going through this Town Center Visioning process, and how does that fit into it.

3:03:13

And coincidentally, at the same time this is all happening, the sky is falling down on top of us because we proposed to the community that they look at putting commuter parking at, near the Community Center, and there was a public outcry to that. So, we suddenly found ourselves with two things coming together all at once that we had this Hines project which we weren't expecting, and we had commuter parking, a commuted parking mess on our hands. And so, we go to staff and we say, is there a way this can fit together. And so, staff basically talked with Hines, and says, is there a way this can fit together. And Hines says, okay, we'll talk about it. They didn't have to, as one of the representatives of Hines said tonight, they didn't have to do anything with us. But they said well, we'll stop and we'll talk about it.

3:14:11

And then we said to them, and by the way, here's our Phase 1 report which talks about something on SE 29th Street, a different public park, and they had gone to the Design Commission and talked about on 77th, and talked about something on 78th, and in fact, the Design Commission, if I recall correctly, told them, don't do it on 77th, do it on 78th, or I may have that reversed. But then staff says, no, don't do it there, you know, think about 29th. They said, okay, we can think about 29th.

3:04:43

And then, then they came to us and we didn't ask them for this, but they said and, by the way, we're willing to talk to a high-end retailer, high-end grocer, because we understand that's something that the City has been very interested in. So they did all these things, and so this is in the middle of our process to try to come up with a better Town Center. And so, and we say, you know, this is amazing. Because, you know, finally we're talking with someone who can maybe address some of the key problems that we have and that we're wrestling with at the same time that we're also trying to come up with a better Town Center.

3:05:20

And it's not, this is not a situation where they tried to force anything down our throat, they haven't, they haven't threatened to sue us, in fact, you know, they were so forthcoming in this letter that I have acknowledged having solicited, they didn't have to provide that. But what they provided us is a letter saying, you know, if you don't trust us, and I understand what Jane is saying because we don't have a contract from them, but I would point out, Jane, that we don't have a contract from them because the City is in no position to enter into a contract with them.

3:05:57

So, my guess is, if the City was prepared to sign a contract with them tomorrow for a 240-spaced commuter parking facility, they'd say, where do we sign. But we're not even close to being ready to sign that. If the City was to tell them tomorrow, you know, we have a contract to put a public plaza on 29th, they'd say where do we sign. But we don't have a contract to offer them to put a Plaza on 29th. So it, but they did do, is they did sign a letter, which is an enforceable letter, which says, we are willing to deal with you in good faith, and if we don't deal with you in good faith, then we'll give you notice, or if we don't, if we're going to give you notice 15 days before we file for a building permit, before we can possibly vest, if you don't think we've dealt with you in good faith, then, you know, call us on it. And put us under your moratorium. And they wrote us that letter, and to me, I've never met any developer willing to except them, willing to extend themselves like that.

3:07:03

Where they're saying, not only in their acts, and their deeds have they done what the city has asked them to do and what this Council asked them to consider, but they have gone further and said, you know, we don't have a contract from you, City of Mercer Island. We don't have any guarantees from you as to what you're going to do, but we are willing to take it on faith that you will act in good faith, and we will agree that we'll give you 15 days' notice before we vest. So who does that? I mean the City wouldn't write them a letter like that, the City wouldn't say to them, we'll give you 15 days' notice before we change the law. So we can give you an opportunity to vest.

3:07:43

There's no way in the world we would write them that letter, but they wrote us a letter saying that we'll give you notice. So I look at this situation, you know, we are trying to improve this Town Center. We are fortunate enough to have a developer who has come in and said, we agree with you, we want to improve this Town Center. And we want to work with you, and we want to try to address your issues because we want to be part of this community and we want to have a successful project. And so I hear the concerns, I hear the statements that have been made, I, as Debbie has said, we've had some phenomenal public input and I read every one of them and I, I'm, some of them, there's no question in my mind that people are amazingly sincere in everything they write on both sides of this issue. And I'm so truly impressed, as Mike said, that to represent a community like this is just awesome.

3:08:39

In this situation, I think, we do the best for our citizens by ensuring that we end up with a Town Center that could have the benefits that the Hines project offers us. So, I will go for Option A tonight, and encourage the rest of the Council to do so as well.

3:14:28

Mayor Bassett: So, first, thank you to the public, as everyone else has said I have very little to add beyond what they have said, and they've said it more articulately than I can. I do want to sort of harken to Ira's comment, which, Ira said, you ought to just do a blanket review of this, and he said better than I've just said it. My first position on this,

as I've pondered the over the past few days was to think exactly the same thing. Why in the world don't we just start with a blanket moratorium because it's the simple place to start. The problem is that we're not starting with a blank slate, though. If we were, that would absolutely be the place we should be on this.

3:15:14

But this is not a blank slate. And I asked Scott to give me a quick list of projects that have come recently. In 2010 we had The Mercer, Phase 1, 159 units. In 2013, we had Aviara, 166 units. In 2013 we also had Mercer Phase 2, 85 units. We've got Legacy now, 209 units, under construction. We've got a mish-mash of new construction, and old construction in our Town Center. We've got a group that has put together three properties that, by all accounts, don't get put together except in this one instance. We've got a opportunity where significant public benefit can be achieved out of this with a developer that has expressed a willingness beyond what we've heard anywhere else to work with the City.

3:17:54

Yeah, we all think a pause makes sense. But what do we do about Hines? Because it brings these special benefits to our, potentially to our Town Center. And it's at a point in it's development process where it's farther along than anything else. So, with that all as context, I stand with option A, which is to carry on, keep Hines out of the moratorium, but absolutely in favor of going forward with the moratorium and everything else, and working with Hines to make sure that project is absolutely all that it can be to the benefit, the long-term benefit of our citizenry, and our community.

EXHIBIT 4

March 30, 2015 – City Council Meeting

Mayor Bassett: “It will be an interesting conversation on the day that they tell us that they’re two weeks from filing a building permit, right?”

CM Cero: “We’re way behind on minutes. So, I don’t know any other way to document what was said at the meeting for us to have a record, a documentation, on what was said at the meeting. And, I think it was at the last Council Meeting, that we talked about it, right?”

Deputy Mayor Grausz: “...When they give the 15-day notice, then, there’s going to have to be, we’ll have to decide whether to have a meeting, or whether to bring it up at the meeting if there’s a scheduled meeting or if not whether to schedule a meeting. Again we don’t, they haven’t committed to what they’re going to do. And we don’t know, so we, we’re saying that, you know, we want to see what you’re going to do, but I think it’s been made clear to them through, the three things that have come up time and again in our discussions about Hines, have been the parking, have been the 29th Street, and have been the Whole Foods or some upscale grocery store. Those are the three things which have come up time and again. And those are three things which are referred to in the Findings of Fact...”

EXHIBIT 5

April Update

From: **Dan Grausz** (Dan.Grausz@mercergov.org)

Sent: Fri 4/10/15 4:34 PM

To: Dan Grausz (dangrausz@gmail.com)

April 10, 2015

Fellow Islanders:

First, my best wishes to all Islanders during this Easter/Passover season. As I sat with family and friends a few days ago for the Passover Seder, I thought how truly fortunate we are to live in this fantastic country and community and how lucky I am to represent Islanders during what is indeed an exciting and challenging time.

These updates are my opportunity to let Islanders know the latest on what is happening with your City government. While I always start these updates with the desire to be brief, that rarely turns out to be the case as there is much to cover. For those who have not received these updates previously, if you would prefer not receiving these in the future, please email me.

1. Bus Intercept/Turnaround: this refers to the proposal by Sound Transit and Metro to have buses from Issaquah and other communities to the east drop off and pick-up their passengers on Mercer Island so they can use light rail between Mercer Island and Seattle. It would not begin until 2023 (when light rail is scheduled to start), has obvious benefits to the region in terms of reducing transportation costs and air pollution, but will have impacts on Islanders that have not yet been quantified.

Although nothing has changed on this in the past several months, this has become a cause for immediate concern on the part of some Islanders due to recent emails and social media posts. While we are still waiting for a detailed proposal from Sound Transit and Metro that will enable everyone to give this an informed evaluation, we do know from prior discussions that the numbers and statements being bantered around in those recent communications (more than 500 buses in 6 hours and diesel spewing onto people eating in Town Center) are incorrect. Some of the facts we are already aware of include:

- The total number of buses on Mercer Island during the day if Bus Intercept is operational (estimated to be 338) will be less than what we now have (352) as many existing bus routes, such as the 550, are discontinued. These numbers do not include the 147 buses that now go across Mercer Island on I-90 but do not stop; those buses, and the pollution they create, all go away once light rail starts running whether or not Bus Intercept is implemented. Bottom line is that even with Bus Intercept, we would have less buses stopping on Mercer Island than we now have and far fewer buses polluting our air.
- About 90% or more of the buses involved in Bus Intercept will never leave the 80th Ave. overpass area (between North Mercer Way and SE 27th St.). They will get off I-90 on 80th Ave., drop off or pick-up people on 80th Ave., and get back onto I-90 from 80th Ave.
- Any parking of buses will only occur on the 80th Ave. overpass and in or next to the existing loading zones on North Mercer. What we are still trying to confirm are prior statements which suggested that parking would be limited to the afternoon rush hour and would only involve a small number of buses at any given time during that period.

The most important message I can deliver right now is to ask everyone to wait and see what the details are in the Sound Transit and Metro proposal – which is exactly what your City Council is doing. Let's see what the impacts will be and what kind of mitigation we will require (such as commuter and Town Center parking for Islanders and other improvements that address existing mobility issues we face due to the lack of parking in the Town Center). The article in today's Seattle Times as to the deal just reached between Sound Transit and the City of Bellevue was enlightening, to say the least, and will definitely factor into what we will be demanding of Sound Transit.

In any event, our response cannot just be that we only support what is ideal for Islanders. We may be an island but we are part of a region – a region whose help we needed and received when we successfully fought off I-90 tolling and that we rely upon for such things as 911 emergency dispatch, firefighting support (Bellevue trucks travel to Mercer Island for almost every significant fire) and other services that we cannot afford on our own. Furthermore, the savings free up monies for road and other transit projects that also benefit Islanders as most of us deal with the existing regional gridlock on a daily basis.

Please do not interpret this as anyone saying that we should put regional interests in front of Islander interests. This may just be one of those situations where our respective interests are compatible. What a refreshing possibility in the current political climate that people might be able to actually find solutions that address both our own interests and those of the people around us. We will not know that, however, until we have the details.

2. Hines Project: at its March 16th meeting, the City Council reaffirmed its prior decision that

exempted the Hines Project (the proposed mixed-use development just south of McDonald's) from the recently-imposed Town Center development moratorium. I have discussed the moratorium and Hines Project at length in prior updates and won't repeat myself here. The Findings of Fact adopted by the Council can be read at http://www.mercergov.org/files/Moratorium_ORD15-05.pdf. As I have said before, if the Hines Project does not include the community benefits that have been publicly discussed, then I would support putting them under the moratorium.

3. Town Center Visioning: the Town Center Visioning project was started over a year ago when the Council recognized that our Town Center Development Code needed updating to guide the development we expected to occur with the arrival of light rail. In January of this year, outside urban planning experts confirmed in their initial report that changes should be considered. In February, we implemented a 4-month development moratorium to give us time to progress this work. We also approved a community engagement process that is now in full swing.

A key part of the community engagement process was naming a 42-person Stakeholder Group that included a broad cross section of Islanders. That Group has now met three times and reached a consensus agreement on general principles as to what they want to see in the Town Center. The hard work lies ahead as the Stakeholder Group must still weigh in on such issues as:

- How do we achieve the boulevard look (wider and greener sidewalks) that people are seeking: narrower streets, larger building setbacks or a combination of both?
- Do we want more on-street parking if that means having to accept narrower sidewalks?
- Should we change permitted uses in the Town Center; for example, should residential be the required use for new development on parts of 76th Ave. and/or 80th Ave.
- Should permitted heights be changed?
- How do we bring about meaningful public plazas?
- What major public benefits should we require in exchange for allowing building heights to exceed 2 stories?

The general public will have additional opportunities to comment on whatever changes are being proposed before the Council makes further decisions on these issues at its June 1st meeting.

4. Library: KCLS is conducting a brief survey that will guide next steps on the Mercer Island library renovation project. Please take a minute to answer the questions at <http://www.kcls.org/MISurvey>. KCLS has also scheduled a public meeting for April 23rd at the Library from 6:00 – 7:30pm to discuss the

survey results.

5. South End Fire Station: we are still on track to begin operating out of the new fire station later this month. The same issues that I have mentioned before – delay damages payable by the contractor and roof warranty questions – remain to be resolved. As we have used very little of the contingency fund for this project by avoiding change orders, we remain well under the Council-approved budget even without factoring in delay damages.

6. Tolling I-90: the news out of Olympia remains unchanged. No one in the Legislature is talking about tolling I-90; there is nothing in either the House or Senate budgets that would suggest tolling is under consideration; and Representatives Clibborn and Senn as well as Senator Litzow remain bulwarks against it happening.

7. Improving our Parks and Open Space: earlier this month, the Council received a 10-year update on the City's efforts to improve the health of our parks and open spaces, such as Pioneer Park. It is a good news report as we have made excellent progress in both replanting trees and controlling invasives. I remember a time back around 2000 where we felt we were losing the battle to save Pioneer Park and other open spaces. That has turned around as we now have a coordinated and effective program to restore our open spaces with the proper vegetation while eliminating undesirable plants. This study will be used to guide our efforts for the next 10 years and includes strategic initiatives that take into account the special challenges we face from climate change. Please let me know if you would like a copy of the report.

8. Water Quality: the City continues to move ahead on its program to reduce the risk of a reoccurrence of last summer's boil water alert. We are spending hundreds of thousands of dollars to safeguard the points in our system where contamination is most likely to enter, such as underground vaults. Later this year, we will consider changes to our programs designed to reduce risks at the individual household level, primarily with sprinkler systems that are not fully protected by working backflow preventers.

While these and other changes are being implemented, we are continuing to maintain higher than normal (but still safe) chlorine levels in our water. No one likes these higher levels but chlorine is the best means we have to kill contaminants that may enter the system. One piece of good news is that we have been able to maintain higher chlorine levels throughout our system without having to add major new pieces of equipment that were originally thought to be required. Please be assured that the goal, and it is an achievable goal, is to bring chlorine levels back down within the next year or so to levels that will be far less noticeable and more in line with what Islanders had become used to prior to last Summer.

9. Boards and Commissions: the City is seeking volunteers to serve on Board and Commissions.

Almost everyone on the Council started their City public service in that manner. More important is that critical City business is only accomplished because we have dedicated women and men prepared to give their time. For more information, please look at <http://www.mercergov.org/News.asp?NewsID=1873> which provides information on open positions. Most important, please get involved in your community by volunteering to serve. You can make a difference.

10. Solicitor's Ordinance: the City was recently required to amend and, in doing so, weaken, its Solicitor's Ordinance that we had passed last year. This was in response to a U.S. District Court decision against the City in a lawsuit brought by a religious, non-profit group that challenged the ordinance. If you do not want solicitors ringing your doorbell, the most effective means is to put a sign in front of your house or on your door making that clear.

11. Shoreline Development: an almost 8-year process that involved great work by the City's Planning Commission and staff as well as considerable back and forth with the State Department of Ecology finally concluded last month with the adoption of changes to the City's shoreline development permitting rules that will primarily impact dock construction and replacement. This was required in response to a State mandate that impacted all communities with shorelines. The final product seeks to create a fair balance between property rights and environmental protection.

Thanks to everyone for taking the time to stay involved and keeping up with the issues in our City. It remains an honor and a privilege to work for you on the City Council.

Dan Grausz

Deputy Mayor

EXHIBIT 6

Hines Project – 11/26/2014 77th Ave Level - Plan

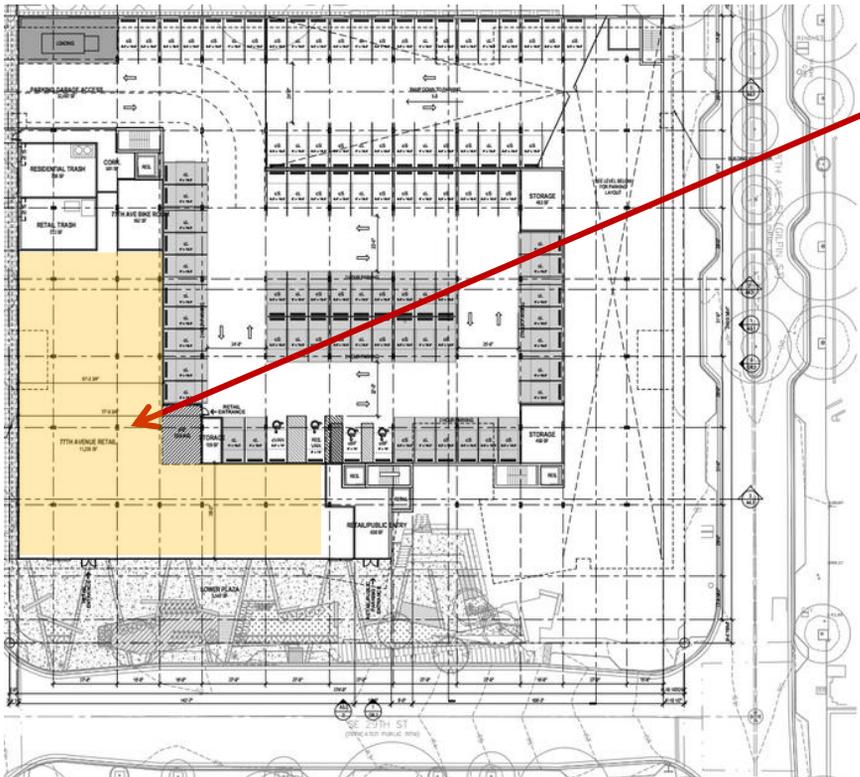


Exhibit 1
LEVEL 1 77TH - PLAN

Retail Space Available:

- a) Mud Bay
- b) 1,741 sf
- c) 2,277 sf

Hines Project – 5/11/2015 77th Ave Level - Plan



Retail Space Available:

11,235 sf

(only available space in building)

MERCER ISLAND
MIXED USE
2885 78TH AVENUE SE,
MERCER ISLAND, WA

REVISIONS

SUBMITTALS

LEVEL 1
(77TH) -
OVERALL
PLAN

Grocery Store Square Footage Comparison

Store	Setting	Square Footage
Whole Foods (new)	Capital Hill *Mixed Use bldg.	40,000
Whole Foods	Bellevue	56,949
PCC Market	Issaquah	23,000
PCC Market	Redmond	23,367
PCC Market	Columbia City *Mixed Use bldg.	25,000
Safeway	Bellevue Way *Mixed Use bldg.	55,330
Albertson's	Mercer Island	37,076
<u>Average Square Footage</u>		<u>37,246</u>

Hines Project 2015 Retail Spaces

Square Footage

1. 77 th Ave SE	11,235
2. 78 th Ave SE (Mud Bay)	4,703
<u>Total Available Space</u>	<u>11,235</u>

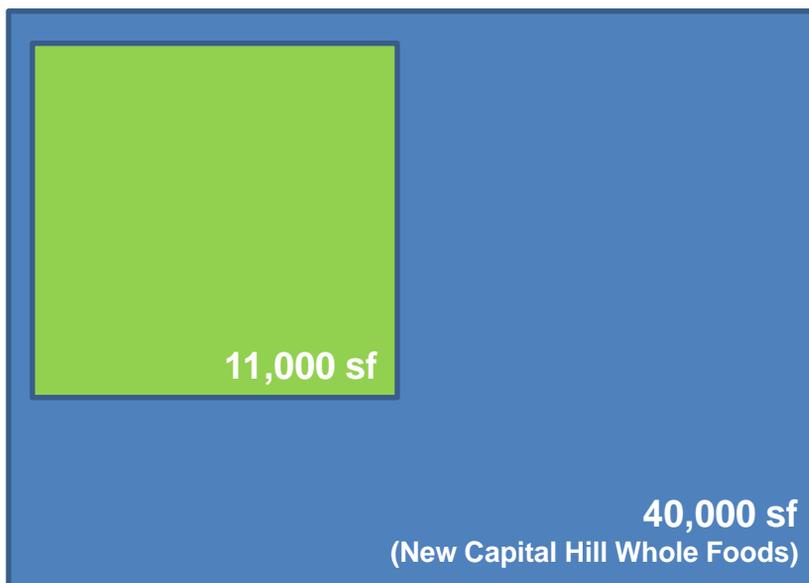
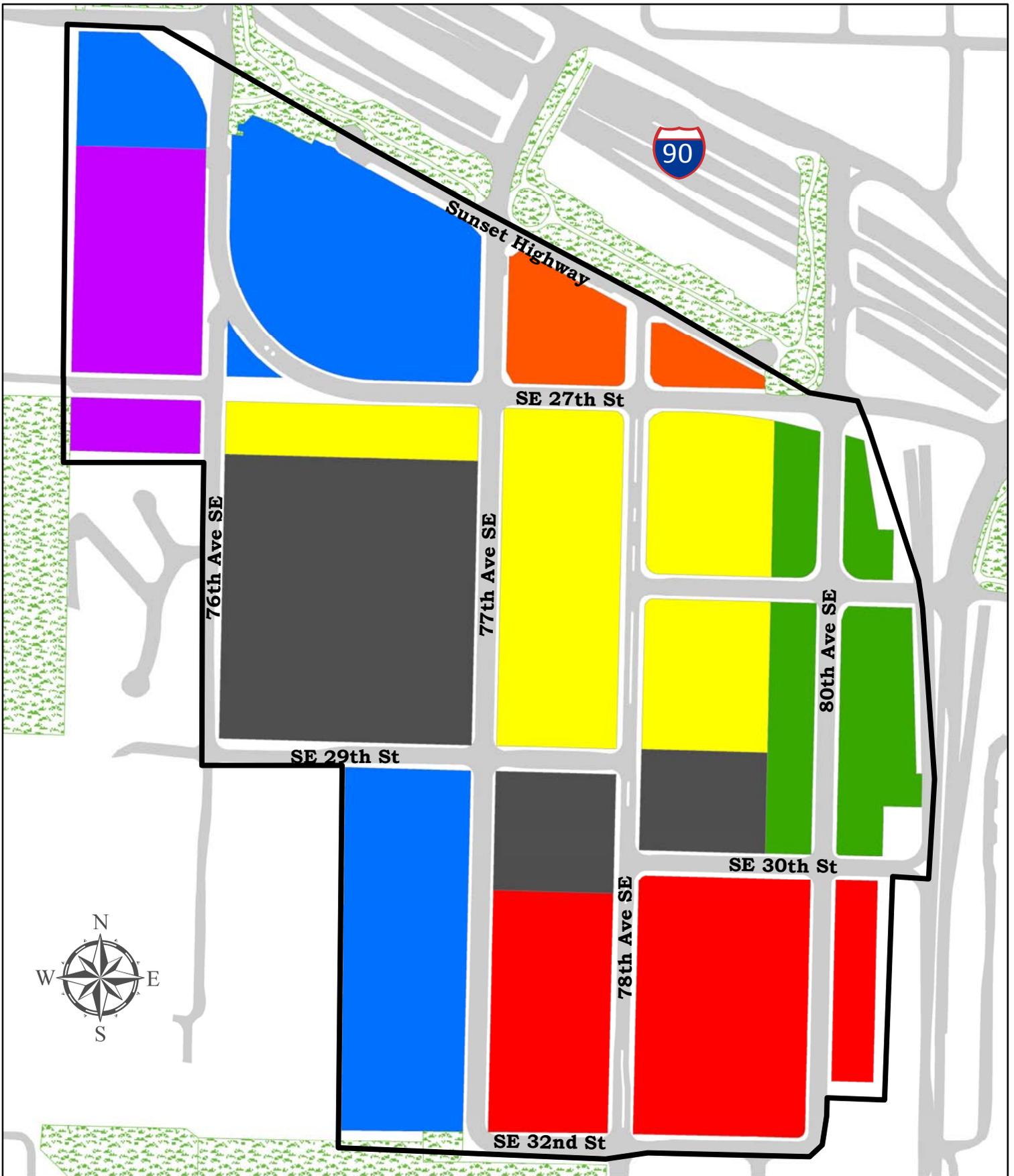


EXHIBIT 7



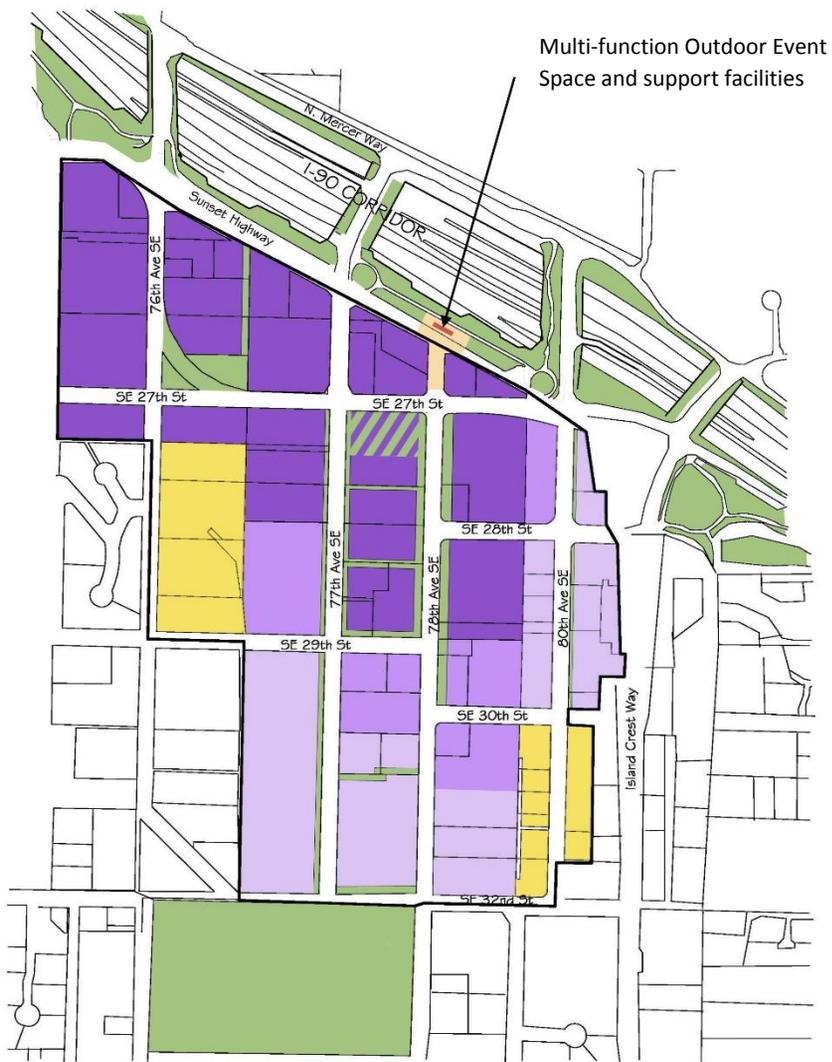
Legend

- | | |
|--|---|
|  Auto-Oriented |  Residential (Central) |
|  Gateway |  Residential (North) |
|  Mid-Rise Office |  Residential (South) |
|  Mixed Use |  Town Center Boundary |

Town Center Sub-Areas

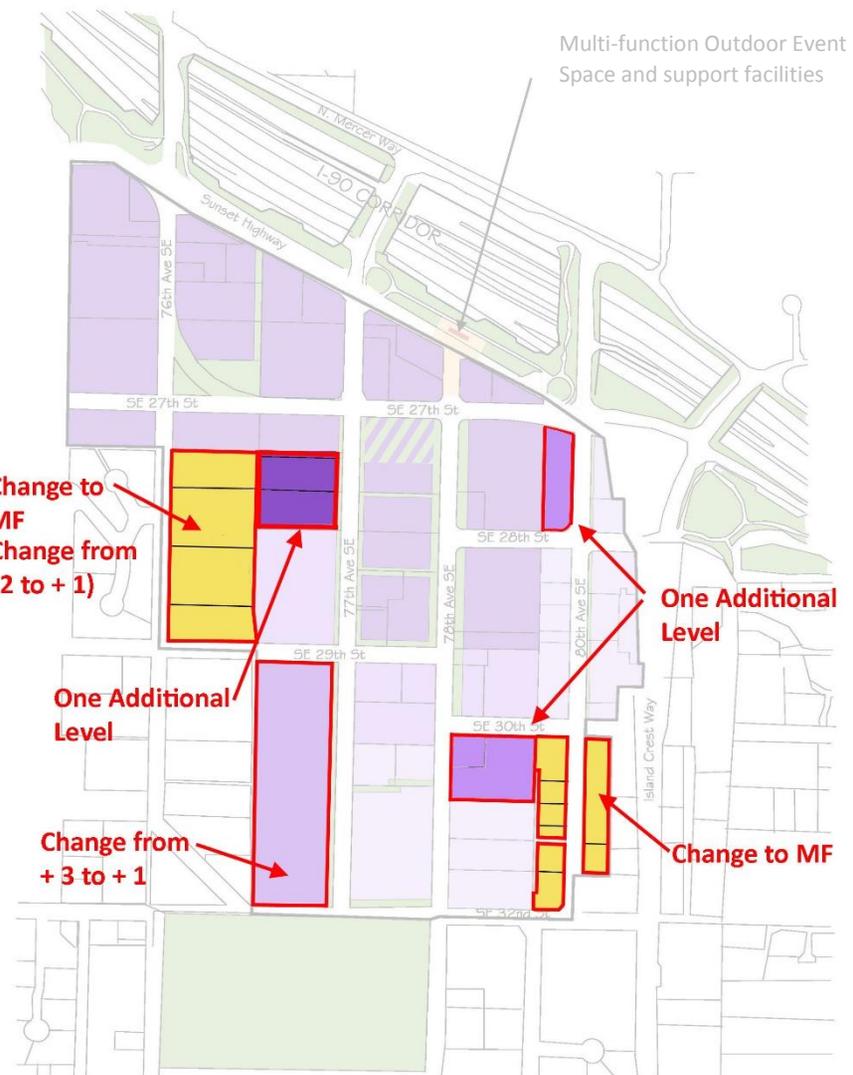


EXHIBIT 8



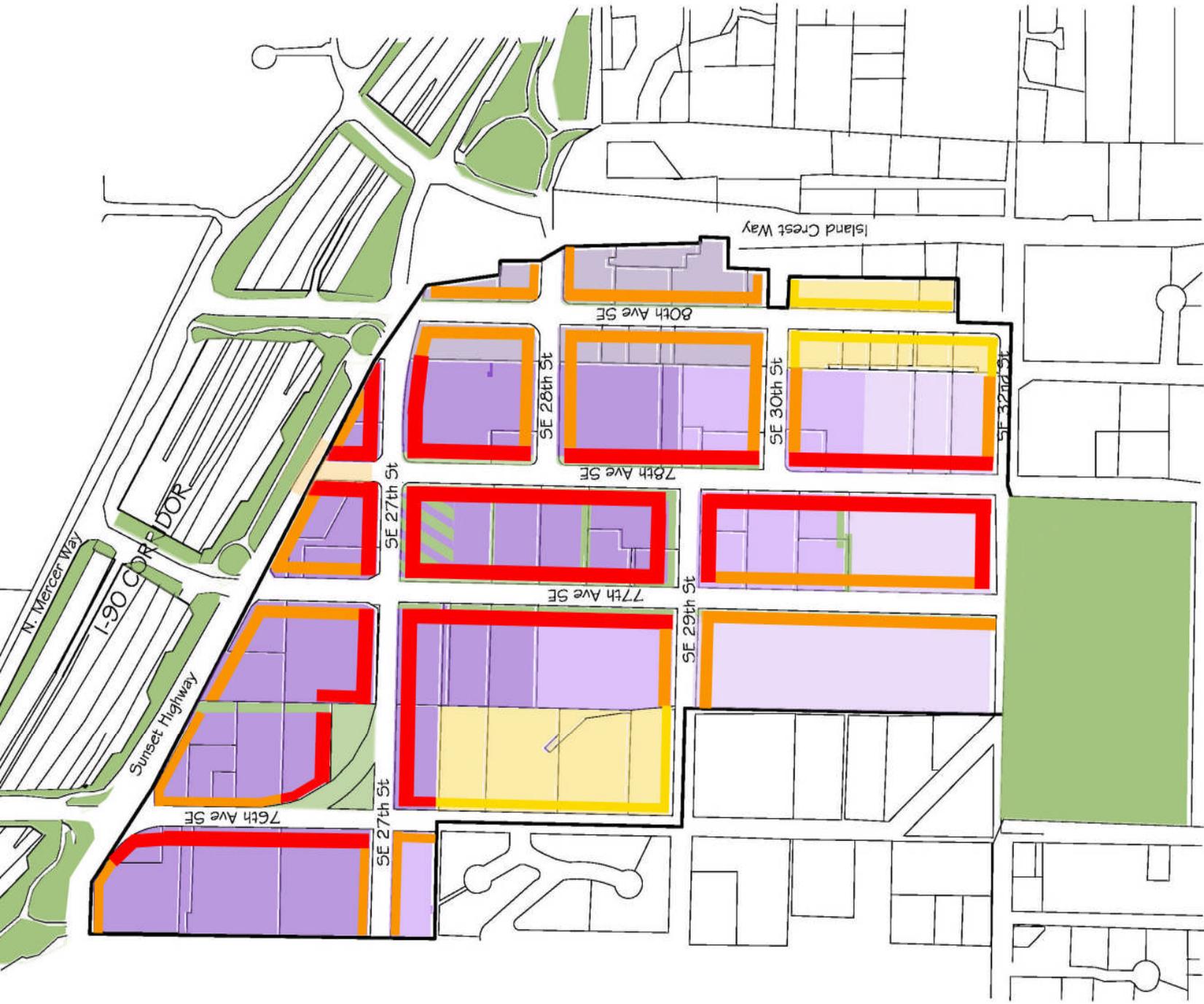
**Mercer Island Town Center
Proposed Regulating Plan**

- TC - 5 Sub-area
- TC - 4 Sub-area
- TC - 3 Sub-area
- TC MF-3 Sub-area



**Proposed Regulating Plan change in Use and
Building Heights from Existing Code**

EXHIBIT 9



Mercer Island Town Center Proposed Retail Frontage Types

Primary (limited personal services allowed)

Secondary (more flexible for non-retail uses)

Limited (live/work and home-based occupations allowed)

EXHIBIT 10



TOWN CENTER

Development & Design Guideline Update

Mercer Island Town Center
Stakeholder Group Meeting # C-2

April 27, 2015
Mercer Island Community and Event Center

Meeting Introduction and Overview

Seth Harry provided an introduction and overview of the meeting agenda.

Summary of Stakeholder Group Input, Meeting #C (April 24, 2015)

Seth Harry presented an overview of Stakeholder Group Meeting # C input:

Areas of Consensus – Streets & Regulating Plan

- 80th Avenue SE. (These discussions occurred before City traffic staff input).
 - The bike lanes should be relocated from 77th Ave SE to 80th Ave SE. (this was before City traffic staff input)
 - There should be on-street parking with street trees and no planting strip.
 - The proposed mix of secondary retail frontage along the north end of 80th and limited retail frontage to the south end of 80th is appropriate.

- 78th Ave SE.
 - There should be parking pockets on 78th similar to today's parking.
 - The proposed mix of primary retail frontage to the north end of 77th and secondary retail frontage to the south end of 77th is appropriate.

Regulating Plan.

- The Multifamily and Special district areas should be separate sub-areas with different uses or other characteristics.

Areas of Mixed Opinion – Streets, Base Requirements and Incentives and Regulating Plan

- 77th Ave SE.
 - *Differences of opinion as to which side or both, and angled or parallel.*

- 78th Ave SE.
 - Split opinions about the proposal for primary retail frontage along the full length of 78th Ave SE.
 - Comments on the public places/plazas shown on the regulating plan mostly related to the Walgreen's plaza; mixed opinions.

- Base Requirements and Incentives.
 - Many different responses.
- Regulating Plan.
 - Many different responses.

Stakeholder Group comments and questions as follow up to the Meeting #C summary included:

- Location of bike facility on 80th; how retail frontage types were determined and apply to existing development, requests to see the full retail map in worksheet and request for parking map similar to retail map. Questions were also asked clarifying what policies were referenced and which elements are code-derived and existing parking requirements.

Presentation of Clarifying Material

Seth Harry presented new graphic material to clarify points from previous Stakeholder Group meetings. Primary points included:

- Existing and Proposed Building Height Definition. Height for sites with variations in topography (see graphics). Current height allowed is 5 stories rather than measure of feet. Currently median height is measured; the proposed measure considers both sides of property. The proposal addresses the needs of sites with multiple frontages and those with varying elevations at different site access points. This enables building heights to be calculated in response to more than one site frontage rather than from one point for an entire site with varying topography. Stakeholder Group questions and comments related to purpose of changing building height measurement method and actual height versus number of stories.
- Regulating Plan. Stakeholder Group questions and comments related to building height guidance in the existing code, potential location of taller buildings near hillsides so as to not block views, and rationale for building heights in the Multifamily areas.
- Bicycle/Pedestrian Networks Map. This discussion related to City engineers' recommendation to relocate bicycle facilities on 77th rather than 80th; also that existing businesses need on-street parking.

Table Discussions - Regulatory Plan and Street Sections

Stakeholder Group members moved into 4 discussion groups to respond to the following questions:

1. *Are the sub-area descriptions appropriate? Are there unique features or characteristic you would include in any of the sub-area descriptions?*
2. *Is the Special District appropriate as a separate sub-area? If so, what sets it apart from other sub-areas? If not, what should replace it?*
3. *Are the sub-area boundaries correct? How should they be changed?*

Report Back: Regulating Plan

Table 1.

- Rite Aid property - change from +1 to +2.
- Special District: Multi-family only, +1.

Table 2.

- Ok in general with overall Regulating Plan.

- Need to accommodate automotive service (gas stations).
- Rite Aid – increase density so more likely to redevelop. (is +1 or +2 enough incentive for that?)
- Light rail – need to discuss transit parking.

Table 3.

- Like 7 subareas trimmed down to 5.
- Not sold on shifting density toward freeway.
- Multifamily instead of Special District.
- Vary heights in lower intensity area while leaving total building mass the same.

Table 4.

- Special District – don't see the need for it (reduce # of district categories).
- Rite Aid - Ok with +1 by Mercerdale Park.

Bike Lanes

Table 1.

- Move bike lanes back to 77th, no concrete divider, 2 bikes lanes on same side of street.

Table 2.

- Wrong question – move bike lane from 77th or 80th, should be what do we want to accomplish on 77th?
- Not right question to ask; maybe a sharrow.
- Low traffic volume with low speeds so no need for bike lane.
- Unnecessary center turn lanes can provide room for a boulevard with wider sidewalks and planter strips.
- No dedicated bike lanes, focus on creating a great urban streetscape on 77th.

Table 3.

- Street section – bike lanes better on 77th, what's the intent of the street?
- Need to know purpose of street to determine what's needed; what to give for wider sidewalk.

Table 4.

- Bike lane should be on 77th, but more in favor of more parking.
- Dedicated bike lane on 77th.
- Angled parking on 77th if can fit bike lane if it fits.
- Parking more important on 77th; would also still like bike lane.
- Parking for the Performing Arts Center – prefer parallel.

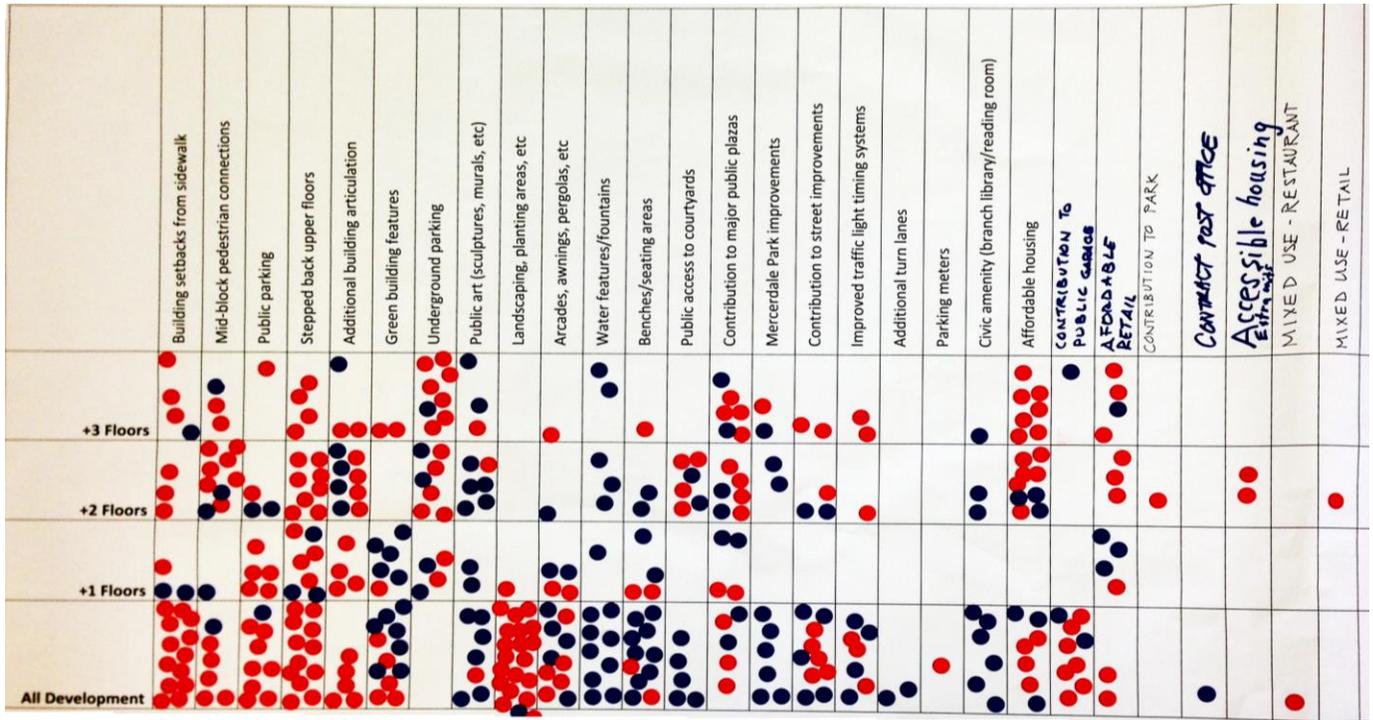
Other Comments/Questions

- Important to still allow auto-oriented and service uses in Town Center, so people don't have to go off-Island for those.
- Residential – In favor of more residential along the fringes, including Farmer's.
- Bicycle questions are not so much about current condition now, rather about people bicycling downtown to get to transit in the future.

Dot Exercise

The dot exercise enabled Group members to use color to identify features that should be base (mandatory) requirements and tiered amenities, with red for mandatory and blue for tiered incentives

above mandatory. The first graphic below reveals patterns of red and blue dots placed by Group members. The second graphic below shows number of dots placed per cell and are color coded to indicate red and blue dots.



	Building setbacks from sidewalk	Mid-block pedestrian connections	Public parking	Stepped back upper floors	Additional building articulation	Green building features	Underground parking	Public art (sculptures, murals, etc)	Landscaping, planting areas, etc	Arcades, awnings, pergolas, etc	Water features/fountains	Benches/seating areas	Public access to courtyards	Contribution to major public plazas	Mercerdale Park improvements	Contribution to street improvements	Improved traffic light timing systems	Additional turn lanes	Parking meters	Civic amenity (branch library/reading room)	Affordable housing	Contribution to public garage	Affordable retail	Contribution to park	Contract post office	Accessible housing (extra units)	Mixed use - restaurant	Mixed use - Retail
+3 Floors	3	2	1	4	2	2	7	1		1		1		4	1	2	2				7		3					
	1	1			1		1	2			2			2	1				1		1	1						
+2 Floors	3	7	1	8	4		5	1			1	3	2	4	4		1	1			6		3	1		2		1
		2	2		4		2	5				2	2	2	2	2				2	3							
+1 Floors	1		5	4	4	1	2		1	2		2		2									1					
	2	1		3		5	2	2		2	1	2		2								3						
All Development	13	5	8	12	5	5		1	19	5		2		3		5	3		1		4	7	2			1		
		1	1			7		6	1	5	9	9	5	2	6	5	4	2		6	3	2			1			

Next Steps

The next Stakeholder Group is Tuesday, May 5.

EXHIBIT 11

Proposed Town Center Incentive Structure

The following charts are a conceptual framework for an incentive structure to allow Town Center buildings to achieve heights above 2 stories. The purpose of this conceptual framework is to organize stakeholder feedback to-date and provide a model for further input. This concept has not yet been filtered through the lenses of technical or market feasibility, so the final incentive structure proposed in the draft code may require additional changes.

ALL DEVELOPMENT

MANDATORY	ELECTIVE
<ol style="list-style-type: none"> 1. Building setbacks from sidewalk 2. Building setback to allow mid-block connection when adjacent to designated connection 3. Walk-Off requirement for non-residential parking spaces 4. Green building standards 5. Street level façade standards to ensure attractive streetscape 6. Site design features (e.g. benches, fountains, public art, etc.) 7. Landscaping features (e.g. greenery, planting areas, trees, etc) 	

TC-3: 3 stories

MANDATORY	ELECTIVE
<ol style="list-style-type: none"> 1. Building setbacks from sidewalk 2. Building setback to allow mid-block connection when adjacent to designated connection 3. Walk-Off requirement for non-residential parking spaces 4. Green building standards 5. Street level façade standards to ensure attractive streetscape 6. Site design features (e.g. benches, fountains, public art, etc.) 7. Landscaping features (e.g. greenery, planting areas, trees, etc) 8. Stepped back upper floors 9. Additional building articulation 10. Additional public parking 	<p>Choice of:</p> <ol style="list-style-type: none"> 1. Affordable retail 2. Affordable housing 3. On-site public plaza 4. Public reading room 5. Contribution to Town Center Improvements/Amenities Fund (for plazas, public parking, reading room, etc)

Note: **Bold** font indicates mandatory requirements that are new to that tier.

TC-4: 4 stories

MANDATORY	ELECTIVE
<ol style="list-style-type: none"> 1. Building setbacks from sidewalk 2. Building setback to allow mid-block connection when adjacent to designated connection 3. Walk-Off requirement for non-residential parking spaces 4. Green building standards 5. Street level façade standards to ensure attractive streetscape 6. Site design features (e.g. benches, fountains, public art, etc.) 7. Landscaping features (e.g. greenery, planting areas, trees, etc) 8. Stepped back upper floors 9. Additional building articulation 10. Additional public parking 11. Affordable Retail 12. Affordable Housing 	<p>Choice of:</p> <ol style="list-style-type: none"> 1. Underground parking 2. On-site public plaza 3. Public reading room 4. Public access to courtyard 5. Contribution to Town Center Improvements/Amenities Fund (for plazas, public parking, reading room, etc)

TC-5: 5 stories

MANDATORY	ELECTIVE
<ol style="list-style-type: none"> 1. Building setbacks from sidewalk 2. Building setback to allow mid-block connection when adjacent to designated connection 3. Walk-Off requirement for non-residential parking spaces 4. Green building standards 5. Street level façade standards to ensure attractive streetscape 6. Site design features (e.g. benches, fountains, public art, etc.) 7. Landscaping features (e.g. greenery, planting areas, trees, etc) 8. Stepped back upper floors 9. Additional building articulation 10. Additional public parking 11. Affordable Retail 12. Affordable Housing 13. Underground parking 	<p>Choice of:</p> <ol style="list-style-type: none"> 1. Public access to courtyard 2. On-site public plaza 3. Public reading room 4. Contribution to Town Center Improvements/Amenities Fund (for plazas, public parking, reading room, etc)

Note: **Bold** font indicates mandatory requirements that are new to that tier.

EXHIBIT 12

May 2015 Update

From: **Dan Grausz** (Dan.Grausz@mercergov.org)

Sent: Sun 5/10/15 5:15 PM

To: Dan Grausz (dangrausz@gmail.com)

May 10, 2015

Fellow Islanders:

I have to say that writing an update on Mother's Day in the middle of what has been a spectacular Pacific Northwest weekend is challenging. Much is going on with your City, however, that you may want to hear about. For those of you who have not received these updates before, I always tell people that if you would prefer not receiving them in the future, please email me.

1. City Council/School Board Changes: unfortunately, Joel Wachs had to resign from the Council a few days ago for health reasons. While Joel's tenure on the Council was brief, he believes in this community and wanted to do what he could to keep Mercer Island the great place it is to live. I wish him a speedy recovery and know that he will be back in the future to continue working for Islanders. Joel's seat will be one of the five Council seats that Islanders will choose someone for in the upcoming November election.

Also last week, Ralph Jorgenson was selected by the School Board to replace Janet Frohnmayer, who has resigned as a result of her leaving Mercer Island. Janet has done a great job for Islanders during her long tenure on the School Board and will be sorely missed throughout our community. Ralph showed his mettle as one of the leaders of last year's successful School Bond campaign. I look forward to working with him in the months ahead. Ralph's seat will be one of three that will be on the ballot in November.

2. South End Fire Station: I had hoped that our firefighters would be using the new South End Fire Station by now. Completing the punch list, however, has delayed hand over of the station, which is now expected to happen in about two weeks. The City has notified the contractor that we are rejecting the roof and will require that it be replaced. As the issue involves the roof covering and not the structure, I am hoping it can be done while the firefighters are using the station. It is likely that both the roof issue and the City's claim for in excess of \$500,000 of delay damages will result in litigation with the contractor.

3. Transportation Improvement Plan: on Monday, May 18th, the City Council will take public comment on desired road, pedestrian and bicycle projects as the first part of our annual development of the Transportation Improvement Plan. In the past, groups of citizens have been able to influence what projects are done by coming to this meeting and providing comments, particularly when something is required to address an important neighborhood safety concern. Please take advantage of this opportunity. As I have in the past, I will push hard to continue the widening of the shoulders project on the Mercers that the City has been doing in increments for more than 10 years. This not only protects pedestrians and cyclists but is also very important for drivers who are able to pass cyclists without crossing the center stripe.

4. Bus Intercept: bus intercept refers to the Sound Transit proposal to have buses from Issaquah and other communities to the east drop off and pick-up their passengers on Mercer Island so they can use light rail between Seattle and Mercer Island. It would not begin until 2023 (when light rail is scheduled to start), has benefits to the region in terms of reducing transportation costs and air pollution, but if not done right, will adversely impact Islanders. The City has said from the outset that we will oppose this project unless those impacts were both significantly limited and mitigated.

On April 20th, Sound Transit and Metro provided the City with its latest thinking for this project. What was laid out for us was a non-starter. It included adding over 12 bus parking spaces, laid out an arrangement that was likely to significantly impact vehicle, pedestrian and bicycle traffic on 80th Ave. and nearby streets, and included no operating limitations that would enable us to cap the impacts. It was completely out-of-scale for our Town Center and for what we had been told were the goals of Bus Intercept.

On May 4th, the Council voted unanimously to reject this. We concluded that there was no combination of minor revisions and mitigating efforts that could lead us to approve what had been presented. Islanders need to know, however, that this likely is not the final word on Mercer Island Bus Intercept as the idea of having bus/rail connections throughout the light rail network (not just on Mercer Island) is a cornerstone of regional transportation policy. At this time, we have no idea what Sound Transit and Metro may come back to us with.

5. Mitigation for Loss of Mobility: at the May 4th meeting, the Council also decided that for the present, we would focus our negotiations with Sound Transit on obtaining mitigation for loss of mobility due to closure of the I-90 center roadway. We are contractually entitled to this mitigation under the terms of an agreement signed in 2004.

In my opinion, mitigation must include additional commuter parking for Islanders but also should

look at other measures (such as shuttle service to and from the north end) as we will never be able to find enough space in our Town Center to meet what I expect to be substantial parking demands once light rail is operational in 2023. We also need to advance what until now have been dormant discussions with the Washington State Department of Transportation on promised Islander single occupancy vehicle access to the additional HOV lane now being added to each of the I-90 outer roadways between Mercer Island and Seattle. Expect some very difficult discussions in the months ahead.

6. Town Center Visioning: since my last update, the 42-person Town Center Stakeholder Group held three more meetings during which substantial progress was made towards finding a way forward in our ongoing project to update the Town Center Development Code. In its advisory capacity, the stakeholders have generally favored a series of changes that will now go before the Planning Commission, Design Commission and City Council for further review and public comment. Those changes include:

- While the maximum 5-story height limit would be retained, certain parcels were designated for either an increase or decrease in the currently permitted height. The general policy remains one of allowing taller (5-story) buildings at the north end of the Town Center with 3 or 4-story maximum heights as one moves away from the north end.
- Certain areas along 76th Ave. and 80th Ave. that are now designated as being available for office or retail use would now be restricted to primarily residential development.
- Mandatory mid-block connection points would be created along certain lot lines to avoid the possibility of being unable to walk through the super blocks we now have once they are developed (such as the block bounded by 77th, 78th, 27th and 29th). Similarly, a setback along 32nd between 77th and 78th would be required to avoid a future development from being too imposing on Mercerdale Park.
- 77th Ave. (the street that Albertson's is on) would be changed to a 2-lane street to allow room for on-street parking and possibly wider and better landscaped sidewalks.
- Serious consideration will be given to changing the SE 27th Street traffic flow in front of the large Starbucks by eliminating the curve, having 27th meet 76th Ave. on a right angle and developing an attractive green space between that intersection and the large Starbucks.
- Design requirements for buildings would be changed to require more modulation of higher floors (a wedding cake appearance).

- The public benefits and amenities that are mandated in exchange for allowing additional height would be significantly increased.

The next step in this will be a public input session at the Community Center this Monday (May 11th) evening followed by City Council initial review at its June 1st meeting. On June 1st or at the following meeting on June 15th, the Council is also likely to decide whether or not to extend the existing development moratorium which otherwise expires on June 16th.

7. Impact Fee Ordinance: Separate and apart from this visioning process, the Council will soon be considering adoption of an impact fee ordinance that will require most new development, including single family residential, to pay money that will help finance school, transportation, parks and/or fire safety capital projects that are needed in response to the additional growth. Until now, the City and School District have relied on what are referred to in the law as SEPA (State Environmental Protection Act) mitigation fees. The School District has recently asked the City to replace school mitigation fees with school impact fees. At the same time, the City will consider imposing impact fees for the other areas noted above.

With our fantastic Farmers Market about to begin again on June 7th, we know that summer is quickly approaching. I encourage all Islanders to take advantage of this program as it really promotes our sense of community. Summer Celebration, including fireworks, will be the weekend of July 11th. We also have a full calendar of Shakespeare in the Park and Mostly Music in the Park events in July and August; specifics are on the City's website calendar. I look forward to seeing and talking with you at these and other community events.

Thanks again for taking the time to read this update. It remains an honor and a privilege to represent Islanders.

Dan Grausz

Deputy Mayor

EXHIBIT 13

MEMORANDUM

Date:	April 10, 2015	TG:	15085.00
To:	Evan Kaseguma – Hines		
From:	Mike Swenson, PE, PTOE Jesse Birchman, PE, PTOE		
cc:	Mat Lipps – Runberg Architecture Group PLLC		
Subject:	Hines Mercer Island Apartments – Preliminary Transportation Summary		

This memorandum provides a summary of preliminary transportation related information for the proposed mixed-used development in the Town Center area in Mercer Island, Washington. A Transportation Impact Analysis (TIA) outlining the impacts of the project and any necessary mitigation is being prepared and will be submitted under a separate cover. This memorandum focuses on the following:

- The project’s description,
- An updated estimate of the project’s estimated trip generation,
- A preliminary evaluation of potential site access configurations and related driveway and on-site intersection operations,
- An evaluation of vehicle travel paths at the on-site intersections, and
- A review of the preliminary parking supply and estimated peak parking demands.

Project Description

The proposed project is located at 2885 - 78th Avenue SE and includes a mixed-use building providing up to 192 apartment units above the ground floor, approximately 30,000 gross square feet of supermarket, and 10,000 gross square feet of general retail space on the ground floor. The project site location is shown in Figure 1.

A total of 609 parking stalls are proposed:¹ 247 stalls for the residential use, 151 for supermarket and retail use, and 211 for general public use. The 211 general public use stalls would be located on the third level of the underground parking structure and are contingent on the City of Mercer Island’s negotiations with Sound Transit and Hines. A double berth loading dock serving the grocery would be located parallel to 77th Avenue SE. Vehicular access to the project site would be provided along the northern site limits where driveways would be provided onto 78th Avenue SE and 77th Avenue SE, as illustrated in Figure 1. A full access driveway onto 78th Avenue SE is proposed based on recommendations by City staff and research by Transpo (to be further summarized in the TIA).



Figure 1 – Project Vicinity

¹ Two loading berth would be provided in addition to the 609 stalls within the parking structure.

Project Trips

Project trip generation estimates were developed for the project based on information contained in the Institute of Transportation Engineers (ITE) *Trip Generation* (9th Edition, 2012) and observations at the existing Mercer Island Park & Ride. Trip Generation is a nationally recognized and locally accepted method for determining trip generation for private and public developments. For land uses consistent with *Trip Generation* information, trips were calculated using the Supermarket (LU #850), Shopping Center (ITE LU #820), and Apartments (ITE LU #220). Weekday peak hour trips generated by the proposed public parking stalls were estimated based on three days of data at the Mercer Island Park & Ride that were collected and summarized consistent with ITE *Trip Generation Handbook* (3rd Edition, 2014) guidelines. Daily trips for the public parking were estimated by scaling observed PM peak hour rates using the Office (#710) weekday daily and PM peak hour trip generation rates since both experience morning and evening commuter peak travel behavior.

The project would generate internal, pass-by, and primary trips that were estimated based on the methods outlined in the ITE *Trip Generation Handbook* (3rd Edition, 2014). Internal trips are trips between the retail and residential uses on-site and do not impact the site access driveways or surrounding roadway network and are completely internal to the development. Pass-by trips represent intermediate stops on the way from an origin to a primary trip destination that are attracted from existing traffic on roadways immediately adjacent to the project site. Table 1 through Table 3 summarize the project's updated estimated trip generation for weekday daily, AM peak hour, and PM peak hour time periods. Detailed trip generation calculation worksheets are provided in Attachment A.

Table 1. Weekday Daily Trip Generation

Land Use	Size	Gross Trips ¹	Internal Trips ²	Pass-by Trips ³	Primary Vehicle Trips		
					Total	In	Out
Apartments (LU #220)	192 units	1,276	-367	0	909	454	455
Shopping Center (LU #820)	10,000 gsf	428	-131	-100	197	99	98
Supermarket (LU #850)	30,000 gsf	3,068	-408	-958	1,702	851	851
Public Parking ⁴	211 stalls	812	0	0	812	406	406
Total Proposed Trips		5,584	-906	-1,058	3,620	1,810	1,810

1. Average trip rates & regression equation from ITE Trip Generation Manual, 9th Edition (2012). Rate or equation used consistent with ITE Trip Generation Handbook, 3rd Edition (2014) methodologies.
2. Internal Capture methodology consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
3. Pass-by trips consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
4. Daily trip rate for the Public Parking use is estimated by factoring the observed weekday PM peak hour rate using rates for the General Office (LU #710) land use.

Table 2. Weekday AM Peak Hour Trip Generation

Land Use	Size	Gross Trips ¹	Internal Trips ²	Pass-by Trips ³	Primary Vehicle Trips		
					Total	In	Out
Apartments (LU #220)	192 units	98	-1	0	97	20	77
Shopping Center (LU #820)	10,000 gsf	10	0	-4	6	4	2
Supermarket (LU #850)	30,000 gsf	102	-1	-36	65	44	21
Public Parking ⁴	211 stalls	122	0	0	122	100	22
Total Proposed Trips		332	-2	-40	290	168	122

1. Average trip rates & regression equation from ITE Trip Generation Manual, 9th Edition (2012). Rate or equation used consistent with ITE Trip Generation Handbook, 3rd Edition (2014) methodologies.
2. Internal Capture methodology consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
3. Pass-by trips consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
4. Trip rate for the Public Parking use is based on observations at the existing Mercer Island Park & Ride (March 2015).

Table 3. Weekday PM Peak Hour Trip Generation

Land Use	Size	Gross Trips ¹	Internal Trips ²	Pass-by Trips ³	Primary Vehicle Trips		
					Total	In	Out
Apartments (LU #220)	192 units	119	-51	0	68	42	26
Shopping Center (LU #820)	10,000 gsf	37	-6	-10	21	11	10
Supermarket (LU #850)	30,000 gsf	284	-45	-86	153	88	65
Public Parking ⁴	211 stalls	110	0	0	110	29	81
Total Proposed Trips		550	-102	-96	352	170	182

1. Average trip rates & regression equation from ITE Trip Generation Manual, 9th Edition (2012). Rate or equation used consistent with ITE Trip Generation Handbook, 3rd Edition (2014) methodologies.
2. Internal Capture methodology consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
3. Pass-by trips consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
4. Trip rate for the Public Parking use is based on observations at the existing Mercer Island Park & Ride (March 2015).

Vehicular trip distribution for this project is based on travel patterns summarized in studies for a previously approved development in the Town Center² and comments received on behalf of the City from the City's consultant. A separate primary vehicular trip distribution was determined for commercial/parking and residential trips consistent with Mercer Island General Traffic Impact Analysis Requirements. In general, approximately 35 percent of primary commercial trips would travel to/from north of the site with the remainder to/from the south while 80 percent of residential trips are from the north with the remainder for the south. The full distribution patterns to the study area intersection are summarized in the TIA being prepared for this project.

Site Access & On-Site Operations Analysis

A preliminary evaluation of driveway operations with full-access driveways onto 78th Avenue SE and 77th Avenue SE and at two on-site intersections was conducted to inform that project's site design. Figure 2 illustrates the current draft site plan. The site access driveways are oriented east-west along the sites northern boundary and will ramp down towards the underground parking structure. At the approximate mid-point of the lot, the driveways intersect a single north-south drive aisle that ramps down into the top floor of the underground parking structure. A short distance south of this on-site "T" intersection, a second on-site intersection with four legs would provide access to separate floors of parking. The lowest floor provides the proposed public parking, the middle floor would serve residents only, and the upper floor would primarily serve commercial uses but also some residents.

Only minor differences in travel time would be experienced between the lowest and middle floors. Ramp connections to the internal four-leg garage intersection with public parking on the lowest floor and residential parking on the middle floor would reduce the likelihood of delay and conflicts between residential, public parking, and commercial traffic. For example, the highest inbound commercial traffic volume occurs during the PM peak and locating the public parking on the lowest floor prevents peak outbound public parking traffic from conflicting with the peak inbound commercial traffic.

At both intersections and both driveways, one inbound and one outbound travel lane were assumed; operations with additional turn lanes were not evaluated. The on-site driveway intersection with the garage access was assumed to be all-way stop-controlled.

² Final Transportation Impact Analysis – SE 27th Street & 76th Avenue SE Mercer Island Mixed Use, Transpo Group (February 2013).

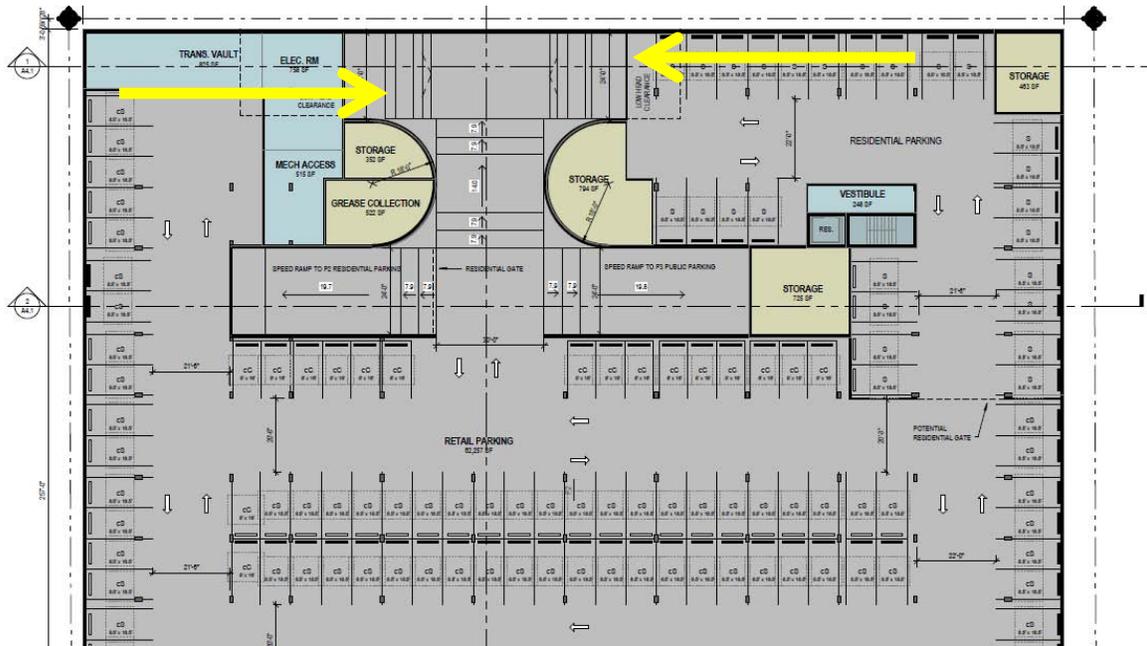


Figure 2 – Current Draft Garage Access Site Plan

Existing weekday AM and PM peak hour traffic volumes were collected at intersections adjacent to the project site and one driveway on 77th Avenue SE that would align with the project driveway. Existing traffic volumes along 78th Avenue SE and 77th Avenue SE were grown at an annual rate of 1 percent per year to 2018 conditions consistent with the Final TIA for the SE 27th Street & 76th Avenue SE Mercer Island Mixed Use project (see Footnote 2) and adding the same pipeline development project trips included in this previous TIA. The forecast weekday peak hour traffic volumes at the site access driveways and on-site intersections are summarized in Figure 3.

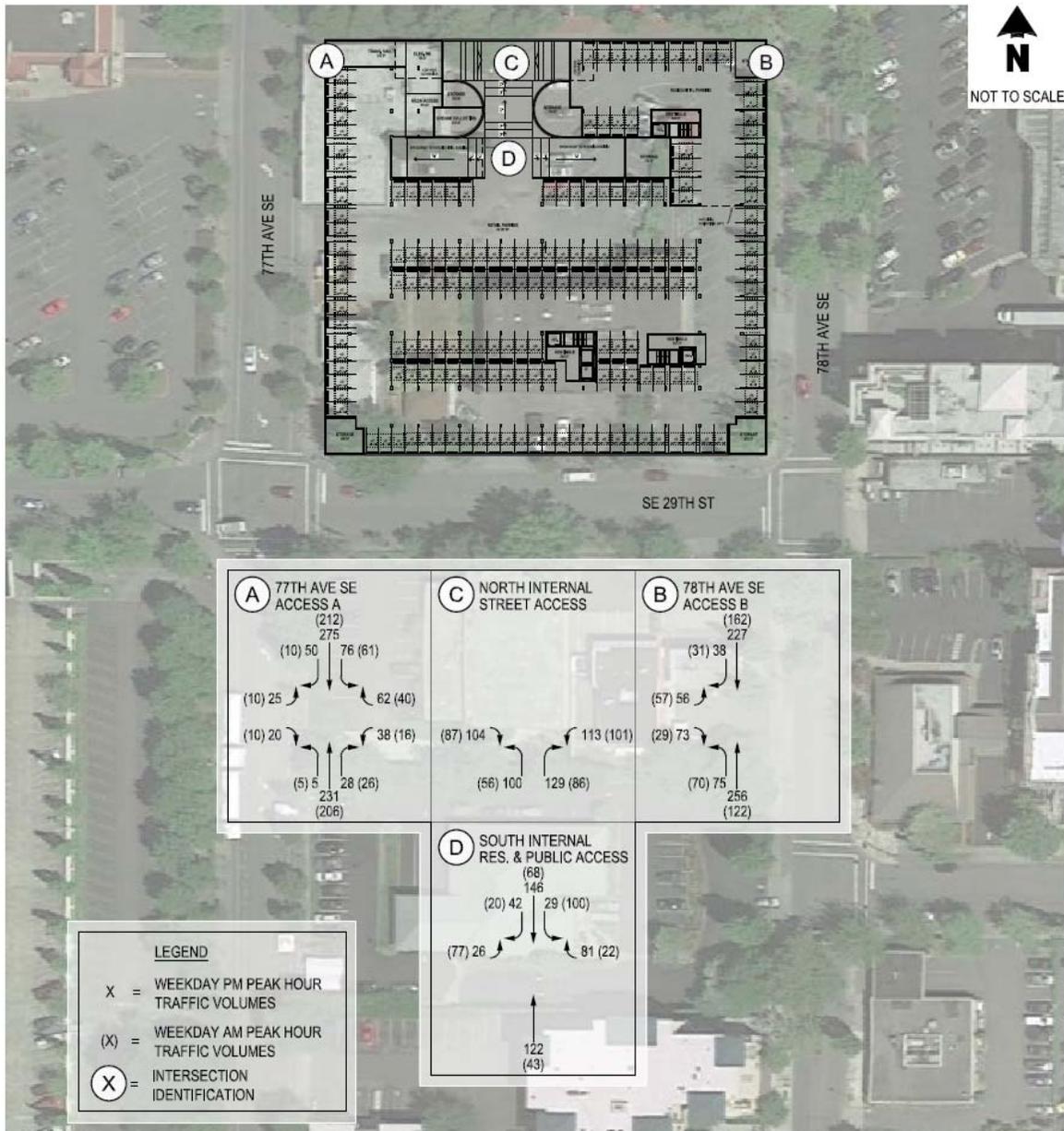


Figure 3 – Preliminary Estimate of Site Access Traffic Volumes

Traffic operations at the site access driveways and on-site intersections were evaluated consistent with the procedures identified in the *Highway Capacity Manual* (2010), and evaluated using Synchro version 9.0. At stop-sign controlled intersections such as these locations, LOS is measured in average control delay per vehicle and is reported using the intersection delay. Traffic operations for an intersection can be described alphabetically with a range of levels of service (LOS A through F), with LOS A indicating free-flowing traffic and LOS F indicating extreme congestion and long vehicle delays.

Preliminary traffic operation results for 2018 with-project conditions at the site access driveways and on-site intersections are summarized in Table 4. The City of Mercer Island has defined a standard of LOS C for public intersections.

Table 4. Preliminary 2018 Site Access & On-Site Intersection Weekday Peak Hour Level of Service

Location	AM Peak Hour			PM Peak Hour		
	LOS ¹	Delay ²	Worst Movement ³	LOS	Delay	Worst Movement
A. Driveway A / 77th Ave SE	B	14	EB	C	17	EB
B. Driveway B / 78th Ave SE	B	13	EB	B	15	EB
C. Driveway / Garage Access	A	8	-	A	9	-
D. Internal Garage Intersection	B	13	EB	B	12	EB

1. Level of service (LOS), based on 2010 Highway Capacity Manual methodology.
2. Average delay in seconds per vehicle.
3. The reported LOS and delay are for the worst operating movement at side-street stop-controlled driveways and intersections (a.k.a. two-way stop-controlled) while overall intersection results are reported for all-way stop intersections (shown as "-").

As shown, both site access driveways and the on-site intersections are anticipated to operate well at LOS C or better. Note that the worst-operating movement during both AM and PM peak hour conditions at the driveway onto 77th Avenue SE is the eastbound Albertsons driveway aligned with the proposed project driveway. These results for the project driveways and on-site intersections indicate that a single travel lane at all on-site locations are forecast to adequately serve on-site traffic.

Vehicle Travel Path Analysis

An evaluation of potential vehicle paths at the on-site intersections and roadways was conducted to inform the design of the building structures to accommodate expected passenger car and delivery truck routes on-site. These paths are shown in Attachments B and demonstrate how passenger cars can travel through the highest on-site traffic volume locations without obstructing on-coming traffic traveling in the opposite direction.

Parking Demand & Supply

As previously described, a total of 609 parking stalls are proposed: 247 stalls reserved for residential use, 151 reserved for supermarket and retail use, and 211 for general public use.

The project is located in the Town Center area and the minimum required parking spaces for this zone are identified in the City of Mercer Island Municipal Code.³ The peak parking demand for the project was estimated using the King County Right Size Parking Calculator⁴ for the apartment units and ITE *Parking Generation* (4th Edition, 2010) for retail (LU #820) and urban supermarket (LU #850) uses. The number of required parking spaces consistent with City code, estimated peak parking demand, and proposed parking supply are summarized in Table 5.

³ MICC 19.11.110 B.1

⁴ www.rightsizeparking.org

Table 5. Code Required Parking Supply

Proposed Land Use	Size ¹	Required Parking Stalls ²		Peak Parking Demand ³	Proposed Parking Supply
		Rate	Required		
<u>Residential Parking</u>					
Apartments (LU #220)	192 units	1 to 3	192 to 576	219 vehicles	247 stalls
<u>Retail Parking</u>					
Shopping Center (LU #820)	10,000 gsf	3 to 5 per 1,000 gsf	30 to 50	26 vehicles	
Supermarket (LU #850)	<u>30,000 gsf</u>	<u>3 to 5 per 1,000 gsf</u>	<u>90 to 150</u>	<u>69 vehicles</u>	
Total Retail Parking	40,000 gsf		120 to 200	95 vehicles	151 stalls
<u>Public Parking</u>					
Public Parking Stalls	211 stalls	0	0	-	211 stalls
Total Parking			312 to 776	314 vehicles + public parking	398 stalls
1. du = dwelling unit, gsf = gross square-feet, sf = square-feet 2. Mercer Island City Code 19.11.110 B.1					

As shown in Table 5, proposed parking supply exceeds the minimum required number parking spaces and estimate peak parking demand for each land use.

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Attachment A: Trip Generation Worksheet

Attachment A

Daily Trip Generation

Proposed Land Use	Size	Units	Trip Rate ¹	Total Unadjusted Veh. Trips	Reduction for Internal Capture	Subtotal	Pass-by Rate ³	Reduction for Pass-by	Diverted Rate ⁴	Reduction for Diverted Trips	New Daily Trips ²			
											Total	In	Out	
Proposed														
Apartments (LU 220)	192	DU	6.65	1,276	367	909	0%	0	0%	0	909	454	455	
Retail (LU #820)	10,000	1,000 gsf	42.70	428	131	297	34%	100	0%	0	197	99	98	
Supermarket (LU 850)	30,000	1,000 gsf	102.24	3,068	408	2,660	36%	958	0%	0	1,702	851	851	
Public Parking ⁴	211	1 stall	3.85	812	0	812	0%	0	0%	0	812	406	406	
Subtotal				5,584	906	4,678		1,058		0	3,620	1,810	1,810	

1. Trip Rate from ITE Trip Generation Manual, 9th Edition (2012) under Land Use Code 495
2. In/out percentages based on ITE Trip Generation Manual, 9th Edition (2012).
3. Pass-by rates based on ITE Trip Generation Handbook, 3rd Edition (2014).
4. Daily trip rate for the Public Parking use is estimated by factoring the observed weekday PM peak hour rate using rates for the General Office (LU #710) land use.

Weekday AM Peak Hour Trip Generation

Proposed Land Use	Size	Units	Trip Generation Rate ¹	Trip Generation Equation ¹ (if used)	% IN ²	Total Unadjusted Veh. Trips	Unadjusted Veh. Trips IN	Unadjusted Veh. Trips OUT	Reduction for Internal Capture ³	Internal Capture IN	Internal Capture OUT	Internal Capture Rate	Subtotal Driveway Trips				Net New Offsite AM Peak Trips ²					
													Subtotal Trips	Subtotal IN	Subtotal OUT	Pass-by Rate ⁴	Pass-by Trips	Pass-by IN	Pass-by OUT	Total	In	Out
Apartments (LU 220)	192	1 du		T=0.49(X)+3.73	20%	98	20	78	1		1	1%	97	20	77	0%				97	20	77
Retail (LU #820)	10,000	1,000 gsf	0.96		62%	10	6	4					10	6	4	34%	4	2	2	6	4	2
Supermarket (LU 850)	30,000	1,000 gsf	3.4		62%	102	63	39	1	1		1%	101	62	39	36%	36	18	18	65	44	21
Public Parking ⁵	211	1 stall	0.58		82%	122	100	22					122	100	22	0%				122	100	22
Subtotal						332	189	143	2	1	1	1%	330	188	142		40	20	20	290	168	122

- The Transpo Group, 2015
1. Average trip rates & regression equation from ITE Trip Generation Manual, 9th Edition (2012). Rate or equation used consistent with ITE Trip Generation Handbook, 3rd Edition (2014) methodologies.
 2. In/out percentages based on ITE Trip Generation Manual, 9th Edition (2012)
 3. Internal Capture methodology consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
 4. Pass-by rates based on ITE Trip Generation Handbook, 3rd Edition (2014).
 5. Trip rate for the Public Parking use is based on observations at the existing Mercer Island Park & Ride (March 2015).

Weekday PM Peak Hour Trip Generation

Proposed Land Use	Size	Units	Trip Generation Rate ¹	Trip Generation Equation ¹ (if used)	% IN ²	Total Unadjusted Veh. Trips	Unadjusted Veh. Trips IN	Unadjusted Veh. Trips OUT	Reduction for Internal Capture ³	Internal Capture IN	Internal Capture OUT	Internal Capture Rate	Subtotal Driveway Trips				Net New Offsite PM Peak Trips ²					
													Subtotal Trips	Subtotal IN	Subtotal OUT	Pass-by Rate ⁴	Pass-by Trips	Pass-by IN	Pass-by OUT	Total	In	Out
Apartments (LU 220)	184	1 du		T=0.55(X)+17.65	65%	119	77	42	51	35	16	43%	68	42	26	0%				68	42	26
Retail (LU #820)	10,000	1,000 gsf	3.71		48%	37	18	19	6	2	4	16%	31	16	15	34%	10	5	5	21	11	10
Supermarket (LU 850)	30,000	1,000 gsf	9.48		51%	284	145	139	45	14	31	16%	239	131	108	36%	86	43	43	153	88	65
Public Parking ⁵	211	1 stall	0.52		26%	110	29	81					110	29	81	0%				110	29	81
Subtotal						550	269	281	102	51	51	19%	448	218	230		96	48	48	352	170	182

- The Transpo Group, 2015
1. Average trip rates & regression equation from ITE Trip Generation Manual, 9th Edition (2012). Rate or equation used consistent with ITE Trip Generation Handbook, 3rd Edition (2014) methodologies.
 2. In/out percentages based on ITE Trip Generation Manual, 9th Edition (2012)
 3. Internal Capture methodology consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
 4. Pass-by rates based on ITE Trip Generation Handbook, 3rd Edition (2014).

MULTI-USE DEVELOPMENT TRIP GENERATION AND INTERNAL CAPTURE SUMMARY
 Source: ITE Trip Generation Handbook, 2nd Edition (2004)

PM Peak Hour Trip Generation

Exit to External

481

ITE Land Use = Residential (220)			
Size =	192	Rate =	6.65
% Enter =	50%	% Exit =	50%
	Total	Internal	External
Enter	638	210	428
Exit	638	157	481
Total	1276	367	909
%	100%	29%	71%

428

Enter From External

Demand
31% 198

Balanced
184

Demand
12% 184

Demand
53% 338

Balanced
138

Demand
9% 138

Demand
20% 307

ITE Land Use = Supermarket			
Size =	30.0	Rate =	102.24
% Enter =	50%	% Exit =	50%
	Total	Internal	External
Enter	1534	181	1353
Exit	1534	227	1307
Total	3068	408	2660
%	100%	13%	87%

Enter From External

1353

1307

Exit to External

Demand
53% 338

Demand
31% 198

Demand
53% 338

Balanced
0

Demand
20% 43

Balanced
43

Demand
23% 353

Demand
31% 476

Balanced
19

Balanced
26

Demand
9% 0

Demand
31% 198

Balanced
0

Balanced
0

Demand
9% 19

Demand
12% 26

Demand
20% 307

Demand
31% 198

Demand
2% 0

Demand
3% 0

Balanced
43

Balanced
0

Demand
12% 0

Exit to External

145

ITE Land Use = Retail (820)			
Size =	10	Rate =	42.7
% Enter =	50%	% Exit =	50%
	Total	Internal	External
Enter	214	62	152
Exit	214	69	145
Total	428	131	297
%	100%	31%	69%

152

Enter From External

Demand
20% 43

Balanced
0

Demand
20% 0

Demand
20% 43

Balanced
0

Demand
20% 0

Demand
20% 43

Balanced
0

Demand
20% 0

ITE Land Use =			
Size =		Rate =	
% Enter =		% Exit =	100%
	Total	Internal	External
Enter	0	0	0
Exit	0	0	0
Total	0	0	0
%	#DIV/0!	#DIV/0!	#DIV/0!

Enter From External

0

0

Exit to External

Net External PM Peak Hour Trips for Multi-Use Development							
	Residential (220)	Supermarket	Retail (820)	-		Total	
Enter	428	1353	152	0		1933	
Exit	481	1307	145	0		1933	
Total after internal capture	909	2660	297	0		3866	
Not including internal capture	1276	3068	428	0		4772	
Total After Pass-By and Internal	0%	909	43%	1516	34%	197	0%
						0	
						2622	

Blue = Inputs from ITE Handbook for % Internal Capture

Yellow = ITE Land Use & Trip Generation Inputs

Red = Inputs

ITE Land Use = Total Development After Internal Capture Reduction			
% Enter =	50%	% Exit =	50%
	Total	Internal	External
Enter	2386	453	1933
Exit	2386	453	1933
Total	4772	906	3866
%	100%	19%	81%

NCHRP 684 Internal Trip Capture Estimation Tool					
Project Name:	Mercer Island Apartments			Organization:	Transpo Group
Project Location:	Mercer Island			Performed By:	KLL
Scenario Description:	Proposed Land Uses - Retail			Date:	3/9/2015
Analysis Year:				Checked By:	
Analysis Period:	AM Street Peak Hour			Date:	

Table 1-A: Base Vehicle-Trip Generation Estimates (Single-Use Site Estimate)						
Land Use	Development Data (For Information Only)			Estimated Vehicle-Trips ³		
	ITE LUCs ¹	Quantity	Units	Total	Entering	Exiting
Office				0		
Retail	820/850	10,000	1,000 gsf	112	69	43
Restaurant				0		
Cinema/Entertainment				0		
Residential	220	184	dwelling units	98	20	78
Hotel				0		
All Other Land Uses ²				0		
				210	89	121

Table 2-A: Mode Split and Vehicle Occupancy Estimates						
Land Use	Entering Trips			Exiting Trips		
	Veh. Occ. ⁴	% Transit	% Non-Motorized	Veh. Occ. ⁴	% Transit	% Non-Motorized
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						
All Other Land Uses ²						

Table 3-A: Average Land Use Interchange Distances (Feet Walking Distance)						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						

Table 4-A: Internal Person-Trip Origin-Destination Matrix*						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		0	0	0	0	0
Retail	0		0	0	0	0
Restaurant	0	0		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	0	1	0	0		0
Hotel	0	0	0	0	0	

Table 5-A: Computations Summary			
	Total	Entering	Exiting
All Person-Trips	210	89	121
Internal Capture Percentage	1%	1%	1%
External Vehicle-Trips ⁵	208	88	120
External Transit-Trips ⁶	0	0	0
External Non-Motorized Trips ⁶	0	0	0

Table 6-A: Internal Trip Capture Percentages by Land Use		
Land Use	Entering Trips	Exiting Trips
Office	N/A	N/A
Retail	1%	0%
Restaurant	N/A	N/A
Cinema/Entertainment	N/A	N/A
Residential	0%	1%
Hotel	N/A	N/A

¹Land Use Codes (LUCs) from *Trip Generation Manual*, published by the Institute of Transportation Engineers.

²Total estimate for all other land uses at mixed-use development site is not subject to internal trip capture computations in this estimator.

³Enter trips assuming no transit or non-motorized trips (as assumed in ITE *Trip Generation Manual*).

⁴Enter vehicle occupancy assumed in Table 1-A vehicle trips. If vehicle occupancy changes for proposed mixed-use project, manual adjustments must be made to Tables 5-A, 9-A (O and D). Enter transit, non-motorized percentages that will result with proposed mixed-use project complete.

⁵Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-A.

⁶Person-Trips

*Indicates computation that has been rounded to the nearest whole number.

Estimation Tool Developed by the Texas A&M Transportation Institute - Version 2013.1

Project Name:	Mercer Island Apartments
Analysis Period:	AM Street Peak Hour

Land Use	Table 7-A (D): Entering Trips			Table 7-A (O): Exiting Trips		
	Veh. Occ.	Vehicle-Trips	Person-Trips*	Veh. Occ.	Vehicle-Trips	Person-Trips*
Office	1.00	0	0	1.00	0	0
Retail	1.00	69	69	1.00	43	43
Restaurant	1.00	0	0	1.00	0	0
Cinema/Entertainment	1.00	0	0	1.00	0	0
Residential	1.00	20	20	1.00	78	78
Hotel	1.00	0	0	1.00	0	0

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		0	0	0	0	0
Retail	12		6	0	6	0
Restaurant	0	0		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	2	1	16	0		0
Hotel	0	0	0	0	0	

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		22	0	0	0	0
Retail	0		0	0	0	0
Restaurant	0	6		0	1	0
Cinema/Entertainment	0	0	0		0	0
Residential	0	12	0	0		0
Hotel	0	3	0	0	0	

Destination Land Use	Person-Trip Estimates			External Trips by Mode*		
	Internal	External	Total	Vehicles ¹	Transit ²	Non-Motorized ²
Office	0	0	0	0	0	0
Retail	1	68	69	68	0	0
Restaurant	0	0	0	0	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	0	20	20	20	0	0
Hotel	0	0	0	0	0	0
All Other Land Uses ³	0	0	0	0	0	0

Origin Land Use	Person-Trip Estimates			External Trips by Mode*		
	Internal	External	Total	Vehicles ¹	Transit ²	Non-Motorized ²
Office	0	0	0	0	0	0
Retail	0	43	43	43	0	0
Restaurant	0	0	0	0	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	1	77	78	77	0	0
Hotel	0	0	0	0	0	0
All Other Land Uses ³	0	0	0	0	0	0

¹Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-A
²Person-Trips
³Total estimate for all other land uses at mixed-use development site is not subject to internal trip capture computations in this estimator
*Indicates computation that has been rounded to the nearest whole number.

NCHRP 684 Internal Trip Capture Estimation Tool				
Project Name:	Mercer Island Apartments		Organization:	Transpo Group
Project Location:	Mercer Island		Performed By:	KLL
Scenario Description:	Proposed Land Uses - Retail		Date:	3/9/2015
Analysis Year:			Checked By:	
Analysis Period:	PM Peak Hour		Date:	

Table 1-P: Base Vehicle-Trip Generation Estimates (Single-Use Site Estimate)						
Land Use	Development Data (For Information Only)			Estimated Vehicle-Trips ³		
	ITE LUCs ¹	Quantity	Units	Total	Entering	Exiting
Office				0		
Retail	820/850	10,000	1,000 gsf	321	163	158
Restaurant				0		
Cinema/Entertainment				0		
Residential	220	184	dwelling units	119	77	42
Hotel				0		
All Other Land Uses ²				0		
				440	240	200

Table 2-P: Mode Split and Vehicle Occupancy Estimates						
Land Use	Entering Trips			Exiting Trips		
	Veh. Occ. ⁴	% Transit	% Non-Motorized	Veh. Occ. ⁴	% Transit	% Non-Motorized
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						
All Other Land Uses ²						

Table 3-P: Average Land Use Interchange Distances (Feet Walking Distance)						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						

Table 4-P: Internal Person-Trip Origin-Destination Matrix*						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		0	0	0	0	0
Retail	0		0	0	35	0
Restaurant	0	0		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	0	16	0	0		0
Hotel	0	0	0	0	0	

Table 5-P: Computations Summary			
	Total	Entering	Exiting
All Person-Trips	440	240	200
Internal Capture Percentage	23%	21%	26%
External Vehicle-Trips ⁵	338	189	149
External Transit-Trips ⁶	0	0	0
External Non-Motorized Trips ⁶	0	0	0

Table 6-P: Internal Trip Capture Percentages by Land Use		
Land Use	Entering Trips	Exiting Trips
Office	N/A	N/A
Retail	10%	22%
Restaurant	N/A	N/A
Cinema/Entertainment	N/A	N/A
Residential	45%	38%
Hotel	N/A	N/A

¹Land Use Codes (LUCs) from *Trip Generation Manual*, published by the Institute of Transportation Engineers.

²Total estimate for all other land uses at mixed-use development site is not subject to internal trip capture computations in this estimator.

³Enter trips assuming no transit or non-motorized trips (as assumed in ITE *Trip Generation Manual*).

⁴Enter vehicle occupancy assumed in Table 1-P vehicle trips. If vehicle occupancy changes for proposed mixed-use project, manual adjustments must be

⁵Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-P.

⁶Person-Trips

*Indicates computation that has been rounded to the nearest whole number.

Project Name:	Mercer Island Apartments
Analysis Period:	PM Street Peak Hour

Table 7-P: Conversion of Vehicle-Trip Ends to Person-Trip Ends						
Land Use	Table 7-P (D): Entering Trips			Table 7-P (O): Exiting Trips		
	Veh. Occ.	Vehicle-Trips	Person-Trips*	Veh. Occ.	Vehicle-Trips	Person-Trips*
Office	1.00	0	0	1.00	0	0
Retail	1.00	163	163	1.00	158	158
Restaurant	1.00	0	0	1.00	0	0
Cinema/Entertainment	1.00	0	0	1.00	0	0
Residential	1.00	77	77	1.00	42	42
Hotel	1.00	0	0	1.00	0	0

Table 8-P (O): Internal Person-Trip Origin-Destination Matrix (Computed at Origin)						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		0	0	0	0	0
Retail	3		46	6	41	8
Restaurant	0	0		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	2	18	9	0		1
Hotel	0	0	0	0	0	

Table 8-P (D): Internal Person-Trip Origin-Destination Matrix (Computed at Destination)						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		13	0	0	3	0
Retail	0		0	0	35	0
Restaurant	0	82		0	12	0
Cinema/Entertainment	0	7	0		3	0
Residential	0	16	0	0		0
Hotel	0	3	0	0	0	

Table 9-P (D): Internal and External Trips Summary (Entering Trips)						
Destination Land Use	Person-Trip Estimates			External Trips by Mode*		
	Internal	External	Total	Vehicles ¹	Transit ²	Non-Motorized ²
Office	0	0	0	0	0	0
Retail	16	147	163	147	0	0
Restaurant	0	0	0	0	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	35	42	77	42	0	0
Hotel	0	0	0	0	0	0
All Other Land Uses ³	0	0	0	0	0	0

Table 9-P (O): Internal and External Trips Summary (Exiting Trips)						
Origin Land Use	Person-Trip Estimates			External Trips by Mode*		
	Internal	External	Total	Vehicles ¹	Transit ²	Non-Motorized ²
Office	0	0	0	0	0	0
Retail	35	123	158	123	0	0
Restaurant	0	0	0	0	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	16	26	42	26	0	0
Hotel	0	0	0	0	0	0
All Other Land Uses ³	0	0	0	0	0	0

¹Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-P

²Person-Trips

³Total estimate for all other land uses at mixed-use development site is not subject to internal trip capture computations in this estimator

*Indicates computation that has been rounded to the nearest whole number.

Attachment A - Mercer Island Park Ride Trip Generation

Weekday PM Peak Hour

T-Entrance

Time	3/26/2015								Total	Hourly	3/24/2015								Total	Hourly	3/25/2015								Total	Hourly
	EBL	WBR	Total In	SBL	SBT	SBR	Total Out	EBL			WBR	Total In	SBL	SBT	SBR	Total Out	EBL	WBR			Total In	SBL	SBT	SBR	Total Out					
4:00 PM	0	0	0	0		4	4	4		0	1	1	0		4	4	5		0	0	0	0		2	2	2				
4:15 PM	0	0	0	0		3	3	3		0	1	1	0		4	4	5		0	1	1	0		4	4	5				
4:30 PM	0	0	0	0		6	6	6		0	0	0	0		10	10	10		0	0	0	1		6	7	7				
4:45 PM	0	0	0	0		5	5	5	18	0	1	1	0		3	3	4	24	0	0	0	0		5	5	5	19			
5:00 PM	0	0	0	0		2	2	2	16	0	0	0	1		7	8	8	27	0	0	0	0		13	13	13	30			
5:15 PM	0	0	0	0		9	9	9	22	0	0	0	0		9	9	9	31	0	0	0	0		10	10	10	35			
5:30 PM	0	0	0	0		4	4	4	20	0	0	0	0		4	4	4	25	0	0	0	0		5	5	5	33			
5:45 PM	0	0	0	0		9	9	9	24	0	0	0	0		9	9	9	30	0	0	0	0		9	9	9	37			
6:00 PM	0	0	0	0		10	10	10	32	0	0	0	0		5	5	5	27	0	1	1	0		6	6	7	31			
6:15 PM	0	0	0	0		3	3	3	26	0	0	0	0		3	3	3	21	0	0	0	0		6	6	6	27			
6:30 PM	0	1	1	0		3	3	4	26	0	2	2	0		5	5	7	24	0	1	1	0		1	1	2	24			
6:45 PM	0	0	0	0		0	0	0	17	0	0	0	0		5	5	5	20	0	0	0	1		2	3	3	18			

Signal Entrance

Time	3/26/2015								Total	Hourly	3/24/2015								Total	Hourly	3/25/2015								Total	Hourly
	EBL	WBR	Total In	SBL	SBT	SBR	Total Out	EBL			WBR	Total In	SBL	SBT	SBR	Total Out	EBL	WBR			Total In	SBL	SBT	SBR	Total Out					
4:00 PM	5	3	8	0	15	5	20	28		5	8	13	3	26	5	34	47		1	1	2	3	15	4	22	24				
4:15 PM	3	3	6	9	37	0	46	52		2	4	6	3	19	3	25	31		3	7	10	4	23	5	32	42				
4:30 PM	3	2	5	5	21	5	31	36		5	3	8	12	40	3	55	63		2	2	4	6	28	2	36	40				
4:45 PM	3	9	12	3	25	2	30	42	158	6	5	11	6	21	2	29	40	181	2	5	7	3	14	2	19	26	132			
5:00 PM	4	9	13	6	20	3	29	42	172	6	5	11	7	20	8	35	46	180	4	11	15	8	27	5	40	55	163			
5:15 PM	7	7	14	6	37	9	52	66	186	6	10	16	5	22	4	31	47	196	8	4	12	5	34	2	41	53	174			
5:30 PM	4	9	13	3	23	6	32	45	195	6	11	17	3	15	5	23	40	173	8	9	17	4	24	5	33	50	184			
5:45 PM	2	9	11	4	15	7	26	37	190	8	17	25	4	21	8	33	58	191	2	4	6	4	25	6	35	41	199			
6:00 PM	2	14	16	6	24	1	31	47	195	5	10	15	6	26	9	41	56	201	0	5	5	4	18	2	24	29	173			
6:15 PM	3	4	7	5	12	2	19	26	155	3	11	14	2	16	4	22	36	190	5	9	14	2	23	3	28	42	162			
6:30 PM	6	9	15	3	15	2	20	35	145	4	9	13	2	14	7	23	36	186	5	5	10	5	15	5	25	35	147			
6:45 PM	2	4	6	2	18	4	24	30	138	7	2	9	3	18	4	25	34	162	1	4	5	3	12	1	16	21	127			

Combined

Time	3/26/2015								Total	In	Out	Hourly	3/24/2015								Total	In	Out	Hourly	3/25/2015								Total	In	Out	Hourly	3-day Average			
	EBL	WBR	Total In	SBL	SBR	Total Out	EBL	WBR					Total In	SBL	SBR	Total Out	EBL	WBR	Total In	SBL					SBR	Total Out	Total	In	Out	Hourly	Total	In					Out	Hourly		
4:00 PM			8			24	32					14			38	52							2			24	26													
4:15 PM			6			49	55					7			29	36							11			36	47													
4:30 PM			5			37	42					8			65	73							4			43	47													
4:45 PM			12			35	47				176	12			32	44							7			24	31									151				
5:00 PM			13			31	44				188	11			43	54							15			53	68									193				
5:15 PM			14			61	75				208	16			40	56							12			51	63									209				
5:30 PM			13			36	49				215	17			27	44							17			38	55									217				
5:45 PM			11			35	46				214	25			42	67							6			44	55									214				
6:00 PM			16			41	57	54	173		227	15			46	61	73	155	228				6			30	36	21%	186		236		59	171	230					
6:15 PM			7			22	29	24%			181	14			25	39	32%	155	211				14			34	48								189					
6:30 PM			16			23	39				171	15			28	43							11			26	37									171				
6:45 PM			6			24	30				155	9			30	39							5			19	24									145				

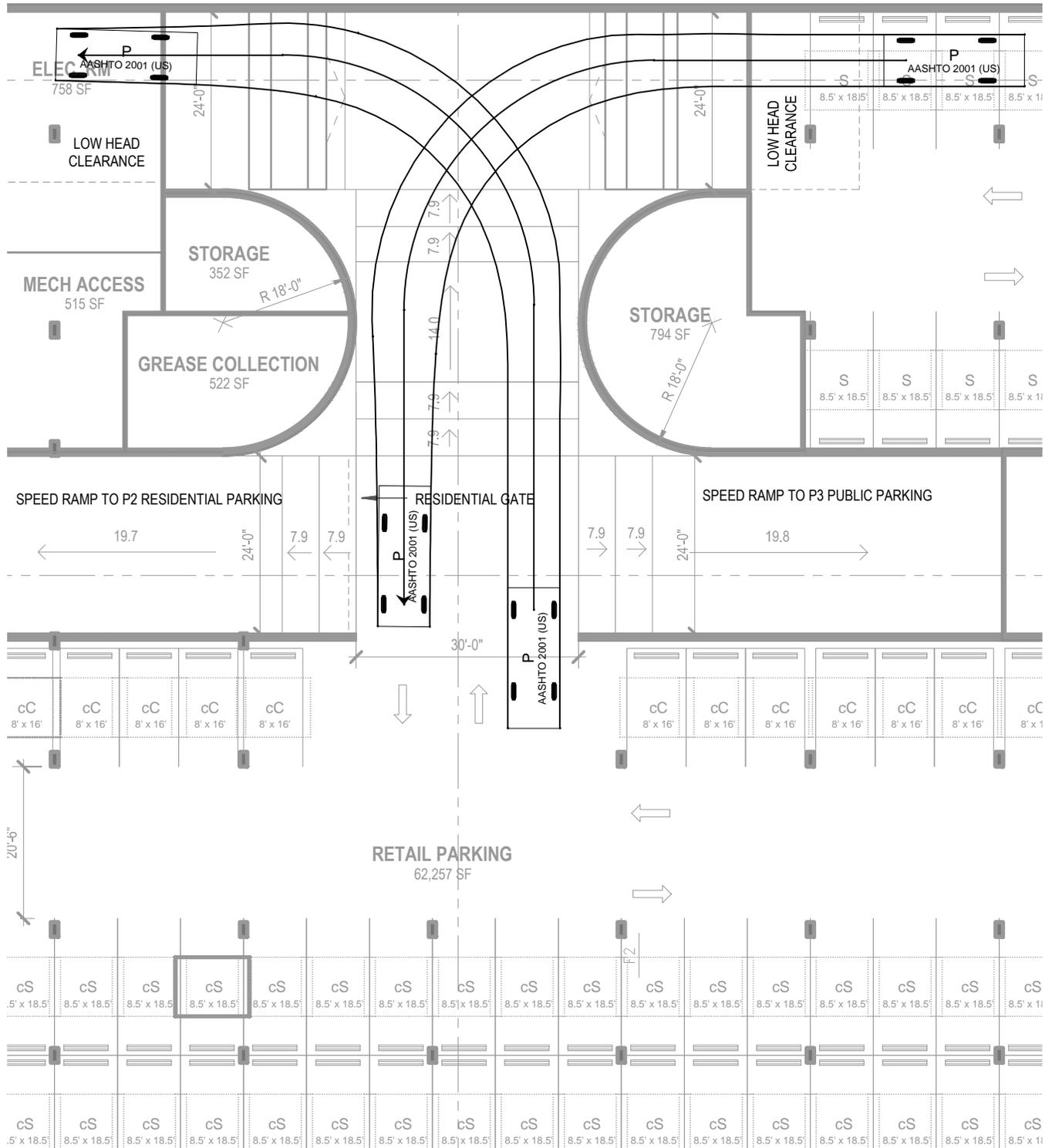
Supply 447 0.515287

Attachment B: Vehicle Travel Paths



273'-9"

NOT TO SCALE



Commercial Inbound and Outbound Left-Turns

ATTACHMENT

Mercer Island Apartments

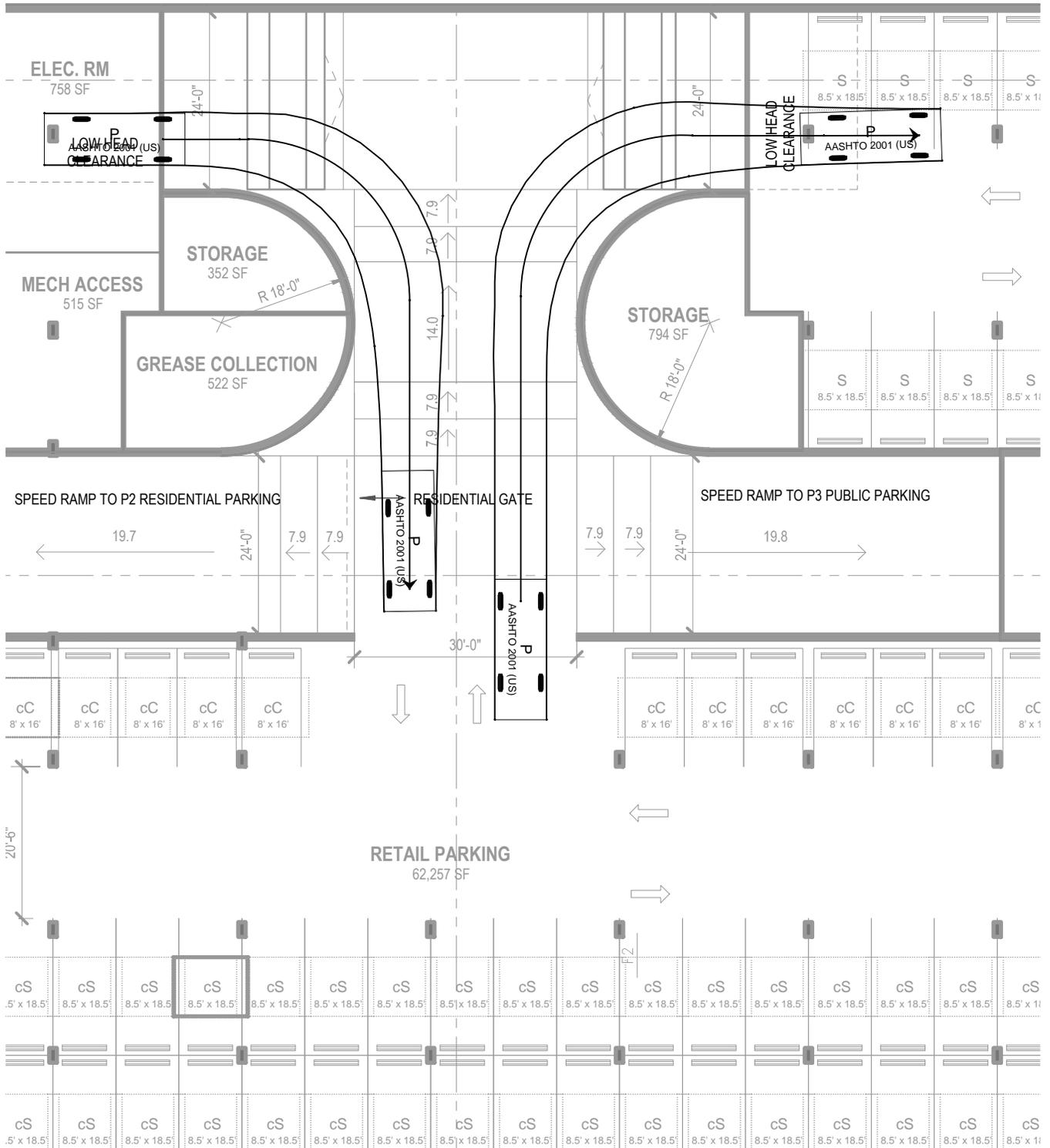


B-1



273'-9"

NOT TO SCALE



Commercial Inbound and Outbound Right-Turns

ATTACHMENT

Mercer Island Apartments



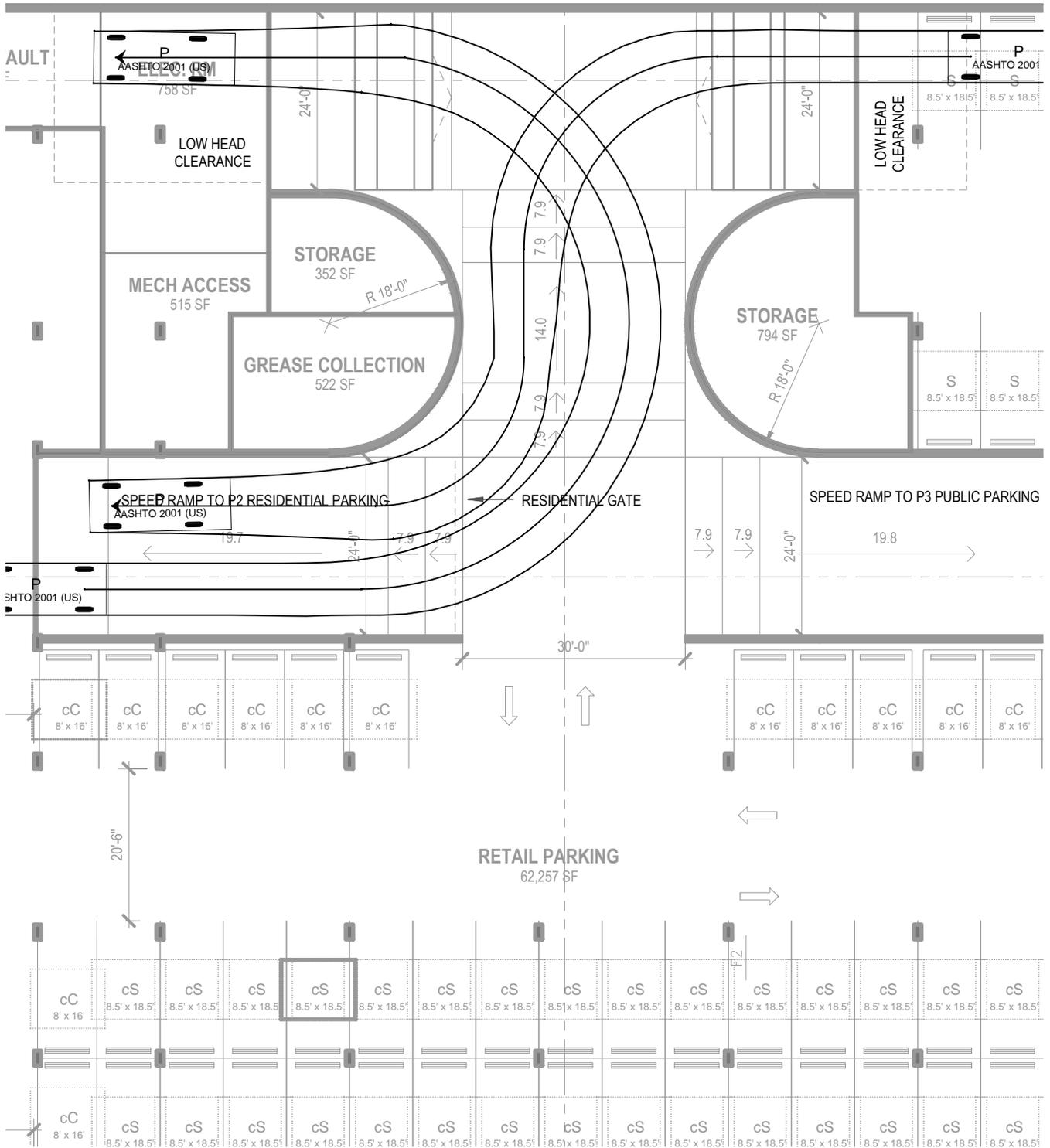
B-2



NOT TO SCALE



273'-9"



Residential Inbound and Outbound Left-Turns

ATTACHMENT

Mercer Island Apartments



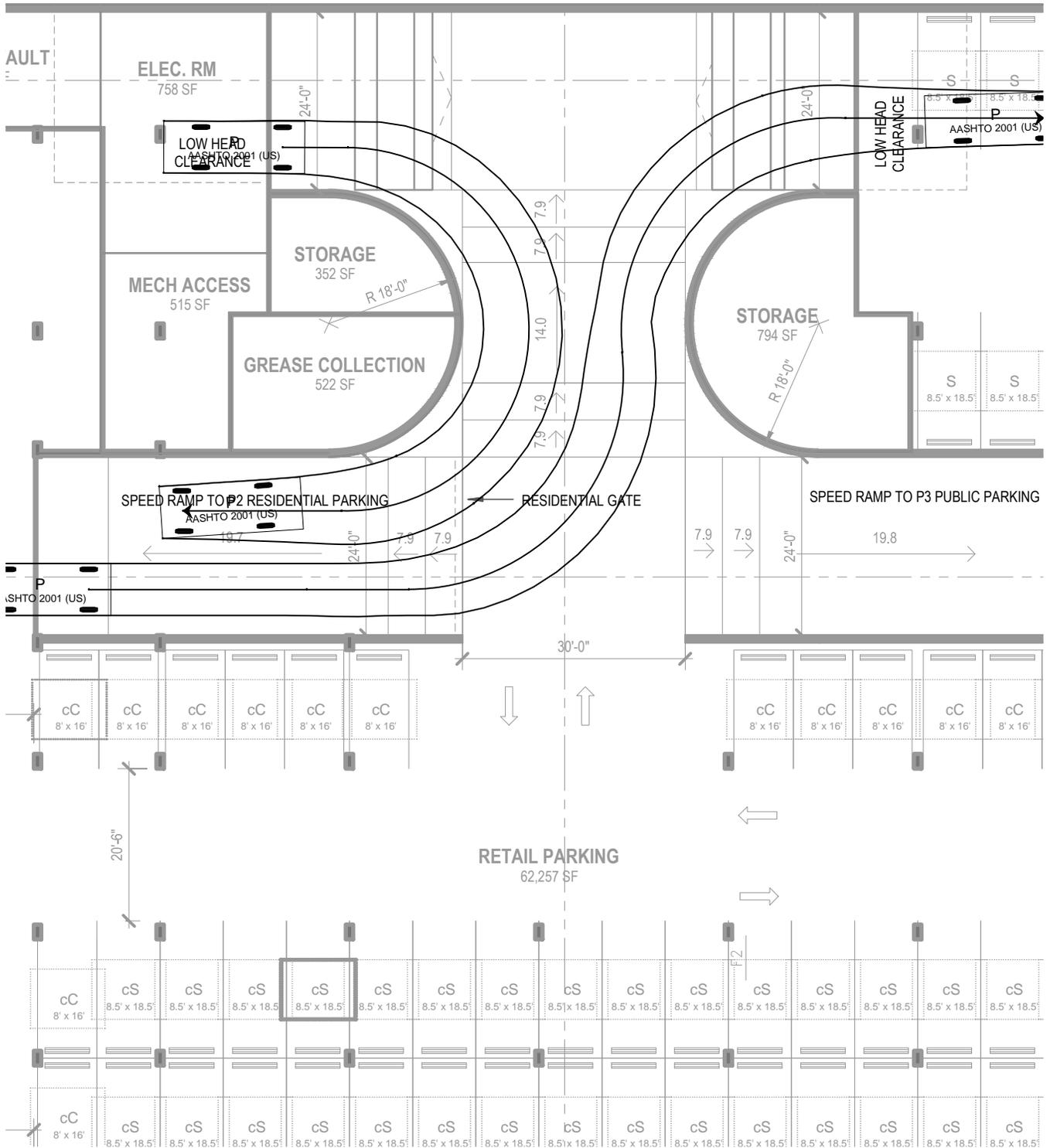
B-3



NOT TO SCALE



273'-9"



Residential Inbound and Outbound Right-Turns

ATTACHMENT

Mercer Island Apartments



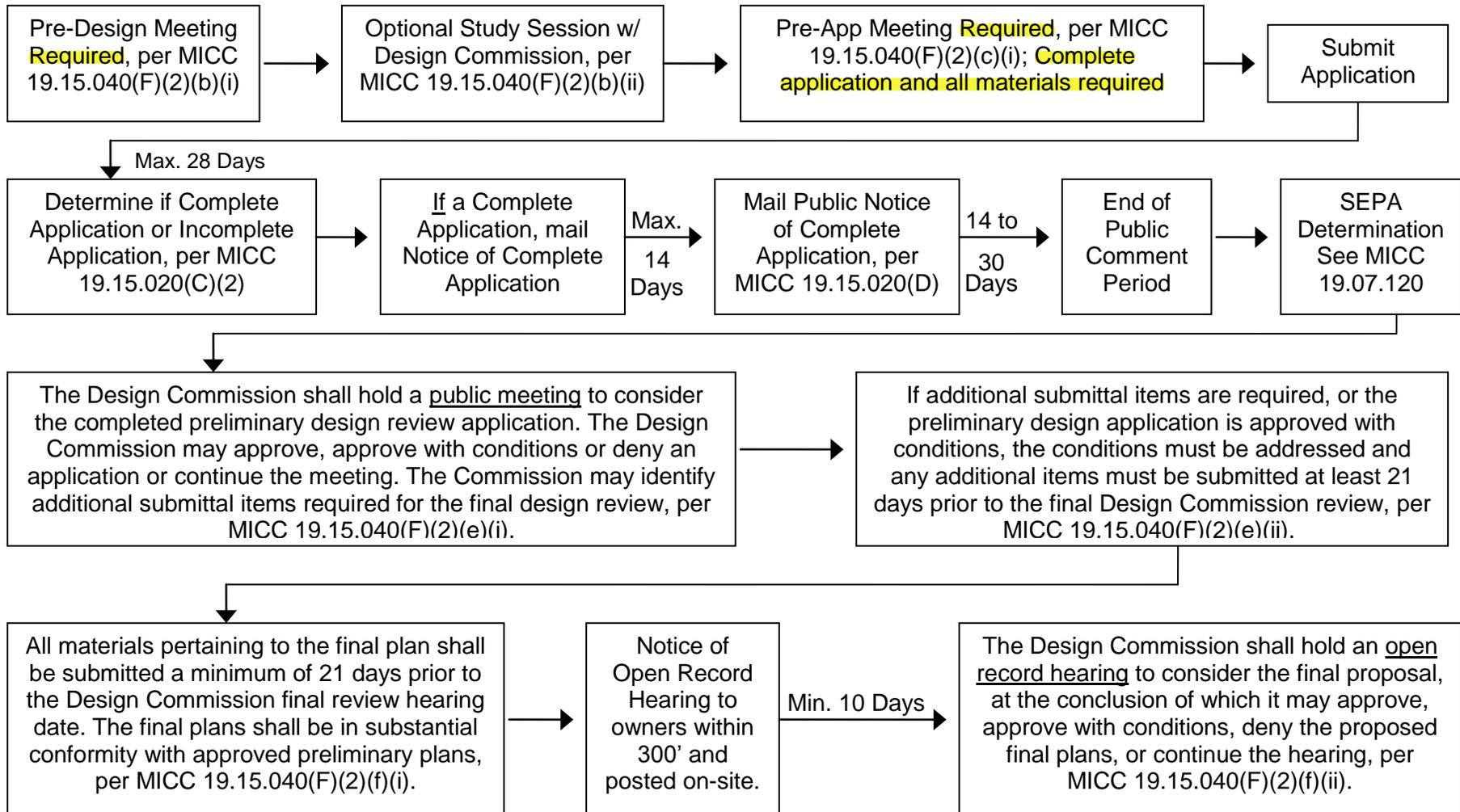
B-4

EXHIBIT 14



TYPICAL DESIGN COMMISSION PROCESS FOR MAJOR NEW CONSTRUCTION

The following is only a summary of the City of Mercer Island Design Review Process. Please refer to Mercer Island City Code (MICC) requirements for design review, which shall always govern.



This summary is provided for informational purposes only and is not intended as a complete or legally sufficient summary. The City of Mercer Island, its elected officials, officers, employees or agents make no warranty of any kind, express or implied, in relation to any information on this summary or any use made of this summary by any person. As with any document affecting the rights and responsibilities of real property ownership, the City of Mercer Island recommends that you consult with your private legal counsel before proceeding on any land use action after review of this summary.

S:\



CITY OF MERCER ISLAND, DEVELOPMENT SERVICES GROUP

9611 S.E. 36 ST., MERCER ISLAND, WA 98040 (206) 275-7605 FAX: (206) 275-7726
WWW.MERCERGOV.ORG

Submittal Requirements for Design Commission Review - Major New Construction

Design Review is the process by which the City evaluates developments within the City that meet the definition of “regulated improvements” in Mercer Island City Code (MICC) 19.16.010. Regulated improvements are defined as:

Any development of any property within the city, except:

- 1. Property owned or controlled by the city; or*
- 2. Single-family dwellings and the buildings, structures and uses accessory thereto; or*
- 3. Wireless communications structures, including associated support structures and equipment cabinets.*

Design review ensures a proposal’s consistency with MICC 19.11 Town Center Development and Design Standards or MICC 19.12 Design Standards for Zones outside Town Center and is intended to promote and enhance environmental and aesthetic design. Single family development is not a regulated improvement, and is therefore excluded from design review.

Regulated improvements are classified as either a major new construction, which is defined by MICC 19.16.010 as “construction from bare ground or an enlargement or alteration that changes the exterior of an existing structure that costs in excess of 50 percent of the structure’s assessed value” or a minor new construction. Minor new construction is “exterior modification to an existing development or site that does not constitute major new construction.”

The Design Commission is the decision authority for review of major new construction as well as minor exterior modifications in the Town Center with a with a construction valuation (as defined by MICC 17.14.010) of \$100,000 or greater. All minor exterior modifications outside of the Town Center as well as minor exterior modifications in the Town Center with a with a construction valuation (as defined by MICC 17.14.010) less than \$100,000 are reviewed by the Code Official. The Code Official may choose to send any application to the Design Commission for review.

PRE-DESIGN MEETING AND STUDY SESSION: The applicant shall participate in a pre-design meeting with staff prior to formal project development and application. The applicant may present schematic sketches and a general outline of the proposal for the City staff comments prior to preparation of formal plans. This meeting will allow city staff to acquaint the applicant with the design standards, submittal requirements, and the application procedures and provide early input on the proposed project. Additionally, the applicant is strongly encouraged to schedule a Study Session with the Design Commission to discuss project concepts before the plans are fully developed. At this session, which will be open to the public, the applicant should provide information regarding the site, the intended mix of uses, and how it will fit into the focus area objectives. The Commission may provide feedback to be considered in the design of the project.

PRE-APPLICATION: Applicants are required to participate in a pre-application meeting with City staff per MICC 19.15.040(F)(2)(c). Call Development Services staff to schedule a pre-application meeting. Pre-application meetings with the staff provide an opportunity to discuss the proposal in conceptual terms, identify the applicable City requirements, and delineate the proposal review process. Applicants are also encouraged to talk with surrounding property owner and residents about their proposal. Meetings and/or correspondence with the neighborhood serve the purpose of informing the neighborhood of the project proposal prior to the formal notice provided by the City.

APPLICATION: All applications for permits or actions by the City shall be submitted on forms provided by the Development Services Group. An application shall contain all information required by the applicable development regulations. The city cannot accept an application that does not have all of the required items. In order to accept your application, each of the required items shall be submitted to permit counter staff at the same time.

FILING REQUIREMENTS: Please fold all plans and attachments to a size not exceeding 8½" x 14" for storage in a legal-size folder. Plans not folded to the proper size will not be accepted. Please submit **fifteen (15) copies** each of the following:

- Development Application Coversheet
- Design Review Filing Fee: **see Development Application**
- Land Use Action sign deposit (refunded when sign is returned to the City): **see Development Application**
- A **State Environmental Policy Act (SEPA) Checklist** may be required. The checklist is available at the Development Services Group counter. Development Services Group personnel can assist you in determining if your proposal is exempt.

- Conceptual Floor Plans including the following:
 - Include exterior access points
 - Clarify the relationship between the interior spaces and the outside (decks, etc.) spaces
- Landscape Plan to include the following:
 - Minimum landscaping plan sheet size is 11" X 17".
 - Extent and location of all plant materials and other landscape features. Plant materials must be identified by direct labeling of each plant or by a clearly understandable legend.
 - Flower and shrub bed definition must be clear and drawn to scale with dimensions.
 - Proposed plant material should be indicated at mature sizes and in appropriate relation to scale.
 - Species and size of existing plant materials.
 - Proposed treatment of all ground surfaces must be clearly indicated (paving, turf, gravel, grading, etc.)
 - Location of water outlets. If areas of planting are extensive, plans for an underground sprinkler system will be required.
- Exterior Lighting Plan: Indicate new or modified lighting locations and provide specifications for proposed lighting.
- Indication of Materials & Colors: Two color copies of a color palette. The palette shall indicate which construction materials will be used.
- Sign Program: Illustrate location, size, height, material, color, letter dimensions, structural components and landscaping
- Birdseye Perspective or Massing Model: *Major projects only*
- Staff may require additional information or materials when necessary.

EXHIBIT 15

From: Dan Grausz [Grausz](#)
To: Debbie Bertlin
Cc:
Subject: Proposed Development
Date: 12/4/2014 11:03:30 PM
Attachments: Design Package.pdf

This unnerves me.

EXHIBIT 16

From: Dan Grausz [Grausz](#)
To: Bruce Bassett; Benson Wong
Cc:
Subject: Proposed Development
Date: 12/4/2014 11:02:21 PM
Attachments: Design Package.pdf

You should look at this. It is really disconcerting.

EXHIBIT 17

From: Dan Grausz [Grausz](#)
To: Noel Treat
Cc:
Subject: Re: Hines Property
Date: 12/7/2014 11:54:48 PM
Attachments:

This is the time for a very strong message to be sent to this developer. Otherwise, I think we need to seriously consider a moratorium until we complete work on the Town Center effort. This project will destroy what we are hoping to do. Bruce Lorig has offered to help work with the developer if we would like him to do so - at no charge.

EXHIBIT 18

Optional DNS process.

(1) If a GMA county/city with an integrated project review process (RCW 36.70B.060) is lead agency for a proposal and has a reasonable basis for determining significant adverse environmental impacts are unlikely, it may use a single integrated comment period to obtain comments on the notice of application and the likely threshold determination for the proposal. If this process is used, a second comment period will typically not be required when the DNS is issued (refer to subsection (4) of this section).

(2) If the lead agency uses the optional process specified in subsection (1) of this section, the lead agency shall:

(a) State on the first page of the notice of application that it expects to issue a DNS for the proposal, and that:

(i) The optional DNS process is being used;

(ii) This may be the only opportunity to comment on the environmental impacts of the proposal;

(iii) The proposal may include mitigation measures under applicable codes, and the project review process may incorporate or require mitigation measures regardless of whether an EIS is prepared; and

(iv) A copy of the subsequent threshold determination for the specific proposal may be obtained upon request (in addition, the lead agency may choose to maintain a general mailing list for threshold determination distribution).

(b) List in the notice of application the conditions being considered to mitigate environmental impacts, if a mitigated DNS is expected;

(c) Comply with the requirements for a notice of application and public notice in RCW 36.70B.110; and

(d) Send the notice of application and environmental checklist to:

(i) Agencies with jurisdiction, the department of ecology, affected tribes, and each local agency or political subdivision whose public services would be changed as a result of implementation of the proposal; and

(ii) Anyone requesting a copy of the environmental checklist for the specific proposal (in addition, the lead agency may choose to maintain a general mailing list for checklist distribution).

(3) If the lead agency indicates on the notice of application that a DNS is likely, an agency with jurisdiction may assume lead agency status during the comment period on the notice of application (WAC 197-11-948).

(4) The responsible official shall consider timely comments on the notice of application and either:

(a) Issue a DNS or mitigated DNS with no comment period using the procedures in subsection (5) of this section;

(b) Issue a DNS or mitigated DNS with a comment period using the procedures in subsection (5) of this section, if the lead agency determines a comment period is necessary;

(c) Issue a DS; or

(d) Require additional information or studies prior to making a threshold determination.

(5) If a DNS or mitigated DNS is issued under subsection (4)(a) of this section, the lead agency shall send a copy of the DNS or mitigated DNS to the department of ecology, agencies with jurisdiction, those who commented, and anyone requesting a copy. A copy of the environmental checklist need not be recirculated.

[Statutory Authority: 1995 c 347 (ESHB 1724) and RCW 43.21C.110. WSR 97-21-030 (Order 95-16), § 197-11-355, filed 10/10/97, effective 11/10/97.]

Michelle Goldberg
2212 78th Ave SE
Mercer Island, WA 98040
Megold7ny@aol.com

May 26, 2015

Principal Planner Shana Restall
Development Services Group
City of Mercer Island
9611 SE 36th Street
Mercer Island, WA 98040

TRANSMITTED ELECTRONICALLY to
Shana.restall@mercergov.org

RE: Comments on SEPA review of the Hines Project,
DSR15-014 and SEP15-011

Dear Principal Planner Restall:

The following comments concern the SEPA review of the proposed project known as the Hines Project to be located between 77th Ave SE and 78th Ave SE, and between SE 29th Street and the current McDonalds. These are comments submitted by me, personally, and not on behalf of any organization:

Traffic Impacts: The impacts to traffic in the area, both during the construction and once the project is completed, are likely to be great and far-reaching. It is impossible, however, to ascertain the exact nature of these traffic or transportation impacts without a properly conducted analysis. As Hines has not submitted a Traffic Impact Analysis report ("TIA") (also referred to as a Transportation Impact Analysis report), then the SEPA review period should not have started to run. The SEPA review period should begin only once the TIA is completed and has been submitted, and there has been adequate review by the Mercer Island City Engineer and the peer reviewing firm. Residents and other interested parties should have an additional

opportunity to comment on these traffic impacts once all the reviews have been completed.

Toxic Hazards: Nowhere in the submitted documents does Hines mention that there has been a dry cleaner on the proposed project site for a few decades—possibly since the 1960s or 1970s. It is highly likely that the soil and ground water have been contaminated by PERC or other toxic by-products of this dry cleaning establishment. Further investigation should be conducted, or inquiries made, to make sure that hazardous materials have not leached into the soil or water table. If there has been contamination, then appropriate measures must be taken to clean the property.

Land Use: The SEPA Environmental checklist appears inaccurate in that the proposed building will be five stories on one side (78th Ave), but will appear to be six stories on the 77th Avenue side due to changes in the elevation. I am opposed to this added height as well as the added residential density because I do not believe the city's infrastructure and schools can support such growth. (Please see comments below regarding Public Services.)

Aesthetics: The SEPA checklist response to question 10b also appears inaccurate. Hines responds that no views in the immediate vicinity will be altered or obstructed. Clearly the neighboring properties will now be facing and viewing a massive five- or six-story building. This building will obstruct views of the surrounding hills (the Town Center bowl), as well as cut off sunlight to the neighboring properties.

Public Services: The building's population forecast seems low given the number of residential units. The impact to police and fire services also seems too low. Finally, the stated impact to the school district seems too low as it is based on incomplete information. School enrollment will increase in two ways: 1) the number of students who live at the Hines property; and 2) the number of children who move into the houses recently purchased from empty nesters or other child-less households who have moved to the Hines property. These numbers must be analyzed to accurately ascertain impact and determine mitigation or impact fees.

Timing of Project: As the city is still undergoing the Town Center Visioning process, as well as updating its Comprehensive Plan, and revising the city's codes, this project should not be approved. The Hines project should be included within the city's current moratorium and all construction permitting should be put on hold.

Sincerely,

Michelle Goldberg
2212 78th Ave SE
Mercer Island, WA 98040

Shana Restall

From: Salim Nice <salimnice@gmail.com>
Sent: Tuesday, May 26, 2015 4:59 PM
To: Shana Restall
Subject: Ref: DSR15-014 /SEPA15-011

To: Shana Restall, Principal Planner, Mercer Island Design Services Group

From: Salim Nice, Stakeholder Committee Member, Mercer Island Town Center

5619 89th Ave SE

Mercer Island, WA 98040

Date: May 26, 2015

Re: Ref: DSR15-014 /SEPA15-011

I respectfully request that Hines be included in the Moratorium. Including Hines in the Moratorium would allow the necessary time for the Stakeholders, TCLG, Commissions, DSG and City Council to complete their work and incorporate the updates with City Code and the Comprehensive Plan. That is the only acceptable time for the Hines project to be evaluated on equal footing with other property owners and in conformance with the long term aspirations of Islanders. Hines was not included in the Moratorium because they were said to be acting in “Good Faith” with the City to build a project the City desperately wanted. One which would include a Whole Foods or other high-end grocer, significant public plaza and Mercer Island resident parking. The as-submitted proposal lacks most of those elements, many of which were the basis for certain Council members decision to not include Hines in the Moratorium. Just as the Council expressed concern that verbal commitments made between Hines and the City could be the basis for legal action I would implore you not to make the same mistake by allowing this non-conforming SEPA process to move forward. It is fraught with errors and omission not only on the part of the applicant but also with respect to the processes and procedures required by MICC.

Shana Restall

From: appelman@bmi.net
Sent: Tuesday, May 26, 2015 4:58 PM
To: Shana Restall
Subject: Comments on King/Hines DSR15-014 Notice and Erwin recusal
Attachments: Comments on DSR15-014 for King-Hines project.pdf; Shana Restall email on Notice DSR15-014.docx

Hi Shana:

I've attached comments on the King/Hines project (DSR15-014). My SEPA comments were filed yesterday.

Thanks.

Ira

Ira B. Appelman
4436 Ferncroft Road
Mercer Island, WA 98040-3818

May 26, 2015

Principal Planner Shana Restall
Development Services Group
City of Mercer Island
9611 SE 36th Street
Mercer Island, WA 98040

BY EMAIL & HAND DELIVERED

RE: Comments on King/Hines project DSR15-014: Notice & Erwin recusal

Dear Principal Planner Restall:

The following comments concern the King/Hines project covering three lots at 2728 & 2750 77th Avenue SE and 2885 78th Avenue SE (DSR15-014) as described in the Notice of Application published in the DSG Weekly Permit Information Bulletin for May 11, 2015. SEPA comments for SEP15-011 have been provided under a different cover. Additional comments on the King/Hines project (DSR15-014) will be forthcoming.

1. Notice was defective so the public meeting should be postponed and re-noticed. The City has established a Notice procedure where the time and place of public meetings and public hearings, if known, are included in the Notice of Application. As noted in the attached email sequence, the Principal Planner acknowledges that the time and place of the public meeting were left off of the Notice by “accident.” Therefore, the public meeting should be re-noticed to comply with accepted City practice. I have not had time to review the record, but I believe the practice of noticing public meetings in the Notice of Application may go back ten to fifteen years when Richard Hart was Director of DSG.

2. Others should have been noticed so the public meeting should be postponed and re-noticed. Issues surrounding the King/Hines project (DSR15-014) were raised and discussed at City Council meetings, including the February 2, 2015 council meeting. One issue that was raised and is still active is whether exempting the King-Hines project from the moratorium is a violation of state law. That issue will likely be raised in detail again during the review of the King/Hines project and those who commented on the King/Hines project before the City Council should have been noticed about the public meeting. I know that didn’t happen because I was a party of record before the City Council and I didn’t receive notice as a result.

3. Design Commission Chairman Richard Erwin has shown bias in favor of the King/Hines project and should be recused from the proceeding.

Chairman Erwin made the following comments at the February 2, 2015 Mercer Island City Council meeting which considered the Town Center development moratorium and the exemption of the King/Hines project from the moratorium. The Erwin comments begin at one hour, forty-four minutes, and fifty seconds into the video on the City’s website, www.mergov.org:

(1:44:50)

“Richard Erwin, 2811 75th Place S.E.

I will not agree that there aren't issues with the development regarding the Central Business District. I have an issue regarding the availability of retail within the area, myself. But I do not believe that a moratorium will alleviate the issue and will possibly exacerbate it, and I believe that we need to clear the air on a few points.

First, we have a school age population in the Central Business District that is less than three percent of the total for the Town.

Second, I Chair the Mercer Island Design Commission. I can tell you from personal experience that since I have started to serve on it in 2012 we've been vigilant in holding developers to our code, often to their chagrin. I remember well my first meeting as Chair, [unintelligible word] with the developer's lawyer, the land owner's lawyer, and the lawyer's lawyer, all telling us that we had to give them an exemption for an additional floor for their project for a public amenity, even though they didn't qualify for the exemption under those terms. We said, 'No.' They had to provide affordable housing instead in return for their additional height requirement. Twice, we have reviewed the proposed Hines project. Twice they have asked for a height exemption, which they do potentially qualify for in return for what they considered viable public amenities. Twice we have said, 'No.' We have the City government, Planning and Design Commissions, and the City Council constantly reviewing projects under their prevue and none of us take this responsibility lightly.

Third, one of the things that the average person doesn't realize until they are in the middle of development for a municipality, is that you are always trying to work on a proper flow of projects – review, approve, disapprove. If you do not work on a process of improving our code and our plan for the Central Business District as part of a continuous process, there will be a backlog of developments waiting to be reviewed immediately after it has ended and that is where we are more likely to see pressure applied and mistakes made.

Improve the code, but as part of a dynamic process. Putting our hand up and saying 'Stop' does not consider the effects afterward. Thank you.”

(1:47:05)

These self-serving Erwin comments need to be viewed in the context that Islanders are critical of the Design Commission approving inappropriate projects in the Town Center, and that is the reason for public interest in changing the Town Center code. The Erwin comments show bias in the following three ways:

(1) Since the King/Hines project, a massive project in the middle of the Town Center, was the only major project under consideration by the Design Commission, the immediate effect of the moratorium vote would be to impose a moratorium on the King/Hines project. Those who were in favor of a moratorium on the King/Hines project were in favor of the moratorium. Those who were against a moratorium on the King/Hines project were either against the moratorium OR in favor of an exemption for the King/Hines project. Hines was against being placed in the moratorium, eventually threatening to abandon the project if placed in the moratorium. The Erwin comments against the moratorium were in favor of the King/Hines project, which otherwise would be placed in the moratorium;

(2) The Erwin comments on the impact of the King/Hines project on the schools are biased/misleading and are essentially the same argument made by the developers. It may be that the Town Center is relatively small compared to the entire Island, but the point is that the schools are over capacity, AND WILL BE OVER CAPACITY EVEN WHEN THE FOURTH ELEMENTARY SCHOOL AND IMS EXPANSION ARE COMPLETED. The incremental impact of adding additional students from the Town Center may force the rebuilding of the elementary schools and middle school, which will be quite expensive;

(3) The condescending claim that a moratorium will result in a damaging backlog is absurd on its face. This claim assumes that the Design Commission is overburdened with work that, if delayed, will result in a deluge of work making mistakes more likely. In fact, the great majority of Design Commission meetings are cancelled. In the years Richard Erwin has been on the Design

Commission, 2012-2015, over 2/3 of the meetings have been cancelled according to data on the City website. For 2015, all the Design Commission meetings were cancelled up to the imposition of the moratorium.

Chairman Erwin acted as an advocate for the King/Hines project with his testimony before the City Council on February 2, 2015. Therefore, he can no longer be assumed to be unbiased and objective, so he should be recused from further proceeding concerning the King/Hines project.

Sincerely,

Ira B. Appelman
4436 Ferncroft Road
Mercer Island, WA 98040-3818
appelman@bmi.net
(206)232-8511

DEVELOPMENT SERVICES GROUP Report powered by

WEEKLY PERMIT INFORMATION BULLETIN

REPORT DATE: 5/11/2015

A PUBLICATION OF THE CITY OF MERCER ISLAND ISSUED WEEKLY TO PROVIDE OFFICIAL NOTICE OF LAND USE APPLICATIONS FILED AND DECISIONS MADE ON DEVELOPMENT PERMITS.

You may review the files on projects at the offices of Development Services, 9611 SE 36th St, Mercer Island. Comments on proposals are accepted for a period of not less than fourteen (14) days from the date of publication of this bulletin. Comments must be in writing and contain your name and address and must also include the project number and location. All written comments must be filed with the Development Services Group. If there is a public hearing, testimony may be given at the public hearing before a decision is made in order to establish standing to appeal the decision.

When the SEPA field indicates a Determination of Nonsignificance (DNS) is expected, the optional DNS process is being used and a DNS is likely. This may be the only opportunity to comment on the environmental impacts of the proposal. The proposal may include mitigation measures under applicable codes and the project review process may incorporate or require mitigation measures regardless of whether an Environmental Impact Statement (EIS) is prepared. A copy of the subsequent Threshold Determination for the proposal may be obtained upon request.

PUBLIC NOTICE OF APPLICATION

Project #: DSR15-014

Description: Design review of a major new construction consisting of a five-story mixed-use building with a total area of approximately 397,185 square feet; 196 residential units; approximately 16,000 square feet of proposed commercial space; 518 parking stalls, a public plaza; and an east-west pedestrian connection.

Status: IN_REVIEW

Address: 2728 AND 2750 77TH AVENUE SE, AND 2885 78TH AVENUE SE [Click Here For Map](#)

KC Assessor's Parcel: 5315101326, 5315101316, AND 5315101325

Applicant: EVAN KASEGUMA OF HINES

Owner: KING ENTERPRISES OF WA, LLC (2885 78TH AVENUE SE), 2800 ASSOCIATES, LLC (2750 77TH AVENUE SE), AND BITNEY WALSH, LLC (2728 77TH AVENUE SE)

Date of Application: Wednesday, April 15, 2015

Date Determined to be Complete: Monday, May 11, 2015

End of Comment Period: By 5:00pm on Tuesday, May 26, 2015

Applicable Regulations: Pursuant to Mercer Island City Code (MICC) 19.15.010(E), applications for Design Review of major new construction are required to be processed as Discretionary Actions. Processing requirements for Discretionary Actions are further detailed in MICC 19.15.020. Design Review procedures are contained within MICC 19.15.040. Design Standards for development inside of the Town Center are contained within MICC 19.11. SEPA regulations are contained in RCW 43.21C, WAC 197-11, and MICC 19.07.120.

Decision Authority: Design Commission

SEPA Review: Following review of the submitted State Environmental Policy Act (SEPA) environmental checklist, an initial evaluation of the proposed project for probable significant adverse environmental impacts has been conducted. The City expects to issue a SEPA Mitigated Determination of Non-Significance (MDNS) for this project. The optional DNS process, as specified in Washington Administrative Code (WAC) 197-11-355, is being used. This may be your only opportunity to comment on the environmental impacts of the proposal. The proposal may include mitigation measures under applicable codes, and the project review process may incorporate or require mitigation measures regardless of whether an Environmental Impact Statement (EIS) is prepared. Mitigation conditions are being considered to mitigate possible environmental impacts resulting from, but not limited to traffic, noise, dust, hauling routes, development within geohazard areas, and Mercer Island School District mitigation fees. A copy of the subsequent threshold determination for this specific proposal may be obtained upon request.

Staff Contact: Shana Restall

Staff Email: shana.restall@mercergov.org

Staff Phone: (206)275-7732

Related Permits/Projects: Permit Number Permit Type Project Number Project Type
SEP15-011 SEPA REVIEW

appelman@bmi.net

RE: Agenda for the May 27, 2015 Design Commission

From [Shana Restall](#)

To [Ira B. Appelman](#)

Cc [Scott Greenberg](#)

Date Sat 13:27

Message 26 of 47 <>

Hi Ira,

Thank you for bringing this to our attention. The date and time of the May 27, 2015 public meeting was provided in the notice sent to parties within 300 feet of the subject properties and was posted on site. Additionally, it was stated in the Mercer Island Reporter: <http://www.mireporter.com/news/303471911.html?mobile=true>.

MICC 19.15.020(D)(2)(e) requires that all Notices of Application include "the date, time, and place of the open record hearing, if one has been scheduled." Pursuant to MICC 19.15.040(F)(2)(e)(i), "the design commission shall hold a public meeting to consider the completed preliminary design review application." The meeting scheduled with the Design Commission for May 27th is a public meeting, which does not require formal notice. However, mention of the public meeting is usually provided as a courtesy in the Notice of Application. I am sorry that this information was accidentally left out of the bulletin although it was included in the other forms of noticing. However, final design review is when the Design Commission holds an open record hearing. Additional notice of the public hearing will be provided within the bulletin at the time the hearing is scheduled.

Thanks,
Shana

Shana Restall | Principal Planner
City of Mercer Island Development Services
9611 SE 36th Street, Mercer Island, WA 98040-3732
p: 206.275.7732 fx: 206.275.7726
shana.restall@mercergov.org

View the status of permits at www.mybuildingpermit.com
View information for a geographic area here
View application and other zoning information here

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pursuant to RCW 42.56, regardless of any claim of confidentiality or privilege asserted by an external party.

-----Original Message-----

From: appelman@bmi.net [mailto:appelman@bmi.net]
Sent: Saturday, May 23, 2015 12:29 PM
To: Shana Restall
Cc: Scott Greenberg
Subject: Agenda for the May 27, 2015 Design Commission

Hi Shana:

I'm confused by this Design Commission agenda. May 27th consideration of the King/Hines project was NOT noticed in the Weekly Permit Information Bulletin. Notice of Application was provided in the May 11th Bulletin, but there is no mention of dates and times of ANY meetings.

I don't recall an instance where dates and times of meetings for a project as large as this haven't been noticed in the Bulletin.

Please clarify.

Thanks.

Ira

Ira B. Appelman
4436 Ferncroft Road
Mercer Island, WA 98040-3818
appelman@bmi.net
206-232-8511

Shana Restall

From: Travis Saunders
Sent: Tuesday, May 26, 2015 5:09 PM
To: Shana Restall
Subject: FW: Comments on the Proposed Hines Development

fyi

Travis Saunders | Senior Planner
City of Mercer Island Development Services
9611 SE 36th Street, Mercer Island, WA 98040-3732
p: 206.275.7717 fx: 206.275.7726
travis.saunders@mercergov.org

View the status of permits at www.mybuildingpermit.com
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-----Original Message-----

From: vogelius1@gmail.com [mailto:vogelius1@gmail.com]
Sent: Tuesday, May 26, 2015 3:03 PM
To: Travis Saunders
Subject: Comments on the Proposed Hines Development

Dear Members of the Design Committee,

I urge you to reject the 5-6 story development proposed by the Hines Corporation.

The drawings submitted by Hines fail to convey the overwhelming, massive scale of this project.

In my opinion, the exemption from the Moratorium granted to Hines - reportedly as a Quid pro Quo in exchange for 200 parking stalls for MICA - was highly irregular and represents a clear conflict of interest for Deputy Mayor, who at the time of the vote in the City Council served on the Board of MICA.

Approval of the Hines development also makes a mockery of the current Visioning Process; how can this visioning encompass a Bellevue-scale project in the middle of a village environment.

Finally, apart from the Hines developers, their supporters on the City Council and the property owners who stand from profiting greatly if the project is approved - the overwhelming majority of Mercer Islanders are against this massive development that will tower over our downtown for decades to come and bring much more traffic, a need for more

infrastructure (Schools, Fire, Police etc.) and the resulting higher property taxes to pay for it. This will disproportionately impact Seniors living on a fixed income.

When our family moved to the Pacific Northwest some 35 years ago we did not want to live in Bellevue or Seattle - we chose to move here for the wonderful environment, good schools and the suburban feeling of this small island situated between two large Metropolitan areas.

Obviously outside economic interests are looking at Mercer Island as a place that can be developed at great profit to themselves. Why sacrifice our island for the benefit of Corporations such as Texas-based Hines?

Please Vote for Mercer Islands Future and reject Hines Corporation's proposed plan.

Respectfully,

Claus V. Jensen
Senior Citizen and
Mercer Island Resident since 1980

Shana Restall

From: Travis Saunders
Sent: Tuesday, May 26, 2015 5:09 PM
To: Shana Restall
Subject: FW: proposed Hines building project

fyi

Travis Saunders | Senior Planner
City of Mercer Island Development Services
9611 SE 36th Street, Mercer Island, WA 98040-3732
p: 206.275.7717 fx: 206.275.7726
travis.saunders@mercergov.org

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-----Original Message-----

From: Morrene Jacobson [mailto:morrene2000@yahoo.com]
Sent: Tuesday, May 26, 2015 3:51 PM
To: Travis Saunders
Subject: proposed Hines building project

My husband and I will not be able to attend the meeting tomorrow night, so we'd like to take this opportunity to let you know our opinion on the Hines project.

We are opposed to allowing Hines or anyone else to build a five story building in the town center. The existing taller buildings are at the perimeters of the center and are therefore less obtrusive. Don't let Hines plunk down a huge building right in the middle of the lower, central part of the business district. Aside from esthetics, we object to the impact that the project will have on infrastructure, traffic, schools, etc. Please maintain the village feel and quality of life that attracted so many of us to Mercer Island - don't allow developers to turn our Town Center into a mini-downtown Bellevue.

Thank you.

Morrene and Terry Jacobson

EXHIBIT 34

Shana Restall

From: Stacy Dimmich <stacydimmich@gmail.com>
Sent: Tuesday, May 26, 2015 5:36 PM
To: Shana Restall
Subject: written comments on DSR file no. 15-014 and SEPA file no. 15-011
Attachments: Hines SEPA Review Memo.pdf

Dear Shana,

I hereby adopt and incorporate the attached Memorandum as my written comments on DSR File No. 15-014 and SEPA File No. 15-011.

The project property is located at the following three street addresses:

2728 77th Avenue SE, Mercer Island Washington 98040

2750 77th Avenue SE, Mercer Island Washington 98040

2885 78th Avenue SE, Mercer Island, Washington 98040

My address is 3230 80th Ave SE #2, Mercer Island, Washington 98040. My phone number is 206-232-2431. .

Thank you,

Stacy Dimmich

MEMORANDUM

To: Shana Restall, Principal Planner Mercer Island Design Services Group
Copy To: Mercer Island City Council
Mercer Island Design Commission
Mercer Island Planning Commission

From: Save Our Suburbs
2212 78th Avenue SE
Mercer Island, Washington 98040

Date: May 26, 2015

Re: *Comments on DSR File No. 15-014*
Comments on SEPA File No. 15-011
Location of the Property: 2728 and 2750 77th Avenue SE and
2885 78th Avenue SE, Mercer Island, Washington 98040

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EXECUTIVE SUMMARY

The Preliminary Design Review process for the 2015 Hines Project Proposal (“2015 Hines Proposal”) is legally flawed. It is unlawful for the Design Commission to act or consider the 2015 Hines Proposal until after the Development Services Group (“DSG”) and Hines cure these legal flaws.

The SEPA Review process for the 2015 Hines Proposal is legally flawed. It is unlawful for the Design Commission to act on or consider the 2015 Hines Proposal until after the DSG and Hines cure these legal flaws.

The 2015 Hines Proposal contemplates a building that is the antithesis of the 1994 Town Center Plan For The City Of Mercer Island (“1994 Town Center Vision”) and the 2015 Town Center Visioning Process (“2015 Town Center Vision”).

The SEPA Checklist for the 2015 Hines Proposal is inaccurate and incomplete.

Hines has not provided sufficient information about the 2015 Hines Proposal to allow the DSG to make an informed environmental decision or to allow the citizens of Mercer Island to make informed comments.

Each and every comment herein applies to all matters within the scope of DSR File No. 15-014 and SEPA File No. 15-011.

THE 2015 HINES PROPOSAL IN CONTEXT

1) *The Hines Special Expedited Review*

Hines requested that the City “commit to expediting” the 2015 Hines Proposal. The City committed to give the 2015 Hines Proposal “top priority in design review and plan review.” *See* Exhibit 2.

2) *The Hines Moratorium Special Exception*

Five Councilmembers adopted a Town Center wide moratorium and granted Hines an exemption from the Town Center wide moratorium despite the fact that no other City, County or Town in the State of Washington has granted such a moratorium exemption. The proffered excuse for that special Hines exemption was Hines’ representations to provide: (i) two hundred (200) or more public parking spaces, (ii) a “grand plaza along SE 29th”, and (iii) a “Whole Foods or some upscale grocery store.” *See, e.g.*, Exhibit 3 and Exhibit 4.

Various Councilmembers stated that Hines exemption should be terminated and that Hines should be included in the Town Center wide moratorium if Hines reneges on its representations. *See, e.g.*, Exhibit 3, and Exhibit 5.

Hines has reneged on its representations. Hines is demanding \$10,000,000 to \$12,000,000 for the public parking spaces. The Hines project that will be reviewed by the

Design Commission on May 27, 2015, precludes a “Whole Foods or some upscale grocery store” being included in that Hines project. See, e.g., Exhibit 6.

3) *The 2015 Town Center Vision*

The 2015 Town Center Vision and the Town Center Code Amendments, when adopted will, without limitation: (i) eliminate two Town Center sub-areas, (ii) down-zone heights in certain Town Center sub-areas, (iii) up-zone heights in certain Town Center sub-areas, (iv) down-zone uses in certain Town Center sub-areas, (v) require substantial building modulation for stories 3-5, (vi) change traffic flows in certain Town Center sub-areas, (vii) change street widths in certain Town Center sub-areas, (viii) change street locations in certain Town Center sub-areas, (ix) mandate midblock connection points in certain Town Center sub-areas, (x) create mandatory requirements in certain Town Center sub-areas, (xi) change incentive requirements in certain Town Center sub-areas. See, e.g., Exhibit 7 through Exhibit 12.

THE PRELIMINARY DESIGN REVIEW PROCESS IS FLAWED

1) *The April 2015 Hines Proposal*

In April of 2015, Hines submitted documents for the 2015 Hines Proposal that proposed a building containing: (i) up to 192 apartment units, (ii) approximately 30,000 gross square feet of space for a supermarket, (iii) 10,000 gross square feet of general retail space, (iv) 247 parking stalls for the residential use, (v) 151 parking stalls for supermarket and retail use, and (vi) 211 parking stalls for general public use. See, e.g., Exhibit 1, at pp. 1 and 2, and Exhibit 13 at pp. 1.

2) *The May 2015 Hines Proposal*

In May of 2015, Hines submitted documents for the 2015 Hines Proposal that proposed a building containing: (i) 196 apartment units, (ii) 16,000 square feet of commercial space and (iii) 518 parking stalls.

3) *Hines Failed To Attend A Predesign Meeting*

MICC 19.15.040(F)(2)(b)(i) requires Hines to attend a Predesign Meeting regarding its 2015 Hines Proposal. Hines failed to attend a Predesign Meeting for its 2015 Hines Proposal. See, e.g., Exhibit 14.

Hines’ failure to attend a Predesign Meeting for its 2015 Hines Proposal materially prejudiced the City and its citizens.

Because Hines failed to attend a Predesign Meeting for its 2015 Hines Proposal, it is unlawful for the Design Commission to act on or consider the 2015 Hines Proposal until after the DSG and Hines cure this legal flaw. See, e.g., RCW 36.70C.130.

4) *Hines Failed To Attend A Preapplication Meeting*

MICC 19.15.040(F)(2)(c)(i) requires Hines to attend a Preapplication Meeting regarding its 2015 Hines Proposal. Hines failed to attend a Preapplication Meeting for its 2015 Hines Proposal. See, e.g., Exhibit 14.

Hines' failure to schedule and attend a Preapplication Meeting for its 2015 Hines Proposal materially prejudiced the City and its citizens.

Because Hines failed to attend a Preapplication Meeting for its 2015 Hines Proposal, it is unlawful for the Design Commission to act on or consider the 2015 Hines Proposal until after the DSG and Hines cure this legal flaw. See, e.g., RCW 36.70C.130.

5) *The Notices Of Application Are Legally Flawed*

MICC 19.15.020(D)(1) requires the City to issue a Notice of Application. MICC 19.15.020(D)(4) requires that the Notice of Application "shall be provided in the bi-weekly DSG bulletin, posted at City Hall...."

The Public Notice of Application published in the DGS bulletin is different than the Public Notice of Application posted at City Hall, but both appear not to comply with MICC 19.15.020.

The Public Notice of Application published in the DGS bulletin appears not to comply with, among other things: MICC 19.15.020(D)(2)(f), MICC 19.15.020(D)(2)(i) and MICC 19.15.020(D)(2)(j).

The Public Notice of Application posted at City Hall appears not to comply with, among other things, MICC 19.15.020(D)(2)(j).

MICC 19.15.020(D)(2)(j) is critical and requires "A description of those development regulations used in determining consistency of the project with the city's comprehensive plan." The 2015 Hines Proposal must be consistent with the following elements of the comprehensive plan: (i) the Land Use Element, (ii) the Housing Element, (iii) the Capital Facilities Element, (iv) the Transportation Element and (v) the Park And Recreation Element. See RCW 36.70A.070.

The Public Notice Of Application's failure to comply with MICC 19.15.020(D) materially prejudiced the citizens of Mercer Island.

Because the Public Notice Of Application failed to comply with MICC 19.15.020(D), it is unlawful for the Design Commission to act on or consider the 2015 Hines Proposal until after the DSG and Hines cure this legal flaw. See, e.g., RCW 36.70C.130.

6) *The First Page Of The Staff Report Memorializes Additional Flaws*

Hines requested and was granted a special expedited review process. *See* Exhibit 2. The Hines special expedited review process has culminated in flaws and chaos as evidenced by, without limitation, the Staff Report.

By way of example and without limitation, page one of the Staff Report discloses the following:

1. The “Design Packet” was not received by the City until May 4, 2015, hardly sufficient time for the necessary analysis, consideration and review from which to make decisions.
2. The “Plan Set” received by the City on April 15, 2015, was for the April 2015 Hines Proposal and not for the May 2015 Hines Proposal. *See, e.g.*, Exhibit 1, at pp. 1 and 2, and Exhibit 13 at pp. 1.
3. The SEPA Checklist is dated May 1, 2015, and could not have been received by the City on April 15, 2015.
4. The “Preliminary Transportation Summary” was not received by the City until May 11, 2015, the same day the City issued Notices Of Application and hardly sufficient time for the necessary analysis, consideration and review from which to make decisions.¹
5. The “Geotechnical Engineering Design Report” was not received by the City until May 15, 2015, four days after the City issued Notices Of Application and, thus, precluding the necessary analysis, consideration and review from which to make decisions.

Because the Staff Report is inaccurate, the Design Commission should not act on or consider the 2015 Hines Proposal until after the DSG and Hines cure this legal flaw. *See, e.g.*, RCW 36.70C.130.

¹ The May 7, 2015 “Preliminary Transportation Summary” is deficient in numerous regards. For example, without limitation, it does not consider the impacts of the increased traffic on the local intersections, such as 77th Ave SE at SE 29th St (Albertson's), SE 27th St (Walgreens) and 78th Ave SE at SE 30th St (Rite Aid), SE 29th St (Shell), SE 28th St (QFC), and SE 27th St (Island Square). Given that 60 vehicles are expected exit the property and turn left onto 77th Ave SE, the impact of those additional 60 vehicles on the intersection of 77th Ave SE and SE 29th St should must be considered and addressed.

DECISION CRITERIA

1) *The 2015 Hines Proposal Fails To Comply With The Town Center Vision*

The 2015 Hines Proposal fails to comply with, and without limitation: (i) MICC 19.11.010, (ii) the 1994 Town Center Vision, and (iii) the 2015 Town Center Vision.

Indeed, Deputy Mayor Grausz stated that the 2014 Hines Proposal (which is similar to the 2015 Hines Proposal in bulk and mass) “unnerves” him and that he found that proposal to be “disconcerting.” *See* Exhibit 15 and Exhibit 16.

Deputy Mayor Grausz also (as to that proposal) advised the City Manager as follows:

This is the time for a very strong message to be sent to this developer. Otherwise, I think we need to seriously consider a moratorium until we complete work on the Town Center effort. This project will destroy what we are hoping to do. (bold added).

See Exhibit 17.

THE SEPA REVIEW PROCESS IS FLAWED

1) *The SEPA Notices Are Legally Flawed*

WAC 197-11-335 requires that a Notice Of Application list “the conditions being considered to mitigate environmental impacts, if a mitigated DNS is expected.” *See* Exhibit 18.

The Public Notice of Application published in the DGS bulletin and the Public Notice of Application posted at City Hall appear not to comply with WAC 197-11-335.

The Public Notice Of Application’s failure to comply with MICC 19.15.020(D) materially prejudiced the citizens of Mercer Island.

Because the Public Notice Of Application failed to comply with WAC 197-11-335, it is unlawful for the Design Commission to act on or consider the 2015 Hines Proposal until after the DSG and Hines cure this legal flaw. *See, e.g.*, RCW 36.70C.130.

2) *The SEPA Information Is Legally Flawed*

The SEPA information and the SEPA Checklist are inaccurate and incomplete, and, as such: (i) precludes the citizens of Mercer Island from making any informed comments, and (ii) precludes the City from making any informed environmental decisions.

By way of example and without limitation:

1. With regard to B(2)(a), the Hines' response fails to address air emissions "when the project is completed."
2. With regard to B(4)(b), the Hines' response fails to disclose that the "Nine existing trees [that] will remain" are on the MacDonald property, not the 2015 Hines Proposal property.
3. With regard to B(10)(b), the Hines' response affirmatively misrepresents that the 2015 Hines Proposal will not alter or obstruct views in the immediate vicinity.
4. With regard to B(14), the Hines' response fails to provide any information upon which any informed comments or environmental decisions can be made.

Because the SEPA Checklist is inaccurate and incomplete, the Design Commission should not act on or consider the 2015 Hines Proposal until after the DSG and Hines cure this legal flaw. *See, e.g.*, RCW 36.70C.130.

LIST OF EXHIBITS

1	May 12-23, 2015, E-Mail String
2	January 12-13, 2015, E-Mail String (highlighted)
3	March 16, 2015, City Council Meeting Partial Transcript (highlighted)
4	March 30, 2015, City Council Meeting Partial Transcript (highlighted)
5	Deputy Mayor Grausz's April Update (highlighted)
6	Retail Space Analysis
7	Existing Town Center Sub-Areas
8	Proposed Town Center Regulating Plan
9	Proposed Town Center Retail Frontage
10	Town Center Stakeholder Group Meeting Summary
11	Proposed Town Center Incentive Structure (highlighted)
12	Deputy Mayor Grausz's May Update (highlighted)
13	April 10, 2015, Memorandum
14	Design Commission Process (highlighted)
15	December 4, 2014, E-Mail To Councilmember Bertlin
16	December 4, 2014, E-Mail To Councilmembers Bassett And Wong
17	December 7, 2014, E-Mail To City Manager Treat
18	WAC 197-11-355 (highlighted)

EXHIBIT 1

RE: Hines project design review plans (Part 2 of 3)

Robert A. Medved
5/23/15
To: Shana Restall

Shana:

A review of the five documents you provided on May 12, 2015 and the seven documents posted to the City's website on May 21, 2015 evidence the existence of additional documents and materials regarding File Nos. DSR 15-014 and SEPA 15-011.

The "Development Application" you provided on May 12, 2015, is dated April 9, 2015. Please advise me when the City received that April 9, 2015, "Development Application." Please advise me of any additional documents or materials that accompanied that April 9, 2015, "Development Application" regardless of whether those documents and materials were or were not "formally submitted with the application."

The traffic "Memorandum" you provided on May 12, 2015, is dated April 10, 2015. Please advise me when the City received the April 10, 2015, traffic "Memorandum." Please advise me of any additional documents or materials that accompanied or are related to the April 10, 2015, traffic "Memorandum" regardless of whether those documents and materials were or were not "formally submitted with the application."

The metadata to the "DSR15-014-Plans" you provided on May 12, 2015, memorialize the fact that the "DSR15-014-Plans" were created on April 10, 2015. Those "DSR15-014-Plans" also identify and memorialize the existence of an April 13, 2015, "PRELIMINARY DESIGN REVIEW" submittal. Please provide me a copy of that at April 13, 2015, "PRELIMINARY DESIGN REVIEW" submittal. Please advise me when the City received that April 13, 2015, "PRELIMINARY DESIGN REVIEW" submittal. Please advise me of any additional documents or materials that accompanied or are related to the April 13, 2015, "PRELIMINARY DESIGN REVIEW" submittal regardless of whether those documents and materials were or were not "formally submitted with the application."

The Preliminary Design Review Submittal you provided on May 12, 2015, identifies and memorializes the existence of an "Appendix A." Please provide me a copy of that "Appendix A." Please advise me when the City received that "Appendix A."

The traffic "Memorandum" posted to the City's website on May 21, 2015, is dated May 7, 2015. Please advise me when the City received that May 7, 2015, traffic "Memorandum."

It is problematic to prepare and submit comments based upon incomplete and changing information. Your prompt respond to the above requests is appreciated especially since the deadline for filing comments is May 26, 2015.

Bob

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
Facsimile: 206-236-2200
Cellular: 206-550-3300
E-mail: robertamedved@msn.com

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From: shana.restall@mercergov.org
To: robertamedved@msn.com
Subject: RE: Hines project design review plans (Part 2 of 3)
Date: Sat, 23 May 2015 06:06:49 +0000

Dear Bob,

The Traffic Memo on the website (dated May 7, 2015) is the one included in the application. I accidentally sent you an earlier version that was not formally submitted with the application. The staff report for project DSR15-014 for the May 27, 2015 Design Commission meeting is attached.

Thanks,

Shana

Shana Restall | Principal Planner

City of Mercer Island Development Services
9611 SE 36th Street, Mercer Island, WA 98040-3732
p: 206.275.7732 fx: 206.275.7726
shana.restall@mercergov.org

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View information for a geographic area [here](#)

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From: Robert A. Medved [mailto:robertamedved@msn.com]
Sent: Friday, May 22, 2015 1:50 PM
To: Shana Restall
Subject: RE: Hines project design review plans (Part 2 of 3)

Shana:

2013 Hines Proposal:

On November 13, 2013, the Design Commission conducted a Study Session for the 2013 Hines Proposal containing 156 residential units, 9,300 square feet of commercial space and 211 parking stalls. See the first and second attachments.

The packet for the November 13, 2013, the Design Commission Study Session for the 2013 Hines Proposal, included a "Study Session Staff Report" to the Design Commission.

2014 Hines Proposal:

On December 10, 2014, the Design Commission conducted a Study Session for the 2014 Hines Proposal containing 215-230 residential units, 14,625 square feet of commercial space and 400-430 parking stalls. See the third and fourth attachments.

The packet for the December 10, 2014, the Design Commission Study Session for the 2014 Hines Proposal included a "Memorandum" to the Design Commission.

2015 Hines Proposal:

On May 26, 2015, the Design Commission will conduct a preliminary review of the Hines 2015 Proposal containing 196 residential units, 16,000 square feet of commercial space and 518 parking stalls. See <http://www.mercergov.org/Agendas.asp?AMID=2363>

The packet for the May 26, 2015, the Design Commission Preliminary Review for the 2015 Hines Proposal does not contain a Staff Report, a Memorandum or any other sort of document to inform the Design Commission and the public. Is this an intended omission? What is the reason for the omission?

Additionally, on May 12, 2015, you provided me five documents, one of which is a "Memorandum" that is the fifth attachment to this e-mail. Yesterday you advised me that "the Hines application materials are now posted" on the City website. The sixth attachment to this e-mail is a "Memorandum" from that website. The fifth attachment to this e-mail is materially different from the sixth attachment to this e-mail. When did the City receive the fifth attachment to this e-mail?

Please respond to the above inquires since the deadline for filing comments is May 26, 2015.

Thank you,
Bob

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
Facsimile: 206-236-2200
Cellular: 206-550-3300
E-mail: robertamedved@msn.com

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From: shana.restall@mercergov.org
To: robertamedved@msn.com
Subject: RE: Hines project design review plans (Part 2 of 3)
Date: Fri, 22 May 2015 19:24:08 +0000

Dear Bob,

My email from yesterday was incorrect. The geotech report was received by the City on May 15, 2015.

Thanks,
Shana

Shana Restall | Principal Planner
City of Mercer Island Development Services
9611 SE 36th Street, Mercer Island, WA 98040-3732
p: 206.275.7732 fx: 206.275.7726
shana.restall@mercergov.org

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From: Shana Restall
Sent: Thursday, May 21, 2015 2:34 PM
To: Robert A. Medved
Subject: RE: Hines project design review plans (Part 2 of 3)

Dear Bob,

Just an FYI - the Hines application materials are now posted here:
<http://www.mercergov.org/Agendas.asp?AMID=2363>

Thanks,
Shana

Shana Restall | Principal Planner
City of Mercer Island Development Services
9611 SE 36th Street, Mercer Island, WA 98040-3732
p: 206.275.7732 fx: 206.275.7726
shana.restall@mercergov.org

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From: Robert A. Medved [<mailto:robertamedved@msn.com>]
Sent: Thursday, May 21, 2015 10:08 AM
To: Shana Restall
Subject: RE: Hines project design review plans (Part 2 of 3)

Shana:

Thank you.

Bob

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
Facsimile: 206-236-2200
Cellular: 206-550-3300
E-mail: robertamedved@msn.com

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From: shana.restall@mercergov.org
To: robertamedved@msn.com
Subject: Re: Hines project design review plans (Part 2 of 3)
Date: Thu, 21 May 2015 17:05:25 +0000

I have given you everything formally taken in for the applications for project numbers DSR15-014 and SEP15-011.

Sent using OWA for iPhone

From: Robert A. Medved <robertamedved@msn.com>
Sent: Thursday, May 21, 2015 10:03:17 AM
To: Shana Restall
Subject: RE: Hines project design review plans (Part 2 of 3)

Shana:

Thank you for the below information.

Please confirm that, other than notes of the “pre-application meeting on November 18, 2014,” I have been provided with all the documents and materials the City reviewed prior to issuing the May 11, 2015 Public Notice of Application.

Your prompt response to these issues is sincerely appreciated.

Bob

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
Facsimile: 206-236-2200
Cellular: 206-550-3300
E-mail: robertamedved@msn.com

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From: shana.restall@mercergov.org
To: robertamedved@msn.com
Subject: RE: Hines project design review plans (Part 2 of 3)
Date: Thu, 21 May 2015 16:13:06 +0000

Dear Bob,

I'll respond to your requests below:

- (i) The application was not formally taken in during the pre-application meeting, which happens when the applicant does not bring a complete application to the pre-app. So, the City does not have formal materials related to the pre-app. However, there may be notes. To get any notes that may exist, please submit a public records request to the City Clerk's office:
<http://www.mercergov.org/files/records%20request%20form.pdf>
- (ii) The Geotechnical report was received on May 13, 2015.
- (iii) You may submit electronic comments to include in the record directly to me at shana.restall@mercergov.org

Thanks,
Shana

Shana Restall | Principal Planner
City of Mercer Island Development Services
9611 SE 36th Street, Mercer Island, WA 98040-3732
p: 206.275.7732 fx: 206.275.7726
shana.restall@mercergov.org

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From: Robert A. Medved [<mailto:robertamedved@msn.com>]
Sent: Wednesday, May 20, 2015 10:17 PM
To: Shana Restall
Subject: RE: Hines project design review plans (Part 2 of 3)

Shana:

Thank you for the information below and for a copy of the Geotechnical report.

Would you please: (i) provide me with the documents relating to the “pre-application meeting on November 18, 2014,” (ii) let me know what date the City received the “Geotechnical report” and (iii) provide me the e-mail address to submit electronic comments.

I am assuming that I have been provided with all the documents and materials the City reviewed prior to issuing the May 11, 2015 Public Notice of Application. If my assumption is incorrect, please provide me with all additional documents.

Thank you for your prompt response to these issues.

Bob

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
Facsimile: 206-236-2200
Cellular: 206-550-3300
E-mail: robertamedved@msn.com

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From: shana.restall@mercergov.org
To: robertamedved@msn.com
Subject: RE: Hines project design review plans (Part 2 of 3)
Date: Thu, 21 May 2015 00:09:56 +0000

Dear Bob,

The Hines project had a pre-design meeting on October 15, 2013 and a pre-application meeting on November 18, 2014. I apologize for the SEPA checklist being truncated in parts. Our website form does that at times. My copy has a plus sign in the bottom right corner of some boxes that can be clicked to allow for the boxes to be expanded. If that doesn't work for you, here are the responses that appear to overflow the boxes of the form:

***B.2.a.** - Minor dust emissions may result from demolition and earthwork construction procedures. Construction equipment (drilling equipment, excavators and trucks) will also be present on-site during excavation and shoring and may cause minor air emissions. Upon project completion, car emissions will be generated from cars traveling to and from the building.*

***B.2.c.** - Dust will be carefully controlled to meet all City/State and Federal emission requirements, most commonly through the use of water hose and spray to keep particulates settled on the site. Emissions from construction equipment are mitigated by built-in emissions controls on the equipment itself which will be required to meet all emissions standards.*

***B.10.a.** - The roof structure is 65' above average building elevation. From the site's lowest point (NW corner), the building measures approximately 67'-11" from finished grade to top of parapet. Elevator overruns, stair penthouses and rooftop mechanical equipment will be maintained at or below the 10' maximum overrun height beyond 65' zoning height. The principal exterior materials proposed are metallic and fiber cement panels on a rain screen system, concrete, aluminum and vinyl windows. Glazing will be at or below 45% at residential levels with storefront glazing predominately at grade.*

***B.11.a.** - The proposed structure will include lights typical of a mixed use project: decorative wall sconces and/or special lighting at retail facades, street lights in the right-of-way, landscape lighting, and residential and retail entry lighting for the safety and security of occupants and visitors. Light pollution shall be mitigated per the requirements of the Mercer Island Municipal Code Section 19.11.090.B7. Lighting around the site is anticipated to occur from dusk through dawn.*

The documents that I emailed to you were the only documents formally submitted to the City at the time of application. We have since received a Geotechnical report, which is attached.

Thanks,
Shana

Shana Restall | Principal Planner
City of Mercer Island Development Services
9611 SE 36th Street, Mercer Island, WA 98040-3732
p: 206.275.7732 fx: 206.275.7726
shana.restall@mercergov.org

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From: Robert A. Medved [<mailto:robertamedved@msn.com>]

Sent: Wednesday, May 20, 2015 3:43 PM

To: Shana Restall

Subject: RE: Hines project design review plans (Part 2 of 3)

Shana:

ADDITIONAL DOCUMENTS AND MATERIALS NECESSARY TO PREPARE WRITTEN COMMENTS.

I appreciate the five documents you sent to me. A review of those five documents makes it clear that there are additional documents and materials that the City reviewed prior to publishing the Public Notice Of Application on May 11, 2015.

For example, the SEPA Checklist you sent me provides that the “applicant has conducted ... a Pre-App meeting with City Staff.” I assume that “Pre-App meeting” was governed by 19.15.040(F)(2)(c)(i) which requires a “complete application on forms provided by the development services group (DSG) and all materials pertaining to the project shall be submitted at a formal preapplication meeting with DSG staff.”

A review of all of the documents and materials pertaining to the project and reviewed by the City is critical to submitting the written comments identified in the Public Notice Of Application.

Please advise me when I can review those documents and materials so as to allow sufficient time for the preparation of written comments within the comment period provided in the Public Notice Of Application. Also, please provide me the e-mail address to submit those comments electronically.

INCOMPLETE DOCUMENTS.

The SEPA Checklist you sent me appears to be incomplete. For example, the response to subsection B(2)(a) at page 3 prematurely ends with “and tr” and the response to subsection B(11)(a) at page 7 prematurely ends with “facades street”.

I would appreciate a complete SEPA Checklist.

Thank you for your prompt attention to these issues.

Bob.

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
Facsimile: 206-236-2200
Cellular: 206-550-3300
E-mail: robertamedved@msn.com

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From: shana.restall@mercergov.org
To: robertamedved@msn.com
Subject: Re: Hines project design review plans (Part 2 of 3)
Date: Wed, 20 May 2015 19:10:30 +0000

Dear Bob,

I just listened to your voicemail. I'm in Meetings for the rest of the day and all day tomorrow. Is there any possibility that you could send me your questions via email so that I could get back to you today?

Thanks,
Shana

Sent using OWA for iPhone

From: Robert A. Medved <robertamedved@msn.com>
Sent: Wednesday, May 20, 2015 10:21:09 AM
To: Shana Restall
Subject: RE: Hines project design review plans (Part 2 of 3)

Shana:

I just left a voice message asking you to call me at (206) 550-3300.

Thanks,
Bob

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
Facsimile: 206-236-2200
Cellular: 206-550-3300
E-mail: robertamedved@msn.com

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From: robertamedved@msn.com
To: shana.restall@mercergov.org
Subject: RE: Hines project design review plans (Part 2 of 3)
Date: Wed, 20 May 2015 00:25:03 -0700

Shana:

I have received three e-mails with attachments.

Thank you,
Bob

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
Facsimile: 206-236-2200
Cellular: 206-550-3300
E-mail: robertamedved@msn.com

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From: shana.restall@mercergov.org
To: robertamedved@msn.com
Subject: Hines project design review plans (Part 2 of 3)
Date: Tue, 12 May 2015 19:22:15 +0000

Dear Bob,

Attached please find the submitted plans for the Hines proposal. Please confirm that you have received all three emails. Please note that the comment period ends fourteen (14) days from today on May 26, 2015 at 5:00 PM.

Thanks,
Shana

Shana Restall | Principal Planner
City of Mercer Island Development Services
9611 SE 36th Street, Mercer Island, WA 98040-3732
p: 206.275.7732 fx: 206.275.7726
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From: Robert A. Medved [<mailto:robertamedved@msn.com>]
Sent: Tuesday, May 12, 2015 9:53 AM
To: Shana Restall
Subject: Hines Project

Shana:

I just left a voice message asking you to please call me at (206) 550-3300.

Thank you,
Bob

Robert A. Medved
7238 SE 32nd St. Mercer Island, WA 98040
Telephone: 206-232-5800
Facsimile: 206-236-2200
Cellular: 206-550-3300
E-mail: robertamedved@msn.com

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EXHIBIT 2

From:
To: Kaseguma; Evan Evan.Kaseguma@hines.com
Cc: Favreau; John John.Favreau@hines.com
Subject: RE: Draft Term Sheet
Date: 1/13/2015 10:58:04 AM
Attachments:

Hi Evan and John. I met with Noel, Kirsten and Katie (City Attorney) yesterday to get some direction. Here is the outcome of that meeting:

1. We want to move forward with a term sheet, which would be the basis for a future development agreement. The term sheet can be signed by the City Manager and does not need City Council approval. The term sheet is non-binding and will establish the deal points that will be brought forward to City Council. I will be working on edits to the term sheet and starting work on a draft development agreement. We are bringing in some outside resources (at City cost) to advise us on some elements of the term sheet, since we are not in the development business.
2. We will consider a lease/buyout idea.
3. There are no issues with two larger retail tenants.
4. **We will give the project top priority in design review and plan review.**
5. Term Sheet Paragraph 4: We will pay fair share of design costs including geotech, other engineers, etc. Again, we will need more definition of what's included.
6. Paragraph 7c: We can edit the language. The intent is to avoid commuters having to drive through Hines-only parking and vice-versa. Allowing both types of parking to share a curb cut would be ok.
7. Paragraph 8a: We agree to substitute "reasonable" for "sole and absolute" or similar language achieving the intent of that paragraph. Maybe focusing on compatible use would be better language.
8. Paragraph 15: Paying fair share of real estate taxes, operating costs, etc. is reasonable. We need to define that a bit more.
9. Paragraph 20: We can remove this paragraph and simply work on a separate schedule for the project.

Some important dates you should be aware of:

Jan. 23 (3:00-6:00 pm): City Council Planning Session (at Community Center)—discussion of Town Center planning, commuter parking (Ben's report) and Metro bus issues. We expect City Council to give staff
Jan. 29 (evening): Parking Options Open House (Community Center, time TBD between 5-8 pm)

From: Kaseguma, Evan [mailto:Evan.Kaseguma@hines.com]
Sent: Monday, January 12, 2015 9:10 AM
To: Scott Greenberg
Cc: Favreau, John
Subject: RE: Draft Term Sheet

Scott:

Thanks for a productive discussion on Thursday. I wanted to send a list of follow-up items:

1. Scott to check if the City will consider an interim lease with buyout provision
2. Scott to confirm the City will pay its fair share of real estate taxes and its actual operating costs (not just a pro-rata share of total garage costs, since the public parking is likely to demand a higher level of cleaning, security, etc)
3. **Scott to check if the City will commit to expediting our project and covering the costs of**

expedited review

Thanks,

Evan

EXHIBIT 3

March 16, 2015 – City Council Meeting

40:38 AB-5055

CA Knight: Just to put context on this, on February 2nd, the City Council passed a moratorium which excepted out Hines and it also excepted out building underneath two Stories

1:49:50

Evan Kasaguma: Evan Kasaguma, with Hines. Four months ago, we stood before the Design Commission, and presented our plans for our original project.

Then, on December 10th, the City approached us about public parking. The –City- asked –us- to work in good faith to figure out a solution for the community. We could have said no. If we had said no, we would be vested right now. And Mercer Island would be left with a major parking problem, more empty retail, and another concrete plaza that does little to enhance the Town Center.

1:50:36

We could have said no. But instead, we said yes. We agreed to work with you in good faith. We put our project on hold for several months. We spent hundreds of thousands of dollars, of our own money, money that we'll never get back. We did this because we thought it was right. Even though it wasn't convenient or cost effective. We did this to be a good neighbor and provide public benefits in the Town Center. And now, unfortunately, opponents of our project are pressuring you to throw these public benefits away.

1:51:11

Let me be very clear. If we are included in the moratorium, the land assemblage dies. And the public benefits will be killed. These are not idle words. They are not threats. It's the truth. At the last council meeting, one of the landowners stated that, if we are

included in the moratorium, they'll go their separate way. Without the full block, we can't provide potential for 240 stalls of commuter parking. A high-end grocer, like Whole Foods, which is the anchor retailer that the Town Center desperately needs, a grand plaza, along SE 29th, that your consultant and citizens badly want. Youth Theater Northwest, and MICA's best chance to solve what could be a very expensive parking problem.

1:52:41

... We ask that you protect and preserve these great public benefits. That both of us have been working very hard to achieve. We ask that you honor your word, and stand up for your commitments, and do what's right. Please don't include our project in the moratorium. Thank you.

2:31:56

CM Bertlin: One interesting thing that has come out is there seems to be a general sense that there is legal weight behind the letter from Hines insofar as the commitment to 15 day notification. And for me that is a very important part of my processing, and then again, also the ability to create distinctions and understand clear differentiation between the Hines project and Cassan, Cohen, and other, that might be in the works. Finally, there's the element of negotiating in good faith. And I think that is relevant to the extent to which we entered into conversations with Hines back in December in good faith knowing that they were on an expedited path. So where I am when I add A and B, I come out with, right now, as I said, still very much interested in hearing from fellow Councilmembers, is to keep the moratorium in place and keep the exception for Hines.

2:33:34

CM Wong: I'll try to be brief, but, this is a very difficult decision. I mean, I've been on the Council for a little over a year, and this by far, is the most difficult decision that I've been asked to make.

2:35:47

The questions that percolate within the community, that's been percolating for several months now, is basically, why the Hines project was excluded in the first place, and now, why is being excluded, possibly, going forward. I think we all need to answer these questions, each one of us here to explain how he or she came to his or her own decision, I think what I wanted to hear, and again, I was in favor of delaying, and continuing, not delaying, but continuing this public hearing, so that we had more time for outside legal counsel to look at questions that I and other City Councilmembers basically were raising with them. Because, again, this is a difficult issue.

2:36:33

So with the Findings of Fact, that we're obviously going to go through, and take a hard look at, is going to be basically the story, behind why the moratorium was adopted and what exemptions are going to be in there, or not in there. And it, basically, is going to be the justification for our actions. And I think in looking at why I am moving to the decision I am moving is basically, a couple ones. There is a concern about litigation. Now we have had, as you now know, we have had a couple of legal counsels provide advice. And, the bottom line is that whatever decision we make, there's a risk of litigation. I mean, that's just the way it is. But, because there is a risk of litigation, I think, we as stewards of the City's resources, we need to be mindful of, what that litigation might mean.

2:38:22

So I guess, the question is well, if it's not an equal protection violation, how is that possible if we're treating people differently. And that's possible as long as you have a rational basis for your decision. And I believe that, again, subject to future change, I think the Findings of Fact that have been part of the Agenda bill, provide some glimmer of what that rational basis is.

2:38:50

And you've heard discussions already about some of the public benefits that have been represented. Hines did it again, tonight. They represented that potential parking, the

plaza, and so those are things that are being represented to the public. And so, you know, I am –not- happy, I mean, this is not an ideal world, if it was, we'd be in a much better place. But I am not happy that we don't have a lot of things in hard fast writing.

2:39:21

And I know that would provide me a lot more comfort than just public statements and representations by the people of Hines and others. But we have to deal with what we have. And at this point, I'm looking at those representations, and believe that this letter that they sent is something that we can hang out hats on and basically hold them. And if they renege on their representation and take a step backwards, I will be the first to vote them back into the moratorium. So at this point in time, I am in favor of version A.

2:55:00

CM Brahm: I'm going to be much briefer. In my years on the Council, this is definitely my most difficult decision as well. I'm up nights, my husband said I hope you finally vote on that thing because I've been impossible to live with. There's been a lot of passion around our house and in this community on all sides, bringing in so much. Bringing in schools, height, parking, traffic, amenities, canyons, gathering places, plazas, GMA, schools, retail anchors, we're talking heights and villages, it's daunting. There's so much involved and inter-related as we've discussed. And I want to thank everybody for being so involved and passionate about this. And I want to focus on the future, the long term future. I have faith in our Town Center process, that's going on and I do hope people will get involved and go online to the City's website and give their feedback about what they want to see in the Town Center. I am neither pro-development or anti-development. I am pro-Mercer Island, and pro-Town Center. I think much of our 1994 Town Center Vision still applies, I believe. But I've seen that, and many in the community have seen, for years, that what was developed in 1994, and what sat on a shelf for 10 years, hasn't yielded quite what was envisioned. And now we're in the process of revisiting that, tweaking the plan, changing the code where necessary, and we have a developer who has, I think a good plan. But I'm fearful about it, because it's our job to protect the citizens of the City. We don't have anything in writing. We have a letter and a promise.

We don't have a legally binding contract. We're being asked to go on good faith that this project is going to be good, that the Hines project will bring parking for 240 cars, and a Whole Foods, but there's no guarantee. I think it may be an exceptional opportunity, but I am not willing to go down that line without something in writing. There may be, we've heard tonight that if Hines isn't excluded from the moratorium that they'll go away. I think that if Hines wanted to work with us, if they are true to the letter that they gave to us, that Councilmember Grausz solicited from Hines, then, they'll wait for the moratorium to be over and come back. There may be the possibility of a development agreement, something that will allow them to produce a good project, but still be acceptable to the community.

2:58:34

I don't think that this should kill the Hines project, necessarily. It could be a good project for our community, but there are too many unknowns. If including them in the moratorium causes Hines to walk away, it tells us something about their sincerity in wanting to work with the community. Why would we allow a business to develop under zoning regulations that we know are flawed right now? With no written contract. So, I have a lot of respect for Hines, and Evan and Ty have been most accommodating, they have bent over backwards to explain our project to our community, but I think that I'm not willing to run the risk, it's our job to protect the citizens and the interest of the community, and so I, one thing that was interesting, we did hear a lot from lawyers lately, lawyers' opinions on all sides, relative risk, litigation threats, etc., but they couldn't find case law for an exemption like ours, which is pretty interesting. But there's a possibility down the road.... OK, yes, I'm sorry. Development agreements, interim zoning, I think that, I'm going to be supporting option B.

3:01:25

DM Grausz: So, this is, this is not a situation where this Council has been, just woke up all of a sudden two months ago and said that the sky is falling, we've got to do something. It's a situation where we have been working conscientiously towards trying to find a solution to what we recognized, and what the community told us back then was

a problem that needed to be dealt with. So, then suddenly in December, you know, the Hines project shows up. I think for the first time, pretty much everyone on this Council, when we started seeing an agenda packet for the Design Commission. And so we all had to sit there and go through some very hard thinking as to, how did that fit into what we were doing.

3:02:29

Because as I, because as Mike said, they were operating under a development code that we had all identified nine months earlier as having deficiencies, and which in fact our consultant confirmed to us that it had deficiencies. So suddenly Hines shows up. And then, so we have to think, okay, so what does this mean to the process. And we said to our staff, talk to us. And talk to them. Because there are some real concerns that we have, and that's why we're going through this Town Center Visioning process, and how does that fit into it.

3:03:13

And coincidentally, at the same time this is all happening, the sky is falling down on top of us because we proposed to the community that they look at putting commuter parking at, near the Community Center, and there was a public outcry to that. So, we suddenly found ourselves with two things coming together all at once that we had this Hines project which we weren't expecting, and we had commuter parking, a commuted parking mess on our hands. And so, we go to staff and we say, is there a way this can fit together. And so, staff basically talked with Hines, and says, is there a way this can fit together. And Hines says, okay, we'll talk about it. They didn't have to, as one of the representatives of Hines said tonight, they didn't have to do anything with us. But they said well, we'll stop and we'll talk about it.

3:14:11

And then we said to them, and by the way, here's our Phase 1 report which talks about something on SE 29th Street, a different public park, and they had gone to the Design Commission and talked about on 77th, and talked about something on 78th, and in fact, the Design Commission, if I recall correctly, told them, don't do it on 77th, do it on 78th, or I may have that reversed. But then staff says, no, don't do it there, you know, think about 29th. They said, okay, we can think about 29th.

3:04:43

And then, then they came to us and we didn't ask them for this, but they said and, by the way, we're willing to talk to a high-end retailer, high-end grocer, because we understand that's something that the City has been very interested in. So they did all these things, and so this is in the middle of our process to try to come up with a better Town Center. And so, and we say, you know, this is amazing. Because, you know, finally we're talking with someone who can maybe address some of the key problems that we have and that we're wrestling with at the same time that we're also trying to come up with a better Town Center.

3:05:20

And it's not, this is not a situation where they tried to force anything down our throat, they haven't, they haven't threatened to sue us, in fact, you know, they were so forthcoming in this letter that I have acknowledged having solicited, they didn't have to provide that. But what they provided us is a letter saying, you know, if you don't trust us, and I understand what Jane is saying because we don't have a contract from them, but I would point out, Jane, that we don't have a contract from them because the City is in no position to enter into a contract with them.

3:05:57

So, my guess is, if the City was prepared to sign a contract with them tomorrow for a 240-spaced commuter parking facility, they'd say, where do we sign. But we're not even close to being ready to sign that. If the City was to tell them tomorrow, you know, we have a contract to put a public plaza on 29th, they'd say where do we sign. But we don't have a contract to offer them to put a Plaza on 29th. So it, but they did do, is they did sign a letter, which is an enforceable letter, which says, we are willing to deal with you in good faith, and if we don't deal with you in good faith, then we'll give you notice, or if we don't, if we're going to give you notice 15 days before we file for a building permit, before we can possibly vest, if you don't think we've dealt with you in good faith, then, you know, call us on it. And put us under your moratorium. And they wrote us that letter, and to me, I've never met any developer willing to except them, willing to extend themselves like that.

3:07:03

Where they're saying, not only in their acts, and their deeds have they done what the city has asked them to do and what this Council asked them to consider, but they have gone further and said, you know, we don't have a contract from you, City of Mercer Island. We don't have any guarantees from you as to what you're going to do, but we are willing to take it on faith that you will act in good faith, and we will agree that we'll give you 15 days' notice before we vest. So who does that? I mean the City wouldn't write them a letter like that, the City wouldn't say to them, we'll give you 15 days' notice before we change the law. So we can give you an opportunity to vest.

3:07:43

There's no way in the world we would write them that letter, but they wrote us a letter saying that we'll give you notice. So I look at this situation, you know, we are trying to improve this Town Center. We are fortunate enough to have a developer who has come in and said, we agree with you, we want to improve this Town Center. And we want to work with you, and we want to try to address your issues because we want to be part of this community and we want to have a successful project. And so I hear the concerns, I hear the statements that have been made, I, as Debbie has said, we've had some phenomenal public input and I read every one of them and I, I'm, some of them, there's no question in my mind that people are amazingly sincere in everything they write on both sides of this issue. And I'm so truly impressed, as Mike said, that to represent a community like this is just awesome.

3:08:39

In this situation, I think, we do the best for our citizens by ensuring that we end up with a Town Center that could have the benefits that the Hines project offers us. So, I will go for Option A tonight, and encourage the rest of the Council to do so as well.

3:14:28

Mayor Bassett: So, first, thank you to the public, as everyone else has said I have very little to add beyond what they have said, and they've said it more articulately than I can. I do want to sort of harken to Ira's comment, which, Ira said, you ought to just do a blanket review of this, and he said better than I've just said it. My first position on this,

as I've pondered the over the past few days was to think exactly the same thing. Why in the world don't we just start with a blanket moratorium because it's the simple place to start. The problem is that we're not starting with a blank slate, though. If we were, that would absolutely be the place we should be on this.

3:15:14

But this is not a blank slate. And I asked Scott to give me a quick list of projects that have come recently. In 2010 we had The Mercer, Phase 1, 159 units. In 2013, we had Aviara, 166 units. In 2013 we also had Mercer Phase 2, 85 units. We've got Legacy now, 209 units, under construction. We've got a mish-mash of new construction, and old construction in our Town Center. We've got a group that has put together three properties that, by all accounts, don't get put together except in this one instance. We've got a opportunity where significant public benefit can be achieved out of this with a developer that has expressed a willingness beyond what we've heard anywhere else to work with the City.

3:17:54

Yeah, we all think a pause makes sense. But what do we do about Hines? Because it brings these special benefits to our, potentially to our Town Center. And it's at a point in it's development process where it's farther along than anything else. So, with that all as context, I stand with option A, which is to carry on, keep Hines out of the moratorium, but absolutely in favor of going forward with the moratorium and everything else, and working with Hines to make sure that project is absolutely all that it can be to the benefit, the long-term benefit of our citizenry, and our community.

EXHIBIT 4

March 30, 2015 – City Council Meeting

Mayor Bassett: “It will be an interesting conversation on the day that they tell us that they’re two weeks from filing a building permit, right?”

CM Cero: “We’re way behind on minutes. So, I don’t know any other way to document what was said at the meeting for us to have a record, a documentation, on what was said at the meeting. And, I think it was at the last Council Meeting, that we talked about it, right?”

Deputy Mayor Grausz: “...When they give the 15-day notice, then, there’s going to have to be, we’ll have to decide whether to have a meeting, or whether to bring it up at the meeting if there’s a scheduled meeting or if not whether to schedule a meeting. Again we don’t, they haven’t committed to what they’re going to do. And we don’t know, so we, we’re saying that, you know, we want to see what you’re going to do, but I think it’s been made clear to them through, the three things that have come up time and again in our discussions about Hines, have been the parking, have been the 29th Street, and have been the Whole Foods or some upscale grocery store. Those are the three things which have come up time and again. And those are three things which are referred to in the Findings of Fact...”

EXHIBIT 5

April Update

From: **Dan Grausz** (Dan.Grausz@mercergov.org)

Sent: Fri 4/10/15 4:34 PM

To: Dan Grausz (dangrausz@gmail.com)

April 10, 2015

Fellow Islanders:

First, my best wishes to all Islanders during this Easter/Passover season. As I sat with family and friends a few days ago for the Passover Seder, I thought how truly fortunate we are to live in this fantastic country and community and how lucky I am to represent Islanders during what is indeed an exciting and challenging time.

These updates are my opportunity to let Islanders know the latest on what is happening with your City government. While I always start these updates with the desire to be brief, that rarely turns out to be the case as there is much to cover. For those who have not received these updates previously, if you would prefer not receiving these in the future, please email me.

1. Bus Intercept/Turnaround: this refers to the proposal by Sound Transit and Metro to have buses from Issaquah and other communities to the east drop off and pick-up their passengers on Mercer Island so they can use light rail between Mercer Island and Seattle. It would not begin until 2023 (when light rail is scheduled to start), has obvious benefits to the region in terms of reducing transportation costs and air pollution, but will have impacts on Islanders that have not yet been quantified.

Although nothing has changed on this in the past several months, this has become a cause for immediate concern on the part of some Islanders due to recent emails and social media posts. While we are still waiting for a detailed proposal from Sound Transit and Metro that will enable everyone to give this an informed evaluation, we do know from prior discussions that the numbers and statements being bantered around in those recent communications (more than 500 buses in 6 hours and diesel spewing onto people eating in Town Center) are incorrect. Some of the facts we are already aware of include:

- The total number of buses on Mercer Island during the day if Bus Intercept is operational (estimated to be 338) will be less than what we now have (352) as many existing bus routes, such as the 550, are discontinued. These numbers do not include the 147 buses that now go across Mercer Island on I-90 but do not stop; those buses, and the pollution they create, all go away once light rail starts running whether or not Bus Intercept is implemented. Bottom line is that even with Bus Intercept, we would have less buses stopping on Mercer Island than we now have and far fewer buses polluting our air.
- About 90% or more of the buses involved in Bus Intercept will never leave the 80th Ave. overpass area (between North Mercer Way and SE 27th St.). They will get off I-90 on 80th Ave., drop off or pick-up people on 80th Ave., and get back onto I-90 from 80th Ave.
- Any parking of buses will only occur on the 80th Ave. overpass and in or next to the existing loading zones on North Mercer. What we are still trying to confirm are prior statements which suggested that parking would be limited to the afternoon rush hour and would only involve a small number of buses at any given time during that period.

The most important message I can deliver right now is to ask everyone to wait and see what the details are in the Sound Transit and Metro proposal – which is exactly what your City Council is doing. Let’s see what the impacts will be and what kind of mitigation we will require (such as commuter and Town Center parking for Islanders and other improvements that address existing mobility issues we face due to the lack of parking in the Town Center). The article in today’s Seattle Times as to the deal just reached between Sound Transit and the City of Bellevue was enlightening, to say the least, and will definitely factor into what we will be demanding of Sound Transit.

In any event, our response cannot just be that we only support what is ideal for Islanders. We may be an island but we are part of a region – a region whose help we needed and received when we successfully fought off I-90 tolling and that we rely upon for such things as 911 emergency dispatch, firefighting support (Bellevue trucks travel to Mercer Island for almost every significant fire) and other services that we cannot afford on our own. Furthermore, the savings free up monies for road and other transit projects that also benefit Islanders as most of us deal with the existing regional gridlock on a daily basis.

Please do not interpret this as anyone saying that we should put regional interests in front of Islander interests. This may just be one of those situations where our respective interests are compatible. What a refreshing possibility in the current political climate that people might be able to actually find solutions that address both our own interests and those of the people around us. We will not know that, however, until we have the details.

2. Hines Project: at its March 16th meeting, the City Council reaffirmed its prior decision that

exempted the Hines Project (the proposed mixed-use development just south of McDonald's) from the recently-imposed Town Center development moratorium. I have discussed the moratorium and Hines Project at length in prior updates and won't repeat myself here. The Findings of Fact adopted by the Council can be read at http://www.mercergov.org/files/Moratorium_ORD15-05.pdf. As I have said before, if the Hines Project does not include the community benefits that have been publicly discussed, then I would support putting them under the moratorium.

3. Town Center Visioning: the Town Center Visioning project was started over a year ago when the Council recognized that our Town Center Development Code needed updating to guide the development we expected to occur with the arrival of light rail. In January of this year, outside urban planning experts confirmed in their initial report that changes should be considered. In February, we implemented a 4-month development moratorium to give us time to progress this work. We also approved a community engagement process that is now in full swing.

A key part of the community engagement process was naming a 42-person Stakeholder Group that included a broad cross section of Islanders. That Group has now met three times and reached a consensus agreement on general principles as to what they want to see in the Town Center. The hard work lies ahead as the Stakeholder Group must still weigh in on such issues as:

- How do we achieve the boulevard look (wider and greener sidewalks) that people are seeking: narrower streets, larger building setbacks or a combination of both?
- Do we want more on-street parking if that means having to accept narrower sidewalks?
- Should we change permitted uses in the Town Center; for example, should residential be the required use for new development on parts of 76th Ave. and/or 80th Ave.
- Should permitted heights be changed?
- How do we bring about meaningful public plazas?
- What major public benefits should we require in exchange for allowing building heights to exceed 2 stories?

The general public will have additional opportunities to comment on whatever changes are being proposed before the Council makes further decisions on these issues at its June 1st meeting.

4. Library: KCLS is conducting a brief survey that will guide next steps on the Mercer Island library renovation project. Please take a minute to answer the questions at <http://www.kcls.org/MISurvey>. KCLS has also scheduled a public meeting for April 23rd at the Library from 6:00 – 7:30pm to discuss the

survey results.

5. South End Fire Station: we are still on track to begin operating out of the new fire station later this month. The same issues that I have mentioned before – delay damages payable by the contractor and roof warranty questions – remain to be resolved. As we have used very little of the contingency fund for this project by avoiding change orders, we remain well under the Council-approved budget even without factoring in delay damages.

6. Tolling I-90: the news out of Olympia remains unchanged. No one in the Legislature is talking about tolling I-90; there is nothing in either the House or Senate budgets that would suggest tolling is under consideration; and Representatives Clibborn and Senn as well as Senator Litzow remain bulwarks against it happening.

7. Improving our Parks and Open Space: earlier this month, the Council received a 10-year update on the City's efforts to improve the health of our parks and open spaces, such as Pioneer Park. It is a good news report as we have made excellent progress in both replanting trees and controlling invasives. I remember a time back around 2000 where we felt we were losing the battle to save Pioneer Park and other open spaces. That has turned around as we now have a coordinated and effective program to restore our open spaces with the proper vegetation while eliminating undesirable plants. This study will be used to guide our efforts for the next 10 years and includes strategic initiatives that take into account the special challenges we face from climate change. Please let me know if you would like a copy of the report.

8. Water Quality: the City continues to move ahead on its program to reduce the risk of a reoccurrence of last summer's boil water alert. We are spending hundreds of thousands of dollars to safeguard the points in our system where contamination is most likely to enter, such as underground vaults. Later this year, we will consider changes to our programs designed to reduce risks at the individual household level, primarily with sprinkler systems that are not fully protected by working backflow preventers.

While these and other changes are being implemented, we are continuing to maintain higher than normal (but still safe) chlorine levels in our water. No one likes these higher levels but chlorine is the best means we have to kill contaminants that may enter the system. One piece of good news is that we have been able to maintain higher chlorine levels throughout our system without having to add major new pieces of equipment that were originally thought to be required. Please be assured that the goal, and it is an achievable goal, is to bring chlorine levels back down within the next year or so to levels that will be far less noticeable and more in line with what Islanders had become used to prior to last Summer.

9. Boards and Commissions: the City is seeking volunteers to serve on Board and Commissions.

Almost everyone on the Council started their City public service in that manner. More important is that critical City business is only accomplished because we have dedicated women and men prepared to give their time. For more information, please look at <http://www.mercergov.org/News.asp?NewsID=1873> which provides information on open positions. Most important, please get involved in your community by volunteering to serve. You can make a difference.

10. Solicitor's Ordinance: the City was recently required to amend and, in doing so, weaken, its Solicitor's Ordinance that we had passed last year. This was in response to a U.S. District Court decision against the City in a lawsuit brought by a religious, non-profit group that challenged the ordinance. If you do not want solicitors ringing your doorbell, the most effective means is to put a sign in front of your house or on your door making that clear.

11. Shoreline Development: an almost 8-year process that involved great work by the City's Planning Commission and staff as well as considerable back and forth with the State Department of Ecology finally concluded last month with the adoption of changes to the City's shoreline development permitting rules that will primarily impact dock construction and replacement. This was required in response to a State mandate that impacted all communities with shorelines. The final product seeks to create a fair balance between property rights and environmental protection.

Thanks to everyone for taking the time to stay involved and keeping up with the issues in our City. It remains an honor and a privilege to work for you on the City Council.

Dan Grausz

Deputy Mayor

EXHIBIT 6

Hines Project – 11/26/2014 77th Ave Level - Plan

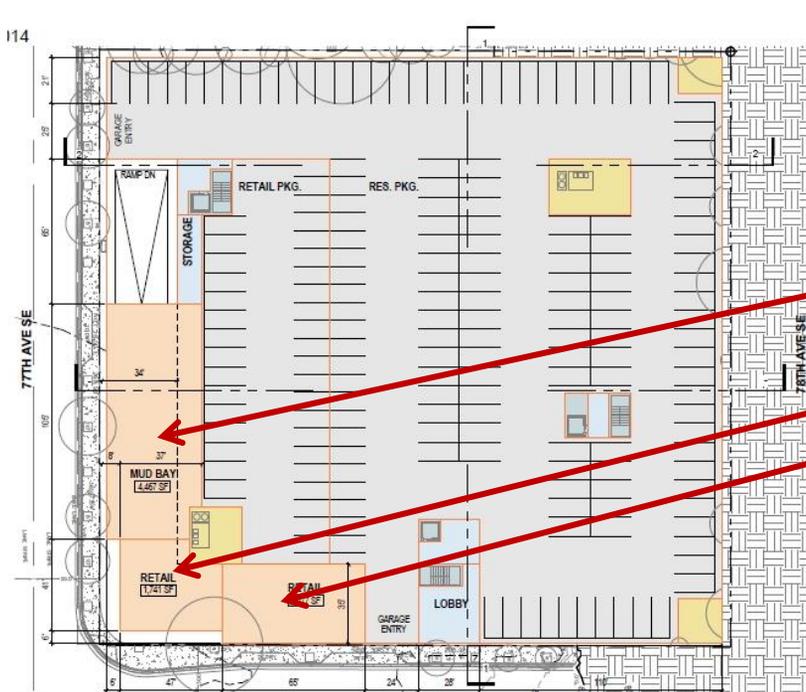
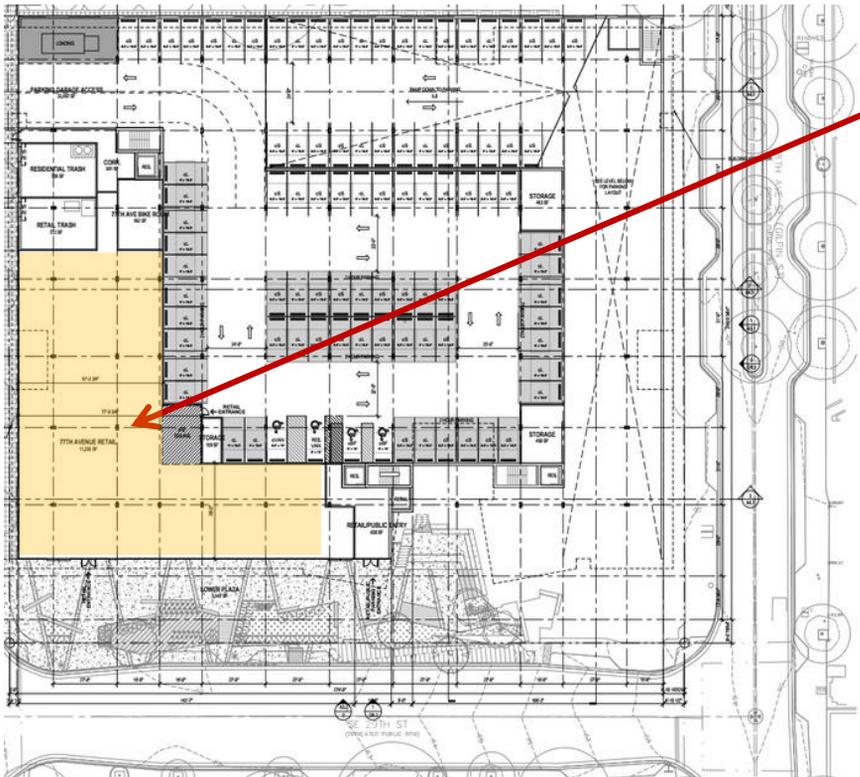


Exhibit 1
LEVEL 1 77TH - PLAN

Retail Space Available:

- a) Mud Bay
- b) 1,741 sf
- c) 2,277 sf

Hines Project – 5/11/2015 77th Ave Level - Plan



Retail Space Available:

11,235 sf

(only available space in building)

MERCER ISLAND
MIXED USE
2885 78TH AVENUE SE,
MERCER ISLAND, WA

REVISIONS

SUBMITTALS

LEVEL 1
(77TH) -
OVERALL
PLAN

Hines Project – 11/26/2014 78th Ave Level - Plan

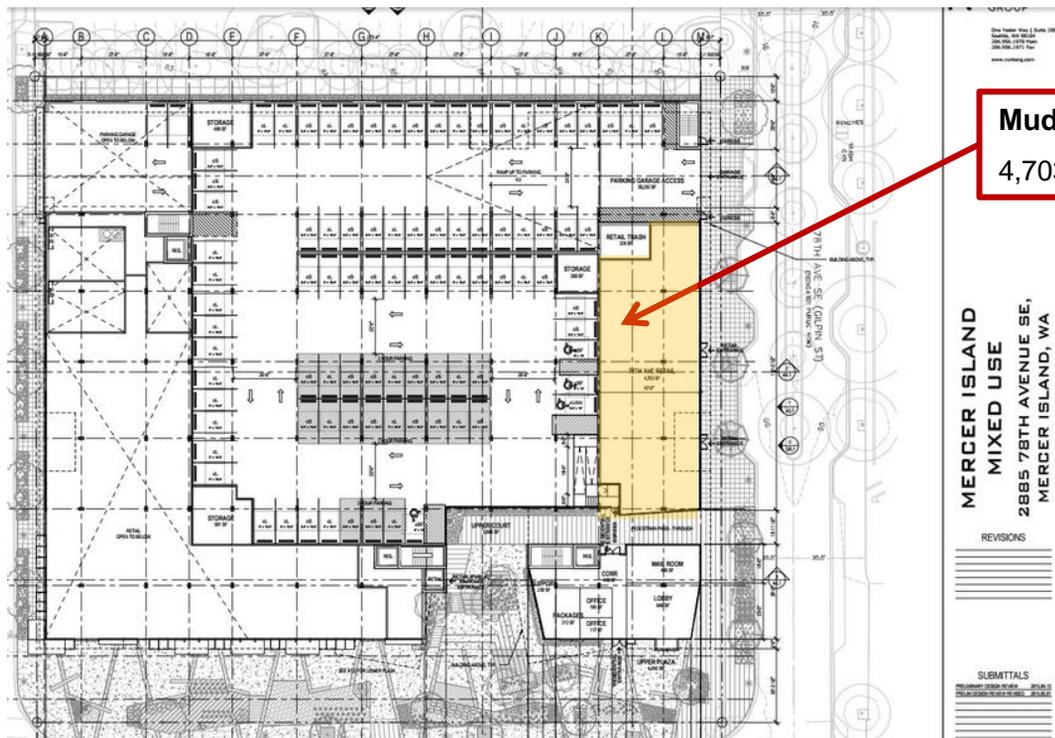
Exhibit 1

LEVEL 1 78TH - PLAN



Retail Space Available
4.467 sf

Hines Project – 5/11/2015 78th Ave Level - Plan



Mud Bay
4,703 sf

**MERCER ISLAND
MIXED USE
2885 78TH AVENUE SE,
MERCER ISLAND, WA**

REVISIONS

SUBMITTALS

LEVEL 1
(78TH) -
OVERALL
PLAN

Grocery Store Square Footage Comparison

Store	Setting	Square Footage
Whole Foods (new)	Capital Hill *Mixed Use bldg.	40,000
Whole Foods	Bellevue	56,949
PCC Market	Issaquah	23,000
PCC Market	Redmond	23,367
PCC Market	Columbia City *Mixed Use bldg.	25,000
Safeway	Bellevue Way *Mixed Use bldg.	55,330
Albertson's	Mercer Island	37,076
<u>Average Square Footage</u>		<u>37,246</u>

Hines Project 2015 Retail Spaces

Square Footage

1. 77 th Ave SE	11,235
2. 78 th Ave SE (Mud Bay)	4,703
<u>Total Available Space</u>	<u>11,235</u>

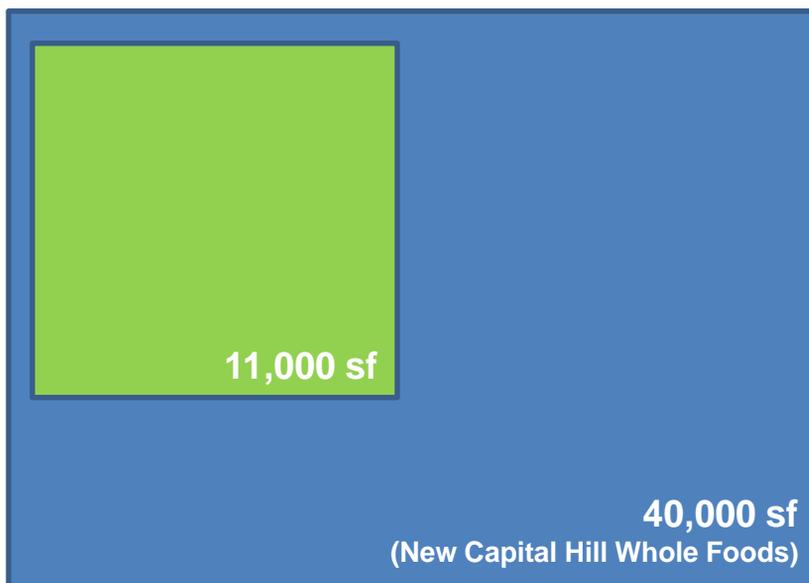
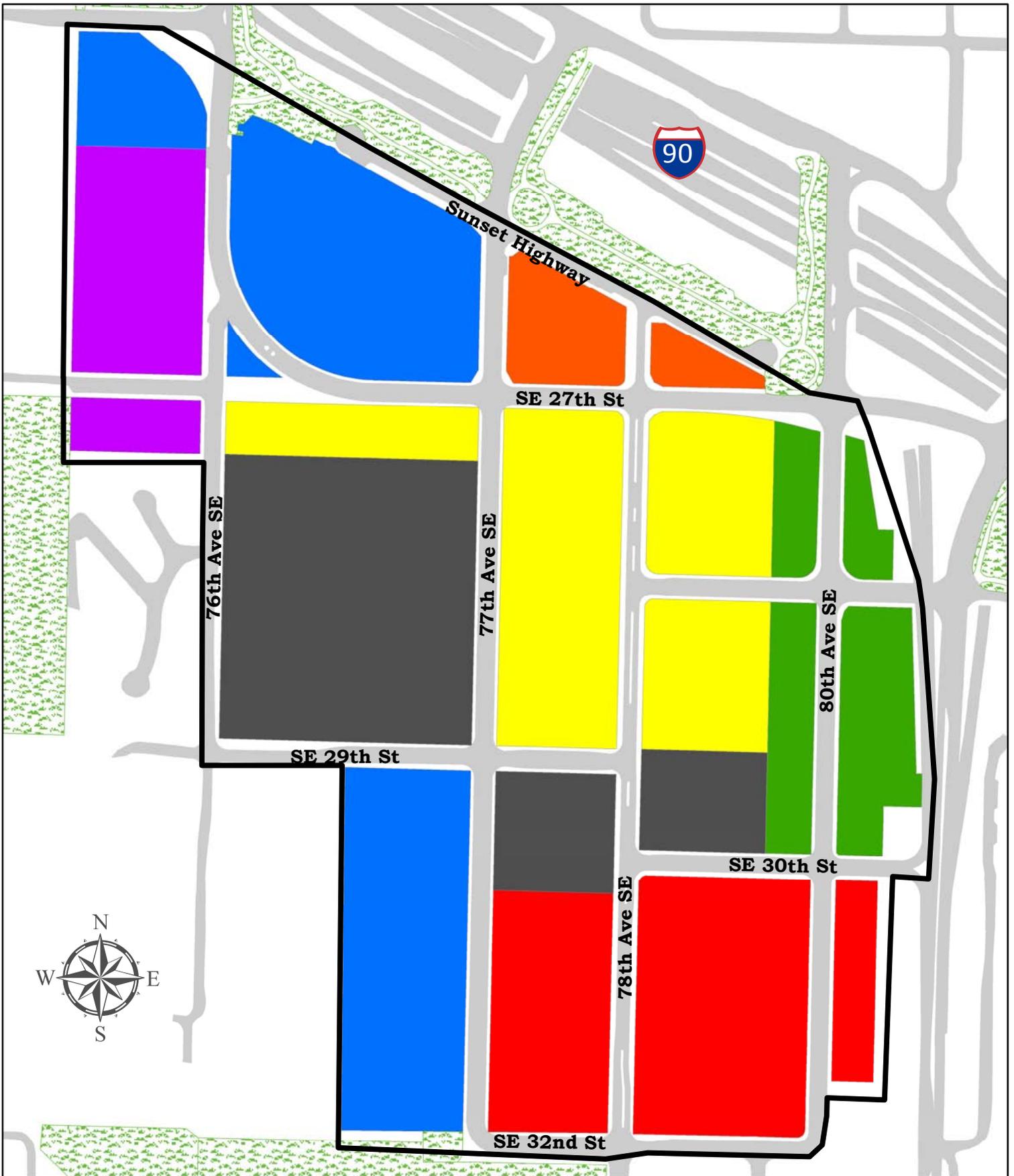


EXHIBIT 7



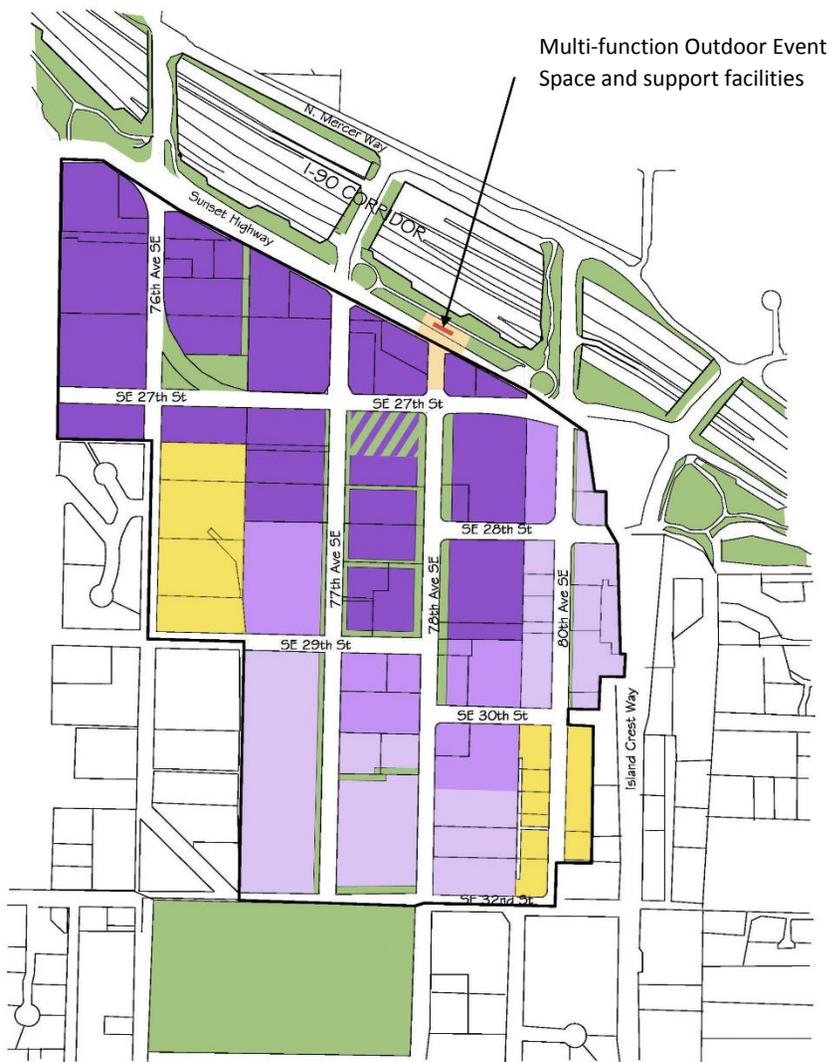
Legend

- | | |
|--|---|
|  Auto-Oriented |  Residential (Central) |
|  Gateway |  Residential (North) |
|  Mid-Rise Office |  Residential (South) |
|  Mixed Use |  Town Center Boundary |

Town Center Sub-Areas

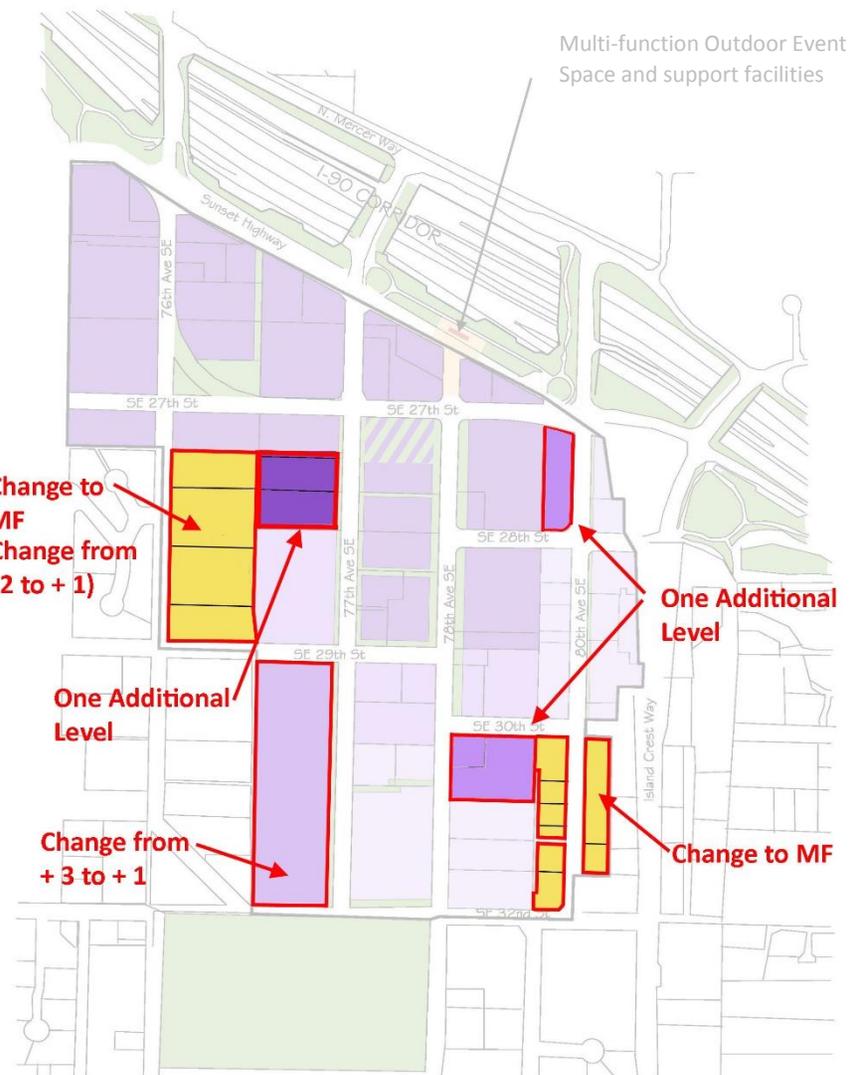


EXHIBIT 8



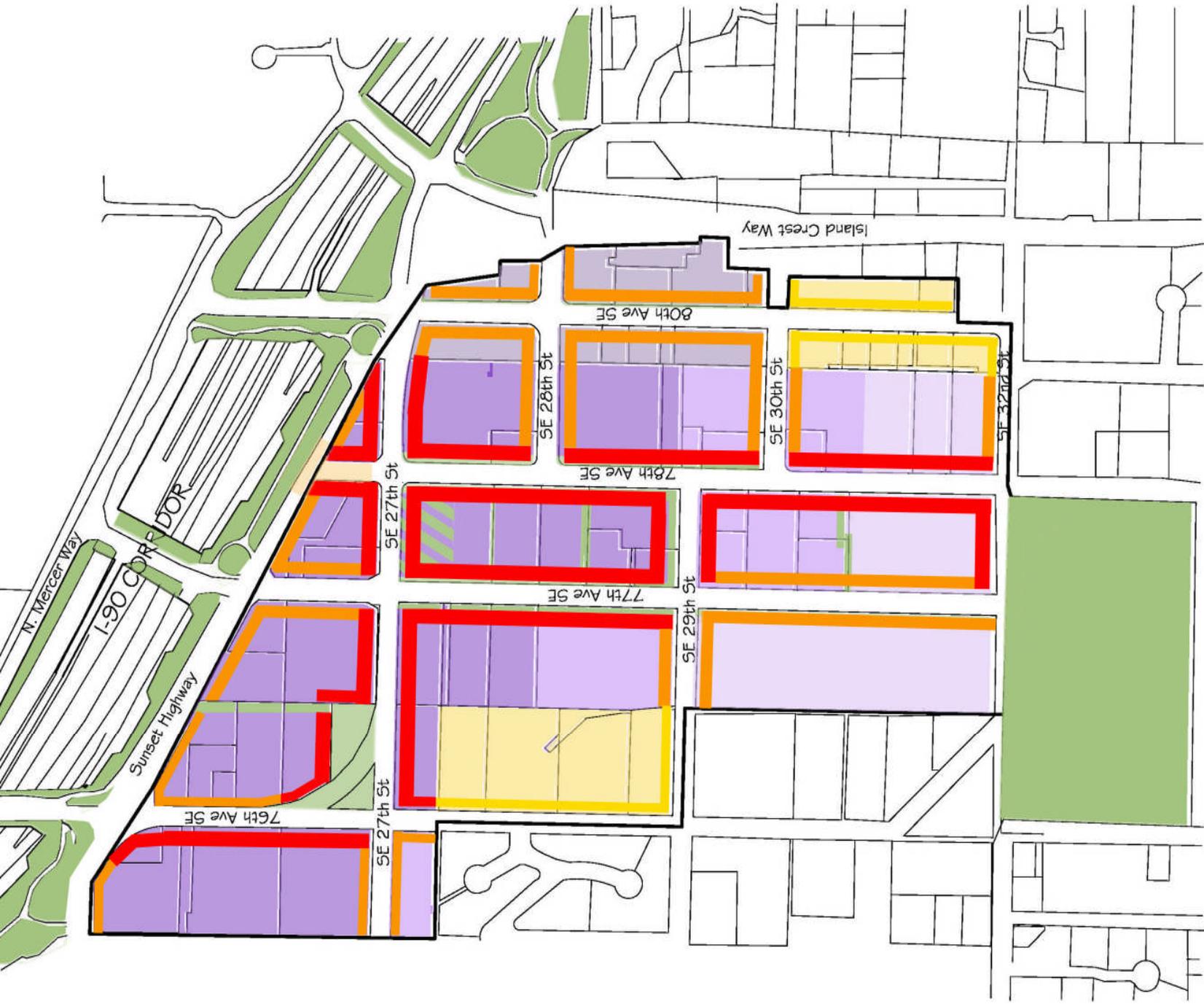
Mercer Island Town Center Proposed Regulating Plan

- TC - 5 Sub-area
- TC - 4 Sub-area
- TC - 3 Sub-area
- TC MF-3 Sub-area



Proposed Regulating Plan change in Use and Building Heights from Existing Code

EXHIBIT 9



Mercer Island Town Center Proposed Retail Frontage Types

Primary (limited personal services allowed)

Secondary (more flexible for non-retail uses)

Limited (live/work and home-based occupations allowed)

EXHIBIT 10



TOWN CENTER

Development & Design Guideline Update

Mercer Island Town Center
Stakeholder Group Meeting # C-2

April 27, 2015
Mercer Island Community and Event Center

Meeting Introduction and Overview

Seth Harry provided an introduction and overview of the meeting agenda.

Summary of Stakeholder Group Input, Meeting #C (April 24, 2015)

Seth Harry presented an overview of Stakeholder Group Meeting # C input:

Areas of Consensus – Streets & Regulating Plan

- 80th Avenue SE. (These discussions occurred before City traffic staff input).
 - The bike lanes should be relocated from 77th Ave SE to 80th Ave SE. (this was before City traffic staff input)
 - There should be on-street parking with street trees and no planting strip.
 - The proposed mix of secondary retail frontage along the north end of 80th and limited retail frontage to the south end of 80th is appropriate.

- 78th Ave SE.
 - There should be parking pockets on 78th similar to today's parking.
 - The proposed mix of primary retail frontage to the north end of 77th and secondary retail frontage to the south end of 77th is appropriate.

Regulating Plan.

- The Multifamily and Special district areas should be separate sub-areas with different uses or other characteristics.

Areas of Mixed Opinion – Streets, Base Requirements and Incentives and Regulating Plan

- 77th Ave SE.
 - *Differences of opinion as to which side or both, and angled or parallel.*

- 78th Ave SE.
 - Split opinions about the proposal for primary retail frontage along the full length of 78th Ave SE.
 - Comments on the public places/plazas shown on the regulating plan mostly related to the Walgreen's plaza; mixed opinions.

- Base Requirements and Incentives.
 - Many different responses.
- Regulating Plan.
 - Many different responses.

Stakeholder Group comments and questions as follow up to the Meeting #C summary included:

- Location of bike facility on 80th; how retail frontage types were determined and apply to existing development, requests to see the full retail map in worksheet and request for parking map similar to retail map. Questions were also asked clarifying what policies were referenced and which elements are code-derived and existing parking requirements.

Presentation of Clarifying Material

Seth Harry presented new graphic material to clarify points from previous Stakeholder Group meetings. Primary points included:

- Existing and Proposed Building Height Definition. Height for sites with variations in topography (see graphics). Current height allowed is 5 stories rather than measure of feet. Currently median height is measured; the proposed measure considers both sides of property. The proposal addresses the needs of sites with multiple frontages and those with varying elevations at different site access points. This enables building heights to be calculated in response to more than one site frontage rather than from one point for an entire site with varying topography. Stakeholder Group questions and comments related to purpose of changing building height measurement method and actual height versus number of stories.
- Regulating Plan. Stakeholder Group questions and comments related to building height guidance in the existing code, potential location of taller buildings near hillsides so as to not block views, and rationale for building heights in the Multifamily areas.
- Bicycle/Pedestrian Networks Map. This discussion related to City engineers' recommendation to relocate bicycle facilities on 77th rather than 80th; also that existing businesses need on-street parking.

Table Discussions - Regulatory Plan and Street Sections

Stakeholder Group members moved into 4 discussion groups to respond to the following questions:

1. *Are the sub-area descriptions appropriate? Are there unique features or characteristic you would include in any of the sub-area descriptions?*
2. *Is the Special District appropriate as a separate sub-area? If so, what sets it apart from other sub-areas? If not, what should replace it?*
3. *Are the sub-area boundaries correct? How should they be changed?*

Report Back: Regulating Plan

Table 1.

- Rite Aid property - change from +1 to +2.
- Special District: Multi-family only, +1.

Table 2.

- Ok in general with overall Regulating Plan.

- Need to accommodate automotive service (gas stations).
- Rite Aid – increase density so more likely to redevelop. (is +1 or +2 enough incentive for that?)
- Light rail – need to discuss transit parking.

Table 3.

- Like 7 subareas trimmed down to 5.
- Not sold on shifting density toward freeway.
- Multifamily instead of Special District.
- Vary heights in lower intensity area while leaving total building mass the same.

Table 4.

- Special District – don't see the need for it (reduce # of district categories).
- Rite Aid - Ok with +1 by Mercerdale Park.

Bike Lanes

Table 1.

- Move bike lanes back to 77th, no concrete divider, 2 bikes lanes on same side of street.

Table 2.

- Wrong question – move bike lane from 77th or 80th, should be what do we want to accomplish on 77th?
- Not right question to ask; maybe a sharrow.
- Low traffic volume with low speeds so no need for bike lane.
- Unnecessary center turn lanes can provide room for a boulevard with wider sidewalks and planter strips.
- No dedicated bike lanes, focus on creating a great urban streetscape on 77th.

Table 3.

- Street section – bike lanes better on 77th, what's the intent of the street?
- Need to know purpose of street to determine what's needed; what to give for wider sidewalk.

Table 4.

- Bike lane should be on 77th, but more in favor of more parking.
- Dedicated bike lane on 77th.
- Angled parking on 77th if can fit bike lane if it fits.
- Parking more important on 77th; would also still like bike lane.
- Parking for the Performing Arts Center – prefer parallel.

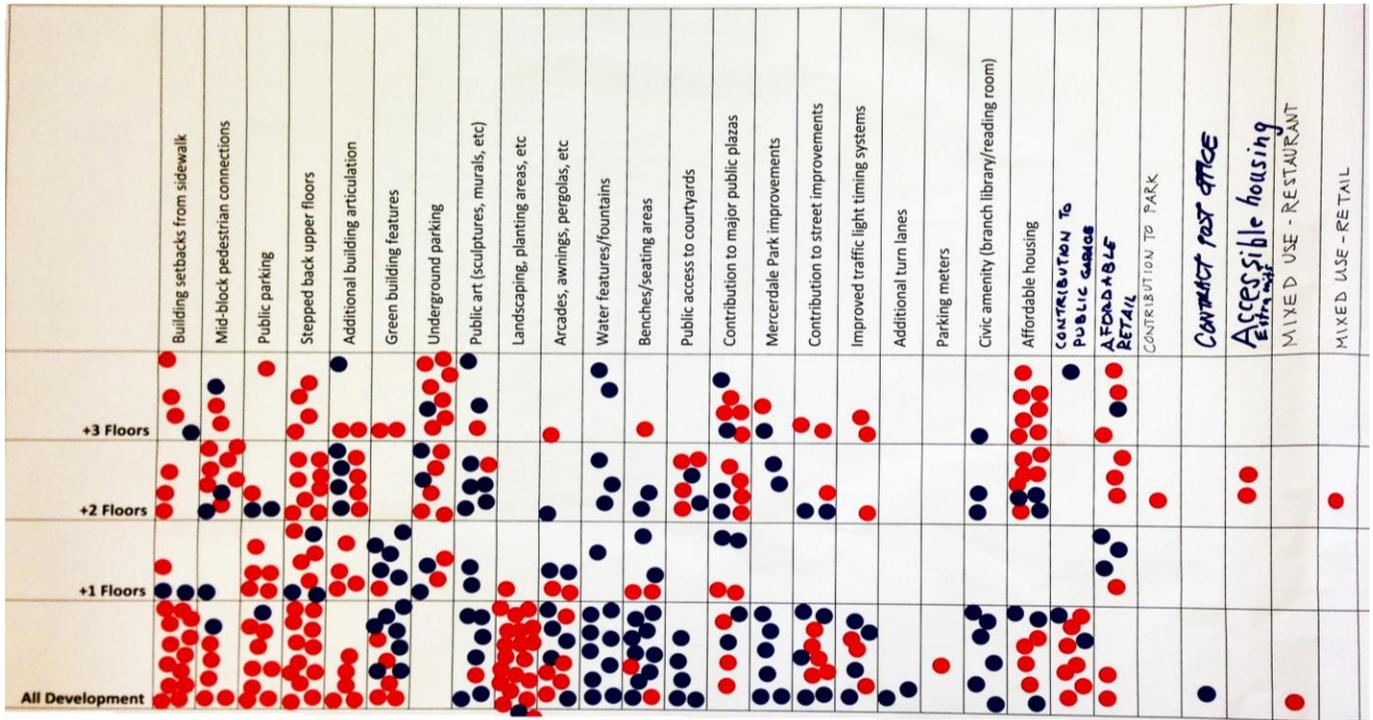
Other Comments/Questions

- Important to still allow auto-oriented and service uses in Town Center, so people don't have to go off-Island for those.
- Residential – In favor of more residential along the fringes, including Farmer's.
- Bicycle questions are not so much about current condition now, rather about people bicycling downtown to get to transit in the future.

Dot Exercise

The dot exercise enabled Group members to use color to identify features that should be base (mandatory) requirements and tiered amenities, with red for mandatory and blue for tiered incentives

above mandatory. The first graphic below reveals patterns of red and blue dots placed by Group members. The second graphic below shows number of dots placed per cell and are color coded to indicate red and blue dots.



	Building setbacks from sidewalk	Mid-block pedestrian connections	Public parking	Stepped back upper floors	Additional building articulation	Green building features	Underground parking	Public art (sculptures, murals, etc)	Landscaping, planting areas, etc	Arcades, awnings, pergolas, etc	Water features/fountains	Benches/seating areas	Public access to courtyards	Contribution to major public plazas	Mercerdale Park improvements	Contribution to street improvements	Improved traffic light timing systems	Additional turn lanes	Parking meters	Civic amenity (branch library/reading room)	Affordable housing	Contribution to public garage	Affordable retail	Contribution to park	Contract post office	Accessible housing (extra units)	Mixed use - restaurant	Mixed use - Retail
+3 Floors	3	2	1	4	2	2	7	1		1		1		4	1	2	2				7		3					
	1	1			1		1	2			2			2	1					1		1						
+2 Floors	3	7	1	8	4		5	1			1	3	2	4	4	1	1				6		3	1		2		1
		2	2		4		2	5				2	2	2	2	2				2	3							
+1 Floors	1		5	4	4	1	2		1	2		2		2									1					
	2	1		3		5	2	2		2	1	2		2								3						
All Development	13	5	8	12	5	5		1	19	5		2		3		5	3		1		4	7	2			1		
		1	1			7		6	1	5	9	9	5	2	6	5	4	2		6	3	2			1			

Next Steps

The next Stakeholder Group is Tuesday, May 5.

EXHIBIT 11

Proposed Town Center Incentive Structure

The following charts are a conceptual framework for an incentive structure to allow Town Center buildings to achieve heights above 2 stories. The purpose of this conceptual framework is to organize stakeholder feedback to-date and provide a model for further input. This concept has not yet been filtered through the lenses of technical or market feasibility, so the final incentive structure proposed in the draft code may require additional changes.

ALL DEVELOPMENT

MANDATORY	ELECTIVE
<ol style="list-style-type: none"> 1. Building setbacks from sidewalk 2. Building setback to allow mid-block connection when adjacent to designated connection 3. Walk-Off requirement for non-residential parking spaces 4. Green building standards 5. Street level façade standards to ensure attractive streetscape 6. Site design features (e.g. benches, fountains, public art, etc.) 7. Landscaping features (e.g. greenery, planting areas, trees, etc) 	

TC-3: 3 stories

MANDATORY	ELECTIVE
<ol style="list-style-type: none"> 1. Building setbacks from sidewalk 2. Building setback to allow mid-block connection when adjacent to designated connection 3. Walk-Off requirement for non-residential parking spaces 4. Green building standards 5. Street level façade standards to ensure attractive streetscape 6. Site design features (e.g. benches, fountains, public art, etc.) 7. Landscaping features (e.g. greenery, planting areas, trees, etc) 8. Stepped back upper floors 9. Additional building articulation 10. Additional public parking 	<p>Choice of:</p> <ol style="list-style-type: none"> 1. Affordable retail 2. Affordable housing 3. On-site public plaza 4. Public reading room 5. Contribution to Town Center Improvements/Amenities Fund (for plazas, public parking, reading room, etc)

Note: **Bold** font indicates mandatory requirements that are new to that tier.

TC-4: 4 stories

MANDATORY	ELECTIVE
<ol style="list-style-type: none"> 1. Building setbacks from sidewalk 2. Building setback to allow mid-block connection when adjacent to designated connection 3. Walk-Off requirement for non-residential parking spaces 4. Green building standards 5. Street level façade standards to ensure attractive streetscape 6. Site design features (e.g. benches, fountains, public art, etc.) 7. Landscaping features (e.g. greenery, planting areas, trees, etc) 8. Stepped back upper floors 9. Additional building articulation 10. Additional public parking 11. Affordable Retail 12. Affordable Housing 	<p>Choice of:</p> <ol style="list-style-type: none"> 1. Underground parking 2. On-site public plaza 3. Public reading room 4. Public access to courtyard 5. Contribution to Town Center Improvements/Amenities Fund (for plazas, public parking, reading room, etc)

TC-5: 5 stories

MANDATORY	ELECTIVE
<ol style="list-style-type: none"> 1. Building setbacks from sidewalk 2. Building setback to allow mid-block connection when adjacent to designated connection 3. Walk-Off requirement for non-residential parking spaces 4. Green building standards 5. Street level façade standards to ensure attractive streetscape 6. Site design features (e.g. benches, fountains, public art, etc.) 7. Landscaping features (e.g. greenery, planting areas, trees, etc) 8. Stepped back upper floors 9. Additional building articulation 10. Additional public parking 11. Affordable Retail 12. Affordable Housing 13. Underground parking 	<p>Choice of:</p> <ol style="list-style-type: none"> 1. Public access to courtyard 2. On-site public plaza 3. Public reading room 4. Contribution to Town Center Improvements/Amenities Fund (for plazas, public parking, reading room, etc)

Note: **Bold** font indicates mandatory requirements that are new to that tier.

EXHIBIT 12

May 2015 Update

From: **Dan Grausz** (Dan.Grausz@mercergov.org)

Sent: Sun 5/10/15 5:15 PM

To: Dan Grausz (dangrausz@gmail.com)

May 10, 2015

Fellow Islanders:

I have to say that writing an update on Mother's Day in the middle of what has been a spectacular Pacific Northwest weekend is challenging. Much is going on with your City, however, that you may want to hear about. For those of you who have not received these updates before, I always tell people that if you would prefer not receiving them in the future, please email me.

1. City Council/School Board Changes: unfortunately, Joel Wachs had to resign from the Council a few days ago for health reasons. While Joel's tenure on the Council was brief, he believes in this community and wanted to do what he could to keep Mercer Island the great place it is to live. I wish him a speedy recovery and know that he will be back in the future to continue working for Islanders. Joel's seat will be one of the five Council seats that Islanders will choose someone for in the upcoming November election.

Also last week, Ralph Jorgenson was selected by the School Board to replace Janet Frohnmayer, who has resigned as a result of her leaving Mercer Island. Janet has done a great job for Islanders during her long tenure on the School Board and will be sorely missed throughout our community. Ralph showed his mettle as one of the leaders of last year's successful School Bond campaign. I look forward to working with him in the months ahead. Ralph's seat will be one of three that will be on the ballot in November.

2. South End Fire Station: I had hoped that our firefighters would be using the new South End Fire Station by now. Completing the punch list, however, has delayed hand over of the station, which is now expected to happen in about two weeks. The City has notified the contractor that we are rejecting the roof and will require that it be replaced. As the issue involves the roof covering and not the structure, I am hoping it can be done while the firefighters are using the station. It is likely that both the roof issue and the City's claim for in excess of \$500,000 of delay damages will result in litigation with the contractor.

3. Transportation Improvement Plan: on Monday, May 18th, the City Council will take public comment on desired road, pedestrian and bicycle projects as the first part of our annual development of the Transportation Improvement Plan. In the past, groups of citizens have been able to influence what projects are done by coming to this meeting and providing comments, particularly when something is required to address an important neighborhood safety concern. Please take advantage of this opportunity. As I have in the past, I will push hard to continue the widening of the shoulders project on the Mercers that the City has been doing in increments for more than 10 years. This not only protects pedestrians and cyclists but is also very important for drivers who are able to pass cyclists without crossing the center stripe.

4. Bus Intercept: bus intercept refers to the Sound Transit proposal to have buses from Issaquah and other communities to the east drop off and pick-up their passengers on Mercer Island so they can use light rail between Seattle and Mercer Island. It would not begin until 2023 (when light rail is scheduled to start), has benefits to the region in terms of reducing transportation costs and air pollution, but if not done right, will adversely impact Islanders. The City has said from the outset that we will oppose this project unless those impacts were both significantly limited and mitigated.

On April 20th, Sound Transit and Metro provided the City with its latest thinking for this project. What was laid out for us was a non-starter. It included adding over 12 bus parking spaces, laid out an arrangement that was likely to significantly impact vehicle, pedestrian and bicycle traffic on 80th Ave. and nearby streets, and included no operating limitations that would enable us to cap the impacts. It was completely out-of-scale for our Town Center and for what we had been told were the goals of Bus Intercept.

On May 4th, the Council voted unanimously to reject this. We concluded that there was no combination of minor revisions and mitigating efforts that could lead us to approve what had been presented. Islanders need to know, however, that this likely is not the final word on Mercer Island Bus Intercept as the idea of having bus/rail connections throughout the light rail network (not just on Mercer Island) is a cornerstone of regional transportation policy. At this time, we have no idea what Sound Transit and Metro may come back to us with.

5. Mitigation for Loss of Mobility: at the May 4th meeting, the Council also decided that for the present, we would focus our negotiations with Sound Transit on obtaining mitigation for loss of mobility due to closure of the I-90 center roadway. We are contractually entitled to this mitigation under the terms of an agreement signed in 2004.

In my opinion, mitigation must include additional commuter parking for Islanders but also should

look at other measures (such as shuttle service to and from the north end) as we will never be able to find enough space in our Town Center to meet what I expect to be substantial parking demands once light rail is operational in 2023. We also need to advance what until now have been dormant discussions with the Washington State Department of Transportation on promised Islander single occupancy vehicle access to the additional HOV lane now being added to each of the I-90 outer roadways between Mercer Island and Seattle. Expect some very difficult discussions in the months ahead.

6. Town Center Visioning: since my last update, the 42-person Town Center Stakeholder Group held three more meetings during which substantial progress was made towards finding a way forward in our ongoing project to update the Town Center Development Code. In its advisory capacity, the stakeholders have generally favored a series of changes that will now go before the Planning Commission, Design Commission and City Council for further review and public comment. Those changes include:

- While the maximum 5-story height limit would be retained, **certain parcels were designated for either an increase or decrease in the currently permitted height**. The general policy remains one of allowing taller (5-story) buildings at the north end of the Town Center with 3 or 4-story maximum heights as one moves away from the north end.
- **Certain areas along 76th Ave. and 80th Ave. that are now designated as being available for office or retail use would now be restricted to primarily residential development.**
- **Mandatory mid-block connection points** would be created along certain lot lines to avoid the possibility of being unable to walk through the super blocks we now have once they are developed (such as the block bounded by 77th, 78th, 27th and 29th). **Similarly, a setback along 32nd between 77th and 78th would be required** to avoid a future development from being too imposing on Mercerdale Park.
- **77th Ave. (the street that Albertson's is on) would be changed to a 2-lane street to allow room for on-street parking** and possibly wider and better landscaped sidewalks.
- Serious consideration will be given to **changing the SE 27th Street traffic flow in front of the large Starbucks by eliminating the curve, having 27th meet 76th Ave. on a right angle** and developing an attractive green space between that intersection and the large Starbucks.
- **Design requirements for buildings would be changed to require more modulation** of higher floors (a wedding cake appearance).

- The public benefits and amenities that are mandated in exchange for allowing additional height would be significantly increased.

The next step in this will be a public input session at the Community Center this Monday (May 11th) evening followed by City Council initial review at its June 1st meeting. On June 1st or at the following meeting on June 15th, the Council is also likely to decide whether or not to extend the existing development moratorium which otherwise expires on June 16th.

7. Impact Fee Ordinance: Separate and apart from this visioning process, the Council will soon be considering adoption of an impact fee ordinance that will require most new development, including single family residential, to pay money that will help finance school, transportation, parks and/or fire safety capital projects that are needed in response to the additional growth. Until now, the City and School District have relied on what are referred to in the law as SEPA (State Environmental Protect Act) mitigation fees. The School District has recently asked the City to replace school mitigation fees with school impact fees. At the same time, the City will consider imposing impact fees for the other areas noted above.

With our fantastic Farmers Market about to begin again on June 7th, we know that summer is quickly approaching. I encourage all Islanders to take advantage of this program as it really promotes our sense of community. Summer Celebration, including fireworks, will be the weekend of July 11th. We also have a full calendar of Shakespeare in the Park and Mostly Music in the Park events in July and August; specifics are on the City's website calendar. I look forward to seeing and talking with you at these and other community events.

Thanks again for taking the time to read this update. It remains an honor and a privilege to represent Islanders.

Dan Grausz

Deputy Mayor

EXHIBIT 13

MEMORANDUM

Date:	April 10, 2015	TG:	15085.00
To:	Evan Kaseguma – Hines		
From:	Mike Swenson, PE, PTOE Jesse Birchman, PE, PTOE		
cc:	Mat Lipps – Runberg Architecture Group PLLC		
Subject:	Hines Mercer Island Apartments – Preliminary Transportation Summary		

This memorandum provides a summary of preliminary transportation related information for the proposed mixed-used development in the Town Center area in Mercer Island, Washington. A Transportation Impact Analysis (TIA) outlining the impacts of the project and any necessary mitigation is being prepared and will be submitted under a separate cover. This memorandum focuses on the following:

- The project’s description,
- An updated estimate of the project’s estimated trip generation,
- A preliminary evaluation of potential site access configurations and related driveway and on-site intersection operations,
- An evaluation of vehicle travel paths at the on-site intersections, and
- A review of the preliminary parking supply and estimated peak parking demands.

Project Description

The proposed project is located at 2885 - 78th Avenue SE and includes a mixed-use building providing up to 192 apartment units above the ground floor, approximately 30,000 gross square feet of supermarket, and 10,000 gross square feet of general retail space on the ground floor. The project site location is shown in Figure 1.

A total of 609 parking stalls are proposed:¹ 247 stalls for the residential use, 151 for supermarket and retail use, and 211 for general public use. The 211 general public use stalls would be located on the third level of the underground parking structure and are contingent on the City of Mercer Island’s negotiations with Sound Transit and Hines. A double berth loading dock serving the grocery would be located parallel to 77th Avenue SE. Vehicular access to the project site would be provided along the northern site limits where driveways would be provided onto 78th Avenue SE and 77th Avenue SE, as illustrated in Figure 1. A full access driveway onto 78th Avenue SE is proposed based on recommendations by City staff and research by Transpo (to be further summarized in the TIA).



Figure 1 – Project Vicinity

¹ Two loading berth would be provided in addition to the 609 stalls within the parking structure.

Project Trips

Project trip generation estimates were developed for the project based on information contained in the Institute of Transportation Engineers (ITE) *Trip Generation* (9th Edition, 2012) and observations at the existing Mercer Island Park & Ride. Trip Generation is a nationally recognized and locally accepted method for determining trip generation for private and public developments. For land uses consistent with *Trip Generation* information, trips were calculated using the Supermarket (LU #850), Shopping Center (ITE LU #820), and Apartments (ITE LU #220). Weekday peak hour trips generated by the proposed public parking stalls were estimated based on three days of data at the Mercer Island Park & Ride that were collected and summarized consistent with ITE *Trip Generation Handbook* (3rd Edition, 2014) guidelines. Daily trips for the public parking were estimated by scaling observed PM peak hour rates using the Office (#710) weekday daily and PM peak hour trip generation rates since both experience morning and evening commuter peak travel behavior.

The project would generate internal, pass-by, and primary trips that were estimated based on the methods outlined in the ITE *Trip Generation Handbook* (3rd Edition, 2014). Internal trips are trips between the retail and residential uses on-site and do not impact the site access driveways or surrounding roadway network and are completely internal to the development. Pass-by trips represent intermediate stops on the way from an origin to a primary trip destination that are attracted from existing traffic on roadways immediately adjacent to the project site. Table 1 through Table 3 summarize the project's updated estimated trip generation for weekday daily, AM peak hour, and PM peak hour time periods. Detailed trip generation calculation worksheets are provided in Attachment A.

Table 1. Weekday Daily Trip Generation

Land Use	Size	Gross Trips ¹	Internal Trips ²	Pass-by Trips ³	Primary Vehicle Trips		
					Total	In	Out
Apartments (LU #220)	192 units	1,276	-367	0	909	454	455
Shopping Center (LU #820)	10,000 gsf	428	-131	-100	197	99	98
Supermarket (LU #850)	30,000 gsf	3,068	-408	-958	1,702	851	851
Public Parking ⁴	211 stalls	812	0	0	812	406	406
Total Proposed Trips		5,584	-906	-1,058	3,620	1,810	1,810

1. Average trip rates & regression equation from ITE Trip Generation Manual, 9th Edition (2012). Rate or equation used consistent with ITE Trip Generation Handbook, 3rd Edition (2014) methodologies.
2. Internal Capture methodology consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
3. Pass-by trips consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
4. Daily trip rate for the Public Parking use is estimated by factoring the observed weekday PM peak hour rate using rates for the General Office (LU #710) land use.

Table 2. Weekday AM Peak Hour Trip Generation

Land Use	Size	Gross Trips ¹	Internal Trips ²	Pass-by Trips ³	Primary Vehicle Trips		
					Total	In	Out
Apartments (LU #220)	192 units	98	-1	0	97	20	77
Shopping Center (LU #820)	10,000 gsf	10	0	-4	6	4	2
Supermarket (LU #850)	30,000 gsf	102	-1	-36	65	44	21
Public Parking ⁴	211 stalls	122	0	0	122	100	22
Total Proposed Trips		332	-2	-40	290	168	122

1. Average trip rates & regression equation from ITE Trip Generation Manual, 9th Edition (2012). Rate or equation used consistent with ITE Trip Generation Handbook, 3rd Edition (2014) methodologies.
2. Internal Capture methodology consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
3. Pass-by trips consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
4. Trip rate for the Public Parking use is based on observations at the existing Mercer Island Park & Ride (March 2015).

Table 3. Weekday PM Peak Hour Trip Generation

Land Use	Size	Gross Trips ¹	Internal Trips ²	Pass-by Trips ³	Primary Vehicle Trips		
					Total	In	Out
Apartments (LU #220)	192 units	119	-51	0	68	42	26
Shopping Center (LU #820)	10,000 gsf	37	-6	-10	21	11	10
Supermarket (LU #850)	30,000 gsf	284	-45	-86	153	88	65
Public Parking ⁴	211 stalls	110	0	0	110	29	81
Total Proposed Trips		550	-102	-96	352	170	182

1. Average trip rates & regression equation from ITE Trip Generation Manual, 9th Edition (2012). Rate or equation used consistent with ITE Trip Generation Handbook, 3rd Edition (2014) methodologies.
2. Internal Capture methodology consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
3. Pass-by trips consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
4. Trip rate for the Public Parking use is based on observations at the existing Mercer Island Park & Ride (March 2015).

Vehicular trip distribution for this project is based on travel patterns summarized in studies for a previously approved development in the Town Center² and comments received on behalf of the City from the City's consultant. A separate primary vehicular trip distribution was determined for commercial/parking and residential trips consistent with Mercer Island General Traffic Impact Analysis Requirements. In general, approximately 35 percent of primary commercial trips would travel to/from north of the site with the remainder to/from the south while 80 percent of residential trips are from the north with the remainder for the south. The full distribution patterns to the study area intersection are summarized in the TIA being prepared for this project.

Site Access & On-Site Operations Analysis

A preliminary evaluation of driveway operations with full-access driveways onto 78th Avenue SE and 77th Avenue SE and at two on-site intersections was conducted to inform that project's site design. Figure 2 illustrates the current draft site plan. The site access driveways are oriented east-west along the sites northern boundary and will ramp down towards the underground parking structure. At the approximate mid-point of the lot, the driveways intersect a single north-south drive aisle that ramps down into the top floor of the underground parking structure. A short distance south of this on-site "T" intersection, a second on-site intersection with four legs would provide access to separate floors of parking. The lowest floor provides the proposed public parking, the middle floor would serve residents only, and the upper floor would primarily serve commercial uses but also some residents.

Only minor differences in travel time would be experienced between the lowest and middle floors. Ramp connections to the internal four-leg garage intersection with public parking on the lowest floor and residential parking on the middle floor would reduce the likelihood of delay and conflicts between residential, public parking, and commercial traffic. For example, the highest inbound commercial traffic volume occurs during the PM peak and locating the public parking on the lowest floor prevents peak outbound public parking traffic from conflicting with the peak inbound commercial traffic.

At both intersections and both driveways, one inbound and one outbound travel lane were assumed; operations with additional turn lanes were not evaluated. The on-site driveway intersection with the garage access was assumed to be all-way stop-controlled.

² Final Transportation Impact Analysis – SE 27th Street & 76th Avenue SE Mercer Island Mixed Use, Transpo Group (February 2013).

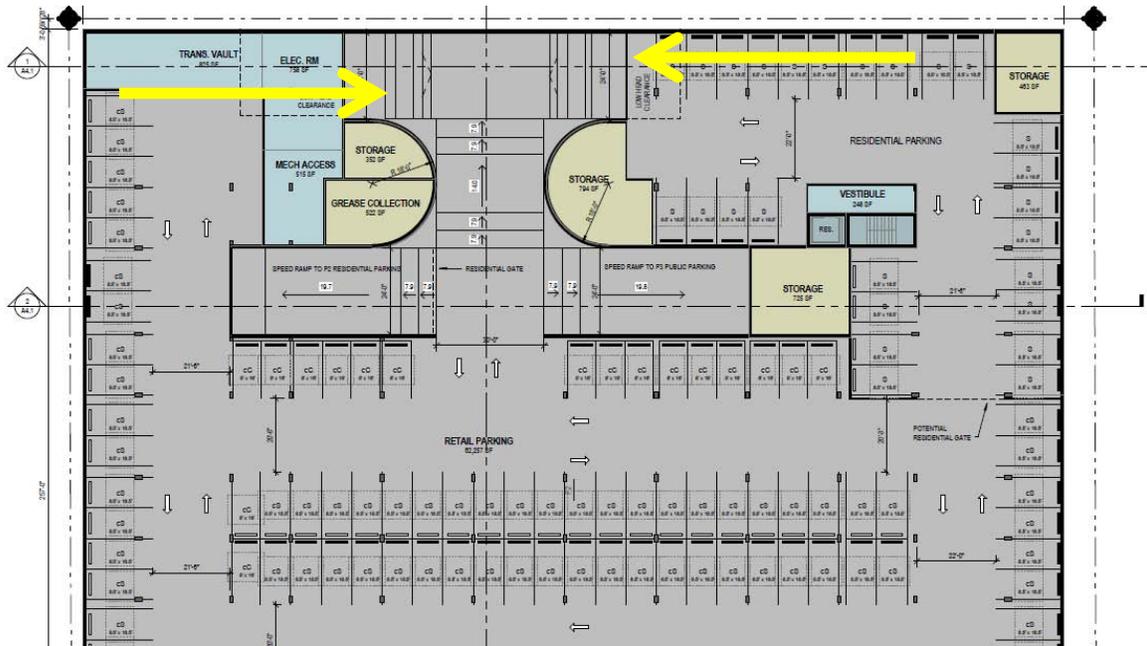


Figure 2 – Current Draft Garage Access Site Plan

Existing weekday AM and PM peak hour traffic volumes were collected at intersections adjacent to the project site and one driveway on 77th Avenue SE that would align with the project driveway. Existing traffic volumes along 78th Avenue SE and 77th Avenue SE were grown at an annual rate of 1 percent per year to 2018 conditions consistent with the Final TIA for the SE 27th Street & 76th Avenue SE Mercer Island Mixed Use project (see Footnote 2) and adding the same pipeline development project trips included in this previous TIA. The forecast weekday peak hour traffic volumes at the site access driveways and on-site intersections are summarized in Figure 3.

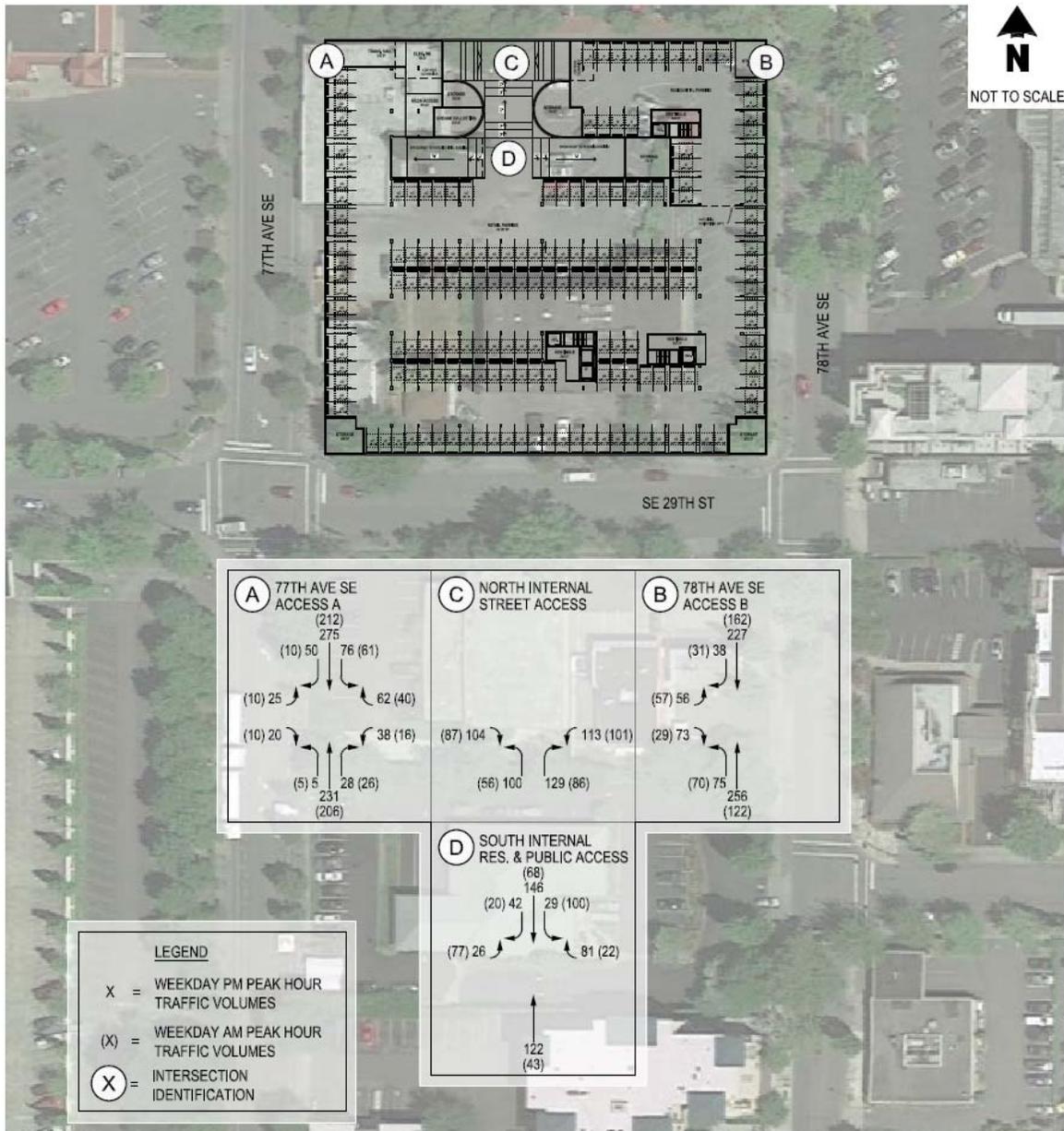


Figure 3 – Preliminary Estimate of Site Access Traffic Volumes

Traffic operations at the site access driveways and on-site intersections were evaluated consistent with the procedures identified in the *Highway Capacity Manual* (2010), and evaluated using Synchro version 9.0. At stop-sign controlled intersections such as these locations, LOS is measured in average control delay per vehicle and is reported using the intersection delay. Traffic operations for an intersection can be described alphabetically with a range of levels of service (LOS A through F), with LOS A indicating free-flowing traffic and LOS F indicating extreme congestion and long vehicle delays.

Preliminary traffic operation results for 2018 with-project conditions at the site access driveways and on-site intersections are summarized in Table 4. The City of Mercer Island has defined a standard of LOS C for public intersections.

Table 4. Preliminary 2018 Site Access & On-Site Intersection Weekday Peak Hour Level of Service

Location	AM Peak Hour			PM Peak Hour		
	LOS ¹	Delay ²	Worst Movement ³	LOS	Delay	Worst Movement
A. Driveway A / 77th Ave SE	B	14	EB	C	17	EB
B. Driveway B / 78th Ave SE	B	13	EB	B	15	EB
C. Driveway / Garage Access	A	8	-	A	9	-
D. Internal Garage Intersection	B	13	EB	B	12	EB

1. Level of service (LOS), based on 2010 Highway Capacity Manual methodology.
2. Average delay in seconds per vehicle.
3. The reported LOS and delay are for the worst operating movement at side-street stop-controlled driveways and intersections (a.k.a. two-way stop-controlled) while overall intersection results are reported for all-way stop intersections (shown as "-").

As shown, both site access driveways and the on-site intersections are anticipated to operate well at LOS C or better. Note that the worst-operating movement during both AM and PM peak hour conditions at the driveway onto 77th Avenue SE is the eastbound Albertsons driveway aligned with the proposed project driveway. These results for the project driveways and on-site intersections indicate that a single travel lane at all on-site locations are forecast to adequately serve on-site traffic.

Vehicle Travel Path Analysis

An evaluation of potential vehicle paths at the on-site intersections and roadways was conducted to inform the design of the building structures to accommodate expected passenger car and delivery truck routes on-site. These paths are shown in Attachments B and demonstrate how passenger cars can travel through the highest on-site traffic volume locations without obstructing on-coming traffic traveling in the opposite direction.

Parking Demand & Supply

As previously described, a total of 609 parking stalls are proposed: 247 stalls reserved for residential use, 151 reserved for supermarket and retail use, and 211 for general public use.

The project is located in the Town Center area and the minimum required parking spaces for this zone are identified in the City of Mercer Island Municipal Code.³ The peak parking demand for the project was estimated using the King County Right Size Parking Calculator⁴ for the apartment units and ITE *Parking Generation* (4th Edition, 2010) for retail (LU #820) and urban supermarket (LU #850) uses. The number of required parking spaces consistent with City code, estimated peak parking demand, and proposed parking supply are summarized in Table 5.

³ MICC 19.11.110 B.1

⁴ www.rightsizeparking.org

Table 5. Code Required Parking Supply

Proposed Land Use	Size ¹	Required Parking Stalls ²		Peak Parking Demand ³	Proposed Parking Supply
		Rate	Required		
<u>Residential Parking</u>					
Apartments (LU #220)	192 units	1 to 3	192 to 576	219 vehicles	247 stalls
<u>Retail Parking</u>					
Shopping Center (LU #820)	10,000 gsf	3 to 5 per 1,000 gsf	30 to 50	26 vehicles	
Supermarket (LU #850)	<u>30,000 gsf</u>	<u>3 to 5 per 1,000 gsf</u>	<u>90 to 150</u>	<u>69 vehicles</u>	
Total Retail Parking	40,000 gsf		120 to 200	95 vehicles	151 stalls
<u>Public Parking</u>					
Public Parking Stalls	211 stalls	0	0	-	211 stalls
Total Parking			312 to 776	314 vehicles + public parking	398 stalls
1. du = dwelling unit, gsf = gross square-feet, sf = square-feet 2. Mercer Island City Code 19.11.110 B.1					

As shown in Table 5, proposed parking supply exceeds the minimum required number parking spaces and estimate peak parking demand for each land use.

M:\15\15085.00 - Mercer Island Apartments\Documents\Memos\Hines Mercer Island Apts - Trans Summary.docx



Attachment A: Trip Generation Worksheet

Attachment A

Daily Trip Generation

Proposed Land Use	Size	Units	Trip Rate ¹	Total Unadjusted Veh. Trips	Reduction for Internal Capture	Subtotal	Pass-by Rate ³	Reduction for Pass-by	Diverted Rate ⁴	Reduction for Diverted Trips	New Daily Trips ²			
											Total	In	Out	
Proposed														
Apartments (LU 220)	192	DU	6.65	1,276	367	909	0%	0	0%	0	909	454	455	
Retail (LU #820)	10,000	1,000 gsf	42.70	428	131	297	34%	100	0%	0	197	99	98	
Supermarket (LU 850)	30,000	1,000 gsf	102.24	3,068	408	2,660	36%	958	0%	0	1,702	851	851	
Public Parking ⁴	211	1 stall	3.85	812	0	812	0%	0	0%	0	812	406	406	
Subtotal				5,584	906	4,678		1,058		0	3,620	1,810	1,810	

1. Trip Rate from ITE Trip Generation Manual, 9th Edition (2012) under Land Use Code 495
2. In/out percentages based on ITE Trip Generation Manual, 9th Edition (2012).
3. Pass-by rates based on ITE Trip Generation Handbook, 3rd Edition (2014).
4. Daily trip rate for the Public Parking use is estimated by factoring the observed weekday PM peak hour rate using rates for the General Office (LU #710) land use.

Weekday AM Peak Hour Trip Generation

Proposed Land Use	Size	Units	Trip Generation Rate ¹	Trip Generation Equation ¹ (if used)	% IN ²	Total Unadjusted Veh. Trips	Unadjusted Veh. Trips IN	Unadjusted Veh. Trips OUT	Reduction for Internal Capture ³	Internal Capture IN	Internal Capture OUT	Internal Capture Rate	Subtotal Driveway Trips				Net New Offsite AM Peak Trips ²					
													Subtotal Trips	Subtotal IN	Subtotal OUT	Pass-by Rate ⁴	Pass-by Trips	Pass-by IN	Pass-by OUT	Total	In	Out
Apartments (LU 220)	192	1 du		T=0.49(X)+3.73	20%	98	20	78	1		1	1%	97	20	77	0%				97	20	77
Retail (LU #820)	10,000	1,000 gsf	0.96		62%	10	6	4					10	6	4	34%	4	2	2	6	4	2
Supermarket (LU 850)	30,000	1,000 gsf	3.4		62%	102	63	39	1	1		1%	101	62	39	36%	36	18	18	65	44	21
Public Parking ⁵	211	1 stall	0.58		82%	122	100	22					122	100	22	0%				122	100	22
Subtotal						332	189	143	2	1	1	1%	330	188	142		40	20	20	290	168	122

- The Transpo Group, 2015
1. Average trip rates & regression equation from ITE Trip Generation Manual, 9th Edition (2012). Rate or equation used consistent with ITE Trip Generation Handbook, 3rd Edition (2014) methodologies.
 2. In/out percentages based on ITE Trip Generation Manual, 9th Edition (2012)
 3. Internal Capture methodology consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
 4. Pass-by rates based on ITE Trip Generation Handbook, 3rd Edition (2014).
 5. Trip rate for the Public Parking use is based on observations at the existing Mercer Island Park & Ride (March 2015).

Weekday PM Peak Hour Trip Generation

Proposed Land Use	Size	Units	Trip Generation Rate ¹	Trip Generation Equation ¹ (if used)	% IN ²	Total Unadjusted Veh. Trips	Unadjusted Veh. Trips IN	Unadjusted Veh. Trips OUT	Reduction for Internal Capture ³	Internal Capture IN	Internal Capture OUT	Internal Capture Rate	Subtotal Driveway Trips				Net New Offsite PM Peak Trips ²					
													Subtotal Trips	Subtotal IN	Subtotal OUT	Pass-by Rate ⁴	Pass-by Trips	Pass-by IN	Pass-by OUT	Total	In	Out
Apartments (LU 220)	184	1 du		T=0.55(X)+17.65	65%	119	77	42	51	35	16	43%	68	42	26	0%				68	42	26
Retail (LU #820)	10,000	1,000 gsf	3.71		48%	37	18	19	6	2	4	16%	31	16	15	34%	10	5	5	21	11	10
Supermarket (LU 850)	30,000	1,000 gsf	9.48		51%	284	145	139	45	14	31	16%	239	131	108	36%	86	43	43	153	88	65
Public Parking ⁵	211	1 stall	0.52		26%	110	29	81					110	29	81	0%				110	29	81
Subtotal						550	269	281	102	51	51	19%	448	218	230		96	48	48	352	170	182

- The Transpo Group, 2015
1. Average trip rates & regression equation from ITE Trip Generation Manual, 9th Edition (2012). Rate or equation used consistent with ITE Trip Generation Handbook, 3rd Edition (2014) methodologies.
 2. In/out percentages based on ITE Trip Generation Manual, 9th Edition (2012)
 3. Internal Capture methodology consistent with ITE Trip Generation Handbook, 3rd Edition (2014).
 4. Pass-by rates based on ITE Trip Generation Handbook, 3rd Edition (2014).

MULTI-USE DEVELOPMENT TRIP GENERATION AND INTERNAL CAPTURE SUMMARY
 Source: ITE Trip Generation Handbook, 2nd Edition (2004)

PM Peak Hour Trip Generation

Exit to External

481

ITE Land Use = Residential (220)			
Size =	192	Rate =	6.65
% Enter =	50%	% Exit =	50%
	Total	Internal	External
Enter	638	210	428
Exit	638	157	481
Total	1276	367	909
%	100%	29%	71%

428

Enter From External

Demand
31% 198

Balanced
184

Demand
12% 184

Demand
53% 338

Balanced
138

Demand
9% 138

Demand
20% 307

ITE Land Use = Supermarket			
Size =	30.0	Rate =	102.24
% Enter =	50%	% Exit =	50%
	Total	Internal	External
Enter	1534	181	1353
Exit	1534	227	1307
Total	3068	408	2660
%	100%	13%	87%

Enter From External

1353

1307

Exit to External

Demand
53% 338

Demand
31% 198

Demand
53% 338

Balanced
0

Demand
20% 43

Balanced
43

Demand
23% 353

Demand
31% 476

Balanced
19

Balanced
26

Demand
9% 0

Demand
31% 198

Balanced
0

Balanced
0

Demand
9% 19

Demand
12% 26

Demand
20% 307

Demand
31% 198

Demand
2% 0

Demand
3% 0

Balanced
43

Balanced
0

Demand
12% 0

Exit to External

145

ITE Land Use = Retail (820)			
Size =	10	Rate =	42.7
% Enter =	50%	% Exit =	50%
	Total	Internal	External
Enter	214	62	152
Exit	214	69	145
Total	428	131	297
%	100%	31%	69%

152

Enter From External

Demand
20% 43

Balanced
0

Demand
20% 0

Demand
20% 43

Balanced
0

Demand
20% 0

Demand
20% 43

Balanced
0

Demand
20% 0

ITE Land Use =			
Size =		Rate =	
% Enter =		% Exit =	100%
	Total	Internal	External
Enter	0	0	0
Exit	0	0	0
Total	0	0	0
%	#DIV/0!	#DIV/0!	#DIV/0!

Enter From External

0

0

Exit to External

Net External PM Peak Hour Trips for Multi-Use Development							
	Residential (220)	Supermarket	Retail (820)	-		Total	
Enter	428	1353	152	0		1933	
Exit	481	1307	145	0		1933	
Total after internal capture	909	2660	297	0		3866	
Not including internal capture	1276	3068	428	0		4772	
Total After Pass-By and Internal	0%	909	43%	1516	34%	197	0%
						0	
						2622	

Blue = Inputs from ITE Handbook for % Internal Capture

Yellow = ITE Land Use & Trip Generation Inputs

Red = Inputs

ITE Land Use = Total Development After Internal Capture Reduction			
% Enter =	50%	% Exit =	50%
	Total	Internal	External
Enter	2386	453	1933
Exit	2386	453	1933
Total	4772	906	3866
%	100%	19%	81%

NCHRP 684 Internal Trip Capture Estimation Tool			
Project Name:	Mercer Island Apartments	Organization:	Transpo Group
Project Location:	Mercer Island	Performed By:	KLL
Scenario Description:	Proposed Land Uses - Retail	Date:	3/9/2015
Analysis Year:		Checked By:	
Analysis Period:	AM Street Peak Hour	Date:	

Table 1-A: Base Vehicle-Trip Generation Estimates (Single-Use Site Estimate)						
Land Use	Development Data (For Information Only)			Estimated Vehicle-Trips ³		
	ITE LUCs ¹	Quantity	Units	Total	Entering	Exiting
Office				0		
Retail	820/850	10,000	1,000 gsf	112	69	43
Restaurant				0		
Cinema/Entertainment				0		
Residential	220	184	dwelling units	98	20	78
Hotel				0		
All Other Land Uses ²				0		
				210	89	121

Table 2-A: Mode Split and Vehicle Occupancy Estimates						
Land Use	Entering Trips			Exiting Trips		
	Veh. Occ. ⁴	% Transit	% Non-Motorized	Veh. Occ. ⁴	% Transit	% Non-Motorized
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						
All Other Land Uses ²						

Table 3-A: Average Land Use Interchange Distances (Feet Walking Distance)						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						

Table 4-A: Internal Person-Trip Origin-Destination Matrix*						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		0	0	0	0	0
Retail	0		0	0	0	0
Restaurant	0	0		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	0	1	0	0		0
Hotel	0	0	0	0	0	

Table 5-A: Computations Summary			
	Total	Entering	Exiting
All Person-Trips	210	89	121
Internal Capture Percentage	1%	1%	1%
External Vehicle-Trips ⁵	208	88	120
External Transit-Trips ⁶	0	0	0
External Non-Motorized Trips ⁶	0	0	0

Table 6-A: Internal Trip Capture Percentages by Land Use		
Land Use	Entering Trips	Exiting Trips
Office	N/A	N/A
Retail	1%	0%
Restaurant	N/A	N/A
Cinema/Entertainment	N/A	N/A
Residential	0%	1%
Hotel	N/A	N/A

¹Land Use Codes (LUCs) from *Trip Generation Manual*, published by the Institute of Transportation Engineers.

²Total estimate for all other land uses at mixed-use development site is not subject to internal trip capture computations in this estimator.

³Enter trips assuming no transit or non-motorized trips (as assumed in ITE *Trip Generation Manual*).

⁴Enter vehicle occupancy assumed in Table 1-A vehicle trips. If vehicle occupancy changes for proposed mixed-use project, manual adjustments must be made to Tables 5-A, 9-A (O and D). Enter transit, non-motorized percentages that will result with proposed mixed-use project complete.

⁵Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-A.

⁶Person-Trips

*Indicates computation that has been rounded to the nearest whole number.

Estimation Tool Developed by the Texas A&M Transportation Institute - Version 2013.1

Project Name:	Mercer Island Apartments
Analysis Period:	AM Street Peak Hour

Land Use	Table 7-A (D): Entering Trips			Table 7-A (O): Exiting Trips		
	Veh. Occ.	Vehicle-Trips	Person-Trips*	Veh. Occ.	Vehicle-Trips	Person-Trips*
Office	1.00	0	0	1.00	0	0
Retail	1.00	69	69	1.00	43	43
Restaurant	1.00	0	0	1.00	0	0
Cinema/Entertainment	1.00	0	0	1.00	0	0
Residential	1.00	20	20	1.00	78	78
Hotel	1.00	0	0	1.00	0	0

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office	0	0	0	0	0	0
Retail	12	0	6	0	6	0
Restaurant	0	0	0	0	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	2	1	16	0	0	0
Hotel	0	0	0	0	0	0

Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office	0	22	0	0	0	0
Retail	0	0	0	0	0	0
Restaurant	0	6	0	0	1	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	0	12	0	0	0	0
Hotel	0	3	0	0	0	0

Destination Land Use	Person-Trip Estimates			External Trips by Mode*		
	Internal	External	Total	Vehicles ¹	Transit ²	Non-Motorized ²
Office	0	0	0	0	0	0
Retail	1	68	69	68	0	0
Restaurant	0	0	0	0	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	0	20	20	20	0	0
Hotel	0	0	0	0	0	0
All Other Land Uses ³	0	0	0	0	0	0

Origin Land Use	Person-Trip Estimates			External Trips by Mode*		
	Internal	External	Total	Vehicles ¹	Transit ²	Non-Motorized ²
Office	0	0	0	0	0	0
Retail	0	43	43	43	0	0
Restaurant	0	0	0	0	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	1	77	78	77	0	0
Hotel	0	0	0	0	0	0
All Other Land Uses ³	0	0	0	0	0	0

¹Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-A
²Person-Trips
³Total estimate for all other land uses at mixed-use development site is not subject to internal trip capture computations in this estimator
*Indicates computation that has been rounded to the nearest whole number.

NCHRP 684 Internal Trip Capture Estimation Tool				
Project Name:	Mercer Island Apartments		Organization:	Transpo Group
Project Location:	Mercer Island		Performed By:	KLL
Scenario Description:	Proposed Land Uses - Retail		Date:	3/9/2015
Analysis Year:			Checked By:	
Analysis Period:	PM Peak Hour		Date:	

Table 1-P: Base Vehicle-Trip Generation Estimates (Single-Use Site Estimate)						
Land Use	Development Data (For Information Only)			Estimated Vehicle-Trips ³		
	ITE LUCs ¹	Quantity	Units	Total	Entering	Exiting
Office				0		
Retail	820/850	10,000	1,000 gsf	321	163	158
Restaurant				0		
Cinema/Entertainment				0		
Residential	220	184	dwelling units	119	77	42
Hotel				0		
All Other Land Uses ²				0		
				440	240	200

Table 2-P: Mode Split and Vehicle Occupancy Estimates						
Land Use	Entering Trips			Exiting Trips		
	Veh. Occ. ⁴	% Transit	% Non-Motorized	Veh. Occ. ⁴	% Transit	% Non-Motorized
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						
All Other Land Uses ²						

Table 3-P: Average Land Use Interchange Distances (Feet Walking Distance)						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						

Table 4-P: Internal Person-Trip Origin-Destination Matrix*						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		0	0	0	0	0
Retail	0		0	0	35	0
Restaurant	0	0		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	0	16	0	0		0
Hotel	0	0	0	0	0	

Table 5-P: Computations Summary			
	Total	Entering	Exiting
All Person-Trips	440	240	200
Internal Capture Percentage	23%	21%	26%
External Vehicle-Trips ⁵	338	189	149
External Transit-Trips ⁶	0	0	0
External Non-Motorized Trips ⁶	0	0	0

Table 6-P: Internal Trip Capture Percentages by Land Use		
Land Use	Entering Trips	Exiting Trips
Office	N/A	N/A
Retail	10%	22%
Restaurant	N/A	N/A
Cinema/Entertainment	N/A	N/A
Residential	45%	38%
Hotel	N/A	N/A

¹Land Use Codes (LUCs) from *Trip Generation Manual*, published by the Institute of Transportation Engineers.

²Total estimate for all other land uses at mixed-use development site is not subject to internal trip capture computations in this estimator.

³Enter trips assuming no transit or non-motorized trips (as assumed in ITE *Trip Generation Manual*).

⁴Enter vehicle occupancy assumed in Table 1-P vehicle trips. If vehicle occupancy changes for proposed mixed-use project, manual adjustments must be

⁵Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-P.

⁶Person-Trips

*Indicates computation that has been rounded to the nearest whole number.

Project Name:	Mercer Island Apartments
Analysis Period:	PM Street Peak Hour

Table 7-P: Conversion of Vehicle-Trip Ends to Person-Trip Ends						
Land Use	Table 7-P (D): Entering Trips			Table 7-P (O): Exiting Trips		
	Veh. Occ.	Vehicle-Trips	Person-Trips*	Veh. Occ.	Vehicle-Trips	Person-Trips*
Office	1.00	0	0	1.00	0	0
Retail	1.00	163	163	1.00	158	158
Restaurant	1.00	0	0	1.00	0	0
Cinema/Entertainment	1.00	0	0	1.00	0	0
Residential	1.00	77	77	1.00	42	42
Hotel	1.00	0	0	1.00	0	0

Table 8-P (O): Internal Person-Trip Origin-Destination Matrix (Computed at Origin)						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		0	0	0	0	0
Retail	3		46	6	41	8
Restaurant	0	0		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	2	18	9	0		1
Hotel	0	0	0	0	0	

Table 8-P (D): Internal Person-Trip Origin-Destination Matrix (Computed at Destination)						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		13	0	0	3	0
Retail	0		0	0	35	0
Restaurant	0	82		0	12	0
Cinema/Entertainment	0	7	0		3	0
Residential	0	16	0	0		0
Hotel	0	3	0	0	0	

Table 9-P (D): Internal and External Trips Summary (Entering Trips)						
Destination Land Use	Person-Trip Estimates			External Trips by Mode*		
	Internal	External	Total	Vehicles ¹	Transit ²	Non-Motorized ²
Office	0	0	0	0	0	0
Retail	16	147	163	147	0	0
Restaurant	0	0	0	0	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	35	42	77	42	0	0
Hotel	0	0	0	0	0	0
All Other Land Uses ³	0	0	0	0	0	0

Table 9-P (O): Internal and External Trips Summary (Exiting Trips)						
Origin Land Use	Person-Trip Estimates			External Trips by Mode*		
	Internal	External	Total	Vehicles ¹	Transit ²	Non-Motorized ²
Office	0	0	0	0	0	0
Retail	35	123	158	123	0	0
Restaurant	0	0	0	0	0	0
Cinema/Entertainment	0	0	0	0	0	0
Residential	16	26	42	26	0	0
Hotel	0	0	0	0	0	0
All Other Land Uses ³	0	0	0	0	0	0

¹Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-P

²Person-Trips

³Total estimate for all other land uses at mixed-use development site is not subject to internal trip capture computations in this estimator

*Indicates computation that has been rounded to the nearest whole number.

Attachment A - Mercer Island Park Ride Trip Generation

Weekday PM Peak Hour

T-Entrance

Time	3/26/2015								Total	Hourly	3/24/2015								Total	Hourly	3/25/2015								Total	Hourly
	EBL	WBR	Total In	SBL	SBT	SBR	Total Out	EBL			WBR	Total In	SBL	SBT	SBR	Total Out	EBL	WBR			Total In	SBL	SBT	SBR	Total Out					
4:00 PM	0	0	0	0		4	4	4		0	1	1	0		4	4	5		0	0	0	0		2	2	2				
4:15 PM	0	0	0	0		3	3	3		0	1	1	0		4	4	5		0	1	1	0		4	4	5				
4:30 PM	0	0	0	0		6	6	6		0	0	0	0		10	10	10		0	0	0	1		6	7	7				
4:45 PM	0	0	0	0		5	5	5	18	0	1	1	0		3	3	4	24	0	0	0	0		5	5	5	19			
5:00 PM	0	0	0	0		2	2	2	16	0	0	0	1		7	8	8	27	0	0	0	0		13	13	13	30			
5:15 PM	0	0	0	0		9	9	9	22	0	0	0	0		9	9	9	31	0	0	0	0		10	10	10	35			
5:30 PM	0	0	0	0		4	4	4	20	0	0	0	0		4	4	4	25	0	0	0	0		5	5	5	33			
5:45 PM	0	0	0	0		9	9	9	24	0	0	0	0		9	9	9	30	0	0	0	0		9	9	9	37			
6:00 PM	0	0	0	0		10	10	10	32	0	0	0	0		5	5	5	27	0	1	1	0		6	6	7	31			
6:15 PM	0	0	0	0		3	3	3	26	0	0	0	0		3	3	3	21	0	0	0	0		6	6	6	27			
6:30 PM	0	1	1	0		3	3	4	26	0	2	2	0		5	5	7	24	0	1	1	0		1	1	2	24			
6:45 PM	0	0	0	0		0	0	0	17	0	0	0	0		5	5	5	20	0	0	0	1		2	3	3	18			

Signal Entrance

Time	3/26/2015								Total	Hourly	3/24/2015								Total	Hourly	3/25/2015								Total	Hourly
	EBL	WBR	Total In	SBL	SBT	SBR	Total Out	EBL			WBR	Total In	SBL	SBT	SBR	Total Out	EBL	WBR			Total In	SBL	SBT	SBR	Total Out					
4:00 PM	5	3	8	0	15	5	20	28		5	8	13	3	26	5	34	47		1	1	2	3	15	4	22	24				
4:15 PM	3	3	6	9	37	0	46	52		2	4	6	3	19	3	25	31		3	7	10	4	23	5	32	42				
4:30 PM	3	2	5	5	21	5	31	36		5	3	8	12	40	3	55	63		2	2	4	6	28	2	36	40				
4:45 PM	3	9	12	3	25	2	30	42	158	6	5	11	6	21	2	29	40	181	2	5	7	3	14	2	19	26	132			
5:00 PM	4	9	13	6	20	3	29	42	172	6	5	11	7	20	8	35	46	180	4	11	15	8	27	5	40	55	163			
5:15 PM	7	7	14	6	37	9	52	66	186	6	10	16	5	22	4	31	47	196	8	4	12	5	34	2	41	53	174			
5:30 PM	4	9	13	3	23	6	32	45	195	6	11	17	3	15	5	23	40	173	8	9	17	4	24	5	33	50	184			
5:45 PM	2	9	11	4	15	7	26	37	190	8	17	25	4	21	8	33	58	191	2	4	6	4	25	6	35	41	199			
6:00 PM	2	14	16	6	24	1	31	47	195	5	10	15	6	26	9	41	56	201	0	5	5	4	18	2	24	29	173			
6:15 PM	3	4	7	5	12	2	19	26	155	3	11	14	2	16	4	22	36	190	5	9	14	2	23	3	28	42	162			
6:30 PM	6	9	15	3	15	2	20	35	145	4	9	13	2	14	7	23	36	186	5	5	10	5	15	5	25	35	147			
6:45 PM	2	4	6	2	18	4	24	30	138	7	2	9	3	18	4	25	34	162	1	4	5	3	12	1	16	21	127			

Combined

Time	3/26/2015								Total	In	Out	Hourly	3/24/2015								Total	In	Out	Hourly	3/25/2015								Total	In	Out	Hourly	3-day Average			
	EBL	WBR	Total In	SBL	SBR	Total Out	EBL	WBR					Total In	SBL	SBR	Total Out	EBL	WBR	Total In	SBL					SBR	Total Out	Total	In	Out	Hourly	Total	In					Out	Hourly		
4:00 PM			8			24	32					14			38	52							2			24	26													
4:15 PM			6			49	55					7			29	36							11			36	47													
4:30 PM			5			37	42					8			65	73							4			43	47													
4:45 PM			12			35	47				176	12			32	44							7			24	31									151				
5:00 PM			13			31	44				188	11			43	54							15			53	68									193				
5:15 PM			14			61	75				208	16			40	56							12			51	63									209				
5:30 PM			13			36	49				215	17			27	44							17			38	55									217				
5:45 PM			11			35	46				214	25			42	67							6			44	55									221				
6:00 PM			16			41	57	54	173		227	15			46	61	73	155	228				6			30	36	21%	186		236		59	171	230					
6:15 PM			7			22	29	24%			181	14			25	39	32%		211				14			34	48								189					
6:30 PM			16			23	39				171	15			28	43			210				11			26	37								171					
6:45 PM			6			24	30				155	9			30	39			182				5			19	24								145					

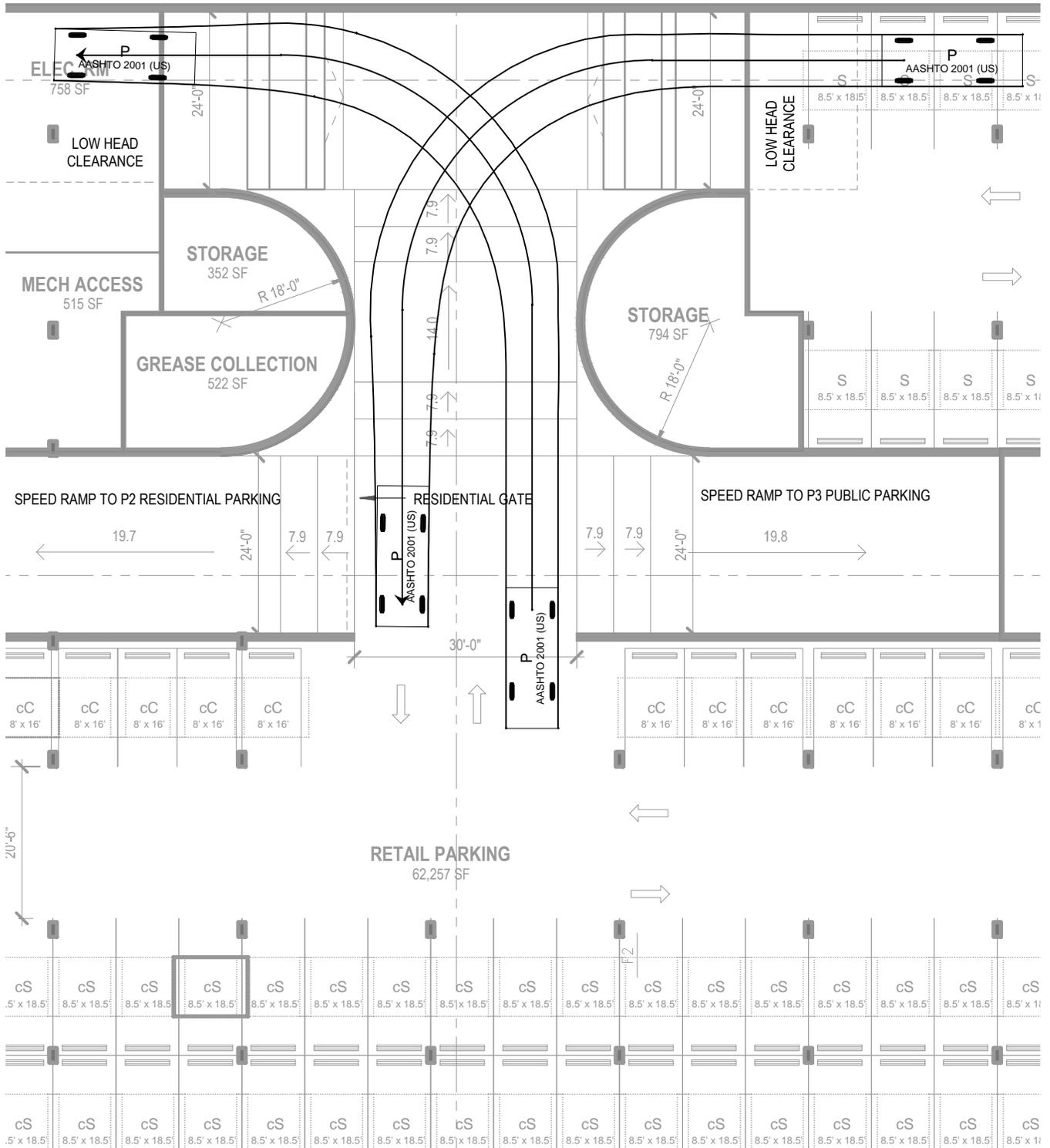
Supply 447 0.515287

Attachment B: Vehicle Travel Paths



273'-9"

NOT TO SCALE



Commercial Inbound and Outbound Left-Turns

ATTACHMENT

Mercer Island Apartments

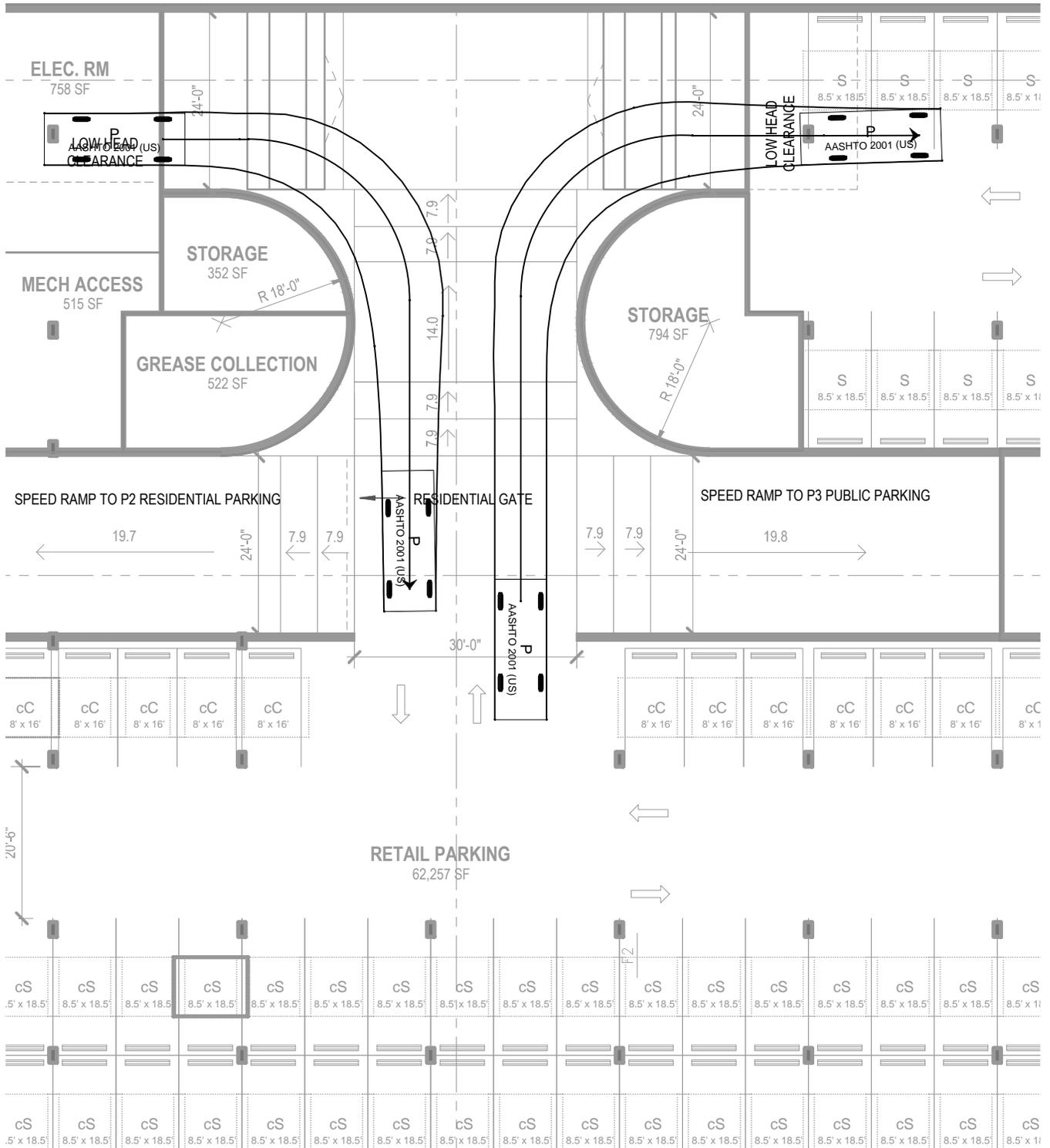


B-1



273'-9"

NOT TO SCALE



Commercial Inbound and Outbound Right-Turns

ATTACHMENT

Mercer Island Apartments



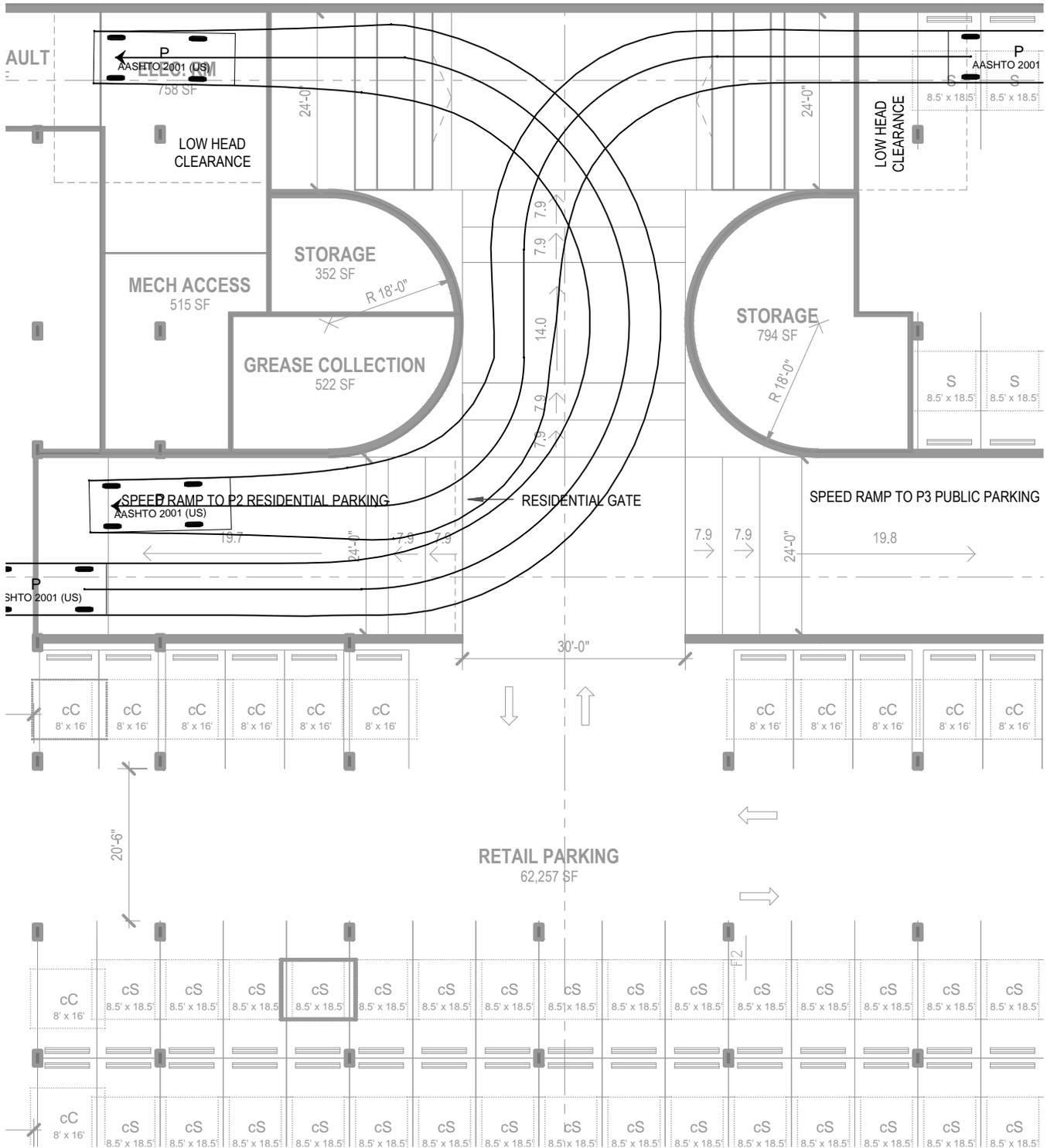
B-2



NOT TO SCALE



273'-9"



Residential Inbound and Outbound Left-Turns

ATTACHMENT

Mercer Island Apartments



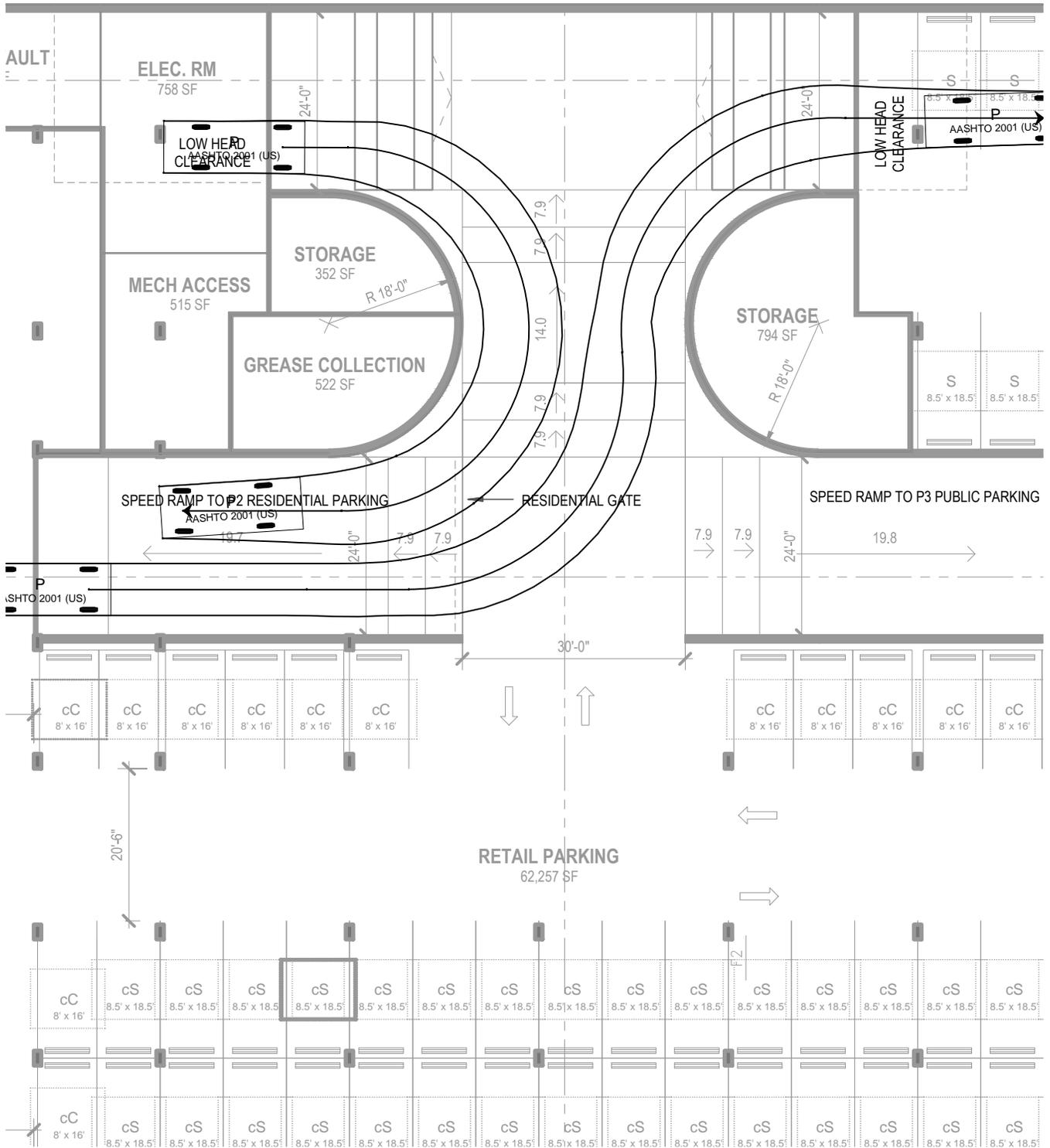
B-3



NOT TO SCALE



273'-9"



Residential Inbound and Outbound Right-Turns

ATTACHMENT

Mercer Island Apartments



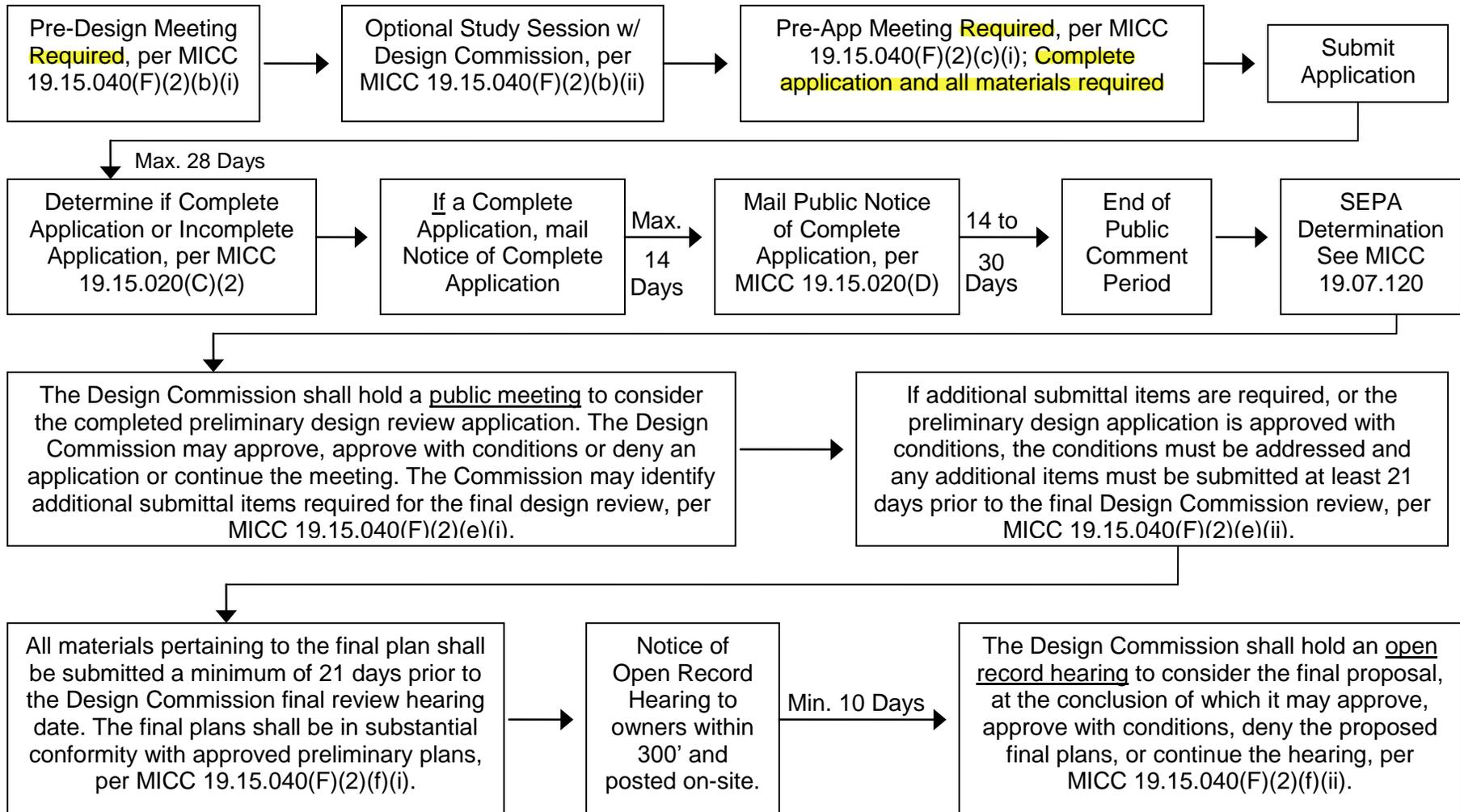
B-4

EXHIBIT 14



TYPICAL DESIGN COMMISSION PROCESS FOR MAJOR NEW CONSTRUCTION

The following is only a summary of the City of Mercer Island Design Review Process. Please refer to Mercer Island City Code (MICC) requirements for design review, which shall always govern.



This summary is provided for informational purposes only and is not intended as a complete or legally sufficient summary. The City of Mercer Island, its elected officials, officers, employees or agents make no warranty of any kind, express or implied, in relation to any information on this summary or any use made of this summary by any person. As with any document affecting the rights and responsibilities of real property ownership, the City of Mercer Island recommends that you consult with your private legal counsel before proceeding on any land use action after review of this summary.

S:\



CITY OF MERCER ISLAND, DEVELOPMENT SERVICES GROUP

9611 S.E. 36 ST., MERCER ISLAND, WA 98040 (206) 275-7605 FAX: (206) 275-7726
WWW.MERCERGOV.ORG

Submittal Requirements for Design Commission Review - Major New Construction

Design Review is the process by which the City evaluates developments within the City that meet the definition of “regulated improvements” in Mercer Island City Code (MICC) 19.16.010. Regulated improvements are defined as:

Any development of any property within the city, except:

- 1. Property owned or controlled by the city; or*
- 2. Single-family dwellings and the buildings, structures and uses accessory thereto; or*
- 3. Wireless communications structures, including associated support structures and equipment cabinets.*

Design review ensures a proposal’s consistency with MICC 19.11 Town Center Development and Design Standards or MICC 19.12 Design Standards for Zones outside Town Center and is intended to promote and enhance environmental and aesthetic design. Single family development is not a regulated improvement, and is therefore excluded from design review.

Regulated improvements are classified as either a major new construction, which is defined by MICC 19.16.010 as “construction from bare ground or an enlargement or alteration that changes the exterior of an existing structure that costs in excess of 50 percent of the structure’s assessed value” or a minor new construction. Minor new construction is “exterior modification to an existing development or site that does not constitute major new construction.”

The Design Commission is the decision authority for review of major new construction as well as minor exterior modifications in the Town Center with a with a construction valuation (as defined by MICC 17.14.010) of \$100,000 or greater. All minor exterior modifications outside of the Town Center as well as minor exterior modifications in the Town Center with a with a construction valuation (as defined by MICC 17.14.010) less than \$100,000 are reviewed by the Code Official. The Code Official may choose to send any application to the Design Commission for review.

PRE-DESIGN MEETING AND STUDY SESSION: The applicant shall participate in a pre-design meeting with staff prior to formal project development and application. The applicant may present schematic sketches and a general outline of the proposal for the City staff comments prior to preparation of formal plans. This meeting will allow city staff to acquaint the applicant with the design standards, submittal requirements, and the application procedures and provide early input on the proposed project. Additionally, the applicant is strongly encouraged to schedule a Study Session with the Design Commission to discuss project concepts before the plans are fully developed. At this session, which will be open to the public, the applicant should provide information regarding the site, the intended mix of uses, and how it will fit into the focus area objectives. The Commission may provide feedback to be considered in the design of the project.

PRE-APPLICATION: Applicants are required to participate in a pre-application meeting with City staff per MICC 19.15.040(F)(2)(c). Call Development Services staff to schedule a pre-application meeting. Pre-application meetings with the staff provide an opportunity to discuss the proposal in conceptual terms, identify the applicable City requirements, and delineate the proposal review process. Applicants are also encouraged to talk with surrounding property owner and residents about their proposal. Meetings and/or correspondence with the neighborhood serve the purpose of informing the neighborhood of the project proposal prior to the formal notice provided by the City.

APPLICATION: All applications for permits or actions by the City shall be submitted on forms provided by the Development Services Group. An application shall contain all information required by the applicable development regulations. The city cannot accept an application that does not have all of the required items. In order to accept your application, each of the required items shall be submitted to permit counter staff at the same time.

FILING REQUIREMENTS: Please fold all plans and attachments to a size not exceeding 8½" x 14" for storage in a legal-size folder. Plans not folded to the proper size will not be accepted. Please submit **fifteen (15) copies** each of the following:

- Development Application Coversheet
- Design Review Filing Fee: **see Development Application**
- Land Use Action sign deposit (refunded when sign is returned to the City): **see Development Application**
- A **State Environmental Policy Act (SEPA) Checklist** may be required. The checklist is available at the Development Services Group counter. Development Services Group personnel can assist you in determining if your proposal is exempt.

- Conceptual Floor Plans including the following:
 - Include exterior access points
 - Clarify the relationship between the interior spaces and the outside (decks, etc.) spaces
- Landscape Plan to include the following:
 - Minimum landscaping plan sheet size is 11" X 17".
 - Extent and location of all plant materials and other landscape features. Plant materials must be identified by direct labeling of each plant or by a clearly understandable legend.
 - Flower and shrub bed definition must be clear and drawn to scale with dimensions.
 - Proposed plant material should be indicated at mature sizes and in appropriate relation to scale.
 - Species and size of existing plant materials.
 - Proposed treatment of all ground surfaces must be clearly indicated (paving, turf, gravel, grading, etc.)
 - Location of water outlets. If areas of planting are extensive, plans for an underground sprinkler system will be required.
- Exterior Lighting Plan: Indicate new or modified lighting locations and provide specifications for proposed lighting.
- Indication of Materials & Colors: Two color copies of a color palette. The palette shall indicate which construction materials will be used.
- Sign Program: Illustrate location, size, height, material, color, letter dimensions, structural components and landscaping
- Birdseye Perspective or Massing Model: *Major projects only*
- Staff may require additional information or materials when necessary.

EXHIBIT 15

From: Dan Grausz [Grausz](#)
To: Debbie Bertlin
Cc:
Subject: Proposed Development
Date: 12/4/2014 11:03:30 PM
Attachments: Design Package.pdf

This unnerves me.

EXHIBIT 16

From: Dan Grausz [Grausz](#)
To: Bruce Bassett; Benson Wong
Cc:
Subject: Proposed Development
Date: 12/4/2014 11:02:21 PM
Attachments: Design Package.pdf

You should look at this. It is really disconcerting.

EXHIBIT 17

From: Dan Grausz [Grausz](#)
To: Noel Treat
Cc:
Subject: Re: Hines Property
Date: 12/7/2014 11:54:48 PM
Attachments:

This is the time for a very strong message to be sent to this developer. Otherwise, I think we need to seriously consider a moratorium until we complete work on the Town Center effort. This project will destroy what we are hoping to do. Bruce Lorig has offered to help work with the developer if we would like him to do so - at no charge.

EXHIBIT 18

Optional DNS process.

(1) If a GMA county/city with an integrated project review process (RCW 36.70B.060) is lead agency for a proposal and has a reasonable basis for determining significant adverse environmental impacts are unlikely, it may use a single integrated comment period to obtain comments on the notice of application and the likely threshold determination for the proposal. If this process is used, a second comment period will typically not be required when the DNS is issued (refer to subsection (4) of this section).

(2) If the lead agency uses the optional process specified in subsection (1) of this section, the lead agency shall:

(a) State on the first page of the notice of application that it expects to issue a DNS for the proposal, and that:

(i) The optional DNS process is being used;

(ii) This may be the only opportunity to comment on the environmental impacts of the proposal;

(iii) The proposal may include mitigation measures under applicable codes, and the project review process may incorporate or require mitigation measures regardless of whether an EIS is prepared; and

(iv) A copy of the subsequent threshold determination for the specific proposal may be obtained upon request (in addition, the lead agency may choose to maintain a general mailing list for threshold determination distribution).

(b) List in the notice of application the conditions being considered to mitigate environmental impacts, if a mitigated DNS is expected;

(c) Comply with the requirements for a notice of application and public notice in RCW 36.70B.110; and

(d) Send the notice of application and environmental checklist to:

(i) Agencies with jurisdiction, the department of ecology, affected tribes, and each local agency or political subdivision whose public services would be changed as a result of implementation of the proposal; and

(ii) Anyone requesting a copy of the environmental checklist for the specific proposal (in addition, the lead agency may choose to maintain a general mailing list for checklist distribution).

(3) If the lead agency indicates on the notice of application that a DNS is likely, an agency with jurisdiction may assume lead agency status during the comment period on the notice of application (WAC 197-11-948).

(4) The responsible official shall consider timely comments on the notice of application and either:

(a) Issue a DNS or mitigated DNS with no comment period using the procedures in subsection (5) of this section;

(b) Issue a DNS or mitigated DNS with a comment period using the procedures in subsection (5) of this section, if the lead agency determines a comment period is necessary;

(c) Issue a DS; or

(d) Require additional information or studies prior to making a threshold determination.

(5) If a DNS or mitigated DNS is issued under subsection (4)(a) of this section, the lead agency shall send a copy of the DNS or mitigated DNS to the department of ecology, agencies with jurisdiction, those who commented, and anyone requesting a copy. A copy of the environmental checklist need not be recirculated.

[Statutory Authority: 1995 c 347 (ESHB 1724) and RCW 43.21C.110. WSR 97-21-030 (Order 95-16), § 197-11-355, filed 10/10/97, effective 11/10/97.]

Shana Restall

From: Travis Saunders
Sent: Wednesday, May 27, 2015 9:44 AM
To: Shana Restall
Subject: FW: moratorium and code updates

Follow Up Flag: Follow up
Flag Status: Flagged

FYI

Travis Saunders | Senior Planner

City of Mercer Island Development Services
9611 SE 36th Street, Mercer Island, WA 98040-3732
p: 206.275.7717 fx: 206.275.7726
travis.saunders@mercergov.org

View the status of permits at www.mybuildingpermit.com
View information for a geographic area [here](#)
View application and other zoning information [here](#)

NOTICE OF PUBLIC DISCLOSURE: This e-mail account is public domain. Any correspondence from or to this e-mail account may be a public record. Accordingly, this e-mail, in whole or in part, may be subject to disclosure pursuant to RCW 42.56, regardless of any claim of confidentiality or privilege asserted by an external party.

From: Stacy Dimmich [mailto:sdimmich@outlook.com]
Sent: Tuesday, May 26, 2015 7:58 PM
To: Travis Saunders
Cc: Bruce Bassett
Subject: moratorium and code updates

Dear Members of the Design Committee,

I urge you to reject the mega-development proposed by the Hines Corporation. The drawings submitted by Hines are misleading, hiding the massive scale of this project, which the moratorium was put in place to prevent - at least until we figure where we want to be as a small city.

In my opinion, the exemption from the Moratorium granted to Hines was a big mistake that should be reversed. Approval of the Hines development also makes a mockery of the current Visioning Process; how can this visioning encompass a Bellevue-scale project in the middle of a village environment?

Additionally - I think that building the Hines building as proposed will block views and create big headaches with traffic jams in and around the entrances. I grew up on Mercer Island in the 60's and 70's, and 14 years ago moved back for the still-small town environment, low level of traffic, good schools and easy access to Seattle for my commute to work.

As an act of goodwill and responsibility to the residents of Mercer Island, I urge the City of Mercer Island decision makers to:

1. reject Hines Corporation's proposed design plan,
2. add them to the current moratorium,
3. extend the moratorium until after the building codes have been updated, and

4. send Hines back to the drawing board.

Respectfully,
Stacy Dimmich
3230 80th Ave SE #2
Mercer Island, WA 98040
206-232-2431

cc: Mayor Bruce Bassett

Sent from Windows Mail

EXHIBIT 36

Shana Restall

From: Travis Saunders
Sent: Wednesday, May 27, 2015 9:28 AM
To: Shana Restall
Subject: FW: Hines project

Follow Up Flag: Follow up
Flag Status: Flagged

FYI

Travis Saunders | Senior Planner
City of Mercer Island Development Services
9611 SE 36th Street, Mercer Island, WA 98040-3732
p: 206.275.7717 fx: 206.275.7726
travis.saunders@mercergov.org

View the status of permits at www.mybuildingpermit.com View information for a geographic area here View application and other zoning information here

NOTICE OF PUBLIC DISCLOSURE: This e-mail account is public domain. Any correspondence from or to this e-mail account may be a public record. Accordingly, this e-mail, in whole or in part, may be subject to disclosure pursuant to RCW 42.56, regardless of any claim of confidentiality or privilege asserted by an external party.

-----Original Message-----

From: Kimberly Barenborg [mailto:ksbarenborg5@aol.com]
Sent: Wednesday, May 27, 2015 9:00 AM
To: Travis Saunders
Cc: Kimberly Barenborg; David Barenborg
Subject: Re: Hines project

Dear Travis,

I am writing you to let you know that my husband, David and I are absolutely against the construction of another over sized (4 or 5 story) building in our small town. When is the city going to start representing the tax paying citizens of Mercer Island and not the developers???

You all should be ashamed of yourselves if you let this monstrosity be built in our town.

We moved here thirteen years ago because it wasn't Bellevue. We wanted a small town but instead Mercer island is quickly becoming a place where immigrants are flocking to live because of the ability to rent and live in these cheaply built buildings so they can get their kids in our schools. They don't help with the taxes because they are renting properties. So unfortunately the people who own homes are getting sacked with taxes to support the over crowding of our schools.

We also do not have the infrastructure to support another large building full of apartments. We need buildings that are only two stories high and are full of restaurants, little boutiques and other small businesses such as Islander Books, C Michelle, Terra Bella and Homegrown.

We have enough banks, realtors, dry cleaners and asian type restaurants to support five cities. I would like to see this city government actively try to attract the businesses that could help make Mercer Island a town that its residents want to their spend time and money. Unfortunately now most of its residents spend their valuable time fighting traffic to get off the island and go to restaurants and stores to get what we need or want.

The Mercer Island city government needs to stop being short sighted and start to see what our town could become one day. A beautiful little hamlet full of wonderful places to spend our time and money. These type of businesses would ultimately help bring in more tax dollars for our city.

Please no more buildings like the ones that are being built (where the old islander restaurant was) and the ones that are already here. Please listen to the tax paying citizens of this island.

Kimberly & David Barenborg

Sent from my iPhone

CORRECTIONS TO THE STAFF REPORT DATED MAY 27, 2015:

Pages 6 – 7 –

b. Eligibility for Maximum Building Height. Every lot in the Town Center is eligible for the maximum building height described in the above chart by providing a significant public amenity. The intent of this developer incentive is to obtain three significant public plazas in the Town Center, provide a single mid-block pedestrian connection across large city blocks in the Town Center and provide affordable housing in the Town Center. The type of significant public amenity that an applicant must provide is described in Exhibit 3 in MICC 19.11.040 and in MICC 19.11.050(B)(1).

Staff Findings: Exhibit 3 in MICC 19.11.040 shows that the project site is eligible for **both** a significant public plaza **and a significant pedestrian connection** to gain the maximum height allowance. This significant public plaza has not been used by a previous development for a height bonus. Therefore, the site is eligible to use the public plaza for a height bonus, as proposed by the applicant.

Page 7 –

MICC 19.11.050(B) Development and Design Standards.**1. Type of Significant Public Amenity Required.**

a. If an applicant owns a lot shown on Exhibit 3 in MICC 19.11.040 as eligible for either a significant pedestrian connection or significant public plaza, the applicant must provide such connection or plaza to qualify for the maximum building height except as otherwise described in subsections (B)(1)(c) and (d) of this section. If an applicant owns a lot shown on Exhibit 3 in MICC 19.11.040 as eligible for both a significant public plaza and a pedestrian connection, the design commission will select either a significant public plaza or connection based upon which amenity provides the greatest public benefit.

Staff Findings: The subject property is shown in Exhibit 3 of MICC 19.11.040 as being eligible for **both** a significant public plaza **and a significant pedestrian connection**. The applicant is proposing a significant public plaza as their significant public amenity.

Page 8 –

c. Once a significant public plaza has been approved by the design commission on Site 1, 2 or 3 shown on Exhibit 3 in MICC 19.11.040, no subsequent development may use a significant public plaza with respect to that site to qualify for the maximum building height but will still be eligible for the maximum building height by providing significant affordable housing.

Staff Findings: The subject property is shown in Exhibit 3 of MICC 19.11.040 as being eligible for **both** a significant public plaza **and a significant pedestrian connection**. **Neither The public plaza public amenity** has **not** been used by a previous development. The applicant is proposing a public plaza as their significant public amenity.

d. Once a significant pedestrian connection has been approved by the design commission to create a mid-block connection for a large city block shown in Exhibit 3 in MICC 19.11.040, no subsequent development on such block may use a connection to qualify for the maximum building height but will still be eligible for the maximum building height by providing significant affordable housing.

Staff Findings: The subject property is **not** eligible for a significant pedestrian connection. **However, the applicant is proposing a public plaza as a significant public amenity.**

Page 16 –

19.11.090 Lighting.

A. Objectives. *Lighting shall be an integral part of any new or existing development. Lighting shall contribute to the individuality, security and safety of the site design without having overpowering effects on the adjacent areas. Lighting is viewed as an important feature, for functional and security purposes, as well as to enhance the streetscape and public spaces. The design of light fixtures and their structural support should be integrated with the architectural theme and style of the main structures on the site.*

Staff Findings: Lighting plans have not been provided at this time, which is consistent with MICC 19.15.040(F)(2)(c)(ii). However, they shall be part of the final design review submittal and the applicant shall comply will all appropriate requirements of MICC 19.11.090. Staff has recommended that a condition of preliminary design approval be included to ensure that the applicant **complies with this requirement.**

Pages 18 – 19 -

MICC 19.11.110(B) Development and Design Standards.

1. Parking.

a. Number of Parking Stalls Required. All new development and remodels greater than 10 percent of the existing gross floor area shall provide the number of parking stalls set forth in this table:

RETAIL (Stalls per gross square foot)			OFFICE (Stalls per gross square foot)			RESIDENTIAL (Stalls per unit)				
General Retail	Restaurant/ Deli/Bakery/ Food	Hotel	Financial Services	Health/ Barber/ Beauty	Other Professional Services	Studio	One Bed-room	Two Bed-room	Three Plus Bedroom	Senior
3 to 5/1000	8 to 11/1,000	1/Guest Room plus 2/3 Emp. on shift, plus 5/1,000 sq ft of retail/office	3 to 5/1,000	4 to 5/1,000	3 to 5/1,000	1 to 3 per unit				1/Guest Room plus 2/3 Emp. on shift, plus 5/1,000 sq ft of retail/office

Staff Findings: As shown on page 5 of Exhibit 1, the applicant is required to provide between 244 and 668 parking stalls per MICC 19.11.110(B)(1)(a). Since the applicant is proposing 196 residential units, the parking requirement range is 196 stalls (1 stall per unit) to **668-588** stalls (3 stalls per unit) for residential use alone. The applicant is proposing 15,938 square feet of commercial space. Using the “general retail” requirements in MICC 19.11.110(B)(1)(a), the applicant must provide between 48 and 80 parking stalls for commercial use (3 to 5 stalls per 1,000 square feet). This provides a total parking requirement of 244 to 668 parking stalls for the development. The applicant is proposing 255 residential parking stalls, 63 stalls for retail, and 200 public stalls for a total of 518 parking stalls. Eleven proposed stalls are tandem, which would accommodate 22 vehicles. Even if the tandem stalls were excluded, the applicant would provide 507 stalls, which is within the required range.

Page 23 –

2. The applicant shall revise and resubmit the proposed plans prior to final design review to demonstrate that the width of the sidewalks along 77th Avenue SE have been increased to a minimum of 12 feet per MICC 19.11.110(B)(4)(b). **The balance of the sidewalk width shall be located solely on the applicant’s property and shall not be taken from the public right-of-way.**

STAFF RECOMMENDED CONDITIONS OF PRELIMINARY APPROVAL FOR DSR15-014:

1. All landscaping depicted in pages 52 through 58 of Exhibit 1 shall be maintained in good condition. Maintenance shall include regular watering, mowing, pruning, clearance of debris and weeds, removal and replacement of dead plants and the repair and replacement of irrigation systems. All required landscaping must be installed prior to issuance of the Certificate of Occupancy. A performance bond for the landscaping installation may be obtained instead of plant installation at the approval of the Code Official. A landscaping maintenance bond is required prior to any Certificate of Occupancy for the proposed building to ensure that the approved landscape plan will achieve total coverage within three years after installation. The bond amount shall be set by City staff based on the approved landscape plan, and cost for labor and materials.
2. The applicant shall revise and resubmit the proposed plans prior to final design review to demonstrate that the width of the sidewalks along 77th Avenue SE have been increased to a minimum of 12 feet per MICC 19.11.110(B)(4)(b). The balance of the sidewalk width shall be located solely on the applicant's property and shall not be taken from the public right-of-way.
3. Prior to final design review, provide to the City a site plan showing the proposed locations of existing and proposed utility and equipment cabinets or boxes. Please note that these cabinets and boxes shall be placed inside a building or placed underground if physically feasible.
4. The applicant shall submit a plaza plan prior to final design review. The plaza plan shall have a minimum scale of one-quarter inch equals one foot for the plaza, and the plan shall include a description of all landscaping; lighting; street furniture; color and materials; relationship to building frontage; specific location of the plaza; and the relationship to and coordination with any pedestrian connection or other public amenity.
5. At least half the seating in the public plaza must have seat backs.
6. The applicant must provide a traffic sight distance/visibility analysis for both proposed driveways.
7. The applicant shall provide a detailed signage plan to the City prior to final design review. The signage plan shall show the location, colors, and dimensions of each proposed sign.
8. The applicant shall provide a detailed lighting plan to the City prior to final design review.
9. Provide to the City a revised colors and materials palette with information specific to the materials proposed to be used.
10. Tree grates proposed must comply with City standards.
11. Provide scaled elevations of the proposed canopies and a scaled site plan showing the locations of the proposed canopies/all-weather features prior to final design review.
12. Per MICC 19.15.040(F)(2)(f)(1), any materials required for final design review must be submitted a minimum of 21 days prior to the Design Commission final review hearing date.

EXHIBIT 38

Shana Restall

From: Michelle Goldberg <megold7ny@aol.com>
Sent: Wednesday, May 27, 2015 5:01 PM
To: Shana Restall; Travis Saunders
Cc: Bruce Bassett; Debbie Bertlin; Jane Brahm; Mike Cero; Dan Grausz; Benson Wong; Sung Lee
Subject: Exhibits for tonight's Design Commission meeting
Attachments: hines retail square footage.html; Hines Aerial Comparison.pdf; Hines Pro Forma Spreadsheet.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Principal Planner Restall, Members of the Mercer Island City Council, Members of the Mercer Island Design Commission and Members of the Mercer Island Planning Commission:

Attached please find three exhibits for tonight's Design Commission meeting.

Please let me know if you have any questions.

Thank you,
Michelle Goldberg

home: 206-232-8051

PS As there are no individual email addresses listed on the City's website for the Design and Planning Commissioners, I have emailed this Memo to Travis Saunders and Sung Lee, staff contacts for these Commissions. I ask that this Memo be distributed to all the members of the Design and Planning Commissions by Travis Saunders and Sung Lee, respectively. Thank you.

Hines Project – 11/26/2014 77th Ave Level - Plan

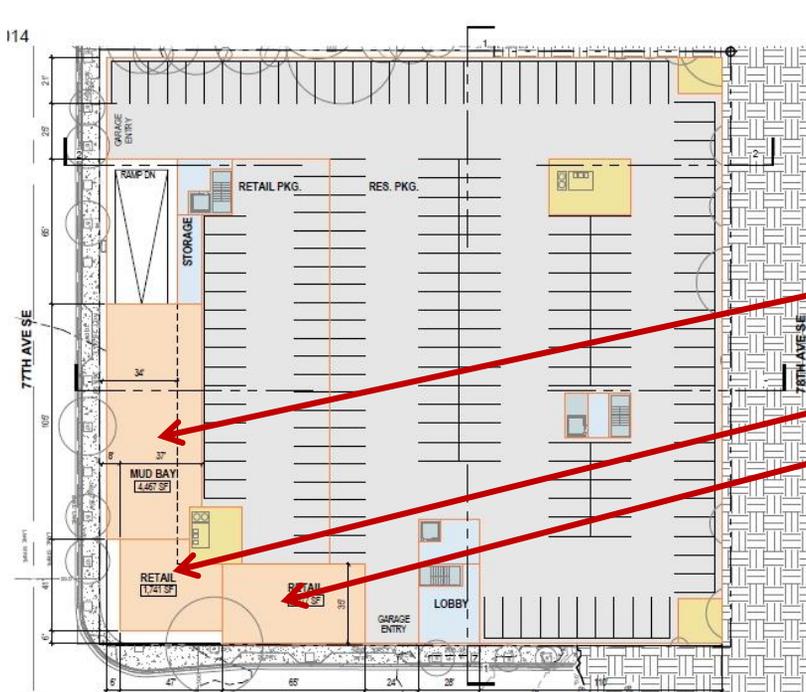
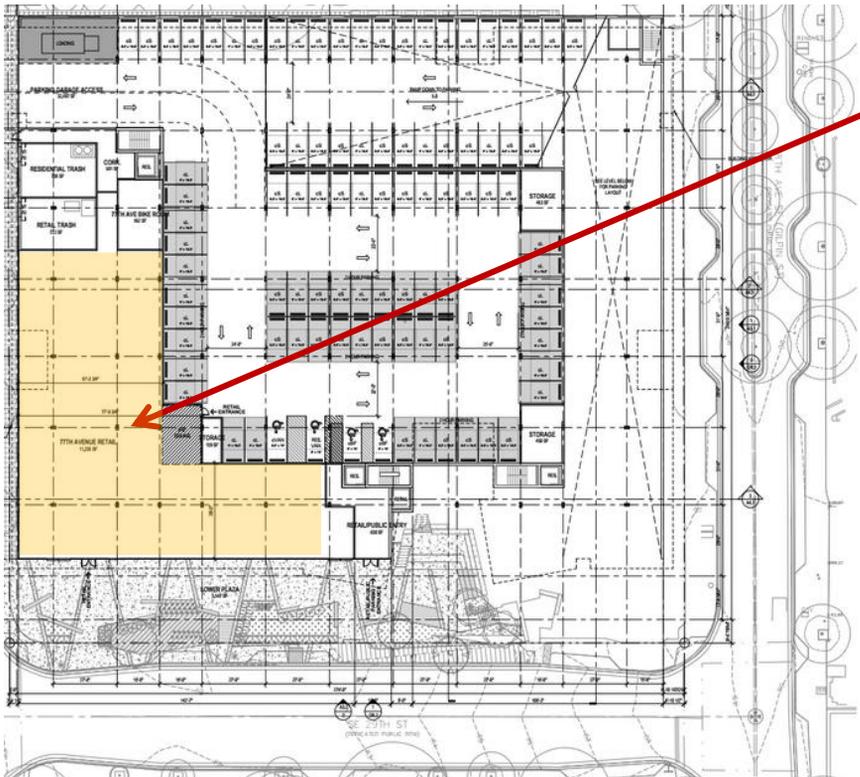


Exhibit 1
LEVEL 1 77TH - PLAN

Retail Space Available:

- a) Mud Bay
- b) 1,741 sf
- c) 2,277 sf

Hines Project – 5/11/2015 77th Ave Level - Plan



Retail Space Available:

11,235 sf

(only available space in building)

MERCER ISLAND
MIXED USE
2885 78TH AVENUE SE,
MERCER ISLAND, WA

REVISIONS

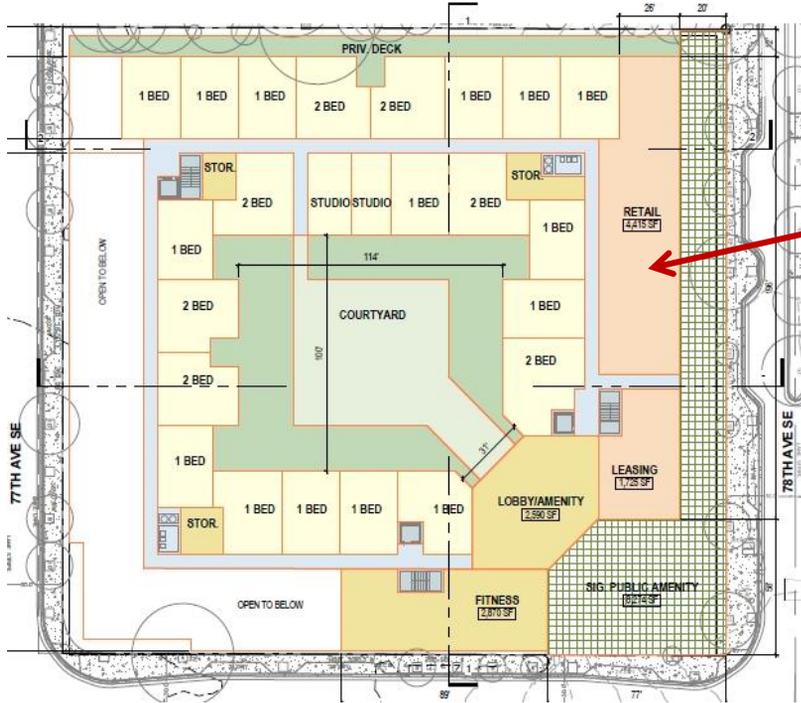
SUBMITTALS

LEVEL 1
(77TH) -
OVERALL
PLAN

Hines Project – 11/26/2014 78th Ave Level - Plan

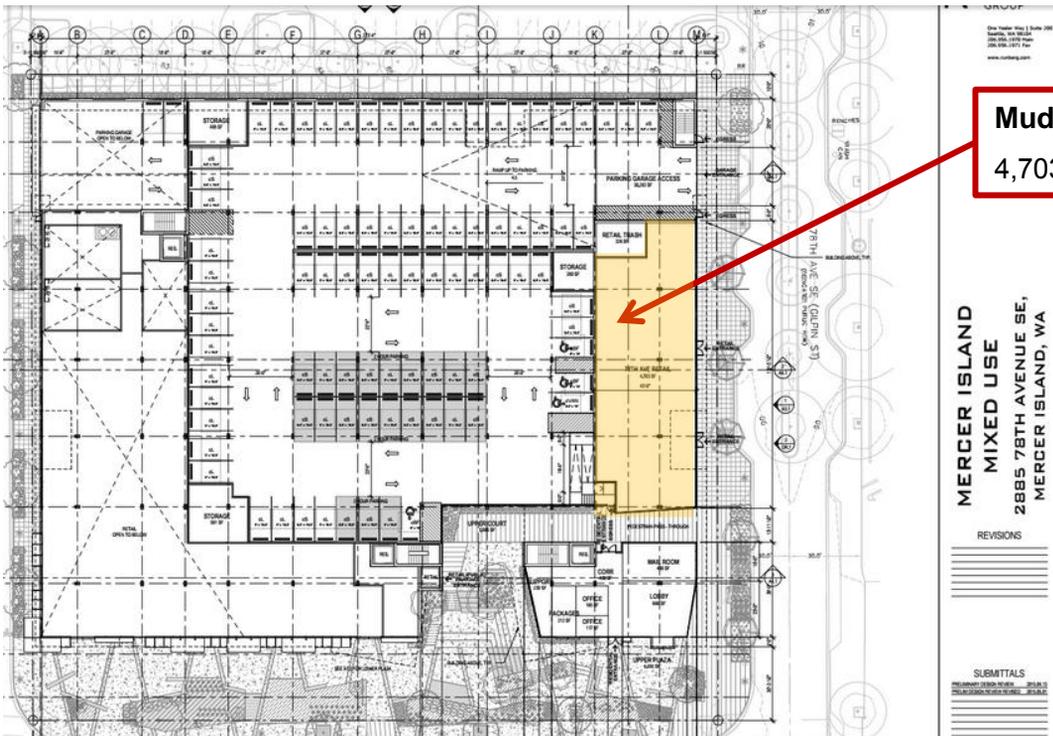
Exhibit 1

LEVEL 1 78TH - PLAN



Retail Space Available
4.467 sf

Hines Project – 5/11/2015 78th Ave Level - Plan



Mud Bay
4,703 sf

MERCER ISLAND
MIXED USE
2885 78TH AVENUE SE,
MERCER ISLAND, WA

REVISIONS

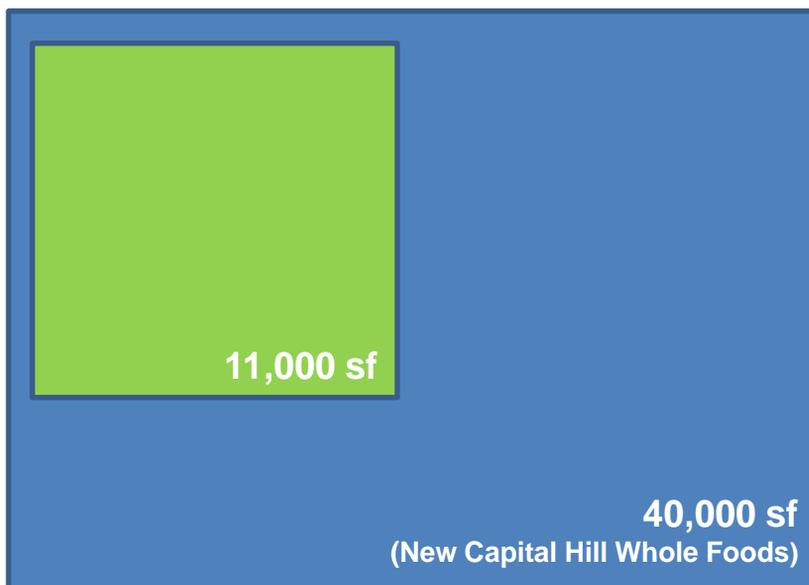
SUBMITTALS

LEVEL 1
(78TH) -
OVERALL
PLAN

Grocery Store Square Footage Comparison

Store	Setting	Square Footage
Whole Foods (new)	Capital Hill *Mixed Use bldg.	40,000
Whole Foods	Bellevue	56,949
PCC Market	Issaquah	23,000
PCC Market	Redmond	23,367
PCC Market	Columbia City *Mixed Use bldg.	25,000
Safeway	Bellevue Way *Mixed Use bldg.	55,330
Albertson's	Mercer Island	37,076
<u>Average Square Footage</u>		<u>37,246</u>

Hines Project 2015 Retail Spaces	Square Footage
1. 77 th Ave SE	11,235
2. 78 th Ave SE (Mud Bay)	4,703
<u>Total Available Space</u>	<u>11,235</u>



Hines' May 27, 2015 Aerial Massing Rendering



Hines' December 10, 2014 Aerial Massing Rendering



Hines Project May 27, 2015 Design: Pro Forma Rental Revenues

Hines Project - Apartments - 100% Occupancy

	Studio	1 bed	2 bed	3 bed	Total/mth	Total/yr
Level 2	6	28	12	1	\$104,863	\$1,258,350
Level 3	7	29	13	1	\$111,287	\$1,335,447
Level 4	7	29	13	1	\$111,287	\$1,335,447
Level 5	7	29	13	1	\$111,287	\$1,335,447
Rent/mth	\$41,418	\$238,769	\$143,540	\$14,998	\$438,724	\$5,264,691

Hines Project - Apartments - 90% Occupancy

	Studio	1 bed	2 bed	3 bed	Total/mth	Total/yr
Level 2	6	28	12	1	\$94,376	\$1,132,515
Level 3	7	29	13	1	\$100,159	\$1,201,902
Level 4	7	29	13	1	\$100,159	\$1,201,902
Level 5	7	29	13	1	\$100,159	\$1,201,902
Rent/mth	\$37,276	\$214,892	\$129,186	\$13,498	\$394,852	\$4,738,222

Current MI Apartment Averages

Aviara*			77 Central*		
Unit	Sq ft	Rent	Unit	Sq ft	Rent
3 bed	1374	\$3,311	3 bed	1751	\$4,188
2 bed	1,081	\$2,496	2 bed	1,358	\$2,859
1 bed	700	\$1,936	1 bed	871	\$1,758
Studio	500	\$1,569	Studio	550	\$1,255
Island Square*			The Mercer*		
Unit	Sq ft	Rent	Unit	Sq ft	Rent
2 bed	1,001	\$2,931	2 bed	1,288	\$2,972
1 bed	784	\$2,340	1 bed	902	\$2,271
Studio	570	\$1,930	Studio	508	\$1,382

Average MI Apartment Monthly Rental Rates 2015

Rent/mth	
3 bed	\$3,750
2 bed	\$2,815
1 bed	\$2,076
Studio	\$1,534

VALUATION METHODS:

Capitalization Of Net Operating Income

Gross Rent Multiplier

*Source:

Aviara - <http://www.breproperties.com/washington/seattle-area/mercer-island/aviara>

77 Central - http://www.77central.com/Apartments/module/property_info/property%5Bid%5D/76980/

Island Square - <http://www.udr.com/seattle-apartments/mercer-island/island-square/floor-plans/>

The Mercer - http://www.themercerplace.com/Apartments/module/property_info/property%5Bid%5D/7297/

Shana Restall

From: Travis Saunders
Sent: Wednesday, May 27, 2015 5:02 PM
To: Shana Restall
Subject: FW: Hines Project Support

Follow Up Flag: Follow up
Flag Status: Flagged

FYI

Travis Saunders | Senior Planner

City of Mercer Island Development Services
9611 SE 36th Street, Mercer Island, WA 98040-3732
p: 206.275.7717 fx: 206.275.7726
travis.saunders@mercergov.org

View the status of permits at www.mybuildingpermit.com
View information for a geographic area [here](#)
View application and other zoning information [here](#)

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From: Ben H [mailto:benhump@gmail.com]
Sent: Wednesday, May 27, 2015 5:01 PM
To: Travis Saunders
Subject: Hines Project Support

Hey Travis,

I wanted to call and add what is perhaps going to be a minority support for the new project. I think the city can intelligently handle the new project and find most of the scare posts about a "Mega Project" mostly alarmist misinformation. I look welcome any new and useful businesses and think a 4 story building is nowhere near being a "Mega Project". Anything's better then what's there right now.

Benjamin Humphrey
8009 SE 58th St.
Mercer Island, WA 98040
206-718-4220