



# PLANNING COMMISSION

## SPECIAL HYBRID MEETING AGENDA

Wednesday, November 15, 2023 at 6:00 PM

### PLANNING COMMISSIONERS

**Chair:** Michael Murphy

**Vice Chair:** Adam Ragheb

**Commissioners:** Kate Akyuz, Angela Battazzo,  
Carolyn Boatsman, Chris Goelz, and Victor Raisys

### LOCATION

Mercer Island Community & Event Center and Zoom  
Luther Burbank Meeting Room 104  
8236 SE 24<sup>th</sup> Street | Mercer Island, WA 98040  
(206) 275-7706 | [www.mercerisland.gov](http://www.mercerisland.gov)

*We strive to create an inclusive and accessible experience. Those requiring accommodation for Planning Commission meetings should notify the Deputy City Clerk's Office 3 days prior to the meeting at (206) 858-3150 or by emailing [deborah.estrada@mercerisland.gov](mailto:deborah.estrada@mercerisland.gov).*

**Registering to Speak:** Individuals wishing to speak live during appearances, must register with the Deputy City Clerk by 4pm on the day of the Planning Commission meeting. Register at (206) 858-3150 or email [deborah.estrada@mercerisland.gov](mailto:deborah.estrada@mercerisland.gov). Each speaker will be allowed three (3) minutes to speak.

If providing comments using Zoom, staff will permit temporary video access when it is your turn to speak. Please activate the video option on your phone or computer, ensure your room is well lit, and kindly ensure that your background is appropriate for all audience ages. Screen sharing will not be permitted, but documents may be emailed to [planning.commission@mercergov.org](mailto:planning.commission@mercergov.org).

**Join by Telephone at 6:00 pm:** Call **253.205.0468** and enter **Webinar ID 838 3117 5720, Passcode 046071**.

**Join by Internet at 6:00 pm:**

- 1) Click this [Link](#)
- 2) If the Zoom app is not installed on your computer, you will be prompted to download it.
- 3) If prompted for Webinar ID, enter **838 3117 5720, Passcode 046071**

**Join in person at 6:00 pm:** Mercer Island Community & Event Center – 8236 SE 24<sup>th</sup> Street, Mercer Island, Rm 104

### CALL TO ORDER & ROLL CALL, 6 PM

### SPECIAL BUSINESS

1. 2024 Annual Docket: Review Proposed Amendment 18 – Land use map amendment and rezone of the Stroum Jewish Community Center (SJCC) property.
  - A. Appearance of Fairness Questions
    - 1) Opportunity for Challenges
  - B. Public comment
  - C. Presentation from Proposal Proponents (3 minutes)
  - D. Presentation from City (3 minutes)
  - E. Planning Commission Deliberations
  - F. Adopt Findings on Docketing Criteria
  - G. Recommendation

**Recommended Action:** Make a recommendation to the City Council on whether to include Proposed Amendment 18 in the final docket.

### PUBLIC APPEARANCES

This is the opportunity for anyone to speak to the Commission about issues of concern.

## REGULAR BUSINESS

2. Planning Commission Meeting Minutes for October 25, 2023.  
**Recommended Action:** Approve minutes.
  
3. 2024 Annual Docket: Review Proposed Amendments 1-10 and 12-17
  - A. Presentations from Proposal Proponents (3 minutes per proposal)
  - B. Presentation from City (3 minutes per proposal)
  - C. Planning Commission Deliberations
  - D. Recommendation  
**Recommended Action:** Make a recommendation to the City Council on the proposed amendments to include in the final docket.

## OTHER BUSINESS

4. Deputy Director's Report
  - A. Meeting Schedule:
    - 1) November 20, 2023 Special Meeting (if needed)
    - 2) November 22, 2023 Regular Meeting – CANCELED
    - 3) December 6, 2023 Special Meeting
    - 4) December 27, 2023 Regular Meeting - CANCELED
  
5. Planned Absences for Future Meetings

## ADJOURNMENT





**To:** Planning Commission  
**From:** Alison Van Gorp  
**Date:** November 15, 2023  
**RE:** 2024 Annual Docket – Proposed Amendment 18

## EXECUTIVE SUMMARY

The City provides an annual opportunity for the public to propose amendments to the Comprehensive Plan and development regulations. The proposed amendments are compiled, along with the City's proposed amendments, on a docket. The docket is preliminarily reviewed by the Planning Commission and City Council for a determination on which, if any, proposed amendments will be advanced for full review in the coming year. Amendments selected by the City Council for the "final docket" are then put on the Community Planning and Development (CPD) work program, typically for the next calendar year or when time and resources permit. This memo outlines the process for evaluating Proposed Amendment 18, which was applied for by the Stroum Jewish Community Center and concerns redesignating/rezoning their property to Commercial Office.

## BACKGROUND

### Docket Process

The Mercer Island City Code (MICC) describes the formal process for soliciting and reviewing docket proposals in section 19.15.230 MICC:

*"D. Docketing of Proposed Amendments. For purpose of this section, docketing refers to compiling and maintaining a list of suggested changes to the comprehensive plan in a manner that will ensure such suggested changes will be considered by the city and will be available for review by the public. The following process will be used to create the docket:*

*1. Preliminary Docket Review. By September 1, the city will issue notice of the annual comprehensive plan amendment cycle for the following calendar year. The amendment request deadline is October 1. Proposed amendment requests received after October 1 will not be considered for the following year's comprehensive plan amendment process but will be held for the next eligible comprehensive plan amendment process.*

*a. The code official shall compile and maintain for public review a list of suggested amendments and identified deficiencies as received throughout the year.*

*b. The code official shall review all complete and timely filed applications proposing amendments to the comprehensive plan or code and place these applications and suggestions on the preliminary docket along with other city-initiated amendments to the comprehensive plan or code.*

*c. The planning commission shall review the preliminary docket at a public meeting and make a recommendation on the preliminary docket to the city council each year.*

*d. The city council shall review the preliminary docket at a public meeting.*

*By December 31, the city council shall establish the final docket based on the criteria in subsection E of this section. Once approved, the final docket defines the work plan and resource needs for the following year's comprehensive plan and code amendments."*

Public notice of the opportunity to submit docket requests was provided in the permit bulletin and on the City website between August 7, 2023 and September 6, 2023, as well as on August 9 and September 6, 2023 in the Mercer Island Reporter. Only Proposed Amendment 18 will be considered as a part of this staff memo and the docket application submitted by the Stroum Jewish Community Center for this proposed amendment is included in Attachment 1. Public comment on the proposal is included in Attachment 2.

### **Docketing Criteria**

The City Code prescribes that proposed comprehensive plan and development code amendments should only be recommended for the final docket if the amendment will meet the criteria in MICC 19.15.230(E):

*"E. Docketing Criteria. The following criteria shall be used to determine whether a proposed amendment is added to the final docket in subsection D of this section:*

*1. The request has been filed in a timely manner, and either:*

*a. State law requires, or a decision of a court or administrative agency has directed, such a change; or*

*b. All of the following criteria are met:*

*i. The proposed amendment presents a matter appropriately addressed through the comprehensive plan or the code;*

*ii. The city can provide the resources, including staff and budget, necessary to review the proposal, or resources can be provided by an applicant for an amendment;*

*iii. The proposal does not raise policy or land use issues that are more appropriately addressed by an ongoing work program item approved by the city council;*

*iv. The proposal will serve the public interest by implementing specifically identified goals of the comprehensive plan or a new approach supporting the city's vision; and*

*v. The essential elements of the proposal and proposed outcome have not been considered by the city council in the last three years. This time limit may be waived by the city council if the proponent establishes that there exists a change in circumstances that justifies the need for the amendment."*

### **CPD Work Plan**

The docketing criteria, shown above, include a requirement that the City "can provide resources, including staff and budget, necessary to review the proposal". As has been the case in the last several years, City staff capacity for legislative review is limited. In addition, the existing CPD work plan already includes several major work items that will continue in 2024, summarized below. Any work items added to the docket will need to be additive to the items already on the work plan:.

1. **Periodic Update of the Comprehensive Plan:** work on the periodic update will continue through 2024, including significant work on the Parks Zone and Housing Element (due for completion by December 2024).
2. **Legislatively Mandated Residential Amendments (HB 1110, HB 1337):** the City must undertake several substantial code amendments to comply with recent housing-related legislation. The City will also undertake additional amendments related to the previously panned Residential Development Standards (RDS) code update. This work will begin as the periodic update of the Comprehensive Plan concludes in late 2024 and must be completed by June 30, 2025.

The existing work plan items represent a significant amount of CPD staff time, as well as a significant portion of the available Planning Commission, City Council and community bandwidth. Staff anticipate the periodic update of the Comprehensive Plan will require all of the time available at the Planning Commission's monthly meetings through mid-2024 and will likely also require additional special meetings. The City Council will then begin their review, which will also require several meetings. The Planning Commission will need to begin review of the legislatively-mandated residential code amendments in the last quarter of 2024.

As such, time available for review and consideration of additional docket items will be extremely limited. Each item added to the final docket typically requires at least three touches by the Planning Commission and two by the City Council, a process that usually takes 6 months or more to complete. Thus, if new items are added to the docket and CPD work plan for consideration in 2024, it is very likely that they would need to be carried over into 2025 or beyond.

## ISSUE/DISCUSSION

### REVIEW AND RECOMMENDATION

Proposed Amendment 18 is quasi-judicial in nature (i.e. it pertains to rezoning a specific property), and will need to be reviewed separately from the other docket proposals, utilizing special procedures as recommended by the City Attorney's Office (more details provided below). Thus, the review process will be bifurcated to enable Proposed Amendment 18 to be reviewed via this separate/special process, followed by review of the remaining proposed amendments through the more typical process.

The Planning Commission will need to review the Proposed Amendment 18 and make a recommendation to the City Council on whether it should be included in the final docket. The Planning Commission should consider the criteria from MICC 19.15.230 (E), provided above, to determine whether to recommend adding a project to the final docket. The decision must be based on the docketing criteria – this is a decision on whether the proposal meets the criteria and can, therefore, be placed on the docket and advanced for future legislative review. It is not a decision on the merits of the proposal. Please carefully consider the workload for CPD staff and the Planning Commission related to the recommended items, especially in light of existing work plan items already planned for 2024 (discussed above).

### Quasi-Judicial Proceedings

As outlined in the meeting agenda, a "special business" item has been placed at the start of the meeting. During this time, the Commission will review Proposed Amendment 18 following a quasi-judicial process. This process is intended to create a separate and distinct record for this matter so that the Planning Commission can consider the proposal in a fair and unbiased fashion. The decision being made is whether to docket the proposed amendments for further consideration and legislative review in the future. The Commission should limit their consideration of this matter to the information that is on the record, including the written public comments attached to this memo and those received during the public comment period during the November 15 meeting and to the criteria for docketing proposals.

These proceedings will begin with a series of questions on the appearance of fairness directed to each commissioner. After the appearance of fairness questions are completed, the public will have the opportunity to challenge any of the responses from Commissioners in regards to the appearance of fairness. Commissioners may respond to any challenges and then would need to make their own decision as to whether or not to recuse themselves from these proceedings.

After the appearance of fairness process concludes, public comment on the proposal will be heard. In addition to the live comments, any written comments received after the publication of the agenda packet will need to be read into the record by City staff. The proposal proponents will then have 3 minutes to speak to the proposal, followed by 3 minutes for a presentation by City staff. Each party may take an additional minute to rebut the remarks of the other party. After the remarks and any rebuttals, the Planning Commission will move into deliberations on the proposal. Motions will be needed to adopt findings on whether the proposal meets each of the docketing criteria in MICC 19.15.230(E). Finally, the Commission will need to make a motion on whether to recommend the City Council include Proposed Amendment 18 in the final docket.

### **PROPOSED AMENDMENT 18**

**Proposed By:** Stroum Jewish Community Center

**Comprehensive Plan or Code Section:** Comprehensive Plan Land Use Map, Zoning Map

**Proposal Summary:** These amendments will redesignate the SJCC's property as Commercial-Office on the Comprehensive Plan Land Use Map and the Zoning Map.

**Staff Comments:** The property proposed to be redesignated/rezoned is adjacent to the existing Commercial-Office zone. Approving these amendments could allow more intense development on the subject property, under the development regulations that pertain to commercial development in MICC 19.04 and 19.12.

#### **Docketing Criteria:**

1. **The proposed amendment presents a matter appropriately addressed through the comprehensive plan or the code;**  
The proposed amendment meets this criterion. A Land Use Map amendment and Zoning map amendment are appropriately addressed through amendments to the Comprehensive Plan and development code, respectively.
2. **The city can provide the resources, including staff and budget, necessary to review the proposal, or resources can be provided by an applicant for an amendment;**  
The proposed amendment is a low priority for staff/budget resources. This is a large project and will require considerable time for review. Given the existing commitments of staff time in the CPD work plan, if this proposal is docketed, it is unlikely to be able to be completed in 2024 and it may need to be carried over to a future year for review.
3. **The proposal does not raise policy or land use issues that are more appropriately addressed by an ongoing work program item approved by the city council;**  
The proposed amendment does not raise policy or land use issues that are related to an ongoing work program approved by the city council.
4. **The proposal will serve the public interest by implementing specifically identified goals of the comprehensive plan or a new approach supporting the city's vision;**  
Relevant goals and policies from the current Comprehensive Plan include:
  - GOAL 17: With the exception of allowing residential development, commercial designations and permitted uses under current zoning will not change.

- Policy 17.4: Social and recreation clubs, schools, and religious institutions are predominantly located in single family residential areas of the Island. Development regulation should reflect the desire to retain viable and healthy social, recreational, educational, and religious organizations as community assets which are essential for the mental, physical and spiritual health of Mercer Island.

The Comprehensive Plan discourages changes to commercial land use designations. However, it also encourages development regulations that support retention of “viable and healthy social, recreational, educational and religious organizations” as an essential component of Mercer Island.

5. **The essential elements of the proposal and proposed outcome have not been considered by the city council in the last three years. This time limit may be waived by the city council if the proponent establishes that there exists a change in circumstances that justifies the need for the amendment.**

The City Council has not considered the essential elements/proposed outcome of this proposal in the last three years.

#### NEXT STEPS

The City Council will review the Planning Commission and staff recommendations at the December 5, 2023 meeting. At that time the Council will set the final docket for 2024.

#### ATTACHMENTS

1. Docket Application filed by the Stroum Jewish Community Center
2. Written public comments (forthcoming)

# COMMUNITY PLANNING & DEVELOPMENT

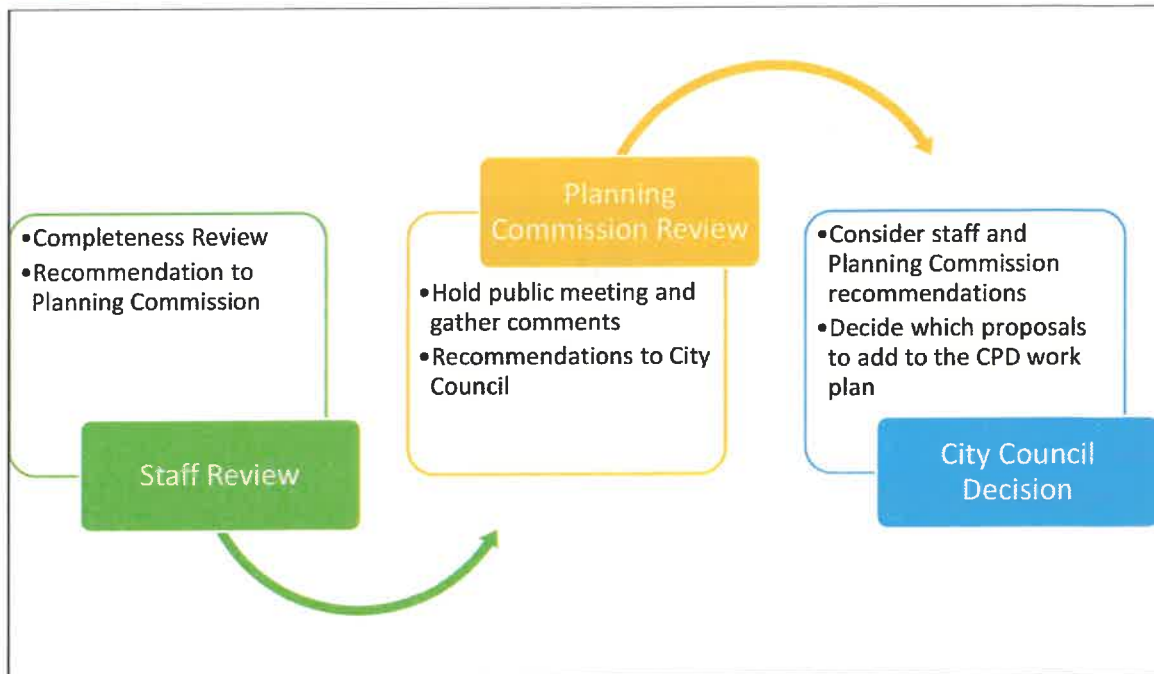
9611 SE 36TH STREET | MERCER ISLAND, WA 98040  
PHONE: 206.275.7605 | [www.mercerisland.gov/cpd](http://www.mercerisland.gov/cpd)



## 2024 DOCKET REQUEST FORM

### APPLICATION REVIEW PROCESS

Docket requests are the first step in the process of amending the City’s Comprehensive Plan or development regulations. The Mercer Island City Code (MICC) describes the process for these amendments in MICC [19.15.230-.260](#). The illustration below summarizes the annual docket process.



Staff review all docket requests for timeliness and completeness and will use the information provided in the application form to present a request to the Mercer Island Planning Commission and City Council. The Planning Commission will review the docket requests and make a recommendation to the City Council regarding which docket items to add to the final docket.

The City Council has decision-making authority over all annual docket proposals. The City Council determines whether to add a proposal to the final docket. Items added to the final docket will be incorporated in the Community Planning and Development work plan for the upcoming year. Docket requests are evaluated based on alignment with the current City work plan, current policies, programmatic priorities, staff capacity, and budget to complete the legislative process for the request in the following year. The City Council will approve the final docket by December 31 each year. Items placed on the final docket will be scheduled for legislative review by the Planning Commission and City Council in the following year.



# DOCKET REQUEST FORM

The following information is required. Failure to complete this form may result in the application being incomplete. Incomplete applications will not be considered during the annual docket process.

## APPLICANT INFORMATION

Name: Stroum Jewish Community Center, c/o Amy Lavin

Address: 3801 East Mercer Way, Mercer Island, WA 98040

Phone: 206-275-7115

Email: amyl@sjcc.org

## AGENT/CONSULTANT/ATTORNEY

Complete this section if the primary contact is different from the applicant.

Name: Jessica Clawson

Address: 8475 SE 45th Street, Mercer Island WA 98040

Phone: 206-812-3378

Email: jessie@mhseattle.com

## REQUEST INFORMATION

**Important:** A separate Docket Request Form must be completed for each docket item requested.

Is this request related to a specific property or zone? Yes  No

If yes, please complete the following information:

Property Owner Name: Stroum Jewish Community Center

Address: 3801 East Mercer Way, Mercer Island, WA 98040

County Assessor's Parcel No.: 2655500137, 2655500136, 2655500132, portion of 2655500115

Parcel Size (sq. ft.): Appx 381,468 s.f.

If the application is submitted by an agent/consultant/attorney, please attach a signed letter of consent from all owners of the affected property demonstrating that that the application is submitted with consent. Is this request for a Comprehensive Plan amendment or a development code amendment?

Comprehensive Plan Amendment  Development code Amendment

Is this submission a **suggestion** for a Comprehensive Plan or Development Code amendment, or is this an **application** for a specific amendment? (Check one box below.)

**Note:** Applications are subject to [applicable permit fees](#).

Suggestion  Application


**DOCKET REQUEST NARRATIVE – REQUIRED FOR ALL APPLICATIONS**

Please attach a separate narrative responding to all five (5) questions outlined below. Attach additional sheets, supporting maps, or graphics as necessary. Answer each question separately and reference the question number in your answer.

**The application will be considered incomplete without a narrative answering all five questions.**

1. Please provide a detailed description of the proposed amendment and a clear statement of what the proposed amendment is intended to accomplish.
  - a. Indicate the specific Comprehensive Plan Elements, maps, goals or policies or the specific sections of the development code you propose to amend.
  - b. If the proposal would amend existing Comprehensive Plan or development code text, please provide the proposal in underline/strikeout format with text to be added indicated by underlining and text to be deleted indicated with ~~strikeouts~~.
  - c. If a map amendment is proposed, please provide a map that clearly outlines the areas proposed to be changed.
2. How does the proposal benefit the community or the environment?
3. Explain how the request relates to the applicable decision criteria (MICC 19.15.250(D) for code amendments, and MICC 19.15.230(F) for Comprehensive Plan amendments, see below).
4. For Comprehensive plan amendments: Is the proposal consistent the Growth Management Act and King County Countywide Planning Policies?
5. For development code amendments: How does the proposal align with the goals of the City's Comprehensive Plan?

Please sign and date below acknowledging application requirements.

Signature:  Date: 9/28/23

THIS AREA LEFT INTENTIONALLY BLANK

Please attach a separate narrative responding to the above questions.



## DOCKETING CRITERIA

*MICC 19.15.230(E) Docketing criteria.* The following criteria shall be used to determine whether a proposed amendment is added to the final docket in subsection D of this section:

1. The request has been filed in a timely manner, and either:
  - a. State law requires, or a decision of a court or administrative agency has directed, such a change; or
  - b. All of the following criteria are met:
    - i. The proposed amendment presents a matter appropriately addressed through the comprehensive plan or the code;
    - ii. The city can provide the resources, including staff and budget, necessary to review the proposal, or resources can be provided by an applicant for an amendment;
    - iii. The proposal does not raise policy or land use issues that are more appropriately addressed by an ongoing work program item approved by the city council;
    - iv. The proposal will serve the public interest by implementing specifically identified goals of the comprehensive plan or a new approach supporting the city's vision; and
    - v. The essential elements of the proposal and proposed outcome have not been considered by the city council in the last three years. This time limit may be waived by the city council if the proponent establishes that there exists a change in circumstances that justifies the need for the amendment.

## COMPREHENSIVE PLAN DECISION CRITERIA

*MICC 19.15.230(F) Decision criteria.* Decisions to amend the comprehensive plan shall be based on the criteria specified below. An applicant for a comprehensive plan amendment proposal shall have the burden of demonstrating that the proposed amendment complies with the applicable regulations and decision criteria.

1. The amendment is consistent with the Growth Management Act, the countywide planning policies, and the other provisions of the comprehensive plan and city policies; and:
  - a. There exists obvious technical error in the information contained in the comprehensive plan; or
  - b. The amendment addresses changing circumstances of the city as a whole.
2. If the amendment is directed at a specific property, the following additional findings shall be determined:
  - a. The amendment is compatible with the adjacent land use and development pattern;
  - b. The property is suitable for development in conformance with the standards under the potential zoning; and
  - c. The amendment will benefit the community as a whole and will not adversely affect community facilities or the public health, safety, and general welfare.

## DEVELOPMENT CODE AMENDMENT DECISION CRITERIA

*MICC 19.15.250(D) Criteria.* The city may approve or approve with modifications a proposal to amend this Code only if:

1. The amendment is consistent with the comprehensive plan; and
2. The amendment bears a substantial relation to the public health, safety, or welfare; and
3. The amendment is in the best interest of the community as a whole.

Stroum Jewish Community Center  
3801 E Mercer Way  
Mercer Island, WA 98040

September 27, 2023

Jeff Thomas  
Director, Community Planning & Development  
City of Mercer Island  
9611 SE 36<sup>th</sup> Street  
Mercer Island, WA 98040

Dear Director Thomas,

I write to let you know that Jessica M. Clawson, an Attorney with McCullough Hill PLLC, has the consent of the owners and leadership of the Stroum Jewish Community Center to submit the enclosed comprehensive plan and zoning map amendment application for the SJCC property.

Please do not hesitate to contact me if you have any questions about the application Jessica will submit with the consent of SJCC's owners and leadership.

Thank you,



Amy Lavin  
Executive Director  
Stroum Jewish Community Center

## **2023 Stroum Jewish Community Center Comprehensive Plan Map Amendment**

**Thank you for your consideration of our Comprehensive Plan Map Amendment. Answers to the various application and code criteria are in bold below.**

1. Please provide a detailed description of the proposed amendment and a clear statement of what the proposed amendment is intended to accomplish.

**The proposed Comprehensive Plan Amendment redesignates Parcels 2655500137, 2655500136, 2655500132, and a small portion of 2655500115 from Single Family to Commercial Office on the Comprehensive Plan’s Future Land Use Map.**

**The proposed map change will facilitate a rezone to Commercial Office, which will allow for a rebuild/renovation of the Stroum Jewish Community Center (“SJCC”). Under the current single-family designation, rebuilding and renovation is not possible, and variances necessary for the rebuild/renovation are not available under the current single family code provisions.**

**The SJCC has been intently pursuing the ability renovate our aging facilities for over six years. In this timeframe, we’ve taken many opportunities to share the hopes we have for a re-envisioned facility with our members, our neighbors, and the broader Mercer Island community.**

**Through multiple SJCC open houses, community meetings and even through public testimony provided during 2018-2019 council consideration of a broader Mercer Island initiative, we shared our priorities, and also learned what the community and our neighbors care about the most:**

- **Facilitating better traffic flow and provide enough safe parking so there is less impact on our neighbors;**
- **Designing our use of space to ensure less noise or light impact, and minimize visibility impact;**
- **Supplementing foliage and trees to enhance the buffer between our facilities and our neighbors; and**
- **Ensuring that any changes to the SJCC property through zoning don’t have secondary impact on other Mercer Island community facilities or neighborhoods.**

**With these guiding principles, the SJCC revised our designs to reflect what was learned from our engagement with the community and hosted a series of community conversations to share, discuss, and receive additional input from SJCC members, community organizations, the community at large, and our neighbors. In the last two years, this outreach included organized community conversations with immediate neighbors and organization stakeholders, meetings with similarly situated Mercer Island community organizations, and regular written and verbal communication with interested community members.**

**On September 7, 2023, the SJCC hosted an open house where our revised design was presented and discussed, followed by questions and answers. Similar to prior initiatives, an**

invitation was mailed to all addresses within 1000’ radius of the SJCC, emailed to SJCC members, SJCC participants and users, and other Mercer Island community facilities, and was promoted widely on SJCC assets. The SJCC hosted approximately 100 attendees at this open house, and we were pleased to see our revised designs, which are the direct benefit of so much engagement and feedback over the last six years, being received so well by the community and our neighbors.

- a. Indicate the specific Comprehensive Plan Elements, maps, goals or policies or the specific sections of the development code you propose to amend.

**Please see Exhibit A. The Comprehensive Plan’s Future Land Use Map would be amended per the exhibit.**

- b. If the proposal would amend existing Comprehensive Plan or development code text, please provide the proposal in underline/strikeout format with text to be added indicated by underlining and text to be deleted indicated with strikeouts.

**The proposal does not amend Comprehensive Plan or development code text. It only changes the maps.**

- c. If a map amendment is proposed, please provide a map that clearly outlines the areas proposed to be changed.

**Please see Exhibit A.**

2. How does the proposal benefit the community or the environment?

**The proposal benefits the community and the environment in several ways.**

**Community Benefits**

**Please see Exhibit B.**

**Environmental Benefits**

**Please see Exhibit C.**

3. Explain how the request relates to the applicable decision criteria (MICC 19.15.250(D) for code amendments, and MICC 19.15.230(F) for Comprehensive Plan amendments, see below).

**The proposal meets both the docketing criteria and the decision criteria, as follows:**

*E. Docketing criteria.* The following criteria shall be used to determine whether a proposed amendment is added to the final docket in subsection D of this section:

- 1. The request has been filed in a timely manner, and either:

**Yes. The request was filed prior to October 1, 2023.**

- a. State law requires, or a decision of a court or administrative agency has directed, such a change; or

**Not applicable.**

b. All of the following criteria are met:

i. The proposed amendment presents a matter appropriately addressed through the comprehensive plan or the code;

**Yes. The proposed amendment is a change to the Comprehensive Plan's Future Land Use Map, which is a change that can only be addressed through the Comprehensive Plan.**

ii. The city can provide the resources, including staff and budget, necessary to review the proposal, or resources can be provided by an applicant for an amendment;

**Yes. The proposal is occurring during the City's annual docketing cycle, which we presume is adequately staffed and resourced by the City. A simple map change should not require significant resources; any actual development on the site will require project specific environmental review and study, which costs would be borne by the applicant.**

iii. The proposal does not raise policy or land use issues that are more appropriately addressed by an ongoing work program item approved by the city council;

**No. The proposal does not raise larger policy or land use issues more appropriately addressed by an ongoing work program item. This proposal avoids any larger redesignation of similarly situated schools and institutions and focuses only on the JCC site. There is no current work program approved by the City Council that addresses redesignation of the SJCC to conform to the historic use of the property.**

iv. The proposal will serve the public interest by implementing specifically identified goals of the comprehensive plan or a new approach supporting the city's vision; and

**Yes. The proposal serves the public interest and implements the following specific goals and vision of the city (responses to policies, where appropriate, in italics):**

- **Residential Community.** Mercer Island is principally a single-family residential community supported by healthy schools, religious institutions, and recreational clubs. (Comp. Plan, Community Values). *The proposal will allow the JCC, which is both a school and a recreational club open to all, to continue to serve Mercer Island.*
- **Education is the Key.** The community and its public and private institutions are committed to provide excellence in Education (Comp Plan, Community Values). *The proposal allows the SJCC's Early Childhood School to continue its excellent education of hundreds of young children on Mercer Island.*
- **Community Services.** Mercer Island will continue to provide a wide range of education, cultural, and municipal services for the community's varied population.

Balanced and flexible programs will be necessary to meet the community's evolving needs in education, recreation, and cultural enjoyment. The community will maintain its broad range of quality basic services, including public safety, human services, physical development and utilities. At the same time, community leaders recognize that delivery of these services will take place in an arena of limited resources and heightened competition for tax revenues (Comp Plan, Values Manifested). *The SJCC provides a community center and educational, recreational, and cultural opportunities that are privately funded and do not burden the City's budget.*

- **Residential Land Use.** Civic, recreation, and religious organizations are important and integral elements of the community character and fabric. Their contribution and importance to the established community character should be reflected and respected in land use permit processes. (Comp Plan, Values Manifested). *Unfortunately, the single-family zoning has been interpreted by the City to not allow for the variances that would be necessary to rebuild and reconfigure the SJCC that would benefit the community. We are hopeful that this request for redesignation is respectfully considered and approved, so that we can build under the current CO zoning rules and do not require extensive or complicated workarounds.*
- **Commercial Office and PBZ zones** must serve the needs of the local population while remaining compatible with the overall residential character of the community. (Comp Plan, Land Use Issues, Outside the Town Center). *The Commercial Office zone, as developed in the future by the SJCC, will remain compatible and increase compatibility with the overall residential character of the community. First, nothing will be built on the site that is not the SJCC, and we have shared our draft plans with the community. Second, these plans improve on many of the required minimum development standards—better setbacks than required, less height than allowed, etc. Finally, the proposal is adjacent to CO designations and extends them southward. The strip of single-family homes to our west is owned by the French American School of Puget Sound.*
- **Goal 15.1.** Existing land use policies, which strongly support the preservation of existing conditions in the single-family residential zones, will continue to apply. Changes to the zoning code or development standards will be accomplished through code amendments. (Comp Plan, Land Use Goals). *This goal is met. The existing condition in this single-family zone that has existed for 54 years (pre-dating many of the homes that now exist next to the SJCC) will be maintained. This map change simply changes the map to fit the use that has been here for 54 years.*
- **Goal 15.4.** Compatible permitted uses such as education, recreation, open spaces, government social services and religious activities will be encouraged. *The proposed amendment maintains the SJCC which provides education, art, culture, and recreation, and are a permitted uses in the CO zone.*
- **Goal 17.4.** Social and recreation clubs, schools, and religious institutions are predominantly located in single family residential areas of the Island. Development regulation should reflect the desire to retain viable and healthy social, recreational, educational, and religious organizations as community assets which are essential for the mental, physical and spiritual health of Mercer Island. *As the City is aware, the current single-family zone has been amended and*



*development standards interpreted in a way that does not allow the maintenance of viable and healthy organizations. Further, the remodeling criteria make it impossible to maintain a nonconforming status and make upgrades to facilities that are necessary when a facility is well beyond its useful life, particularly given the concrete construction methods that were used in 1969. As such, the redesignation to the CO zone is necessary to be consistent with this Goal and retain a viable and healthy SJCC on Mercer Island.*

- **Goal 21.** Promote the use of green building methods, design standards, and materials...to reduce impacts on the built and natural environment and to improve the quality of life. Green building should result in demonstrable benefits, through the use of programs such as, but not limited to, Built Green, LEED+, The Living Building Challenge, Passive House, Salmon Safe, or other similar regional and recognized green building programs. *The new SJCC will be much more environmentally friendly than the current 54-year-old structure.*
- **Goal 23.** Support the arts on Mercer Island. *The SJCC holds regular arts events, including the Seattle Jewish Film Festival. The arts are deeply important to the SJCC and the SJCC's auditorium, which would remain under the proposal, is one of only two large gathering spaces on the island for arts-related events. See Exhibit B.*
- **Goal 25.** Preserve Mercer Island's Heritage. *The SJCC is a piece of Mercer Island's history.*  
<https://www.historylink.org/File/104#:~:text=In%20Seattle%2C%20the%20Jewish%20Community,Davis%20and%20secretary%20Harry%20Ash>. *Allowing for the redesignation of the property will allow the SJCC to remain on the island and thrive for another 60 years.*
- **Land Use Designations—CO.** The commercial office land use designation represents commercial areas within Mercer Island, located outside of Town Center, where the land use will be predominantly commercial office. Complementary land uses (e.g., healthcare uses, schools, places of worship, etc.) are also generally supported within this land use designation. *The CO designation reflects the use of the SJCC property, which has not been in single family residential use for over 54 years. A CO designation is a much more appropriate reflection of reality.*
- **Transportation Goal 6.1:** Ensure compatibility between transportation facilities and services and adjacent land uses, evaluating aspects such as: potential impacts of transportation on adjacent land use; potential impacts of land development and activities on transportation facilities and services; and need for buffering and/or landscaping alongside transportation facilities. *The while the designation of the property will change, the use will not change. The project-specific transportation review for the SJCC project will analyze at a project-level transportation impacts that may be mitigated via trip reduction and physical improvements.*
- **Transportation Goal 9.2.** Address parking overflow impacts on neighborhoods caused by major traffic generators such as schools, businesses, parks, and multifamily developments. *The SJCC proposal would add many more parking stalls which will reduce parking impacts to the neighborhood.*

v. The essential elements of the proposal and proposed outcome have not been considered by the city council in the last three years. This time limit may be waived by the city council if the proponent establishes that there exists a change in circumstances that justifies the need for the amendment.

**The proposal has not been considered by the city council in the last three years.**

F. *Decision criteria.* Decisions to amend the comprehensive plan shall be based on the criteria specified below. An applicant for a comprehensive plan amendment proposal shall have the burden of demonstrating that the proposed amendment complies with the applicable regulations and decision criteria.

1. The amendment is consistent with the Growth Management Act, the countywide planning policies, and the other provisions of the comprehensive plan and city policies; and:

**Yes. The proposal is consistent with GMA, King County’s CPPs, and other provisions of the Mercer Island Comprehensive Plan.**

#### **Compliance with GMA.**

WAC 365-196-405(1)(2) requires the City to designate the general location of the uses of land...for commerce (and) recreation. *The SJCC has not been in single family use for 60 years. It is consistent with GMA to designate the SJCC as CO which is consistent with its current use.*

WAC 365-196-405(2)(b) requires the City to identify existing general distribution and location of various land uses, the appropriate acreage, and general range of density or intensity of existing uses. *Again, the SJCC has not been in single family use for 60 years. It is appropriate for the City to identify and change the designation of the property to CO, consistent with GMA. It would be inappropriate for the City to include the SJCC in its buildable lands / housing needs assessment as single-family property, as it has not been in single family use for 60 years and is not “buildable land” for residential use.*

#### **Compliance with King County CPPs.**

The CPPs can be found [here](#). The following goals/policies support the proposed amendment:

- **Communities across King County are welcoming places where every person can thrive. (Vision for King County 2050). *The SJCC welcomes all people.***
- **FW-6. Enable culturally and linguistically appropriate equitable access to programs and services and help connect residents to service options, particularly for those most disproportionately cost-burdened or historically excluded. *The SJCC seeks to be the Puget Sound’s most open and welcoming community-center Jewish organization. Through its programs the SJCC connects Jewish and non-***



*Jewish people to culture, recreation, education, and arts, and through philanthropic support ensures this connection is affordable to anyone who seeks it.*

- **EN-6.** Locate development and supportive infrastructure in a manner that minimizes impacts to natural features. *This is an infill development which will actually decrease impact to surrounding natural features after redevelopment.*
- **CDP-40.** Plan for neighborhoods or subareas to encourage infill and redevelopment, reuse of existing buildings and underutilized lands, and provision of adequate public spaces, in a manner that enhances public health, existing community character, and mix of uses. *This change will facilitate the rebuilding and renovation of an existing building, and one of the SJCC's missions is to support a healthy community.*
- **EC-14.** Celebrate the cultural diversity of local communities as a means to enhance social capital, neighborhood cohesion, the county's global relationships, and support for cultural and arts institutions. *The SJCC is the only Jewish community center in Washington state. The SJCC hosts many global-related programs and is an incredible social and cultural resource for Mercer Island, and the broader region.*
- **EC-26.** Encourage commercial and mixed-use development that provides a range of job opportunities throughout the county to create a closer balance between the location of jobs and housing. *The SJCC is one of the Island's largest employers. Keeping jobs on the Island is important.*
- **PF-19.** Locate schools, institutions, and other community facilities and services that primarily serve urban populations within the UGA, where they are accessible to the communities they serve. If possible, locate these facilities in places that are well served by transit and pedestrian and bicycle networks. *The SJCC is reachable by the I-90 bike trail, as well as the East Mercer Way bike trail. It is very accessible to all on the island, and also to those coming off of I-90 without creating a bunch of cut-through traffic on the Island.*

### **Compliance with Mercer Island Comprehensive Plan.**

See above.

- a. There exists obvious technical error in the information contained in the comprehensive plan; or

Not applicable.

- b. The amendment addresses changing circumstances of the city as a whole.

The SJCC has been in existence in this location for 54 years. The building is past its useful life and needs significant rebuilding and replacement. In 2017, the City of Mercer Island amended its single-family code provisions to prohibit "mega-houses." In doing so, the City passed regulations that create maximum size of use limitations that rendered the SJCC nonconforming to several code provisions meant to apply to single-family homes. In 2021, the SJCC filed an interpretation request with the City to determine whether a rebuild of the SJCC could obtain variances from the single-family regulations, which

would have capped a new building at those square footage limitations meant to apply to single-family homes. On November 21, 2022, the City issued Development Code Interpretation 22-004 that stated non-residential uses could not seek variances from the relevant single-family regulations in any area beyond impervious surface. The impact of the interpretation is that the SJCC cannot renovate/rebuild in its current single-family zone due to the City’s stringent nonconforming provisions and impracticable renovation restrictions. In order to renovate/rebuild to stay on Mercer Island and continue to serve the community on the Island, the comprehensive plan map and zone designation of the SJCC’s parcels must be changed from SF/R-8.4 to Commercial Office.

2. If the amendment is directed at a specific property, the following additional findings shall be determined:

a. The amendment is compatible with the adjacent land use and development pattern;

**Yes. The proposal would change the subject parcels to CO. There is adjacent CO land to the north of the parcel, public facilities/CO land to the west of the parcel, and CO/B land to the east of the parcel. To the south of the parcel is designated single family; the development standards of the CO zone, as well as SEPA review, can mitigate any potential incompatibilities of a future project on single family adjacencies.**

c. The property is suitable for development in conformance with the standards under the potential zoning; and

**Yes. The proposed rebuild/renovation of the SJCC can meet the CO zone requirements. In many areas it performs better than the CO development standards would require—it increases setbacks beyond requirements and is developed to a lower height than allowed by the CO zone.**

d. The amendment will benefit the community as a whole and will not adversely affect community facilities or the public health, safety, and general welfare.

**The amendment would retain the SJCC on Mercer Island. The SJCC is a benefit to all residents of Mercer Island. Please see Exhibit B for a benefits statement.**

**The change from single family to CO would not impact community facilities. Instead, it would benefit community facilities by maintaining a community facility on the Island, which in turn reduces pressure on the City pool, the City Community Center, and all other childcare and educational facilities. Further it assures the SJCC can continue enriching the lives of thousands of Mercer Island residents every year.**

**The change from single family to CO would not impact public health, safety, and general welfare. Instead, retaining the SJCC in this location will benefit public health, safety and general welfare. Any potential impacts of the future SJCC project can be mitigated by application of the CO zone standards and SEPA mitigation. Please see Exhibit C regarding environmental benefits associated with the redesignation.**

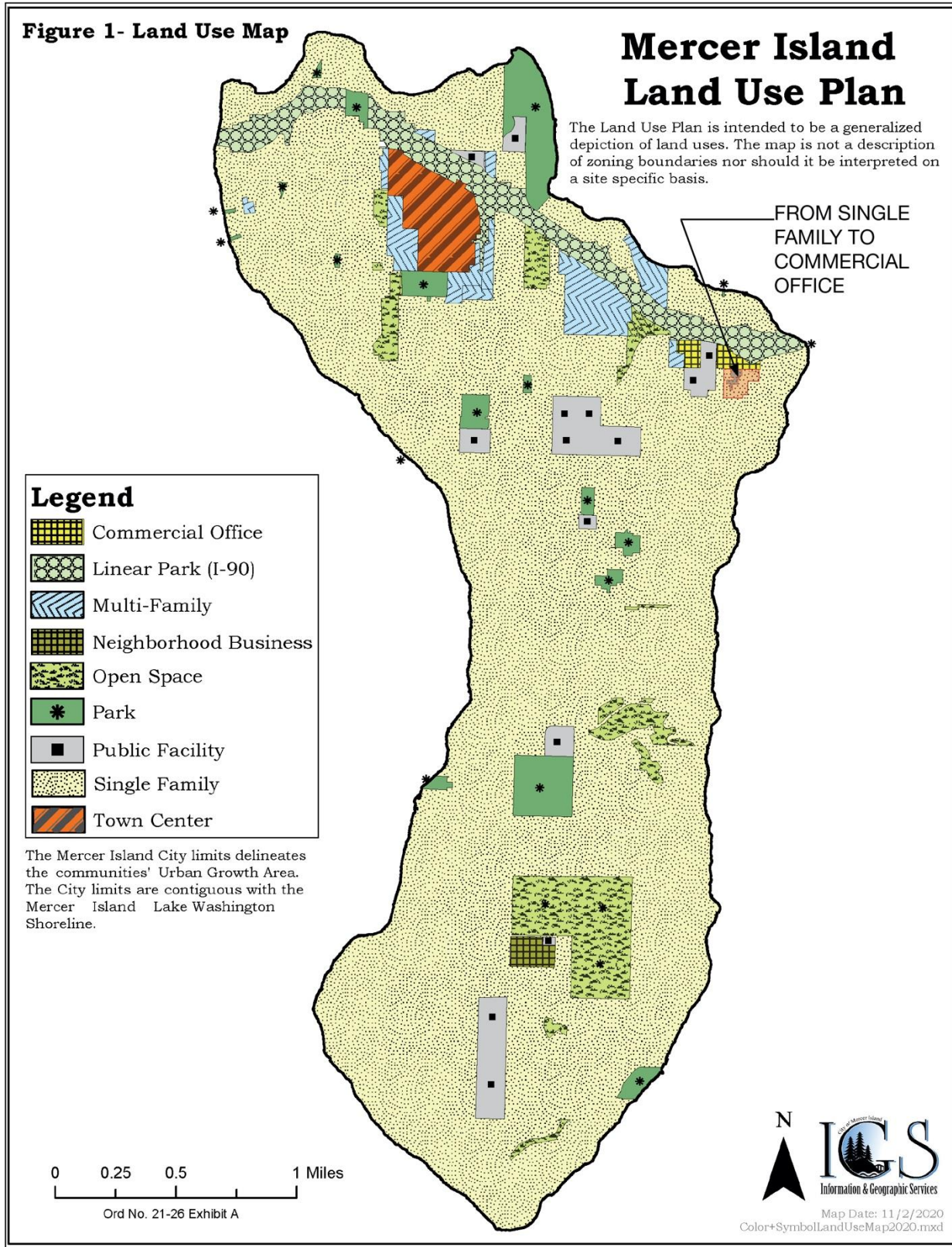
4. For Comprehensive plan amendments: Is the proposal consistent with the Growth Management Act and King County Countywide Planning Policies?

**Yes. Please see above.**

5. For development code amendments: How does the proposal align with the goals of the City's Comprehensive Plan?

**The proposal is aligned with the goals of the City's Comprehensive Plan. Please see above.**

Exhibit A Comp plan change map



## Exhibit B

### Benefits of the Comprehensive Plan Map Change

There are several benefits to the Comprehensive Plan map change:

The Stroum Jewish Community Center has served Mercer Island residents since opening in 1969. For nearly 55 years, “the J” has welcomed people of every age, culture, and religion to build and amplify profound connection; creating and fortifying community that contributes significantly to the communal fabric of Mercer Island. Today the SJCC reaches nearly 3,000 Mercer Island households throughout the year. On any given day, the J welcomes hundreds of Mercer Island residents, providing year-round early childhood education to over 200 children, afterschool care and recreational programming to dozens of middle schoolers, summer camp to ~450 Mercer Island children, and a series of character-building and fitness offerings for teenagers and young adults. For adults, the SJCC presents daily recreation programs for hundreds exercising individually or in group classes, including about 30 seniors who exercise in AquaFit or Rock Steady Boxing<sup>1</sup>, building muscle strength and friendships that endure challenges facing mature adults. Added to that, the J has a community garden, teaches and hosts mahjong and bridge, organizes communal hikes, and provides a series of cultural arts programs in Mercer Island’s only functioning performing arts hall outside of the school district. With 30+ programs a year, SJCC brings feature films, dance, live music, culinary arts programs, and special topics to the entire community on Mercer Island. The SJCC ensures, through private financial support, that these programs are available to everyone, regardless of one’s ability to pay.

As one of the longest-standing institutions on Mercer Island, the SJCC has helped connect and welcome generations of MI families, assuring MI residents—whether they are new or returning to their hometown—feel welcome and supported along life’s journey.

The SJCC has also been one of Mercer Island’s largest employers, with nearly 140 year-round employees and over 215 summer employees. For many, the J is the first job they have, building responsibility and leadership skills, lifesaving skills like CPR, and a sense of purpose and community.

In addition to the Mercer Island residents involved with the SJCC, the J brings people from around the Greater Seattle area that often, in addition to engaging with the J, will spend time and resources on Mercer Island for coffee, grocery shopping, dining, dry cleaning, and shopping at Island Books, Terra Bella, and more.

The J’s vision is to be the Puget Sound’s most open and welcoming community-centered Jewish organization. We lead with community in everything we do, and believe that many of the tightly woven MI bonds have started and been sustained through connections at the Stroum JCC. As a private organization, funded through programming fees and substantial private philanthropy, we are the only private organization on Mercer Island that makes it possible for anyone to

---

<sup>1</sup> Rock Steady Boxing is supported by the King County Get Active/Stay Active program, and serves people living with Parkinson’s disease.

participate in our activities and programs, regardless of income, race/ethnicity, orientation, religion, or residence. With the increasing pressure of the cost of living on MI, the J remains accessible, welcoming, and community-oriented for everyone and anyone.

A departure from Mercer Island driven by an inability to rebuild facilities would leave a vacuum. People of all ages will have fewer programs to choose from and fewer affordable options for fitness, enrichment, education, entertainment, gardening, and more. With the adoption of HB110 in the State legislature in 2023, the land on which The J is built—nearly eight and a half acres of residential property—could be converted into a housing development of approximately three dozen homes, 50 or more duplexes, and potentially, over 125 quadplexes with one (1) in four (4) being developed as affordable housing. An updated SJCC, on the other hand, would provide more certainty for neighbors and MI, while also mitigating lighting, traffic, and noise issues. ADA accessibility would also ensure people of all capabilities could safely and comfortably navigate the property and facility, and modern technology would assure the J is more environmentally sustainable. With sophisticated landscaping, the J would offer more attractive and low impact vegetation, better integrating the SJCC in its surroundings.

In summary, the SJCC has been a Mercer Island mainstay for over 50 years. Hundreds of families rely on the SJCC for child development and childcare, character development, jobs, personal and professional enrichment, friendship in times of strength and strife, and the confidence knowing that they belong at the J, a place where everyone is welcome. A City Council decision to rezone the SJCC's residentially zoned properties to Commercial Office zoning would bring comfort to everyone directly and indirectly touched by the J and certainty to the surrounding neighborhood, knowing the J would continue to serve as a place that offers convenient opportunity for profound Islander connections for every generation.

## Exhibit C

### Environmental Benefits of the Comprehensive Plan Map Change

There are several benefits to the Comprehensive Plan Map change:

- The Comprehensive Plan Map change will align long-standing and ongoing operations with the City's Comprehensive Plan Map and facilitate the rebuild/renovation of the SJCC. This will result in the following environmental benefits from the current SJCC:
  - A building that is compliant with current energy and environmental codes. The building was constructed in 1969. A new building would use far less energy and would use sustainable building materials and techniques, including high efficiency mechanical and electrical systems.
  - A site that is compliant with current stormwater codes. Currently the parking lot sheet flows into the stormwater system. Low impact design and compliance with the current stormwater manual would be required of a new SJCC.
  - A building with sufficient parking capacity and traffic flow. Currently the parking for the SJCC and traffic flow can be congested. The new SJCC would include a one-story tall parking garage that is mostly buried underground to mitigate visual impacts, which would add parking stalls the building needs for adequate parking capacity. The rearrangement of the site would also allow for sufficient room for traffic queuing during busy pick-up and drop-off times, reducing current traffic issues in the area.
  - A large setback buffer from the single-family properties to the south is proposed in the new building. This will reduce noise and light impacts from the current SJCC.
  - No parking lights on the south side of the property near single family residents. Currently light from parking lights may spill into neighboring houses and properties. All new lights would be placed to eliminate light spillage, and any required light fixtures would be cut-off to shield light.



## **2023 Stroum Jewish Community Center Zoning Map Amendment**

**Thank you for your consideration of our Zoning Map Amendment. Answers to the various application and code criteria are in bold below.**

1. Please provide a detailed description of the proposed amendment and a clear statement of what the proposed amendment is intended to accomplish.

**The proposed Comprehensive Plan Amendment redesignates Parcels 2655500137, 2655500136, 2655500132 from R 8.4 to Commercial Office, and a small portion of 2655500115 from R 9.6 to Commercial Office on the City's Official Zoning Map.**

**The proposed map change will allow for a rebuild/renovation of the Stroum Jewish Community Center ("SJCC"). Under the current single-family zone, rebuilding and renovation is not possible, and variances necessary for the rebuild/renovation are not available under the current single family code provisions.**

**The SJCC has been intently pursuing the ability to rebuild and renovate our aging facilities for over six years. In this timeframe, we've taken many opportunities to share the hopes we have for a re-envisioned facility with our members, our neighbors, and the broader Mercer Island community.**

**Through multiple SJCC open houses, community meetings and even through public testimony provided during 2018-2019 council consideration of a broader Mercer Island initiative, we shared our priorities, and also learned what the community and our neighbors care about the most:**

- Facilitating better traffic flow and providing enough safe parking so there is less impact on our neighbors;**
- Designing our use of space to ensure less noise or light impact, and minimize visibility impact;**
- Supplementing foliage and trees to enhance the buffer between our facilities and our neighbors; and**
- Ensuring that any changes to the SJCC property through zoning don't have secondary impacts on other Mercer Island community facilities or neighborhoods.**

**With these guiding principles, the SJCC revised our designs to reflect what was learned from our engagement with the community and hosted a series of community conversations to share, discuss, and receive additional input from SJCC members, community organizations, the community at large, and our neighbors. In the last two years, this outreach included organized community conversations with immediate neighbors and organization stakeholders, meetings with similarly-situated Mercer Island community organizations, and regular written and verbal communication with interested community members.**

**On September 7, 2023, the SJCC hosted an open house where our revised design was presented and discussed, followed by questions and answers. Similar to prior initiatives, an invitation was mailed to all addresses within a 1,000-foot radius of the SJCC, emailed to**



**SJCC members, SJCC participants and users, and other Mercer Island community facilities, and was promoted widely on SJCC assets. The SJCC hosted approximately 100 attendees at this open house, and we were pleased to see our revised designs, which are the direct benefit of so much engagement and feedback over the last six years, being received so well by the community and our neighbors.**

- a. Indicate the specific Comprehensive Plan Elements, maps, goals or policies or the specific sections of the development code you propose to amend.

**Please see Exhibit A. The City’s Zoning Map would be amended per the exhibit.**

- b. If the proposal would amend existing Comprehensive Plan or development code text, please provide the proposal in underline/strikeout format with text to be added indicated by underlining and text to be deleted indicated with strikeouts.

**The proposal does not amend Comprehensive Plan or development code text. It only changes the maps.**

- c. If a map amendment is proposed, please provide a map that clearly outlines the areas proposed to be changed.

**Please see Exhibit A.**

2. How does the proposal benefit the community or the environment?

**The proposal benefits the community and the environment in several ways.**

**Community Benefits**

**Please see Exhibit B.**

**Environmental Benefits**

**Please see Exhibit C.**

3. Explain how the request relates to the applicable decision criteria (MICC 19.15.240 for code amendments, and MICC 19.15.230(F) for Comprehensive Plan amendments).

**The proposal meets both the docketing criteria and the decision criteria, as follows:**

19.15.230.E. *Docketing criteria.* The following criteria shall be used to determine whether a proposed amendment is added to the final docket in subsection D of this section:

- 1. The request has been filed in a timely manner, and either:

**Yes. The request was filed prior to October 1, 2023.**

- a. State law requires, or a decision of a court or administrative agency has directed, such a change; or

**Not applicable.**

b. All of the following criteria are met:

i. The proposed amendment presents a matter appropriately addressed through the comprehensive plan or the code;

**Yes. The proposed amendment is a change to the City’s Zoning Map, which is a change that can only be addressed through a change of the zoning map.**

ii. The city can provide the resources, including staff and budget, necessary to review the proposal, or resources can be provided by an applicant for an amendment;

**Yes. The proposal is occurring during the City’s annual docketing cycle, which we presume is adequately staffed and resourced by the City. A simple map change should not require significant resources; any actual development on the site will require project specific environmental review and study, which costs would be borne by the applicant.**

iii. The proposal does not raise policy or land use issues that are more appropriately addressed by an ongoing work program item approved by the city council;

**No. The proposal does not raise larger policy or land use issues more appropriately addressed by an ongoing work program item. This proposal avoids any larger rezone of similarly situated schools and institutions and focuses only on the SJCC site. There is no current work program approved by the City Council that addresses rezone of the SJCC to conform to the historic use of the property.**

iv. The proposal will serve the public interest by implementing specifically identified goals of the comprehensive plan or a new approach supporting the city's vision; and

**Yes. The proposal serves the public interest and implements the following specific goals and vision of the city (responses to policies, where appropriate, in italics):**

- **Residential Community.** Mercer Island is principally a single-family residential community supported by healthy schools, religious institutions, and recreational clubs. (Comp. Plan, Community Values). *The proposal will allow the JCC, which is both a school and a recreational club open to all, to continue to serve Mercer Island.*
- **Education is the Key.** The community and its public and private institutions are committed to provide excellence in Education (Comp Plan, Community Values). *The proposal allows the SJCC’s Early Childhood School to continue its excellent education of hundreds of young children on Mercer Island.*
- **Community Services.** Mercer Island will continue to provide a wide range of education, cultural, and municipal services for the community’s varied population. Balanced and flexible programs will be necessary to meet the community’s evolving needs in education, recreation, and cultural enjoyment. The community will maintain its broad range of quality basic services, including public safety,

human services, physical development and utilities. At the same time, community leaders recognize that delivery of these services will take place in an arena of limited resources and heightened competition for tax revenues (Comp Plan, Values Manifested). *The SJCC provides a community center and educational, recreational, and cultural opportunities that are privately funded and do not burden the City's budget.*

- **Residential Land Use.** Civic, recreation, and religious organizations are important and integral elements of the community character and fabric. Their contribution and importance to the established community character should be reflected and respected in land use permit processes. (Comp Plan, Values Manifested). *Unfortunately, the single-family zoning has been interpreted by the City to not allow for the variances that would be necessary to rebuild and reconfigure the SJCC that would benefit the community. We are hopeful that this request for rezone is respectfully considered and approved, so that we can build under the current CO zoning rules and do not require extensive or complicated workarounds.*
- **Commercial Office and PBZ zones** must serve the needs of the local population while remaining compatible with the overall residential character of the community. (Comp Plan, Land Use Issues, Outside the Town Center). *The Commercial Office zone, as developed in the future by the SJCC, will remain compatible and increase compatibility with the overall residential character of the community. First, nothing will be built on the site that is not the SJCC, and we have shared our draft plans with the community. Second, these plans improve on many of the required minimum development standards—better setbacks than required, less height than allowed, etc. Finally, the proposal is adjacent to CO or Public zones and extends them southward. The strip of single-family homes to our west is owned by the French American School of Puget Sound.*
- **Goal 15.1.** Existing land use policies, which strongly support the preservation of existing conditions in the single-family residential zones, will continue to apply. Changes to the zoning code or development standards will be accomplished through code amendments. (Comp Plan, Land Use Goals). *This goal is met. The existing condition in this single-family zone that has existed for 54 years (pre-dating many of the homes that now exist next to the SJCC) will be maintained. This map change simply changes the map to fit the use that has been here for 54 years.*
- **Goal 15.4.** Compatible permitted uses such as education, recreation, open spaces, government social services and religious activities will be encouraged. *The proposed amendment maintains the SJCC which provides education, art, culture, and recreation, and are a permitted uses in the CO zone.*
- **Goal 17.4.** Social and recreation clubs, schools, and religious institutions are predominantly located in single family residential areas of the Island. Development regulation should reflect the desire to retain viable and healthy social, recreational, educational, and religious organizations as community assets which are essential for the mental, physical and spiritual health of Mercer Island. *As the City is aware, the current single-family zone has been amended and development standards interpreted in a way that does not allow the maintenance of viable and healthy organizations. Further, the remodeling criteria make it impossible to maintain a nonconforming status and make upgrades to facilities that are*

*necessary when a facility is well beyond its useful life, particularly given the concrete construction methods that were used in 1969. As such, the redesignation to the CO zone is necessary to be consistent with this Goal and retain a viable and healthy SJCC on Mercer Island.*

- **Goal 21.** Promote the use of green building methods, design standards, and materials...to reduce impacts on the built and natural environment and to improve the quality of life. Green building should result in demonstrable benefits, through the use of programs such as, but not limited to, Built Green, LEED, The Living Building Challenge, Passive House, Salmon Safe, or other similar regional and recognized green building programs. *The new SJCC will be much more environmentally friendly than the current 54-year-old structure.*
- **Goal 23.** Support the arts on Mercer Island. *The SJCC holds regular arts events, including the Seattle Jewish Film Festival. The arts are deeply important to the SJCC and the SJCC’s auditorium, which would remain under the proposal, is one of only two large gathering spaces on the island for arts-related events. See Exhibit B.*
- **Goal 25.** Preserve Mercer Island’s Heritage. *The SJCC is a piece of Mercer Island’s history.*  
<https://www.historylink.org/File/104#:~:text=In%20Seattle%2C%20the%20Jewish%20Community,Davis%20and%20secretary%20Harry%20Ash.> *Allowing for the redesignation of the property will allow the SJCC to remain on the island and thrive for another 60 years.*
- **Land Use Designations—CO.** The commercial office land use designation represents commercial areas within Mercer Island, located outside of Town Center, where the land use will be predominantly commercial office. Complementary land uses (e.g., healthcare uses, schools, places of worship, etc.) are also generally supported within this land use designation. *The CO zone reflects the use of the SJCC property, which has not been in single family residential use for over 54 years. A CO zone is a much more appropriate reflection of reality.*
- **Transportation Goal 6.1:** Ensure compatibility between transportation facilities and services and adjacent land uses, evaluating aspects such as: potential impacts of transportation on adjacent land use; potential impacts of land development and activities on transportation facilities and services; and need for buffering and/or landscaping alongside transportation facilities. *While the zone of the property will change, the use will not change. The project-specific transportation review for the SJCC project will analyze at a project-level transportation impacts that may be mitigated via trip reduction and physical improvements.*
- **Transportation Goal 9.2.** Address parking overflow impacts on neighborhoods caused by major traffic generators such as schools, businesses, parks, and multifamily developments. *The SJCC proposal would add many more parking stalls which will reduce parking impacts to the neighborhood.*

v. The essential elements of the proposal and proposed outcome have not been considered by the city council in the last three years. This time limit may be waived by the city council if the proponent establishes that there exists a change in circumstances that justifies the need for the amendment.

**The proposal has not been considered by the city council in the last three years.**

19.15.250.C. *Rezone approval criteria.* Decisions to reclassify property shall be consistent with the criteria specified below, stated in MICC 19.15.240.C.

1. The amendment is consistent with policies and provisions of the Mercer Island comprehensive plan.

**Yes. The proposal is consistent with the policies and provisions of the Mercer Island Comprehensive Plan, as outlined above.**

2. The proposed reclassification is consistent with the purpose of the Mercer Island development code as set forth in MICC 19.01.010.

MICC 19.01.010: The general purpose of this Code is to protect and promote health, safety, and the general welfare through the regulation of development within the city of Mercer Island.

To that end, this Code classifies the land within the city into various zones and establishes the use of land and nature of buildings within those zones; controls the form of plats and subdivisions; regulates the construction of commercial and residential structures; and protects critical and sensitive areas within the city.

The provisions of this Code are designed to consider light, air and access; to conserve and protect natural beauty and other natural resources; to provide coordinated development; to avoid traffic congestion; to prevent overcrowding of land; to facilitate adequate provisions for transportation, water, sewage, schools, parks and other public requirements; and to encourage the use of solar energy practices.

This Code is to be interpreted as a whole, in view of the purpose set out in this section.

If the general purpose of this development code conflicts with the specific purpose of any chapter of this development code, the specific purpose shall control.

**Yes. The proposed reclassification would protect and promote and improve the health, safety and general welfare of Mercer Island. See Exhibit B. The reclassification would extend the CO zone.**

3. The proposed reclassification is an extension of an existing zone, or a logical transition between zones;

**Yes. The proposal would change the subject parcels to CO. There is adjacent CO land to the north of the parcel, and this boundary would be extended to the south to include the subject parcels. The provisions of the CO zone create appropriate transitions between zones.**

4. The proposed reclassification does not constitute an illegal site-specific rezone;

**The proposed reclassification does not constitute an illegal site-specific rezone, often known as an “illegal spot zone.”**

**Washington law has established several criteria for when an illegal spot zone may be found to exist, none of which are met by the current proposal:**

1. A smaller area is singled out of a larger area and given some special treatment. **No. The proposal extends the CO zone and does not change the specific CO zone criteria.**

2. The classification or use allowed in the smaller area is totally different from and inconsistent with the classification of surrounding land so as to disturb the tenor of the neighborhood and create an inconsistency or conflict of use with the uses allowed in the surrounding area. **No. The SJCC use is already established on the site and will continue. The extension of the CO zone over the site simply allows for the rebuilding of the SJCC under the code. The CO zone’s setbacks and development regulations ensure there is no inconsistency or conflict of use with the single family uses already adjacent to the SJCC.**

3. The action necessary to create the smaller area is taken for the private gain of one person or group of persons rather than for the general welfare of the community as a whole. **No. See above. The SJCC benefits the welfare of the community as a whole.**

4. The action taken is not in accordance with the comprehensive plan. **We agree that the comprehensive plan would need to be amended (either concurrently or prior to the rezone being adopted) in order for the rezone to occur. We have submitted a comprehensive plan amendment application concurrently with this rezone application for the city’s consideration.**

*McNaughton v. Boeing*, 68 Wn.2d 659, P.2d 778 (1966). In addition, the *McNaughton* case also determined that a City may impose conditions, either unilaterally or by contract in connection with a zoning amendment

5. The proposed reclassification is compatible with surrounding zones and land uses;

**Yes. The CO zone is compatible and allows for compatible uses with the B, CO, P, and R 8.6 and R-9.6 zones, all adjacent or nearby the site. The CO zone includes development regulations ensuring compatibility, including limitation of uses, increased setbacks, and height limits.**

6. The proposed reclassification does not adversely affect public health, safety, and welfare; and

**The proposed reclassification will not adversely impact the public health, safety or welfare. See Exhibit B.**



7. If a comprehensive plan amendment is required in order to satisfy subsection C1 of this section, approval of the comprehensive plan amendment is required prior to or concurrent with the granting of an approval of the rezone.

**Agreed. The rezone would not occur unless and until the comprehensive plan map amendment redesignating the property to CO is adopted.**

19.15.250.D. *Development code amendment decision criteria.* The city may approve or approve with modifications a proposal to amend this code only if:

1. The amendment is consistent with the comprehensive plan; and

**Yes. See above. The zoning map change is consistent with the comprehensive plan.**

2. The amendment bears a substantial relation to the public health, safety, or welfare; and

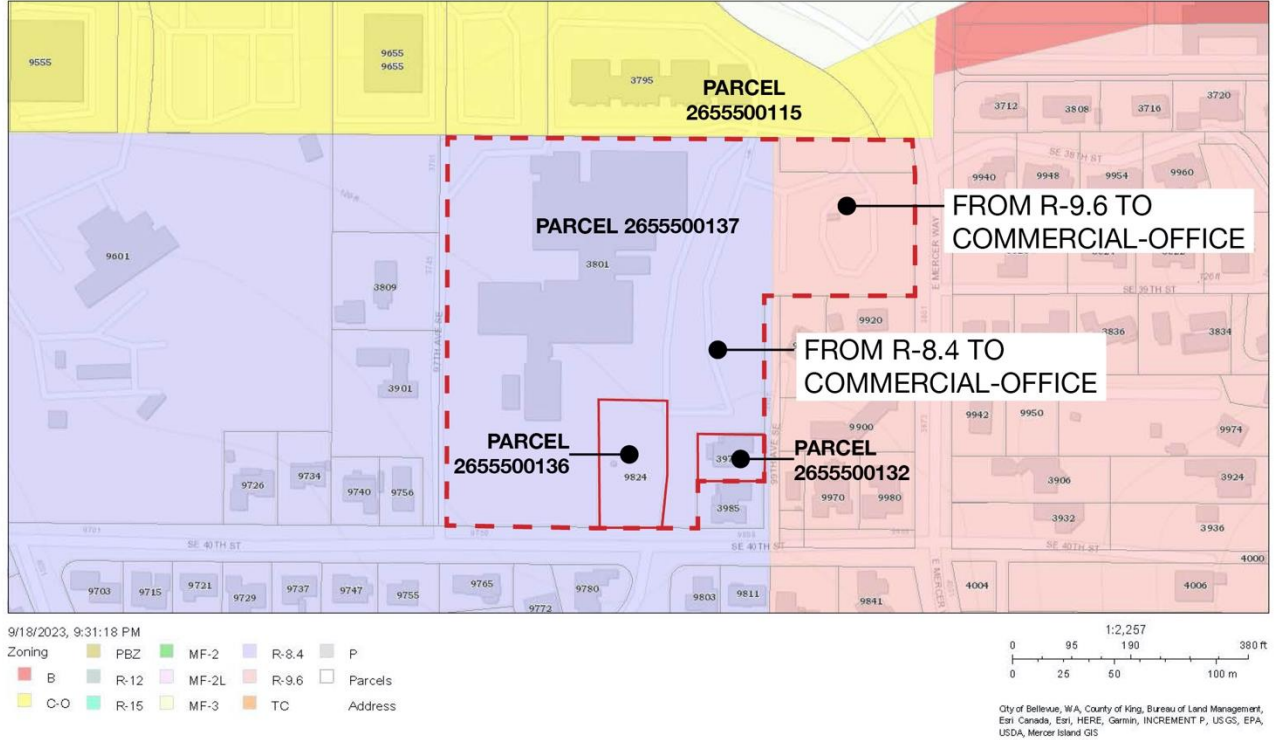
**Yes. See above. The amendment benefits public health, safety, and welfare.**

3. The amendment is in the best interest of the community as a whole.

**Yes. See Exhibit B as well as the application above. A rezone of property allowing the SJCC to be renovated would allow the SJCC to remain on Mercer Island, which is beneficial of the Mercer Island community as a whole.**

# Exhibit A Zoning Map Change

ArcGIS Web Map





## Exhibit B

### Benefits of the Zoning Map Change

There are several benefits to the Zoning Map change:

The Stroum Jewish Community Center has served Mercer Island residents since opening in 1969. For nearly 55 years, “the J” has welcomed people of every age, culture, and religion to build and amplify profound connection; creating and fortifying community that contributes significantly to the communal fabric of Mercer Island. Today the SJCC reaches nearly 3,000 Mercer Island households throughout the year. On any given day, the J welcomes hundreds of Mercer Island residents, providing year-round early childhood education to over 200 children, afterschool care and recreational programming to dozens of middle schoolers, summer camp to ~450 Mercer Island children, and a series of character-building and fitness offerings for teenagers and young adults. For adults, the SJCC presents daily recreation programs for hundreds exercising individually or in group classes, including about 30 seniors who exercise in AquaFit or Rock Steady Boxing<sup>1</sup>, building muscle strength and friendships that endure challenges facing mature adults. Added to that, the J has a community garden, teaches and hosts mahjong and bridge, organizes communal hikes, and provides a series of cultural arts programs in Mercer Island’s only functioning performing arts hall outside of the school district. With 30+ programs a year, SJCC brings feature films, dance, live music, culinary arts programs, and special topics to the entire community on Mercer Island. The SJCC ensures, through private financial support, that these programs are available to everyone, regardless of one’s ability to pay.

As one of the longest-standing institutions on Mercer Island, the SJCC has helped connect and welcome generations of MI families, assuring MI residents—whether they are new or returning to their hometown—feel welcome and supported along life’s journey.

The SJCC has also been one of Mercer Island’s largest employers, with nearly 140 year-round employees and over 215 summer employees. For many, the J is the first job they have, building responsibility and leadership skills, lifesaving skills like CPR, and a sense of purpose and community.

In addition to the Mercer Island residents involved with the SJCC, the J brings people from around the Greater Seattle area that often, in addition to engaging with the J, will spend time and resources on Mercer Island for coffee, grocery shopping, dining, dry cleaning, and shopping at Island Books, Terra Bella, and more.

The J’s vision is to be the Puget Sound’s most open and welcoming community-centered Jewish organization. SJCC leads with community in everything they do, and believes that many of the tightly woven MI bonds have started and been sustained through connections at the Stroum JCC. As a private organization, funded through programming fees and substantial private philanthropy, SJCC is the only private organization on Mercer Island that makes it possible for

---

<sup>1</sup> Rock Steady Boxing is supported by the King County Get Active/Stay Active program and serves people living with Parkinson’s disease.

anyone to participate in their activities and programs, regardless of income, race/ethnicity, orientation, religion, or residence. With the increasing pressure of the cost of living on MI, the J remains accessible, welcoming, and community-oriented for everyone and anyone.

A departure from Mercer Island, driven by an inability to rebuild facilities, would leave a vacuum. People of all ages would have fewer programs to choose from and fewer affordable options for fitness, enrichment, education, entertainment, gardening, and more. With the adoption of HB110 in the State legislature in 2023, the land on which The J is built—nearly eight and a half acres of residential property—could be converted into a housing development of approximately three dozen homes, 50 or more duplexes, and potentially, over 125 quadplexes with one (1) in four (4) being developed as affordable housing. An updated SJCC, on the other hand, would provide more certainty for neighbors and MI, while also mitigating lighting, traffic, and noise issues. Improved ADA accessibility would ensure people of all capabilities could safely and comfortably navigate the property and facility, and modern technology would assure the J is more environmentally sustainable. With sophisticated landscaping, the J would offer more attractive and low impact vegetation, better integrating the SJCC in its surroundings.

In summary, the SJCC has been a Mercer Island mainstay for over 50 years. Hundreds of families rely on the SJCC for child development and childcare, character development, jobs, personal and professional enrichment, friendship in times of strength and strife, and the confidence knowing that they belong at the J, a place where everyone is welcome. A City Council decision to rezone the SJCC's residentially zoned properties to Commercial Office zoning would bring comfort to everyone directly and indirectly touched by the J and the surrounding neighborhood, providing the certainty of knowing the J would continue to serve as a place that offers convenient opportunity for profound Islander connections for every generation.

## Exhibit C

### Environmental Benefits of the Zoning Map Change

There are several benefits to the Zoning Map change:

- The Zoning Map change will align long-standing and ongoing operations with the City's Zoning Map and facilitate the rebuild/renovation of the SJCC. This will result in the following environmental benefits from the current SJCC:
  - A building that is compliant with current energy and environmental codes. The buildings were constructed in 1969 and 1980. A new and renovated building would use far less energy and would use sustainable building materials and techniques, including high efficiency mechanical and electrical systems.
  - A site that is compliant with current stormwater codes. Currently the parking lot sheet flows into the stormwater system. Low impact design and compliance with the current stormwater manual would be required of a new SJCC.
  - A building with sufficient parking capacity and traffic flow. Currently the parking for the SJCC and traffic flow can be congested. The new SJCC would include a one-story tall parking garage that is mostly buried underground to mitigate visual impacts, which would add parking stalls the building needs for adequate parking capacity. The rearrangement of the site would also allow for sufficient room for traffic queuing during busy pick-up and drop-off times, reducing current traffic issues in the area.
  - A large setback buffer from the single-family properties to the south. The proposed setbacks will reduce noise and light impacts from the current SJCC.
  - No parking lights on the south side of the property near single family residents. Currently light from parking lights may spill into neighboring houses and properties. All new lights would be placed to eliminate light spillage, and any required light fixtures would be cut-off to shield light.

**From:** [Angela Battazzo](#)  
**To:** [Deb Estrada](#)  
**Subject:** Appearance of conflict disclosure prior to 11/15 commission meeting  
**Date:** Wednesday, November 15, 2023 4:29:02 PM

---

Deb –

Please add this email, including my statement below, as my written disclosure of “appearance of conflict” pursuant to MICC 2.60.030(B) for the quasi-judicial public meeting on Docket Item 18.

I am loosely affiliated with people who have expressed support for the project, but I have not had any discussions or conversations with anyone about this issue. I do know the agent/consultant attorney listed on the docket application. I consider Jessica Clawson a social friend. She and I have NOT had any conversations or discussions about this project. I was not aware that she was involved in this issue until I reviewed the docket application.

Thank you,  
Angie Battazzo

**From:** [Victor Raisys](#)  
**To:** [Deb Estrada](#)  
**Cc:** [Alison Van Gorp](#); [Bio Park](#); [Mary Swan](#)  
**Subject:** "Appearance of conflict" pursuant to MICC 2.60.030(B) for the 11/15/23 quasi-judicial public meeting on Docket Item 18  
**Date:** Tuesday, November 14, 2023 7:26:19 PM

---

Deb –

Please add this email, including my statement below, as my written disclosure of “appearance of conflict” pursuant to MICC 2.60.030(B) for the quasi-judicial public meeting on Docket Item 18.

I believe that I have the appearance of conflict as it applies to items below:

- I have social relationships with a number of the parties involved
- I recognize that a number of the parties involved are customers of my business
- I’ve have/have had a business relationship with the SJCC

Victor Raisys

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 19, 2023 5:17 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Rezoning of Property occupied by the Stroum Jewish Community Center

Comment received to the Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Edward Flash <edwardflash65@yahoo.com>  
**Sent:** Thursday, October 19, 2023 5:07 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Rezoning of Property occupied by the Stroum Jewish Community Center

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

Growing up on Mercer Island I know the important role the SJCC plays in the community on Mercer Island and beyond with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is n

Item 1.

Thank you for your support and consideration.

Edward Flash

Attended East Seattle Elementary School, Mercer View Elementary School, North Mercer Junior High and Mercer Island High School



## Deb Estrada

---

**From:** Katharine Lamperti <klamperti@gmail.com>  
**Sent:** Thursday, October 12, 2023 11:10 AM  
**To:** Planning Commission  
**Subject:** Request for rezoning for SJCC

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness. Our children attending SJCC camps when they were younger, performed in theater through partnership with YTN, and most recently, our youngest worked as a summer camp counselor.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Katharine and Thomas Lamperti

--  
*"Our lives begin to end the day we become silent about things that matter." - Martin Luther King, Jr*

**Deb Estrada**

---

**From:** Yoela Zimberoff <yoelaz.h@gmail.com>  
**Sent:** Thursday, October 19, 2023 4:06 PM  
**To:** Planning Commission  
**Subject:** Regarding Stroum Jewish Community Center request to rezone land

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Yoela Zimberoff

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: SJCC Property  
**Date:** Thursday, October 19, 2023 4:48:34 PM  
**Importance:** High

---

Comment received to the Planning Commission mailbox

[Andrea Larson](#)  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

---

**From:** Jason Koehler <jason@rkkconstruction.com>  
**Sent:** Thursday, October 19, 2023 4:16 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** SJCC Property  
**Importance:** High

Dear Mercer Island Planning Commission,

This is VITAL to our community. They can't be led to think we don't want them.

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact

on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Jason Koehler, MI resident for 46 years.

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 19, 2023 5:17 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Rezoning of Property occupied by the Stroum Jewish Community Center

Comment received to the Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Edward Flash <edwardflash65@yahoo.com>  
**Sent:** Thursday, October 19, 2023 5:07 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Rezoning of Property occupied by the Stroum Jewish Community Center

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

Growing up on Mercer Island I know the important role the SJCC plays in the community on Mercer Island and beyond with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is n

Item 1.

Thank you for your support and consideration.

Edward Flash

Attended East Seattle Elementary School, Mercer View Elementary School, North Mercer Junior High and Mercer Island High School

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Friday, October 20, 2023 8:30 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: JCC

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Denise Joffe <manner5@mac.com>  
**Sent:** Thursday, October 19, 2023 9:36 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** JCC

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.



Thank you for your support.

*Item 1.*

Paul Manner, MD

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Friday, October 20, 2023 8:31 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: JCC

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** denisejoffe@mac.com <denisejoffe@mac.com>  
**Sent:** Thursday, October 19, 2023 9:35 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** JCC

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Item 1.

Denise Joffe, MD

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Friday, October 20, 2023 2:31 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: SJCC remodel

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Laurie Koehler <callbutch@comcast.net>  
**Sent:** Friday, October 20, 2023 12:28 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** SJCC remodel

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Laurie and Randy Koehler

Joan Hirshberg

Item 1.

Sent from my iPhone

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Friday, October 20, 2023 3:42 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum Jewish Community Center

Comment Received to Planning Commission mailbox.

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Adena Levi <adenalevi@yahoo.com>  
**Sent:** Friday, October 20, 2023 3:23 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum Jewish Community Center

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sincerely,

Adena Levi, teacher at the Stroum Jewish Community Center for five years

*Item 1.*



## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Monday, October 23, 2023 10:13 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Planning Commission: Approve the SJCC rezone!

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Jon Newman <jonn\_msft@hotmail.com>  
**Sent:** Saturday, October 21, 2023 10:09 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Cc:** Jon Newman <jonn\_msft@hotmail.com>; naomi.newman@live.com  
**Subject:** Planning Commission: Approve the SJCC rezone!

To the Mercer Island Planning Commission:

As a long-time resident of North Mercer Island, I ask that the Mercer Island City Council promptly add the Stroum Jewish Community Center's (SJCC) request to their 2024 docket, to rezone their residential land parcels to Commercial Office status.

The SJCC is a long-time asset to Mercer Island, but its physical plant is outdated in several regards. The pool is past its lifetime, the HVAC needs an update, and multiple changes are required for ADA compliance. Substantial redevelopment is required, but this is not possible with residential zoning. Commercial Office status would enable this remodel, while protecting both the neighborhood and the neighbors.

Any city should be eager to protect and upgrade a key asset like the SJCC, especially with private funding. Note that this request only affects the SJCC, not other facilities on Mercer Island.

Thank you for your prompt action!

Jon and Naomi Newman  
 9097 North Mercer Way

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Monday, October 23, 2023 10:14 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum Jewish Community Center

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox.

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Kayla Locke <kaylalocke17@gmail.com>  
**Sent:** Monday, October 23, 2023 7:07 AM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum Jewish Community Center

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island. The time to support the future of the Stroum Jewish Community Center on Mercer Island is now. Thank you for your support.

Kayla Locke, 4741 90th Ave SE Mercer Island, WA 98040. Grew up on Mercer Island and have owned a home for over 6 years.

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Monday, October 23, 2023 10:16 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: SJCC rezone request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox.

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Kathleen Sullivan Hurwitz <kathleensullivan14@gmail.com>  
**Sent:** Monday, October 23, 2023 9:01 AM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** SJCC rezone request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness. We have been members of the J for many years, and have two children that are part of the amazing preschool program. Our membership and the community we've built was one of the main reasons we moved to MI.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this

request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

Item 1.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Monday, October 23, 2023 11:28 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum Jewish Community Center

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Comment received to Council mailbox.

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Kayla Locke <kaylalocke17@gmail.com>  
**Sent:** Monday, October 23, 2023 7:10 AM  
**To:** Council <council@mercergov.org>  
**Subject:** Stroum Jewish Community Center

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sincerely,

Kayla Locke, 4741 90th Ave SE Mercer Island WA 98040. Grew up on Mercer island and have owned for over 6 years

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Monday, October 23, 2023 2:19 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: SJCC Rezoning Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Lesley Malakoti <[lmalakoti@gmail.com](mailto:lmalakoti@gmail.com)>  
**Sent:** Monday, October 23, 2023 2:02 PM  
**To:** Planning Commission <[Planning.Commission@mercergov.org](mailto:Planning.Commission@mercergov.org)>  
**Subject:** SJCC Rezoning Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

As a Mercer Island resident, we use the SJCC facilities frequently and the whole community will be well served by improving the facilities, increasing the parking and easing traffic flow.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Lesley Malakoti

8885 SE 36th St., MI



## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Monday, October 23, 2023 4:30 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC and upcoming docket

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Jessica Prince <jgprince@hotmail.com>  
**Sent:** Monday, October 23, 2023 3:30 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC and upcoming docket

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

I've been a member since 1993 and the place was tired even back then. We need this rezone now; it's critical to the future and best for the community.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Jessica Prince  
 3940 96<sup>th</sup> Ave SE



## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Monday, October 23, 2023 4:31 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum Jewish Community Center's request to rezone

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Leslie Rubenstein <lilrubie@hotmail.com>  
**Sent:** Monday, October 23, 2023 3:26 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum Jewish Community Center's request to rezone

Dear Mercer Island Planning Commission,

I grew up on Mercer Island and have always been a part of the Stroum Jewish Community Center (SJCC). When my parents moved to Mercer Island in the early 70's, they enrolled my brother in the SJCC preschool. Soon after this, I was born and also enrolled. I remember being in the preschool, learning to swim, going to day camp, attending BBYO youth group, and starting my career in fitness. I worked as a camp counselor in my teens, in customer service during college, and then being director of the Group Exercise programs, and more. My parents met all of their friends there who have become my family.

Needless to say, the JCC is a huge part of my life. I have become even more aware over the years of how important this community center is to people on Mercer Island and beyond and I am so happy to be a part of it. When teaching my fitness classes I see every ethnicity, every faith, every age group in my classes, and I welcome all with open arms. I could tell so many stories of the amazing community that has been created in my classes, in the fitness center, in the pool, and in the early childhood area, and I am more than happy to share.

For this reason, I ask that you please recommend that the Mercer Island City Council places the SJCC's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

My classes, along with the other facilities are bursting at the seams, both in the numbers of people growing, and the deteriorating building. I would like people to understand how the SJCC brings so much to this community, and how it is such an important part of people's mental and physical wellness to be part of a community. There's nothing else quite like it.

Thank you for considering this amazing opportunity to the Mercer Island and surrounding communities.

Sincerely,

Leslie Rubenstein

3236 80<sup>th</sup> Ave SE, Mercer Island, WA 98040

Simeon Rubenstein

5327 84<sup>th</sup> PL SE, Mercer Island, WA 98040

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Monday, October 23, 2023 4:51 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Support for a Remodeled SJCC

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Karin Cole <[karin.alpert@gmail.com](mailto:karin.alpert@gmail.com)>  
**Sent:** Monday, October 23, 2023 4:34 PM  
**To:** Planning Commission <[Planning.Commission@mercergov.org](mailto:Planning.Commission@mercergov.org)>  
**Subject:** Support for a Remodeled SJCC

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

*Item 1.*

Karin Cole

Mercer Island Resident

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Tuesday, October 24, 2023 4:00 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Support for the Stroum Jewish Community Center

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Jamie Kezner <jamiekezner@gmail.com>  
**Sent:** Tuesday, October 24, 2023 3:42 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Support for the Stroum Jewish Community Center

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

As a native of Mercer Island who chose to return to raise her family here, the SJCC was is a fixture in my childhood and is the same for my children. It is where I went to preschool, learned how to swim and do gymnastics, where I forged life-long friendships and thankfully I got to pass that down to my children, who are able to say the same. Mercer Island is a special community and the SJCC is one of things that makes it special, please do not rely on dated zoning decisions on a place that people feel at home and safe.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

**The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.**

Thank you for your support.





## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Tuesday, October 24, 2023 11:53 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Be Visionary Leaders Now: Support SJCC request to be on 2024 docket

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Elaine Kraft <ejk9151@gmail.com>  
**Sent:** Tuesday, October 24, 2023 11:46 AM  
**Subject:** Be Visionary Leaders Now: Support SJCC request to be on 2024 docket

My family first moved to Mercer Island in 1948. I am a 1969 MIHS grad. I have seen many changes on the Island over 70 plus years. The changes were most often led by visionary leaders ((like Aubrey Davis) who made important decisions regarding the quality of life for the Island and its residents with great foresight and the willingness to act.

For most of my years I have found a focus for my life at the SJCC, as did my parents, grandparents, brothers, children and grandchildren. It was indeed the center not just of the Jewish community but often the Island as well. The building today still serves hundreds of thousands of individuals who need support, who want to gather and meet others, who attend for arts and culture as well as education opportunities for all ages. Cultural and holiday events draw even more. My grandchildren should have these same opportunities. The bulk of people who come to the J live here, but others come to the J, shop here, go to local merchants, and gather here. The J truly is a community center.

But the J is old. It is tired. The pool has outlived its useful life. The HVAC simply doesn't work. The building is not ADA compliant. Lots of patches, updates and other fixes have been done over the years. But the time to allow the J to be renovated and redeveloped is now. The council and planning commission have been aware of this need for many years and have even tried various zoning/planning directions that were dismal failures.

The J comes to the City to ask that it allow this venerable Island institution to thrive, as it has helped so many other such institutions on the Island thrive. The J asks only for a rezone for *its facility only*, so there will be no impact on other institutions. The neighbors have had half a dozen years of input which our designers have incorporated into the updated facility plans.

It would be a terrible thing to lose this great facility and its services to another community which would be our last resort. We are sure you -- like J users --don't want to have just another housing development, with affordable housing, in that space, serving only a few when a revitalized J serves thousands each week. These decisions will be up to you.

**The time to act, to be leaders and to really be visionary for the Island, is NOW.**

Please put the J on the docket for 2024. Approve its plans so it can continue to serve Island residents and members as well as provide important programming and offerings. We have people we need to serve. And we will. But to do so,

and continue to do it well, we ask that you show leadership for the J just as you have for other institutions on the Island.

Item 1.

Thank you

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Tuesday, October 24, 2023 11:56 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Re-Zoning JCC

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment Received to Planning Commission mailbox

Andrea Larson  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

From: Carrie Wernick Newman <carrie@wernicknewman.com>  
 Sent: Monday, October 23, 2023 4:47 PM  
 To: Planning Commission <Planning.Commission@mercergov.org>; Council <council@mercergov.org>  
 Subject: Re-Zoning JCC

Dear Mercer Island Planning Commission & City Council Members,

Please recommend that the Mercer Island City Council & Planning Commission place the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

The SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

Thank you for your support.

Sincerely,  
 Carrie Wernick  
 3422 97th Ave. SE  
 Mercer Island  
 Resident since 2008 & live close to the JCC

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 7:36 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum Jewish Community Center

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** jgoldberg777@comcast.net <jgoldberg777@comcast.net>  
**Sent:** Wednesday, October 25, 2023 5:02 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum Jewish Community Center

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Item 1.

Thank you for your support.

Jack Goldberg

713-962-0936

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 7:37 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Please help the JCC from an island resident of 30 years

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Jeremy Locke <[jeremydlocke1@gmail.com](mailto:jeremydlocke1@gmail.com)>  
**Sent:** Wednesday, October 25, 2023 7:11 PM  
**To:** Planning Commission <[Planning.Commission@mercergov.org](mailto:Planning.Commission@mercergov.org)>  
**Subject:** Please help the JCC from an island resident of 30 years

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

I've been a respondent for 30 years

Jeremy Locke

Mid island 🌴

Thank you for your support.

Jeremy Locke



## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 7:38 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Rezoning Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Alice Friedman <[alicef.54@gmail.com](mailto:alicef.54@gmail.com)>  
**Sent:** Wednesday, October 25, 2023 7:20 PM  
**To:** Planning Commission <[Planning.Commission@mercergov.org](mailto:Planning.Commission@mercergov.org)>  
**Subject:** Rezoning Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is n

Item 1.

Thank you for your support.

Alice Friedman

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 7:38 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Voice Your Support for the J's Revitalization

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Sarah Fletcher <fletchsa1@gmail.com>  
**Sent:** Wednesday, October 25, 2023 7:22 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>; amyl@jcc.org; Council <council@mercergov.org>  
**Subject:** Fwd: Voice Your Support for the J's Revitalization

Hello, I just received this. I am sorry, I support the Stroum Jewish Community Center, but no way in the world do I support this massive project for that area. This is the size of a the whole of the south end Town Center. This is supposed to be a single-family residential neighborhood, not commercial and certainly not a whole change of a zone. People were bulking at the Legislature passing fourplexes and duplexes in single-zoned residential neighborhoods, but the JCC want to bring in a huge sportsfield and more buildings. And I would like to know, let's say, the City allows this, what is stopping someone else or a church group asking for the same thing? Can anyone ask for a rezone of a property from single-family residential to commercial? The one school on the island the School District is looking at closing, I would rather the JCC look at that property or even the Civic Center which is closed for asbestos. And I would like to know what the plan is for traffic? Everyone knows that it is a nightmare for traffic at the East Mercer Way intersection in the mornings. No-one seems to be doing anything about the traffic which already is a problem. And I don't know where they get "Revitalized" from. It is not a revitalization but the introduction of a whole other zone. I actually thought this JCC/Herzl was put to rest, I can't believe it is still ongoing. Please stop with this folly. Please make sure I am on record as opposing this massive development/city for a single-zoned residential neighborhood which the community I do not believe asked for and I am sure the neighbors do not want it and who should be consulted on as they are the ones whose neighborhood is going to be changed forever.

Sarah Fletcher

----- Forwarded message -----

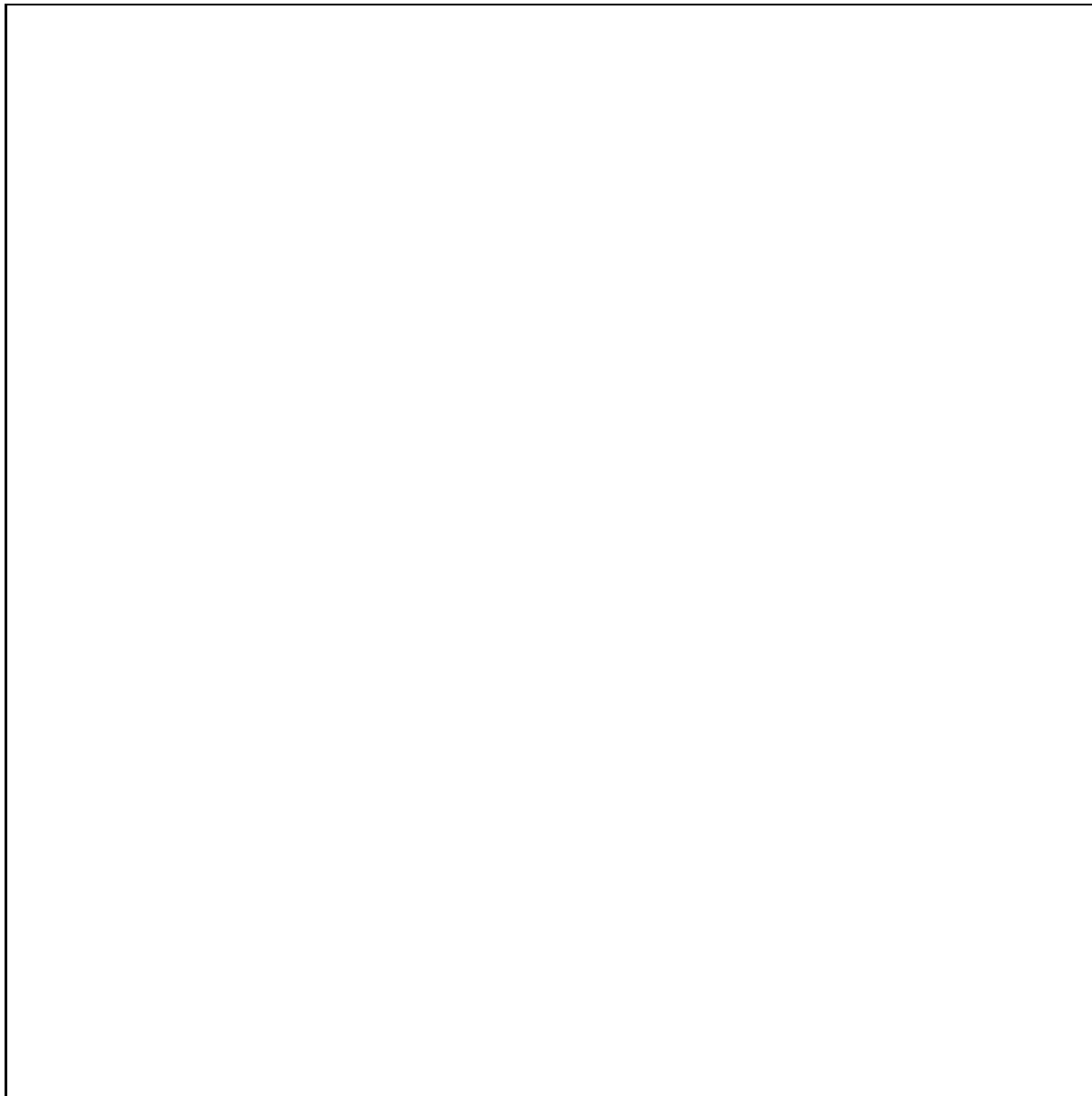
**From:** Stroum Jewish Community Center <[enews@sjcc.org](mailto:enews@sjcc.org)>  
**Date:** Wed, Oct 25, 2023 at 7:03 PM

Subject: Voice Your Support for the J's Revitalization

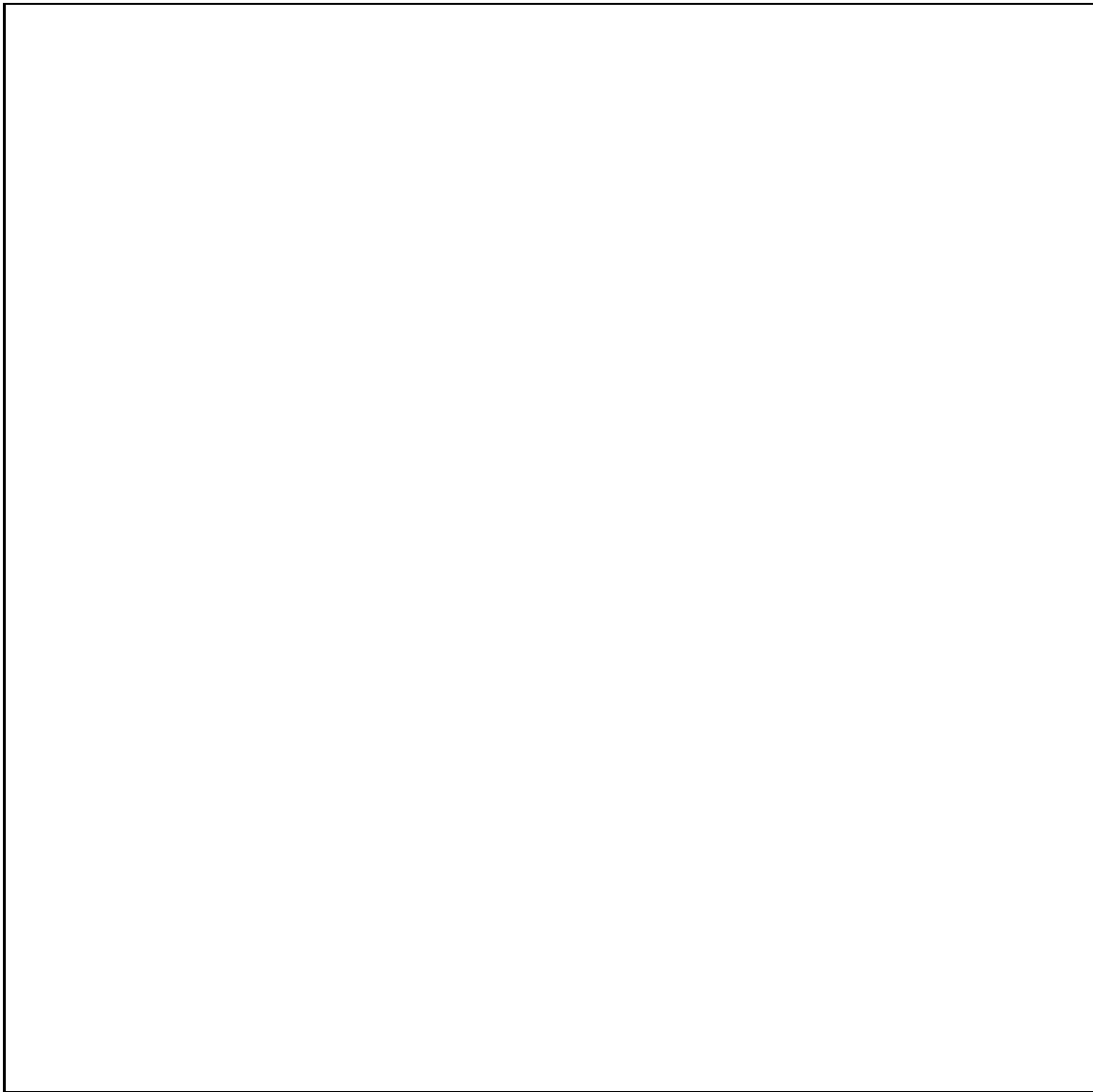
To: <[fletchsa1@gmail.com](mailto:fletchsa1@gmail.com)>

Item 1.

[View this email in your browser](#)



*Community lifts us up and holds us together in the best and worst of times. The SJCC is proud to be a gathering place for our community, which is why it's more important than ever to voice your support for the SJCC's future on Mercer Island.*



## Voice Your Support for a Revitalized SJCC

*Email the Mercer Island Planning Commission by November 15*

The SJCC has announced the intent to significantly remodel our facilities and we need your help to make it a reality. Please voice your support to the Mercer Island Planning Commission **before November 15**, to request this topic be placed on the 2024 docket for Mercer Island City Council.

Here's how you can help:

1. Email your support to [planning.comission@mercerisland.gov](mailto:planning.comission@mercerisland.gov) by November 15. If you prefer to compose your own message, you can find suggested email text [here](#).
2. Attend the Mercer Island Planning Commission meeting on November 15 to voice your support. Email [AmyL@sjcc.org](mailto:AmyL@sjcc.org) for details.

**Moving Forward to Better Serve the Mercer Island Community**

For the past 54 years, the SJCC has served the entire community of Mercer Island and beyond. Our proposed renovation will revitalize our facilities to help us build on our vision to be the most open and welcoming community-centered Jewish organization in the Puget Sound region.

**Learn more about the inspiring design [here](#).**

To facilitate this redevelopment, the SJCC submitted a request to the city of Mercer Island to rezone our property from a Residential zoning designation to a Commerical Office designation, which is better aligned with our operations.

The proposed renovation builds on feedback from neighbors, members, and our broader community and addresses the critical need to replace obsolete facilities and provide ADA accessibility in a safe, comfortable, and contemporary space to learn, grow, meet, and build community.

Thank you for helping the SJCC move forward.

---

---

*Copyright © 2023 Stroum Jewish Community Center, All rights reserved.*

You are receiving this email because you opted in at our website or expressed interest in receiving emails from the SJCC.

**Our mailing address is:**

Stroum Jewish Community Center  
3801 East Mercer Way  
Mercer Island, WA 98040

[Add us to your address book](#)

Want to change how you receive these emails?

You can [update your preferences](#) or [unsubscribe from this list](#).

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 7:39 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: SJCC remodel

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Terry Azose <tlazose@gmail.com>  
**Sent:** Wednesday, October 25, 2023 7:29 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** SJCC remodel

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.



The time to support the future of the Stroum Jewish Community Center on Mercer Island is n

Thank you for your support.

David and Terry Azose  
(206) 450-0995 cell  
7740 81st Pl. SE  
MI

We have lived on Mercer Island for 37 years and currently, all of our adult children and grandchildren live on the Island. Our children went to preschool, summer camp, swimming lessons at the SJCC before we moved to the island. All 8 of our grandchildren have gone through preschool, after school programs, swimming, camp at the J. We take classes, play pickle ball, and exercise at the J. The facilities are in desperate need of updating, remodeling and care to bring it back to the vibrant facility that will serve not only the Jewish population but Mercer Island and neighboring communities.

(David Azose, was a member of the Mercer Island planning commission for many years)

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 7:40 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Please support the Plan to rezone the Stroum JCC property. It needs a major renovation and they have a good plan.

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Julie Chivo <julie.chivo@gmail.com>  
**Sent:** Wednesday, October 25, 2023 7:29 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Please support the Plan to rezone the Stroum JCC property. It needs a major renovation and they have a good plan.

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Julie Chivo, a resident of Mercer Island since 2011

2824 61st Avenue SE

Mercer Island

*Item 1.*

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 7:40 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Support for SJCC Proposal

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** naaman heyman <naaman.hey@gmail.com>  
**Sent:** Wednesday, October 25, 2023 7:31 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Support for SJCC Proposal

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Naaman Heyman

Item 1.

8275 Merrimount Dr. 2 years on MI

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 7:41 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: SJCC

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** cheryl cohen <[cherylbd2@gmail.com](mailto:cherylbd2@gmail.com)>  
**Sent:** Wednesday, October 25, 2023 8:18 PM  
**To:** Planning Commission <[Planning.Commission@mercergov.org](mailto:Planning.Commission@mercergov.org)>  
**Subject:** SJCC

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is n

Item 1.

Thank you for your support.

Cheryl Cohen

[Cherylbd2@gmail.com](mailto:Cherylbd2@gmail.com)

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 7:42 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum Jewish Community Center Rezoning

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Brandon Hellman <hellman.m.brandon@gmail.com>  
**Sent:** Wednesday, October 25, 2023 9:19 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum Jewish Community Center Rezoning

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.





## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 7:43 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Renovation Needs

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Jonathan Stern (GDE) <Stern.Jonathan@microsoft.com>  
**Sent:** Wednesday, October 25, 2023 9:22 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Renovation Needs

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this

request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

Item 1.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Jonathan Stern

6942 96<sup>th</sup> Ave SE, Mercer Island, WA

Resident of Mercer Island since 2003

Sent from [Mail](#) for Windows

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 7:43 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

Andrea Larson  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

**From:** Stephanie Shujman <steph.shujman@gmail.com>  
**Sent:** Wednesday, October 25, 2023 9:34 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Stephanie Shujman



## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 7:44 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

Andrea Larson  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

**From:** skeltonmv@gmail.com <skeltonmv@gmail.com>  
**Sent:** Wednesday, October 25, 2023 9:36 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sent from my iPhone

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 7:45 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

Andrea Larson  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW). The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

**From:** BRUCE B LEVY <westcoastfish@hotmail.com>  
**Sent:** Wednesday, October 25, 2023 9:39 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Bruce & Sharon Levy

Mercer Island Residents  
206-930-8222

*Item 1.*



## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 7:45 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Request for SJCC rezone to be included on the docket

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Brooke Pariser <[brookepariser@gmail.com](mailto:brookepariser@gmail.com)>  
**Sent:** Wednesday, October 25, 2023 9:57 PM  
**To:** Planning Commission <[Planning.Commission@mercergov.org](mailto:Planning.Commission@mercergov.org)>  
**Subject:** Request for SJCC rezone to be included on the docket

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Brooke Pariser

3861 80th Ave. SE Mercer Island, WA 98040

36 year Mercer Island Resident

Sent from my iPhone

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 7:46 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Rezoning the SJCC

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Kara Azose <kara.azose@gmail.com>  
**Sent:** Wednesday, October 25, 2023 10:18 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Rezoning the SJCC

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is n

Item 1.

Thank you for your support.

Kara Azose

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 7:47 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

Andrea Larson  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

**From:** Ned Porges <nedporges@comcast.net>  
**Sent:** Wednesday, October 25, 2023 10:22 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

--

Edward Ned Porges, Ed.D. Seattle WA 206-229-2315

--

This email has been checked for viruses by Avast antivirus software.

<https://gcc02.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.avast.com%2F&data=05%7C01%7Ccalison.van.gorp%40mercer.gov.org%7C772f56b34f0d4920083b08dbd632579d%7Cced2aa098b804de2b9dd7410b6965ed0%7C0%7C0%7C638339283918978665%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ikl1haWwiLCJXVCi6Mn0%3D%7C3000%7C%7C%7C&sdata=C2qzIHBWkWmoDYLUqiBPVhk3hhDRgik6mrydDmMYJug%3D&reserved=0>

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 7:47 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Avi Mizrahi <[avijmizrahi@gmail.com](mailto:avijmizrahi@gmail.com)>  
**Sent:** Wednesday, October 25, 2023 10:33 PM  
**To:** Planning Commission <[Planning.Commission@mercergov.org](mailto:Planning.Commission@mercergov.org)>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 7:48 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Nicole Wheat <nicolekap@gmail.com>  
**Sent:** Wednesday, October 25, 2023 10:41 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.



Thank you for your support.

Nicole Wheat

8035 SE 33rd pl

Mercer Island

Mercer Island resident since 2017

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 7:48 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Support rezoning of the SJCC

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Ann Lokey <amlokey@gmail.com>  
**Sent:** Wednesday, October 25, 2023 10:56 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Support rezoning of the SJCC

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is n

Item 1.

Thank you for your support.

Ann Lokey, 6107 SE 32nd St, MI - 27 year resident

Sent from my iPad

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 7:49 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Ron Leibsohn <[rleibsohn@leibsohn.com](mailto:rleibsohn@leibsohn.com)>  
**Sent:** Wednesday, October 25, 2023 11:13 PM  
**To:** Planning Commission <[Planning.Commission@mercergov.org](mailto:Planning.Commission@mercergov.org)>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Ronald Leibsohn  
[rleibsohn@leibsohn.com](mailto:rleibsohn@leibsohn.com)  
 425-890-6737

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 7:49 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Support for Stroum JCC

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Jon Bloomberg <[jonbloomberg@gmail.com](mailto:jonbloomberg@gmail.com)>  
**Sent:** Wednesday, October 25, 2023 11:56 PM  
**To:** Planning Commission <[Planning.Commission@mercergov.org](mailto:Planning.Commission@mercergov.org)>  
**Subject:** Support for Stroum JCC

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. My family has loved this community facility, and my two children have gone to preschool here.

The facility is well past its useful life. Both practically (ADA, HVAC, etc) and aesthetically (compared with JCC facilities in other major metros).

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

*Item 1.*

Jon Bloomberg and Family

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 7:50 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

Andrea Larson  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

**From:** Denise Ipock <deniseipock@yahoo.com>  
**Sent:** Thursday, October 26, 2023 12:12 AM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sent from my iPhone

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 7:50 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Pamela Miller <pamela.joy.miller@gmail.com>  
**Sent:** Thursday, October 26, 2023 5:21 AM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission, Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024. For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness. It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors. For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island. The time to support the future of the Stroum Jewish Community Center on Mercer Island is now. Thank you for your support.



## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 7:51 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

Andrea Larson  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

**From:** Norman Gilinsky and Susan Templeton <sunormco@gmail.com>  
**Sent:** Thursday, October 26, 2023 6:05 AM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Norman L. Gilinsky



## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 7:51 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

Andrea Larson  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

**From:** Eric Adler <ericladler@gmail.com>  
**Sent:** Thursday, October 26, 2023 6:11 AM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Eric Adler

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 7:52 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Carla Tobis <cjtobis@gmail.com>  
**Sent:** Thursday, October 26, 2023 6:15 AM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Carla Greenbaum  
 Mercer Island resident since 1986

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 8:04 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Please help the JCC from an island resident of 30 years

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Jeremy Locke <[jeremydlocke1@gmail.com](mailto:jeremydlocke1@gmail.com)>  
**Sent:** Thursday, October 26, 2023 7:53 AM  
**To:** Planning Commission <[Planning.Commission@mercergov.org](mailto:Planning.Commission@mercergov.org)>  
**Subject:** Please help the JCC from an island resident of 30 years

Dear Mercer Island Planning Commission,  
 Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

I've been a respondent for 30 years

Jeremy Locke

Mid island 🌴

Thank you for your support.

Jeremy Locke

**Deb Estrada**

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 8:05 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: SJCC's rezoning request, please approve

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

**Andrea Larson**

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Rachel Silberstein <rachsilberstein@gmail.com>  
**Sent:** Thursday, October 26, 2023 7:57 AM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** SJCC's rezoning request, please approve

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

The SJCC is an absolute treasure, providing ordinary families who can't afford the exclusive and elitist country clubs that dominate the island, with opportunities to swim, work out, and play. MI should do everything in its power to develop its mission.

Thank you,

Rachel

\*\*\*\*\*

Rachel Silberstein

Book Reviews Editor, [Textile History](#)

### Recent publications

"Fashion in Ming and Qing China" in [The Cambridge Global History of Fashion](#) (Cambridge: Cambridge University Press, 2023), eds. Giorgio Riello, Christopher Breward and Beverly Lemire

[A Fashionable Century: Textile Artistry and Commerce in the Late Qing](#) (University of Washington Press, 2020)

- Winner of the 2021 [Millia Davenport Publication Award](#) sponsored by the Costume Society of America
- Honorable Mention, 2023 [Bei Shan Tang Monograph Prize](#)



## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 3:54 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** susan glick <[glickshop@gmail.com](mailto:glickshop@gmail.com)>  
**Sent:** Thursday, October 26, 2023 8:36 AM  
**To:** Planning Commission <[Planning.Commission@mercergov.org](mailto:Planning.Commission@mercergov.org)>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

I wrote earlier but wanted to add something. I have lived in many towns and what mercer island city does not provide are classes and opportunities for recreation and growth. (Not talking about events such as halloween and summer concerts.) If the paltry offerings of the city rec department are going to stay as is and not planning to expand than give the J what it needs to pick up the slack. I suspect city sponsored classes are few because the city is low on money. But it is a shame the city offers so little for recreation.

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

*Item 1.*

Thank you for your support.

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 3:55 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: SJCC

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Marty Nelson <[martysnelson@hotmail.com](mailto:martysnelson@hotmail.com)>  
**Sent:** Thursday, October 26, 2023 8:50 AM  
**To:** Planning Commission <[Planning.Commission@mercergov.org](mailto:Planning.Commission@mercergov.org)>  
**Subject:** SJCC

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Marty Nelson (23 year Mercer Island resident)

Item 1.

3695 W Mercer Way

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 3:55 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Jennifer Goodrich <jennifer.r.goodrich@gmail.com>  
**Sent:** Thursday, October 26, 2023 8:52 AM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Jennifer Goodrich - MI resident for 12 years

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 3:56 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: JCC Rezone support

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** mbstarnes@comcast.net <mbstarnes@comcast.net>  
**Sent:** Thursday, October 26, 2023 8:59 AM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** JCC Rezone support

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island  
now.

Item 1.

Thank you for your support.

Margie Starnes

6200 SE 27<sup>th</sup> Street, Resident since 2006

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 3:57 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

Andrea Larson  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

**From:** Pam Feinstein <pam@chutzpa.com>  
**Sent:** Thursday, October 26, 2023 9:16 AM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

I am asking you to please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant (e.g. there is no elevator or place to install an elevator for those unable to use stairs), needs a working HVAC system and, as someone who swims several times per week, it features a swimming pool that is long past its usefulness. It also was not originally built to be the secure campus that now is necessary.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. I know many members who are Mercer Island residents and members even though they are not Jewish. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.





**Deb Estrada**

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 3:57 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

**Andrea Larson**

City Clerk  
City of Mercer Island  
206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** austindcohn@gmail.com <austindcohn@gmail.com>  
**Sent:** Thursday, October 26, 2023 9:40 AM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

This project is long overdue, please get this process moving.

Thank you,

Austin Cohn

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Stroum JCC Rezone Request  
**Date:** Thursday, October 26, 2023 3:57:41 PM

---

Comment received to Planning Commission mailbox

[Andrea Larson](#)  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

---

**From:** Marla Goldberg <[marla@marlagoldberg.com](mailto:marla@marlagoldberg.com)>  
**Sent:** Thursday, October 26, 2023 9:55 AM  
**To:** Planning Commission <[Planning.Commission@mercergov.org](mailto:Planning.Commission@mercergov.org)>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Marla Goldberg

MI resident 20 years ( my husband resident 59 years)

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Friday, October 27, 2023 8:30 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Paul Amato <pra717@yahoo.com>  
**Sent:** Thursday, October 26, 2023 10:03 AM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission, Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024. For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness. It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors. For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island. The time to support the future of the Stroum Jewish Community Center on Mercer Island is now. Thank you for your support.

Warmly, Dr. Paul Amato

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Friday, October 27, 2023 8:31 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

Andrea Larson  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

From: Linda <Linda98004@comcast.net>  
 Sent: Thursday, October 26, 2023 10:20 AM  
 To: Planning Commission <Planning.Commission@mercergov.org>  
 Subject: Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sent from my iPhone

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Friday, October 27, 2023 8:31 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Gayle Palmer <gayle1041@hotmail.com>  
**Sent:** Thursday, October 26, 2023 10:40 AM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Friday, October 27, 2023 8:32 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: SJCC Rezone Feedback

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Trea Diament <treadiament@gmail.com>  
**Sent:** Thursday, October 26, 2023 11:06 AM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** SJCC Rezone Feedback

Dear Mercer Island Planning Commission,

As a neighbor of the JCC, I strongly support their plan to modernize the facility. Families need a nice, updated community center. By allowing this to go through, MI parents will have a great location for summer camps, after school activities, swim lessons, and cultural activities. The older the facility gets, the more parents choose Bellevue, and the more our on-island community degrades.

Thank you for your support.  
 Trea Diament



## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Friday, October 27, 2023 8:32 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Tori Schwartz <[toris@jewishinseattle.org](mailto:toris@jewishinseattle.org)>  
**Sent:** Thursday, October 26, 2023 11:12 AM  
**To:** Planning Commission <[Planning.Commission@mercergov.org](mailto:Planning.Commission@mercergov.org)>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

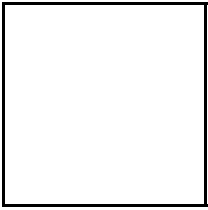
For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.



[Donate Now >>](#)

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Friday, October 27, 2023 8:37 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Brian Goffman <brian.goffman@gmail.com>  
**Sent:** Thursday, October 26, 2023 11:32 AM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

---  
 Brian Goffman  
 c: (206) 618-4900  
[brian.goffman@gmail.com](mailto:brian.goffman@gmail.com)



## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Friday, October 27, 2023 8:39 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Form submission from: Contact the City

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Contact the City mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** City of Mercer Island <[mercerisland-wa@municodeweb.com](mailto:mercerisland-wa@municodeweb.com)>  
**Sent:** Thursday, October 26, 2023 10:04 AM  
**To:** Customer Service Mailbox <[customerservice@mercerisland.gov](mailto:customerservice@mercerisland.gov)>  
**Subject:** Form submission from: Contact the City

Submitted on Thursday, October 26, 2023 - 10:04am

Submitted by user: Visitor

Submitted values are:

Name Andree Brooka  
 Email [andreebrooks@hotmail.com](mailto:andreebrooks@hotmail.com)  
 Phone Number 203-722-1613  
 Question/Comment  
 Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

[insert your name, and if appropriate, insert your MI address and years in resident on MI]  
Mercer Island City Council Email

Email the Mercer Island City Council at [council@mercerisland.gov](mailto:council@mercerisland.gov) and copy the info below into your email.

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sincerely,  
Andree Brooks

Please support the Stroum community Center, It is such a worthwhile resource.

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Friday, October 27, 2023 8:40 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Please approve the SJCC request to rezone from a residential zoning designation to a Commercial Office designation

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Aaron Lavin <lavin\_aaron@hotmail.com>  
**Sent:** Thursday, October 26, 2023 11:40 AM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Please approve the SJCC request to rezone from a residential zoning designation to a Commercial Office designation

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this

request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

Item 1.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Aaron Lavin

7835 SE 22<sup>nd</sup> Pl. 98040

20 year resident of Mercer Island



## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Friday, October 27, 2023 8:40 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: JCC Renovation

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

Andrea Larson  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW). The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

From: Alan Tesler <atesler3@comcast.net>  
 Sent: Thursday, October 26, 2023 12:19 PM  
 To: Planning Commission <Planning.Commission@mercergov.org>  
 Subject: JCC Renovation

To the Mercer Island Planning Commission-

My wife and I have been Mercer Island residents since December 1984, and have been members of the Stroum Jewish Community Center since shortly after we moved here.

We have seen the evolution of the JCC over the last nearly 40 years, and have been frequent users of the facility. The JCC serves a wide portion of the Mercer Island and Eastside community, including many non-Jewish residents. As such, it is a valuable community asset to the Seattle Jewish community and the broader Mercer Island community as well.

Unfortunately, with the passage of time, in spite of several minor remodels over the years, the building has aged and needs modernization. The leadership of the JCC has developed a renovation plan, but to fulfill it, the land parcels need to be rezoned from Residential to Commercial Office. The renovation will impact only the JCC and have no adverse impact on the surrounding residential and commercial properties.

Please recommend that the JCC's request for rezoning be placed on the City Council's docket for action in 2024. I believe the JCC deserves your support.

Thank you.

Sincerely,

Alan Tesler



## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Friday, October 27, 2023 8:41 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Rezoning for the JCC

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Harvey Kanter <[hrkanter@gmail.com](mailto:hrkanter@gmail.com)>  
**Sent:** Thursday, October 26, 2023 12:29 PM  
**To:** Council <[council@mercergov.org](mailto:council@mercergov.org)>; Planning Commission <[Planning.Commission@mercergov.org](mailto:Planning.Commission@mercergov.org)>  
**Cc:** Harvey Kanter <[hrkanter@gmail.com](mailto:hrkanter@gmail.com)>  
**Subject:** Rezoning for the JCC

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Item 1.

Harvey Kanter, 12 Meadow Ln, Mercer Island, WA 98040

**Deb Estrada**

---

**From:** Andrea Larson  
**Sent:** Friday, October 27, 2023 8:41 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

**Andrea Larson**

City Clerk  
City of Mercer Island  
206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Garrett Hyman <garretthyman@yahoo.com>  
**Sent:** Thursday, October 26, 2023 12:39 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

-GSH

=====  
Garrett S. Hyman, MD, MPH, FACSM, FABPMR, CAQSM

Lake Washington Sports & Spine  
[www.lakewass.com](http://www.lakewass.com)  
[www.seattlesoccermedicine.com](http://www.seattlesoccermedicine.com)  
[www.healthoptimizationprogram.com](http://www.healthoptimizationprogram.com)  
Consultant Physician -- Sports Medicine  
Independent Practice Proud

=====



CONFIDENTIALITY NOTICE: This e-mail message, including any attachments, is for the sole use of the intended recipient(s). The information contained in this message is private and confidential, may contain legally protected health information and may be subject to one or more non-disclosure agreements, HIPAA privacy regulations and other laws. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Friday, October 27, 2023 8:41 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Request to rezone the JCC from Residential to Commercial Office

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Jeff Hsu <jjhsu2@gmail.com>  
**Sent:** Thursday, October 26, 2023 1:02 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Request to rezone the JCC from Residential to Commercial Office

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Jeff Hsu  
 7203 W Mercer Way - 20 year resident

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Friday, October 27, 2023 8:42 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: SJCC proposal

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Dodi Nov <drdodi@bellevuesmiles.com>  
**Sent:** Thursday, October 26, 2023 1:14 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** SJCC proposal

Dear Mercer Island Planning Commission,

I live across the street from the SJCC

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.



Thank you for your support.

Item 1.

Dodi Nov

3838 E Mercer Way

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Friday, October 27, 2023 8:42 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum Jewish Community Center's request to rezone

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** akarp31@gmail.com <akarp31@gmail.com>  
**Sent:** Thursday, October 26, 2023 2:19 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum Jewish Community Center's request to rezone

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island  
now.

Item 1.

Thank you for your support.

Abby Marcus, 7014 SE 20th ST, Mercer Island resident 12 years

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Friday, October 27, 2023 8:43 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

Andrea Larson  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

From: Deborah <Dlevinger99@hotmail.com>  
 Sent: Thursday, October 26, 2023 4:34 PM  
 To: Planning Commission <Planning.Commission@mercergov.org>  
 Subject: Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Friday, October 27, 2023 8:44 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Liz Friedman <eabf00@yahoo.com>  
**Sent:** Thursday, October 26, 2023 4:41 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The SJCC team - both the staff and board leadership - have been working with the City of Mercer Island for years to move this project forward as a benefit to the whole Mercer Island community. The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Liz Friedman, 2035 80th Ave SE, Mercer Island - 20 year MI resident, 20 year SJCC member, and former SJCC Board President

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Friday, October 27, 2023 8:44 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

Andrea Larson  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

From: Ann Blake <asportygal@comcast.net>  
 Sent: Thursday, October 26, 2023 5:36 PM  
 To: Planning Commission <Planning.Commission@mercergov.org>  
 Subject: Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Ann Blake

Sent from my iPhone



## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Friday, October 27, 2023 8:45 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Thomas Odell <tomeodell@gmail.com>  
**Sent:** Thursday, October 26, 2023 6:28 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission, Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024. For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness. It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors. For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island. The time to support the future of the Stroum Jewish Community Center on Mercer Island is now. Thank you for your support.

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Friday, October 27, 2023 8:45 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Larry Schlessinger <larrys33@msn.com>  
**Sent:** Thursday, October 26, 2023 6:37 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Larry Schlessinger

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Friday, October 27, 2023 9:42 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

Andrea Larson  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

**From:** Gloria Milner <gloriamilner@gmail.com>  
**Sent:** Thursday, October 26, 2023 7:56 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sent from my iPhone

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Friday, October 27, 2023 9:46 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Beverly Pressey <[beverlypressey@gmail.com](mailto:beverlypressey@gmail.com)>  
**Sent:** Thursday, October 26, 2023 9:09 PM  
**To:** Planning Commission <[Planning.Commission@mercergov.org](mailto:Planning.Commission@mercergov.org)>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.  
 Bevelry Pressey and family  
 Mercer Island resident, 28 years

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Friday, October 27, 2023 9:58 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Moses Mwangi <englishmuseum@icloud.com>  
**Sent:** Thursday, October 26, 2023 11:11 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Cc:** info@sjcc.org; amy@sjcc.org  
**Subject:** Stroum JCC Rezone Request

**Dear Mercer Island City Council,**

We are writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility institution on the Island.

Item 1.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sincerely,

CEO  
Moses Mwangi

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Friday, October 27, 2023 9:59 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

Andrea Larson  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

**From:** Stacy Gilmore <drsgilmore@me.com>  
**Sent:** Friday, October 27, 2023 7:27 AM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Friday, October 27, 2023 10:00 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Arnie Gersch <[agersch@outlook.com](mailto:agersch@outlook.com)>  
**Sent:** Friday, October 27, 2023 8:00 AM  
**To:** Planning Commission <[Planning.Commission@mercergov.org](mailto:Planning.Commission@mercergov.org)>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.



## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Friday, October 27, 2023 10:02 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum Jewish Community Center's request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Carl A. Bianco <[cabianco@biancoproperties.com](mailto:cabianco@biancoproperties.com)>  
**Sent:** Friday, October 27, 2023 9:13 AM  
**To:** Planning Commission <[Planning.Commission@mercergov.org](mailto:Planning.Commission@mercergov.org)>  
**Cc:** Council <[council@mercergov.org](mailto:council@mercergov.org)>  
**Subject:** Stroum Jewish Community Center's request

To: Mercer Island Planning Commission & City Council and City Council,

We are writing to request that the Planning Commission and City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

Since we arrived on M.I. almost 43 years ago, the SJCC has been part of our life. With both athletics and all kinds of other activities, we have spent many hours at the "J". Everyone knows this building needs updating, and it needs it badly.

It is your responsibility to act in the interests of the majority of your population. Please do so and approve their request.

If you have any questions, we can be contacted as shown below. Thank you.

From:

Carl and Joann Bianco  
 8700 North Mercer Way • Mercer Island, WA • 98040

His Cell/Primary: (206) 853-6017 • Her Cell: (206) 898-6286  
Almost 43 years as residents of Mercer Island  
Previously at 7210 North Mercer Way, Mercer Island

Item 1.

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Friday, October 27, 2023 10:03 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

Andrea Larson  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

**From:** Rochelle Goffe <rochellegoffe@gmail.com>  
**Sent:** Friday, October 27, 2023 9:45 AM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Friday, October 27, 2023 10:31 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Council mailbox

Andrea Larson  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

**From:** Gloria Milner <gloriamilner@gmail.com>  
**Sent:** Thursday, October 26, 2023 7:56 PM  
**To:** Council <council@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sent from my iPhone

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Friday, October 27, 2023 3:12 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Supporting the SCJJ Revitalization Project

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Leanne Bellar Gordon <[leanne.b.gordon@gmail.com](mailto:leanne.b.gordon@gmail.com)>  
**Sent:** Friday, October 27, 2023 12:55 PM  
**To:** Planning Commission <[Planning.Commission@mercergov.org](mailto:Planning.Commission@mercergov.org)>  
**Subject:** Supporting the SCJJ Revitalization Project

Dear MI Planning Commission,

I am a resident of Mercer Island and have a family with three children between the ages of 2-7. Please recommend that the MI City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

Thank you for your support!

Leanne Gordon, age 37, three year resident of First Hill on Mercer Island

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Friday, October 27, 2023 3:11 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment Received to Planning Commission mailbox

Andrea Larson  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

**From:** Meghan Meehan <mmeehan8@gmail.com>  
**Sent:** Friday, October 27, 2023 10:38 AM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Meghan Meehan

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Monday, October 30, 2023 3:33 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Supporting the SCJJ Revitalization Project

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Seth Gordon <[gordon.seth@gmail.com](mailto:gordon.seth@gmail.com)>  
**Sent:** Saturday, October 28, 2023 7:00 AM  
**To:** Planning Commission <[Planning.Commission@mercergov.org](mailto:Planning.Commission@mercergov.org)>  
**Subject:** Supporting the SCJJ Revitalization Project

Dear MI Planning Commission,

I am a resident of Mercer Island and have a family with three children between the ages of 2-7. Please recommend that the MI City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

Thank you for your support!

Seth Gordon, age 39, three year resident of First Hill on Mercer Island, 3 children ages 2-7 :)

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Monday, October 30, 2023 3:33 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** mossnpeg@aol.com <mossnpeg@aol.com>  
**Sent:** Saturday, October 28, 2023 11:44 AM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission, Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024. For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness. It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors. For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island. The time to support the future of the Stroum Jewish Community Center on Mercer Island is now. Thank you for your support.



## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Monday, October 30, 2023 3:34 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Support for SJCC Rezone

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Jean Klein <[jeankanklein@gmail.com](mailto:jeankanklein@gmail.com)>  
**Sent:** Sunday, October 29, 2023 2:44 PM  
**To:** Planning Commission <[Planning.Commission@mercergov.org](mailto:Planning.Commission@mercergov.org)>  
**Subject:** Support for SJCC Rezone

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Item 1.

Jean Klein  
5360 Lansdowne Lane  
49 year resident of Mercer Island

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Monday, October 30, 2023 3:34 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Steve Lewis <SLewis@pspipe.com>  
**Sent:** Sunday, October 29, 2023 2:46 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.




For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Steve Lewis  
**Steve Lewis**  
 Chief Financial Officer



Email: [SLewis@pspipe.com](mailto:SLewis@pspipe.com) | Phone: (253) 796-9350  
Web: [www.pspipe.com](http://www.pspipe.com) | Cell: (206) 947-4040  
7816 S. 202nd Street | Kent | WA | 98032   

---

## PSP is now open in **Spokane, WA and Salem, OR**

 Please consider the environment before printing this email message.

Disclaimer:

This message contains confidential information and is intended only for the message recipient. If you are not the message recipient you should not disseminate, distribute or copy this e-mail. Please notify [SLewis@pspipe.com](mailto:SLewis@pspipe.com) immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. E-mail transmission cannot be guaranteed to be secure or error-free as information could be intercepted, corrupted, lost, destroyed, arrive late or incomplete, or contain viruses. Steve Lewis therefore does not accept liability for any errors or omissions in the contents of this message, which arise as a result of e-mail transmission. If verification is required please request a hard-copy version.

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Monday, October 30, 2023 3:34 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: The J

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Barbara Cohen <cohenhead1@mac.com>  
**Sent:** Sunday, October 29, 2023 3:05 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** The J

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Barby Cohen

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Monday, October 30, 2023 3:35 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Re zoning the SJCC

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Lisa Porad <lisa@lisaporad.com>  
**Sent:** Sunday, October 29, 2023 3:07 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Re zoning the SJCC

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is n

Item 1.

Thank you for your support.

Lisa Porad  
2445 74th Ave SE  
Mercer Island, WA 98040  
Island resident 25 years. Grew up at the J

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Monday, October 30, 2023 3:35 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Jeff Miles <jmiles0531@aol.com>  
**Sent:** Sunday, October 29, 2023 3:33 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

[Sent from AOL on Android](#)



## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Monday, October 30, 2023 3:36 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

Andrea Larson  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

**From:** Lynn Wartnik <tony2lynni@comcast.net>  
**Sent:** Sunday, October 29, 2023 4:00 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Monday, October 30, 2023 3:36 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

Andrea Larson  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

**From:** Jean Dunbabin <jeandunbabin@outlook.com>  
**Sent:** Sunday, October 29, 2023 4:18 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

J is best institution on the island

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sent from my iPad  
Jean Dunbabin

*Item 1.*

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Monday, October 30, 2023 3:37 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: SJCC Rezone

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Scott Porad <[scott@porad.com](mailto:scott@porad.com)>  
**Sent:** Sunday, October 29, 2023 5:47 PM  
**To:** Planning Commission <[Planning.Commission@mercergov.org](mailto:Planning.Commission@mercergov.org)>  
**Subject:** SJCC Rezone

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Scott Porad  
 2445 74th Ave SE  
 Mercer Island, WA 98040

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Monday, October 30, 2023 3:37 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

Andrea Larson  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

**From:** Theresa Lieberman <theresaclieberman@gmail.com>  
**Sent:** Sunday, October 29, 2023 5:48 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Theresa Lieberman

Sent from my iPad

**Deb Estrada**

---

**From:** Andrea Larson  
**Sent:** Monday, October 30, 2023 3:37 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

Andrea Larson  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

**From:** Avi Freedman <af@thefitnessoutlet.com>  
**Sent:** Sunday, October 29, 2023 6:08 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Avi Freedman





**Deb Estrada**

---

**From:** Andrea Larson  
**Sent:** Monday, October 30, 2023 3:38 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

Andrea Larson  
City Clerk  
City of Mercer Island  
206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
The City of Mercer Island utilizes a hybrid working environment. Please see the City’s Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

From: Leslie Rousso <lshtabs@gmail.com>  
Sent: Sunday, October 29, 2023 6:30 PM  
To: Planning Commission <Planning.Commission@mercergov.org>  
Subject: Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center’s request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It’s time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.  
Leslie Rousso

Sent from my iPhone

Item 1.

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Monday, October 30, 2023 3:38 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

Andrea Larson  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

**From:** Betty Ann Richmond <bettyannrichmond@comcast.net>  
**Sent:** Sunday, October 29, 2023 8:48 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sent from my iPhone

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Monday, October 30, 2023 3:39 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum Jewish Community Center re-zoning request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Ken Wolfe <ken@wolfedwelling.com>  
**Sent:** Sunday, October 29, 2023 10:40 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum Jewish Community Center re-zoning request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Ken Wolfe  
 7012 81<sup>st</sup> Avenue SE  
 Mercer Island, WA 98040

15 year resident

Item 1.

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Monday, October 30, 2023 3:39 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: SJCC Rezone

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Gloria Wolfe <[gloria@wolfedwelling.com](mailto:gloria@wolfedwelling.com)>  
**Sent:** Sunday, October 29, 2023 10:56 PM  
**To:** Planning Commission <[Planning.Commission@mercergov.org](mailto:Planning.Commission@mercergov.org)>  
**Subject:** SJCC Rezone

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is n

Item 1.

Thank you for your support.

Gloria Wolfe  
MI Resident for 15+ years

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Monday, October 30, 2023 3:40 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: SJCC rezone

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Nigel Maughan <nigel.maughan@gmail.com>  
**Sent:** Monday, October 30, 2023 7:54 AM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** SJCC rezone

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.



Regards

*Item 1.*

Nigel Maughan  
MI resident

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Monday, October 30, 2023 3:40 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Bruce Anderson <[bruce@mbanderson.net](mailto:bruce@mbanderson.net)>  
**Sent:** Monday, October 30, 2023 8:17 AM  
**To:** Planning Commission <[Planning.Commission@mercergov.org](mailto:Planning.Commission@mercergov.org)>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support. M. Bruce Anderson – 206-397-3579 or [bruce@mbanderson.net](mailto:bruce@mbanderson.net): A resident of Mercer Island since 1980.

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Monday, October 30, 2023 3:40 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: SJCC rezone request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Rachel Hyman <rachshyman@yahoo.com>  
**Sent:** Monday, October 30, 2023 8:32 AM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** SJCC rezone request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is n

Item 1.

Thank you for your support.

Rachel Hyman  
6924 SE Allen St, MI  
An Islander for over 20 years!

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Tuesday, October 31, 2023 9:08 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: JCC remodel!

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Stephanie King <[stephaniedbartley@gmail.com](mailto:stephaniedbartley@gmail.com)>  
**Sent:** Monday, October 30, 2023 6:22 PM  
**To:** Planning Commission <[Planning.Commission@mercergov.org](mailto:Planning.Commission@mercergov.org)>  
**Subject:** JCC remodel!

Dear Mercer Island Planning Commission,

Given this is a prewritten letter below, even though it does a great job of recapping my feelings about this project, I want to add a personal note because this really matters to me. Our youngest daughter attended pre-school at the JCC, learned to swim in that pool, and was my very first attempt at getting a trainer to get in shape, oh and I met my very best "mom friend". So as someone who loved what the JCC brought to our community as a parent on the island I just want to reiterate that it would be amazing to have a wonderful remodeled JCC as a community asset!

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly

facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Stephanie & Matt King (one of us was born and raised on the island and the other is 17+ years)

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Tuesday, October 31, 2023 9:09 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: proposed rezone for Stroum Jewish Community Center

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** PAUL BURSTEIN <burstein62@comcast.net>  
**Sent:** Monday, October 30, 2023 8:31 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** proposed rezone for Stroum Jewish Community Center

Dear Mercer Island Planning Commission,

I am writing to urge you to ask the Mercer Island City Council to act favorably on the Stroum JCC's rezone request—to change the zoning from residential to commercial office—during 2024.

The SJCC has been an important resource for many thousands of Mercer Island residents (as well as residents of other, nearby communities) for well over 50 years, providing a high-quality preschool, after-school programs, summer camp, and many other programs for children; cultural programs of many kinds, including the showing of new movies, live entertainment, lectures, and events featuring well-known scholars, nationally recognized experts, and local figures who address topics of special concern to the Jewish community; a wide range of fitness and sports activities; celebrations of Jewish holidays that draw families from all over the Seattle area; and much, much more. Though the SJCC is the Jewish Community Center, it is open to all; the programs are inclusive, and the participants are diverse religiously, racially, ethnically, economically, and in terms of gender identity.

I think the SJCC adds immeasurably to the quality of life on Mercer Island. It provides a rich environment in which people, both Mercer Islands and other, can meet; brings together people who would not otherwise meet and creates a sense of community; and, very concretely, provides substantial employment, contributes (through its swim lessons and fitness programs for the elderly) to public health and safety, and responds to a strong public need for preschool and childrens' activities.

Unfortunately, the SJCC's facility is outdated and cannot meet the growing needs of the community. Significant improvements cannot be made, however, without the property being rezoned from residential to commercial office. I know that the SJCC has been working with its neighbors to

minimize the impact on the neighborhood of changes to the building and property, and, indeed, t  
SJCC hopes that its proposed improvements will improve the quality of life for its neighbors as well as  
the larger Mercer Island community and the Seattle area more generally.

I do hope you will make it possible for the SJCC to move forward with its proposed plans as  
expeditiously as possible.

Thanks for your consideration.

Paul Burstein  
8367 SE 30th Street, Mercer Island  
206.992.3981



## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Tuesday, October 31, 2023 12:59 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Tamar Heyman <tamar.haberfeld@gmail.com>  
**Sent:** Tuesday, October 31, 2023 11:32 AM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Tamar Heyman

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Tuesday, October 31, 2023 1:00 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** crawfb <crawfb@comcast.net>  
**Sent:** Tuesday, October 31, 2023 11:25 AM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.



## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Tuesday, October 31, 2023 2:09 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Laura Jantos <laura.jantos@gmail.com>  
**Sent:** Tuesday, October 31, 2023 1:38 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

**My family has been a member of SJCC for more than 20 years and I have used the facilities since the 1980s.** For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Laura Jantos  
 8225 SE 61st Street



## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Wednesday, November 1, 2023 5:41 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: SJCC 2024 Docket Request and Action

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Michele Kohorn <mref1@yahoo.com>  
**Sent:** Tuesday, October 31, 2023 6:39 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** SJCC 2024 Docket Request and Action

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this

request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

Item 1.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Warmly,

Michele

**Deb Estrada**

---

**From:** Andrea Larson  
**Sent:** Wednesday, November 1, 2023 5:42 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

Andrea Larson  
City Clerk  
City of Mercer Island  
206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
The City of Mercer Island utilizes a hybrid working environment. Please see the City’s Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

From: Barbara Mesher <bbmesher@aol.com>  
Sent: Tuesday, October 31, 2023 8:16 PM  
To: Planning Commission <Planning.Commission@mercergov.org>  
Subject: Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center’s request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It’s time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sent from my iPhone



## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Wednesday, November 1, 2023 5:42 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Gerald bernstein <g3bernste@comcast.net>  
**Sent:** Wednesday, November 1, 2023 10:19 AM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.  
 Gerald Bernstein, M.D.

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Wednesday, November 1, 2023 5:43 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: SJCC

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Dana Pruchno <danapruchno@hotmail.com>  
**Sent:** Wednesday, November 1, 2023 12:09 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>; Council <council@mercergov.org>  
**Subject:** SJCC

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this

request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

Item 1.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

William and Dana Pruchno  
MI Residents for 21 years  
7928 SE 76<sup>th</sup> St

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Wednesday, November 1, 2023 5:44 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Support for SJCC Revitalization Project

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Lara B. Cherry <lara.b.cherry@gmail.com>  
**Sent:** Wednesday, November 1, 2023 2:09 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Support for SJCC Revitalization Project

Dear Mercer Island Planning Commission,

Below you will find a copied and pasted (yet still very true email) in support of the revitalization of the SJCC; however, I'd first like to say a few words of personal support for the project. To be clear, I do not live on Mercer Island but have been contemplating whether that would be the right move for our family for several years now. There are things we love about living in Seattle, but sorely miss the lack of Jewish community facilities there. I grew up in Atlanta, where they did a massive renovation of the MJCC (Marcus Jewish Community Center) facility when I was in middle school, I believe. Both before and after its renovation, I spent countless days and evenings there at summer camps, classes, girl scout troop meetings, while my parents participated in activities like film festivals, art shows, softball and basketball leagues, etc. Later, my fledgling Jewish high school began on the MJCC property and we were lucky enough to have use of its facilities for all kinds of extracurriculars. It has been to my great dismay that we have no similar option in Seattle and has honestly been part of the reason we consider moving to Mercer Island. On the flip side, we love our child's private school in Seattle and are hesitant to move primarily for the community offered by both the island and its Jewish community (and Jewish community facility), especially when said facility is quite old and outdated. Were this facility to be updated, it would likely cement our decision to move to the island and possibly affect others in a similar manner. It would be a meeting place for the community at a time where that is sorely needed in the face of

rising antisemitism, and a place for families to gather, children to take swim and sports lessons, attend camps, and for the elderly to participate in group activities so vital to their physical and mental wellbeing. Thank you.

----

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center’s request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It’s time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

--

Lara B. Cherry  
[lara.b.cherry@gmail.com](mailto:lara.b.cherry@gmail.com)

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Friday, November 3, 2023 2:51 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Please Support the SJCC Plan!

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Alan Waldbaum <[alanwaldbaum@hotmail.com](mailto:alanwaldbaum@hotmail.com)>  
**Sent:** Thursday, November 2, 2023 6:36 PM  
**To:** Planning Commission <[Planning.Commission@mercergov.org](mailto:Planning.Commission@mercergov.org)>  
**Subject:** Please Support the SJCC Plan!

Dear Planning Commission,

I am 54 years old and practically grew up at the Stroum Jewish Community Center (SJCC). I went to pre-school there, I took swimming lessons there, I did gymnastics there, I played youth basketball there, I did BBYO there, I have always worked out there (even when I attended UW - because the IMA used to be so crowded back then!), I met my wife there, my kids attended pre-school there, did JExplorers and go to BBYO now. It is the heart of the Jewish people in the Seattle area -- and it needs your support. At a time when Antisemitism is rearing its ugly head everywhere -- we hope that Mercer Island will continue to stand as a beacon of light and a place where the Jewish people can feel safe.

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For my entire life, the SJCC has served Mercer Island residents with programs for all people -- not just Jewish people -- of all ages, all races, all economic backgrounds, all ethnicities. **However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.**

Please help us. It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Alan Waldbaum (206-853-7796)

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Monday, November 6, 2023 8:36 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Carol G <[ginsbergca@gmail.com](mailto:ginsbergca@gmail.com)>  
**Sent:** Friday, November 3, 2023 8:29 PM  
**To:** Planning Commission <[Planning.Commission@mercergov.org](mailto:Planning.Commission@mercergov.org)>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,  
 Hello.

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Carol Ginsberg  
 3230 80th Ave. SE  
 Mercer Island, WA 98040



## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Monday, November 6, 2023 8:36 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** meansmary@aol.com <meansmary@aol.com>  
**Sent:** Sunday, November 5, 2023 4:13 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission, Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024. For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness. It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors. For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island. The time to support the future of the Stroum Jewish Community Center on Mercer Island is now. Thank you for your support.

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Monday, November 6, 2023 8:37 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: SJCC Rezone Docket Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Tom W <tomw1415@gmail.com>  
**Sent:** Sunday, November 5, 2023 4:24 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** SJCC Rezone Docket Request

Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council place the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

The SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is n

Item 1.

Thank you for your support.

Tom Walsh

3817 80th Ave SE, Mercer Island WA 98040

206-310-6398

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Monday, November 6, 2023 8:37 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: JCC revisions

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Renee Eskenazi <renesken@comcast.net>  
**Sent:** Sunday, November 5, 2023 8:15 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** JCC revisions

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Renee Eskenazi

Item 1.

P.O. Box 530 Mercer Island WA 98040

27 years MI resident in total

Sent from my iPhone

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Monday, November 6, 2023 8:38 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: SJCC

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Chee San Choy <[choycheesan@gmail.com](mailto:choycheesan@gmail.com)>  
**Sent:** Sunday, November 5, 2023 9:52 PM  
**To:** Planning Commission <[Planning.Commission@mercergov.org](mailto:Planning.Commission@mercergov.org)>  
**Subject:** SJCC

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support. Mercer Island needs newer facilities to compete with neighboring cities and relevant to today's needs.

Item 1.

Thanks

Sandra Choy

**Deb Estrada**

---

**From:** Andrea Larson  
**Sent:** Monday, November 6, 2023 8:39 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

Andrea Larson  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

**From:** Barbara Rappoport <barbrappo@gmail.com>  
**Sent:** Monday, November 6, 2023 4:10 AM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Barbara Rappoport



Sent from my iPhone

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Monday, November 6, 2023 8:39 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Support SJCC remodeling

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Daisy Yanrui Zhang <[zyr8911@gmail.com](mailto:zyr8911@gmail.com)>  
**Sent:** Monday, November 6, 2023 7:18 AM  
**To:** Council <[council@mercergov.org](mailto:council@mercergov.org)>; Planning Commission <[Planning.Commission@mercergov.org](mailto:Planning.Commission@mercergov.org)>  
**Subject:** Support SJCC remodeling

Dear Mercer Island City Council,  
 I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Item 1.

Sincerely,  
Yanrui Zhang  
3056 61st Ave SE,  
Mercer Island,  
WA 98040  
Resident since 2019

**Deb Estrada**

---

**From:** Andrea Larson  
**Sent:** Monday, November 6, 2023 8:47 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum Jewish Community Center

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

Andrea Larson  
City Clerk  
City of Mercer Island  
206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW). The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

**From:** Sharon Lott <sharonlot@aol.com>  
**Sent:** Monday, November 6, 2023 8:40 AM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum Jewish Community Center

Hello, my husband and I and our family have lived on the island for over 46 years. My two sons and their families now live on the island. Our parents lived on the island, and our siblings still live on the island. My husband was born here. For the past 54 years we have been members of the SJCC. It provided camaraderie and exercise for our parents, preschool and afterschool activities for our children and grandchildren, and a place of community and safety for us all. It is in dire need of repair and rebuilding. Please consider rezoning so we can continue the tradition of community and care for us and our family. Thank you for listening and please help to make the island a better, happier and safer place to live. Thank you again, Marty and Sharon Lott.

**Deb Estrada**

---

**From:** Andrea Larson  
**Sent:** Tuesday, November 7, 2023 4:44 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

Andrea Larson  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

**From:** Matt Skelton <skeltonm@mac.com>  
**Sent:** Tuesday, November 7, 2023 1:02 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Matt Skelton

Sent from my iPad

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Tuesday, November 7, 2023 4:44 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Rezoning land parcels for the JCC

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Clarfeld, Michael <MClarfeld@clearbridge.com>  
**Sent:** Tuesday, November 7, 2023 2:17 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Rezoning land parcels for the JCC

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. I grew up at the JCC and it played a huge role in the person I have become. I made lifelong friends at the JCC and learned important skill there (how to work together, be part of a team and practice to become better).

However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you,

Michael Clarfeld

**Michael Clarfeld, CFA**  
Managing Director, Portfolio Manager

ClearBridge Investments  
620 Eighth Avenue, New York, NY 10018  
tel: 212-805-2056  
[MClarfeld@ClearBridge.com](mailto:MClarfeld@ClearBridge.com)



IMPORTANT: E-mail sent through the Internet is not secure. We therefore recommend that you do not send any confidential or sensitive information to us via electronic mail, including social security numbers, account numbers, or personal identification numbers. Delivery, and or timely delivery of Internet mail is not guaranteed. We therefore recommend that you do not send time sensitive or action-oriented messages to us via electronic mail. This message is intended for the addressee only and may contain privileged or confidential information. Unless you are the intended recipient, you may not use, copy or disclose to anyone any information contained in this message. If you have received this message in error, please notify the author by replying to this message and then kindly delete the message. Thank you.

**Deb Estrada**

---

**From:** Andrea Larson  
**Sent:** Thursday, November 9, 2023 10:24 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

Andrea Larson  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

**From:** Ingrid Eisenman <ilahti@me.com>  
**Sent:** Wednesday, November 8, 2023 6:17 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sent from my iPhone



## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, November 9, 2023 10:25 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: The Future of the SJCC

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Hart Cole <[john.hart.cole@gmail.com](mailto:john.hart.cole@gmail.com)>  
**Sent:** Wednesday, November 8, 2023 6:30 PM  
**To:** Planning Commission <[Planning.Commission@mercergov.org](mailto:Planning.Commission@mercergov.org)>  
**Subject:** The Future of the SJCC

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Hart Cole

MI Resident

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, November 9, 2023 10:25 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

Andrea Larson  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

**From:** Eric Monsowitz <ericmonsowitz@hotmail.com>  
**Sent:** Wednesday, November 8, 2023 6:44 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Eric

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, November 9, 2023 10:26 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Revitalizing the SJCC

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Kalai Socha-Leialoha <[kalai@socha.com](mailto:kalai@socha.com)>  
**Sent:** Wednesday, November 8, 2023 6:45 PM  
**To:** Planning Commission <[Planning.Commission@mercergov.org](mailto:Planning.Commission@mercergov.org)>  
**Subject:** Revitalizing the SJCC

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Best,  
Kalai Socha-Leialoha

Item 1.

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, November 9, 2023 10:27 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox


### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Mailer  <alanbunin@aol.com>  
**Sent:** Wednesday, November 8, 2023 6:46 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission, Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024. For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness. It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors. For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island. The time to support the future of the Stroum Jewish Community Center on Mercer Island is now. Thank you for your support.

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, November 9, 2023 10:29 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

Andrea Larson  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

**From:** Pallu <pallushah@comcast.net>  
**Sent:** Wednesday, November 8, 2023 6:50 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Thanks,Pallu

Sent from my iPhone

Item 1.



**Deb Estrada**

---

**From:** Andrea Larson  
**Sent:** Thursday, November 9, 2023 10:30 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

Andrea Larson  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

**From:** Parness Alma <alma.parness@gmail.com>  
**Sent:** Wednesday, November 8, 2023 7:05 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Alma Parness  
 2228 78th Ave SE

Mercer Island 98040

Item 1.

Sent from my iPhone

**Deb Estrada**

---

**From:** Andrea Larson  
**Sent:** Thursday, November 9, 2023 10:31 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

Andrea Larson  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

**From:** Prudy Bair <prudybair@icloud.com>  
**Sent:** Wednesday, November 8, 2023 7:26 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Prudence Bair  
 Sent from my iPhone

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, November 9, 2023 10:32 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Lois Fuhr <lfuhr@fuhrassoc.com>  
**Sent:** Wednesday, November 8, 2023 7:32 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Lois Fuhr  
 206.601.4868 (m)



**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Mercer Island Country Club Docket Request Support  
**Date:** Thursday, November 9, 2023 11:36:44 AM

---

Comment received to Planning Commission mailbox

[Andrea Larson](#)  
City Clerk  
City of Mercer Island  
206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

---

**From:** Josephine Orndorff <josephine.orndorff@outlook.com>  
**Sent:** Wednesday, November 8, 2023 7:37 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Mercer Island Country Club Docket Request Support

*Dear Commissioners,*

*I support the Mercer Island Country Club's Docket Request, which you are scheduled to consider at your November 15 meeting. I am ten years old, and in fifth grade at Island Park. I play in the Mercer Island Country Club junior program, and play tennis most days with friends and family. Please vote to recommend this request with high priority to our City Council. This Docket Request will allow our club to once again use a bubble over four of our outdoor tennis courts in the rainy months.*

*Thank you for your time and service to our community,*

*Jojo Orndorff*

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, November 9, 2023 11:37 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

Andrea Larson  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

From: Shang Shang <shangshang1224@gmail.com>  
 Sent: Wednesday, November 8, 2023 8:03 PM  
 To: Planning Commission <Planning.Commission@mercergov.org>  
 Subject: Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.  
 Shang Shang

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, November 9, 2023 11:38 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** michael gluck <gasm1g@yahoo.com>  
**Sent:** Wednesday, November 8, 2023 8:05 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission, Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024. For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness. It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors. For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island. The time to support the future of the Stroum Jewish Community Center on Mercer Island is now. Thank you for your support.

I stand fully behind the above statement. The facility is extensively used by children, parents, athletes, wannabe athletes, community members, silver sneakers, and many others. The renovation is many years overdue. Please support the rezone.

Michael Gluck, MD



## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, November 9, 2023 11:38 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Rosalie Frankel <[rocycle@gmail.com](mailto:rocycle@gmail.com)>  
**Sent:** Wednesday, November 8, 2023 8:24 PM  
**To:** Planning Commission <[Planning.Commission@mercergov.org](mailto:Planning.Commission@mercergov.org)>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024. For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island. The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

My family has participated in a wide variety of programs at the JCC as members for the past 30 years. The JCC is an important asset and resource for our community. It serves reach beyond Jewish families. My Christian neighbors send their son to the preschool and I have several non- Jewish friends who workout at the Gym. Improvement to this dated facility will benefit all residents of Mercer Island and the greater community.

I've lived on Mercer Island for over 30 years and feel this is a needed and important action.

Thank you,  
 Rosalie Frankel  
 2880 74th Ave SE, Mercer Island, WA 98040

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, November 9, 2023 11:38 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Rosalie Frankel <[rocycle@gmail.com](mailto:rocycle@gmail.com)>  
**Sent:** Wednesday, November 8, 2023 8:24 PM  
**To:** Planning Commission <[Planning.Commission@mercergov.org](mailto:Planning.Commission@mercergov.org)>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024. For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island. The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

My family has participated in a wide variety of programs at the JCC as members for the past 30 years. The JCC is an important asset and resource for our community. It serves reach beyond Jewish families. My Christian neighbors send their son to the preschool and I have several non- Jewish friends who workout at the Gym. Improvement to this dated facility will benefit all residents of Mercer Island and the greater community.

I've lived on Mercer Island for over 30 years and feel this is a needed and important action.

Thank you,  
 Rosalie Frankel  
 2880 74th Ave SE, Mercer Island, WA 98040

**Deb Estrada**

---

**From:** Andrea Larson  
**Sent:** Thursday, November 9, 2023 11:38 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

Andrea Larson  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

From: Lee <leatricesk@yahoo.com>  
 Sent: Wednesday, November 8, 2023 8:33 PM  
 To: Planning Commission <Planning.Commission@mercergov.org>  
 Subject: Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sent from my iPhone

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, November 9, 2023 11:39 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

Andrea Larson  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

**From:** Michael Magee <mjmagee@comcast.net>  
**Sent:** Wednesday, November 8, 2023 8:35 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, November 9, 2023 11:39 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum Jewish Community Center

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** MOSS PATASHNIK <mossnpeg@aol.com>  
**Sent:** Wednesday, November 8, 2023 9:18 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum Jewish Community Center

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.



## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, November 9, 2023 11:40 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

Andrea Larson  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

**From:** Tammy Cohen Silverstein <cohen.silverstein@gmail.com>  
**Sent:** Wednesday, November 8, 2023 9:49 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Tammy Cohen

585.314.9966

Item 1.



## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, November 9, 2023 11:40 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Samuel Ostroff <[sam.ostroff@gmail.com](mailto:sam.ostroff@gmail.com)>  
**Sent:** Wednesday, November 8, 2023 9:58 PM  
**To:** Planning Commission <[Planning.Commission@mercergov.org](mailto:Planning.Commission@mercergov.org)>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sincerely,  
 Samuel Ostroff

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, November 9, 2023 11:41 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: In favor of rezoning the SJCC

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Wayne Flowers <waynesflowers@yahoo.com>  
**Sent:** Wednesday, November 8, 2023 10:29 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** In favor of rezoning the SJCC

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you.  
 Wayne Flowers  
 2820 75th Pl SE, Mercer Island, WA 98040

[Sent from Yahoo Mail on Android](#)

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, November 9, 2023 11:41 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Support for SJCC

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Carin Jacobson <[csulman@comcast.net](mailto:csulman@comcast.net)>  
**Sent:** Wednesday, November 8, 2023 10:55 PM  
**To:** Planning Commission <[Planning.Commission@mercergov.org](mailto:Planning.Commission@mercergov.org)>  
**Subject:** Support for SJCC

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Carin Jacobson

Item 1.

2718 60th Ave SE

MI Resident for 47 years

Sent from my iPhone

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, November 9, 2023 11:41 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC rezone request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

Andrea Larson  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

**From:** Joan Lieberman-Brill <joanieLB@outlook.com>  
**Sent:** Wednesday, November 8, 2023 11:44 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC rezone request

Dear Mercer Island Planning Commission,

Please recommend to the City Council to place the request to rezone the Stroum JCC property from Residential to Commercial Office on the docket for consideration with action to be taken in 2024.

I am writing to express my support to rezone the property in order to redevelop the existing 54 year old facility to serve City residents into the future. Under current zoning limitations, the proposal would not be possible. The rezone would allow the use to expand in a way that honors the integrity of the surrounding residential neighborhood by meeting all development standards of the proposed zoning classification through the design review process.

The location of a community center so close to I-90 provides convenient access for the residents of the island as well as those commuting from the greater Seattle area. After a rezone is approved, the redevelopment and expansion proposal would be designed to reduce traffic congestion along East Mercer Way by creating better circulation into the site and adjoining French school. That would be an improvement for everyone in the neighborhood. With sensitive site planning, including meeting or exceeding required setbacks, height, landscaping, and buffering requirements of the Commercial Office zoning classification, the proposed rezone and redevelopment proposal will minimize adverse impacts and continue to be an asset to the community, hopefully for another 50+ years.

Thank you for your consideration.

Sincerely,

Joan Lieberman-Brill  
Former Mercer Island resident.

*Item 1.*

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, November 9, 2023 11:42 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Please help make our community better

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Lexruben <lexruben@gmail.com>  
**Sent:** Thursday, November 9, 2023 7:28 AM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Please help make our community better

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Alexis Rubenstein  
7410 87th pl se  
Mercer Island, Wa 98040  
Sent from my mobile device



## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, November 9, 2023 11:42 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Please approve SJCC Rezone

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Pamela Lavitt <plavitt@me.com>  
**Sent:** Thursday, November 9, 2023 7:32 AM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Please approve SJCC Rezone

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support, Pamela Lavitt

Item 1.

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: SJCC Request to Rezone  
**Date:** Thursday, November 9, 2023 11:42:59 AM

---

Comment received to Planning Commission mailbox

[Andrea Larson](#)  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

---

**From:** Leigh Anne Kuiken <lkuiken@gmail.com>  
**Sent:** Thursday, November 9, 2023 10:50 AM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** SJCC Request to Rezone

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Leigh Anne Kiviat



## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, November 9, 2023 12:45 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum Jewish Community Center

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Eric Heinberg <orleanean@yahoo.com>  
**Sent:** Thursday, November 9, 2023 12:34 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum Jewish Community Center

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sincerely,  
Dr. Eric Heinberg

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, November 9, 2023 1:42 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Bruce Kahn <[bruce@foundationgroupre.com](mailto:bruce@foundationgroupre.com)>  
**Sent:** Thursday, November 9, 2023 12:53 PM  
**To:** Planning Commission <[Planning.Commission@mercergov.org](mailto:Planning.Commission@mercergov.org)>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, November 9, 2023 1:43 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

Andrea Larson  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

**From:** lolly locke <lollylocke@gmail.com>  
**Sent:** Thursday, November 9, 2023 1:36 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Alyson Locke



## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, November 9, 2023 3:43 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

Andrea Larson  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

**From:** Andree Brooks <andreebrooks@hotmail.com>  
**Sent:** Thursday, November 9, 2023 1:46 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Andree Brooks

1115 108th Ave NE su.537  
Bellevue WA 98004  
USA  
Cell: 203 722 1613  
Hm/office 425 502 7483

*Item 1.*

**Deb Estrada**

---

**From:** Andrea Larson  
**Sent:** Thursday, November 9, 2023 3:44 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Jewish Community Center Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

**Andrea Larson**

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Tricia Breen <Breen.Tricia@comcast.net>  
**Sent:** Thursday, November 9, 2023 2:08 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Fwd: Jewish Community Center Request

**Subject: Jewish Community Center Request for Rezone**

Dear Mercer Island Planning Commission,  
 I am writing to request that you expedite and approve a rezone of the Stroum JCC to Office Commercial. Doing so will allow the JCC to complete much needed facility updates without affecting their neighbors or nearby properties. The JCC is a vital community resource for all families of Mercer Island, (not only Jewish). It is an important preschool, recreational and social facility where people of all faiths gather. Please consider this request which will make Mercer Island an even better place to live! Thank you for your consideration.

Sincerely  
 Patricia Breen  
 Richard Fruchter  
 2246 80th Ave SE  
 Mercer Island

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, November 9, 2023 4:59 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Plz support the JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Senn, Rep. Tana <Tana.Senn@leg.wa.gov>  
**Sent:** Thursday, November 9, 2023 3:58 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Plz support the JCC Rezone Request

Dear Mercer Island Planning Commission,

I write to request that you please recommend that the Mercer Island City Council place the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

The SJCC has been an amazing asset to the community for 54 years. Similar to the City Hall, the building is old, is not ADA compliant, needs a working HVAC system, and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

Please support the future of the Stroum Jewish Community Center on Mercer Island with support of the zoning change.

Thank you,

Tana Senn  
 8426 SE 47<sup>th</sup> Street  
 Mercer Island, WA 98040

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, November 9, 2023 5:00 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

Andrea Larson  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

From: michael gluck <gasm1g@yahoo.com>  
 Sent: Thursday, November 9, 2023 4:21 PM  
 To: Planning Commission <Planning.Commission@mercergov.org>  
 Subject: Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.  
 Michael Gluck, MD

Sent from my iPhone

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Monday, November 13, 2023 9:08 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** sooperdoc@aol.com <sooperdoc@aol.com>  
**Sent:** Thursday, November 9, 2023 8:18 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission, Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024. For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness. It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors. For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island. The time to support the future of the Stroum Jewish Community Center on Mercer Island is now. Thank you for your support.

Dr. Arnold Reich  
 Mercer Island resident for fifty years.

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Monday, November 13, 2023 9:09 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Reanne Berkstresser <[reanneb15@gmail.com](mailto:reanneb15@gmail.com)>  
**Sent:** Friday, November 10, 2023 5:44 AM  
**To:** Planning Commission <[Planning.Commission@mercergov.org](mailto:Planning.Commission@mercergov.org)>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Reanne Berkstresser

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Monday, November 13, 2023 9:09 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Lorin Freedman <[lorin.freedman@gmail.com](mailto:lorin.freedman@gmail.com)>  
**Sent:** Friday, November 10, 2023 1:46 PM  
**To:** Planning Commission <[Planning.Commission@mercergov.org](mailto:Planning.Commission@mercergov.org)>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

I live in Mercer Island (3206 90th Pl SE) with my wife and 2 children. We learned about Mercer Island around the birth of our first child in 2017 and we enrolled him in the Early Childhood School there. We were so impressed with the school and the surrounding community that we moved here last year. The J has been of great importance to us and we believe that its expansion is in the community's interest.

I therefore ask that you recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.



Thank you for your support.

Lorin Freedman

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Nov. 15 Planning Commission Meeting/ 2024 Annual Docket/Objection To Staff's Report/Public Comments On Suggested Amendment 18  
**Date:** Monday, November 13, 2023 9:09:37 AM

---

Comment received to Planning Commission mailbox

[Andrea Larson](#)  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

---

**From:** Dan Thompson <danielpthompson@hotmail.com>  
**Sent:** Friday, November 10, 2023 2:33 PM  
**To:** Alison Van Gorp <alison.vangorp@mercergov.org>  
**Cc:** Jeff Thomas <jeff.thomas@mercerisland.gov>; Jessi Bon <jessi.bon@mercergov.org>; Planning Commission <Planning.Commission@mercergov.org>; Council <council@mercergov.org>  
**Subject:** Nov. 15 Planning Commission Meeting/ 2024 Annual Docket/Objection To Staff's Report/Public Comments On Suggested Amendment 18

Dear Alison, council and planning commission,

I have read the recently released agenda packet for the Nov. 15 Planning Commission meeting. [TEM-Attachment-001-319c9a30e91a44a1a0d70b70ccc915a2.pdf](#) ([usgovcloudapi.net](http://usgovcloudapi.net)) To say that it is unusual and deficient would be a gross understatement. Please consider these my public comments on Suggested Amendment 18, the rezone of the JCC properties from single family residential to commercial office, as well as my comments from Nov. 9 at the bottom of this email.

**If there is one basic error in staff's report it is the report fails to understand amendment 18 is not about *uses*, it is about the ability of a single CUP in the residential zone to obtain much greater *regulatory limits* than the surrounding residential zone or other CUP's. The CUP *already* enjoys a conditional *use*. The only question is whether the conditional use should also enjoy greater regulatory limits than houses in the same residential zone.**

## 1. SUMMARY OF ARGUMENT.

A. This process is not just unusual but deficient. The public has not been advised of the reasons for questioning the planning commission members over conflicts of interest or the appearance of conflicts, public comments received to date are not attached to staff's report, and the commission members themselves are left to decide whether to recuse themselves if there is the appearance of a conflict when recusal needs to be made by a third party with legal expertise. The public is left with the definite impression the city knows something it is not revealing.

B. Staff's report is woefully deficient, and fails to recite the history of this property, and the 30-year history of attempts to obtain preferential regulatory limits beyond those allowed in the CUP and residential zone.

C. A conditional use permit already receives zoning benefits that are not allowed for the houses in the surrounding residential zone, including the non-conforming conditional use, no internal yard setbacks, and increased impervious surface limits for parking.

D. A fundamental concept for non-conforming conditional use permits is the non-conforming use does not also receive preferential regulatory limits above those allowed to conforming uses.

E. Staff's report fails to educate the planning commission on **Administrative Interpretation 22-004** that was just issued last year for this very same property, and outlines all the elements of the comprehensive plan that prevent a CUP from upzoning residentially zoned property or applying for a variance to obtain preferential regulatory limits.

F. The JCC's application to upzone its residential zoned properties to CO is either an illegal spot zone contrary to MICC 19.15.240(C)(4), or it must be available to every other property owner in the SFH residential zone, including other CUP's and conforming uses like single family homes. This amendment effectively eliminates the SFH residential zone on MI. Yet staff's report is silent on this critical issue even though it admits the application is site specific.

## **2. APPEARANCE OF FAIRNESS DOCTRINE. THE COMMISSIONERS THEMSELVES CANNOT DECIDE IF THEY HAVE A CONFLICT OR APPEARANCE OF A CONFLICT.**

The hearing will begin with a voir dire of planning commission members, followed by the opportunity of the public to question members on their answers, although the public has not been provided any basis for this unusual process, or what has triggered it. But even then, staff's report states: **"Commissioners may respond to any challenges and then would need**

**to make their own decision as to whether or not to recuse themselves from these proceedings".**

How can the commissioners themselves be allowed to make the decision whether they can be fair, or whether they **appear** to be fair? A neutral third party with legal expertise must make that determination because obviously a conflicted planning commission member can't see that, or the appearance of a conflict, themselves. This highly unusual process definitely leaves the public with the impression that the city knows something it is not revealing about the fairness of this hearing.

### **3. PUBLIC COMMENTS ARE NOT ATTACHED TO STAFF'S REPORT.**

No public comments received to date have been attached to staff's report. The report states:

"ATTACHMENTS"

"1. Docket Application filed by the Stroum Jewish Community Center.

"2. Written public comments (forthcoming)."

How can the planning commission make a decision on amendment 18 without having reviewed any public comments until the day of the hearing, and how can it review them all on the day of the meeting? The entire purpose of the planning commission is to determine public sentiment on a proposed action (and the Community Facilities Zone would seem to be a good indication of public support for amendment 18 but staff's report is silent on that too).

Furthermore, how can members of the public prepare to challenge the fairness or appearance of fairness of the planning commission members without having the ability to review public comments before the hearing, or what the city is not telling us?

### **4 STAFF'S DOCKETING CRITERIA.**

Staff's identification of the relevant docketing criteria is woefully deficient, especially when it comes to the relevant elements of the comprehensive plan. Staff's report simply states:

**"Docketing Criteria:**

**"4. The proposal will serve the public interest by implementing specifically identified goals of the comprehensive plan or a new approach supporting the city's vision; Relevant goals and policies from the current Comprehensive Plan include:**

**"GOAL 17: With the exception of allowing residential development, commercial designations and permitted uses under current zoning will not change".**

**"Policy 17.4: Social and recreation clubs, schools, and religious institutions are predominantly located in single family residential areas of the Island. Development regulation should reflect the desire to retain viable and healthy social, recreational, educational, and religious organizations as community assets which are essential for the mental, physical and spiritual health of Mercer Island. The Comprehensive Plan discourages changes to commercial land use designations. However, it also encourages development regulations that support retention of "viable and healthy social, recreational, educational and religious organizations" as an essential component of Mercer Island."**

Amendment 18 is about changing SFH residential zoning to CO zoning to obtain regulatory limits not allowed in the residential zone. Retaining viable and healthy social, recreational, educational and religious organizations does not require one CUP to have much greater regulatory limits under CO zoning as the surrounding residential zone or other CUP's.

#### **5. AMENDMENT 18 IS ABOUT CHANGING RESIDENTIAL ZONING TO COMMERCIAL, NOT COMMERCIAL TO RESIDENTIAL ZONING, TO OBTAIN GREATER REGULATORY LIMITS.**

Amendment 18 is not about changing **commercial zoning and regulatory limits** to residential zoning, it is about changing **residential zoning and regulatory limits** to commercial. Basically substituting the regulatory limits for a single family house for The Hadley.

Staff's report completely ignores the long history of this property and efforts to increase its regulatory limits, which was fully laid out in the recent litigation over the JCC's applications for variances for this property, which is summarized in Amendment 13, and the litigation over the CFZ. [ITEM-Attachment-001-d231bdea5a3c4588a4bf81c9709f6182.pdf \(usgovcloudapi.net\)](#) pages 7-8. Let's Talk cite: [2024 Annual Docket of Proposed Comprehensive Plan and Development Code Amendments | Let's Talk Mercer Island \(mercergov.org\)](#).

#### **6. ADMINISTRATIVE INTERPRETATION 22-004. A CUP CANNOT APPLY LET ALONE OBTAIN A VARIANCE FROM THE REGULATORY LIMITS IN THE RESIDENTIAL ZONE.**

As part of the JCC's application for variances the city hired outside legal counsel to prepare a memo addressing whether a CUP has standing to even apply for a variance in the SFH zone. Based on this memo, Jeff Thomas issued Administrative Interpretation 22-004, which staff's report for amendment 18 completely ignores in its report to the Planning Commission.

AI 22-004 [DSG ADMINISTRATIVE POLICY DETERMINATION \(mercerisland.gov\)](https://www.mercerisland.gov/DocumentCenter/View/12345) lays out all the elements of the comprehensive plan that discourage or prevent a CUP from upzoning residential properties in the CUP, or even applying for a variance.

AI 22-004 states:

**"(4.) Policy direction provided by the Mercer Island comprehensive plan;**

**"Analysis: Review of the Comprehensive Plan results in the following findings:**

**"(1) The Comprehensive Plan envisions Mercer Island as a residential community:**

**"(a) "Mercer Island prides itself on being a residential community. As such, most of the Island's approximately 6.2 square miles of land area is developed with single family homes." [Land Use Element, Introduction]**

**"(b) "Single family residential zoning accounts for 88 percent of the Island's land use. There are 3,534 acres zoned for single family residential development. This compares to 77 acres in the Town Center zones, 19 acres for Commercial Office zone, and 103 acres in multi-family zones (Table 2). City Hall is located in a Commercial Office zone, while other key civic buildings such as the Post Office and the Main Fire Station are located in the Town Center and City Hall. Many of the remaining public buildings, schools, recreational facilities and places of religious worship are located in residential or public zones." [Land Use Element, II Existing Conditions and Trends, Areas outside the Town Center]**

**"(c) "OUTSIDE THE TOWN CENTER (1) The community needs to accommodate two important planning values — maintaining the existing single family residential character of the Island, while at the same time planning for population and housing growth." [Land Use Element, IV. Land Use Issues, Outside the Town Center (1)]**

**"(2) A primary component of the housing element is the City's desire to protect single-family residential neighborhoods through development regulations and other City codes which restrict the bulk and scale of buildings, control noise and nuisances, minimize the**

impact of non-residential uses and help preserve the natural environment. City code provisions were specifically designed to protect residential areas from incompatible uses and promote bulk and scale consistent with the existing neighborhood character. This includes limiting the size and scope of nonresidential uses to be consistent with existing neighborhood character.

"(a) "Housing Element III. Neighborhood Quality Mercer Island single family neighborhoods pride themselves on their narrow, quiet streets and dense plantings. The City protects these neighborhoods through development regulations and other City codes which restrict the bulk and scale of buildings, control noise and nuisances, minimize the impact of non-residential uses and help preserve the natural environment. Parks, open spaces and trails also contribute to the neighborhood quality." [Housing Element, III. Neighborhood Quality]

"(b) "GOAL 1: - Ensure that single family and multi-family neighborhoods provide safe and attractive living environments, and are compatible in quality, design and intensity with surrounding land uses, traffic patterns, public facilities and sensitive environmental features. 1.1 Ensure that zoning and City code provisions protect residential areas from incompatible uses and promote bulk and scale consistent with the existing neighborhood character." [Housing Element, III. Neighborhood Quality, Goal 1.1]

"(3) The Comprehensive Plan evidences an intent to retain certain non-residential structures located in residential zones. However, the Comprehensive Plan is silent on whether such structures would be eligible for variances from otherwise applicable numerical standards.

" (a) "GOAL 17: - With the exception of allowing residential development, commercial designations and permitted uses under current zoning will not change. 17.4 Social and recreation clubs, schools, and religious institutions are predominantly located in single family residential areas of the Island. Development regulation should reflect the desire to retain viable and healthy social, recreational, educational, and religious organizations as community assets which are essential for the mental, physical and spiritual health of Mercer Island." [Land Use Elements, IV Land Use Issues Outside the Town Center]

"(4) The Comprehensive Plan also evidences an intent to preserve existing conditions and to generally permit changes only through amendments to the development code, rather than through granting numerous variances to that development code. At the same Development Code Interpretation 22-004 November 21, 2022 Page 6 of 8 time, there is also recognition that some non-residential structures and uses are compatible with residential zones.

"(a) "GOAL 15: - Mercer Island should remain principally a low density, single family

residential community.

**"15.1 Existing land use policies, which strongly support the preservation of existing conditions in the single family residential zones, will continue to apply. Changes to the zoning code or development standards will be accomplished through code amendments.**

**"15.2 Residential densities in single family areas will generally continue to occur at three to five units per acre, commensurate with current zoning. However, some adjustments may be made to allow the development of innovative housing types, such as accessory dwelling units and compact courtyard homes at slightly higher densities as outlined in the Housing Element. ...**

**"15.4 As a primarily single family residential community with a high percentage of developed land, the community cannot provide for all types of land uses. Certain activities will be considered incompatible with present uses. Incompatible uses include landfills, correctional facilities, zoos and airports. Compatible permitted uses such as education, recreation, open spaces, government social services and religious activities will be encouraged." [Land Use Elements, IV Land Use Issues Outside the Town Center]."**

How can the comprehensive plan prohibit a CUP from applying let alone obtaining variances for greater regulatory limits in the single-family residential zone but allow that same CUP to change the zoning from SFH residential to CO? That is just absurd.

## **7. AMENDMENT 18 IS EITHER AN ILLEGAL SPOT ZONE OR MUST BE AVAILABLE TO EVERY OTHER CUP AND PROPERTY OWNER IN THE RESIDENTIAL SINGLE FAMILY ZONE.**

MICC 19.15.240 states:

### **19.15.240 - Reclassification of property (rezones).** [Chapter 19.15 - ADMINISTRATION | City Code | Mercer Island, WA | Municode Library](#)

**"C. Criteria. The city council may approve a rezone only if all of the following criteria are met:**

**"4. The proposed reclassification does not constitute an illegal site-specific spot zone."**

Amendment 18 clearly states in its application that it is a site-specific rezone ( a new criterion on the application in 2023). Staff's report states amendment 18 is designed to be site specific. And yet staff's report is silent on this critical issue and legal analysis.



More concerning is Amendment 18 will not be site specific. The council cannot grant such an extraordinary rezone to one conditional use permit and not another, and neither can it deny such a rezone to a *conforming* use in the same zone such as a single-family home.

This rezone has never been allowed in the history of Mercer Island and will effectively eliminate the single family zones on Mercer Island and the elements in the comprehensive plan that apply to the single-family zones, because either amendment 18 is an illegal site specific rezone, or the ability to rezone residential single family zoned property to CO will apply to every non-conforming use such as a CUP, and every conforming use such as a single family house.

|   |  |
|---|--|
|    | <p><a href="#">2024 Annual Docket of Proposed Comprehensive Plan and Development Code Amendments</a></p> |
| <p>Each year the City accepts proposals for potential amendments to the Comprehensive Plan and Unified Land Development Code (Title 19 Mercer Island City Code (MICC)) through a process called the Annual Docket. Members of the public, City boards and commissions, and City</p> |  |
| <p><a href="http://letstalk.mercergov.org">letstalk.mercergov.org</a></p>   |  |

**Daniel Thompson**  
**Thompson & Delay**  
**Attorneys at Law**  
**80th Avenue Professional Building**  
**2955 80th Ave SE, Suite 202**  
**Mercer Island, WA 98040**  
**Phone: (206) 622-0670**  
**Fax: (206) 622-3965**

---

**From:** Dan Thompson  
**Sent:** Thursday, November 9, 2023 12:20 PM  
**To:** Alison Van Gorp <[alison.vangorp@mercergov.org](mailto:alison.vangorp@mercergov.org)>  
**Cc:** [jeff.thomas@mercerisland.gov](mailto:jeff.thomas@mercerisland.gov) <[jeff.thomas@mercerisland.gov](mailto:jeff.thomas@mercerisland.gov)>; [jessi.bon@mercergov.org](mailto:jessi.bon@mercergov.org) <[jessi.bon@mercergov.org](mailto:jessi.bon@mercergov.org)>; [planning.commission@mercerisland.gov](mailto:planning.commission@mercerisland.gov) <[planning.commission@mercerisland.gov](mailto:planning.commission@mercerisland.gov)>; [council@mercergov.org](mailto:council@mercergov.org) <[council@mercergov.org](mailto:council@mercergov.org)>  
**Subject:** Nov. 15 Planning Commission Meeting On 2024 Annual Docket of Proposed Comprehensive Plan and Development Code Amendments/Housekeeping

Dear Alison, this email is to address a few housekeeping issues with the PC's Nov. 15 meeting. I don't think the agenda packet has been issued, but the suggested amendments can be found at [2024 Annual Docket of Proposed Comprehensive Plan and Development Code Amendments | Let's Talk Mercer Island \(mercergov.org\)](#). I plan to submit written comments later on all the suggested amendments.

**1** Many of the planning commission members are new and have little institutional knowledge of the 2017 RDS rewrite or past efforts of CUP's to obtain preferential regulatory limits in a SFH zone, let alone land use expertise, such as the community facilities zone or MICA in Mercerdale Park, and the turmoil those issues raised. The PC and council also were not involved in the recent litigation by the JCC to obtain variances as a CUP in a SFH zone so are probably unaware of that litigation and AI 22-004 attached to Matt Goldbach's suggested amendments as exh. 2. I hope commission members are reading the suggested amendments and exhibits already, and have some way of learning of past amendments and the blood and treasure spent on unwise amendments, especially in 2018. I think the CPD's agenda packet needs to recite this history.

**2** Matt Goldbach has two suggested amendments and has been allotted 10 minutes to speak on both. However Matt is undergoing heart tests and has asked that I be allowed to speak to the PC in his place, and I have agreed to do that.

**3** I have five suggested amendments that appear to be added to the docket for 2024 already, dating from 2020 but in the past reserved until the review of the RDS is undertaken. The irony is I don't think there is space or time on the PC's 2024 docket for any of the suggested amendments that have been filed, even including my discrete amendments, and mine really should be discussed and adopted when the review of the RDS finally comes up, and we know for sure the DOC regulations under HB 1110 which makes my suggested amendments even more important. I think I can address my five suggested amendments in five minutes.

**4** I would also like three minutes to address the other suggested amendments. Quite

honestly, the only one I think should be formally added to the 2024 docket and pursued is the city's amendment for a non-conforming temporary use ordinance, although the suggestion is sparse on details, which is vastly different than the Country Club's suggested amendment, as long as the city's suggested amendment incorporates these key elements in any temporary use amendment:

**A The non-conforming use is truly temporary. Six months/year or 30 weekends/year is not temporary.**

**B The temporary use does not exceed the regulatory limits for the zone. Use and regulatory limits are two entirely different things. A variance is required for a temporary exception to the zone's regulatory limits.**

**C There are restrictions on time of day/night, noise, light, traffic, parking, and so on. The examples given by the CPD for a private temporary use are probably off base because no private citizen goes through the hassle or cost to obtain a temporary use permit for something like a wedding or party at their home. This amendment is about the city's non-conforming temporary use.**

**D The property setbacks are part of the consideration of the temporary use. For example, a temporary use at the MICEC which has huge setbacks from any other residential property is much different than a temporary use on a residential property with a 5' or 10' setback from the adjacent house.**

**E The permit is not Type I without prior citizen notice. The absence of notice for a non-conforming temporary use is abusive for the neighbors who must be able to plan.**

**Thank you.**

Daniel Thompson

Thompson & Delay

Attorneys at Law

80th Avenue Professional Building

2955 80th Ave SE, Suite 202

Mercer Island, WA 98040

Phone: (206) 622-0670

Fax: (206) 622-3965

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Monday, November 13, 2023 9:10 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: SJCC Request to Rezone Large Residential Land Parcels to Commercial Office

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Michele Kohorn <mref1@yahoo.com>  
**Sent:** Friday, November 10, 2023 2:40 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** SJCC Request to Rezone Large Residential Land Parcels to Commercial Office

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is n

Item 1.

Thank you for your support.

Michele Kohorn

SJCC Board Member

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Monday, November 13, 2023 9:10 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Assistance and Support

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Tamar Boden <tamar\_boden@hotmail.com>  
**Sent:** Friday, November 10, 2023 2:55 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Assistance and Support

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Item 1.

Tamar Boden  
7444 Mercer Terrace Drive  
Mercer Island, WA 98040

Sent from my iPhone

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Monday, November 13, 2023 9:11 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Please Support the SJCC Plan!

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** kmuscatel@aol.com <kmuscatel@aol.com>  
**Sent:** Friday, November 10, 2023 5:41 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Fw: Please Support the SJCC Plan!

Dear Planning Commission,

I grew up at the Stroum Jewish Community Center (SJCC). I went to pre-school there, I took swimming lessons there, I did gymnastics there, I played youth basketball there, I did BBYO there, I have always worked out there, I met my husband there, my kids attended pre-school there, and now our son attends BBYO there. I served on the SJCC board for over ten years, also serving as President of the board. The time is now for "the J," and the rezone of the J's land from residential to commercial is long overdue. The J is the heart of the Jewish people in the Seattle area -- and has honestly become a center for many Islanders ages 0-99--regardless of religious affiliation.

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For my entire life, the SJCC has served Mercer Island residents with programs for all people -- not just Jewish people -- of all ages, all races, all economic backgrounds, all ethnicities. **However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.**

Please help us. It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property



would significantly facilitate this remodel while honoring the neighborhood integrity and special interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Kim Waldbaum (206) 250.5994

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Monday, November 13, 2023 9:12 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Jay Behar <jay@behars.com>  
**Sent:** Sunday, November 12, 2023 6:58 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Jay

**Jay Behar**

*Executive Director – Pacific Furniture Dealers*

**P:** (206) 465-2520 – **E:** [jay@behars.com](mailto:jay@behars.com)

**W:** [www.pacificfurnituredealers.com](http://www.pacificfurnituredealers.com)

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Monday, November 13, 2023 9:11 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Public comments for Amendment 18  
**Attachments:** Decl of John Hall.pdf; Exhibit index and Exhibits in Support of Decl. of John Hall.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** John Michael Hall <velooce@comcast.net>  
**Sent:** Friday, November 10, 2023 4:21 PM  
**To:** Alison Van Gorp <alison.vangorp@mercergov.org>  
**Cc:** Planning Commission <Planning.Commission@mercergov.org>; Council <council@mercergov.org>; blkship@yahoo.com; John Hall <velooce@comcast.net>  
**Subject:** Public comments for Amendment 18

Dear Alison, please consider these my public comments for the Nov. 15 planning commission meeting on amendment 18, the JCC's suggested amendment to change the zoning of their residential properties to commercial/office, and the attached declaration with exhibits I submitted in support of the city's defense of the appeal the JCC filed over the city's denial of the JCC's application for variances.

I believe the history of this property, and the attempts over the last 40 years of the JCC to obtain greater regulatory limits than allowed in the residential zone, are very important to the discussion and vote on Nov. 15, and my declaration and the exhibits explain the history.

I am also disappointed staff's report to the planning commission was silent on the impact this upzone will have on the surrounding residential neighborhoods, and that is addressed in my attached declaration which I hope will help guide the planning commission's decision and create a complete record for the council and any appeal.

John Hall  
 9970 S.E. 40<sup>th</sup> Street  
 Mercer Island, WA 98040

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

BEFORE THE HEARING EXAMINER  
FOR THE CITY OF MERCER ISLAND

In the Matter of:

**Development Code Interpretation No. 22-004**

Hearing Examiner File No.: APL 22-004  
(Interpretation No. 22-004)

**DECLARATION OF JOHN HALL,  
NEIGHBOR OF THE JEWISH  
COMMUNITY CENTER IN SUPPORT  
OF MERCER ISLAND'S CODE  
INTERPRETATION**

Comes forth John Hall, and states under penalty of perjury of the laws of the State of Washington as follows:

1.1 I am over 18 and competent to testify herein. I make these declarations upon my personal knowledge of the facts. I support the City of Mercer Island's interpretation that a conditional use in a residential neighborhood may not request a variance for regulatory limits. Attached to this declaration is an exhibit index and true and accurate copies of the documents.

1.2 I am a resident of Mercer Island. I have lived on Mercer Island since 1958. My wife and I currently reside at 9970 S.E. 40<sup>th</sup> St. Mercer Island, WA. We have resided in this house

**DECLARATION OF JOHN HALL, NEIGHBOR OF THE JEWISH  
COMMUNITY CENTER IN SUPPORT OF MERCER ISLAND'S  
CODE INTERPRETATION - 1**

1 for the last 41 years, during which we raised our 3 children. Our house is adjacent to the  
2 southeast property line of the JCC in a community called Mercerwood.

3 1.3 This Declaration is to set forth the JCC's attempts to obtain preferential regulatory  
4 limits since at least 1971, the huge increases in intensity of use of its property over the years,  
5 and the harm to the neighborhoods.

6 1.4 I have been involved in the JCC's attempts to increase the intensity of use of their  
7 property and school, as well as the regulatory limits applicable to their property, including  
8 leasing to the French American school, since at least 1980. During this time, the JCC has  
9 continually attempted to obtain increased regulatory limits in excess of those regulatory limits  
10 applicable to the surrounding neighborhoods. The JCC has known the limit of its footprint  
11 and intensity of use since 1967 under Ordinance 142 and its current and past conditional use  
12 permits.

13 1.5 The first thing to understand about the JCC is how different it is in membership,  
14 traffic, and intensity of use from other private clubs and conditional uses on Mercer Island.  
15 Although the JCC refuses to reveal the specific number of members, public reports puts the  
16 number at between 6,000 and 10,000 members throughout the region. Attached as Exhibit 1 is  
17 the JCC's 2016 Form 990 showing the total number of individuals employed as 472, together  
18 with 115 volunteers, with program service revenue of \$8,000,907.94, and salaries and other  
19 compensation of \$6,072,824.00. As noted in Exhibit 1, a September 8, 2015, letter from the  
20 JCC, states:

21 *"Our 250 year round employees, which grow to 400 seasonally,*  
22 *serve more than 15,000 people every year, including 195 children*  
23 *for preschool, close to 1000 summer day campers and over 500*  
24 *seniors, plus any more members and guests."*

25 **DECLARATION OF JOHN HALL, NEIGHBOR OF THE JEWISH**  
26 **COMMUNITY CENTER IN SUPPORT OF MERCER ISLAND'S**  
**CODE INTERPRETATION - 2**

1           Also attached in Exhibit 1 is the 2016 Form 990 for the French American  
2 school showing 126 employees and 250 volunteers. The French American school  
3 has approximately 435 students in grades PK-8.

4       1.6     By comparison, the other private conditional use permit organizations such as the  
5 Beach Club, Shore Club, and other community organizations on Mercer Island have 500 or  
6 fewer members and generally 1 to 2 dozen employees depending on peak season.

7       1.7     Attached as Exhibit 2 are the May 20, 1970, Minutes of the Planning Commission  
8 regarding the JCC's request for outdoor lighting and outdoor activities. Also attached in  
9 Exhibit 2 is a letter dated July 1, 1971, from the City of Mercer Island noting the City Council  
10 had voted unanimously to affirm the decision of the Planning Commission to deny appeal of  
11 the JCC's conditional approval of plans submitted by the JCC. Also attached is the JCC's  
12 June 9, 1971, letter promising there would be no outdoor lighting, no outdoor activities, and a  
13 "goal" of 1,000 families. None of those promises were ever kept, see Exhibit 2, page 5.

14       1.8     Attached in Exhibit 3 is a letter from the City of Mercer Island dated May 2, 1985,  
15 regarding the city's denial of the JCC's conditional use permit to incorporate adjacent  
16 residential properties, and to convert the use of that property from single family residential to  
17 a day care facility along with the Planning Commission's Findings of Fact Supporting Denial.  
18 Attached in Exhibit 3 is an article from the Mercer Island Reported dated May 7, 1985, noting  
19 that the Mercer Island Planning Commission rejected the JCC's request to obtain a  
20 conditional use permit allowing it to convert a 2100 square foot residential home into a day  
21 care facility for 15 to 20 children and noting complaints from the neighbor due to the noise,  
22 traffic, and lack of landscaped screening.

23       1.9     Over the last 10 or so years, the JCC has purchased several additional adjacent  
24 residential properties on speculation of a rezone. Over the last decades the JCC had the

25       **DECLARATION OF JOHN HALL, NEIGHBOR OF THE JEWISH**  
26       **COMMUNITY CENTER IN SUPPORT OF MERCER ISLAND'S**  
       **CODE INTERPRETATION - 3**

1 opportunity to buy commercially zoned property to the north of its property but only  
2 purchased one parcel. Attached in Exhibit 4 are three maps highlighting the purchased  
3 properties. Recently the Mercer Island City Council adopted a code amendment that requires  
4 a conditional use permit organization to resubmit a new conditional use permit application if  
5 seeking to incorporate properties into the CUP MCC 19.06.111(c).

6 2 Attached in Exhibit 5 is a newspaper article from the Mercer Island reporter dated  
7 March 26, 2002, noting the city's approval of the JCC's application for a street vacation over  
8 the objection of the neighbors on the ground that approving the vacation allows the JCC to  
9 add more density, traffic, and congestion, which is exactly what happened after the approval  
10 of the street vacation. As noted in the JCC's Street Variation Criteria Response, Paragraph e,  
11 the vacated area cannot be used to increase commercial density. This is exactly what  
12 happened after the street vacation was granted.

13 2.1 In 2017, the JCC applied for and obtained an amendment to the Comprehensive Plan  
14 creating a "Community Facilities Zone." This new zone would apply to conditional use  
15 permit holders in the residential zone, and presumably allow them different regulatory limits  
16 than under the residential development code that had just undergone a major revision effective  
17 October 31, 2017 to stop "McMansions. The CFZ was highly unpopular with the citizens, in  
18 large part because the amendment did not include the concurrent implementing development  
19 regulations.

20 2.2 Our neighborhood formed a group called Concerned Neighbors for the Protection of  
21 the Community and hired an attorney Alex Sidles to appeal the adoption of the CFZ to the  
22 Growth Management Hearings Board (GMHB). Another citizen named Mark Coen filed a  
23 separate appeal. The primary concern and focus of the Petitioners' appeal was the adoption of  
24

25 **DECLARATION OF JOHN HALL, NEIGHBOR OF THE JEWISH**  
26 **COMMUNITY CENTER IN SUPPORT OF MERCER ISLAND'S**  
**CODE INTERPRETATION - 4**



1 the CFZ required concurrent adoption of the implementing development regulations so the  
2 citizens knew just what the CFZ meant or was.

3 2.3 The GMHB agreed with our appeal, but rather than invalidating the CFZ it remanded  
4 it to the City of Mercer Island with instructions to draft and adopt the implementing  
5 development regulations. However, when the JCC's draft implementing development  
6 regulations were first disclosed at the Planning Commission, they were extreme, to say the  
7 least, and unorthodox, including tricks like measuring setbacks not from the JCC's property  
8 line but from adjacent properties, including from across the street. This caused a firestorm  
9 among the city, and even the other CUPs objected.

10 2.4 Subsequently the Mercer Island City Council held an emergency joint session with the  
11 Planning Commission to discuss the CFZ and the draft development regulations to implement  
12 the CFZ. At the joint session, the mayor, Benson Wong, noted "**The solution has become the**  
13 **problem.**" Rather than remand the development regulations back to the Planning Commission  
14 for further work, the Council decided to repeal the CFZ, which was subsequently repealed.

15 2.5 The cost to the city for the public meetings prior to adoption of the CFZ, staff time,  
16 and outside litigation fees was estimated to be between \$250,000 and \$400,000. The JCC did  
17 not contribute to the defense of the CFZ at the GMHB. Our own neighborhood that is modest  
18 by Mercer Island standards spent over \$40,000 in attorney's fees fighting the CFZ when the  
19 JCC spent nothing and left all the costs to the city and taxpayers.

20 2.6 Shortly thereafter, a citizen attorney named Robert Medved filed an appeal to the  
21 GMHB requiring the City to adopt an annual docketing system for proposed code  
22 amendments that require any proposed amendment to be filed by October 31 of the preceding  
23 year in order to have it be considered by the Council to be placed on the following years  
24 Planning Commission docket. The JCC's attorney, Richard Hill, drafted a code amendment

25 **DECLARATION OF JOHN HALL, NEIGHBOR OF THE JEWISH**  
26 **COMMUNITY CENTER IN SUPPORT OF MERCER ISLAND'S**  
**CODE INTERPRETATION - 5**

1 that became known as “The Hill Amendment,” although it was on behalf of the JCC. This  
2 code amendment again sought extraordinary regulatory limits for the JCC but included  
3 language that would make the code amendment applicable only to the JCC. Again, there was  
4 substantial public objection, both to the amendments and to the fact The Hill Amendment was  
5 clearly a preferential spot zone. Although the JCC failed to file its proposed code amendment  
6 by the deadline on October 31, the Council granted the JCC preferential treatment and  
7 allowed it to be added to the docket for consideration the following February.

8 2.7 The Hill Amendment was not popular among the Council, which included many new  
9 members. The JCC, seeing the writing on the wall, was allowed to withdraw its application  
10 and again received preferential treatment by receiving a refund of the \$26,000 application fee.

11 2.8 After that the JCC had numerous meetings with city staff in an attempt to obtain  
12 preferential regulatory limits. That led to the JCC seeking variances that are part of this  
13 appeal, that once again will give the JCC extraordinary regulatory limits for height, gross  
14 floor area to lot area ratio, and impervious surface limits compared to the surrounding  
15 residential zone and neighborhoods.

16 3 The three major concerns I, and my neighbors, have regarding the JCC’s request for  
17 variances to the regulatory limits applicable to their property that will exceed the surrounding  
18 zone are:

- 19 1. The variances the JCC seeks will harm our neighborhood because the  
20 development will be out of scale and will increase the intensity of use that is  
21 already causing harm to the neighborhood and is inconsistent for a residential  
22 zone. Since the CFZ was adopted in 2018, six neighbors have sold their homes  
23 due to the uncertainty, and each had to disclose the JCC’s never-ending  
24 proposals in their seller’s disclosure forms. The JCC’s goal is to increase its

25 **DECLARATION OF JOHN HALL, NEIGHBOR OF THE JEWISH**  
26 **COMMUNITY CENTER IN SUPPORT OF MERCER ISLAND’S**  
**CODE INTERPRETATION - 6**

1 gross floor area to lot area ratio, height, lot coverage, and impervious surface  
2 limits that are already above the current limits for the residential zone in order  
3 to increase the number of its members, students, users, and private and public  
4 functions that are wildly out of scale compared to every other CUP on Mercer  
5 Island. The JCC knows the proper course for this kind of preferential  
6 regulatory treatment is a code amendment, but it also knows that the citizens  
7 and council are opposed to that preferential treatment.

8  
9 2. If a CUP on Mercer Island with the intensity of use of the JCC can obtain  
10 increased regulatory limits simply because it wants to build structures and  
11 impervious surfaces not available to the surrounding zone, then how will the  
12 city ever be able to tell the owner of a single family home – that is not a  
13 conditional use – that that owner is not entitled to the same variances simply  
14 because, like the JCC, the owner wants a taller or bigger house, fewer trees,  
15 more impervious surfaces, or smaller yard setbacks. The preferential treatment  
16 the JCC has already received, and abused, is the conditional use.

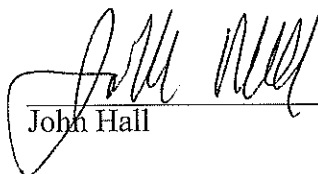
17  
18 3. No organization on Mercer Island has required more time and received  
19 more favorable treatment than the JCC when it comes to the last 50 years of  
20 seeking preferential treatment. The size, scale, and intensity of use long ago  
21 exceeded what is appropriate in a residential zone or any other CUP on the  
22 Island, and the JCC now seeks variances to further increase this inconsistent  
23 scale of development and use. Over the last 50 years, the JCC's efforts have  
24

25 **DECLARATION OF JOHN HALL, NEIGHBOR OF THE JEWISH**  
26 **COMMUNITY CENTER IN SUPPORT OF MERCER ISLAND'S**  
**CODE INTERPRETATION - 7**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

cost the city at least \$500,000 in public meetings, staff time, outside counsel,  
and litigation.

DATED this 10 day of January, 2023.

  
\_\_\_\_\_  
John Hall

**DECLARATION OF JOHN HALL, NEIGHBOR OF THE JEWISH  
COMMUNITY CENTER IN SUPPORT OF MERCER ISLAND'S  
CODE INTERPRETATION - 8**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

BEFORE THE HEARING EXAMINER  
FOR THE CITY OF MERCER ISLAND

In the Matter of:

**Development Code Interpretation No. 22-004**

Hearing Examiner File No.: APL22-004  
(Interpretation No. 22-004)

**EXHIBIT INDEX AND EXHIBITS IN  
SUPPORT OF DECLARATION OF  
JOHN HALL**

Comes forth John Hall, and states under penalty of perjury of the laws of the State of Washington that attached to this exhibit index are true and accurate copies of the documents:

1. Exhibit 1: Page 1 – JCC’s 2016 Form 990
2. Exhibit 1: Page 2 – French American School’s 2016 Form 990
3. Exhibit 1: Page 3 – September 8, 2016 Letter from the JCC
4. Exhibit 2: Page 1 – June 9, 1971 letter from the JCC
5. Exhibit 2: Page 2 – July 1, 1971 letter from City of Mercer Island

**EXHIBIT INDEX AND EXHIBITS IN SUPPORT OF  
DECLARATION OF JOHN HALL - 1**

- 1 6. Exhibit 2: Page 3-4 – May 20, 1970 Planning Commission meeting
- 2 minutes
- 3 7. Exhibit 2: Page 5: Article excerpt noting JCC would address neighbors
- 4 concerns
- 5 8. Exhibit 3: Page 1 – May 2, 1985 letter from City of Mercer Island
- 6 9. Exhibit 3: Pages 2-3 – Mercer Island Planning Commission Findings of Fact
- 7
- 8 10. Exhibit 3: Page 4 – May 7, 1985 Mercer Island Reporter article
- 9
- 10 11. Exhibit 4: Pages 1-3 – Map of JCC purchased properties
- 11 12. Exhibit 5: Page 1 – March 26, 2002 Mercer Island Reporter article
- 12 13. Exhibit 5: Pages 2-3 – August 1, 2002 JCC Street Vacation Criteria
- 13 Response

14 DATED this 10 day of January, 2023.

15  
16   
17 \_\_\_\_\_  
18 John Hall

19  
20  
21  
22  
23  
24  
25 **EXHIBIT INDEX AND EXHIBITS IN SUPPORT OF**  
26 **DECLARATION OF JOHN HALL - 2**



Item 1.

Form **990**  
 Department of the Treasury  
 Internal Revenue Service

**Return of Organization Exempt From Income Tax**  
 Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except private foundations)  
 Do not enter social security numbers on this form as it may be made public  
 Information about Form 990 and its instructions is at [www.irs.gov/form990](http://www.irs.gov/form990)

OMB No 1545-0047  
**2016**  
 Open to Public Inspection

**A For the 2016 calendar year, or tax year beginning 09-01-2016, and ending 08-31-2017**

**B** Check if applicable:  
 Address change  
 Name change  
 Initial return  
 Final  
 Return/terminated  
 Amended return  
 Application pending

**C** Name of organization: Samuel and Althea Stroum Jewish Community Center  
 Doing business as:  
 Number and street (or P O box if mail is not delivered to street address) / Room/suite: 3801 East Mercer Way  
 City or town, state or province, country, and ZIP or foreign postal code: Mercer Island, WA 980403805

**D** Employer identification number: 90-0953408  
**E** Telephone number: (206) 232-7115  
**G** Gross receipts \$ 11,085,544

**F** Name and address of principal officer: Amy Lavin, 3801 East Mercer Way, Mercer Island, WA 980403805

**H(a)** Is this a group return for subordinates?  Yes  No  
**H(b)** Are all subordinates included?  Yes  No  
 If "No," attach a list (see instructions)  
**H(c)** Group exemption number ▶

**I** Tax-exempt status:  501(c)(3)  501(c) ( ) ◀ (insert no )  4947(a)(1) or  527

**J** Website: ▶ www.sjcc.org

**K** Form of organization:  Corporation  Trust  Association  Other ▶  
**L** Year of formation: 1949  
**M** State of legal domicile: WA

**Part I Summary**

**1** Briefly describe the organization's mission or most significant activities:  
 The mission of the Stroum Jewish Community Center is to ensure Jewish continuity, to support Jewish unity, to enrich Jewish life, and to participate in and promote the well-being of the Jewish and general community and the people of Israel

**2** Check this box  if the organization discontinued its operations or disposed of more than 25% of its net assets

|  |    |         |
|--|----|---------|
| <b>3</b> Number of voting members of the governing body (Part VI, line 1a)             | 3  | 20      |
| <b>4</b> Number of independent voting members of the governing body (Part VI, line 1b) | 4  | 20      |
| <b>5</b> Total number of individuals employed in calendar year 2016 (Part V, line 2a)  | 5  | 472     |
| <b>6</b> Total number of volunteers (estimate if necessary)                            | 6  | 115     |
| <b>7a</b> Total unrelated business revenue from Part VIII, column (C), line 12         | 7a | -16,906 |
| <b>7b</b> Net unrelated business taxable income from Form 990-T, line 34               | 7b | -16,906 |

|   | Prior Year | Current Year |
|---|------------|--------------|
| <b>8</b> Contributions and grants (Part VIII, line 1h)                                      | 2,943,713  | 3,065,445    |
| <b>9</b> Program service revenue (Part VIII, line 2g)                                       | 6,869,926  | 7,318,283    |
| <b>10</b> Investment income (Part VIII, column (A), lines 3, 4, and 7d)                     | 5,682      | 10,252       |
| <b>11</b> Other revenue (Part VIII, column (A), lines 5, 6d, 8c, 9c, 10c, and 11e)          | 504,923    | 506,403      |
| <b>12</b> Total revenue—add lines 8 through 11 (must equal Part VIII, column (A), line 12)  | 10,324,244 | 10,900,383   |
| <b>13</b> Grants and similar amounts paid (Part IX, column (A), lines 1-3)                  | 0          | 0            |
| <b>14</b> Benefits paid to or for members (Part IX, column (A), line 4)                     | 0          | 0            |
| <b>15</b> Salaries, other compensation, employee benefits (Part IX, column (A), lines 5-10) | 7,558,838  | 8,117,740    |
| <b>16a</b> Professional fundraising fees (Part IX, column (A), line 11e)                    | 0          | 0            |
| <b>b</b> Total fundraising expenses (Part IX, column (D), line 25) ▶ 216,644                |            |              |
| <b>17</b> Other expenses (Part IX, column (A), lines 11a-11d, 11f-24e)                      | 2,493,143  | 2,774,279    |
| <b>18</b> Total expenses Add lines 13-17 (must equal Part IX, column (A), line 25)          | 10,051,981 | 10,892,019   |
| <b>19</b> Revenue less expenses Subtract line 18 from line 12                               | 272,263    | 8,364        |

|   | Beginning of Current Year | End of Year |
|---|---------------------------|-------------|
| <b>20</b> Total assets (Part X, line 16)                            | 20,455,624                | 20,605,386  |
| <b>21</b> Total liabilities (Part X, line 26)                       | 3,543,537                 | 3,684,935   |
| <b>22</b> Net assets or fund balances Subtract line 21 from line 20 | 16,912,087                | 16,920,451  |

2017  
 12,721,276  
 1820,293

**Part II Signature Block**  
 Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge

Signature of officer: \_\_\_\_\_ Date: 2018-07-16  
 Amy Lavin Chief Executive Officer  
 Type or print name and title

**Paid Preparer Use Only**

Print/Type preparer's name: Matthew R Matson  
 Date: 2018-07-16  
 Firm's name: Peterson Sullivan LLP CPA'S  
 Firm's address: 601 Union St Ste 2300 Seattle, WA 981012345  
 Preparer's signature: Matthew R Matson  
 Check  if self-employed  
 PTIN: P00775671  
 Firm's EIN: 91-0605875  
 Phone no: (206) 382-7777



Item 1.

Form **990**  
 Department of the Treasury  
 Internal Revenue Service

## Return of Organization Exempt From Income Tax

Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except private foundations)

▶ Do not enter social security numbers on this form as it may be made public  
 ▶ Information about Form 990 and its instructions is at [www.irs.gov/form990](http://www.irs.gov/form990)

OMB No 1545-0047  
2016  
**Open to Public Inspection**

**A** For the 2016 calendar year, or tax year beginning 07-01-2016, and ending 06-30-2017

|  |  |  |
|--|--|--|
| <b>B</b> Check if applicable:<br><input type="checkbox"/> Address change<br><input type="checkbox"/> Name change<br><input type="checkbox"/> Initial return<br><input type="checkbox"/> Final return/terminated<br><input type="checkbox"/> Amended return<br><input type="checkbox"/> Application pending | <b>C</b> Name of organization<br>French American School of Puget Sound<br><br>Doing business as<br><br>Number and street (or P.O. box if mail is not delivered to street address) Room/suite<br>3795 E Mercer Way<br><br>City or town, state or province, country, and ZIP or foreign postal code<br>Mercer Island, WA 98040 | <b>D</b> Employer identification number<br>91-1682584<br><br><b>E</b> Telephone number<br>(206) 275-3533<br><br><b>G</b> Gross receipts \$ 9,830,055   |
| <b>F</b> Name and address of principal officer<br>Eric Thuau<br>3795 E Mercer Way<br>Mercer Island, WA 98040   |  | <b>H(a)</b> Is this a group return for subordinates? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br><b>H(b)</b> Are all subordinates included? <input type="checkbox"/> Yes <input type="checkbox"/> No<br>If "No," attach a list (see instructions)<br><b>H(c)</b> Group exemption number ▶ |
| <b>I</b> Tax-exempt status <input checked="" type="checkbox"/> 501(c)(3) <input type="checkbox"/> 501(c) ( ) ◀ (insert no ) <input type="checkbox"/> 4947(a)(1) or <input type="checkbox"/> 527  |  |  |
| <b>J</b> Website: ▶ www.fasps.org  |  |  |
| <b>K</b> Form of organization <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Trust <input type="checkbox"/> Association <input type="checkbox"/> Other ▶   |  | <b>L</b> Year of formation 1995 <b>M</b> State of legal domicile WA  |

**Part I Summary**

| <b>Activities &amp; Governance</b> | <b>1</b> Briefly describe the organization's mission or most significant activities<br>We challenge students to excel academically and thrive in French, American and international cultures. We inspire the next generation of global citizens to learn, understand, and act wisely in a multicultural world. Our core values are excellence, integrity, cultural agility, and community.  |  |    |                           |              |    |            |            |    |           |           |     |           |           |     |         |         |    |           |           |    |           |           |    |           |         |
|------------------------------------|---|--|----|---------------------------|--------------|----|------------|------------|----|-----------|-----------|-----|-----------|-----------|-----|---------|---------|----|-----------|-----------|----|-----------|-----------|----|-----------|---------|
|                                    | <b>2</b> Check this box <input type="checkbox"/> if the organization discontinued its operations or disposed of more than 25% of its net assets<br><b>3</b> Number of voting members of the governing body (Part VI, line 1a) . . . . .   | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 10px;">3</td><td style="width: 100px;"></td><td style="text-align: right;">18</td></tr> <tr><td>4</td><td></td><td style="text-align: right;">18</td></tr> <tr><td>5</td><td></td><td style="text-align: right;">126</td></tr> <tr><td>6</td><td></td><td style="text-align: right;">250</td></tr> <tr><td>7a</td><td></td><td style="text-align: right;">0</td></tr> <tr><td>7b</td><td></td><td style="text-align: right;">0</td></tr> </table>   | 3  |                           | 18           | 4  |            | 18         | 5  |           | 126       | 6   |           | 250       | 7a  |         | 0       | 7b |           | 0         |    |           |           |    |           |         |
| 3                                  |   | 18   |    |                           |              |    |            |            |    |           |           |     |           |           |     |         |         |    |           |           |    |           |           |    |           |         |
| 4                                  |   | 18   |    |                           |              |    |            |            |    |           |           |     |           |           |     |         |         |    |           |           |    |           |           |    |           |         |
| 5                                  |   | 126  |    |                           |              |    |            |            |    |           |           |     |           |           |     |         |         |    |           |           |    |           |           |    |           |         |
| 6                                  |   | 250  |    |                           |              |    |            |            |    |           |           |     |           |           |     |         |         |    |           |           |    |           |           |    |           |         |
| 7a                                 |   | 0  |    |                           |              |    |            |            |    |           |           |     |           |           |     |         |         |    |           |           |    |           |           |    |           |         |
| 7b                                 |   | 0  |    |                           |              |    |            |            |    |           |           |     |           |           |     |         |         |    |           |           |    |           |           |    |           |         |
|                                    | <b>4</b> Number of independent voting members of the governing body (Part VI, line 1b) . . . . .<br><b>5</b> Total number of individuals employed in calendar year 2016 (Part V, line 2a) . . . . .<br><b>6</b> Total number of volunteers (estimate if necessary) . . . . .  |  |    |                           |              |    |            |            |    |           |           |     |           |           |     |         |         |    |           |           |    |           |           |    |           |         |
|                                    | <b>7a</b> Total unrelated business revenue from Part VIII, column (C), line 12 . . . . .<br><b>b</b> Net unrelated business taxable income from Form 990-T, line 34 . . . . .   |  |    |                           |              |    |            |            |    |           |           |     |           |           |     |         |         |    |           |           |    |           |           |    |           |         |
| <b>Revenue</b>                     | <b>8</b> Contributions and grants (Part VIII, line 1h) . . . . .<br><b>9</b> Program service revenue (Part VIII, line 2g) . . . . .<br><b>10</b> Investment income (Part VIII, column (A), lines 3, 4, and 7d) . . . . .<br><b>11</b> Other revenue (Part VIII, column (A), lines 5, 6d, 8c, 9c, 10c, and 11e)<br><b>12</b> Total revenue—add lines 8 through 11 (must equal Part VIII, column (A), line 12)  | <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;"></th> <th style="width: 35%;">Prior Year</th> <th style="width: 50%;">Current Year</th> </tr> </thead> <tbody> <tr><td>8</td><td style="text-align: right;">592,010</td><td style="text-align: right;">680,922</td></tr> <tr><td>9</td><td style="text-align: right;">8,423,818</td><td style="text-align: right;">8,907,974</td></tr> <tr><td>10</td><td style="text-align: right;">89,381</td><td style="text-align: right;">82,117</td></tr> <tr><td>11</td><td style="text-align: right;">-58,909</td><td style="text-align: right;">-43,804</td></tr> <tr><td>12</td><td style="text-align: right;">9,046,300</td><td style="text-align: right;">9,627,209</td></tr> </tbody> </table>  |    | Prior Year                | Current Year | 8  | 592,010    | 680,922    | 9  | 8,423,818 | 8,907,974 | 10  | 89,381    | 82,117    | 11  | -58,909 | -43,804 | 12 | 9,046,300 | 9,627,209 |    |           |           |    |           |         |
|                                    | Prior Year  | Current Year   |    |                           |              |    |            |            |    |           |           |     |           |           |     |         |         |    |           |           |    |           |           |    |           |         |
| 8                                  | 592,010   | 680,922  |    |                           |              |    |            |            |    |           |           |     |           |           |     |         |         |    |           |           |    |           |           |    |           |         |
| 9                                  | 8,423,818   | 8,907,974  |    |                           |              |    |            |            |    |           |           |     |           |           |     |         |         |    |           |           |    |           |           |    |           |         |
| 10                                 | 89,381  | 82,117   |    |                           |              |    |            |            |    |           |           |     |           |           |     |         |         |    |           |           |    |           |           |    |           |         |
| 11                                 | -58,909   | -43,804  |    |                           |              |    |            |            |    |           |           |     |           |           |     |         |         |    |           |           |    |           |           |    |           |         |
| 12                                 | 9,046,300   | 9,627,209  |    |                           |              |    |            |            |    |           |           |     |           |           |     |         |         |    |           |           |    |           |           |    |           |         |
| <b>Expenses</b>                    | <b>13</b> Grants and similar amounts paid (Part IX, column (A), lines 1-3) . . . . .<br><b>14</b> Benefits paid to or for members (Part IX, column (A), line 4) . . . . .<br><b>15</b> Salaries, other compensation, employee benefits (Part IX, column (A), lines 5-10)<br><b>16a</b> Professional fundraising fees (Part IX, column (A), line 11e) . . . . .<br><b>b</b> Total fundraising expenses (Part IX, column (D), line 25) ▶ 175,235<br><b>17</b> Other expenses (Part IX, column (A), lines 11a-11d, 11f-24e) . . . . .<br><b>18</b> Total expenses Add lines 13-17 (must equal Part IX, column (A), line 25)<br><b>19</b> Revenue less expenses Subtract line 18 from line 12 . . . . . | <table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr><td>13</td><td style="text-align: right;">0</td><td style="text-align: right;">0</td></tr> <tr><td>14</td><td style="text-align: right;">0</td><td style="text-align: right;">0</td></tr> <tr><td>15</td><td style="text-align: right;">5,650,477</td><td style="text-align: right;">6,072,824</td></tr> <tr><td>16a</td><td style="text-align: right;">0</td><td style="text-align: right;">0</td></tr> <tr><td>16b</td><td style="text-align: right;">175,235</td><td style="text-align: right;">175,235</td></tr> <tr><td>17</td><td style="text-align: right;">2,369,990</td><td style="text-align: right;">2,794,311</td></tr> <tr><td>18</td><td style="text-align: right;">8,020,467</td><td style="text-align: right;">8,867,135</td></tr> <tr><td>19</td><td style="text-align: right;">1,025,833</td><td style="text-align: right;">760,074</td></tr> </tbody> </table> | 13 | 0                         | 0            | 14 | 0          | 0          | 15 | 5,650,477 | 6,072,824 | 16a | 0         | 0         | 16b | 175,235 | 175,235 | 17 | 2,369,990 | 2,794,311 | 18 | 8,020,467 | 8,867,135 | 19 | 1,025,833 | 760,074 |
| 13                                 | 0   | 0  |    |                           |              |    |            |            |    |           |           |     |           |           |     |         |         |    |           |           |    |           |           |    |           |         |
| 14                                 | 0   | 0  |    |                           |              |    |            |            |    |           |           |     |           |           |     |         |         |    |           |           |    |           |           |    |           |         |
| 15                                 | 5,650,477   | 6,072,824  |    |                           |              |    |            |            |    |           |           |     |           |           |     |         |         |    |           |           |    |           |           |    |           |         |
| 16a                                | 0   | 0  |    |                           |              |    |            |            |    |           |           |     |           |           |     |         |         |    |           |           |    |           |           |    |           |         |
| 16b                                | 175,235   | 175,235  |    |                           |              |    |            |            |    |           |           |     |           |           |     |         |         |    |           |           |    |           |           |    |           |         |
| 17                                 | 2,369,990   | 2,794,311  |    |                           |              |    |            |            |    |           |           |     |           |           |     |         |         |    |           |           |    |           |           |    |           |         |
| 18                                 | 8,020,467   | 8,867,135  |    |                           |              |    |            |            |    |           |           |     |           |           |     |         |         |    |           |           |    |           |           |    |           |         |
| 19                                 | 1,025,833   | 760,074  |    |                           |              |    |            |            |    |           |           |     |           |           |     |         |         |    |           |           |    |           |           |    |           |         |
| <b>Net Assets or Fund Balances</b> | <b>20</b> Total assets (Part X, line 16) . . . . .<br><b>21</b> Total liabilities (Part X, line 26) . . . . .<br><b>22</b> Net assets or fund balances Subtract line 21 from line 20 . . . . .  | <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;"></th> <th style="width: 35%;">Beginning of Current Year</th> <th style="width: 50%;">End of Year</th> </tr> </thead> <tbody> <tr><td>20</td><td style="text-align: right;">12,860,897</td><td style="text-align: right;">14,231,039</td></tr> <tr><td>21</td><td style="text-align: right;">5,469,260</td><td style="text-align: right;">5,971,995</td></tr> <tr><td>22</td><td style="text-align: right;">7,391,637</td><td style="text-align: right;">8,259,044</td></tr> </tbody> </table>  |    | Beginning of Current Year | End of Year  | 20 | 12,860,897 | 14,231,039 | 21 | 5,469,260 | 5,971,995 | 22  | 7,391,637 | 8,259,044 |     |         |         |    |           |           |    |           |           |    |           |         |
|                                    | Beginning of Current Year   | End of Year  |    |                           |              |    |            |            |    |           |           |     |           |           |     |         |         |    |           |           |    |           |           |    |           |         |
| 20                                 | 12,860,897  | 14,231,039   |    |                           |              |    |            |            |    |           |           |     |           |           |     |         |         |    |           |           |    |           |           |    |           |         |
| 21                                 | 5,469,260   | 5,971,995  |    |                           |              |    |            |            |    |           |           |     |           |           |     |         |         |    |           |           |    |           |           |    |           |         |
| 22                                 | 7,391,637   | 8,259,044  |    |                           |              |    |            |            |    |           |           |     |           |           |     |         |         |    |           |           |    |           |           |    |           |         |

**Part II Signature Block**  
 Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge.

Signature of officer: \_\_\_\_\_ Date: 2018-04-06  
 eric thuau head of school  
 Type or print name and title

**Paid Preparer Use Only**

|   |                                    |                    |   |                   |
|---|------------------------------------|--------------------|---|-------------------|
| Print/Type preparer's name<br>Bob Bowman                        | Preparer's signature<br>Bob Bowman | Date<br>2018-04-06 | Check <input type="checkbox"/> if self-employed | PTIN<br>P02061718 |
| Firm's name ▶ Peterson Sullivan LLP CPA'S                       |                                    |                    | Firm's EIN ▶ 91-0605875                         |                   |
| Firm's address ▶ 601 Union St Ste 2300<br>Seattle, WA 981012345 |                                    |                    | Phone no (206) 382-7777                         |                   |

May the IRS discuss this return with the preparer shown above? (see instructions)  Yes  No  
**For Paperwork Reduction Act Notice, see the separate instructions.** Cat No 11282Y Form 990 (2016)



Item 1.



September 8, 2015

I am Judy Neuman, CEO of the Strohm Jewish Community Center on Mercer Island. We have been paying close attention to transportation issues facing our Island and I wanted to share how critical mobility is for the JCC, our employees and our members and guests.

Our 250 year-round employees, which grow to 400 seasonally, serve more than 15,000 people every year, including 195 children for preschool, close to 1000 summer day campers and over 500 seniors, plus any more members and guests. Our employees and members commute to the J from all over the metro area via cars, carpools and buses. I-90 traffic is so bad it's impacting our business. Last month a promising young teacher reluctantly backed out of accepting a job after a test run of her commute. I fear for the safety of our employees who walk over 30 minutes each way in the dark to and from the Park & Ride, since the bus route on 36<sup>th</sup> was closed quite some time ago. I watch every day as preschoolers wait in our classrooms for road-weary parents delayed by traffic both on I-90 and in our Town Center.


While Light Rail will certainly help some, the resulting increase in car traffic will hurt others. These are big, complicated issues that will have a dramatic impact on our business. It is critically important that everyone be educated on the changes and ramifications to make sure Mercer Island benefits from this massive investment.

Specifically:

- Mercer Island traffic to and from Seattle and I-405 should have permanent access to the new HOV lanes
- Mercer Island traffic should be permanently exempt from any tolls or congestion pricing
- We need better ways to get commuters to and from the Park & Ride
- The Park & Ride should be limited to Island residents and even more parking is needed
- We need more bus capacity to and from Seattle immediately- the majority of my employees live off-island.
- I-90 cut-through traffic ties up our roads and needs to be stopped
- The proposed bus intercept should be located elsewhere as it will snarl traffic and overload our already crowded transit stop
- We cannot lose HOV access ramp capacity
- I-90 construction closures should be limited to late nights instead of entire weekend

I urge the council to negotiate fiercely for what is best for Mercer Island and to do so productively, finding win-win opportunities for the people of Mercer Island and the region's transportation needs. The JCC depends on both.

Thank you for your time and interest in this important topic,

  
 Judy Neuman  
 SJCC CEO

MERCER ISLAND CAMPUS  
 3801 EAST MERCER WAY  
 MERCER ISLAND WA 98040  
 206-232-7215

SEATTLE CAMPUS  
 2618 NE 80TH STREET  
 SEATTLE WA 98115  
 206-526-8073

www.SJCC.org

Board of Directors

Executive Committee

Kim Waldbaum  
 President

Liz Friedman  
 Vice President

Sharon Lott  
 Vice President

Barb Maduell  
 Vice President

Joel Mezistrano  
 Secretary/Treasurer

Aaron Alhadeff  
 At Large

Leigh Anne Kiviat  
 At Large

Aaron Wolff  
 Immediate Past President

Board Members

Helene Azose  
 Jill Selber Beilinson  
 Amy Buckalter  
 Jeff Cordova  
 Michele Etsekson  
 Kim Fisher  
 Mindy Geisser  
 Carin Jacobson  
 Larry Kalman  
 Gillian O'Connell  
 Moss Patashnik  
 Mimi Rosen  
 Iantha Sidell  
 Barbara Sulman  
 Rob Wolf

Judy Neuman  
 Chief Executive Office

## **EXHIBIT 2**

# JEWISH COMMUNITY CENTER OF GREATER SEATTLE

3801 EAST MERCER WAY, MERCER ISLAND, WASHINGTON 98040 • PHONE AD 2-7115



9 June 1971

Mr. Jerry Bacon  
M. I. Planning Commission  
3505 - 88th Ave. S.E.  
Mercer Island, Wa. 98040

Dear Mr. Bacon:

In response to some of the questions raised at the last meeting of the Mercer Island Planning Commission on May 19th --

1. Will there be any outdoor lighting.  
Answer: There will not be any outdoor lighting.
2. Where will activities be held  
Answer: All recreation and activities conducted within the structure.
3. Membership goal.  
Answer: 1,000 families is goal.
4. Grade School activities  
Answer: Activities consists of classes i.e. arts, crafts, etc. for children with the school range of 6/12 years of age.

I hope this answers some of the questions raised.

Sincerely,

ALFRED ADLER  
Treasurer

A handwritten signature in cursive script that reads "Alfred Adler".

FA/rk

J.C.C.



# CITY OF MERCER ISLAND, WASHINGTON

July 1, 1971

Mr. John Strasburger  
30th Floor Sea First Bldg.  
1001 4th Avenue  
Seattle, Washington

Dear Mr. Strasburger:

This is to advise you that the Mercer Island City Council, at their regular meeting on June 28, 1971 voted unanimously to affirm the decision of the Planning Commission and deny the appeal of your clients as regards to the conditional approval of plans submitted by the Jewish Community Center.

If you have any further questions on the matter please contact the City Planner, Mr. Bacon.

Yours very truly,

Donald L. Hitchman  
City Manager

DLH:lb

cc: City Clerk  
City Planner  
City Attorney  
Jewish Community Center



CITY OF MERCER ISLAND  
PLANNING COMMISSION  
MINUTES

Public Meeting

May 20, 1970

## PRESENT:

W. Hinman  
C. Hall  
C. Anschell  
G. Beck  
D. Frothingham

## OTHERS:

G. Bacon  
J. Hunt  
B. Werner

The meeting was called to order at 7:35 P.M. by Chairman Walt Hinman. The minutes of the May executive session were read and approved as written.

PLOT PLAN: Jewish Community Center (Tape 5/1/024)

Mr. Bacon presented exhibits showing the previously approved plot plan, and the proposed addition of a play area and structures for small children. He related the history of complaints from neighbors regarding inadequate screening and unshielded lighting. A recent letter from neighbors, mentioning these problems as well as one of trespass, was read. Mr. Bacon indicated that no landscaping plan for this area had been submitted with the plans under consideration, and felt that one for the whole area should be acquired.

Mrs. Goffe, representing the Jewish Community Center Preschool, explained that every accredited nursery school must have an outdoor play area. Also, the paddling pool would be emptied at the end of each day to avoid hazard.

Mr. Hinman asked what landscape plans and lighting changes could be made. The Director, Mr. Okin, explained the development of their lighting and landscaping to date. Mr. Hinman felt that their lights could easily be blocked in certain areas. Mr. Hanan of the Jewish Community Center Board of Directors stated that they would be willing to do whatever is reasonable, though they might not be able to please some neighbors.

Mr. Jack Scholfield, residing across S.E. 40th Street from the club, felt that the requests of the neighbors were quite reasonable and could be easily met. He implied that the club might be trying to force Mr. Chase to sell to them. Mr. Hanan implied the opposite.

Pete Robertson, 9910 S.E. 40th, described the evolution of the parking lot adjoining his property. He noted that the existing landscaping does a poor job of screening the JCC from his property. He also said his property is used as a short-cut to the JCC by pedestrians. He felt expansion of the facility would increase an already bad problem.

Virginia Montgomery, 9767 S.E. 41st, questioned how emergency vehicles could access the property via a walkway from the JCC parking lot. She also cited a noise problem in that she could now hear children shouting all day long from the present location of the daycare center.

Yvonne Bender, 9920 S.E. 40th, spoke in opposition to the proposal. She suggested that if it were to be granted, provision should be made for ensuring an adequate landscaping screen. She stated she had installed landscaping on her own property in order to supplement the landscaping the JCC had installed after its last expansion.

John Kelly, 9818 Mercerwood Drive, objected to the increase in existing levels of noise and visual pollution.

Clarence Cameron, 3809 97th S.E., asked for denial of the request. He stated that previously promised landscaping had not been installed. His present view was of the back of the JCC buildings, including a dumpster. He felt the JCC had not been a good neighbor, and would continue in the same vein.

Residents of the neighborhood complained about existing levels of JCC-related traffic, noise and the lack of landscaped screening.

Pollock said he was surprised by many of those criticisms.

"A lot of the things that were talked about had never been told to me," he said. Pollock has been executive director of the JCC for six years.

Those complaints from neighbors will be addressed, Pollock said.

**EXHIBIT 3**





# CITY OF MERCER ISLAND, WASHINGTON

DEPARTMENT OF COMMUNITY DEVELOPMENT

May 2, 1985

Dear Party of Record:

Re: Conditional Use Permit - Stroum Jewish Community Center

This letter is to advise you that the Mercer Island Planning Commission denied the above-referenced proposal on May 1, 1985. Persons aggrieved by and wishing to appeal the action of the Commission must file a written "notice of administrative appeal to the City Council" with the City Clerk by May 13, 1985. If no written notice of appeal is received, the Commission's action will be final, and will not be subject to judicial review.

Any administrative appeal of actions taken under the authority of the State Environmental Policy Act (i.e., mitigation measures and/or conditions required as part of a Determination of Nonsignificance; adequacy of an EIS; conditions or denials of the proposal based on SEPA) must be consolidated and filed together with any appeal filed on the Planning Commission's action.

A written notice of administrative appeal should contain a brief and concise statement of the matter being appealed, the applicant's contentions on appeal, and a statement demonstrating standing to appeal. Appellants and parties of record will be notified of the date, place, and time of the Council's appeal hearing.

Please contact the Department of Community Development for additional information.

Sincerely,

Shannon Hart  
Principal Planner

cc: File  
Parties of Record  
Applicant's Representative



MERCER ISLAND PLANNING COMMISSION  
FINDINGS SUPPORTING DENIAL OF  
CONDITIONAL USE PERMIT  
REQUESTED BY STROUM JEWISH COMMUNITY CENTER  
MAY 1, 1985

The Planning Commission finds that the conditional use permit requested by the Stroum Jewish Community Center, to incorporate property at 9824 Southeast 40th and to convert the use of said property from single-family residential to a day care facility, is inconsistent with the criteria for granting of a conditional use permit contained in Section 19.04.1403(B) of the Mercer Island Zoning Code as follows:

1. Although structural and exterior modifications to the existing single-family residence at 9824 S.E. 40th St. are not proposed, the use of said residence is proposed to change to a day care center for 15 to 20 children. Such a facility is not normally permitted by the Mercer Island Zoning Code in single-family residential zones. The Commission concludes, therefore, that the requested permit is not consistent with the restrictions of the R 8.4 zone and Section 19.04.1403(B)(1), MIZC.
2. The proposed use is not acceptable in terms of size and location, nature of the proposed use, character of surrounding development, and traffic capacities of surrounding streets. Approval of the requested conditional use permit would exacerbate the visual, noise, parking, and traffic impacts associated with the J.C.C., which would adversely affect the surrounding residential neighborhood. The proposed day care facility, if approved, would increase J.C.C. - related on-street parking along S.E. 40th St. during peak traffic hours and special events, as it would become possible to walk through the day care center site to the J.C.C. complex. The physiography of the subject property and surrounding neighborhood intensify the noise and visual impacts of the J.C.C. complex. Further magnification of said impacts would adversely affect the surrounding residential neighborhood. Measures to mitigate traffic and parking impacts (e.g., the installation of a barrier across S.E. 40th St.) may conflict with public safety and emergency access requirements.
3. The proposed development would be an encroachment of commercial activity into an existing single-family residential neighborhood. The single-family residential character of said neighborhood is already fragile due to the existence of the J.C.C. complex, Herzl-Ner Tamid Congregation, City shops, and other commercial development adjacent to I-90. Further encroachment of commercial activities to the south of the existing J.C.C. improvements would adversely affect the long term stability of the surrounding single-family residential community.

Findings Supporting Denial of  
Conditional Use Permit -  
Stroum Jewish Community Center  
May 1, 1985  
Page 2

4. The proposed use, if approved, would impact the use and development of two currently underdeveloped lots in the northwest quadrant of the intersection of S.E. 40th Street and 99th Avenue Southeast. Approval of requested conditional use permit would result in said lots being surrounded by non-residential uses on three sides (i.e., the day care center to the west, a telephone substation to the east, and the J.C.C. parking lot to the north), and would adversely affect the desirability of said lots for residential purposes. Conversely, if the subject property remains a single-family residence, a single-family residential enclave will be firmly established to the southeast of the J.C.C. complex, which will protect and perpetuate the single-family residential character of the neighborhood.



MERCER ISLAND REPORTER, Tuesday, May 7, 1985 Page A7

# Planning panel rejects JCC expansion

By JOHN SHANAHAN

Expansion plans for the Stroum Jewish Community Center (JCC) received a major setback May 1 when the Mercer Island Planning Commission refused to allow a house on JCC property to be used as a day care facility.

JCC executive director Gary Pollock said he did not know if he would appeal the decision. That appeal would have to come within 10 days of the hearing.

"We are going to be discussing it with the executive committee and board of directors," he said.

The center applied for a conditional use permit allowing it to convert a 2,100 square foot home at 9824 S.E. 40th St. into a day care facility for 15 to 20 children. The JCC owns the house and surrounding property.

The center hoped to expand day care and senior programs into the residence to reduce the load on the

existing JCC day care facility, which has had to annex the center's board room and a multiple purpose room, and is crowding out other programs, Pollock said.

The move would not have increased JCC traffic or noise levels from what they are at present, Pollock said.

**HOWEVER**, planning commission members voted unanimously that the conditional use, if approved, would have a negative impact on the neighborhood around the JCC.

The commission noted that the single family nature of the neighborhood was already fragile "due to the existence of the JCC complex, Herzl Ner Tamid Congregation, city shops and other commercial development adjacent to I-90."

Allowing the house to be used as a day care center, the commission felt, would have meant surround-

ing two lots at the corner of 40th S.E. and 99th Ave. S.E. with non-single family use on three sides, making their residential development unlikely.

The JCC had previously expressed interest in purchasing the lots.

In effect, the planning commission ruling draws the line on commercial development in the neighborhood.

Residents of the neighborhood complained about existing levels of JCC-related traffic, noise and the lack of landscaped screening.

Pollock said he was surprised by many of those criticisms.

"A lot of the things that were talked about had never been told to me," he said. Pollock has been executive director of the JCC for six years.

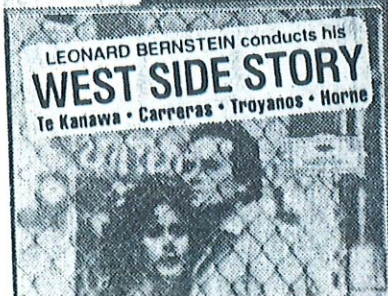
Those complaints from neighbors will be addressed, Pollock said.

nd  
ar-  
ias  
ree  
on

# OPENING

COMPACT  
**ISC**  
TAL AUDIO

ENTER THE SILVER PLATTERS TECHNICS SLP-1 CD  
PLAYER GIVEAWAY! Courtesy of Magnolla Hi-Fi



12.85

STRAVINSKY  
**RITE OF SPRING**  
DUTOIT · MONTREAL

LONDON

12.85

VIVALDI  
**4 SEASONS**  
**HOGWOOD**  
ACADEMY OF ANCIENT MUSIC

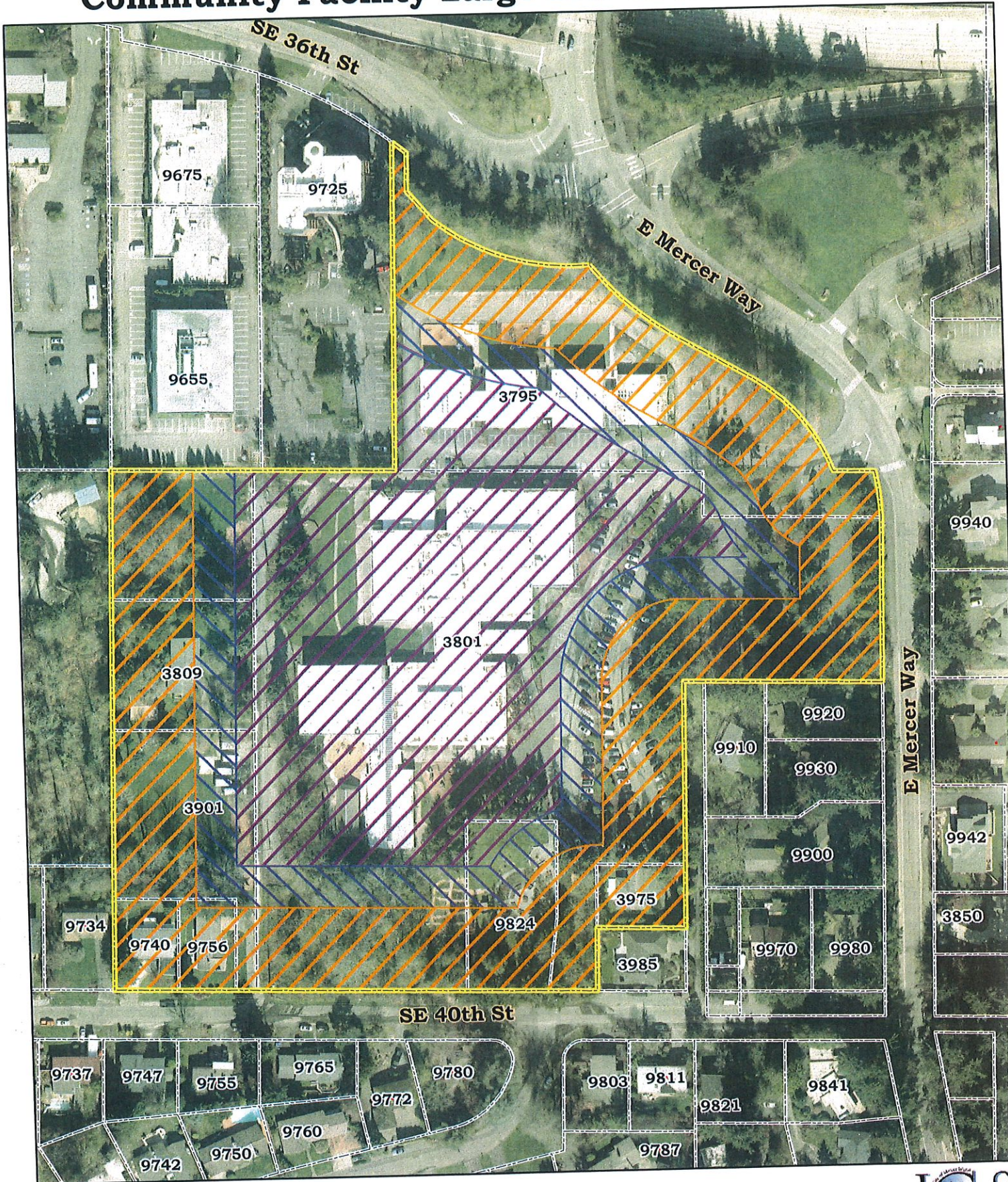





**EXHIBIT 4**





# Community Facility Large Site Gross Floor Area

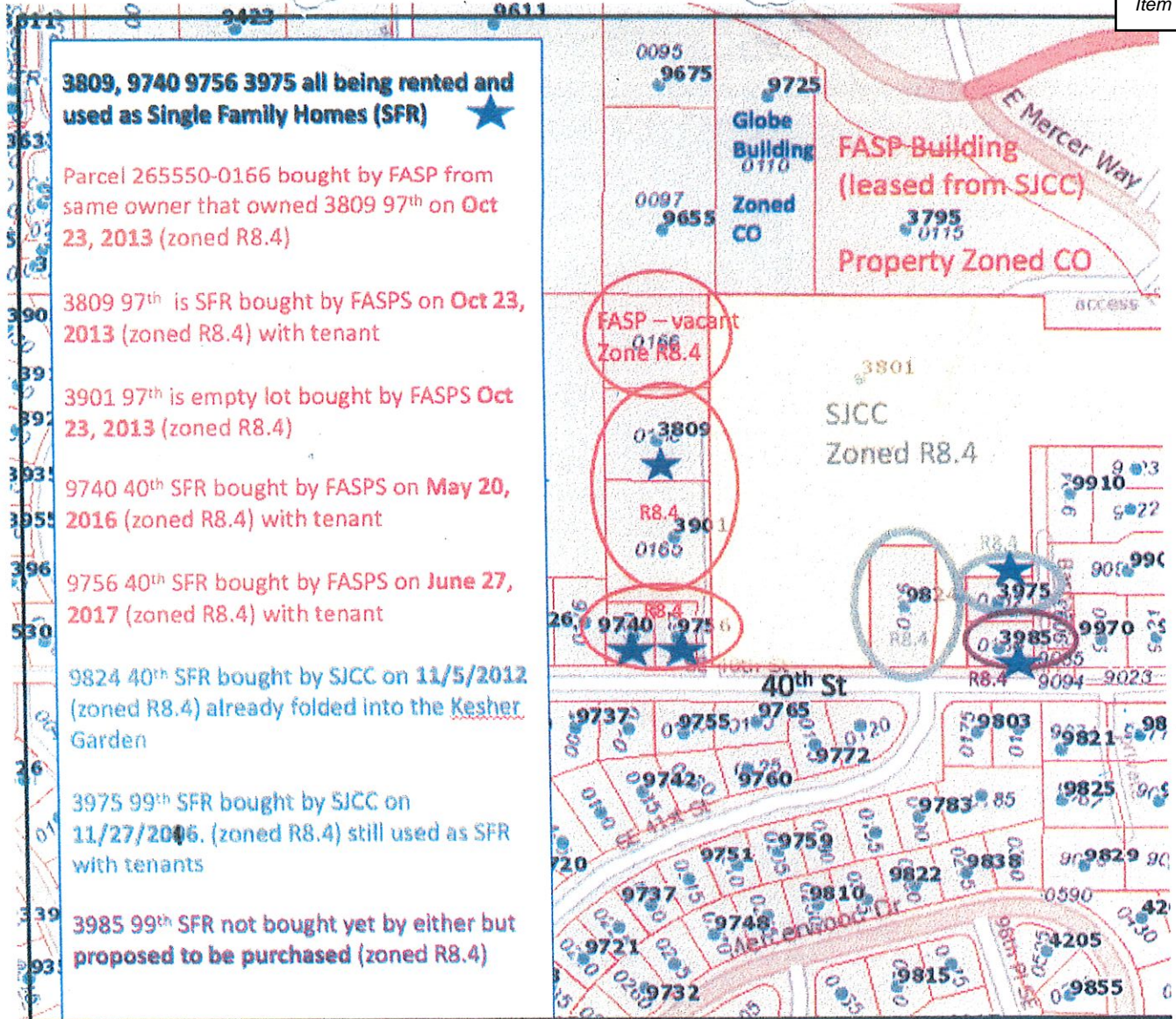


-  0-100 feet from Residential or ROW: 0%
-  100-150 feet from Residential or ROW: 20%
-  More than 150 feet from Residential or ROW: no limit

-  Large Site Perimeter
-  Property Lines

340





**3809, 9740 9756 3975 all being rented and used as Single Family Homes (SFR) ★**

Parcel 265550-0166 bought by FASP from same owner that owned 3809 97<sup>th</sup> on Oct 23, 2013 (zoned R8.4)

3809 97<sup>th</sup> is SFR bought by FASPS on Oct 23, 2013 (zoned R8.4) with tenant

3901 97<sup>th</sup> is empty lot bought by FASPS Oct 23, 2013 (zoned R8.4)

9740 40<sup>th</sup> SFR bought by FASPS on May 20, 2016 (zoned R8.4) with tenant

9756 40<sup>th</sup> SFR bought by FASPS on June 27, 2017 (zoned R8.4) with tenant

9824 40<sup>th</sup> SFR bought by SJCC on 11/5/2012 (zoned R8.4) already folded into the Keshar Garden

3975 99<sup>th</sup> SFR bought by SJCC on 11/27/2006. (zoned R8.4) still used as SFR with tenants

3985 99<sup>th</sup> SFR not bought yet by either but proposed to be purchased (zoned R8.4)

- 3809 97th SE was sold to French School by Clarence Cameron
- 3901 97th SE was sold to French School by Kathleen and Thomas Valentine
- 9740 40th was sold to French School by Larry Clarence
- 9756 40th was sold to French School by Earnestine Holsinger
  
- 9824 40th sold to SJCC by Washington St Holocaust Education in 2012, I cannot see who owned it before this
- 3975 99th sold to SJCC by Eric Nordling
- 3985 99th owned by Suzanne and Robert Lazear who bought it back in 2001 from Maurice and Margaret Keating



**EXHIBIT 5**

es  
its

# Neighbors oppose JCC plans

## City OKs JCC street vacation

By Stephen Weigand  
Mercer Island Reporter

The Mercer Island City Council unanimously approved a street vacation request by the Stroum Jewish Community Center, paving the way for the center's proposed expansion plans.

The city will be compensated for the vacation in the amount of the appraised value for the land.

Although two neighbors of the JCC filed letters with the city expressing their opposition to the street vacation — mostly on the ground that approving the vacation allows the JCC to add more density, traffic and congestion — only one of them spoke at the meeting last Monday.

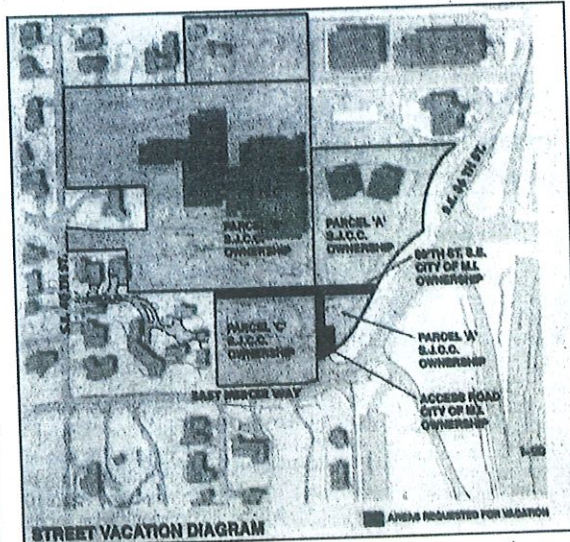
"It's another tool for them to increase density," said John Hall.

Hall said that he and other neighbors will legally challenge the expansion plans if they need to.

Mayor Alan Merkle assured Hall that approval of the street vacation doesn't increase the JCC's density in itself and that Hall would have the chance to state his case against expansion when the time comes.

But according to JCC director Barry Sohn, there are no imminent plans to expand the facility and create a so-called Jewish campus on Mercer Island.

The JCC site already has a fitness center, classrooms, administrative offices, the French American School of Puget Sound and parking. A master plan calls for the addition of new classrooms, administrative offices, learning center and fitness facilities, bringing the total build-



The above map shows in dark blue the property recently vacated by the City of Mercer Island to the JCC.

ing area from 89,694 square feet to 222,092 square feet. In addition, the JCC is discussing with other Jewish organizations about moving to Mercer Island to create a Jewish campus.

Sohn said that other Jewish agencies have yet to say whether they want to move to the Island to build a campus, and that the street vacation was recommended by its architects.

"Again at this point, it's not like the bulldozers are coming in tomorrow," he said. "I have no idea if and when the expansion will proceed."

The JCC filed the petition for the vacation of two rights-of-way in August 2002 and is in the first step in evaluating the feasibility of improving the site.

Hall argues that the street vacation gives the JCC more room to increase density on the site and that an expansion invades the neighborhood.

Hall, a 48-year-old homebuilder that has lived near his current home

for 46 years, claimed that the city made a promise to neighbors that the city would protect their rights and limit the JCC's expansion plans to the north where the French American School is currently located.

"A lot of us in the neighborhood feel we should expect the city should keep their promise," Hall said.

"You can't expand to the size (the JCC wants) without impacting us," he continued.

Richard Hart, director of the city's Development Services Department, said he has no knowledge of promises made to neighbors and that land-use decisions are made by the City Council and Planning Commission. He added that there is nothing on the JCC's conditional use permit that says it cannot expand or petition the city to modify the permit.

Although he realizes the JCC has a right to expand, Hall said he sees it as the neighborhood fighting for its values, lifestyle and property rights — and that the city promised that they weren't going to be able to expand.

"We don't have a problem with their facility or expansion, except in how it impacts us," he said.

Sohn described the JCC's plan as just one scenario. He acknowledges that that kind of density could potentially exist, but added that he thinks the chances of that happening soon are pretty remote.

**and Dermatology**

**Hair Removal**

ation call 232 - SKIN (7546)

y South End QFC & Starbuck's)

---

**MIRAL**

TRAVEL

■ LOW COST CREMATION ■

**\$395**

425-895-0421

or 1-800-575-8832

One call. Always low cost with dignity

**AMERICAN BURIAL & CREMATION SERVICES**



AUG 01 2002

MERCER ISLAND  
CITY CLERK

## STREET VACATION CRITERIA RESPONSE– TITLE 19.09.070

Criteria for granting Street Vacations per Mercer Island Zoning Code, Section 19.09.070:

- a. Granting the vacation will not conflict with the general purposes and objectives of the city's comprehensive plan as to land use, streets, utilities, drainage, parks, trails, and open space.

Vacating the indicated portion of 99<sup>th</sup> Avenue SE and the area near the existing entry to the Stroum Jewish Community Center (SJCC) would not conflict with any of the purposes and objectives of the City's Comprehensive Plan. A 5,445 square foot area near the SJCC entry is a remnant of the property acquired by the Washington State Department of Transportation for the construction of Interstate 90. The ownership of this property reverted to the City of Mercer Island, but there is no evidence that it was ever intended to be City right-of-way.

No connection from the south into the property is desired by either the neighborhood or the applicants. The City has indicated that access to the site from the north via S.E. 36<sup>th</sup> is not considered desirable. Therefore, the use of 99<sup>th</sup> Avenue S.E. is considered detrimental from both the north and the south. The SJCC controls adjacent property on both sides of the right-of-way proposed for vacation, and does not intend to utilize 99<sup>th</sup> Avenue S.E. for access.

The remnant WASHDOT property is currently used for access to the site and would remain in that use. The parking garage would lie below the access road.

The survey does not indicate the presence of any utilities in the 99<sup>th</sup> Avenue S. E. right-of-way. Existing utility easements for Puget Sound Energy on the remnant WASHDOT property will be maintained or revised at the direction of Puget Sound Energy.

Trees on the City right-of-way will be either protected or relocated according to plans subject to a Conditional Use Permit. The only trails on the right-of-way are those used by people at the SJCC to access parking.

- b. The street or portion thereof, is not likely to serve a useful public purpose both now and in the future, which cannot be met through use of easements for a specific purpose, or the vacation will best serve the public interest.

The use of 99<sup>th</sup> Avenue S.E. north of S.E. 40<sup>th</sup> is limited to a small grouping of single-family residences. The SJCC has been careful to avoid access to their facility from the single-family neighborhood to the south. A street vacation would formalize the intent of not using this land for access to the site.

The remnant WASHDOT property is currently used for as a private access road serving the site and would remain in that use. Vacation of this land would allow the construction of the parking garage, which would place the bulk of parking, now on the surface, below grade.

- c. The vacated area will not increase the number of single-family building sites or multi-family density.

**No single-family or multi-family building sites would be affected.**

- d. The request for vacation was not initiated to correct a condition created by an applicant in violation of city ordinance

**There are no current violations of any City ordinances.**

- e. The vacated area cannot be used to increase commercial density

**The vacation is being pursued because the right-of-way runs through the center of the SJCC s property. This property is not of use to the City, but allows flexibility in the layout of facilities for the site. It does not increase commercial density.**

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Monday, November 13, 2023 9:12 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** pilot131@aol.com <pilot131@aol.com>  
**Sent:** Sunday, November 12, 2023 7:18 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission, Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024. For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness. It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors. For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island. The time to support the future of the Stroum Jewish Community Center on Mercer Island is now. Thank you for your support.

Sincerely,

Thomas Jacobs  
 4412 E Mercer Way  
 Mercer Island, Wa 98040

resident for over 45 years

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Monday, November 13, 2023 9:13 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Tamar Reynard <[tlreynard1127@gmail.com](mailto:tlreynard1127@gmail.com)>  
**Sent:** Sunday, November 12, 2023 8:05 PM  
**To:** Planning Commission <[Planning.Commission@mercergov.org](mailto:Planning.Commission@mercergov.org)>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.



## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Tuesday, November 14, 2023 8:49 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Noreen King <noreen.king9@gmail.com>  
**Sent:** Monday, November 13, 2023 2:22 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Noreen King

**Deb Estrada**

---

**From:** Andrea Larson  
**Sent:** Tuesday, November 14, 2023 8:50 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

**Andrea Larson**

City Clerk  
City of Mercer Island  
206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Laura Selby <lauraselby@comcast.net>  
**Sent:** Monday, November 13, 2023 4:22 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

I was an early childhood educator at the Stroum JCC for 22 years and know the importance of this institution to our community. The school has touched literally thousands of lives since it began in 1967. But the building is beyond its years and needs to be upgraded in many ways.

**I am asking you to allow the J to be rezoned from residential to commercial status. The time is now!**

Thank you for your support.

Laura Selby

16 Evergreen Lane, Mercer Island



## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Tuesday, November 14, 2023 8:51 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

Andrea Larson  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

**From:** Heather Kramm <hkramm@yahoo.com>  
**Sent:** Monday, November 13, 2023 8:20 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Heather kramm

Sent from my iPhone

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Tuesday, November 14, 2023 8:51 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Kerry Donner <kerrysdonner@gmail.com>  
**Sent:** Tuesday, November 14, 2023 1:24 AM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Tuesday, November 14, 2023 11:14 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Rezone the "J"

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** E Jimenez <sra.ejimenez@gmail.com>  
**Sent:** Tuesday, November 14, 2023 8:56 AM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Rezone the "J"

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Evelyn Jimenez

9208 SE 33 rd Street

Mercer Island, WA 98040

(Mercer Island Resident for 30 years)

Sent from my iPhone

**From:** [Dan Thompson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** Fw: Nov. 15 Planning Commission Quasi-Judicial Hearing/Planning Commission Jurisdiction/Appearance of Fairness Doctrine/Extension of Public Comments/Missing Evidence In Agenda packet  
**Date:** Tuesday, November 14, 2023 10:30:10 AM

---

Dear Alison, since the record on amendment 18 will close on Nov. 15 would you please add my email below to the public comments so it can be reviewed by the council on Dec. 5.

Also could you send me the questions you plan to ask the commission to determine bias so I don't duplicate those.

Thank you.

Daniel Thompson

Thompson & Delay  
 Attorneys at Law  
 80th Avenue Professional Building  
 2955 80th Ave SE, Suite 202  
 Mercer Island, WA 98040  
 Phone: (206) 622-0670  
 Fax: (206) 622-3965

---

**From:** Dan Thompson  
**Sent:** Monday, November 13, 2023 5:02 PM  
**To:** Bio Park <Bio.Park@mercergov.org>  
**Cc:** jessi.bon@mercergov.org <jessi.bon@mercergov.org>; Robert A. Medved <robertamedved@msn.com>  
**Subject:** Nov. 15 Planning Commission Quasi-Judicial Hearing/Planning Commission Jurisdiction/Appearance of Fairness Doctrine/Extension of Public Comments/Missing Evidence In Agenda packet

Dear Bio, this email is to address the following issues:

**1 THE PLANNING COMMISSION DOES NOT HAVE QUASI-JUDICIAL JURISDICTION AFTER THE RDS WAS ADOPTED EFFECTIVE OCT. 31, 2017.**

The current RDS was adopted and became effective Oct. 31, 2017. It specifically eliminated the planning commission's quasi-judicial jurisdiction over permit appeals due a lack of fairness and lack of qualifications, and moved those to the hearing examiner.

MICC 19.15.010(C)(2) still refers to quasi-judicial proceedings before the planning commission, but I think that is an omission from before Oct. 31, 2017. The more specific code provision is

MICC 3.46.010 specifically referred to and linked to in 19.15.010, and it is silent on quasi-judicial jurisdiction for the planning commission.

The planning commission bylaws were just rewritten in 2022 and they are silent on quasi-judicial jurisdiction.

Quasi-judicial proceedings are governed by R.C.W. 42.36 et seq. The proceeding on Nov. 15 is not an adjudication between parties. The planning commission will not be issuing a decision but will be issuing a *recommendation*, which is not a quasi-judicial proceeding.

Therefore, I think this process that was sprung on the citizens on Thursday evening right before Veteran's Day is legally incorrect.

## **2 THE APPEARANCE OF FAIRNESS DOCTRINE HAS BEEN VIOLATED.**

**"The appearance of fairness doctrine is a rule of law requiring government decision-makers to conduct non-court hearings and proceedings in a way that is fair and unbiased in both appearance and fact. It was developed as a method of assuring that due process protections, which normally apply in courtroom settings, extend to certain types of administrative decision-making hearings, such as rezones of specific property. The doctrine attempts to bolster public confidence in fair and unbiased decision-making by making certain, in both appearance and fact, that parties to an argument receive equal treatment".**

[05-11-21-GAC-Training-Packet \(piercecountywa.gov\)](https://www.piercecountywa.gov/05-11-21-GAC-Training-Packet) (MRSC)

In this proceeding there are 165 form emails in support of amendment 18 and none except my own opposed (although really my comment goes to the legality of the suggested rezone). Public comments will end on Nov. 15. The city has made no effort to publicize this proceeding, and indeed the quasi-judicial nature was only announced on Thursday evening. The disparity in public comments alone raises an appearance of unfairness. Many citizens have told me they were told not to comment because comments would not go to the planning commission, **and in fact Let's Talk prohibited a citizen from posting a comment. Then the CPD published written comments on Monday.**

Although I do not think this should be a quasi-judicial proceeding it still should be fair. The period for public comments must be extended through the council's Dec. 5 meeting, or the better alternative I have suggested is the planning commission should postpone its "decision" until its next scheduled meeting on Amendment 18 to allow citizen comment, and to allow the planning commission to review and consider all the evidence. No "judge" makes a decision on the day of a bench trial, and you know that. They take it under advisement while reviewing the evidence and law.

The council can reschedule its Dec. 31, 2023 meeting it has cancelled. I am sure they don't want to do that, but the citizens should not suffer because this process was not fair.

### **3 THE AGENDA PACKET IS SILENT ON THE DIFFERENCE BETWEEN A LEGAL AND ILLEGAL SITE SPECIFIC REZONE.**

This issue is addressed in my email dated 11-10-2023 found at comment 160 in the agenda packet. MICC 19.15.240(C)(4) specifically requires the planning commission -- especially if sitting in a quasi-judicial capacity -- and the council to find and determine that amendment 18 is not an illegal site specific rezone before considering a rezone.

The planning commission members -- and council -- do not have the education, expertise or knowledge to make that legal determination, and yet the agenda packet is devoid of not just any legal analysis, but of this issue at all.

My understanding is Bob Medved will be submitting a legal memo before Wednesday's meeting addressing this issue. His opinion is this is an illegal site specific rezone, and his opinion as a land use lawyer and expert who has prevailed in many appeals against the city will be the only legal opinion in the record, and according to the rules of the quasi-judicial process binding on the planning commission, and council which is limited to the record.

### **4 ADMINISTRATIVE INTERPRETATION 22-004.**

I am shocked the agenda packet does not mention the history of this property and attempts to upzone the property since the council can reject putting amendment 18 on the docket for any reason, and AI 22-004 issued last year by Jeff Thomas regarding the ability of this exact CUP to obtain variances in the SFH zone from the regulatory limits based on numerous provisions of the comprehensive plan. The agenda packet is legally deficient for a quasi-judicial proceeding, especially one binding on the citizens when the regular public has been frozen out.

Freezing out the public from these decisions has never worked well in the past. The planning commission's real role is to determine public opinion since the council can decide whether to rezone or not for any reason, or for no reason at.

**I think this process and amendment 18 are setting the city and council up for another community facilities rezone debacle. The public can be denied legal standing by denying them the timely right to comment through legal tricks, but they will have an opinion, and they will comment, beginning on Nextdoor which ironically councilmembers and staff cannot comment on but has 12,000 daily citizens participating.**

Thank you for considering these thoughts. I strongly suggest the city manager find a way to



make this process fairer for the citizens, and some semblance of an appearance of fairness that right now looks like the fix is in.

## Daniel Thompson

Thompson & Delay

Attorneys at Law

80th Avenue Professional Building

2955 80th Ave SE, Suite 202

Mercer Island, WA 98040

Phone: (206) 622-0670

Fax: (206) 622-3965

**Deb Estrada**

---

**From:** Andrea Larson  
**Sent:** Tuesday, November 14, 2023 1:22 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Support for Stroum Jewish Community Center Rezoning

**Categories:** PLANNING & DESIGN COMMISSION

Comment received to Planning Commission mailbox

**Andrea Larson**

City Clerk

City of Mercer Island

206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Michael Sandler <mike@sandlaw.com>  
**Sent:** Monday, November 13, 2023 6:35 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Support for Stroum Jewish Community Center Rezoning

Dear Planning Commission,

I am a Mercer Island resident for more than 35 years. I am also a member of the Stroum Jewish Community Center (SJCC) where my grandchildren attend preschool. The SJCC facilities needs substantial repair and remodeling. Its current zoning impairs this. Yet it is an essential institution on Mercer Island serving anyone, regardless of religion, who wishes to enroll in its school or become a member to use its facilities. Please, the only sensible decision here is to grant the requested rezoning.

Thank you for your consideration.

Michael Sandler  
8430 SE 72nd Place  
Mercer Island, WA 98040  
(206) 650-3473  
[mike@sandlaw.com](mailto:mike@sandlaw.com)  
[www.sandlerpoetry.com](http://www.sandlerpoetry.com)

**Deb Estrada**

---

**From:** Andrea Larson  
**Sent:** Tuesday, November 14, 2023 1:22 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Categories:** PLANNING & DESIGN COMMISSION

Comment received to Planning Commission mailbox

Andrea Larson  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

**From:** Lisi Mezistrano Wolf <lisi@lisiwolf.com>  
**Sent:** Tuesday, November 14, 2023 12:40 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Lisi Wolf

Sent from my iPhone

Item 1.

**Deb Estrada**

---

**From:** Andrea Larson  
**Sent:** Tuesday, November 14, 2023 3:43 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: SJCC property

Comment received to Planning Commission mailbox

**Andrea Larson**

City Clerk  
City of Mercer Island  
206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** TRACY SIGMON <[tracy.sigmon@comcast.net](mailto:tracy.sigmon@comcast.net)>  
**Sent:** Tuesday, November 14, 2023 3:25 PM  
**To:** Planning Commission <[Planning.Commission@mercergov.org](mailto:Planning.Commission@mercergov.org)>; Council <[council@mercergov.org](mailto:council@mercergov.org)>  
**Subject:** SJCC property

Hello:

Please support the redevelopment of this vital Mercer Island treasure by allowing a rezone from residential to Commercial Office.

I'm 53, attended preschool at the J, my children attended preschool at the J, I have been continuing to utilize the J for all these years. Its an old funky building that badly needs redevelopment. This is good for all of Mercer Island.

Thank you,  
Tracy Sigmon  
425.351.1332

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Tuesday, November 14, 2023 4:10 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: SJCC

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Logan Alexander <mkahn81@gmail.com>  
**Sent:** Tuesday, November 14, 2023 3:57 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** SJCC

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Kind regards,

Michael Kahn

Item 1.

4205 85th Ave SE

Sent from my iPhone

**Deb Estrada**

---

**From:** Andrea Larson  
**Sent:** Tuesday, November 14, 2023 4:37 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: THE JCC'S PROPOSED AMENDMENT 18  
**Attachments:** R.A.Medved Comments.pdf

Comment received to Planning Commission mailbox

**Andrea Larson**

City Clerk  
City of Mercer Island  
206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Robert A. Medved <RobertAMedved@msn.com>  
**Sent:** Tuesday, November 14, 2023 4:29 PM  
**To:** Alison Van Gorp <alison.vangorp@mercergov.org>; Deb Estrada <Deborah.Estrada@mercerisland.gov>; Planning Commission <Planning.Commission@mercergov.org>  
**Cc:** Lisa Anderl <lisa.anderl@mercergov.org>; Jake Jacobson <jake.jacobson@mercergov.org>; Salim Nice <salim.nice@mercerisland.gov>; Craig Reynolds <craig.reynolds@mercergov.org>; David Rosenbaum <david.rosenbaum@mercergov.org>; Wendy Weiker <Wendy.Weiker@mercergov.org>; Ted Weinberg <ted.weinberg@mercergov.org>; Jessi Bon <jessi.bon@mercergov.org>; Bio Park <Bio.Park@mercergov.org>; Jeff Thomas <jeff.thomas@mercerisland.gov>  
**Subject:** THE JCC'S PROPOSED AMENDMENT 18

**Recipients:**

The Comments Of Robert A. Medved In Opposition To The JCC's Proposed Amendment 18 are attached. Please confirm your receipt and your filing of this attachment with the Planning Commission.

Thank you.

Robert A. Medved

Telephone: 206-550-3300

E-mail: [robertamedved@msn.com](mailto:robertamedved@msn.com)

The information contained in this e-mail is confidential and may also be attorney-client privileged. The information is intended only for the use of the individual or entity to whom it is addressed. If you are not the intended recipient, or the employee or agent responsible to deliver this e-mail to the intended recipient, you are



hereby notified than any use, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this e-mail in error, please immediately notify me by replying to this e-mail and please delete the original. Thank you.

*Item 1.*

BEFORE THE PLANNING COMMISSION OF THE CITY OF MERCER ISLAND

In Re: 2024 Annual Docket Review Of The JCC’s Proposed Amendment 18

COMMENTS OF ROBERT A. MEDVED IN OPPOSITION TO THE JCC’S PROPOSED AMENDMENT 18

TABLE OF CONTENTS

I. INTRODUCTION.....1
II. STATUTORILY ILLEGAL SITE-SPECIFIC REZONE.....2
A. Site-Specific Rezones Are Illegal And Are Absolutely Prohibited By MICC 19.15.240(C)(4).....2
B. The Site-Specific Amendment Is Unquestionably A Site-Specific Rezone.....3
C. The Site-Specific Rezone Amendment As A Matter Of Law Cannot Be Placed On The Final Docket .....3
III. ILLEGAL CONFLATION OF SPECIFIC-SITE REZONES AND SPOT REZONES .....4
IV. THE JCC APPEARS TO ROUTINELY UTILIZE DISINGENUOUSLY .....6
V. CONCLUSION .....6

I. INTRODUCTION

The Planning Commission must, as a matter of law, recommend to the City Council that the JCC’s Proposed Amendment 18 (“Site-Specific Rezone Amendment”) not be placed on the final docket for, without limitation, the following reasons:

- 1) The Site-Specific Rezone Amendment is a “site-specific rezone” and is statutorily illegal.
2) The Site-Specific Site Rezone Amendment disingenuously convolutes the legislative created statutory term “specific-site rezone” with the judicially created term “spot zone.”

## II. STATUTORILY ILLEGAL SITE-SPECIFIC REZONE

### A. *Site-Specific Rezones Are Illegal And Are Absolutely Prohibited By MICC 19.15.240(C)(4)*

MICC 19.15.240(C)(4) provides in pertinent part as follows:

C. *Criteria.* The city council may approve a rezone **only if all** of the following criteria are met:

\*\*\*

4. The proposed reclassification does not constitute an illegal **site-specific** rezone; (bold added).

The plain meaning of MICC 19.15.240(C)(4) is unambiguous. When the plain meaning of a statute like MICC 19.15.240(C)(4) is unambiguous, that statute is not subject to construction as a matter of law. *See, e.g., In re E.M.*, 197 Wn.2d 492 (2021) and *In re Zandi*, 187 Wn.2d 921 (2017). *In re E.M.*, 197 Wn.2d 492, 499-500 (2021) provides as follows:

In resolving an issue of statutory construction, we first look to the plain meaning of the statute.... Meaning must be ascertained from the plain language of the statute.... **Thus, if the plain meaning of the statute is unambiguous, we end our inquiry.** (bold added).

*In re Zandi*, 187 Wn.2d 921, 927 (2017) provides as follows:

**If the plain meaning of a statute is unambiguous, our inquiry ends.** (bold added).

The Site-Specific Rezone Amendment seeks to establish an illegal site-specific rezone. The JCC fails to recognize that the plain meaning of MICC 19.15.240(C)(4) is unambiguous, not subject to statutory construction or interpretation, and absolutely prohibits the Site-Specific Rezone Amendment. Instead, the JCC resorts to disingenuous

arguments to avoid the fact that MICC 19.15.240(C)(4) absolutely prohibits the Site-Specific Rezone Amendment.

***B. The Site-Specific Amendment Is Unquestionably A Site-Specific Rezone***

The City has admitted as it must that the Site-Specific Rezone Amendment “pertains to rezoning a specific property.” *See, e.g.*, Packet at p. 5.

The JCC has admitted as it must that the Site-Specific Rezone Amendment is “related to a specific property.” *See, e.g.*, Packet at p. 9.

The Washington Supreme Court delineated three factors of site-specific rezone. *See, e.g., Schnitzer West v. City Of Puyallup*, 190 Wn2d. 568, 576 (2018) (“A site-specific rezone requires three factors: (1) a specific tract of land, (2) a request for a classification change, and (3) a specific party making the request”). The Site-Specific Rezone Amendment encompasses those three factors. The Site-Specific Rezone Amendment involves one specific tract of land. The Site-Specific Rezone Amendment requests a classification change for that one specific tract of land. The Site-Specific Rezone Amendment request for a classification change is made by one specific Party, the JCC.

***C. The Site-Specific Rezone Amendment As A Matter Of Law Cannot Be Placed On The Final Docket***

It is beyond question that MICC 19.15.240(C)(4) absolutely prohibits site-specific rezones. It is also beyond question that the Site-Specific Rezone Amendment is a site-specific rezone.

As such, the Planning Commission must, as a matter of law, recommend to the City Council that the JCC's Site-Specific Rezone Amendment not be placed on the final docket.

### III. ILLEGAL CONFLATION OF SPECIFIC-SITE REZONES AND SPOT REZONES

Regarding MICC 19.15.240(C)(4), the Docket Request Form requires the JCC to confirm that "The proposed reclassification **does not** constitute an illegal site-specific rezone." (bold added). *See, e.g.*, Packet at p. 32.

Because the JCC Site-Specific Rezone Amendment **does constitute**, as a matter of law, a "site-specific rezone," the JCC is unable to confirm that "The proposed reclassification does not constitute an illegal site-specific rezone." Instead, the JCC illegally attempts to amend and rewrite MICC 19.15.240(C)(4). The JCC's illegal attempt disingenuously replaces and substitutes the MICC 19.15.240(C)(4) term "site-specific rezone" with the term "spot rezone" as follows:

**The proposed reclassification does not constitute an illegal site-specific rezone, often known as an "illegal spot zone."** (bold and quotation marks in the original.)(coloring added).

*See, e.g.*, Packet at p. 32.

In effect, the JCC's illegal attempt disingenuously must delete the MICC 19.15.240(C)(4) term "site-specific rezone" and then disingenuously must add the term

“spot rezone.” As a matter of law, however, words cannot be added and cannot be deleted from MICC 19.15.240(C)(4).

*State v. J.P.*, 149 Wn.2d 444 (2003) provides as follows:

Just as **we cannot add words or clauses** to an unambiguous statute when the legislature has chosen not to include that language, **we may not delete language** from an unambiguous statute.... (bold added).

*State Washington v. Delgado*, 148 Wn.2d 723 (2003) provides as follows:

When statutory language is unambiguous, we look only to that language to determine the legislative intent without considering outside sources. "Plain language does not require construction." When we interpret a ... statute, we give it a literal and strict interpretation. **We cannot add words or clauses** to an unambiguous statute when the legislature has chosen not to include that language. **We assume the legislature "means exactly what it says."** Our inquiry, thus, ends with the plain language before us. (bold added).

“Site-Specific Rezones” and “Spot Rezones” are jurisprudentially different and cannot be used interchangeably. *Compare Schnitzer West v. City Of Puyallup*, 190 Wn2d. 568, (2018)(regarding Site-Specific Rezones) *with Smith v. Skagit County*, 75 Wn.2d 715 (1969)(regarding Spot Zones).

#### **IV. THE JCC APPEARS TO ROUTINELY UTILIZE DISINGENUOUSLY**

The JCC's disingenuous attempt to amend and rewrite MICC 19.15.240(C)(4) is not unique to the JCC's Site-Specific Rezone Amendment. *See Exhibit A*, at pp. 10-12.

#### **V. CONCLUSION**

For all of the above reasons, among others, the Planning Commission must, as a matter of law, recommend to the City Council that the Specific Site Rezone Amendment not be placed on the final docket.

DATED this 14<sup>th</sup> day of November, 2023

Robert A. Medved

# EXHIBIT A



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21

BEFORE THE HEARING EXAMINER OF THE CITY OF MERCER ISLAND

|  |  |
|--|--|
| In Re The Appeal Of:                       | APL No. 22-004   |
| Development Code Interpretation No. 22-004 | MEMORANDUM OF ROBERT A. MEDVED IN SUPPORT OF THE CITY OF MERCER ISLAND |

**TABLE OF CONTENTS**

- I. INTRODUCTION .....2
- II. THE PLAIN MEANING OF MICC 19.06.110(B)(2)(a) IS UNAMBIGUOUS .....2
- III. 2016 – 2021 ADOPTED AND PROPOSED CODE AMENDMENTS .....4
  - A. The Variance Hardship Ordinance No. 17C-15 .....4
    - (i.) The Hardship Ordinance Adoption Process .....4
    - (ii.) The JCC Failed To Participate In The .....5
  - Hardship Ordinance Adoption Process.....5
  - B. The Transportation Concurrency Ordinance No. 18C-12. ....5
    - (i.) The Transportation Concurrency Ordinance .....5
    - (ii.) The JCC Failed To Participate In The Transportation Concurrency Ordinance Adoption Process .....6
  - C. The Community Facility Zone Designation Ordinance No. 20-04. ....6
  - D. The Docketing Ordinance No. 19C-21 .....7
    - (i.) The Docketing Ordinance Adoption Process .....7
    - (ii.) The JCC Failed To Participate In The Docketing .....7
  - Ordinance Adoption Process .....7
  - E. The Hill Application To Amend The Zoning Code. ....8
- IV. ARGUMENT IN SUPPORT OF THE CITY OF MERCER ISLAND .....9
- V. ARGUMENT IN OPPOSITION TO THE JCC APPEAL .....10
  - A. The JCC Appeal Fails To Address The Fact That The Plain Meaning Of The Hardship Ordinance Is Unambiguous. ....10
    - (i.) The JCC’s First Created Disingenuous Statement .....10
    - (ii.) The JCC’s Second Created Disingenuous Statement .....10
    - (iii.) The JCC’s Third Created Disingenuous Statement .....11
    - (iv.) The JCC’s Forth Created Disingenuous Statement .....12
  - B. The JCC Appeal Fails To Recognize That The Hardship Ordinance Prevails Over The Comprehensive Plan. ....13
- VI. CONCLUSION .....14

## I. INTRODUCTION

The plain meaning of MICC 19.06.110(B)(2)(a) is unambiguous. Accordingly, MICC 19.06.110(B)(2)(a) is not subject to construction as a matter of law.

The City's Development Code Interpretation 22-044 correctly recognizes that the plain meaning of MICC 19.06.110(B)(2)(a) is unambiguous.

The Appellants fail to recognize that the plain meaning of MICC 19.06.110(B)(2)(a) is unambiguous. Instead, the Appellants resort to disingenuous arguments to avoid the fact that MICC 19.06.110(B)(2)(a) is unambiguous.

Because the plain meaning of MICC 19.06.110(B)(2)(a) is unambiguous and MICC 19.06.110(B)(2)(a) is not subject to construction as a matter of law, it is respectfully requested that this appeal be denied at the outset of the January 25, 2023 hearing.

## II. THE PLAIN MEANING OF MICC 19.06.110(B)(2)(a) IS UNAMBIGUOUS

The plain meaning of MICC 19.06.110(B)(2)(a) ("Hardship Ordinance")<sup>1</sup> is unambiguous. The Hardship Ordinance provides in its entirety as follows:

### 2. *Criteria.*

- a. The strict enforcement of the provisions of this title will create an unnecessary hardship to the property owner. For the purposes of this criterion, in the R-8.4, R-9.6, R-12, and R-15 zoning designations, an "unnecessary hardship" is limited to those circumstances where the adopted standards of this title prevent the

---

<sup>1</sup> This Memorandum intentionally does not address the criteria for increased lot coverage and increased impervious surface variances that are addressed by MICC 19.06.110 (B)(1) and MICC 19.06.110(B)(2)(i).

1 construction of a single-family dwelling on a legally created,  
2 residentially zoned lot.... (quotation marks in the original) (bold  
added).

3 When the plain meaning of a statute like the Hardship Ordinance is  
4 unambiguous, that statute is not subject to construction as a matter of law. *See, e.g., In*  
5 *re E.M.*, 197 Wn.2d 492 (2021) and *In re Zandi*, 187 Wn.2d 921 (2017). *In re E.M.*,  
6 197 Wn.2d 492, 499-500 (2021) provides as follows:

7 **In resolving an issue of statutory construction, we first look to**  
8 **the plain meaning of the statute.... Meaning must be**  
9 **ascertained from the plain language of the statute.... Thus, if**  
**the plain meaning of the statute is unambiguous, we end our**  
**inquiry.**

\*\*\*

10 The statute is not ambiguous as to whether private counsel must be  
11 appointed—there is no such requirement. Accordingly, we decline  
12 to apply canons of construction or look to the legislative intent of  
the statute. (citations omitted) (bold added).

13 *In re Zandi*, 187 Wn.2d 921, 927 (2017) provides as follows:

14 **If the plain meaning of a statute is unambiguous, our inquiry**  
**ends.**

\*\*\*

15 The Court of Appeals majority correctly recognized that  
16 "uninsured medical expenses" under RCW 26.18.170  
17 unambiguously include costs "not covered by insurance."  
(quotation marks in the original) (citations omitted) (bold added).

18 Highlighted copies of *In re E.M.* and *In re Zandi* are attached to the Declaration  
19 Of Robert A. Medved In Support Of The City Of Mercer Island ("Medved Decl.") as  
20 **Exhibit 1** and **Exhibit 2**.

21 Because the plain meaning of the Hardship Ordinance is unambiguous, the  
Hardship Ordinance should not be construed in this appeal.

### 1           **III.    2016 – 2021 ADOPTED AND PROPOSED CODE AMENDMENTS**

2           Between 2016 and 2021 there were three adopted and two proposed amendments  
3 to MICC Title 19 – Unified Land Development Code that involved the Stroum Jewish  
4 Community Center of Greater Seattle (“JCC”), namely: (i) the Variance Hardship  
5 Ordinance No. 17C-15, (ii) the Transportation Concurrency Ordinance No. 18C-12, (iii)  
6 the Community Facility Zone Designation Ordinance No. 20-04, (iv) the Docketing  
7 Ordinance No. 19C-21 and (v) the Hill Application To Amend The Zoning Code. *See*  
8 Medved Decl., at paragraphs 8-39 and **Exhibits 3-35**.

9           At times the City’s consideration of these five adopted and proposed  
10 amendments overlapped. *See* Medved Decl., at paragraph 7 and **Exhibit 3**. These five  
11 adopted and proposed amendments are treated in more detail below.

#### 12           **A.    The Variance Hardship Ordinance No. 17C-15**

##### 13                   (i.)    **The Hardship Ordinance Adoption Process**

14           The Hardship Ordinance was a part of the City’s review and amendment of its  
15 Residential Development Standards Code. *See* Medved Decl., at paragraphs 8-11 and  
16 **Exhibits 4-7**.

17           The City’s review and amendment process started around July 20, 2016 and  
18 ended around September 19 2017 with the adoption of the Hardship Ordinance—*i.e.*,  
19 approximately fourteen months. *See* Medved Decl., at paragraphs 7, 8 and 11 and  
20 **Exhibits 3, 4 and 7**. *See also* the Declaration Of Matthew Goldbach, Neighbor Of The  
21

1 Jewish Community Center In Support Of Mercer Island’s Code Interpretation  
2 (“Goldbach Decl.”), at paragraphs 2.1 and 2.2.

3 The public participated throughout this fourteen month adoption process, *See*  
4 Medved Decl., at paragraphs 8-11 and **Exhibit 4**, at pp. 1-2; **Exhibit 5**, at p. 1; **Exhibit**  
5 **6**, at pp. 2-3 and **Exhibit 7**, at pp. 2-3.

6 (ii.) **The JCC Failed To Participate In The**  
7 **Hardship Ordinance Adoption Process**

8 The JCC did not participate in the Hardship Ordinance fourteen month adoption  
9 process. Despite the fact that the JCC did not participate in the Hardship Ordinance  
10 fourteen month adoption process, the JCC now, more than five years after the adoption  
11 of the Hardship Ordinance, claims that the Hardship Ordinance will have a “devasting  
12 (sic) effect”<sup>2</sup> on the JCC.

13 ***B. The Transportation Concurrency Ordinance No. 18C-12.***

14 (i.) **The Transportation Concurrency Ordinance**  
15 **Adoption Process**

16 The adoption process for the Transportation Concurrency Ordinance started  
17 around February 15, 2017 and ended around December 20, 2018—*i.e.*, approximately  
18 twenty-one months.

---

19 <sup>2</sup> The JCC appeal at page 13 claims that the City:

20 “ignores the devastating (sic) effect of [the Hardship  
21 Ordinance on the JCC] and ultimately the essence of (sic)  
Mercer Island community which will dissolve without  
healthy support for the organizations that bind Mercer  
Island residents as an extremely close-knit community.”



1 On February 18, 2020, the City Council adopted Ordinance No. 20-04 which  
2 repealed all ordinances related to the Community Facility Zone. *See* Medved Decl., at  
3 paragraphs 25 and 26 and **Exhibits 21 and 22.**

4 *See* also Medved Decl., at paragraphs 18-26 and **Exhibits 14-22**, and *see*  
5 Goldbach Decl., at paragraphs 3.4-3.9, and *see* the Declaration Of John Hall, Neighbor  
6 Of The Jewish Community Center In Support Of Mercer Island’s Code Interpretation  
7 (“Hall Decl.”), at paragraphs 2.1-2.5.

8 ***D. The Docketing Ordinance No. 19C-21.***

9 (i.) **The Docketing Ordinance Adoption Process**

10 The Docketing Ordinance is mandated required by the GMA and requires all  
11 proposed comprehensive plan amendments and all code amendments be placed on a  
12 docket to allow the City to manage these proposed amendments. The adoption process  
13 for the Docketing Ordinance started around July 16, 2019 and ended around May 1,  
14 2020—*i.e.*, approximately nine months. *See* Medved Decl., at paragraphs 27 and 33 and  
15 **Exhibits 23 and 29.**

16 The public participated in the nine month adoption process. *See* Medved Decl.,  
17 at paragraphs 27 and 29 and **Exhibits 23 and 25.**

18 (ii.) **The JCC Failed To Participate In The Docketing**  
19 **Ordinance Adoption Process**

20 The JCC did not participate in the Docketing Ordinance nine month adoption  
21 process. Instead, on December 9, 2019, the JCC sent a request to the City to postpone  
the final adoption of the Docketing Ordinance “to address the adverse impacts [the

1 Docketing Ordinance] would have on [the JCC’s ability] to move forward with [the  
2 JCC’s] projects.” See Medved Decl., at paragraph 31 and **Exhibit 27**.

3 See also Medved Decl., at paragraphs 27-33 and **Exhibits 23-29**, and see  
4 Goldbach Decl., at paragraphs 4.1-4.4 and see Hall Decl., at paragraph 2.6.

5 ***E. The Hill Application To Amend The Zoning Code.***

6 On February 11, 2020, the JCC through attorney Richard Hill filed an  
7 Application For Zoning Text Amendment which would have allowed new JCC  
8 development projects to be sited in single-family neighborhoods.<sup>4</sup> See Medved Decl., at  
9 paragraphs 34 and 35 and **Exhibits 30** and **31**.

10 On February 18, 2020, the JJC through attorney Richard Hill attended the  
11 Mercer Island City Council Meeting and:

12 ... asked the Council to direct staff and the Planning Commission  
13 to review the proposed [Application For Zoning Text Amendment]  
14 this year, explaining that the proposed [Application For Zoning  
15 Text Amendment] is a narrowly tailored amendment to the code.  
16 Mr. Hill then outlined three changes, including one to GFA, one to  
17 height, and one to lot coverage.

18 See Medved Decl., at paragraph 36 and **Exhibit 32**.

---

19 <sup>4</sup> Although the JCC Application For Zoning Text Amendment proposed  
20 sweeping amendments to Mercer Island Land Use Code, the JCC Application For  
21 Zoning Text Amendment did not propose any amendments to the Hardship Ordinance.  
See Medved Decl., at paragraphs 34 and 35 and **Exhibits 30** and **31**.



1 On March 2, 2020, a comprehensive Request For Legal Opinions regarding the  
2 Application For Zoning Text Amendment was sent to the City. *See* Medved Decl., at  
3 paragraph 37 and **Exhibit 33**.

4 On March 6, 2020, the Concerned Neighbors for the Preservation of Our  
5 Community through attorney Alex Sidles sent a letter critical of the Application For  
6 Zoning Text Amendment to the City. *See* Medved Decl., at paragraph 38 and **Exhibit**  
7 **34**.

8 The JCC did not actively pursue its Application For Zoning Text Amendment.  
9 Instead, on February 1, 2021, the JCC withdrew its Application For Zoning Text  
10 Amendment and was refunded all fees associated with the JCC Application For Zoning  
11 Text Amendment. *See* Medved Decl., at paragraph 39 and **Exhibit 35**.

12 *See also* Medved Decl., at paragraphs 34-39 and **Exhibits 30-35**, and *see*  
13 Goldbach Decl., at paragraphs 4.5 through 4.14, and *see* Hall Decl., at paragraphs 2.6  
14 and 2.7.

#### 15 **IV. ARGUMENT IN SUPPORT OF THE CITY OF MERCER ISLAND**

16 Development Code Interpretation 22-004, at paragraphs 5(a) and 7(1)(i) on  
17 pages 2-3, correctly recognized that the plain meaning of the Hardship Ordinance is  
18 unambiguous. In addition to correctly dealing with the Hardship Ordinance criteria,  
19 Development Interpretation 22-004, at paragraphs 5(a)-5(c), 7(1)(i) and 7(1)(ii) on  
20 pages 2-3, also correctly dealt with the criteria for increased lot coverage and increased  
21

1 impervious surface area variances addressed by MICC 19.06.110 (B)(1) and MICC  
2 19.06.110(B)(2)(i).<sup>5</sup>

3 **V. ARGUMENT IN OPPOSITION TO THE JCC APPEAL**

4 ***A. The JCC Appeal Fails To Address The Fact That The Plain Meaning Of  
5 The Hardship Ordinance Is Unambiguous.***

6 The JCC appeal fails to address the fact that the plain meaning of the Hardship  
7 Ordinance is unambiguous and should not be construed in this JCC appeal.

8 Instead, the JCC appeal creates four disingenuous statements not supported by  
9 any statutory language and not supported by the law.

10 **(i.) The JCC’s First Created Disingenuous Statement**

11 First, the JCC appeal at page 15 disingenuously states: “We believe [the  
12 Hardship Ordinance] was intended to apply to only the structures it was intended by the  
13 City Council to apply—single family mega homes.” There nothing in the Hardship  
14 Ordinance or the law that supports that statement. Indeed, that statement is contrary to  
15 the Hardship Ordinance’s unambiguous language and is contrary to the law.

16 **(ii.) The JCC’s Second Created Disingenuous Statement**

17 Second, the JCC appeal at page 16 disingenuously states: “... nonresidential  
18 structures in single family zones can meet the hardship criterion for all development  
19 standards due to the fact that the hardship provision was intended only to apply to single  
20 family structures.” Again, there is nothing in the Hardship Ordinance or the law that

21 \_\_\_\_\_  
<sup>5</sup> See footnote 1, *supra*, at page 2.

1 supports that statement. Indeed, that statement is contrary to the Hardship Ordinance's  
2 unambiguous language and is contrary to the law.

3 (iii.) **The JCC's Third Created Disingenuous Statement**

4 Third, the JCC appeal at page 9 first disingenuously states that MICC  
5 19.06.110(B)(1) somehow changes the plain meaning of the Hardship Ordinance  
6 language. This third disingenuous statement is not only without merit, it omits the  
7 MICC 19.06.110(B)(1) language that cites to and requires compliance with the Hardship  
8 Ordinance. That MICC 19.06.110(B)(1) language provides:

9 "A variance shall be granted by the city **only if the applicant can**  
10 **meet all criteria in subsections (B)(2)(a)** [the Hardship  
Ordinance] through (B)(2)(h) of this section." (bold added).

11 Moreover, the JCC Appeal fails to recognize that the specific language of the  
12 Hardship Ordinance supersedes the general language of MICC 19.06.110(B)(1). *See,*  
13 *e.g., Kustura v Department Of Labor & Industries*, 169 Wn.2d 81 (2010), *Futurewise v.*  
14 *Spokane County*, 517 P.3d 519 (2022) and *Lakeside Industries v. Washington. State*  
15 *Department Of Revenue*, 495 P.3d 257 (2021).

16 *Kustura v Department Of Labor & Industries*, 169 Wn.2d 81, 88 (2010) provides  
17 as follows:

18 **A specific statute will supersede a general one** when both apply.  
19 (citations and quotation marks omitted) (bold added).

20 *Futurewise v. Spokane County*, 517 P.3d 519, 525 (2022) provides as follows:

21 A well-accepted rule of statutory construction is that **a specific**  
**statute will supersede a general one** when both apply. (citation  
omitted) (bold added).

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21

*Lakeside Industries v. Washington State Department Of Revenue*, 495 P.3d 257, 262 (2021) provides as follows:

Where general and specific statues address the same matter, **the specific statute prevails.** (citation omitted) (bold added).

Highlighted copies of: (i) *Kustura v Department Of Labor & Industries*, (ii) *Futurewise v. Spokane*, and (iii) *Lakeside Industries v. Washington State Department Of Revenue* are attached to the Medved Decl. as **Exhibit 36, Exhibit 37** and **Exhibit 38**.

(iv.) **The JCC’s Forth Created Disingenuous Statement**

Fourth, the JCC appeal at page 15 and citing *State v. Taylor*, 97 Wn.2d 724, 730 (1982), disingenuously states that some unidentified language omitted from the Hardship Ordinance “rendered the [Hardship Ordinance] absurd and undermined [the Hardship Ordinance’s] sole purpose.” However, the unambiguous Hardship Ordinance language itself conclusively demonstrates that: (i) no language has been omitted from the plain meaning of the Hardship Ordinance, (ii) the plain meaning of the Hardship Ordinance is not absurd, and (iii) the plain meaning of the Hardship Ordinance does not undermine its purpose. At the hearing, the City can corroborate the fact that no language was omitted from the Hardship Ordinance should the Hearing Examiner wish to inquire further. *See also* Medved Decl. at paragraphs 8-11 and **Exhibits 4-7**.

1 ***B. The JCC Appeal Fails To Recognize That The Hardship Ordinance***  
 2 ***Prevails Over The Comprehensive Plan.***

3 The JCC appeal continuously fails to address the fact that the plain meaning of  
 4 the Hardship Ordinance is unambiguous and should not be construed in this JCC appeal.

5 Instead, the JCC permeates the JCC appeal with select portions of the  
 6 comprehensive plan. In doing so, the JCC ignores that as a matter of law the Hardship  
 7 Ordinance prevails over the comprehensive plan. *See, e.g., Citizens For Mount Vernon*  
 8 *v. City Of Mount Vernon*, 133 Wn.2d 861 (1997), *Weyerhaeuser v. Pierce County*, 124  
 9 Wn.2d 26 (1994) and *Cougar Mountain Associates v. King County*, 111 Wn.2d 742  
 10 (1988).

11 *Citizens For Mount Vernon v. City Of Mount Vernon*, 133 Wn.2d 861, 873-74  
 12 (1997) provides as follows:

13 **A specific zoning ordinance will prevail over an inconsistent**  
 14 **comprehensive plan.**

\*\*\*

15 If a comprehensive plan prohibits a particular use but the zoning  
 16 code permits, the use would be permitted. (citations omitted) (bold  
 17 added).

18 *Weyerhaeuser v. Pierce County*, 124 Wn.2d 26, 43 (1994) provides as follows:

19 Generally, **a specific zoning ordinance will prevail, even over an**  
 20 **inconsistent comprehensive plan....** Thus, to the extent the  
 21 comprehensive plan prohibits the landfill use, while the zoning  
 code permits it, the use would be a permitted use under this general  
 rule. (citations omitted) (bold added).

*Cougar Mountain Associates v. King County*, 111 Wn.2d 742, 757 (1988)  
 provides as follows:

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21

**A comprehensive plan is no more than a general policy guide to the later adoption of official controls which subordinate to specific zoning regulations.** (citations and quotation marks omitted) (bold added).

Highlighted copies of: (i) *Citizens For Mount Vernon v. City Of Mount Vernon*, (ii) *Weyerhaeuser v. Pierce County*, and (iii) *Cougar Mountain Associates v. King County* are attached to the Medved Decl. as **Exhibit 39, Exhibit 40 and Exhibit 41.**

**VI. CONCLUSION**

Because the plain meaning of MICC 19.06.110(B)(2)(a) is unambiguous and MICC 19.06.110(B)(2)(a) is not subject to construction as a matter of law, the JCC appeal should be denied at the outset of the January 25, 2023 hearing.

DATED this 8<sup>th</sup> day of January, 2023

  
Robert A. Medved

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Tuesday, November 14, 2023 4:53 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: SJCC rezone request

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Stuart Sulman <[ssulman@kellersupply.com](mailto:ssulman@kellersupply.com)>  
**Sent:** Tuesday, November 14, 2023 4:52 PM  
**To:** Planning Commission <[Planning.Commission@mercergov.org](mailto:Planning.Commission@mercergov.org)>  
**Subject:** SJCC rezone request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Stuart Sulman  
Mercer Island Resident for 47 years

### Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by Mimecast, a leader in email security and cyber resilience. Mimecast integrates email defenses with brand protection, security awareness training, web security, compliance and other essential capabilities. Mimecast helps protect large and small organizations from malicious activity, human error and technology failure; and to lead the movement toward building a more resilient world. To find out more, visit our website.



## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Wednesday, November 15, 2023 9:25 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Categories:** PLANNING & DESIGN COMMISSION

Comment received to Planning Commission mailbox

Andrea Larson  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW) The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

From: Susan Reichert <robandsue@comcast.net>  
 Sent: Tuesday, November 14, 2023 5:23 PM  
 To: Planning Commission <Planning.Commission@mercergov.org>  
 Subject: Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

As a neighbor of the JCC, I support their hopes to revitalize their building in order to serve their community better. However, this endorsement is only if one of the requirements for rezoning for commercial usage is access be modified to align with "commercial" usage as well by eliminating the access from the neighborhood along EMW or from the neighborhood side of the property. The current driveway and access to the property is unsafe for pedestrians, bikers, and automobiles. Setback requirements, lighting and parking as proven inadequate in the past even with current usage. It seems much more logical to provide access to the property through the currently zoned commercial buildings that face Gallagher Hill Road. It makes even more sense to use the problematic City Hall as a better local resource to meet the community center's needs. I believe there is currently a fire access road from City Hall to that side of the JCC property. Access from that direction would get traffic backups, parking and pedestrians off the streets.

Currently there are blind curves that reduce the sight lines going both northbound and southbound along EMW, too much traffic with the schools and daycare centers so that at times traffic backs up onto I-90 creating unsafe conditions and the risk of getting rear ended while stopped on the freeway, drivers pulling out or blocking EMW both northbound and southbound as they come to pick up their kids, bikers who regularly run the red lights at Gallagher Hill and EMW and lastly confused drivers turning down the freeway off-ramp the wrong way instead of turning right onto Gallagher Hill Road as they approach the JCC from the eastside.

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to appropriate use on the docket with the stipulation that above safety considerations be included in the process, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness. I have found that the use of the building for a private school has caused most of the neighborhood traffic problems.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island. I assume it will have an affect though on usage as a private school which does impact the neighborhood. I am not in favor of adding a Jewish Day school K-12 there given the above access issues.

I hope you will consider both the needs of the JCC but also the impacts on the neighboring properties. Those homeowners bought with the current zoning and this will impact their property values.

In concern for community safety,

Susan Reichert

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Wednesday, November 15, 2023 9:25 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Categories:** WMCA PINK WALK, PLANNING & DESIGN COMMISSION

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Mark Clausen <mclausen@clausenlawfirm.com>  
**Sent:** Tuesday, November 14, 2023 5:31 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

I believe the City Council should approve the rezone of the Stroum Jewish Community Center (JCC) from large residential to commercial/office. The JCC is an incredibly valuable asset to the community. We all know how precious are the facilities where our kids can play, our families can experience the best of Mercer Island, and our elderly can stay fit and sharp. Also, to have a place where people of all ages get together to play and have fun. The JCC is unique in its appeal to all age groups. It should be allowed to grow and thrive to the full extent of demand for modernized facilities that meet current needs and demands. The current facility is heavily used and well loved, but the JCC is limited in its offerings by the size and costs of the aging facility.

I am 65 and I lift weights and do other strength training at the JCC. The weight room is too small. It is currently spread around about 5 different rooms, including three racquetball courts. This is one small example of why the JCC needs room to expand and have zoning consistent with its current and potential operations. I see every week that a wide slice of Islanders use the weight room. I regularly see teens, parents, and elderly like myself working out. This is the kind of place we ought to encourage and promote. The zoning should reflect what the JCC is and what it can become to support our community.

The Planning Commission and Council should in no way think this is favoring only Jewish residents of Mercer Island. My wife and I are not Jewish, but I use the facility every week and my wife does so multiple times per week. The JCC is heavily used by a wide range of community members. It is a community meeting place available to all residents. The current events highlight the benefit of having a place like the JCC where tolerance is a given.

As an Islander for almost 30 years, I am very sensitive to the priority of maintaining the Island's residential character. Not only do I live on Mercer Island, my office almost backs up on the JCC property. I do not think an improved JCC will

materially impact the surrounding residential neighborhood, and will benefit the small commercial area between C Hall and the JCC where I work. There is no rational objection to allowing the JCC to upgrade its facilities, and to have zoning that will allow that. From what I know of the management and volunteer control of the JCC, any upgrades will be done with sensitivity to the neighbors and their interests and privacy.

I know from my experience working on community projects with the City that there is a vocal segment of the Island population that will oppose any change no matter how much benefit it would hold for the community. I urge you to consider that these types of complaints relate more to resistance to change than to the merits of the proposed change. The City Council should keep in mind that the resistance to change is a constant but that the City has an obligation to work to improve the quality of life on the Island. Allowing the rezone will accomplish that. Regards, Mark Clausen

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Wednesday, November 15, 2023 9:26 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Supporting the SJCC request to rezone

**Categories:** WMCA PINK WALK, PLANNING & DESIGN COMMISSION

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** srockfeld@yahoo.com <srockfeld@yahoo.com>  
**Sent:** Tuesday, November 14, 2023 5:47 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>; Council <council@mercergov.org>  
**Cc:** Cindy Rockfeld <cinchin98@hotmail.com>  
**Subject:** Supporting the SJCC request to rezone

Dear Mercer Island Planning Commission and City Council,

I would love for the Mercer Island City Council to support the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is n

Item 1.

Thank you for your support.  
Scott and Cindy Rockfeld  
MI Residents since 2007

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Wednesday, November 15, 2023 9:27 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Rezone the SJCC, It's Time

**Categories:** WMCA PINK WALK, PLANNING & DESIGN COMMISSION

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Susan Szafir <[susan\\_szafir@yahoo.com](mailto:susan_szafir@yahoo.com)>  
**Sent:** Tuesday, November 14, 2023 8:23 PM  
**To:** Planning Commission <[Planning.Commission@mercergov.org](mailto:Planning.Commission@mercergov.org)>  
**Subject:** Rezone the SJCC, It's Time

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

Additionally, for some perspective, prior to moving to Mercer Island, we lived in Austin Texas 2000 - 2008. When we arrived in Austin a gorgeous new JCC campus had been built. It was amazing and the entire residential neighborhood benefited. Home owners saw a significant increase in property values while many in the community took advantage of this state of the art facility. Whereas when we moved to M.I. in 2008, the SJCC was clearly in need of more than a face lift. Fast forward to 2023. The Austin JCC has benefited from a recent expansion and remodel, while the SJCC is still woefully housed in the same updated facility.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Susan Szafir

3400 72nd PL SE

M.I. Resident since 2008



## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Wednesday, November 15, 2023 9:28 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Categories:** WMCA PINK WALK, PLANNING & DESIGN COMMISSION

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Lorna <LBIsenberg@msn.com>  
**Sent:** Tuesday, November 14, 2023 9:31 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Get [Outlook for Android](#)

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Wednesday, November 15, 2023 9:29 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Categories:** WMCA PINK WALK, PLANNING & DESIGN COMMISSION

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Felice Keller Becker <felicejk@yahoo.com>  
**Sent:** Tuesday, November 14, 2023 10:08 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

I grew up on Mercer Island, attending Lakeridge, Island Park, IMS, and MIHS, but my formative preschool years were spent at SJCC. It is an amazing place, open to people of all races and religions, that has a fundamental purpose of creating a sense of community and a safe, joyfilled oasis for those who are Jewish. While I definitely learned about religious holidays and celebrations, my biggest lessons were about working hard, being a good person and "tikkun olam," repairing the world. After receiving my MBA with honors from the University of Washington, I spent years working in fundraising and now volunteer for my kids' schools and other organizations about which I am passionate. My friends preschool friends from the SJCC, many who remain some of my closest friends, have all gone on to make extraordinary contributions. The SJCC is an invaluable asset to Mercer Island.

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024. For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness. It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors. For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution

on the Island. The time to support the future of the Stroum Jewish Community Center on Mercer Island is  
Thank you for your support.

Item 1.

Sincerely,  
Felice Keller Becker

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Wednesday, November 15, 2023 9:31 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: JCC Rezoning

**Categories:** WMCA PINK WALK, PLANNING & DESIGN COMMISSION

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Alexandra Schatz <[alexandra.schatz@me.com](mailto:alexandra.schatz@me.com)>  
**Sent:** Tuesday, November 14, 2023 8:56 PM  
**To:** Planning Commission <[Planning.Commission@mercergov.org](mailto:Planning.Commission@mercergov.org)>  
**Subject:** JCC Rezoning

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is n

The JCC has been a great place for our family of four to work out and be part of the island's community.

Thank you for your support.

Alex and Patrick Schatz with family

We have been living on Mercer Island for the past 14 years.

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Wednesday, November 15, 2023 9:36 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Categories:** WMCA PINK WALK, PLANNING & DESIGN COMMISSION

Comment received to Planning Commission mailbox

Andrea Larson  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

**From:** Mindy Geisser <mindygeisser@gmail.com>  
**Sent:** Tuesday, November 14, 2023 10:36 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sincerely,  
 Mindy Geisser  
 President, SJCC Board of Directors

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Wednesday, November 15, 2023 9:37 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Categories:** WMCA PINK WALK, PLANNING & DESIGN COMMISSION

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Aimee Johnson <goldenaimee1@gmail.com>  
**Sent:** Wednesday, November 15, 2023 7:41 AM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission, Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024. For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness. It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors. For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island. The time to support the future of the Stroum Jewish Community Center on Mercer Island is now. Thank you for your support.

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Wednesday, November 15, 2023 9:38 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Categories:** PLANNING & DESIGN COMMISSION

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Glenda <glenders29@gmail.com>  
**Sent:** Wednesday, November 15, 2023 8:12 AM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Cc:** A Karl Waters <waters.karl@gmail.com>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Our son goes to ECS at the SJCC - and he loves it there. However, given the building is older we have had some recent issues - roof leaking, heaters breaking that have caused some delay in school or unusable areas, which you can imagine could cause some safety issues. The staff at the SJCC have been great in trying to fix the issues as fast and best as possible but due to the age of the building it would be best if a more permanent fix would be done.

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.



Thank you for your support!

Karl and Glenda

**Deb Estrada**

---

**From:** Andrea Larson  
**Sent:** Wednesday, November 15, 2023 9:38 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: SJCC's revitalization support

**Categories:** WMCA PINK WALK, PLANNING & DESIGN COMMISSION

Comment received to Planning Commission mailbox

Andrea Larson  
City Clerk  
City of Mercer Island  
206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

From: Richard Openshaw <richard@openshawcpa.com>  
Sent: Wednesday, November 15, 2023 8:52 AM  
To: Planning Commission <Planning.Commission@mercergov.org>  
Subject: SJCC's revitalization support

Good Morning,

As a member of the Stroum Jewish Community Center I support its revitalization, which is way overdue. Since being built in 1969 it's received minimal updates or upgrades. The "new & improved" SJCC will look better from the outside, be easier to navigate, and be more functional. It ensures it stays on the Island as a centralized place where people/groups of all backgrounds, whether members or quests, can socialize, have meetings, be entertained, and have childcare for over 200 pre-kindergarten children, which is sorely needed.

Thank you for your consideration.

Richard Openshaw CPA CGMA J.D.

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Wednesday, November 15, 2023 9:39 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Support for SJCC Modernization Request

**Categories:** WMCA PINK WALK, PLANNING & DESIGN COMMISSION

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Amy Moultray <Amy@moultray.com>  
**Sent:** Wednesday, November 15, 2023 9:26 AM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Support for SJCC Modernization Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. My family has been a member of the SJCC for 10+ years and the early education school, community programming, summer camps, and fitness facilities have been a foundational part of our life and sense of community on the Island. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

Now more than ever, the SJCC operates as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Amy Clements Moultray

Mercer Island Resident for 10+ years

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Wednesday, November 15, 2023 10:50 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Rezoning request for Mercer Island Stroum Jewish Community Center

**Categories:** PLANNING & DESIGN COMMISSION

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** SHARI BASOM <sharibasom@icloud.com>  
**Sent:** Wednesday, November 15, 2023 10:19 AM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Rezoning request for Mercer Island Stroum Jewish Community Center

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is n

Item 1.

Thank you for your support.

Shari Basom, volunteer co-chair and sponsor of the Seattle Jewish Film Festival, a yearly program of Arts at the JCC

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Wednesday, November 15, 2023 11:32 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Please Help Make the Future SJCC a Reality

**Categories:** PLANNING & DESIGN COMMISSION

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Elana Roschy <elanaroschy@gmail.com>  
**Sent:** Wednesday, November 15, 2023 11:14 AM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Please Help Make the Future SJCC a Reality

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is n

Item 1.

Thank you for your support.

Elana Roschy



**Deb Estrada**

---

**From:** Andrea Larson  
**Sent:** Wednesday, November 15, 2023 2:02 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Comments for the Record Planning Commission meeting Nov 15 2023  
**Attachments:** Official Comments for the Record for Tonight's Planning Commission Meeting dtd 11.15.2023.pdf; Exhibit 1.pdf; Exhibit 2.pdf

**Categories:** PLANNING & DESIGN COMMISSION

Comment received to Planning Commission mailbox

Andrea Larson  
City Clerk  
City of Mercer Island  
206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

From: blkship <blkship@yahoo.com>  
Sent: Wednesday, November 15, 2023 1:35 PM  
To: Alison Van Gorp <alison.vangorp@mercergov.org>; Deb Estrada <Deborah.Estrada@mercerisland.gov>; Planning Commission <Planning.Commission@mercergov.org>  
Cc: Jessi Bon <jessi.bon@mercergov.org>; Jeff Thomas <jeff.thomas@mercerisland.gov>; Salim Nice <salim.nice@mercerisland.gov>  
Subject: Comments for the Record Planning Commission meeting Nov 15 2023

Attached please find my written comments. Please confirm receipt. Please add these comments to the official record.

Thanks in advance

Matthew Goldbach  
9980SE 40th ST  
Mercer Island WA

## Planning Commissioners

My name is Matt Goldbach. I live at 9980 SE 40th St. I'm a Mercer Islander and have been for almost 10 years.

Prior to the pandemic, I was a regular at both the Planning Commission and Council meetings and I hope we can get a City Hall soon.

Before I begin I want to thank all of you for your service.....

For the record, I would first like to express my objection to the following:

### **PREPARATION OF THE SEPTEMBER 27, 2023 PLANNING COMMISSION MEETING**

#### **1) Objection to the Executive Session at the Sept. 27, 2023 Planning Commission Meeting.**

- Executive Sessions are not in the Planning Commission ByLaws
- Planning Commission is not a Legislative Body
- All Planning Commission meetings are open to the Public (**no secret meetings**)

#### **2) Lack of adequate Public Notice**

- The website, Let's Talk, vaguely described the process of Docketing, provided a list of suggested Amendments, however did not accept Comments or Questions. Few residents, others than those coached by special interests, will have commented to the Commission or be attending the meeting.

#### **3) Lack of adequate preparation**

- Amendments have been listed 1-18 from the start of the process. Now at the last minute, amendment 18 is moved to first to be discussed, and discussed in a different manner than all the others!! Bad optics..
- Commissioners have had a very limited time to familiarize themselves with the material submitted, History, Land Use Law to able to make an unbiased opinion.
- Whatever you decide, you will be doing it with a fraction of the data and historical knowledge you should have to be and appear unbiased.....

## WRITTEN COMMENTS ON AMENDMENTS YOU ARE PROPOSING FOR THE RECORD

### Amendment 18... OPPOSED

Reasons: The applicant does not make a realistic case for a change that is counter to the the long-standing Policy of Conditional Use Permits in residential zones.

A change for this applicant would inspire other Community Facilities to seek more rezones. There is no realistic discussion of how BIG the applicant's buildings COULD be under a CO Zone. Did they say how big it was going to be?

It is true that the applicant has been here for over 50 years. It is also true that they have battled their neighbors much of that time. My exhibit 2 is a Declaration to the Hearing Board supporting the City. It covers recent history 2016 through 2022. Land use takes time. Please don't repeat the mistakes of the "CFZ".

### Amendments 12 & 13.... SUPPORT

Reasons: These are both amendments I proposed. They are similar as they both are text amendments to protect the Single Family Housing zone. The SFH zone has been referred to as the "third rail" of zones. It protects what most of us moved here for, or always expected, if born here.....a way of life.

Zoning is meant to provide certainty, that no one is going to build an office tower or a massive building next to your house. The City already does have a way to allow buildings other than single family homes in the SFH Zone and it has been used here on Mercer Island for years. The Conditional Use Permit (CUP) has been used, and many would say abused, by the JCC since 2003!!

Most Community Facilities on Mercer Island are in SFH Zones and understand that the CUP defines what they can build and how they can operate. The CUP was created to protect the Residential homeowners and the character of the Mercer Island Community. I have attached proposed amendment 13 with exhibits for the Record and to illustrate how the JCC has attempted to get around zoning regulations over and over again. Amendment 12 and 13 are text amendments that would clarify the City code and hopefully put an end to this attack on Mercer Island residents.

# Exhibit 1

## SUGGESTION FOR RESIDENTIAL CODE AMENDMENT

MICC 19.15.240 Reclassification of Properties (Rezoning)

MICC 19.15.240(C) Criteria

### Suggested Code Amendment:

I suggest MICC 19.15.240(C) be amended to prohibit a non-residential structure or use in the single-family residential zone, including a Conditional Use Permit, from requesting or obtaining a rezoning or reclassification of any single-family residential zoned properties.

MICC 19.240(C) will then read with the suggested amendment **Subsection 8** as follows:

19.15.240 - Reclassification of property (rezoning).

- A. Purpose. The purpose of this section is to establish the process and criteria for a rezoning of property from one zoning designation to another.
- B. Process. A rezoning shall be considered as provided in MICC 19.15.260.
- C. Criteria. The city council may approve a rezoning only if all of the following criteria are met:
  1. The proposed reclassification is consistent with the policies and provisions of the Mercer Island comprehensive plan;
  2. The proposed reclassification is consistent with the purpose of the Mercer Island development code as set forth in MICC 19.01.010;
  3. The proposed reclassification is an extension of an existing zone, or a logical transition between zones;
  4. The proposed reclassification does not constitute an illegal site-specific rezoning;
  5. The proposed reclassification is compatible with surrounding zones and land uses;
  6. The proposed reclassification does not adversely affect public health, safety and welfare; and
  7. If a comprehensive plan amendment is required in order to satisfy subsection (C)(1) of this section, approval of the comprehensive plan amendment is required prior to or concurrent with the granting of an approval of the rezoning.
  8. **"A non-residential structure or use in the single-family residential zone, including a Conditional Use Permit (CUP), is prohibited from requesting or obtaining a rezoning or reclassification of single-family residential zoned properties."**

D. Map change. Following approval of a rezone, the city shall amend the zoning map to reflect the change in zoning designation. The city shall also indicate on the zoning map the number of the ordinance adopting the rezone.

(Ord. 18C-08 § 1 (Att. A))

### **ANALYSIS:**

#### **A. The Mercer Island Comprehensive Plan Supports Preserving Single-Family Residential Zoned Properties.**

Attached as Exhibit 1 to this suggested amendment is Appendix D – Zoning Map.

The following Comprehensive Policy directions provided by the Mercer Island Comprehensive Plan are from the City of Mercer Island Community Planning and Development Code Interpretation 22-004 dated November 21, 2022 regarding Variances for Non-Residential Structures in Residential Zones, which is attached as Exhibit 2:

#### **E. (4) Policy direction provided by the Mercer Island comprehensive plan;**

**Analysis:** Review of the Comprehensive Plan results in the following findings:

- (1) The Comprehensive Plan envisions Mercer Island as a residential community:
  - (a) "Mercer Island prides itself on being a residential community. As such, most of the Island's approximately 6.2 square miles of land area is developed with single family homes." [Land Use Element, Introduction]
  - (b) "Single family residential zoning accounts for 88 percent of the Island's land use. There are 3,534 acres zoned for single family residential development. This compares to 77 acres in the Town Center zones, 19 acres for Commercial Office zone, and 103 acres in multi-family zones (Table 2). City Hall is located in a Commercial Office zone, while other key civic buildings such as the Post Office and the Main Fire Station are located in the Town Center and City Hall. Many of the remaining public buildings, schools, recreational facilities and places of religious worship are located in residential or public zones." [Land Use Element, II Existing Conditions and Trends, Areas outside the Town Center]

- (c) "OUTSIDE THE TOWN CENTER (1) The community needs to accommodate two important planning values - maintaining the existing single family residential character of the Island, while at the same time planning for population and housing growth." [Land Use Element, IV. Land Use Issues, Outside the Town Center (1)]
- (2) A primary component of the housing element is the City's desire to protect single-family residential neighborhoods through development regulations and other City codes which restrict the bulk and scale of buildings, control noise and nuisances, minimize the impact of non-residential uses and help preserve the natural environment. City code provisions were specifically designed to protect residential areas from incompatible uses and promote bulk and scale consistent with the existing neighborhood character. This includes limiting the size and scope of nonresidential uses to be consistent with existing neighborhood character.
- (a) "Housing Element  
 III. Neighborhood Quality  
 Mercer Island single family neighborhoods pride themselves on their narrow, quiet streets and dense plantings. The City protects these neighborhoods through development regulations and other City codes which restrict the bulk and scale of buildings, control noise and nuisances, minimize the impact of non-residential uses and help preserve the natural environment. Parks, open spaces and trails also contribute to the neighborhood quality." [Housing Element, III. Neighborhood Quality]
- b) "GOAL 1:  
 Ensure that single family and multi-family neighborhoods provide safe and attractive living environments, and are compatible in quality, design and intensity with surrounding land uses, traffic patterns, public facilities and sensitive environmental features.
- 1.1 Ensure that zoning and City code provisions protect residential areas from incompatible uses and promote bulk and scale consistent with the existing neighborhood character." [Housing Element, III. Neighborhood Quality, Goal 1.1]

**(3) The Comprehensive Plan evidences an intent to retain certain non-residential structures located in residential zones. However, the Comprehensive Plan is silent on whether such structures would be eligible for variances from otherwise applicable numerical standards.**

**(a) "GOAL 17:**

**With the exception of allowing residential development, commercial designations and permitted uses under current zoning will not change.**

**17.4 Social and recreation clubs, schools, and religious institutions are predominantly located in single family residential areas of the Island. Development regulation should reflect the desire to retain viable and healthy social, recreational, educational, and religious organizations as community assets which are essential for the mental, physical and spiritual health of Mercer Island." [Land Use Elements, IV Land Use Issues Outside the Town Center]**

**(4) The Comprehensive Plan also evidences an intent to preserve existing conditions and to generally permit changes only through amendments to the development code, rather than through granting numerous of variances to that development code. At the same time, there is also recognition that some non-residential structures and uses are compatible with residential zones.**

**(a) "GOAL 15: -**

**Mercer Island should remain principally a low density, single family residential community.**

**15.1 Existing land use policies, which strongly support the preservation of existing conditions in the single family residential zones, will continue to apply. Changes to the zoning code or development standards will be accomplished through code amendments.**

**15.2 Residential densities in single family areas will generally continue to occur at three to five units per acre, commensurate with current zoning. However, some adjustments may be made to allow the development of innovative housing types, such as accessory dwelling units and compact courtyard homes at slightly higher densities as outlined in the Housing Element.**

**...**



**15.4 As a primarily single family residential community with a high percentage of developed land, the community cannot provide for all types of land uses. Certain activities will be considered incompatible with present uses. Incompatible uses include landfills, correctional facilities, zoos and airports. Compatible permitted uses such as education, recreation, open spaces, government social services and religious activities will be encouraged." [Land Use Elements, IV Land Use Issues Outside the Town Center].**

*Pages 4 – 6*

**B. The Region Is Facing A Housing Shortage.**

Attached as Exhibit 3 are public announcements by Governor Inslee encouraging the Legislature to “go big” to meet the scale of the housing crisis, and the enormous investments the state and county are making to scale-up construction of housing.

Attached as Exhibit 4 are pages from the PSRC’s 2050 Vision Statement on Housing noting:

**“Housing is a basic need for every individual. Yet, residents in many communities in the region are facing an unprecedented challenge in finding and keeping a home that they can afford. The central Puget Sound region is expected to grow by an additional 1.8 million residents and 830,000 households by the year 2050. Simply put, the region needs more housing of varied types in all communities. Meeting the housing needs of all households at a range of income levels is integral to promoting health and well-being and creating a region that is livable for all residents, economically prosperous, and environmentally sustainable.”**

PSRC 2050 Vision Statement, p.182

Currently Mercer Island has a housing allocation of approximately 1,200 units left to permit pursuant to the GMPC’s housing allocations. In 2023, the Legislature adopted HB 1110 that requires every residential lot on Mercer Island to allow two separate housing units, and four housing units per lot without parking mandates within a quarter of a mile of the light rail station, including the residential neighborhood to the north.

It would be contrary to state, county and city policies for Mercer Island to now allow single-family residential zoned properties to be rezoned to a different non-housing zone, and would shift Mercer Island's housing allocation burden to the other residential zones and property.

**C. The Conditional Use Permit Process Allows A Fair And Equitable Non-Conforming Use In A Single-Family Residential Zone.**

The Conditional Use Permit (CUP) process MICC 19.06.110 allows an organization to obtain a non-conforming use in the single-family home residential zone, and allows that non-conforming CUP to combine residential properties and eliminate the side-yard setbacks between the properties.

At the same time, the Conditional Use Permit process MICC 19.06.110(a) and (b) protects the surrounding single-family home residential zones and requires that the scale of the development, in consideration of the privilege of a non-conforming use, is consistent with all properties in the single-family home residential zone.

The mere existence of MICC 19.06.110 highlights that the restrictions on conditional uses in the single-family home residential zone is not consistent with a different zone with different regulatory limits in the single-family residential zone.

**D. To Allow One Property Owner Or Conditional Use Permit To Rezone Single-Family Zoned Residential Properties To Another Zone Will Allow All Property Owners The Same Right.**

MICC 19.15.240(C)(4) specifically states the "proposed reclassification does not constitute an illegal site-specific rezone." If the Council allows single-family residential zoned properties to be rezoned contrary to state, county and city policies preserving and expanding housing, that would require the Council to allow **any** single-family home residential property owner to request the same change in zoning or upzone. If the requested rezone is site specific, it violates MICC 19.15.240(4)(C). If it is not site specific, it effectively eliminates the single-family residential zone.

The Council cannot favor one property owner or CUP over another, otherwise it would be an illegal spot zone. Such a huge change in zoning and policy would effectively abrogate the policies towards preserving single-family home residential zoning on Mercer Island contrary to The Comprehensive Plan.

- E. Can A Specifically Enumerated Non-Residential Structure Listed in MICC.19.06.110(B)(2)(i) That Are Prohibited From Receiving a Variance Other Than From The Impervious Surface Standards Be Prohibited From Requesting A Rezone Or Reclassification Of The Single-Family Residential Zone Property Included In The CUP?**

## **HISTORY OF THE CUP'S EFFORTS TO OBTAIN INCREASED REGULATORY LIMITS.**

### **1) COMMUNITY FACILITIES ZONE**

In 2018, the JCC applied to amend the City's Comprehensive Plan to create a Community Facilities Zone with different regulatory limits for CUPs in a single-family home residential zone without concurrent development regulations. Various citizens and groups appealed the lack of concurrent development regulations to the Growth Management Hearings Board which agreed with the Appellants and remanded the matter back to the City with directions to draft and adopt the concurrent development regulations. This holding was later codified in MICC. 19.15.240(C)(7).

Upon remand, the Council determined that allowing CUPs' different regulatory limits in a different zone in a single-family home residential zone was unwise and unworkable, and instead repealed the Community Facilities Zone.

### **2) THE HILL AMENDMENTS**

Subsequently, the Applicant, JCC filed a series of proposed site specific development code amendments to allow regulatory limits for the JCC greater than those allowed a CUP in the single-family home residential zone. These Amendments were then voluntarily withdrawn by the Applicant when it became apparent:

- 1) They were a spot zone in violation of MICC 19.15.240(C)(4);
- 2) The Council would not approve the Hill Amendments because they were contrary to The Comprehensive Plan, City Policies, MICC, and citizen opinion.

### **3) APPLICATION FOR VARIANCES**

Subsequently, the JCC applied for various variances to the regulatory limits applicable to the single-family home residential properties in its CUP. In response, CPD Director Jeff Thomas issued Development Code Interpretation 22-004 that found that based on the City's Development Codes and Comprehensive Plan a CUP was prohibited from obtaining any variance other than impervious surface limits from the numerical standards pursuant to MICC 19.06.110(B)(2)(a).

The Applicant JCC then appealed Interpretation 22-004 to the Hearing Examiner. On the eve of the hearing, the Applicant JCC voluntarily withdrew its appeal, and conceded that Interpretation 22-004 was a correct interpretation of Mercer Island's Development Code that prohibits a CUP from requesting or obtaining variances from the single-family home residential development regulatory limits.

Based on the history and Administrative Interpretation 22-004, it would be inconsistent for the Council to allow single-family residential zoned properties in a CUP to be rezoned, especially to CO (Commercial Office), when these same CUPs are prohibited from obtaining variances for regulatory limits other than impervious surface limits.

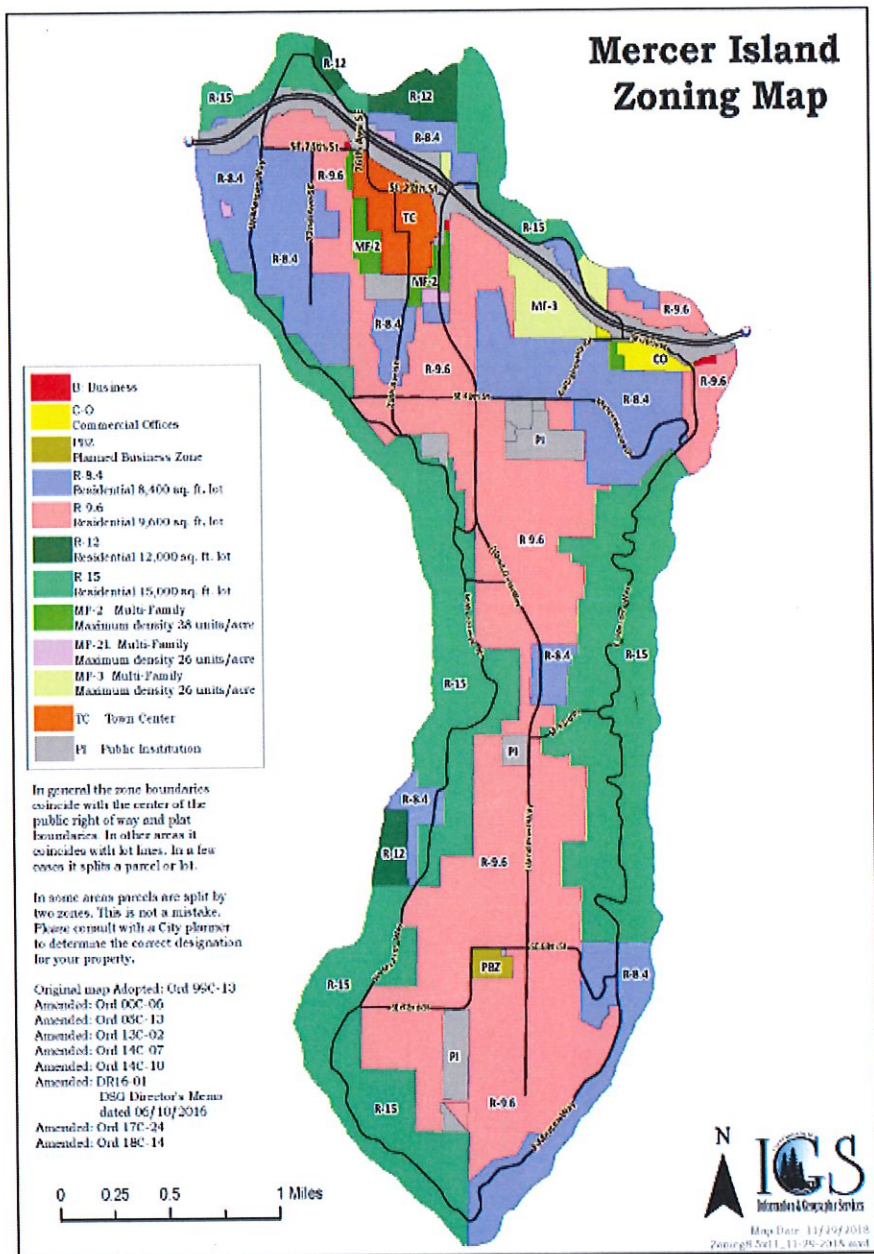
Furthermore, pursuant to MICC 19.15.240(C)(4), the Council would have to allow **ALL** CUPs throughout the island the same right to rezone single-family residential zoned properties in their CUPs to CO or another zone, which is directly contrary to the Mercer Island Comprehensive Plan, AI 22-004, the provisions in MICC 19.06.110(a) and (b) regulating CUPs in the single-family residential zone, and the history of the JCC property and its attempts to obtain preferential regulatory limits for its single-family residentially zoned properties.

Therefore, MICC 19.15.240(C) should be amended to clarify that a non-residential structure or CUP in the single-family residential zone may not rezone its single-family residential zoned properties in the CUP.

# Exhibit 1

### Appendix D - ZONING MAP

View city of Mercer Island Zoning Map.



# Exhibit 2

## Development Code Interpretation 22-004

# CITY OF MERCER ISLAND

## COMMUNITY PLANNING & DEVELOPMENT

9611 SE 36TH STREET | MERCER ISLAND, WA 98040

PHONE: 206.275.7605 | [www.mercerisland.gov](http://www.mercerisland.gov)



**TO:** CPD Staff

**FROM:** Jeff Thomas, Interim CPD Director

**DATE:** November 21, 2022

**RE:** Variances for Non-Residential Structures in Residential Zones

### A. MICC SECTION(S) INTERPRETED

MICC 19.06.110(B)

### B. AUTHORITY

This development code interpretation is issued under the authority of sections 19.15.030 and 19.15.160 of the Mercer Island City Code (MICC).

### C. ISSUE

MICC 19.06.110(B), *Variances*, imposes a hardship criterion that requires applicants requesting variances in residential zones to demonstrate that strict enforcement of Title 19 MICC will prevent the construction of a single-family dwelling on a legally created residentially zoned lot. MICC 19.06.110(B)(2)(a).

Can the City grant a variance from numeric standards for a non-residential structure sited in a residential zone, if under MICC 19.06.110(B)(1), all criteria in subsection(B)(2)(a) through (B)(2)(h) must be met, and that for a variance to lot coverage standards, the criteria in subsection (B)(2)(a) through (B)(2)(i) must be met?

### D. BACKGROUND

The hardship criterion contained in MICC 19.06.110(B)(2)(a) was adopted by Ordinance No. 17C-15 on September 19, 2017. The criterion contained in MICC 19.06.110(B)(2)(i), relating to variances as to lot coverage for specific non-residential structures, existed in the MICC prior to the adoption of Ordinance No. 17C-15. However, that language was moved to MICC 19.06.110(B)(2)(i) within Ordinance No. 17C-15 to consolidate criteria relating to variances.



**E. FINDINGS**

1. Per MICC 19.15.160, the Code Official may issue a written interpretation of the meaning or application of provisions of the development code.<sup>1</sup>
2. This written interpretation is intended to interpret the scope of the hardship criteria as applied to non-residential structures in residential zones.
3. MICC 19.06.110(B)(1)(a) could be read to foreclose variances from numeric standards for non-residential structures in residential zones because the hardship criterion limits the application of variances to instances where strict application of Title 19 would prohibit construction of one single family residence on a legally created residential lot. The applicant or property owner of a non-residential structure would not be able to demonstrate an unnecessary hardship because there are no circumstances where the adopted standards of Title 19 MICC are preventing construction of a single-family dwelling; rather the applicant or property owner is seeking a variance for a non-residential structure. It is not Title 19 that would preclude the construction of a residential structure, but rather the choice of the applicant or property owner. However, MICC 19.06.110(B)(2)(i) explicitly affords the applicant or property owner of a non-residential structure the opportunity for a variance from impervious surface standards for particular types of non-residential structures.
4. This apparent conflict within MICC 19.06.110(B) requires interpretation to administer.
5. A plain reading of MICC 19.06.110(B), giving meaning to all of the text within that section, results in the following conclusions:
  - a. Non-residential structures in residential zones are generally precluded from receiving variances from numeric standards of Title 19, because they cannot meet the hardship criterion—to wit, they cannot demonstrate that Title 19 prevents the construction of a single-family dwelling on a legally created residential lot.
  - b. The one exception is that certain enumerated non-residential structures (public and private schools, religious institutions, private clubs, and public facilities) within residential zones with slopes of less than 15 percent *can* receive a variance to increase impervious surface to a maximum of 60 percent if the Hearing Examiner determines the applicant has demonstrated satisfaction of the criteria contained within MICC 19.06.110(B)(2)(i)(i-iv).
  - c. Further, an applicant or property owner would also be required to demonstrate the other criteria outlined in subsection (B)(2)(a) through (B)(2)(i), with the exception of being able to demonstrate inability to construct a single-family residence on a legally created residential lot. The applicant or property owner would still have to demonstrate an unnecessary hardship to the property owner, because the first sentence of MICC 19.06.110(B)(2)(a) requires proof that “[t]he strict enforcement of the provisions of this title will create an unnecessary hardship to the property owner.”
6. As discussed further below, the legislative history relating to Ordinance No. 17C-15 supports this conclusion. During the process of adopting Ordinance No. 17C-15, discussion between the City Council and the City’s then Community Planning and Development (CPD) Director reflected an intent to greatly reduce the number of variances granted, which was the impetus behind adding the hardship criterion now contained in MICC 19.06.110(B)(2)(a).
7. In issuing an interpretation, the Code Official is directed to consider eight factors specified in MICC 19.15.160(A). These factors are:

**(1.) The plain language of the code section in question;**

Analysis: A reading of the plain language of MICC 19.06.110 results in the following findings:

<sup>1</sup> Under the MICC, variances are granted by the Hearing Examiner. MICC 19.15.030 and Tables A-B.

- i. MICC 19.06.110(B), *Variances*, imposes a hardship criterion; an applicant or owner applying for variance must show that strict enforcement of Title 19 will create an unnecessary hardship to the property owner. MICC 19.06.110(B)(2)(a). For properties in residential zones, “unnecessary hardship” is limited to those circumstances where the adopted standards of Title 19 MICC prevent the construction of a single-family dwelling on a legally created residential zoned lot. *Id.*
- ii. However, MICC 19.06.110(B)(2) also includes a criterion for variances to impervious surface standards for “[p]ublic and private schools, religious institutions, private clubs and public facilities in single-family zones with slopes of less than 15 percent.” MICC 19.06.110(B)(2)(i).
- iii. MICC 19.06.110(B)(1) further provides: “[a] variance shall be granted by the city only if the applicant can meet all criteria in subsections (B)(2)(a) through (B)(2)(h) of this section. A variance for increased lot coverage for a regulated improvement pursuant to subsection (B)(2)(i) of this section shall be granted by the city only if the applicant can meet criteria in subsections (B)(2)(a) through (B)(2)(i) of this section.”

**(2.) Purpose and intent statement of the chapters in question;**

Analysis: Chapter 19.06 MICC does not contain a general purpose statement; however, MICC 19.06.110(B)(1) provides a purpose statement for the MICC section in question: “*Purpose.* An applicant or property owner may request a variance from any numeric standard, except for the standards contained within chapter 19.07 MICC. A variance shall be granted by the city only if the applicant can meet all criteria in subsections (B)(2)(a) through (B)(2)(h) of this section. A variance for increased lot coverage for a regulated improvement pursuant to subsection (B)(2)(i) of this section shall be granted by the city only if the applicant can meet criteria in subsections (B)(2)(a) through (B)(2)(i) of this section.”

**(3.) Legislative intent of the city council provided with the adoption of the code sections in question;**

Analysis: Review of the legislative history of MICC 19.06.110(B) results in the following findings:

- i. On September 19, 2017, the Mercer Island City Council adopted Ordinance No. 17C-15, adding the unnecessary hardship criterion currently contained in MICC 19.06.110(B)(2)(a).
- ii. The minutes from the relevant City Council meetings indicate the following:  
The July 5, 2017 minutes contains the following discussion:

**Variance Criteria:**

- Planning Commission Recommendation: prohibit / limit variances to GFA, minimum lot size, height, fence height and staff does not recommend adopting this amendment
- Alternative: Limit variance approvals to those circumstances where a house could not otherwise be built on a legal, residential lot and remove ambiguous language regarding groundcover, trees, physical condition of the lot from “d.”

Council Direction: Staff propose a solution for “flag lots.” Support alternative to limit variance approvals to those circumstances where a house could not otherwise be built on a legal, residential lot and remove ambiguous language regarding groundcover, trees, physical condition of the lot from “d.”

iii. The packet from the July 5, 2017, reading of the later adopted ordinance included the following discussion of the options before City Council with respect to the hardship criterion ultimately added to MICC 19.06.110(B)(2)(a):

| Variance Criteria            |   |  |            |   |
|------------------------------|---|--|------------|---|
| Draft Page #                 | Planning Commission Recommendation  | Proposed Amendment   | Source     | Staff Recommendation / Rationale  |
| 17<br>Page 71 –<br>Variances | Allow for an application for a variance to any numeric standard, except for the standards in Chapter 19.07. | Prohibit the application for a variance to minimum lot area requirements, gross floor area, building height, or lot coverage.  | Dan Grausz | Staff does not recommend adopting this amendment. There are some circumstances where allowing for a variance to these standards is appropriate to avoid a regulatory takings. The variance criteria have been revised to limit variances to only those circumstances where a variance is warranted.     |
|                              |   | Alternatively, limit variance approvals to those situations where a property owner cannot both comply with existing standards and build a home on a legally created residential lot. |            | Staff recommends further revising the criteria for approval. In particular, staff recommends limiting variances to situations where a property owner cannot comply with all of the development standards and build a new single family home.<br><br>This item was discussed by the Planning Commission. |

- iv. The discussion between the then CPD Director and City Council regarding the hardship criterion further indicates the intent of restricting variances in residential zones only to those instances where a variance is necessary to permit the construction of a single-family residence on a legally created residential lot.
- v. The Code Official is unaware of any discussion by City Council or other materials regarding the resulting conflict between the language in MICC 19.06.110(B)(2)(a) and the language in MICC 19.06.110(B)(2)(i).

**(4.) Policy direction provided by the Mercer Island comprehensive plan;**

Analysis: Review of the Comprehensive Plan results in the following findings:

- (1) The Comprehensive Plan envisions Mercer Island as a residential community:
  - (a) “Mercer Island prides itself on being a residential community. As such, most of the Island’s approximately 6.2 square miles of land area is developed with single family homes.” [Land Use Element, Introduction]
  - (b) “Single family residential zoning accounts for 88 percent of the Island’s land use. There are 3,534 acres zoned for single family residential development. This compares to 77 acres in the Town Center zones, 19 acres for Commercial Office zone, and 103 acres in multi-family zones (Table 2). City Hall is located in a Commercial Office zone, while other key civic buildings such as the Post Office and the Main Fire Station are located in the Town Center and City Hall. Many of the remaining public buildings, schools, recreational facilities and places of religious worship are located in residential or public zones.” [Land Use Element, II Existing Conditions and Trends, Areas outside the Town Center]
  - (c) “OUTSIDE THE TOWN CENTER (1) The community needs to accommodate two important planning values — maintaining the existing single family residential character of the Island, while at the same time planning for

population and housing growth.” [Land Use Element, IV. Land Use Issues, Outside the Town Center (1)]

- (2) A primary component of the housing element is the City’s desire to protect single-family residential neighborhoods through development regulations and other City codes which restrict the bulk and scale of buildings, control noise and nuisances, minimize the impact of non-residential uses and help preserve the natural environment. City code provisions were specifically designed to protect residential areas from incompatible uses and promote bulk and scale consistent with the existing neighborhood character. This includes limiting the size and scope of nonresidential uses to be consistent with existing neighborhood character.

- (a) “Housing Element

III. Neighborhood Quality

Mercer Island single family neighborhoods pride themselves on their narrow, quiet streets and dense plantings. The City protects these neighborhoods through development regulations and other City codes which restrict the bulk and scale of buildings, control noise and nuisances, minimize the impact of non-residential uses and help preserve the natural environment. Parks, open spaces and trails also contribute to the neighborhood quality.” [Housing Element, III. Neighborhood Quality]

- (b) “GOAL 1: -

Ensure that single family and multi-family neighborhoods provide safe and attractive living environments, and are compatible in quality, design and intensity with surrounding land uses, traffic patterns, public facilities and sensitive environmental features.

- 1.1 Ensure that zoning and City code provisions protect residential areas from incompatible uses and promote bulk and scale consistent with the existing neighborhood character.” [Housing Element, III. Neighborhood Quality, Goal 1.1]

- (3) The Comprehensive Plan evidences an intent to retain certain non-residential structures located in residential zones. However, the Comprehensive Plan is silent on whether such structures would be eligible for variances from otherwise applicable numerical standards.

- (a) “GOAL 17: -

With the exception of allowing residential development, commercial designations and permitted uses under current zoning will not change.

17.4 Social and recreation clubs, schools, and religious institutions are predominantly located in single family residential areas of the Island. Development regulation should reflect the desire to retain viable and healthy social, recreational, educational, and religious organizations as community assets which are essential for the mental, physical and spiritual health of Mercer Island.” [Land Use Elements, IV Land Use Issues Outside the Town Center]

- (4) The Comprehensive Plan also evidences an intent to preserve existing conditions and to generally permit changes only through amendments to the development code, rather than through granting numerous of variances to that development code. At the same

time, there is also recognition that some non-residential structures and uses are compatible with residential zones.

(a) "GOAL 15: -

Mercer Island should remain principally a low density, single family residential community.

15.1 Existing land use policies, which strongly support the preservation of existing conditions in the single family residential zones, will continue to apply. Changes to the zoning code or development standards will be accomplished through code amendments.

15.2 Residential densities in single family areas will generally continue to occur at three to five units per acre, commensurate with current zoning. However, some adjustments may be made to allow the development of innovative housing types, such as accessory dwelling units and compact courtyard homes at slightly higher densities as outlined in the Housing Element.

...

15.4 As a primarily single family residential community with a high percentage of developed land, the community cannot provide for all types of land uses. Certain activities will be considered incompatible with present uses. Incompatible uses include landfills, correctional facilities, zoos and airports. Compatible permitted uses such as education, recreation, open spaces, government social services and religious activities will be encouraged." [Land Use Elements, IV Land Use Issues Outside the Town Center].

**(5.) Relevant judicial decisions;**

Analysis: The Code Official is unaware of any relevant judicial decisions related to this issue. However, the Code Official is aware of several cases regarding code interpretation. Municipal ordinances are subject to the same rules of statutory interpretation as are statutory enactments. *Hassan v. GCA Production Services, Inc.*, 17 Wn.App. 625, 637, 487 P.3d 203 (2021). Additionally, the goal of code interpretation is to give effect to the intentions of the drafters. *Jametsky v. Olsen*, 179 Wash. 2d 756, 762, 317 P.3d 1003, 1006 (2014). Absurd results are to be avoided in construing ambiguous language, although the principle is to be used sparingly. *Seattle Hous. Auth. v. City of Seattle*, 3 Wash. App. 2d 532, 538-39, 416 P.3d 1280, 1283 (2018); *Samish Indian Nation v. Wash. Dep't of Licensing*, 14 Wash.App.2d 437, 444, 471 P.3d 261 (2020). Further, when possible, legislation must be construed so that no clause, sentence, or word is rendered superfluous, void, or insignificant. *Coates v. City of Tacoma*, 11 Wash. App. 2d 688, 695, 457 P.3d 1160, 1164 (2019).

**(6.) Consistency with other regulatory requirements governing the same or similar situation;**

Analysis: The Code Official is unaware of other regulatory requirements governing the same or similar situations.

**(7.) The expected result or effect of the interpretation; and**

Analysis: The interpretation will result in clarifying the position of the Code Official in that the MICC prohibits variances from numerical standards for non-residential structures in residential zones, with the sole exception of the specific types of non-residential structures enumerated in MICC 19.06.110(B)(2)(i) from impervious surface standards.

**(8.) Previous implementation of the regulatory requirements governing the situation.**

Analysis: The Code Official is unaware of any previous implementation of regulatory requirements relating to variances for non-residential structures within residential zones since the addition of the hardship criterion in September 2017.

**F. CONCLUSIONS**

1. MICC 19.06.110(B) contains conflicting language as to variances for non-residential structures in residential zones. Reconciling this conflict, the Code Official makes the following interpretations:
  - a. The specifically enumerated non-residential structures listed in MICC 19.06.110 (B)(2)(i) are eligible to receive a variance from impervious surface standards if:
    - i. The Hearing Examiner finds that the criteria contained within MICC 19.06.110(B)(2)(i)(i-iv) have been satisfied, and
    - ii. The Hearing Examiner finds compliance with the other criteria enumerated in subsection (B)(2)(a) through (i), including demonstrating an unnecessary hardship, per subsection (B)(2)(a), but disregarding the second sentence of (B)(2)(a) due to the conflict with subsection (B)(2)(i).
  - b. The MICC prohibits other variances from numerical standards for non-residential structures in residential zones.
2. Both conclusions enumerated above are based upon the following:
  - a. It is apparent from the relevant legislative history that City Council's stated intent was to restrict variances in residential zones only to those circumstances in which construction of a single-family residence upon a legally created residential lot would be prohibited. The Code Official did not find any evidence that City Council was aware of the conflict between MICC 19.06.110(B)(2)(a) and (B)(2)(i).

Because the language regarding variances from impervious surface standards for certain specified non-residential structures in residential zones was also reorganized by City Council to MICC 19.06.110(B) contemporaneously with the creation of the hardship criterion, it is the position of the Code Official that the language in MICC 19.06.110(B)(2)(i) must be also given effect as a narrow exception to the prohibition against variances for non-residential structures in residential zones as put forth in MICC 19.06.110(B)(2)(a). This conclusion is necessary in order to give the fullest effect to the legislative enactment of the City Council.

- b. Utilizing statutory interpretation principles, the Code Official is required to construe the MICC to give the fullest effect to the legislative intent of the City Council, to utilize the principles of avoiding absurd results (but in a sparing manner), and to avoid making code language superfluous, void, or insignificant. Other than variances from impervious surface standards, no other variances for non-residential structures within residential zones are listed in MICC 19.06.110(B)(2).
- c. There is nothing in the City's Comprehensive Plan to contradict the conclusions of the Code Official. The Comprehensive Plan prioritizes residential uses while also recognizing certain non-residential uses within residential zones. The interpretation of the Code Official does not prohibit the siting of non-residential structures in residential zones where otherwise permitted, but it does limit the type of variances available for such structures.

**G. INTERPRETATION**

The specifically enumerated non-residential structures listed in MICC 19.06.110 (B)(2)(i) are eligible to receive a variance from impervious surface standards if the Hearing Examiner determines the application has demonstrated satisfaction of the criteria contained within MICC 19.06.110(B)(2)(i)(i-iv) and the applicant or property owner demonstrates compliance with the other criteria enumerated in subsection (B)(2)(a) through (i), including demonstrating an unnecessary hardship, per subsection (B)(2)(a), but disregarding the conflicting second sentence of (B)(2)(a).

Having not been expressly included in MICC 19.06.110(B)(2), the position of the Code Official is that all other variances from numerical standards for non-residential structures in residential zones are prohibited by MICC 19.06.110(B)(2)(a).

f

# Exhibit 3



Flag Status - Full staff

Search

MENU

[Home](#) / [News & Media](#)

/ Washington "goes big" on housing in 2023

# Washington "goes big" on housing in 2023

May 08, 2023



*Gov. Jay Inslee signs legislation to help overcome racist real estate covenants that pervaded until the 1960s and caused intergenerational harm.*

From Vancouver to Bellingham and Pullman to La Push, the cost of housing has soared. In the last decade, one million new residents arrived while only one-quarter as many homes went up. When demand exceeds supply, prices rise. Rise they have.

Rents are up. Prices are up. Accordingly, homelessness is up. And too many families are just a paycheck away from trouble.

To begin the 2023 legislative session, Gov. Jay Inslee encouraged the Legislature to "go big" to meet the scale of the housing crisis. On Monday, the governor and lawmakers gathered to sign a slate of housing-related bills to clear obstacles to housing construction and right historic wrongs related to housing discrimination.

At a later date, the governor will sign a budget that allocates more than \$1 billion over the next biennium to address homelessness and affordable housing.

[Read the rest of the story on Gov. Inslee's Medium page.](#)

← Post

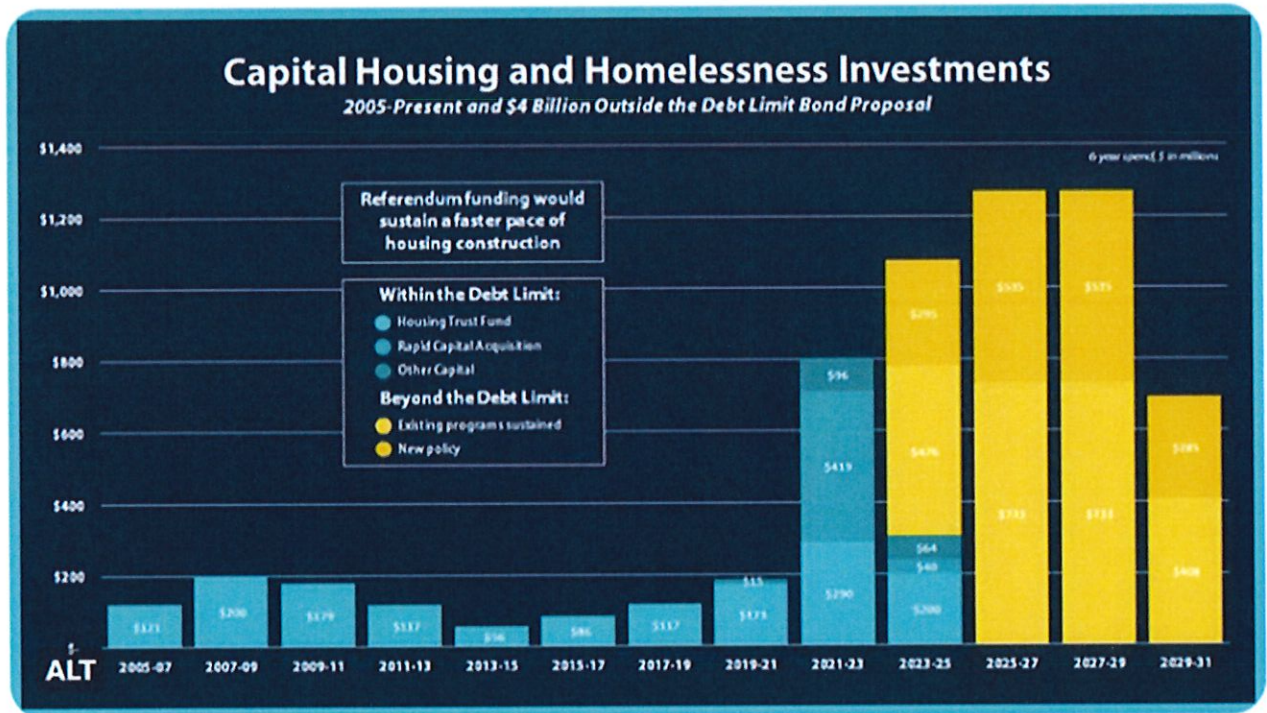


Governor Jay Inslee ✓

@GovInslee



In the past two years we were able to make historic investments to scale up and speed up construction of housing and shelters. The problem is growing, not shrinking, so our response must match the moment. (2/3)



5:26 PM · Mar 20, 2023 · 12.7K Views

# Exhibit 4





# Housing

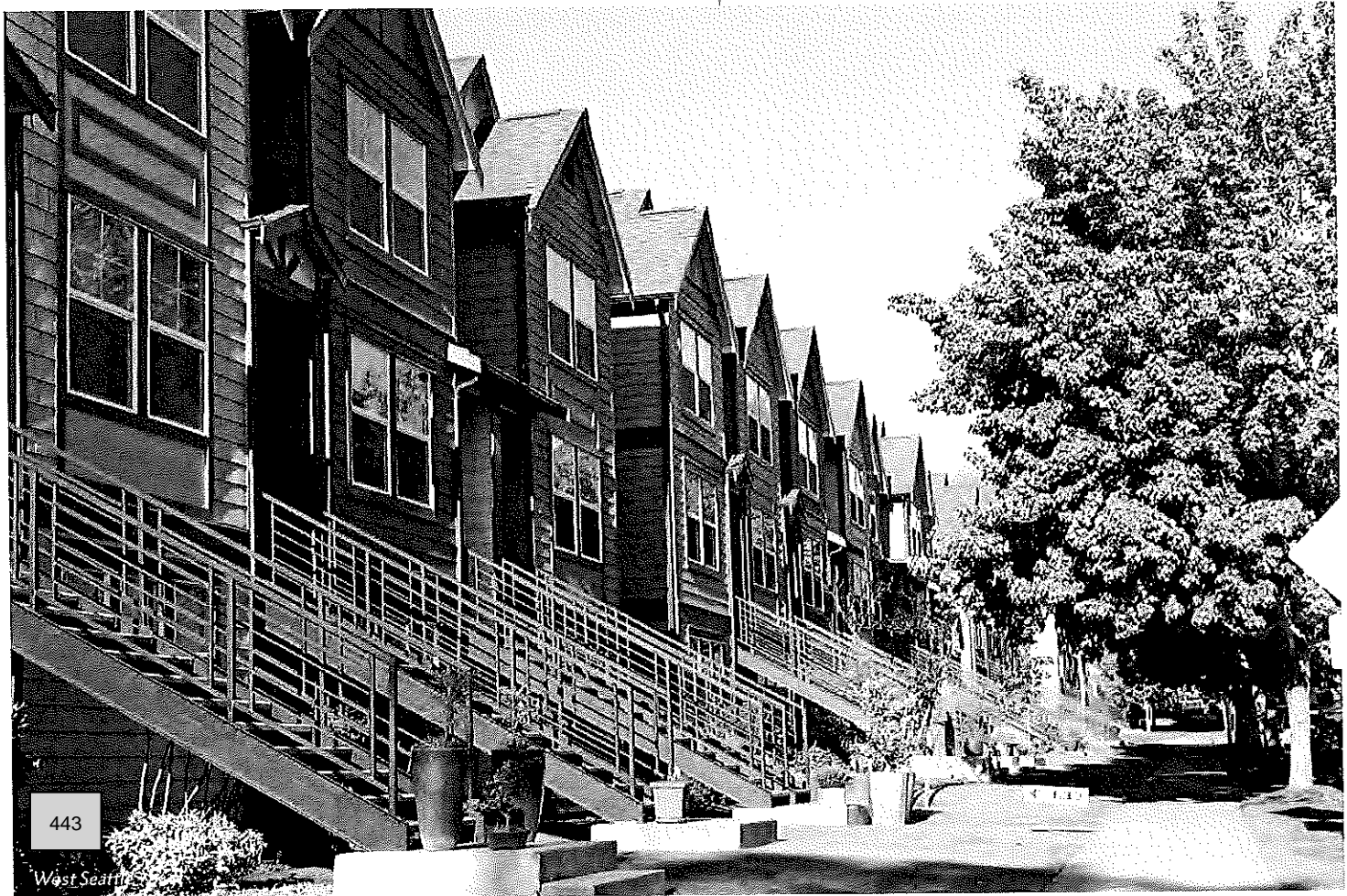
*GOAL: The region preserves, improves, and expands its housing stock to provide a range of affordable, accessible, healthy, and safe housing choices to every resident. The region continues to promote fair and equal access to housing for all people.*

Housing is a basic need for every individual. Yet, residents in many communities in the region are facing an unprecedented challenge in finding and keeping a home that they can afford. The central Puget Sound region is expected to grow by an additional 1.8 million residents and 830,000 households by the year 2050. Simply put, the region needs more housing of varied types in all communities. Meeting the housing needs of all households at a range of income levels is integral to promoting health and well-being and creating a region that is livable for all residents, economically prosperous, and environmentally sustainable.

Housing affordability continues to be a major challenge for the region. The housing market has experienced great highs and lows that have benefitted some and created and exacerbated hardship and inequalities for others. Following the precipitous drop in housing prices and foreclosures of the recession, the region's economic upswing and strong job growth in the 2010s have fueled dramatic increases in rents and home prices. Despite job losses due to the COVID-19 pandemic and the resulting financial

impact on many households, home prices have continued to increase in the region. Some may have been able to take advantage of historically low mortgage interest rates or lower rents, while others are in a challenging position due to loss of income and face the potential of eviction or foreclosure. A potentially imbalanced recovery may further the threat of displacement of low-income households and people of color. As a result, housing costs are a greater burden for many households today than a decade ago, leaving less for other basic needs and amenities. Renters, and renters of color in particular, face a considerable shortage of affordable housing opportunities. And these households are often the most at risk of losing their housing and experiencing homelessness.

A primary goal of the Growth Management Act is to make housing affordable to "all economic segments of the population, providing a variety of residential densities and housing types and encouraging preservation of existing housing stock. Local governments are required to plan for housing that meets the varied needs of their diverse communities and residents and to ensure



they are providing sufficient residential zoned land capacity for housing to accommodate 20-year growth targets.

VISION 2050's housing policies respond to the urgency of changing demographics and the need to increase and diversify the region's housing supply. They identify coordinated strategies, policies, and actions to ensure that the region's housing needs are met.

## A Regional Challenge

The complexity of addressing the full range of housing needs and challenges requires a coordinated regional-local approach. A coordinated, regionwide effort to build and preserve housing accessible to all residents is not just about housing. It is also about building healthy, complete, and welcoming communities where all families and people, regardless of income, race, family size or need, are able to live near good schools, transit, employment opportunities, and open space.

Through the Regional Growth Strategy, the region has articulated a preferred pattern of urbanization that will help direct new housing development to the urban growth area and designated growth centers while preserving industrial lands. Focusing housing in urban areas, specifically centers and station areas, supports and leverages the region's ongoing prioritization of infrastructure investment in central urban places. To assist counties and cities, PSRC serves as a forum for setting regional priorities and facilitating coordination among its member jurisdictions and housing interest groups.

Through data, guidance, and technical assistance, PSRC encourages jurisdictions to adopt best housing practices and establish coordinated local housing and affordable housing targets. PSRC supports jurisdictions in their development of effective local housing elements, strategies, and implementation plans. Housing data and information tracking the success of various housing efforts are monitored and reported regionally at PSRC.

## The Need for Local Action

Local governments play a critical role in housing, including its production and preservation. Local governments possess regulatory control over land use and development. They are key players, both individually and in cooperation with other housing interests, in stimulating various types of development activity through zoning, incentives, and funding, streamlined development review and permitting processes.

### Local Housing Responsibilities Under the Growth Management Act

Local housing elements should ensure the vitality and character of established residential neighborhoods and include the following components:

1. an inventory and analysis of existing and projected housing needs,
2. goals, policies, objectives, and mandatory provisions for the preservation, improvement, and development of housing,
3. identification of sufficient land for a range of housing types to match community needs, and
4. adequate provisions for the needs of all economic segments of the community. (RCW 36.70A.070)

There are numerous tools and strategies available to local governments to encourage housing diversity and promote affordable housing. Many of these tools can be applied in a manner that is tailored to and respectful of local market conditions, community characteristics, and the vision for growth embodied in local comprehensive plans. Since VISION 2040 was adopted in 2008, housing planning and implementation has advanced through the ongoing work of state, regional, and local agencies and organizations. These efforts have yielded new resources, promoted best practices, established community-based housing strategies, and coordinated efforts across multiple jurisdictions.





## Housing Choices to Reflect Changing Demographics

The characteristics of the region’s households have been changing over time and will continue to do so. The size of the average household has been decreasing. Fewer people are living in family households with two parents and children. More households are comprised of singles, couples without children, or single-parent families. Many households have two or more workers. The region’s population is becoming far more racially and ethnically diverse. As the population ages and new generations enter the housing market, there will be demands and preferences for new and different types of housing. While the region has a changing population with a wide range of housing needs, the vast majority of owner-occupied homes are larger single-family homes. Moderate density housing, ranging from duplexes to townhomes to garden apartments, bridge a gap between single-family housing and more intense multifamily and commercial areas and provide opportunities for housing types that are inclusive to people of different ages, life stages, and income ranges. Regional and local tools can help to promote and incentivize the development and preservation of more moderate density housing to give people greater housing choices, and produce urban densities that support walkable communities, local retail and commercial services, and efficient public transit.

### Affordability

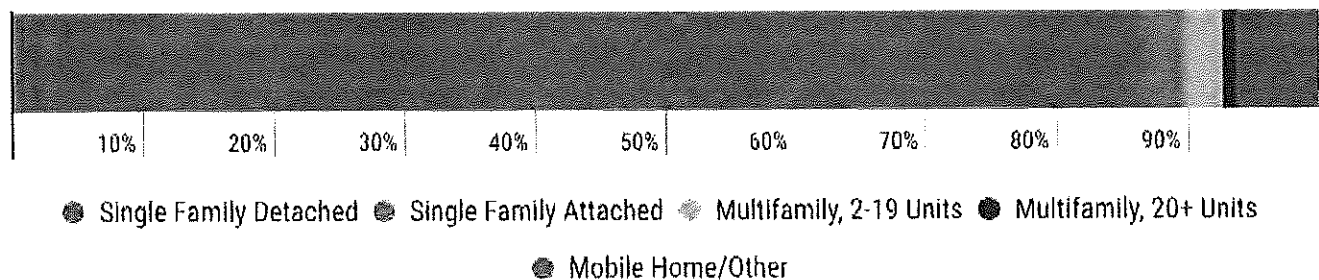
The region continues to experience an affordability crisis. Rising housing costs can be particularly devastating for low-income renters, particularly renters of color, many who

pay more than 50% of their income on housing. Many middle- and lower-income households struggle to find housing that fits their income in an increasingly competitive and expensive housing market due, in part, to zoning practices that have prevented the development of more affordable, smaller homes, and apartments. Home ownership may seem like less of a reality for potential first-time buyers as home prices continue to climb. This is especially true for people of color, who have been historically excluded from homeownership opportunities.

The central Puget Sound region’s housing landscape reflects more than market forces and conditions. It is also the product of decades of public policies and private practices that, throughout the 20th century, often excluded lower income households and immigrant communities, and prevented people of color from accessing housing and living in certain areas. Past and current housing practices have perpetuated substantial inequities in wealth, ownership, and opportunity, and they continue to create barriers to rectifying these conditions. Regional housing work is approached with an awareness of this legacy and of the comprehensive work needed to redress it.

Low- to middle-wage workers – such as teachers, health care professionals, retail workers, administrative personnel, police officers, and firefighters – who are essential to the economic and social vitality of a community, often cannot afford to live in the places where they work. As affordable housing options become scarce, households are forced to move farther from their jobs and communities, resulting in increased traffic congestion and transportation costs and fragmentation of communities. This spatial mismatch also leads to an inability of certain segments of the labor market to fill positions.

Figure 27 – Ownership Housing Stock by Housing Type, Central Puget Sound Region



Source: 2017 American Community Survey





### Common Housing Terms

**Affordable Housing** is commonly defined in terms of housing costs as a percentage of household income. Housing is considered unaffordable when a household's monthly housing costs exceed a certain threshold – most commonly 30% of gross income – thereby reducing the budget available for basic necessities.

**Housing Affordability** refers to the balance (or imbalance) between incomes and housing costs within a community or region. A common measurement compares the number of households in certain income categories to the number of units in the market that are affordable at 30% of gross income.

Providing housing affordable to households earning different incomes requires different approaches. To craft effective strategies, it is imperative to understand the types and cost of housing needed in a community relative to the supply of housing available to households at each income level. Over one-third of households in the region earn less than 80% area median income (AMI). Ideally, the supply of housing affordable to moderate and low-income households should mirror the number of households at those income levels. The current distribution of households in the region is:

- 15% of households earn 50-80% AMI (Moderate Income)
- 9% of households earn 30-50% AMI (Low Income)
- 11% of households earn less than 30% AMI (Very Low Income)

Providing affordable units for very low-income residents and providing housing options for residents experiencing homelessness cannot be fully addressed by the private market alone. Public intervention is necessary to ensure housing units

| Figure 28 – Lower Housing Costs Require Greater Public Intervention |                                       |  |   |   |
|---|---------------------------------------|--|---|---|
| 0–30% AMI Rental:   | 30–50% AMI Rental:                    | 50–80% AMI Rental:   | 80–125% AMI Rental or Home Ownership:                   | Above 125% AMI Market Rent and Home Ownership |
| public support needed in all markets                                | public support needed in most markets | incentives needed in many markets<br><br>Home Ownership:<br><br>subsidy or incentives needed in many markets | incentives or zoning flexibility needed in some markets |   |

### Anticipated Households in the Region in 2050

|                |               |                |                |                  |
|----------------|---------------|----------------|----------------|------------------|
| 274,000<br>11% | 222,000<br>9% | 355,000<br>15% | 558,000<br>23% | 1,012,000<br>42% |
|----------------|---------------|----------------|----------------|------------------|

AMI: Area Median Income. Source: 2016 ACS 1-Year PUMS



are affordable to households at the lowest income levels now and in the future.

While the current housing production rate in 2017 meets the average annual need in the region, the market has yet to make up for the slow growth in the years directly following the recession resulting in a supply and demand imbalance. Increasing the supply of housing throughout the region and providing a variety of housing types and densities for both renters and owners will help the region meet its housing goals. Special emphasis is placed on providing affordable housing for low-, moderate-, and middle-income households across the region, with a focus on promoting housing opportunities near transit, and appropriate housing for special needs populations. VISION 2050 also encourages more homeownership opportunities for low-income, moderate-income, and middle-income households and acknowledges historic and current inequities in access to homeownership opportunities for people of color and how this

long history of exclusion and discrimination has prevented communities of color from accessing housing, ownership, and opportunity.

## Focusing Housing Near Transit Options

Within the central Puget Sound region, jurisdictions are planning for housing and job growth in places designated for higher densities, a mix of land uses, and transportation choices. Communities across the region are realizing these aims by encouraging infill, redevelopment, and more compact development, especially in designated regional growth centers and around transit stations. However, rents and home prices are rising quickly, making it often challenging to find affordable housing close to jobs.

The region's continuing expansion of high-capacity transit provides one of the best opportunities to expand accessible housing options to a wider range of incomes. Promoting or



requiring affordable housing in walking distance – about ¼ to ½ mile—from high-capacity transit stations and in regional growth centers can help to ensure all residents have opportunities to live in accessible and connected communities. Such housing will be particularly valuable to low-income households, who are the most dependent on transit and are at risk for displacement as housing costs rise.

## Displacement and Community Stability

Displacement occurs when housing or neighborhood conditions force residents to move. Displacement can be physical, when building conditions deteriorate or are taken off the market for renovation or demolition, or economic, as costs rise. Many communities in the central Puget Sound region, like the Central District in Seattle and the Hilltop neighborhood in Tacoma, have documented displacement. Once physical and economic displacement occur, the social and cultural composition of the neighborhood will be disrupted, thus affecting the cohesion and stability of a community and the well-being of local residents and businesses.

Several key factors can drive displacement: proximity to rail stations, proximity to job centers, historic housing stock, and location in a strong real estate market. Displacement is a regional concern as it is inherently linked to shifts in the regional housing and job market. Many of these factors put communities of color and neighborhoods with high concentrations of renters at a higher risk of displacement.

Regional growth centers and communities near transit are home to more people of color and higher concentrations of poverty than the region as a whole. As these central places connected by transit continue to grow and develop, residents and businesses who contribute to these communities should have the option to remain and thrive and take advantage of new amenities and services.

## Jobs-Housing Balance

Jobs-housing balance is a planning concept which advocates that housing and employment be close together, with an emphasis on matching housing options with nearby jobs, to reduce the length of commute travel and number of vehicle trips. A lack of housing, especially affordable housing close to job centers, will continue to push demand for affordable homes to more distant areas, increasing commute times and the percentage of household income spent on transportation costs. Housing policies encourage adding housing opportunities to job-rich places. It is imperative that there are a variety of housing choices available to a variety of incomes in proximity to job centers to provide opportunities for residents to live close to where they work regardless of their income. Policies in the Economy chapter promote economic development to bring jobs to all four counties. Policies are also located in the Regional Growth Strategy chapter related to balancing jobs and housing growth.



## Housing POLICIES

### MPP-H-1

Plan for housing supply, forms, and densities to meet the region's current and projected needs consistent with the Regional Growth Strategy and to make significant progress towards jobs/housing balance.

### MPP-H-2

Provide a range of housing types and choices to meet the housing needs of all income levels and demographic groups within the region.

### MPP-H-3

Achieve and sustain – through preservation, rehabilitation, and new development – a sufficient supply of housing to meet the needs of low-income, moderate-income, middle-income, and special needs individuals and households that is equitably and rationally distributed throughout the region.

### MPP-H-4

Address the need for housing affordable to low- and very low-income households, recognizing that these critical needs will require significant public intervention through funding, collaboration, and jurisdictional action.

### MPP-H-5

Promote homeownership opportunities for low-income, moderate-income, and middle-income families and individuals while recognizing historic inequities in access to homeownership opportunities for communities of color.

### MPP-H-6

Develop and provide a range of housing choices for workers at all income levels throughout the region that is accessible to job centers and attainable to workers at anticipated wages.

### MPP-H-7

Expand the supply and range of housing at densities to maximize the benefits of transit investments, including affordable units, in growth centers and station areas throughout the region.

### MPP-H-8

Promote the development and preservation of long-term affordable housing options in walking distance to transit by implementing zoning, regulations, and incentives.

### MPP-H-9

Expand housing capacity for moderate density housing to bridge the gap between single-family and more intensive multifamily development and provide opportunities for more affordable ownership and rental housing that allows more people to live in neighborhoods across the region.

### MPP-H-10

Encourage jurisdictions to review and streamline development standards and regulations to advance their public benefit, provide flexibility, and minimize additional costs to housing.

### MPP-H-11

Encourage interjurisdictional cooperative efforts and public-private partnerships to advance the provision of affordable and special needs housing.

### MPP-H-12

Identify potential physical, economic, and cultural displacement of low-income households and marginalized populations that may result from planning, public investments, private redevelopment, and market pressure. Use a range of strategies to mitigate displacement impacts to the extent feasible.



## Housing ACTIONS

### REGIONAL ACTIONS

#### H-Action-1

Regional Housing Strategy: PSRC, together with its member jurisdictions, state agencies, housing interest groups, housing professionals, advocacy and community groups, and other stakeholders will develop a comprehensive regional housing strategy to support the 2024 local comprehensive plan update. The housing strategy will provide the framework for regional housing assistance (see H-Action-2, below) and shall include the following components:

- In the near term, a regional housing needs assessment to identify current and future housing needs to support the regional vision and to make significant progress towards jobs/housing balance and quantify the need for affordable housing that will eliminate cost burden and racial disproportionality in cost burden for all economic segments of the population, including those earning at or below 80 percent of Area Median Income throughout the region. This will provide necessary structure and focus to regional affordable housing discussions
- Strategies and best practices to promote and accelerate: housing supply, the preservation and expansion of market rate and subsidized affordable housing, housing in centers and in proximity to transit, jobs-housing balance, and the development of moderate-density housing options
- Coordination with other regional and local housing efforts

#### H-Action-2

Regional Housing Assistance: PSRC, in coordination with subregional, county, and local housing efforts, will assist implementation of regional housing policy and local jurisdiction and agency work. Assistance shall include the following components:

- Guidance for developing local housing targets (including affordable housing targets), model housing policies, and best housing practices
- Technical assistance, including new and strengthened tools, to support local jurisdictions in developing effective housing strategies, action plans, and programs
- Collection and analysis of regional housing data, including types and uses of housing and effectiveness of zoning, regulations, and incentives to achieve desired outcomes

- Technical assistance in support of effective local actions to address displacement, including data on displacement risk and a toolbox of local policies and actions

#### H-Action-3

State Support and Coordination: PSRC will monitor and support as appropriate members' efforts to seek new funding and legislative support for housing; and will coordinate with state agencies to implement regional housing policy.

### LOCAL ACTIONS

#### H-Action-4

Local Housing Needs: Counties and cities will conduct a housing needs analysis and evaluate the effectiveness of local housing policies and strategies to achieve housing targets and affordability goals to support updates to local comprehensive plans. Analysis of housing opportunities with access to jobs and transportation options will aid review of total household costs.

#### H-Action-5

Affordable Housing Incentives: As counties and cities plan for and create additional housing capacity consistent with the Regional Growth Strategy, evaluate and adopt techniques such as inclusionary or incentive zoning to provide affordability.

#### H-Action-6

Displacement: Metropolitan Cities, Core Cities, and High Capacity Transit Communities will develop and implement strategies to address displacement in conjunction with the populations identified of being at risk of displacement including residents and neighborhood-based small business owners.

#### H-Action-7

Housing Choice: Counties and cities will update regulations and strategies to reduce barriers to the development and preservation of moderate density housing to address the need for housing between single-family and more intensive multifamily development, consistent with the Regional Growth Strategy.

#### H-Action-8

Housing Production: Counties and cities will review and amend, where appropriate and consistent with the Regional Growth Strategy, development standards and regulations to reduce barriers to the development of housing by providing flexibility and minimizing additional costs.



# Exhibit 2



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

BEFORE THE HEARING EXAMINER  
FOR THE CITY OF MERCER ISLAND

In the Matter of:

**Development Code Interpretation No. 22-004**

Hearing Examiner File No.: APL 22-004  
(Interpretation No. 22-004)

**DECLARATION OF MATTHEW  
GOLDBACH, NEIGHBOR OF THE  
JEWISH COMMUNITY CENTER IN  
SUPPORT OF MERCER ISLAND'S  
CODE INTERPRETATION**

Comes forth Matthew Goldbach, and states under penalty of perjury of the laws of the State of Washington as follows:

1.1 I am over 18 and competent to testify herein. I make these declarations upon my personal knowledge of the facts. I support the City of Mercer Island's interpretation that a conditional use in a residential neighborhood may not request a variance for regulatory limits. Attached to this declaration is an exhibit index and true and accurate copies of the documents. The exhibits attached to and discussed in this declaration are true and accurate copies of the original documents.

**DECLARATION OF MATTHEW GOLDBACH, NEIGHBOR OF  
THE JEWISH COMMUNITY CENTER IN SUPPORT OF MERCER  
ISLAND'S CODE INTERPRETATION - 1**

1 1.2 I am a resident of Mercer Island. I have lived on Mercer Island since 2014. My wife  
2 and I currently reside at 9980 S.E. 40<sup>th</sup> St. Mercer Island, WA. We have resided in this house  
3 for the last 8 years. Our house is adjacent to the southeast property line of the JCC in a  
4 community called Mercerwood. My neighbor is John Hall. I am a member of the JCC.

5 1.3 This Declaration is to set forth my participation in the JCC's attempts to obtain  
6 preferential regulatory limits since approximately 2016, the huge increases in intensity of use  
7 of its property just since I have lived here, and the harm to the neighborhood.

8 1.4 Attached in **Exhibit 1** is a GANTT chart with an easy-to-read timeline of the JCC's  
9 proposals since 2016 to obtain preferential regulatory limits including the amendment to the  
10 comprehensive plan to establish the Community Facilities Zone, The "Hill Amendment"  
11 discussed in the Declaration of John Hall and discussed further in this declaration, and the  
12 current application for variances.

13 1.5 I am the neighbor of John Hall. I have read his declaration. I was a member of the  
14 Concerned Neighbors for the Preservation our Community in our appeal of the Community  
15 Facilities Zone. This declaration and exhibits will address the period found in the GANTT  
16 chart, starting with the adoption of the rewrite of the Residential Development Standards  
17 (RDS), the Community Facilities Zone adoption, appeal, and repeal, the docketing ordinance  
18 adopted after the appeal to the Growth Management Hearing Board and adoption requiring  
19 any comprehensive plan or code amendment to be docketed once per year in October, and  
20 "The Hill" code amendment application by the attorney for the JCC to create a spot zone for  
21 the JCC with increased regulatory limits.

22 1.6 As noted in the JCC's Notice of Appeal, due to past code interpretations regarding  
23 deviations for impervious surfaces, and exemptions of gross floor area from the gross floor  
24 area to lot floor area ratio, new houses in the residential zone were suddenly out of scale and

25 **DECLARATION OF MATTHEW GOLDBACH, NEIGHBOR OF**  
26 **THE JEWISH COMMUNITY CENTER IN SUPPORT OF MERCER**  
**ISLAND'S CODE INTERPRETATION - 2**



1 created a large amount of citizen anger. The rewrite of RDS began in 2015 but did not  
2 become effective until October 31, 2017. During this time there were numerous public  
3 meetings, and social media on Mercer Island was quite animated at their anger towards the  
4 City, the City Planning Department (called the Development Services Group at that time), and  
5 the City Council.

### 6 **Adoption of Development Standards**

7 2.1 Attached in **Exhibit 2** are the City Council minutes from June 5, 2017. As noted and  
8 highlighted on page 4 is the summary of the planning commission's recommendations  
9 for the code that addressed four main areas.

- 10 1) Eliminating deviations in the RDS that had been abused by  
11 the City Planning Department (Development Services  
12 Group, later renamed to Community Planning Department).
- 13 2) Reduce gross floor area to lot area ratio from 45% to 40%.
- 14 3) Create a strict limit on impervious surfaces.
- 15 4) Remove all permit appeals from the planning commission  
16 to a hearing examiner.
- 17 5) Require much better notice and transparency of permit  
18 applications and code amendments that citizens felt had  
19 been abused

20 2.2 Attached in **Exhibit 3** is the September 19, 2017 City Council minutes noting  
21 adoption of the new RDS.

### 23 **Comprehensive Plan Amendments Creating the Community Facilities Zone**

24  
25 **DECLARATION OF MATTHEW GOLDBACH, NEIGHBOR OF**  
26 **THE JEWISH COMMUNITY CENTER IN SUPPORT OF MERCER**  
**ISLAND'S CODE INTERPRETATION - 3**

1 3.1 Even before the adoption of the new RDS, the JCC was working with the  
2 Development Services Group at the City to obtain preferential regulatory limits for the JCC.  
3 Attached in **Exhibit 4** are emails from the architect for the JCC, Ed Weinstein, dated August  
4 12, 2016 and August 23, 2016, summarizing his meeting with the Development Services  
5 Group. As noted in the emails, a primary concern at this time was to adopt some type of  
6 amendment that flew under the radar and did not require any type of Council review or public  
7 process. As documented in the August 23, 2016 email, was the noncompliance of the existing  
8 JCC development for impervious surface limits and gross floor area to lot area ratios as well  
9 as parking.

10 3.2 The JCC in its appeal states:

11  
12 *"6.4 The Department erred when it did not cite to the findings and*  
13 *purposes section of Ordinance 17C-1 5, which passed the mega-house*  
14 *regulations. This section states: "WHEREAS, the Mercer Island City*  
15 *Council determined that amendments to the development regulations*  
16 *were necessary to ensure that residential development was occurring*  
17 *consistent with the provisions of the Mercer Island Comprehensive*  
18 *Plan; and ... " Ordinance 1 7C-1 5, p. 1., See Exhibit C. **The plain***  
19 *language of the purpose statement of the Ordinance clearly only*  
20 *applies to residential development, not nonresidential development.*  
21 *Further bolstering this statement of legislative intent is Section 4 of the*  
22 *Ordinance, which states in part: "This section shall apply to all building*  
23 *and other construction permits associated with single family*  
24 *development received on or after the effective date of this ordinance."*  
25 *Id., p. 2. The clear intent of the ordinance is stated by the drafters*  
26 *(CITE). The Department's finding regarding statutory construction is in*  
*error.*

JCC Appeal page 16, Lines LL 6-19

23 3.3 Anyone who was living on Mercer Island and in any way involved with the multi-year  
24 process to adopt a new RDS knows that the JCC's statement in its appeal is patently false. It is

25 **DECLARATION OF MATTHEW GOLDBACH, NEIGHBOR OF**  
26 **THE JEWISH COMMUNITY CENTER IN SUPPORT OF MERCER**  
**ISLAND'S CODE INTERPRETATION - 4**

1 absurd to think that the citizens were up in arms due to out of scale residential construction in  
2 the residential zone, but in favor of out of scale and non-compliant construction and  
3 development on conditional use properties.

4 3.4 Attached in **Exhibit 5** is the JCC's September 29, 2016 application for a code  
5 amendment to create the Community Facilities Zone. There was no concurrent development  
6 code amendments filed with this application. In essence, this amendment would create a  
7 Community Facilities Zone applicable to CUP's in the residential zone that would have  
8 different and preferential regulatory limits compared to residential development in the  
9 residential zone.

10 3.5 Attached in **Exhibit 6** are the Planning Commission minutes from October 18, 2017.  
11 The citizens at this time had not been informed about the proposal for the Community  
12 Facilities Zone, which is found at number 8 on the bottom of page 1.

13 3.6 Attached in **Exhibit 7** are the City Council Minutes of October 2, 2018. As noted on  
14 page 2, the citizens began to object to the Community Facilities Zone, and on page 4 is a  
15 summary of the discussion, which had already become contentious.

16 3.7 In **Exhibit 8** are the City Council Minutes dated November 20, 2018. By this time,  
17 citizen objection to the Community Facilities Zone had increased, as noted on page 2 and 3. A  
18 motion to remove the Community Facilities Zone on page 3 failed and the CFZ amendment  
19 was adopted.

20 3.8 In **Exhibit 9** is the petition for review to the GMHB filed by Concerned Neighbors for  
21 the Preservation of our Community, which was a collection of residents from Mercerwood,  
22 where I live. This was an enormous financial burden for our community to obtain a land use  
23 attorney named Alex Sidles. If there is one thing throughout the JCC's efforts to obtain  
24 preferential regulatory limits, it is they never paid for any attorney's fees to defend their

25 **DECLARATION OF MATTHEW GOLDBACH, NEIGHBOR OF**  
26 **THE JEWISH COMMUNITY CENTER IN SUPPORT OF MERCER**  
**ISLAND'S CODE INTERPRETATION - 5**



1 actions, whereas the citizens are constantly forced to hire attorneys and accrue expenses. One  
2 of the primary concerns for our neighborhood and citizens in general was the comprehensive  
3 plan amendment creating the CFZ had no concurrent implementing development regulations,  
4 so the citizens had no idea what these new regulations would be, which would apply to every  
5 conditional use in the residential zone, especially since the citizens, City, and Council had just  
6 gone through a multiyear wrenching process to rewrite the RDS. The JCC refused to disclose  
7 the zoning code changes it wanted.

8 3.9 In **Exhibit 10** are selected pages from the Final Decision And Order from the GMHB  
9 dated August 5, 2019. On pages 1-3 is a synopsis of the appeal. On Page 33 is the finding  
10 “that the adoption of the Community Facilities designation for the JCC property without  
11 implementing development regulations failed to comply with RCW 36.70(a).040.”

12 3.10 Attached in **Exhibit 11** are the City Council minutes dated February 18, 2020. The  
13 City Council had held an emergency joint session with the Planning Commission over the  
14 proposed regulations submitted by the JCC that were being discussed at the Planning  
15 Commission that were beyond abusive, and included strange tricks in which property setbacks  
16 were measured not from the JCC's property line but from properties across the road. As noted  
17 on page 3 of the minutes, the DSG director, Evan Maxim, noted several different options  
18 whether to continue with the process to draft and adopt implementing development  
19 regulations. In the end, the Council voted unanimously to repeal the Community Facilities  
20 Zone. As noted on page 2, both Ed Weinstein, the architect for the JCC, and Rich Hill, the  
21 long term attorney for the JCC, were hoping the council would direct the planning  
22 commission to continue with drafting and adopting the implementing regulations including  
23 greater gross floor area to lot area ratio, one for height and one for increased lot area coverage,  
24 but as Mayor Wong noted, **“The Solution had become the Problem.”**

25 **DECLARATION OF MATTHEW GOLDBACH, NEIGHBOR OF**  
26 **THE JEWISH COMMUNITY CENTER IN SUPPORT OF MERCER**  
**ISLAND'S CODE INTERPRETATION - 6**

### The "Hill Amendment"

1  
2 4.1 After the repeal of the Community Facilities Zone, the JCC turned its attention to a  
3 site specific "spot zone" amendment to the development code that would provide the JCC  
4 with preferential regulatory limits.

5 4.2 Attached in **Exhibit 12** is an order finding noncompliance from the GMHB requiring  
6 the city to adopt a docketing ordinance. The citizens had become frustrated at the DSG's  
7 biweekly code amendments at 11 PM, and the inability to suggest or propose their own code  
8 amendments. This order required the city to implement one docket every October for all code  
9 and comprehensive plan amendments.

10 4.3 It then became apparent to the JCC that they had missed the 2019 code docket.  
11 Attached in **Exhibit 13** is an email from Amy Lavin, CEO of the JCC, to the city manager,  
12 planning staff, and council requesting preferential treatment, and requesting the council  
13 amend the ordinance to grandfather in their projects and allow the JCC to submit an  
14 application to amend the code past the deadline to be added to the Planning Commission's  
15 2020 docket.

16 4.4 Attached in **Exhibit 14** are the City Council Minutes Special Meeting dated December  
17 10, 2019, adopting the code and comprehensive docket for 2020 in order to comply with  
18 GMHB order dated February 18, 2020. As noted on page 3, the council voted unanimously to  
19 not docket any items for the 2020 comprehensive plan docket, and to adopt the proposed  
20 timely amendments to the development code.

21 4.5 In **Exhibit 15** is the (undated) application for code amendment filed by G. Richard  
22 Hill, the long-term land use attorney for the JCC. Although this amendment would only apply  
23 to the JCC/FAS property due to the fact that it limits the new code amendment to properties  
24 abutting a PBZ zone, which only includes the JCC, the JCC after the Community Facilities

25 **DECLARATION OF MATTHEW GOLDBACH, NEIGHBOR OF**  
26 **THE JEWISH COMMUNITY CENTER IN SUPPORT OF MERCER**  
**ISLAND'S CODE INTERPRETATION - 7**

1 Zone did not want to be the applicant and therefore this code amendment application became  
2 known as the "Hill Amendment." As noted on page 1 of the application itself, Mr. Hill had  
3 completed his pre-application meeting with Community Planning and Development  
4 department (renamed from Development Services Group) and a project narrative was given on  
5 pages 1-2 that basically would allow the JCC preferential regulatory limits for gross floor area  
6 to lot area ratio, parking, impervious surfaces, and height. In **Exhibit A** to the application to  
7 zoning code text amendments sets out a chart showing the proposed amendments for the JCC,  
8 and the rest of the exhibit is interlined amendments to the existing Residential Development  
9 Standards the council had just adopted.

10 4.6 Similar to the CFZ, the citizens and other CUP's in the residential zone opposed the  
11 Hill Amendment and its preferential treatment for the JCC. Attached in **Exhibit 16** is the City  
12 Council Summary dated February 18, 2020. Noted on page 2, the recommendation was to  
13 abandon the original community facilities rezone and development regulations. Noted on page  
14 3 the JCC and FAS would be applying for a code amendment to be submitted by February 18,  
15 2020 and requesting the extraordinary treatment of backdating the application to add it to the  
16 2020 planning commission amendment docket.

17 4.7 In **Exhibit 17** is a chart from Mr. Weinstein showing the proposed amendments. Some  
18 of the amendments were allowing a parking garage extending four feet above grade to be  
19 exempt from gross floor area limits, increasing set backs, and increasing lot coverage and  
20 impervious surface limits.

21 4.8 Attached in **Exhibit 18** is the request for legal opinion filed by citizen attorney Bob  
22 Medved. Mr. Medved was counsel or co-counsel in the appeals to the GMHB to require the  
23 city to establish a transportation concurrency ordinance, docketing ordinance, and repeal of  
24 the Community Facilities Zone. Mr. Medved's request for legal opinion addressed the

25 **DECLARATION OF MATTHEW GOLDBACH, NEIGHBOR OF**  
26 **THE JEWISH COMMUNITY CENTER IN SUPPORT OF MERCER**  
**ISLAND'S CODE INTERPRETATION - 8**



1 docketing of the Hill Amendment, and the fact that it was a spot zone applicable only to the  
2 JCC and several other legal deficiencies.

3 4.9 In **Exhibit 19** is an exhibit to Mr. Medved's request for legal opinion with maps  
4 showing the location of the JCC and how the terms of the proposed Hill Amendment created a  
5 spot zone applicable only to the JCC.

6 4.10 In **Exhibit 20** is a letter dated March 6, 2020, from Alex Sidles, a land use attorney.  
7 Mr. Sidles was the attorney of record for the Concerned Neighbors for Preservation of our  
8 Community who successfully challenged the Community Facilities Zone. Mr. Sidles filed this  
9 letter setting forth his legal challenges to the Hill Amendment.

10 4.11 Attached in **Exhibit 21** is an email dated September 9, 2020, from Rich Hill to City  
11 Manager Jesse Bond. After the submission of Mr. Medved's request for legal opinion, the  
12 letter from Mr. Sidles, and city opposition to the Hill Amendment, Mr. Hill despite being  
13 given preferential treatment to submit his application on February 11, 2020 after the deadline  
14 for the 2020 code amendment docket requested that the Hill Amendment be postponed and  
15 addressed by March 15, 2021.

16 4.12 Attached in **Exhibit 22** is the City Council agenda for September 15, 2020. As noted  
17 on page 2, the Council addressed 3 alternative motions for the Hill Amendment without  
18 making a decision, although the writing was on the wall.

19 4.13 Attached in **Exhibit 23** are the City Council minutes from September 15, 2020, noting  
20 citizen opposition to the Hill Amendment, a motion to decline further review of the Hill  
21 Amendment failing 4 to 3 and a compromised motion to postpone initial action and set a new  
22 City Council review date.

23 4.14 Attached in **Exhibit 24** are a series of emails between Mr. Hill and the City of Mercer  
24 Island noting that Mr. Hill would withdraw the Hill Amendment and the city's extraordinary

25 **DECLARATION OF MATTHEW GOLDBACH, NEIGHBOR OF**  
26 **THE JEWISH COMMUNITY CENTER IN SUPPORT OF MERCER**  
**ISLAND'S CODE INTERPRETATION - 9**

1 decision to refund Mr. Hill the \$2,657 a SEPA fee and \$20,902.22 code amendment  
2 application fee despite the enormous staff time and effort put into the Hill Amendment, and  
3 additional attorney's fees our neighborhood once again incurred for the services of Alex  
4 Sidles.

### 5 JCC Variances

6 5.1 After withdrawal of the Hill Amendment, the JCC met with the City Planning  
7 Department. By this time almost the entire Planning Department had been replaced, the City  
8 had a new City Manager Jessi Bon, and many of the old council members had been replaced.  
9 Attached in **Exhibit 25** is the pre-application meeting between Mr. Weinstein and the City  
10 Planning Department setting forth the City's position that a new CUP would be required, the  
11 regulatory limits applicable in the residential zone, and setting forth the current regulatory  
12 limits for a CUP on the residential zone, and further steps the JCC would be required to take  
13 to pursue any variances or additional regulatory limits.

14 5.2 Attached in **Exhibit 26** is the pre-application meeting request – design review  
15 prepared by Mr. Weinstein on behalf of the JCC, Basically the request is no different than any  
16 request over the last two decades: the JCC begins with its preferred development and seeks to  
17 amend the development code and regulatory limits to accommodate its desires.

18 5.3 In **Exhibit 27** is the design concepts and schematics for the JCC's proposals with the  
19 "hardship" variances noting the additional gross floor area to lot ratio, impervious surfaces,  
20 and lot coverage.

21 5.4 In **Exhibit 28** is an email from Amy Lavin, CEO of the JCC, to all the other  
22 Conditional Use Permit organizations in the residential zone on Mercer Island, informing  
23 them of the appeal and requesting that they join the appeal and claiming on page 2, as  
24 underlined, "this interpretation means that none of the Islands institutions located in single

25 **DECLARATION OF MATTHEW GOLDBACH, NEIGHBOR OF**  
26 **THE JEWISH COMMUNITY CENTER IN SUPPORT OF MERCER**  
**ISLAND'S CODE INTERPRETATION - 10**



1 family zones will be able to do any sort of meaningful remodel or redevelopment outside of  
2 their existing structures,” which of course is not true.

3 5.5 For decades now the JCC has sought preferential treatment and special regulatory  
4 limits in order to develop its property out of scale with the surrounding zones and residential  
5 development standards. As noted in the exhibits discussed above, the JCC already enjoys  
6 regulatory limits for gross floor area to lot area ratio, impervious surfaces, lot coverage, and  
7 parking above the prior and current code allowances.

8 5.6 For years the city has informed the JCC that the solutions to the JCC's desired  
9 development are simple:

- 10 1) Purchase some of the commercially zoned property to the
- 11 north, which the JCC did for one parcel but then leased it to
- 12 the French American School
- 13 2) Not lease that commercial property to the French American
- 14 School and incorporate it into the JCC's development
- 15 plans, which would give it the necessary lot area and
- 16 impervious surface area limits and parking to pursue its
- 17 development plans.

18 Instead the JCC wants to keep the revenue from the French American School and instead  
19 obtain preferential regulatory limits that allow it to obtain even more preferential and more  
20 out of scale development, which will lead to a more out of scale intensity of use for traffic,  
21 parking, lighting, and noise that are currently part of a compliance review by the City of  
22 Mercer Island that was suspended during the pandemic.

23

24

25 **DECLARATION OF MATTHEW GOLDBACH, NEIGHBOR OF**  
26 **THE JEWISH COMMUNITY CENTER IN SUPPORT OF MERCER**  
**ISLAND'S CODE INTERPRETATION - 11**

DATED this 17<sup>th</sup> day of January, 2023.

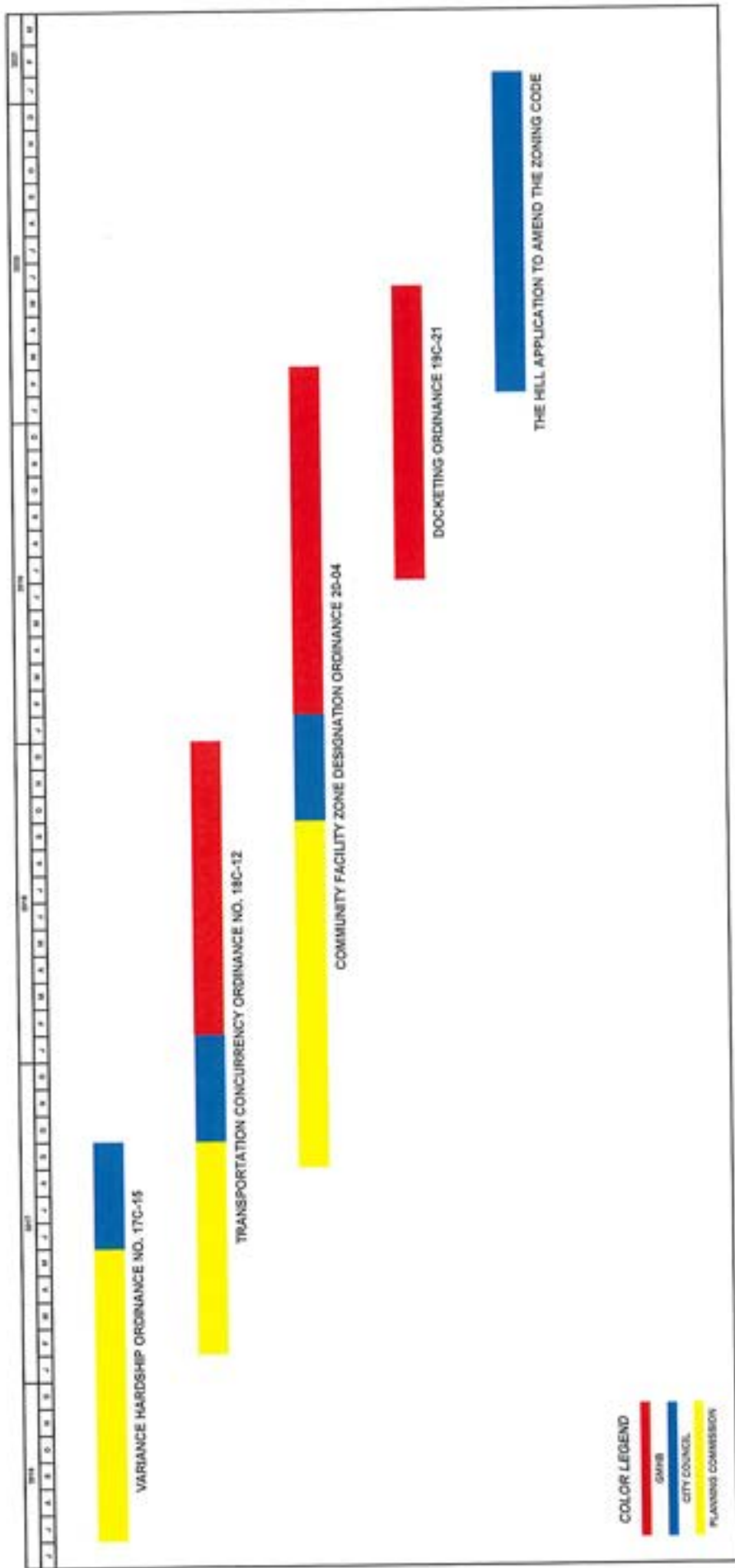
  
Matthew Goldbach

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**DECLARATION OF MATTHEW GOLDBACH, NEIGHBOR OF  
THE JEWISH COMMUNITY CENTER IN SUPPORT OF MERCER  
ISLAND'S CODE INTERPRETATION - 12**

**EXHIBIT 1**

# GANTT CHART



## **EXHIBIT 2**



**CITY COUNCIL MINUTES**  
**REGULAR MEETING**  
**JUNE 5, 2017**

**CALL TO ORDER & ROLL CALL**

Mayor Bruce Bassett called the meeting to order at 5:01 pm in the Council Chambers of City Hall, 9611 SE 36th Street, Mercer Island, Washington.

Mayor Bruce Bassett, Deputy Mayor Debbie Berlin, and Councilmembers Dan Grausz, Wendy Weiker (arrived at 7:05 pm), David Wisenteiner (arrived 6:22 pm), and Benson Wong were present. Councilmember Jeff Sanderson was absent.

**AGENDA APPROVAL**

Mayor Bassett noted that staff requested removing AB 5310: NPDES Stormwater Code Update (2nd Reading & Adoption) from the consent calendar.

It was moved by Wong; seconded by Grausz to:  
**Approve the agenda as amended.**  
 Passed 4-0  
 FOR: 4 (Bassett, Berlin, Grausz, Wong)  
 ABSENT: 3 (Sanderson, Weiker, Wisenteiner)

**EXECUTIVE SESSION**

**Executive Session #1 to discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 30 minutes.**

At 5:04 pm, Mayor Bassett convened Executive Session #1 to discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 30 minutes.

At 5:22 pm, Mayor Bassett adjourned Executive Session #1 and convened Executive Session #2 to discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 38 minutes.

At 6:00 pm, Mayor Bassett adjourned Executive Session #2 and the Regular Meeting reconvened.

**STUDY SESSION**

**AB 5307 CenturyLink Cable Franchise Agreement**

City Attorney Kari Sand presented a franchise agreement allowing CenturyLink to provide its new cable service – "Prism TV" – to Mercer Island residents. The franchise agreement allows CenturyLink to locate its facilities (either on utility poles or underground) in City rights-of-ways and, as part of the agreement, CenturyLink will pay a 5% franchise fee and other consideration for use of City right-of-way. She noted that staff has negotiated a proposed franchise agreement with CenturyLink with terms that comply with federal law and meet the needs and interests of the community.

City Attorney Sand introduced Torry Somers, Associate General Counsel for CenturyLink who explained the "Prism TV" product.



## SPECIAL BUSINESS

The Mercer Island City Council presented the 2016 Citizen of the Year Award to Terry Moreman.

Mayor Bassett spoke about the contributions Terry has made in community during her 38 years of residence on Mercer Island. Serving on numerous boards and committees, Terry has served as an advocate for many valuable causes. He noted Terry's service as the Executive Director of the Mercer Island Chamber of Commerce for over 25 years. Bringing the community great events like Town Center trick-or-treating and Art UnCorked. In addition to building a strong and respected business core in Mercer Island, she has played a significant role in the success of organizations like the Historical Society, Sister City Association, Farmers Market, Boys and Girls Club, PTA, Mercer Island Preschool Association, Community Fund, and Mercer Island Schools Foundation.

Terry thanked the Council for the award and their kind words.

## CITY MANAGER REPORT

City Manager Underwood provided a report on the following items:

- ALERT King County, the City's emergency notification system
- Thank you to Public Works and Fire for Truck Day at the JCC
- Congratulation to Youth and Family Services for being recognized by the Island-wide PTA for the Communities That Care program
- Council candidate orientation on June 15
- Farmers Market is open!

## APPEARANCES

Bahrat Shyam, 8405 SE 34th Pl, thanked staff and Council for their efforts in I-90 negotiations. He thinks the Council is in a good place with a few months to work out the details of an agreement with Sound Transit. He requested the Council to consider use tolling if Congress wouldn't act to grandfather SOV access to the HOV ramp. He asked the Council to keep their focus on last mile efforts such as Island only transit, stand-alone transit, or ride services to encourage Island residents to utilize the light rail once it is complete.

Sam Shyam, 8405 SE 34th Pl, spoke about proposed installation of more stoplights in the north end. He asked Council to consider roundabouts instead to improve traffic safety and reduce traffic speeds.

Meg Lippert, 5042, read statements from Mark Hall (6018 East Mercer Way) asking the Council to consider the ramifications and cost regarding restriping 77th Ave SE and Jeff Bender (2438 74th Ave SE) expressing concern about potential dangers presented by replacing bike lanes with sharrows on 77th Ave SE.

Elizabeth Buckley, 15 Brook Bay, spoke about tentative agreement with Sound Transit regarding I-90 loss of mobility. She is satisfied with the Park & Ride and removal of a bus turnaround portions of the proposed agreement. She expressed concern that the agreement doesn't compare financially to what other communities have received as mitigation for the East Link Project.

Jackie Dunbar, 7116 82nd Ave SE, spoke about the restriping 77th Ave SE proposal and questioned why the City is considering a large restriping project when the community is trying to assess the impacts of the East Link Project. She believes this is an effort to provide parking for MICA and asked the Council and City staff to be transparent for the community.

Scott Kuznicki, 7650 SE 27th St, thanked the Council for their investment of time in negotiating with Sound Transit. He asked the Council to consider using the mitigation funds dedicated to parking improvements related to the Park and Ride to build parking above the light rail station itself.

David Youssefnia, 8214 SE 30th St, spoke briefly about Residential Code Updates and expressed support for happy, healthy, and family friendly activities. He asked the Council to support the Planning Commission's recommendation of making a gross floor area exception for pervious sports courts.

John Tiscornia, 5646 E Mercer Way, thanked the Council for work in negotiating agreement. He appreciates plans for MI parking permits. He asked the Council to ensure the parking permit program is strongly enforced. He is concerned that bike paths on Mercer Way are filled with parked cars.

Steve Orr, 7376 SE 71st St, incoming President of MI Baseball Booster Club, supports MI High School baseball team, also spoke on behalf of Becky Shaddle (President of MI Football Booster Club). He spoke about Island Crest Park field improvements and requested the Council fund turf for the new outfield and lights at the same time. He advised that MI Baseball Booster Club is willing to make a \$10,000 donation to South Field turf improvements and that the MI Football Booster Club has committed to making a \$10,000 donation as well. He noted that the MI Baseball Booster Club has also donated the funds necessary to purchase a new scoreboard for the North Field.

Jodi McCarthy, 7665 80th Pl SE, representing Nowland Premier Soccer Academy, spoke in support of option 3A (new lights, shock pad and cork fill for outfield) on the Island Crest Park Field Improvement Agenda Bill.

Dan Syrdal, 6650 East Mercer Way, spoke about the settlement agreement with Sound Transit. He is concerned that it does not solve SOV/HOV access because that decision needs to be made by the Federal Highway Administration. He requested that Council consider making a takings claim against the Federal Highway Administration demanding compensation for loss of access under the fifth amendment.

David Hoffman, representing the Master Builders Association, spoke about Residential Code Updates. He complimented the Planning Commission for their work on such a massive project. He advised that the Master Builders Association is supportive of most of the Planning Commission's draft recommendations. And he appreciated the clarity that is provided in the tree language of the draft recommendations.

Jim Eames, 2930 76th Ave SE, spoke about restriping on 77th Ave SE and asked Council to consider diagonal parking, which has shown to improve sales for local businesses.

Ira Appelman, 9039 E. Shorewood Drive, spoke in opposition to the settlement agreement with Sound Transit.

## CONSENT CALENDAR

**Payables: \$1,231,685.71 (05/11/2017), \$1,184,494.17 (05/25/2017), \$102,572.61 (06/01/2017)**

**Recommendation:** Certify that the materials or services hereinbefore specified have been received and that all warrant numbers listed are approved for payment.

**Payroll: \$809,644.42 (05/26/2017)**

**Recommendation:** Certify that the materials or services specified have been received and that all fund warrants are approved for payment.

**Minutes: May 8, 2017 Special Meeting Minutes, May 16, 2017 Special Meeting Minutes, May 22, 2017 Special Meeting Minutes, May 23, 2017 Special Meeting Minutes, May 24, 2017 Special Meeting Minutes, and May 31, 2017 Special Meeting Minutes**

**Recommendation:** Adopt the May 8, 2017 Special Meeting Minutes, May 16, 2017 Special Meeting Minutes, May 22, 2017 Special Meeting Minutes, May 23, 2017 Special Meeting Minutes, May 24, 2017 Special Meeting Minutes, and May 31, 2017 Special Meeting Minutes as written.

**AB 5309 Arts Council 2016 Annual Report and 2017 Work Plan**

**Recommendation:** Receive the Arts Council 2016 Annual Report and the 2017 Work Plan.

It was moved by Wisenteiner; seconded by Wong to:

**Approve the Consent Calendar and the recommendations contained therein as amended.**

Passed 6-0

FOR: 6 (Bassett, Bertlin, Grausz, Welker, Wisenteiner, Wong)

ABSENT: 1 (Sanderson)



**REGULAR BUSINESS****AB 5312 I-90 Loss of Mobility Status Report**

City Manager Julie Underwood provided an update on I-90 Loss of Mobility. She spoke about the center roadway closure on June 3 and reported on the traffic impacts so far.

Ed Holmes, Police Chief provided a report on Monday's morning traffic due the I-90 center roadway closure.

**AB 5308 CenturyLink Cable Franchise Agreement (1st Reading)**

It was moved by Weiker; seconded by Bertlin to:

**Set Ordinance No. 17-14 to June 19, 2017 for second reading and adoption as amended.**

Passed 6-0

FOR: 6 (Bassett, Bertlin, Grausz, Weiker, Wisenteiner, Wong)

ABSENT: 1 (Sanderson)

It was moved by Grausz; seconded by Wisenteiner to:

**Amend Ordinance No. 17-14 to include the Crown Castle tree and location provisions, making them only effective if similar language is included in a future Comcast agreement.**

Passed 6-0

FOR: 6 (Bassett, Bertlin, Grausz, Weiker, Wisenteiner, Wong)

ABSENT: 1 (Sanderson)

**AB 5311 Island Crest Park North Outfield Project**

Parks & Recreation Director Bruce Fletcher and Parks Superintendent Paul West presented the Island Crest Park North Outfield project for the Council's consideration. They spoke about the projects options and alternatives and staff's recommendation of Option 3A (cork infill + shock pad + lighting for north field).

It was moved by Bertlin; seconded by Wisenteiner to:

**Authorize the City Manager to proceed with Option 3A for the construction of new synthetic turf and the installation of lighting at Island Crest Park north field through the King County Directors Association purchasing cooperative, and set the project budget to \$2,596,350, with \$511,190 in additional funding coming from surplus General Fund and real estate excise tax revenues in 2015 and 2016, King County Parks, Trails & Open Space Levy monies, community donations, and other one-time funding sources and every effort will be made to replace the Mercerdale playground no later than 2020.**

Passed 6-0

FOR: 6 (Bassett, Bertlin, Grausz, Weiker, Wisenteiner, Wong)

ABSENT: 1 (Sanderson)

**AB 5313 Planning Commission's Recommendation for Residential Development Standards Code Amendments (1st Reading)**

Planning Manager Evan Maxim presented a brief review of the Planning Commission's draft recommendations for Residential Code Updates. He noted that the Planning Commission has held 15 regular and special meetings, three Community Meetings, and one Public Hearing. He reviewed the following policies for the Council to consider during their deliberations of the recommendations:

**Current Code**

- 45% allowed Gross Floor Area
- 40% impervious surface with allowed deviation of 5%
- 15-foot side yard setbacks
- Reasonable best efforts for tree retention
- No limit on accessory buildings
- Generous construction hours & permit renewals

**Planning Commission Recommendation**

- 40% allowed Gross Floor Area; caps on maximum
- 60% landscaping required, no deviations
- Wider lots = wider setbacks
- 30% retention minimum + reasonable best efforts
- Limits on height and area
- 7PM end of construction, limited permit renewal, proactive scheduling

It was moved by Grausz; seconded by Weiker to:  
**Conduct Public Hearing for June 12 and Set Ordinance No. 17C-15 for a continuation of the first reading on June 19, 2017.**

Passed 6-0

FOR: 6 (Bassett, Bertlin, Grausz, Weiker, Wisenteiner, Wong)

ABSENT: 1 (Sanderson)

## OTHER BUSINESS

### Councilmember Absences

Councilmember Sanderson's absence was excused.

Councilmember Grausz will be absent at the June 12 Special Meeting.

### Planning Schedule

City Manager Julie Underwood advised that at the June 19 meeting, she is hoping to schedule a brief presentation by King County Access for All Program to explain to the community their arts proposal expected to be on the August primary ballot.

City Manager Underwood noted that she is also hoping to schedule a brief presentation by King County to explain to the community the renewal of the Veterans and Human Services levy that is expected on the November ballot.

Deputy Mayor Bertlin requested an update from staff on whether the Fire Chief will approve the sale of fireworks this summer on Mercer Island.

### Board Appointments

It was moved by Bertlin; seconded by Wong to:

**Confirm the appointment of the following individuals to the City Boards and Commissions:**

#### ARTS COUNCIL

Position 7, Erin Vivion, Expiring 5/31/2021

Position 8, An Tootill, Expiring 5/31/2021

Position 11, Xi Tian, Expiring 5/31/2018

#### COMMUNITY SERVICES BOARD (ADULT)

Position 2, Shabai Li, Expiring 5/31/2018

Position 3, Meg Kerrigan, Expiring 5/31/2018

Position 9, Martina Kozar, Expiring 5/31/2020

Position 10, James Schwab, Expiring 5/31/2020

Position 11, Teri Jones, Expiring 5/31/

Position 12, Harry Dingwall, Expiring 5/31/2020

#### COMMUNITY SERVICES BOARD (YOUTH)

9th Grade, Renee White, Expiring 5/31/2019

9th Grade, Evan Dickstein, Expiring 5/31/2019

9th Grade, Liliana Szafir, Expiring 5/31/2019

11th Grade, Christopher Elliott, Expiring 5/31/2019

11th Grade, Alex White, Expiring 5/31/2019

10th Grade, Sarah Wang, Expiring 5/31/2019

#### DESIGN COMMISSION

Position 5, Suzanne Zahr, Expiring 5/31/2021

Position 6, Richard Erwin, Expiring 5/31/2021

#### OPEN SPACE CONSERVANCY TRUST

Position 5, Marie Bender, Expiring 5/31/2021

Position 7, Geraldine Poor, Expiring 5/31/2021

#### PLANNING COMMISSION

Position 5, Carolyn Boatsman, Expiring 5/31/2021

Position 7, Ted Weinberg, Expiring 5/31/2018

**UTILITY BOARD**

Position 3, Tim O'Connell, Expiring 5/31/2021

Position 4, Mary Grady, Expiring 5/31/2021

Position 5, Stephen Milton, Expiring 5/31/2021

Passed 6-0

FOR: 6 (Bassett, Berlin, Grausz, Weiker, Wisenteiner, Wong)

ABSENT: 1 (Sanderson)

**Councilmember Reports**

Councilmember Weiker noted that a retirement party for MISD Superintendent Gary Plano scheduled for June 15 at 6 pm.

Mayor Bassett invited the Council to attend a high school civics class on the coming Wednesday. He thanked staff and Council for their work on I-90 negotiations.

**ADJOURNMENT**

The Regular Meeting was adjourned at 10:20 pm.

Attest:

\_\_\_\_\_  
Bruce Bassett, Mayor

\_\_\_\_\_  
Ellie Hooman, Deputy City Clerk

**EXHIBIT 3**





## CITY COUNCIL MINUTES REGULAR MEETING SEPTEMBER 19, 2017

### CALL TO ORDER & ROLL CALL

Mayor Bruce Bassett called the meeting to order at 5:00 pm in the Council Chambers of City Hall, 9611 SE 36th Street, Mercer Island, Washington.

Mayor Bruce Bassett, Deputy Mayor Debbie Bertlin, and Councilmembers Dan Grausz, Salim Nice, Wendy Weiker (arrived 5:29 pm), and Benson Wong (arrived 5:05 pm) were present. Councilmember David Wisenteiner was absent.

### AGENDA APPROVAL

It was moved by Grausz; seconded by Bertlin to:  
**Amend the agenda to include a second Executive Session after the first Executive Session to discuss, with legal counsel, pending or potential litigation pursuant to RCW 42.30.110 (1)(i) for 15 minutes.**  
 Passed 4-0  
 FOR: 4 (Bassett, Bertlin, Grausz, Nice)  
 ABSENT: 3 (Weiker, Wisenteiner, Wong)

### EXECUTIVE SESSION

**Executive Session to discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for one hour**

At 5:02 pm, Mayor Bassett convened Executive Session #1 to discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 60 minutes.

At 6:02 pm, Mayor Bassett adjourned Executive Session #1

**Executive Session #2 to discuss, with legal counsel, pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 15 minutes.**

At 6:03 pm, Mayor Bassett convened Executive Session #2 to discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 15 minutes.

At 6:18 pm, Mayor Bassett adjourned Executive Session #2 and the Regular Meeting reconvened.

### STUDY SESSION

#### AB 5344 Right of Way (ROW) Services Report

Public Works Director Jason Kintner, Right of Way Services Manager Brian Hartvigson and Arborist Hannah Van Pelt provided a general overview of right of way (ROW) services in over 84 miles of roadway and over 300 acres of undeveloped ROW, which are maintained by the ROW Team. Director Kintner noted that the ROW team is responsible for: pavement markings, street sign maintenance, pothole repairs, roadway shoulder work, street sweeping, street light maintenance, sidewalk maintenance, vegetation work, planter bed beautification, and special event & emergency services support.

He spoke about the ROW team staffing history, the ROW tree assessment program, and where the team is headed using new technology, revamping business process, identifying future reinvestment opportunities, and

enhancing the Town Center tree program. Public Works staff will return to Council with recommendations on service levels and input on ROW tree program during the 2019-2020 Budget development in 2018.

At 6:49 pm, the Council took a break. The Regular Meeting reconvened at 7pm.

## CITY MANAGER REPORT

City Manager Julie Underwood reported on the following:

- Community Center Drainage & Asphalt Repair Project
- The deadline to submit an application for the Financial Challenges Community Advisory Group (CAG) is October 27.
- The City's first Telephone Town Hall to learn more about the City's Financial Challenges will be held on Wednesday, October 11, 2017 – 7:00-8:00 pm
- The City issued the MICA – SEPA Determination - The Planning Commission will hold a public hearing on Wednesday, October 18, 6:00 pm at City Hall
- A new art exhibit, from the Seattle Chapter of the Colored Pencil Society of America, runs through October 27, 2017 at the Community and Event Center's Mercer Gallery.
- Sand at Island Crest Park is being recycled throughout City Parks and School District fields.
- The City will launch NextRequest in October to help the public access and request public records. The goal is to implement a system that is efficient and streamlined – ultimately saving taxpayer money and requesters' time.
- Thanked the City's CERT Volunteers and expressed that thoughts are with emergency responders who are helping those throughout our country and abroad. You can help, by making a donation to the Red Cross at [redcross.org](http://redcross.org). Give cash and not supplies.

Deputy Mayor Bertlin spoke about Bob Bersos, who had a long history with the City as a Volunteer Firefighter. He served eight years as an Emergency Volunteer. He also served as a Bus Driver for 13 years for the School District. She noted that Bob's service is Friday, Sept. 22, at 4:00 pm at Emmanuel Episcopal Church.

## APPEARANCES

Tom Gallagher, 4243 Shoreclub Drive, builder, spoke for his clients who he does not think have been represented in the code amendments process. He stated that the following three items are a disservice to citizens: (1) eliminate concurrent review, (2) not allowing people to buy multiple lots and build large houses, (3) review idea of bigger incentive for daylight basement.

Trevor Reed, 8210 SE 65th Street, spoke in opposition to the Residential Development Standards code update. He stated that if the Council fails to allow development, then it will undermine the provision of amenities in the Town Center that citizens have come to appreciate.

Kathryn Jerkovich, BCRA Plan Designer, 414 Stewart Street, Seattle, spoke about results from analysis of proposed FAR and tree code code rewrite conducted on behalf of JayMarc Homes. BCRA found that individually each proposed change didn't have a large impact, but cumulatively they resulted in an average reduction in buildable area of 24%.

Allen Hovsepian, 4344 90th Ave SE, spoke in opposition to the Residential Development Standards code update. He asked the Council to consider the financial impact this change will have on home values on the Island.

Randy Koehler, 3056 70th Ave SE, RKK Construction, spoke in opposition to the Residential Development Standards code update. He feels that the proposed changes are too restrictive. He expressed concern with buyers choosing to purchase homes somewhere else to avoid Mercer Island's building restrictions.

Jackie Dunbar, 7116 82nd Ave SE, spoke against the portion of the Residential Development Standards code update changing the rules for long platting. She asked the Council to allow for more citizen involvement in the code rewrite process.



Carolyn Boatsman, 3210 74th Ave SE, thanked the Council for their work on the Residential Development Standards and tree code update. She spoke in support of approval of the proposed changes.

Lynn Hagerman, 3058 61st Ave SE, spoke in support of approving the proposed changes.

Manny Cawaling, Executive Director for Youth Theatre Northwest, announced that the 30th Anniversary for YTN begins in November. He advised that enrollment in the groups programs is up. To be able to allow more kids to participate the group needs a larger facility here on the Island. He asked that the Council and the community continue to support MICA so that groups like Youth Theater Northwest can remain on Mercer Island.

Ira Appelman, 9039 E. Shorewood Drive, spoke in support of the changes in the Residential Development Standards code in general. He disagreed with regulating trees on flat lots and still allowing people to purchase multiple lots and combining them to build larger homes. He asked the Council to do more to educate the community on how the code changes will affect development.

Dennis Dahl, 2530 70th Ave SE, spoke in opposition to the Residential Development Standards code update. He advised that the comments listed on the City website in support of more restrictive development codes are from only 1% of Mercer Island's population. He asked the Council to consider the impact this update will have on all of Mercer Island's residents.

#### CONSENT CALENDAR

**Payables: \$392,835.76 (08/03/2017), \$531,223.43 (09/07/2017)**

**Recommendation:** Certify that the materials or services hereinbefore specified have been received and that all warrant numbers listed are approved for payment.

**Payroll: \$811,962.76 (09/01/2017)**

**Recommendation:** Certify that the materials or services specified have been received and that all fund warrants are approved for payment.

**Minutes: September 5, 2017 Regular Meeting Minutes**

**Recommendation:** Adopt the September 5, 2017 Regular Meeting Minutes as written.

**AB 5342 Port of Seattle Grant Acceptance for Wayfinding Sign Program**

**Recommendation:** Accept the grant from the Port of Seattle, authorize the City Manager to enter into an agreement with the Port of Seattle, and appropriate \$35,490 from the Beautification Fund for the project.

It was moved by Bertlin; seconded by Wong to:

**Approve the Consent Calendar and the recommendations contained therein.**

Passed 6-0

FOR: 6 (Bassett, Bertlin, Grausz, Nice, Weiker, Wong)

ABSENT: 1 (Wisenteiner)

#### REGULAR BUSINESS

**AB 5345 Residential Development Standards Code Amendments (7th Reading and Adoption)**

Planning Manager Evan Maxim presented Ordinance No. 17C-15 for adoption by the City Council.

It was moved by Wong; seconded by Grausz to:

**Adopt Ordinance No. 17C-15, amending Mercer Island City Code Titles 8, 17, and 19 on Residential Development Standards as amended, which shall take effect five days after the date of publication, provided the effective date for Attachment A shall be on November 1, 2017.**

It was moved by Weiker; seconded by Bassett to:

**Amend the previous motion to:**

**Remove sections 3 and 4 of Ordinance No. 17C-15.**

Motion to Amend Failed 2-4  
 FOR: 2 (Bassett, Weiker)  
 AGAINST: 4 (Berlin, Grausz, Nice, Wong)  
 ABSENT: 1 (Wisenteiner)

It was moved by Grausz; seconded by Wong to:

**Amend the previous motion to:**

- **Amend Section 3 of Ordinance No. 17C-15 to read as follows: "Pursuant to the Revised Code of Washington (RCW) 36.70B.140, the City Council hereby excludes building and other construction permits associated with single family development from consolidated permit review. This section shall apply to all building and other construction permits associated with single family development received on or after the effective date of this ordinance."**
- **Amend Section 4 of Ordinance No. 17C-15 to read as follows: "An existing lot shall be a condition precedent for determination of complete application for a building and other construction permit associated with single family home development. This section shall apply to all building and other construction permits associated with single family development received on or after the effective date of this ordinance."**

Motion to Amend Passed 4-2  
 FOR: 4 (Berlin, Grausz, Nice, Wong)  
 AGAINST: 2 (Bassett, Weiker)  
 ABSENT: 1 (Wisenteiner)

It was moved by Nice; seconded by Grausz to:

**Amend the previous motion to:**

**Amend Attachment A to Ordinance No. 17C-15 to read as follows:**

**Amend the sentence starting with the word "permit" on lines 10-13 of page 50 to read: "Permit applications shall be accompanied by documentation of the imminent threat to life or property, ideally in the form of a report by a qualified arborist, but at least in the form of photographs that clearly depict the threat."**

Motion to Amend Passed 6-0  
 FOR: 6 (Bassett, Berlin, Grausz, Nice, Weiker, Wong)  
 ABSENT: 1 (Wisenteiner)

It was moved by Nice; seconded by Grausz to:

**Amend the previous motion to:**

**Amend Attachment A to Ordinance No. 17C-15 to read as follows:**

**Amend the sentence starting with the word "permit" on lines 10-11 of page 50 to read: "Permit approval to remove one or more trees that pose an imminent threat to life or property, such as tree limbs or trunks that are demonstrably cracked, leaning toward overhead utility lines or structures, or are uprooted by flooding, heavy winds or storm events, in which event the permit must be applied for within fourteen (14) days of the removal"**

Motion to Amend Passed 6-0  
 FOR: 6 (Bassett, Berlin, Grausz, Nice, Weiker, Wong)  
 ABSENT: 1 (Wisenteiner)

It was moved by Grausz; seconded by Nice to:

**Amend the previous motion to:**

**Amend Attachment A to Ordinance No. 17C-15 to read as follows:**

**Amend the sentence starting with the word "permit" in footnote 1 of page 75 to read: "Tree removal associated with a development proposal and authorized through the issuance of a tree removal permit, shall not commence until the later of the end of the appeal period associated with the tree removal permit, or a decision is issued on an administrative appeal of the tree removal permit."**

Motion to Amend Passed 5-1  
 FOR: 5 (Bassett, Berlin, Grausz, Nice, Wong)  
 AGAINST: 1 (Weiker)  
 ABSENT: 1 (Wisenteiner)



The Council discussed "very large homes" in the R-15 zone and remanded the issue back to the Planning Commission for further review and recommendation.

It was moved by Grausz; seconded by Wong to:

**Amend the previous motion to:**

**Amend Attachment A to Ordinance No. 17C-15 to read as follows:**

**Further amend Section 3 of Ordinance No. 17C-15 to read as follows: "Pursuant to the Revised Code of Washington (RCW) 36.70B.140, the City Council hereby excludes building and other construction permits associated with single family development of a preliminary short subdivision or preliminary long subdivision from consolidated permit review. This section shall apply to all building and other construction permits associated with single family development of a preliminary short subdivision or preliminary long subdivision received on or after the effective date of this ordinance."**

Motion to Amend Passed 6-0

FOR: 6 (Bassett, Berlin, Grausz, Nice, Weiker, Wong)

ABSENT: 1 (Wisenteiner)

It was moved by Weiker; seconded by Wong to:

**Amend the previous motion to:**

**Amend Attachment A to Ordinance No. 17C-15 to read as follows:**

**Amend page 25, line 38, to change 40 percent to 50 percent for the length of the structure's external walls for all new construction and remodels (MICC 19.01.050(D) regarding non-conforming structures will also need to be amended).**

Motion to Amend Failed 1-5

FOR: 1 (Weiker)

AGAINST: 5 (Bassett, Berlin, Grausz, Nice, Wong)

ABSENT: 1 (Wisenteiner)

Main Motion as Amended Passed 5-1

FOR: 5 (Bassett, Berlin, Grausz, Nice, Wong)

AGAINST: 1 (Weiker)

ABSENT: 1 (Wisenteiner)

The Council decided to move the discussion of the Planning Commission Accompanying Recommendations to their 2018 Planning Session in January for incorporation into DSG and the Planning Commission's work plans.

It was moved by Grausz; seconded by Berlin to:

**Authorize expansion of the arborist and code compliance officer positions to full-time equivalent positions.**

Passed 5-1

FOR: 5 (Bassett, Berlin, Grausz, Nice, Wong)

AGAINST: 1 (Weiker)

ABSENT: 1 (Wisenteiner)

It was moved by Wong; seconded by Weiker to:

**Direct staff to monitor the implementation of the Residential Development Standards and report back to the City Council in 3 to 5 years on the effectiveness of the proposed amendments. Further direct staff to provide the public with information and resources on the adopted regulations and to engage in continuous improvement of the adopted regulations, using the "user group" process.**

Passed 5-1

FOR: 5 (Bassett, Berlin, Nice, Weiker, Wong)

AGAINST: 1 (Grausz)

ABSENT: 1 (Wisenteiner)

#### **AB 5339 2016 General Fund & REET Year-End Surplus Disposition**

Finance Director Chip Corder presented the 2016 year-end surplus balances which were driven by a high level of development activity on the Island. He noted that this surplus provides the Council with an opportunity to address one-time operating, capital, and reserve funding needs outside of the biennial budget process. He explained that

the major funding are:

- Projected \$2.0 million deficit in General Fund and Youth & Family Services Fund combined.
- Contingency Fund 2017 needs \$199,115 to meet target balance goal of 10% of General Fund budgeted expenditures.
- Open Space/Vegetation Management Program needs \$160,000 in 2018 to address a dramatic increase in the cost of contracted restoration work.
- Soil remediation at Maintenance Center/Honeywell property is estimated to cost between \$392,000 and \$788,000.
- Maintenance Center renovation/expansion is estimated to cost \$5.92 million.

It was moved by Weiker; seconded by Wong to:

**Direct staff to transfer all of the available General Fund surplus from the 2015 and 2016 fiscal years, which amounts to \$1,035,704, to the Contingency Fund, leaving the one-time funding there until the outcome of placing an operating levy lid lift on the November 6, 2018 ballot is known.**

It was moved by Bertlin; seconded by Weiker to:

**Amend the previous motion as follows:**

**Direct staff to transfer all of the available General Fund surplus from the 2015 and 2016 fiscal years, which amounts to \$1,035,704, to the Contingency Fund.**

Motion to Amend Passed 4-2

FOR: 4 (Bassett, Bertlin, Weiker, Wong)

AGAINST: 2 (Grausz, Nice)

ABSENT: 1 (Wisenteiner)

Amended Main Motion Passed 4-2.

FOR: 4 (Bassett, Bertlin, Weiker, Wong)

AGAINST: 2 (Grausz, Nice)

ABSENT: 1 (Wisenteiner)

It was moved by Wong; seconded by Grausz to:

**Direct staff to transfer \$160,000 from the 2017 REET surplus toward the City's open space vegetation management program.**

Passed 4-2

FOR: 4 (Bertlin, Grausz, Nice, Wong)

AGAINST: 2 (Bassett, Weiker)

ABSENT: 1 (Wisenteiner)

## OTHER BUSINESS

### Councilmember Absences

Councilmember Wisenteiner's absence was excused.

Mayor Bassett will be absent October 17 and October 26.

### Planning Schedule

City Manager Underwood spoke about:

- Possible Study Session on October 3 regarding the Last & First Mile Study Session
- Upcoming code amendments on October 3
- The Aubrey Davis Park Master Plan Study Session on October 17
- The Joint Meeting with the MISD Board on October 26
- Executive Sessions on October 3 starting at 5pm.

### Board Appointments

There were no appointments.

### Councilmember Reports

Councilmember Grausz attended the JRC meeting discussing the Community Development Block Grant Program.

Nothing of significance to report.

Deputy Mayor Bertlin attended the Eastside Transportation Partner meeting. She advised that they are currently



building their legislative agenda for 2018, and it is her hope to introduce to the group the idea of the I-90 bike/pedestrian corridor. She also noted that Former Mayor Alan Merkle was recently named as the recipient of the Chevalier de l'Ordre National du Merite by the government of France. This award confers the rank of Knight, and is one of the highest awards given to non-French natives.

Councilmember Nice, along with Deputy Mayor Bertlin and City Manager Underwood, attended an ARCH workshop. He noted that the group shared some recent accomplishments, and some unique ideas in how contributing cities can participate in the program through a fee in lieu role.

Councilmember Weiker attended an Eastside Legislative Forum, noting one of topics discussed was the impact the McCleary school funding decision will have on Eastside communities. She asked City Manager Underwood to collaborate with Superintendent Colosky to determine what these changes will look like for Mercer Island residents. She noted two upcoming candidate forums: Thursday, September 21, 2017, 12pm at the Community Center hosted by Mercer Island Chamber of Commerce and Tuesday, October 10, 2017, 7pm at West Mercer Elementary hosted by the Mercer Island League of Women Voters.

Councilmember Wong attended the Lincoln Landing Community Meeting put on by the Parks and Recreation Department. He attended the SCA Public Issues Committee meeting, noting the main topic of discussion was the opioid crisis in King County and how it ties to the rise in property crime. He plans to attend an impacts of self-driving cars training talk by Forterra on September 20, 2017.

Mayor Bassett, along with several other councilmembers attended "Meeting of the Greens". He commended Sustainability & Communications Manager Ross Freeman for his work in putting the event together.

## EXECUTIVE SESSION

**Executive Session to review the performance of a public employee pursuant to RCW 42.30.110(1)(g) for one hour**

This Executive Session was moved to October 3.

## ADJOURNMENT

The Regular Meeting adjourned at 10:57 pm.

\_\_\_\_\_  
Bruce Bassett, Mayor

Attest:

\_\_\_\_\_  
Allison Spietz, City Clerk

**EXHIBIT 4**

From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=7ED30A5234EE4C0B82CA08B70BB10EE9-SCOTT.GREEN  
 To: EdWeinstein  
 Cc:  
 Subject: RE\_ SJCC Contract Rezone  
 Date: 8/12/2016 12:01:12 PM  
 Attachments:

---

Hi Ed. I don't think a development agreement would work, unless we amend our code first. That leaves a contract rezone or conditional use permit.

Our code is silent on how to do a contract rezone, and the SJCC's use may not be allowed in the C-O zone (which is what I assume you would be requesting). A contract rezone would also require a comprehensive plan amendment, which would be reviewed sometime in 2017. A code amendment may be required to allow the SJCC use. I assume the use is noncommercial recreation area? What was the use called in your prior permits?

A conditional use permit would work, but I recall you would also need some variances for setbacks and maybe impervious surface?

A final option we discussed was a code amendment to create a "master plan" process (or something like that), which would allow the City to approve the overall layout, uses, etc. and modify development standards as part of that process. This code amendment may not occur until sometime in 2017.

Maybe it would make sense to meet again, with some of my new staff, to discuss the SJCC's plans? Let me know if we could do that sometime next week or the week after.

Thanks.  
 Scott

From: Ed Weinstein [mailto:edw@weinsteinaw.com]  
 Sent: Thursday, August 11, 2016 9:09 AM  
 To: Scott Greenberg <Scott.Greenberg@mercergov.org>  
 Cc: Kim Waldbaum <kmuscatel@aol.com>; Judy Neuman <JudyN@sjcc.org>  
 Subject: Re: SJCC Contract Rezone

Scott,

When we met a few months ago, you indicated that you would research the alternatives for a Contract Rezone or a Development Agreement for the Stroum Jewish Community Center. The leadership of the SJCC would like to move ahead with this process, so it is important for our purposes that we sort out your preferred process. Please let me know when we might meet to advance this discussion.

**Ed Weinstein, FAIA**  
 Principal  
 (206) 443-8806 (office)  
 (206) 454-8487 (direct)



From: [REDACTED]  
To: Nicole Gaudette; Scott Greenberg  
Cc: Judy Neuman; Kim Waldbaum  
Subject: Storm Jewish Community Center  
Date: 8/23/2016 8:01:39 AM  
Attachments:

---

Scott and Nicole,

Thank you very much for taking the time to meet with me yesterday to discuss alternative entitlement routes for establishing the increased development potential for the Stroum Jewish Community Center. I greatly appreciated that Scott had taken the time to meet previously with Nicole to orient her to the project circumstances and to investigate potential entitlement possibilities. As I indicated at the conclusion of our meeting yesterday afternoon, I am writing this e-mail to document our discussion and to give you both the opportunity to edit my comments if they contradict your recollection of our conversation.

We began the meeting with me giving a brief presentation of the site circumstances and our potential ambitions for the future development of the site. I indicated that we were aware that our impervious surface calculations demonstrated that we were over the 40% threshold for the R-8.4 (47%) and R-9.6 (49%) portions of the site, but below the 60% threshold for the C-O (52%) portion of the site. I also indicated that we were aware, from numerous previous conversations with the City of Mercer Island, that we probably had a parking shortfall for the current uses on the site and that we had been previously advised that both the impervious surface limitations and the parking shortfall would need to be addressed as part of the next phase of development of the site.

In this regard, I then indicated that I assumed that an important component of our entitlement would be a Conditional Use Permit Amendment to the existing Conditional Use Permit. Scott then discussed our need to establish the definition of the existing use for the facility as it would be important for our ongoing entitlement purposes. A quick review of the copies of the existing Conditional Use Permit did not clarify this issue. In a quick discussion, Scott indicated that the use might be best described as a Private Club, which is an Allowable Use in the Residential Zones, but that further research will be required. We all agreed that the resolution of this use issue should not be problematic.

We then discussed the challenges of the impervious surface non-compliance and discussed three alternative scenarios: a Contract Rezone to C-O to increase the maximum impervious surface area to 60%, a variance to the ordinance to exceed the existing 40% maximum impervious surface area for the R-8.4 and R-9.6 parcels, or the purchase of the French American School Parcels to increase the SJCC overall pervious area.

A quick discussion ensued. Regarding the first alternative for the Contract Rezone, Scott indicated further complexities to this approach, especially the City Council review, which would make it a lengthy and potentially contentious process. Regarding the third alternative for the acquisition of the FAS properties, I indicated that this was currently not financially feasible and out of the SJCC's

control. Therefore, we collectively focused on the variance to the impervious surface limitation as the most appropriate mechanism to increase the development potential for the site. Scott indicated that there will be a comprehensive review of the Impervious Surface limitations in the Residential Zones that the City of Mercer Island is intending to take up shortly and that it is conceivable that the area limitations might be increased as part of this process, thereby diminishing the need for a variance. But, we also agreed that the timing and outcome of this process is also indeterminate, so we then agreed that the variance was probably the most effective strategy for addressing the impervious surface non-compliance in the near future.

In relation to these discussions, Scott and Nicole recommended the following actions that we should pursue **comprehensively and concurrently**:

1. SEPA Threshold Determination
2. **Conditional Use Permit Amendment**
3. Impervious Surface Variance

The Sepa Threshold Determination is a straightforward process with the determination being made by the City of MI staff, with appeal to the Planning Commission. The CUP Amendment is Heard by the Planning Commission, with an appeal heard by the Hearing Examiner. And, the Variance is reviewed by the Hearing Examiner, with appeals being heard in State Superior Court. **None of these processes involve the City Council.**

Scott and Nicole proposed that this process be initiated with a Pre-Application meeting previous to filing the individual applications. In addition to the participation of Scott Greenberg, Development Services Group Director, and Nicole Gaudette, Senior Planner, others who might participate include Patrick Yamashita, City Engineer, Ding Ruji, Senior Development Engineer, and Herschel Rostov, Fire Marshall. With the clarification of issues, the application for all three actions could proceed. A Development Application Coversheet should be attached to all three applications.

Scott offered his opinion that this was probably the most expedient and appropriate mechanism for resolving the land use issues associated with the future expansion of the Stroum Jewish Community Center property. He indicated that this process might only require 4-5 months from application to issuance of the SEPA Threshold Determination, the CUP Amendment, and the Impervious Surface Variance. **As indicated, there would be no need for review by the City Council.** Also, there would be no need for advanced design to be reviewed by the Design Commission as the only design-related issues for the CUP Amendment process would include the approximate size and location of proposed facilities, their use, and their related parking and traffic impacts. Design Commission review would be required as part of the Building Permit process. I assured Scott and Nicole that the SJCC would reach out to adjacent neighbors who live along SE 40th ST. to proactively address their concerns and to propose mitigation strategies previous to the Planning Commission review.

We concluded the meeting with me expressing my appreciation for **Scott and Nicole's research and suggestions that led us to consensus agreement for the viability of this approach.** I indicated that I would review this recommendation with the SJCC leadership and upon their agreement, I would follow up by scheduling the Pre-Application meeting and the submission of the comprehensive



applications.

**Ed Weinstein, FAIA**


Principal  
(206) 443-8606 (office)  
(206) 454-8487 (direct)

2200 Western Avenue, Suite 301 Seattle, WA 98121

[www.goldbach.com](http://www.goldbach.com)



**EXHIBIT 5**

|  |  |   |           |  |               |  |  |
|--|--|---|-----------|--|---------------|--|--|
| <b>CITY OF MERCER ISLAND</b><br><b>DEVELOPMENT SERVICES GROUP</b><br>9611 SE 36TH STREET   MERCER ISLAND, WA 98040<br>PHONE: 206.275.7605   <a href="http://www.mercergov.org">www.mercergov.org</a> |  |  |           |  | CITY USE ONLY |  |  |
|  |  | PERMIT #  | RECEIPT # | FEE  |               |  |  |
|  |  | CPA17-002   |           | 434.66   |               |  |  |
|  |  |   |           | RECEIVED   |               |  |  |
|  |  | Date Received:  |           | SEP 29 2017  |               |  |  |
| DEVELOPMENT APPLICATION  |  | Received By:  |           | CITY OF MERCER ISLAND<br>DEVELOPMENT SERVICE GROUP |               |  |  |
| STREET ADDRESS/LOCATION  |  |   |           | R-8.4, R-9.6, C-0                                  |               |  |  |
| 3801, 3700, 3795 E. Mercer Way   |  |   |           | PARCEL SIZE (SQ. FT.)                              |               |  |  |
| COUNTY ASSESSOR PARCEL #'S   |  |   |           | Approximately 18 Acres                             |               |  |  |
| See Attached Exhibit A   |  |   |           |  |               |  |  |
| PROPERTY OWNER (required)  |  | ADDRESS (required)  |           | CELL/OFFICE (required)                             |               |  |  |
| Stroum Jewish Community Center   |  | 7795 E. Mercer Way  |           | 206-930-7828                                       |               |  |  |
|  |  |   |           | E-MAIL (required)                                  |               |  |  |
|  |  |   |           | rich@mhseattle.com                                 |               |  |  |
| PROJECT CONTACT NAME   |  | ADDRESS   |           | CELL/OFFICE  |               |  |  |
| G. Richard Hill  |  | 701 Fifth Avenue, Ste. 6600, Seattle 98104  |           | 206-930-7828                                       |               |  |  |
|  |  |   |           | E-MAIL   |               |  |  |
|  |  |   |           | rich@mhseattle.com                                 |               |  |  |
| TENANT NAME  |  | ADDRESS   |           | CELL PHONE   |               |  |  |
|  |  |   |           | E-MAIL   |               |  |  |
|  |  |   |           |  |               |  |  |

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 *G. Richard Hill*

DATE 9/29/17

PROPOSED APPLICATION(S) AND CLEAR DESCRIPTION OF PROPOSAL (PLEASE USE ADDITIONAL PAPER IF NEEDED):

See Attached Exhibit B

ATTACH RESPONSE TO DECISION CRITERIA IF APPLICABLE

CHECK TYPE OF LAND USE APPROVAL REQUESTED:

- |   |  |  |
|---|--|--|
| <p><b>APPEALS</b></p> <p><input type="checkbox"/> Building (+cost of file preparation)</p> <p><input type="checkbox"/> Land use (+cost of verbatim transcript)</p> <p><input type="checkbox"/> Code Interpretation</p> <p><b>CRITICAL AREAS</b></p> <p><input type="checkbox"/> Determination</p> <p><input type="checkbox"/> Reasonable Use Exception</p> <p><b>DESIGN REVIEW</b></p> <p><input type="checkbox"/> Administrative Review</p> <p><input type="checkbox"/> Design Review – Major</p> <p><input type="checkbox"/> Design Review – Minor</p> <p><b>WIRELESS COMMUNICATIONS FACILITIES</b></p> <p><input type="checkbox"/> Wireless Communications Facilities-6409 Exemption</p> <p><input type="checkbox"/> New Wireless Communications Facility</p> <p><b>DEVIATIONS</b></p> <p><input type="checkbox"/> Changes to Antenna requirements</p> <p><input type="checkbox"/> Changes to Open Space</p> <p><input type="checkbox"/> Fence Height</p> <p><input type="checkbox"/> Critical Areas Setback</p> | <p><b>DEVIATIONS Continued</b></p> <p><input type="checkbox"/> Impervious Surface (5% Lot coverage)</p> <p><input type="checkbox"/> Shoreline</p> <p><input type="checkbox"/> Wet Season Construction Moratorium</p> <p><b>ENVIRONMENTAL REVIEW (SEPA)</b></p> <p><input type="checkbox"/> Checklist: Single Family Residential Use</p> <p><input type="checkbox"/> Checklist: Non-Single Family Residential Use</p> <p><input type="checkbox"/> Environmental Impact Statement</p> <p><b>SHORELINE MANAGEMENT</b></p> <p><input type="checkbox"/> Exemption</p> <p><input type="checkbox"/> Semi-Private Recreation Tract (modification)</p> <p><input type="checkbox"/> Semi-Private Recreation Tract (new)</p> <p><input type="checkbox"/> Substantial Dev. Permit</p> <p><b>SUBDIVISION LONG PLAT</b></p> <p><input type="checkbox"/> Long Plat</p> <p><input type="checkbox"/> Subdivision Alteration to Existing Plat</p> <p><input type="checkbox"/> Final Subdivision Review</p> <p><b>SUBDIVISION SHORT PLAT</b></p> <p><input type="checkbox"/> Short Plat</p> <p><input type="checkbox"/> Deviation of Acreage Limitation</p> | <p><b>SUBDIVISION SHORT PLAT Continued</b></p> <p><input type="checkbox"/> Short Plat Amendment</p> <p><input type="checkbox"/> Final Short Plat Approval</p> <p><b>VARIANCES (Plus Hearing Examiner Fee)</b></p> <p><input type="checkbox"/> Type 1**</p> <p><input type="checkbox"/> Type 2***</p> <p><b>OTHER LAND USE</b></p> <p><input type="checkbox"/> Accessory Dwelling Unit</p> <p><input type="checkbox"/> Code Interpretation Request</p> <p><input checked="" type="checkbox"/> Comprehensive Plan Amendment (CPA)</p> <p><input type="checkbox"/> Conditional Use (CUP)</p> <p><input type="checkbox"/> Lot Line Revision</p> <p><input type="checkbox"/> Lot Consolidation</p> <p><input type="checkbox"/> Noise Exception</p> <p><input checked="" type="checkbox"/> Reclassification of Property (Rezoning)</p> <p><input type="checkbox"/> ROW Encroachment Agreement (requires separate ROW Use Permit)</p> <p><input checked="" type="checkbox"/> Zoning Code Text Amendment</p> |
|---|--|--|

\*\*Includes all variances of any type or purpose in all zones other than single family residential zone: B, C-0, 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

### DECISION CRITERIA SHEET

Describe the requested change to the current Mercer Island Comprehensive Plan. If possible, identify (by section: element, policy or goal) the existing provisions of the Code, which would be changed or identify (by section: element, policy or goal) where the proposed amendment would be located within the existing Comprehensive Plan. The decision criteria pursuant to ULDC 19.15.020(G) 1. listed below shall be addressed for any proposed Comprehensive Plan amendment. *Your response does not have to be limited to the space provided below and can be provided in a separate written response.*

a. There exists obvious technical error in the information contained in the comprehensive plan;

See Attachment B

b. The amendment is consistent with the Growth Management Act, the county-wide planning policies, and the other provisions of the comprehensive plan and city policies;

See Attachment B

c. The amendment addresses changing circumstances of the city as a whole;

See Attachment B

d. If the amendment is directed at a specific property, the following additional findings shall be determined:

i. The amendment is compatible with the adjacent land use and development pattern;

See Attachment B

ii. The property is suitable for development in conformance with the standards under the potential zoning;

See Attachment B

iii. The amendment will benefit the community as a whole and will not adversely affect community facilities or the public health, safety, and general welfare.

See Attachment B

**EXHIBIT A**

3795 and 3801 E. Mercer Way

Tax Parcel Numbers: 265550-137, 265550-0115, 265550-167-02

Abbreviated Legal Description:

Ptn Lt 17, Blk 1, Fruitland Acres

3700 E. Mercer Way

Tax Parcel Numbers: 2107000010, 1515600010

Abbreviated Legal Description:

Addition Rec. In Vol. 75 of Plats, Page 24, & Lots 1 Thru 7, Channel Crest Recorded in Vol. 72 of Plats, Page 63, Together with that portion of tract A, Channel Crest, Vol. 72, Page 63, all in King County.



**EXHIBIT B**

**APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT**

Proposed Application and Clear Description of Proposal:

This proposal affects three contiguous properties on Mercer Island located at 3801 E. Mercer Way (currently occupied by Stroum Jewish Community Center), 3700 E. Mercer Way (currently occupied by Herzl-Ner Tamid), and 3795 E. Mercer Way (currently occupied by French American School). The three properties together comprise approximately 18 acres.

The owners of the properties are interested in the possibility of working together to develop a comprehensive master plan to coordinate future development and improvement of the properties for continued private community facilities uses. The properties are currently designated on the Comprehensive Plan, and zoned, R-8.4, R-9.6, B and C-O. All three properties are proximate to the E. Mercer Way intersection with I-90. See Exhibit C, Vicinity Map and Existing Site Plan.

There is currently no private community facilities category in the City's Comprehensive Plan or Zoning Code. The applicants propose an Amendment to the City's Comprehensive Plan and Zoning Code to create a new Private Community Facilities designation that will enable the applicants to work with each other and with the City to develop a master plan for phased development of existing and future private community facilities on the properties, encompassing private school, religious institution, and non-profit community and recreational facilities. The applicants propose that these Plan and Zoning changes would accommodate flexible design and dimensional standards to encourage superior site and building design outcomes.

(a) How is the proposed amendment consistent with the Growth Management Act, the county-wide planning policies, and the other provisions of the Comprehensive Plan and City policies?

The proposed amendment is consistent with the Growth Management Act, RCW 36.70A, because it will facilitate development of private community facilities, including community centers, recreational facilities, schools and educational uses, serving Mercer Island urban residents within the urban area. Allowing comprehensive master planning of the properties will facilitate the efficient use of land. The proposed amendments are consistent with the county-wide planning policies for the same reasons.

The proposed amendments will further encourage and implement the City's Comprehensive Plan, in particular Land Use Goal 17.4, which recognizes that "social and recreation clubs, schools and religious institutions are predominantly located in single family residential areas of the Island," and that "development regulation should reflect the desire to retain valuable and healthy social, recreational, educational, and religious organizations as community assets which are essential for the mental, physical and spiritual health of Mercer Island."

(b) Is there an obvious technical error in the information contained in the Comprehensive Plan, or does the amendment address changing circumstances of the City as a whole?

The existing Comprehensive Plan does not have a designation for Private Community Facilities. Adding such a designation and applying it to the properties owned by the applicants

will correct a deficiency in the current Comprehensive Plan and assist in the implementation of Land Use Goal 17.4.

(c) Is the amendment directed at a specific property? If so, address the following questions:

1. Is the amendment compatible with the adjacent land use and development pattern?

Yes. The properties are adjacent to I-90 to the north, and residential zoned properties to the south, east and west. The uses proposed have been present on the site for many years and are recognized in the Comprehensive Plan as consistent with being located in single family residential areas of the Island. Land Use Goal 17.4

2. Is the property suitable for development in conformance with the standards under the potential zoning?

Yes. The properties are already developed for private community facilities. The amendments, if adopted, will ensure superior site planning and phased development with standards adopted to address pertinent City policies and priorities.

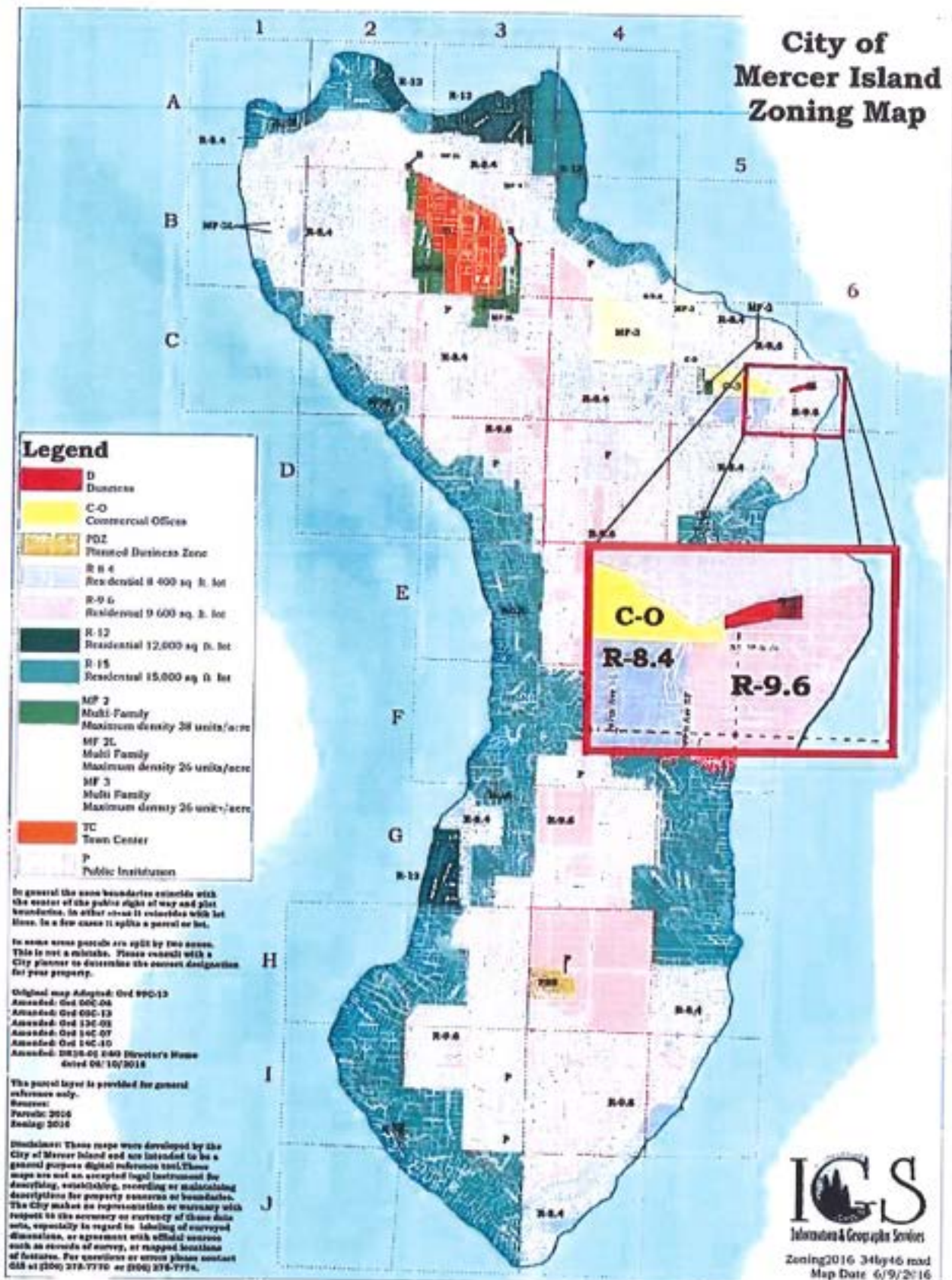
3. Will the amendment benefit the community as a whole and not adversely affect community facilities or the public health, safety, and general welfare.

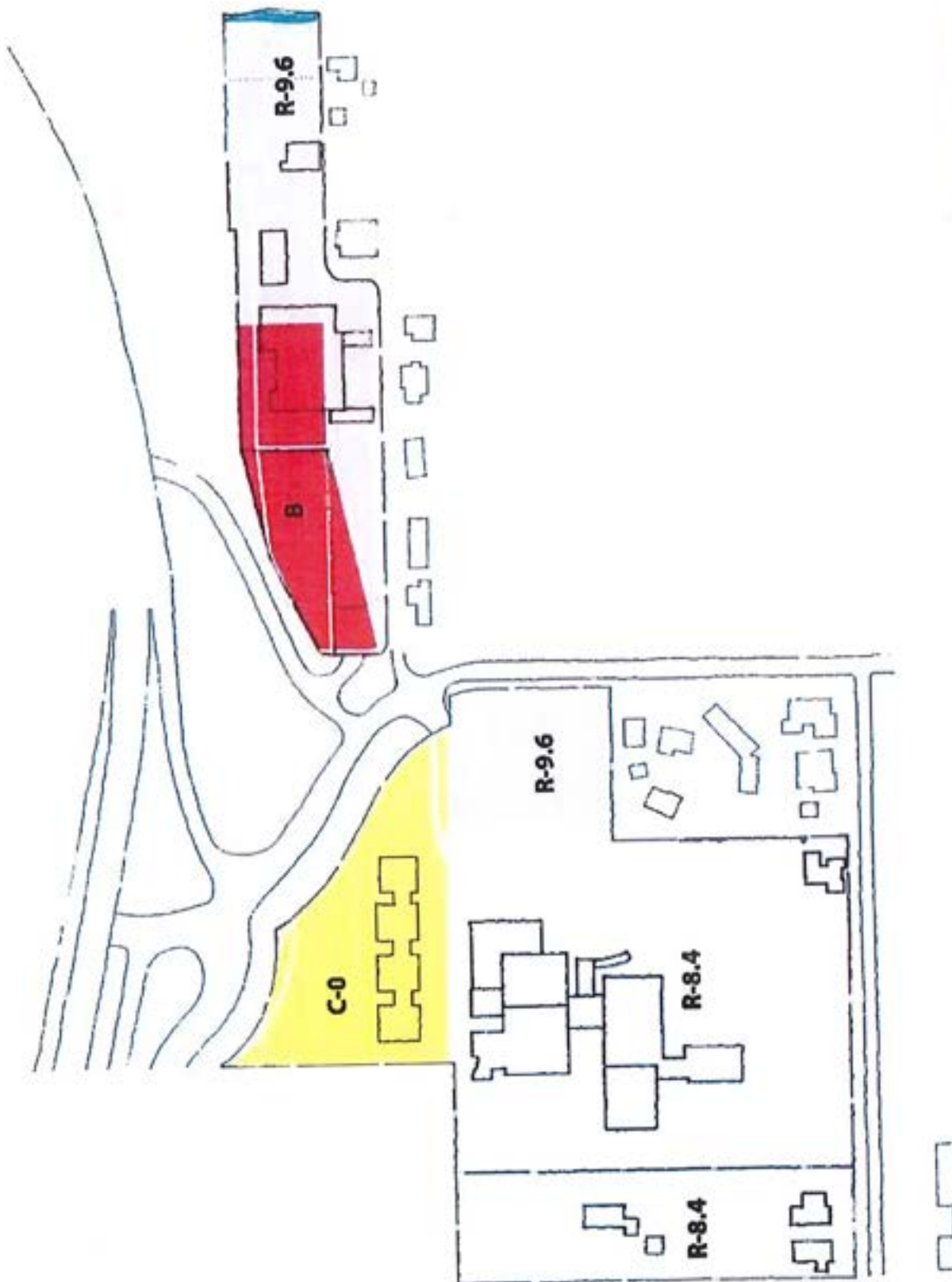
The amendment will benefit the community as a whole and the public welfare by facilitating the renovation and improvement of site planning for the properties to serve as resources for the recreational, educational, and spiritual needs of Mercer Island.

Item 1.

EXHIBIT C







**EXHIBIT 6**





## PLANNING COMMISSION MEETING MINUTES OCTOBER 18, 2017

### CALL TO ORDER:

The Planning Commission was called to order by Chair Dan Hubbell at 6:06 PM in the Council Chambers at 9611 SE 36th Street, Mercer Island, Washington.

### ROLL CALL:

Chair Dan Hubbell, Vice Chair Tiffin Goodman, Commissioner Ted Weinberg, Jennifer Mechem, Lucia Pirzio-Biroli, Bryan Cairns and Carolyn Boatsman were present.

City staff was represented by Evan Maxim, Planning Manager, Lauren Anderson, Assistant Planner, Bio Park, Assistant City Attorney, Andrea Larson, Administrative Assistant, and Kelsey Salvo, Administrative Assistant.

Commissioner Carolyn Boatsman moved to approve the September 27, 2017 minutes. Commissioner Bryan Cairns seconded move to approve minutes. 7-0 minutes passed.

Commissioner Jennifer Mechem motioned to approve the October 4, 2017 minutes. Commissioner Carolyn Boatsman seconded to approve the minutes. 7-0 minutes passed.

### APPEARANCES:

No public appearances.

### REGULAR BUSINESS:

**Agenda Item #1: ZTR16-002 MICA Zoning Text Amendment Public Hearing- Cancelled**  
Evan Maxim, Planning Manager, discussed the pause for the exploration of alternative sites. Rescheduling will likely happen in December 2017 or January 2018.

### **Agenda Item #2: 2018 Comprehensive Plan Amendments – Preliminary Docket**

Evan Maxim, Planning Manager, reviewed the history of the Comprehensive Plan Amendment review process, docket criteria, provided an overview of the amendments on the docket, and fielded questions from the Planning Commission. Public Notice was August 16, 2017 and the deadline for submitting requests was October 1, 2017. November 6, 2017 is the scheduled City Council review. The docket items includes the following:

1. Update the Land Use Element / Land Use Map for clarity and accuracy of map designations
2. Update the Capital Facilities Plan with the budget
3. Update to address traffic modeling, LOS, non-motorized (pedestrian and bike), and I-90 changes
4. Add policy support for participation in the King County Public Benefit Rating System
5. Develop goals and policies supporting the requirements of the City National Pollution Discharge Elimination System (NPDES) permit and supporting low impact development
6. Develop goals and policies supporting the cultural arts
7. Critical areas ordinance update – placeholder
8. Create a new land use map designation "Private Community Facilities" or similar, for the properties currently occupied by the JCC, French American School, and Herzl-Ner Tamid

(approximately 18 acres). This amendment to be accompanied by a zoning map and zoning code amendment.

Referring to docket item number 8, the applicant, Richard Hill, discussed why the proposal was requested to be added to the docket (6:41pm). Richard then introduced Ed Weinstein, the architect and planner, who then presented the proposed phasing of the project.

Following the applicant's presentation, the Commission then asked for clarification on certain items. Ed Weinstein, Richard Hill, and Evan Maxim responded to the Commission's questions.

Three representatives of the three stakeholders were present. Dave Cutler, board of trustees for the French American School, Michelle Glasser, Co-President at Herzl Ner Tamid, and Amy Lavin the Chief Executive Officer of the SJCC spoke to recommend the Planning Commission move to put item number 8 on the docket.

Commissioner Bryan Cairns motioned to recommend approval of the preliminary docket of Comprehensive Plan Amendments to the City Council for creation of a final docket of Comprehensive Plan Amendments, for review in 2018. Seconded by Commissioner Lucia Pirzio-Biroli.

Chair Hubbell opened for discussion. Commissioner Lucia Pirzio-Biroli recommended considering to include housing for a care taker for example for item 8. Vice Chair Tiffin Goodman recommended to add disaster/hazard planning to the docket. Commissioner Jennifer Mechem agreed with Vice Chair Tiffin Goodman, and also recommended to consider smaller housing and cottage housing into the docket. Commissioner Jennifer Mechem recommended to add accessibility into the Comprehensive Plan.

Commissioner Lucia Pirzio-Biroli motioned to add to the docket a 9<sup>th</sup> item, to develop goals and policies for disaster planning and recovery. Seconded by Vice Chair Tiffin Goodman. Amendment passes 7-0.

Commissioner Jennifer Mechem motioned to add item 10 to the docket to review Comprehensive Plan to identify and recommend policy to promote accessibility, universal design, and age friendly planning throughout the City. Seconded by Commissioner Carolyn Boatsman. Commissioner Lucia recommended to add this item to the purpose section as a blanket statement for the entire Comprehensive Plan. Amendment passes 7-0.

Chair Daniel Hubbell motioned to recommend approval of all 10 items in the preliminary docket of Comprehensive Plan Amendments to the City Council for creation of a final docket of Comprehensive Plan Amendments, for review in 2018. The recommended docket was passed 7-0.

#### **OTHER BUSINESS:**

Discussed the City Council's response to the Planning Commission's recommendation for Cohen's proposed amendment.

#### **NEXT MEETING:**

The next regularly scheduled Planning Commission meeting will be November 1, 2017 at 6:00PM at Mercer Island City Hall. The next meeting currently has no items so far on the agenda, and most likely will be cancelled. Chair Dan Hubbell will not be present on November 1, 2017. Next meeting will be on November 15, 2017.



**ADJOURNMENT:** Chair Dan Hubbell adjourned the meeting at 7:46 pm.

**EXHIBIT 7**



**CITY COUNCIL MINUTES**  
**REGULAR MEETING**  
**OCTOBER 2, 2018**

**CALL TO ORDER & ROLL CALL**

Mayor Debbie Bertlin called the meeting to order at 5:00 pm in the Council Chambers of City Hall, 9611 SE 36th Street, Mercer Island, Washington.

Mayor Debbie Bertlin, Deputy Mayor Salim Nice, and Councilmembers Bruce Bassett (5:05 pm), Wendy Weiker (5:15 pm), David Wisenteiner, and Benson Wong were present.

Position #4 is vacant.

**AGENDA APPROVAL**

Mayor Bertlin amended the agenda explain that King County Councilmember Claudia Balducci would not be available to present to the Council under Special Business.

It was moved by Wong; seconded by Wisenteiner to:

**Approve the agenda as amended.**

Passed 4-0

FOR: 4 (Bertlin, Nice, Wisenteiner, and Wong)

ABSENT: 2 (Bassett and Weiker)

VACANT: 1 (Position 4)

**EXECUTIVE SESSION**

**Executive Session to discuss with legal counsel pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 60 minutes.**

At 5:02 pm, Mayor Bertlin convened the Executive Session to discuss with legal counsel pending or potential litigation pursuant to RCW 42.30.110(1)(i) for approximately 60 minutes.

At 6:05 pm, Mayor Bertlin adjourned the Executive Session and recessed the meeting for five minutes.

**STUDY SESSION**

**AB 5481: Transportation Concurrency Revised Ordinance**

Mayor Bertlin started the Study Session at 6:11 pm.

Interim Development Services Director Evan Maxim provided a brief overview of concurrency, summarized the first reading and Council's direction at its October 3, 2017 meeting, and the Transportation Concurrency revised ordinance. He further explained that impact fees are assessed per vehicle trip and that concurrency mitigation is only required when an intersection fails to meet level of service (LOS) post development.

The revised ordinance does the following:

- Requires a concurrency certificate on all development generating a net new vehicle trip;
- Allows for denial of a concurrency review, and describes remedies available to an applicant; and
- Creates a basis for timely updates to the transportation model and associated LOS.

The Concurrency Ordinance relies on the Transportation LOS and will take effect on December 3, 2018.



Michael Lapham, consultant with KPG, responded to Council questions regarding planned improvement projects and the Six-Year Transportation Improvement Plan.

The Council discussed proposed amendments to the ordinance as suggested by Councilmember Wong.

The Study Session concluded and Mayor Bertlin recessed the meeting until 7:00 pm.

## SPECIAL BUSINESS

### AB 5484: Domestic Violence Action Month Proclamation

YFS Senior Programs Manager and Clinical Supervisor Derek Franklin introduced Ward Urion, Social Change Manager with Lifewire to join him and Mayor Bertlin and receive the proclamation.

Mayor Bertlin proclaimed October 2018 as Domestic Violence Action Month and called upon residents of Mercer Island to speak out against domestic violence and support efforts to prevent and end domestic abuse and the indifference that sustains it.

## CITY MANAGER REPORT

City Manager Julie Underwood reported on the following items:

- **Aubrey Davis Park Master Plan** process going on now through the fall of 2019
- **Coffee with a Cop**, Wednesday, October 3, 4 pm to 6 pm
- **Mercer Island's Proposition 1 Pro & Con Committee Forums:**
  - Monthly Chamber Luncheon, Thursday, October 4, 12 pm to 1:30 pm
  - Mercer Island Beach Club, Tuesday, October 9, 7 pm to 8 pm
- **Final Farmers Market** of the Season, Sunday, October 7, 10 am to 3 pm, Mercerdale Park
- **MICA's Community Visioning Report Session**, Monday, October 8, 7 pm to 8:30 pm, Mercer Island Boys & Girls Club
- **Final Solarize 2.0 Meeting**, Tuesday, October 9, 6 pm to 7:30 pm, Mercer Island Congregational Church
- Proposed **"Community Facilities" Listening Session**, Thursday, October 11, 6 pm, Mercer Island Community Center
- **Birding Trip**, Hawks Fall Color, Back Roads, Thursday, October 11, 6:30 am to 6:00 pm, depart from Community Center
- **Arbor Day & Tree Planting Celebration**, Saturday, October 20, 9 am to 2 pm, Luther Burbank Park
- **ARCH** (A Regional Coalition of Housing) Seeking Volunteers, visit [www.archhousing.org](http://www.archhousing.org) for more information
- **Commuter Parking & Town Center Project Open House**, Monday, October 22, 6 pm to 9 pm, Community Center Mercer Room
- **YFS: Celebrating 30 Years, Sharing 30 Stories**, February 13, 2019, MIYFS Foundation Annual Breakfast
- **Congratulations Roanoke Inn**, 2018 King County Executive's John D. Spellman Excellence in Historic Preservation Award

## APPEARANCES

Judy Ross, Bellevue, spoke to the Council regarding the changes she has seen to Mercer Island over the past 50 years.

The following people spoke in opposition to Comprehensive Plan Amendment 8 (Private Community Facilities):

- Julie Garwood, Mercer Island
- Ryan Rahlfs, Mercer Island
- John Hall, Mercer Island

Rene Stratton, Mercer Island, spoke in support of Comprehensive Plan Amendment 6 (Arts and Culture).

The following people spoke in favor of Comprehensive Plan Amendment 8 (Private Community Facilities):

- Joel Mezistrano, Mercer Island
- Carin Jacobson, Mercer Island
- Eric Thuau, Mercer Island
- Tristan Vingdeux, Mercer Island, French/American School Alum
- Ben Orillon, Mercer Island, French/American School Alum
- Liz Friedman, Stroum Jewish Community Center Board Chair
- Laura Mousseau, Bellevue, French/American School Administrator
- Amy Lavin, Mercer Island, Stroum Jewish Community Center CEO

Cheryl D'Ambrosio, Mercer Island, apologized for not being available to meet with Mayor Bertlin and City Manager Underwood. She expressed concern regarding traffic safety by her home.

Daniel Thompson, Mercer Island, provided his opinions on the Comprehensive Plan amendments.

**Mark Coen, Mercer Island, spoke in opposition to Comprehensive Plan Amendments 1 (Land Use Designations), 6 (Arts and Culture), 8 (Private Community Facilities), 10 (Universal Design, Disability Access, and Age-Friendly Planning), 11 (Green Building Introduction), 13 (Town Center Height & Public Amenities), 14 (PUD / Pilot Program), and 15 (Commuter Parking in Town Center) as they are inconsistent with the law, injurious to his property, and prejudicial towards him.**

Ira Appleman, Mercer Island, spoke in opposition Comprehensive Plan Amendments 6 (Arts and Culture) and 8 (Private Community Facilities).

## CONSENT AGENDA

**Payables: \$1,019,581.67 (09/13/2018) & \$1,213,880.17 (09/20/2018)**

**Recommendation:** Certify that the materials or services hereinbefore specified have been received and that all warrant numbers listed are approved for payment.

**Payroll: \$801,612.14 (09/28/18)**

**Recommendation:** Certify that the materials or services specified have been received and that all fund warrants are approved for payment.

**Minutes: July 17, 2018 Regular Meeting**

**Recommendation:** Adopt the July 17, 2018 Regular Meeting Minutes as written.

It was moved by Wisenteiner; seconded by Wong to:

**Approve the Consent Calendar and the recommendations contained therein.**

Passed 6-0

FOR: 6 (Bassett, Bertlin, Nice, Weiker, Wisenteiner, Wong)

VACANT: 1 (Position 4)

## REGULAR BUSINESS

**AB 5482: Code Amendment Regarding Transportation Concurrency (2nd Reading)**

It was moved by Wong; seconded by Nice to:

**Adopt Ordinance No. 18C-12 establishing a new Chapter 19.20 and amending Chapters 19.15 and 19.16 of the Mercer Island City Code to provide for a Transportation Concurrency Management System as required by the Growth Management Act.**

It was moved by Wong; seconded by Wisenteiner to:

**Amend the previous motion to:**

**Amend the following sections of the ordinance as follows:**



1. MICC 19.20.050(A): change "subsection D" to "subsection C"
2. MICC 19.20.050(B): add to (B)(1): "A project shall be deemed abandoned by the City, if an applicant does not proceed under subsection 2 or 3 below."
3. MICC 19.20.050(C)(1)(a): change "may" to "shall"
4. MICC 19.20.050(C)(2): change "may" to "shall"
5. MICC 19.20.050(C)(2): (a): add "schedule that is satisfactory to the code official." at the end and (b): add "performance that is satisfactory to the code official." at the end.
6. MICC 19.20.070(B): add "to" between "impact" and "other"
7. MICC 19.20.080(B): change "shall" to "should" and delete ", provided funding for the update is available"

Motion to Amend Passed 6-0

FOR: 6 (Bassett, Berlin, Nice, Weiker, Wisenteiner, Wong)

VACANT: 1 (Position 4)

Main Motion Passed 6-0

FOR: 6 (Bassett, Berlin, Nice, Weiker, Wisenteiner, Wong)

VACANT: 1 (Position 4)

### **AB 5483: 2018 Comprehensive Plan Amendments and Accompanying Zoning Code Amendments (1st Reading)**

Interim DSG Director Evan Maxim presented the Planning Commission's recommendation on fifteen amendments to the Comprehensive Plan. Michael Lapham from KPG reviewed the proposed amendments to the Transportation Element. Planning Commissioner Chair Daniel Hubbel assisted in answering questions from the Council.

The Council discussed the proposed Amendments in the following order:

- Amendment 3: Transportation Element Update
- **Amendment 8: Community Facilities (SJCC / FASPS / Herzl-Ner Tamid)**
- Amendment 6: Arts & Culture
- Amendment 15: Tully's / Parcel 12 Re-Designation and Zoning
- Amendment 7: Critical Areas Update
- Amendment 10: Universal Design
- Amendment 12: STAR Analysis Framework
- Amendment 14: Pilot Program / PUD
- Amendment 1: Land Use Map Clarification
- Amendment 2: CIP Cross Reference
- Amendment 4: Private Conservation / PBRS
- Amendment 5: NPDES Policy Support
- Amendment 9: Disaster Planning
- Amendment 11: Green Building

In addition to minor edits to the Amendments, the Council directed staff to make the following major edits:

- **Amendment 3: Transportation Element Update**  
The Council discussed the rumble strips recommendation. Staff noted that the Planning Commission's discussion was focused on the traffic pattern changes, number of vehicles traveling on the roadway, and felt it warranted more discussion. Mayor Berlin noted that this discussion and any changes should be part of the Transportation Improvement Program review and an updated Bicycle and Facilities Plan. Council directed staff to remove references to rumble strips.
- **Amendment 8: Community Facilities (SJCC / FASPS / Herzl-Ner Tamid)**  
Following staff's presentation on the proposed Community Facilities zoning designation the Council asked questions about who could ask for this designation and expressed desire to have a collaborative process. Council directed staff to delete "private" from the proposed zoning designation.
- **Amendment 6: Arts and Culture**  
The Council discussed incorporating public arts in to capital projects versus using the 1% for the Arts Fund and directed staff to propose language for second reading.

Director Maxim noted that on October 11, 2018 the City would be hosting a community meeting regarding **Amendment 8 – Community Facilities** and that all are welcome to attend. He stated that the second reading of the amendments would be on October 16, 2018. He anticipates Department of Commerce approval on November 11, 2018, allowing for Council's third reading and adoption of the amendments on November 20, 2018.

It was moved by Bassett; seconded by Weiker to:  
**Set Ordinance Nos.18-13 and 18C-14 for second reading on October 16, 2018.**  
 Passed 6-0  
 FOR: (Bassett, Bertlin, Nice, Weiker, Wisenteiner, Wong)  
 VACANT: 1 (Position 4)

#### **AB 5487: City Council Vacancy Process and Timeline for Position #4**

Mayor Bertlin reviewed the proposed process and timeline for appointment to vacant Position #4 on the Mercer Island City Council as follows:

The City will advertise the vacancy and replacement process in the Mercer Island Reporter, on the City's website, the City's social media accounts, and to the Council's agenda email list. The proposed timeline for filling the Council vacancy is as follows:

- Monday, October 8, 2018: Advertising begins and applications available
  - Wednesday, November 21, 2018: Applications due to City Clerk by 5:00 pm
  - Thursday, December 6, 2018 (Special Meeting, 6:00 pm): Candidate speeches/interviews; Council deliberation in Executive Session to follow
  - Tuesday, December 11, 2018 (Special Meeting, 6:00 pm): City Council vote prior to Joint Meeting with MISD)
  - Tuesday, December 18, 2018: Swearing in of new Councilmember (Regular Meeting)\*
- \*The selected candidate will be expected to stay and participate in this meeting.

It was moved by Bassett; seconded by Nice to:  
**Approve the proposed process and timeline for appointment to vacant Position #4 on the Mercer Island City Council as outlined in AB 5487 and direct staff to begin advertising.**  
 Passed 6-0  
 FOR: 6 (Bassett, Bertlin, Nice, Weiker, Wisenteiner, Wong)  
 VACANT: 1 (Position 4)

#### **OTHER BUSINESS**

##### **Councilmember Absences**

Councilmember Bassett and Councilmember Wisenteiner will be absent October 16.

##### **Planning Schedule**

There were no changes.

##### **Board Appointments**

There were no appointments.

##### **Councilmember Reports**

Councilmember Wong thanked Evan Maxim for his work and presentation on the Comprehensive Plan.

Councilmember Bassett spoke about the recent K4C meeting.

Councilmember Wisenteiner gave a shout out to MI Junior Football team who beat Bellevue, the first team to do that in 14 years.

**ADJOURNMENT**

The Regular Meeting adjourned at 11:39 pm.

\_\_\_\_\_  
Debbie Bertlin, Mayor

Attest:

\_\_\_\_\_  
Deborah A. Estrada, City Clerk

**EXHIBIT 8**





## CITY COUNCIL MINUTES REGULAR MEETING NOVEMBER 20, 2018

### CALL TO ORDER & ROLL CALL

Mayor Debbie Bertlin called the meeting to order at 6:00 pm in the Council Chambers of City Hall, 9611 SE 36th Street, Mercer Island, Washington.

Mayor Debbie Bertlin, Deputy Mayor Salim Nice, and Councilmembers Bruce Bassett, Wendy Weiker (6:39 pm), David Wisenteiner, and Benson Wong were present.

### AGENDA APPROVAL

It was moved by Wong; seconded by Wisenteiner to:

**Approve the agenda as presented.**

Passed 5-0

FOR: 5 (Bertlin, Nice, Bassett, Wisenteiner, and Wong)

ABSENT: 1 (Weiker)

VACANT: 1 (Position 4)

### EXECUTIVE SESSION

**Executive Session to discuss with legal counsel pending or potential litigation pursuant to RCW 42.30.110(1)(i) for approximately 60 minutes.**

At 6:01 pm, Mayor Bertlin convened the Executive Session to discuss with legal counsel pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 60 minutes.

At 7:04 pm, Mayor Bertlin adjourned the Executive Session.

### CITY MANAGER REPORT

City Manager Julie Underwood reported on the following items:

- Mercer Island's Neighbors In Motion arranged for the City to collect 6 free bike racks to repurpose around the Island.
- A member of the Parks staff remodeled the play area at the Community Center.
- Volunteer for a city related program like Neighborhood Watch, Thrift Shop, Meals on Wheels, and more.
- Council vacancy deadline is tomorrow -applications must be received by 5:00pm, November 21.
- City facilities closed for Thanksgiving – Thursday and Friday, November 22–23.
- Community Dance – Saturday, November 24, 7 – 11pm.
- Reception Honoring Rep. Judy Clibborn – Monday, November 26, 5:30-6:30pm.
- Ribbon Cutting Ceremony celebrating successful completion of the SE 40th Street Corridor Project – December 6, at 10am.
- Tree Lighting & Firehouse Munch – Friday, December 7 at 6:30pm.
- Parents Night Out Holiday Party with Santa – Saturday, December 8, 5-10pm.

### APPEARANCES

The following owner and residents for/of 7800 Plaza condominiums spoke against changing the Comprehensive Plan, rezoning Parcel 12, and the Tully's project:

- Julie Green, 7800 Plaza
- Gabe Goldberg, 7800 Plaza, supports MICA, parking, but opposed public park

- Willie Mullins, 7800 Plaza
- Jim Schwab, 7800 SE 27th Street, owner

The following people spoke in opposition to the proposed Comp Plan Amendments:

- Mark Hall, 6018 E. Mercer Way, specifically with regards to the proposed "private facilities zone."
- Matt Goldbach, 9580 SE 40th Street, specifically with regards to Amendments 8 and 15.
- Peter Struck, 9130 SE 54th Street, spoke in opposition to Amendments 8 and 15.
- Cheryl D'Ambrosio, 3712 East Mercer Way, specifically with regards to zoning at JCC.
- Mark Coen, 73rd Ave SE, he believes the proposed Comp Plan Amendments violate the Growth Management Act.
- Ryan Rahifs, 970 SE 40th, specifically with regards to Amendment 8 and encouraged Council to delay a vote on the Comp Plan.

The following people spoke in favor of retaining funding for school counselors:

- Erin & Elliot Vivion, 2278 72nd Ave SE
- Bharat Shyam, 8405 SE 34th Place, he also thanked Council for the work on the Aubrey Davis Park and the MICA project.
- Olivia Stovall, MISD student
- Noah Bernside, MISD student
- Kelly Goodejohn, 4224 94th Ave SE
- Heather Cartwright, 8204 SE 62nd Street
- Sarah Smith, Mercer Island
- Nancy S. 8320 SE 34th Street
- Gwen Loosmore, 6125 79th Ave SE
- Kathy Muffet McDonald, Mercer Island
- Dina Holan, 6121 85th Place SE
- Ralph Jorgenson, Mercer Island
- Diane Barrett Tien, 6110 86th Ave SE

Alec Sidles, Attorney for Bricklin Newman, representing 7800 Plaza and Concerned Neighbors for the Preservation of the Community spoke in opposition to the Comprehensive Plan amendments.

Amy Lavin, 7835 SE 22nd Place, spoke in support of the Comprehensive Plan amendments and its positive impacts on the JCC.

Gary Robinson, 6026 Mercer Way, encouraged Council and the City Manager to focus on bringing people together on the Island. He indicated that the Levy Lid Lift was not about the community, but rather about the Council and the City Manager.

Nicole Kelly, 9821 SE 40th Street, spoke in opposition to Amendment 8 and the adoption of the Comprehensive Plan. She also spoke in support of school counselors and encouraged Council to consider their vote.

Ira Appleman, Mercer Island, reported that Proposition 1 was the first levy lost in 20 years. He went on to outline levy statistics and survey data and encouraged Council to find efficiencies.

Eric Thuau, Head of the French American School, was impressed by the community engagement and applauded the Planning Commission for recommending Amendment 8.

Laura Mousseau, Board Chair at the French American School, urged Council to support Amendment 8.

There being no additional public comments, Mayor Bertlin closed Appearances.

## CONSENT CALENDAR

Councilmember Wisenteiner asked to remove AB5501, Comprehensive Plan amendment from the Consent Calendar.



**Payables: \$594,684.53 (11/08/2018) & \$58,803.52 (11/15/2018)**

**Recommendation:** Certify that the materials or services hereinbefore specified have been received and that all warrant numbers listed are approved for payment.

**Payroll: \$799,221.92 (11/09/2018)**

**Recommendation:** Certify that the materials or services specified have been received and that all fund warrants are approved for payment.

**Minutes: June 19, 2018 Regular Meeting and November 5, 2018 Special Meeting**

**Recommendation:** Adopt the June 19, 2018 Regular Meeting and November 5, 2018 Special Meeting minutes as written.

It was moved by Bassett; seconded by Welker to:

**Approve the Consent Calendar, as amended, and the recommendations contained therein.**

Passed 6-0

FOR: 6 (Bassett, Bertlin, Nice, Welker, Wisenteiner, and Wong)

VACANT: 1 (Position 4)

**AB 5501: 2018 Comprehensive Plan Amendments (3<sup>rd</sup> Reading & Adoption)**

Councilmember Wisenteiner made a motion to remove Amendment 8 from the Comprehensive Plan. The motion failed for lack of a second.

It was moved by Bassett; seconded by Wong to:

**Adopt Ordinance No. 18-13 with Attachments A and B amending the Comprehensive Plan and Land Use Map.**

Passed 5-1

FOR: 5 (Bassett, Bertlin, Nice, Welker, and Wong)

AGAINST: 1 (Wisenteiner)

VACANT: 1 (Position 4)

It was moved by Bassett; seconded by Wong to:

**Adopt Ordinance No. 18C-14 with Attachment A amending chapter 19.11 MICC and the Mercer Island Zoning Map.**

Passed 6-0

FOR: 6 (Bassett, Bertlin, Nice, Welker, Wisenteiner and Wong)

VACANT: 1 (Position 4)

Mayor Bertlin recessed the meeting at 8:45 pm. The meeting resumed at 8:55 pm.

**PUBLIC HEARING**

Finance Director/Assistant City Manager Chip Corder briefly introduced AB 5500, 2019-2020 Proposed Budget.

Mayor Bertlin opened the final public hearing for the 2019-2020 Proposed Budget at 8:49 pm.

Meg Lippert, 4052 94th Avenue SE, stated that she was inspired by what she had heard and spoke in support of funding the school counselors.

Tim O'Connell, Utility Board Chair, explained that the costs reflected in the proposed changes are costs that the City is incurring. He noted that the City's sewage is treated by King County and that the County is increasing its rates by 2.5%. The recommendation to increase the rates was a unanimous recommendation from the Utility Board.

Peter Struck, 9130 SE 54th Street, reminded Council of the number of residents that voted no on the levy and encouraged Council to reconsider the fiscal sustainability plan and minimize non-essential employees.

Mike Cero, Mercer Island, reiterated the number of residents that voted no on the levy and encouraged the Council to reduce budget expenditures by 2.5%. He also distributed a 2017 Salary Data report to Council for

consideration.

Jared Lundell, 7474 85<sup>th</sup> Place SE, explained that he voted yes on the Levy and supports YFS; however, he struggles to understand how the City comes out of this situation without making cuts to YFS.

Janelle Honeycut, 8636 SE 75<sup>th</sup> Place, encouraged the Council to maintain the YFS counselors.

Erin Gurney, 4550 E Mercer Way, spoke in support of retaining funding for school counselors.

Ira Appleman, Mercer Island, encouraged Council to focus more on tracking staff time and encouraged the Council to increase the City Attorney's budget.

Johan Valentin, 4346 E. Mercer Way, spoke in support of funding school counselors.

There being no additional public comments, Mayor Bertlin closed the public hearing at 9:19 pm.

#### **AB 5500: 2019-2020 Proposed Budget: Finalize Changes and Approve 2019 Resolutions and Property Tax Ordinances**

City Attorney Kari Sand reported on the status of the Prevailing Wage Issue and the advisory meeting held on November 9<sup>th</sup>, explaining that to date, Labor and Industries had not responded to cities regarding the prevailing wage issue.

Parks and Recreation Director Jessi Bon noted that the City will budget for the increase.

Parks and Recreation Director Bon reported that the Luther Burbank Shoreline Improvements mistakenly showed Phase 3 (Swim Beach) as funded. The budget was corrected to include \$55,000 to address that expense.

Information Services Director Mike Kaser responded to questions regarding the Network Communications Infrastructure.

Finance Director Chip Corder reported on the updated REET forecast explaining that the 2018-2024 REET forecast incorporated October 2018 receipts. As a result of the updated REET forecast, he noted that projected fund balances were updated to include a 44/55 split between the Street Fund and Capital Improvement Fund.

Mayor Bertlin explained that in order to amend the budget, Council would follow the same motion procedures as with other matters before Council. The process was outlined as follows:

- Specify the proposed budget amendment by motion. Prior to Council discussion, the motion to amend the budget would require a second.
- Each motion to amend the budget must include a recommended funding source – or offsetting expenditure reduction (budget cut) - and information regarding the timeline for implementation (when within the biennium).
- In order for motions to pass, support from 4 Councilmembers (a majority of the whole Council) would be required.

It was moved by Wisenteiner; seconded by Nice to:

**Direct the City Manager to reduce deficit spending by an additional \$1.2M which would leave \$800K in deficit spending within the 2019-2020 biennium and that further reductions shall be based on Guiding Budget Reduction Principles which shall be developed, reviewed, and approved by the Council before the Second Quarter 2019 Financial Status Report and Budget Adjustments.**

Passed 5-1

FOR: 5 (Bassett, Bertlin, Nice, Wisenteiner, and Wong)

AGAINST: 1 (Weiker)

VACANT: 1 (Position #4)

Following the direction from Council on the 2019-2020 Biennium Budget, Mayor Bertlin provided the following guidance to Council and staff:



- The City is at the beginning of defining a "new normal" given the failure of Proposition 1.
- There can be nothing sacred in terms of cuts and measures considered by the Council because the projected deficits in 2021-2022 are significantly greater.
- The Council is committed to providing a path forward for future Councils and beginning the process of transitioning to new lower levels of service. This path will not excuse the current Council from making difficult decisions now.
- The City will use the Financial Sustainability Plan, which will be kicked off on December 18, 2018, to guide the Council and staff in making difficult decisions regarding service levels in 2019-2020.

It was moved by Wong; seconded by Weiker to:

**Raise the Utility Tax from 5.3% to 6.1% to fund school counselors for 2019-2020 biennium.**

Failed 4-2

AGAINST: 4 (Bassett, Bertlin, Nice, and Wisenteiner)

FOR: 2 (Wong, Weiker)

It was moved by Wong; seconded by Weiker to:

**Strike \$55,000 from 2020 Organizational Assessment**

FAILED 4-2

AGAINST: 4 (Bassett, Nice, Wisenteiner, Bertlin)

FOR: 2 (Wong, Weiker)

VACANT: 1 (Position #4)

**COUNCIL DIRECTION** – Council directed City Manager Underwood to meet with the Mercer Island School District Superintendent to discuss a return to an equitable (50-50) funding arrangement of school counselors.

It was moved by Weiker; seconded by Wong to:

**Use \$150 from contingency fund to support counselors.**

Failed 4-2

AGAINST: 4 (Bassett, Bertlin, Nice, Wisenteiner)

FOR: 2 (Wong, Weiker)

VACANT: 1 (Position #4)

There being no further service reductions that Council wished to consider, Mayor Bertlin recessed the meeting at 10:38 pm.

Mayor Bertlin reconvened the meeting at 11:00 pm and Finance Director Chip Corder introduced the Capital Improvement Program (CIP) Discussion.

It was moved by Bassett; seconded by Nice to:

**Adopt the Alternative Budget Proposal with 4% inflation only.**

Passed 6-0

FOR: 6 (Bassett, Bertlin, Nice, Weiker, Wisenteiner, Wong)

Vacant: 1 (Position #4)

It was moved by Bassett; seconded by Wong to:

**Adopt the \$145,000 Network Communications Infrastructure budget as proposed by staff.**

It was moved by Nice; seconded by Wisenteiner to:

**Amend the motion to remove the \$21,000 for replacment of fiber between City Hall and Maintenance Building.**

Motion to Amend failed 4-2

AGAINST: 4 (Basset, Bertlin, Weiker, and Wong)

FOR: 2 (Nice, Wisenteiner)

VACANT: 1 (Position #4)

It was moved by Nice; seconded by Wisenteiner to:

**Remove \$99K for conduit design and \$10K for conduit across 77th Avenue overpass from the \$145K Network Communications Infrastructure budget.**

Motion to Amend failed 4-2  
 AGAINST: 4 (Basset, Berlin, Wong, and Weiker)  
 FOR: 2 (Nice, Wisenteiner)  
 VACANT: 1 (Position #4)

Main Motion Passed 4-2  
 FOR: 4 (Bassett, Berlin, Wong, and Weiker)  
 AGAINST: 2 (Wisenteiner and Nice)  
 VACANT: 1 (Position #4)

It was moved by Nice; seconded by Wong to:

**Reduce the General Fund contribution to the YFS Fund (Thrift Shop Project) by \$137,000 to support a police patrol officer position.**

Passed 6-0

FOR: 6 (Bassett, Berlin, Nice, Weiker, Wisenteiner, and Wong)

VACANT: 1 (Position #4)

It was moved by Wisenteiner; seconded by Bassett to:

1. **Approve Resolution No. 1553, which approves NORCOM's 2019 budget allocation to the City of Mercer Island.**
2. **Approve Resolution No. 1549, which establishes classifications of water users and a schedule of charges for water usage, a schedule of rates for fire service, a schedule of special service charges, meter and service installation charges, and connection charges effective January 1, 2019 and thereafter.**
3. **Approve Resolution No. 1550, which establishes rates and connection charges for sewerage disposal services provided by the City of Mercer Island effective January 1, 2019 and thereafter.**
4. **Approve Resolution No. 1551, which establishes the bi-monthly service charge for storm and surface water services provided by the City of Mercer Island effective January 1, 2019 and thereafter.**
5. **Approve Resolution No. 1552, which establishes the bi-monthly utility fee for the emergency medical and ambulance services supplied by the City of Mercer Island effective January 1, 2019 and thereafter.**
6. **Approve Resolution No. 1555, which adjusts development and construction permit fees effective January 1, 2019 and thereafter.**
7. **Suspend the City Council Rules of Procedure 6.3, requiring a second reading for an ordinance.**
8. **Adopt Ordinance No. 18-16, which establishes the total amount of property taxes to be levied for the year 2019.**
9. **Adopt Ordinance No. 18-17, which identifies the dollar and percent increases of the total property tax levy for the year 2019 relative to the total property tax levy for the year 2018.**

PASSED 6-0

FOR: 6 (Bassett, Berlin, Nice, Weiker, Wisenteiner, and Wong)

VACANT: 1 (Position #4)

## REGULAR BUSINESS

### AB 5502: 2019 Comprehensive Plan Amendment Final Docket

It was moved by Wong; seconded by Nice to:

**Approve Resolution No. 1554, establishing the 2019 Comprehensive Plan amendment final docket.**

Passed 6-0

FOR: 6 (Berlin, Nice, Bassett, Weiker, Wisenteiner, and Wong)

VACANT: 1 (Position 4)

## OTHER BUSINESS

### Councilmember Absences

Councilmember Wisenteiner will be absent at the November 26, 2018 Special Meeting.

**Planning Schedule**

City Manager Underwood reviewed items scheduled for the following Council meetings:

- **November 26 Special Meeting** - Reception for Representative Judy Clibborn, Legislative Priorities Discussion with 41<sup>st</sup> Delegation, and RFQ finalists regarding the commuter project
- **December 4 Regular Meeting** - Solid Waste Contract discussion
- **December 6 Special Meeting** - Council Position No. 4 Vacancy Interviews
- **December 11 Special Meeting** - Council Position No. 4 Vacancy Appointment
- **December 18 Regular Meeting** - City Manager Review, Councilmember Position No. 4 Swearing In, Fiscal Sustainability Plan, and Board and Commission Committee Recommendations, and 3<sup>rd</sup> Quarter 2018 Financial Status Report

**Board Appointments**

Mayor Bertlin reported that the application process for Vacant Council Position No. 4 was scheduled to close on Wednesday, November 21 at 5 p.m.

**Councilmember Reports**

Councilmember Welker reported on King County Conservation District's strategic planning efforts.

**ADJOURNMENT**

The regular Council Meeting adjourned at 11:51 pm.

\_\_\_\_\_  
Debbie Bertlin, Mayor

Attest:

\_\_\_\_\_  
Deborah A. Estrada, City Clerk

**EXHIBIT 9**



RECEIVED

JAN 29 2019

GROWTH MANAGEMENT  
HEARINGS BOARD

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

BEFORE THE GROWTH MANAGEMENT HEARINGS BOARD  
CENTRAL PUGET SOUND REGION  
STATE OF WASHINGTON

CONCERNED NEIGHBORS FOR THE  
PRESERVATION OF OUR  
COMMUNITY

Petitioner,

v.

CITY OF MERCER ISLAND, a

Respondent.

NO. 19-3-0002c

PETITION FOR REVIEW

**I. PETITIONER**

Petitioner Concerned Neighbors for the Preservation of Our Community (CNPC) is an unincorporated citizens' group with the following mailing address:

Concerned Neighbors for the Preservation of Our Community  
Attn: Matthew Goldbach  
9980 SE 40th St.  
Mercer Island, WA 98040  
Telephone: (954) 806-2489  
Email: matt@bitmax.net

Bricklin and Newman, LLP, by Alex Sidles, represents CNPC in this matter. The firm's contact information is:

David Bricklin  
Alex Sidles  
Bricklin and Newman, LLP  
1424 Fourth Avenue, Suite 500  
Seattle, Washington 98101

**Bricklin & Newman, LLP**  
Attorneys at Law  
1424 Fourth Avenue, Suite 500  
Seattle WA 98101  
Tel. (206) 264-8600  
Fax. (206) 264-9300

1 Telephone: (206) 264-8600  
 2 Email: bricklin@bnd-law.com; sidles@bnd-law.com

3 **II. THE CHALLENGED ACTION**

4 The challenged action is Mercer Island's November 20, 2018 adoption of Ordinance No. 18-  
 5 13, which amends the Mercer Island Comprehensive Plan. In accordance with WAC 242-03-210(3),  
 6 only the challenged portions of the ordinance are attached to this petition as Exhibit A.

7 **III. DETAILED STATEMENT OF THE ISSUES**

8  
 9 1. By failing to provide mailed notice of the Planning Commission hearings regarding  
 10 the ordinance, did the City violate its own public participation program, described in MICC 3.46.080;  
 11 19.15.050.D.2.d; 19.15.010; 19.15.020.D, E (former)<sup>1</sup>; MICC 19.15.269.A (current), in violation of  
 12 the GMA, RCW 36.70A.035; RCW 36.70A.140; and the GMA implementing regulations, WAC 365-  
 13 196-600(3); WAC 365-196-600(10)?

14 2. By failing to identify "obvious technical error in the information contained in the  
 15 comprehensive plan" or "changing circumstances in the city as a whole" that would justify this  
 16 ordinance, as required by MICC 19.15.020.G.1 (former); MICC 19.15.230.F (current), did the City  
 17 disregard its own procedures for amending its comprehensive plans, in violation of RCW 36.70A.130;  
 18 RCW 36.70A.140; WAC 365-196-600(3); WAC 365-196-600(10)?

19 3. By adopting a site-specific amendment to its comprehensive plan without making the  
 20 additional findings for site-specific amendments required by MICC 19.15.020.G.1.b (former); MICC  
 21 19.15.230.F.2 (current), did the City disregard its own procedures for amending comprehensive plans,  
 22 in violation of RCW 36.70A.130; RCW 36.70A.140; WAC 365-196-600(3); WAC 365-196-600(10)?  
 23  
 24

25  
 26 <sup>1</sup> Note on citations to the Mercer Island code: On September 17, 2018, the City adopted a large-scale reorganization of its land use code in ordinance numbers 18C-06 and 18C-08. The reorganized code took effect October 1, 2018. In this petition, citations to the pre-October 1, 2018 code are given as MICC (former), whereas citation to the post-October 1, 2018 code are given as MICC (current).



1 4. By adopting a site-specific comprehensive plan amendment without a site-specific  
 2 rezone, even though the City acknowledges that a rezone will ultimately be required, did the City  
 3 violate the requirement to consider an amendment and a rezone together when both are required,  
 4 MICC 19.15.050.F (former); MICC 19.15.230.G (current), in violation of RCW 36.70A.130; RCW  
 5 36.70A.140; WAC 365-196-600(3); WAC 365-196-600(10)?

6  
 7 5. Is the amendment inconsistent with county-wide planning policies DP-39 and DP-44,  
 8 and GMA policy WAC 365-196-405(2)(k), all of which allow only compatible growth, in violation  
 9 of MICC 19.15.020.G.1 (former); MICC 19.15.230.F.1 (current); RCW 36.70A.100; RCW  
 10 36.70A.130; RCW 36.70A.140; RCW 36.70A.210(1); WAC 365-106-040(2); WAC 365-196-  
 11 010(1)(d); WAC 365-196-600(3); WAC 365-196-305(3); WAC 365-196-600(10)?

12  
 13 6. Is the amendment inconsistent with Mercer Island Comprehensive Plan goals and  
 14 policies LU 15; LU 15.1; LU 15.2; LU 15.4; LU 16; LU 16.1, all of which protect single-family  
 15 neighborhoods, thereby creating an internally consistent comprehensive plan in violation of MICC  
 16 19.15.020.G.1 (former); MICC 19.15.230.F.1 (current), RCW 36.70A.070; RCW 36.70A.130; RCW  
 17 36.70A.140; WAC 365-196-500; WAC 365-196-600(3); WAC 365-196-600(10)?

18  
 19 10. By analyzing Mercer Island Comprehensive Plan policy LU 17.4 but failing to analyze  
 20 the broader policy LU 17, which promises not to change existing commercial designations and uses,  
 21 did the City disregard the criteria of MICC 19.15.020.G.1 (former); MICC 19.15.230.F.1 (current),  
 22 and create an internally inconsistent comprehensive plan, in violation of RCW 36.70A.070; RCW  
 23 36.70A.130; RCW 36.70A.140; WAC 365-196-500; WAC 365-196-600(3); WAC 365-196-600(10)?

24  
 25 11. By applying a new land use designation (community facilities) to a specific property,  
 26 even though no zoning regulations currently exist that will apply to the new designation because there  
 is not yet any community facilities zone in the land use code, did the City fail to show that "The

1 property is suitable for development in conformance with the standards under the potential zoning,"  
 2 MICC 19.15.020.G.1.b.ii (former); MICC 19.15.230.F.2.b (current), in violation of RCW  
 3 36.70A.130; RCW 36.70A.140; WAC 365-196-600(3); WAC 365-196-600(10)?  
 4

5 12. By creating a new land use designation (community facilities), and applying that new  
 6 designation to a specific property, but without adopting new development regulations that would apply  
 7 to the new designation, did the City create an inconsistency between its comprehensive plan and its  
 8 zoning regulations, in violation of RCW 36.70A.040 and the holding in *City of Bremerton v. Kitsap*  
 9 *County*, GMHB 04-3-0009c, at 10 (Final Decision and Order, Aug. 9, 2004)?  
 10

#### 11 IV. STANDING

12 13. CPNC has participation standing under RCW 36.70A.280(2)(b) in that CNPC  
 13 submitted written comments to the City regarding this ordinance prior to its adoption and gave  
 14 repeated oral testimony to the City Council and Planning Commission.

15 14. Throughout this process, CNPC repeatedly advised the City that it was acting in  
 16 violation of the above-mentioned provisions of law. However, CNPC was unsuccessful in persuading  
 17 the City to change course.

18 15. CNPC also has standing under RCW 36.70A.280(2)(d) in that the CNPC's members  
 19 live immediately adjacent to the property. They will be affected by the negative effects of increased  
 20 development, including more traffic, blocked views, more noise.  
 21

#### 22 V. ESTIMATED TIME FOR THE HEARING ON THE MERITS

23 16. Four hours, or such additional time as the Board may deem necessary.

#### 24 VI. RELIEF SOUGHT

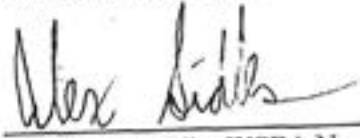
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

17. CNPC requests that the Board rule the challenged ordinance to be noncompliant with the GMA; and remand the challenged ordinance to the City to take the necessary legislative actions for it to be compliant with the GMA; and issue an order of invalidity.

The Petitioner has read the Petition for Review and believes the contents to be true.

Respectfully submitted this 29th day of January, 2019.

BRICKLIN & NEWMAN, LLP

By:   
David A. Bricklin, WSBA No. 7583  
Alex Sidles, WSBA No. 52832  
*Attorneys for Petitioner*

**EXHIBIT 10**



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32

BEFORE THE GROWTH MANAGEMENT HEARINGS BOARD  
CENTRAL PUGET SOUND REGION  
STATE OF WASHINGTON

OWNERS AND NEIGHBORS, et al.  
(COEN III),  
  
Petitioners,  
  
v.  
  
CITY OF MERCER ISLAND,  
  
Respondent,  
  
and  
  
STROUM JEWISH COMMUNITY  
CENTER, FRENCH AMERICAN SCHOOL  
OF PUGET SOUND, HERZL-NER TAMID  
CONSERVATIVE CONGREGATION, AND  
MERCER ISLAND CENTER FOR THE  
ARTS,  
  
Intervenors.

Case No. 19-3-0003c

FINAL DECISION AND ORDER

**SYNOPSIS**

*7800 Plaza Owners Association (Owners), Concerned Neighbors for the Preservation of Our Community (Neighbors), and Mark Coen (Coen) challenged the City of Mercer Island (City) Ordinance No. 18-13, an annual update to the City's Comprehensive Plan which included 15 amendments, and Ordinance No. 18C-14, a legislative action which rezoned property consistent with Amendment 15 to the City's Comprehensive Plan and included an updated land use map. The Board concluded that the City did not have development regulations to implement its new comprehensive plan provisions as required by RCW 36.70A.040.*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32

### I. INTRODUCTION

Petitioners **Owners** and **Neighbors** challenge related actions involving amendments to the City's Comprehensive Plan in a number of issues, specifically<sup>1</sup>:

- Ordinance 18-13, constituting an annual update to the City's Comprehensive Plan, which included
  - Amendments 1 and 8, creating a "Community Facilities" (CF) designation.
  - Amendment 15, changing the land use designation of property from Public Institution (PI) to Town Center (TC).
- Ordinance 18C-14, which, consistent with Amendment 15 to the Comprehensive Plan, rezoned a property known collectively as "Parcel 12" from "Public Institution" (PI) to "Town Center" (TC).

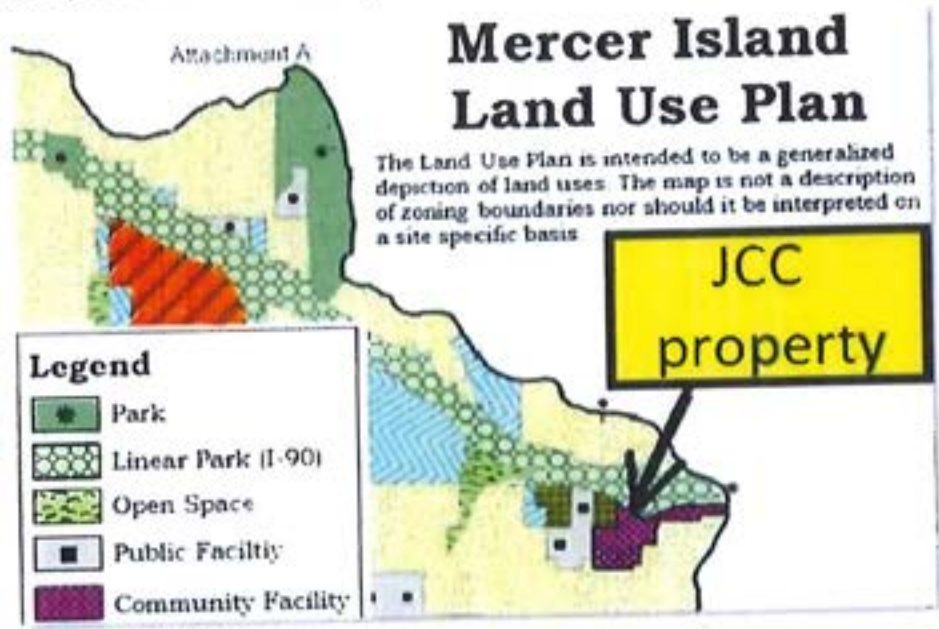
Petitioner **Owners'** concern is that the City's actions will enable a mixed-use development in conjunction with a future light rail station near I-90. Part of this development will be on Parcel 12. Owners challenge the City's actions in laying the land use groundwork for the development as violating provisions of the GMA (Amendment 15, Ordinance 18C-14).



<sup>1</sup> The chronology of the challenged actions appears at pages 3-9 of the City's Prehearing Brief.



1           Petitioner **Neighbors'** challenge relates to the City's identification of a new land use  
 2 designation, "Community Facilities" (CF) to address expansion plans by the Stroum Jewish  
 3 Community Center, the French American School and the Herzl-Ner Tamid Conservative  
 4 Congregation. This collection of interests will hereafter be referred to as "JCC." Neighbors  
 5 challenge the site-specific actions taken by the city in Amendment 1 and Amendment 8.



20           Petitioner **Coen** joins in some of the issues presented by Owners and Neighbors, but  
 21 challenges other aspects of Ordinance No. 18-13 and Ordinance No. 18C-14, in particular  
 22

- 23       • Amendments 6, 10, 11, 12, and 14 due to the lack of rezone applications or  
 24 development regulations
- 25       • Resolution 1545, declaring an emergency.

26           Procedural matters relevant to the case are detailed in Appendix A.  
 27           Legal issues relevant to the case are detailed in Appendix B.  
 28           Issues 7, 13, and 27 were not briefed or otherwise abandoned and will not be further  
 29 dealt with in this order.  
 30  
 31  
 32

1 As we noted in our earlier order in *Coen II*, the adoption of the procedural ordinance  
 2 anticipating a delay between the adoption of a comprehensive plan amendment and  
 3 implementing development regulations did not violate the GMA; following the process there  
 4 adopted will undoubtedly create an inconsistency of some duration.

5 **The Board finds and concludes** that Petitioner Coen has not met its burden to  
 6 show violation of the GMA in issues 26 and 29. **The Board also finds and concludes that**  
 7 **Petitioners Owners and Neighbors has carried its burden in Issue 25 to show that the**  
 8 **adoption of the Community Facilities designation for the JCC property without implementing**  
 9 **development regulations fails to comply with RCW 36.70A.040.**

11 **V. ORDER**

12  
 13 Based upon review of the Petition for Review, the briefs and exhibits submitted by the  
 14 parties, the GMA, prior Board orders and case law, having considered the arguments of the  
 15 parties, and having deliberated on the matter, the Board finds:

16 The Petitioners have met their burden in Issue 15, showing that the adoption of  
 17 challenged ordinances resulted in an inconsistency between the comprehensive plan and  
 18 the development regulations concerning Parcel 12, in violation of RCW 36.70A.040.

19  
 20 The Petitioners have met their burden in Issue 25 showing that adoption of the  
 21 challenged ordinances created an inconsistency between the comprehensive plan and the  
 22 development regulations concerning JCC property, in violation of RCW 36.70A.040.

23 The Petitioners have failed to carry their burden to establish violation of the GMA in  
 24 any other issue pleaded, and those issues are dismissed.

25 The matter is remanded to the City for compliance actions.

26  
 27

| Item  | Date Due         |
|---|------------------|
| Compliance due  | October 9, 2019  |
| Compliance Report/Statement of Actions Taken to Comply and Index to Compliance Record | October 23, 2019 |

28  
 29  
 30  
 31  
 32



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32

|  |  |
|--|--|
| Objections to a Finding of Compliance  | November 6, 2019                             |
| Response to Objections   | November 18, 2019                            |
| <b>Telephonic Compliance Hearing</b><br>1 (800) 704-9804 and use pin code 7864979# | <b>December 4, 2019</b><br><b>10:00 a.m.</b> |

Length of Briefs – A brief of 15 pages or longer shall have a table of exhibits. WAC 242-03-590(3) states: "Clarity and brevity are expected to assist a board in meeting its statutorily imposed time limits. A presiding officer may limit the length of a brief and impose format restrictions." **Compliance Report/Statement of Actions Taken to Comply shall be limited to 10 pages, 15 pages for Objections to Finding of Compliance, and 5 pages for the Response to Objections.**

SO ORDERED this 5<sup>th</sup> day of August 2019.

  
 Deb Eddy, Board Member

  
 Bill Hinkle, Board Member

I concur in the results of the Board's decision.

  
 Cheryl Pflug, Board Member

**Note: This is a final decision and order of the Growth Management Hearings Board issued pursuant to RCW 36.70A.300.<sup>96</sup>**

<sup>96</sup> Should you choose to do so, a motion for reconsideration must be filed with the Board and served on all parties within ten days of mailing of the final order, WAC 242-03-830(1), WAC 242-03-840. A party aggrieved by a final decision of the Board may appeal the decision to Superior Court within thirty days as provided in RCW 34.05.514 or 36.01.050. See RCW 36.70A.300(5) and WAC 242-03-970. It is incumbent upon the parties to review all applicable statutes and rules. The staff of the Growth Management Hearings Board is not authorized to provide legal advice.

# EXHIBIT 11



## CITY COUNCIL MINUTES REGULAR MEETING FEBRUARY 18, 2020

### CALL TO ORDER & ROLL CALL

Mayor Benson Wong called the meeting to order at 5:30 pm in the Council Chambers of City Hall, 9611 SE 36<sup>th</sup> Street, Mercer Island, Washington.

Mayor Benson Wong, Deputy Mayor Wendy Weiker, and Councilmembers Lisa Anderl, Jake Jacobson, Salim Nice, Craig Reynolds, and David Rosenbaum were present.

### AGENDA APPROVAL

It was moved by Anderl; seconded by Jacobson to:

**Approve the agenda as presented.**

Passed 7-0

FOR: 7 (Anderl, Jacobson, Nice, Reynolds, Rosenbaum, Weiker and Wong)

### STUDY SESSION

#### AB 5664: Classification and Compensation Discussion

Chief of Administration Ali Spietz explained that the purpose of the Study Session was to facilitate a project scoping discussion with the City Council prior to issuance of a Request for Proposals, explaining that the additional work would require a budget appropriation to be authorized at a future meeting. She further explained that the City had not completed a classification and compensation study in over 20 years.

Spietz explained that the compensation and classification study would examine and evaluate the City's current salary schedule and classification system and provide recommendations for modifications. She then reviewed the key objectives for the consultant.

Council expressed support for the project and requested that the City Manager remain involved throughout the process.

### CITY MANAGER REPORT

Interim City Manager Bon reported on the following:

- New Sewer Truck
- King / Xing Hua Property
- East Seattle School – 30 day public comment period is open through March 11
- Debris on Lake Washington
- Life Jacket Loaner Stations
- Gallagher Hill Crosswalk Installation Construction
- Recology Tour
- Athletic Field Maintenance Review
- 2019 (Preliminary) Year-End Financial Report – Available at the March 17 meeting
- YFS Breakfast – over 600 Islanders attended

**APPEARANCES**

Joy Matsura: She expressed concern for the Town Center and the limited designation of retail space.

Josh Knopp (President for Citizens for Reasonable Shoreline Policies): He addressed the Shoreline Master Plan, explaining that he is anxiously waiting for the new SMP to move forward.

Dan Sitman: In his opinion, most of the traffic is not associated with the SJCC and that it is wrong to blame the SJCC. He further described the French American School as a great amenity for the island.

The following individuals participate in the Sister City trip to France and spoke very favorably of the trip:

- Roberta Lewandowski
- Ted Weinberg
- Jane Meyer-Brahm
- Eric Thuau

Ed Weinstein (SJCC Architect). He explained that he is prepared to abandon the Community Facility Zone and return to the Conditional Use Permit, explaining that code amendments are still needed. He further stated that valuable community organizations should be supported.

Rich Hill (SJCC / FAS / Herzl-Ner Tamid counsel): He asked the Council to direct staff and the Planning Commission to review the proposed amendments this year, explaining that the proposed amendment is a narrowly tailored amendment to the code. Mr. Hill then outlined three changes, including one to GFA, one to height, and one to lot coverage.

David Fain: He spoke in support of the SJCC

Traci Granbois (French American School Member): She express three concerns: 1) she believes it is an illegal spot zone, 2) It is an improper process to rezone, and 3) it provides for different rules for non-residential uses in a residential zone.

**CONSENT CALENDAR**

It was requested that Resolution No. 1580 Appointing City Manager be removed from the consent calendar. Mayor Wong moved it to the first item of Regular Business.

**Payables: \$623,808.15 (1/31/2020) and \$1,307,133.83 (2/7/2020)**

**Recommendation:** Certify that the materials or services herein before specified have been received and that all warrant numbers listed are approved for payment.

**Payroll: \$909,621.85 (2/14/2020)**

**Recommendation:** Certify that the materials or services specified have been received and that all fund warrants are approved for payment.

**Minutes of the February 4, 2020 Regular Meeting.**

**Recommendation:** Approve the February 4, 2020 Regular Meeting minutes as written.

**AB 5662: ROW Fleet Appropriation**

**Recommendation:** Authorize the appropriation of \$32,917 from the Equipment Rental Fund to purchase the upgraded hydraulic driven drop-in sander as part of the previously authorized replacement of FL-0422.

It was moved by Anderl; seconded by Jacobson to:

**Approve the Consent Calendar as revised.**

Passed 7-0

FOR: 7 (Anderl, Jacobson, Reynolds, Rosenbaum, Nice, Weiker, and Wong)



**REGULAR BUSINESS****AB 5658: Resolution No. 1580 Appointing City Manager**

Each councilmember expressed strong support and gratitude for City Manager Bon's leadership over the past 8 months and thanked her for accepting the position.

It was moved and duly seconded to:

**Approve Resolution No. 1580 appointing Jessi Bon as City Manager and authorizing the Mayor to execute the City Manager Employment Agreement thereto attached.**

Passed 7-0

FOR: 7 (Anderl, Jacobson, Reynolds, Rosenbaum, Nice, Weiker, and Wong)

**AB 5663: Community Facility Code Amendment: Planning Commission Recommendation, Ordinance 20-04; 1st Reading & Adoption**

Community Planning and Development Director Evan Maxim reviewed the history of the Community Facility zoning designation and the City Council's August 2019 direction to the Planning Commission to:

1. Review the "problem statement" and determine if an alternative approach is warranted;
2. Explore alternative decision-making processes; and
3. Report back to the City Council for further direction.

Director Maxim then explained that the Planning Commission evaluated four different alternative approaches which included:

Alternative 1: No change to the current regulations;

Alternative 2: A change to the criteria for approval of a Conditional Use Permit ("CUP");

Alternative 3: A change to the CUP approval criteria and development of a tool (Master Plan); and

Alternative 4: Continuing the work that was "paused" in June of 2019.

Following discussion of these approaches, the Planning Commission developed a three-part recommendation to the City Council that included:

Part A – Discontinue Community Facility zone process

Part B – Review/update CUP process and pursue code amendments

Part C – Resume Community Facility zone process at a future date

Director further explained that staff concurred with the Planning Commission recommendation on Part A.

It was moved and duly seconded to:

**Suspend the City Council Rule of Procedure 6.3, requiring a second reading for an ordinance.**

Passed 7-0

FOR: 7 (Anderl, Jacobson, Reynolds, Rosenbaum, Nice, Weiker, and Wong)

It was moved and duly seconded to:

**Adopt Ordinance No. 20-04, to repeal portions of the 2018 Comprehensive Plan amendments related to the Community Facility zone.**

Passed 7-0

FOR: 7 (Anderl, Jacobson, Reynolds, Rosenbaum, Nice, Weiker, and Wong)

**AB 5665: City Council Rules of Procedure Amendments**

City Clerk Deb Estrada reported that at the February 4 meeting City Council directed staff to further review and modify the Board and Commission appointment process in the Rules of Procedure. Specific requests were to ensure applicants received a minimum of four votes and to provide more clarity as to the steps in the voting process. Staff reviewed the appointment process used by other cities, particularly those governed under the Council-City Manager form of government and made revisions accordingly.

It was moved and duly seconded to:

**Approve Resolution No. 1579 amending the City Council Rules of Procedure as set forth in Exhibit A.**

Passed 7-0

FOR: 7 (Anderl, Jacobson, Reynolds, Rosenbaum, Nice, Weiker, and Wong)

**AB 5666: Boards & Commissions Code Amendments (2nd Reading, Ordinance No. 20C-02)**

City Clerk Deb Estrada reported that at the February 4 meeting City Council directed staff to make additional changes. She explained that Ordinance No. 20C-02 amends the membership appointment process for the Design Commission, the Planning Commission, the Utility Board, the Parks and Recreation Commission, and the Mercer Island Arts Council. Estrada further noted that Ordinance No. 20C-02 does not apply to the Open Space Conservancy Trust because prior to any proposed amendment to the Trust's Articles, the Council is required to request recommendations and comments from the Trustees regarding the proposed amendment and hold a public hearing for the purpose of considering the community and Trustees' recommendations and comments.

It was moved and duly seconded to:

**Adopt Ordinance No. 20C-02 amending membership appointment process in Chapters 3.34 Design Commission, 3.46 Planning Commission, 3.52 Utility Board, 3.53 Parks & Recreation Commission, and 3.55 Mercer Island Arts Council.**

FOR: 7 (Anderl, Jacobson, Reynolds, Rosenbaum, Nice, Weiker, and Wong)

**AB 5667: City Council Letter of Support - East Channel Required Navigation Procedures Arrivals & Departures**

Councilmember Salim Nice explained that the City of Renton owns and operates the Renton Municipal Airport. In his advisory capacity, he has long since advocated for safer and less impactful flight operations out of Renton Airport. In pursuit of this endeavor, he has worked with Retired Captain Thomas Imrich, a retired Boeing Experimental Test Pilot and retired FAA administration official, as well as an island resident. He recommended that Council authorize the Mayor to sign the letter of support.

It was moved and duly seconded to:

**Authorize the Mayor to sign a letter recommending FAA take the necessary steps to propose upgrading the priority for Required Navigation Performance procedures for Renton Airport as "Priority 1."**

FOR: 7 (Anderl, Jacobson, Reynolds, Rosenbaum, Nice, Weiker, and Wong)

**OTHER BUSINESS**

**Planning Schedule**

Interim City Manager Bon reviewed the planning schedule and reminded Council that the March 3 meeting was canceled. In its place, a special meeting for March 10 was scheduled. She also noted that she would not be present at the March 10 meeting due to a prescheduled vacation.

**Councilmember Reports**

Councilmember Reynolds - complimented the YFS Breakfast

Councilmember Rosenbaum - wished the Mercer Island High School basketball team luck

Councilmember Anderl - summarized her visit to the Recology facility and the Do's and Don'ts of recycling

Deputy Mayor Weiker - reported on the opportunity to recognize one of our students for the AWC scholarship

Councilmember Jacobson - reported on his experience on the Recology Facility tour and the PROS questionnaire, which can be accessed online, and the Eastside Transportation Partnership meeting.

Mayor Wong - reported on the March 2 SCA Meeting on Regional Homelessness Authority, the April 23 Invite with the Mercer Island School District Board of Directors and discussion topics, 20<sup>th</sup> Anniversary celebration of the Sister City Association.



Renton Airport Advisory Voting Proxy

It was moved by Weiker and seconded by Jacobson to:

**Authorize the Mayor to sign a letter of support addressed to the Renton Airport Advisory Committee acknowledging that Captain Thomas Imrich will serve as the City of Mercer Island's designated proxy in Councilmember Nice's absence.**

FOR: 7 (Anderl, Jacobson, Reynolds, Rosenbaum, Nice, Weiker, and Wong)

**Councilmember Absences**

Deputy Mayor Weiker reported that she would not be present for the March 17 Regular Meeting.

**EXECUTIVE SESSION**

At 8:40 pm, Mayor Wong convened an Executive Session for approximately two hours and 60 minutes to discuss pending or potential litigation with legal counsel pursuant to RCW 42.30.110(1)(i).

No action was taken.

At 9:41 pm, Mayor Wong adjourned the Executive Session; no action was taken.

**ADJOURNMENT**

There being no additional business to come before City Council, the Regular Meeting adjourned at 9:42 pm.

  
\_\_\_\_\_  
Benson Wong, Mayor

Attest:

  
\_\_\_\_\_  
Deborah A. Estrada, City Clerk

**CITY OF MERCER ISLAND  
ORDINANCE NO. 20-04**

**AN ORDINANCE OF THE CITY OF MERCER ISLAND AMENDING THE LAND USE ELEMENT OF THE MERCER ISLAND COMPREHENSIVE PLAN TO REPEAL 2018 COMPREHENSIVE PLAN AMENDMENTS RELATED TO THE COMMUNITY FACILITY ZONE, PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the Mercer Island City Code (MICC) establishes development regulations that are intended to result in the implementation of the Mercer Island Comprehensive Plan pursuant to the Revised Code of Washington (RCW) 36.70A.040; and

**WHEREAS**, the Mercer Island City Council adopted Ordinance No. 18-13 on November 20, 2018 amending the Mercer Island Comprehensive Plan land use map and establishing goals and policies related to the establishment of a Community Facility zoning designation and related development regulations in the Land Use Element; and

**WHEREAS**, on August 5, 2019, the Growth Management Hearings Board, as result of appeals of Ordinance No. 18-13, issued a Final Decision and Order (Case No. 19-3-0003c) directing the City to correct certain inconsistencies between the Comprehensive Plan and the City's development regulations related to the Community Facility zone created by the Ordinance No. 18-13; and

**WHEREAS**, on January 29, 2020, following review and deliberation, the Mercer Island Planning Commission recommended that the City Council forgo implementation of a Community Facility zoning designation and adoption of related development regulations; and

**WHEREAS**, the City Council intends to comply with the Growth Management Hearings Board's Final Decision and Order (Case No. 19-3-0003c) to ensure that the City's development regulations implement, and are consistent with, the Comprehensive Plan by repealing those Comprehensive Plan amendments in Ordinance No. 18-13 that created the inconsistencies cited in Final Decision and Order (Case No. 19-3-0003c); and

**WHEREAS**, RCW 36.70A.130(2) authorizes the City Council to adopt Comprehensive Plan revisions and amendments "out of cycle" to resolve an appeal of a comprehensive plan filed with the Growth Management Hearings Board as herein described;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MERCER ISLAND, WASHINGTON, DO ORDAIN AS FOLLOWS:

**Section 1:** Repeal of Amendments Related to Community Facility in Attachment A of Ordinance No. 18-13. Amendments related to Community Facility in Attachment A of Ordinance No. 18-13 are repealed as set forth in Attachment A to this ordinance.

**Section 2:** Repeal of Amendments Related to Community Facility in Amendment 1 in Attachment B of Ordinance No. 18-13. Amendments related to Community Facility in Amendment 1 of Attachment B of Ordinance No. 18-13 are repealed as set forth in Attachment B to this ordinance.



Section 3: **Repeal of Amendment 8 in Attachment B of Ordinance No. 18-13.** The amendments adopted in Amendment 8 of Attachment B of Ordinance No. 18-13 are repealed.

Section 4: **Publish Comprehensive Plan as Amended.** The City Council authorizes the Community Planning and Development Director and the City Clerk to correct scrivener's errors in Attachments A and B, effectuate the amendments in Sections 1, 2 and 3 of this ordinance into the Mercer Island Comprehensive Plan, and publish the amended document.

Section 5: **Severability.** If any section, sentence, clause or phrase of this ordinance or any municipal code section amended hereby should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of any other section, sentence, clause or phrase of this ordinance or the amended code section.

Section 6: **Publication and Effective Date.** A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City. This Ordinance shall take effect and be in full force five days after the date of publication.

**PASSED by the City Council of the City of Mercer Island, Washington at its regular meeting on February 18, 2020 and signed in authentication of its passage.**

CITY OF MERCER ISLAND

\_\_\_\_\_  
Benson Wong, Mayor

Approved as to Form:

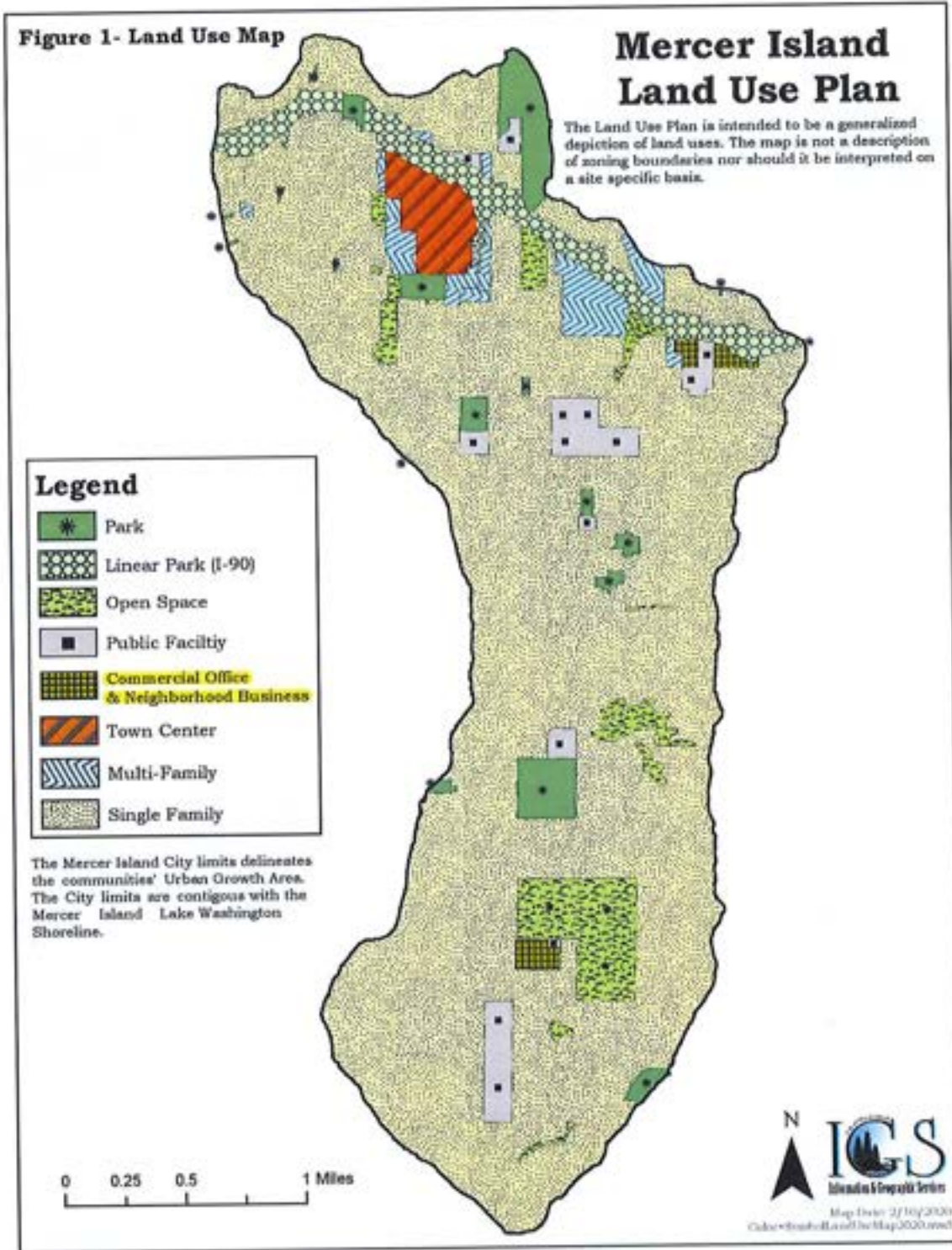
ATTEST:

\_\_\_\_\_  
Bio Park, Interim City Attorney

\_\_\_\_\_  
Deborah A. Estrada, City Clerk

Date of Publication: \_\_\_\_\_

# Attachment A





# Attachment B

## 2018 Comprehensive Plan Amendment 1 – Land Use Designations

Amend the Land Use Designation table in Section VII to read as follows:

| Land Use Designation          | Implementing Zoning Designations     | Description  |
|-------------------------------|--------------------------------------|--|
| Park                          | PI<br>R-8.4<br>R-9.6<br>R-12<br>R-15 | The park land use designation represents land within the City that is intended for public use consistent with the adopted Parks and Recreation Plan.   |
| Linear Park (I-90)            | PI                                   | The linear park (I-90) land use designation primarily contains the Interstate 90 right-of-way. The land use designation is also improved with parks and recreational facilities (e.g. Aubrey Davis park, I-90 Outdoor Sculpture Gallery, etc) adjacent to and on the lid above the Interstate 90 freeway.                                    |
| Open Space                    | PI<br>R-8.4<br>R-9.6<br>R-12<br>R-15 | The open space use designation represents land within the City that should remain as predominantly unimproved open space consistent with the adopted Parks and Recreation Plan.  |
| Commercial Office             | CO<br>B                              | The commercial office land use designation represents commercial areas within Mercer Island, located outside of the Town Center, where the land use will be predominantly commercial office. Complementary land uses (e.g. healthcare uses, schools, places of worship, etc.) are also generally supported within this land use designation. |
| Neighborhood Business         | PBZ                                  | The neighborhood business land use designation represents commercial areas within Mercer Island, located outside of the Town Center, where the land uses will be predominantly a mix of small scale, neighborhood oriented business, office, service, public and residential uses.   |
| Single Family Residential (R) | R-8.4<br>R-9.6<br>R-12<br>R-15       | The single family residential land use designation (R) represents areas within Mercer Island where development will be predominantly single family residential neighborhoods. Complementary land uses (e.g. private recreation areas, schools, home businesses, public parks, etc) are generally supported within this land use designation. |
| Multifamily Residential (MF)  | MF-2<br>MF-2L<br>MF-3                | The multifamily residential land use (MF) represents areas within Mercer Island where the land use will be predominantly multifamily residential development. Complementary land uses (e.g. private recreation areas, schools, home businesses, public parks, etc) are generally supported within this land use designation.                 |

|                      |   |  |
|----------------------|---|--|
| Town Center (TC)     | TC  | The Town Center land use designation represents the area where land uses consistent with the small town character and the heart of Mercer Island will be located. This land use designation supports a mix of uses including outdoor pedestrian spaces, residential, retail, commercial, mixed-use and office-oriented businesses. |
| Public Facility      | C-O<br>PI<br>R-8.4<br>R-9.6<br>R-15<br>TC | The public facility land use designation represents land within the City that is intended for public uses, including but not limited to schools, community centers, City Hall, and municipal services.   |
| Community Facilities | CF  | The community facilities use designation represents land within the City that is intended for community use including but not limited to private schools and other educational uses, religious facilities, and non-profit community centers and recreation facilities.   |

# Community Facility Code Amendment Discussion

**City Council**

February 18, 2020

257 - 1

**EXHIBIT 12**



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32

BEFORE THE GROWTH MANAGEMENT HEARINGS BOARD  
CENTRAL PUGET SOUND REGION  
STATE OF WASHINGTON

ROBERT A. MEDVED,  
  
Petitioner,  
  
v.  
  
CITY OF MERCER ISLAND,  
  
Respondent.

Case No. 19-3-0014  
  
ORDER FINDING NONCOMPLIANCE  
PURSUANT TO STIPULATION

**SYNOPSIS**

*Petitioner challenged the City of Mercer Island (City) for failure to act to adopt a docketing procedure as required by the RCW 36.70A.470. After settlement discussions, the City agreed to stipulate that it had not complied with the Growth Management Act (GMA) requirement to include a docketing procedure for development regulations, as called for in the Act. A finding of noncompliance was entered, and the parties agree to a compliance schedule.*

**STIPULATION**

This matter comes before the Board on the Stipulation filed on August 13, 2019. The parties report that they have reached agreement as to a compliance schedule that will settle the matter. Robert Medved, Petitioner, appearing *pro se*, and the City of Mercer Island, through its interim city attorney, Bio F. Park, stipulate as follows:

1. October 3, 1994, the city of Mercer Island adopted its comprehensive plan in Ordinance No. A-122.
2. RCW 36.70A.470, enacted in 1995, provides in part as follows:
  - (2) Each county and city planning under RCW 36.70A.040 shall include in its

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32

development regulations a procedure for any interested person, including applicants, citizens, hearing examiners, and staff of other agencies, to suggest plan or development regulation amendments. The suggested amendments shall be docketed and considered on at least an annual basis, consistent with the provisions of RCW 36.70A.130.

(4) For purposes of this section, docketing refers to compiling and maintaining a list of suggested changes to the comprehensive plan or development regulations in a manner that will ensure such suggested changes will be considered by the county or city and will be available for review by the public.

3. The City of Mercer Island has failed to act by not including a development regulation docketing procedure, hereinafter referred to as a "development regulation docket," in its development regulations, as required by RCW 36.70A.470.
4. The parties request that the Board enter a Final Decision and Order requiring the City to include a development regulation docket in its development regulations and that the board set a schedule with a compliance due date no later than February 15, 2020.

**ORDER**

Based on the foregoing, the Board orders:

The City of Mercer Island has failed to comply with the goals and requirements of the GMA, and the matter is remanded for the City to take action to comply with RCW 36.70A.470. The compliance schedule shall be as follows, unless amended by later order.

| Item  | Date Due          |
|---|-------------------|
| Compliance Due  | February 18, 2020 |
| Compliance Report/Statement of Actions Taken to Comply and Index to Compliance Record | March 3, 2020     |
| Objections to a Finding of Compliance   | March 17, 2020    |



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32

|  |   |
|--|---|
| Response to Objections   | March 27, 2020                            |
| <b>Telephonic Compliance Hearing</b><br>1 (800) 704-9804 and use pin code 7864979# | <b>April 6, 2020</b><br><b>10:00 a.m.</b> |

Compliance Report/Statement of Actions Taken to Comply shall be limited to 15 pages, 20 pages for Objections to Finding of Compliance, and 5 pages for the Response to Objections.

DATED this 15<sup>th</sup> day of August 2019.

  
 \_\_\_\_\_  
 Deb Eddy, Board Member

  
 \_\_\_\_\_  
 Cheryl Pflug, Board Member

  
 \_\_\_\_\_  
 Bill Hinkle, Board Member

**EXHIBIT 13**

Monday, December 9, 2019 at 17:41:49 Pacific Standard Time

**Subject:** Request to postpone code amendment docketing ordinance  
**Date:** Monday, December 9, 2019 at 5:28:31 PM Pacific Standard Time  
**From:** Amy Lavin  
**To:** Debbie Bertlin, Salim Nice, Lisa Anderl, Bruce Bassett, Wendy Weiker, David Wisenteiner, Benson Wong  
**CC:** Jessi Bon, Evan Maxim, Michael Levy (mike.rebar1@gmail.com), zane, erict@fasps.org, oren.nissim, Steve Dispensa, Nadine Strauss

Dear Council Members,

It recently came to our attention that Council is considering a new proposal to only accept code amendment applications one time a year, during the fall, to be placed on the docket for the upcoming year. We understand this was proposed with a goal of standardizing a process that is deemed burdensome and inefficient. While we agree with those stated goals, the effect of this ordinance would be to impose an additional 18+ months delay on our ability to propose and work with the city on land use revisions to our properties. Therefore, we urge you to delay a vote on final passage or amend to address the adverse impacts this action would have on our ability to move forward with our projects.

As you know, the SJCC, FASPS and HNT approached the City in 2017. At that time, we were fully prepared to work within the challenging but available CUP city process. At the City's request and recommendation, we agreed instead to work with the City on a new Community Facility Zoning concept. We have been going down that road now for over 18 months, in good faith with the City as our partner, but it is apparent that the City's CFZ process is likely no longer viable and a recommendation by the Planning Commission to go in a different direction is expected shortly.

As we stated publicly at the joint council and planning commission meeting earlier this Fall, we will work with the City in whichever way the City prefers (CFZ or CUP), and our priority is simply in getting clarity as quickly as possible given we are already 18 months in. As we said back in 2017 and as we reiterated to Council, the Planning Commission and staff in September, we have always been willing to work with the City on using the CUP process – we just want the green light to move forward in whatever process is preferred.

With this new Council recommendation currently before you, it appears the City is seeking to have us delay for another 18 months. If the earliest we can get docketed is sometime in 2021, then that will represent a full four years of delay - through City action alone - upon even consideration of our project.

It is our sincere hope that the City did not intend to impact us in this way. We are and remain committed to working with our neighbors and with the City to bring forward evolved concepts for our properties that enhance the City and neighborhood. To that end, we ask you take one of three actions:

- Delay your vote tomorrow until a regulatory path forward for SJCC, FASPS and HNT can be identified and supported by City staff; or
- Amend the ordinance to grandfather in our projects, allowing us to submit applications this calendar year; or
- Amend the ordinance delaying implementation until 2021, which will in effect allow us to submit applications for our projects during the coming calendar year.

Thank you for your consideration and attention to this challenge. We want nothing more than to be able to evolve our facilities to better serve Mercer Island, our community, and the goals of the City – we just need the City to tell us how you prefer to work with us, preferably without another two-year delay. Please don't

hesitate to contact any of us if we can provide additional information.

French American School of Puget Sound, Herzl-Ner Tamid, and the Stroum Jewish Community Center

Amy Lavin

Chief Executive Officer | Stroum Jewish Community Center | Direct: 206-232-7116 | M: 425-443-6047

**EXHIBIT 14**





**CITY COUNCIL MINUTES  
SPECIAL MEETING  
DECEMBER 10, 2019**

**CALL TO ORDER & ROLL CALL**

Mayor Debbie Bertlin called the Special Meeting to order at 7:00 pm at City Hall, 9611 SE 36<sup>th</sup> Street, Mercer Island, Washington.

Mayor Debbie Bertlin, Deputy Mayor Salim Nice, and Councilmembers Lisa Anderl, Bruce Bassett, Wendy Weiker, David Wisenteiner and Benson Wong were present.

**AGENDA APPROVAL**

**Councilmember Wong requested to remove AB 5638: 2019 Minor Code Amendments (Ordinance No. 19C-21, 2nd Reading & Adoption) from the Consent Calendar. Mayor Bertlin added it as the first item of Regular Business**

It was moved by Nice; seconded by Wisenteiner to:  
**Approve the agenda as amended.**

Passed: 7-0

FOR: 7 (Anderl, Bassett, Bertlin, Nice, Weiker, Wisenteiner, and Wong)

**CITY MANAGER REPORT**

Interim City Manager Jessi Bon reported on the following:

- YFS Emergency Family Assistance Holiday Gift Program
- Two Projects on I-90 Trail:
  - King County Wastewater Treatment Division
  - Sound Transit
- ST Park & Ride Permit Parking Program
- Project Updates: Mercer Island Fire Department:
  - Organizational Assessment
  - MIFD Back at Full Staffing Soon
- Project Updates: Community Planning & Development:
  - Small Cell Ordinance
  - Organizational Assessment
  - Critical Areas Regulations / Shoreline Master Program
  - Community Facility Zone
- Parks & Recreation:
  - 2020 Parks, Recreation, and Open Space (PROS) Plan
- YFS Health Youth Initiative
- Holiday Closures
- Upcoming Events

**APPEARANCES**

The following Mercer Island residents thanked the outgoing Council for their service and recognized those individuals that will serve on the Council going forward:

- Craig Reynolds
- Carolyn Boatsman
- Lucia Pirzio-Biroli
- Todd Fiala
- Jake Jacobson

**CONSENT CALENDAR**

**Accounts Payable Report for the period ending December 5, 2019 in the amount of \$367,647.31:**

**Recommendation:** Certify that the materials or services hereinbefore specified have been received and that all warrant numbers listed are approved for payment.

**Certification of Payroll dated December 6, 2019 in the amount of \$838,586.01**

**Recommendation:** Certify that the materials or services specified have been received and that all fund warrants are approved for payment.

**Approve the minutes of the November 19, 2019 Regular Meeting.**

**AB 5646: 2020 – 2021 AFSCME Collective Bargaining Agreement**

**Recommended Action:** Authorize the Interim City Manager to sign the AFSCME Collective Bargaining Agreement for the period of January 1, 2020 through December 31, 2021, in substantially the form attached hereto as Exhibit 1

It was moved by Nice; seconded by Bassett to:

**Approve the Consent Calendar and the recommendations contained therein as presented.**

Passed: 7-0

FOR: 7 (Anderl, Bassett, Bertlin, Nice, Weiker, Wisenteiner and Wong)

**REGULAR BUSINESS****AB 5638: 2019 Minor Code Amendments (Ordinance No. 19C-21, 2nd Reading & Adoption)**

Community Planning and Development Director Evan Maxim reported that following City Council's first reading of Ordinance No. 19C-21 on December 3, Council provided additional direction regarding the proposed amendments which staff observed to include the following:

- No code amendment docketing period in 2019,
- A desire to manage legislative work plan items,
- Allow for a transition period that is consistent with past practice, and
- **Comply with the Hearings Board order by February 18, 2020.**

It was moved by Wong; seconded by Nice to:

**Adopt Ordinance No. 19C-21 amending Title 19 of the Mercer Island City Code to clarify development and administrative standards and to create a procedure to docket and consider suggested amendments to development regulations with an effective date for the amendments no earlier than February 18, 2020.**

Passed: 6-1

FOR: 6 (Anderl, Bassett, Nice, Weiker, Wisenteiner and Wong)

AGAINST: 1 (Bertlin)

**AB 5644: Acquisition of ARCO/Tully's Property**

Interim City Attorney Bio Park explained that staff is seeking explicit authorization from the City Council for the City Manager to sign all necessary closing documents on behalf of the City in the acquisition of ARCO/Tully's Property, explaining that the closing entails the following:

- Closing must be completed by December 31, 2019
- Purchase price remains \$2,000,000
- Funds from REET 1 were previously appropriated and earnest money of \$150,000 was deposited into escrow, and
- Closing date is currently scheduled for December 27, 2019.

It was moved by Nice; seconded by Wong to:

**Authorize the Interim City Manager, or the Interim City Manager's designee if she is unavailable, to**



execute the closing documents to complete the City's acquisition of the real property at 7810 SE 27th Street, Mercer Island, WA.

Passed: 7-0

FOR: 7 (Anderl, Bassett, Bertlin, Nice, Weiker, Wisenteiner and Wong)

#### AB 5645: 2020 Comprehensive Plan Amendment Docket

Community Planning and Development Director Evan Maxim provided an overview of the process to date and the Planning Commission's preliminary docket, which included the following recommendations:

- Establish economic development policies and goals that establish a policy direction around the development of an economic development plan and related priorities, values, and strategies.
- Establish goals and policies supporting the planting of trees in the public right-of-way for the purposes of carbon sequestration, shade to reduce urban heat-island effect, and wildlife habitat.

Director Maxim further explained that the City Council options included:

- Adopt the Planning Commission's recommended docket; or
- Adopt the Planning Commission's recommended docket with changes; or
- Decline to adopt a final docket of Comprehensive Plan amendments

After discussing the issue, Council chose not to act on either recommendation made by the Planning Commission.

It was moved by Bassett; seconded by Bertlin to:

**Not docket any items for the 2020 Comprehensive Plan**

Passed: 7-0

FOR: 7 (Anderl, Bassett, Bertlin, Nice, Weiker, Wisenteiner and Wong)

#### AB 5643: Code of Ethics Revisions (Third Reading and Adoption)

Chief of Administration Ali Spietz outlined the changes made to the Code of Ethics since its second reading on December 3 and requested Council direction on the maximum amount the City would reimburse an official for the defense of an ethics complaint that results in a dismissal of the complaint by the city council without penalties subsequent to a hearing by the hearing examiner. Council also requested that complaints be submitted within two years rather than three.

It was moved by Bassett; seconded by Nice to:

**Adopt Ordinance No. 19C-20 to amend chapter 2.60 of the Mercer Island City Code revising the Code of Ethics and pass Resolution No. 1572 revising the Code of Ethics Statement.**

Passed: 7-0

FOR: 7 (Anderl, Bassett, Bertlin, Nice, Weiker, Wisenteiner and Wong)

#### OTHER BUSINESS

**Public Issues Committee** – There was Council Consensus that Benson Wong serve as the PIC voting delegate. Councilmember Wong noted that Councilmember Weiker had expressed a desire to serve on the SCA Board and he intended to nominate her.

#### COUNCIL REPORTS

Councilmember Wong reminded Councilmembers to purchase their Christmas Tree.

#### SPECIAL BUSINESS

Deputy Mayor Nice read Resolution No. 1575 acknowledging Councilmember Dave Wisenteiner's four years in office and his contributions to the Mercer Island Community.



Washington State Representative Tana Senn read a Resolution No. 1574 acknowledging Mayor Debbie Bertlin's eight years in office and her contributions to the Mercer Island Community.

Chief of Administration Ali Spietz read a Resolution No. 1573 acknowledging Councilmember Bruce Bassett's twelve years in office and his contributions to the Mercer Island Community.

On behalf of its citizens, the City Council commended Councilmember Wisenteiner, Mayor Bertlin, and Councilmember Bassett for their distinguished public service and extended its sincerest thanks and appreciation for their time and many significant contributions to Mercer Island over the past several years. A reception honoring the Mayor and Councilmembers was held directly following the meeting.

**ADJOURNMENT**

There being no additional business to come before City Council, the Regular Meeting adjourned at 9:26 pm.

Attest:

\_\_\_\_\_  
Debbie Bertlin, Mayor

\_\_\_\_\_  
Deborah Estrada, City Clerk

# EXHIBIT 15

#4

**CITY OF MERCER ISLAND**  
**COMMUNITY PLANNING & DEVELOPMENT**  
 9611 SE 36TH STREET | MERCER ISLAND, WA 98040  
 PHONE: 206.275.7605 | [www.mercergov.org](http://www.mercergov.org)



| CITY USE ONLY  |           |     |
|----------------|-----------|-----|
| PROJECT#       | RECEIPT # | FEE |
|                |           |     |
| Date Received: |           |     |

| DEVELOPMENT APPLICATION    |   | Received By:  |
|----------------------------|---|---|
| STREET ADDRESS/LOCATION    | ZONE  |   |
| Not Applicable             | Not Applicable                                    |   |
| COUNTY ASSESSOR PARCEL #'S | PARCEL SIZE (SQ. FT.)                             |   |
| Not Applicable             | Not Applicable                                    |   |
| PROPERTY OWNER (required)  | ADDRESS (required)                                | CELL/OFFICE (required)<br>(206) 812-3388<br>E-MAIL (required)<br>rich@mhseattle.com |
| Not Applicable             | Not Applicable                                    |   |
| PROJECT CONTACT NAME       | ADDRESS   | CELL/OFFICE<br>(206) 812-3388<br>E-MAIL<br>rich@mhseattle.com                       |
| <b>G. Richard Hill</b>     | 701 Fifth Avenue, Ste. 6600,<br>Seattle, WA 98104 |   |
| TENANT NAME                | ADDRESS   | CELL PHONE<br><br>E-MAIL  |
|                            |   |   |

**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 \_\_\_\_\_ DATE \_\_\_\_\_

PROPOSED APPLICATION(S) AND CLEAR DESCRIPTION OF PROPOSAL (PLEASE USE ADDITIONAL PAPER IF NEEDED):

**See accompanying Application for Code Amendment.**

ATTACH RESPONSE TO DECISION CRITERIA IF APPLICABLE  
 CHECK TYPE OF LAND USE APPROVAL REQUESTED:

| APPEALS  | DEVIATIONS  | SUBDIVISION SHORT PLAT  |
|--|---|---|
| <input type="checkbox"/> Building  | <input type="checkbox"/> Changes to Antenna requirements        | <input type="checkbox"/> Short Plat- Two Lots   |
| <input type="checkbox"/> Code Interpretation                                   | <input type="checkbox"/> Changes to Open Space                  | <input type="checkbox"/> Short Plat- Three Lots   |
| <input type="checkbox"/> Land use  | <input type="checkbox"/> Shoreline                              | <input type="checkbox"/> Short Plat- Four Lots  |
| <input type="checkbox"/> Right-of-Way Use                                      | <input type="checkbox"/> Seasonal Development Limitation Waiver | <input type="checkbox"/> Short Plat- Deviation of Acreage Limitation                    |
| <b>CRITICAL AREAS</b>  | <b>ENVIRONMENTAL REVIEW (SEPA)</b>                              | <input type="checkbox"/> Short Plat- Amendment  |
| <input type="checkbox"/> Critical Area Review 1 (Hourly Rate 2hr Min)          | <input type="checkbox"/> SEPA Review (checklist)- Minor         | <input type="checkbox"/> Short Plat- Final Plat   |
| <input type="checkbox"/> Critical Area Review 2 (Determination)                | <input type="checkbox"/> SEPA review (checklist)- Major         | <b>OTHER LAND USE</b>   |
| <input type="checkbox"/> Reasonable Use Exception                              | <input type="checkbox"/> Environmental Impact Statement         | <input type="checkbox"/> Accessory Dwelling Unit  |
| <b>DESIGN REVIEW</b>   | <b>SHORELINE MANAGEMENT</b>                                     | <input type="checkbox"/> Code Interpretation Request                                    |
| <input type="checkbox"/> Pre Design Meeting                                    | <input type="checkbox"/> Exemption                              | <input type="checkbox"/> Comprehensive Plan Amendment (CPA)                             |
| <input type="checkbox"/> Design Review (Code Official)                         | <input type="checkbox"/> Permit Revision                        | <input type="checkbox"/> Conditional Use (CUP)  |
| <input type="checkbox"/> Design Commission Study Session                       | <input type="checkbox"/> Shoreline Variance                     | <input type="checkbox"/> Lot Line Revision  |
| <input type="checkbox"/> Design Review- Design Commission- Exterior Alteration | <input type="checkbox"/> Shoreline Conditional Use Permit       | <input type="checkbox"/> Noise Exception  |
| <input type="checkbox"/> Design Review- Design Commission- New Building        | <input type="checkbox"/> Substantial Development Permit         | <input type="checkbox"/> Reclassification of Property (Rezoning)                        |
| <b>WIRELESS COMMUNICATION FACILITIES</b>                                       | <b>SUBDIVISION LONG PLAT</b>                                    | <input type="checkbox"/> Transportation Concurrence (see supplemental application form) |
| <input type="checkbox"/> Wireless Communications Facilities- 6409 Exemption    | <input type="checkbox"/> Long Plat- Preliminary                 | <input type="checkbox"/> Planning Services (not associated with a permit or review)     |
| <input type="checkbox"/> New Wireless Communication Facility                   | <input type="checkbox"/> Long Plat- Alteration                  | <input checked="" type="checkbox"/> <b>Zoning Code Text Amendment</b>                   |
|  | <input type="checkbox"/> Long Plat- Final Plat                  | <input type="checkbox"/> Request for letter   |
|  | <b>VARIANCES (Plus Hearing Examiner Fee)</b>                    |   |
|  | <input type="checkbox"/> Variance                               |   |

| CITY USE ONLY  |           |     |
|----------------|-----------|-----|
| PROJECT#       | RECEIPT # | FEE |
|                |           |     |
| Date Received: |           |     |
| Received By:   |           |     |

## APPLICATION FOR ZONING CODE TEXT AMENDMENT

**Applicant: G. Richard Hill**  
 701 5<sup>th</sup> Avenue  
 Suite 6600  
 Seattle, WA 98104  
 (206) 812-3388

### 1. Completed Pre-Application:

The applicant has conferred with the Director of Community Planning and Development ("Director") and has reviewed the Application with him. The Director has accordingly advised the applicant that this conference suffices to fulfill the Pre-Application processing requirement.

### 2. Development Application Sheet:

The completed Development Application Sheet accompanies this Application for Code Amendment.

### 3. Project Narrative:

This Application for a Mercer Island Zoning Code ("Code") Text Amendment ("Code Amendment") is a non-project, legislative proposal that addresses the unintended consequences of the recent Residential Code Update, as to Regulated Improvements. The Code Amendment would address Gross Floor Area, Height, and Lot Coverage issues to render them compatible with existing Regulated Improvements, and to allow reasonable redevelopment of them. A description of the Approach taken with respect to the drafting of the Code Amendment is set forth on Exhibit A to this Application, as is a Matrix



comparing the Gross Floor Area, Height, and Lot Coverage regulations under the Pre-Residential Code, the Residential Code Update (the current Code), and the Proposed Amendments, which would apply to Regulated Improvements only. The proposed Code Amendment itself is attached as Exhibit B and constitutes a red-line of the current Code provisions indicating where changes are proposed. The Code Amendment is consistent with the Growth Management Act, RCW 36.70A, because it will facilitate development of Regulated Improvements (as defined in the Code), including community centers, recreational facilities, schools and educational uses that serve Mercer Island urban residents within the urban area. Approval of the Code Amendment will facilitate the efficient use of land. The Code Amendment is consistent with the county-wide planning policies for the same reasons. The Code Amendment will further encourage and implement the City's Comprehensive Plan, in particular Land Use Goal 17.4, which recognizes that "social and recreation clubs, schools and religious institutions are predominantly located in single family residential areas of the Island," and that "development regulations should reflect the desire to retain valuable and healthy social, recreational, educational, and religious organizations as community assets which are essential for the mental, physical and spiritual health of Mercer Island."

**4. Title Report:**

The Director has advised that because this is a non-project legislative rezone, no Title Report will be required in connection with this application.

**5. SEPA Checklist:**

A completed non-project SEPA Checklist accompanies this Application.

**6. Fees:**

A fee of \$23,559.22 (SEPA @ \$2,657.00 + Code Amendment @ \$20,902.22)

accompanies this Application.

**7. Vicinity Map:**

Because the Code Amendment is a non-project action, the requirement for a Vicinity Map is not applicable.

Dated this 11<sup>th</sup> day of February 2020.

  
\_\_\_\_\_  
G. Richard Hill, Applicant

**Exhibit A**

**Approach**

1. Update "Regulated Improvements" to bring existing private schools, religious buildings, and community centers into code conformance while allowing property owners the ability to reasonably renovate and develop their properties.
2. Limit the applicability of most amendments to lots that abut commercial zones.

**Proposed Amendments**

|  | Pre-Residential Code Update   | Residential Code Update (Current Code)   | Proposed Amendments (Regulated Improvements Only)  |
|--|---|--|--|
| <b>Gross Floor Area</b><br>(19.02.020.D) | 45% of lot area for SF structures only. Regulated Improvements not specifically restricted; governed by height, setbacks, and lot coverage. | 40% of lot area for all structures, or: <ul style="list-style-type: none"> <li>• R-8.4: 5,000 sf, whichever is less.</li> <li>• R-9.6: 8,000 sf, whichever is less.</li> <li>• Etc.</li> </ul> | 40% of lot area <ul style="list-style-type: none"> <li>• Allow exceptions for substantially below grade parking structures (less than 4'-0" above grade).</li> <li>• Allow increase for lots less than 3-acres that abut a commercial zone.<sup>1</sup> (See 19.02.060.B.)</li> </ul>  |
| <b>Height</b><br>(19.02.020.E)           | 30', or 35' measured on the downhill side.  | 30', measured from average building elevation. Downhill façades measured from existing or finished grade, whichever is lower.  | 36' <ul style="list-style-type: none"> <li>• Allow increase to 45' farther than 150' from a public ROW or within 300' of a commercial zone. (See 19.02.060.E.)</li> <li>• Provide method of measurement to allow buildings to respond better to sloping sites. (See 19.02.060.F.)</li> </ul>   |
| <b>Lot Coverage</b><br>(19.02.060)       | 40%   | 40%  | 40% <sup>2</sup><br>Allow 25% increase for lots that abut a commercial zone (See 19.02.060.C.). Allow exceptions for usable open spaces, such as: <ul style="list-style-type: none"> <li>• Athletic and similar play fields</li> <li>• Occupiable green roofs or other structured landscaped area.</li> <li>• Grass block access drives solely for the use of emergency vehicles</li> </ul> (See 19.02.060.D.) |

<sup>1</sup> GFA in the C-O zone: max. building footprint = 35% of lot area; max. height = 36', which allows 3 floors; max. effective GFA as multiple of lot area is 0.35 x 3 = 1.05 times lot area.

<sup>2</sup> Change 19.02.060 from impervious surface to lot coverage. Impervious surfaces are regulated by the MICC Title 15 and construction codes.

**Exhibit B****19.02.005 Purpose and applicability.**

┌

A. *Purpose.* The purpose of the residential chapter is to identify land uses and to establish development standards that are appropriate within the residential zoning designations. The development standards provide a framework for a site to be developed consistent with the policy direction of the adopted Mercer Island Comprehensive Plan.

B. *Applicability.*

1. The provisions of this chapter shall apply to all development proposals in the R-8.4, R-9.6, R-12, and R-15 zoning designations.

2. Unless otherwise indicated in this chapter, the applicant shall be responsible for the initiation, preparation, and submission of all required plans or other documents prepared in support of or necessary to obtain a permit and to determine compliance with this chapter. (Ord. 17C-15 § 1 (Att. A).)

**19.02.010 Single-family.**

┌

A use not permitted by this section is prohibited. Please refer to MICC 19.06.010 for other prohibited uses.

A. *Uses Permitted in Zones R-8.4, R-9.6, R-12, and R-15.*

1. Single-family dwelling.

2. Accessory buildings incidental to the main building.

3. Private recreational areas.

4. Public schools accredited or approved by the state for compulsory school attendance, subject to design commission review and all of the following conditions:

a. All structures shall be located at least 35 feet from any abutting property and at least 45 feet from any public right-of-way.

b. Off-street parking shall be established and maintained at a minimum ratio of one parking space per classroom with high schools providing an additional one parking space per 10 students.

c. A one-fourth acre or larger playfield shall be provided in one usable unit abutting or adjacent to the site.



5. Home business as an accessory use to the residential use, subject to all of the following conditions:

a. The home business may make those improvements to the home business normally allowed for single-family residences. For a day care, play equipment and play areas are not allowed in front yards.

b. Only those persons who reside on the premises and one other person shall be permitted to engage in the business on the premises at any one time; provided, that a day care or preschool may have up to three nonresident employees on the premises at any one time. This limitation applies to all owners, managers, staff or volunteers who operate the business.

c. There shall be no exterior storage or display of materials except as otherwise allowed for single-family residences, and no sign advertising the home business located on the premises except as specifically allowed by MICC 19.12.080(B).

d. No offensive noise, vibration, smoke, dust, odor, heat or glare or excessive traffic to and from the premises shall be produced or generated by the home business.

e. The home business shall not involve the use of more than 30 percent of the gross floor area of the residence, not including the allowed basement exclusion area consistent with subsection 1 of this section and MICC 19.16.010. However, a day care or preschool may use up to 75 percent of said gross floor area.

f. No home business shall be permitted that generates parking demand that cannot be accommodated on the lots consistent with the applicable maximum impervious surface coverage limits of MICC 19.02.060. Parking shall be provided to handle the expected parking demand. In the case of a day care or preschool, parking for residents and employees shall occur on site; resident and employee parking shall not occur on an adjacent street.

g. The business shall not provide healthcare services, personal services, automobile repairs; serve as a restaurant, commercial stable, kennel, or place of instruction licensed as a school under state law and which will operate with more than three students at a time; or serve as a bed and breakfast without a conditional use permit as set out in subsection (C)(7) of this section. Nothing contained in this subsection (A)(5)(g) shall be interpreted to prohibit a day care.

h. A day care shall be limited to 18 children maximum (not including dependents) at a time.

6. Public park subject to the following conditions:

a. Access to local and/or arterial thoroughfares shall be reasonably provided.

b. Outdoor lighting shall be located to minimize glare upon abutting property and streets.

c. Major structures, ballfields and sport courts shall be located at least 20 feet from any abutting property.

d. If a permit is required for a proposed improvement, a plot, landscape and building plan showing compliance with these conditions shall be filed with the city community planning and development department (CPD) for its approval.

7. Semi-private waterfront recreation areas for use by 10 or fewer families, subject to the conditions set out in MICC 19.07.110.

8. One accessory dwelling unit (ADU) per single-family dwelling subject to conditions set out in MICC 19.02.030.

9. Special needs group housing as provided in MICC 19.06.080.

10. Social service transitional housing, as provided in MICC 19.06.080.

11. A state-licensed day care or preschool as an accessory use, when situated at and subordinate to a legally established place of worship, public school, private school, or public facility, meeting the following requirements:

a. The number of children in attendance at any given time shall be no more than 20 percent of the legal occupancy capacity of the buildings on the site, in the aggregate.

b. Signage shall be consistent with the provisions of MICC 19.12.080(B)(3).

c. Off-street parking provided by the primary use shall be deemed sufficient for the accessory day care or preschool if at least one space per employee is provided, and either:

i. One additional parking space is provided for every five children in attendance, or

ii. Adequate pick-up and drop-off space is provided as determined by the code official.

12. Places of worship may have a stage theater program as an accessory use. Stage theater programs are defined as productions of live presentations involving the performances of actors or actresses, singers, dancers, musical groups, or artists. Stage theater programs also include related classes and instructional workshops. Adequate parking must be provided, as determined by the code official.

13. Open space.

B. *Additional Use Permitted in Zones R-9.6, R-12, and R-15.* One accessory building for the housing of domestic animals and fowl, having a floor area not to exceed 36 square feet for each lot and located not less than 65 feet from any place of habitation other than the owners'; provided, the roaming area shall be fenced and located not less than 35 feet from any adjacent place of human habitation.

C. *Conditional Uses.* The following uses are permitted when authorized by the issuance of a conditional use permit when the applicable conditions set forth in this section and in MICC 19.15.040 have been met:



1. Government services, public facilities, utilities, and museums and art exhibitions, subject to the following conditions:
  - a. All structures shall be located at least 20 feet from any abutting property;
  - b. Off-street parking shall be established and maintained at a minimum ratio of one parking space for each 200 square feet of gross floor area; and
  - c. Utilities shall be shielded from abutting properties and streets by a sight obscuring protective strip of trees or shrubs.
2. Private schools accredited or approved by the state for compulsory school attendance, subject to conditions set out in subsection (A)(4) of this section.
3. Places of worship subject to the following conditions:
  - a. All structures shall be located at least 35 feet from any abutting property.
  - b. Off-street parking shall be established and maintained at a ratio of one parking space for each five seats in the chapel, nave, sanctuary, or similar worship area.
4. Noncommercial recreational areas, subject to the conditions contained in subsection (A)(6) of this section.
5. Semi-private waterfront recreation areas for use by more than 10 families, subject to conditions set out in MICC 19.07.110.
6. Retirement homes located on property used primarily for a place of worship subject to the following conditions:
  - a. Retirement home structures shall not occupy more than 20 percent of the lot; provided, the total lot coverage for the retirement home, the place of worship, and all other structures shall not exceed the lot coverage specified in MICC 19.02.060.
  - b. A plot, landscape and building plan shall be filed with the design commission for its approval, and the construction and maintenance of buildings and structures and the establishment and continuation of uses shall comply with the approved plot, landscape and building plan. Alterations to the project are permitted only upon approval by the design commission of a new or amended plan.
  - c. The number of dwelling units shall be determined by the planning commission upon examination of the following factors:
    - i. Demonstrated need;
    - ii. Location, size, shape and extent of existing development on the subject property;
    - iii. Nature of the surrounding neighborhood; and

iv. Legal assurances that the entire property remains contiguous, and that the retirement home is owned and controlled by the applicant religious organization.

d. The retirement home shall be located at least 35 feet from all abutting property.

e. Off-street parking shall be established and maintained at a ratio of one-half parking space for each dwelling unit.

7. The use of a single-family dwelling as a bed and breakfast subject to the following conditions:

a. The bed and breakfast facility shall meet all applicable health, fire, and building codes.

b. Not more than four rooms shall be offered to the public for lodging.

c. There shall be no external modification of any structure that alters the residential nature of the premises.

d. The bed and breakfast shall be the primary residence of the operator.

e. In addition to the parking required set out in MICC 19.02.020(G), one off-street parking space, not located in the lot setbacks, shall be provided for each rental room.

f. Meals shall be made available only to guests, and not to the general public.

8. Nonschool uses of school buildings, subject to the following conditions:

a. No use or proposed use shall be more intensive than the school activity it replaced. Consideration shall be given to quantifiable data, such as, but not limited to, traffic generation, parking demand, noise, hours of operation;

b. All activities, with the exception of outdoor recreation shall be confined to the interior of the building(s);

c. Exterior modification of the building(s) shall not be permitted if such a modification would result in an increase in the usable area of the building(s);

d. Minor changes in the building exterior, landscaping, signs, and parking may be permitted subject to the review and approval of the design commission; and

e. Off-street parking for all activities at the site shall be provided in existing school parking lots.

f. Termination. Conditional use permits for nonschool uses shall terminate and the use of the site shall conform to the requirements of the zone in which the school building is located on the day of the termination under the following conditions:

i. The school building is demolished or sold by the Mercer Island school district.



ii. The [city] council revokes the permit on the recommendation of the planning commission. Revocation shall be based on a finding that the authorized use constitutes a nuisance or is harmful to the public welfare, or the [applicant] has failed to meet the conditions imposed by the [city].

g. *Revision.* Any modification to a nonschool conditional use permit shall be approved by the planning commission; however, the [code official] may approve minor modifications that are consistent with the above stated conditions.

9. A state-licensed [day care] or preschool not meeting the requirements of subsection (A)(11) of this section, subject to the following conditions:

a. Off-street [parking] and passenger loading shall be sufficient to meet the needs of the proposed [day care] or preschool without causing overflow impacts onto adjacent [streets].

b. Signage shall be consistent with the provisions of MICC 19.12.080(B)(3). (Ord. 19C-04 § 1 (Exh. A); Ord. 17C-15 § 1 (Att. A); Ord. 15C-03 § 1; Ord. 09C-04 §§ 1, 2; Ord. 08C-01 § 1; Ord. 05C-16 § 1; Ord. 04C-08 § 9; Ord. 03C-08 § 3; Ord. 01C-06 § 1; Ord. 99C-13 § 1).

19.02.020 Development standards.

#### A. Minimum Net Lot Area.

R- 8.4: The net lot area shall be at least 8,400 square feet. Lot width shall be at least 60 feet and lot depth shall be at least 80 feet.

R- 9.6: The net lot area shall be at least 9,600 square feet. Lot width shall be at least 75 feet and lot depth shall be at least 80 feet.

R- 12: The net lot area shall be at least 12,000 square feet. Lot width shall be at least 75 feet and lot depth shall be at least 80 feet.

R- 15: The net lot area shall be at least 15,000 square feet. Lot width shall be at least 90 feet and lot depth shall be at least 80 feet.

1. Minimum net lot area requirements do not apply to any lot that came into existence before September 28, 1960. In order to be used as a building site, lots that do not meet minimum net lot area requirements shall comply with MICC 19.01.050(G)(3).

2. In determining whether a lot complies with the minimum net lot area requirements, the following shall be excluded: the area between lateral lines of any such lot and any part of such lot which is part of a street.

B. *Street Frontage.* No building will be permitted on a lot that does not front onto a street acceptable to the city as substantially complying with the standards established for streets.

C. *Yard Requirements.*

1. *Minimum.* Except as otherwise provided in this section, each lot shall have front, rear, and side yards not less than the depths or widths following:

- a. Front yard depth: 20 feet or more.
- b. Rear yard depth: 25 feet or more.
- c. Side yards shall be provided as follows:

i. *Total Depth.*

(a) For lots with a lot width of 90 feet or less, the sum of the side yards' depth shall be at least 15 feet.

(b) For lots with a lot width of more than 90 feet, the sum of the side yards' depth shall be a width that is equal to at least 17 percent of the lot width.

ii. *Minimum Side Yard Depth.*

(a) The minimum side yard depth abutting an interior lot line is five feet or 33 percent of the aggregate side yard total depth, whichever is greater.

(b) The minimum side yard depth abutting a street is five feet.

iii. *Variable Side Yard Depth Requirement.* For lots with an area of 6,000 square feet or more, the minimum side yard depth abutting an interior lot line shall be the greater of the minimum side yard depth required under subsection (C)(1)(c)(ii) of this section, or as follows:

(a) Single-family dwellings shall provide a minimum side yard depth of seven and one-half feet if the building:

(1) For nongabled roof end buildings, the height is more than 15 feet measured from existing or finished grade, whichever is lower, to the top of the exterior wall facade adjoining the side yard; or

(2) For gabled roof end buildings, the height is more than 18 feet measured from existing or finished grade, whichever is lower, to the top of the gabled roof end adjoining the side yard.

(b) Single-family dwellings with a height of more than 25 feet measured from the existing or finished grade, whichever is lower, to the top of the exterior wall facade adjoining the side yard shall provide a minimum side yard depth of 10 feet.



## 2. Yard Determination.

### a. Front Yard.

i. *Front Yard – General.* For lots that are not corner lots or waterfront lots, the front yard shall extend the full width of the lot and is determined using the following sequential approach, in descending order of preference, until a front yard is established:

- (a) The yard abutting an improved street from which the lot gains primary access.
- (b) The yard abutting the primary entrance to a building.
- (c) The orientation of buildings on the surrounding lots and the means of access to the lot.

ii. *Front Yard – Corner Lots.* On corner lots the front yard shall be measured from the narrowest dimension of the lot abutting a street. The yard adjacent to the widest dimension of the lot abutting a street shall be a side yard, provided:

- (a) If a setback equivalent to or greater than required for a front yard is provided along the property lines abutting both streets, then only one of the remaining setbacks must be a rear yard.

iii. *Front Yard – Waterfront Lots.* On a waterfront lot, regardless of the location of access to the lot, the front yard may be measured from the property line opposite and generally parallel to the ordinary high water line.

iv. This section shall apply except as provided for in MICC 19.08.030(F)(1).

b. *Rear Yard.* Except as allowed in subsections (C)(2)(a)(ii) and (iii) of this section, the rear yard is the yard opposite the front yard. The rear yard shall extend across the full width of the rear of the lot, and shall be measured between the rear line of the lot and the nearest point of the main building including an enclosed or covered porch. If this definition does not establish a rear yard setback for irregularly shaped lots, the code official shall establish the rear yard based on the following method: The rear yard shall be measured from a line or lines drawn from side lot line(s) to side lot line(s), at least 10 feet in length, parallel to and at a maximum distance from the front lot line.

c. *Side Yard.* Any yards not designated as a front or rear yard shall be defined as a side yard.

## 3. Intrusions into Required Yards.

### a. Minor Building Elements.

i. Except as provided in subsection (C)(3)(a)(ii) of this section, porches, chimney(s) and fireplace extensions, window wells, and unroofed, unenclosed outside stairways and decks shall not project more than three feet into any required yard. Eaves shall not protrude more than 18 inches into any required yard.

ii. No penetration shall be allowed into the minimum side yard setback abutting an interior lot line except where an existing flat-roofed house has been built to the interior side yard setback line and the roof is changed to a pitched roof with a minimum pitch of 4:12, the eaves may penetrate up to 18 inches into the side yard setback.

b. *Hardscape and Driveways.* Hardscape and driveways not more than 30 inches above existing grade or finished grade, whichever is lower, may be located in any required yard.

c. *Fences, Retaining Walls and Rockeries.* Fences, retaining walls and rockeries are allowed in required yards as provided in MICC 19.02.050.

d. *Garages and Other Accessory Buildings.* Garages and other accessory buildings are not allowed in required yards, except as provided in MICC 19.02.040.

e. *Heat Pumps, Air Compressors, Air Conditioning Units, and Other Similar Mechanical Equipment.* Heat pumps, air compressors, air conditioning units, and other similar mechanical equipment may be located within any required yard provided they will not exceed the maximum permissible noise levels set forth in WAC 173-60-040, which is hereby incorporated as though fully set forth herein. Any such equipment shall not be located within three feet of any lot line.

f. *Architectural Features.* Detached, freestanding architectural features such as columns or pedestals that designate an entrance to a walkway or driveway and do not exceed 42 inches in height are allowed in required yards.

g. *Other Structures.* Except as otherwise allowed in this subsection (C)(3), structures over 30 inches in height from existing grade or finished grade, whichever is lower, may not be constructed in or otherwise intrude into a required yard.

4. *Setback Deviation.* The code official may approve a deviation to front, side, and rear setbacks pursuant to MICC 19.15.040.

#### D. *Gross Floor Area – Single Family Dwellings.*

1. Except as provided in subsection (D)(3) of this section, the gross floor area of a single-family dwelling shall not exceed:

- a. R-8.4: 5,000 square feet or 40 percent of the lot area, whichever is less.
- b. R-9.6: 8,000 square feet or 40 percent of the lot area, whichever is less.
- c. R-12: 10,000 square feet or 40 percent of the lot area, whichever is less.
- d. R-15: 12,000 square feet or 40 percent of the lot area, whichever is less.

This section does not apply to regulated improvements.



2. *Gross Floor Area Calculation.* The gross floor area is the sum of the floor area(s) bounded by the exterior faces of each building on a residential lot, provided:

- a. The gross floor area shall be 150 percent of the floor area of that portion of a room(s) with a ceiling height of 12 feet to 16 feet, measured from the floor surface to the ceiling.
- b. The gross floor area shall be 200 percent of the floor area of that portion of a room(s) with a ceiling height of more than 16 feet, measured from the floor surface to the ceiling.
- c. Staircases shall be counted as a single floor for the first two stories accessed by the staircase. For each additional story above two stories, the staircase shall count as a single floor area. For example, a staircase with a 10-foot by 10-foot dimension that accesses three stories shall be accounted as 200 square feet (100 square feet for the first two stories, and 100 square feet for the third story).
- d. For the purposes of calculating allowable gross floor area, lots created in a subdivision through MICC 19.08.030(G), Optional Standards for Development, may apply the square footage from the open space tract to the lot area not to exceed the minimum square footage of the zone in which the lot is located.

### 3. *Allowances.*

- a. The gross floor area for lots with an area of 7,500 square feet or less may be the lesser of 3,000 square feet or 45 percent of the lot area; or
- b. If an accessory dwelling unit is proposed, the 40 percent allowed gross floor area may be increased by the lesser of five percentage points or the actual floor area of the proposed accessory dwelling unit, provided:
  - i. The allowed gross floor area of accessory buildings that are not partially or entirely used for an accessory dwelling unit shall not be increased through the use of this provision;
  - ii. The lot will contain an accessory dwelling unit associated with the application for a new or remodeled single-family home; and
  - iii. The total gross floor area shall not exceed 4,500 square feet or 45 percent of the lot area, whichever is less.

### E. *Building Height Limit – Single Family Dwellings.*

1. *Maximum Building Height.* No Single Family Dwelling building shall exceed 30 feet in height above the average building elevation to the highest point of the roof.
2. *Maximum Building Height on Downhill Building Facade.* The maximum building facade height on the downhill side of a sloping lot shall not exceed 30 feet in height. The building facade height shall be measured from the existing grade or finished grade.

whichever is lower, at the furthest downhill extent of the proposed building, to the top of the exterior wall facade supporting the roof framing, rafters, trusses, etc.

3. Antennas, lightning rods, plumbing stacks, flagpoles, electrical service leads, chimneys and fireplaces, solar panels, and other similar appurtenances may extend to a maximum of five feet above the height allowed for the main structure in subsections (E)(1) and (2) of this section; provided:

- a. Solar panels shall be designed to minimize their extension above the maximum allowed height, while still providing the optimum tilt angle for solar exposure.
- b. Rooftop railings may not extend above the maximum allowed height for the main structure.

4. The formula for calculating average building elevation is as follows:

Formula: 
$$\frac{\text{Average Building Elevation} = (\text{Weighted Sum of the Mid-point Elevations}) \div (\text{Total Length of Wall Segments})$$

Where: 
$$\text{Weighted Sum of the Mid-point Elevations} = \text{The sum of: } ((\text{Mid-point Elevation of Each Individual Wall Segment}) \times (\text{Length of Each Individual Wall Segment}))$$

For example for a house with 10 wall segments:

$$(Axa) + (Bxb) + (Cxc) + (Dxd) + (Exe) + (Fxf) + (Gxg) + (Hxh) + (Ixi) + (Jxj)$$

$$a + b + c + d + e + f + g + h + i + j$$

Where:

A, B, C, D... = The existing or finished ground elevation, whichever is lower, at midpoint of wall segment.

And:

a, b, c, d... = The length of wall segment measured on outside of wall.

#### F. Lot Coverage – Single-Family Dwellings.

1. Applicability. This section shall apply to the development of single-family dwellings including, but not limited to, the remodeling of existing single-family dwellings and construction of new single-family dwellings. This section does not apply to regulated improvements.

2. Landscaping Objective.

- a. To ensure that **landscape** design reinforces the natural and wooded character of Mercer Island, complements the site, the architecture of site **structures** and paved areas, while maintaining the visual appearance of the neighborhood.
- b. To ensure that **landscape** design is based on a strong, unified, coherent, and aesthetically pleasing **landscape** concept.
- c. To ensure that **landscape** plantings, earth forms, and outdoor spaces are designed to provide a transition between each other and between the built and natural environment.
- d. To ensure suitable natural vegetation and landforms, particularly mature **trees** and topography, are preserved where **feasible** and integrated into the overall **landscape** design. **Large trees** and **tree** stands should be maintained in lieu of using new plantings.
- e. To ensure planting designs include a suitable combination of **trees**, **shrubs**, **groundcovers**, vines, and herbaceous material; include a combination of deciduous and evergreen plant material; emphasize native plant material; provide drought-tolerant species; and exclude invasive species.

3. *Lot Coverage – Landscaping Required.*

a. *Minimum Area Required.* Development proposals for **single-family dwellings** shall comply with the following standards based on the net lot area:

| <b>Lot Slope</b>              | <b>Maximum Lot Coverage (house, driving surfaces, and accessory buildings)</b> | <b>Required Landscaping Area</b> |
|-------------------------------|--|----------------------------------|
| Less than 15%                 | 40%  | 60%                              |
| 15% to less than 30%          | 35%  | 65%                              |
| 30% to 50%                    | 30%  | 70%                              |
| Greater than 50% <b>slope</b> | 20%  | 80%                              |

b. *Hardscape.*

i. A maximum of nine percent of the **net lot area** may consist of **hardscape** improvements including, but not limited to, walkways, decks, etc., and provided:



(a) The hardscape for lots with a net lot area of 8,400 square feet or less may be the lesser of 755 square feet or 12 percent of the net lot area.

ii. Hardscape improvements are also permitted in the maximum lot coverage area established in subsection (F)(3)(a) of this section.

c. *Softscape and Driveways.*

i. The required landscaping area in subsection (F)(3)(a) of this section shall consist of softscape improvements, except where used for hardscape improvements pursuant to section (F)(3)(b) of this section.

ii. Driveways and other driving surfaces are prohibited within the landscaping area.

For example, a flat lot with a net area of 10,000 square feet shall provide a minimum 6,000 square feet of landscaped area. Up to 900 square feet of the landscaped area may be used for a walkway, patio, or deck or other hardscape area. The remainder of the area shall be used for softscape improvements, such as landscaping, tree retention, etc.

d. Development proposals for a new single-family home shall remove Japanese knotweed (*Polygonum cuspidatum*) and Regulated Class A, Regulated Class B, and Regulated Class C weeds identified on the King County Noxious Weed list, as amended, from required landscaping areas established pursuant to subsection (F)(3)(a) of this section. New landscaping associated with new single-family home shall not incorporate any weeds identified on the King County Noxious Weed list, as amended. Provided, that removal shall not be required if the removal will result in increased slope instability or risk of landslide or erosion.

e. *Allowed Adjustments.* A one-time reduction in required landscaping area and an increase in the maximum lot coverage are allowed, provided:

i. The total reduction in the required landscaping area shall not exceed five percentage points, and the total increase in the maximum lot coverage shall not exceed five percentage points; and

ii. The reduction in required landscaping area and increase in maximum lot coverage are associated with:

(a) A development proposal that will result in a single-story single-family dwelling with a wheelchair accessible entry path, and may also include a single-story accessory building; or

(b) A development proposal on a flag lot that, after optimizing driveway routing and minimizing driveway width, requires a driveway that occupies more than 25 percent of the otherwise allowed lot coverage area. The allowed reduction in the required landscaping area and increase in maximum lot coverage shall not exceed five percent, or the area of the driveway in excess of 25 percent of the lot coverage, whichever is less.

For example, a development proposal with a driveway that occupies 27 percent of the otherwise allowed lot coverage may increase the total lot coverage by two percent; and

iii. A recorded notice on title, covenant, easement, or other documentation in a form approved by the city shall be required. The notice on title or other documentation shall describe the basis for the reduced landscaping area and increased lot coverage.

#### G. *Parking.*

1. *Applicability.* Subsection (G)(2) of this section shall apply to all new construction and remodels where more than 40 percent of the length of the structure's external walls have been intentionally structurally altered.

#### 2. *Parking Required.*

a. Each single-family dwelling with a gross floor area of 3,000 square feet or more shall have at least three parking spaces sufficient in size to park a passenger automobile; provided, at least two of the stalls shall be covered stalls.

b. Each single-family dwelling with a gross floor area of less than 3,000 square feet shall have at least two parking spaces sufficient in size to park a passenger automobile; provided, at least one of the stalls shall be a covered stall.

3. No construction or remodel shall reduce the number of parking spaces on the lot below the number existing prior to the project unless the reduced parking still satisfies the requirements set out above.

4. Except as otherwise provided in this chapter, each lot shall provide parking deemed sufficient by the code official for the use occurring on the lot; provided, any lot that contains 10 or more parking spaces shall also meet the parking lot requirements set out in Appendix A of this development code.

#### H. *Easements.* Easements shall remain unobstructed.

1. *Vehicular Access Easements.* No structures shall be constructed on or over any vehicular access easement. A minimum five-foot yard setback from the edge of any easement that affords or could afford vehicular access to a property is required for all structures; provided, that improvements such as gates, fences, rockeries, retaining walls and landscaping may be installed within the five-foot yard setback so long as such improvements do not interfere with emergency vehicle access or sight distance for vehicles and pedestrians.

2. *Utility and Other Easements.* No structure shall be constructed on or over any easement for water, sewer, storm drainage, utilities, trail or other public purposes unless it is permitted within the language of the easement or is mutually agreed in writing between the grantee and grantor of the easement.

I. *Large Lots.* The intent of this section is to ensure that the construction of a single-family dwelling on a large lot does not preclude compliance with applicable standards related to subdivision or short subdivision of the large lot. Prior to approval of a new single-family



dwelling and associated site improvements, accessory buildings, and accessory structures on large lots, the applicant shall complete one of the following:

1. *Design for Future Subdivision.* The proposed site design that shall accommodate potential future subdivision of the lot as follows:

a. The proposed site design shall comply with the applicable design requirements of Chapters 19.08, Subdivision, 19.09, Development, and 19.10, Trees, MICC.

b. The proposed site design shall not result in a circumstance that would require the removal of trees identified for retention, as part of a future subdivision.

c. The proposed site design shall not result in a circumstance that would require modifications to wetlands, watercourses, and associated buffers as part of a future subdivision.

d. Approval of a site design that could accommodate a potential future subdivision does not guarantee approval of such future subdivision, nor does it confer or vest any rights to a future subdivision.

2. *Subdivide.* Prior to application for a new single-family dwelling, the property is subdivided or short platted to create all potential lots and building pads permitted by zoning. The proposed single-family dwelling shall be located on a lot and within a building pad resulting from a recorded final plat.

3. *Limit Subdivision.* Record a notice on title, or execute a covenant, easement, or other documentation approved by the city, prohibiting further subdivision of the large lot for a period of five years from the date of final inspection or certificate of occupancy.

J. *Building Pad.* New buildings shall be located within a building pad established pursuant to Chapter 19.09 MICC. Intrusions into yard setbacks authorized pursuant to MICC 19.02.020(C)(3) may be located outside of the boundaries of the building pad. (Ord. 19C-04 § 1 (Exh. A); Ord. 18C-05 § 1 (Att. A); Ord. 17C-15 § 1 (Att. A); Ord. 17C-02 § 1; Ord. 10C-07 § 1; Ord. 09C-17 § 1; Ord. 08C-01 § 1; Ord. 06C-05 § 1; Ord. 05C-12 § 7; Ord. 03C-01 § 3; Ord. 02C-09 § 4; Ord. 01C-06 § 1; Ord. 99C-13 § 1).

19.02.030 Accessory dwelling units.

A. *Purpose.* It is the purpose of this legislation to implement the policy provisions of the housing element of the city's comprehensive plan by eliminating barriers to accessory dwelling units in single-family residential neighborhoods and provide for affordable housing. Also, to provide homeowners with a means of obtaining rental income, companionship, security and services through tenants in either the accessory dwelling unit or principal unit of the single-family dwelling.

B. *Requirements for Accessory Dwelling Units.* One accessory dwelling unit is permitted as subordinate to an existing single-family dwelling; provided, the following requirements are met:

1. *Owner Occupancy.* Either the principal dwelling unit or the accessory dwelling unit must be occupied by an owner of the property or an immediate family member of the property owner. Owner occupancy is defined as a property owner, as reflected in title records, who makes his or her legal residence at the site, as evidenced by voter registration, vehicle registration, or similar means, and actually resides at the site more than six months out of any given year.

2. *Number of Occupants.* The total number of occupants in both the principal dwelling unit and accessory dwelling unit combined shall not exceed the maximum number established for a family as defined in MICC 19.16.010 plus any live-in household employees of such family.

3. *Subdivision.* Accessory dwelling units shall not be subdivided or otherwise segregated in ownership from the principal dwelling unit.

4. *Size and Scale.* The square footage of the accessory dwelling unit shall be a minimum of 220 square feet and a maximum of 900 square feet, excluding any garage area; provided, the square footage of the accessory dwelling unit shall not exceed 80 percent of the total square footage of the primary dwelling unit, excluding the garage area, as it exists or as it may be modified.

5. *Location.* The accessory dwelling unit may be added to or included within the principal unit, or located in a detached structure.

6. *Entrances.* The single-family dwelling containing the accessory dwelling unit shall have only one entrance on each front or street side of the residence except where more than one entrance existed on or before January 17, 1995.

7. *Additions.* Additions to an existing structure or newly constructed detached structures created for the purpose of developing an accessory dwelling unit shall be designed consistent with the existing roof pitch, siding, and windows of the principal dwelling unit.

8. *Detached Structures.* Accessory dwelling units shall be permitted in a detached structure.

9. *Parking.* All single-family dwellings with an accessory dwelling unit shall meet the parking requirements pursuant to MICC 19.02.020(G) applicable to the dwelling if it did not have such an accessory dwelling unit.

C. *Exceptions – Ceiling Height.* All existing accessory dwelling units that are located within a single-family dwelling, which was legally constructed but does not now comply with current ceiling height requirements of the construction codes set forth in MICC Title 17, shall be allowed to continue in their present form.

D. *Notice on Title.* Approval of the accessory dwelling unit shall be subject to the applicant recording a document with the King County department of records and elections which runs with the land and identifies the address of the property, states that the owner(s) resides in either the principal dwelling unit or the accessory dwelling unit, includes a statement



that the owner(s) will notify any prospective purchasers of the limitations of this section, and provides for the removal of the accessory dwelling unit if any of the requirements of this chapter are violated.

E. *Elimination/Expiration.* Elimination of an accessory dwelling unit may be accomplished by the owner recording a certificate with the King County department of records and elections and development services stating that the accessory dwelling unit no longer exists on the property. (Ord. 18C-08 § 1 (Att A.); Ord. 08C-01 § 1; Ord. 04C-12 § 10; Ord. 99C-13 § 1).

19.02.040 Garages, other accessory buildings and accessory structures.

A. Accessory buildings, including garages, are not allowed in required yards except as herein provided.

B. *Attached Accessory Building.* An attached accessory building shall comply with the requirements of this code applicable to the main building.

C. *Detached Accessory Buildings and Accessory Structures.*

1. *Gross Floor Area.*

a. The combined total gross floor area for one or more accessory building(s) shall not exceed 25 percent of the total gross floor area allowed on a lot within applicable zoning designations pursuant to MICC 19.02.020. For example, on a lot where the total allowed gross floor area is 4,000 square feet, the combined total gross floor area for all accessory buildings is 1,000 square feet.

b. The gross floor area for a detached accessory building that is entirely or partially used for an accessory dwelling unit may be increased by the additional floor area authorized pursuant to MICC 19.02.020(D)(3)(b).

2. *Height.*

a. Detached accessory buildings, except for buildings that contain an accessory dwelling unit, are limited to a single story and shall not exceed 17 feet in height above the average building elevation computed from existing grade or finished grade, whichever is lower, to the highest point of the roof. Average building elevation is calculated using the methodology established in MICC 19.02.020(E)(4).

b. Detached accessory buildings that are entirely or partially used for an accessory dwelling unit shall meet the height limits established for the primary building.

3. Detached accessory buildings are not allowed in required yard setbacks; provided, one detached accessory building with a gross floor area of 200 square feet or less and a height of 12 feet or less may be erected in the rear yard setback. If such an accessory building is to be

located less than five feet from any property line, a joint agreement with the adjoining property owner(s) must be executed and recorded with the King County department of records and thereafter filed with the city.

4. *Accessory Structures.* The maximum height of an accessory structure that is not also an accessory building shall not exceed 17 feet. The height of an accessory structure is measured from the top of the structure to the existing grade or finished grade, whichever is lower, directly below the section of the structure being measured.

D. *Garages and Carports.* Garages and carports may be built to within 10 feet of the property line in the front yard; provided:

1. There is greater than four vertical feet measured between the elevation at the bottom of the wall of the building and the ground elevation at the front yard property line where such property line is closest to the building. The elevations of both the intersection of the building and the ground, and the point of the property line closest to the wall of the building, shall be measured using the lower of the existing and finished grade; and

2. The height of such garage or carport shall not exceed 12 feet from existing or finished grade, whichever is lower, for that portion built within the front yard.

E. *Pedestrian Walkways.* Enclosed or covered pedestrian walkways may be used to connect the main building to a garage or carport. Enclosed pedestrian walkways shall not exceed six feet in width and 12 feet in height calculated from finished grade or 30 feet above average building elevation, whichever is less. (Ord. 19C-04 § 1 (Exh. A); Ord. 17C-15 § 1 (Att. A); Ord. 08C-01 § 1; Ord. 01C-06 § 1; Ord. 99C-13 § 1).

#### 19.02.050 Fences, retaining walls and rockeries.

Γ

A. *Location in Required Yard.* Fences, retaining walls and rockeries may be located within any required yard as specified below.

B. *Location in Street.*

1. *Fences.* No fence shall be located in any improved street. Fences may be allowed in unimproved public streets subject to approval of the city engineer and the granting of an encroachment agreement as required by MICC 19.06.060.

2. *Retaining Walls and Rockeries.* Retaining walls and rockeries may be allowed in any street subject to the approval of the city engineer and the granting of an encroachment agreement covering any public street as required by MICC 19.06.060.

C. *Height Measurement.*



1. *Fences/Gates.* The height of a fence or gate is measured from the top of the fence or gate, including posts, to the existing grade or finished grade, whichever is lower, directly below the section of the fence or gate being measured.

2. *Retaining Walls and Rockeries.* The height of a retaining wall or rockery is measured from the top of the retaining wall or rockery to the existing grade or finished grade, whichever is lower, directly below the retaining wall or rockery.

3. *Multiple Retaining Walls.* Retaining walls outside of required yard setbacks shall be stepped to meet a 1:1 ratio of separation with 45 degrees of grade to be considered separate. For example, two six-foot-tall retaining walls would need to be separated by at least six feet of horizontal distance measured from the toe of the upper wall to the top of the bottom wall, to be considered separate and not combined for maximum height calculations.

*D. Retaining Walls and Rockeries – Requirements.*

1. *Building Permit.* A building permit is required for retaining walls or rockeries not exempted from permit by Section 105.2 of the Construction Administrative Code, Chapter 17.14 MICC.

2. *Engineer.* Any rockery requiring a building permit shall be designed and inspected by a licensed geotechnical engineer.

3. *Drainage Control.* Drainage control of the area behind the rockery shall be provided for all rockeries.

*4. Maximum Height in Required Yard – Cut Slopes.*

a. No retaining walls or rockeries, or any combination of retaining walls or rockeries, to the extent used to protect a cut or cuts into existing grade within any required yard, shall exceed a total of 144 inches in height.

b. All retaining walls and/or rockeries within a required yard shall be included in calculating the maximum height of 144 inches.

c. Retaining walls or rockeries may be topped by a fence as provided in subsection E of this section.

*5. Maximum Height in Required Yard – Fill Slopes.*

a. No retaining walls or rockeries, or any combination of retaining walls or rockeries, to the extent used to raise grade and protect a fill slope, shall result in an increase in the finished grade by more than 72 inches at any point.

b. All retaining walls and/or rockeries within a required yard shall be included in calculating the maximum height of 72 inches.

c. Retaining walls or rockeries may be topped by a fence as provided in subsection E of this section.

E. Fences and Gates.

1. Fences or Gates in Required Yard.

a. Height Limits.

i. Side and Rear Yards. Fences and gates are allowed to a maximum height of 72 inches within required side or rear yards, provided the combined height of a fence and retaining wall or rockery for a fill slope authorized pursuant to subsection (D)(5) of this section shall not exceed a total height of 72 inches.

ii. Front Yards. Fences, gates, or any combination of retaining walls, rockeries and fences are allowed to a maximum height of 42 inches within required front yards.

b. Exceptions to Height Limits.

i. Fences within front yards may be designed to incorporate an open latticework or similar architectural feature at the entrance of a walkway, provided the total height of the entryway feature shall not exceed 90 inches. The open latticework or architectural feature shall be designed such that at least 50 percent of its total surface area consists of evenly distributed open spaces.

ii. Fences or gates located within the front yard may have a maximum height of 72 inches, provided:

(a) The proposed fence or gate is located along a property line contiguous to either: Island Crest Way north of SE 53rd Place, or SE 40th Street between 92nd Avenue SE and 78th Avenue SE; and

(b) The proposed fence or gate is located a minimum of five feet from the street property line and will be screened by landscaping designed to soften the presence of the fence; and

(c) The proposed fence or gate will not create a traffic, pedestrian, or public safety hazard.

2. Fill/Berms. No person shall place fill upon which to build a fence unless the total height of the fill plus the fence does not exceed the maximum height allowable for the fence without the fill.

3. Shorelines. Fences, rockeries and retaining walls located within any shoreland shall also comply with Chapter 19.07 MICC.

F. Electric and Barbed Wire Fences. Electric fences, barbed wire fences, or similar fences that could pose a safety risk are not allowed.

G. *Exceptions.* These provisions do not apply to fences required by state law to enclose public utilities, or to chain link fences enclosing school grounds or public playgrounds, or to screens used for safety measures in public recreation areas such as ballfields. (Ord. 19C-04 § 1 (Exh. A); Ord. 18C-05 § 1 (Att. A); Ord. 17C-15 § 1 (Att. A); Ord. 04C-12 § 11; Ord. 02C-09 § 2).

19.02.0601 Lot coverage— Regulated improvements.

A. *Applicability.* This section shall only apply to regulated improvements (for example, schools, noncommercial recreational areas, or religious buildings) in the residential zoning designations of R-8.4, R-9.6, R-12, and R-15.

B. *Gross Floor Area.* The total gross floor area of all structures on a lot shall not exceed:

1. 40% of the gross lot area, except:

a. For lots less than 3 acres that abut a commercial zone, the total gross floor area shall not exceed 75% of the gross lot area.

b. Parking structures or portions of parking structures accessory to conditional uses allowed under section 19.02.010.C and less than 4 feet above finished grade shall not be included in the gross floor area calculation.

C. *Maximum Impervious Surface Limits for Lots/Lot Coverage.* The total percentage of a lot that can be covered by impervious surfaces (including buildings) lot coverage is limited by the slope of the lot for all single-family zones as follows, based on the net lot area:

| Lot Slope            | Lot Coverage<br>(limit<br>for impervious<br>surfaces) |
|----------------------|---|
| Less than 15%        | 40% <sup>a</sup>                                      |
| 15% to less than 30% | 35%   |
| 30% to 50%           | 30%   |



| Lot Slope                        | Lot Coverage<br>(limit<br>for impervious<br>surfaces) |
|----------------------------------|---|
| Greater than<br>50% <u>slope</u> | 20%   |

\*Public and private schools, religious institutions, private clubs and public facilities (excluding public parks or designated open space) in single-family zones with slopes of less than 15 percent may be covered by the percentage of legally existing impervious surface that existed on May 1, 2006, or may multiply the limits set forth subsection C by 1.25, provided the lot abuts a commercial zone, as determined by the code official.

**CD. Exemptions.** The following improvements will be exempt from the calculation of the maximum impervious surface lot coverage limits set forth in subsection B-C of this section:

1. **Decks/Platforms.** Decks and platforms constructed with gaps measuring one-eighth inch or greater between the boards which provide free drainage between the boards as determined by the code official shall be exempt from the calculation of maximum lot coverage impervious surface limits so long as the surface below the deck or platform is not impervious.
2. **Pavers.** Pavers installed with a slope of five percent or less and covering no more than 10 percent of the total lot area will be calculated as only 75 percent impervious. Provided, however, that all pavers placed in driveways, private streets, access easements, parking areas and critical areas shall be considered 100 percent impervious.
3. **Pedestrian-Oriented Walkways.** Uncovered pedestrian walkways constructed with gravel or pavers not to exceed 60 inches in width shall be exempt from the maximum lot coverage impervious surface limits.
4. **Public Improvements.** Open storm water retention/detention facilities, public rights-of-way and public pedestrian trails shall be exempt from the maximum lot coverage impervious surface limits.
5. **Rockeries/Retaining Walls.** Rockeries and retaining walls shall be exempt from the maximum lot coverage impervious surface limits.
6. **Residences for Religious Leaders Located on Properties Used by Places of Worship.**

a. A structure primarily used as a residence for a religious leader provided by its congregation and located on the same lot or lots as the improvements for a church, synagogue, mosque, or other place of worship shall be exempt from the maximum lot coverage impervious surface limits, subject to the limitations under subsection (C)(6)(b) of this section.

All impervious surface areas directly and commonly associated with the residence such as, but not limited to, the footprint of the residence, an attached or detached garage, a patio and/or deck not otherwise exempted by subsections (C)(1) and (3) of this section, and a driveway not otherwise used for general access to the place of worship, shall be exempt.

b. A residence and its associated impervious improvements, as described above, may only be exempted if 4,999 square feet or less or up to 20 percent of lot area, whichever is less. For these purposes, lot area means the lot or lots on which the place of worship is located.

c. Impervious surface Lot coverage exceeding 60 percent shall not be allowed whether by variance to this section or by this exemption.

7. Unenclosed recreational areas, athletic fields, and similar areas with underdrainage systems, provided the rate of stormwater discharge is limited to that under natural conditions prior to development.

8. The area of green roofs on structures on the lot, provided that the rate of stormwater discharge is limited to that under natural conditions prior to development.

9. Access drives solely for the use of emergency vehicles, provided the driveway surface is constructed of grass block, or similar porous paving material.

DE. Height. Structure height shall not exceed 36 feet, except that structure height shall not exceed 45 feet farther than 150 feet from a public right of way or within than 300 feet of a commercial zone.

F. Height measurement. The calculation of structure height in subsection 19.02.020.E. may be modified, at the discretion of the applicant, as follows to permit the structure to respond to the topography of the lot:

1. Draw the smallest rectangle that encloses the principal structure.

2. Divide one side of the rectangle, chosen by the applicant, into sections at least 15 feet in length using lines that are perpendicular to the chosen side of the rectangle.

3. The sections delineated in this subsection E.2 are considered to extend vertically from the ground to the sky.

4. The maximum height for each section of the structure is measured from the average building elevation for that section of the structure, which is calculated as the average elevation of finished lot grades at the midpoints of the two opposing exterior sides of the rectangle for each section of the structure.



G. *Variance.* Regulated improvements in the R-8.4, R-9.6, R-12, and R-15 zoning designations may request a variance to increase lot coverage impervious-surface pursuant to MICC 19.15.230(F), (Ord. 17C-15 § 1 (Att. A)).

19.02.070 Swimming pools

- A. A swimming pool is not allowed in any front yard.
- B. A swimming pool is not allowed closer than five feet from any adjacent property measured from the edge of the water to the property line.
- C. A swimming pool located in a public park or noncommercial recreation area shall conform to the setback regulations governing such areas.
- D. All fences surrounding outdoor swimming pools shall conform to the requirements of MICC Title 17, (Ord. 04C-12 § 12; Ord. 99C-13 § 1. Formerly 19.02.060).
- ICode reviser's note: Ord. 17C-15 added a new Section 19.02.060 (Lot coverage -- Regulated improvements). This section has been editorially renumbered to 19.02.070 in order to accommodate the addition of the new section.

# EXHIBIT 16



**BUSINESS OF THE CITY COUNCIL  
CITY OF MERCER ISLAND**

**AB 5663  
February 18, 2020  
Regular Business**

**AGENDA BILL INFORMATION**

|                            |   |  |
|----------------------------|---|--|
| <b>TITLE:</b>              | AB 5663: Community Facility Code Amendment: Planning Commission Recommendation, Ordinance 20-04; 1 <sup>st</sup> Reading & Adoption | <input type="checkbox"/> Discussion Only<br><input checked="" type="checkbox"/> Action Needed:                                     |
| <b>RECOMMENDED ACTION:</b> | Adopt Ordinance 20-04   | <input checked="" type="checkbox"/> Motion<br><input checked="" type="checkbox"/> Ordinance<br><input type="checkbox"/> Resolution |

|                               |   |
|-------------------------------|---|
| <b>DEPARTMENT:</b>            | Community Planning and Development  |
| <b>STAFF:</b>                 | Evan Maxim, Director  |
| <b>COUNCIL LIAISON:</b>       | n/a   |
| <b>EXHIBITS:</b>              | 1. Planning Commission: Problem Statement<br>2. Ordinance 20-04 with Attachment A and B |
| <b>CITY COUNCIL PRIORITY:</b> | n/a   |

|                               |        |
|-------------------------------|--------|
| <b>AMOUNT OF EXPENDITURE</b>  | \$ n/a |
| <b>AMOUNT BUDGETED</b>        | \$ n/a |
| <b>APPROPRIATION REQUIRED</b> | \$ n/a |

**SUMMARY**

In November of 2018, the City Council approved the 2018 Comprehensive Plan amendments, which included policy language related to the establishment of a Community Facility zoning designation and related development regulations. In 2019, staff began working with the Planning Commission on draft regulations. This work was "paused" in June of 2019.

After adoption of the 2018 Comprehensive Plan amendments, an appeal was filed to the Growth Management Hearings Board ("GMHB") identifying 35 appeal issues. The City prevailed on 33 out of the 35 issues. One of the issues the City did not prevail on is related to the Community Facility zone amendment process. The GMHB established a compliance date in January 2020. Compliance with the GMHB decision requires that the City to either: A) adopt development regulations related to the Community Facility zone; or B) repeal the 2018 Comprehensive Plan amendments related to the Community Facility zoning designation.

On August 20, 2019, the City Council and Planning Commission held a joint study session ([AB 5594](#)) to discuss the proposed Community Facility regulations and zoning designation. Following the joint study session, the City Council asked the Planning Commission to:

1. Review the “problem statement” and determine if an alternative approach is warranted;
2. Explore alternative decision-making processes; and
3. Report back to the City Council for further direction.

The Planning Commission completed this work on January 29, 2020.

#### PLANNING COMMISSION RECOMMENDATION

The Planning Commission developed a problem statement related to the technical challenges associated with the current approach to regulating community organizations through the residential zoning designation. The Planning Commission then evaluated four different alternative approaches to formulate a recommended approach (Exhibit 1). In summary, the four alternative approaches evaluated include:

- Alternative 1: No change to the current regulations;
- Alternative 2: A change to the criteria for approval of a Conditional Use Permit (“CUP”);
- Alternative 3: A change to the CUP approval criteria and development of a tool (Master Plan); and
- Alternative 4: Continuing the work that was “paused” in June of 2019.

Following discussion, the Planning Commission developed a three-part recommendation to the City Council:

- **Part A – Discontinue Community Facility zone process:** Discontinue the work on the Community Facility zone. As a reminder, this planning process was “paused” in June of 2019.
- **Part B – Review/update CUP process and pursue code amendments:** Direct the Planning Commission to prepare a code amendment related to the following, as soon as possible:
  - Revise the CUP approval criteria for clarity and to address community concerns.
  - Review the “cap” on Gross Floor Area (GFA) for institutional uses.
  - Review the height limit for institutional uses.
- **Part C – Resume Community Facility zone process at a future date:** Consider re-initiating the code amendment associated with the Community Facility zone at a future date to be determined by the City Council.

The Planning Commission recommended the above three-part approach because in their opinion it represents a relatively narrow set of code amendments that would benefit the City widely. Specifically, the Commission opined that an update to the CUP criteria (as described in Part B) will modernize and clarify the criteria, which will benefit all CUP reviews. Similarly, a targeted amendment now to the GFA “cap” and the height limits, will address the potentially unintended consequences of the 2017 Residential Development Standards amendment, in particular the establishment of a GFA “cap” for non-residential uses in the residential zoning designations. The last component of the recommendation (Part C - to re-initiate the review at a later date), was intended to support a holistic review of the code related to community facilities at a time when there is community support to do so.

#### RECOMMENDATION

The Planning Commission recommends that the City Council abandon the original Community Facility rezoning and development regulations as described previously (Part A). The staff concurs with the Planning Commission recommendation on Part A and further recommends that the City Council suspend the City Council Rule of Procedure 6.3 and approve Ordinance No. 20-04 (Exhibit 2). This ordinance will repeal those portions of the



2018 Comprehensive Plan amendments related to the Community Facilities zone and development regulations and will achieve compliance with the Growth Management Hearings Board (GMHB) decision.

If the City Council desires to review Part B and/or Part C of the Planning Commission recommendations, the staff suggestion is to defer these discussions to a future City Council meeting.

#### NEXT STEPS

##### **French American School and Stroum Jewish Community Center Code Amendment**

In December 2019, the French American School ("FAS") and Stroum Jewish Community Center ("SJCC") notified the City that they were considering applying for a code amendment to be submitted by February 18, 2020. The City received a preliminary draft of this code amendment on February 7, 2020. The complete application for the code amendment was received on February 11, 2020, a day prior to the deadline for completing this packet material.

Based on a preliminary review of the code amendment, the FAS and SJCC application proposes a change to the development standards for the single-family residential zoning designations, specific to gross floor area limits, height limits, and lot coverage regulations. Additional staff time is needed to review the application prior to initiating further discussion with the City Council.

City Council review of the code amendment application will be scheduled for a future meeting and is tentatively planned for March 10, 2020. If the City Council desires to review and discuss Part B and/or Part C of the Planning Commission recommendation, a follow-up discussion may be planned for these items on the same night.

#### RECOMMENDATION

1. Suspend the City Council Rule of Procedure 6.3, requiring a second reading for an ordinance.
2. Adopt Ordinance No. 20-04, to repeal portions of the 2018 Comprehensive Plan amendments related to the Community Facility zone.

**EXHIBIT 17**

1608 SJCC / FASPS / HNT JOINT CAMPUS MASTERPLAN

**northwest studio**  
architects urban designers

1402 3<sup>rd</sup> ave, no 808, seattle, wa 98101  
206.788.8155  
www.northweststudio.com

**AGENDA**

Mtg Date: February 7, 2020  
Project: SJCC / FASPS / HNT Joint Campus Master Plan  
Subject: Proposed Code Amendment

**Approach**

1. Update "Regulated Improvements" to bring existing private schools, religious buildings, and community centers into code conformance while allowing property owners the ability to reasonably renovate and develop their properties.
2. Limit the applicability of most amendments to lots that abut commercial zones.

**Proposed Amendments**

|  | Pre-Residential Code Update   | Residential Code Update (Current Code)   | Proposed Amendments (Regulated Improvements Only)  |
|--|---|--|--|
| <b>Gross Floor Area</b><br>(19.02.020.D) | 45% of lot area for SF structures only. Regulated Improvements not specifically restricted; governed by height, setbacks, and lot coverage. | 40% of lot area for all structures, or: <ul style="list-style-type: none"> <li>• R-8.4: 5,000 sf, whichever is less.</li> <li>• R-9.6: 8,000 sf, whichever is less.</li> <li>• Etc.</li> </ul> | 40% of lot area <ul style="list-style-type: none"> <li>• Allow exceptions for substantially below grade parking structures (less than 4'-0" above grade).</li> <li>• Allow increase for lots less than 3-acres that abut a commercial zone.<sup>1</sup> (See 19.02.060.B.)</li> </ul>  |
| <b>Height</b><br>(19.02.020.E)           | 30', or 35' measured on the downhill side.  | 30', measured from average building elevation. Downhill façades measured from existing or finished grade, whichever is lower.  | 36' <ul style="list-style-type: none"> <li>• Allow increase to 45' farther than 150' from a public ROW or within 300' of a commercial zone. (See 19.02.060.E.)</li> <li>• Provide method of measurement to allow buildings to respond better to sloping sites. (See 19.02.060.F.)</li> </ul>   |
| <b>Lot Coverage</b><br>(19.02.060)       | 40%   | 40%  | 40% <sup>2</sup><br>Allow 25% increase for lots that abut a commercial zone (See 19.02.060.C.). Allow exceptions for usable open spaces, such as: <ul style="list-style-type: none"> <li>• Athletic and similar play fields</li> <li>• Occupiable green roofs or other structured landscaped area.</li> <li>• Grass block access drives solely for the use of emergency vehicles (See 19.02.060.D.)</li> </ul> |

<sup>1</sup> GFA in the C-O zone: max. building footprint = 35% of lot area; max. height = 36', which allows 3 floors; max. effective GFA as multiple of lot area is 0.35 x 3 = 1.05 times lot area.

<sup>2</sup> Change 19.02.060 from Impervious surface to lot coverage. Impervious surfaces are regulated by the MICC Title 15 and construction codes.



# EXHIBIT 18

### REQUEST FOR LEGAL OPINIONS

FROM: Robert A. Medved

TO: Mayor Wong, Deputy Mayor Weiker, Councilmember Anderl, Councilmember Jacobson, Councilmember Nice, Councilmember Reynolds, Councilmember Rosenbaum and City Manager Bon

CC: Interim City Attorney Parks and Community Planning & Development Director Maxim

DATE: March 2, 2020

RE: Request For Legal Opinions

---

### TABLE OF CONTENTS

- I. REQUEST FOR AND SCOPE OF LEGAL OPINIONS ..... 2
- II. DEFINED TERMS ..... 2
- III. LEGAL OPINIONS ..... 4
  - A. The Hill Proposal Requires Comprehensive Plan Text Amendments And Comprehensive Plan Map Amendments ..... 4
  - B. The Comprehensive Plan Text Amendments And The Comprehensive Plan Map Amendments For The Hill Proposal Must Be Docketed ..... 5
  - C. The Hill Proposal Requires Code Amendments ..... 6
  - D. The Hill Proposal Code Amendments Must Be Docketed ..... 6
  - E. The Planning Commission Recommendation Requires Comprehensive Plan Text Amendments And Comprehensive Plan Map Amendments ..... 8
  - F. The Comprehensive Plan Text Amendments And The Comprehensive Plan Map Amendments For The Planning Commission Recommendation Must Be Docketed ..... 9
  - G. The Planning Commission Recommendation Requires Code Amendments ..... 10
  - H. The Planning Commission Recommendation Code Amendments Must Be Docketed ..... 10
  - I. The Hill Proposal Creates A Non-Project Rezone ..... 11
  - J. The Hill Proposal Creates An Overlay Zone ..... 12
  - K. The Hill Proposal Creates A Spot Zone ..... 12
  - L. The JCC Site Is Not A "Noncommercial Recreational Area" ..... 13
  - M. The JCC's Undefined Uses Of The JCC Site ..... 14
- IV. LIST OF EXHIBITS ..... 15

## I. REQUEST FOR AND SCOPE OF LEGAL OPINIONS

This Request For Legal Opinions requests the City to render or obtain written legal opinions on the matters set forth below (“Legal Opinions”) and requests that the City Manager, as part of her duties,<sup>1</sup> oversees the rendering of those Legal Opinions. To the extent any of the Legal Opinions are qualified, those qualifications and the legal authority for those qualifications should be set out fully in and become part of the qualified Legal Opinion. For purposes of rendering and overseeing the Legal Opinions, the City and the City Manager should assume that the facts set forth in this Request For Legal Opinions are accurate.

The Legal Opinions should be rendered and delivered to me and to all Councilmember not later than the close of business two days prior to the day the City Council takes final action on how the City will move forward on the Hill Proposal (as defined below) and the Planning Commission Recommendation (as defined below).

## II. DEFINED TERMS

As used in this Request For Legal Opinions, the following terms shall have the following meanings:

1. “City” means the City of Mercer Island, Washington.
2. “Code” means Chapter 19.15 of the Mercer Island City Code.
3. “Comprehensive Plan Map” means the maps that the Growth Management Act requires as an included component of a Comprehensive Plan. *See, e.g.*, RCW 36.70A.070.
4. “Comprehensive Plan Text” means the text that the Growth Management Act requires as an included component of a Comprehensive Plan. *See, e.g.*, RCW 36.70A.07.
5. “Director” means the Director of Mercer Island’s Community Planning & Development Department.
6. “FASP” means the French American School Of Puget Sound, a private school.
7. “FASP Site” means the real property which is owned by the JCC and upon which the FASP School is located. The FASP Site is zoned commercial. No part of the FASP Site is zoned single-family residential. The commercially zoned FASP Site abuts the single-family residentially zoned JCC Site. The commercially zoned FASP Site does not include any part of the single-family residentially zoned JCC Site.

---

<sup>1</sup> The City Manager’s duties include, without limitation, seeing “that all laws and ordinances are faithfully executed....” *See* RCW 35A.13.080(3) *and see* Mercer Island City Code (“MICC”) 3.02.010.



8. "Former Director" means a former Director of Mercer Island's Community Planning & Development Department.
9. "GMA" means the Growth Management Act, Chapter 36.70A RCW.
10. "Hill Proposal" means the application presented by the Director to the City Council on February 18, 2020. The Hill Proposal is only applicable to sites that abut a commercial zone. See Video at: 1:33 through 1:37. A copy of the Hill Proposal is attached as **Exhibit 7**.
11. "JCC" means the Samuel and Althea Stroum Jewish Community Center of Greater Seattle.
12. "JCC Site" means the real property upon which the JCC is located. For purposes of this Request For Legal Opinions, a small single-family residential site which is owned by the FASP is included in the definition of the JCC Site. The JCC Site is zoned single-family residential. No part of the JCC Site is zoned commercial. The single-family residentially zoned JCC Site does not include any part of the commercially zoned FASP Site. The single-family residentially zoned JCC Site abuts the commercially zoned FASP Site. There is only one commercial zone on Mercer Island. See **Exhibits 1-2**. The single-family residentially zoned JCC Site is the only the single-family residentially zoned site that abuts a commercially zoned site on Mercer Island. See **Exhibits 1-4**. Two JCC Site maps are attached as **Exhibits 2-4**.
13. "JCC's Architect" means Ed Weinstein.
14. "JCC's Attorney" means Richard Hill.
15. "LUPA" means the Land Use Petition Act, Chapter 36.70C RCW.
16. "MICA" means the Mercer Island Center For The Arts.
17. "Planning Commission Recommendation" means the Planning Commission Recommendation presented by the Director to the City Council on February 18, 2020. The Director's Planning Commission Recommendation Staff Report is attached as **Exhibit 5**.
18. "Video" means the video of the February 18, 2020 City Council meeting.

### III. LEGAL OPINIONS

#### A. The Hill Proposal Requires Comprehensive Plan Text Amendments And Comprehensive Plan Map Amendments

##### *Partial Statement Of The Law:*

A Comprehensive Plan is comprised two required documents. The first required Comprehensive Plan document is the Comprehensive Plan Text. The second required Comprehensive Plan document is the Comprehensive Plan Map. The Comprehensive Plan Text must be consistent with the Comprehensive Plan Map. The Comprehensive Plan Text shall consist of descriptive text covering objectives, principles, and standards used to develop the Comprehensive Plan. *See, e.g., RCW 36.70A.070.*

Some rezones that are already authorized by the Comprehensive Plan Text of an existing Comprehensive Plan only need to amend the Comprehensive Plan Map. Other rezones that have not been authorized by the Comprehensive Plan Text of an existing Comprehensive Plan need to amend both the Comprehensive Plan Text and Comprehensive Plan Map. *See, e.g., Subsection I, infra, and Subsection J, infra.*

##### *Partial Statement Of The Facts:*

The Director has determined that the Hill Proposal creates a Non-Project Executive Rezone. *See Exhibit 7*, at p. 2. A Non-Project Rezone requires Comprehensive Plan amendments. *See Subsection I, infra.* The Hill Proposal creates an Overlay Zone. *See Subsection J, infra.* A Former Director has determined that: "A ... rezone would ... require a comprehensive plan amendment." *See Exhibit 8.* MICA, just like the Hill Proposal, applied for a Zoning Code Text Amendment. *See Exhibits 10-11. Compare Exhibit 7 with Exhibit 11.* MICA's application for a Zoning Code Text Amendment required a Comprehensive Plan Amendment. *See Exhibit 12.* The Hill Proposal creates a site-specific rezone. *See Subsection I, infra, and Subsection J, infra.* The Hill Proposal is only applicable to sites that abut a commercial zone. *See Video at: 1:33 through 1:37.* The JCC Site is less than ten acres in area. The JCC Site is zoned single-family residential. No part of the JCC Site is zoned commercial. The single-family residentially zoned JCC Site does not include any part of the commercially zoned FASP Site. The single-family residentially zoned JCC Site abuts the commercially zoned FASP Site. The Hill Proposal is only applicable to sites that abut a commercial zone. There is only one commercial zone on Mercer Island. *See Exhibits 1-2.* The single-family residentially zoned JCC Site is the only the single-family residentially zoned site that abuts a commercially zoned site on Mercer Island. *See Exhibits 1-4.*

##### *Request For Legal Opinions:*

Please provide a written legal opinion that the Hill Proposal requires Comprehensive Plan Text amendments.

Please provide a written legal opinion that the Hill Proposal requires Comprehensive Plan Map amendments.

Please provide a written legal opinion regarding the City's legal exposure and legal risks if the City does not require Comprehensive Plan Text amendments for the Hill Proposal.

Please provide a written legal opinion regarding the City's legal exposure and legal risks if the City does not require Comprehensive Plan Map amendments for the Hill Proposal.

**B. The Comprehensive Plan Text Amendments And The Comprehensive Plan Map Amendments For The Hill Proposal Must Be Docketed**

*Partial Statement Of The Law:*

MICC 19.15.230(D)(1)(b) provides:

1. *Preliminary Docket Review.* By September 1, the city will issue notice of the annual comprehensive plan and code amendment cycle for the following calendar year. The amendment request deadline is October 1. Proposed amendment requests received after October 1 will not be considered for the following year's comprehensive plan and code amendment process but will be held for the next eligible comprehensive plan and code amendment process.

\*\*\*

b. The code official shall review all complete and timely filed applications and suggestions proposing amendments to the comprehensive plan or code and place these applications and suggestions on the preliminary docket along with other city-initiated amendments to the comprehensive plan or code.

*Partial Statement Of The Facts:*

The Hill Proposal requires Comprehensive Plan Text amendments and Comprehensive Plan Map amendments. See **Subsection A**, *supra*.

*Request For Legal Opinions:*

Please provide a written legal opinion that the Comprehensive Plan Text amendments for the Hill Proposal must be placed on the Preliminary Docket.

Please provide a written legal opinion that the Comprehensive Plan Map amendments for the Hill Proposal must be placed on the Preliminary Docket.



Please provide a written legal opinion regarding the City's legal exposure and legal risks if City does not require the Comprehensive Plan Text amendments for the Hill Proposal to be placed on the Preliminary Docket.

Please provide a written legal opinion regarding the City's legal exposure and legal risks if the City does not require the Comprehensive Plan Map amendments for the Hill Proposal to be placed on the Preliminary Docket.

**C. The Hill Proposal Requires Code Amendments**

*Partial Statement Of The Facts:*

The Director has determined that the Hill Proposal requires Code amendments. See Video at: 1:56 through 2:15.

*Request For Legal Opinions:*

Please provide a written legal opinion that the Hill Proposal requires Code amendments.

Please provide a written legal opinion regarding the City's legal exposure and legal risks if the City does not require Code amendments for the Hill Proposal.

**D. The Hill Proposal Code Amendments Must Be Docketed**

*Partial Statement Of The Law:*

Code amendments, Comprehensive Plan Text amendments and Comprehensive Plan Map amendments must be place on the Preliminary Docket.

MICC 19.15.230(D)(1)(b) provides:

1. *Preliminary Docket Review.* By September 1, the city will issue notice of the annual comprehensive plan and code amendment cycle for the following calendar year. The amendment request deadline is October 1. Proposed amendment requests received after October 1 will not be considered for the following year's comprehensive plan and code amendment process but will be held for the next eligible comprehensive plan and code amendment process.

\*\*\*

b. The code official shall review all complete and timely filed applications and suggestions proposing amendments to the comprehensive plan or code and place these applications and suggestions on the preliminary docket along with other city-initiated amendments to the comprehensive plan or code.



Code Amendments, Comprehensive Plan Text amendments and Comprehensive Plan Map amendments must be considered together and therefore must be placed on the Preliminary Docket together.

MICC 19.15.230(G) provides:

*G. Combined Comprehensive Plan Amendment and Rezone.* In cases where both a comprehensive plan amendment and a rezone are required, both shall be considered together, and all public notice must reflect the dual nature of the request.

MICC 19.15.240(C)(7) provides:

7. If a comprehensive plan amendment is required in order to satisfy subsection (C)(1) of this section, approval of the comprehensive plan amendment is required prior to or concurrent with the granting of an approval of the rezone.

The Final Decision And Order in *Owners And Neighbors v. City of Mercer Island* ("Coen III") provides:

This Board does not presume to advise the City on what it should have done; we limit our holding here to the conclusion that the adoption of these ordinances created inconsistencies between the comprehensive plan, the land use map and the development regulations, in violation of RCW 36.70A.040.

\*\*\*

The Petitioners have met their burden in Issue 25 showing that adoption of the challenged ordinances created an inconsistency between the comprehensive plan and the development regulations concerning JCC property, in violation of RCW 36.70A.040.

***Partial Statement Of The Facts:***

The Director has determined that the Hill Proposal requires amendments to the Code. See Video at: 1:56 through 2:15.<sup>2</sup> The Hill Proposal requires Comprehensive Plan Text amendments. The Hill Proposal requires Comprehensive Plan Map amendments. See **Subsection A**, *supra*.

---

<sup>2</sup> The Hill Proposal was filed before February 18, 2020 and if standing alone arguable would not be required to be placed on the Preliminary Docket. The Hill Proposal does not stand alone. The Hill Proposal requires Comprehensive Plan Text amendments and Comprehensive Plan Map amendments. See, e.g., **Subsection A**, *supra*, and **Subsection B**, *supra*.

***Request For Legal Opinions:***

Please provide a written legal opinion that the Code amendments for the Hill Proposal must be considered together with the Comprehensive Plan Text amendments for the Hill Proposal.

Please provide a written legal opinion that the Code amendments for the Hill Proposal must be considered together with the Comprehensive Plan Map amendments for the Hill Proposal.

Please provide a written legal opinion that the Code amendments for the Hill Proposal must be placed on the Preliminary Docket together with the Comprehensive Plan Text amendments for the Hill Proposal.

Please provide a written legal opinion that the Code amendments for the Hill Proposal must be placed on the Preliminary Docket together with the Comprehensive Plan Map amendments for the Hill Proposal.

Please provide a written legal opinion regarding the City's legal exposure and legal risks if City does not require the Code amendments for the Hill Proposal to be placed on the Preliminary Docket together with the Comprehensive Plan Text amendments for the Hill Proposal.

Please provide a written legal opinion regarding the City's legal exposure and legal risks if City does not require the Code amendments for the Hill Proposal to be placed on the Preliminary Docket together with the Comprehensive Plan Map amendments for the Hill Proposal.

**E. The Planning Commission Recommendation Requires Comprehensive Plan Text Amendments And Comprehensive Plan Map Amendments**

***Partial Statement Of The Law:***

A Comprehensive Plan is comprised two required documents. The first required Comprehensive Plan document is the Comprehensive Plan Text. The second required Comprehensive Plan document is the Comprehensive Plan Map. The Comprehensive Plan Text must be consistent with the Comprehensive Plan Map. The Comprehensive Plan Text shall consist of descriptive text covering objectives, principles, and standards used to develop the Comprehensive Plan. *See, e.g., RCW 36.70A.070.*

***Partial Statement Of The Facts:***

The Planning Commission Recommendation is intended to benefit Mercer Island widely. The Planning Commission Recommendation intends to update Conditional Use Permit criteria to will benefit all Conditional Use Permit Reviews. The Planning Commission Recommendation intends to amend the gross floor area limits and the height limits in residential zones. The

Planning Commission Recommendation intends to undertake a holistic review of the Code. See Exhibit 5.

***Request For Legal Opinions:***

Please provide a written legal opinion that the Planning Commission Recommendation requires Comprehensive Plan Text amendments.

Please provide a written legal opinion that the Planning Commission Recommendation requires Comprehensive Plan Map amendments.

Please provide a written legal opinion regarding the City's legal exposure and legal risks if the City does not require Comprehensive Plan Text amendments for the Planning Commission Recommendation.

Please provide a written legal opinion regarding the City's legal exposure and legal risks if the City does not require Comprehensive Plan Map amendments for the Planning Commission Recommendation.

**F. The Comprehensive Plan Text Amendments And The Comprehensive Plan Map Amendments For The Planning Commission Recommendation Must Be Docketed**

***Partial Statement Of The Law:***

MICC 19.15.230(D)(1)(b) provides:

1. *Preliminary Docket Review.* By September 1, the city will issue notice of the annual comprehensive plan and code amendment cycle for the following calendar year. The amendment request deadline is October 1. Proposed amendment requests received after October 1 will not be considered for the following year's comprehensive plan and code amendment process but will be held for the next eligible comprehensive plan and code amendment process.

\*\*\*

b. The code official shall review all complete and timely filed applications and suggestions proposing amendments to the comprehensive plan or code and place these applications and suggestions on the preliminary docket along with other city-initiated amendments to the comprehensive plan or code.

***Partial Statement Of The Facts:***

The Planning Commission Recommendation requires Comprehensive Plan Text amendments. The Planning Commission Recommendation requires Comprehensive Plan Map amendments. See, e.g., **Subsection E**, *supra*.



***Request For Legal Opinions:***

Please provide a written legal opinion that the Comprehensive Plan Text amendments for the Planning Commission Recommendation must be placed on the Preliminary Docket.

Please provide a written legal opinion that the Comprehensive Plan Map amendments for the Planning Commission Recommendation must be placed on the Preliminary Docket.

Please provide a written legal opinion regarding the City's legal exposure and legal risks if City does not require the Comprehensive Plan Text amendments for the Planning Commission Recommendation to be placed on the Preliminary Docket.

Please provide a written legal opinion regarding the City's legal exposure and legal risks if the City does not require the Comprehensive Plan Map amendments for the Planning Commission Recommendation to be placed on the Preliminary Docket.

**G. The Planning Commission Recommendation Requires Code Amendments*****Partial Statement Of The Facts:***

The Director has determined that the Planning Commission Recommendation requires Code amendments. *See Video at: 1:56 through 2:15.*

***Request For Legal Opinions:***

Please provide a written legal opinion that the Planning Commission Recommendation requires Code amendments.

Please provide a written legal opinion regarding the City's legal exposure and legal risks if the City does not require Code amendments for the Planning Commission Recommendation.

**H. The Planning Commission Recommendation Code Amendments Must Be Docketed*****Partial Statement Of The Law:***

MICC 19.15.230(D)(1)(b) provides:

1. *Preliminary Docket Review.* By September 1, the city will issue notice of the annual comprehensive plan and code amendment cycle for the following calendar year. The amendment request deadline is October 1. Proposed amendment requests received after October 1 will not be considered for the following year's comprehensive plan and code amendment process but will be held for the next eligible comprehensive plan and code amendment process.

\*\*\*

b. The code official shall review all complete and timely filed applications and suggestions proposing amendments to the comprehensive plan or code and place these applications and suggestions on the preliminary docket along with other city-initiated amendments to the comprehensive plan or code.

***Partial Statement Of The Facts:***

The Director has determined that the Planning Commission Recommendation requires amendments to the Code. See Video at: 1:56 through 2:15.

***Request For Legal Opinions:***

Please provide a written legal opinion that the Code amendments for the Planning Commission Recommendation must be placed on the Preliminary Docket.

Please provide a written legal opinion regarding the City's legal exposure and legal risks if City does not require the Code amendments for the Planning Commission Recommendation to be placed on the Preliminary Docket.

**I. The Hill Proposal Creates A Non-Project Rezone**

***Partial Statement Of The Law:***

A site-specific rezone that is authorized by an existing comprehensive plan is a project rezone project permit approval. A site-specific rezone that is not authorized by an existing comprehensive plan is a non-project rezone under the GMA and under LUPA. See, e.g., *Schnitzer v. City Of Puyallup*, 416 P.3d 1172 (2018), *Spokane County v. Eastern Washington Growth Management Hearings Board*, 176 Wn.App. 555 (2013).

***Partial Statement Of The Facts:***

The Director has determined that the Hill Proposal creates "a non-project legislative rezone." See **Exhibit 7**, at p. 2. The Hill Proposal non-project legislative rezone is site-specific. See **Subsection K, infra**. See also **Exhibits 1-4**. The Hill Proposal rezone does not create a project rezone because the Hill Proposal rezone is not authorized by the City's existing Comprehensive Plan. The Hill Proposal does create "a non-project legislative rezone" because the Hill Proposal rezone is not authorized by the City's existing Comprehensive Plan.

***Request For Legal Opinions:***

Please provide a written legal opinion that the Hill Proposal creates a non-project legislative rezone.

Please provide a written legal opinion regarding the City's legal exposure and legal risks associated with the creation of a non-project legislative rezone.

**J. The Hill Proposal Creates An Overlay Zone*****Partial Statement Of The Law:***

*Schnitzer v. City Of Puyallup*, 416 P.3d 1172, 1174 (2018) defines an overlay zone by example:

In 2009, the city of Puyallup (City) created the "Shaw-East Pioneer Overlay Zone" (SPO zone) as part of an amendment to the City's comprehensive plan. An overlay zone, such as the SPO zone, establishes development criteria and standards to supplement the base zoning standards that already exist. (quotation marks in the original).

*Allingham v. City Of Seattle*, 109 Wn.2d 947, 949 (1988) also defines an overlay zone by example:

The Greenbelt Ordinance creates an "overlay zone", superimposing upon the existing or underline zoning regulations. The underlying zones affected include single-family residential zones, three levels of multi-family residential zones, and manufacturing and industrial zones. (quotation marks in the original).

***Partial Statement Of The Facts:***

The existing base or underlying zoning of the JCC Site is single-family residential. The existing base or underlying zoning of the JCC Site has existing development criteria, development standards and zoning regulations. The Hill Proposal seeks to overlay new development criteria, development standards and zoning regulations on the JCC Site only. See Subsection K, *infra*. See also Exhibits 1-4.

***Request For Legal Opinions:***

Please provide a written legal opinion that the Hill Proposal creates an overlay zone on the JCC Site.

Please provide a written legal opinion regarding the City's legal exposure and legal risks associated with the creation of an overlay zone on the JCC Site.

**K. The Hill Proposal Creates A Spot Zone*****Partial Statement Of The Law:***

*Chrobuck v. Snohomish County*, 78 Wn.2d 858, 872 (1971) defines spot zoning as follows:

Spot zoning is a zoning for private gain designed to favor or benefit a particular individual or group and not the welfare of the community as a whole.



*Smith v. Skagit County*, 75. Wn.2d 715, 743-45 (1969) provides:

The vice of a spot zone is its inevitable effect of granting a discriminatory benefit to one or a group of owners and to the detriment of their neighbors....

\*\*\*

We would accept as good sense the proposition ... that the matter of size in zoning a spot is relative and should be considered in relation to all other circumstances and conditions.

\*\*\*

This court has said that spot zoning is and should be universally condemned.... (internal citations omitted).

MICC 19.15.240(C)(4) provides:

4. The proposed reclassification does not constitute an illegal site-specific rezone.

***Partial Statement Of The Facts:***

The Hill Proposal creates a site-specific rezone. See, e.g., **Subsection I**, *supra*, and **Subsection J**, *supra*. The Hill Proposal is only applicable to sites that abut a commercial zone. See Video at: 1:33 through 1:37. The JCC Site is less than ten acres. The JCC Site is zoned single-family residential. No part of the JCC Site is zoned commercial. The single-family residentially zoned JCC Site does not include any part of the commercially zoned FASP Site. The single-family residentially zoned JCC Site abuts the commercially zoned FASP Site. The Hill Proposal is only applicable to sites that abut a commercial zone. There is only one commercial zone on Mercer Island. See **Exhibits 1-2**. The single-family residentially zoned JCC Site is the only the single-family residentially zoned site that abuts a commercially zoned site on Mercer Island. See **Exhibits 1-4**. The Hill Proposal site-specific rezone only benefits the JCC. The Hill Proposal site-specific rezone is detrimental to JCC's neighbors. The Hill Proposal site-specific rezone does not benefit the community as a whole.

***Request For Legal Opinions:***

Please provide a written legal opinion that the Hill Proposal creates a spot zone.

Please provide a written legal opinion regarding the City's legal exposure and legal risks if the City allows the creation of a spot zone.

**L. The JCC Site Is Not A "Noncommercial Recreational Area"**

***Partial Statement Of The Law:***

MICC 19.16 defines a noncommercial recreational area as follows:



*Noncommercial Recreational Area:* A recreational area maintained and operated by a nonprofit club or organization with specified limitations upon the number of members or limited to residents of a block, subdivision, neighborhood, community or other specific area of residence for the exclusive use of members and their guests.

***Partial Statement Of The Facts:***

JCC's Architect advised in writing that the "Proposed Code Amendment [should] Update 'Regulated Improvements' to bring existing private schools, religious buildings, and community centers into code conformance..." See **Exhibit 6**. The Hill Proposal attempted to accomplish this by adding "noncommercial recreational areas" into MICC 19.15.060(A.) which deals with "regulated improvements." See **Exhibit 7**. More than 25% of the JCC's members do not live on Mercer Island. The JCC is open to the public. The JCC does not have "specific limitations upon the number of [its] members." The JCC does not limit its members "to residents of a block, subdivision, neighborhood, community or other specific area of residence." The JCC is not limited to "the exclusive use of members and their guests."

***Request For Legal Opinions:***

Please provide a written legal opinion that the JCC Site is not a noncommercial recreational area.

Please provide a written legal opinion regarding the City's legal exposure and legal risks if the City continues to allow the JCC to assert that the JCC Site is a noncommercial recreational area.

**M. The JCC's Undefined Uses Of The JCC Site**

***Partial Statement Of The Law:***

Any use in a single-family residential zone that is not expressly permitted by MICC 19.02 is prohibited. See MICC 19.02.010.

***Partial Statement Of The Facts:***

An August 23, 2016 e-mail from JCC's Architect to Scott Greenberg and Nicole Gaudette provides: "Scott then discussed our need to establish the definition of the existing use for the facility as it would be important for our ongoing entitlement purposes. A quick review of the copies of the existing Conditional Use Permit did not clarify this issue." See **Exhibit 9**. The JCC never established a definition for the existing use of the JCC Site until the Hill Proposal was filed with the City. The Hill Proposal attempted to define the existing use of the JCC Site as a "noncommercial recreational area." The existing use of the JCC Site is not "noncommercial recreational area." See **Subsection L, supra**. The existing use of the JCC Site is still undefined.

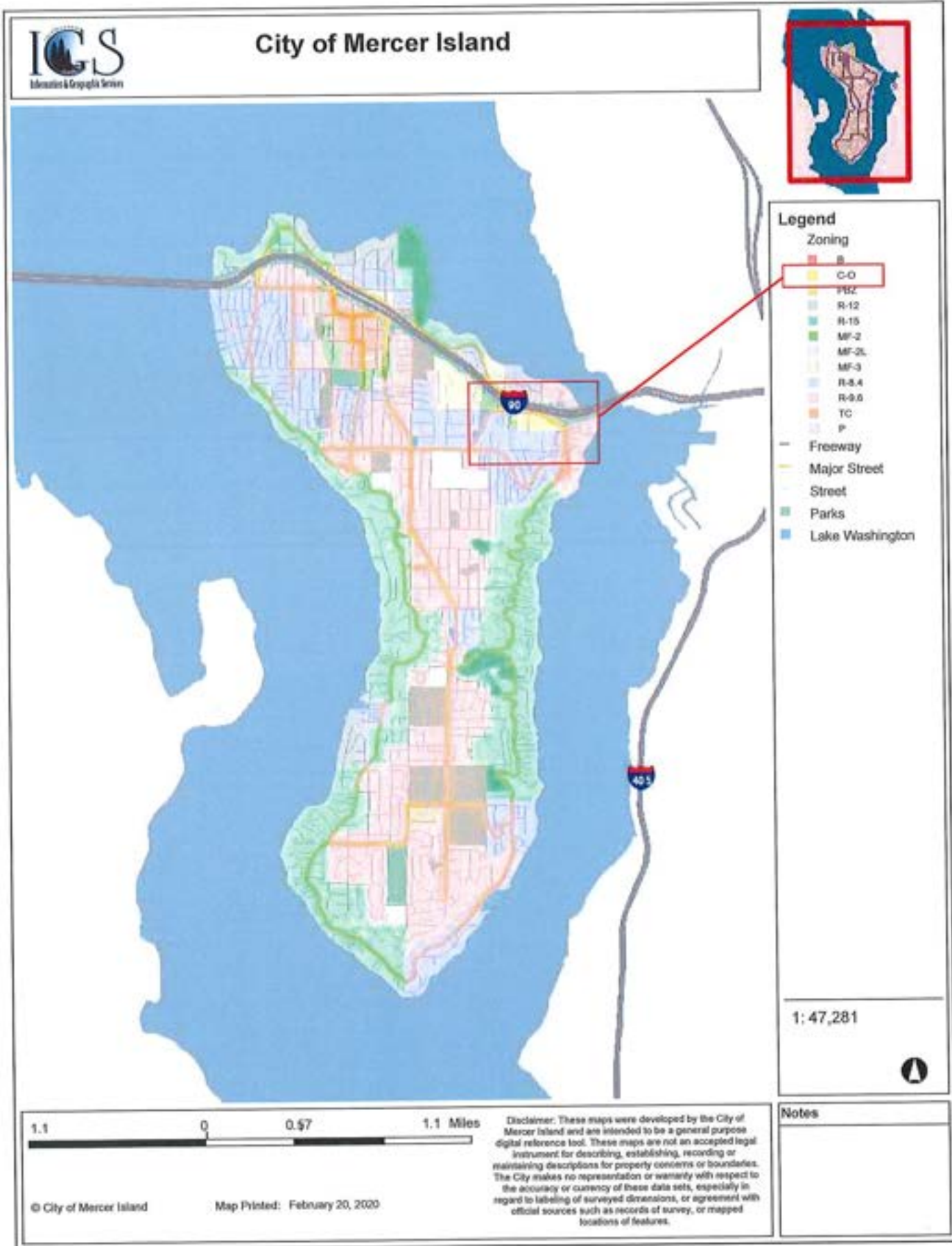
***Request For Legal Opinion:***

Please provide a written legal opinion regarding the City's legal exposure and legal risks if the City continues to allow the JCC to not define its use of the JCC Site.

**IV. LIST OF EXHIBITS**

|    |   |
|----|---|
| 1  | City Of Mercer Island Map   |
| 2  | Mercer Island Zoning Map  |
| 3  | JCC Site Map (large scale)  |
| 4  | JCC Site Map (small scale)  |
| 5  | Planning Commission Recommendation                                      |
| 6  | February 7, 2020, Meeting Agenda  |
| 7  | Hill Proposal   |
| 8  | August 12, 2016, E-Mail   |
| 9  | August 23, 2016, E-Mail   |
| 10 | June 16, 2016, MICA Application For A Zoning Code Text Amendment        |
| 11 | MICA Zoning Code Text Amendment   |
| 12 | September 30, 2016, MICA Application For A Comprehensive Plan Amendment |

# EXHIBIT 19





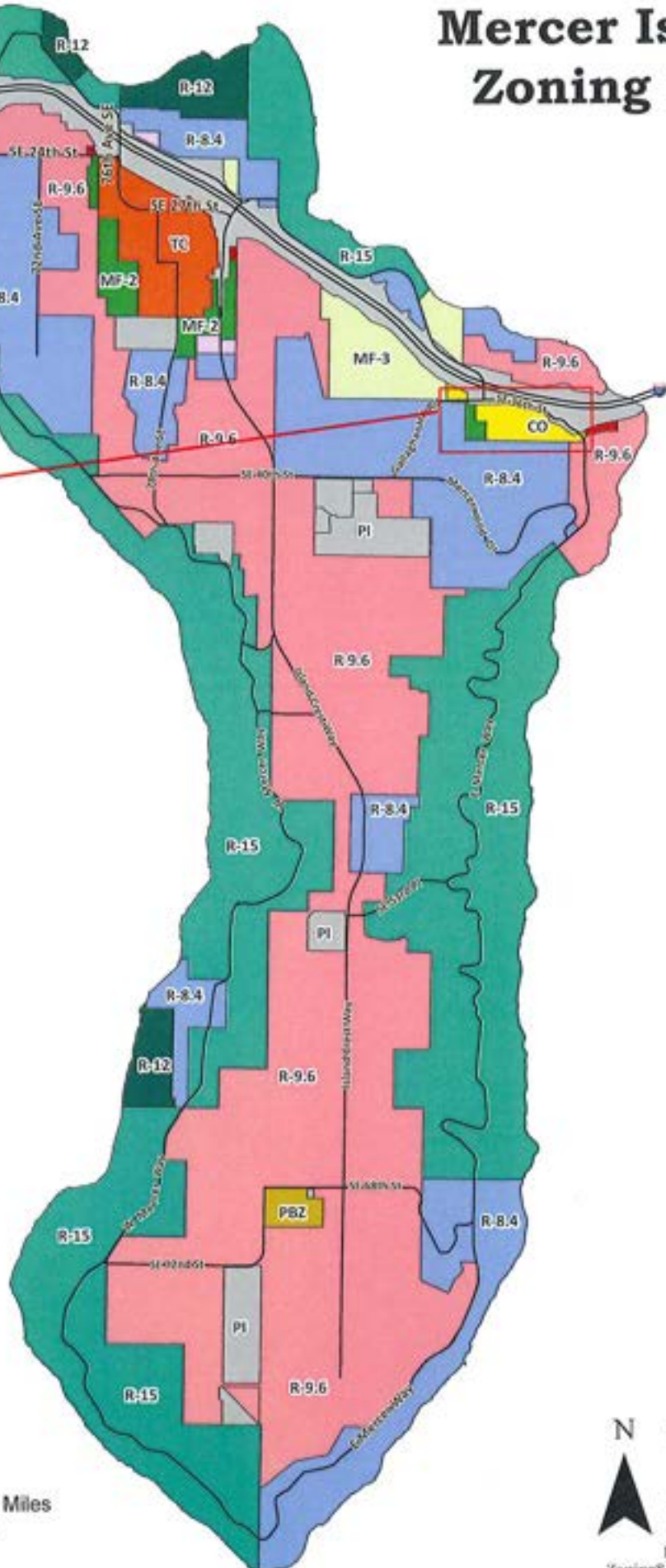
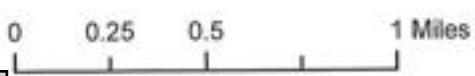
# Mercer Island Zoning Map

- B: Business
- C-O Commercial Offices
- PBZ Planned Business Zone
- R-8.4 Residential 8,400 sq. ft. lot
- R-9.6 Residential 9,600 sq. ft. lot
- R-12 Residential 12,000 sq. ft. lot
- R-15 Residential 15,000 sq. ft. lot
- MF-2 Multi-Family  
Maximum density 38 units/acre
- MF-2L Multi-Family  
Maximum density 26 units/acre
- MF-3 Multi-Family  
Maximum density 26 units/acre
- TC Town Center
- PI Public Institution

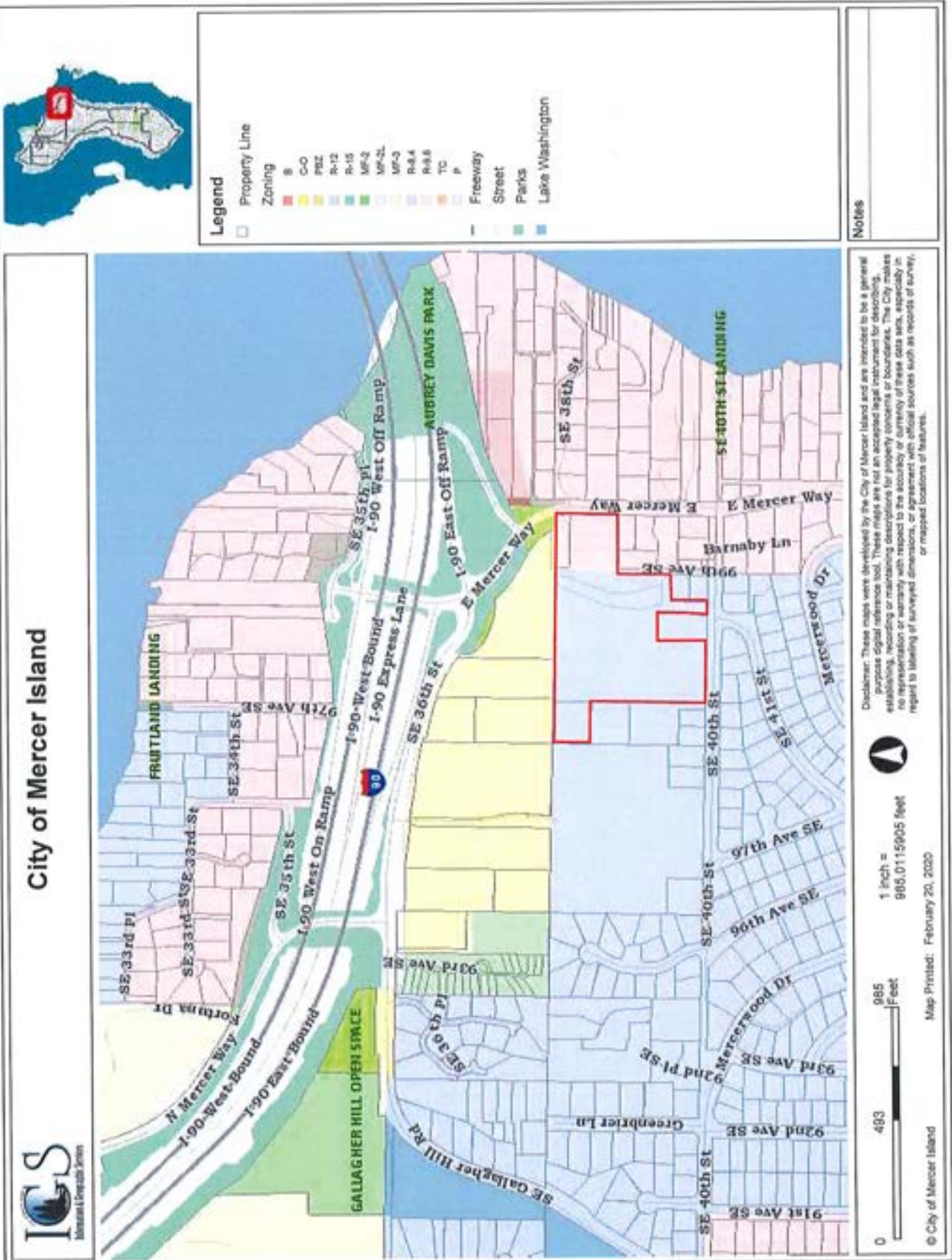
In general the zone boundaries coincide with the center of the public right of way and plat boundaries. In other areas it coincides with lot lines. In a few cases it splits a parcel or lot.

In some areas parcels are split by two zones. This is not a mistake. Please consult with a City planner to determine the correct designation for your property.

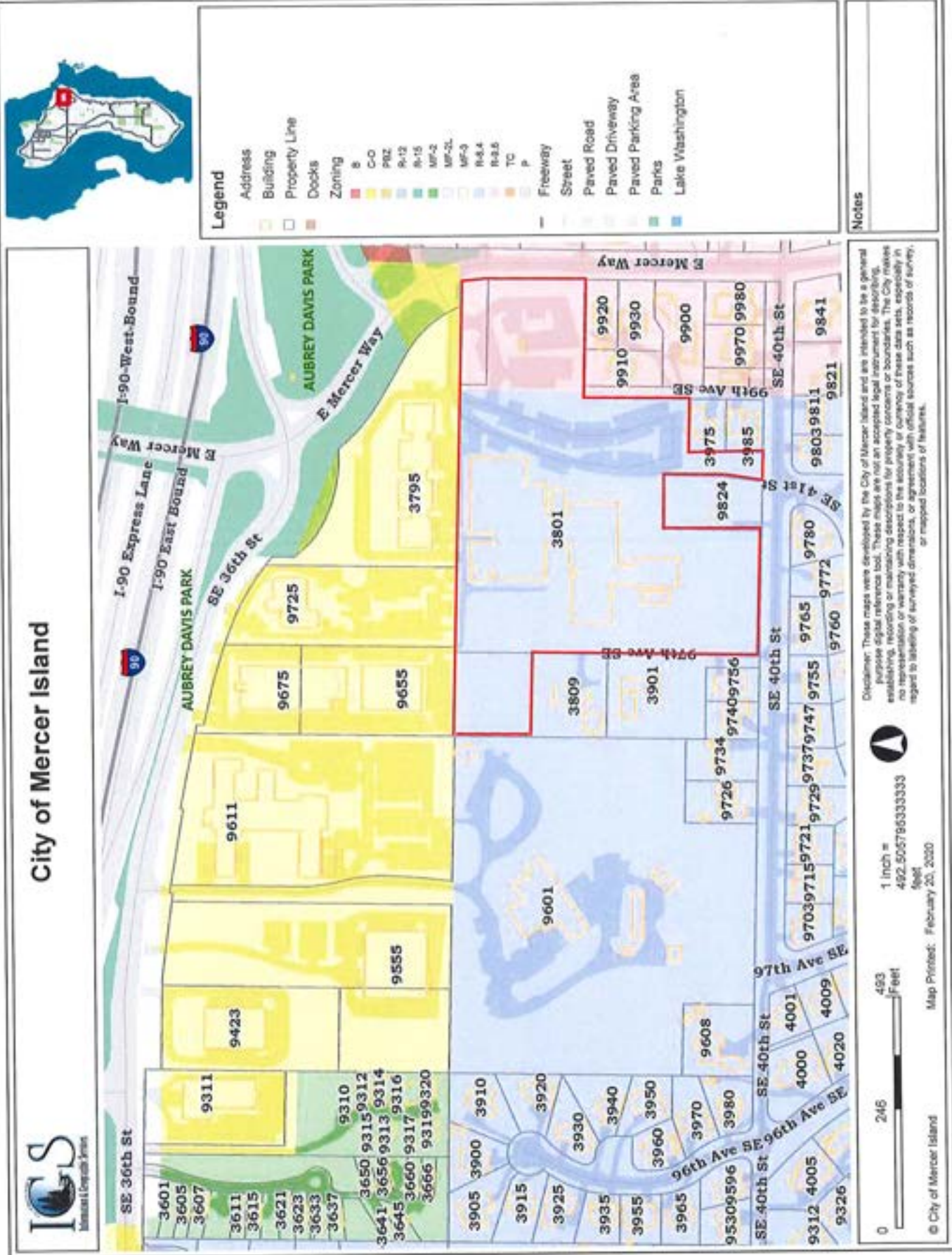
Original map Adopted: Ord 99C-13  
 Amended: Ord 00C-06  
 Amended: Ord 05C-13  
 Amended: Ord 13C-02  
 Amended: Ord 14C-07  
 Amended: Ord 14C-10  
 Amended: DR16-01  
 DSG Director's Memo dated 06/10/2016  
 Amended: Ord 17C-24  
 Amended: Ord 18C-14



  
 Information & Geographic Services  
 Map Date: 11/29/2018  
 Zoning5.5x11\_11-29-2018.mxd









# EXHIBIT 20



BRICKLIN & NEWMAN LLP  
lawyers working for the environment

Reply to: Seattle Office

March 6, 2020

*Via Email Only to:*  
*council@mercergov.org*  
*evan.maxim@mercergov.org*

**Mercer Island City Council**  
**9611 SE 36th St.**  
**Mercer Island, WA 98040**

Re: Jewish Community Center, Herzl-Ner Tamid, and French American School proposal to amend the residential code

Dear City Council:

On behalf of our client, the Concerned Neighbors for the Preservation of Our Community, we submit this comment in opposition to the proposal by the Jewish Community Center, Herzl-Ner Tamid, and French American School (hereafter, collectively, "JCC") to amend the residential code.

The JCC failed to explain what plans it has for its property that would require the residential code to be amended. The amendments it proposes would, if adopted, violate the Growth Management Act. As explained below, the amendments are inconsistent with and fail to implement the Comprehensive Plan. The JCC's proposed amendments to the residential code represent another attempt by the JCC to short-circuit the requirements of the Growth Management Act. The proposed amendments should be rejected, not forwarded to the Planning Commission.

In its letter to the Council dated February 25, the JCC describes a "Shared Goal" of "improving [the JCC's] facilities to meet the evolving needs of the Mercer Island community." No further description of this so-called Shared Goal is given. The JCC claims this Shared Goal represents the "general community consensus," but no evidence for that is given, either.

Although no one other than the JCC actually knows what the JCC's so-called Shared Goal is for its property, the JCC nonetheless proposes a major overhaul of the Mercer Island residential code. The JCC's proposal should be rejected.

Mercer Island City Council  
 March 6, 2020  
 Page 2

If the JCC wishes to expand its property, the Growth Management Act provides a clear process for doing so: The City must amend the Comprehensive Plan for residential neighborhoods to allow expansion of major facilities; adopt development regulations in the residential neighborhoods to implement the new vision; and then re-designate and rezone the JCC property.

Last year, the Growth Management Hearings Board rejected an attempt by the City to short-circuit this process with the “Community Facility Zone” re-designation of the JCC property. This latest proposal by the JCC will fare no better, because it makes the same mistake: It fails to follow the planning sequence required by the Growth Management Act.

The City Council should decline to forward the JCC’s proposed zoning regulations to the Planning Commission. Instead, the Council should invite the JCC, and the rest of the community, to collaborate on amendments to the Comprehensive Plan—the first step in the process the Growth Management Act requires. Following this process will allow the actual “general community census” to be heard, not a false consensus that only serves one constituent.

## **I. JCC’s proposal**

The JCC attempts to downplay the significance of its proposal. The JCC claims it proposes “minor modifications” to the existing provisions relating to gross floor area, height, and lot coverage. The JCC claims that the proposed changes are “narrowly tailored to only to those properties that abut existing commercial zones. As a result, it will not be perceived as a threat to single-family zones in other parts of the city.” “That is all,” says the JCC’s letter. “It is that simple.”

That is not all, and it is not that simple. In reality, the JCC’s proposal is not a minor modification but a complete overhaul of the rules that currently govern the JCC property. In addition, the impact of the proposal goes beyond the JCC property and extends city-wide.

### **1. Gross floor area**

First, the JCC proposal vastly expands the gross floor area limits in the residential zone as those limits are applied to “regulated improvements.” See JCC Application, at 13 (“This section [meaning the gross floor area limits] does not apply to regulated improvements”).

Currently, the gross floor area of uses in the residential zones are capped at:

- a. R-8.4: 5,000 square feet or 40 percent of the lot area, whichever is less.
- b. R-9.6: 8,000 square feet or 40 percent of the lot area, whichever is less.
- c. R-12: 10,000 square feet or 40 percent of the lot area, whichever is less.
- d. R-15: 12,000 square feet or 40 percent of the lot area, whichever is less.

Mercer Island City Council  
 March 6, 2020  
 Page 3

These restrictions preserve open space and view, because, no matter how large a landowner's lot is, the total floor area cannot exceed these limits. The JCC's proposal vastly expands these limits for regulated improvements. Single-family houses would still be subject to the limits.

Regulated improvements include any use allowed in the residential zones except single-family houses (and appurtenant structures), so things like private recreational areas (e.g., outdoor and indoor climbing walls; horseback riding facilities; tennis courts, swimming pools); public schools; home businesses as an accessory use to the residential use; ADUs; special needs group housing; work-release facilities and other transitional housing; day cares as an accessory use; and religious centers. All of these would receive expanded gross floor limits under the JCC proposal.

Under the JCC's proposal, regulated improvements citywide (not just those near commercial zones) would have a 40% lot coverage cap, except lots less than three acres in size abutting a commercial zone would have a 75% lot coverage cap. *See* JCC Application at 25.

This means that large lots could exceed the square footage limits that currently apply, and small lots are granted a much higher cap than currently apply

Contrary to the JCC's claim (JCC letter at 3), the new 40% lot coverage cap applies citywide, not just in lots adjacent to commercial.

A couple of illustrations demonstrates the significant impact of the proposal:

- Currently, a two-acre lot in the R-9.6 zone, and abutting a commercial zone, would be limited to 8,000 square feet of development.

Under the JCC proposal, that same two-acre lot would have a floor area limit of 65,340 square feet of development, more than eight times as much.<sup>1</sup>

- Currently, a four-acre lot in the R-12 zone would be limited to 10,000 square feet.

Under the JCC proposal, that same four-acre lot would have a floor area limit of 69,696 square feet, nearly seven times as much. And, this new limit applies anywhere in the city, not just near commercial zones.<sup>2</sup>

## 2. Height

Currently, all uses in the residential zones, single-family houses and regulated improvements alike, are subject to a 30-foot height limit. The JCC proposal would increase those limits for regulated improvements in the following fashion:

All regulated improvements, citywide, would have a 36-foot height limit.

<sup>1</sup> Calculation: Two acres is 87,120 square feet. 75% of two acres is 63,340 square feet.

<sup>2</sup> Calculation: Four acres is 174,240 square feet. 40% of four acres is 69,696 square feet.



Mercer Island City Council  
 March 6, 2020  
 Page 4

Regulated improvements further than 150 feet from a public right of way would gain a 45-foot height limit.

Regulated improvements 300 feet or closer to a commercial zone would have a 45-foot height limit.

Again, contrary to the JCC's letter, this is a citywide amendment. It does not apply only to the JCC property. Any property more than 150 feet from a public right-of-way, which would likely include properties within subdivisions that have private streets rather than public streets, could take advantage of the new 45-foot height limit for regulated improvements. A 45-foot-tall private, standalone, indoor swimming pool, for example, would be an allowed use under these regulations. (And, if the squash court were on a lot abutting a commercial zone, the squash courts could occupy a floor area consisting of 75% of a three-acre lot. For reference, this is more than double the area of the QFC in Town Center.)

### 3. **Lot Coverage**

Currently, all uses in the residential zones, single-family houses and regulated improvements alike, are subject to a 40% lot coverage limit.

The JCC proposal would increase this limit to 50% for schools, religious institutions, private clubs, and public facilities. *See JCC Application*, at 26.

However, the JCC proposal adds that certain uses do not count against the lot coverage limit, including: unenclosed recreational areas, athletic fields, and similar areas with underdrainage systems; green roofs on structures; and access drives for emergency vehicles.

Under these rules, the hypothetical giant, private swimming pool described above would be subject to no lot coverage limits at all, so long as it had a green roof.

## II. **Violation of the Growth Management Act**

The Growth Management Act requires all development regulations to be consistent with, and implement, the Comprehensive Plan. RCW 36.70A.040(3).

"Consistency" means that no feature of a plan or regulation is incompatible with any other feature of a plan or regulation. WAC 365-196-210(8). "Consistency" means that one plan provision or regulation does not preclude achievement of any other plan provision. *Central Wash. Growers Ass'n v. Chelan Cty.*, EWGMHB No. 16-1-0002, FDO (May 19, 2017), at 5.

"Implement" has a more affirmative meaning than merely "consistent." "Implement" connotes not only a lack of conflict but also a sufficient scope to fully carry out the goals, policies, standards and directions contained in the comprehensive plan. WAC 365-196-800(1).

Mercer Island's Comprehensive Plan contains strong protections for the city's residential neighborhood. These protections include:

Mercer Island City Council  
 March 6, 2020  
 Page 5

**Goal 15:** Mercer Island should remain **principally** a low density, single family residential community.

**Goal 15.1:** Existing land use policies, which strongly support the preservation of existing conditions in the single-family residential zones, will continue to apply. Changes to the zoning code or development standards will be accomplished through code amendments

**Goal 17:** With the exception of allowing residential development, commercial designations and permitted uses under current zoning will not change.

The JCC's plan not only fails to implement these policies, it is inconsistent with them. The JCC's plan increases density at the cost of the single-family residential community. The allowance of new buildings, 50% taller and seven or eight times larger in bulk, does not "preserve existing conditions in the single-family residential zones." On the contrary, the allowance for expanded facilities allows large, commercialized structures in the residential zones. As more of these expanded facilities get built over time, the residential zones will cease to be "principally" low-density, single-family communities and will become, instead, commercialized zones characterized by expanded facilities whose height and bulk dominate the surrounding houses. The presence of these expanded structures precludes the neighborhood protection goals cited above from being carried out, which is the definition of inconsistency under the GMA.

In support of its proposal, JCC cites only one goal, 17.4, which says:

Social and recreation clubs, schools, and religious institutions are predominantly located in single family residential areas of the Island. Development regulation should reflect the desire to retain viable and healthy social, recreational, educational, and religious organizations as community assets which are essential for the mental, physical and spiritual health of Mercer Island.

However, the JCC's proposed regulations do not implement this goal. The JCC's proposed regulations allow not just social clubs, schools, and religious institutions but *all* regulated improvements to take advantage of the increased size limits. Nothing in Goal 17.4 authorizes an increase in these other uses.

Moreover, even Goal 17.4 must still be consistent with the neighbor protection policies cited above. Currently, the code achieves consistency because it provides for the same size limits in the residential zones regardless of use type. Thus, a school in a residential zone is allowed under current regulations, but only if it is limited in size such that it fits in with the neighborhood. This assures that the residential uses do not get overrun by the non-residential uses – in the words of the Plan, that the district remains "principally" single family. The JCC's proposal does away with this careful balance and instead imposes enormous, commercial sized structures in the residential zones, with no attempt made to fit in with the principal, single-family use.

As the examples above show, the JCC's proposal allows for far more than some modest increase, consistent with the long-standing regulations that have governed the single-family neighborhoods for decades. The proposal is, in reality, a total overhaul of the size, scale and bulk of uses allowed

Mercer Island City Council  
March 6, 2020  
Page 6

in the neighborhoods. Such a drastic increase is not contemplated in the existing Comprehensive Plan. Implementing such an increase would be inconsistent with, and would fail to implement, the existing Comprehensive Plan, in violation of the GMA.

### **III. Conclusion**

If the JCC is interested in expanding its existing use, it must first obtain a Comprehensive Plan amendment to allow such expanded use, and only then propose development regulations to implement the new vision for Mercer Island's neighborhoods.

There are no short-cuts to this process. It is slow by design. The process is intended to allow for a careful, citywide political dialogue to determine if, in fact, this community really does want to see 45-foot-tall, 60,000-square-foot structures in its single-family residential zones.

The JCC invites the City to ignore all that in the name of a false "general community consensus" that does not actually exist. The City should decline the JCC's invitation to violate the GMA. The Council should not refer the proposed amendment to the Planning Commission.

Very truly yours,

BRICKLIN & NEWMAN, LLP



Alex Sidles  
*Attorney for the Concerned Neighbors  
for the Preservation of Our Community*

Cc: Client



# EXHIBIT 21

**From:** Rich Hill  
**To:** Jessi Bon  
**Subject:** Zoning Code Text Amendment Application  
**Date:** Wednesday, September 9, 2020 2:16:37 PM

---

Ms. Bon –

As you know, I am the applicant for a zoning code text amendment application for a non-project, legislative proposal that addresses the unintended consequences of the recent Residential Code Update. I submitted the request on February 11, 2020.

I understand that the upcoming City Council meeting is scheduled to include on its agenda a discussion of the request. However, given the many pressing issues before the City at this time, I would ask the City Council to postpone consideration of the request at this time, and to place it once again on the City work plan such that it can be addressed by March 15, 2021.

With that said, I also ask the City to maintain the request as an active application in the meantime. The request remains very important, to allow appropriate development of improvements in the City including community centers, recreational facilities, schools, and educational uses that serve Mercer Island residents.

Please let me know if you have any questions.

G. Richard Hill

G. Richard Hill  
 Attorney at Law  
**McCULLOUGH HILL LEARY, PS**  
 701 Fifth Avenue, Suite 6600  
 Seattle, Washington 98104  
 Tel: 206.812.3388  
 Fax: 206.812.3389  
 Cell: 206.930.7828  
[rich@mhseattle.com](mailto:rich@mhseattle.com)  
[www.mhseattle.com](http://www.mhseattle.com)

CONFIDENTIALITY NOTICE: This email message may be protected by the attorney/client privilege, work product doctrine or other confidentiality protection. If you believe that it has been sent to you in error, do not read it. Please reply to the sender that you have received the message in error.

## EXHIBIT 22



# City Council Regular Video Meeting

09/15/2020 05:00 PM

9611 SE 36th Street, Mercer Island, WA 98040

*In compliance with the Americans with Disabilities Act, those requiring accommodation for Council meetings should notify the City Clerk's Office at least 24 hours prior to the meeting at 206.275.7793.*

## EXECUTIVE SESSION, 5:00 PM

To discuss with legal counsel pending or potential litigation pursuant to RCW 42.30.110(1)(i) for approximately 30 minutes. All Councilmembers, City Attorney, and staff will be participating remotely using teleconferencing technology provided by Microsoft Teams.

## CALL TO ORDER & ROLL CALL, 5:30 PM

## PLEDGE OF ALLEGIANCE

## AGENDA APPROVAL

## CITY MANAGER REPORT

## APPEARANCES

## CONSENT CALENDAR

1. Approve **Accounts Payable** Reports for the periods ending:
  - A) August 28, 2020 in the amount of \$588,921.53
  - B) September 4, 2020 in the amount of \$1,016,186.85

2. Certification of **Payroll** dated September 11, 2020.

3. **Minutes** of the September 1, 2020 Regular Video Meeting.

4. AB 5751: WRIA 8 Interlocal Agreement Amendment

**Recommended Action:** Authorize the City Manager to sign the First Amendment to the Interlocal Agreement for the Watershed Basins within Water Resource Inventory Area 8.

## REGULAR BUSINESS

5. AB 5752: Public Hearing on Emergency Ordinance No. 20C-17 to Temporarily Allow Private Parking and Right-of-way Use by Businesses to Meet Safe Start Guidelines

**Recommended Actions:**

1. Conduct Public Hearing for Emergency Ordinance No. 20C-17 to Temporarily Allow Private Parking and Right-of-way Use by Businesses to Meet Safe Start Guidelines.
2. Receive staff update on businesses that have utilized the ordinance allowances and additional plans for assisting existing eating and drinking establishments.

6. AB 5748: Permit Expiration Extension (Ordinance No. 20C-21 First Reading and Adoption)

**Recommended Actions:**

1. Suspend Council Rules of Procedure 6.3 and 10.1 requiring second reading of an ordinance.
2. Adopt Ordinance No. 20C-21, allowing the building official to extend permits for an additional 6 months.

7. AB 5750: G. Richard Hill Code Amendment Initial Review and Direction

**Recommended Action: Three alternative motions for consideration:**

1. Decline further review of the G. Rich Hill Code Amendment Application and refund the application fees.
2. Remand the G. Rich Hill Code Amendment Application to the Planning Commission for review.
3. Postpone initial action on the G. Rich Hill Code Amendment Application and set a new City Council review date and possible initial action in 2021.

8. AB 5749: Temporary Increase in Utility Tax Rates (Ordinance No. 20C-20 Second Reading and Adoption) and Interfund Loans Authorization (Resolution No. 1586) for Potential Litigation Costs to Enforce the Terms of the City's 2017 Settlement Agreement with Sound Transit.

**Recommended Actions:**

1. Adopt Ordinance No. 20C-20 temporarily increasing utility tax rates to raise additional revenue for potential litigation to enforce the terms of the City's 2017 Settlement Agreement with Sound Transit.
2. Pass Resolution No. 1586 authorizing interfund loans in the amount of \$750 thousand each, for a combined total of \$1.5 million, from the City's water and utility funds to the General Fund.
3. Appropriate \$1.5 million in loan proceeds authorized in Resolution No. 1586 for litigation costs.

9. AB 5754: City Council direction on proposed PIC recommendations to the SCA Board of Directors

**Recommended Action:** Discuss PIC potential action and provide direction to Mayor Wong and Councilmember Rosenbaum.

**OTHER BUSINESS**

10. Planning Schedule



## 11. Councilmember Absences & Reports

### **EXECUTIVE SESSION**

To discuss with legal counsel pending or potential litigation pursuant to RCW 42.30.110(1)(i) for approximately 60 minutes. All Councilmembers, City Attorney, and staff will be participating remotely using teleconferencing technology provided by Microsoft Teams.

### **ADJOURNMENT**

**EXHIBIT 23**





## CITY COUNCIL MINUTES REGULAR VIDEO MEETING SEPTEMBER 15, 2020

### EXECUTIVE SESSION

At 5:01 pm, Mayor Wong convened an Executive Session for approximately 30 minutes to discuss with legal counsel litigation or potential litigation pursuant to RCW 42.30.110(1)(l).

Mayor Benson Wong, Deputy Mayor Wendy Weiker and Councilmembers Lisa Anderl, Jake Jacobson, Salim Nice, Craig Reynolds, and David Rosenbaum participated remotely using a teleconferencing platform provided by Microsoft Teams.

City Manager Jessi Bon participated from City Hall and City Attorney Bio Park participated in the executive session from a remote location.

At 5:26 pm, Mayor Wong adjourned the Executive Session.

After a brief break, Council went into open session at 5:31 pm.

### CALL TO ORDER & ROLL CALL

Mayor Benson Wong called the meeting to order at 5:00 pm from a remote location.

Mayor Benson Wong, Deputy Mayor Wendy Weiker and Councilmembers Lisa Anderl, Jake Jacobson, Salim Nice, Craig Reynolds, and David Rosenbaum participated remotely using a video teleconferencing platform by Zoom.

City Manager Bon and City Clerk Deborah Estrada participated remotely from separate rooms at City Hall, 9611 SE 36th Street, Mercer Island, Washington. The Mercer Island City Leadership Team participated from remote locations.

### PLEDGE OF ALLEGIANCE

Councilmember Lisa Anderl led the Council in the Pledge of Allegiance.

### AGENDA APPROVAL

It was moved by Jacobson; seconded by Anderl to:

**Approve the agenda as presented.**

A roll call vote was conducted, and the results were as follows:

Passed 7-0

FOR: 7 (Anderl, Jacobson, Nice, Reynolds, Rosenbaum, Weiker and Wong)

### CITY MANAGER REPORT

City Manager Bon reported on the following:

- COVID-19 Update
- City Service Update
  - Luther Burbank Docks Open House & Waterfront Plaza Repairs
  - Thrift Shop Open Sundays and Thank you to volunteers
  - Fall Recycling Event

- Fire Department
  - Remember 9/11
  - Small local fire and Mutual Aid Assistance
  - Search & Rescue Team deployed to Oregon
  - Local burn ban & fire safety
- National Preparedness Month
- Paving Project at MI Park & Ride
- Pop-up StoryWalk
- Friends of the Mercer Island Library – Pop-Up Sale in Town Center
- City Council Special Meeting

## APPEARANCES

Mark Madden, Mercer Island – Expressed concern that information shared at Sound Transit's Open House was incorrect and misleading.

The following individuals encouraged City Council to reject the G. Richard Hill Code Amendment:

- Ryan Rahlfs, Mercer Island
- John Hall, Mercer Island
- Matt Goldbach, Mercer Island

## CONSENT CALENDAR

Approve **Accounts Payable** Reports:

- A) August 28, 2020 in the amount of \$588,921.53
- B) September 4, 2020 in the amount of \$1,016,186.85

**Recommendation:** Certify that the materials or services herein before specified have been received and that all warrant numbers listed are approved for payment.

Approve **Certification of Payroll** dated September 11, 2020 in the amount of \$720,104.18

**Recommendation:** Certify that the materials or services specified have been received and that all fund warrants are approved for payment.

Approve **Minutes** of the September 1, 2020 Regular Video Meeting.

AB 5751: WRIA 8 Interlocal Agreement Amendment.

**Recommended Action:** Authorize the City Manager to sign the First Amendment to the Interlocal Agreement for the Watershed Basins within Water Resource Inventory Area 8.

It was moved by Anderl; seconded by Reynolds to:

**Approve the Consent Calendar as presented.**

A roll call vote was conducted, and the results were as follows:

Passed 7-0

FOR: 7 (Anderl, Jacobson, Reynolds, Rosenbaum, Nice, Weiker, and Wong)

## REGULAR BUSINESS

**AB 5752: Public Hearing on Emergency Ordinance No. 20C-17 to Temporarily Allow Private Parking and Right-of-way Use by Businesses to Meet Safe Start Guidelines**

Mayor Wong opened the public hearing at 6:15 pm.

There being no comments by the public, Mayor Wong closed the public hearing at 6:16 pm.

EOC Small Business Liaison Sarah Bluvás explained that on August 4, 2020, the City Council unanimously passed Emergency Ordinance No. 20C-17 which enabled local eating and drinking establishments to use Right-of-Way and private parking to expand outdoor seating. The ordinance assisted businesses impacted by the



COVID-19 Pandemic emergency in operating under the Safe Start Washington phased guidelines for reopening.

Bluvas further explained that staff continue to actively reach out to eating and drinking establishments about outdoor seating opportunities and have scheduled additional trash pick-ups in Town Center to off-set the increase in takeout and other garbage. Additional support activities include free consulting service for small business, a new marketing campaign called MInext, and distributing information about the King County Small Business Emergency Grant Program.

#### **AB 5748: Permit Expiration Extension (Ordinance No. 20C-21 First Reading and Adoption)**

Deputy CPD Director Alison Van Gorp reported that the COVID-19 pandemic has adversely impacted construction sites. Van Gorp went on to explain that given the impacts of the Pandemic, staff recommend a code amendment allowing the Building Official to authorize a permit extension of up to 6-months during or after a declared emergency, when the emergency has resulted in work stoppage or significant delays to the construction project. The 6-month extension would be granted upon request by the permit applicant at no additional fee. The permit extension may be requested at the end of the two-year period, or at the end of the three-year period, if the applicant had already applied for an extension. Van Gorp further noted that the maximum period for a permit to be active will be 3.5 years under the proposed code amendment.

It was moved by Nice; seconded by Jacobson to:

**Suspend Council Rules of Procedure 6.3 and 10.1 requiring second reading of an ordinance.**

A roll call vote was conducted, and the results were as follows:

Passed 7-0

FOR: 7 (Anderl, Jacobson, Reynolds, Rosenbaum, Nice, Weiker, and Wong)

It was moved by Nice; seconded by Jacobson to:

**Adopt Ordinance No. 20C-21, allowing the building official to extend permits for an additional 6 months.**

A roll call vote was conducted, and the results were as follows:

Passed 7-0

FOR: 7 (Anderl, Jacobson, Reynolds, Rosenbaum, Nice, Weiker, and Wong)

#### **AB 5750: G. Richard Hill Code Amendment Initial Review and Direction**

Deputy CPD Director Alison Van Gorp explained that the G. Richard Hill Code Amendment Application was submitted on February 11, 2020 on behalf of the French American School and the Stroum Jewish Community Center. The amendment would allow exceptions to the lot coverage, height, and gross floor area requirements for regulated improvements, to include schools, noncommercial recreational areas, and religious buildings. Van Gorp further explained that the Application was previously scheduled for review at the March 2020 City Council meeting which was canceled due to the Pandemic. Review of the Application was then further delayed due to Pandemic-related restrictions on public meetings last spring, limiting the City Council meeting agenda to items that were "necessary and routine" or specifically related to COVID-19.

Council debated the following three options presented by staff at length:

1. Decline further review of the G. Rich Hill Code Amendment Application and refund the application fees.
2. Remand the G. Rich Hill Code Amendment Application to the Planning Commission for review.
3. Postpone initial action on the G. Rich Hill Code Amendment Application and set a new City Council review date and possible initial action in 2021.

Staff also reported that the applicant sent an email supporting postponing review of the application (Option 3).

It was moved by Jacobson; seconded by Anderl to:

**Decline further review of the G. Rich Hill Code Amendment Application and refund the application fees.**

A roll call vote was conducted, and the results were as follows:

Failed 4-3

AGAINST: 4 (Reynolds, Rosenbaum, Weiker, and Wong)

FOR: 3 (Anderl, Jacobson, and Nice)

It was moved by Reynolds; seconded by Rosenbaum to:



**Postpone initial action on the G. Rich Hill Code Amendment Application and set a new City Council review date and possible initial action no later than March 2021.**

Passed: 4-3

FOR: 4 (Reynolds, Rosenbaum, Weiker, and Wong)

AGAINST: 3 (Anderl, Jacobson, and Nice)

**AB 5749: Temporary Increase in Utility Tax Rates (Ordinance No. 20C-20 Second Reading and Adoption) and Interfund Loans Authorization (Resolution No. 1586) for Potential Litigation Costs to Enforce the Terms of the City's 2017 Settlement Agreement with Sound Transit.**

City Manager Jessi Bon reported that on September 1, 2020, the City Council set Ordinance No. 20C-20 for a second reading and adoption on September 15, 2020. She continued, explaining that Ordinance No. 20C-20 temporarily increases the utility tax rate on water, sewer, and stormwater utilities within Mercer Island from 5.3 percent to 8.0 percent for a 36-month period from November 1, 2020 through October 31, 2023. The new tax revenue would be used to pay back the interfund loans authorized by Resolution No. 1586. Resolution No. 1586 would authorize the City's water and sewer utility funds to lend \$750 thousand each, for a combined total of \$1.5 million, to the General Fund to finance the cost of potential litigation to enforce the terms of the City's 2017 Settlement Agreement with Sound Transit. Bon also explained that there would be no penalty for early repayment of the loan and that if the City is able to resolve its dispute with Sound Transit without expending the full amount borrowed, the interfund loan may be paid back early.

It was moved by Reynolds; seconded by Jacobson to:

**Adopt Ordinance No. 20C-20 temporarily increasing utility tax rates to raise additional revenue for potential litigation to enforce the terms of the City's 2017 Settlement Agreement with Sound Transit.**

A roll call vote was conducted, and the results were as follows:

Passed 7-0

FOR: 7 (Anderl, Jacobson, Reynolds, Rosenbaum, Nice, Weiker, and Wong)

It was moved by Rosenbaum; seconded by Jacobson to:

**Pass Resolution No. 1586 authorizing interfund loans in the amount of \$750 thousand each, for a combined total of \$1.5 million, from the City's water and utility funds to the General Fund..**

A roll call vote was conducted, and the results were as follows:

Passed 7-0

FOR: 7 (Anderl, Jacobson, Reynolds, Rosenbaum, Nice, Weiker, and Wong)

It was moved by Jacobson; seconded by Weiker to:

**Appropriate \$1.5 million in loan proceeds authorized in Resolution No. 1586 for litigation costs.**

A roll call vote was conducted, and the results were as follows:

Passed 7-0

FOR: 7 (Anderl, Jacobson, Reynolds, Rosenbaum, Nice, Weiker, and Wong)

**AB 5754: City Council direction on proposed PIC recommendations to the SCA Board of Directors**

Mayor Wong reported that the Public Issues Committee (PIC) met on September 9 and addressed the following items that might require future action by PIC representatives on behalf of member cities:

1. SCA 2021 Legislative Agenda - This information may help the City Council formulate the Mercer Island 2021 Legislative Agenda. The committee discussion emphasized the importance of keeping the agenda "tight" and "focused" due to the budgetary constraints facing the State of Washington.

Staff will prepare Legislative Priorities for discussion at a future Council meeting.

2. Affordable Housing Committee - PIC members were asked to solicit comments and feedback regarding HB 1590. Most cities at the PIC meeting had not discussed HB 1590 and, those that had, did not indicate a desire to proceed with a city-imposed sales tax increase due to the economic recession.

There were general comments that the King County Council needed to collaborate with cities on the use of the additional sales tax revenue. Some Councilmembers hoped that there would be some ability for cities to exercise local control over the amount of additional sales tax raised within that city while others asked

whether some portion of the new sales tax revenue raised from sales on Mercer Island could be provided to ARCH to further its mission.

3. Vision 2050 - SCA is looking for direction from SCA-member cities about Snohomish County's proposed amendment. Whether to approve or reject the amendment as part of Vision 2050 would be presented to the PSRC Executive Board on September 24, 2020. PIC has asked that PIC representatives ascertain the position of their respective city councils relative to this amendment and to convey those positions to PIC as soon as possible.

City Council did not agree on a corporate position relative to this amendment that can be shared with the SCA representatives and the PSRC Executive Board.

## **OTHER BUSINESS**

### **Planning Schedule**

City Manager Bon reminder Council that a Special Meeting was scheduled for Tuesday, September 22 and would include a preview of the biennial budget and a Thrift Shop Project update.

There will be three Council meetings in a row – October 6, October 13, and October 20.

### **Councilmember Absences**

There were no absences to report.

### **Councilmember Reports**

Councilmember Anderl:

- OSCT meeting in October
- Utility Board meeting on September 23

Councilmember Rosenbaum:

- MISD PTA is finalizing its meeting schedule.
- Expressed concern for the antisemitic comments and images on the Mercer Island School District's platform and made himself available to students that wanted to talk about it.

Councilmember Jacobson

- Commented on the late meetings notices sent out by the Eastside Transportation Partnership.
- Recognized several volunteers that have worked to eliminate ivy and blackberry bushes in Homestead Park.

Councilmember Nice – Reported that Rite Aid is interested in participating in drive-thru flu shots.

Mayor Wong:

- Attended King County Regional Water Quality Committee meeting on September 2
- SCA will be sending an email encouraging Councilmembers to sign up for regional committees
- Attended K4C Outreach Committee meeting on September 11
- K4C Meeting on October 8 open to elected officials
- Email string regarding King County Parks Levy Amendment, that was sent to Councilmembers earlier in the day, was withdrawn.

There being no additional business, the Regular Video Meeting adjourned at 8:16 pm.

## **EXECUTIVE SESSION**

At 8:20 PM, Mayor Wong convened the Executive Session to discuss with legal counsel pending or potential litigation pursuant to RCW 42.30.110(1)(i) for approximately 60 minutes. All Councilmembers, City Attorney, and

staff participated remotely using teleconferencing technology provided by Microsoft Teams.


No action was taken, and Mayor Wong adjourned the Executive Session at 9:22 PM

**ADJOURNMENT**

There being no additional business, the Regular Video Meeting adjourned at 9:23 pm.

Attest:

  
\_\_\_\_\_  
Deborah A. Estrada, City Clerk

  
\_\_\_\_\_  
Benson Wong, Mayor

# EXHIBIT 24



**From:** Rich Hill <rich@mhseattle.com>  
**Sent:** Monday, February 1, 2021 3:30 PM  
**To:** Holly Mercier <holly.mercier@mercergov.org>  
**Cc:** Jeff Thomas <jeff.thomas@mercerisland.gov>; Alison Van Gorp <alison.vangorp@mercergov.org>  
**Subject:** Re: Withdrawal of Development Application for Code Amendment

Holly --

On second thought, could you send the check directly to the JCC?

Amy Lavin  
Stroum JCC  
3801 E Mercer Way  
Mercer Island, WA 98040

Thanks!

Rich

G. Richard Hill  
Attorney at Law  
McCullough Hill Leary, ps  
701 Fifth Avenue, Suite 6600  
Seattle, Washington 98104  
Tel: 206.812.3388  
Fax: 206.812.3389  
rich@mhseattle.com

[www.mhseattle.com](http://www.mhseattle.com)

**CONFIDENTIALITY NOTICE:** This email message may be protected by the attorney/client privilege, work product doctrine or other confidentiality protection. If you believe that it has been sent to you in error, do not read it. Please reply to the sender that you have received the message in error, then delete it. Thank you.

---

**From:** Holly Mercier <holly.mercier@mercergov.org>  
**Sent:** Monday, February 1, 2021 12:33 PM  
**To:** Rich Hill <rich@mhseattle.com>  
**Cc:** Jeff Thomas <jeff.thomas@mercerisland.gov>; Alison Van Gorp <alison.vangorp@mercergov.org>  
**Subject:** RE: Withdrawal of Development Application for Code Amendment

Sounds good, we'll send the check to your attention. You should expect to see it within two weeks.

Thanks,  
Holly

**From:** Rich Hill <rich@mhseattle.com>  
**Sent:** Monday, February 01, 2021 12:30 PM  
**To:** Holly Mercier <holly.mercier@mercergov.org>  
**Cc:** Jeff Thomas <jeff.thomas@mercerisland.gov>; Alison Van Gorp <alison.vangorp@mercergov.org>  
**Subject:** Re: Withdrawal of Development Application for Code Amendment

Yes please, thanks Holly. I very much appreciate your prompt response.

G. Richard Hill  
Attorney at Law  
McCullough Hill Leary, ps  
[701 Fifth Avenue, Suite 6600](#)  
[Seattle, Washington 98104](#)  
Tel: [206.812.3388](tel:206.812.3388)  
Fax: [206.812.3389](tel:206.812.3389)  
[rich@mhseattle.com](mailto:rich@mhseattle.com)  
[www.mhseattle.com](http://www.mhseattle.com)

CONFIDENTIALITY NOTICE: This email message may be protected by the attorney/client privilege, work product doctrine or other confidentiality protection. If you believe that it has been sent to you in error, do not read it. Please reply to the sender that you have received the message in error, then delete it. Thank you.

On Feb 1, 2021, at 12:17 PM, Holly Mercier <[holly.mercier@mercergov.org](mailto:holly.mercier@mercergov.org)> wrote:

Hello Mr. Hill,

I am working on processing the refund for the filing fee discussed in the email below.

The refund check will be made out to the Stroum Jewish Community Center. Should the check be mailed to your attention at 701 Fifth Avenue, Ste. 6600, Seattle, WA 98104?

Thank you,

Holly

**Holly Mercier**  
Permit Services Manager

City of Mercer Island - Community Planning & Development  
206.275.7707 | [mercerisland.gov/cpd](http://mercerisland.gov/cpd) |  
<image001.png>

<image002.jpg>

*Due to the COVID-19 outbreak, Community Planning and Development has modified our operations. City Hall and the Permit Center are closed to the public. There is no "walk in" permit service; staff are working remotely and services are being continued via remote operations. More information is available on the City's website: [www.mercerisland.gov/cpd](http://www.mercerisland.gov/cpd). Please contact us by phone for general customer support at 206-275-7626.*

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

**From:** Jeff Thomas  
**Sent:** Monday, February 1, 2021 9:38 AM  
**To:** Rich Hill <[rich@mhseattle.com](mailto:rich@mhseattle.com)>  
**Cc:** Bio Park <[bio.park@mercergov.org](mailto:bio.park@mercergov.org)>; Jessi Bon <[jessi.bon@mercergov.org](mailto:jessi.bon@mercergov.org)>  
**Subject:** RE: Withdrawal of Development Application for Code Amendment

Mr. Hill,

Thank-you for the messages - the City is in receipt of both.

Your withdrawal request will be processed as will a full refund for the application fee.

Please allow two to three weeks for refund processing.

Best regards, Jeff Thomas

**From:** Rich Hill <[rich@mhseattle.com](mailto:rich@mhseattle.com)>  
**Sent:** Monday, February 1, 2021 9:10 AM  
**To:** Jeff Thomas <[jeff.thomas@mercerisland.gov](mailto:jeff.thomas@mercerisland.gov)>  
**Cc:** Bio Park <[Bio.Park@mercergov.org](mailto:Bio.Park@mercergov.org)>; Jessi Bon <[jessi.bon@mercergov.org](mailto:jessi.bon@mercergov.org)>  
**Subject:** Withdrawal of Development Application for Code Amendment

Jeff --

This confirms the voice mail message I left with you this morning.

As you know, I have submitted a Development Application for Code Amendment ("Application"). It was stamped received by the Mercer Island Department of Community

Planning and Development ("Planning") on February 11, 2020. It was accompanied by an application filing fee of \$23,559.22 ("Filing Fee").

At that time, Evan Maxim, the then Director of Planning, confirmed to the Applicant that the Application was accepted by the City, was complete, and that the Filing Fee that accompanied the Application was for the fee required by the City to accept and process the Application (SEPA @ \$2657.00 + Code Amendment @ \$20,902.22). Mr. Maxim also confirmed to the Applicant that the filing fee would be returned in the event the Application was withdrawn prior to the City's commencement of processing the Application.

The Application was for a Mercer Island Zoning Code Text Amendment, a non-project legislative proposal to address the unintended consequences of the recent Residential Code Update, as to Regulated Improvements.

To date, the City Council, due to other legislative priorities, has yet to authorize Planning to commence processing the Application.

The Applicant has determined, due to the exigencies of COVID, and in recognition of the priorities of the City Council, that it is appropriate at this time to withdraw the Application. The Applicant reserves the right to re-submit the Application at some future date, either in its current or in some modified form.

Accordingly, and in this light, the Applicant hereby withdraws the Application.

Since, as of this date, the City has not commenced processing the Application, the Applicant also respectfully requests the Filing Fee be returned to the Applicant. The Applicant understands, of course, that if the Application, in its current or in some modified form, is re-submitted, that it will be accompanied by the filing fee required by such a Development Application in effect at the time of re-submission.

Please confirm receipt of this withdrawal of Development Application and that the City accepts its withdrawal.

Your courtesy is appreciated.

Sincerely,

G. Richard Hill, Applicant

G. Richard Hill  
Attorney at Law  
McCullough Hill Leary, ps

701 Fifth Avenue, Suite 6600  
Seattle, Washington 98104  
Tel: [206.812.3388](tel:206.812.3388)  
Fax: [206.812.3389](tel:206.812.3389)  
[rich@mhseattle.com](mailto:rich@mhseattle.com)

[www.mhseattle.com](http://www.mhseattle.com)

CONFIDENTIALITY NOTICE: This email message may be protected by the attorney/client privilege, work product doctrine or other confidentiality protection. If you believe that it has been sent to you in error, do not read it. Please reply to the sender that you have received the message in error, then delete it. Thank you.

# EXHIBIT 25





|                        |  |                     |                      |
|------------------------|--|---------------------|----------------------|
| <b>Project</b>         | <b>Meeting Notes</b>   | <b>Project No.</b>  | SDCI Land Use #: TBD |
|                        | SJCC Replacement/Renovation  |                     | WAU: 16007           |
| <b>Subject Present</b> | <b>Pre-Application Meeting</b>   | <b>Meeting Date</b> | TBD                  |
|                        |  |                     |                      |
| <b>Copies to</b>       | Attendees, file  |                     |                      |
| <b>Report by</b>       | Kirsten Wild, Weinstein A+U  | <b>Issued On</b>    | 1/25/22              |
| <b>Attached</b>        | Project Narrative (2 pages).<br>Concept Design & Diagrams uploaded separately (21 pages) |                     |                      |

PROJECT NAME AND ADDRESS  
 Stroum Jewish Community Center  
 3801 E. Mercer Way  
 Mercer Island, WA 98040

PRE-APPLICATION MEETING

Zoning: R-8.4, R-9.6

Please see attached Project Narrative. See also Concept Design package (includes pages referenced below).

LAND USE CODE QUESTIONS

| Item No.     | Item   | Discussion   |
|--------------|--|--|
| 19.02.010(C) | Conditional Use.   | <i>Confirm: New CUP will be required, and the process for CUP and any required variances will be a single process.</i> |
| 19.02.020(C) | Dev. Standards – Yard requirements.<br>See page 5.<br>Setbacks are proposed per 19.02.010(C)(2): at least 35' from any abutting property, and at least 45' from any public right-of-way. | <i>Confirm methodology for</i>   |



---

**determining side yard setbacks.**

---

|                 |  |
|-----------------|--|
| 19.02.020(D)    | <p>Dev. Standards – Gross floor area. R-8.4: 5,000 sf or 40% of lot area, whichever is less (5,000 sf); R-9.6: 8,000 sf or 40% lot area, whichever is less (8,000 sf).<br/>         See page 18. Existing GFA calculated per MICC 19.02.020(D)(2) is 112,672 sf; Proposed GFA is 130,399 sf + Parking Garage GFA of 81,509 sf.</p> <p><b>For a regulated improvement, clarify how GFA relates to lot coverage. Is a variance for GFA required in addition to a variance for lot coverage? Reference 19.06.110(B)(1).</b></p> |
| 19.02.020(E)    | <p>Dev. Standards – Building height limit. See pages 6 &amp; 7. Height limit is 30' above the Average Building level (ABE).</p> <p><b>Confirm: proposed project, with ABE of 120.7' for the Community Center (max. height of 150.7') meets the allowable height limits.</b></p> <p><b>Confirm: Auditorium is an existing nonconforming condition.</b></p> <p><b>For garage, see item 19.02.040(C)(2) below</b></p>   |
| 19.02.020(F)    | <p>Dev. Standards – Lot coverage – Single-family dwellings.</p> <p>Not applicable, see 19.02.060(B), below.</p>  |
| 19.02.020(G)(4) | <p>Dev. Standards – Parking. "...each lot shall provide parking deemed sufficient by the code official for the use occurring on the lot..."<br/>         See pages 11 &amp; 12.<br/>         Existing lot has 159 surface stalls; proposed project has 70 surface stalls and 282 structured parking stalls for a total of 352 stalls.</p> <p><b>Confirm: final parking count to be</b></p>   |

---

|                 |   |
|-----------------|---|
|                 | <b><i>established in coordination with a Traffic Study and the code official.</i></b>   |
| 19.02.040(C)(1) | <p>Dev. Standards – Garages, other accessory buildings &amp; accessory structures.</p> <p><b><i>Clarification: is the proposed structured garage considered a detached accessory structure or part of the building for height and GFA calculations?</i></b></p>   |
| 19.02.040(C)(1) | <p>Dev. Standards – Garages, other accessory buildings &amp; accessory structures. Gross floor area. Combined total GFA shall not exceed 25% of the total GFA allowed on the lot</p> <ul style="list-style-type: none"> <li>• R-8.4 lot, 5,000 sf GFA max.</li> <li>• R-9.6 lot, 8,000 sf GFA max.</li> </ul> <p>Total allowable GFA = 13,000 sf x 25% = 3,250 sf</p> <ul style="list-style-type: none"> <li>• Proposed garage GFA is 81,509 sf.</li> </ul> <p><b><i>Clarify approach:</i></b></p> <p><b><i>a) Pursue a variance for the structured parking garage as a detached accessory structure.</i></b></p> <p><b><i>b) include the total GFA with the proposed building GFA and pursue a variance for total GFA.</i></b></p> |
| 19.02.040(C)(2) | <p>Dev. Standards – Garages, other accessory buildings &amp; accessory structures. <i>Height.</i> Limited to a single story and shall not exceed 17' in height above the ABE computed from existing or finished grade, whichever is lower.</p> <p><u>See pages 7 &amp; 16.</u></p> <ul style="list-style-type: none"> <li>• Garage ABE is 115.5'</li> <li>• Max. accessory structure height is 132.5'</li> <li>• Max building height is 145.5'</li> <li>• Proposed garage height is approx. 135'</li> </ul>   |

---

|                 |   |
|-----------------|---|
|                 | <p><b>Clarify approach:</b></p> <p><b>a) Pursue a variance for the structured parking garage as a detached accessory structure.</b></p> <p><b>b) Include the garage as a part of the building; no variance required.</b></p>  |
| 19.02.060(B)    | <p>Lot coverage, Regulated Improvements – <i>Max. impervious surface</i>. Lot slope is &lt; 15%, 40% Lot Coverage, but the existing project was built prior to May 1, 2006, and may be covered by the percentage of legally existing impervious surface that existed on that date.</p> <p><u>See pages 8 &amp; 9.</u> Existing lot coverage (Option 3) is 181,937 sf (47.32%); proposed lot coverage is 195,455 sf (50.63%).</p> <p><b>1) Review Options per Diagrams and confirm baseline.</b></p> <p><b>2) Confirm: Proposed lot coverage may be reduced by applying Exemptions allowed per MICC 19.02.060(C).</b></p> <p><b>3) Confirm: If it is not possible to meet the existing 47.32% coverage, a variance will be required.</b></p> |
| 19.02.060(D)    | <p>Lot coverage – <i>Variance</i>. Regulated improvements... may request a variance to increase impervious surface pursuant to MICC 19.15.230(F) (Comp plan amendments &amp; docketing procedures).</p> <p><b>Confirm: is this the correct citation? Should it cite 19.06.110(B)(2)(i)? (Section is cited below)</b></p>  |
| 19.06.110(B)(1) | <p>The language of 19.06.110(B)(1) allows for the option to pursue a variance for lot coverage, and 19.02.060(B) "grandfathers" lot coverage for projects that existed on May 1, 2006, at the discretion of the code official. This indicates an intention to address how to allow an</p>   |

---

---

institution to expand on its existing property. There is no similar language related to GFA.

***Confirm: Lot coverage of 174,588 sf illustrated in Option 1, page 8 represents our existing lot coverage (pending confirmation against city records)***

***Code Interpretation: Are projects that exceed allowable lot coverage based on pre-existing coverage, and/or projects that receive a variance for lot coverage per 19.06.110(B)(1) understood to also have associated pre-existing GFA overages?***

---

19.06.110(B)(2)(i)  
(cited for  
reference re.  
19.02.060(D))

Criteria for approval – CUPs, variances and setback deviations – Variances. Allows “Public and private schools, religious institutions, private clubs and public facilities in single-family zones with slopes of less than 15 percent (to) request a variance to increase the impervious surface to a maximum 60 percent impervious surface and such variance application will be granted if the hearing examiner determines that the applicant has demonstrated that the ... criteria are satisfied.”

---

# EXHIBIT 26



**PROJECT NAME AND ADDRESS:**  
 Stroum Jewish Community Center  
 3801 E. Mercer Way  
 Mercer Island, WA 98040

City of Mercer Island Project #: PRE22-002  
 Zoning: R-8.4, R-9.6

## **PRE-APPLICATION MEETING REQUEST – Design Review**

### **Project Narrative**

Stroum Jewish Community Center (SJCC) has occupied its site at 3801 East Mercer Way since 1969/70, with the completion of a building housing offices, various meeting and club rooms, nursery school rooms, and recreational facilities including a gymnasium and indoor swimming pool. In 1979, the recreational facilities were expanded and an educational wing and auditorium were added. There have been renovations since that time, most notably a renovation of the auditorium, completed in 2014, to allow it to function as a contemporary theatre and multi-purpose space.

In general, the SJCC facilities are suffering from being in continuous use for over fifty years, and are in critical need of upgrades to allow the facility to remain safe and accessible for ongoing use and to maintain its ability to continue serving the community's contemporary and future needs.

Over the last few years, the leadership at SJCC has reached out to the neighboring community and held several open houses to better understand the neighborhood's concerns. Given neighborhood conversations in prior years, SJCC has worked hard in the current project design to address the neighbors' primary concerns: traffic, parking, operating hours (especially as related to on-site noise), exterior lighting, general visual appeal and cleanliness, and safety/security. In a recent meeting, neighbors have commented that they see their feedback reflected in the current design. The SJCC will continue seeking even further synergy with the community through ongoing public dialogue.

The proposed project includes replacement of the existing recreational facilities, addition of a new educational wing, general renovations to remaining existing spaces, and a new structured parking garage to consolidate the surface parking that currently covers a large portion of the site. The proposed project increases the lot coverage by approximately 3%. It increases the Gross Floor Area (GFA) by about 16%, excluding the parking garage – right-sizing the facilities for the current uses, and adding significantly more parking to facilitate on site flow and safety. With further design and application of stormwater best management practices, a goal will be to reduce the proposed impervious surface areas to be equal to or less than the current areas. We plan to pursue a variance for GFA and, if required, a variance for Lot Coverage. The project will be compliant with residential height and setback requirements.

- The site and buildings are currently not fully ADA-compliant. Proposed changes will remedy this.
- The existing recreational facilities (pool, gymnasium, locker rooms, and racquetball courts) have surpassed their useful lifespan. The proposed gymnasium, swimming pool, fitness studios and locker rooms will allow the SJCC to build a more sustainable building, reducing operational and maintenance costs and providing a more accessible facility for all.
- A new educational wing provides long-term flexibility for SJCC to meet a variety of educational needs within the community, especially in the face of the expanded areas required for education during the COVID-19 pandemic.

- General renovations will update and improve the building's heating, ventilation, air conditioning, plumbing, electrical, technological and communications systems to provide a safe and sustainable facility for the next fifty years.
- The proposed two story structured parking garage provides consolidated parking to support the facility, and rationalizes the site parking and circulation. Surface parking is limited to provide easy access for facility staff and for the existing Early Childhood Center and to radically reduce the volume of traffic across the south end of the parking lot. The parking garage provides parking for all other users, with a pedestrian bridge providing a safe means of access to the building, eliminating the need for most pedestrians to navigate drive lanes. The parking structure is located separate from the building due to security concerns associated with parking under a Jewish facility. The proposed location at the northeast corner of the site pulls it toward the busier side of the site along East Mercer Way and further from the residences to the south. The garage will be set into the sloping site, screened by existing and new trees, and clad with a vine screen.

### Questions

We had a general preliminary Pre-Application Meeting on 2/22/22, and have a Pre-Application Meeting focused on Variances scheduled for 8/23/22. We are requesting this additional Pre-Application meeting to focus on the Design Review process, and how it interplays with the CUP and Variance review process.

We understand that this project will need to submit a Type IV application for "Design Review – Major", and as part of that application we are required to submit several types of plans per the "Land Use Application – Plan Set Guide", including:

- Title Sheet
- Survey
- Site Plan
- Tree Plan
- Critical Areas Plans & Study (*possibly*)
- Landscaping
- Design Review
- Conceptual Grading & Utility / Street Profile

In notes issued following the preliminary Pre-Application Meeting on 2/22/22, the Design Review process was outlined as follows:

8. *Design Review* MICC 19.15.220 & 19.12:

b. *Review process.*

- Study session. In addition to the preapplication meeting, an applicant for a project that will require design review and approval by the design commission shall meet with the design commission in a study session 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 its site, the intended mix of uses, and how it will fit into the focus area objectives. The design commission may provide feedback to be considered in the design of the project.*
- Plan submittal. All materials shall be submitted a minimum of 30 days prior to any meeting dates including study sessions, public meetings, and public hearings. The final plans shall be in substantial conformity with approved preliminary plans.*

c. *Project shall comply with the design standards for zones outside Town Center under MICC*



19.12. There are requirements for building design, landscape design, vehicular and pedestrian circulation, screening, lighting, and signs.

The provided Notes also summarized Land Use Application procedural steps as follows:

13. Land Use Application Process and Estimated Timeline:

c. Summary of procedural steps

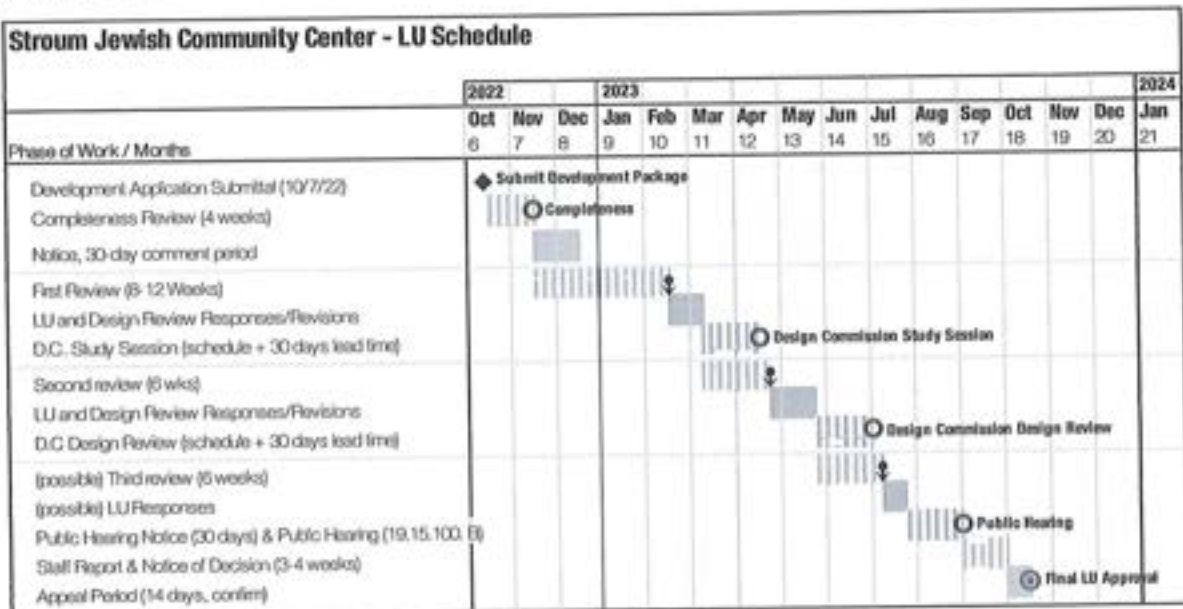
1. Pre-Application meeting
2. Submit application electronically
3. Application Completeness Check
4. Notice of Application (incl. public notice via sign on site, mailing, notice in bulletin) beginning 30-day comment period; review begins
5. Review comments may be sent out if needed
6. Design Commission study session
7. Public hearing
8. Notice of Decision
9. Appeal period

The City of Mercer Island outlines target times for Land Use Decisions, shown here:

Land Use Decisions

| Type of Review   | Target     |
|--|------------|
| Completeness Review                                      | 4 weeks    |
| First review   | 8-12 weeks |
| Second and subsequent reviews                            | 6 weeks    |
| Staff Report / Decision (following completion of review) | 3-4 weeks  |

We still have several questions, however, about the Design Review process relative to the Land Use Review process. Sample dates are used to delineate a possible timeline for discussion purposes, illustrated below.



Process/Schedule

1. When can/should a Study Session be scheduled?
  - a. Can the Study Session be scheduled before the First review is complete?
  - b. Do all Study Session presentation materials need to be submitted prior to scheduling the Study Session? (Understood that materials need to be submitted min. 30 days prior the meeting)
2. Is a second public Design Commission meeting common, or is the Public Hearing considered the second (and final) Design Commission meeting?
  - a. If a second public Design Commission meeting is needed, when can it be scheduled? Is it tied to completion of a second (LU review)?
3. Is the proposed parallel Land Use review and Design Review scheduling feasible (ie. Land Use review occurs while we wait the 30+ days for Study Session or Design Review meetings?)
4. When does SEPA threshold determination typically occur?
5. How does the Variance and CUP review process interplay with Design Review?

Submittal Requirements

6. For the dimensioned elevation drawings required as part of the Design Review drawings submitted for land use application, is a scale of 1/16": 1'-0" acceptable?

## **EXHIBIT 27**

SJCC

3801 East Mercer, Way Mercer Island, WA 98040

# DESIGN CONCEPT

# CONSIDERATIONS

S J C C

- Aging and falling systems and structures from our 50+ year-old S J C C facility (heat failure, accessibility issues)
- Be a good neighbor:
  - Facilitate better traffic flow and provide enough safe parking so there is less impact on our neighbors
  - Design with our space to ensure less noise and light impact
  - As a prominent Jewish institution in the community, ensure safety to our users and to our community
  - Supplement foliage and trees to enhance the buffer between our facilities and our neighbors
  - Ensure building design (complementary to demand – the J) intends to serve to current community safety and is not remodeling and renovating for substantive growth.
- Member island zoning does not address the needs of community institutions that are located in single-family residential zones, like the S J C C
- After trying other approaches, the S J C C would like to work with current zoning and use existing tools to make some changes that are both critical to keeping the J operating safely, and that support the concerns of our neighbors. We plan to submit this design concept to the hearing Examiner to get feedback on how to best apply city code to our property so achieves the goals that are so important to the J and to our neighbors.
- In prior conversations with the City, we included other properties and patterns in our proposal. We are now focused on the J to set the course forward for necessary updates. The design concept is truly that – conceptual. Our prior four years of engagement allowed us to receive detailed and important feedback from our neighbors and the wider community and we wanted hard to incorporate those shared goals in this design.

1/19/2022

2



**SITE PLAN- EXISTING**



© WEINSTEIN A+U

Concept Design  
01.xx.2022

SUCC Replacements Renovation  
3801 East Mercer Way Mercer Island, WA 98040

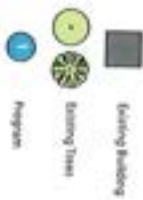


**SITE PLAN - EXISTING**



**KEY**

- 1. Existing Auditorium
- 2. Existing Education
- 3. Existing Early Childhood School
- 4. Lobby
- 5. Health Club
- 6. Health & Fitness
- 7. Swimming Pool
- 8. Administration
- 9. Parking
- 10. Service
- 11. Early Childhood School Playground
- 12. Education Playground
- 13. Existing Soccer Courts
- 14. Entry Plaza
- 15. Staff Parking
- 16. Early Childhood School Education Parking
- 17. Existing Prince's American School of Prayer Sound
- 18. Existing Residence



SICC Replacement/Annexation  
3807 East Mercer, May Mercer Island, WA 98040

Concept Design  
01 Jun 2022





# SITE PLAN - PROPOSED



### KEY

- |                              |                             |
|------------------------------|-----------------------------|
| 1. Existing Auditorium       | 11. ECS Playground          |
| 2. Existing Education        | 12. Education Playground    |
| 3. Existing ECS              | 13. Existing Teacher Garden |
| 4. Lobby                     | 14. Empty Plaza             |
| 5. Conference                | 15. Early Childhood School  |
| 6. Health & Fitness          | 16. Education Lot           |
| 7. Swimming Pools            | 17. ECS Education Parking   |
| 8. Administration            | 18. Parking Garage          |
| 9. Education                 | 19. Single-Circuit Walk     |
| 10. Winter Garden            | 20. Existing (ADPS)         |
| 11. Outdoor Recreation Field | 21. Existing Residence      |
| 12. Lawn/Court               |                             |

- Existing Building
- Proposed Building
- Existing Trees
- Proposed Trees
- Program



Concept Design  
01.xx.2022

SUCC Replacement/Renovation  
3801 East Mercer Way Mercer Island, WA 98040

**VIEW - ISOMETRIC LOOKING NW**

**EXISTING**



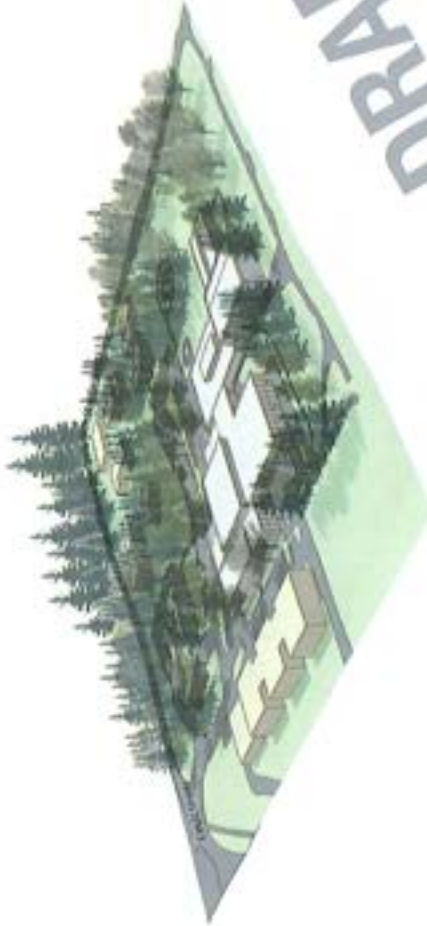
**PROPOSED**

**DRAFT**

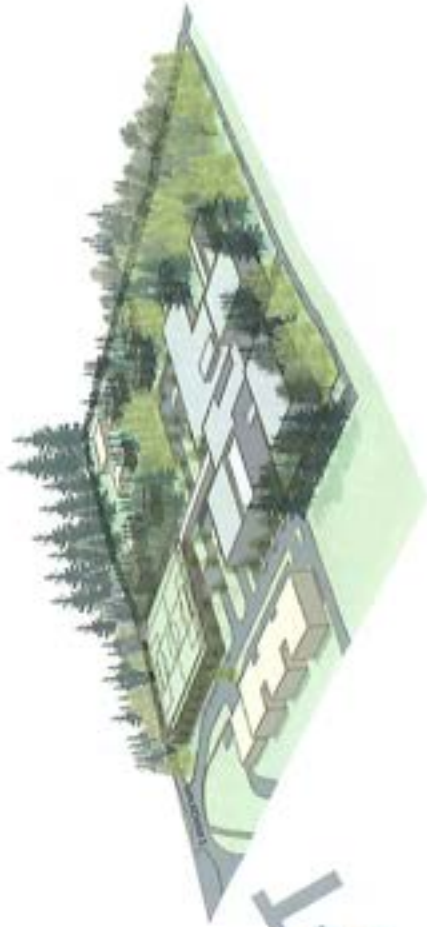


**VIEW- ISOMETRIC LOOKING SE**

**EXISTING**



**PROPOSED**



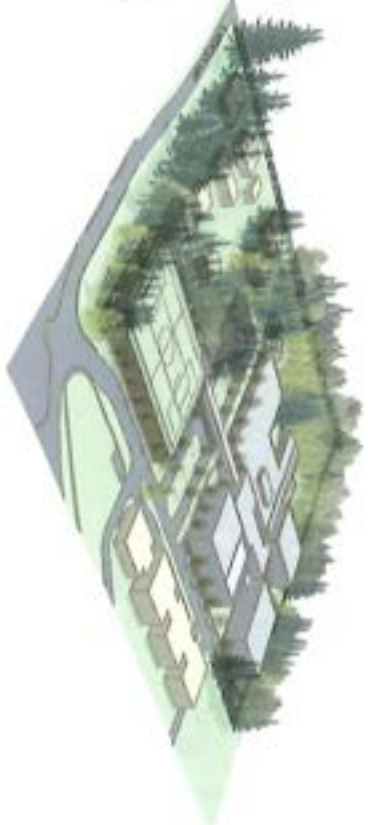
**DRAFT**

**VIEW - ISOMETRIC LOOKING SW**

**EXISTING**



**PROPOSED**



**DRAFT**

**EXHIBIT 28**



**From:** Patricia Angell <patriciaangellcpa@gmail.com>  
**Date:** December 1, 2022 at 12:02:29 PM PST  
**To:** John Hall <velooce@comcast.net>  
**Subject: Re: Code interpretation info & next steps**

Thanks for the quick call. Here's the information related to the [code interpretation](#) and the appeal. The appeal is being drafted now and will be shared when ready. Please read through the information below and let me know if you have any questions. Please also let me know—ideally by midday Friday-- if Emmanuel is interested in signing on as a co-appellant. We must file by 5 pm Monday and want to plan accordingly.

Thank you,

Amy

---

Why we are reaching out to you:

As another organization situated in a residential code on Mercer Island, we wanted to share this information with you for your own awareness, and then to determine if your organization might be interested in joining with us as a co-appellant in this filing by Monday, December 5 at 5 pm.

Summary of Situation

Over the past couple of years, several of the institutions/religious organizations on the island located in single family zones have been corresponding with the City trying to understand the City's code related to expansions and remodels of their respective buildings. Due to the fact that the single family zones do not neatly provide for development standards for institutions, the City directed organizations to work within the existing code framework, which in practice requires using the variance process. The SJCC is



one of those institutions and recently held a preapplication conference with the City to further understand the process for rebuilding the SJCC. As the SJCC asked questions during a preapplication conference, the City recognized the need for greater clarity, given the current code, specifically with regard to this provision in one of the threshold variance criteria:

1. MICC 19.06.110.B.2. The strict enforcement of the provisions of this title will create an unnecessary hardship to the property owner. For the purposes of this criterion, in the R-8.4, R-9.6, R-12, and R-15 zoning designations, an "unnecessary hardship" is limited to those circumstances where the adopted standards of this title prevent the construction of a single-family dwelling on a legally created, residentially zoned lot;

This language states that in order for a variance to be granted, this hardship criterion must be met. However, the way "hardship" is defined in the code clearly doesn't fit an institution or religious facility's situation, because it is not seeking to construct a single family dwelling.

Following the preapplication conference, the City informed the SJCC that it was preparing a formal interpretation on this issue—whether institutions could meet the "hardship" variance criterion despite constructing something other than a single family dwelling.

On November 21, the [City issued an interpretation](#) stating that the intent of the code was to limit institutional variances to impervious surface variances only, due to the fact that there is a specific provision allowing for variances for impervious surfaces for institutions. However, the City stated that essentially for all other variances (such as expanding an institution, or rebuilding an institution), the hardship criterion could not be met, because the institution is not proposing a single family dwelling. This interpretation means that none of the Island's institutions located in single family zones will be able to do any sort of meaningful remodel or redevelopment outside of their existing structures.

An appeal must be filed of this decision within 14 days of the decision, in this case -no later than Monday, December 5 at 5pm. The Hearing Examiner will hear the appeal, and it will be heard within approximately 2 months.

What does it mean to join the appeal?

Simply put, it's signing your organization's name on to the appeal, indicating that your organization may or will be impacted by this ruling, because it essentially renders all institutions in single family zones unable to expand beyond their current walls.

If the appeal is successful, institutions may be able to preserve their right to seek variances from the code and expand or remodel beyond existing footprints. If the appeal is not successful, or if no appeal is filed, the interpretation stands, making an impervious surface variance the only possible variance available to non-residential structures in residential zones. The only way our organizations could evolve our facilities would be through legislative action at Council via a code amendment. We could also appeal a negative appeal ruling to Superior Court.

Supporting the appeal:

In addition to signing on to the appeal, it would be helpful to include written and oral statements at the hearing (not yet scheduled) about how your organization would be negatively impacted by the City's ruling. If your organization has had specific experiences with the City at which you've been directed to use the variance process for expansion, those details would be helpful to provide. As the timing of the hearing is made available, we can work closely with you and your board on how to best engage.

Amy Lavin

Chief Executive Officer | Stroum Jewish Community Center | Direct: 206-232-7116 | M: 425-443-6047

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Wednesday, November 15, 2023 2:04 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Denise Ipock <Denisel@sjcc.org>  
**Sent:** Wednesday, November 15, 2023 1:47 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Get [Outlook for iOS](#)

**Deb Estrada**

---

**From:** Dan Thompson <danielphompson@hotmail.com>  
**Sent:** Wednesday, November 15, 2023 12:43 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Cc:** Bio Park; Jessi Bon; Robert Medved  
**Subject:** Public Comments on Amendment 18--Legal Citation And Analysis For Site Specific Rezones

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Alison, please consider this email part of the public record and add it to the comments. Since I will have only 3 minutes to comment tonight I think this analysis should be done by written comment.

MICC 19.15.240(C)(4) requires that, "**The proposed reclassification does not constitute an illegal site-specific rezone**". However, MICC 19.15.240 does not provide any criteria to determine whether a site-specific reclassification is legal or illegal, and the agenda packet is silent on this critical issue. (Robert Medved has submitted a legal memo on this issue found in comment 178-179).

Since most of the planning commission are not lawyers and I don't think any other than commissioner Murphy have land use experience a good primer on site specific rezones is found in [MRSC - The Multi-Personalities of Site Specific Rezones - Or - A Cheat Sheet for Everything You Need to Know](#) MRSC is generally considered a reliable source for cities.

This article notes that if the local ordinance does not contain specific language re: what is an illegal site-specific rezone the rezone will be governed by general legal principles. The article states:

**"The first hint of trouble in the legislative/permitting boxing process is that the courts will apply review criteria to site specific rezones whether the city has adopted some or not".**

\*\*\*\*\*

**"The courts, however, disagreed. They ruled that a site specific rezone was subject to review standards, regardless of whether or not a city had adopted their own. The courts require that the proponents of a rezone must establish that conditions have substantially changed since the original adoption and that *the rezone must bear a substantial relationship to the public health, safety, morals or welfare*<sup>3</sup>. If a rezone implements the comprehensive plan, a showing that a change of circumstances has occurred is not required".**

{Citations omitted, emphasis added}.

Based on Administrative Interpretation 22-004 issued in 2022 for this exact same piece of property the requested rezone clearly does not implement the comprehensive plan. **Therefore, in Amendment 18 the JCC must show the conditions in the neighborhood or city have *substantially changed since the original adoption of the residential zoning, and that the rezone must bear a substantial relationship to the public health, safety, morals or welfare of the city and neighborhood.***

The planning commission must discuss and find these predicates before recommending a rezone under MICC 19.15.240. In my opinion Amendment 18 does not establish either predicate, and I am not aware of any substantial change in the neighborhood or CUP, but in any case the planning commission must understand these criteria, discuss them, and find both predicates have been established *before* determining whether the docketing criteria have been met and recommending Amendment 18 be added to the 2024 docket.

Thank you.

## Daniel Thompson

Thompson & Delay

Attorneys at Law

80th Avenue Professional Building

2955 80th Ave SE, Suite 202

Mercer Island, WA 98040

Phone: (206) 622-0670

Fax: (206) 622-3965

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Wednesday, November 15, 2023 3:24 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Support for Stroum JCC Expansion Project

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Shira Kaufman <s.kaufman08@gmail.com>  
**Sent:** Wednesday, November 15, 2023 3:01 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Support for Stroum JCC Expansion Project

Hello,

I'm a resident of Seattle who grew up going to programs at the Stroum Jewish Community Center and attending the Northwest Yeshiva High School on MI. My husband is from Mercer Island and his parents and many relatives and friends still live there.

Please vote to approve the SJCC expansion project. Not only will this be a wonderful resource for Pacific Northwest Jewish life and culture, but an improved JCC will improve life for all Mercer Islanders.

Mercer Island offers some of the best homes and views in the region, plus safety and quiet and A+ schools. However, I've often wondered why it doesn't have better facilities of all kinds for its residents - the best restaurants, cafes, shops, gyms, etc. It could easily have a downtown district with the charm and coziness of a Columbia City or a Ballard, and without increasing the traffic at all through the quiet neighborhoods. The fact is, there's hardly anywhere to go out on MI that's actually really nice and not just kind of generic feeling. Especially since Bennett's closed, whenever my in-laws host a large restaurant event, it's basically always in Seattle or Bellevue. Mercer Island needs to revitalize its businesses and offerings.

Expanding the SJCC in this way will be a great way to improve delivery of world-class exquisite programming to the residents of MI without them having to leave the island, and without increasing the neighborhood traffic (especially since the J is right off the exit). Creating a gorgeous gym, pool, tennis center, event space, and cultural center will allow all of the Mercer Island residents to benefit from even better programming, scholarly talks, cookbook talks, fitness and aquatic center, tennis, etc.

And combining it with the Jewish high school will decrease traffic through the neighborhood next to the high school.

Please support this expansion.



Best,

Shira

*Item 1.*

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Wednesday, November 15, 2023 3:30 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Request to be added to the Docket

Comment received to Planning Commission mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Rusty Federman <[rustyfed@gmail.com](mailto:rustyfed@gmail.com)>  
**Sent:** Wednesday, November 15, 2023 3:25 PM  
**To:** Planning Commission <[Planning.Commission@mercergov.org](mailto:Planning.Commission@mercergov.org)>  
**Subject:** Request to be added to the Docket

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Russell Federman

8204 SE 38TH Place

Item 1.

Resident of Mercer Island for more than 36 years.

**Deb Estrada**

---

**From:** Andrea Larson  
**Sent:** Wednesday, November 15, 2023 4:52 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Please Help Make the Future SJCC a Reality

Comment received to Planning Commission mailbox

**Andrea Larson**

City Clerk  
City of Mercer Island  
206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Robin Medin <[robinmedin@hotmail.com](mailto:robinmedin@hotmail.com)>  
**Sent:** Wednesday, November 15, 2023 4:34 PM  
**To:** Planning Commission <[Planning.Commission@mercergov.org](mailto:Planning.Commission@mercergov.org)>  
**Subject:** Please Help Make the Future SJCC a Reality

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Robin Medin

**Deb Estrada**

---

**From:** Andrea Larson  
**Sent:** Wednesday, November 15, 2023 4:52 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: SJCC rezoning

Comment received to Planning Commission mailbox

Andrea Larson  
City Clerk  
City of Mercer Island  
206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

From: Stratiner Cindy <Cstratiner@aol.com>  
Sent: Wednesday, November 15, 2023 4:44 PM  
To: Planning Commission <Planning.Commission@mercergov.org>; Council <council@mercergov.org>  
Subject: SJCC rezoning

Dear MI Planning commission and MI Council,

I grew up going to the JCC for sporting activities, to learn how to swim, for arts classes, and Jewish Community events. All three of our grown children went to preschool at the JCC, and also did activities like sports, swimming, acting classes, camps and Jewish Community events. Now our grandchildren use the facility for camps and activities.

I don't see how the JCC still is considered residential zoning when it has not been residential in the 50+ years that I have been going there.

I believe that the JCC always tries to be a good neighbor and may be less obtrusive than many other Mercer Island residents.

I think it is past time to rezone the SJCC property to its commercial use.

Thank you,  
Cindy Stratiner  
Issaquah, WA 98027  
425-641-8399



**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: City Council: Approve the SJCC rezone!  
**Date:** Monday, October 23, 2023 11:18:54 AM

---

Comment received to Council mailbox

[Andrea Larson](#)  
City Clerk  
City of Mercer Island  
206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

---

**From:** Jon Newman <jonn\_msft@hotmail.com>  
**Sent:** Saturday, October 21, 2023 10:09 PM  
**To:** Council <council@mercergov.org>  
**Cc:** Jon Newman <jonn\_msft@hotmail.com>; naomi.newman@live.com  
**Subject:** City Council: Approve the SJCC rezone!

To the Mercer Island City Council:

As a long-time resident of North Mercer Island, I ask that the Mercer Island City Council promptly add the Stroum Jewish Community Center's (SJCC) request to their 2024 docket, to rezone their land to Commercial Office status.

The SJCC is a long-time asset to Mercer Island, but its physical plant is outdated in several regards. The pool is past its lifetime, the HVAC needs an update, and multiple changes are required for ADA compliance. Substantial redevelopment is required, but this is not possible with residential zoning. Commercial Office status would enable this remodel, while protecting both the neighborhood and the neighbors.

Any city should be eager to protect and upgrade a key asset like the SJCC, especially with private funding. Note that this request only affects the SJCC, not other facilities on Mercer Island.

Thank you for your prompt action!

Jon and Naomi Newman  
9097 North Mercer Way

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Monday, October 23, 2023 11:18 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: JCC mercer island

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Council mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** aviva bomztyk <akaem@yahoo.com>  
**Sent:** Saturday, October 21, 2023 9:59 AM  
**To:** Council <council@mercergov.org>  
**Subject:** JCC mercer island

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility institution on the Island.

Item 1.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sincerely,  
Aviva and Karol Bomsztyk  
Resident  
5349 Lansdowne Lane 41 years

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Friday, October 20, 2023 8:30 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: JCC

Comment received to Council mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Denise Joffe <manner5@mac.com>  
**Sent:** Thursday, October 19, 2023 9:37 PM  
**To:** Council <council@mercergov.org>  
**Subject:** JCC

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is n

Item 1.

Thank you for your support.

Paul Manner, MD

**Deb Estrada**

---

**From:** Andrea Larson  
**Sent:** Tuesday, October 24, 2023 11:55 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Re-Zoning JCC

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Council mailbox

Andrea Larson  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

From: Carrie Wernick Newman <carrie@wernicknewman.com>  
 Sent: Monday, October 23, 2023 4:47 PM  
 To: Planning Commission <Planning.Commission@mercergov.org>; Council <council@mercergov.org>  
 Subject: Re-Zoning JCC

Dear Mercer Island Planning Commission & City Council Members,

Please recommend that the Mercer Island City Council & Planning Commission place the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

The SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

Thank you for your support.

Sincerely,  
 Carrie Wernick  
 3422 97th Ave. SE  
 Mercer Island  
 Resident since 2008 & live close to the JCC



## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 19, 2023 5:16 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Rezoning of property occupied by the Stroum Jewish Community Center

Comment received to Council mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Edward Flash <edwardflash65@yahoo.com>  
**Sent:** Thursday, October 19, 2023 5:11 PM  
**To:** Council <council@mercergov.org>  
**Subject:** Rezoning of property occupied by the Stroum Jewish Community Center

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

Growing up on Mercer Island I know the important role the SJCC plays in the community on Mercer Island and beyond with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is n

Item 1.

Thank you for your support and consideration.

Edward Flash

Attended East Seattle Elementary School, Mercer View Elementary School, North Mercer Junior High and Mercer Island High School (Class of 1983)

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Tuesday, October 17, 2023 12:20 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Sjcc

Comment received to the Council mailbox.

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Joey Swidler <[joeswid@gmail.com](mailto:joeswid@gmail.com)>  
**Sent:** Tuesday, October 17, 2023 12:11 PM  
**To:** Council <[council@mercergov.org](mailto:council@mercergov.org)>  
**Subject:** Sjcc

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sincerely  
Joey Orgel-Swidler

Item 1.

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: SJCC REZONE  
**Date:** Thursday, October 19, 2023 4:48:09 PM  
**Importance:** High

---

Comment received to the Council mailbox

[Andrea Larson](#)  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

---

**From:** Jason Koehler <jason@rkkconstruction.com>  
**Sent:** Thursday, October 19, 2023 4:23 PM  
**To:** Council <council@mercergov.org>  
**Subject:** SJCC REZONE  
**Importance:** High

Dear Mercer Island City Council,

This is VITAL to our community. I'd like to know where each one of you stand on this issue, not just those running, but all of you. We can't lead them to believe we don't want them. NO EXCUSES. Get this done.

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a

loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sincerely,

Jason Koehler, 46 year resident of MI

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Monday, October 23, 2023 2:20 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: SJCC Rezoning Request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Council mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Lesley Malakoti <[lmalakoti@gmail.com](mailto:lmalakoti@gmail.com)>  
**Sent:** Monday, October 23, 2023 2:04 PM  
**To:** Council <[council@mercergov.org](mailto:council@mercergov.org)>  
**Subject:** SJCC Rezoning Request

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council place the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.



Further, this request affects the SJCC ONLY, and will not have any impact on any other facility institution on the Island.

Item 1.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sincerely,  
Lesley Malakoti  
8885 SE 36th St., MI

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Monday, October 23, 2023 11:26 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: SJCC zoning request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Council mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Bryce Taylor <bryce.taylor@gly.com>  
**Sent:** Sunday, October 22, 2023 5:57 PM  
**To:** Council <council@mercergov.org>  
**Subject:** SJCC zoning request

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility institution on the Island.

Item 1.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

---

**Bryce Taylor** [He/Him]

GLY | Director of BD / PX

206 793 2048 **Mobile**

425 451 8877 **Office**

[www.gly.com](http://www.gly.com)

Main Office

14432 SE Eastgate Way Suite 300, Bellevue, WA 98007

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Monday, October 23, 2023 4:32 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC and docket

Comment received to Council mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Jessica Prince <jgprince@hotmail.com>  
**Sent:** Monday, October 23, 2023 3:32 PM  
**To:** Council <council@mercergov.org>  
**Subject:** Stroum JCC and docket

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

I've been a member since 1993 and the place was tired even back then. We need this rezone now; it's critical to the future and best for the community.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sincerely,

Jessica Prince  
3940 96<sup>th</sup> Ave SE

*Item 1.*

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Monday, October 23, 2023 11:28 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum Jewish Community Center

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Council mailbox.

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Kayla Locke <kaylalocke17@gmail.com>  
**Sent:** Monday, October 23, 2023 7:10 AM  
**To:** Council <council@mercergov.org>  
**Subject:** Stroum Jewish Community Center

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sincerely,

Kayla Locke, 4741 90th Ave SE Mercer Island WA 98040. Grew up on Mercer island and have owned for over 6 years

## Deb Estrada

---

**From:** Council  
**Sent:** Monday, October 23, 2023 4:51 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Support for a Remodeled SJCC

Comment received to Council mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Karin Cole <[karin.alpert@gmail.com](mailto:karin.alpert@gmail.com)>  
**Sent:** Monday, October 23, 2023 4:35 PM  
**To:** Council <[council@mercergov.org](mailto:council@mercergov.org)>  
**Subject:** Support for a Remodeled SJCC

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.



The time to support the future of the Stroum Jewish Community Center on Mercer Island is n

Item 1.

Thank you for your support.

Sincerely,  
Karin Cole  
Mercer Island Resident

**Deb Estrada**

---

**From:** Casey Thompson  
**Sent:** Thursday, October 12, 2023 3:35 PM  
**To:** Alison Van Gorp  
**Cc:** Ali Spietz  
**Subject:** FW: Support for rezoning request for the SJCC

Alison,  
 Sharing this with you, and I'll watch for any additional emails received and will forward right away.

Thanks,  
 Casey

---

**From:** Katharine Lamperti <klamperti@gmail.com>  
**Sent:** Thursday, October 12, 2023 11:13 AM  
**To:** Council <council@mercergov.org>  
**Subject:** Support for rezoning request for the SJCC

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Our family has benefited from programs at the SJCC since we moved to the Island more than a decade ago. Our kids attended summer camps, performed in theater in partnership with YTN, and most recently, our youngest had his first paying job as a summer camp counselor at the J.

This request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Katharine and Thomas Lamperti  
 Mercer Island, WA

--

*"Our lives begin to end the day we become silent about things that matter." - Martin Luther King, Jr*

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Monday, October 23, 2023 12:32 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Support for SJCC's rezone request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Council mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Christine Louie Smith <[christine.louie@gmail.com](mailto:christine.louie@gmail.com)>  
**Sent:** Monday, October 23, 2023 11:59 AM  
**To:** Council <[council@mercergov.org](mailto:council@mercergov.org)>  
**Subject:** Support for SJCC's rezone request

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility institution on the Island.

Item 1.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sincerely,

Christine Smith  
7619 SE 40th St  
Mercer Island, WA 98040  
\* 1st year as an MI Resident

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Tuesday, October 24, 2023 4:01 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Support for the Stroum Jewish Community Center

Comment received to Council mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Jamie Kezner <jamiekezner@gmail.com>  
**Sent:** Tuesday, October 24, 2023 3:42 PM  
**To:** Council <council@mercergov.org>  
**Subject:** Support for the Stroum Jewish Community Center

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

As a native of Mercer Island who chose to return to raise her family here, the SJCC was is a fixture in my childhood and is the same for my children. It is where I went to preschool, learned how to swim and do gymnastics, where I forged life-long friendships and thankfully I got to pass that down to my children, who are able to say the same. Mercer Island is a special community and the SJCC is one of things that makes it special, please do not rely on dated zoning decisions on a place that people feel at home and safe.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

**The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.**

Thank you for your support.

Jamie Kezner

*Item 1.*

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 19, 2023 4:48 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Support land rezoning for Stroum Jewish Community Center

Comment received to the Council mailbox.

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Yoela Zimberoff <yoelaz.h@gmail.com>  
**Sent:** Thursday, October 19, 2023 4:08 PM  
**To:** Council <council@mercergov.org>  
**Subject:** Support land rezoning for Stroum Jewish Community Center

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.



The time to support the future of the Stroum Jewish Community Center on Mercer Island is n

Item 1.

Thank you for your support.

Sincerely,  
Yoela Zimberoff

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 7:26 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: SJCC

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Council mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Carla Tobis <cjtobis@gmail.com>  
**Sent:** Wednesday, October 25, 2023 7:13 PM  
**To:** Council <council@mercergov.org>  
**Subject:** SJCC

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

Item 1.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sincerely,  
Carla Tobis  
Mercer Island resident since 1986  
7411 SE 36th St

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 7:25 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum Jewish Community Center

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Council mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** jgoldberg777@comcast.net <jgoldberg777@comcast.net>  
**Sent:** Wednesday, October 25, 2023 5:05 PM  
**To:** Council <council@mercergov.org>  
**Subject:** Stroum Jewish Community Center

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sincerely,  
Jack Goldberg  
713-962-0936

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 7:28 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Support for SJCC Proposal

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Council mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** naaman heyman <naaman.hey@gmail.com>  
**Sent:** Wednesday, October 25, 2023 7:33 PM  
**To:** Council <council@mercergov.org>  
**Subject:** Support for SJCC Proposal

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Item 1.

Thank you for your support.

Sincerely,  
Naaman Heyman  
8275 Merrimount Dr, 2 years on MI



## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 7:27 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Voice Your Support for the J's Revitalization

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Council mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Sarah Fletcher <fletcha1@gmail.com>  
**Sent:** Wednesday, October 25, 2023 7:22 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>; amyl@jcc.org; Council <council@mercergov.org>  
**Subject:** Fwd: Voice Your Support for the J's Revitalization

Hello, I just received this. I am sorry, I support the Stroum Jewish Community Center, but no way in the world do I support this massive project for that area. This is the size of a the whole of the south end Town Center. This is supposed to be a single-family residential neighborhood, not commercial and certainly not a whole change of a zone. People were bulking at the Legislature passing fourplexes and duplexes in single-zoned residential neighborhoods, but the JCC want to bring in a huge sportsfield and more buildings. And I would like to know, let's say, the City allows this, what is stopping someone else or a church group asking for the same thing? Can anyone ask for a rezone of a property from single-family residential to commercial? The one school on the island the School District is looking at closing, I would rather the JCC look at that property or even the Civic Center which is closed for asbestos. And I would like to know what the plan is for traffic? Everyone knows that it is a nightmare for traffic at the East Mercer Way intersection in the mornings. No-one seems to be doing anything about the traffic which already is a problem. And I don't know where they get "Revitalized" from. It is not a revitalization but the introduction of a whole other zone. I actually thought this JCC/Herzl was put to rest, I can't believe it is still ongoing. Please stop with this folly. Please make sure I am on record as opposing this massive development/city for a single-zoned residential neighborhood which the community I do not believe asked for and I am sure the neighbors do not want it and who should be consulted on as they are the ones whose neighborhood is going to be changed forever.

Sarah Fletcher

----- Forwarded message -----

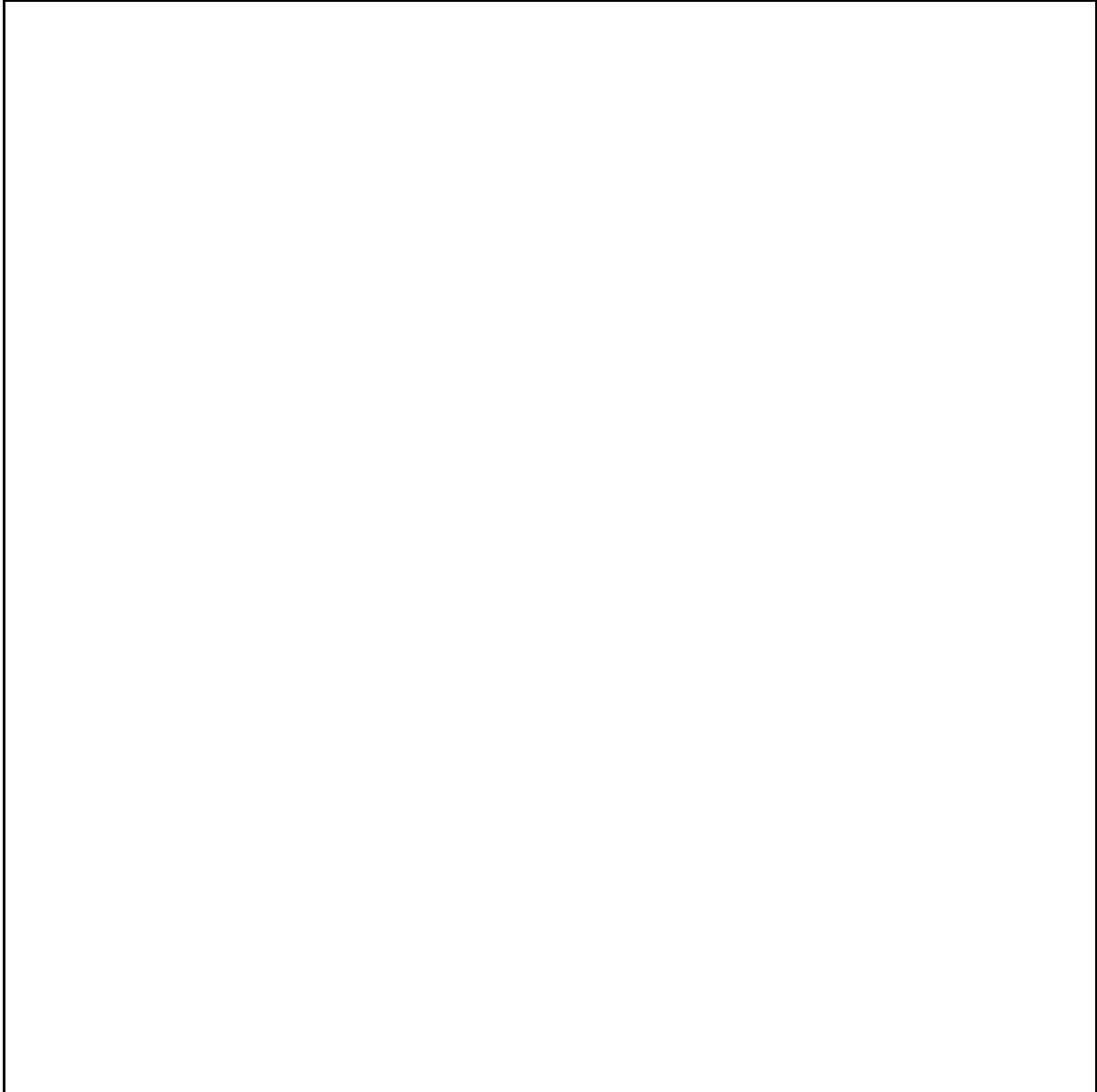
**From:** Stroum Jewish Community Center <[enews@sjcc.org](mailto:enews@sjcc.org)>  
**Date:** Wed, Oct 25, 2023 at 7:03 PM

Subject: Voice Your Support for the J's Revitalization

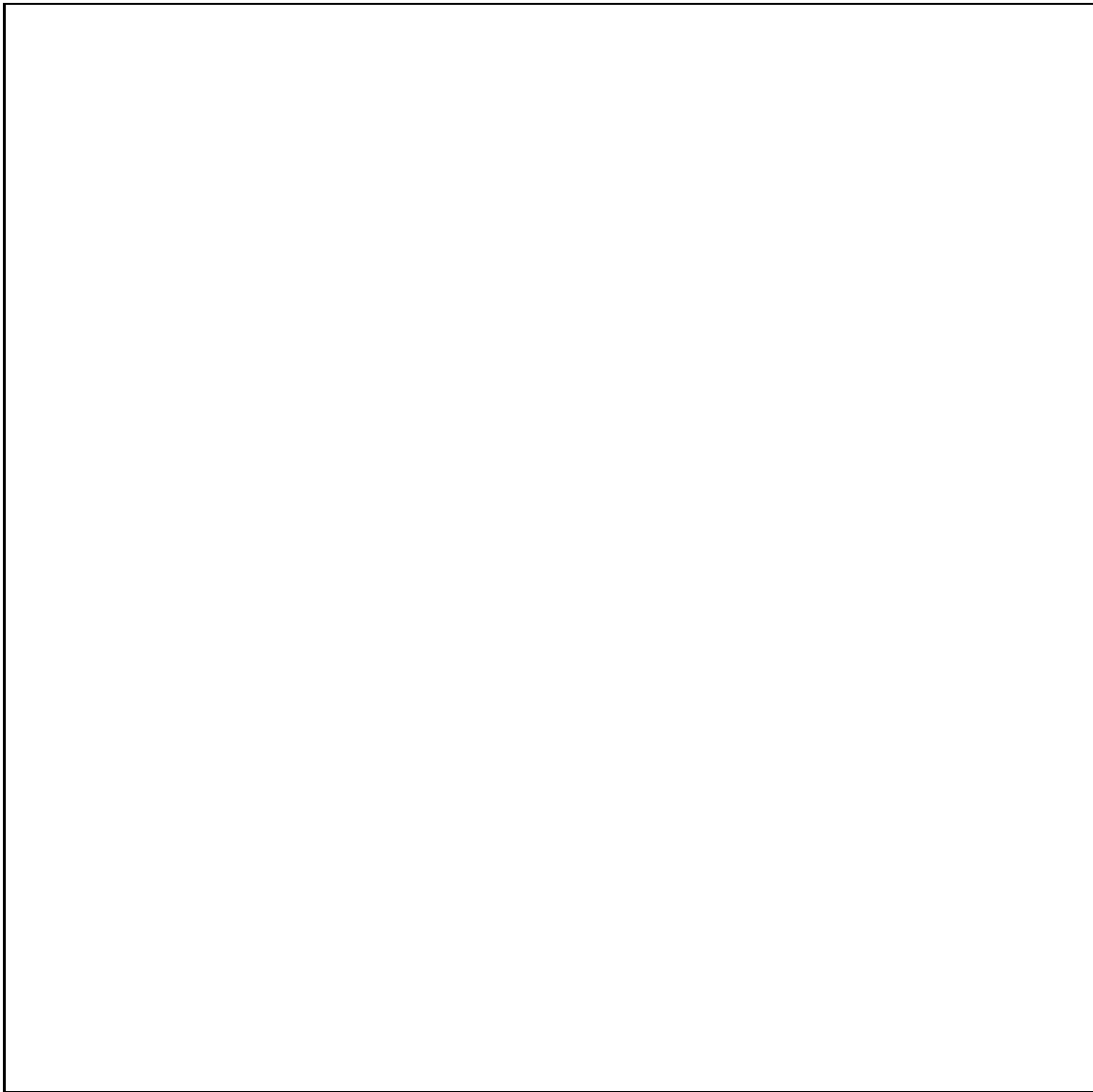
To: <[fletchsa1@gmail.com](mailto:fletchsa1@gmail.com)>

Item 1.

[View this email in your browser](#)



*Community lifts us up and holds us together in the best and worst of times. The SJCC is proud to be a gathering place for our community, which is why it's more important than ever to voice your support for the SJCC's future on Mercer Island.*



## Voice Your Support for a Revitalized SJCC

*Email the Mercer Island Planning Commission by November 15*

The SJCC has announced the intent to significantly remodel our facilities and we need your help to make it a reality. Please voice your support to the Mercer Island Planning Commission **before November 15**, to request this topic be placed on the 2024 docket for Mercer Island City Council.

Here's how you can help:

1. Email your support to [planning.comission@mercerisland.gov](mailto:planning.comission@mercerisland.gov) by November 15. If you prefer to compose your own message, you can find suggested email text [here](#).
2. Attend the Mercer Island Planning Commission meeting on November 15 to voice your support. Email [AmyL@sjcc.org](mailto:AmyL@sjcc.org) for details.

**Moving Forward to Better Serve the Mercer Island Community**

For the past 54 years, the SJCC has served the entire community of Mercer Island and beyond. Our proposed renovation will revitalize our facilities to help us build on our vision to be the most open and welcoming community-centered Jewish organization in the Puget Sound region.

**Learn more about the inspiring design [here](#).**

To facilitate this redevelopment, the SJCC submitted a request to the city of Mercer Island to rezone our property from a Residential zoning designation to a Commerical Office designation, which is better aligned with our operations.

The proposed renovation builds on feedback from neighbors, members, and our broader community and addresses the critical need to replace obsolete facilities and provide ADA accessibility in a safe, comfortable, and contemporary space to learn, grow, meet, and build community.

Thank you for helping the SJCC move forward.

---

---

*Copyright © 2023 Stroum Jewish Community Center, All rights reserved.*

You are receiving this email because you opted in at our website or expressed interest in receiving emails from the SJCC.

**Our mailing address is:**

Stroum Jewish Community Center

3801 East Mercer Way

Mercer Island, WA 98040

[Add us to your address book](#)

Want to change how you receive these emails?

You can [update your preferences](#) or [unsubscribe from this list](#).

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 7:29 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW:

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Council mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** cheryl cohen <cherylbd2@gmail.com>  
**Sent:** Wednesday, October 25, 2023 8:19 PM  
**To:** Council <council@mercergov.org>  
**Subject:**

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility institution on the Island.

Item 1.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Cheryl Cohen

[Cherylbd2@gmail.com](mailto:Cherylbd2@gmail.com)



## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 7:31 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Recommend SJCC Rezone on 2024 Docket

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Council mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Adam Atkins <[atkins.wx@gmail.com](mailto:atkins.wx@gmail.com)>  
**Sent:** Wednesday, October 25, 2023 9:28 PM  
**To:** Council <[council@mercergov.org](mailto:council@mercergov.org)>  
**Subject:** Recommend SJCC Rezone on 2024 Docket

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Adam and Ari Atkins

Item 1.

2412 60th ave SE, MI

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 7:33 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Request for SJCC rezone to be on the docket

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Council mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Brooke Pariser <[brookesidell@hotmail.com](mailto:brookesidell@hotmail.com)>  
**Sent:** Wednesday, October 25, 2023 10:00 PM  
**To:** Council <[council@mercergov.org](mailto:council@mercergov.org)>  
**Subject:** Request for SJCC rezone to be on the docket

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Item 1.

Thank you for your support.

Sincerely,  
Brooke Pariser  
3861 80th Ave. SE  
Mercer Island, WA 98040  
36 year resident

Sent from my iPhone

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 7:33 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Rezoning SJCC

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Council mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Kara Azose <kara.azose@gmail.com>  
**Sent:** Wednesday, October 25, 2023 10:19 PM  
**To:** Council <council@mercergov.org>  
**Subject:** Rezoning SJCC

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility institution on the Island.

Item 1.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sincerely,

Kara Azose

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: SJCC Renovation Support  
**Date:** Thursday, October 26, 2023 7:29:54 AM

---

Comment received to Council mailbox

[Andrea Larson](#)  
City Clerk  
City of Mercer Island  
206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

---

**From:** Jonathan Stern (GDE) <[Stern.Jonathan@microsoft.com](mailto:Stern.Jonathan@microsoft.com)>  
**Sent:** Wednesday, October 25, 2023 9:23 PM  
**To:** Council <[council@mercergov.org](mailto:council@mercergov.org)>  
**Subject:** SJCC Renovation Support

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.



The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sincerely,

Jonathan Stern

6942 96<sup>th</sup> Ave SE, Mercer Island, WA

Resident of Mercer Island since 2003

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 7:32 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: SJCC Rezone on 2024 Docket

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Council mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Adam Atkins <[atkins.wx@gmail.com](mailto:atkins.wx@gmail.com)>  
**Sent:** Wednesday, October 25, 2023 9:29 PM  
**To:** Council <[council@mercergov.org](mailto:council@mercergov.org)>  
**Subject:** SJCC Rezone on 2024 Docket

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Item 1.

Thank you for your support.

Sincerely,  
Adam and Ari Atkins  
2412 60th Ave SE

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 7:28 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: SJCC

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Council mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Terry Azose <tlazose@gmail.com>  
**Sent:** Wednesday, October 25, 2023 7:34 PM  
**To:** Council <council@mercergov.org>  
**Subject:** SJCC

M

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Terry Azose  
(206) 450-0995 cell  
7740 81st Pl SE  
MI

We have lived on Mercer Island for 37 years and currently, all of our adult children and grandchildren live on the Island. Our children went to preschool, summer camp, swimming lessons at the SJCC before we moved to the island. All 8 of our grandchildren have gone through preschool, after school programs, swimming, camp at the J. We take classes, play pickle ball, and exercise at the J. The facilities are in desperate need of updating, remodeling and care to bring it back to the vibrant facility that will serve not only the Jewish population but Mercer Island and neighboring communities.

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 7:35 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Support the rezoning of the SJCC - Prioritize!

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Council mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Ann Lokey <amlokey@gmail.com>  
**Sent:** Wednesday, October 25, 2023 10:58 PM  
**To:** Council <council@mercergov.org>  
**Subject:** Support the rezoning of the SJCC - Prioritize!

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility institution on the Island.

Item 1.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sincerely,  
Ann Lokey  
6107 SE 32nd st, MI  
27 year resident

Sent from my iPad



## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 8:03 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Rezoning SJCC fir commercial use

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Council mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Lynne Brazg <lynnebrazg@gmail.com>  
**Sent:** Thursday, October 26, 2023 7:53 AM  
**To:** Council <council@mercergov.org>  
**Subject:** Rezoning SJCC fir commercial use

Dear Council members,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Item 1.

Sincerely,  
Lynne Brazg

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 3:49 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: JCC Renovation

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Council mailbox

Andrea Larson  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW). The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

From: Alan Tesler <atesler3@comcast.net>  
 Sent: Thursday, October 26, 2023 12:22 PM  
 To: Council <council@mercergov.org>  
 Subject: JCC Renovation

To the Mercer Island City Council-

My wife and I have been Mercer Island residents since December 1984, and have been members of the Stroum Jewish Community Center since shortly after we moved here.

We have seen the evolution of the JCC over the last nearly 40 years, and have been frequent users of the facility. The JCC serves a wide portion of the Mercer Island and Eastside community, including many non-Jewish residents. As such, it is a valuable community asset to the Seattle Jewish community and the broader Mercer Island community as well.

Unfortunately, with the passage of time, in spite of several minor remodels over the years, the building has aged and needs modernization. The leadership of the JCC has developed a renovation plan, but to fulfill it, the land parcels need to be rezoned from Residential to Commercial Office. The renovation will impact only the JCC and have no adverse impact on the surrounding residential and commercial properties.

Please place the request for rezoning on the City Council's docket for action in 2024. I believe the JCC deserves your support.

Thank you.

Sincerely,

Alan Tesler



## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 3:48 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: JCC rezone support

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Council mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** mbstarnes@comcast.net <mbstarnes@comcast.net>  
**Sent:** Thursday, October 26, 2023 9:00 AM  
**To:** Council <council@mercergov.org>  
**Subject:** JCC rezone support

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is n

Item 1.

Thank you for your support.

Margie Starnes

6200 SE 27<sup>th</sup> Street, Resident since 2006

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 3:48 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Please approve the SJCC request to rezone from a residential zoning designation to a Commercial Office designation

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Council mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Aaron Lavin <lavin\_aaron@hotmail.com>  
**Sent:** Thursday, October 26, 2023 11:41 AM  
**To:** Council <council@mercergov.org>  
**Subject:** Please approve the SJCC request to rezone from a residential zoning designation to a Commercial Office designation

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.



Further, this request affects the SJCC ONLY, and will not have any impact on any other facility institution on the Island.

Item 1.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sincerely,  
Aaron Lavin

7835 SE 22<sup>nd</sup> Pl. 98040  
20 year resident of Mercer Island

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 3:51 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Request to rezone the JCC from Residential to Commercial Office

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Council mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Jeff Hsu <jjhsu2@gmail.com>  
**Sent:** Thursday, October 26, 2023 1:02 PM  
**To:** Council <council@mercergov.org>  
**Subject:** Request to rezone the JCC from Residential to Commercial Office

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sincerely,

Jeff Hsu  
7203 W Mercer Way - 20 year resident

Item 1.

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 3:50 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Rezoning for the JCC

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Council mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Harvey Kanter <[hrkanter@gmail.com](mailto:hrkanter@gmail.com)>  
**Sent:** Thursday, October 26, 2023 12:29 PM  
**To:** Council <[council@mercergov.org](mailto:council@mercergov.org)>; Planning Commission <[Planning.Commission@mercergov.org](mailto:Planning.Commission@mercergov.org)>  
**Cc:** Harvey Kanter <[hrkanter@gmail.com](mailto:hrkanter@gmail.com)>  
**Subject:** Rezoning for the JCC

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Item 1.

Harvey Kanter, 12 Meadow Ln, Mercer Island, WA 98040

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 3:52 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: SJCC proposal

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Council mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Dodi Nov <drdodi@bellevuesmiles.com>  
**Sent:** Thursday, October 26, 2023 1:16 PM  
**To:** Council <council@mercergov.org>  
**Subject:** SJCC proposal

Dear Mercer Island City Council,

I live directly across the street from the SJCC

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

Item 1.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sincerely,  
Dodi Nov



## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 3:50 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: SJCC rezoning

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Council mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Garrett Hyman <garretthyman@yahoo.com>  
**Sent:** Thursday, October 26, 2023 12:40 PM  
**To:** Council <council@mercergov.org>  
**Subject:** SJCC rezoning

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sincerely,  
Garrett Hyman  
MI Resident since 2003

=====  
Garrett S. Hyman, MD, MPH, FACSM, FABPMR, CAQSM  
Lake Washington Sports & Spine  
[www.lakewass.com](http://www.lakewass.com)  
[www.seattlesoccermedicine.com](http://www.seattlesoccermedicine.com)  
[www.healthoptimizationprogram.com](http://www.healthoptimizationprogram.com)  
Consultant Physician -- Sports Medicine  
Independent Practice Proud  
=====



CONFIDENTIALITY NOTICE: This e-mail message, including any attachments, is for the sole use of the intended recipient(s). The information contained in this message is private and confidential, may contain legally protected health information and may be subject to one or more non-disclosure agreements, HIPAA privacy regulations and other laws. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 3:47 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: SJCC

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Council mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Marty Nelson <[martysnelson@hotmail.com](mailto:martysnelson@hotmail.com)>  
**Sent:** Thursday, October 26, 2023 8:58 AM  
**To:** Council <[council@mercergov.org](mailto:council@mercergov.org)>  
**Subject:** SJCC

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone its large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

*Item 1.*

Thank you for your support.

Marty Nelson (23 year Mercer Island resident)

3695 W Mercer Way

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 3:47 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum Jewish Community Center

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Council mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Paul Amato <pra717@yahoo.com>  
**Sent:** Thursday, October 26, 2023 8:21 AM  
**To:** Council <council@mercergov.org>  
**Subject:** Stroum Jewish Community Center

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility institution on the Island.

Item 1.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Warmly, Dr. Paul Amto, DDS, FAGD

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Thursday, October 26, 2023 3:52 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum Jewish Community Center's request to rezone

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Council mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** akarp31@gmail.com <akarp31@gmail.com>  
**Sent:** Thursday, October 26, 2023 2:21 PM  
**To:** Council <council@mercergov.org>  
**Subject:** Stroum Jewish Community Center's request to rezone

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.



Further, this request affects the SJCC ONLY, and will not have any impact on any other facility institution on the Island.

Item 1.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sincerely,

Abby Marcus, 7014 SE 20th St Mercer Island resident 12 years

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Friday, October 27, 2023 10:31 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Comment received to Council mailbox

Andrea Larson  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

**From:** Gloria Milner <gloriamilner@gmail.com>  
**Sent:** Thursday, October 26, 2023 7:56 PM  
**To:** Council <council@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sent from my iPhone

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Friday, October 27, 2023 10:32 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum Jewish Community Center's request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Comment received to Council mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Carl A. Bianco <[cabianco@biancoproperties.com](mailto:cabianco@biancoproperties.com)>  
**Sent:** Friday, October 27, 2023 9:13 AM  
**To:** Planning Commission <[Planning.Commission@mercergov.org](mailto:Planning.Commission@mercergov.org)>  
**Cc:** Council <[council@mercergov.org](mailto:council@mercergov.org)>  
**Subject:** Stroum Jewish Community Center's request

To: Mercer Island Planning Commission & City Council and City Council,

We are writing to request that the Planning Commission and City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

Since we arrived on M.I. almost 43 years ago, the SJCC has been part of our life. With both athletics and all kinds of other activities, we have spent many hours at the "J". Everyone knows this building needs updating, and it needs it badly.

It is your responsibility to act in the interests of the majority of your population. Please do so and approve their request.

If you have any questions, we can be contacted as shown below. Thank you.

From:

Carl and Joann Bianco  
 8700 North Mercer Way • Mercer Island, WA • 98040

His Cell/Primary: (206) 853-6017 • Her Cell: (206) 898-6286  
Almost 43 years as residents of Mercer Island  
Previously at 7210 North Mercer Way, Mercer Island

Item 1.

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Rezoning SJCC fir commercial use  
**Date:** Friday, October 27, 2023 3:13:02 PM

---

Comment received to Council mailbox

[Andrea Larson](#)  
City Clerk  
City of Mercer Island  
206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

---

**From:** Adam Brazg <[adambrazg@gmail.com](mailto:adambrazg@gmail.com)>  
**Sent:** Friday, October 27, 2023 11:43 AM  
**To:** Council <[council@mercergov.org](mailto:council@mercergov.org)>  
**Subject:** Rezoning SJCC fir commercial use

Dear Council members,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

As a kid growing up on Mercer Island, I spent so much of my childhood there. As an adult, I now send my kid to their pre-school. The building has not changed since as long as I remember, and it is in serious need of an upgrade.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sincerely,

Adam Brazg

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Supporting the SCJJ rebuild  
**Date:** Friday, October 27, 2023 3:13:39 PM

---

Comment received to Council mailbox

[Andrea Larson](#)  
City Clerk  
City of Mercer Island  
206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

---

**From:** Leanne Bellar Gordon <[leanne.b.gordon@gmail.com](mailto:leanne.b.gordon@gmail.com)>  
**Sent:** Friday, October 27, 2023 12:53 PM  
**To:** Council <[council@mercergov.org](mailto:council@mercergov.org)>  
**Subject:** Supporting the SCJJ rebuild

Dear MI City Council,

Please support the request that the MI City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

Thank you for your support,

Leanne Gordon, age 37, living on First Hill in Mercer Island for 3 years and resident of Seattle-area my whole life



**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Re zoning the SJCC  
**Date:** Monday, October 30, 2023 9:06:56 AM

---

Comment received to Council mailbox

[Andrea Larson](#)  
City Clerk  
City of Mercer Island  
206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

---

**From:** Lisa Porad <lisa@lisaporad.com>  
**Sent:** Sunday, October 29, 2023 3:08 PM  
**To:** Council <council@mercergov.org>  
**Subject:** Re zoning the SJCC

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sincerely,

Lisa Porad  
2445 74th AVE SE  
Mercer Island, WA 98040  
Resident 25 years. Grew up at the J

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Stroom JCC Rezone Request  
**Date:** Monday, October 30, 2023 9:05:33 AM  
**Attachments:** [image513683.jpg](#)  
[image644754.png](#)  
[image163059.png](#)  
[image803865.png](#)  
[image151711.png](#)

---

Comment received to Council mailbox

[Andrea Larson](#)

City Clerk

City of Mercer Island

206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

---

**From:** Steve Lewis <SLewis@pspipe.com>  
**Sent:** Sunday, October 29, 2023 2:46 PM  
**To:** Council <council@mercergov.org>  
**Subject:** Stroom JCC Rezone Request

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroom Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.


Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroom Jewish Community Center on Mercer Island is now.

Thank you for your support.

Steve Lewis  
**Steve Lewis**  
*Chief Financial Officer*



Email: [SLewis@pspipe.com](mailto:SLewis@pspipe.com) | Phone: (253) 796-9350  
Web: [www.pspipe.com](http://www.pspipe.com) | Cell: (206) 947-4040  
7816 S. 202nd Street | Kent | WA | 98032 

---

## **PSP is now open in Spokane, WA and Salem, OR**

Please consider the environment before printing this email message.

Disclaimer:  
This message contains confidential information and is intended only for the message recipient. If you are not the message recipient you should not disseminate, distribute or copy this e-mail. Please notify [SLewis@pspipe.com](mailto:SLewis@pspipe.com) immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. E-mail transmission cannot be guaranteed to be secure or error-free as information could be intercepted, corrupted, lost, destroyed, arrive late or incomplete, or contain viruses. Steve Lewis therefore does not accept liability for any errors or omissions in the contents of this message, which arise as a result of e-mail transmission. If verification is required please request a hard-copy version.

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Support for SJCC Rezone  
**Date:** Monday, October 30, 2023 8:49:52 AM

---

Comment received to Council mailbox

[Andrea Larson](#)  
City Clerk  
City of Mercer Island  
206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

---

**From:** Jean Klein <[jeankanklein@gmail.com](mailto:jeankanklein@gmail.com)>  
**Sent:** Sunday, October 29, 2023 2:45 PM  
**To:** Council <[council@mercergov.org](mailto:council@mercergov.org)>  
**Subject:** Support for SJCC Rezone

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Jean Klein is  
5360 Lansdowne Lane  
49 year resident of Mercer Island

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Supporting the SCJJ rebuild  
**Date:** Monday, October 30, 2023 8:46:52 AM

---

Comment received to Council mailbox

[Andrea Larson](#)  
City Clerk  
City of Mercer Island  
206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

---

**From:** Seth Gordon <[gordon.seth@gmail.com](mailto:gordon.seth@gmail.com)>  
**Sent:** Saturday, October 28, 2023 6:59 AM  
**To:** Council <[council@mercergov.org](mailto:council@mercergov.org)>  
**Subject:** Supporting the SCJJ rebuild

Dear MI City Council,

Please support the request that the MI City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

Thank you for your support,

Seth Gordon, age 39, living on First Hill in Mercer Island for 3 years, 3 children ages 2-7



**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: The J  
**Date:** Monday, October 30, 2023 9:06:20 AM

---

Comment received to Council mailbox

[Andrea Larson](#)  
City Clerk  
City of Mercer Island  
206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

---

**From:** Barbara Cohen <cohenhead1@mac.com>  
**Sent:** Sunday, October 29, 2023 3:05 PM  
**To:** Council <council@mercergov.org>  
**Subject:** The J

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sincerely, Barby Cohen

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Stroum JCC Rezone Request  
**Date:** Monday, October 30, 2023 9:07:33 AM

---

Comment received to Council mailbox

Andrea Larson  
City Clerk  
City of Mercer Island  
206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)

The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

From: Lynn Wartnik <[tony2lynni@comcast.net](mailto:tony2lynni@comcast.net)>  
Sent: Sunday, October 29, 2023 4:00 PM  
To: Council <[council@mercergov.org](mailto:council@mercergov.org)>  
Subject: Stroum JCC Rezone Request

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: SJCC Rezone  
**Date:** Monday, October 30, 2023 9:07:59 AM

---

Comment received to Council mailbox

[Andrea Larson](#)  
City Clerk  
City of Mercer Island  
206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

---

**From:** Scott Porad <[scott@porad.com](mailto:scott@porad.com)>  
**Sent:** Sunday, October 29, 2023 5:49 PM  
**To:** Council <[council@mercergov.org](mailto:council@mercergov.org)>  
**Subject:** SJCC Rezone

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sincerely,

Scott Porad  
2445 74th Ave SE  
Mercer Island, WA 98040  
Resident since 2008

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Stroum JCC Rezone Request  
**Date:** Monday, October 30, 2023 9:08:28 AM

---

Comment received to Council mailbox

Andrea Larson  
City Clerk  
City of Mercer Island  
206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

From: Theresa Lieberman <theresaclieberman@gmail.com>  
Sent: Sunday, October 29, 2023 5:49 PM  
To: Council <council@mercergov.org>  
Subject: Stroum JCC Rezone Request

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Theresa Lieberman

Sent from my iPad

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Stroum JCC Rezone Request  
**Date:** Monday, October 30, 2023 9:09:04 AM

---

Comment received to Council mailbox

Andrea Larson  
City Clerk  
City of Mercer Island  
206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

From: Leslie Rouso <[lshtabs@gmail.com](mailto:lshtabs@gmail.com)>  
Sent: Sunday, October 29, 2023 6:30 PM  
To: Council <[council@mercergov.org](mailto:council@mercergov.org)>  
Subject: Stroum JCC Rezone Request

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support,  
Leslie Rouso

Sent from my iPhone

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Stroum JCC Rezone Request  
**Date:** Monday, October 30, 2023 9:09:41 AM

---

Comment received to Council mailbox

Andrea Larson  
City Clerk  
City of Mercer Island  
206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

From: Betty Ann Richmond <[bettyannrichmond@comcast.net](mailto:bettyannrichmond@comcast.net)>  
Sent: Sunday, October 29, 2023 8:48 PM  
To: Council <[council@mercergov.org](mailto:council@mercergov.org)>  
Subject: Stroum JCC Rezone Request

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sent from my iPhone



**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Stroum Jewish Community Center Re-zoning  
**Date:** Monday, October 30, 2023 9:10:06 AM

---

Comment received to Council mailbox

[Andrea Larson](#)  
City Clerk  
City of Mercer Island  
206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

---

**From:** Ken Wolfe <[ken@wolfedwelling.com](mailto:ken@wolfedwelling.com)>  
**Sent:** Sunday, October 29, 2023 10:44 PM  
**To:** Council <[council@mercergov.org](mailto:council@mercergov.org)>  
**Subject:** Stroum Jewish Community Center Re-zoning

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sincerely,

Ken Wolfe

7012 81<sup>st</sup> Avenue SE

Mercer Island, WA 98040

15 year resident

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: help SJCC re-zone  
**Date:** Monday, October 30, 2023 9:24:36 AM

---

Comment received to Council mailbox

[Andrea Larson](#)  
City Clerk  
City of Mercer Island  
206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

---

**From:** Rachel Hyman <[rachshyman@yahoo.com](mailto:rachshyman@yahoo.com)>  
**Sent:** Monday, October 30, 2023 8:33 AM  
**To:** Council <[council@mercergov.org](mailto:council@mercergov.org)>  
**Subject:** help SJCC re-zone

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sincerely,

Rachel Hyman  
6924 SE Allen St, MI  
An Islander for over 20 years!

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Rezone for SJCC  
**Date:** Monday, October 30, 2023 9:10:33 AM

---

Comment received to Council mailbox

[Andrea Larson](#)  
City Clerk  
City of Mercer Island  
206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

---

**From:** Gloria Wolfe <[gloria@wolfedwelling.com](mailto:gloria@wolfedwelling.com)>  
**Sent:** Sunday, October 29, 2023 10:57 PM  
**To:** Council <[council@mercergov.org](mailto:council@mercergov.org)>  
**Subject:** Rezone for SJCC

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sincerely,

Gloria Wolfe  
MI resident for 15 years

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: SJCC rezone  
**Date:** Monday, October 30, 2023 9:11:02 AM

---

Comment received to Council mailbox

[Andrea Larson](#)  
City Clerk  
City of Mercer Island  
206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

---

**From:** Nigel Maughan <nigel.maughan@gmail.com>  
**Sent:** Monday, October 30, 2023 7:56 AM  
**To:** Council <council@mercergov.org>  
**Subject:** SJCC rezone

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.



Thank you for your support.

Regards

Nigel Maughan  
MI resident

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Stroum JCC Rezone Request  
**Date:** Monday, October 30, 2023 9:15:15 AM

---

Comment received to Council mailbox

[Andrea Larson](#)  
City Clerk  
City of Mercer Island  
206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

---

**From:** Bruce Anderson <[bruce@mbanderson.net](mailto:bruce@mbanderson.net)>  
**Sent:** Monday, October 30, 2023 8:18 AM  
**To:** Council <[council@mercergov.org](mailto:council@mercergov.org)>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support. M. Bruce Anderson – 206-397-3579 or [Bruce@mbanderson.net](mailto:Bruce@mbanderson.net): We have been a resident of Mercer Island since 1980.

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: JCC remodel!  
**Date:** Tuesday, October 31, 2023 9:07:13 AM

---

Comment received to Council mailbox

[Andrea Larson](#)  
City Clerk  
City of Mercer Island  
206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

---

**From:** Stephanie King <[stephaniedbartley@gmail.com](mailto:stephaniedbartley@gmail.com)>  
**Sent:** Monday, October 30, 2023 6:23 PM  
**To:** Council <[council@mercergov.org](mailto:council@mercergov.org)>  
**Subject:** JCC remodel!

Dear Mercer Island City Council,

Given this is a prewritten letter below, even though it does a great job of recapping my feelings about this project, I want to add a personal note because this really matters to me. Our youngest daughter attended pre-school at the JCC, learned to swim in that pool, and was my very first attempt at getting a trainer to get in shape, oh and I met my very best "mom friend". So as someone who loved what the JCC brought to our community as a parent on the island I just want to reiterate that it would be amazing to have a wonderful remodeled JCC as a community asset!

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the

current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sincerely,  
Stephanie & Matt King (one of us was born and raised on the island and the other is 17+ years)

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Stroum JCC Rezone Request  
**Date:** Tuesday, October 31, 2023 12:59:39 PM

---

Comment received to Planning Commission mailbox

[Andrea Larson](#)  
City Clerk  
City of Mercer Island  
206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

---

**From:** crawfb <crawfb@comcast.net>  
**Sent:** Tuesday, October 31, 2023 11:25 AM  
**To:** Planning Commission <Planning.Commission@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sent from my Galaxy

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Stroum JCC Rezone Request  
**Date:** Tuesday, October 31, 2023 4:39:00 PM

---

Comment received to Council mailbox

Andrea Larson  
City Clerk  
City of Mercer Island  
206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

From: candis.a.miles@gmail.com <candis.a.miles@gmail.com>  
Sent: Tuesday, October 31, 2023 2:31 PM  
To: Council <council@mercergov.org>  
Subject: Stroum JCC Rezone Request

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sent from my iPhone



**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Stroum JCC Rezone Request  
**Date:** Tuesday, October 31, 2023 4:39:28 PM

---

Comment received to Council mailbox

[Andrea Larson](#)  
City Clerk  
City of Mercer Island  
206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

---

**From:** Susan Tregerman <[suestjcc@gmail.com](mailto:suestjcc@gmail.com)>  
**Sent:** Tuesday, October 31, 2023 2:32 PM  
**To:** Council <[council@mercergov.org](mailto:council@mercergov.org)>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island City Council, I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024. For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use. It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors. For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island. The time to support the future of the Stroum Jewish Community Center on Mercer Island is now. Thank you for your support.

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Stroum JCC Rezone Request  
**Date:** Wednesday, November 1, 2023 5:40:27 PM

---

Comment received to Council mailbox

[Andrea Larson](#)  
City Clerk  
City of Mercer Island  
206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

---

**From:** Gerald bernstein <g3bernste@comcast.net>  
**Sent:** Wednesday, November 1, 2023 10:20 AM  
**To:** Council <council@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.  
Gerald Bernstein, M.D.

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: SJCC  
**Date:** Wednesday, November 1, 2023 5:40:51 PM

---

Comment received to Council mailbox

[Andrea Larson](#)  
City Clerk  
City of Mercer Island  
206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

---

**From:** Dana Pruchno <[danapruchno@hotmail.com](mailto:danapruchno@hotmail.com)>  
**Sent:** Wednesday, November 1, 2023 12:09 PM  
**To:** Planning Commission <[Planning.Commission@mercergov.org](mailto:Planning.Commission@mercergov.org)>; Council <[council@mercergov.org](mailto:council@mercergov.org)>  
**Subject:** SJCC

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact

on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

William and Dana Pruchno  
MI Residents for 21 years  
7928 SE 76<sup>th</sup> St

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Support SJCC remodeling  
**Date:** Monday, November 6, 2023 8:33:41 AM

---

Comment received to Council mailbox

[Andrea Larson](#)  
City Clerk  
City of Mercer Island  
206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

---

**From:** Daisy Yanrui Zhang <[zyr8911@gmail.com](mailto:zyr8911@gmail.com)>  
**Sent:** Monday, November 6, 2023 7:18 AM  
**To:** Council <[council@mercergov.org](mailto:council@mercergov.org)>; Planning Commission <[Planning.Commission@mercergov.org](mailto:Planning.Commission@mercergov.org)>  
**Subject:** Support SJCC remodeling

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sincerely,  
Yanrui Zhang  
3056 61st Ave SE,  
Mercer Island,  
WA 98040  
Resident since 2019



**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Stroum JCC Rezone Request  
**Date:** Monday, November 6, 2023 8:34:04 AM

---

Comment received to Council mailbox

Andrea Larson  
City Clerk  
City of Mercer Island  
206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

From: Barbara Rappoport <barbrappo@gmail.com>  
Sent: Monday, November 6, 2023 4:12 AM  
To: Council <council@mercergov.org>  
Subject: Stroum JCC Rezone Request

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Barbara Rappoport  
Sent from my iPhone

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: SJCC  
**Date:** Monday, November 6, 2023 8:34:30 AM

---

Comment received to Council mailbox

[Andrea Larson](#)  
City Clerk  
City of Mercer Island  
206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

---

**From:** Chee San Choy <[choycheesan@gmail.com](mailto:choycheesan@gmail.com)>  
**Sent:** Sunday, November 5, 2023 9:55 PM  
**To:** Council <[council@mercergov.org](mailto:council@mercergov.org)>  
**Subject:** SJCC

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support. Mercer Island needs newer community facilities to compete with neighboring cities and stay relevant to today's needs.

Sincerely,

Sandra Choy

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: JCC revision  
**Date:** Monday, November 6, 2023 8:34:56 AM

---

Comment received to Council mailbox

[Andrea Larson](#)  
City Clerk  
City of Mercer Island  
206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

---

**From:** Renee Eskenazi <renesken@comcast.net>  
**Sent:** Sunday, November 5, 2023 8:19 PM  
**To:** Council <council@mercergov.org>  
**Subject:** JCC revision

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. It was an important organization for me as a youth on the Island and for my family later. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sincerely,  
Renee Eskenazi  
Mercer Island resident 27 years in total, to date  
Sent from my iPhone

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Stroum Jewish Community Center  
**Date:** Monday, November 6, 2023 8:46:38 AM

---

Comment received to Planning Commission mailbox

Andrea Larson  
City Clerk  
City of Mercer Island  
206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)

The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

From: Sharon Lott <sharonlot@aol.com>  
Sent: Monday, November 6, 2023 8:40 AM  
To: Planning Commission <Planning.Commission@mercergov.org>  
Subject: Stroum Jewish Community Center

Hello, my husband and I and our family have lived on the island for over 46 years. My two sons and their families now live on the island. Our parents lived on the island, and our siblings still live on the island. My husband was born here. For the past 54 years we have been members of the SJCC. It provided camaraderie and exercise for our parents, preschool and afterschool activities for our children and grandchildren, and a place of community and safety for us all. It is in dire need of repair and rebuilding. Please consider rezoning so we can continue the tradition of community and care for us and our family. Thank you for listening and please help to make the island a better, happier and safer place to live. Thank you again, Marty and Sharon Lott.

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Please rezone the SJCC to Commercial Office property now!  
**Date:** Tuesday, November 7, 2023 10:49:06 AM

---

Comment received to Council mailbox.

[Andrea Larson](#)  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

---

**From:** Alan Waldbaum <alanwaldbaum@hotmail.com>  
**Sent:** Monday, November 6, 2023 8:59 PM  
**To:** Council <council@mercergov.org>  
**Subject:** Please rezone the SJCC to Commercial Office property now!

Dear Mercer Island City Council,

I am 54 years old and practically grew up at the Stroum Jewish Community Center (SJCC). I went to pre-school there, I took swimming lessons there, I did gymnastics there, I played youth basketball there, I did BBYO there, I have always worked out there (even when I attended UW - because the IMA used to be so crowded back then!), I met my wife there, my kids attended pre-school there, did JExplorers and go to BBYO now. It is the heart of the Jewish people in the Seattle area -- and it needs your support. At a time when Antisemitism is rearing its ugly head everywhere -- we hope that Mercer Island will continue to stand as a beacon of light and a place where the Jewish people can feel safe.

**I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.** For my entire life, the SJCC has served Mercer Island residents with programs for all people -- not just Jewish people -- of all ages, all races, all economic backgrounds, all ethnicities. **However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.**



Please help us. It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Alan Waldbaum (206-853-7796)

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Stroum JCC Rezone Request  
**Date:** Thursday, November 9, 2023 12:30:10 PM

---

Comment received to Council mailbox

Andrea Larson  
City Clerk  
City of Mercer Island  
206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

From: Ingrid Eisenman <ilahti@me.com>  
Sent: Wednesday, November 8, 2023 6:18 PM  
To: Council <council@mercergov.org>  
Subject: Stroum JCC Rezone Request

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sent from my iPhone

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Stroum JCC Rezone Request  
**Date:** Thursday, November 9, 2023 12:30:46 PM

---

Comment received to Council mailbox

Andrea Larson  
City Clerk  
City of Mercer Island  
206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

From: Eric Monsowitz <[ericmonsowitz@hotmail.com](mailto:ericmonsowitz@hotmail.com)>  
Sent: Wednesday, November 8, 2023 6:44 PM  
To: Council <[council@mercergov.org](mailto:council@mercergov.org)>  
Subject: Stroum JCC Rezone Request

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Eric

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Rezone for SJCC  
**Date:** Thursday, November 9, 2023 12:31:15 PM

---

Comment received to Council mailbox

[Andrea Larson](#)  
City Clerk  
City of Mercer Island  
206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

---

**From:** Kalai Socha-Leialoha <[kalai@socha.com](mailto:kalai@socha.com)>  
**Sent:** Wednesday, November 8, 2023 6:50 PM  
**To:** Council <[council@mercergov.org](mailto:council@mercergov.org)>  
**Subject:** Rezone for SJCC

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sincerely,  
Kalai Socha-Leialoha

-

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Stroum JCC Rezone Request  
**Date:** Thursday, November 9, 2023 12:31:47 PM

---

Comment received to Council mailbox

Andrea Larson  
City Clerk  
City of Mercer Island  
206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)

The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

From: Pallu <[pallushah@comcast.net](mailto:pallushah@comcast.net)>  
Sent: Wednesday, November 8, 2023 6:50 PM  
To: Council <[council@mercergov.org](mailto:council@mercergov.org)>  
Subject: Stroum JCC Rezone Request

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Thanks,Pallu  
Sent from my iPhone

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Stroum JCC Rezone Request  
**Date:** Thursday, November 9, 2023 12:32:13 PM

---

Comment received to Council mailbox

[Andrea Larson](#)  
City Clerk  
City of Mercer Island  
206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

---

**From:** Sallye Gilbert <18gil49@gmail.com>  
**Sent:** Wednesday, November 8, 2023 7:15 PM  
**To:** Council <council@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.



Sallye Gilbert

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Stroum JCC Rezone Request  
**Date:** Thursday, November 9, 2023 12:32:44 PM

---

Comment received to Council mailbox

Andrea Larson  
City Clerk  
City of Mercer Island  
206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

From: Prudy Bair <[prudybair@icloud.com](mailto:prudybair@icloud.com)>  
Sent: Wednesday, November 8, 2023 7:26 PM  
To: Council <[council@mercergov.org](mailto:council@mercergov.org)>  
Subject: Stroum JCC Rezone Request

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.  
Prudence Bair

Sent from my iPhone

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Stroum JCC Rezone Request  
**Date:** Thursday, November 9, 2023 12:33:20 PM

---

Comment received to Council mailbox

Andrea Larson  
City Clerk  
City of Mercer Island  
206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)

The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

From: Shang Shang <shangshang1224@gmail.com>  
Sent: Wednesday, November 8, 2023 8:03 PM  
To: Council <council@mercergov.org>  
Subject: Stroum JCC Rezone Request

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.  
Shang Shang

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Stroum JCC Rezone Request  
**Date:** Thursday, November 9, 2023 12:34:12 PM

---

Comment received to Council mailbox

Andrea Larson  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)

The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

From: Lee <leatricesk@yahoo.com>  
 Sent: Wednesday, November 8, 2023 8:33 PM  
 To: Council <council@mercergov.org>  
 Subject: Stroum JCC Rezone Request

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sent from my iPhone

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Stroum JCC Rezone Request  
**Date:** Thursday, November 9, 2023 12:34:51 PM

---

Comment received to Council mailbox

Andrea Larson  
City Clerk  
City of Mercer Island  
206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

From: Michael Magee <mjmagee@comcast.net>  
Sent: Wednesday, November 8, 2023 8:35 PM  
To: Council <council@mercergov.org>  
Subject: Stroum JCC Rezone Request

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Stroum Jewish Community Center Rezone  
**Date:** Thursday, November 9, 2023 12:35:20 PM

---

Comment received to Council mailbox

[Andrea Larson](#)  
City Clerk  
City of Mercer Island  
206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

---

**From:** Moss Patashnik <[mossnpeg@icloud.com](mailto:mossnpeg@icloud.com)>  
**Sent:** Wednesday, November 8, 2023 9:23 PM  
**To:** Council <[council@mercergov.org](mailto:council@mercergov.org)>  
**Subject:** Stroum Jewish Community Center Rezone

Dear Mercer Island City Council,

Please place the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Moss Patashnik

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Stroum JCC Rezone Request  
**Date:** Thursday, November 9, 2023 12:35:49 PM

---

Comment received to Council mailbox

[Andrea Larson](#)  
City Clerk  
City of Mercer Island  
206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

---

**From:** Samuel Ostroff <[sam.ostroff@gmail.com](mailto:sam.ostroff@gmail.com)>  
**Sent:** Wednesday, November 8, 2023 9:58 PM  
**To:** Council <[council@mercergov.org](mailto:council@mercergov.org)>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.



Sincerely,  
Samuel Ostroff

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Support of SJCC  
**Date:** Thursday, November 9, 2023 12:36:21 PM

---

Comment received to Council mailbox

[Andrea Larson](#)  
City Clerk  
City of Mercer Island  
206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

---

**From:** Carin Jacobson <[csulman@comcast.net](mailto:csulman@comcast.net)>  
**Sent:** Wednesday, November 8, 2023 10:59 PM  
**To:** Council <[council@mercergov.org](mailto:council@mercergov.org)>  
**Subject:** Support of SJCC

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. For 47 years, the SJCC has been my home away from home and I want this for my children. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sincerely,  
Carin Jacobson  
2718 60th Ave SE  
MI Resident for 47 years

Sent from my iPhone

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Jewish Community Center Request  
**Date:** Thursday, November 9, 2023 12:37:23 PM

---

Comment received to Council mailbox

Andrea Larson  
City Clerk  
City of Mercer Island  
206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)

The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

From: Tricia Breen <[Breen.Tricia@comcast.net](mailto:Breen.Tricia@comcast.net)>  
Sent: Thursday, November 9, 2023 12:22 AM  
To: Council <[council@mercergov.org](mailto:council@mercergov.org)>  
Subject: Jewish Community Center Request

Dear Mercer Island City Council,

I am writing to request that you expedite and approve a rezone of the JCC to Office Commercial. Doing so will allow the JCC to complete much needed facility updates without affecting their neighbors or nearby properties. The JCC is a vital community resource for all families of Mercer Island, (not only Jewish). It is an important preschool, recreational and social place where people of all faiths gather. Please consider this request which will make Mercer Island an even better place to live!

Sincerely  
Patricia Breen  
Richard Fruchter  
2246 80th Ave SE  
Mercer we Island

Sent from my iPhone

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Stroum JCC Rezone Request  
**Date:** Thursday, November 9, 2023 12:38:09 PM

---

Comment received to Council mailbox

Andrea Larson  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)

The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

From: Lexruben <lexruben@gmail.com>  
 Sent: Thursday, November 9, 2023 7:30 AM  
 To: Council <council@mercergov.org>  
 Subject: Stroum JCC Rezone Request

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Alexis Rubenstein  
 7410 87th pl se  
 Mercer Island, Wa 98040  
 Lifelong islander

Sent from my mobile device

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Please approve SJCC Rezone  
**Date:** Thursday, November 9, 2023 12:38:43 PM

---

Comment received to Council mailbox

[Andrea Larson](#)  
City Clerk  
City of Mercer Island  
206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

---

**From:** Pamela Lavitt <[plavitt@me.com](mailto:plavitt@me.com)>  
**Sent:** Thursday, November 9, 2023 7:35 AM  
**To:** Council <[council@mercergov.org](mailto:council@mercergov.org)>  
**Subject:** Please approve SJCC Rezone

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sincerely,  
Pamela Lavitt



**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: SJCC--request to rezone  
**Date:** Thursday, November 9, 2023 12:39:19 PM

---

Comment received to Council mailbox

[Andrea Larson](#)  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

---

**From:** Leigh Anne Kuiken <lkuiken@gmail.com>  
**Sent:** Thursday, November 9, 2023 10:51 AM  
**To:** Council <council@mercergov.org>  
**Subject:** SJCC--request to rezone

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Leigh Anne Kiviat

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Stroum JCC Rezone Request  
**Date:** Thursday, November 9, 2023 12:44:24 PM

---

Comment received to Council mailbox

Andrea Larson  
City Clerk  
City of Mercer Island  
206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

From: Susan Tregerman <suestjcc@gmail.com>  
Sent: Thursday, November 9, 2023 12:28 PM  
To: Council <council@mercergov.org>  
Subject: Stroum JCC Rezone Request

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sent from my iPhone

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Stroum JCC Rezone Request  
**Date:** Thursday, November 9, 2023 1:12:37 PM

---

Comment received to Council mailbox

[Andrea Larson](#)  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

---

**From:** Lois Fuhr <lfuhr@fuhrassoc.com>  
**Sent:** Wednesday, November 8, 2023 7:32 PM  
**To:** Council <council@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Lois Fuhr  
206.601.4868 (m)  
206.260.3147 (f)  
[www.loisfuhr.com](http://www.loisfuhr.com)

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Stroum Jewish Community Center  
**Date:** Thursday, November 9, 2023 4:58:03 PM

---

Comment received to Council mailbox

[Andrea Larson](#)  
City Clerk  
City of Mercer Island  
206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

---

**From:** Eric Heinberg <[orleanean@yahoo.com](mailto:orleanean@yahoo.com)>  
**Sent:** Thursday, November 9, 2023 12:38 PM  
**To:** Council <[council@mercergov.org](mailto:council@mercergov.org)>  
**Subject:** Stroum Jewish Community Center

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sincerely,

Dr. Eric M. Heinberg, MD



**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Stroum JCC Rezone Request  
**Date:** Thursday, November 9, 2023 4:58:35 PM

---

Comment received to Council mailbox

Andrea Larson  
City Clerk  
City of Mercer Island  
206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)

The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

From: lolly locke <lollylocke@gmail.com>  
Sent: Thursday, November 9, 2023 1:36 PM  
To: Council <council@mercergov.org>  
Subject: Stroum JCC Rezone Request

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Alyson Locke

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Stroum JCC Rezone Request  
**Date:** Monday, November 13, 2023 9:15:30 AM

---

Comment received to Council mailbox

[Andrea Larson](#)  
City Clerk  
City of Mercer Island  
206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

---

**From:** sooperdoc@aol.com <sooperdoc@aol.com>  
**Sent:** Thursday, November 9, 2023 8:19 PM  
**To:** Council <council@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island City Council, I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024. For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use. It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors. For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island. The time to support the future of the Stroum Jewish Community Center on Mercer Island is now. Thank you for your support.

Dr. Arnold Reich  
Mercer Island resident for fifty years

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Stroum JCC Rezone Request  
**Date:** Monday, November 13, 2023 9:15:56 AM

---

Comment received to Council mailbox

[Andrea Larson](#)  
City Clerk  
City of Mercer Island  
206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

---

**From:** Reanne Berkstresser <[reanneb15@gmail.com](mailto:reanneb15@gmail.com)>  
**Sent:** Friday, November 10, 2023 5:44 AM  
**To:** Council <[council@mercergov.org](mailto:council@mercergov.org)>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Reanne Berkstresser

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Stroum JCC Rezone Request  
**Date:** Monday, November 13, 2023 9:16:40 AM

---

Comment received to Council mailbox

[Andrea Larson](#)  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

---

**From:** Lorin Freedman <[lorin.freedman@gmail.com](mailto:lorin.freedman@gmail.com)>  
**Sent:** Friday, November 10, 2023 1:47 PM  
**To:** Council <[council@mercergov.org](mailto:council@mercergov.org)>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island City Council,

I live in Mercer Island (3206 90th Pl SE) with my wife and 2 children. We learned about Mercer Island around the birth of our first child in 2017 and we enrolled him in the Early Childhood School there. We were so impressed with the school and the surrounding community that we moved here last year. The J has been of great importance to us and we believe that its expansion is in the community's interest.

Therefore, I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or

institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Lorin Freedman

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Nov. 15 Planning Commission Meeting/ 2024 Annual Docket/Objection To Staff's Report/Public Comments On Suggested Amendment 18  
**Date:** Monday, November 13, 2023 9:17:14 AM

---

Comment received to Council mailbox

[Andrea Larson](#)

City Clerk

City of Mercer Island

206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

---

**From:** Dan Thompson <danielpthompson@hotmail.com>  
**Sent:** Friday, November 10, 2023 2:33 PM  
**To:** Alison Van Gorp <alison.vangorp@mercergov.org>  
**Cc:** Jeff Thomas <jeff.thomas@mercerisland.gov>; Jessi Bon <jessi.bon@mercergov.org>; Planning Commission <Planning.Commission@mercergov.org>; Council <council@mercergov.org>  
**Subject:** Nov. 15 Planning Commission Meeting/ 2024 Annual Docket/Objection To Staff's Report/Public Comments On Suggested Amendment 18

Dear Alison, council and planning commission,

I have read the recently released agenda packet for the Nov. 15 Planning Commission meeting. [TEM-Attachment-001-319c9a30e91a44a1a0d70b70ccc915a2.pdf](#) ([usgovcloudapi.net](http://usgovcloudapi.net)) To say that it is unusual and deficient would be a gross understatement. Please consider these my public comments on Suggested Amendment 18, the rezone of the JCC properties from single family residential to commercial office, as well as my comments from Nov. 9 at the bottom of this email.

**If there is one basic error in staff's report it is the report fails to understand amendment 18 is not about *uses*, it is about the ability of a single CUP in the residential zone to obtain much greater *regulatory limits* than the surrounding residential zone or other CUP's. The CUP *already* enjoys a conditional *use*. The only question is whether the conditional use should also enjoy greater regulatory limits than houses in the same residential zone.**

## 1. SUMMARY OF ARGUMENT.



A. This process is not just unusual but deficient. The public has not been advised of the reasons for questioning the planning commission members over conflicts of interest or the appearance of conflicts, public comments received to date are not attached to staff's report, and the commission members themselves are left to decide whether to recuse themselves if there is the appearance of a conflict when recusal needs to be made by a third party with legal expertise. The public is left with the definite impression the city knows something it is not revealing.

B. Staff's report is woefully deficient, and fails to recite the history of this property, and the 30-year history of attempts to obtain preferential regulatory limits beyond those allowed in the CUP and residential zone.

C. A conditional use permit already receives zoning benefits that are not allowed for the houses in the surrounding residential zone, including the non-conforming conditional use, no internal yard setbacks, and increased impervious surface limits for parking.

D. A fundamental concept for non-conforming conditional use permits is the non-conforming use does not also receive preferential regulatory limits above those allowed to conforming uses.

E. Staff's report fails to educate the planning commission on **Administrative Interpretation 22-004** that was just issued last year for this very same property, and outlines all the elements of the comprehensive plan that prevent a CUP from upzoning residentially zoned property or applying for a variance to obtain preferential regulatory limits.

F. The JCC's application to upzone its residential zoned properties to CO is either an illegal spot zone contrary to MICC 19.15.240(C)(4), or it must be available to every other property owner in the SFH residential zone, including other CUP's and conforming uses like single family homes. This amendment effectively eliminates the SFH residential zone on MI. Yet staff's report is silent on this critical issue even though it admits the application is site specific.

## **2. APPEARANCE OF FAIRNESS DOCTRINE. THE COMMISSIONERS THEMSELVES CANNOT DECIDE IF THEY HAVE A CONFLICT OR APPEARANCE OF A CONFLICT.**

The hearing will begin with a voir dire of planning commission members, followed by the opportunity of the public to question members on their answers, although the public has not been provided any basis for this unusual process, or what has triggered it. But even then, staff's report states: **"Commissioners may respond to any challenges and then would need**

**to make their own decision as to whether or not to recuse themselves from these proceedings".**

How can the commissioners themselves be allowed to make the decision whether they can be fair, or whether they **appear** to be fair? A neutral third party with legal expertise must make that determination because obviously a conflicted planning commission member can't see that, or the appearance of a conflict, themselves. This highly unusual process definitely leaves the public with the impression that the city knows something it is not revealing about the fairness of this hearing.

### **3. PUBLIC COMMENTS ARE NOT ATTACHED TO STAFF'S REPORT.**

No public comments received to date have been attached to staff's report. The report states:

"ATTACHMENTS"

"1. Docket Application filed by the Stroum Jewish Community Center.

"2. Written public comments (forthcoming)."

How can the planning commission make a decision on amendment 18 without having reviewed any public comments until the day of the hearing, and how can it review them all on the day of the meeting? The entire purpose of the planning commission is to determine public sentiment on a proposed action (and the Community Facilities Zone would seem to be a good indication of public support for amendment 18 but staff's report is silent on that too).

Furthermore, how can members of the public prepare to challenge the fairness or appearance of fairness of the planning commission members without having the ability to review public comments before the hearing, or what the city is not telling us?

### **4 STAFF'S DOCKETING CRITERIA.**

Staff's identification of the relevant docketing criteria is woefully deficient, especially when it comes to the relevant elements of the comprehensive plan. Staff's report simply states:

**"Docketing Criteria:**

**"4. The proposal will serve the public interest by implementing specifically identified goals of the comprehensive plan or a new approach supporting the city's vision; Relevant goals and policies from the current Comprehensive Plan include:**

**"GOAL 17: With the exception of allowing residential development, commercial designations and permitted uses under current zoning will not change".**

**"Policy 17.4: Social and recreation clubs, schools, and religious institutions are predominantly located in single family residential areas of the Island. Development regulation should reflect the desire to retain viable and healthy social, recreational, educational, and religious organizations as community assets which are essential for the mental, physical and spiritual health of Mercer Island. The Comprehensive Plan discourages changes to commercial land use designations. However, it also encourages development regulations that support retention of "viable and healthy social, recreational, educational and religious organizations" as an essential component of Mercer Island."**

Amendment 18 is about changing SFH residential zoning to CO zoning to obtain regulatory limits not allowed in the residential zone. Retaining viable and healthy social, recreational, educational and religious organizations does not require one CUP to have much greater regulatory limits under CO zoning as the surrounding residential zone or other CUP's.

#### **5. AMENDMENT 18 IS ABOUT CHANGING RESIDENTIAL ZONING TO COMMERCIAL, NOT COMMERCIAL TO RESIDENTIAL ZONING, TO OBTAIN GREATER REGULATORY LIMITS.**

Amendment 18 is not about changing **commercial zoning and regulatory limits** to residential zoning, it is about changing **residential zoning and regulatory limits** to commercial. Basically substituting the regulatory limits for a single family house for The Hadley.

Staff's report completely ignores the long history of this property and efforts to increase its regulatory limits, which was fully laid out in the recent litigation over the JCC's applications for variances for this property, which is summarized in Amendment 13, and the litigation over the CFZ. [ITEM-Attachment-001-d231bdea5a3c4588a4bf81c9709f6182.pdf \(usgovcloudapi.net\)](#) pages 7-8. Let's Talk cite: [2024 Annual Docket of Proposed Comprehensive Plan and Development Code Amendments | Let's Talk Mercer Island \(mercergov.org\)](#).

#### **6. ADMINISTRATIVE INTERPRETATION 22-004. A CUP CANNOT APPLY LET ALONE OBTAIN A VARIANCE FROM THE REGULATORY LIMITS IN THE RESIDENTIAL ZONE.**

As part of the JCC's application for variances the city hired outside legal counsel to prepare a memo addressing whether a CUP has standing to even apply for a variance in the SFH zone. Based on this memo, Jeff Thomas issued Administrative Interpretation 22-004, which staff's report for amendment 18 completely ignores in its report to the Planning Commission.

AI 22-004 [DSG ADMINISTRATIVE POLICY DETERMINATION \(mercerisland.gov\)](https://www.mercerisland.gov/DocumentCenter/View/1000/DSG-ADMINISTRATIVE-POLICY-DETERMINATION) lays out all the elements of the comprehensive plan that discourage or prevent a CUP from upzoning residential properties in the CUP, or even applying for a variance.

AI 22-004 states:

**"(4.) Policy direction provided by the Mercer Island comprehensive plan;**

**"Analysis: Review of the Comprehensive Plan results in the following findings:**

**"(1) The Comprehensive Plan envisions Mercer Island as a residential community:**

**"(a) "Mercer Island prides itself on being a residential community. As such, most of the Island's approximately 6.2 square miles of land area is developed with single family homes." [Land Use Element, Introduction]**

**"(b) "Single family residential zoning accounts for 88 percent of the Island's land use. There are 3,534 acres zoned for single family residential development. This compares to 77 acres in the Town Center zones, 19 acres for Commercial Office zone, and 103 acres in multi-family zones (Table 2). City Hall is located in a Commercial Office zone, while other key civic buildings such as the Post Office and the Main Fire Station are located in the Town Center and City Hall. Many of the remaining public buildings, schools, recreational facilities and places of religious worship are located in residential or public zones." [Land Use Element, II Existing Conditions and Trends, Areas outside the Town Center]**

**"(c) "OUTSIDE THE TOWN CENTER (1) The community needs to accommodate two important planning values — maintaining the existing single family residential character of the Island, while at the same time planning for population and housing growth." [Land Use Element, IV. Land Use Issues, Outside the Town Center (1)]**

**"(2) A primary component of the housing element is the City's desire to protect single-family residential neighborhoods through development regulations and other City codes which restrict the bulk and scale of buildings, control noise and nuisances, minimize the**

impact of non-residential uses and help preserve the natural environment. City code provisions were specifically designed to protect residential areas from incompatible uses and promote bulk and scale consistent with the existing neighborhood character. This includes limiting the size and scope of nonresidential uses to be consistent with existing neighborhood character.

"(a) "Housing Element III. Neighborhood Quality Mercer Island single family neighborhoods pride themselves on their narrow, quiet streets and dense plantings. The City protects these neighborhoods through development regulations and other City codes which restrict the bulk and scale of buildings, control noise and nuisances, minimize the impact of non-residential uses and help preserve the natural environment. Parks, open spaces and trails also contribute to the neighborhood quality." [Housing Element, III. Neighborhood Quality]

"(b) "GOAL 1: - Ensure that single family and multi-family neighborhoods provide safe and attractive living environments, and are compatible in quality, design and intensity with surrounding land uses, traffic patterns, public facilities and sensitive environmental features. 1.1 Ensure that zoning and City code provisions protect residential areas from incompatible uses and promote bulk and scale consistent with the existing neighborhood character." [Housing Element, III. Neighborhood Quality, Goal 1.1]

"(3) The Comprehensive Plan evidences an intent to retain certain non-residential structures located in residential zones. However, the Comprehensive Plan is silent on whether such structures would be eligible for variances from otherwise applicable numerical standards.

" (a) "GOAL 17: - With the exception of allowing residential development, commercial designations and permitted uses under current zoning will not change. 17.4 Social and recreation clubs, schools, and religious institutions are predominantly located in single family residential areas of the Island. Development regulation should reflect the desire to retain viable and healthy social, recreational, educational, and religious organizations as community assets which are essential for the mental, physical and spiritual health of Mercer Island." [Land Use Elements, IV Land Use Issues Outside the Town Center]

"(4) The Comprehensive Plan also evidences an intent to preserve existing conditions and to generally permit changes only through amendments to the development code, rather than through granting numerous variances to that development code. At the same Development Code Interpretation 22-004 November 21, 2022 Page 6 of 8 time, there is also recognition that some non-residential structures and uses are compatible with residential zones.

"(a) "GOAL 15: - Mercer Island should remain principally a low density, single family

residential community.

**"15.1 Existing land use policies, which strongly support the preservation of existing conditions in the single family residential zones, will continue to apply. Changes to the zoning code or development standards will be accomplished through code amendments.**

**"15.2 Residential densities in single family areas will generally continue to occur at three to five units per acre, commensurate with current zoning. However, some adjustments may be made to allow the development of innovative housing types, such as accessory dwelling units and compact courtyard homes at slightly higher densities as outlined in the Housing Element. ...**

**"15.4 As a primarily single family residential community with a high percentage of developed land, the community cannot provide for all types of land uses. Certain activities will be considered incompatible with present uses. Incompatible uses include landfills, correctional facilities, zoos and airports. Compatible permitted uses such as education, recreation, open spaces, government social services and religious activities will be encouraged." [Land Use Elements, IV Land Use Issues Outside the Town Center]."**

How can the comprehensive plan prohibit a CUP from applying let alone obtaining variances for greater regulatory limits in the single-family residential zone but allow that same CUP to change the zoning from SFH residential to CO? That is just absurd.

## **7. AMENDMENT 18 IS EITHER AN ILLEGAL SPOT ZONE OR MUST BE AVAILABLE TO EVERY OTHER CUP AND PROPERTY OWNER IN THE RESIDENTIAL SINGLE FAMILY ZONE.**

MICC 19.15.240 states:

### **19.15.240 - Reclassification of property (rezones).** [Chapter 19.15 - ADMINISTRATION | City Code | Mercer Island, WA | Municode Library](#)

**"C. Criteria. The city council may approve a rezone only if all of the following criteria are met:**

**"4. The proposed reclassification does not constitute an illegal site-specific spot zone."**

Amendment 18 clearly states in its application that it is a site-specific rezone ( a new criterion on the application in 2023). Staff's report states amendment 18 is designed to be site specific. And yet staff's report is silent on this critical issue and legal analysis.

More concerning is Amendment 18 will not be site specific. The council cannot grant such an extraordinary rezone to one conditional use permit and not another, and neither can it deny such a rezone to a *conforming* use in the same zone such as a single-family home.

This rezone has never been allowed in the history of Mercer Island and will effectively eliminate the single family zones on Mercer Island and the elements in the comprehensive plan that apply to the single-family zones, because either amendment 18 is an illegal site specific rezone, or the ability to rezone residential single family zoned property to CO will apply to every non-conforming use such as a CUP, and every conforming use such as a single family house.

|   |  |
|---|--|
|    | <p><a href="#">2024 Annual Docket of Proposed Comprehensive Plan and Development Code Amendments</a></p> |
| <p>Each year the City accepts proposals for potential amendments to the Comprehensive Plan and Unified Land Development Code (Title 19 Mercer Island City Code (MICC)) through a process called the Annual Docket. Members of the public, City boards and commissions, and City</p> |  |
| <p><a href="http://letstalk.mercergov.org">letstalk.mercergov.org</a></p>   |  |

**Daniel Thompson**  
**Thompson & Delay**  
**Attorneys at Law**  
**80th Avenue Professional Building**  
**2955 80th Ave SE, Suite 202**  
**Mercer Island, WA 98040**  
**Phone: (206) 622-0670**  
**Fax: (206) 622-3965**



---

**From:** Dan Thompson  
**Sent:** Thursday, November 9, 2023 12:20 PM  
**To:** Alison Van Gorp <[alison.vangorp@mercergov.org](mailto:alison.vangorp@mercergov.org)>  
**Cc:** [jeff.thomas@mercerisland.gov](mailto:jeff.thomas@mercerisland.gov) <[jeff.thomas@mercerisland.gov](mailto:jeff.thomas@mercerisland.gov)>; [jessi.bon@mercergov.org](mailto:jessi.bon@mercergov.org) <[jessi.bon@mercergov.org](mailto:jessi.bon@mercergov.org)>; [planning.commission@mercerisland.gov](mailto:planning.commission@mercerisland.gov) <[planning.commission@mercerisland.gov](mailto:planning.commission@mercerisland.gov)>; [council@mercergov.org](mailto:council@mercergov.org) <[council@mercergov.org](mailto:council@mercergov.org)>  
**Subject:** Nov. 15 Planning Commission Meeting On 2024 Annual Docket of Proposed Comprehensive Plan and Development Code Amendments/Housekeeping

Dear Alison, this email is to address a few housekeeping issues with the PC's Nov. 15 meeting. I don't think the agenda packet has been issued, but the suggested amendments can be found at [2024 Annual Docket of Proposed Comprehensive Plan and Development Code Amendments | Let's Talk Mercer Island \(mercergov.org\)](#). I plan to submit written comments later on all the suggested amendments.

**1** Many of the planning commission members are new and have little institutional knowledge of the 2017 RDS rewrite or past efforts of CUP's to obtain preferential regulatory limits in a SFH zone, let alone land use expertise, such as the community facilities zone or MICA in Mercerdale Park, and the turmoil those issues raised. The PC and council also were not involved in the recent litigation by the JCC to obtain variances as a CUP in a SFH zone so are probably unaware of that litigation and AI 22-004 attached to Matt Goldbach's suggested amendments as exh. 2. I hope commission members are reading the suggested amendments and exhibits already, and have some way of learning of past amendments and the blood and treasure spent on unwise amendments, especially in 2018. I think the CPD's agenda packet needs to recite this history.

**2** Matt Goldbach has two suggested amendments and has been allotted 10 minutes to speak on both. However Matt is undergoing heart tests and has asked that I be allowed to speak to the PC in his place, and I have agreed to do that.

**3** I have five suggested amendments that appear to be added to the docket for 2024 already, dating from 2020 but in the past reserved until the review of the RDS is undertaken. The irony is I don't think there is space or time on the PC's 2024 docket for any of the suggested amendments that have been filed, even including my discrete amendments, and mine really should be discussed and adopted when the review of the RDS finally comes up, and we know for sure the DOC regulations under HB 1110 which makes my suggested amendments even more important. I think I can address my five suggested amendments in five minutes.

**4** I would also like three minutes to address the other suggested amendments. Quite

honestly, the only one I think should be formally added to the 2024 docket and pursued is the city's amendment for a non-conforming temporary use ordinance, although the suggestion is sparse on details, which is vastly different than the Country Club's suggested amendment, as long as the city's suggested amendment incorporates these key elements in any temporary use amendment:

**A The non-conforming use is truly temporary. Six months/year or 30 weekends/year is not temporary.**

**B The temporary use does not exceed the regulatory limits for the zone. Use and regulatory limits are two entirely different things. A variance is required for a temporary exception to the zone's regulatory limits.**

**C There are restrictions on time of day/night, noise, light, traffic, parking, and so on. The examples given by the CPD for a private temporary use are probably off base because no private citizen goes through the hassle or cost to obtain a temporary use permit for something like a wedding or party at their home. This amendment is about the city's non-conforming temporary use.**

**D The property setbacks are part of the consideration of the temporary use. For example, a temporary use at the MICEC which has huge setbacks from any other residential property is much different than a temporary use on a residential property with a 5' or 10' setback from the adjacent house.**

**E The permit is not Type I without prior citizen notice. The absence of notice for a non-conforming temporary use is abusive for the neighbors who must be able to plan.**

**Thank you.**

Daniel Thompson

Thompson & Delay

Attorneys at Law

80th Avenue Professional Building

2955 80th Ave SE, Suite 202

Mercer Island, WA 98040

Phone: (206) 622-0670

Fax: (206) 622-3965

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: SJCC Request to Rezone Large Residential Land Parcels to Commercial Office  
**Date:** Monday, November 13, 2023 9:17:47 AM

---

Comment received to Council mailbox

[Andrea Larson](#)  
City Clerk  
City of Mercer Island  
206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

---

**From:** Michele Kohorn <mref1@yahoo.com>  
**Sent:** Friday, November 10, 2023 2:41 PM  
**To:** Council <council@mercergov.org>  
**Subject:** SJCC Request to Rezone Large Residential Land Parcels to Commercial Office

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sincerely,  
Michele Kohorn  
SJCC Board Member

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Assistance and Support  
**Date:** Monday, November 13, 2023 9:18:18 AM

---

Comment received to Council mailbox

[Andrea Larson](#)  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

---

**From:** alyssa boden <[alyssasbatmitzvah@yahoo.com](mailto:alyssasbatmitzvah@yahoo.com)>  
**Sent:** Friday, November 10, 2023 2:56 PM  
**To:** Council <[council@mercergov.org](mailto:council@mercergov.org)>  
**Subject:** Assistance and Support

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Tamar Boden  
7444 Mercer Terrace Drive  
Mercer Island, WA 98040

Sent from my iPhone

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Assistance and Support  
**Date:** Monday, November 13, 2023 9:18:44 AM

---

Comment received to Council mailbox

[Andrea Larson](#)  
City Clerk  
City of Mercer Island  
206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

---

**From:** Tamar Boden <tamar\_boden@hotmail.com>  
**Sent:** Friday, November 10, 2023 2:58 PM  
**To:** Council <council@mercergov.org>  
**Subject:** Assistance and Support

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.



Thank you for your support.

Tamar Boden  
7444 Mercer Terrace Drive  
Mercer Island, WA 98040

Sent from my iPhone

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Public comments for Amendment 18  
**Date:** Monday, November 13, 2023 9:19:21 AM  
**Attachments:** [Decl of John Hall.pdf](#)  
[Exhibit index and Exhibits in Support of Decl. of John Hall.pdf](#)

---

Comment received to Council mailbox

[Andrea Larson](#)  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

---

**From:** John Michael Hall <velooce@comcast.net>  
**Sent:** Friday, November 10, 2023 4:21 PM  
**To:** Alison Van Gorp <alison.vangorp@mercergov.org>  
**Cc:** Planning Commission <Planning.Commission@mercergov.org>; Council <council@mercergov.org>; blkship@yahoo.com; John Hall <velooce@comcast.net>  
**Subject:** Public comments for Amendment 18

Dear Alison, please consider these my public comments for the Nov. 15 planning commission meeting on amendment 18, the JCC's suggested amendment to change the zoning of their residential properties to commercial/office, and the attached declaration with exhibits I submitted in support of the city's defense of the appeal the JCC filed over the city's denial of the JCC's application for variances.

I believe the history of this property, and the attempts over the last 40 years of the JCC to obtain greater regulatory limits than allowed in the residential zone, are very important to the discussion and vote on Nov. 15, and my declaration and the exhibits explain the history.

I am also disappointed staff's report to the planning commission was silent on the impact this upzone will have on the surrounding residential neighborhoods, and that is addressed in my attached declaration which I hope will help guide the planning commission's decision and create a complete record for the council and any appeal.

John Hall  
 9970 S.E. 40<sup>th</sup> Street  
 Mercer Island, WA 98040



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

BEFORE THE HEARING EXAMINER  
FOR THE CITY OF MERCER ISLAND

In the Matter of:

**Development Code Interpretation No. 22-004**

Hearing Examiner File No.: APL 22-004  
(Interpretation No. 22-004)

**DECLARATION OF JOHN HALL,  
NEIGHBOR OF THE JEWISH  
COMMUNITY CENTER IN SUPPORT  
OF MERCER ISLAND'S CODE  
INTERPRETATION**

Comes forth John Hall, and states under penalty of perjury of the laws of the State of Washington as follows:

1.1 I am over 18 and competent to testify herein. I make these declarations upon my personal knowledge of the facts. I support the City of Mercer Island's interpretation that a conditional use in a residential neighborhood may not request a variance for regulatory limits. Attached to this declaration is an exhibit index and true and accurate copies of the documents.

1.2 I am a resident of Mercer Island. I have lived on Mercer Island since 1958. My wife and I currently reside at 9970 S.E. 40<sup>th</sup> St. Mercer Island, WA. We have resided in this house

**DECLARATION OF JOHN HALL, NEIGHBOR OF THE JEWISH  
COMMUNITY CENTER IN SUPPORT OF MERCER ISLAND'S  
CODE INTERPRETATION - 1**

1 for the last 41 years, during which we raised our 3 children. Our house is adjacent to the  
2 southeast property line of the JCC in a community called Mercerwood.

3 1.3 This Declaration is to set forth the JCC’s attempts to obtain preferential regulatory  
4 limits since at least 1971, the huge increases in intensity of use of its property over the years,  
5 and the harm to the neighborhoods.

6 1.4 I have been involved in the JCC’s attempts to increase the intensity of use of their  
7 property and school, as well as the regulatory limits applicable to their property, including  
8 leasing to the French American school, since at least 1980. During this time, the JCC has  
9 continually attempted to obtain increased regulatory limits in excess of those regulatory limits  
10 applicable to the surrounding neighborhoods. The JCC has known the limit of its footprint  
11 and intensity of use since 1967 under Ordinance 142 and its current and past conditional use  
12 permits.

13 1.5 The first thing to understand about the JCC is how different it is in membership,  
14 traffic, and intensity of use from other private clubs and conditional uses on Mercer Island.  
15 Although the JCC refuses to reveal the specific number of members, public reports puts the  
16 number at between 6,000 and 10,000 members throughout the region. Attached as Exhibit 1 is  
17 the JCC’s 2016 Form 990 showing the total number of individuals employed as 472, together  
18 with 115 volunteers, with program service revenue of \$8,000,907.94, and salaries and other  
19 compensation of \$6,072,824.00. As noted in Exhibit 1, a September 8, 2015, letter from the  
20 JCC, states:

21 *“Our 250 year round employees, which grow to 400 seasonally,*  
22 *serve more than 15,000 people every year, including 195 children*  
23 *for preschool, close to 1000 summer day campers and over 500*  
24 *seniors, plus any more members and guests.”*

25 **DECLARATION OF JOHN HALL, NEIGHBOR OF THE JEWISH**  
26 **COMMUNITY CENTER IN SUPPORT OF MERCER ISLAND’S**  
**CODE INTERPRETATION - 2**

1 Also attached in Exhibit 1 is the 2016 Form 990 for the French American  
2 school showing 126 employees and 250 volunteers. The French American school  
3 has approximately 435 students in grades PK-8.

4 1.6 By comparison, the other private conditional use permit organizations such as the  
5 Beach Club, Shore Club, and other community organizations on Mercer Island have 500 or  
6 fewer members and generally 1 to 2 dozen employees depending on peak season.

7 1.7 Attached as Exhibit 2 are the May 20, 1970, Minutes of the Planning Commission  
8 regarding the JCC’s request for outdoor lighting and outdoor activities. Also attached in  
9 Exhibit 2 is a letter dated July 1, 1971, from the City of Mercer Island noting the City Council  
10 had voted unanimously to affirm the decision of the Planning Commission to deny appeal of  
11 the JCC’s conditional approval of plans submitted by the JCC. Also attached is the JCC’s  
12 June 9, 1971, letter promising there would be no outdoor lighting, no outdoor activities, and a  
13 “goal” of 1,000 families. None of those promises were ever kept, see Exhibit 2, page 5.

14 1.8 Attached in Exhibit 3 is a letter from the City of Mercer Island dated May 2, 1985,  
15 regarding the city’s denial of the JCC’s conditional use permit to incorporate adjacent  
16 residential properties, and to convert the use of that property from single family residential to  
17 a day care facility along with the Planning Commission’s Findings of Fact Supporting Denial.  
18 Attached in Exhibit 3 is an article from the Mercer Island Reported dated May 7, 1985, noting  
19 that the Mercer Island Planning Commission rejected the JCC’s request to obtain a  
20 conditional use permit allowing it to convert a 2100 square foot residential home into a day  
21 care facility for 15 to 20 children and noting complaints from the neighbor due to the noise,  
22 traffic, and lack of landscaped screening.

23 1.9 Over the last 10 or so years, the JCC has purchased several additional adjacent  
24 residential properties on speculation of a rezone. Over the last decades the JCC had the

25 **DECLARATION OF JOHN HALL, NEIGHBOR OF THE JEWISH**  
26 **COMMUNITY CENTER IN SUPPORT OF MERCER ISLAND’S**  
**CODE INTERPRETATION - 3**

1 opportunity to buy commercially zoned property to the north of its property but only  
 2 purchased one parcel. Attached in Exhibit 4 are three maps highlighting the purchased  
 3 properties. Recently the Mercer Island City Council adopted a code amendment that requires  
 4 a conditional use permit organization to resubmit a new conditional use permit application if  
 5 seeking to incorporate properties into the CUP MCC 19.06.111(c).

6 2 Attached in Exhibit 5 is a newspaper article from the Mercer Island reporter dated  
 7 March 26, 2002, noting the city’s approval of the JCC’s application for a street vacation over  
 8 the objection of the neighbors on the ground that approving the vacation allows the JCC to  
 9 add more density, traffic, and congestion, which is exactly what happened after the approval  
 10 of the street vacation. As noted in the JCC’s Street Variation Criteria Response, Paragraph e,  
 11 the vacated area cannot be used to increase commercial density. This is exactly what  
 12 happened after the street vacation was granted.

13 2.1 In 2017, the JCC applied for and obtained an amendment to the Comprehensive Plan  
 14 creating a “Community Facilities Zone.” This new zone would apply to conditional use  
 15 permit holders in the residential zone, and presumably allow them different regulatory limits  
 16 than under the residential development code that had just undergone a major revision effective  
 17 October 31, 2017 to stop “McMansions. The CFZ was highly unpopular with the citizens, in  
 18 large part because the amendment did not include the concurrent implementing development  
 19 regulations.

20 2.2 Our neighborhood formed a group called Concerned Neighbors for the Protection of  
 21 the Community and hired an attorney Alex Sidles to appeal the adoption of the CFZ to the  
 22 Growth Management Hearings Board (GMHB). Another citizen named Mark Coen filed a  
 23 separate appeal. The primary concern and focus of the Petitioners’ appeal was the adoption of  
 24

25 **DECLARATION OF JOHN HALL, NEIGHBOR OF THE JEWISH**  
 26 **COMMUNITY CENTER IN SUPPORT OF MERCER ISLAND’S**  
**CODE INTERPRETATION - 4**



1 the CFZ required concurrent adoption of the implementing development regulations so the  
2 citizens knew just what the CFZ meant or was.

3 2.3 The GMHB agreed with our appeal, but rather than invalidating the CFZ it remanded  
4 it to the City of Mercer Island with instructions to draft and adopt the implementing  
5 development regulations. However, when the JCC's draft implementing development  
6 regulations were first disclosed at the Planning Commission, they were extreme, to say the  
7 least, and unorthodox, including tricks like measuring setbacks not from the JCC's property  
8 line but from adjacent properties, including from across the street. This caused a firestorm  
9 among the city, and even the other CUPs objected.

10 2.4 Subsequently the Mercer Island City Council held an emergency joint session with the  
11 Planning Commission to discuss the CFZ and the draft development regulations to implement  
12 the CFZ. At the joint session, the mayor, Benson Wong, noted “**The solution has become the**  
13 **problem.**” Rather than remand the development regulations back to the Planning Commission  
14 for further work, the Council decided to repeal the CFZ, which was subsequently repealed.

15 2.5 The cost to the city for the public meetings prior to adoption of the CFZ, staff time,  
16 and outside litigation fees was estimated to be between \$250,000 and \$400,000. The JCC did  
17 not contribute to the defense of the CFZ at the GMHB. Our own neighborhood that is modest  
18 by Mercer Island standards spent over \$40,000 in attorney’s fees fighting the CFZ when the  
19 JCC spent nothing and left all the costs to the city and taxpayers.

20 2.6 Shortly thereafter, a citizen attorney named Robert Medved filed an appeal to the  
21 GMHB requiring the City to adopt an annual docketing system for proposed code  
22 amendments that require any proposed amendment to be filed by October 31 of the preceding  
23 year in order to have it be considered by the Council to be placed on the following years  
24 Planning Commission docket. The JCC’s attorney, Richard Hill, drafted a code amendment

25 **DECLARATION OF JOHN HALL, NEIGHBOR OF THE JEWISH**  
26 **COMMUNITY CENTER IN SUPPORT OF MERCER ISLAND’S**  
**CODE INTERPRETATION - 5**

1 that became known as “The Hill Amendment,” although it was on behalf of the JCC. This  
 2 code amendment again sought extraordinary regulatory limits for the JCC but included  
 3 language that would make the code amendment applicable only to the JCC. Again, there was  
 4 substantial public objection, both to the amendments and to the fact The Hill Amendment was  
 5 clearly a preferential spot zone. Although the JCC failed to file its proposed code amendment  
 6 by the deadline on October 31, the Council granted the JCC preferential treatment and  
 7 allowed it to be added to the docket for consideration the following February.

8 2.7 The Hill Amendment was not popular among the Council, which included many new  
 9 members. The JCC, seeing the writing on the wall, was allowed to withdraw its application  
 10 and again received preferential treatment by receiving a refund of the \$26,000 application fee.

11 2.8 After that the JCC had numerous meetings with city staff in an attempt to obtain  
 12 preferential regulatory limits. That led to the JCC seeking variances that are part of this  
 13 appeal, that once again will give the JCC extraordinary regulatory limits for height, gross  
 14 floor area to lot area ratio, and impervious surface limits compared to the surrounding  
 15 residential zone and neighborhoods.

16 3 The three major concerns I, and my neighbors, have regarding the JCC’s request for  
 17 variances to the regulatory limits applicable to their property that will exceed the surrounding  
 18 zone are:

- 19 1. The variances the JCC seeks will harm our neighborhood because the  
 20 development will be out of scale and will increase the intensity of use that is  
 21 already causing harm to the neighborhood and is inconsistent for a residential  
 22 zone. Since the CFZ was adopted in 2018, six neighbors have sold their homes  
 23 due to the uncertainty, and each had to disclose the JCC’s never-ending  
 24 proposals in their seller’s disclosure forms. The JCC’s goal is to increase its

25 **DECLARATION OF JOHN HALL, NEIGHBOR OF THE JEWISH**  
 26 **COMMUNITY CENTER IN SUPPORT OF MERCER ISLAND’S**  
**CODE INTERPRETATION - 6**

1 gross floor area to lot area ratio, height, lot coverage, and impervious surface  
 2 limits that are already above the current limits for the residential zone in order  
 3 to increase the number of its members, students, users, and private and public  
 4 functions that are wildly out of scale compared to every other CUP on Mercer  
 5 Island. The JCC knows the proper course for this kind of preferential  
 6 regulatory treatment is a code amendment, but it also knows that the citizens  
 7 and council are opposed to that preferential treatment.

8  
 9 2. If a CUP on Mercer Island with the intensity of use of the JCC can obtain  
 10 increased regulatory limits simply because it wants to build structures and  
 11 impervious surfaces not available to the surrounding zone, then how will the  
 12 city ever be able to tell the owner of a single family home – that is not a  
 13 conditional use – that that owner is not entitled to the same variances simply  
 14 because, like the JCC, the owner wants a taller or bigger house, fewer trees,  
 15 more impervious surfaces, or smaller yard setbacks. The preferential treatment  
 16 the JCC has already received, and abused, is the conditional use.


17  
 18 3. No organization on Mercer Island has required more time and received  
 19 more favorable treatment than the JCC when it comes to the last 50 years of  
 20 seeking preferential treatment. The size, scale, and intensity of use long ago  
 21 exceeded what is appropriate in a residential zone or any other CUP on the  
 22 Island, and the JCC now seeks variances to further increase this inconsistent  
 23 scale of development and use. Over the last 50 years, the JCC’s efforts have  
 24

25 **DECLARATION OF JOHN HALL, NEIGHBOR OF THE JEWISH**  
 26 **COMMUNITY CENTER IN SUPPORT OF MERCER ISLAND’S**  
**CODE INTERPRETATION - 7**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

cost the city at least \$500,000 in public meetings, staff time, outside counsel,  
and litigation.

DATED this 10 day of January, 2023.

  
\_\_\_\_\_  
John Hall

**DECLARATION OF JOHN HALL, NEIGHBOR OF THE JEWISH  
COMMUNITY CENTER IN SUPPORT OF MERCER ISLAND'S  
CODE INTERPRETATION - 8**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

BEFORE THE HEARING EXAMINER  
FOR THE CITY OF MERCER ISLAND

In the Matter of:

**Development Code Interpretation No. 22-004**

Hearing Examiner File No.: APL22-004  
(Interpretation No. 22-004)

**EXHIBIT INDEX AND EXHIBITS IN  
SUPPORT OF DECLARATION OF  
JOHN HALL**

Comes forth John Hall, and states under penalty of perjury of the laws of the State of Washington that attached to this exhibit index are true and accurate copies of the documents:

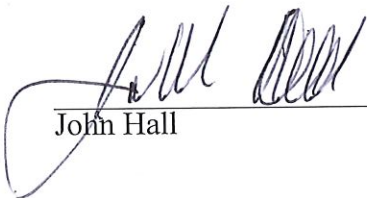
1. Exhibit 1: Page 1 – JCC’s 2016 Form 990
2. Exhibit 1: Page 2 – French American School’s 2016 Form 990
3. Exhibit 1: Page 3 – September 8, 2016 Letter from the JCC
4. Exhibit 2: Page 1 – June 9, 1971 letter from the JCC
5. Exhibit 2: Page 2 – July 1, 1971 letter from City of Mercer Island

**EXHIBIT INDEX AND EXHIBITS IN SUPPORT OF  
DECLARATION OF JOHN HALL - 1**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

- 6. Exhibit 2: Page 3-4 – May 20, 1970 Planning Commission meeting minutes
- 7. Exhibit 2: Page 5: Article excerpt noting JCC would address neighbors concerns
- 8. Exhibit 3: Page 1 – May 2, 1985 letter from City of Mercer Island
- 9. Exhibit 3: Pages 2-3 – Mercer Island Planning Commission Findings of Fact
- 10. Exhibit 3: Page 4 – May 7, 1985 Mercer Island Reporter article
- 11. Exhibit 4: Pages 1-3 – Map of JCC purchased properties
- 12. Exhibit 5: Page 1 – March 26, 2002 Mercer Island Reporter article
- 13. Exhibit 5: Pages 2-3 – August 1, 2002 JCC Street Vacation Criteria Response

DATED this 10 day of January, 2023.




---

John Hall



Item 1.

Form **990**

**Return of Organization Exempt From Income Tax**

OMB No 1545-0047

**2016**

**Open to Public Inspection**

Department of the Treasury  
Internal Revenue Service

Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except private foundations)

Do not enter social security numbers on this form as it may be made public  
Information about Form 990 and its instructions is at [www.irs.gov/form990](http://www.irs.gov/form990)

**A For the 2016 calendar year, or tax year beginning 09-01-2016, and ending 08-31-2017**

**B** Check if applicable:  
 Address change  
 Name change  
 Initial return  
 Final  
 Return/terminated  
 Amended return  
 Application pending

**C** Name of organization: Samuel and Althea Stroum Jewish Community Center  
 Doing business as: \_\_\_\_\_  
 Number and street (or P O box if mail is not delivered to street address) / Room/suite: 3801 East Mercer Way  
 City or town, state or province, country, and ZIP or foreign postal code: Mercer Island, WA 980403805

**D** Employer identification number: 90-0953408

**E** Telephone number: (206) 232-7115

**F** Name and address of principal officer: Amy Lavin, 3801 East Mercer Way, Mercer Island, WA 980403805

**G** Gross receipts \$ 11,085,544

**H(a)** Is this a group return for subordinates?  Yes  No  
**H(b)** Are all subordinates included?  Yes  No  
 If "No," attach a list (see instructions)  
**H(c)** Group exemption number ▶ \_\_\_\_\_

**I** Tax-exempt status:  501(c)(3)  501(c) ( ) ◀ (insert no )  4947(a)(1) or  527

**J** Website: ▶ www.sjcc.org

**K** Form of organization:  Corporation  Trust  Association  Other ▶ \_\_\_\_\_

**L** Year of formation 1949 **M** State of legal domicile WA

**Part I Summary**

|                             |  |   |  |                     |
|-----------------------------|--|---|--|---------------------|
| Activities & Governance     | <b>1</b> Briefly describe the organization's mission or most significant activities<br>The mission of the Stroum Jewish Community Center is to ensure Jewish continuity, to support Jewish unity, to enrich Jewish life, and to participate in and promote the well-being of the Jewish and general community and the people of Israel |   |  |                     |
|                             | <b>2</b> Check this box <input type="checkbox"/> if the organization discontinued its operations or disposed of more than 25% of its net assets  |   |  |                     |
|                             | <b>3</b>   | Number of voting members of the governing body (Part VI, line 1a)                 | 20   |                     |
|                             | <b>4</b>   | Number of independent voting members of the governing body (Part VI, line 1b)     | 20   |                     |
|                             | <b>5</b>   | Total number of individuals employed in calendar year 2016 (Part V, line 2a)      | 472  |                     |
|                             | <b>6</b>   | Total number of volunteers (estimate if necessary)                                | 115  |                     |
|                             |  | <b>7a</b>   | Total unrelated business revenue from Part VIII, column (C), line 12 | -16,906             |
| <b>7b</b>                   |  | Net unrelated business taxable income from Form 990-T, line 34                    | -16,906  |                     |
| Revenue                     |  |   | <b>Prior Year</b>  | <b>Current Year</b> |
|                             | <b>8</b>   | Contributions and grants (Part VIII, line 1h)                                     | 2,943,713  | 3,065,445           |
|                             | <b>9</b>   | Program service revenue (Part VIII, line 2g)                                      | 6,869,926  | 7,318,283           |
|                             | <b>10</b>  | Investment income (Part VIII, column (A), lines 3, 4, and 7d)                     | 5,682  | 10,252              |
|                             | <b>11</b>  | Other revenue (Part VIII, column (A), lines 5, 6d, 8c, 9c, 10c, and 11e)          | 504,923  | 506,403             |
|                             | <b>12</b>  | Total revenue—add lines 8 through 11 (must equal Part VIII, column (A), line 12)  | 10,324,244   | 10,900,383          |
| Expenses                    | <b>13</b>  | Grants and similar amounts paid (Part IX, column (A), lines 1-3)                  | 0  | 0                   |
|                             | <b>14</b>  | Benefits paid to or for members (Part IX, column (A), line 4)                     | 0  | 0                   |
|                             | <b>15</b>  | Salaries, other compensation, employee benefits (Part IX, column (A), lines 5-10) | 7,558,838  | 8,117,740           |
|                             | <b>16a</b>   | Professional fundraising fees (Part IX, column (A), line 11e)                     | 0  | 0                   |
|                             | <b>b</b>   | Total fundraising expenses (Part IX, column (D), line 25) ▶ 216,644               |  |                     |
|                             | <b>17</b>  | Other expenses (Part IX, column (A), lines 11a-11d, 11f-24e)                      | 2,493,143  | 2,774,279           |
| Net Assets or Fund Balances | <b>18</b>  | Total expenses Add lines 13-17 (must equal Part IX, column (A), line 25)          | 10,051,981   | 10,892,019          |
|                             | <b>19</b>  | Revenue less expenses Subtract line 18 from line 12                               | 272,263  | 8,364               |
|                             |  |   | <b>Beginning of Current Year</b>                                     | <b>End of Year</b>  |
| <b>20</b>                   | Total assets (Part X, line 16)   | 20,455,624  | 20,605,386   |                     |
| <b>21</b>                   | Total liabilities (Part X, line 26)  | 3,543,537   | 3,684,935  |                     |
| <b>22</b>                   | Net assets or fund balances Subtract line 21 from line 20  | 16,912,087  | 16,920,451   |                     |

2017  
12,721,276  
1820,293

**Part II Signature Block**  
Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge.

Signature of officer: \_\_\_\_\_ Date: 2018-07-16  
 Amy Lavin, Chief Executive Officer  
 Type or print name and title

**Paid Preparer Use Only**

Print/Type preparer's name: Matthew R Matson  
 Date: 2018-07-16  
 Firm's name: Peterson Sullivan LLP CPA'S  
 Firm's address: 601 Union St Ste 2300, Seattle, WA 981012345  
 Preparer's signature: Matthew R Matson  
 Check  if self-employed  
 PTIN: P00775671  
 Firm's EIN: 91-0605875  
 Phone no: (206) 382-7777

May the IRS discuss this return with the preparer shown above? (see instructions)  Yes  No  
 For Paperwork Reduction Act Notice, see the separate instructions. Cat No 11282Y Form 990 (2016)



Item 1.

Form **990**  
 Department of the Treasury  
 Internal Revenue Service

**Return of Organization Exempt From Income Tax**

Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except private foundations)

Do not enter social security numbers on this form as it may be made public  
 Information about Form 990 and its instructions is at [www.irs.gov/form990](http://www.irs.gov/form990)

OMB No 1545-0047

**2016**

**Open to Public Inspection**

**A For the 2016 calendar year, or tax year beginning 07-01-2016, and ending 06-30-2017**

- B** Check if applicable:  
 Address change  
 Name change  
 Initial return  
 Final return/terminated  
 Amended return  
 Application pending

**C** Name of organization  
 French American School of Puget Sound  
 Doing business as  
 Number and street (or P O box if mail is not delivered to street address) Room/suite  
 3795 E Mercer Way  
 City or town, state or province, country, and ZIP or foreign postal code  
 Mercer Island, WA 98040

**D** Employer identification number  
 91-1682584

**E** Telephone number  
 (206) 275-3533

**G** Gross receipts \$ 9,830,055

**F** Name and address of principal officer  
 Eric Thuau  
 3795 E Mercer Way  
 Mercer Island, WA 98040

**H(a)** Is this a group return for subordinates?  Yes  No

**H(b)** Are all subordinates included?  Yes  No  
 If "No," attach a list (see instructions)

**H(c)** Group exemption number ▶

**I** Tax-exempt status  501(c)(3)  501(c) ( ) ◀ (insert no )  4947(a)(1) or  527

**J** Website: ▶ [www.fasps.org](http://www.fasps.org)

**K** Form of organization  Corporation  Trust  Association  Other ▶

**L** Year of formation 1995

**M** State of legal domicile  
 WA

**Part I Summary**

Activities & Governance

**1** Briefly describe the organization's mission or most significant activities  
 We challenge students to excel academically and thrive in French, American and international cultures. We inspire the next generation of global citizens to learn, understand, and act wisely in a multicultural world. Our core values are excellence, integrity, cultural agility, and community.

**2** Check this box  if the organization discontinued its operations or disposed of more than 25% of its net assets

|  |    |     |
|--|----|-----|
| <b>3</b> Number of voting members of the governing body (Part VI, line 1a)             | 3  | 18  |
| <b>4</b> Number of independent voting members of the governing body (Part VI, line 1b) | 4  | 18  |
| <b>5</b> Total number of individuals employed in calendar year 2016 (Part V, line 2a)  | 5  | 126 |
| <b>6</b> Total number of volunteers (estimate if necessary)                            | 6  | 250 |
| <b>7a</b> Total unrelated business revenue from Part VIII, column (C), line 12         | 7a | 0   |
| <b>7b</b> Net unrelated business taxable income from Form 990-T, line 34               | 7b | 0   |

Revenue

|  | Prior Year | Current Year |
|--|------------|--------------|
| <b>8</b> Contributions and grants (Part VIII, line 1h)                                     | 592,010    | 680,922      |
| <b>9</b> Program service revenue (Part VIII, line 2g)                                      | 8,423,818  | 8,907,974    |
| <b>10</b> Investment income (Part VIII, column (A), lines 3, 4, and 7d)                    | 89,381     | 82,117       |
| <b>11</b> Other revenue (Part VIII, column (A), lines 5, 6d, 8c, 9c, 10c, and 11e)         | -58,909    | -43,804      |
| <b>12</b> Total revenue—add lines 8 through 11 (must equal Part VIII, column (A), line 12) | 9,046,300  | 9,627,209    |

Expenses

|   |           |           |
|---|-----------|-----------|
| <b>13</b> Grants and similar amounts paid (Part IX, column (A), lines 1-3)                  | 0         | 0         |
| <b>14</b> Benefits paid to or for members (Part IX, column (A), line 4)                     | 0         | 0         |
| <b>15</b> Salaries, other compensation, employee benefits (Part IX, column (A), lines 5-10) | 5,650,477 | 6,072,824 |
| <b>16a</b> Professional fundraising fees (Part IX, column (A), line 11e)                    | 0         | 0         |
| <b>b</b> Total fundraising expenses (Part IX, column (D), line 25) ▶ 175,235                |           |           |
| <b>17</b> Other expenses (Part IX, column (A), lines 11a-11d, 11f-24e)                      | 2,369,990 | 2,794,311 |
| <b>18</b> Total expenses Add lines 13-17 (must equal Part IX, column (A), line 25)          | 8,020,467 | 8,867,135 |
| <b>19</b> Revenue less expenses Subtract line 18 from line 12                               | 1,025,833 | 760,074   |

Net Assets or Fund Balances

|   | Beginning of Current Year | End of Year |
|---|---------------------------|-------------|
| <b>20</b> Total assets (Part X, line 16)                            | 12,860,897                | 14,231,039  |
| <b>21</b> Total liabilities (Part X, line 26)                       | 5,469,260                 | 5,971,995   |
| <b>22</b> Net assets or fund balances Subtract line 21 from line 20 | 7,391,637                 | 8,259,044   |

**Part II Signature Block**

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge.

Signature of officer: \_\_\_\_\_ Date: 2018-04-06  
 eric thuau head of school  
 Type or print name and title

**Paid Preparer Use Only**

|   |                                    |                         |  |
|---|------------------------------------|-------------------------|--|
| Print/Type preparer's name<br>Bob Bowman                        | Preparer's signature<br>Bob Bowman | Date<br>2018-04-06      | Check <input type="checkbox"/> if self-employed<br>PTIN<br>P02061718 |
| Firm's name ▶ Peterson Sullivan LLP CPA'S                       | Firm's EIN ▶ 91-0605875            | Phone no (206) 382-7777 |  |
| Firm's address ▶ 601 Union St Ste 2300<br>Seattle, WA 981012345 |                                    |                         |  |

May the IRS discuss this return with the preparer shown above? (see instructions)  Yes  No





September 8, 2015

I am Judy Neuman, CEO of the Strohm Jewish Community Center on Mercer Island. We have been paying close attention to transportation issues facing our Island and I wanted to share how critical mobility is for the JCC, our employees and our members and guests.

Our 250 year-round employees, which grow to 400 seasonally, serve more than 15,000 people every year, including 195 children for preschool, close to 1000 summer day campers and over 500 seniors, plus any more members and guests. Our employees and members commute to the J from all over the metro area via cars, carpools and buses. I-90 traffic is so bad it's impacting our business. Last month a promising young teacher reluctantly backed out of accepting a job after a test run of her commute. I fear for the safety of our employees who walk over 30 minutes each way in the dark to and from the Park & Ride, since the bus route on 36<sup>th</sup> was closed quite some time ago. I watch every day as preschoolers wait in our classrooms for road-weary parents delayed by traffic both on I-90 and in our Town Center.

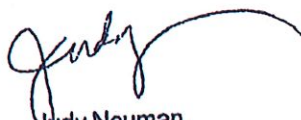
While Light Rail will certainly help some, the resulting increase in car traffic will hurt others. These are big, complicated issues that will have a dramatic impact on our business. It is critically important that everyone be educated on the changes and ramifications to make sure Mercer Island benefits from this massive investment.

Specifically:

- Mercer Island traffic to and from Seattle and I-405 should have permanent access to the new HOV lanes
- Mercer Island traffic should be permanently exempt from any tolls or congestion pricing
- We need better ways to get commuters to and from the Park & Ride
- The Park & Ride should be limited to Island residents and even more parking is needed
- We need more bus capacity to and from Seattle immediately- the majority of my employees live off-island.
- I-90 cut-through traffic ties up our roads and needs to be stopped
- The proposed bus intercept should be located elsewhere as it will snarl traffic and overload our already crowded transit stop
- We cannot lose HOV access ramp capacity
- I-90 construction closures should be limited to late nights instead of entire weekend

I urge the council to negotiate fiercely for what is best for Mercer Island and to do so productively, finding win-win opportunities for the people of Mercer Island and the region's transportation needs. The JCC depends on both.

Thank you for your time and interest in this important topic,

  
Judy Neuman  
SJCC CEO

MERCER ISLAND CAMPUS  
3801 EAST MERCER WAY  
MERCER ISLAND WA 98040  
206-232-7215

SEATTLE CAMPUS  
2618 NE 80TH STREET  
SEATTLE WA 98115  
206-526-8073

www.SJCC.org

**Board of Directors**

**Executive Committee**

Kim Waldbaum  
President

Liz Friedman  
Vice President

Sharon Lott  
Vice President

Barb Maduell  
Vice President

Joel Mezistrano  
Secretary/Treasurer

Aaron Alhadeff  
At Large

Leigh Anne Kiviat  
At Large

Aaron Wolff  
Immediate Past President

**Board Members**

Helene Azose  
Jill Selber Beilinson  
Amy Buckalter  
Jeff Cordova  
Michele Etsekson  
Kim Fisher  
Mindy Geisser  
Carin Jacobson  
Larry Kalman  
Gillian O'Connell  
Moss Patashnik  
Mimi Rosen  
Jantha Sidell  
Barbara Sulman  
Rob Wolf

Judy Neuman  
Chief Executive Office

# EXHIBIT 2

# JEWISH COMMUNITY CENTER OF GREATER SEATTLE

3801 EAST MERCER WAY, MERCER ISLAND, WASHINGTON 98040 • PHONE AD 2-7115



9 June 1971

Mr. Jerry Bacon  
M. I. Planning Commission  
3505 - 88th Ave. S.E.  
Mercer Island, Wa. 98040

Dear Mr. Bacon:

In response to some of the questions raised at the last meeting of the Mercer Island Planning Commission on May 19th --

1. Will there be any outdoor lighting.  
Answer: There will not be any outdoor lighting.
2. Where will activities be held  
Answer: All recreation and activities conducted within the structure.
3. Membership goal.  
Answer: 1,000 families is goal.
4. Grade School activities  
Answer: Activities consists of classes i.e. arts, crafts, etc. for children with the school range of 6/12 years of age.

I hope this answers some of the questions raised.

Sincerely,

ALFRED ADLER  
Treasurer

FA/rk

J.C.C.



# CITY OF MERCER ISLAND, WASHINGTON

July 1, 1971

Mr. John Strasburger  
30th Floor Sea First Bldg.  
1001 4th Avenue  
Seattle, Washington

Dear Mr. Strasburger:

This is to advise you that the Mercer Island City Council, at their regular meeting on June 28, 1971 voted unanimously to affirm the decision of the Planning Commission and deny the appeal of your clients as regards to the conditional approval of plans submitted by the Jewish Community Center.

If you have any further questions on the matter please contact the City Planner, Mr. Bacon.

Yours very truly,

Donald L. Hitchman  
City Manager

DLH:lb

cc: City Clerk  
City Planner  
City Attorney  
Jewish Community Center



CITY OF MERCER ISLAND  
 PLANNING COMMISSION  
 MINUTES

Public Meeting

May 20, 1970

PRESENT:

W. Hinman  
 C. Hall  
 C. Anschell  
 G. Beck  
 D. Frothingham

OTHERS:

G. Bacon  
 J. Hunt  
 B. Werner

The meeting was called to order at 7:35 P.M. by Chairman Walt Hinman. The minutes of the May executive session were read and approved as written.

PLOT PLAN: Jewish Community Center (Tape 5/1/024)

Mr. Bacon presented exhibits showing the previously approved plot plan, and the proposed addition of a play area and structures for small children. He related the history of complaints from neighbors regarding inadequate screening and unshielded lighting. A recent letter from neighbors, mentioning these problems as well as one of trespass, was read. Mr. Bacon indicated that no landscaping plan for this area had been submitted with the plans under consideration, and felt that one for the whole area should be acquired.

Mrs. Goffe, representing the Jewish Community Center Preschool, explained that every accredited nursery school must have an outdoor play area. Also, the paddling pool would be emptied at the end of each day to avoid hazard.

Mr. Hinman asked what landscape plans and lighting changes could be made. The Director, Mr. Okin, explained the development of their lighting and landscaping to date. Mr. Hinman felt that their lights could easily be blocked in certain areas. Mr. Hanan of the Jewish Community Center Board of Directors stated that they would be willing to do whatever is reasonable, though they might not be able to please some neighbors.

Mr. Jack Scholfield, residing across S.E. 40th Street from the club, felt that the requests of the neighbors were quite reasonable and could be easily met. He implied that the club might be trying to force Mr. Chase to sell to them. Mr. Hanan implied the opposite.

Pete Robertson, 9910 S.E. 40th, described the evolution of the parking lot adjoining his property. He noted that the existing landscaping does a poor job of screening the JCC from his property. He also said his property is used as a short-cut to the JCC by pedestrians. He felt expansion of the facility would increase an already bad problem.

Virginia Montgomery, 9767 S.E. 41st, questioned how emergency vehicles could access the property via a walkway from the JCC parking lot. She also cited a noise problem in that she could now hear children shouting all day long from the present location of the daycare center.

Yvonne Bender, 9920 S.E. 40th, spoke in opposition to the proposal. She suggested that if it were to be granted, provision should be made for ensuring an adequate landscaping screen. She stated she had installed landscaping on her own property in order to supplement the landscaping the JCC had installed after its last expansion.

John Kelly, 9818 Mercerwood Drive, objected to the increase in existing levels of noise and visual pollution.

Clarence Cameron, 3809 97th S.E., asked for denial of the request. He stated that previously promised landscaping had not been installed. His present view was of the back of the JCC buildings, including a dumpster. He felt the JCC had not been a good neighbor, and would continue in the same vein.



Residents of the neighborhood complained about existing levels of JCC-related traffic, noise and the lack of landscaped screening.

Pollock said he was surprised by many of those criticisms.

"A lot of the things that were talked about had never been told to me," he said. Pollock has been executive director of the JCC for six years.

Those complaints from neighbors will be addressed, Pollock said.

**EXHIBIT 3**



CITY OF MERCER ISLAND, WASHINGTON  
DEPARTMENT OF COMMUNITY DEVELOPMENT

May 2, 1985

Dear Party of Record:

Re: Conditional Use Permit - Stroum Jewish Community Center

This letter is to advise you that the Mercer Island Planning Commission denied the above-referenced proposal on May 1, 1985. Persons aggrieved by and wishing to appeal the action of the Commission must file a written "notice of administrative appeal to the City Council" with the City Clerk by May 13, 1985. If no written notice of appeal is received, the Commission's action will be final, and will not be subject to judicial review.

Any administrative appeal of actions taken under the authority of the State Environmental Policy Act (i.e., mitigation measures and/or conditions required as part of a Determination of Nonsignificance; adequacy of an EIS; conditions or denials of the proposal based on SEPA) must be consolidated and filed together with any appeal filed on the Planning Commission's action.

A written notice of administrative appeal should contain a brief and concise statement of the matter being appealed, the applicant's contentions on appeal, and a statement demonstrating standing to appeal. Appellants and parties of record will be notified of the date, place, and time of the Council's appeal hearing.

Please contact the Department of Community Development for additional information.

Sincerely,

Shannon Hart  
Principal Planner

cc: File  
Parties of Record  
Applicant's Representative



MERCER ISLAND PLANNING COMMISSION  
FINDINGS SUPPORTING DENIAL OF  
CONDITIONAL USE PERMIT  
REQUESTED BY STROUM JEWISH COMMUNITY CENTER  
MAY 1, 1985

The Planning Commission finds that the conditional use permit requested by the Stroum Jewish Community Center, to incorporate property at 9824 Southeast 40th and to convert the use of said property from single-family residential to a day care facility, is inconsistent with the criteria for granting of a conditional use permit contained in Section 19.04.1403(B) of the Mercer Island Zoning Code as follows:

1. Although structural and exterior modifications to the existing single-family residence at 9824 S.E. 40th St. are not proposed, the use of said residence is proposed to change to a day care center for 15 to 20 children. Such a facility is not normally permitted by the Mercer Island Zoning Code in single-family residential zones. The Commission concludes, therefore, that the requested permit is not consistent with the restrictions of the R 8.4 zone and Section 19.04.1403(B)(1), MIZC.
2. The proposed use is not acceptable in terms of size and location, nature of the proposed use, character of surrounding development, and traffic capacities of surrounding streets. Approval of the requested conditional use permit would exacerbate the visual, noise, parking, and traffic impacts associated with the J.C.C., which would adversely affect the surrounding residential neighborhood. The proposed day care facility, if approved, would increase J.C.C. - related on-street parking along S.E. 40th St. during peak traffic hours and special events, as it would become possible to walk through the day care center site to the J.C.C. complex. The physiography of the subject property and surrounding neighborhood intensify the noise and visual impacts of the J.C.C. complex. Further magnification of said impacts would adversely affect the surrounding residential neighborhood. Measures to mitigate traffic and parking impacts (e.g., the installation of a barrier across S.E. 40th St.) may conflict with public safety and emergency access requirements.
3. The proposed development would be an encroachment of commercial activity into an existing single-family residential neighborhood. The single-family residential character of said neighborhood is already fragile due to the existence of the J.C.C. complex, Herzl-Ner Tamid Congregation, City shops, and other commercial development adjacent to I-90. Further encroachment of commercial activities to the south of the existing J.C.C. improvements would adversely affect the long term stability of the surrounding single-family residential community.

Findings Supporting Denial of  
Conditional Use Permit -  
Stroum Jewish Community Center  
May 1, 1985  
Page 2

4. The proposed use, if approved, would impact the use and development of two currently underdeveloped lots in the northwest quadrant of the intersection of S.E. 40th Street and 99th Avenue Southeast. Approval of requested conditional use permit would result in said lots being surrounded by non-residential uses on three sides (i.e., the day care center to the west, a telephone substation to the east, and the J.C.C. parking lot to the north), and would adversely affect the desirability of said lots for residential purposes. Conversely, if the subject property remains a single-family residence, a single-family residential enclave will be firmly established to the southeast of the J.C.C. complex, which will protect and perpetuate the single-family residential character of the neighborhood.



# Planning panel rejects JCC expansion

By JOHN SHANAHAN

Expansion plans for the Stroum Jewish Community Center (JCC) received a major setback May 1 when the Mercer Island Planning Commission refused to allow a house on JCC property to be used as a day care facility.

JCC executive director Gary Pollock said he did not know if he would appeal the decision. That appeal would have to come within 10 days of the hearing.

"We are going to be discussing it with the executive committee and board of directors," he said.

The center applied for a conditional use permit allowing it to convert a 2,100 square foot home at 9824 S.E. 40th St. into a day care facility for 15 to 20 children. The JCC owns the house and surrounding property.

The center hoped to expand day care and senior programs into the residence to reduce the load on the

existing JCC day care facility, which has had to annex the center's board room and a multiple purpose room, and is crowding out other programs, Pollock said.

The move would not have increased JCC traffic or noise levels from what they are at present, Pollock said.

**HOWEVER**, planning commission members voted unanimously that the conditional use, if approved, would have a negative impact on the neighborhood around the JCC.

The commission noted that the single family nature of the neighborhood was already fragile "due to the existence of the JCC complex, Herzl Ner Tamid Congregation, city shops and other commercial development adjacent to I-90."

Allowing the house to be used as a day care center, the commission felt, would have meant surround-

ing two lots at the corner of 40th S.E. and 99th Ave. S.E. with non-single family use on three sides, making their residential development unlikely.

The JCC had previously expressed interest in purchasing the lots.

In effect, the planning commission ruling draws the line on commercial development in the neighborhood.

Residents of the neighborhood complained about existing levels of JCC-related traffic, noise and the lack of landscaped screening.

Pollock said he was surprised by many of those criticisms.

"A lot of the things that were talked about had never been told to me," he said. Pollock has been executive director of the JCC for six years.

Those complaints from neighbors will be addressed, Pollock said.

# OPENING

COMPACT  
**ISC**  
DIGITAL AUDIO

ENTER THE SILVER PLATTERS TECHNICS SLP-1 CD  
PLAYER GIVEAWAY! Courtesy of Magnolla Hi-Fi

LEONARD BERNSTEIN conducts his  
**WEST SIDE STORY**  
Te Kanawa • Carreras • Troyanos • Horne

12.85

LONDON

12.85

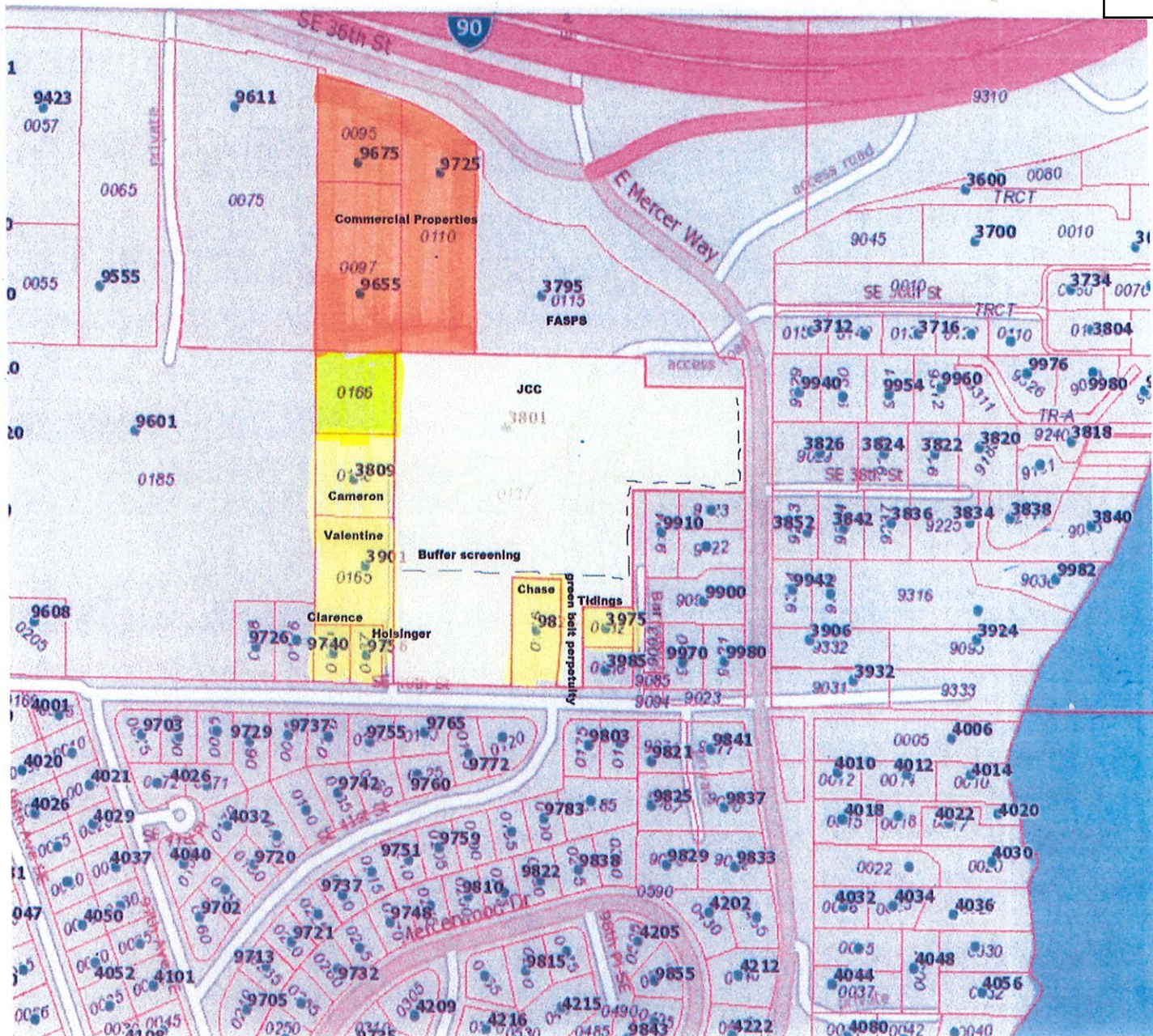
STRAVINSKY  
**RITE OF SPRING**  
DUTOIT • MONTREAL

VIVALDI  
**4 SEASONS**  
**HOGWOOD**  
ACADEMY OF ANCIENT MUSIC



# EXHIBIT 4

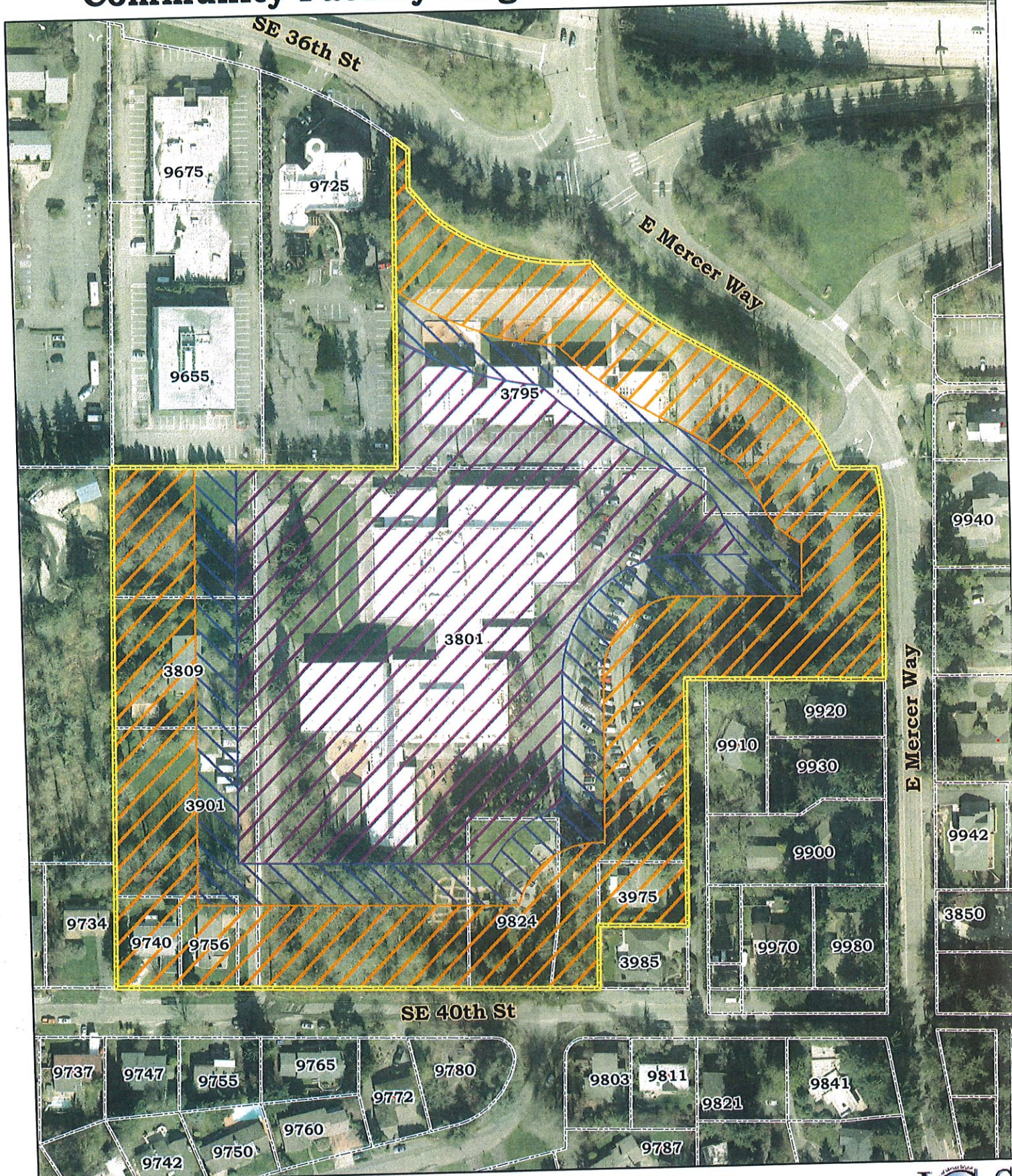







Red – Commercial  
Yellow & Green – Residential purchased  
on speculation



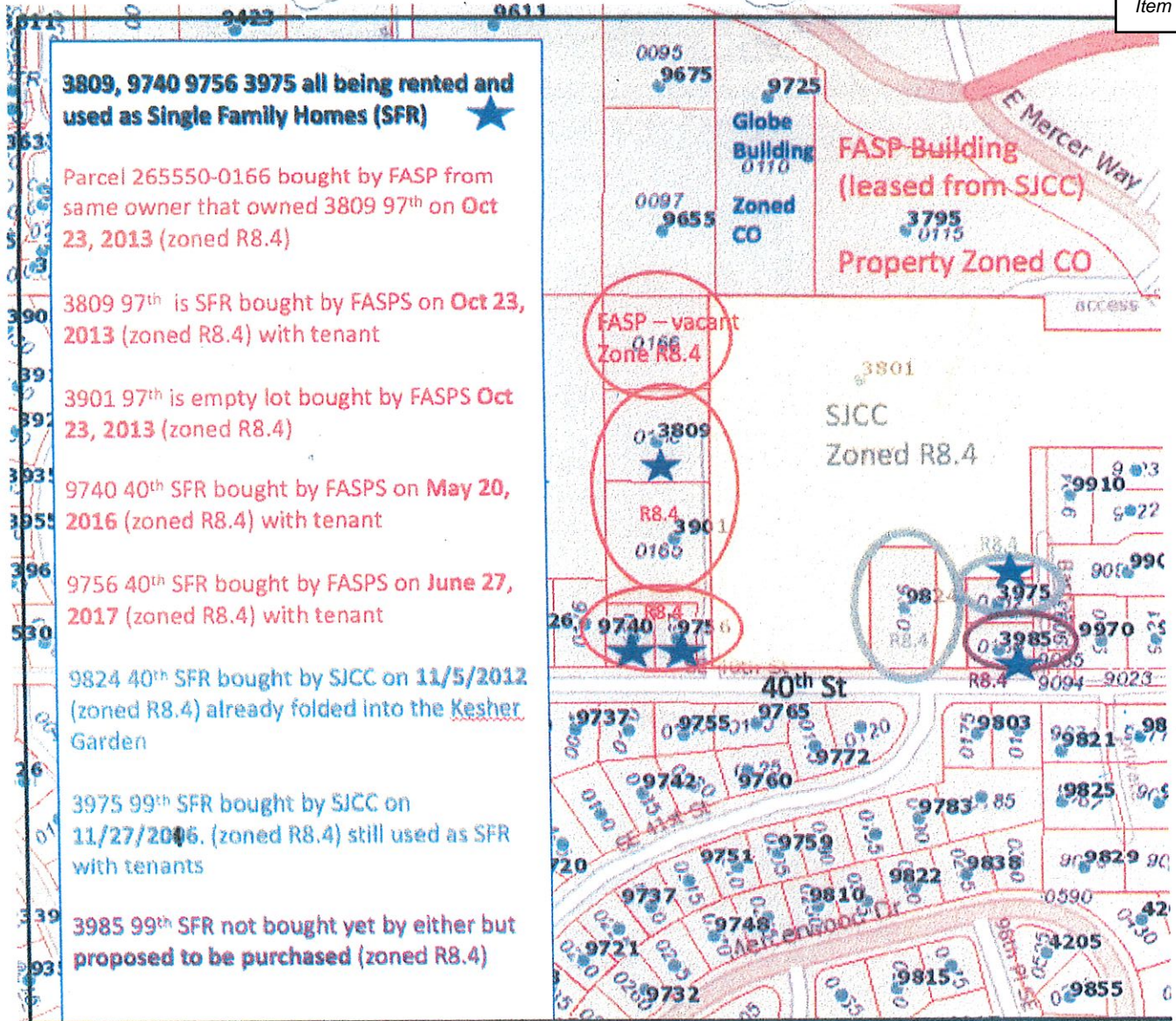
# Community Facility Large Site Gross Floor Area



-  0-100 feet from Residential or ROW: 0%
-  100-150 feet from Residential or ROW: 20%
-  More than 150 feet from Residential or ROW: no limit

-  Large Site Perimeter
-  Property Lines





**3809, 9740 9756 3975 all being rented and used as Single Family Homes (SFR) ★**

Parcel 265550-0166 bought by FASP from same owner that owned 3809 97<sup>th</sup> on Oct 23, 2013 (zoned R8.4)

3809 97<sup>th</sup> is SFR bought by FASPS on Oct 23, 2013 (zoned R8.4) with tenant

3901 97<sup>th</sup> is empty lot bought by FASPS Oct 23, 2013 (zoned R8.4)

9740 40<sup>th</sup> SFR bought by FASPS on May 20, 2016 (zoned R8.4) with tenant

9756 40<sup>th</sup> SFR bought by FASPS on June 27, 2017 (zoned R8.4) with tenant

9824 40<sup>th</sup> SFR bought by SJCC on 11/5/2012 (zoned R8.4) already folded into the Keshar Garden

3975 99<sup>th</sup> SFR bought by SJCC on 11/27/2006. (zoned R8.4) still used as SFR with tenants

3985 99<sup>th</sup> SFR not bought yet by either but proposed to be purchased (zoned R8.4)

- 3809 97th SE was sold to French School by Clarence Cameron
- 3901 97th SE was sold to French School by Kathleen and Thomas Valentine
- 9740 40th was sold to French School by Larry Clarence
- 9756 40th was sold to French School by Earnestine Holsinger

- 9824 40th sold to SJCC by Washington St Holocaust Education in 2012, I cannot see who owned it before this
- 3975 99th sold to SJCC by Eric Nordling
- 3985 99th owned by Suzanne and Robert Lazear who bought it back in 2001 from Maurice and Margaret Keating

# EXHIBIT 5



es  
its

# Neighbors oppose JCC plans

## City OKs JCC street vacation

By Stephen Weigand  
Mercer Island Reporter

The Mercer Island City Council unanimously approved a street vacation request by the Stroum Jewish Community Center, paving the way for the center's proposed expansion plans.

The city will be compensated for the vacation in the amount of the appraised value for the land.

Although two neighbors of the JCC filed letters with the city expressing their opposition to the street vacation — mostly on the ground that approving the vacation allows the JCC to add more density, traffic and congestion — only one of them spoke at the meeting last Monday.

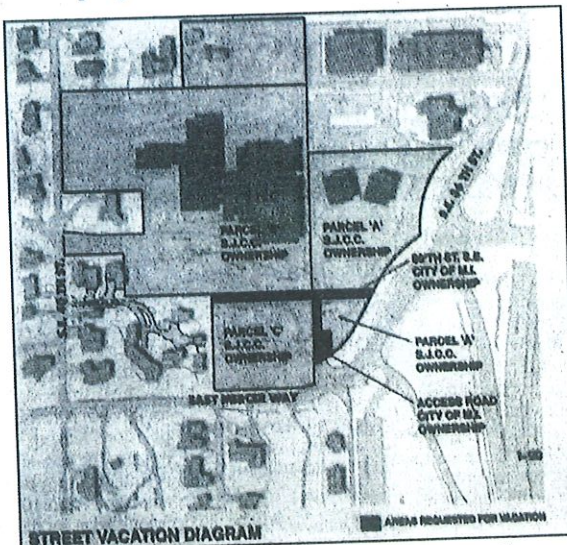
"It's another tool for them to increase density," said John Hall.

Hall said that he and other neighbors will legally challenge the expansion plans if they need to.

Mayor Alan Merkle assured Hall that approval of the street vacation doesn't increase the JCC's density in itself and that Hall would have the chance to state his case against expansion when the time comes.

But according to JCC director Barry Sohn, there are no imminent plans to expand the facility and create a so-called Jewish campus on Mercer Island.

The JCC site already has a fitness center, classrooms, administrative offices, the French American School of Puget Sound and parking. A master plan calls for the addition of new classrooms, administrative offices, learning center and fitness facilities, bringing the total build-



The above map shows in dark blue the property recently vacated by the City of Mercer Island to the JCC.

ing area from 89,694 square feet to 222,092 square feet. In addition, the JCC is discussing with other Jewish organizations about moving to Mercer Island to create a Jewish campus.

Sohn said that other Jewish agencies have yet to say whether they want to move to the Island to build a campus, and that the street vacation was recommended by its architects.

"Again at this point, it's not like the bulldozers are coming in tomorrow," he said. "I have no idea if and when the expansion will proceed."

The JCC filed the petition for the vacation of two rights-of-way in August 2002 and is in the first step in evaluating the feasibility of improving the site.

Hall argues that the street vacation gives the JCC more room to increase density on the site and that an expansion invades the neighborhood.

Hall, a 48-year-old homebuilder that has lived near his current home

for 46 years, claimed that the city made a promise to neighbors that the city would protect their rights and limit the JCC's expansion plans to the north where the French American School is currently located.

"A lot of us in the neighborhood feel we should expect the city should keep their promise," Hall said.

"You can't expand to the size (the JCC wants) without impacting us," he continued.

Richard Hart, director of the city's Development Services Department, said he has no knowledge of promises made to neighbors and that land-use decisions are made by the City Council and Planning Commission. He added that there is nothing on the JCC's conditional use permit that says it cannot expand or petition the city to modify the permit.

Although he realizes the JCC has a right to expand, Hall said he sees it as the neighborhood fighting for its values, lifestyle and property rights — and that the city promised that they weren't going to be able to expand.

"We don't have a problem with their facility or expansion, except in how it impacts us," he said.

Sohn described the JCC's plan as just one scenario. He acknowledges that that kind of density could potentially exist, but added that he thinks the chances of that happening soon are pretty remote.

Hayley  
arhead  
vs first-  
se stu-  
l to see  
ents to  
eserve.  
I work  
ig. "At  
of our  
o class-  
ere are  
ol who  
the in-  
rk and  
ing us  
"lopkins  
ole in  
n.  
ling to  
re time  
y that's  
erence  
lopkins  
unan-  
organ-  
arning  
lated,"  
issues  
know-  
h these  
eel not  
muni-  
out op-  
o help  
ect of  
gan  
from 7  
arch  
and  
st  
ation,  
-1520

**and Dermatology**

**Hair Removal**

ation call 232 - SKIN (7546)

y South End QFC & Starbuck's

---

**MIRAL**

TRAVEL

■ LOW COST CREMATION ■

**\$395**

425-895-0421

or 1-800-575-8832

One call. Always low cost with dignity

**AMERICAN BURIAL & CREMATION SERVICES**



AUG 01 2002

MERCER ISLAND  
CITY CLERK

## STREET VACATION CRITERIA RESPONSE- TITLE 19.09.070

Criteria for granting Street Vacations per Mercer Island Zoning Code, Section 19.09.070:

- a. Granting the vacation will not conflict with the general purposes and objectives of the city's comprehensive plan as to land use, streets, utilities, drainage, parks, trails, and open space.

Vacating the indicated portion of 99<sup>th</sup> Avenue SE and the area near the existing entry to the Stroum Jewish Community Center (SJCC) would not conflict with any of the purposes and objectives of the City's Comprehensive Plan. A 5,445 square foot area near the SJCC entry is a remnant of the property acquired by the Washington State Department of Transportation for the construction of Interstate 90. The ownership of this property reverted to the City of Mercer Island, but there is no evidence that it was ever intended to be City right-of-way.

No connection from the south into the property is desired by either the neighborhood or the applicants. The City has indicated that access to the site from the north via S.E. 36<sup>th</sup> is not considered desirable. Therefore, the use of 99<sup>th</sup> Avenue S.E. is considered detrimental from both the north and the south. The SJCC controls adjacent property on both sides of the right-of-way proposed for vacation, and does not intend to utilize 99<sup>th</sup> Avenue S.E. for access.

The remnant WASHDOT property is currently used for access to the site and would remain in that use. The parking garage would lie below the access road.

The survey does not indicate the presence of any utilities in the 99<sup>th</sup> Avenue S. E. right-of-way. Existing utility easements for Puget Sound Energy on the remnant WASHDOT property will be maintained or revised at the direction of Puget Sound Energy.

Trees on the City right-of-way will be either protected or relocated according to plans subject to a Conditional Use Permit. The only trails on the right-of-way are those used by people at the SJCC to access parking.

- b. The street or portion thereof, is not likely to serve a useful public purpose both now and in the future, which cannot be met through use of easements for a specific purpose, or the vacation will best serve the public interest.

The use of 99<sup>th</sup> Avenue S.E. north of S.E. 40<sup>th</sup> is limited to a small grouping of single-family residences. The SJCC has been careful to avoid access to their facility from the single-family neighborhood to the south. A street vacation would formalize the intent of not using this land for access to the site.

The remnant WASHDOT property is currently used for as a private access road serving the site and would remain in that use. Vacation of this land would allow the construction of the parking garage, which would place the bulk of parking, now on the surface, below grade.

- c. The vacated area will not increase the number of single-family building sites or multi-family density.

**No single-family or multi-family building sites would be affected.**

- d. The request for vacation was not initiated to correct a condition created by an applicant in violation of city ordinance

**There are no current violations of any City ordinances.**

- e. The vacated area cannot be used to increase commercial density

**The vacation is being pursued because the right-of-way runs through the center of the SJCC s property. This property is not of use to the City, but allows flexibility in the layout of facilities for the site. It does not increase commercial density.**



**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Stroum JCC Rezone Request  
**Date:** Monday, November 13, 2023 9:21:56 AM

---

Comment received to Council mailbox

[Andrea Larson](#)  
City Clerk  
City of Mercer Island  
206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

---

**From:** Tamar Reynard <[tlreynard1127@gmail.com](mailto:tlreynard1127@gmail.com)>  
**Sent:** Sunday, November 12, 2023 8:05 PM  
**To:** Council <[council@mercergov.org](mailto:council@mercergov.org)>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

**From:** [Council](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Stroum JCC Rezone Request  
**Date:** Monday, November 13, 2023 9:21:27 AM

---

Comment received to Council mailbox

[Andrea Larson](#)  
City Clerk  
City of Mercer Island  
206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

---

**From:** Jay Behar <jay@behars.com>  
**Sent:** Sunday, November 12, 2023 6:58 PM  
**To:** Council <council@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Jay

**Jay Behar**

*Executive Director – Pacific Furniture Dealers*

**P:** (206) 465-2520 – **E:** [jay@behars.com](mailto:jay@behars.com)

**W:** [www.pacificfurnituredealers.com](http://www.pacificfurnituredealers.com)

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Stroom JCC Rezone Request  
**Date:** Tuesday, November 14, 2023 8:52:18 AM

---

Comment received to Council mailbox

[Andrea Larson](#)  
 City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*  
 The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

---

**From:** Noreen King <noreen.king9@gmail.com>  
**Sent:** Monday, November 13, 2023 2:22 PM  
**To:** Council <council@mercergov.org>  
**Subject:** Stroom JCC Rezone Request

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroom Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroom Jewish Community Center on Mercer Island is now.

Thank you for your support.

Noreen King

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Stroum JCC Rezone Request  
**Date:** Tuesday, November 14, 2023 8:52:45 AM

---

Comment received to Council mailbox

[Andrea Larson](#)  
City Clerk  
City of Mercer Island  
206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

---

**From:** Laura Selby <lauraselby@comcast.net>  
**Sent:** Monday, November 13, 2023 4:23 PM  
**To:** Council <council@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear City Councilmembers,

I was an early childhood educator at the Stroum JCC for 22 years and know the importance of this institution to our community. The school has touched literally thousands of lives since it began in 1967. But the building is beyond its years and needs to be upgraded in many ways.

**I am asking you to allow the J to be rezoned from residential to commercial status. The time is now!**

Thank you for your support.

Laura Selby  
16 Evergreen Lane, Mercer Island

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Stroum JCC Rezone Request  
**Date:** Tuesday, November 14, 2023 8:53:28 AM

---

Comment received to Council mailbox

Andrea Larson  
City Clerk  
City of Mercer Island  
206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

From: Heather Kramm <hkramm@yahoo.com>  
Sent: Monday, November 13, 2023 8:20 PM  
To: Council <council@mercergov.org>  
Subject: Stroum JCC Rezone Request

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.  
Heather kramm

Sent from my iPhone



**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Stroum JCC Rezone Request  
**Date:** Tuesday, November 14, 2023 8:54:35 AM

---

Comment received to Council mailbox

[Andrea Larson](#)  
City Clerk  
City of Mercer Island  
206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

---

**From:** Kerry Donner <kerrysdonner@gmail.com>  
**Sent:** Tuesday, November 14, 2023 1:24 AM  
**To:** Council <council@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

**From:** [Andrea Larson](#)  
**To:** [Alison Van Gorp](#); [Deb Estrada](#)  
**Subject:** FW: Rezone the SJCC  
**Date:** Tuesday, November 14, 2023 11:15:08 AM

---

Comment received to Council mailbox

[Andrea Larson](#)  
City Clerk  
City of Mercer Island  
206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.

---

**From:** E Jimenez <[sra.ejimenez@gmail.com](mailto:sra.ejimenez@gmail.com)>  
**Sent:** Tuesday, November 14, 2023 8:58 AM  
**To:** Council <[council@mercergov.org](mailto:council@mercergov.org)>  
**Subject:** Rezone the SJCC

Dear Mercer Island Planning Commission,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Evelyn Jimenez

9208 SE 33 rd Street

Mercer Island, WA 98040

(Mercer Island Resident for 30 years)

Sent from my iPhone

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Wednesday, November 15, 2023 9:40 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: SJCC Rezone

**Categories:** COUNCIL

Comment received to Council mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Stuart Sulman <ssulman@kellersupply.com>  
**Sent:** Tuesday, November 14, 2023 4:56 PM  
**To:** Council <council@mercergov.org>  
**Subject:** SJCC Rezone

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset serving the **entire** Mercer Island Community. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sincerely,

Stuart Sulman  
Mercer Island Resident for 47 years  
4117 Boulevard Place  
Mercer Island, WA. 98040

**Disclaimer**

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by Mimecast, a leader in email security and cyber resilience. Mimecast integrates email defenses with brand protection, security awareness training, web security, compliance and other essential capabilities. Mimecast helps protect large and small organizations from malicious activity, human error and technology failure; and to lead the movement toward building a more resilient world. To find out more, visit our website.

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Wednesday, November 15, 2023 9:41 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Supporting the SJCC request to rezone

**Categories:** COUNCIL

Comment received to Council mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** srockfeld@yahoo.com <srockfeld@yahoo.com>  
**Sent:** Tuesday, November 14, 2023 5:47 PM  
**To:** Planning Commission <Planning.Commission@mercergov.org>; Council <council@mercergov.org>  
**Cc:** Cindy Rockfeld <cinchin98@hotmail.com>  
**Subject:** Supporting the SJCC request to rezone

Dear Mercer Island Planning Commission and City Council,

I would love for the Mercer Island City Council to support the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is n

Item 1.

Thank you for your support.  
Scott and Cindy Rockfeld  
MI Residents since 2007



## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Wednesday, November 15, 2023 9:41 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Rezone the SJCC, It's Time

**Categories:** COUNCIL

Comment received to Council mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Susan Szafir <[susan\\_szafir@yahoo.com](mailto:susan_szafir@yahoo.com)>  
**Sent:** Tuesday, November 14, 2023 8:27 PM  
**To:** Council <[council@mercergov.org](mailto:council@mercergov.org)>  
**Subject:** Rezone the SJCC, It's Time

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is n

Item 1.

Thank you for your support.

Susan Szafir

3400 72nd PL SE

M.I. Resident since 2008

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Wednesday, November 15, 2023 9:42 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: JCC Rezoning

**Categories:** COUNCIL

Comment received to Council mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Alexandra Schatz <[alexandra.schatz@me.com](mailto:alexandra.schatz@me.com)>  
**Sent:** Tuesday, November 14, 2023 8:58 PM  
**To:** Council <[council@mercergov.org](mailto:council@mercergov.org)>  
**Subject:** JCC Rezoning

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is n

Item 1.

Thank you for your support.

Sincerely,

Alex and Patrick Schatz with family

Our family of four has been enjoying the JCC for many years now and we are residents for over 14 years.

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Wednesday, November 15, 2023 9:42 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Categories:** COUNCIL

Comment received to Council mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Lorna <LBIsenberg@msn.com>  
**Sent:** Tuesday, November 14, 2023 9:31 PM  
**To:** Council <council@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Get [Outlook for Android](#)

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Wednesday, November 15, 2023 9:43 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Stroum JCC Rezone Request

**Categories:** COUNCIL

Comment received to Council mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Aimee Johnson <goldenaimee1@gmail.com>  
**Sent:** Wednesday, November 15, 2023 7:41 AM  
**To:** Council <council@mercergov.org>  
**Subject:** Stroum JCC Rezone Request

Dear Mercer Island City Council, I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024. For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use. It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors. For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island. The time to support the future of the Stroum Jewish Community Center on Mercer Island is now. Thank you for your support.

**Deb Estrada**

---

**From:** Andrea Larson  
**Sent:** Wednesday, November 15, 2023 9:44 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: SJCC's revitalization

**Categories:** COUNCIL

Comment received to Council mailbox

Andrea Larson  
City Clerk  
City of Mercer Island  
206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

From: Richard Openshaw <richard@openshawcpa.com>  
Sent: Wednesday, November 15, 2023 8:58 AM  
To: Council <council@mercergov.org>  
Subject: SJCC's revitalization

Good Morning,

As a member of the Stroum Jewish Community Center I support its revitalization, which is way overdue. Since being built in 1969 it's received minimal updates or upgrades. The "new & improved" SJCC will look better from the outside, be easier to navigate, and more functional. It ensures it stays on the Island as a centralized place where people/groups of all backgrounds, whether member or quest, can socialize, have meetings, be entertained, exercise, utilize its after-school care and summer camp, along with having childcare for over 200 pre-kindergarten children, which is sorely needed.

Thank you for your consideration.

Richard Openshaw CPA CGMA J.D.



## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Wednesday, November 15, 2023 9:44 AM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Support for Stroum JCC Rezone Request

**Categories:** COUNCIL

Comment received to Council mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Amy Moultray <Amy@moultray.com>  
**Sent:** Wednesday, November 15, 2023 9:28 AM  
**To:** Council <council@mercergov.org>  
**Subject:** Support for Stroum JCC Rezone Request

Dear Mercer Island City Council,

Please recommend that the Mercer Island City Council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with action taken in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. My family has been a member of the SJCC for 10+ years and the early education school, community programming, summer camps, and fitness facilities have been a foundational part of our life and sense of community on the Island. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its usefulness.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

Now more than ever, the SJCC operates as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Amy Clements Moultray  
Mercer Island Resident for 10+ years

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Wednesday, November 15, 2023 12:23 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Please Help Make the Future SJCC a Reality

Comment received to Council mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Elana Roschy <elanaroschy@gmail.com>  
**Sent:** Wednesday, November 15, 2023 11:15 AM  
**To:** Council <council@mercergov.org>  
**Subject:** Please Help Make the Future SJCC a Reality

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is n

Item 1.

Thank you for your support.

Sincerely,  
Elana Roschy

## Deb Estrada

---

**From:** Andrea Larson  
**Sent:** Wednesday, November 15, 2023 4:53 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: Please Help Make the Future SJCC a Reality

Comment received to Council mailbox

### Andrea Larson

City Clerk  
 City of Mercer Island  
 206.275.7793 | [mercerisland.gov](http://mercerisland.gov)

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)*

*The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City Hall and City service hours of operation.*

---

**From:** Robin Medin <[robinmedin@hotmail.com](mailto:robinmedin@hotmail.com)>  
**Sent:** Wednesday, November 15, 2023 4:30 PM  
**To:** Council <[council@mercergov.org](mailto:council@mercergov.org)>  
**Subject:** Fwd: Please Help Make the Future SJCC a Reality

Dear Mercer Island City Council,

I'm writing to request that the Mercer Island City council places the Stroum Jewish Community Center's request to rezone their large residential land parcels to Commercial Office on the docket, with prioritization for action in 2024.

For over 54 years, the SJCC has served Mercer Island residents with programs for all ages and all are welcome. However, this building is old, is not ADA compliant, needs a working HVAC system and it features a swimming pool that is long past its useful use.

It's time for a substantive, accessible, and sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors.

For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility.

Further, this request affects the SJCC ONLY, and will not have any impact on any other facility or institution on the Island.

The time to support the future of the Stroum Jewish Community Center on Mercer Island is now.

Thank you for your support.

Sincerely,  
Robin Medin

**Deb Estrada**

---

**From:** Andrea Larson  
**Sent:** Wednesday, November 15, 2023 4:53 PM  
**To:** Alison Van Gorp; Deb Estrada  
**Subject:** FW: SJCC rezoning

Comment received to Council mailbox

Andrea Larson  
City Clerk  
City of Mercer Island  
206.275.7793 | mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW)  
The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City Hall and City service hours of operation.

-----Original Message-----

From: Stratiner Cindy <Cstratiner@aol.com>  
Sent: Wednesday, November 15, 2023 4:44 PM  
To: Planning Commission <Planning.Commission@mercergov.org>; Council <council@mercergov.org>  
Subject: SJCC rezoning

Dear MI Planning commission and MI Council,

I grew up going to the JCC for sporting activities, to learn how to swim, for arts classes, and Jewish Community events. All three of our grown children went to preschool at the JCC, and also did activities like sports, swimming, acting classes, camps and Jewish Community events.

Now our grandchildren use the facility for camps and activities.

I don't see how the JCC still is considered residential zoning when it has not been residential in the 50+ years that I have been going there.

I believe that the JCC always tries to be a good neighbor and may be less obtrusive than many other Mercer Island residents.

I think it is past time to rezone the SJCC property to its commercial use.

Thank you,  
Cindy Stratiner  
Issaquah, WA 98027  
425-641-8399





# PLANNING COMMISSION HYBRID MEETING MINUTES

Wednesday, October 25, 2023

## CALL TO ORDER

At 6:01 PM, Chair Murphy opened the meeting.

## ROLL CALL

Chair Michael Murphy, Vice Chair Adam Ragheb and Commissioners Angela Battazzo, Carolyn Boatsman, Chris Goelz, and Victor Raisys were present remotely.

Commissioner Kate Akyuz' request for an excused absence was acknowledged.

## Staff Remote Participation:

Alison Van Gorp, Deputy Director  
Adam Zack, Senior Planner  
Deborah Estrada, Deputy City Clerk

## APPEARANCES

Will Orndorff addressed the Commission and regarding the Mercer Island Country Club Docket Application that the Planning Commission will consider next month.

## REGULAR BUSINESS

### 1. Planning Commission Meeting Minutes for September 27, 2023:

A motion was made by Raisys; seconded by Boatsman to:

**Approve the September 27, 2023, minutes.**

Approved 6-0

### 2. Comprehensive Plan Update - Economic Development Element (Third Draft)

Adam Zack, Senior Planner, introduced the fourth draft.

A motion was made by Boatsman; seconded by Goelz to:

**Adopt the Table 1 amendments except for Goal 7, Policy 7.6, and Policy 12.4**

Approved 6-0

A motion was made by Battazzo; seconded by Raisys to:

**Reject the changes to Goal No. 7**

Approved 4-2

A motion was made by Ragheb; seconded by Raisys to:

**Strike Policy No. 7.6**

Approved 6-0

A motion was made by Battazzo; seconded by Raisys to:

**Accept edits to 7.1.F**

Approved 4-2

A motion was made by Goelz; seconded by Battazzo to:  
**Reject the proposed amendments to Policy No. 7.3.**  
 Approved 5-1

A motion was made by Ragheb; seconded by Raisys to:  
**Remove “dedicated” from Policy No. 7.3.**  
 Approved 6-0

A motion was made by Boatsman; seconded by Goelz to:  
**Adopt Policy No. 7.7.**  
 Approved 4-2

A motion was made by Boatsman; seconded by Goelz to:  
**Delete Policy No. 10.5**  
 Approved 6-0

A motion was made by Goelz; seconded by Boatsman to:  
**Strike Policy No. 10.1**  
 Approved 6-0

A motion was made by Battazzo; seconded by Ragheb to:  
**Reject from Policy No. 12.4, “through a combination of regulations and incentives like parking credits”**  
 Approved 6-0

A motion was made by Boatsman; seconded by Goelz to:  
**Exclude from Policy No. 12.4, “Interpretation of the policies in this element should not lead to a reduction in parking.”**  
 Failed 3-3

A motion was made by Battazzo; seconded by Boatsman to:  
**Accept Staff Proposed Alternative to Policy No. 12.5**  
 Approved 6-0

A motion was made by Boatsman; seconded by Battazzo to:  
**Adopt phrase 4.2.D, “Be guided by relevant strategies in the Climate Action Plan to reduce the potential negative effects of climate change on doing business in the City and to attract businesses, workers and customers in a warming climate.”**  
 Approved 6-0

A motion was made by Battazzo; seconded by Boatsman to:  
**Strike new Policy No. 4.2,**  
 Approved 5-1

A motion was made by Boatsman; seconded by Goelz to:  
**Adopt New Policy No. 4.3.A**  
 Failed 4-2

A motion was made by Boatsman; seconded by Ragheb to:  
**Adopt New Policy No. 4.3.B, “Develop a strategy to maintain tree canopy in Town Center that is compatible with redevelopment and infill development.”**  
 Failed 3-3

Parking Lot Discussion:

A motion was made by Battazzo; seconded by Raisys to:  
**Strike both versions of Policy Nos. 6.3 and 6.6**  
 Approved 4-2

A motion was made by Boatsman; seconded by Goelz to:  
**Add Policy No. 6.6 stating, “Coordinate with the Housing Element to increase opportunities for employees to live and work in the community.”**  
 Approved 4-2

A motion was made by Ragheb; seconded by Battazzo to:  
**Strike Policy No. 6.4**  
 Approved 4-2

A motion was made by Raisys; seconded by Boatsman to:  
**Strike Policy No. 6.5**  
 Approved 6-0

The Planning Commission completed its review of the Economic Development Element. Staff will incorporate all the changes and send it for final review to the Planning Commission.

**OTHER BUSINESS**

**3. Deputy Director’s Report**

**Deputy Director Alison Van Gorp discussed the following:**

- Upcoming meeting – November 15 Special Meeting on the Annual Docket
- Annual Docket process development.

**4. Planned Absences for Future Meetings - None**

**ADJOURNED**

The meeting adjourned at 8:58 pm

---

Deborah Estrada, MMC, Deputy City Clerk



**To:** Planning Commission  
**From:** Alison Van Gorp  
**Date:** November 15, 2023  
**RE:** 2024 Annual Docket

## EXECUTIVE SUMMARY

The City provides an annual opportunity for the public to propose amendments to the Comprehensive Plan and development regulations. The proposed amendments are compiled, along with the City's proposed amendments, on a docket. The docket is preliminarily reviewed by the Planning Commission and City Council for a determination on which, if any, proposed amendments will be advanced for full review in the coming year. Amendments selected by the City Council for the "final docket" are then put on the Community Planning and Development (CPD) work program, typically for the next calendar year or when time and resources permit. This memo outlines the process for reviewing proposed amendments 1-10 and 12-17.

## BACKGROUND

### Docket Process

The Mercer Island City Code (MICC) describes the formal process for soliciting and reviewing docket proposals in section 19.15.230 MICC:

*"D. Docketing of Proposed Amendments. For purpose of this section, docketing refers to compiling and maintaining a list of suggested changes to the comprehensive plan in a manner that will ensure such suggested changes will be considered by the city and will be available for review by the public. The following process will be used to create the docket:*

*1. Preliminary Docket Review. By September 1, the city will issue notice of the annual comprehensive plan amendment cycle for the following calendar year. The amendment request deadline is October 1. Proposed amendment requests received after October 1 will not be considered for the following year's comprehensive plan amendment process but will be held for the next eligible comprehensive plan amendment process.*

*a. The code official shall compile and maintain for public review a list of suggested amendments and identified deficiencies as received throughout the year.*

*b. The code official shall review all complete and timely filed applications proposing amendments to the comprehensive plan or code and place these applications and suggestions on the preliminary docket along with other city-initiated amendments to the comprehensive plan or code.*

*c. The planning commission shall review the preliminary docket at a public meeting and make a recommendation on the preliminary docket to the city council each year.*

*d. The city council shall review the preliminary docket at a public meeting. By December 31, the city council shall establish the final docket based on*

*the criteria in subsection E of this section. Once approved, the final docket defines the work plan and resource needs for the following year's comprehensive plan and code amendments."*

Public notice of the opportunity to submit docket requests was provided in the permit bulletin and on the City website between August 7, 2023 and September 6, 2023, as well as on August 9 and September 6, 2023 in the Mercer Island Reporter. Eight code amendment proposals were received from the public. One of these proposals (Proposed Amendment 11) was later withdrawn. The City has also identified ten code amendments for consideration. All seventeen active proposals are summarized in Attachment 1 and described below; the original submissions from community members are included in Attachments 2 and 3.

### **Docketing Criteria**

The City Code prescribes that proposed comprehensive plan and development code amendments should only be recommended for the final docket if the amendment will meet the criteria in MICC 19.15.230(E):

*"E. Docketing Criteria. The following criteria shall be used to determine whether a proposed amendment is added to the final docket in subsection D of this section:*

*1. The request has been filed in a timely manner, and either:*

*a. State law requires, or a decision of a court or administrative agency has directed, such a change; or*

*b. All of the following criteria are met:*

*i. The proposed amendment presents a matter appropriately addressed through the comprehensive plan or the code;*

*ii. The city can provide the resources, including staff and budget, necessary to review the proposal, or resources can be provided by an applicant for an amendment;*

*iii. The proposal does not raise policy or land use issues that are more appropriately addressed by an ongoing work program item approved by the city council;*

*iv. The proposal will serve the public interest by implementing specifically identified goals of the comprehensive plan or a new approach supporting the city's vision; and*

*v. The essential elements of the proposal and proposed outcome have not been considered by the city council in the last three years. This time limit may be waived by the city council if the proponent establishes that there exists a change in circumstances that justifies the need for the amendment."*

Staff analysis of the docketing criteria for each proposed amendment is included in Attachment 3.

### **CPD Work Plan**

The docketing criteria, shown above, include a requirement that the City "can provide resources, including staff and budget, necessary to review the proposal". As has been the case in the last several years, City staff capacity for legislative review is limited. In addition, the existing CPD work plan already includes several major work items that will continue in 2024, summarized below. Any work items added to the docket will need to be additive to the items already on the work plan.

1. **Periodic Update of the Comprehensive Plan:** work on the periodic update will continue through 2024, including significant work on the Parks Zone and Housing Element (due for completion by December 2024).
2. **Legislatively Mandated Residential Amendments (HB 1110, HB 1337):** the City must undertake several substantial code amendments to comply with recent housing-related legislation. The City will also undertake additional amendments related to the previously panned Residential Development Standards (RDS) code update. This work will begin as the periodic update of the Comprehensive Plan concludes in late 2024 and must be completed by June 30, 2025.

The existing work plan items represent a significant amount of CPD staff time, as well as a significant portion of the available Planning Commission, City Council and community bandwidth. Staff anticipate the periodic update of the Comprehensive Plan will require all of the time available at the Planning Commission's monthly meetings through mid-2024 and will likely also require additional special meetings. The City Council will then begin their review, which will also require several meetings. The Planning Commission will need to begin review of the legislatively mandated residential code amendments in the last quarter of 2024.

As such, time available for review and consideration of additional docket items will be extremely limited. Each item added to the final docket typically requires at least three touches by the Planning Commission and two by the City Council, a process that usually takes 6 months or more to complete. Thus, if new items are added to the docket and CPD work plan for consideration in 2024, it is very likely that they would need to be carried over into 2025 or beyond. Progress toward items proposed for the docket over the last three years is summarized in Attachment 5, which can help provide context in terms of the number of amendments that have been reviewed annually in recent years.

## ISSUE/DISCUSSION

### REVIEW AND RECOMMENDATION

The Planning Commission will need to review each docket proposal and prepare a recommendation to the City Council on the docket proposals that should be included in the final docket. The Planning Commission should consider the criteria from MICC 19.15.230 (E), provided above, to determine whether to recommend adding a project to the final docket. The decision here must be based on the docketing criteria – this is a decision on whether the proposal meets the criteria and can, therefore, be placed on the docket and advanced for future legislative review. It is not a decision on the merits of the proposal. Please carefully consider the workload for CPD staff and the Planning Commission related to the recommended items, especially in light of existing work plan items already planned for 2024 (discussed above).

One of the proposed amendments, Proposed Amendment 18, is quasi-judicial in nature (i.e. it pertains to rezoning a property), and will need to be reviewed separately, utilizing special procedures as recommended by the City Attorney's Office. Thus, the review process will be bifurcated to enable Proposed Amendment 18 to be reviewed first, followed by review of the remaining proposed amendments through the more typical process. This staff memo is focused on the review of Proposed Amendments 1-10 and 11-17.

The review of the proposed amendments will begin with the opportunity for the proponents of each of the remaining proposals to speak to their proposals (up to 3 minutes per proposal), followed by a staff presentation on the proposed amendments (up to 3 minutes each). The Commission will then review each of the proposed amendments, considering the decision criteria and any public comments. The Commission should make a motion and call a vote on each proposal, recommending whether to include it in the final docket.

### PROPOSED AMENDMENTS

The proposed amendments are summarized in Attachment 1 and are also described below. The amendment proposals submitted by community members are included in Attachments 2 and 3. Attachment 4 provides an

analysis of each proposed amendment in relation to the docketing criteria in MICC 19.15.230(E). It provides an assessment of whether each criterion *could* be met by each of the proposed amendments. That is to say, the matrix indicates whether the staff believe a case can be made that the criterion is met, and the Planning Commission will need to make a final determination on whether they find that the criterion has indeed been met. Attachment 4 and the staff comments below also include a rough prioritization of the proposed amendments. These prioritization ratings are not intended to reflect on the quality or merits of the proposal. Rather, the ratings are intended to evaluate the importance of reviewing the proposed amendment in the coming year relative to the staff resources that are available to do this work. In determining this prioritization, staff considered whether foregoing the amendment in 2024 would leave the city open to legal or financial risk, lost opportunities or other negative consequences. Staff also considered whether there were any other compelling reasons that an amendment should be considered in the very near term.

#### Proposed Amendment 1

**Proposed By:** City of Mercer Island/Daniel Thompson

**Comprehensive Plan or Code Section:** Residential Development Standards (MICC 19.02.020(D)(2)(a) Gross Floor Area)

**Proposal Summary:** This amendment would reduce ceiling height from 12 feet to 10 feet before it is counted as clerestory space at 150% of gross floor area (GFA).

**Staff Comments:** See attached application for more details. The applicant submitted this proposal during the 2020, 2021 and 2022 Annual Docket processes. In 2022, the City Council directed staff to include consideration of this item in the Residential Development Standards (RDS) analysis. That work has been substantially delayed in response to recent action by the State Legislature to enact several pieces of legislation requiring amendments to the City's residential development standards. City Council directed staff to develop and submit a docket proposal to address this matter at its May 2023 Planning Session.

**Priority Level:** Moderate priority.

#### Proposed Amendment 2

**Proposed By:** City of Mercer Island/Daniel Thompson

**Comprehensive Plan or Code Section:** Residential Development Standards (MICC 19.02.020(D)(2)(a) Gross Floor Area)

**Proposal Summary:** This amendment would include exterior covered decks in the definition of GFA and include covered porches on the first level in the calculation of GFA.

**Staff Comments:** See attached application for more details. The applicant submitted this proposal during the 2020, 2021 and 2022 Annual Docket processes. In 2022, the City Council directed staff to include consideration of this item in the Residential Development Standards (RDS) analysis. That work has been substantially delayed in response to recent action by the State Legislature to enact several pieces of legislation requiring amendments to the City's residential development standards. City Council directed staff to develop and submit a docket proposal to address this matter at its May 2023 Planning Session.

**Priority Level:** Moderate priority.

#### Proposed Amendment 3

**Proposed By:** City of Mercer Island/Daniel Thompson



**Comprehensive Plan or Code Section:** Residential Development Standards (MICC 19.02.040(D)(1) Garages and Carports)

**Proposal Summary:** This amendment would either eliminate the ability to build garages and carports within 10 feet of the property line of the front yard, or, alternatively, would eliminate this option for waterfront lots that have flipped their front and back yards per MICC 19.02.020(c)(2)(a)(iii).

**Staff Comments:** See attached application for more details. The applicant submitted this proposal during the 2020, 2021 and 2022 Annual Docket processes. In 2022, the City Council directed staff to include consideration of this item in the Residential Development Standards (RDS) analysis. That work has been substantially delayed in response to recent action by the State Legislature to enact several pieces of legislation requiring amendments to the City's residential development standards. City Council directed staff to develop and submit a docket proposal to address this matter at its May 2023 Planning Session.

**Priority Level:** Moderate priority.

#### Proposed Amendment 4

**Proposed By:** City of Mercer Island/Daniel Thompson

**Comprehensive Plan or Code Section:** Residential Development Standards (MICC 19.02.020(D)(3)(b) Gross Floor Area Incentives for ADUs)

**Proposal Summary:** This amendment would limit the GFA incentives for ADUs to lots 8,400 square feet or smaller.

**Staff Comments:** See attached application for more details. The applicant submitted this proposal during the 2020, 2021 and 2022 Annual Docket processes. In 2022, the City Council directed staff to include consideration of this item in the Residential Development Standards (RDS) analysis. That work has been substantially delayed in response to recent action by the State Legislature to enact several pieces of legislation requiring amendments to the City's residential development standards. City Council directed staff to develop and submit a docket proposal to address this matter at its May 2023 Planning Session.

**Priority Level:** Moderate priority.

#### Proposed Amendment 5

**Proposed By:** City of Mercer Island/Daniel Thompson

**Comprehensive Plan or Code Section:** Residential Development Standards (MICC 19.02.020(G)(2)(a) and (b) Parking Requirements)

**Proposal Summary:** This amendment would reduce the threshold for requiring only 2 parking spaces (1 covered and 1 uncovered) from 3,000 square feet to 2,000 square feet.

**Staff Comments:** See attached application for more details. The applicant submitted this proposal during the 2020, 2021 and 2022 Annual Docket processes. In 2022, the City Council directed staff to include consideration of this item in the Residential Development Standards (RDS) analysis. That work has been substantially delayed in response to recent action by the State Legislature to enact several pieces of legislation requiring amendments to the City's residential development standards. City Council directed staff to develop and submit a docket proposal to address this matter at its May 2023 Planning Session.

**Priority Level:** Moderate priority.

Proposed Amendment 6**Proposed By:** City of Mercer Island**Comprehensive Plan or Code Section:** MICC 19.02.020(E)(2) Maximum Downhill Facade Height**Proposal Summary:** This item will amend standards related to the calculation of downhill façade height.**Staff Comments:** City Council directed staff to develop and submit a docket proposal to address this matter at its May 2023 Planning Session.

The residential development standards currently contain two different standards regulating maximum allowed building height, one based on Average Building Elevation (ABE) and one based the height of a downhill building facade measured from the lower of existing or finished grade, to the top of the downhill facing wall facade supporting the roof framing, rafters, trusses, etc. The proposed amendment would clarify the measurement of the downhill facade height standard by allowing the height of a building on the downhill side of a sloping lot to be measured from the lower of existing or finished grade at the furthest downhill extent of the building to the highest point on the roof.

Measuring downhill facade height from the lower of existing or finished grade to the top of the wall facade supporting the roof framing, rafters, trusses, etc. creates a lot of variability in determining where the wall facade supports the roof framing. This standard can be clearly applied to gable roofs, for example, where the top of the wall facade is clearly visible; however, staff have seen an increase in uncertainty regarding how to determine where the wall facade ends on proposed buildings with flat or shed roofs. Amending the maximum downhill facade height to be measured from the lower of existing or finished grade at the furthest downhill extent to the highest point of the roof allows for a clear enforcement of the maximum downhill facade height standard. The highest point of the roof is a generally clear point on elevation drawings, versus the top of the wall facade supporting the roof framing.

**Priority Level:** Moderate Priority. Staff spend significant resources with applicants on building permits to determine downhill facade height, which increases the time the permit spends in permit review before issuance. Clarifying this standard will allow staff to issue building permits more efficiently.

Proposed Amendment 7**Proposed By:** City of Mercer Island**Comprehensive Plan or Code Section:** MICC 19.11 Town Center Development and Design Standards, possibly other sections of the development code

**Proposal Summary:** This proposal would add a “Government Services” use to the Town Center and provide necessary code changes in the form of standards and/or allowances for such including, but not limited to MICC 19.11.020 – Land Uses and 19.11.030 – Bulk Regulations. Examples of code changes which may be considered for a “Government Services” use include requirements for ground floor street frontage uses as well as maximum building height.

**Staff Comments:** City Council directed staff to develop and submit a docket proposal to address this matter related to maximum building height at its May 2023 Planning Session. However, with evolving circumstances

regarding the current Mercer Island City Hall, it has become apparent the matter should be considered in a more wholistic manner. Government services are already defined in MICC Chapter 19.16.

**Priority Level:** High. Mercer Island City Hall has been permanently closed due to asbestos contamination. The City is commencing the planning work to replace City Hall and would like to include Town Center as an one of the locations under consideration. Current Town Center code will limit this development potential.

The City Council has also identified implementing an economic development program as a priority, and this code amendment supports that goal and aligns with other economic development activities focused on the Town Center. Waiting to address this issue in the future could result in significant missed opportunities for further Town Center development for government facilities.

### Proposed Amendment 8

**Proposed By:** City of Mercer Island

**Comprehensive Plan or Code Section:** Amendments to Chapters 19.11, 19.12, 19.15, 19.16, 19.21 of the Mercer Island City Code (MICC)

**Proposal Summary:** This item will amend the administrative code to implement new permit timelines and to correct errors and improve clarity and consistency. Code sections pertaining to design standards and design review will be amended to implement clear and objective review standards. Amendments to SEPA requirements will also be considered.

**Staff Comments:** This item is responsive to the 2023 State legislative session. The City has until June 30, 2025 to fully implement HB 1293 and SB 5290. City Council directed staff to develop and submit a docket proposal to address this matter at its May 2023 Planning Session.

SB 5290 establishes permit review timelines, requires partial refunds of permitting fees if jurisdictions do not meet specified timelines and provides additional resources to local governments to be used on supplementing permit review staff and updating permitting systems.

In July 2023, the Council adopted interim regulations, Ordinance No. 23C-10, to satisfy the 90-day implementation deadline for a small portion of the requirements in SB 5290. With the fully implemented update required to be completed by June 30, 2025, the City must begin working on permanent regulations as well as additional code amendments to fully comply with SB 5290.

HB 1293 aims to accelerate the permitting and design review process for development by requiring “only clear and objective design review standards,” which are defined as ascertainable standards that do not result in a reduction of density. This legislation will require substantial amendments to the City’s design standards for the Town Center and other non-single-family development.

SB 5412 was also adopted in 2023 and allows cities the option to categorically exempt certain proposed housing projects from State Environmental Policy Act (“SEPA”) review. Specifically, cities may categorically exempt residential development projects within incorporated Urban Growth Areas (UGAs) and middle housing projects within unincorporated UGAs from environmental review. The City will consider whether to enact such categorical exemptions as a part of this docket item.

Finally, as a part of this docket item additional work would also be done in the administrative code sections to correct errors as well as improve clarity and consistency.

**Priority Level:** High priority. The City has until June 30, 2025 to fully implement HB 1293 and SB 5290.

#### Proposed Amendment 9

**Proposed By:** City of Mercer Island

**Comprehensive Plan or Code Section:** Amendments to Chapters 19.01, 19.02, 19.03, 19.04, 19.05, 19.08, 19.11, 19.12, 19.15, 19.16, Unified Land Development Appendices in the Mercer Island City Code.

**Proposal Summary:** This item will amend code sections related to residential development, including amendments related to middle housing, accessory dwelling units (ADUs), conversion of existing commercial or mixed use spaces to residential use, and other changes resulting from the Residential Development Standards (RDS) analysis.

**Staff Comments:** This item is responsive to the 2023 State legislative session. The City has until June 30, 2025 to fully implement HB 1110, HB 1337 and HB 1042. City Council directed staff to develop and submit a docket proposal to address this matter at its May 2023 Planning Session.

HB 1110 requires the City to allow two dwelling units per residential lot, unless the zone allows greater density. Additionally, four units per lot must be allowed within a quarter mile walking distance from the light rail station and on any residential lot provided one of the units is affordable housing. Another feature of HB 1110 is that within single-family zones, cities must allow six of the nine middle housing types defined in the bill, including: duplexes, triplexes, fourplexes, fiveplexes, sixplexes, townhouses, stacked flats, courtyard apartments, and cottage housing. The legislation also limits the ability to regulate design and parking requirements for middle housing.

HB 1337 requires the city to amend the ADU code. Notably, the City must allow two attached or detached ADUs per lot, the owner occupancy requirement must be removed, the maximum gross floor area for ADUs must be increased to 1,000 square feet among other requirements related to design and parking standards. In addition, the City may not prohibit the sale of ADUs as condominium units.

HB 1042 requires the City to allow the conversion of existing commercial or mixed use space to residential uses. It also limits the ability of the City to regulate nonconforming uses or structures when space is converted from commercial to residential. HB 1042 specifically prohibits the City from denying such a conversion based on nonconformity to parking requirements.

In addition to the code amendments needed to comply with the legislation summarized above, additional work would also be done to implement directed changes resulting from the Residential Development Standards (RDS) analysis.

**Priority Level:** High priority. The City has until June 30, 2025 to fully implement HB 1110, HB 1337 and HB 1042.

#### Proposed Amendment 10

**Proposed By:** City of Mercer Island

**Comprehensive Plan or Code Section:** Amendments to Chapters 19.02, 19.03, 19.04, 19.05, 19.06, 19.15 and 19.16 in the Mercer Island City Code.

**Proposal Summary:** This amendment will add a code section regulating temporary uses and amend several code sections to allow temporary uses in zones throughout the city. Existing provisions related to commerce on public property and right of way use would be repealed.

**Staff Comments:** City Council directed staff to develop and submit a docket proposal to address this matter at its May 2023 Planning Session.

Temporary uses could include many different activities, from outdoor dining adjacent to restaurants/cafes, to large tents for events like weddings or reunions, the farmer's market, Summer Celebration vendor booths, Christmas tree sales, produce stands, food trucks or even garage sales.

In 2020, the City adopted Ordinance 20C-17, which established temporary regulations for commerce on public property to allow for outdoor dining during the COVID-19 pandemic. These temporary regulations have been renewed several times but will eventually expire. Permanent amendments to regulations for outdoor dining, temporary uses, and commerce on public property are needed for outdoor dining to continue as an allowed use. Additionally, many other temporary uses are not currently adequately addressed in the City code.

The proposed amendment would benefit the public welfare by ensuring that temporary uses are regulated to allow socially beneficial temporary uses such as rummage sales for community organizations while placing parameters on other more intense temporary uses such as festivals. Reasonable regulations for temporary uses that would allow low-impact uses and establish limits on larger-scale temporary uses would serve the public interest. Many temporary uses are commonly allowed in cities and a blanket prohibition can be unnecessarily restrictive.

**Priority Level:** Moderate priority. The City Council has identified implementing an economic development program as a priority, and this code amendment supports that goal and aligns with efforts to support local business and community events. Waiting to address this issue in the future could result in missed opportunities and negatively impact local businesses.

#### Proposed Amendment 11

[Proposal Withdrawn]

#### Proposed Amendment 12

**Proposed By:** Mathew Goldbach

**Comprehensive Plan or Code Section:** MICC 19.15.240 Reclassification of Property (Rezoning)

**Proposal Summary:** This amendment will prohibit rezoning of single-family residential zoned property.

**Staff Comments:** This amendment seeks to constrain the City's ability to rezone residential property. If docketed, Staff would recommend study on the appropriate method for achieving the goals of this proposal.

**Priority Level:** Low priority. Given the existing commitments of staff time in the CPD work plan, if this proposal is docketed, it may need to be carried over to a future year for review.

#### Proposed Amendment 13

**Proposed By:** Mathew Goldbach

**Comprehensive Plan or Code Section:** MICC 19.15.240 Reclassification of Property (Rezoning)

**Proposal Summary:** This amendment will prohibit a non-residential structure/use from requesting or obtaining a rezone or reclassification of single-family residential zoned properties.

**Staff Comments:** This proposed amendment seeks to constrain the City's ability to rezone single-family residential properties with non-residential uses. If docketed, Staff would recommend study on the appropriate method for achieving the goals of this proposal..

**Priority Level:** Low priority. Given the existing commitments of staff time in the CPD work plan, if this proposal is docketed, it may need to be carried over to a future year for review.

#### Proposed Amendment 14

**Proposed By:** Regan McClellan

**Comprehensive Plan or Code Section:** MICC 19.02.020(E) Building Height Limit and 19.16.010 Definitions

**Proposal Summary:** This amendment will add a provision related to the calculation of downhill building façade height to clarify that a building face can include multiple facades that should each be treated separately in determining maximum building height on the downhill side of a sloping lot.

**Staff Comments:** This proposal addresses the same issue identified by the City in Proposed Amendment 6.

**Priority Level:** Low priority. Given the existing commitments of staff time in the CPD work plan, if this proposal is docketed, it may need to be carried over to a future year for review.

#### Proposed Amendment 15

**Proposed By:** Mercer Island Country Club

**Comprehensive Plan or Code Section:** MICC 19.06 and 19.15.030

**Proposal Summary:** This amendment will add a new code section with provisions for temporary use or structure permits and designate these permits as a Type I land use review.

**Staff Comments:** This proposal touches on an issue also identified by the City as a part of Proposed Amendment 10 (i.e. the current code does not include temporary use provisions outside the Town Center). However, this proposal has a smaller scope and identifies specific code provisions related to the applicant's needs.

**Priority Level:** Low priority. This is a large project and will require considerable time for review. Given the existing commitments of staff time in the CPD work plan, if this proposal is docketed, it may need to be carried over to a future year for review.

#### Proposed Amendment 16

**Proposed By:** Michael Murphy

**Comprehensive Plan or Code Section:** MICC 19.07.180 Watercourses

**Proposal Summary:** This amendment will reduce setbacks from piped watercourses and add a limited exception to piped watercourse setbacks for existing homes.

**Staff Comments:** The current provisions for setbacks from piped watercourses were adopted as a part of the Critical Areas Code Amendment in 2021 and are based on Best Available Science (BAS) as required by the Shoreline Management Act. Considering an amendment to these provisions would require the City to conduct

a new/supplementary BAS review to determine if new research is available to support an amendment. Since this would be an amendment of the critical areas code and shoreline master program, it would also require review by the Department of Ecology, which is a more lengthy review process than for standard code amendments.

**Priority Level:** Low priority. This is a large project and will require considerable time for review. Given the existing commitments of staff time in the CPD work plan, if this proposal is docketed, it may need to be carried over to a future year for review.

#### Proposed Amendment 17

**Proposed By:** Adam Ragheb

**Comprehensive Plan or Code Section:** MICC 19.02.020(G)(2)(c) - Parking Requirements

**Proposal Summary:** This amendment will require each non-single family residential dwelling unit outside town center with a GFA less than 3000 sq ft to provide 2 covered parking spaces sufficient in size to park a passenger automobile and charge it.

**Staff Comments:** Recent state legislation will require the City to amend the residential development standards in MICC 19.02 to allow middle housing types including duplexes, triplexes, townhomes, etc. by June 30, 2025. As a part of that required code amendment, the City is planning to undertake a thorough analysis of the residential development standards and will propose a comprehensive set of amendments intended to address existing issues and integrate these new housing types into the existing requirements. This type of proposal can be most appropriately considered as a part of that comprehensive effort.

**Priority Level:** Low priority. Given the existing commitments of staff time in the CPD work plan, if this proposal is docketed, it may need to be carried over to a future year for review.

#### **NEXT STEPS**

The City Council will review the Planning Commission and staff recommendations at the December 5, 2023 meeting. At that time the Council will set the final docket for 2024.

#### **ATTACHMENTS**

1. Summary of Docket Proposals
2. Docket Applications related to Proposed Amendments 1-5
3. Docket Applications related to Proposed Amendments 12-17
4. Docketing Criteria Analysis
5. Docket Progress Tracker



## Docket Proposal Summary

| Item No. | Proposed By                               | Potentially Affected Section, Goal or Policy                                     | Summary of Proposal  |
|----------|---|--|--|
| 1        | City of Mercer Island/<br>Daniel Thompson | MICC 19.02.020(D)(2)(a) Gross Floor Area   | This amendment would reduce ceiling height from 12 feet to 10 feet before it is counted as clerestory space at 150% of gross floor area (GFA).   |
| 2        | City of Mercer Island/<br>Daniel Thompson | MICC 19.02.020(D)(2) and 19.02.020(G)(2)   | This amendment would include exterior covered decks in the definition of GFA and include covered porches on the first level in the calculation of GFA.   |
| 3        | City of Mercer Island/<br>Daniel Thompson | MICC 19.02.040(D)(1) Garages and Carports  | This amendment would either eliminate the ability to build garages and carports within 10 feet of the property line of the front yard, or, alternatively, eliminate this option for waterfront lots that have flipped their front and back yards per MICC 19.02.020(c)(2)(a)(iii).   |
| 4        | City of Mercer Island/<br>Daniel Thompson | MICC 19.02.020(D)(3)(b) Gross Floor Area Incentives for ADUs                     | This amendment would limit the GFA incentives for ADUs to lots 8,400 square feet or smaller.   |
| 5        | City of Mercer Island/<br>Daniel Thompson | MICC 19.02.020(G)(2)(a) and (b) Parking Requirements                             | This amendment would reduce the threshold for requiring only 2 parking spaces (1 covered and 1 uncovered) from 3,000 square feet to 2,000 square feet.   |
| 6        | City of Mercer Island                     | MICC 19.02.020(E) Building Height Limit  | This item will amend standards related to the calculation of downhill façade height to clarify how the maximum building height is calculated on the downhill side of a sloping lot, regardless of roof style.  |
| 7        | City of Mercer Island                     | MICC 19.11.030 Bulk Regulations, possibly other sections of the development code | The Town Center code currently limits commercial/non-residential buildings to 2 stories/27 feet in height. This amendment would add a height standard or allowance for a “government services” use and for structures to be primarily used for such to build to the maximum allowable building height for the TC zone in which it is located.  |
| 8        | City of Mercer Island                     | MICC 19.11, 19.12, 19.15, 19.16, 19.21   | This item is responsive to the 2023 State legislative session, including SB 5290, HB 1293 and SB5412. This item will amend the administrative code to implement new permit timelines and to correct errors and improve clarity and consistency. Code sections pertaining to design standards and design review will be amended to implement clear and objective review standards. Amendments to SEPA requirements will also be considered. |

|               |   |  |   |
|---------------|---|--|---|
| 9             | City of Mercer Island                                 | MICC 19.01, 19.02, 19.03, 19.04, 19.05, 19.08, 19.11, 19.12, 19.15, 19.16, Unified Land Development Appendices | This item is responsive to the 2023 State legislative session, including HB 1110, HB 1337 and HB 1042. This item will amend code sections related to residential development, including amendments related to middle housing, accessory dwelling units (ADUs), conversion of existing commercial or mixed use spaces to residential use, and other changes resulting from the Residential Development Standards (RDS) analysis. |
| 10            | City of Mercer Island                                 | MICC 19.02, 19.03, 19.04, 19.05, 19.06, 19.15 and 19.16  | This amendment will add a code section regulating temporary uses on private property and in the right of way and amend several code sections to allow temporary uses in zones throughout the city. Existing provisions related to commerce on public property and right of way use would be repealed.   |
| <del>11</del> | <del>Charger Real Estate &amp; Development Inc.</del> | <del>MICC 19.15.150(C)(1)</del>  | <del>This amendment will align the City code with RCW 58.17.140.3 regarding the timing of final plat approval. It will also provide an extension to the final plat approval timeline for preliminary plats that were impacted by the Pandemic.</del>  |
| 12            | Mathew Goldbach                                       | MICC 19.15.240 Reclassification of Property (Rezoning)   | This amendment will prohibit rezoning of single-family residential zoned property.  |
| 13            | Mathew Goldbach                                       | MICC 19.15.240 Reclassification of Property (Rezoning)   | This amendment will prohibit a non-residential structure/use from requesting or obtaining a rezoning or reclassification of single-family residential zoned properties.   |
| 14            | Regan McClellan                                       | MICC 19.02.020(E) Building Height Limit and 19.16.010 Definitions  | This amendment will add a provision related to the calculation of downhill building façade height to clarify that a building face can include multiple facades that should each be treated separately in determining maximum building height on the downhill side of a sloping lot.   |
| 15            | Mercer Island Country Club                            | MICC 19.06 and 19.15.030   | This amendment will add a new code section with provisions for temporary use or structure permits and designate these permits as a Type I land use review.  |
| 16            | Michael Murphy  | MICC 19.07.180 Watercourses  | This amendment will reduce setbacks from piped watercourses and add a limited exception to piped watercourse setbacks for existing homes.   |
| 17            | Adam Ragheb   | MICC 19.02.020(G)(2)(c) – Parking Requirements   | This amendment will require each residential dwelling unit outside town center with a GFA less than 3000 sq ft to provide 2 parking spaces sufficient in size to park a passenger automobile and charge it.   |
| 18            | Stroum Jewish Community Center                        | Comprehensive Plan Land Use Map, Zoning Map  | These amendments will redesignate the SJCC's property as Commercial Office on the Comprehensive Plan Land Use Map and the Zoning Map.   |

## DOCKET REQUEST FORM

The following information is required to be included. Failure to complete this form may result in the application being incomplete. Incomplete applications will not be considered during the annual docket process.

### APPLICANT INFORMATION

Name: Daniel Thompson

Address: 7265 N. Mercer Way, Mercer Island, WA 98040

Phone: (206) 622-0670

Email: danielphompson@hotmail.com

### AGENT/CONSULTANT/ATTORNEY: (COMPLETE IF PRIMARY CONTACT IS DIFFERENT FROM APPLICANT)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

### REQUEST INFORMATION

*Please complete a separate Docket Request Form for each item you are requesting to be added to the Docket.*

Is this request related to a specific property or zone? Yes  No

If yes, please complete the following information:

Property Owner: \_\_\_\_\_

Address: \_\_\_\_\_

County Assessors Parcel No.: \_\_\_\_\_

Parcel Size (sq. ft.): \_\_\_\_\_

If the application is submitted by an agent/consultant/attorney, please demonstrate that that the application has been submitted with the consent of all owners of the affected property. For example, attach a signed letter providing consent.

Is this request for a Comprehensive Plan amendment or a development code amendment?

Comprehensive Plan amendment  Development code amendment

Would you like to submit a suggestion for a comprehensive plan or development code amendment, or is this an application for a specific amendment (check boxes)? Please note: applications are subject to applicable permit fees.

Suggestion  Application

**DOCKET REQUEST NARRATIVE – REQUIRED FOR ALL APPLICATIONS**

Please attach a narrative responding to the following questions. Attach any additional sheets, supporting maps or graphics. Answer each question separately and reference the question number in your answer. **The application will be considered incomplete without a narrative answering all of the following questions.**

1. Please provide a detailed description of the proposed amendment and a clear statement of what the proposed amendment is intended to accomplish.
  - a. Indicate the specific Comprehensive Plan Elements, maps, goals or policies or the specific sections of the development code you propose to amend.
  - b. If the proposal would amend existing Comprehensive Plan or development code text, please provide the proposal in underline/strikeout format with text to be added indicated by underlining and text to be deleted indicated with ~~strikeouts~~.
  - c. If a map amendment is proposed, please provide a map that clearly outlines the areas proposed to be changed.
2. How does the proposal benefit the community or the environment?
3. Explain how the request relates to the applicable decision criteria (MICC 19.15.250(D) for code amendments, and MICC 19.15.230(F) for Comprehensive Plan amendments, see below).
4. For Comprehensive plan amendments: Is the proposal consistent the Growth Management Act and King County Countywide Planning Policies?
5. For development code amendments: how does the proposal align with the goals of the City's Comprehensive Plan?

Signature:  Date: 9-30-2022

## I

**SUGGESTION FOR RESIDENTIAL CODE AMENDMENT**

MICC 19.02.020 Residential Development Standards

MICC 19.02.020(D)(2)(a) Gross Floor Area

**Suggested Code Amendment:**

I suggest MICC 19.02.020(D)(2)(a) be amended to reduce ceiling height from 12 feet to 10 feet before it is counted as clerestory space at 150% of GFA.

**Analysis:**

The Citizens and Council spent approximately three years rewriting the Residential Development Code. A primary motivation in the rewrite was to deal with citizen concern over “massing”, or what citizens considered out-of-scale residential development, which the Planning Commission addressed as Gross Floor Area to Lot Area Ratio (GFAR).

One of the factors that increased GFAR and led to the code rewrite was Administrative Interpretation 13-01 that allowed all clerestory space to be counted as 100% GFA.

Massing is a three-dimensional concept based on the exterior volume of the house. Whether interior space is counted as GFA or not, it is a reality in the exterior volume, or massing, of the house. GFA, meanwhile, is a two-dimensional term subject to exemption.

Ten-foot ceiling height is the industry standard for a maximum non-cathedral ceiling. The Planning Commission never recommended a 12-foot ceiling height in its recommendation to the Council, but recommended 10 feet. 12 feet was the sudden recommendation of former council member Dan Grausz at the Council’s final adoption hearing for the new Residential Development Code.

A ceiling height of 12 feet, before counting as clerestory space, allows each floor of a two-story house to increase its interior and exterior volume by 20%, directly contrary to the goals of the RDS. Furthermore, it creates a much greater need for heating and cooling, and is contrary to the purposes of green building standards.

## DOCKET REQUEST FORM

The following information is required to be included. Failure to complete this form may result in the application being incomplete. Incomplete applications will not be considered during the annual docket process.

### APPLICANT INFORMATION

Name: Daniel Thompson  
 Address: 7265 N. Mercer Way, Mercer Island, WA 98040  
 Phone: (206) 622-0670  
 Email: danielphompson@hotmail.com

### AGENT/CONSULTANT/ATTORNEY: (COMPLETE IF PRIMARY CONTACT IS DIFFERENT FROM APPLICANT)

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 Email: \_\_\_\_\_

### REQUEST INFORMATION

*Please complete a separate Docket Request Form for each item you are requesting to be added to the Docket.*

Is this request related to a specific property or zone? Yes  No

If yes, please complete the following information:

Property Owner: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 County Assessors Parcel No.: \_\_\_\_\_  
 Parcel Size (sq. ft.): \_\_\_\_\_

If the application is submitted by an agent/consultant/attorney, please demonstrate that that the application has been submitted with the consent of all owners of the affected property. For example, attach a signed letter providing consent.

Is this request for a Comprehensive Plan amendment or a development code amendment?

Comprehensive Plan amendment  Development code amendment

Would you like to submit a suggestion for a comprehensive plan or development code amendment, or is this an application for a specific amendment (check boxes)? Please note: applications are subject to applicable permit fees.

Suggestion  Application

---

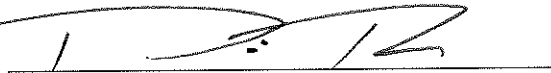
**DOCKET REQUEST NARRATIVE – REQUIRED FOR ALL APPLICATIONS**

---

Please attach a narrative responding to the following questions. Attach any additional sheets, supporting maps or graphics. Answer each question separately and reference the question number in your answer. **The application will be considered incomplete without a narrative answering all of the following questions.**

1. Please provide a detailed description of the proposed amendment and a clear statement of what the proposed amendment is intended to accomplish.
  - a. Indicate the specific Comprehensive Plan Elements, maps, goals or policies or the specific sections of the development code you propose to amend.
  - b. If the proposal would amend existing Comprehensive Plan or development code text, please provide the proposal in underline/strikeout format with text to be added indicated by underlining and text to be deleted indicated with ~~strikeouts~~.
  - c. If a map amendment is proposed, please provide a map that clearly outlines the areas proposed to be changed.
2. How does the proposal benefit the community or the environment?
3. Explain how the request relates to the applicable decision criteria (MICC 19.15.250(D) for code amendments, and MICC 19.15.230(F) for Comprehensive Plan amendments, see below).
4. For Comprehensive plan amendments: Is the proposal consistent the Growth Management Act and King County Countywide Planning Policies?
5. For development code amendments: how does the proposal align with the goals of the City's Comprehensive Plan?

Signature:



Date:

9-30-2022



## II

**SUGGESTION FOR RESIDENTIAL CODE AMENDMENT**

MICC 19.02.020 Residential Development Standards

MICC 19.02.020(D)(2) Gross Floor Area

MICC 19.16.010(G)(2)(b) Gross Floor Area Exemption for Covered Decks on the First Level

**Suggested Code Amendment:**

I suggest MICC 19.02.020(D)(2) be amended to include exterior covered decks in the definition of Gross Floor Area, which presently only references exterior walls even though covered decks on levels above the first level are counted towards the GFA limit.

I further suggest that MICC 19.02.020(D)(2) and 19.16.010(G)(2)(b) be amended to include covered porches on the first level in the calculation of Gross Floor Area.

**Analysis:**

The Citizens and Council spent approximately three years rewriting the Residential Development Code. A primary motivation in the rewrite was to deal with citizen concern over “massing”, or what citizens considered out of scale residential development, which the Planning Commission addressed as Gross Floor Area to Lot Area Ratio (GFAR).

One of the main actions in the new Residential Development Code was to remove discretion from the City Planning Department (Development Services Group at that time, now Community Planning Department), especially when it came to deviations and variances. Unfortunately, that led the prior director to simply amend the entire code when attempting to address a request from a citizen for relief from the Code.

One of these Amendments was to exempt covered decks on the first level from the GFA limits because the applicant wished to have a covered barbecue area. Instead, the code amendment exempts all covered decks on the first level from the GFA limit.

There is very little difference in massing between a deck with a railing and roof from a room. The only difference is a window. Exempting first level decks from GFA limits greatly expands the massing of the house.

To be fair to Evan Maxim, amending this definition to limit its scope was on his agenda before his departure.

A homeowner already has the benefit of an 18-inch eave that is exempt from the GFA limit. At most, any barbecue area that needed to be sheltered from the elements would be 5'x 5', or 25 square feet. I suggest that covered decks on the first level be counted in their entirety towards the GFA limit, or in the alternative a 25-foot exemption be allowed for a barbecue area.

## DOCKET REQUEST FORM

The following information is required to be included. Failure to complete this form may result in the application being incomplete. Incomplete applications will not be considered during the annual docket process.

### APPLICANT INFORMATION

Name: Daniel Thompson  
 Address: 7265 N. Mercer Way, Mercer Island, WA 98040  
 Phone: (206) 622-0670  
 Email: danielphompson@hotmail.com

### AGENT/CONSULTANT/ATTORNEY: (COMPLETE IF PRIMARY CONTACT IS DIFFERENT FROM APPLICANT)

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 Email: \_\_\_\_\_

### REQUEST INFORMATION

*Please complete a separate Docket Request Form for each item you are requesting to be added to the Docket.*

Is this request related to a specific property or zone? Yes  No

If yes, please complete the following information:

Property Owner: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 County Assessors Parcel No.: \_\_\_\_\_  
 Parcel Size (sq. ft.): \_\_\_\_\_

If the application is submitted by an agent/consultant/attorney, please demonstrate that that the application has been submitted with the consent of all owners of the affected property. For example, attach a signed letter providing consent.

Is this request for a Comprehensive Plan amendment or a development code amendment?

Comprehensive Plan amendment  Development code amendment

Would you like to submit a suggestion for a comprehensive plan or development code amendment, or is this an application for a specific amendment (check boxes)? Please note: applications are subject to applicable permit fees.

Suggestion  Application

---

**DOCKET REQUEST NARRATIVE – REQUIRED FOR ALL APPLICATIONS**

---

Please attach a narrative responding to the following questions. Attach any additional sheets, supporting maps or graphics. Answer each question separately and reference the question number in your answer. **The application will be considered incomplete without a narrative answering all of the following questions.**

1. Please provide a detailed description of the proposed amendment and a clear statement of what the proposed amendment is intended to accomplish.
  - a. Indicate the specific Comprehensive Plan Elements, maps, goals or policies or the specific sections of the development code you propose to amend.
  - b. If the proposal would amend existing Comprehensive Plan or development code text, please provide the proposal in underline/strikeout format with text to be added indicated by underlining and text to be deleted indicated with ~~strikeouts~~.
  - c. If a map amendment is proposed, please provide a map that clearly outlines the areas proposed to be changed.
2. How does the proposal benefit the community or the environment?
3. Explain how the request relates to the applicable decision criteria (MICC 19.15.250(D) for code amendments, and MICC 19.15.230(F) for Comprehensive Plan amendments, see below).
4. For Comprehensive plan amendments: Is the proposal consistent the Growth Management Act and King County Countywide Planning Policies?
5. For development code amendments: how does the proposal align with the goals of the City's Comprehensive Plan?

Signature:



Date:

9-30-2022

### III

## SUGGESTION FOR RESIDENTIAL CODE AMENDMENT

MICC 19.02.020 Residential Development Standards

MICC 19.02.020(c)(2)(a)(iii) Yards for Waterfront Lots

MICC 19.02.040(D)(1) Garages and Carports/Yard Intrusion

#### Suggested Code Amendment:

I suggest MICC 19.02.040(D)(1) be eliminated. In the alternative, I suggest that MICC 19.02.040(D)(1) not be applicable to a waterfront lot if the waterfront lot has switched its front and rear yards subject to MICC 19.02.020(c)(2)(a)(iii).

#### Analysis:

MICC 19.02.020(c)(2)(a)(iii) allows a waterfront lot to switch its front and rear yard because the Department of Ecology requires a 25-foot buffer between the structure and the ordinary high water mark.

However, MICC 19.02.040(D)(1) allows garages and carports to be built within 10 feet of the property line of the *front* yard if there is more than 4 vertical feet difference as measured between the bottom wall of the building and ground elevation of the front yard property line where such property is closest to the building.

Ideally, 19.02.040(D)(1) should be eliminated. It is a building or structure above the ground level that extends into the yard setback. However, in the alternative, 19.02.040(D)(1) should not be available to waterfront lots that have flipped their front and rear yards pursuant to 19.02.020(c)(2)(a)(iii) because essentially it reduces the yard between the upper house to 10 feet. The effect of this provision can easily be seen as one takes a boat around Lake Washington. The waterfront house and the house directly behind look as though they are one contiguous property.

## DOCKET REQUEST FORM

The following information is required to be included. Failure to complete this form may result in the application being incomplete. Incomplete applications will not be considered during the annual docket process.

### APPLICANT INFORMATION

Name: Daniel Thompson  
 Address: 7265 N. Mercer Way, Mercer Island, WA 98040  
 Phone: (206) 622-0670  
 Email: danielphompson@hotmail.com

### AGENT/CONSULTANT/ATTORNEY: (COMPLETE IF PRIMARY CONTACT IS DIFFERENT FROM APPLICANT)

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 Email: \_\_\_\_\_

### REQUEST INFORMATION

*Please complete a separate Docket Request Form for each item you are requesting to be added to the Docket.*

Is this request related to a specific property or zone? Yes  No

If yes, please complete the following information:

Property Owner: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 County Assessors Parcel No.: \_\_\_\_\_  
 Parcel Size (sq. ft.): \_\_\_\_\_

If the application is submitted by an agent/consultant/attorney, please demonstrate that the application has been submitted with the consent of all owners of the affected property. For example, attach a signed letter providing consent.

Is this request for a Comprehensive Plan amendment or a development code amendment?

Comprehensive Plan amendment  Development code amendment

Would you like to submit a suggestion for a comprehensive plan or development code amendment, or is this an application for a specific amendment (check boxes)? Please note: applications are subject to applicable permit fees.

Suggestion  Application





**IV****SUGGESTION FOR RESIDENTIAL CODE AMENDMENT**

MICC 19.02.020 Residential Development Standards

MICC 19.02.020(D)(3)(b) Gross Floor Area Incentives for ADU's

**Suggested Code Amendment:**

I suggest limiting the Gross Floor Area Incentives for ADU's in MICC 19.02.020(D)(3)(b) to lots 8,400 square feet or smaller.

**Analysis:**

One of the primary purposes of the rewrite of the Residential Development Code was to address the massing and out of scale development in the smaller lot neighborhoods, with lots 8,400 square feet and less. MICC 19.02.020(D)(3)(b) allows a lot 10,000 square feet or less to have up to 5% additional Gross Floor Area for an ADU. (19.02.020(D)(3)(a) already allows a lot 7,500 sf lot or below an additional 5% GFA or 3,000 sf for either an ADU or the main house.)

A 10,000-square foot lot that can have a 4,000-square foot house does not need an additional 5% Gross Floor Area for an ADU. The primary tool used by the Planning Commission to reduce massing and out-of-scale residential development was to reduce GFAR from 45% to 40%, except this provision is directly contrary to that goal.

MICC 19.02.020(D)(3)(b) should be amended to limit the 5% additional GFA to lots 8,400 square feet and less.

## DOCKET REQUEST FORM

The following information is required to be included. Failure to complete this form may result in the application being incomplete. Incomplete applications will not be considered during the annual docket process.

### APPLICANT INFORMATION

Name: Daniel Thompson  
 Address: 7265 N. Mercer Way, Mercer Island, WA 98040  
 Phone: (206) 622-0670  
 Email: danielphompson@hotmail.com

### AGENT/CONSULTANT/ATTORNEY: (COMPLETE IF PRIMARY CONTACT IS DIFFERENT FROM APPLICANT)

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 Email: \_\_\_\_\_

### REQUEST INFORMATION

*Please complete a separate Docket Request Form for each item you are requesting to be added to the Docket.*

Is this request related to a specific property or zone? Yes  No

If yes, please complete the following information:

Property Owner: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 County Assessors Parcel No.: \_\_\_\_\_  
 Parcel Size (sq. ft.): \_\_\_\_\_

If the application is submitted by an agent/consultant/attorney, please demonstrate that that the application has been submitted with the consent of all owners of the affected property. For example, attach a signed letter providing consent.

Is this request for a Comprehensive Plan amendment or a development code amendment?

Comprehensive Plan amendment  Development code amendment

Would you like to submit a suggestion for a comprehensive plan or development code amendment, or is this an application for a specific amendment (check boxes)? Please note: applications are subject to applicable permit fees.

Suggestion  Application



## V

**SUGGESTION FOR RESIDENTIAL CODE AMENDMENT**

MICC 19.02.020 Residential Development Standards

MICC 19.02.020(G)(2)(a) and (b) Parking Requirements

**Suggested Code Amendment:**

I suggest that MICC 19.02.020(G)(2)(a) and (b) be amended to reduce house GFA from 3,000 sf to 2,000 sf in order to reduce covered parking spaces to one covered and one uncovered space.

**Analysis:**

During the Residential Development Code rewrite, parking requirements for residential houses were reduced based upon the square footage of the house pursuant to MICC 19.02.020(G)(2)(a) and (b). This was a very contentious amendment. Ironically, many builders are hesitant to not build a 3-car garage on Mercer Island since many of their first-time home buyers come from off-island to the east, where a 3-car garage is common.

A 3,000 sf home is quite large. For example, I have raised two children in a 2,700 sf house with a 3-car garage on Mercer Island. A 3,000 sf house can accommodate a two-covered garage space.

Ancillary issues from reducing parking requirements for houses 3,000 feet and below that were not well-discussed during the Residential Code rewrite include:

1. Mercer Island effectively has no intra-island transit. The 201 that circled the Mercers was eliminated because of low ridership, in part because it is very difficult for citizens to even get up their steep drives to one of the Mercers, and the 201 was very slow.
2. One covered garage space is usually required for the three different bins – garbage, recycle, and yard waste – plus storage of bikes, skis, tools, and other personal equipment. For the first 16 years I lived in a small house on First Hill with a one-car garage, which effectively was a zero-car garage since there was too much stuff in the garage to park a car in it. This effectively moves either cars, or items such as garbage bins, out into the yard and street.

3. Since Mercer Island residential neighborhoods have few sidewalks, cars parked along the street push kids walking to the school bus out into the middle of the road. This is especially problematic when it is dark.
4. Overflow street parking in the residential neighborhoods makes dedicated bike paths almost impossible, including on the Mercers. Not unlike the Town Center that only requires one parking stall per unit, reducing parking requirements simply subsidizes builders by shifting parking from onsite to the street.

The original intent was to ameliorate the reduction in GFAR limits in the new code. A resident would convert one parking space to living area. However, a 3,000 sf house simply does not need this incentive, and the GFA necessary to qualify for reduced parking should be reduced from 3,000 sf to 2,000 sf.

## DOCKET REQUEST FORM

The following information is required. Failure to complete this form may result in the application being incomplete. Incomplete applications will not be considered during the annual docket process.

### APPLICANT INFORMATION

Name: Matthew Goldbach  
Address: 9980 SE 40th St, Mercer Island, WA 98040  
Phone: 954-806-2489  
Email: blkship@yahoo.com

### AGENT/CONSULTANT/ATTORNEY

Complete this section if the primary contact is different from the applicant.

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Email: \_\_\_\_\_

### REQUEST INFORMATION

**Important:** A separate Docket Request Form must be completed for each docket item requested.

Is this request related to a specific property or zone? Yes  No

If yes, please complete the following information:

Property Owner Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
County Assessor's Parcel No.: \_\_\_\_\_  
Parcel Size (sq. ft.): \_\_\_\_\_

If the application is submitted by an agent/consultant/attorney, please attach a signed letter of consent from all owners of the affected property demonstrating that that the application is submitted with consent. Is this request for a Comprehensive Plan amendment or a development code amendment?

Comprehensive Plan Amendment  Development code Amendment

Is this submission a **suggestion** for a Comprehensive Plan or Development Code amendment, or is this an **application** for a specific amendment? (Check one box below.)

**Note:** Applications are subject to [applicable permit fees](#).  
Suggestion  Application


**DOCKET REQUEST NARRATIVE – REQUIRED FOR ALL APPLICATIONS**

Please attach a separate narrative responding to all five (5) questions outlined below. Attach additional sheets, supporting maps, or graphics as necessary. Answer each question separately and reference the question number in your answer.

**The application will be considered incomplete without a narrative answering all five questions.**

1. Please provide a detailed description of the proposed amendment and a clear statement of what the proposed amendment is intended to accomplish.
  - a. Indicate the specific Comprehensive Plan Elements, maps, goals or policies or the specific sections of the development code you propose to amend.
  - b. If the proposal would amend existing Comprehensive Plan or development code text, please provide the proposal in underline/strikeout format with text to be added indicated by underlining and text to be deleted indicated with ~~strikeouts~~.
  - c. If a map amendment is proposed, please provide a map that clearly outlines the areas proposed to be changed.
2. How does the proposal benefit the community or the environment?
3. Explain how the request relates to the applicable decision criteria (MICC 19.15.250(D) for code amendments, and MICC 19.15.230(F) for Comprehensive Plan amendments, see below).
4. For Comprehensive plan amendments: Is the proposal consistent the Growth Management Act and King County Countywide Planning Policies?
5. For development code amendments: How does the proposal align with the goals of the City's Comprehensive Plan?

Please sign and date below acknowledging application requirements.

Signature:  Date: Sept. 28 2023

THIS AREA LEFT INTENTIONALLY BLANK

Please attach a separate narrative responding to the above questions.



## SUGGESTION FOR RESIDENTIAL CODE AMENDMENT

MICC 19.15.240 Reclassification of Properties (Rezoning)

MICC 19.15.240(C) Criteria

### Suggested Code Amendment:

I suggest MICC 19.15.240(C) be amended to prohibit single-family, residentially-zoned property as delineated in Appendix D - Zoning Map from being rezoned to any other zone.

MICC 19.15.240(C) will then read with the suggested amendment **Subsection 8** as follows:

19.15.240 - Reclassification of property (rezoning).

- A. Purpose. The purpose of this section is to establish the process and criteria for a rezoning of property from one zoning designation to another.
- B. Process. A rezoning shall be considered as provided in MICC 19.15.260.
- C. Criteria. The city council may approve a rezoning only if all of the following criteria are met:
  1. The proposed reclassification is consistent with the policies and provisions of the Mercer Island comprehensive plan;
  2. The proposed reclassification is consistent with the purpose of the Mercer Island development code as set forth in MICC 19.01.010;
  3. The proposed reclassification is an extension of an existing zone, or a logical transition between zones;
  4. The proposed reclassification does not constitute an illegal site-specific rezoning;
  5. The proposed reclassification is compatible with surrounding zones and land uses;
  6. The proposed reclassification does not adversely affect public health, safety and welfare; and
  7. If a comprehensive plan amendment is required in order to satisfy subsection (C)(1) of this section, approval of the comprehensive plan amendment is required prior to or concurrent with the granting of an approval of the rezoning.
  8. **"No single-family, residentially-zoned property as delineated in Appendix D – Zoning Map – MICC 19.02.010 may be rezoned to any other zone."**

D. Map change. Following approval of a rezone, the city shall amend the zoning map to reflect the change in zoning designation. The city shall also indicate on the zoning map the number of the ordinance adopting the rezone.

(Ord. 18C-08 § 1 (Att. A))

### **ANALYSIS:**

#### **A. The Mercer Island Comprehensive Plan Supports Preserving Single-Family Residential Zoned Properties.**

Attached as Exhibit 1 to this suggested amendment is Appendix D – Zoning Map.

The following Comprehensive Policy directions provided by the Mercer Island Comprehensive Plan are from the City of Mercer Island Community Planning and Development Code Interpretation 22-004 dated November 21, 2022 regarding Variances for Non-Residential Structures in Residential Zones, which is attached as Exhibit 2:

#### **E. (4) Policy direction provided by the Mercer Island comprehensive plan;**

**Analysis:** Review of the Comprehensive Plan results in the following findings:

- (1) The Comprehensive Plan envisions Mercer Island as a residential community:
  - (a) "Mercer Island prides itself on being a residential community. As such, most of the Island's approximately 6.2 square miles of land area is developed with single family homes." [Land Use Element, Introduction]
  - (b) "Single family residential zoning accounts for 88 percent of the Island's land use. There are 3,534 acres zoned for single family residential development. This compares to 77 acres in the Town Center zones, 19 acres for Commercial Office zone, and 103 acres in multi-family zones (Table 2). City Hall is located in a Commercial Office zone, while other key civic buildings such as the Post Office and the Main Fire Station are located in the Town Center and City Hall. Many of the remaining public buildings, schools, recreational facilities and places of religious worship are located in residential or public zones." [Land Use Element, II Existing Conditions and Trends, Areas outside the Town Center]

- (c) "OUTSIDE THE TOWN CENTER (1) The community needs to accommodate two important planning values - maintaining the existing single family residential character of the Island, while at the same time planning for population and housing growth." [Land Use Element, IV. Land Use Issues, Outside the Town Center (1)]
- (2) A primary component of the housing element is the City's desire to protect single-family residential neighborhoods through development regulations and other City codes which restrict the bulk and scale of buildings, control noise and nuisances, minimize the impact of non-residential uses and help preserve the natural environment. City code provisions were specifically designed to protect residential areas from incompatible uses and promote bulk and scale consistent with the existing neighborhood character. This includes limiting the size and scope of nonresidential uses to be consistent with existing neighborhood character.
- (a) "Housing Element
- III. Neighborhood Quality
- Mercer Island single family neighborhoods pride themselves on their narrow, quiet streets and dense plantings. The City protects these neighborhoods through development regulations and other City codes which restrict the bulk and scale of buildings, control noise and nuisances, minimize the impact of non-residential uses and help preserve the natural environment. Parks, open spaces and trails also contribute to the neighborhood quality." [Housing Element, III. Neighborhood Quality]
- b) "GOAL 1:
- Ensure that single family and multi-family neighborhoods provide safe and attractive living environments, and are compatible in quality, design and intensity with surrounding land uses, traffic patterns, public facilities and sensitive environmental features.
- 1.1 Ensure that zoning and City code provisions protect residential areas from incompatible uses and promote bulk and scale consistent with the existing neighborhood character." [Housing Element, III. Neighborhood Quality, Goal 1.1]

(3) The Comprehensive Plan evidences an intent to retain certain non-residential structures located in residential zones. However, the Comprehensive Plan is silent on whether such structures would be eligible for variances from otherwise applicable numerical standards.

(a) "GOAL 17:

With the exception of allowing residential development, commercial designations and permitted uses under current zoning will not change.

17.4 Social and recreation clubs, schools, and religious institutions are predominantly located in single family residential areas of the Island. Development regulation should reflect the desire to retain viable and healthy social, recreational, educational, and religious organizations as community assets which are essential for the mental, physical and spiritual health of Mercer Island." [Land Use Elements, IV Land Use Issues Outside the Town Center]

(4) The Comprehensive Plan also evidences an intent to preserve existing conditions and to generally permit changes only through amendments to the development code, rather than through granting numerous of variances to that development code. At the same time, there is also recognition that some non-residential structures and uses are compatible with residential zones.

(a) "GOAL 15: -

Mercer Island should remain principally a low density, single family residential community.

15.1 Existing land use policies, which strongly support the preservation of existing conditions in the single family residential zones, will continue to apply. Changes to the zoning code or development standards will be accomplished through code amendments.

15.2 Residential densities in single family areas will generally continue to occur at three to five units per acre, commensurate with current zoning. However, some adjustments may be made to allow the development of innovative housing types, such as accessory dwelling units and compact courtyard homes at slightly higher densities as outlined in the Housing Element.

...

15.4 As a primarily single family residential community with a high percentage of developed land, the community cannot provide for all types of land uses. Certain activities will be considered incompatible with present uses. Incompatible uses include landfills, correctional facilities, zoos and airports. Compatible permitted uses such as education, recreation, open spaces, government social services and religious activities will be encouraged." [Land Use Elements, IV Land Use Issues Outside the Town Center].

Pages 4 – 6

**B. The Region Is Facing A Housing Shortage.**

Attached as Exhibit 3 are public announcements by Governor Inslee encouraging the Legislature to “go big” to meet the scale of the housing crisis, and the enormous investments the state and county are making to scale-up construction of housing.

Attached as Exhibit 4 are pages from the PSRC’s 2050 Vision Statement on Housing noting:

**“Housing is a basic need for every individual. Yet, residents in many communities in the region are facing an unprecedented challenge in finding and keeping a home that they can afford. The central Puget Sound region is expected to grow by an additional 1.8 million residents and 830,000 households by the year 2050. Simply put, the region needs more housing of varied types in all communities. Meeting the housing needs of all households at a range of income levels is integral to promoting health and well-being and creating a region that is livable for all residents, economically prosperous, and environmentally sustainable.”**

PSRC 2050 Vision Statement, p.82

Currently Mercer Island has a housing allocation of approximately 1,200 units left to permit pursuant to the GMPC’s housing allocations. In 2023, the Legislature adopted HB 1110 that requires every residential lot on Mercer Island to allow two separate housing units, and four housing units per lot without parking mandates within a quarter of a mile of the light rail station, including the residential neighborhood to the north.

It would be contrary to state, county and city policies for Mercer Island to now allow single-family residential zoned properties to be rezoned to a different non-housing zone, and would shift Mercer Island's housing allocation burden to the other residential zones and property.

**C. The Conditional Use Permit Process Allows A Fair And Equitable Non-Conforming Use In A Single-Family Residential Zone.**

The Conditional Use Permit (CUP) process MICC 19.06.110 allows an organization to obtain a non-conforming use in the single-family home residential zone, and allows that non-conforming CUP to combine residential properties and eliminate the side-yard setbacks between the properties.

At the same time, the Conditional Use Permit process MICC 19.06.110(a) and (b) protects the surrounding single-family home residential zones and requires that the scale of the development, in consideration of the privilege of a non-conforming use, is consistent with all properties in the single-family home residential zone.

The mere existence of MICC 19.06.110 highlights that the restrictions on conditional uses in the single-family home residential zone is not consistent with a different zone with different regulatory limits in the single-family residential zone.

**D. To Allow One Property Owner Or Conditional Use Permit To Rezone Single-Family Zoned Residential Properties To Another Zone Will Allow All Property Owners The Same Right.**

MICC 19.15.240(C)(4) specifically states the "proposed reclassification does not constitute an illegal site-specific rezone." If the Council allows single-family residential zoned properties to be rezoned contrary to state, county and city policies preserving and expanding housing, that would require the Council to allow any single-family home residential property owner to request the same change in zoning or upzone. If the requested rezone is site specific, it violates MICC 19.15.240(4)(C). If it is not site specific, it effectively eliminates the single-family residential zone.

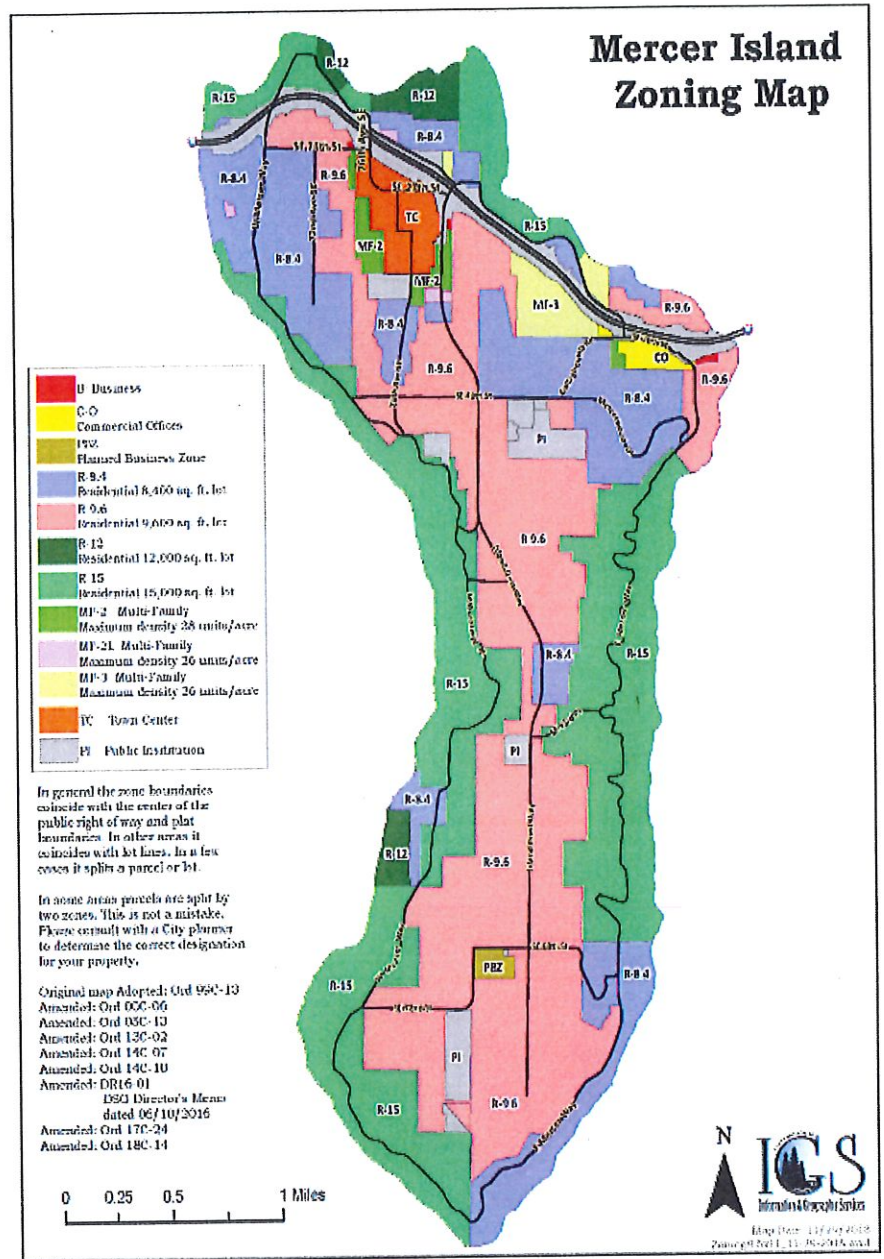
The Council cannot favor one property owner or CUP over another, otherwise it would be an illegal spot zone. Such a huge change in zoning and policy would effectively abrogate the policies towards preserving single-family home residential zoning on Mercer Island contrary to The Comprehensive Plan.

# Exhibit 1



# Appendix D - ZONING MAP

View city of Mercer Island Zoning Map.



# Exhibit 2

## Development Code Interpretation 22-004

# CITY OF MERCER ISLAND

## COMMUNITY PLANNING & DEVELOPMENT

9611 SE 36TH STREET | MERCER ISLAND, WA 98040

PHONE: 206.275.7605 | [www.mercerisland.gov](http://www.mercerisland.gov)



**TO:** CPD Staff

**FROM:** Jeff Thomas, Interim CPD Director

**DATE:** November 21, 2022

**RE:** Variances for Non-Residential Structures in Residential Zones

### A. MICC SECTION(S) INTERPRETED

MICC 19.06.110(B)

### B. AUTHORITY

This development code interpretation is issued under the authority of sections 19.15.030 and 19.15.160 of the Mercer Island City Code (MICC).

### C. ISSUE

MICC 19.06.110(B), *Variances*, imposes a hardship criterion that requires applicants requesting variances in residential zones to demonstrate that strict enforcement of Title 19 MICC will prevent the construction of a single-family dwelling on a legally created residentially zoned lot. MICC 19.06.110(B)(2)(a).

Can the City grant a variance from numeric standards for a non-residential structure sited in a residential zone, if under MICC 19.06.110(B)(1), all criteria in subsection(B)(2)(a) through (B)(2)(h) must be met, and that for a variance to lot coverage standards, the criteria in subsection (B)(2)(a) through (B)(2)(i) must be met?

### D. BACKGROUND

The hardship criterion contained in MICC 19.06.110(B)(2)(a) was adopted by Ordinance No. 17C-15 on September 19, 2017. The criterion contained in MICC 19.06.110(B)(2)(i), relating to variances as to lot coverage for specific non-residential structures, existed in the MICC prior to the adoption of Ordinance No. 17C-15. However, that language was moved to MICC 19.06.110(B)(2)(i) within Ordinance No. 17C-15 to consolidate criteria relating to variances.

## E. FINDINGS

1. Per MICC 19.15.160, the Code Official may issue a written interpretation of the meaning or application of provisions of the development code.<sup>1</sup>
2. This written interpretation is intended to interpret the scope of the hardship criteria as applied to non-residential structures in residential zones.
3. MICC 19.06.110(B)(1)(a) could be read to foreclose variances from numeric standards for non-residential structures in residential zones because the hardship criterion limits the application of variances to instances where strict application of Title 19 would prohibit construction of one single family residence on a legally created residential lot. The applicant or property owner of a non-residential structure would not be able to demonstrate an unnecessary hardship because there are no circumstances where the adopted standards of Title 19 MICC are preventing construction of a single-family dwelling; rather the applicant or property owner is seeking a variance for a non-residential structure. It is not Title 19 that would preclude the construction of a residential structure, but rather the choice of the applicant or property owner. However, MICC 19.06.110(B)(2)(i) explicitly affords the applicant or property owner of a non-residential structure the opportunity for a variance from impervious surface standards for particular types of non-residential structures.
4. This apparent conflict within MICC 19.06.110(B) requires interpretation to administer.
5. A plain reading of MICC 19.06.110(B), giving meaning to all of the text within that section, results in the following conclusions:
  - a. Non-residential structures in residential zones are generally precluded from receiving variances from numeric standards of Title 19, because they cannot meet the hardship criterion—to wit, they cannot demonstrate that Title 19 prevents the construction of a single-family dwelling on a legally created residential lot.
  - b. The one exception is that certain enumerated non-residential structures (public and private schools, religious institutions, private clubs, and public facilities) within residential zones with slopes of less than 15 percent *can* receive a variance to increase impervious surface to a maximum of 60 percent if the Hearing Examiner determines the applicant has demonstrated satisfaction of the criteria contained within MICC 19.06.110(B)(2)(i)(i-iv).
  - c. Further, an applicant or property owner would also be required to demonstrate the other criteria outlined in subsection (B)(2)(a) through (B)(2)(i), with the exception of being able to demonstrate inability to construct a single-family residence on a legally created residential lot. The applicant or property owner would still have to demonstrate an unnecessary hardship to the property owner, because the first sentence of MICC 19.06.110(B)(2)(a) requires proof that “[t]he strict enforcement of the provisions of this title will create an unnecessary hardship to the property owner.”
6. As discussed further below, the legislative history relating to Ordinance No. 17C-15 supports this conclusion. During the process of adopting Ordinance No. 17C-15, discussion between the City Council and the City’s then Community Planning and Development (CPD) Director reflected an intent to greatly reduce the number of variances granted, which was the impetus behind adding the hardship criterion now contained in MICC 19.06.110(B)(2)(a).
7. In issuing an interpretation, the Code Official is directed to consider eight factors specified in MICC 19.15.160(A). These factors are:

**(1.) The plain language of the code section in question;**

**Analysis:** A reading of the plain language of MICC 19.06.110 results in the following findings:

<sup>1</sup> Under the MICC, variances are granted by the Hearing Examiner. MICC 19.15.030 and Tables A-B.

- i. MICC 19.06.110(B), *Variances*, imposes a hardship criterion; an applicant or owner applying for variance must show that strict enforcement of Title 19 will create an unnecessary hardship to the property owner. MICC 19.06.110(B)(2)(a). For properties in residential zones, “unnecessary hardship” is limited to those circumstances where the adopted standards of Title 19 MICC prevent the construction of a single-family dwelling on a legally created residential zoned lot. *Id.*
- ii. However, MICC 19.06.110(B)(2) also includes a criterion for variances to impervious surface standards for “[p]ublic and private schools, religious institutions, private clubs and public facilities in single-family zones with slopes of less than 15 percent.” MICC 19.06.110(B)(2)(i).
- iii. MICC 19.06.110(B)(1) further provides: “[a] variance shall be granted by the city only if the applicant can meet all criteria in subsections (B)(2)(a) through (B)(2)(h) of this section. A variance for increased lot coverage for a regulated improvement pursuant to subsection (B)(2)(i) of this section shall be granted by the city only if the applicant can meet criteria in subsections (B)(2)(a) through (B)(2)(i) of this section.”

**(2.) Purpose and intent statement of the chapters in question;**

Analysis: Chapter 19.06 MICC does not contain a general purpose statement; however, MICC 19.06.110(B)(1) provides a purpose statement for the MICC section in question: “*Purpose.* An applicant or property owner may request a variance from any numeric standard, except for the standards contained within chapter 19.07 MICC. A variance shall be granted by the city only if the applicant can meet all criteria in subsections (B)(2)(a) through (B)(2)(h) of this section. A variance for increased lot coverage for a regulated improvement pursuant to subsection (B)(2)(i) of this section shall be granted by the city only if the applicant can meet criteria in subsections (B)(2)(a) through (B)(2)(i) of this section.”

**(3.) Legislative intent of the city council provided with the adoption of the code sections in question;**

Analysis: Review of the legislative history of MICC 19.06.110(B) results in the following findings:

- i. On September 19, 2017, the Mercer Island City Council adopted Ordinance No. 17C-15, adding the unnecessary hardship criterion currently contained in MICC 19.06.110(B)(2)(a).
- ii. The minutes from the relevant City Council meetings indicate the following:  
The July 5, 2017 minutes contains the following discussion:

**Variance Criteria:**

- Planning Commission Recommendation: prohibit / limit variances to GFA, minimum lot size, height, fence height and staff does not recommend adopting this amendment
- Alternative: Limit variance approvals to those circumstances where a house could not otherwise be built on a legal, residential lot and remove ambiguous language regarding groundcover, trees, physical condition of the lot from “d.”

Council Direction: Staff propose a solution for “flag lots.” Support alternative to limit variance approvals to those circumstances where a house could not otherwise be built on a legal, residential lot and remove ambiguous language regarding groundcover, trees, physical condition of the lot from “d.”

iii. The packet from the July 5, 2017, reading of the later adopted ordinance included the following discussion of the options before City Council with respect to the hardship criterion ultimately added to MICC 19.06.110(B)(2)(a):

| Variance Criteria            |   |  |            |  |
|------------------------------|---|--|------------|--|
| Draft Page #                 | Planning Commission Recommendation  | Proposed Amendment   | Source     | Staff Recommendation / Rationale   |
| 17<br>Page 71 –<br>Variances | Allow for an application for a variance to any numeric standard, except for the standards in Chapter 19.07. | Prohibit the application for a variance to minimum lot area requirements, gross floor area, building height, or lot coverage.  | Dan Grausz | <u>Staff does not recommend adopting this amendment.</u> There are some circumstances where allowing for a variance to these standards is appropriate to avoid a regulatory takings. The variance criteria have been revised to limit variances to only those circumstances where a variance is warranted. |
|                              |   | Alternatively, limit variance approvals to those situations where a property owner cannot both comply with existing standards and build a home on a legally created residential lot. |            | Staff recommends further revising the criteria for approval. In particular, staff recommends limiting variances to situations where a property owner cannot comply with all of the development standards and build a new single family home.<br><br>This item was discussed by the Planning Commission.    |

- iv. The discussion between the then CPD Director and City Council regarding the hardship criterion further indicates the intent of restricting variances in residential zones only to those instances where a variance is necessary to permit the construction of a single-family residence on a legally created residential lot.
- v. The Code Official is unaware of any discussion by City Council or other materials regarding the resulting conflict between the language in MICC 19.06.110(B)(2)(a) and the language in MICC 19.06.110(B)(2)(i).

**(4.) Policy direction provided by the Mercer Island comprehensive plan;**

Analysis: Review of the Comprehensive Plan results in the following findings:

- (1) The Comprehensive Plan envisions Mercer Island as a residential community:
  - (a) "Mercer Island prides itself on being a residential community. As such, most of the Island's approximately 6.2 square miles of land area is developed with single family homes." [Land Use Element, Introduction]
  - (b) "Single family residential zoning accounts for 88 percent of the Island's land use. There are 3,534 acres zoned for single family residential development. This compares to 77 acres in the Town Center zones, 19 acres for Commercial Office zone, and 103 acres in multi-family zones (Table 2). City Hall is located in a Commercial Office zone, while other key civic buildings such as the Post Office and the Main Fire Station are located in the Town Center and City Hall. Many of the remaining public buildings, schools, recreational facilities and places of religious worship are located in residential or public zones." [Land Use Element, II Existing Conditions and Trends, Areas outside the Town Center]
  - (c) "OUTSIDE THE TOWN CENTER (1) The community needs to accommodate two important planning values — maintaining the existing single family residential character of the Island, while at the same time planning for

population and housing growth.” [Land Use Element, IV. Land Use Issues, Outside the Town Center (1)]

- (2) A primary component of the housing element is the City’s desire to protect single-family residential neighborhoods through development regulations and other City codes which restrict the bulk and scale of buildings, control noise and nuisances, minimize the impact of non-residential uses and help preserve the natural environment. City code provisions were specifically designed to protect residential areas from incompatible uses and promote bulk and scale consistent with the existing neighborhood character. This includes limiting the size and scope of nonresidential uses to be consistent with existing neighborhood character.

(a) “Housing Element

III. Neighborhood Quality

Mercer Island single family neighborhoods pride themselves on their narrow, quiet streets and dense plantings. The City protects these neighborhoods through development regulations and other City codes which restrict the bulk and scale of buildings, control noise and nuisances, minimize the impact of non-residential uses and help preserve the natural environment. Parks, open spaces and trails also contribute to the neighborhood quality.” [Housing Element, III. Neighborhood Quality]

(b) “GOAL 1: -

Ensure that single family and multi-family neighborhoods provide safe and attractive living environments, and are compatible in quality, design and intensity with surrounding land uses, traffic patterns, public facilities and sensitive environmental features.

1.1 Ensure that zoning and City code provisions protect residential areas from incompatible uses and promote bulk and scale consistent with the existing neighborhood character.” [Housing Element, III. Neighborhood Quality, Goal 1.1]

- (3) The Comprehensive Plan evidences an intent to retain certain non-residential structures located in residential zones. However, the Comprehensive Plan is silent on whether such structures would be eligible for variances from otherwise applicable numerical standards.

(a) “GOAL 17: -

With the exception of allowing residential development, commercial designations and permitted uses under current zoning will not change.

17.4 Social and recreation clubs, schools, and religious institutions are predominantly located in single family residential areas of the Island. Development regulation should reflect the desire to retain viable and healthy social, recreational, educational, and religious organizations as community assets which are essential for the mental, physical and spiritual health of Mercer Island.” [Land Use Elements, IV Land Use Issues Outside the Town Center]

- (4) The Comprehensive Plan also evidences an intent to preserve existing conditions and to generally permit changes only through amendments to the development code, rather than through granting numerous of variances to that development code. At the same



time, there is also recognition that some non-residential structures and uses are compatible with residential zones.

(a) "GOAL 15: -

Mercer Island should remain principally a low density, single family residential community.

15.1 Existing land use policies, which strongly support the preservation of existing conditions in the single family residential zones, will continue to apply. Changes to the zoning code or development standards will be accomplished through code amendments.

15.2 Residential densities in single family areas will generally continue to occur at three to five units per acre, commensurate with current zoning. However, some adjustments may be made to allow the development of innovative housing types, such as accessory dwelling units and compact courtyard homes at slightly higher densities as outlined in the Housing Element.

...

15.4 As a primarily single family residential community with a high percentage of developed land, the community cannot provide for all types of land uses. Certain activities will be considered incompatible with present uses. Incompatible uses include landfills, correctional facilities, zoos and airports. Compatible permitted uses such as education, recreation, open spaces, government social services and religious activities will be encouraged." [Land Use Elements, IV Land Use Issues Outside the Town Center].

**(5.) Relevant judicial decisions;**

Analysis: The Code Official is unaware of any relevant judicial decisions related to this issue. However, the Code Official is aware of several cases regarding code interpretation. Municipal ordinances are subject to the same rules of statutory interpretation as are statutory enactments. *Hassan v. GCA Production Services, Inc.*, 17 Wn.App. 625, 637, 487 P.3d 203 (2021). Additionally, the goal of code interpretation is to give effect to the intentions of the drafters. *Jametsky v. Olsen*, 179 Wash. 2d 756, 762, 317 P.3d 1003, 1006 (2014). Absurd results are to be avoided in construing ambiguous language, although the principle is to be used sparingly. *Seattle Hous. Auth. v. City of Seattle*, 3 Wash. App. 2d 532, 538–39, 416 P.3d 1280, 1283 (2018); *Samish Indian Nation v. Wash. Dep't of Licensing*, 14 Wash.App.2d 437, 444, 471 P.3d 261 (2020). Further, when possible, legislation must be construed so that no clause, sentence, or word is rendered superfluous, void, or insignificant. *Coates v. City of Tacoma*, 11 Wash. App. 2d 688, 695, 457 P.3d 1160, 1164 (2019).

**(6.) Consistency with other regulatory requirements governing the same or similar situation;**

Analysis: The Code Official is unaware of other regulatory requirements governing the same or similar situations.

**(7.) The expected result or effect of the interpretation; and**

Analysis: The interpretation will result in clarifying the position of the Code Official in that the MICC prohibits variances from numerical standards for non-residential structures in residential zones, with the sole exception of the specific types of non-residential structures enumerated in MICC 19.06.110(B)(2)(i) from impervious surface standards.

**(8.) Previous implementation of the regulatory requirements governing the situation.**

Analysis: The Code Official is unaware of any previous implementation of regulatory requirements relating to variances for non-residential structures within residential zones since the addition of the hardship criterion in September 2017.

**F. CONCLUSIONS**

1. MICC 19.06.110(B) contains conflicting language as to variances for non-residential structures in residential zones. Reconciling this conflict, the Code Official makes the following interpretations:
  - a. The specifically enumerated non-residential structures listed in MICC 19.06.110 (B)(2)(i) are eligible to receive a variance from impervious surface standards if:
    - i. The Hearing Examiner finds that the criteria contained within MICC 19.06.110(B)(2)(i)(i-iv) have been satisfied, and
    - ii. The Hearing Examiner finds compliance with the other criteria enumerated in subsection (B)(2)(a) through (i), including demonstrating an unnecessary hardship, per subsection (B)(2)(a), but disregarding the second sentence of (B)(2)(a) due to the conflict with subsection (B)(2)(i).
  - b. The MICC prohibits other variances from numerical standards for non-residential structures in residential zones.
2. Both conclusions enumerated above are based upon the following:
  - a. It is apparent from the relevant legislative history that City Council's stated intent was to restrict variances in residential zones only to those circumstances in which construction of a single-family residence upon a legally created residential lot would be prohibited. The Code Official did not find any evidence that City Council was aware of the conflict between MICC 19.06.110(B)(2)(a) and (B)(2)(i).

Because the language regarding variances from impervious surface standards for certain specified non-residential structures in residential zones was also reorganized by City Council to MICC 19.06.110(B) contemporaneously with the creation of the hardship criterion, it is the position of the Code Official that the language in MICC 19.06.110(B)(2)(i) must be also given effect as a narrow exception to the prohibition against variances for non-residential structures in residential zones as put forth in MICC 19.06.110(B)(2)(a). This conclusion is necessary in order to give the fullest effect to the legislative enactment of the City Council.

- b. Utilizing statutory interpretation principles, the Code Official is required to construe the MICC to give the fullest effect to the legislative intent of the City Council, to utilize the principles of avoiding absurd results (but in a sparing manner), and to avoid making code language superfluous, void, or insignificant. Other than variances from impervious surface standards, no other variances for non-residential structures within residential zones are listed in MICC 19.06.110(B)(2).
- c. There is nothing in the City's Comprehensive Plan to contradict the conclusions of the Code Official. The Comprehensive Plan prioritizes residential uses while also recognizing certain non-residential uses within residential zones. The interpretation of the Code Official does not prohibit the siting of non-residential structures in residential zones where otherwise permitted, but it does limit the type of variances available for such structures.

**G. INTERPRETATION**

The specifically enumerated non-residential structures listed in MICC 19.06.110 (B)(2)(i) are eligible to receive a variance from impervious surface standards if the Hearing Examiner determines the application has demonstrated satisfaction of the criteria contained within MICC 19.06.110(B)(2)(i)(i-iv) and the applicant or property owner demonstrates compliance with the other criteria enumerated in subsection (B)(2)(a) through (i), including demonstrating an unnecessary hardship, per subsection (B)(2)(a), but disregarding the conflicting second sentence of (B)(2)(a).

Having not been expressly included in MICC 19.06.110(B)(2), the position of the Code Official is that all other variances from numerical standards for non-residential structures in residential zones are prohibited by MICC 19.06.110(B)(2)(a).

L

# Exhibit 3

Flag Status - Full staff

 Search

MENU

[Home](#) / [News & Media](#)

/ Washington "goes big" on housing in 2023

# Washington "goes big" on housing in 2023

May 08, 2023



*Gov. Jay Inslee signs legislation to help overcome racist real estate covenants that pervaded until the 1960s and caused intergenerational harm.*

From Vancouver to Bellingham and Pullman to La Push, the cost of housing has soared. In the last decade, one million new residents arrived while only one-quarter as many homes went up. When demand exceeds supply, prices rise. Rise they have.

Rents are up. Prices are up. Accordingly, homelessness is up. And too many families are just a paycheck away from trouble.

To begin the 2023 legislative session, Gov. Jay Inslee encouraged the Legislature to “go big” to meet the scale of the housing crisis. On Monday, the governor and lawmakers gathered to sign a slate of housing-related bills to clear obstacles to housing construction and right historic wrongs related to housing discrimination.

At a later date, the governor will sign a budget that allocates more than \$1 billion over the next biennium to address homelessness and affordable housing.

[Read the rest of the story on Gov. Inslee's Medium page.](#)



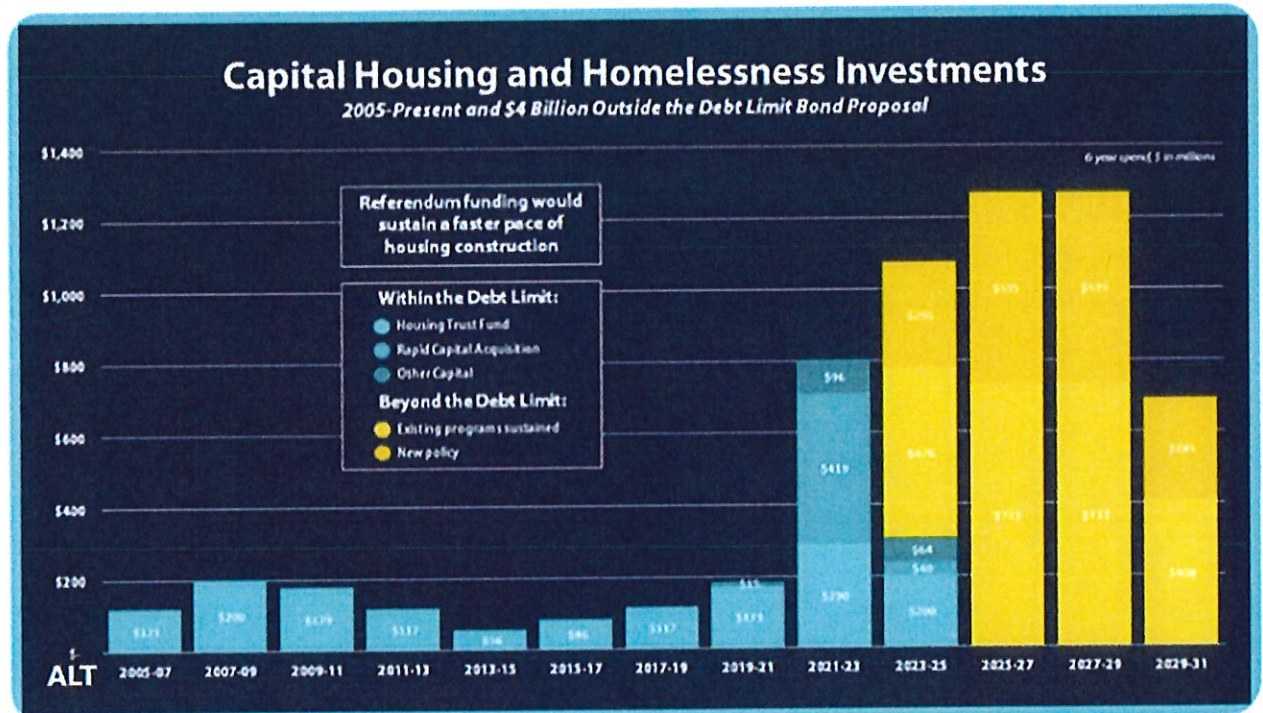
← Post



Governor Jay Inslee

@GovInslee

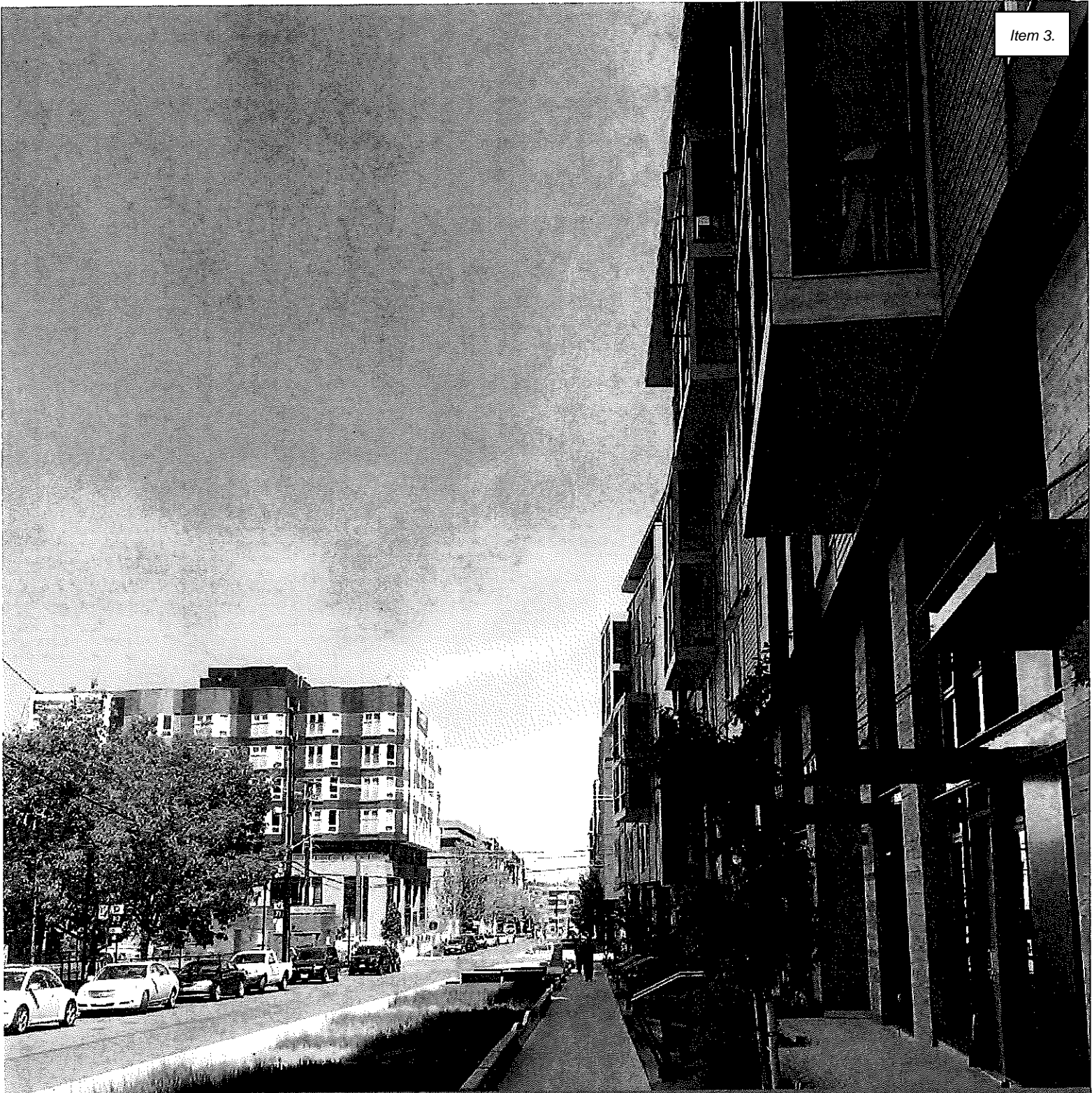
In the past two years we were able to make historic investments to scale up and speed up construction of housing and shelters. The problem is growing, not shrinking, so our response must match the moment. (2/3)



5:26 PM · Mar 20, 2023 · 12.7K Views



# Exhibit 4



# Housing

*GOAL: The region preserves, improves, and expands its housing stock to provide a range of affordable, accessible, healthy, and safe housing choices to every resident. The region continues to promote fair and equal access to housing for all people.*

Housing is a basic need for every individual. Yet, residents in many communities in the region are facing an unprecedented challenge in finding and keeping a home that they can afford. The central Puget Sound region is expected to grow by an additional 1.8 million residents and 830,000 households by the year 2050. Simply put, the region needs more housing of varied types in all communities. Meeting the housing needs of all households at a range of income levels is integral to promoting health and well-being and creating a region that is livable for all residents, economically prosperous, and environmentally sustainable.

Housing affordability continues to be a major challenge for the region. The housing market has experienced great highs and lows that have benefitted some and created and exacerbated hardship and inequalities for others. Following the precipitous drop in housing prices and foreclosures of the recession, the region's economic upswing and strong job growth in the 2010s have fueled dramatic increases in rents and home prices. Despite job losses due to the COVID-19 pandemic and the resulting financial

impact on many households, home prices have continued to increase in the region. Some may have been able to take advantage of historically low mortgage interest rates or lower rents, while others are in a challenging position due to loss of income and face the potential of eviction or foreclosure. A potentially imbalanced recovery may further the threat of displacement of low-income households and people of color. As a result, housing costs are a greater burden for many households today than a decade ago, leaving less for other basic needs and amenities. Renters, and renters of color in particular, face a considerable shortage of affordable housing opportunities. And these households are often the most at risk of losing their housing and experiencing homelessness.

A primary goal of the Growth Management Act is to make housing affordable to “all economic segments of the population, providing a variety of residential densities and housing types and encouraging preservation of existing housing stock. Local governments are required to plan for housing that meets the varied needs of their diverse communities and residents and to ensure



they are providing sufficient residential zoned land capacity for housing to accommodate 20-year growth targets.

VISION 2050's housing policies respond to the urgency of changing demographics and the need to increase and diversify the region's housing supply. They identify coordinated strategies, policies, and actions to ensure that the region's housing needs are met.

## A Regional Challenge

The complexity of addressing the full range of housing needs and challenges requires a coordinated regional-local approach. A coordinated, regionwide effort to build and preserve housing accessible to all residents is not just about housing. It is also about building healthy, complete, and welcoming communities where all families and people, regardless of income, race, family size or need, are able to live near good schools, transit, employment opportunities, and open space.

Through the Regional Growth Strategy, the region has articulated a preferred pattern of urbanization that will help direct new housing development to the urban growth area and designated growth centers while preserving industrial lands. Focusing housing in urban areas, specifically centers and station areas, supports and leverages the region's ongoing prioritization of infrastructure investment in central urban places. To assist counties and cities, PSRC serves as a forum for setting regional priorities and facilitating coordination among its member jurisdictions and housing interest groups.

Through data, guidance, and technical assistance, PSRC encourages jurisdictions to adopt best housing practices and establish coordinated local housing and affordable housing targets. PSRC supports jurisdictions in their development of effective local housing elements, strategies, and implementation plans. Housing data and information tracking the success of various housing efforts are monitored and reported regionally at PSRC.

## The Need for Local Action

Local governments play a critical role in housing, including its production and preservation. Local governments possess regulatory control over land use and development. They are key players, both individually and in cooperation with other housing interests, in stimulating various types of development activity through zoning, incentives, and funding, streamlined development review and permitting processes.

### Local Housing Responsibilities Under the Growth Management Act

Local housing elements should ensure the vitality and character of established residential neighborhoods and include the following components:

1. an inventory and analysis of existing and projected housing needs,
2. goals, policies, objectives, and mandatory provisions for the preservation, improvement, and development of housing,
3. identification of sufficient land for a range of housing types to match community needs, and
4. adequate provisions for the needs of all economic segments of the community. (RCW 36.70A.070)

There are numerous tools and strategies available to local governments to encourage housing diversity and promote affordable housing. Many of these tools can be applied in a manner that is tailored to and respectful of local market conditions, community characteristics, and the vision for growth embodied in local comprehensive plans. Since VISION 2040 was adopted in 2008, housing planning and implementation has advanced through the ongoing work of state, regional, and local agencies and organizations. These efforts have yielded new resources, promoted best practices, established community-based housing strategies, and coordinated efforts across multiple jurisdictions.

## Housing Choices to Reflect Changing Demographics

The characteristics of the region’s households have been changing over time and will continue to do so. The size of the average household has been decreasing. Fewer people are living in family households with two parents and children. More households are comprised of singles, couples without children, or single-parent families. Many households have two or more workers. The region’s population is becoming far more racially and ethnically diverse. As the population ages and new generations enter the housing market, there will be demands and preferences for new and different types of housing. While the region has a changing population with a wide range of housing needs, the vast majority of owner-occupied homes are larger single-family homes. Moderate density housing, ranging from duplexes to townhomes to garden apartments, bridge a gap between single-family housing and more intense multifamily and commercial areas and provide opportunities for housing types that are inclusive to people of different ages, life stages, and income ranges. Regional and local tools can help to promote and incentivize the development and preservation of more moderate density housing to give people greater housing choices, and produce urban densities that support walkable communities, local retail and commercial services, and efficient public transit.

### Affordability

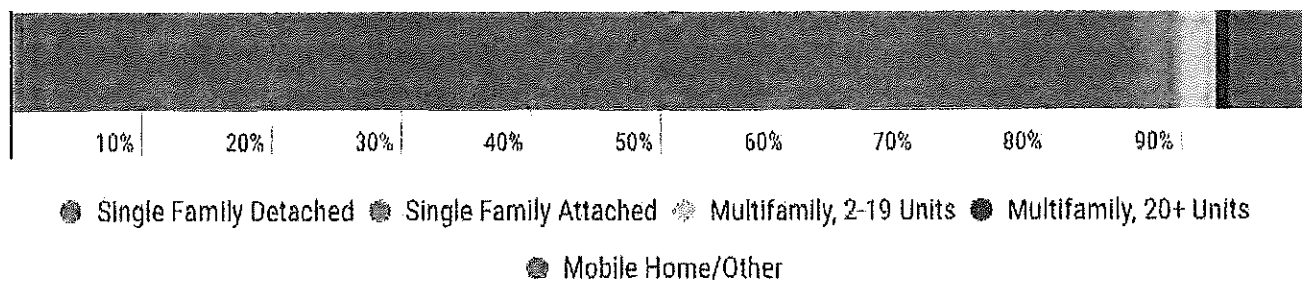
The region continues to experience an affordability crisis. Rising housing costs can be particularly devastating for low-income renters, particularly renters of color, many who

pay more than 50% of their income on housing. Many middle- and lower-income households struggle to find housing that fits their income in an increasingly competitive and expensive housing market due, in part, to zoning practices that have prevented the development of more affordable, smaller homes, and apartments. Home ownership may seem like less of a reality for potential first-time buyers as home prices continue to climb. This is especially true for people of color, who have been historically excluded from homeownership opportunities.

The central Puget Sound region’s housing landscape reflects more than market forces and conditions. It is also the product of decades of public policies and private practices that, throughout the 20th century, often excluded lower income households and immigrant communities, and prevented people of color from accessing housing and living in certain areas. Past and current housing practices have perpetuated substantial inequities in wealth, ownership, and opportunity, and they continue to create barriers to rectifying these conditions. Regional housing work is approached with an awareness of this legacy and of the comprehensive work needed to redress it.

Low- to middle-wage workers – such as teachers, health care professionals, retail workers, administrative personnel, police officers, and firefighters – who are essential to the economic and social vitality of a community, often cannot afford to live in the places where they work. As affordable housing options become scarce, households are forced to move farther from their jobs and communities, resulting in increased traffic congestion and transportation costs and fragmentation of communities. This spatial mismatch also leads to an inability of certain segments of the labor market to fill positions.

**Figure 27 – Ownership Housing Stock by Housing Type, Central Puget Sound Region**



Source: 2017 American Community Survey





### Common Housing Terms

**Affordable Housing** is commonly defined in terms of housing costs as a percentage of household income. Housing is considered unaffordable when a household’s monthly housing costs exceed a certain threshold – most commonly 30% of gross income – thereby reducing the budget available for basic necessities.

**Housing Affordability** refers to the balance (or imbalance) between incomes and housing costs within a community or region. A common measurement compares the number of households in certain income categories to the number of units in the market that are affordable at 30% of gross income.

Providing housing affordable to households earning different incomes requires different approaches. To craft effective strategies, it is imperative to understand the types and cost of housing needed in a community relative to the supply of housing available to households at each income level. Over one-third of households in the region earn less than 80% area median income (AMI). Ideally, the supply of housing affordable to moderate and low-income households should mirror the number of households at those income levels. The current distribution of households in the region is:

- 15% of households earn 50-80% AMI (Moderate Income)
- 9% of households earn 30-50% AMI (Low Income)
- 11% of households earn less than 30% AMI (Very Low Income)

Providing affordable units for very low-income residents and providing housing options for residents experiencing homelessness cannot be fully addressed by the private market alone. Public intervention is necessary to ensure housing units

**Figure 28 – Lower Housing Costs Require Greater Public Intervention**

| 0–30% AMI Rental:                    | 30–50% AMI Rental:                    | 50–80% AMI Rental:   | 80–125% AMI Rental or Home Ownership:                   | Above 125% AMI Market Rent and Home Ownership |
|--------------------------------------|---------------------------------------|--|---|---|
| public support needed in all markets | public support needed in most markets | incentives needed in many markets<br><br>Home Ownership:<br><br>subsidy or incentives needed in many markets | incentives or zoning flexibility needed in some markets |   |

### Anticipated Households in the Region in 2050

|                |               |                |                |                  |
|----------------|---------------|----------------|----------------|------------------|
| 274,000<br>11% | 222,000<br>9% | 355,000<br>15% | 558,000<br>23% | 1,012,000<br>42% |
|----------------|---------------|----------------|----------------|------------------|

AMI: Area Median Income. Source: 2016 ACS 1-Year PUMS



are affordable to households at the lowest income levels now and in the future.

While the current housing production rate in 2017 meets the average annual need in the region, the market has yet to make up for the slow growth in the years directly following the recession resulting in a supply and demand imbalance. Increasing the supply of housing throughout the region and providing a variety of housing types and densities for both renters and owners will help the region meet its housing goals. Special emphasis is placed on providing affordable housing for low-, moderate-, and middle-income households across the region, with a focus on promoting housing opportunities near transit, and appropriate housing for special needs populations. VISION 2050 also encourages more homeownership opportunities for low-income, moderate-income, and middle-income households and acknowledges historic and current inequities in access to homeownership opportunities for people of color and how this

long history of exclusion and discrimination has prevented communities of color from accessing housing, ownership, and opportunity.

## Focusing Housing Near Transit Options

Within the central Puget Sound region, jurisdictions are planning for housing and job growth in places designated for higher densities, a mix of land uses, and transportation choices. Communities across the region are realizing these aims by encouraging infill, redevelopment, and more compact development, especially in designated regional growth centers and around transit stations. However, rents and home prices are rising quickly, making it often challenging to find affordable housing close to jobs.

The region's continuing expansion of high-capacity transit provides one of the best opportunities to expand accessible housing options to a wider range of incomes. Promoting or





requiring affordable housing in walking distance – about  $\frac{1}{4}$  to  $\frac{1}{2}$  mile—from high-capacity transit stations and in regional growth centers can help to ensure all residents have opportunities to live in accessible and connected communities. Such housing will be particularly valuable to low-income households, who are the most dependent on transit and are at risk for displacement as housing costs rise.

## Displacement and Community Stability

Displacement occurs when housing or neighborhood conditions force residents to move. Displacement can be physical, when building conditions deteriorate or are taken off the market for renovation or demolition, or economic, as costs rise. Many communities in the central Puget Sound region, like the Central District in Seattle and the Hilltop neighborhood in Tacoma, have documented displacement. Once physical and economic displacement occur, the social and cultural composition of the neighborhood will be disrupted, thus affecting the cohesion and stability of a community and the well-being of local residents and businesses.

Several key factors can drive displacement: proximity to rail stations, proximity to job centers, historic housing stock, and location in a strong real estate market. Displacement is a regional concern as it is inherently linked to shifts in the regional housing and job market. Many of these factors put communities of color and neighborhoods with high concentrations of renters at a higher risk of displacement.

Regional growth centers and communities near transit are home to more people of color and higher concentrations of poverty than the region as a whole. As these central places connected by transit continue to grow and develop, residents and businesses who contribute to these communities should have the option to remain and thrive and take advantage of new amenities and services.

## Jobs-Housing Balance

Jobs-housing balance is a planning concept which advocates that housing and employment be close together, with an emphasis on matching housing options with nearby jobs, to reduce the length of commute travel and number of vehicle trips. A lack of housing, especially affordable housing close to job centers, will continue to push demand for affordable homes to more distant areas, increasing commute times and the percentage of household income spent on transportation costs. Housing policies encourage adding housing opportunities to job-rich places. It is imperative that there are a variety of housing choices available to a variety of incomes in proximity to job centers to provide opportunities for residents to live close to where they work regardless of their income. Policies in the Economy chapter promote economic development to bring jobs to all four counties. Policies are also located in the Regional Growth Strategy chapter related to balancing jobs and housing growth.



Point Ruston



## Housing POLICIES

### MPP-H-1

Plan for housing supply, forms, and densities to meet the region's current and projected needs consistent with the Regional Growth Strategy and to make significant progress towards jobs/housing balance.

### MPP-H-2

Provide a range of housing types and choices to meet the housing needs of all income levels and demographic groups within the region.

### MPP-H-3

Achieve and sustain – through preservation, rehabilitation, and new development – a sufficient supply of housing to meet the needs of low-income, moderate-income, middle-income, and special needs individuals and households that is equitably and rationally distributed throughout the region.

### MPP-H-4

Address the need for housing affordable to low- and very low-income households, recognizing that these critical needs will require significant public intervention through funding, collaboration, and jurisdictional action.

### MPP-H-5

Promote homeownership opportunities for low-income, moderate-income, and middle-income families and individuals while recognizing historic inequities in access to homeownership opportunities for communities of color.

### MPP-H-6

Develop and provide a range of housing choices for workers at all income levels throughout the region that is accessible to job centers and attainable to workers at anticipated wages.

### MPP-H-7

Expand the supply and range of housing at densities to maximize the benefits of transit investments, including affordable units, in growth centers and station areas throughout the region.

### MPP-H-8

Promote the development and preservation of long-term affordable housing options in walking distance to transit by implementing zoning, regulations, and incentives.

### MPP-H-9

Expand housing capacity for moderate density housing to bridge the gap between single-family and more intensive multifamily development and provide opportunities for more affordable ownership and rental housing that allows more people to live in neighborhoods across the region.

### MPP-H-10

Encourage jurisdictions to review and streamline development standards and regulations to advance their public benefit, provide flexibility, and minimize additional costs to housing.

### MPP-H-11

Encourage interjurisdictional cooperative efforts and public-private partnerships to advance the provision of affordable and special needs housing.

### MPP-H-12

Identify potential physical, economic, and cultural displacement of low-income households and marginalized populations that may result from planning, public investments, private redevelopment, and market pressure. Use a range of strategies to mitigate displacement impacts to the extent feasible.

## Housing ACTIONS

### REGIONAL ACTIONS

#### H-Action-1

Regional Housing Strategy: PSRC, together with its member jurisdictions, state agencies, housing interest groups, housing professionals, advocacy and community groups, and other stakeholders will develop a comprehensive regional housing strategy to support the 2024 local comprehensive plan update. The housing strategy will provide the framework for regional housing assistance (see H-Action-2, below) and shall include the following components:

- In the near term, a regional housing needs assessment to identify current and future housing needs to support the regional vision and to make significant progress towards jobs/housing balance and quantify the need for affordable housing that will eliminate cost burden and racial disproportionality in cost burden for all economic segments of the population, including those earning at or below 80 percent of Area Median Income throughout the region. This will provide necessary structure and focus to regional affordable housing discussions
- Strategies and best practices to promote and accelerate: housing supply, the preservation and expansion of market rate and subsidized affordable housing, housing in centers and in proximity to transit, jobs-housing balance, and the development of moderate-density housing options
- Coordination with other regional and local housing efforts

#### H-Action-2

Regional Housing Assistance: PSRC, in coordination with subregional, county, and local housing efforts, will assist implementation of regional housing policy and local jurisdiction and agency work. Assistance shall include the following components:

- Guidance for developing local housing targets (including affordable housing targets), model housing policies, and best housing practices
- Technical assistance, including new and strengthened tools, to support local jurisdictions in developing effective housing strategies, action plans, and programs
- Collection and analysis of regional housing data, including types and uses of housing and effectiveness of zoning, regulations, and incentives to achieve desired outcomes

- Technical assistance in support of effective local actions to address displacement, including data on displacement risk and a toolbox of local policies and actions

#### H-Action-3

State Support and Coordination: PSRC will monitor and support as appropriate members' efforts to seek new funding and legislative support for housing; and will coordinate with state agencies to implement regional housing policy.

### LOCAL ACTIONS

#### H-Action-4

Local Housing Needs: Counties and cities will conduct a housing needs analysis and evaluate the effectiveness of local housing policies and strategies to achieve housing targets and affordability goals to support updates to local comprehensive plans. Analysis of housing opportunities with access to jobs and transportation options will aid review of total household costs.

#### H-Action-5

Affordable Housing Incentives: As counties and cities plan for and create additional housing capacity consistent with the Regional Growth Strategy, evaluate and adopt techniques such as inclusionary or incentive zoning to provide affordability.

#### H-Action-6

Displacement: Metropolitan Cities, Core Cities, and High Capacity Transit Communities will develop and implement strategies to address displacement in conjunction with the populations identified of being at risk of displacement including residents and neighborhood-based small business owners.

#### H-Action-7

Housing Choice: Counties and cities will update regulations and strategies to reduce barriers to the development and preservation of moderate density housing to address the need for housing between single-family and more intensive multifamily development, consistent with the Regional Growth Strategy.

#### H-Action-8

Housing Production: Counties and cities will review and amend, where appropriate and consistent with the Regional Growth Strategy, development standards and regulations to reduce barriers to the development of housing by providing flexibility and minimizing additional costs.



## DOCKET REQUEST FORM

The following information is required. Failure to complete this form may result in the application being incomplete. Incomplete applications will not be considered during the annual docket process.

### APPLICANT INFORMATION

Name: Matthew Goldbach  
Address: 9980 SE 40th St, Mercer Island, WA 98040  
Phone: 954-806-2489  
Email: blkship@yahoo.com

### AGENT/CONSULTANT/ATTORNEY

Complete this section if the primary contact is different from the applicant.

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Email: \_\_\_\_\_

### REQUEST INFORMATION

**Important:** A separate Docket Request Form must be completed for each docket item requested.

Is this request related to a specific property or zone? Yes  No

If yes, please complete the following information:

Property Owner Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
County Assessor's Parcel No.: \_\_\_\_\_  
Parcel Size (sq. ft.): \_\_\_\_\_

If the application is submitted by an agent/consultant/attorney, please attach a signed letter of consent from all owners of the affected property demonstrating that that the application is submitted with consent. Is this request for a Comprehensive Plan amendment or a development code amendment?

Comprehensive Plan Amendment  Development code Amendment

Is this submission a **suggestion** for a Comprehensive Plan or Development Code amendment, or is this an **application** for a specific amendment? (Check one box below.)

**Note:** Applications are subject to [applicable permit fees](#).  
Suggestion  Application


**DOCKET REQUEST NARRATIVE – REQUIRED FOR ALL APPLICATIONS**

Please attach a separate narrative responding to all five (5) questions outlined below. Attach additional sheets, supporting maps, or graphics as necessary. Answer each question separately and reference the question number in your answer.

**The application will be considered incomplete without a narrative answering all five questions.**

1. Please provide a detailed description of the proposed amendment and a clear statement of what the proposed amendment is intended to accomplish.
  - a. Indicate the specific Comprehensive Plan Elements, maps, goals or policies or the specific sections of the development code you propose to amend.
  - b. If the proposal would amend existing Comprehensive Plan or development code text, please provide the proposal in underline/strikeout format with text to be added indicated by underlining and text to be deleted indicated with ~~strikeouts~~.
  - c. If a map amendment is proposed, please provide a map that clearly outlines the areas proposed to be changed.
2. How does the proposal benefit the community or the environment?
3. Explain how the request relates to the applicable decision criteria (MICC 19.15.250(D) for code amendments, and MICC 19.15.230(F) for Comprehensive Plan amendments, see below).
4. For Comprehensive plan amendments: Is the proposal consistent the Growth Management Act and King County Countywide Planning Policies?
5. For development code amendments: How does the proposal align with the goals of the City's Comprehensive Plan?

Please sign and date below acknowledging application requirements.

Signature:  Date: Sept 28 2023

THIS AREA LEFT INTENTIONALLY BLANK

Please attach a separate narrative responding to the above questions.

## SUGGESTION FOR RESIDENTIAL CODE AMENDMENT

MICC 19.15.240 Reclassification of Properties (Rezoning)

MICC 19.15.240(C) Criteria

### Suggested Code Amendment:

I suggest MICC 19.15.240(C) be amended to prohibit a non-residential structure or use in the single-family residential zone, including a Conditional Use Permit, from requesting or obtaining a rezoning or reclassification of any single-family residential zoned properties.

MICC 19.240(C) will then read with the suggested amendment **Subsection 8** as follows:

19.15.240 - Reclassification of property (rezoning).

- A. Purpose. The purpose of this section is to establish the process and criteria for a rezoning of property from one zoning designation to another.
- B. Process. A rezoning shall be considered as provided in MICC 19.15.260.
- C. Criteria. The city council may approve a rezoning only if all of the following criteria are met:
  1. The proposed reclassification is consistent with the policies and provisions of the Mercer Island comprehensive plan;
  2. The proposed reclassification is consistent with the purpose of the Mercer Island development code as set forth in MICC 19.01.010;
  3. The proposed reclassification is an extension of an existing zone, or a logical transition between zones;
  4. The proposed reclassification does not constitute an illegal site-specific rezoning;
  5. The proposed reclassification is compatible with surrounding zones and land uses;
  6. The proposed reclassification does not adversely affect public health, safety and welfare; and
  7. If a comprehensive plan amendment is required in order to satisfy subsection (C)(1) of this section, approval of the comprehensive plan amendment is required prior to or concurrent with the granting of an approval of the rezoning.
  8. **"A non-residential structure or use in the single-family residential zone, including a Conditional Use Permit (CUP), is prohibited from requesting or obtaining a rezoning or reclassification of single-family residential zoned properties."**

D. Map change. Following approval of a rezone, the city shall amend the zoning map to reflect the change in zoning designation. The city shall also indicate on the zoning map the number of the ordinance adopting the rezone.

(Ord. 18C-08 § 1 (Att. A))

### **ANALYSIS:**

#### **A. The Mercer Island Comprehensive Plan Supports Preserving Single-Family Residential Zoned Properties.**

Attached as Exhibit 1 to this suggested amendment is Appendix D – Zoning Map.

The following Comprehensive Policy directions provided by the Mercer Island Comprehensive Plan are from the City of Mercer Island Community Planning and Development Code Interpretation 22-004 dated November 21, 2022 regarding Variances for Non-Residential Structures in Residential Zones, which is attached as Exhibit 2:

#### **E. (4) Policy direction provided by the Mercer Island comprehensive plan;**

**Analysis:** Review of the Comprehensive Plan results in the following findings:

- (1) The Comprehensive Plan envisions Mercer Island as a residential community:
  - (a) "Mercer Island prides itself on being a residential community. As such, most of the Island's approximately 6.2 square miles of land area is developed with single family homes." [Land Use Element, Introduction]
  - (b) "Single family residential zoning accounts for 88 percent of the Island's land use. There are 3,534 acres zoned for single family residential development. This compares to 77 acres in the Town Center zones, 19 acres for Commercial Office zone, and 103 acres in multi-family zones (Table 2). City Hall is located in a Commercial Office zone, while other key civic buildings such as the Post Office and the Main Fire Station are located in the Town Center and City Hall. Many of the remaining public buildings, schools, recreational facilities and places of religious worship are located in residential or public zones." [Land Use Element, II Existing Conditions and Trends, Areas outside the Town Center]



(c) "OUTSIDE THE TOWN CENTER (1) The community needs to accommodate two important planning values - maintaining the existing single family residential character of the Island, while at the same time planning for population and housing growth." [Land Use Element, IV. Land Use Issues, Outside the Town Center (1)]

(2) A primary component of the housing element is the City's desire to protect single-family residential neighborhoods through development regulations and other City codes which restrict the bulk and scale of buildings, control noise and nuisances, minimize the impact of non-residential uses and help preserve the natural environment. City code provisions were specifically designed to protect residential areas from incompatible uses and promote bulk and scale consistent with the existing neighborhood character. This includes limiting the size and scope of nonresidential uses to be consistent with existing neighborhood character.

(a) "Housing Element

III. Neighborhood Quality

Mercer Island single family neighborhoods pride themselves on their narrow, quiet streets and dense plantings. The City protects these neighborhoods through development regulations and other City codes which restrict the bulk and scale of buildings, control noise and nuisances, minimize the impact of non-residential uses and help preserve the natural environment. Parks, open spaces and trails also contribute to the neighborhood quality." [Housing Element, III. Neighborhood Quality]

b) "GOAL 1:

Ensure that single family and multi-family neighborhoods provide safe and attractive living environments, and are compatible in quality, design and intensity with surrounding land uses, traffic patterns, public facilities and sensitive environmental features.

1.1 Ensure that zoning and City code provisions protect residential areas from incompatible uses and promote bulk and scale consistent with the existing neighborhood character." [Housing Element, III. Neighborhood Quality, Goal 1.1]

**(3) The Comprehensive Plan evidences an intent to retain certain non-residential structures located in residential zones. However, the Comprehensive Plan is silent on whether such structures would be eligible for variances from otherwise applicable numerical standards.**

**(a) "GOAL 17:**

**With the exception of allowing residential development, commercial designations and permitted uses under current zoning will not change.**

**17.4 Social and recreation clubs, schools, and religious institutions are predominantly located in single family residential areas of the Island. Development regulation should reflect the desire to retain viable and healthy social, recreational, educational, and religious organizations as community assets which are essential for the mental, physical and spiritual health of Mercer Island." [Land Use Elements, IV Land Use Issues Outside the Town Center]**

**(4) The Comprehensive Plan also evidences an intent to preserve existing conditions and to generally permit changes only through amendments to the development code, rather than through granting numerous of variances to that development code. At the same time, there is also recognition that some non-residential structures and uses are compatible with residential zones.**

**(a) "GOAL 15: -**

**Mercer Island should remain principally a low density, single family residential community.**

**15.1 Existing land use policies, which strongly support the preservation of existing conditions in the single family residential zones, will continue to apply. Changes to the zoning code or development standards will be accomplished through code amendments.**

**15.2 Residential densities in single family areas will generally continue to occur at three to five units per acre, commensurate with current zoning. However, some adjustments may be made to allow the development of innovative housing types, such as accessory dwelling units and compact courtyard homes at slightly higher densities as outlined in the Housing Element.**

**...**

**15.4 As a primarily single family residential community with a high percentage of developed land, the community cannot provide for all types of land uses. Certain activities will be considered incompatible with present uses. Incompatible uses include landfills, correctional facilities, zoos and airports. Compatible permitted uses such as education, recreation, open spaces, government social services and religious activities will be encouraged." [Land Use Elements, IV Land Use Issues Outside the Town Center].**

*Pages 4 – 6*

**B. The Region Is Facing A Housing Shortage.**

Attached as Exhibit 3 are public announcements by Governor Inslee encouraging the Legislature to “go big” to meet the scale of the housing crisis, and the enormous investments the state and county are making to scale-up construction of housing.

Attached as Exhibit 4 are pages from the PSRC’s 2050 Vision Statement on Housing noting:

**“Housing is a basic need for every individual. Yet, residents in many communities in the region are facing an unprecedented challenge in finding and keeping a home that they can afford. The central Puget Sound region is expected to grow by an additional 1.8 million residents and 830,000 households by the year 2050. Simply put, the region needs more housing of varied types in all communities. Meeting the housing needs of all households at a range of income levels is integral to promoting health and well-being and creating a region that is livable for all residents, economically prosperous, and environmentally sustainable.”**

PSRC 2050 Vision Statement, p.182

Currently Mercer Island has a housing allocation of approximately 1,200 units left to permit pursuant to the GMPC’s housing allocations. In 2023, the Legislature adopted HB 1110 that requires every residential lot on Mercer Island to allow two separate housing units, and four housing units per lot without parking mandates within a quarter of a mile of the light rail station, including the residential neighborhood to the north.

It would be contrary to state, county and city policies for Mercer Island to now allow single-family residential zoned properties to be rezoned to a different non-housing zone, and would shift Mercer Island's housing allocation burden to the other residential zones and property.

**C. The Conditional Use Permit Process Allows A Fair And Equitable Non-Conforming Use In A Single-Family Residential Zone.**

The Conditional Use Permit (CUP) process MICC 19.06.110 allows an organization to obtain a non-conforming use in the single-family home residential zone, and allows that non-conforming CUP to combine residential properties and eliminate the side-yard setbacks between the properties.

At the same time, the Conditional Use Permit process MICC 19.06.110(a) and (b) protects the surrounding single-family home residential zones and requires that the scale of the development, in consideration of the privilege of a non-conforming use, is consistent with all properties in the single-family home residential zone.

The mere existence of MICC 19.06.110 highlights that the restrictions on conditional uses in the single-family home residential zone is not consistent with a different zone with different regulatory limits in the single-family residential zone.

**D. To Allow One Property Owner Or Conditional Use Permit To Rezone Single-Family Zoned Residential Properties To Another Zone Will Allow All Property Owners The Same Right.**

MICC 19.15.240(C)(4) specifically states the "proposed reclassification does not constitute an illegal site-specific rezone." If the Council allows single-family residential zoned properties to be rezoned contrary to state, county and city policies preserving and expanding housing, that would require the Council to allow **any** single-family home residential property owner to request the same change in zoning or upzone. If the requested rezone is site specific, it violates MICC 19.15.240(4)(C). If it is not site specific, it effectively eliminates the single-family residential zone.

The Council cannot favor one property owner or CUP over another, otherwise it would be an illegal spot zone. Such a huge change in zoning and policy would effectively abrogate the policies towards preserving single-family home residential zoning on Mercer Island contrary to The Comprehensive Plan.

- E. Can A Specifically Enumerated Non-Residential Structure Listed in MICC.19.06.110(B)(2)(i) That Are Prohibited From Receiving a Variance Other Than From The Impervious Surface Standards Be Prohibited From Requesting A Rezone Or Reclassification Of The Single-Family Residential Zone Property Included In The CUP?

## HISTORY OF THE CUP'S EFFORTS TO OBTAIN INCREASED REGULATORY LIMITS.

### 1) COMMUNITY FACILITIES ZONE

In 2018, the JCC applied to amend the City's Comprehensive Plan to create a Community Facilities Zone with different regulatory limits for CUPs in a single-family home residential zone without concurrent development regulations. Various citizens and groups appealed the lack of concurrent development regulations to the Growth Management Hearings Board which agreed with the Appellants and remanded the matter back to the City with directions to draft and adopt the concurrent development regulations. This holding was later codified in MICC. 19.15.240(C)(7).

Upon remand, the Council determined that allowing CUPs' different regulatory limits in a different zone in a single-family home residential zone was unwise and unworkable, and instead repealed the Community Facilities Zone.

### 2) THE HILL AMENDMENTS

Subsequently, the Applicant, JCC filed a series of proposed site specific development code amendments to allow regulatory limits for the JCC greater than those allowed a CUP in the single-family home residential zone. These Amendments were then voluntarily withdrawn by the Applicant when it became apparent:

- 1) They were a spot zone in violation of MICC 19.15.240(C)(4);
- 2) The Council would not approve the Hill Amendments because they were contrary to The Comprehensive Plan, City Policies, MICC, and citizen opinion.

### 3) APPLICATION FOR VARIANCES

Subsequently, the JCC applied for various variances to the regulatory limits applicable to the single-family home residential properties in its CUP. In response, CPD Director Jeff Thomas issued Development Code Interpretation 22-004 that found that based on the City's Development Codes and Comprehensive Plan a CUP was prohibited from obtaining any variance other than impervious surface limits from the numerical standards pursuant to MICC 19.06.110(B)(2)(a).

The Applicant JCC then appealed Interpretation 22-004 to the Hearing Examiner. On the eve of the hearing, the Applicant JCC voluntarily withdrew its appeal, and conceded that Interpretation 22-004 was a correct interpretation of Mercer Island's Development Code that prohibits a CUP from requesting or obtaining variances from the single-family home residential development regulatory limits.

Based on the history and Administrative Interpretation 22-004, it would be inconsistent for the Council to allow single-family residential zoned properties in a CUP to be rezoned, especially to CO (Commercial Office), when these same CUPs are prohibited from obtaining variances for regulatory limits other than impervious surface limits.

Furthermore, pursuant to MICC 19.15.240(C)(4), the Council would have to allow **ALL** CUPs throughout the island the same right to rezone single-family residential zoned properties in their CUPs to CO or another zone, which is directly contrary to the Mercer Island Comprehensive Plan, AI 22-004, the provisions in MICC 19.06.110(a) and (b) regulating CUPs in the single-family residential zone, and the history of the JCC property and its attempts to obtain preferential regulatory limits for its single-family residentially zoned properties.

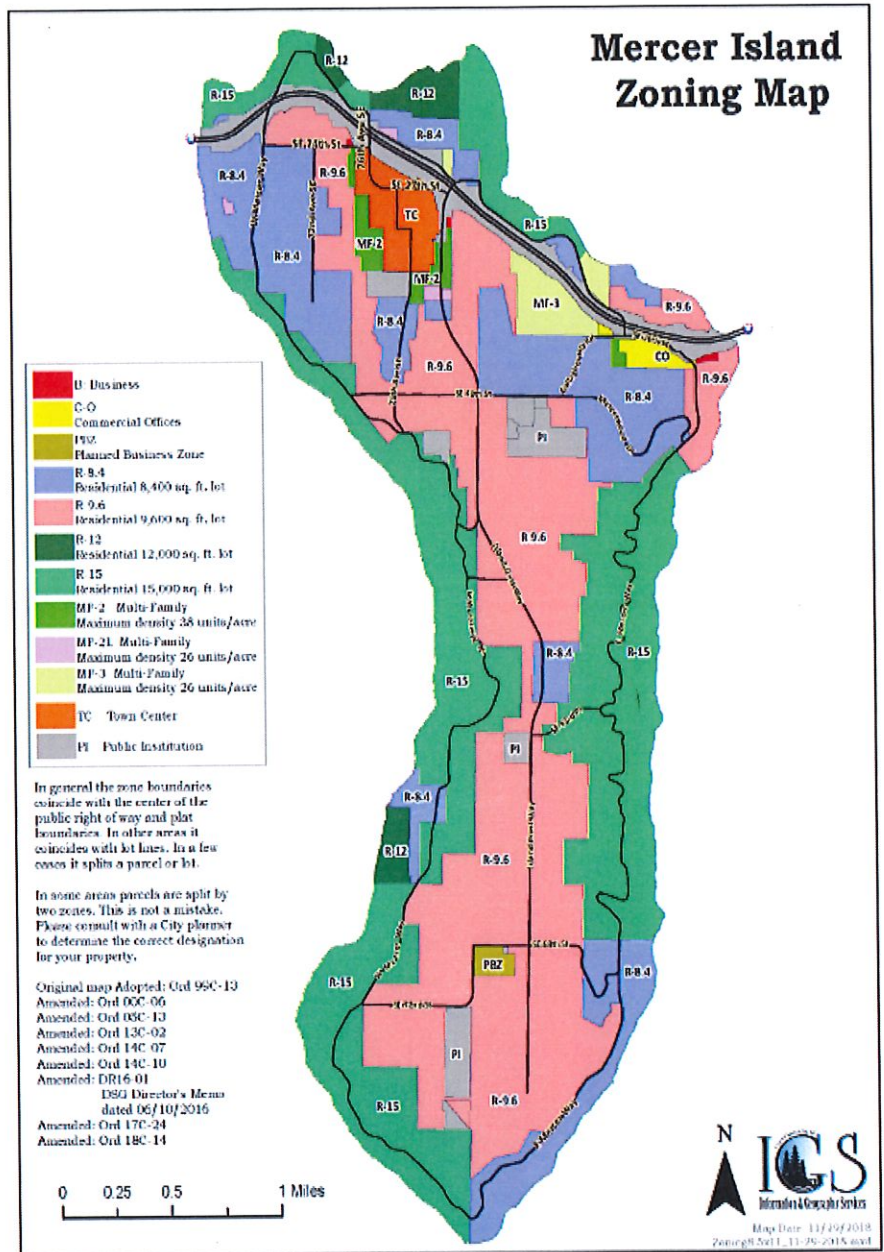
Therefore, MICC 19.15.240(C) should be amended to clarify that a non-residential structure or CUP in the single-family residential zone may not rezone its single-family residential zoned properties in the CUP.

# Exhibit 1



# Appendix D - ZONING MAP

View city of Mercer Island Zoning Map.



# Exhibit 2

## Development Code Interpretation 22-004

# CITY OF MERCER ISLAND

**COMMUNITY PLANNING & DEVELOPMENT**  
9611 SE 36TH STREET | MERCER ISLAND, WA 98040  
PHONE: 206.275.7605 | [www.mercerisland.gov](http://www.mercerisland.gov)



**TO:** CPD Staff  
**FROM:** Jeff Thomas, Interim CPD Director  
**DATE:** November 21, 2022  
**RE:** Variances for Non-Residential Structures in Residential Zones

### A. MICC SECTION(S) INTERPRETED

MICC 19.06.110(B)

### B. AUTHORITY

This development code interpretation is issued under the authority of sections 19.15.030 and 19.15.160 of the Mercer Island City Code (MICC).

### C. ISSUE

MICC 19.06.110(B), *Variances*, imposes a hardship criterion that requires applicants requesting variances in residential zones to demonstrate that strict enforcement of Title 19 MICC will prevent the construction of a single-family dwelling on a legally created residentially zoned lot. MICC 19.06.110(B)(2)(a).

Can the City grant a variance from numeric standards for a non-residential structure sited in a residential zone, if under MICC 19.06.110(B)(1), all criteria in subsection(B)(2)(a) through (B)(2)(h) must be met, and that for a variance to lot coverage standards, the criteria in subsection (B)(2)(a) through (B)(2)(i) must be met?

### D. BACKGROUND

The hardship criterion contained in MICC 19.06.110(B)(2)(a) was adopted by Ordinance No. 17C-15 on September 19, 2017. The criterion contained in MICC 19.06.110(B)(2)(i), relating to variances as to lot coverage for specific non-residential structures, existed in the MICC prior to the adoption of Ordinance No. 17C-15. However, that language was moved to MICC 19.06.110(B)(2)(i) within Ordinance No. 17C-15 to consolidate criteria relating to variances.

**E. FINDINGS**

1. Per MICC 19.15.160, the Code Official may issue a written interpretation of the meaning or application of provisions of the development code.<sup>1</sup>
2. This written interpretation is intended to interpret the scope of the hardship criteria as applied to non-residential structures in residential zones.
3. MICC 19.06.110(B)(1)(a) could be read to foreclose variances from numeric standards for non-residential structures in residential zones because the hardship criterion limits the application of variances to instances where strict application of Title 19 would prohibit construction of one single family residence on a legally created residential lot. The applicant or property owner of a non-residential structure would not be able to demonstrate an unnecessary hardship because there are no circumstances where the adopted standards of Title 19 MICC are preventing construction of a single-family dwelling; rather the applicant or property owner is seeking a variance for a non-residential structure. It is not Title 19 that would preclude the construction of a residential structure, but rather the choice of the applicant or property owner. However, MICC 19.06.110(B)(2)(i) explicitly affords the applicant or property owner of a non-residential structure the opportunity for a variance from impervious surface standards for particular types of non-residential structures.
4. This apparent conflict within MICC 19.06.110(B) requires interpretation to administer.
5. A plain reading of MICC 19.06.110(B), giving meaning to all of the text within that section, results in the following conclusions:
  - a. Non-residential structures in residential zones are generally precluded from receiving variances from numeric standards of Title 19, because they cannot meet the hardship criterion—to wit, they cannot demonstrate that Title 19 prevents the construction of a single-family dwelling on a legally created residential lot.
  - b. The one exception is that certain enumerated non-residential structures (public and private schools, religious institutions, private clubs, and public facilities) within residential zones with slopes of less than 15 percent *can* receive a variance to increase impervious surface to a maximum of 60 percent if the Hearing Examiner determines the applicant has demonstrated satisfaction of the criteria contained within MICC 19.06.110(B)(2)(i)(i-iv).
  - c. Further, an applicant or property owner would also be required to demonstrate the other criteria outlined in subsection (B)(2)(a) through (B)(2)(i), with the exception of being able to demonstrate inability to construct a single-family residence on a legally created residential lot. The applicant or property owner would still have to demonstrate an unnecessary hardship to the property owner, because the first sentence of MICC 19.06.110(B)(2)(a) requires proof that “[t]he strict enforcement of the provisions of this title will create an unnecessary hardship to the property owner.”
6. As discussed further below, the legislative history relating to Ordinance No. 17C-15 supports this conclusion. During the process of adopting Ordinance No. 17C-15, discussion between the City Council and the City’s then Community Planning and Development (CPD) Director reflected an intent to greatly reduce the number of variances granted, which was the impetus behind adding the hardship criterion now contained in MICC 19.06.110(B)(2)(a).
7. In issuing an interpretation, the Code Official is directed to consider eight factors specified in MICC 19.15.160(A). These factors are:

**(1.) The plain language of the code section in question;**

Analysis: A reading of the plain language of MICC 19.06.110 results in the following findings:

<sup>1</sup> Under the MICC, variances are granted by the Hearing Examiner. MICC 19.15.030 and Tables A-B.

- i. MICC 19.06.110(B), *Variances*, imposes a hardship criterion; an applicant or owner applying for variance must show that strict enforcement of Title 19 will create an unnecessary hardship to the property owner. MICC 19.06.110(B)(2)(a). For properties in residential zones, “unnecessary hardship” is limited to those circumstances where the adopted standards of Title 19 MICC prevent the construction of a single-family dwelling on a legally created residential zoned lot. *Id.*
- ii. However, MICC 19.06.110(B)(2) also includes a criterion for variances to impervious surface standards for “[p]ublic and private schools, religious institutions, private clubs and public facilities in single-family zones with slopes of less than 15 percent.” MICC 19.06.110(B)(2)(i).
- iii. MICC 19.06.110(B)(1) further provides: “[a] variance shall be granted by the city only if the applicant can meet all criteria in subsections (B)(2)(a) through (B)(2)(h) of this section. A variance for increased lot coverage for a regulated improvement pursuant to subsection (B)(2)(i) of this section shall be granted by the city only if the applicant can meet criteria in subsections (B)(2)(a) through (B)(2)(i) of this section.”

**(2.) Purpose and intent statement of the chapters in question;**

Analysis: Chapter 19.06 MICC does not contain a general purpose statement; however, MICC 19.06.110(B)(1) provides a purpose statement for the MICC section in question: “*Purpose.* An applicant or property owner may request a variance from any numeric standard, except for the standards contained within chapter 19.07 MICC. A variance shall be granted by the city only if the applicant can meet all criteria in subsections (B)(2)(a) through (B)(2)(h) of this section. A variance for increased lot coverage for a regulated improvement pursuant to subsection (B)(2)(i) of this section shall be granted by the city only if the applicant can meet criteria in subsections (B)(2)(a) through (B)(2)(i) of this section.”

**(3.) Legislative intent of the city council provided with the adoption of the code sections in question;**

Analysis: Review of the legislative history of MICC 19.06.110(B) results in the following findings:

- i. On September 19, 2017, the Mercer Island City Council adopted Ordinance No. 17C-15, adding the unnecessary hardship criterion currently contained in MICC 19.06.110(B)(2)(a).
- ii. The minutes from the relevant City Council meetings indicate the following:  
The July 5, 2017 minutes contains the following discussion:

**Variance Criteria:**

- Planning Commission Recommendation: prohibit / limit variances to GFA, minimum lot size, height, fence height and staff does not recommend adopting this amendment
- Alternative: Limit variance approvals to those circumstances where a house could not otherwise be built on a legal, residential lot and remove ambiguous language regarding groundcover, trees, physical condition of the lot from “d.”

Council Direction: Staff propose a solution for “flag lots.” Support alternative to limit variance approvals to those circumstances where a house could not otherwise be built on a legal, residential lot and remove ambiguous language regarding groundcover, trees, physical condition of the lot from “d.”

iii. The packet from the July 5, 2017, reading of the later adopted ordinance included the following discussion of the options before City Council with respect to the hardship criterion ultimately added to MICC 19.06.110(B)(2)(a):

| Variance Criteria            |   |  |            |   |
|------------------------------|---|--|------------|---|
| Draft Page #                 | Planning Commission Recommendation  | Proposed Amendment   | Source     | Staff Recommendation / Rationale  |
| 17<br>Page 71 –<br>Variances | Allow for an application for a variance to any numeric standard, except for the standards in Chapter 19.07. | Prohibit the application for a variance to minimum lot area requirements, gross floor area, building height, or lot coverage.  | Dan Grausz | Staff does not recommend adopting this amendment. There are some circumstances where allowing for a variance to these standards is appropriate to avoid a regulatory takings. The variance criteria have been revised to limit variances to only those circumstances where a variance is warranted.     |
|                              |   | Alternatively, limit variance approvals to those situations where a property owner cannot both comply with existing standards and build a home on a legally created residential lot. |            | Staff recommends further revising the criteria for approval. In particular, staff recommends limiting variances to situations where a property owner cannot comply with all of the development standards and build a new single family home.<br><br>This item was discussed by the Planning Commission. |

- iv. The discussion between the then CPD Director and City Council regarding the hardship criterion further indicates the intent of restricting variances in residential zones only to those instances where a variance is necessary to permit the construction of a single-family residence on a legally created residential lot.
- v. The Code Official is unaware of any discussion by City Council or other materials regarding the resulting conflict between the language in MICC 19.06.110(B)(2)(a) and the language in MICC 19.06.110(B)(2)(i).

**(4.) Policy direction provided by the Mercer Island comprehensive plan;**

Analysis: Review of the Comprehensive Plan results in the following findings:

- (1) The Comprehensive Plan envisions Mercer Island as a residential community:
  - (a) “Mercer Island prides itself on being a residential community. As such, most of the Island’s approximately 6.2 square miles of land area is developed with single family homes.” [Land Use Element, Introduction]
  - (b) “Single family residential zoning accounts for 88 percent of the Island’s land use. There are 3,534 acres zoned for single family residential development. This compares to 77 acres in the Town Center zones, 19 acres for Commercial Office zone, and 103 acres in multi-family zones (Table 2). City Hall is located in a Commercial Office zone, while other key civic buildings such as the Post Office and the Main Fire Station are located in the Town Center and City Hall. Many of the remaining public buildings, schools, recreational facilities and places of religious worship are located in residential or public zones.” [Land Use Element, II Existing Conditions and Trends, Areas outside the Town Center]
  - (c) “OUTSIDE THE TOWN CENTER (1) The community needs to accommodate two important planning values — maintaining the existing single family residential character of the Island, while at the same time planning for

population and housing growth.” [Land Use Element, IV. Land Use Issues, Outside the Town Center (1)]

- (2) A primary component of the housing element is the City’s desire to protect single-family residential neighborhoods through development regulations and other City codes which restrict the bulk and scale of buildings, control noise and nuisances, minimize the impact of non-residential uses and help preserve the natural environment. City code provisions were specifically designed to protect residential areas from incompatible uses and promote bulk and scale consistent with the existing neighborhood character. This includes limiting the size and scope of nonresidential uses to be consistent with existing neighborhood character.

- (a) “Housing Element

III. Neighborhood Quality

Mercer Island single family neighborhoods pride themselves on their narrow, quiet streets and dense plantings. The City protects these neighborhoods through development regulations and other City codes which restrict the bulk and scale of buildings, control noise and nuisances, minimize the impact of non-residential uses and help preserve the natural environment. Parks, open spaces and trails also contribute to the neighborhood quality.” [Housing Element, III. Neighborhood Quality]

- (b) “GOAL 1: -

Ensure that single family and multi-family neighborhoods provide safe and attractive living environments, and are compatible in quality, design and intensity with surrounding land uses, traffic patterns, public facilities and sensitive environmental features.

- 1.1 Ensure that zoning and City code provisions protect residential areas from incompatible uses and promote bulk and scale consistent with the existing neighborhood character.” [Housing Element, III. Neighborhood Quality, Goal 1.1]

- (3) The Comprehensive Plan evidences an intent to retain certain non-residential structures located in residential zones. However, the Comprehensive Plan is silent on whether such structures would be eligible for variances from otherwise applicable numerical standards.

- (a) “GOAL 17: -

With the exception of allowing residential development, commercial designations and permitted uses under current zoning will not change.

17.4 Social and recreation clubs, schools, and religious institutions are predominantly located in single family residential areas of the Island. Development regulation should reflect the desire to retain viable and healthy social, recreational, educational, and religious organizations as community assets which are essential for the mental, physical and spiritual health of Mercer Island.” [Land Use Elements, IV Land Use Issues Outside the Town Center]

- (4) The Comprehensive Plan also evidences an intent to preserve existing conditions and to generally permit changes only through amendments to the development code, rather than through granting numerous of variances to that development code. At the same



time, there is also recognition that some non-residential structures and uses are compatible with residential zones.

(a) "GOAL 15: -

Mercer Island should remain principally a low density, single family residential community.

15.1 Existing land use policies, which strongly support the preservation of existing conditions in the single family residential zones, will continue to apply. Changes to the zoning code or development standards will be accomplished through code amendments.

15.2 Residential densities in single family areas will generally continue to occur at three to five units per acre, commensurate with current zoning. However, some adjustments may be made to allow the development of innovative housing types, such as accessory dwelling units and compact courtyard homes at slightly higher densities as outlined in the Housing Element.

...

15.4 As a primarily single family residential community with a high percentage of developed land, the community cannot provide for all types of land uses. Certain activities will be considered incompatible with present uses. Incompatible uses include landfills, correctional facilities, zoos and airports. Compatible permitted uses such as education, recreation, open spaces, government social services and religious activities will be encouraged." [Land Use Elements, IV Land Use Issues Outside the Town Center].

**(5.) Relevant judicial decisions;**

Analysis: The Code Official is unaware of any relevant judicial decisions related to this issue. However, the Code Official is aware of several cases regarding code interpretation. Municipal ordinances are subject to the same rules of statutory interpretation as are statutory enactments. *Hassan v. GCA Production Services, Inc.*, 17 Wn.App. 625, 637, 487 P.3d 203 (2021). Additionally, the goal of code interpretation is to give effect to the intentions of the drafters. *Jametsky v. Olsen*, 179 Wash. 2d 756, 762, 317 P.3d 1003, 1006 (2014). Absurd results are to be avoided in construing ambiguous language, although the principle is to be used sparingly. *Seattle Hous. Auth. v. City of Seattle*, 3 Wash. App. 2d 532, 538–39, 416 P.3d 1280, 1283 (2018); *Samish Indian Nation v. Wash. Dep't of Licensing*, 14 Wash.App.2d 437, 444, 471 P.3d 261 (2020). Further, when possible, legislation must be construed so that no clause, sentence, or word is rendered superfluous, void, or insignificant. *Coates v. City of Tacoma*, 11 Wash. App. 2d 688, 695, 457 P.3d 1160, 1164 (2019).

**(6.) Consistency with other regulatory requirements governing the same or similar situation;**

Analysis: The Code Official is unaware of other regulatory requirements governing the same or similar situations.

**(7.) The expected result or effect of the interpretation; and**

Analysis: The interpretation will result in clarifying the position of the Code Official in that the MICC prohibits variances from numerical standards for non-residential structures in residential zones, with the sole exception of the specific types of non-residential structures enumerated in MICC 19.06.110(B)(2)(i) from impervious surface standards.

**(8.) Previous implementation of the regulatory requirements governing the situation.**

*Analysis:* The Code Official is unaware of any previous implementation of regulatory requirements relating to variances for non-residential structures within residential zones since the addition of the hardship criterion in September 2017.

**F. CONCLUSIONS**

1. MICC 19.06.110(B) contains conflicting language as to variances for non-residential structures in residential zones. Reconciling this conflict, the Code Official makes the following interpretations:
  - a. The specifically enumerated non-residential structures listed in MICC 19.06.110 (B)(2)(i) are eligible to receive a variance from impervious surface standards if:
    - i. The Hearing Examiner finds that the criteria contained within MICC 19.06.110(B)(2)(i)(i-iv) have been satisfied, and
    - ii. The Hearing Examiner finds compliance with the other criteria enumerated in subsection (B)(2)(a) through (i), including demonstrating an unnecessary hardship, per subsection (B)(2)(a), but disregarding the second sentence of (B)(2)(a) due to the conflict with subsection (B)(2)(i).
  - b. The MICC prohibits other variances from numerical standards for non-residential structures in residential zones.
2. Both conclusions enumerated above are based upon the following:
  - a. It is apparent from the relevant legislative history that City Council's stated intent was to restrict variances in residential zones only to those circumstances in which construction of a single-family residence upon a legally created residential lot would be prohibited. The Code Official did not find any evidence that City Council was aware of the conflict between MICC 19.06.110(B)(2)(a) and (B)(2)(i).

Because the language regarding variances from impervious surface standards for certain specified non-residential structures in residential zones was also reorganized by City Council to MICC 19.06.110(B) contemporaneously with the creation of the hardship criterion, it is the position of the Code Official that the language in MICC 19.06.110(B)(2)(i) must be also given effect as a narrow exception to the prohibition against variances for non-residential structures in residential zones as put forth in MICC 19.06.110(B)(2)(a). This conclusion is necessary in order to give the fullest effect to the legislative enactment of the City Council.

- b. Utilizing statutory interpretation principles, the Code Official is required to construe the MICC to give the fullest effect to the legislative intent of the City Council, to utilize the principles of avoiding absurd results (but in a sparing manner), and to avoid making code language superfluous, void, or insignificant. Other than variances from impervious surface standards, no other variances for non-residential structures within residential zones are listed in MICC 19.06.110(B)(2).
- c. There is nothing in the City's Comprehensive Plan to contradict the conclusions of the Code Official. The Comprehensive Plan prioritizes residential uses while also recognizing certain non-residential uses within residential zones. The interpretation of the Code Official does not prohibit the siting of non-residential structures in residential zones where otherwise permitted, but it does limit the type of variances available for such structures.

**G. INTERPRETATION**

The specifically enumerated non-residential structures listed in MICC 19.06.110 (B)(2)(i) are eligible to receive a variance from impervious surface standards if the Hearing Examiner determines the application has demonstrated satisfaction of the criteria contained within MICC 19.06.110(B)(2)(i)(i-iv) and the applicant or property owner demonstrates compliance with the other criteria enumerated in subsection (B)(2)(a) through (i), including demonstrating an unnecessary hardship, per subsection (B)(2)(a), but disregarding the conflicting second sentence of (B)(2)(a).

Having not been expressly included in MICC 19.06.110(B)(2), the position of the Code Official is that all other variances from numerical standards for non-residential structures in residential zones are prohibited by MICC 19.06.110(B)(2)(a).

# Exhibit 3

---

Flag Status - Full staff

Search

MENU

[Home](#) / [News & Media](#)

/ Washington "goes big" on housing in 2023

# Washington "goes big" on housing in 2023

May 08, 2023



*Gov. Jay Inslee signs legislation to help overcome racist real estate covenants that pervaded until the 1960s and caused intergenerational harm.*

From Vancouver to Bellingham and Pullman to La Push, the cost of housing has soared. In the last decade, one million new residents arrived while only one-quarter as many homes went up. When demand exceeds supply, prices rise. Rise they have.

Rents are up. Prices are up. Accordingly, homelessness is up. And too many families are just a paycheck away from trouble.

To begin the 2023 legislative session, Gov. Jay Inslee encouraged the Legislature to “go big” to meet the scale of the housing crisis. On Monday, the governor and lawmakers gathered to sign a slate of housing-related bills to clear obstacles to housing construction and right historic wrongs related to housing discrimination.

At a later date, the governor will sign a budget that allocates more than \$1 billion over the next biennium to address homelessness and affordable housing.

[Read the rest of the story on Gov. Inslee's Medium page.](#)



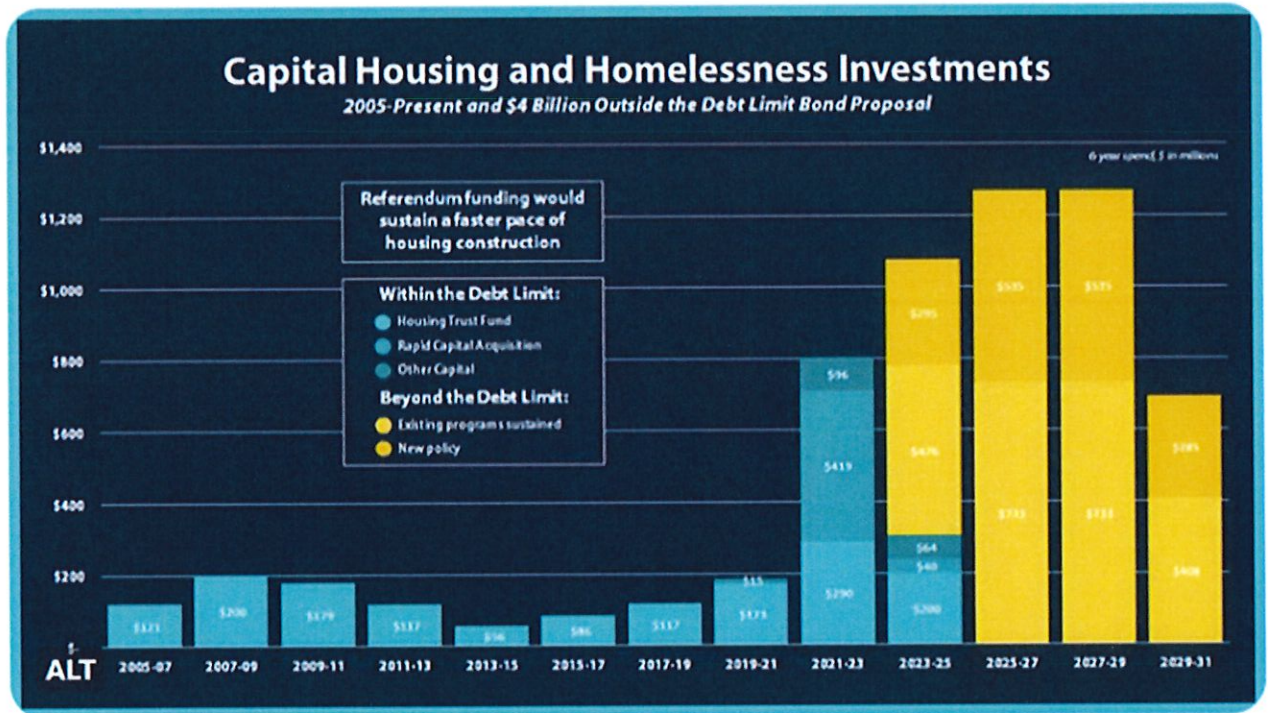
← Post



Governor Jay Inslee @GovInslee



In the past two years we were able to make historic investments to scale up and speed up construction of housing and shelters. The problem is growing, not shrinking, so our response must match the moment. (2/3)



5:26 PM · Mar 20, 2023 · 12.7K Views



# Exhibit 4



# Housing

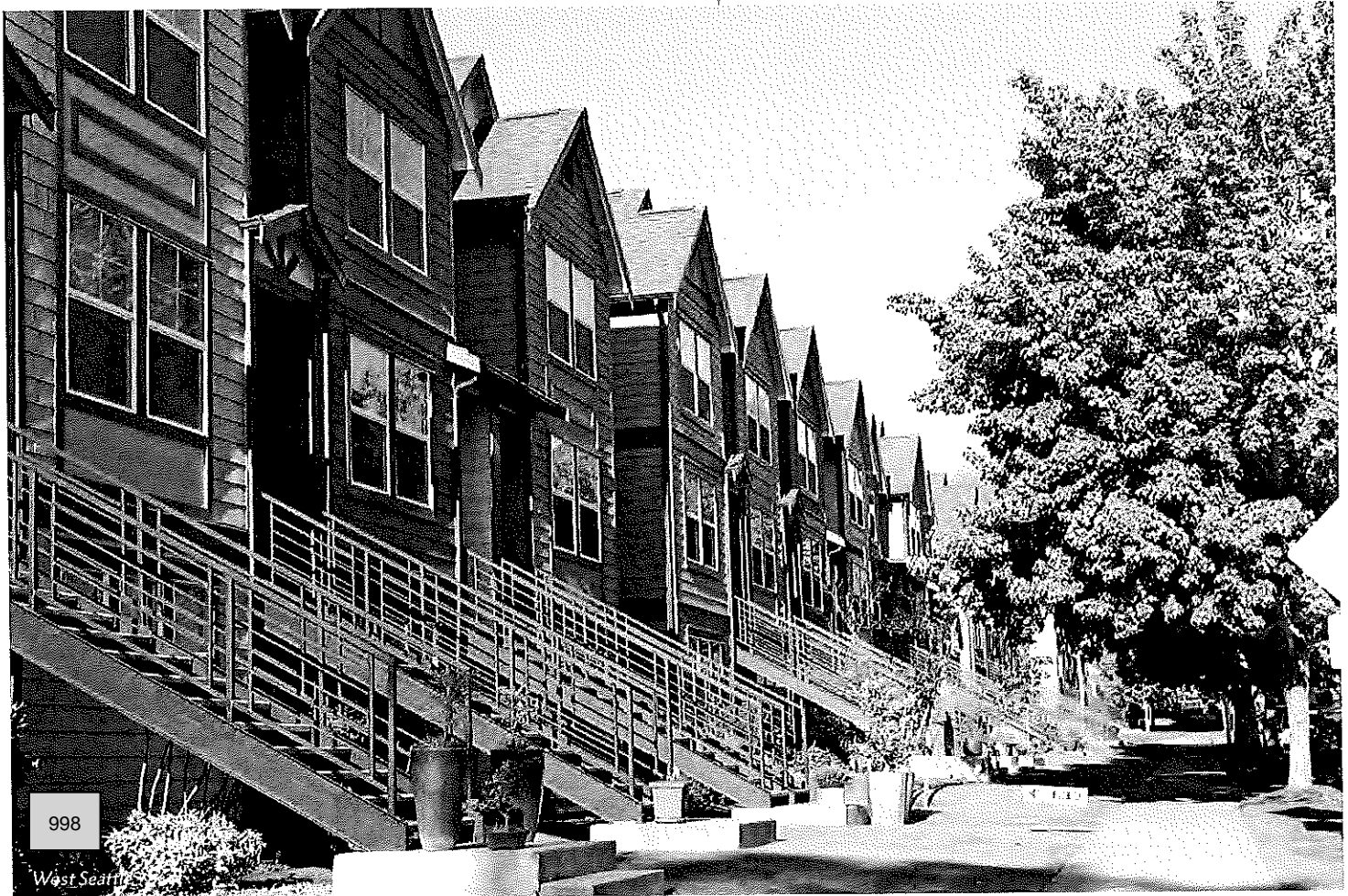
*GOAL: The region preserves, improves, and expands its housing stock to provide a range of affordable, accessible, healthy, and safe housing choices to every resident. The region continues to promote fair and equal access to housing for all people.*

Housing is a basic need for every individual. Yet, residents in many communities in the region are facing an unprecedented challenge in finding and keeping a home that they can afford. The central Puget Sound region is expected to grow by an additional 1.8 million residents and 830,000 households by the year 2050. Simply put, the region needs more housing of varied types in all communities. Meeting the housing needs of all households at a range of income levels is integral to promoting health and well-being and creating a region that is livable for all residents, economically prosperous, and environmentally sustainable.

Housing affordability continues to be a major challenge for the region. The housing market has experienced great highs and lows that have benefitted some and created and exacerbated hardship and inequalities for others. Following the precipitous drop in housing prices and foreclosures of the recession, the region's economic upswing and strong job growth in the 2010s have fueled dramatic increases in rents and home prices. Despite job losses due to the COVID-19 pandemic and the resulting financial

impact on many households, home prices have continued to increase in the region. Some may have been able to take advantage of historically low mortgage interest rates or lower rents, while others are in a challenging position due to loss of income and face the potential of eviction or foreclosure. A potentially imbalanced recovery may further the threat of displacement of low-income households and people of color. As a result, housing costs are a greater burden for many households today than a decade ago, leaving less for other basic needs and amenities. Renters, and renters of color in particular, face a considerable shortage of affordable housing opportunities. And these households are often the most at risk of losing their housing and experiencing homelessness.

A primary goal of the Growth Management Act is to make housing affordable to "all economic segments of the population, providing a variety of residential densities and housing types and encouraging preservation of existing housing stock. Local governments are required to plan for housing that meets the varied needs of their diverse communities and residents and to ensure



they are providing sufficient residential zoned land capacity for housing to accommodate 20-year growth targets.

VISION 2050's housing policies respond to the urgency of changing demographics and the need to increase and diversify the region's housing supply. They identify coordinated strategies, policies, and actions to ensure that the region's housing needs are met.

## A Regional Challenge

The complexity of addressing the full range of housing needs and challenges requires a coordinated regional-local approach. A coordinated, regionwide effort to build and preserve housing accessible to all residents is not just about housing. It is also about building healthy, complete, and welcoming communities where all families and people, regardless of income, race, family size or need, are able to live near good schools, transit, employment opportunities, and open space.

Through the Regional Growth Strategy, the region has articulated a preferred pattern of urbanization that will help direct new housing development to the urban growth area and designated growth centers while preserving industrial lands. Focusing housing in urban areas, specifically centers and station areas, supports and leverages the region's ongoing prioritization of infrastructure investment in central urban places. To assist counties and cities, PSRC serves as a forum for setting regional priorities and facilitating coordination among its member jurisdictions and housing interest groups.

Through data, guidance, and technical assistance, PSRC encourages jurisdictions to adopt best housing practices and establish coordinated local housing and affordable housing targets. PSRC supports jurisdictions in their development of effective local housing elements, strategies, and implementation plans. Housing data and information tracking the success of various housing efforts are monitored and reported regionally at PSRC.

## The Need for Local Action

Local governments play a critical role in housing, including its production and preservation. Local governments possess regulatory control over land use and development. They are key players, both individually and in cooperation with other housing interests, in stimulating various types of development activity through zoning, incentives, and funding, streamlined development review and permitting processes.

### Local Housing Responsibilities Under the Growth Management Act

Local housing elements should ensure the vitality and character of established residential neighborhoods and include the following components:

1. an inventory and analysis of existing and projected housing needs,
2. goals, policies, objectives, and mandatory provisions for the preservation, improvement, and development of housing,
3. identification of sufficient land for a range of housing types to match community needs, and
4. adequate provisions for the needs of all economic segments of the community. (RCW 36.70A.070)

There are numerous tools and strategies available to local governments to encourage housing diversity and promote affordable housing. Many of these tools can be applied in a manner that is tailored to and respectful of local market conditions, community characteristics, and the vision for growth embodied in local comprehensive plans. Since VISION 2040 was adopted in 2008, housing planning and implementation has advanced through the ongoing work of state, regional, and local agencies and organizations. These efforts have yielded new resources, promoted best practices, established community-based housing strategies, and coordinated efforts across multiple jurisdictions.





## Housing Choices to Reflect Changing Demographics

The characteristics of the region’s households have been changing over time and will continue to do so. The size of the average household has been decreasing. Fewer people are living in family households with two parents and children. More households are comprised of singles, couples without children, or single-parent families. Many households have two or more workers. The region’s population is becoming far more racially and ethnically diverse. As the population ages and new generations enter the housing market, there will be demands and preferences for new and different types of housing. While the region has a changing population with a wide range of housing needs, the vast majority of owner-occupied homes are larger single-family homes. Moderate density housing, ranging from duplexes to townhomes to garden apartments, bridge a gap between single-family housing and more intense multifamily and commercial areas and provide opportunities for housing types that are inclusive to people of different ages, life stages, and income ranges. Regional and local tools can help to promote and incentivize the development and preservation of more moderate density housing to give people greater housing choices, and produce urban densities that support walkable communities, local retail and commercial services, and efficient public transit.

### Affordability

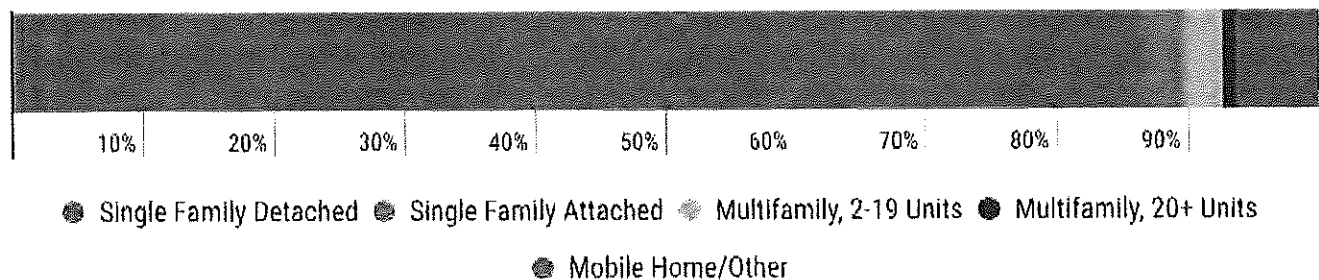
The region continues to experience an affordability crisis. Rising housing costs can be particularly devastating for low-income renters, particularly renters of color, many who

pay more than 50% of their income on housing. Many middle- and lower-income households struggle to find housing that fits their income in an increasingly competitive and expensive housing market due, in part, to zoning practices that have prevented the development of more affordable, smaller homes, and apartments. Home ownership may seem like less of a reality for potential first-time buyers as home prices continue to climb. This is especially true for people of color, who have been historically excluded from homeownership opportunities.

The central Puget Sound region’s housing landscape reflects more than market forces and conditions. It is also the product of decades of public policies and private practices that, throughout the 20th century, often excluded lower income households and immigrant communities, and prevented people of color from accessing housing and living in certain areas. Past and current housing practices have perpetuated substantial inequities in wealth, ownership, and opportunity, and they continue to create barriers to rectifying these conditions. Regional housing work is approached with an awareness of this legacy and of the comprehensive work needed to redress it.

Low- to middle-wage workers – such as teachers, health care professionals, retail workers, administrative personnel, police officers, and firefighters – who are essential to the economic and social vitality of a community, often cannot afford to live in the places where they work. As affordable housing options become scarce, households are forced to move farther from their jobs and communities, resulting in increased traffic congestion and transportation costs and fragmentation of communities. This spatial mismatch also leads to an inability of certain segments of the labor market to fill positions.

Figure 27 – Ownership Housing Stock by Housing Type, Central Puget Sound Region



Source: 2017 American Community Survey

1000



### Common Housing Terms

**Affordable Housing** is commonly defined in terms of housing costs as a percentage of household income. Housing is considered unaffordable when a household’s monthly housing costs exceed a certain threshold – most commonly 30% of gross income – thereby reducing the budget available for basic necessities.

**Housing Affordability** refers to the balance (or imbalance) between incomes and housing costs within a community or region. A common measurement compares the number of households in certain income categories to the number of units in the market that are affordable at 30% of gross income.

Providing housing affordable to households earning different incomes requires different approaches. To craft effective strategies, it is imperative to understand the types and cost of housing needed in a community relative to the supply of housing available to households at each income level. Over one-third of households in the region earn less than 80% area median income (AMI). Ideally, the supply of housing affordable to moderate and low-income households should mirror the number of households at those income levels. The current distribution of households in the region is:

- 15% of households earn 50-80% AMI (Moderate Income)
- 9% of households earn 30-50% AMI (Low Income)
- 11% of households earn less than 30% AMI (Very Low Income)

Providing affordable units for very low-income residents and providing housing options for residents experiencing homelessness cannot be fully addressed by the private market alone. Public intervention is necessary to ensure housing units

| Figure 28 – Lower Housing Costs Require Greater Public Intervention |                                       |  |   |   |
|---|---------------------------------------|--|---|---|
| 0–30% AMI Rental:   | 30–50% AMI Rental:                    | 50–80% AMI Rental:   | 80–125% AMI Rental or Home Ownership:                   | Above 125% AMI Market Rent and Home Ownership |
| public support needed in all markets                                | public support needed in most markets | incentives needed in many markets<br><br>Home Ownership:<br><br>subsidy or incentives needed in many markets | incentives or zoning flexibility needed in some markets |   |

### Anticipated Households in the Region in 2050

|                |               |                |                |                  |
|----------------|---------------|----------------|----------------|------------------|
| 274,000<br>11% | 222,000<br>9% | 355,000<br>15% | 558,000<br>23% | 1,012,000<br>42% |
|----------------|---------------|----------------|----------------|------------------|

AMI: Area Median Income. Source: 2016 ACS 1-Year PUMS



are affordable to households at the lowest income levels now and in the future.

While the current housing production rate in 2017 meets the average annual need in the region, the market has yet to make up for the slow growth in the years directly following the recession resulting in a supply and demand imbalance. Increasing the supply of housing throughout the region and providing a variety of housing types and densities for both renters and owners will help the region meet its housing goals. Special emphasis is placed on providing affordable housing for low-, moderate-, and middle-income households across the region, with a focus on promoting housing opportunities near transit, and appropriate housing for special needs populations. VISION 2050 also encourages more homeownership opportunities for low-income, moderate-income, and middle-income households and acknowledges historic and current inequities in access to homeownership opportunities for people of color and how this

long history of exclusion and discrimination has prevented communities of color from accessing housing, ownership, and opportunity.

## Focusing Housing Near Transit Options

Within the central Puget Sound region, jurisdictions are planning for housing and job growth in places designated for higher densities, a mix of land uses, and transportation choices. Communities across the region are realizing these aims by encouraging infill, redevelopment, and more compact development, especially in designated regional growth centers and around transit stations. However, rents and home prices are rising quickly, making it often challenging to find affordable housing close to jobs.

The region's continuing expansion of high-capacity transit provides one of the best opportunities to expand accessible housing options to a wider range of incomes. Promoting or





requiring affordable housing in walking distance – about ¼ to ½ mile—from high-capacity transit stations and in regional growth centers can help to ensure all residents have opportunities to live in accessible and connected communities. Such housing will be particularly valuable to low-income households, who are the most dependent on transit and are at risk for displacement as housing costs rise.

## Displacement and Community Stability

Displacement occurs when housing or neighborhood conditions force residents to move. Displacement can be physical, when building conditions deteriorate or are taken off the market for renovation or demolition, or economic, as costs rise. Many communities in the central Puget Sound region, like the Central District in Seattle and the Hilltop neighborhood in Tacoma, have documented displacement. Once physical and economic displacement occur, the social and cultural composition of the neighborhood will be disrupted, thus affecting the cohesion and stability of a community and the well-being of local residents and businesses.

Several key factors can drive displacement: proximity to rail stations, proximity to job centers, historic housing stock, and location in a strong real estate market. Displacement is a regional concern as it is inherently linked to shifts in the regional housing and job market. Many of these factors put communities of color and neighborhoods with high concentrations of renters at a higher risk of displacement.

Regional growth centers and communities near transit are home to more people of color and higher concentrations of poverty than the region as a whole. As these central places connected by transit continue to grow and develop, residents and businesses who contribute to these communities should have the option to remain and thrive and take advantage of new amenities and services.

## Jobs-Housing Balance

Jobs-housing balance is a planning concept which advocates that housing and employment be close together, with an emphasis on matching housing options with nearby jobs, to reduce the length of commute travel and number of vehicle trips. A lack of housing, especially affordable housing close to job centers, will continue to push demand for affordable homes to more distant areas, increasing commute times and the percentage of household income spent on transportation costs. Housing policies encourage adding housing opportunities to job-rich places. It is imperative that there are a variety of housing choices available to a variety of incomes in proximity to job centers to provide opportunities for residents to live close to where they work regardless of their income. Policies in the Economy chapter promote economic development to bring jobs to all four counties. Policies are also located in the Regional Growth Strategy chapter related to balancing jobs and housing growth.



## Housing POLICIES

### MPP-H-1

Plan for housing supply, forms, and densities to meet the region's current and projected needs consistent with the Regional Growth Strategy and to make significant progress towards jobs/housing balance.

### MPP-H-2

Provide a range of housing types and choices to meet the housing needs of all income levels and demographic groups within the region.

### MPP-H-3

Achieve and sustain – through preservation, rehabilitation, and new development – a sufficient supply of housing to meet the needs of low-income, moderate-income, middle-income, and special needs individuals and households that is equitably and rationally distributed throughout the region.

### MPP-H-4

Address the need for housing affordable to low- and very low-income households, recognizing that these critical needs will require significant public intervention through funding, collaboration, and jurisdictional action.

### MPP-H-5

Promote homeownership opportunities for low-income, moderate-income, and middle-income families and individuals while recognizing historic inequities in access to homeownership opportunities for communities of color.

### MPP-H-6

Develop and provide a range of housing choices for workers at all income levels throughout the region that is accessible to job centers and attainable to workers at anticipated wages.

### MPP-H-7

Expand the supply and range of housing at densities to maximize the benefits of transit investments, including affordable units, in growth centers and station areas throughout the region.

### MPP-H-8

Promote the development and preservation of long-term affordable housing options in walking distance to transit by implementing zoning, regulations, and incentives.

### MPP-H-9

Expand housing capacity for moderate density housing to bridge the gap between single-family and more intensive multifamily development and provide opportunities for more affordable ownership and rental housing that allows more people to live in neighborhoods across the region.

### MPP-H-10

Encourage jurisdictions to review and streamline development standards and regulations to advance their public benefit, provide flexibility, and minimize additional costs to housing.

### MPP-H-11

Encourage interjurisdictional cooperative efforts and public-private partnerships to advance the provision of affordable and special needs housing.

### MPP-H-12

Identify potential physical, economic, and cultural displacement of low-income households and marginalized populations that may result from planning, public investments, private redevelopment, and market pressure. Use a range of strategies to mitigate displacement impacts to the extent feasible.



## Housing ACTIONS

### REGIONAL ACTIONS

#### H-Action-1

Regional Housing Strategy: PSRC, together with its member jurisdictions, state agencies, housing interest groups, housing professionals, advocacy and community groups, and other stakeholders will develop a comprehensive regional housing strategy to support the 2024 local comprehensive plan update. The housing strategy will provide the framework for regional housing assistance (see H-Action-2, below) and shall include the following components:

- In the near term, a regional housing needs assessment to identify current and future housing needs to support the regional vision and to make significant progress towards jobs/housing balance and quantify the need for affordable housing that will eliminate cost burden and racial disproportionality in cost burden for all economic segments of the population, including those earning at or below 80 percent of Area Median Income throughout the region. This will provide necessary structure and focus to regional affordable housing discussions
- Strategies and best practices to promote and accelerate: housing supply, the preservation and expansion of market rate and subsidized affordable housing, housing in centers and in proximity to transit, jobs-housing balance, and the development of moderate-density housing options
- Coordination with other regional and local housing efforts

#### H-Action-2

Regional Housing Assistance: PSRC, in coordination with subregional, county, and local housing efforts, will assist implementation of regional housing policy and local jurisdiction and agency work. Assistance shall include the following components:

- Guidance for developing local housing targets (including affordable housing targets), model housing policies, and best housing practices
- Technical assistance, including new and strengthened tools, to support local jurisdictions in developing effective housing strategies, action plans, and programs
- Collection and analysis of regional housing data, including types and uses of housing and effectiveness of zoning, regulations, and incentives to achieve desired outcomes

- Technical assistance in support of effective local actions to address displacement, including data on displacement risk and a toolbox of local policies and actions

#### H-Action-3

State Support and Coordination: PSRC will monitor and support as appropriate members' efforts to seek new funding and legislative support for housing; and will coordinate with state agencies to implement regional housing policy.

### LOCAL ACTIONS

#### H-Action-4

Local Housing Needs: Counties and cities will conduct a housing needs analysis and evaluate the effectiveness of local housing policies and strategies to achieve housing targets and affordability goals to support updates to local comprehensive plans. Analysis of housing opportunities with access to jobs and transportation options will aid review of total household costs.

#### H-Action-5

Affordable Housing Incentives: As counties and cities plan for and create additional housing capacity consistent with the Regional Growth Strategy, evaluate and adopt techniques such as inclusionary or incentive zoning to provide affordability.

#### H-Action-6

Displacement: Metropolitan Cities, Core Cities, and High Capacity Transit Communities will develop and implement strategies to address displacement in conjunction with the populations identified of being at risk of displacement including residents and neighborhood-based small business owners.

#### H-Action-7

Housing Choice: Counties and cities will update regulations and strategies to reduce barriers to the development and preservation of moderate density housing to address the need for housing between single-family and more intensive multifamily development, consistent with the Regional Growth Strategy.

#### H-Action-8

Housing Production: Counties and cities will review and amend, where appropriate and consistent with the Regional Growth Strategy, development standards and regulations to reduce barriers to the development of housing by providing flexibility and minimizing additional costs.



# COMMUNITY PLANNING & DEVELOPMENT

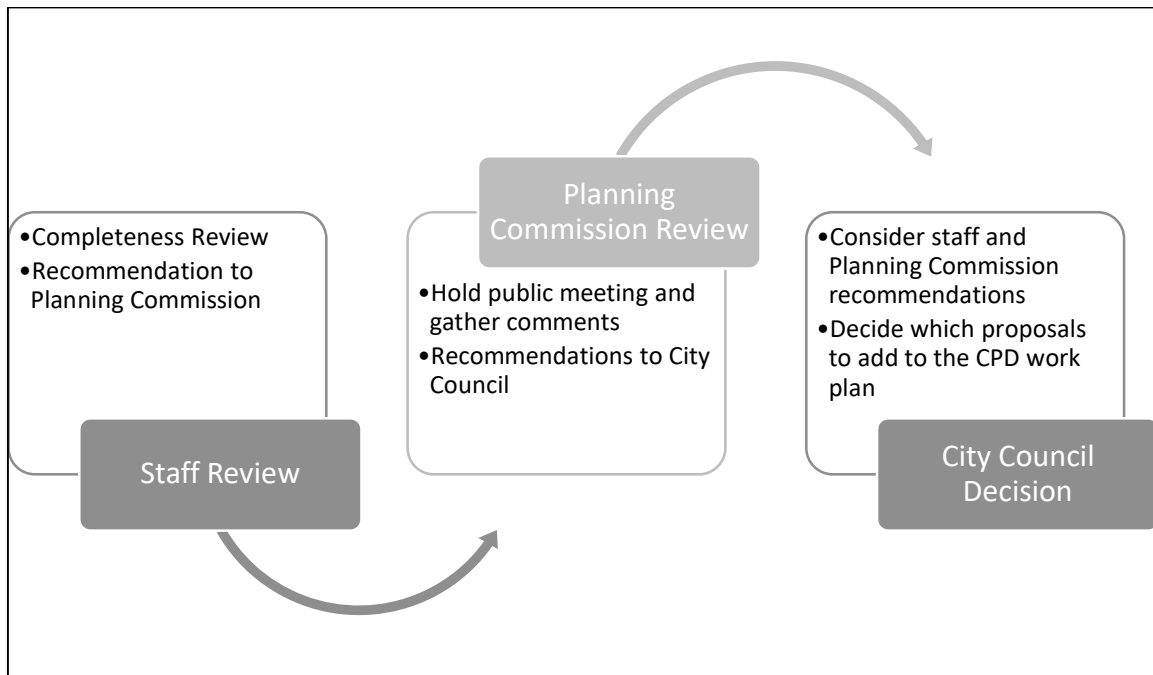
9611 SE 36TH STREET | MERCER ISLAND, WA 98040  
PHONE: 206.275.7605 | [www.mercerisland.gov/cpd](http://www.mercerisland.gov/cpd)



## 2024 DOCKET REQUEST FORM

### APPLICATION REVIEW PROCESS

Docket requests are the first step in the process of amending the City’s Comprehensive Plan or development regulations. The Mercer Island City Code (MICC) describes the process for these amendments in MICC 19.15.230-.260. The illustration below summarizes the annual docket process.



Staff review all docket requests for timeliness and completeness and will use the information provided in the application form to present a request to the Mercer Island Planning Commission and City Council. The Planning Commission will review the docket requests and make a recommendation to the City Council regarding which docket items to add to the final docket.

The City Council has decision-making authority over all annual docket proposals. The City Council determines whether to add a proposal to the final docket. Items added to the final docket will be incorporated in the Community Planning and Development work plan for the upcoming year. Docket requests are evaluated based on alignment with the current City work plan, current policies, programmatic priorities, staff capacity, and budget to complete the legislative process for the request in the following year. The City Council will approve the final docket by December 31 each year. Items placed on the final docket will be scheduled for legislative review by the Planning Commission and City Council in the following year.

# DOCKET REQUEST FORM

The following information is required. Failure to complete this form may result in the application being incomplete. Incomplete applications will not be considered during the annual docket process.

## APPLICANT INFORMATION

Name: Regan McClellan AIA  
Address: 3309 Wallingford Ave N  
Phone: 206-728-0480  
Email: regan@mccarch.com

## AGENT/CONSULTANT/ATTORNEY

Complete this section if the primary contact is different from the applicant.

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Email: \_\_\_\_\_

## REQUEST INFORMATION

**Important:** A separate Docket Request Form must be completed for each docket item requested.

Is this request related to a specific property or zone? Yes  No

If yes, please complete the following information:

Property Owner Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
County Assessor's Parcel No.: \_\_\_\_\_  
Parcel Size (sq. ft.): \_\_\_\_\_

If the application is submitted by an agent/consultant/attorney, please attach a signed letter of consent from all owners of the affected property demonstrating that that the application is submitted with consent. Is this request for a Comprehensive Plan amendment or a development code amendment?

Comprehensive Plan Amendment  Development code Amendment

Is this submission a **suggestion** for a Comprehensive Plan or Development Code amendment, or is this an **application** for a specific amendment? (Check one box below.)

**Note:** Applications are subject to applicable permit fees.

Suggestion  Application

**DOCKET REQUEST NARRATIVE – REQUIRED FOR ALL APPLICATIONS**

Please attach a separate narrative responding to all five (5) questions outlined below. Attach additional sheets, supporting maps, or graphics as necessary. Answer each question separately and reference the question number in your answer.

**The application will be considered incomplete without a narrative answering all five questions.**

1. Please provide a detailed description of the proposed amendment and a clear statement of what the proposed amendment is intended to accomplish.
  - a. Indicate the specific Comprehensive Plan Elements, maps, goals or policies or the specific sections of the development code you propose to amend.
  - b. If the proposal would amend existing Comprehensive Plan or development code text, please provide the proposal in underline/strikeout format with text to be added indicated by underlining and text to be deleted indicated with ~~strikeouts~~.
  - c. If a map amendment is proposed, please provide a map that clearly outlines the areas proposed to be changed.
2. How does the proposal benefit the community or the environment?
3. Explain how the request relates to the applicable decision criteria (MICC 19.15.250(D) for code amendments, and MICC 19.15.230(F) for Comprehensive Plan amendments, see below).
4. For Comprehensive plan amendments: Is the proposal consistent the Growth Management Act and King County Countywide Planning Policies?
5. For development code amendments: How does the proposal align with the goals of the City's Comprehensive Plan?

Please sign and date below acknowledging application requirements.

Signature: Regan McClellan Digitally signed by Regan McClellan  
DN: CN=Regan McClellan, E=regan@mccarch.com  
Reason: I am approving this document  
Location: seattle  
Date: 2023.09.25 14:03:37-07'00'  
Foxit PDF Editor Version: 12.1.3 Date: 9/25/2023

THIS AREA LEFT INTENTIONALLY BLANK

Please attach a separate narrative responding to the above questions.

## DOCKETING CRITERIA

*MICC 19.15.230(E) Docketing criteria.* The following criteria shall be used to determine whether a proposed amendment is added to the final docket in subsection D of this section:

1. The request has been filed in a timely manner, and either:
  - a. State law requires, or a decision of a court or administrative agency has directed, such a change; or
  - b. All of the following criteria are met:
    - i. The proposed amendment presents a matter appropriately addressed through the comprehensive plan or the code;
    - ii. The city can provide the resources, including staff and budget, necessary to review the proposal, or resources can be provided by an applicant for an amendment;
    - iii. The proposal does not raise policy or land use issues that are more appropriately addressed by an ongoing work program item approved by the city council;
    - iv. The proposal will serve the public interest by implementing specifically identified goals of the comprehensive plan or a new approach supporting the city's vision; and
    - v. The essential elements of the proposal and proposed outcome have not been considered by the city council in the last three years. This time limit may be waived by the city council if the proponent establishes that there exists a change in circumstances that justifies the need for the amendment.

## COMPREHENSIVE PLAN DECISION CRITERIA

*MICC 19.15.230(F) Decision criteria.* Decisions to amend the comprehensive plan shall be based on the criteria specified below. An applicant for a comprehensive plan amendment proposal shall have the burden of demonstrating that the proposed amendment complies with the applicable regulations and decision criteria.

1. The amendment is consistent with the Growth Management Act, the countywide planning policies, and the other provisions of the comprehensive plan and city policies; and:
  - a. There exists obvious technical error in the information contained in the comprehensive plan; or
  - b. The amendment addresses changing circumstances of the city as a whole.
2. If the amendment is directed at a specific property, the following additional findings shall be determined:
  - a. The amendment is compatible with the adjacent land use and development pattern;
  - b. The property is suitable for development in conformance with the standards under the potential zoning; and
  - c. The amendment will benefit the community as a whole and will not adversely affect community facilities or the public health, safety, and general welfare.

## DEVELOPMENT CODE AMENDMENT DECISION CRITERIA

*MICC 19.15.250(D) Criteria.* The city may approve or approve with modifications a proposal to amend this Code only if:

1. The amendment is consistent with the comprehensive plan; and
2. The amendment bears a substantial relation to the public health, safety, or welfare; and
3. The amendment is in the best interest of the community as a whole.



**Docket Request Narrative**

1. The proposed amendment is to clarify the residential height limit standard for homes on sloped lots by clarifying the definition of the term “Façade” consistent with historical practice. The term *Façade* should acknowledge, consistent with historical practice, that a building face can be articulated/divided into multiple *façades* and those *façades* each have their own relationship to grade. The relevant Code sections with the proposed amendment are as follows:

**MICC 19.16.010 - Definitions**

*Façade*: Any exterior wall of a structure, including projections from and attachments to the wall. Projections and attachments include balconies, decks, porches, chimneys, unenclosed corridors and similar projections.

**MICC 19.02.020.E Building Height Limit**

- 1. *Maximum building height*. No building shall exceed 30 feet in height above the **average building elevation to the highest point of the roof**. (emphasis added)
- 2. *Maximum building height on downhill building façade*. The maximum building *façade* height on the downhill side of a sloping lot shall not exceed 30 feet in height. The building *façade* height shall be measured from the existing grade or finished grade, whichever is lower, at the furthest downhill extent of the proposed building, to the top of the exterior wall facade supporting the roof framing, rafters, trusses, etc. A building face can be articulated/divided into multiple *façades*. Those *façades* each have their own relationship to grade, and shall be treated as separate walls for determining maximum building *façade* height on the downhill side of a sloping lot.

....

4. The formula for calculating average building elevation is as follows:  
Formula: Average Building Elevation = (Weighted Sum of the Mid-point Elevations) ÷ (Total Length of Wall Segments)

Where: Weighted Sum of the Mid-point Elevations = The sum of:  
((Mid-point Elevation of Each Individual Wall Segment) × (Length of Each Individual Wall Segment))

For example for a house with ten wall segments:

$$(A \times a) + (B \times b) + (C \times c) + (D \times d) + (E \times e) + (F \times f) + (G \times g) + (H \times h) + (I \times i) + (J \times j)$$

$$a + b + c + d + e + f + g + h + i + j$$

Where: A, B, C, D... = The existing or finished ground elevation, whichever is lower, at midpoint of wall segment.

And: a, b, c, d... = The length of wall segment measured on outside of wall.

2. The “Downhill Building Façade” standard was adopted in 2017. Ord. 17C-15 § 1 (Att. A). Since 2017, the standard has been interpreted to allow a significant break in the plane of the façade to create two or more façades. This allowed the architect to reduce the apparent scale and size of the downhill façade and comply with the code. This is interpretation in March of 2021 by Lauren Anderson, Planner:

***The code states that it is the furthest downhill wall façade that is limited to a maximum of 30 feet. Thank you for providing the helpful diagram attached. From looking at your diagram, the furthest downhill wall façade would be the basement only since the main and upper level are setback and are structurally separate walls. However, if the main and upper floor weren’t setback and were structurally one wall, then the maximum downhill height would be measured to the upper floor.***

Appendix A: Mercer Island Planner Email; email and diagram that was referenced above.

The historical interpretation is consistent with the definition of façade in Section 19.16.010, above. That definition refers to “**Any** exterior wall of a structure,” thus recognizing the ability to allow a break in the plane to create two or more façades.

Significantly, the historical interpretation allows the ABE height limit in subsection E.4 to coexist with E.2. If the façade is interpreted as the aggregate of all the faces of the downhill slope side, then it obviates the ABE height limit. There is no condition in which the downhill slope definition would not determine height limit. The obvious intent of the ABE is to allow for the variations of grade that can be found on most building lots on Mercer Island.

This proposal benefits the community of property owners on Mercer Island in allowing reasonable development of sloped lots. The vast majority of high value properties on Mercer Island are located on a considerable slope, i.e. and property waterward of North, West, or East Mercer Way. This proposed amendment would ensure, consistent with historical practice, that a 3-story home is allowed on sloped lots. The current interpretation makes it extremely difficult to provide a 3-story home with reasonable ceiling heights. This is a hardship not borne by a property owner on a mostly flat lot.

Unfortunately, the Interim DPD Director recently reversed the established interpretation and eliminated the concept that the facade can be articulated to reduce the apparent size. As explained above, if the façade includes the aggregate of all the faces of the downhill slope, reasonable development of sloped lots becomes much more difficult. This is coming at a time when we are being more than encouraged to create more housing to help meet a nationwide housing shortage and help mitigate the meteoric rise in housing costs. As noted above, not

maintaining the historical interpretation obviates the ABE height limit. This would render the ABE provisions meaningless, which is not proper.

3. This request is appropriate to the Docket Process as a Code Amendment.
4. The request meets the criteria of MICC 19.15.250(D):
  - a) Presents a matter appropriately addressed through the code.
  - b) The scope of the request can be easily provided by the city.
  - c) This does not raise land issues more appropriately addressed by any ongoing item by the city council.
  - d) This will serve the public's interest, i.e. and landowner interested in developing their residential property and ensuring that sloped lots that are otherwise developable can in fact be reasonably developed.
  - e) This has not been considered by the city council
4. This proposal does not seek to amend the Comprehensive Plan.
5. The proposal aligns with the goals of the City's Comprehensive Plan in providing reasonable development of residential property while maintaining aesthetic goals.



---

## Fwd: 4045 W Mercer Way - Max Building Height

---

Joey Pasquinelli <joey@mccarch.com>  
To: Chris Tellone <chris@mccarch.com>

Wed, Feb 22, 2023 at 10:27 AM

See below

Joey Pasquinelli, RA  
[joey@mccarch.com](mailto:joey@mccarch.com)  
McClellan Architects  
3309 Wallingford Avenue North  
Seattle WA, 98103

Ph: 206-728-0480  
[www.mccarch.com](http://www.mccarch.com)

----- Forwarded message -----

From: **Lauren Anderson** <[Lauren.Anderson@mercergov.org](mailto:Lauren.Anderson@mercergov.org)>  
Date: Wed, Mar 24, 2021 at 1:24 PM  
Subject: RE: 4045 W Mercer Way - Max Building Height  
To: Joey Pasquinelli <[joey@mccarch.com](mailto:joey@mccarch.com)>  
Cc: Regan McClellan <[regan@mccarch.com](mailto:regan@mccarch.com)>, LandUse Planning <[landuse.planning@mercergov.org](mailto:landuse.planning@mercergov.org)>

Joey,

The code states that it is the furthest downhill wall façade that is limited to a maximum of 30 feet. Thank you for providing the helpful diagram attached. From looking at your diagram, the furthest downhill wall façade would be the basement only since the main and upper level are setback and are structurally separate walls. However, if the main and upper floor weren't setback and were structurally one wall, then the maximum downhill height would be measured to the upper floor.

Sincerely,

**Lauren Anderson**

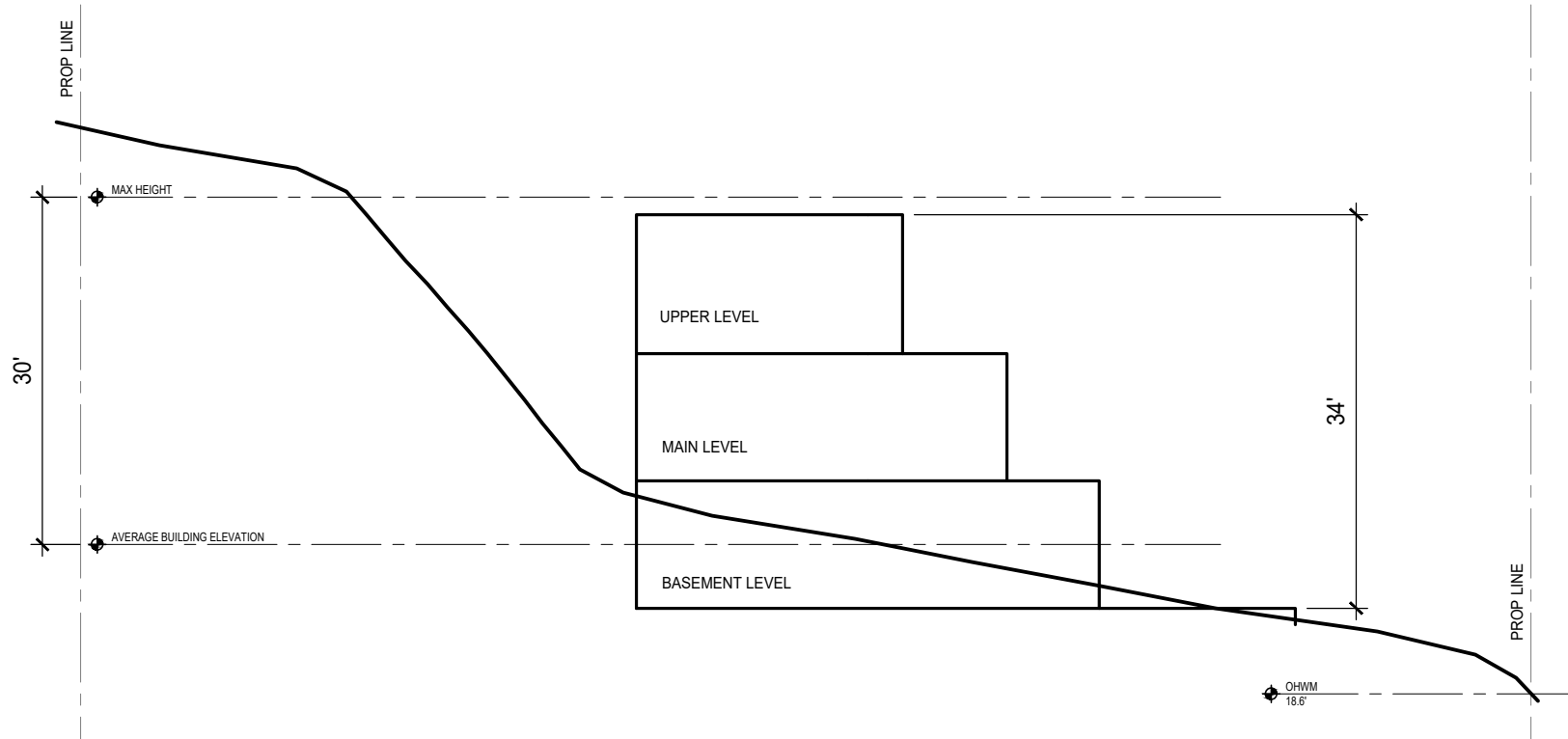
Planner

City of Mercer Island- Community Planning & Development  
206.275.7704 | [mercerisland.gov/cpd](http://mercerisland.gov/cpd)

*Due to the COVID-19 outbreak, Community Planning and Development has modified our operations. City Hall and the Permit Center are closed to the public. There is no "walk in" permit service; staff are working remotely and services are being continued via remote operations. More information is available on the City's website: [mercerisland.gov/cpd](http://mercerisland.gov/cpd). Please contact us by phone for general customer support at 206-275-7626.*

*Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW).*

[Quoted text hidden]



## COMMUNITY PLANNING & DEVELOPMENT

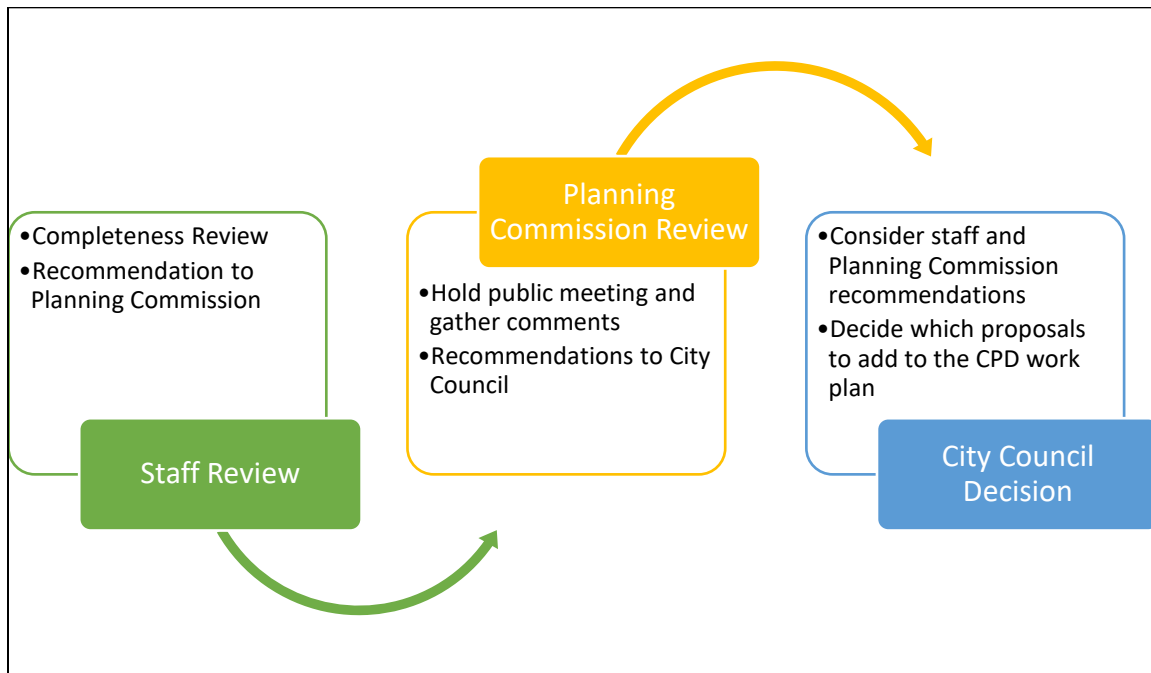
9611 SE 36TH STREET | MERCER ISLAND, WA 98040  
PHONE: 206.275.7605 | [www.mercerisland.gov/cpd](http://www.mercerisland.gov/cpd)



## 2024 DOCKET REQUEST FORM

### APPLICATION REVIEW PROCESS

Docket requests are the first step in the process of amending the City's Comprehensive Plan or development regulations. The Mercer Island City Code (MICC) describes the process for these amendments in MICC [19.15.230-.260](#). The illustration below summarizes the annual docket process.



Staff review all docket requests for timeliness and completeness and will use the information provided in the application form to present a request to the Mercer Island Planning Commission and City Council. The Planning Commission will review the docket requests and make a recommendation to the City Council regarding which docket items to add to the final docket.

The City Council has decision-making authority over all annual docket proposals. The City Council determines whether to add a proposal to the final docket. Items added to the final docket will be incorporated in the Community Planning and Development work plan for the upcoming year. Docket requests are evaluated based on alignment with the current City work plan, current policies, programmatic priorities, staff capacity, and budget to complete the legislative process for the request in the following year. The City Council will approve the final docket by December 31 each year. Items placed on the final docket will be scheduled for legislative review by the Planning Commission and City Council in the following year.

## DOCKET REQUEST FORM

The following information is required. Failure to complete this form may result in the application being incomplete. Incomplete applications will not be considered during the annual docket process.

### APPLICANT INFORMATION

Name: Mercer Island Country Club

Address: 8700 S.E. 71st Street, Mercer Island, WA 98040

Phone: (206)232-5600

Email: dpnordale@gmail.com

### AGENT/CONSULTANT/ATTORNEY

Complete this section if the primary contact is different from the applicant.

Name: Abigail Pearl DeWeese and Rachel Mazur (Hillis, Clark, Martin & Peterson P.S.)

Address: 999 3rd Avenue, Suite 4600, Seattle, WA 98104

Phone: (206)470-7651

Email: abigail.deweese@hcmp.com; rachel.mazur@hcmp.com

### REQUEST INFORMATION

**Important:** A separate Docket Request Form must be completed for each docket item requested.

Is this request related to a specific property or zone? Yes  No

If yes, please complete the following information:

Property Owner Name: Mercer Island Country Club

Address: 8700 SE 71st Street, Mercer Island, WA 98040

County Assessor's Parcel No.: 545110-0575

Parcel Size (sq. ft.): 242,480 sq. ft.

If the application is submitted by an agent/consultant/attorney, please attach a signed letter of consent from all owners of the affected property demonstrating that that the application is submitted with consent. Is this request for a Comprehensive Plan amendment or a development code amendment?

Comprehensive Plan Amendment  Development code Amendment

Is this submission a **suggestion** for a Comprehensive Plan or Development Code amendment, or is this an **application** for a specific amendment? (Check one box below.)

**Note:** Applications are subject to [applicable permit fees](#).

Suggestion  Application



**DOCKET REQUEST NARRATIVE – REQUIRED FOR ALL APPLICATIONS**

Please attach a separate narrative responding to all five (5) questions outlined below. Attach additional sheets, supporting maps, or graphics as necessary. Answer each question separately and reference the question number in your answer.

**The application will be considered incomplete without a narrative answering all five questions.**

1. Please provide a detailed description of the proposed amendment and a clear statement of what the proposed amendment is intended to accomplish.
  - a. Indicate the specific Comprehensive Plan Elements, maps, goals or policies or the specific sections of the development code you propose to amend.
  - b. If the proposal would amend existing Comprehensive Plan or development code text, please provide the proposal in underline/strikeout format with text to be added indicated by underlining and text to be deleted indicated with ~~strikeouts~~.
  - c. If a map amendment is proposed, please provide a map that clearly outlines the areas proposed to be changed.
2. How does the proposal benefit the community or the environment?
3. Explain how the request relates to the applicable decision criteria (MICC 19.15.250(D) for code amendments, and MICC 19.15.230(F) for Comprehensive Plan amendments, see below).
4. For Comprehensive plan amendments: Is the proposal consistent the Growth Management Act and King County Countywide Planning Policies?
5. For development code amendments: How does the proposal align with the goals of the City's Comprehensive Plan?

Please sign and date below acknowledging application requirements.

Signature:  Date: 9/27/2023

THIS AREA LEFT INTENTIONALLY BLANK

Please attach a separate narrative responding to the above questions.

## DOCKETING CRITERIA

[MICC 19.15.230\(E\) Docketing criteria](#). The following criteria shall be used to determine whether a proposed amendment is added to the final docket in subsection D of this section:

1. The request has been filed in a timely manner, and either:
  - a. State law requires, or a decision of a court or administrative agency has directed, such a change; or
  - b. All of the following criteria are met:
    - i. The proposed amendment presents a matter appropriately addressed through the comprehensive plan or the code;
    - ii. The city can provide the resources, including staff and budget, necessary to review the proposal, or resources can be provided by an applicant for an amendment;
    - iii. The proposal does not raise policy or land use issues that are more appropriately addressed by an ongoing work program item approved by the city council;
    - iv. The proposal will serve the public interest by implementing specifically identified goals of the comprehensive plan or a new approach supporting the city's vision; and
    - v. The essential elements of the proposal and proposed outcome have not been considered by the city council in the last three years. This time limit may be waived by the city council if the proponent establishes that there exists a change in circumstances that justifies the need for the amendment.

## COMPREHENSIVE PLAN DECISION CRITERIA

[MICC 19.15.230\(F\) Decision criteria](#). Decisions to amend the comprehensive plan shall be based on the criteria specified below. An applicant for a comprehensive plan amendment proposal shall have the burden of demonstrating that the proposed amendment complies with the applicable regulations and decision criteria.

1. The amendment is consistent with the Growth Management Act, the countywide planning policies, and the other provisions of the comprehensive plan and city policies; and:
  - a. There exists obvious technical error in the information contained in the comprehensive plan; or
  - b. The amendment addresses changing circumstances of the city as a whole.
2. If the amendment is directed at a specific property, the following additional findings shall be determined:
  - a. The amendment is compatible with the adjacent land use and development pattern;
  - b. The property is suitable for development in conformance with the standards under the potential zoning; and
  - c. The amendment will benefit the community as a whole and will not adversely affect community facilities or the public health, safety, and general welfare.

## DEVELOPMENT CODE AMENDMENT DECISION CRITERIA

[MICC 19.15.250\(D\) Criteria](#). The city may approve or approve with modifications a proposal to amend this Code only if:

1. The amendment is consistent with the comprehensive plan; and
2. The amendment bears a substantial relation to the public health, safety, or welfare; and
3. The amendment is in the best interest of the community as a whole.

## Mercer Island Country Club

### Docket Request Narrative

September 28, 2023

- 1. Please provide a detailed description of the proposed amendment and a clear statement of what the proposed amendment is intended to accomplish.**

#### Applicant Introduction

The Mercer Island Country Club (the “Club”) is a member-owned non-profit organization that operates a tennis, swim, and fitness facility at 8700 SE 71st Street.

Envisioned back in the early-1960’s, the original club facilities completed in 1967 consisted of a swimming pool and eight outdoor tennis courts. It has since grown incrementally to an approximately 72,000 square foot facility, housing 7 indoor tennis courts, a seasonally covered pool, a 6,000 square foot fitness facility, accompanying locker rooms, and social spaces.

The Club is run by a volunteer Board of Trustees comprised entirely of member-owners. The overwhelming majority of the current 861 member families, representing more than 3,200 individuals, are Mercer Island residents, and the Board is tasked to keep costs, and by extension dues and fees, controlled to promote membership accessibility to as many Islanders and their families as possible.

The Club is a cherished community, recreational, and gathering space within a residential setting. The Club pre-dates the Conditional Use Permit (“CUP”) process and most versions of the Mercer Island development code, yet, since inception, it has existed within single family residential zoning, in harmony with neighbors, while receiving entitlements for reasonable changes to adapt to changing member needs. The Club is grateful for collaboration between Club members, city staff, City Council, Planning Commissioners, Design Commissioners, neighbors, and the broader community over the past six decades.

#### Proposed Amendment Introduction

In order to better serve its members, and in particular the demand for youth participation in junior tennis programs, the Club proposes to cover its four northern, outdoor tennis courts seasonally with an air-supported temporary structure (colloquially, a “bubble”). This will add an additional four USTA conforming courts to the community during the rainy season. These four tennis courts were covered with an air-supported structure years ago, and the Club would like to return to that historic precedent. The temporary seasonal structure will house the Club’s junior tennis training program, which makes available exercise and sporting opportunities to Mercer Island youth, almost equally split between girls and boys. The Club’s youth program has served approximately 2,000 youth over the last decade and, if allowed the covered court space in question, is poised to serve even more in the coming decade. Please note that there is no membership expansion proposed as part of this project; rather, the Club seeks to increase the use of the courts during the winter months to better serve its existing members and its junior tennis training program in particular.

The Club is in a R 9.6 residential zone, which unfortunately sets development standards for residential uses and does not set separate standards for private clubs and other kinds of neighborhood institutions that are unlike single family homes but exist in residential zones. Because of its location and history, the Club is already nonconforming to several development standards, including height, gross floor area, and setbacks. The proposed temporary seasonal structure would increase these nonconformities and conflict with other standards.

The Club has discussed the proposal with City staff for several years, and they have instructed the only way to construct the structure within the limits of the current Mercer Island City Code ("MICC") in light of these conflicts is to seek three different variance approvals from the City's Hearing Examiner. Staff have advised they will recommend the Hearing Examiner to rule against approval of the variances because they would not be for a residential use. **Although it is still possible to seek approval of the variances, a more straightforward solution is to change the Code to allow temporary structures through a long-term temporary use or structure permit as outlined in this Docket Request. Therefore, the proposed amendment is intended to allow the temporary seasonal structure over the Club's four northern tennis courts and avoid the need for any variance approvals. This proposal would support recreational opportunities for Islander youth.**

- a. **Indicate the specific Comprehensive Plan Elements, maps, goals or policies or the specific sections of the development code you propose to amend.**

The Club's proposal would amend MICC Chapter 19.06 to create a new section 19.06.130 - "Temporary Use or Structure Permits." The proposal would also amend MICC 19.15.030 Table A to conform to the new section.

- b. **If the proposal would amend existing Comprehensive Plan or development code text, please provide the proposal in underline/strikeout format with text to be added indicated by underlining and texts to be deleted indicated with ~~strikeouts~~.**

The proposal would amend MICC Chapter 19.06 to create a new Section 19.06.130 which would read as follows:

19.06.130 – Temporary Use or Structure Permits

- A. Scope. This Section 19.06.130 establishes the procedure and criteria that the city will use in deciding upon an application for a Temporary Use or Structure Permit.
- B. Applicability. This Section applies to each application for a Temporary Use or Structure Permit located on private property.
- C. Purpose. A Temporary Use or Structure Permit is a mechanism by which the city may permit a use or structure to locate within the city on an interim basis without requiring full compliance with the development standards of the zoning district or by which the city may permit seasonal or transient uses or structures not otherwise permitted.
- D. Applicable procedure.
1. The director of Community Planning and Development ("director") shall, in consultation with the Public Works Department, the Fire Department, and the

Police Department as appropriate, review and decide upon each application for a Temporary Use or Structure Permit as a Type I decision.

2. The Temporary Use or Structure Permit decision may be appealed pursuant to MICC 19.15.130.
- E. Who may apply. The property owner may apply for a Temporary Use or Structure Permit on private property.
- F. Decision criteria. The director may approve or modify and approve an application for a Temporary Use or Structure Permit if:
1. The temporary use or structure will not be materially detrimental to the public health, safety, or welfare, nor injurious to property or improvements in the immediate vicinity of the temporary use or structure; and
  2. The temporary use or structure is not incompatible in intensity and appearance with existing land uses in the immediate vicinity of the temporary use or structure; and
  3. Adequate parking is provided to serve the temporary use or structure, or if the permit is for a temporary structure serving existing uses, parking is already provided onsite; and
  4. Hours of operation of the temporary use or structure are specified; and
  5. The temporary use or structure will not cause noise, light, or glare which adversely impacts surrounding uses.
- G. Time limitation. A Temporary Use or Structure Permit is valid for up to 8 months from the effective date of the permit. The director may establish a shorter time frame. For temporary structures intended for use on an annual basis to serve athletic pursuits in locations where seasonal athletic facility temporary structures previously existed, the director's approval may allow the temporary use or structure annually for up to 8 months per year for a term of 20 years.
- H. Removal or abatement of temporary use.
1. The director shall establish, as a condition of each Temporary Use or Structure Permit, a time within which the use or structure and all physical evidence of the use or structure must be removed.
  2. If the applicant has not removed the use as required by the Temporary Use or Structure Permit, the city may abate the use or structure as provided in this subsection. Prior to the approval of a Temporary Use or Structure Permit, the applicant shall submit to the director an irrevocable, signed statement granting the city permission to summarily abate the temporary use, and all physical evidence of that use if it has not been removed as required by the terms of the Permit. The statement shall also indicate that the applicant will reimburse the city for any expenses incurred in abating a temporary use.

---

The proposal would also include a conformance amendment to MICC 19.15.030, Table A to include the text below under the “Type I” column:

- Temporary use or structure permit
- c. **If a map amendment is proposed, please provide a map that clearly outlines the areas proposed to be changed.**

No map amendment is proposed.

## 2. How does the proposal benefit the community or the environment?

*As a threshold matter, the Club’s proposed Code Amendment bears a substantial relation to the public health, safety, or welfare (MICC CRITERIA 19.15.250(D)(2)).*

The Code Amendment empowers installation of a seasonal structure on the Mercer Island Country Club property. This increases access to and the utility of existing tennis courts in fall, winter, and early spring months with inclement weather and positively impacts public health, safety, and welfare.

Specifically, the Code Amendment supports public health, safety, and welfare by providing increased opportunities for physical activity on the Island during the rainy season. The average temperatures on Mercer Island between November and March range between 38.8 degrees and 43.8 degrees Fahrenheit. This time of year is also the rainiest, with 11-13 rainy days per month from November through March. The temporary seasonal structure will facilitate tennis during these months, in accordance with the U.S. Department of Health and Human Services health guidelines that “[r]egular physical activity is one of the most important things people can do to improve their health.”

*The Code Amendment is in the best interest of the community as a whole (MICC CRITERIA 19.15.250(D)(3)).*

The Code Amendment is in the best interests of the community. The Code Amendment will allow Mercer Island Country Club to operate its tennis court facilities more efficiently during the winter months. The summer program supports nearly 300 more kids than the current rainy-season program. Installing a bubble over half of the eight outdoor tennis courts will allow year-round play for more Mercer Island youth. At present, junior members of the Club are not afforded the same opportunities due to the seasonal limitations of outdoor courts. The Club does not have capacity to support weekend junior team practices, meet private and group lesson demand for juniors, nor host a USTA junior tournament. Allowing greater access to tennis during the winter months for our youth is in the best interest of the entire Mercer Island community—physical exercise and developing social skills like teamwork, collaboration, and sportsmanship are important now, perhaps more than ever, as we continue to emerge from the COVID-19 pandemic. The seasonal covering of these courts will also increase fall and winter access to pickleball courts to meet the demand for the fastest growing sport in the US.

## 3. Explain how the request relates to the applicable decision criteria (MICC 19.15.250(D) for code amendments, and MICC 19.15.230(F) for Comprehensive Plan amendments).

Under MICC 19.15.250(D), the city may approve or approve with modifications a proposal to amend the Code only if:

1. “The amendment is consistent with the comprehensive plan; and”

*Please see Question #5 of this Docket Request Narrative for explanation of comprehensive plan consistency.*

2. “The amendment bears a substantial relation to the public health, safety, or welfare; and”

*Please see Question #2 of this Docket Request Narrative for explanation of the relationship to public health, safety, and welfare.*

3. “The amendment is in the best interest of the community as a whole.”

*Please see Question #2 of this Docket Request Narrative for explanation of how this amendment would serve the interests of the community.*

**4. For Comprehensive Plan amendments: Is the proposal consistent with the Growth Management Act and King County Countrywide Planning Policies?**

Not applicable. This proposal does not involve a Comprehensive Plan amendment.

**5. For development code amendments: How does the proposal align with the goals of the City’s Comprehensive Plan?**

Mercer Island’s Comprehensive Plan reflects its intrinsic values. The Code Amendment is directly consistent with several specific Comprehensive Plan Goals and Policies.

The Code Amendment squarely aligns with one of the stated goals listed in the Comprehensive Plan’s Land Use Element. Goal 17.4 states:

“Social and recreation clubs, schools, and religious institutions are predominantly located in single family residential areas of the Island. **Development regulation should reflect the desire to retain viable and healthy social, recreational, educational, and religious organizations as community assets which are essential for the mental, physical and spiritual health of Mercer Island.**” (Emphasis added).

The Code Amendment implements this Goal by directly contributing to the overall viability and health of the Mercer Island Country Club, a recognized community asset furthering the physical health of Islanders. It allows for optimization of tennis facilities during winter months to provide increased opportunities to play tennis through the temporary use of a bubble structure. As the Comprehensive Plan accurately identifies, recreation clubs are essential for the mental, physical, and spiritual health of Mercer Island. This modest amendment to the Code will allow a recreational club on the Island to retain its viability and health, and meet the needs of the community by allowing them to serve the demand for year-round youth recreational activities.

The Code Amendment also carries out the Comprehensive Plan’s Land Use Goals for residential zones. Goal 15 recognizes “Mercer Island should remain principally a low density, single family residential



community” and implementing Policy 15.4 advises “[c]ompatible permitted uses such as education, **recreation**, open spaces, government social services and religious activities **will be encouraged.**” The Comprehensive Plan recognizes that recreational opportunities are consistent and compatible with a vibrant single family residential community. The Code Amendment supports and encourages recreational uses year-round in furtherance of this Goal and Policy.

The Code Amendment also advances Natural Environment Goal 18.8, namely, that “[t]he City’s development regulations should encourage long term sustainable stewardship of the natural environment. Examples include preservation and enhancement of native vegetation, tree retention, and rain gardens.” Here, the allowance of a temporary recreational accessory structure will not increase impervious surface coverage due to its temporary nature atop an existing tennis courts. Installation of this temporary structure provides a sustainable option in terms of native vegetation and tree retention because it does not expand the floorplan of permanent, structured recreational facilities.

## DOCKET REQUEST FORM

The following information is required to be included. Failure to complete this form may result in the application being incomplete. Incomplete applications will not be considered during the annual docket process.

### APPLICANT INFORMATION

Name: Michael J. Murphy  
Address: 2711 64th Ave. SE, Mercer Island, WA 98040  
Phone: 206.618.7200  
Email: murpm@comcast.net

### AGENT/CONSULTANT/ATTORNEY: (COMPLETE IF PRIMARY CONTACT IS DIFFERENT FROM APPLICANT)

Name: N/A  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Email: \_\_\_\_\_

### REQUEST INFORMATION

*Please complete a separate Docket Request Form for each item you are requesting to be added to the Docket.*

Is this request related to a specific property or zone? Yes  No

If yes, please complete the following information:

Property Owner: \_\_\_\_\_  
Address: \_\_\_\_\_  
County Assessors Parcel No.: \_\_\_\_\_  
Parcel Size (sq. ft.): \_\_\_\_\_

If the application is submitted by an agent/consultant/attorney, please demonstrate that that the application has been submitted with the consent of all owners of the affected property. For example, attach a signed letter providing consent.

Is this request for a Comprehensive Plan amendment or a development code amendment?

Comprehensive Plan amendment  Development code amendment

Would you like to submit a suggestion for a comprehensive plan or development code amendment, or is this an application for a specific amendment (check boxes)? Please note: applications are subject to [applicable permit fees](#).

Suggestion  Application

**DOCKET REQUEST NARRATIVE – REQUIRED FOR ALL APPLICATIONS**

Please attach a narrative responding to the following questions. Attach any additional sheets, supporting maps or graphics. Answer each question separately and reference the question number in your answer. **The application will be considered incomplete without a narrative answering all of the following questions.**

1. Please provide a detailed description of the proposed amendment and a clear statement of what the proposed amendment is intended to accomplish.
  - a. Indicate the specific Comprehensive Plan Elements, maps, goals or policies or the specific sections of the development code you propose to amend.
  - b. If the proposal would amend existing Comprehensive Plan or development code text, please provide the proposal in underline/strikeout format with text to be added indicated by underlining and text to be deleted indicated with ~~strikeouts~~.
  - c. If a map amendment is proposed, please provide a map that clearly outlines the areas proposed to be changed.
2. How does the proposal benefit the community or the environment?
3. Explain how the request relates to the applicable decision criteria (MICC 19.15.250(D) for code amendments, and MICC 19.15.230(F) for Comprehensive Plan amendments, see below).
4. For Comprehensive plan amendments: Is the proposal consistent the Growth Management Act and King County Countywide Planning Policies?
5. For development code amendments: how does the proposal align with the goals of the City's Comprehensive Plan?

Signature: M. J. [Handwritten Signature] Date: 9/27/23

## Docket Request Narrative

1. Proposal: Modify MICC 19.07.180.C(6) (“Piped Watercourse Setbacks”) to create more realistic and reasonable setbacks for property owners and to establish an additional limited exception for existing homes. As a Code change, it is appropriately addressed through a Code amendment per MICC 19.15.230(E)(1)(b)(i).

### MICC 19.16.010

#### Definitions

*Watercourses:* A course or route, formed by nature and generally consisting of a channel with a bed, banks, or sides throughout substantially all its length, along which surface waters, with some regularity (annually in the rainy season), naturally and normally flow in draining from higher to lower lands. This definition does not include irrigation and drainage ditches, grass-lined swales, canals, storm water runoff devices, or other courses unless they are used by fish or to convey waters that were naturally occurring prior to construction.

Watercourses shall be classified according to the following types:

1. Type S, which include all waters, within their bankfull width, as inventoried as “shorelines of the state,” which are regulated by the city’s Shoreline Master Program pursuant to Chapter 90.58 RCW.
2. Type F, which include segments of natural waters other than Type S waters, which are within the bankfull widths of defined channels and periodically inundated areas of their associated wetlands, or within lakes, ponds, or impoundments having a surface area of one-half acre or greater at seasonal low water and which in any case contain fish habitat.
3. Type Np, which include all segments of natural waters within the bankfull width of defined channels that are perennial nonfish habitat streams. Perennial streams are flowing waters that do not go dry any time of a year of normal rainfall and include the intermittent dry portions of the perennial channel below the uppermost point of perennial flow.
4. Type Ns, which include all segments of natural waters within the bankfull width of the defined channels that are not Type S, F, or Np waters. These are seasonal, nonfish habitat streams in which surface flow is not present for at least some portion of a year of normal rainfall and are not located downstream from any stream reach that is a Type Np water. Ns waters must be physically connected by an aboveground channel system to Type S, F, or Np waters.
5. Piped watercourses, which are pipes or other conveyances through which surface waters, with some regularity (annually in the rainy season), naturally and normally flow in draining from higher to lower lands. This definition does not include irrigation and drainage ditches, grass-lined swales, canals, storm water runoff devices, or other courses unless they are used by fish or to convey waters that were naturally occurring prior to construction.

### 19.07.180 Watercourses.

....

#### C. Development Standards – Buffers.

....

##### 6. Piped Watercourse Setbacks.

a. The intent of applying setbacks to piped watercourses is to preserve the opportunity to daylight watercourses that were previously piped, to provide incentives to property owners to daylight and enhance previously piped watercourses, and to allow flexibility for development where daylighting piped watercourses is demonstrated to be infeasible.

b. Setbacks shall be established ~~45-10~~ feet from the centerline of piped watercourses.

c. Piped watercourse setback widths shall be reduced to a ~~17.5~~-foot buffer when the portion of the piped watercourse on the applicant's property is daylighted and where the watercourse has been restored to an open channel, provided a restoration plan demonstrates:

i. The watercourse channel will be stable and is not expected to cause safety risks or environmental damage; and

ii. No additional impact nor encumbrance by watercourse buffer or critical area setback is added to properties neighboring the applicant(s) property.

d. Piped watercourse setback widths shall be reduced to: ~~(i) 10 feet on lots with a lot width of 50 feet or more, and (ii) five feet on lots with a width of less than 50 feet,~~ when daylighting is determined by qualified professional(s) to result in one or more of the following outcomes:

i. Increased risk of landslide or other potential hazard that cannot be mitigated;

ii. Increased risk of environmental damage (e.g., erosion, diminished water quality) that cannot be mitigated;

iii. The inability of a legally established existing lot to meet the vehicular access requirements of this title;

##### e. Piped watercourse setback shall not apply when:

i. The owners of a legally established existing lot with an existing residence are unable to make otherwise lawful improvements within the existing building footprint or within five (5) feet of the existing building footprint; or

ii. The owners' inability of a legally established existing lot are unable to meet the building pad standards in MICC 19.09.090.

f. Nothing contained in this Section 6 shall alter or affect any restrictions contained in recorded easements for storm mains located on private property.

g. Nothing contained in this Section 6 shall entitle a property owner to construct or install a new vertical structure over an existing storm main.

### Narrative Justification:

The proposed amendments are intended to reduce an onerous and probably unintended burden on over a hundred MI homeowners who are unaware of the fact that they are prevented from making even modest improvements or additions to their homes because they are within 45 feet of a storm main. The amendments are also intended to make the MI Code more consistent with state law and our peer jurisdictions that do not impose a 45-foot setback for storm mains.

The provisions regarding “Piped Watercourses” were added to our code in 2019 under Ord. 19C-05. They appear to have been prompted by the notion that they would create an incentive for homeowners to “daylight” storm mains on their property and create more natural like streams. *See* 19.07.180(6)(a). This was a well-intentioned experiment, but the consequences of it were not fully evaluated.

The existing provisions create a 45-foot “setback” on both sides of many storm mains as the City staff and consultants have interpreted it. A review of the City’s GIS mapping that accompanies this proposal reveals that many of these 90-foot setbacks cover large swaths of existing lots and include numerous existing homes. Because it is a “setback,” it prevents the homeowner from doing any improvements within the setback area, thus placing large portions of many Mercer Island lots off limits for improvement. This prevents MI residents from updating existing homes to make them serviceable for decades to come, or allow older residents to age in place. Most people do not even know that they have this burden, until they apply for a permit for even a simple remodel or addition. Unlike side yard setbacks, which total 15’ from the boundary, these “Piped Watercourse” setbacks, can extend as much as 45 feet into a lot from a neighboring lot, or can cover much of a lot if the storm line is on the property, rendering that area unusable by the homeowner for an improvement that would otherwise be Code compliant. This amounts to a massive taking of property rights from many of our neighbors with little corresponding benefit because most of these “Piped Watercourses” will never be daylighted given their location and function.

Further, the way the provisions were drafted, there is really no incentive to “daylight” the storm main. Daylighting the storm main can reduce the “Piped Watercourse” setback to 15 feet, but only if the homeowner demonstrates that “[t]he watercourse channel will be stable and is not expected to cause safety risks or environmental damage; *and* ... No additional impact nor encumbrance by watercourse buffer or critical area setback is added to properties neighboring the applicant(s) property.” When you “daylight” a storm main, however, you create a “stream” which has a 60 foot buffer under the Code. Given the dimensions of most MI lot, that 60-foot buffer will almost certainly encroach on a neighbor’s lot. Thus, the provision is self-defeating. Otherwise, you can only reduce the “setback” if you can prove daylighting the pipe will create landslides, other unmitigable environmental damage, prevent driveway access to a legal lot, or prevent you from having a minimum building pad (for an undeveloped lot). These are extremely limited exceptions.

The subject provisions are not consistent with the Comprehensive Plan. That document says nothing about identifying and restoring pre-existing natural drainage ways as a public

benefit. It certainly does not suggest to MI residents that the burden of such a policy will fall on only some of the residents who happen to live on or near a storm main. The City can certainly incentivize daylighting actual natural drainage ways, but one would expect a process and plan to identify candidates for such restoration and some form of public assessment and expenditure if this is a public good. Simply classifying virtually every storm main that is not in an arterial or primary roadway as a “Piped Watercourse” does not further the putative goal. It is bad public policy to take large swaths of property from residents to try and manufacture incentives. The Code establishes no plan or even studies to identify possible candidates for “restoration.” Accordingly, this proposal does not conflict with the Comprehensive Plan per MICC 19.15.230(E)(1)(b)(iv).

Last year I proposed to eliminate the piped watercourse setback entirely. The proposal was not included in the 2023 Work Plan, and there is no reason to believe that this issue is part of any other work program approved by the City Council. Thus, the criteria of MICC 19.15.230(E)(1)(b)(iii) & (v) are met.

At the Council level there was apparently confusion about the 2022 proposal, and perhaps concern that it was asking for too much. This proposal, by contrast, retains the “Piped Watercourse” setback concept, and simply seeks to establish more reasonable setback distances, thereby preserving a more realistic corridor for future daylighting in this urban environment. Reducing the setbacks to a more reasonable width and allowing one additional exception for existing homes will not impair the structure, function, or ecological benefits of our existing storm water system. Modifying these provisions will not affect the volume of storm run-off or water quality. Nor will it allow anyone to damage existing streams or storm mains, or to do anything that will increase turbidity in run-off. There will be no effect on existing streams or storm mains. Thus, this proposal does not adversely affect any other Codes or impair policies of the Comprehensive Plan. MICC 19.15.230(E)(1)(b)(iv). The modification of these provisions, however, will allow our neighbors to reasonably utilize their property, and to permit normal improvements and additions on their lots that otherwise comply with the Development Code, an objective that is entirely consistent with the Comprehensive Plan.

Finally, it is important to note that the existing provisions are not consistent with State stream typing, and I could find no other local jurisdictions that have similar Code language or try to equate storm mains with streams.

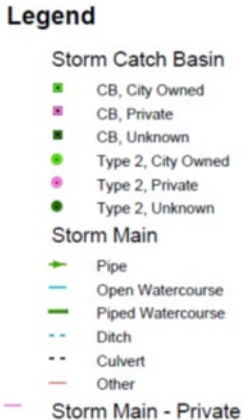
2. The foregoing narrative addresses the three decision criteria in MICC 19.15.250(D). As discussed above, the proposal is consistent with the Comprehensive Plan in multiple ways. The proposal bears a substantial relation to the public welfare by reducing unreasonable restrictions on the improvement of property. And it is in the best interest of the community and especially the affected homeowners to reduce those unreasonable restrictions.
3. The 2022 Docket Request:

In the 2022 docketing process, the staff report recommended that the Planning Commission and City Council not include in the 2023 Work Plan my 2022 proposal to eliminate the entire provision regarding “Piped Watercourses.” This proposal, by contrast, is much more



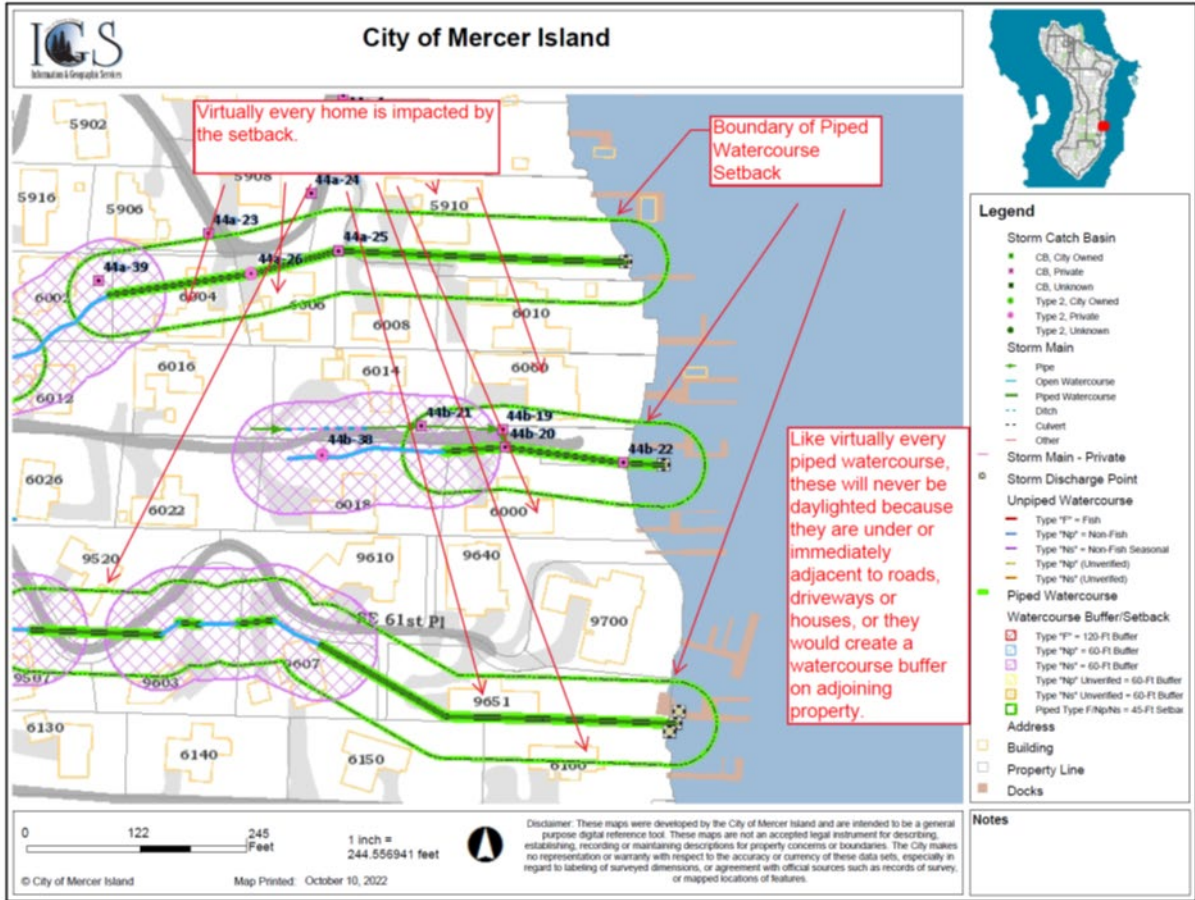
limited. As explained above, it seeks to make the setbacks more reasonable and realistic, and establishes an additional exception for existing homes. I am concerned, however, that the 2023 staff report may take a similar approach as last year. Accordingly, I submit the following comments regarding the 2022 staff report as they apply here:

- First, the 2022 staff report stated that my characterization of “piped watercourses” as “storm mains is incorrect.” That assertion was not correct. The City’s own GIS map legend clearly identified piped watercourses as a Storm Main.



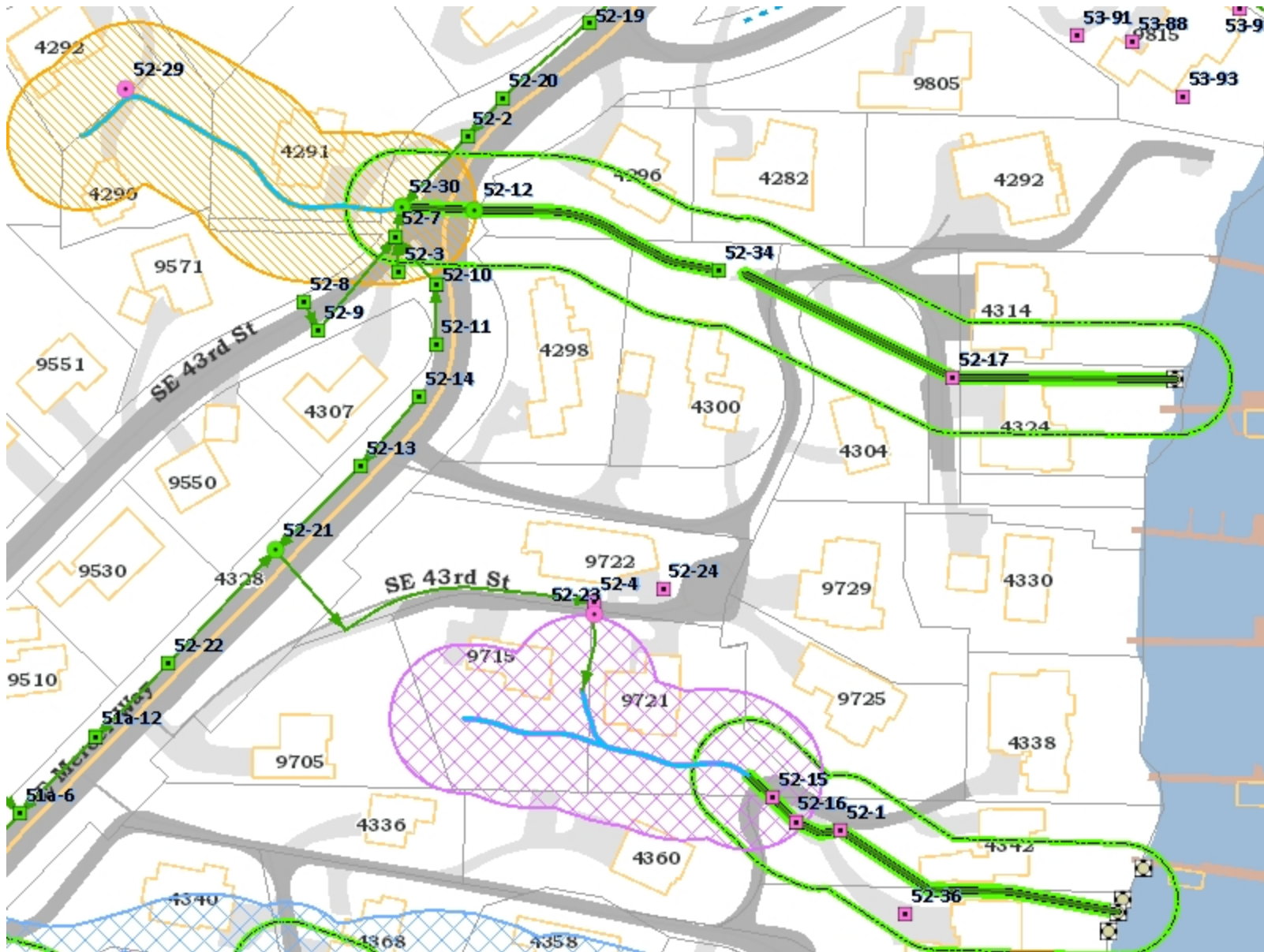
And in practice they clearly are just that, as demonstrated by the 31 maps accompanying this Docket Request.

- The 2022 Staff Report stated said that “[s]torm mains are pipes *typically* installed in the public right-of-way.” Even a cursory review of the 31 maps shows that many city storm mains cross private property. An example is below. Moreover, even if that statement were true, it does not mitigate the impact of a 45-foot setback that encompasses a large portion of affected lots and homes.



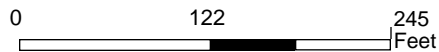
- The 2022 Staff Report correctly observed that some drainage courses move between open stream beds (often, if not mostly, man-made ditches) and pipes as they proceed along their course. That is what the 31 maps show. But more importantly, the 31 maps reveal that most of those piped sections will never be daylighted, unless we start removing private roads, driveways, homes, and neighborhoods. That undeniable fact strongly favors the proposed changes.
- As Chair of the Planning Commission, I realize that staff has a lot on their plate this coming year, and I have no desire to unnecessarily add to that burden. But the plea of insufficient resources has become the norm, not the exception. The limited and reasonable changes proposed here do not require weeks of work for staff, thus it does not run afoul of MICC 19.15.230(E)(1)B(ii).
  - Neither our neighboring jurisdictions nor Ecology treat “Piped Watercourses” as critical areas in this way. That can be verified in a few hours.
  - This proposal does not involve a change to the Shoreline Master Plan, or implicate state regulated critical areas either. In fact, the Growth Management Hearings Board ruled back in 1993 that Mercer Island’s inclusion of “Piped Watercourses” in its Critical Areas Code was not in compliance with the Growth Management Act. Why it is still in the Code is a mystery.

- It is true that the City would have to do the normal notice and reading process for any Code amendment, but if that alone is too onerous, why do we go through the State Law mandated docketing process every fall if we are not actually giving citizens the right to propose Code amendments and have them fairly considered? It would take minimal effort to notice these provisions.
- Finally, the suggestion in 2022 that this proposal is “low priority” raises the question of priority for whom? It is not low priority for the numerous affected property owners.



### Legend

- Storm Catch Basin**
  - CB, City Owned
  - CB, Private
  - CB, Unknown
  - Type 2, City Owned
  - Type 2, Private
  - Type 2, Unknown
- Storm Main**
  - Pipe
  - Open Watercourse
  - Piped Watercourse
  - - Ditch
  - - Culvert
  - - Other
  - Storm Main - Private
- Storm Discharge Point**
  - ⊠
- Unpiped Watercourse**
  - Type "F" = Fish
  - Type "Np" = Non-Fish
  - Type "Ns" = Non-Fish Seasonal
  - Type "Np" (Unverified)
  - Type "Ns" (Unverified)
- Piped Watercourse**
  -
- Watercourse Buffer/Setback**
  - ▣ Type "F" = 120-Ft Buffer
  - ▣ Type "Np" = 60-Ft Buffer
  - ▣ Type "Ns" = 60-Ft Buffer
  - ▣ Type "Np" Unverified = 60-Ft Buffer
  - ▣ Type "Ns" Unverified = 60-Ft Buffer
  - ▣ Piped Type F/Np/Ns = 45-Ft Setback
- Address**
  - Building
  - Property Line
  - Docks



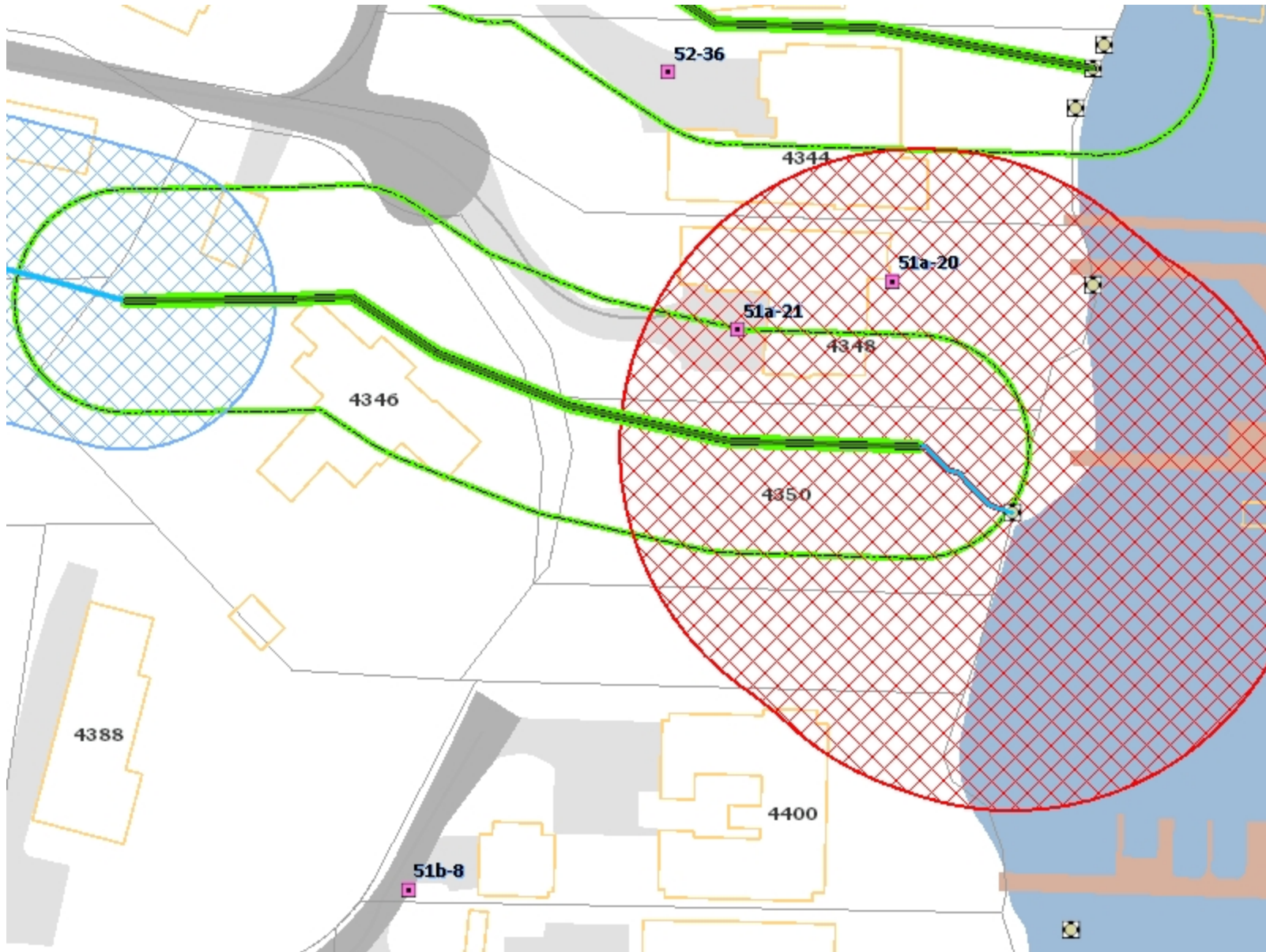
1 inch =  
244.556941 feet



Disclaimer: These maps were developed by the City of Mercer Island and are intended to be a general purpose digital reference tool. These maps are not an accepted legal instrument for describing, establishing, recording or maintaining descriptions for property concerns or boundaries. The City makes no representation or warranty with respect to the accuracy or currency of these data sets, especially in regard to labeling of surveyed dimensions, or agreement with official sources such as records of survey, or mapped locations of features.

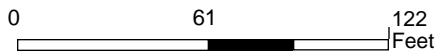
### Notes





### Legend

- Storm Catch Basin**
  - CB, City Owned
  - CB, Private
  - CB, Unknown
  - Type 2, City Owned
  - Type 2, Private
  - Type 2, Unknown
- Storm Main**
  - Pipe
  - Open Watercourse
  - Piped Watercourse
  - - Ditch
  - - Culvert
  - - Other
  - Storm Main - Private
- Storm Discharge Point
- Unpiped Watercourse**
  - Type "F" = Fish
  - Type "Np" = Non-Fish
  - Type "Ns" = Non-Fish Seasonal
  - Type "Np" (Unverified)
  - Type "Ns" (Unverified)
- Piped Watercourse**
  - Piped Watercourse
- Watercourse Buffer/Setback**
  - ▨ Type "F" = 120-Ft Buffer
  - ▨ Type "Np" = 60-Ft Buffer
  - ▨ Type "Ns" = 60-Ft Buffer
  - ▨ Type "Np" Unverified = 60-Ft Buffer
  - ▨ Type "Ns" Unverified = 60-Ft Buffer
  - ▨ Piped Type F/Np/Ns = 45-Ft Setback
- Address**
  - Building
  - Property Line
  - Docks

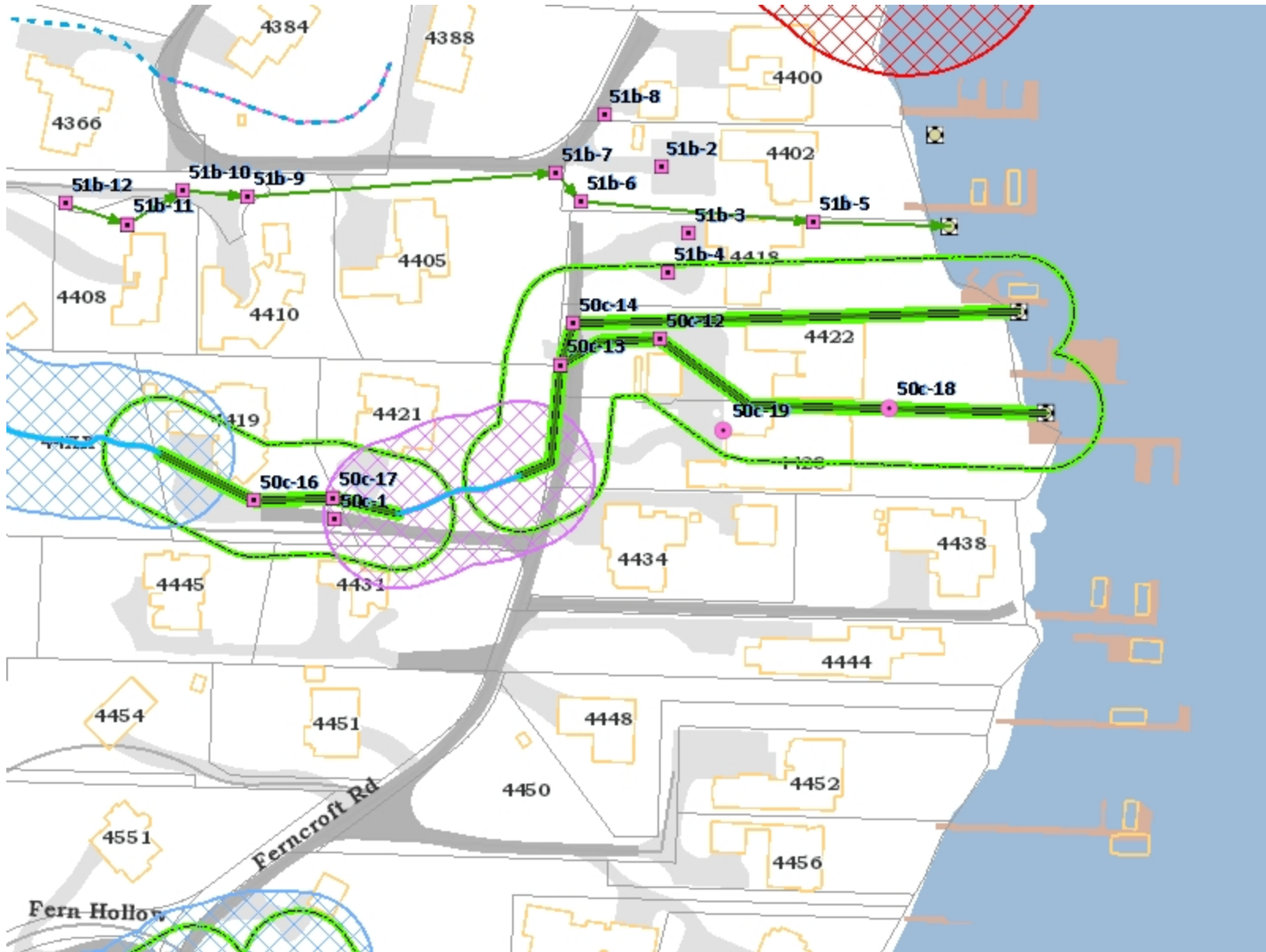


1 inch = 122.2784705 feet



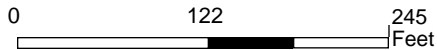
Disclaimer: These maps were developed by the City of Mercer Island and are intended to be a general purpose digital reference tool. These maps are not an accepted legal instrument for describing, establishing, recording or maintaining descriptions for property concerns or boundaries. The City makes no representation or warranty with respect to the accuracy or currency of these data sets, especially in regard to labeling of surveyed dimensions, or agreement with official sources such as records of survey, or mapped locations of features.

### Notes



### Legend

- Storm Catch Basin**
  - CB, City Owned
  - CB, Private
  - CB, Unknown
  - Type 2, City Owned
  - Type 2, Private
  - Type 2, Unknown
- Storm Main**
  - Pipe
  - Open Watercourse
  - Piped Watercourse
  - Ditch
  - Culvert
  - Other
- Storm Main - Private**
- Storm Discharge Point**
- Unpiped Watercourse**
  - Type "F" = Fish
  - Type "Np" = Non-Fish
  - Type "Ns" = Non-Fish Seasonal
  - Type "Np" (Unverified)
  - Type "Ns" (Unverified)
- Piped Watercourse**
- Watercourse Buffer/Setback**
  - Type "F" = 120-Ft Buffer
  - Type "Np" = 60-Ft Buffer
  - Type "Ns" = 60-Ft Buffer
  - Type "Np" Unverified = 60-Ft Buffer
  - Type "Ns" Unverified = 60-Ft Buffer
  - Piped Type F/Np/Ns = 45-Ft Setback
- Address**
  - Building
  - Property Line
  - Docks



1 inch = 244.556941 feet

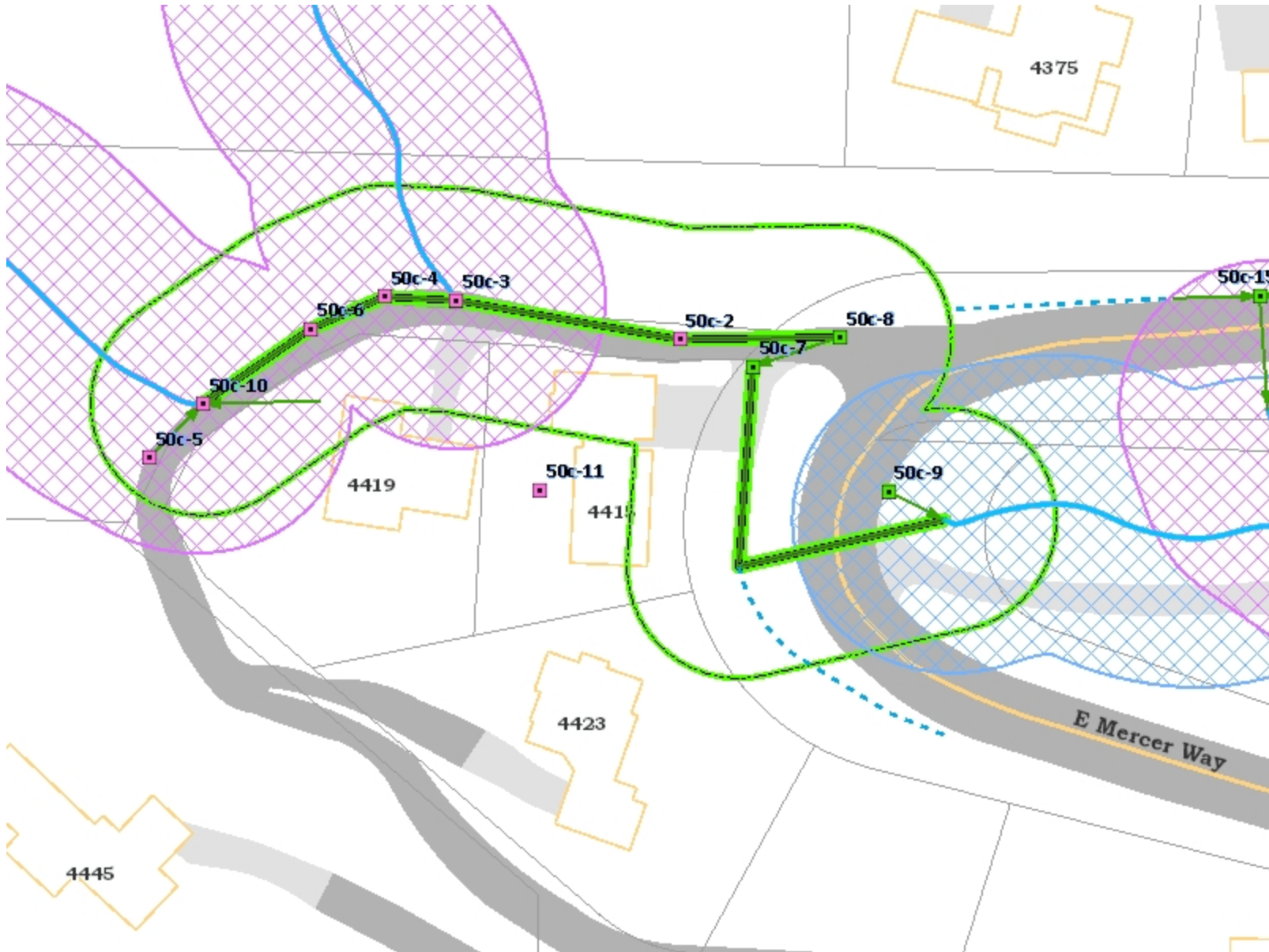


Disclaimer: These maps were developed by the City of Mercer Island and are intended to be a general purpose digital reference tool. These maps are not an accepted legal instrument for describing, establishing, recording or maintaining descriptions for property concerns or boundaries. The City makes no representation or warranty with respect to the accuracy or currency of these data sets, especially in regard to labeling of surveyed dimensions, or agreement with official sources such as records of survey, or mapped locations of features.

Notes

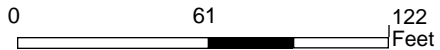


Item 3.



### Legend

- Storm Catch Basin**
  - CB, City Owned
  - CB, Private
  - CB, Unknown
  - Type 2, City Owned
  - Type 2, Private
  - Type 2, Unknown
- Storm Main**
  - Pipe
  - Open Watercourse
  - Piped Watercourse
  - - - Ditch
  - - - Culvert
  - - - Other
- Storm Main - Private
- ⊠ Storm Discharge Point
- Unpiped Watercourse**
  - Type "F" = Fish
  - Type "Np" = Non-Fish
  - Type "Ns" = Non-Fish Seasonal
  - Type "Np" (Unverified)
  - Type "Ns" (Unverified)
- Piped Watercourse
- Watercourse Buffer/Setback**
  - ⊠ Type "F" = 120-Ft Buffer
  - ⊠ Type "Np" = 60-Ft Buffer
  - ⊠ Type "Ns" = 60-Ft Buffer
  - ⊠ Type "Np" Unverified = 60-Ft Buffer
  - ⊠ Type "Ns" Unverified = 60-Ft Buffer
  - ⊠ Piped Type F/Np/Ns = 45-Ft Setback
- Building
- Property Line
- Docks



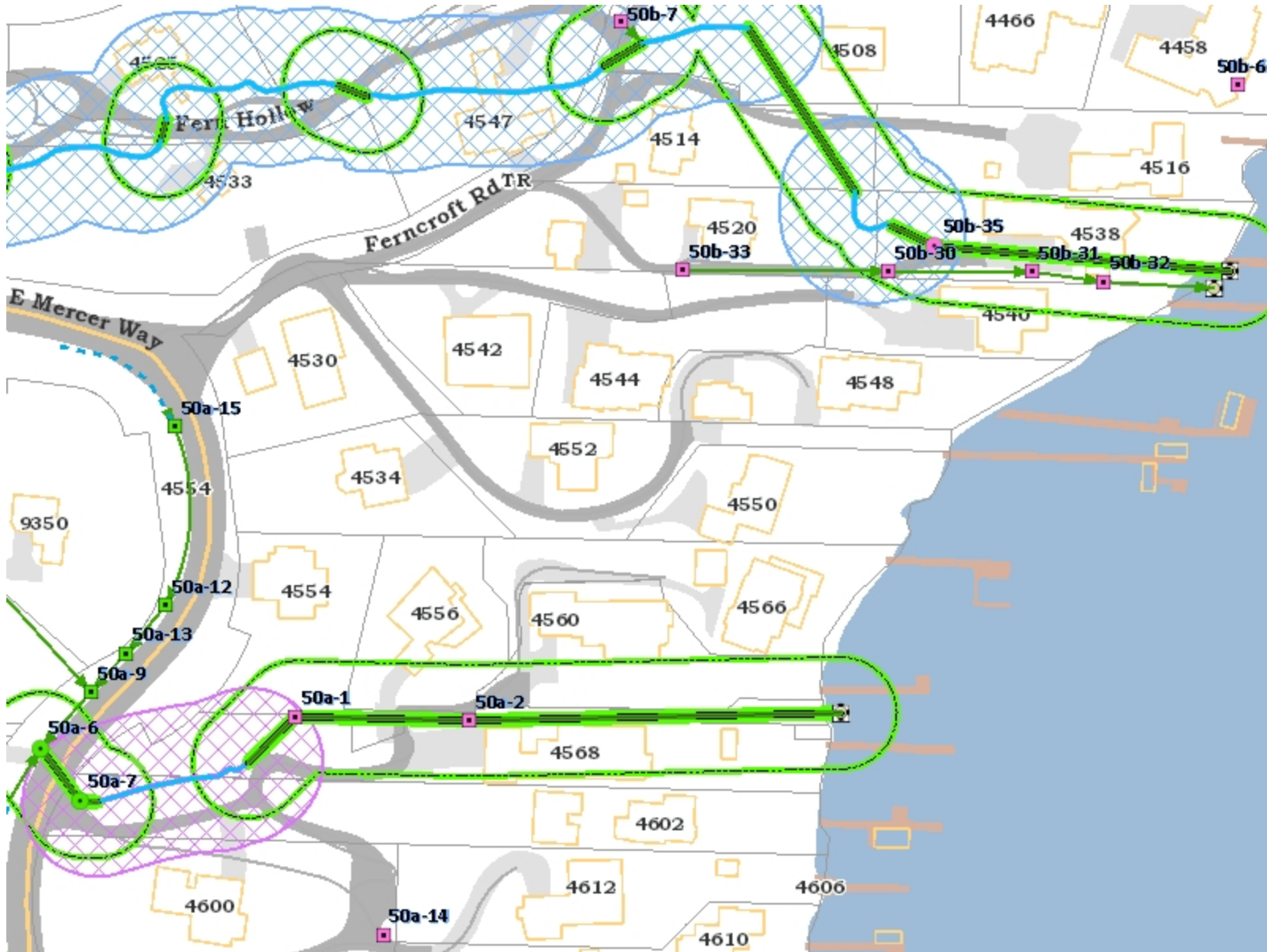
1 inch = 122.2784705 feet



Disclaimer: These maps were developed by the City of Mercer Island and are intended to be a general purpose digital reference tool. These maps are not an accepted legal instrument for describing, establishing, recording or maintaining descriptions for property concerns or boundaries. The City makes no representation or warranty with respect to the accuracy or currency of these data sets, especially in regard to labeling of surveyed dimensions, or agreement with official sources such as records of survey, or mapped locations of features.

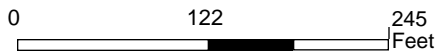
### Notes





### Legend

- Storm Catch Basin**
  - CB, City Owned
  - CB, Private
  - CB, Unknown
  - Type 2, City Owned
  - Type 2, Private
  - Type 2, Unknown
- Storm Main**
  - Pipe
  - Open Watercourse
  - Piped Watercourse
  - - - Ditch
  - - - Culvert
  - - - Other
- Storm Main - Private
- ⊠ Storm Discharge Point
- Unpiped Watercourse**
  - Type "F" = Fish
  - Type "Np" = Non-Fish
  - Type "Ns" = Non-Fish Seasonal
  - Type "Np" (Unverified)
  - Type "Ns" (Unverified)
- Piped Watercourse
- Watercourse Buffer/Setback**
  - ⊠ Type "F" = 120-Ft Buffer
  - ⊠ Type "Np" = 60-Ft Buffer
  - ⊠ Type "Ns" = 60-Ft Buffer
  - ⊠ Type "Np" Unverified = 60-Ft Buffer
  - ⊠ Type "Ns" Unverified = 60-Ft Buffer
  - ⊠ Piped Type F/Np/Ns = 45-Ft Setback
- Address**
  - Building
  - Property Line
  - Docks

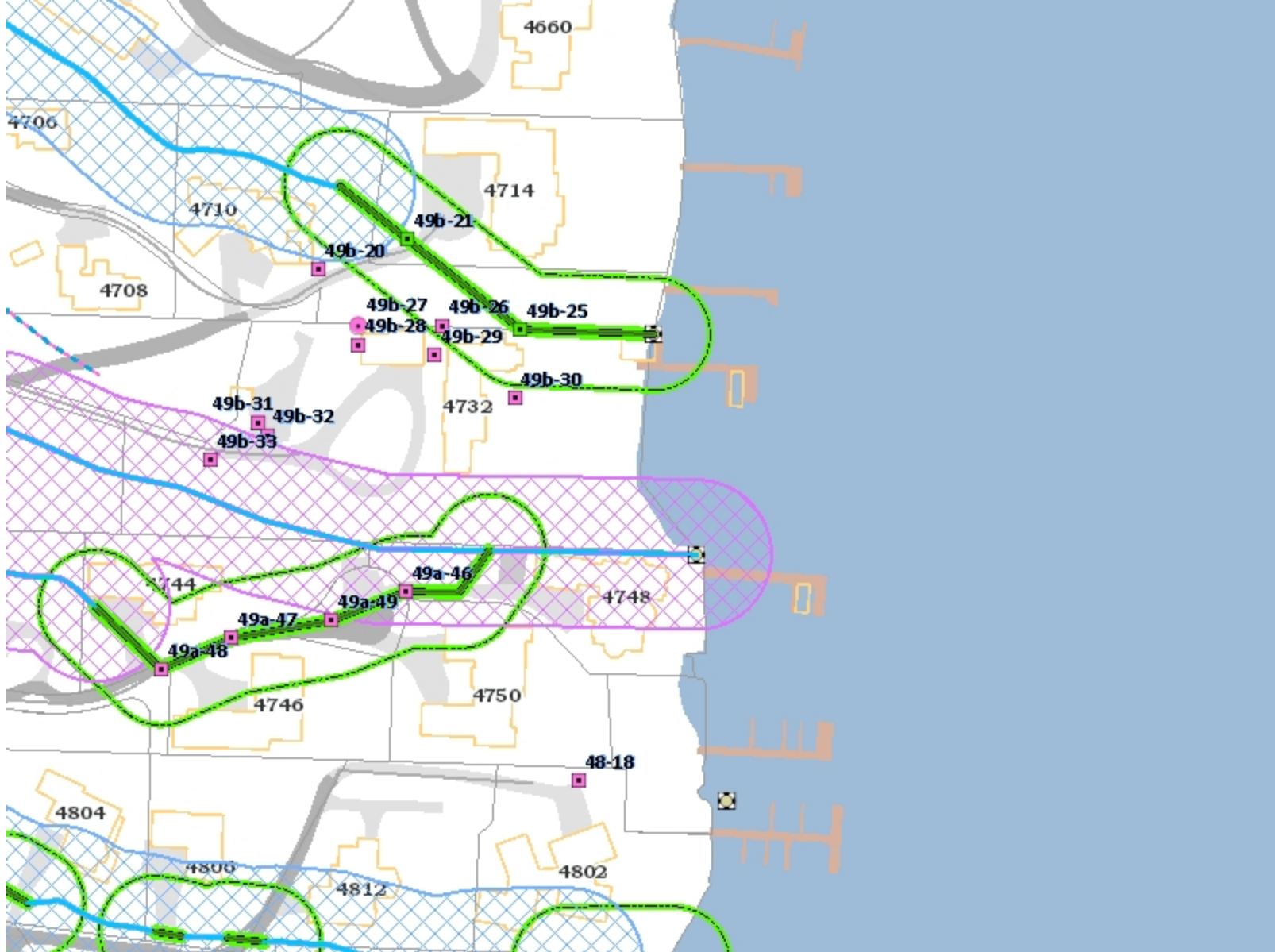


1 inch =  
244.556941 feet



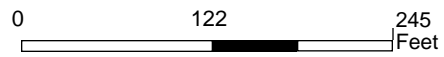
Disclaimer: These maps were developed by the City of Mercer Island and are intended to be a general purpose digital reference tool. These maps are not an accepted legal instrument for describing, establishing, recording or maintaining descriptions for property concerns or boundaries. The City makes no representation or warranty with respect to the accuracy or currency of these data sets, especially in regard to labeling of surveyed dimensions, or agreement with official sources such as records of survey, or mapped locations of features.

### Notes



### Legend

- Storm Catch Basin**
  - CB, City Owned
  - CB, Private
  - CB, Unknown
  - Type 2, City Owned
  - Type 2, Private
  - Type 2, Unknown
- Storm Main**
  - Pipe
  - Open Watercourse
  - Piped Watercourse
  - - Ditch
  - - Culvert
  - - Other
  - Storm Main - Private
- Storm Discharge Point**
  - ⊠
- Unpiped Watercourse**
  - Type "F" = Fish
  - Type "Np" = Non-Fish
  - Type "Ns" = Non-Fish Seasonal
  - Type "Np" (Unverified)
  - Type "Ns" (Unverified)
- Piped Watercourse**
  -
- Watercourse Buffer/Setback**
  - ⊠ Type "F" = 120-Ft Buffer
  - ⊠ Type "Np" = 60-Ft Buffer
  - ⊠ Type "Ns" = 60-Ft Buffer
  - ⊠ Type "Np" Unverified = 60-Ft Buffer
  - ⊠ Type "Ns" Unverified = 60-Ft Buffer
  - ⊠ Piped Type F/Np/Ns = 45-Ft Setback
- Address**
  - Building
  - Property Line
  - Docks



1 inch = 244.556941 feet

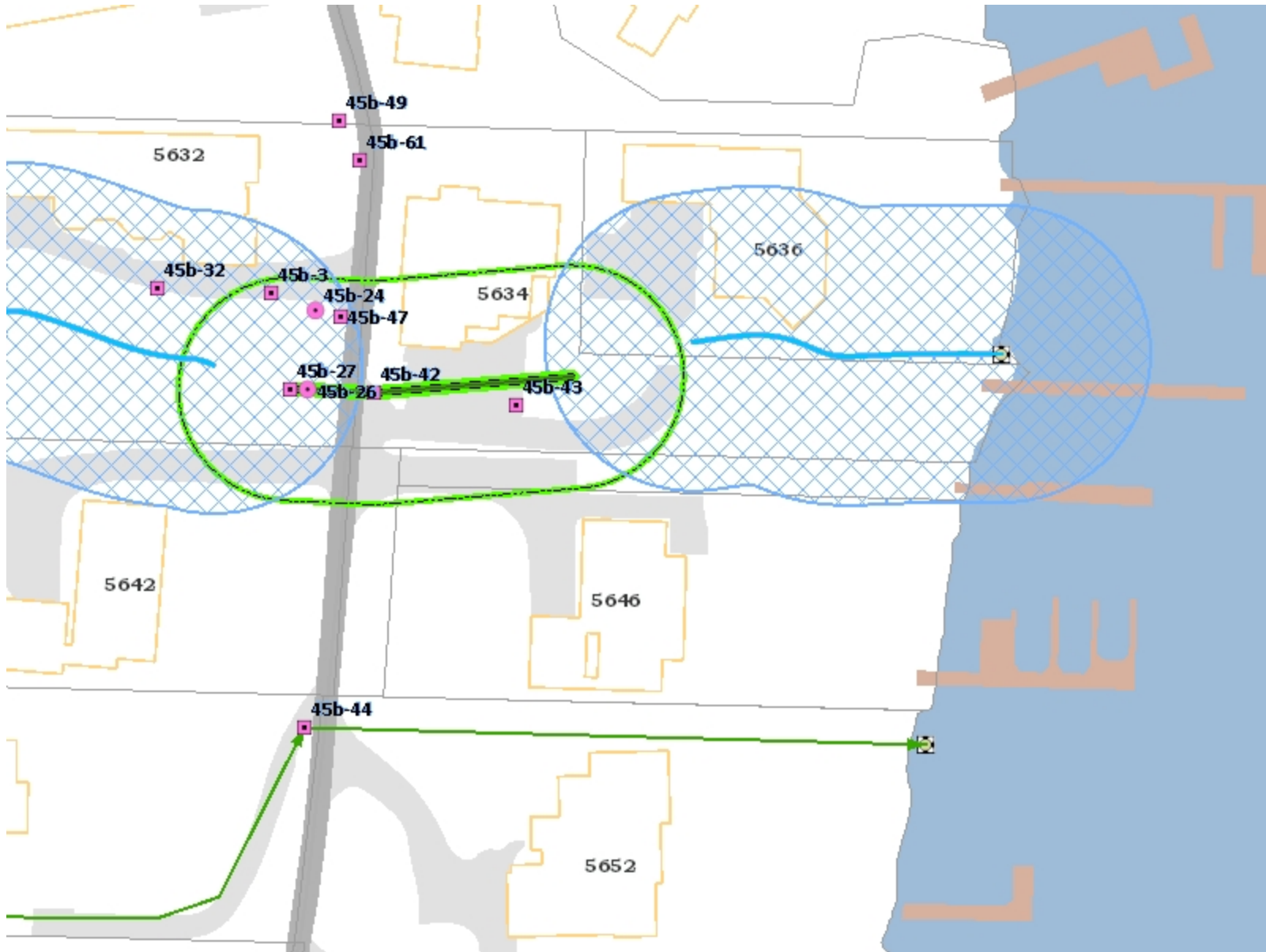


Disclaimer: These maps were developed by the City of Mercer Island and are intended to be a general purpose digital reference tool. These maps are not an accepted legal instrument for describing, establishing, recording or maintaining descriptions for property concerns or boundaries. The City makes no representation or warranty with respect to the accuracy or currency of these data sets, especially in regard to labeling of surveyed dimensions, or agreement with official sources such as records of survey, or mapped locations of features.

Notes

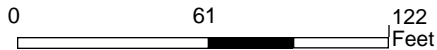


Item 3.



### Legend

- Storm Catch Basin**
  - CB, City Owned
  - CB, Private
  - CB, Unknown
  - Type 2, City Owned
  - Type 2, Private
  - Type 2, Unknown
- Storm Main**
  - Pipe
  - Open Watercourse
  - Piped Watercourse
  - - Ditch
  - - Culvert
  - - Other
- Storm Main - Private
- ⊠ Storm Discharge Point
- Unpiped Watercourse**
  - Type "F" = Fish
  - Type "Np" = Non-Fish
  - Type "Ns" = Non-Fish Seasonal
  - Type "Np" (Unverified)
  - Type "Ns" (Unverified)
- Piped Watercourse
- Watercourse Buffer/Setback**
  - ⊠ Type "F" = 120-Ft Buffer
  - ⊠ Type "Np" = 60-Ft Buffer
  - ⊠ Type "Ns" = 60-Ft Buffer
  - ⊠ Type "Np" Unverified = 60-Ft Buffer
  - ⊠ Type "Ns" Unverified = 60-Ft Buffer
  - ⊠ Piped Type F/Np/Ns = 45-Ft Setback
- Address**
  - Building
  - Property Line
  - Docks



1 inch = 122.2784705 feet



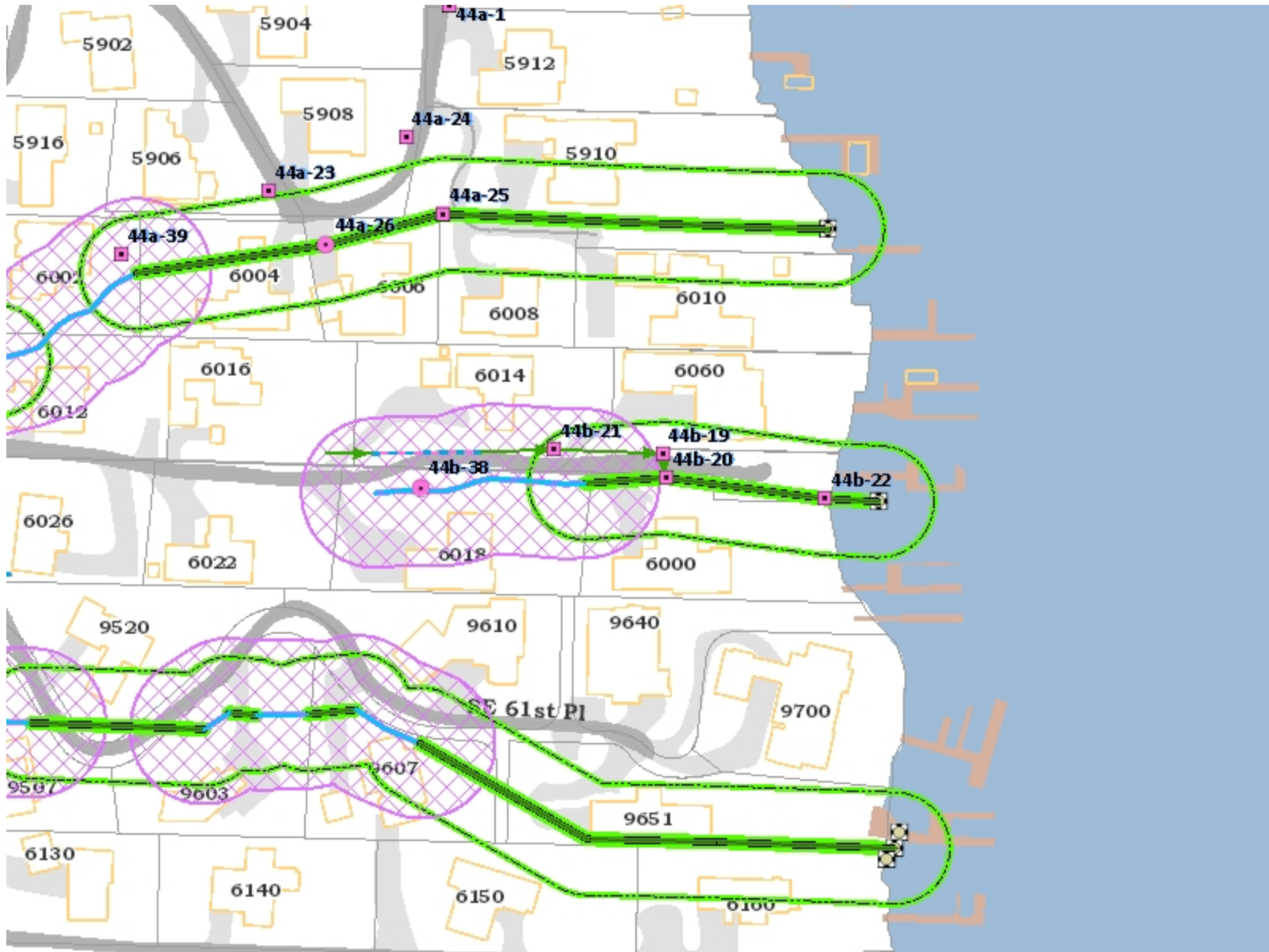
Disclaimer: These maps were developed by the City of Mercer Island and are intended to be a general purpose digital reference tool. These maps are not an accepted legal instrument for describing, establishing, recording or maintaining descriptions for property concerns or boundaries. The City makes no representation or warranty with respect to the accuracy or currency of these data sets, especially in regard to labeling of surveyed dimensions, or agreement with official sources such as records of survey, or mapped locations of features.

### Notes



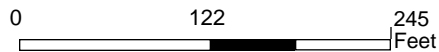


Item 3.



### Legend

- Storm Catch Basin**
  - CB, City Owned
  - CB, Private
  - CB, Unknown
  - Type 2, City Owned
  - Type 2, Private
  - Type 2, Unknown
- Storm Main**
  - Pipe
  - Open Watercourse
  - Piped Watercourse
  - - Ditch
  - - Culvert
  - - Other
  - Storm Main - Private
- ⊠ Storm Discharge Point
- Unpiped Watercourse**
  - Type "F" = Fish
  - Type "Np" = Non-Fish
  - Type "Ns" = Non-Fish Seasonal
  - Type "Np" (Unverified)
  - Type "Ns" (Unverified)
- Piped Watercourse**
- Watercourse Buffer/Setback**
  - ⊠ Type "F" = 120-Ft Buffer
  - ⊠ Type "Np" = 60-Ft Buffer
  - ⊠ Type "Ns" = 60-Ft Buffer
  - ⊠ Type "Np" Unverified = 60-Ft Buffer
  - ⊠ Type "Ns" Unverified = 60-Ft Buffer
  - ⊠ Piped Type F/Np/Ns = 45-Ft Setback
- Address**
  - Building
  - Property Line
  - Docks



1 inch = 244.556941 feet

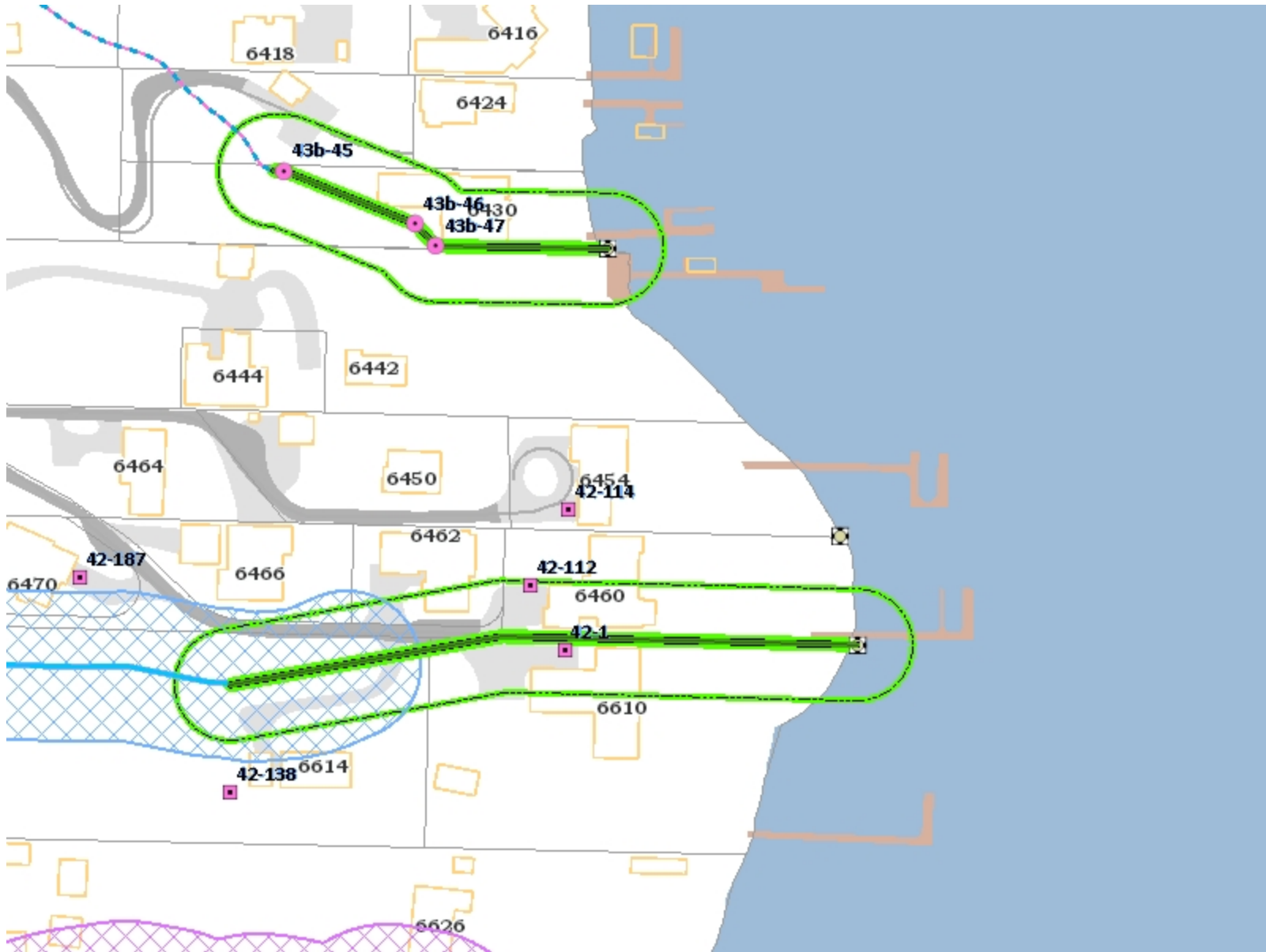


Disclaimer: These maps were developed by the City of Mercer Island and are intended to be a general purpose digital reference tool. These maps are not an accepted legal instrument for describing, establishing, recording or maintaining descriptions for property concerns or boundaries. The City makes no representation or warranty with respect to the accuracy or currency of these data sets, especially in regard to labeling of surveyed dimensions, or agreement with official sources such as records of survey, or mapped locations of features.

### Notes

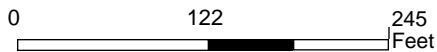


Item 3.



### Legend

- Storm Catch Basin**
  - CB, City Owned
  - CB, Private
  - CB, Unknown
  - Type 2, City Owned
  - Type 2, Private
  - Type 2, Unknown
- Storm Main**
  - Pipe
  - Open Watercourse
  - Piped Watercourse
  - Ditch
  - Culvert
  - Other
- Storm Main - Private
- Storm Discharge Point
- Unpiped Watercourse**
  - Type "F" = Fish
  - Type "Np" = Non-Fish
  - Type "Ns" = Non-Fish Seasonal
  - Type "Np" (Unverified)
  - Type "Ns" (Unverified)
- Piped Watercourse**
- Watercourse Buffer/Setback**
  - Type "F" = 120-Ft Buffer
  - Type "Np" = 60-Ft Buffer
  - Type "Ns" = 60-Ft Buffer
  - Type "Np" Unverified = 60-Ft Buffer
  - Type "Ns" Unverified = 60-Ft Buffer
  - Piped Type F/Np/Ns = 45-Ft Setback
- Address**
  - Building
  - Property Line
  - Docks

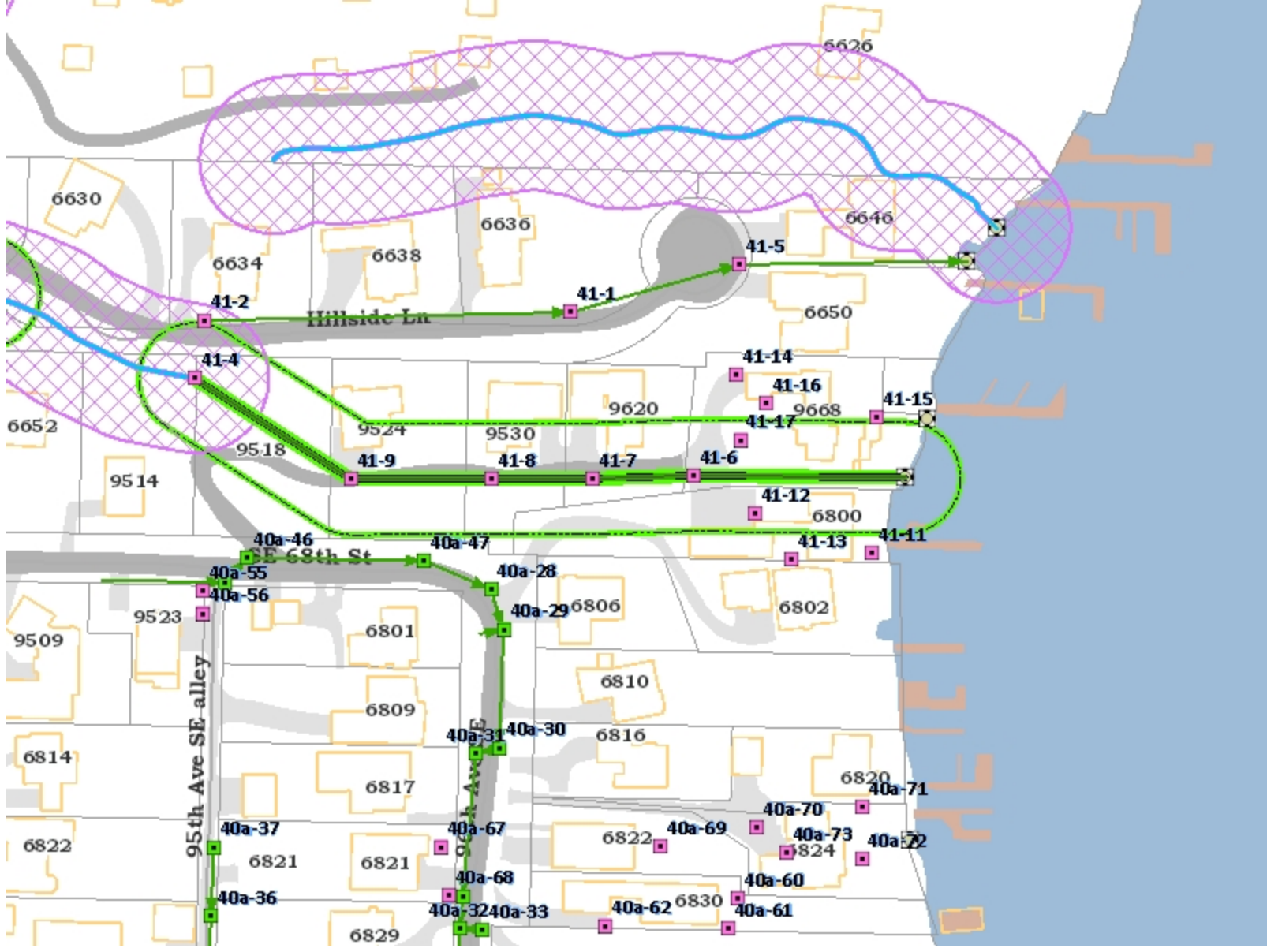


1 inch = 244.556941 feet



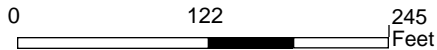
Disclaimer: These maps were developed by the City of Mercer Island and are intended to be a general purpose digital reference tool. These maps are not an accepted legal instrument for describing, establishing, recording or maintaining descriptions for property concerns or boundaries. The City makes no representation or warranty with respect to the accuracy or currency of these data sets, especially in regard to labeling of surveyed dimensions, or agreement with official sources such as records of survey, or mapped locations of features.

Notes



### Legend

- Storm Catch Basin**
  - CB, City Owned
  - CB, Private
  - CB, Unknown
  - Type 2, City Owned
  - Type 2, Private
  - Type 2, Unknown
- Storm Main**
  - Pipe
  - Open Watercourse
  - Piped Watercourse
  - - - Ditch
  - - - Culvert
  - - - Other
- Storm Main - Private
- ⊠ Storm Discharge Point
- Unpiped Watercourse**
  - Type "F" = Fish
  - Type "Np" = Non-Fish
  - Type "Ns" = Non-Fish Seasonal
  - Type "Np" (Unverified)
  - Type "Ns" (Unverified)
- Piped Watercourse
- Watercourse Buffer/Setback**
  - ⊠ Type "F" = 120-Ft Buffer
  - ⊠ Type "Np" = 60-Ft Buffer
  - ⊠ Type "Ns" = 60-Ft Buffer
  - ⊠ Type "Np" Unverified = 60-Ft Buffer
  - ⊠ Type "Ns" Unverified = 60-Ft Buffer
  - ⊠ Piped Type F/Np/Ns = 45-Ft Setback
- Address**
  - Building
  - Property Line
  - Docks



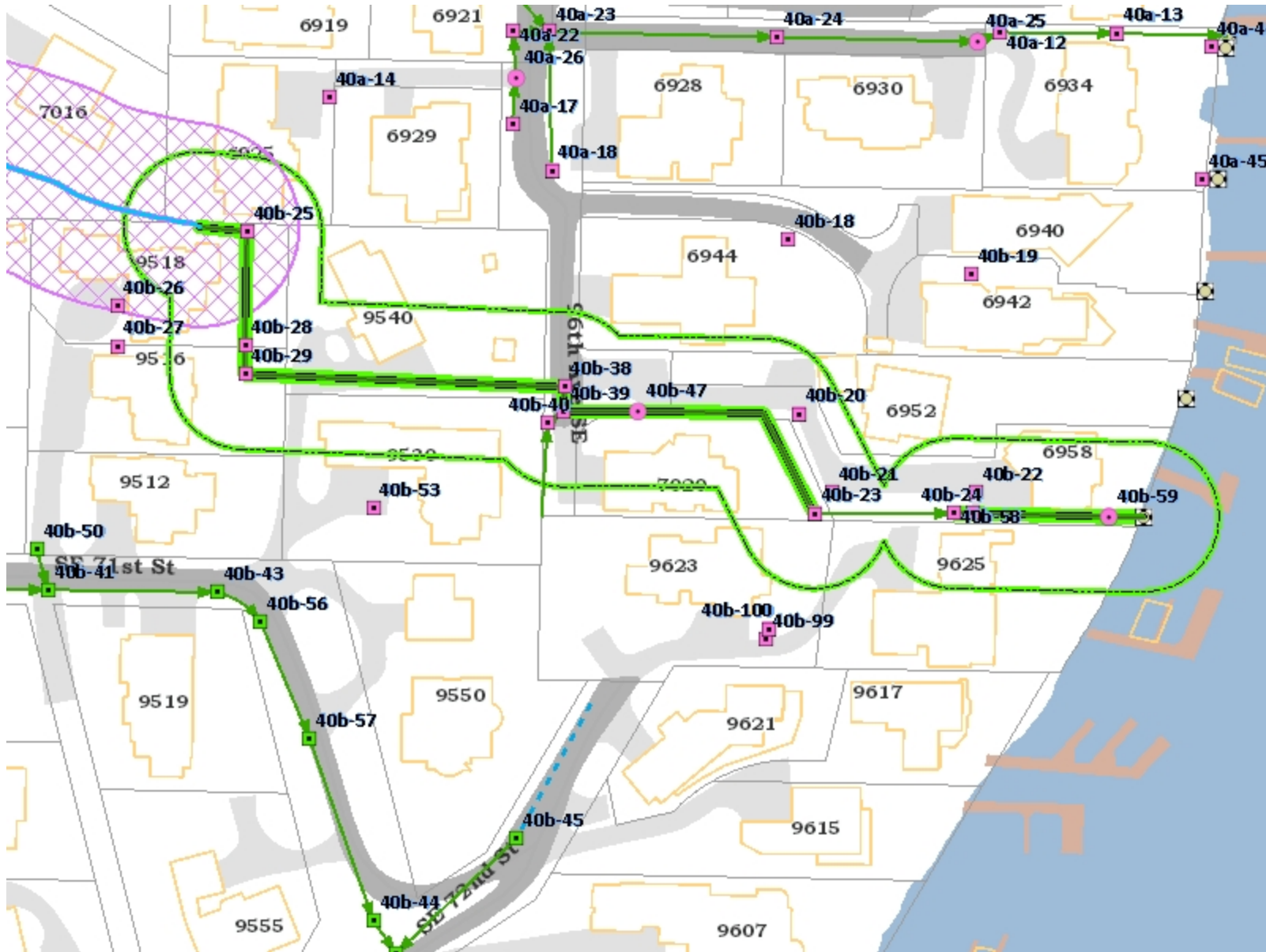
1 inch = 244.556941 feet



Disclaimer: These maps were developed by the City of Mercer Island and are intended to be a general purpose digital reference tool. These maps are not an accepted legal instrument for describing, establishing, recording or maintaining descriptions for property concerns or boundaries. The City makes no representation or warranty with respect to the accuracy or currency of these data sets, especially in regard to labeling of surveyed dimensions, or agreement with official sources such as records of survey, or mapped locations of features.

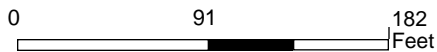
Notes





### Legend

- Storm Catch Basin**
  - CB, City Owned
  - CB, Private
  - CB, Unknown
  - Type 2, City Owned
  - Type 2, Private
  - Type 2, Unknown
- Storm Main**
  - Pipe
  - Open Watercourse
  - Piped Watercourse
  - - Ditch
  - - Culvert
  - - Other
- Storm Main - Private
- ⊠ Storm Discharge Point
- Unpiped Watercourse**
  - Type "F" = Fish
  - Type "Np" = Non-Fish
  - Type "Ns" = Non-Fish Seasonal
  - Type "Np" (Unverified)
  - Type "Ns" (Unverified)
- Piped Watercourse
- Watercourse Buffer/Setback**
  - ⊠ Type "F" = 120-Ft Buffer
  - ⊠ Type "Np" = 60-Ft Buffer
  - ⊠ Type "Ns" = 60-Ft Buffer
  - ⊠ Type "Np" Unverified = 60-Ft Buffer
  - ⊠ Type "Ns" Unverified = 60-Ft Buffer
  - ⊠ Piped Type F/Np/Ns = 45-Ft Setback
- Address**
  - Building
  - Property Line
  - Docks



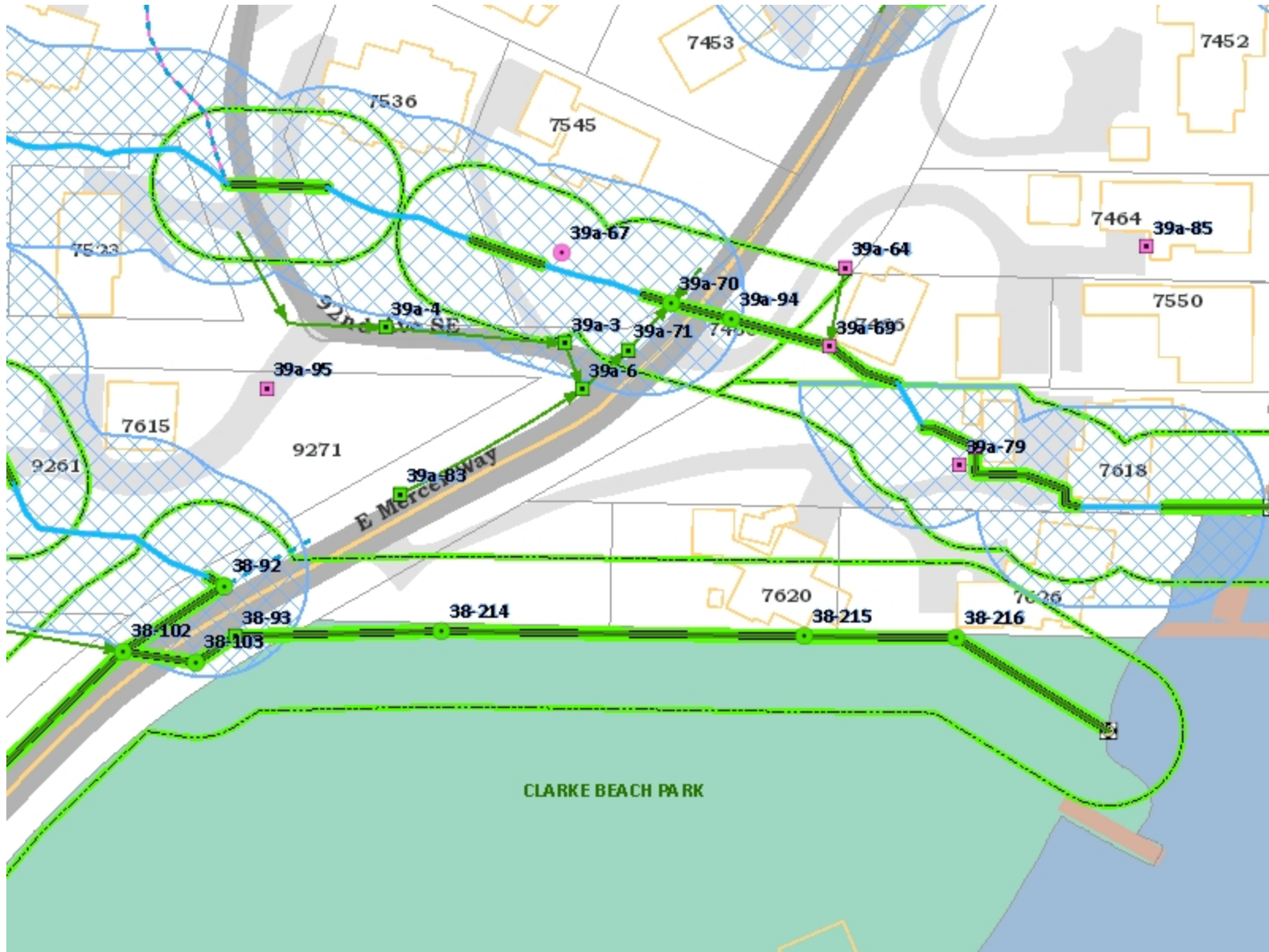
1 inch = 181.914282 feet



Disclaimer: These maps were developed by the City of Mercer Island and are intended to be a general purpose digital reference tool. These maps are not an accepted legal instrument for describing, establishing, recording or maintaining descriptions for property concerns or boundaries. The City makes no representation or warranty with respect to the accuracy or currency of these data sets, especially in regard to labeling of surveyed dimensions, or agreement with official sources such as records of survey, or mapped locations of features.

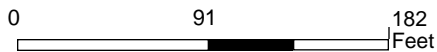
### Notes





### Legend

- Storm Catch Basin**
  - CB, City Owned
  - CB, Private
  - CB, Unknown
  - Type 2, City Owned
  - Type 2, Private
  - Type 2, Unknown
- Storm Main**
  - Pipe
  - Open Watercourse
  - Piped Watercourse
  - - - Ditch
  - - - Culvert
  - - - Other
- Storm Main - Private** (dashed line)
- Storm Discharge Point** (square with cross)
- Unpiped Watercourse**
  - Type "F" = Fish
  - Type "Np" = Non-Fish
  - Type "Ns" = Non-Fish Seasonal
  - Type "Np" (Unverified)
  - Type "Ns" (Unverified)
- Piped Watercourse** (solid green line)
- Watercourse Buffer/Setback**
  - ▣ Type "F" = 120-Ft Buffer
  - ▣ Type "Np" = 60-Ft Buffer
  - ▣ Type "Ns" = 60-Ft Buffer
  - ▣ Type "Np" Unverified = 60-Ft Buffer
  - ▣ Type "Ns" Unverified = 60-Ft Buffer
  - ▣ Piped Type F/Np/Ns = 45-Ft Setback
- Address**
  - Building
  - Property Line
  - Docks

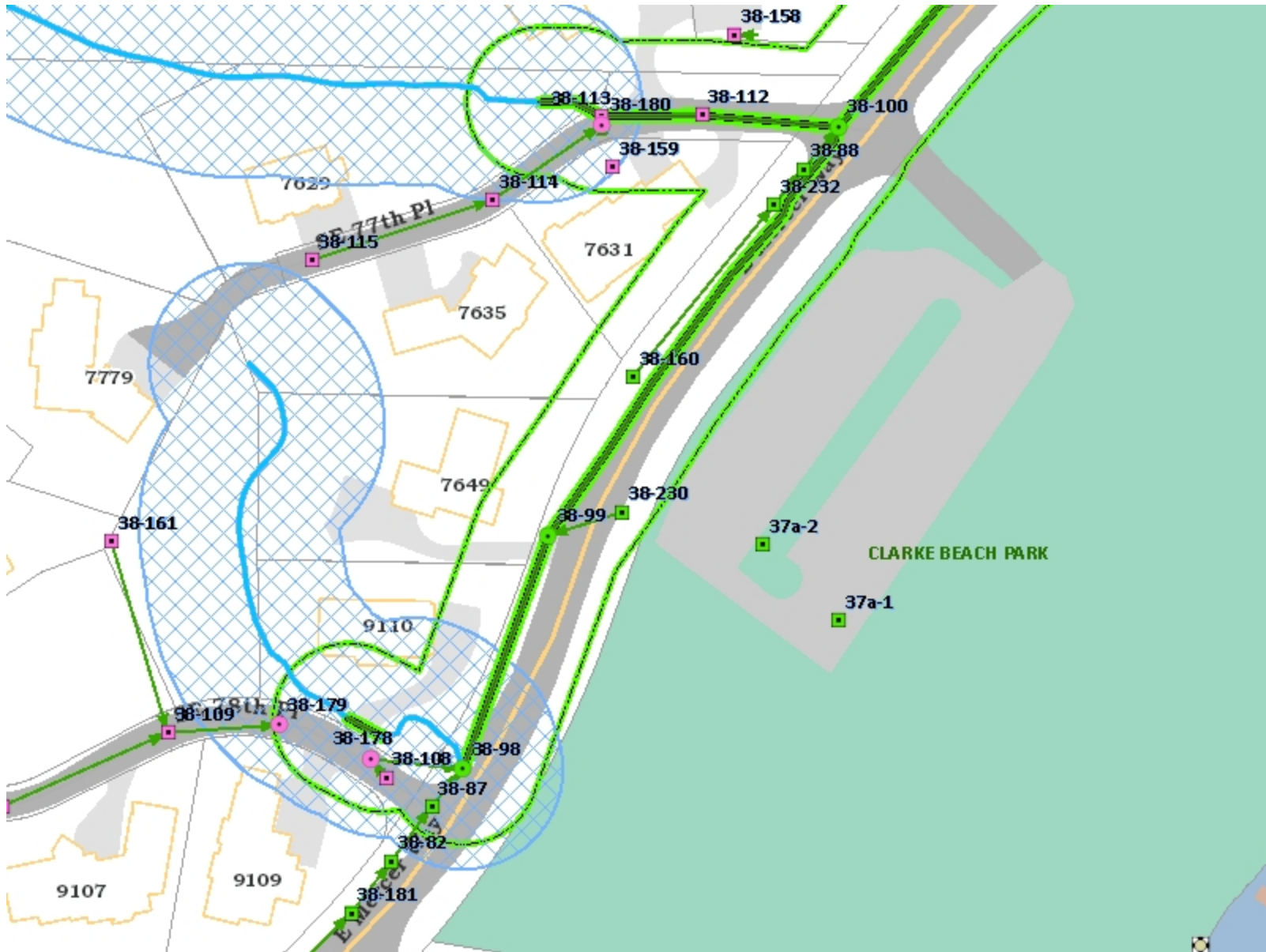


1 inch = 181.914282 feet



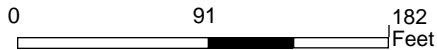
Disclaimer: These maps were developed by the City of Mercer Island and are intended to be a general purpose digital reference tool. These maps are not an accepted legal instrument for describing, establishing, recording or maintaining descriptions for property concerns or boundaries. The City makes no representation or warranty with respect to the accuracy or currency of these data sets, especially in regard to labeling of surveyed dimensions, or agreement with official sources such as records of survey, or mapped locations of features.

### Notes



### Legend

- Storm Catch Basin**
  - CB, City Owned
  - CB, Private
  - CB, Unknown
  - Type 2, City Owned
  - Type 2, Private
  - Type 2, Unknown
- Storm Main**
  - Pipe
  - Open Watercourse
  - Piped Watercourse
  - - Ditch
  - - Culvert
  - - Other
- Storm Main - Private
- ⊠ Storm Discharge Point
- Unpiped Watercourse**
  - Type "F" = Fish
  - Type "Np" = Non-Fish
  - Type "Ns" = Non-Fish Seasonal
  - Type "Np" (Unverified)
  - Type "Ns" (Unverified)
- Piped Watercourse
- Watercourse Buffer/Setback**
  - ⊠ Type "F" = 120-Ft Buffer
  - ⊠ Type "Np" = 60-Ft Buffer
  - ⊠ Type "Ns" = 60-Ft Buffer
  - ⊠ Type "Np" Unverified = 60-Ft Buffer
  - ⊠ Type "Ns" Unverified = 60-Ft Buffer
  - ⊠ Piped Type F/Np/Ns = 45-Ft Setback
- Address**
  - Building
  - Property Line
  - Docks



1 inch = 181.914282 feet

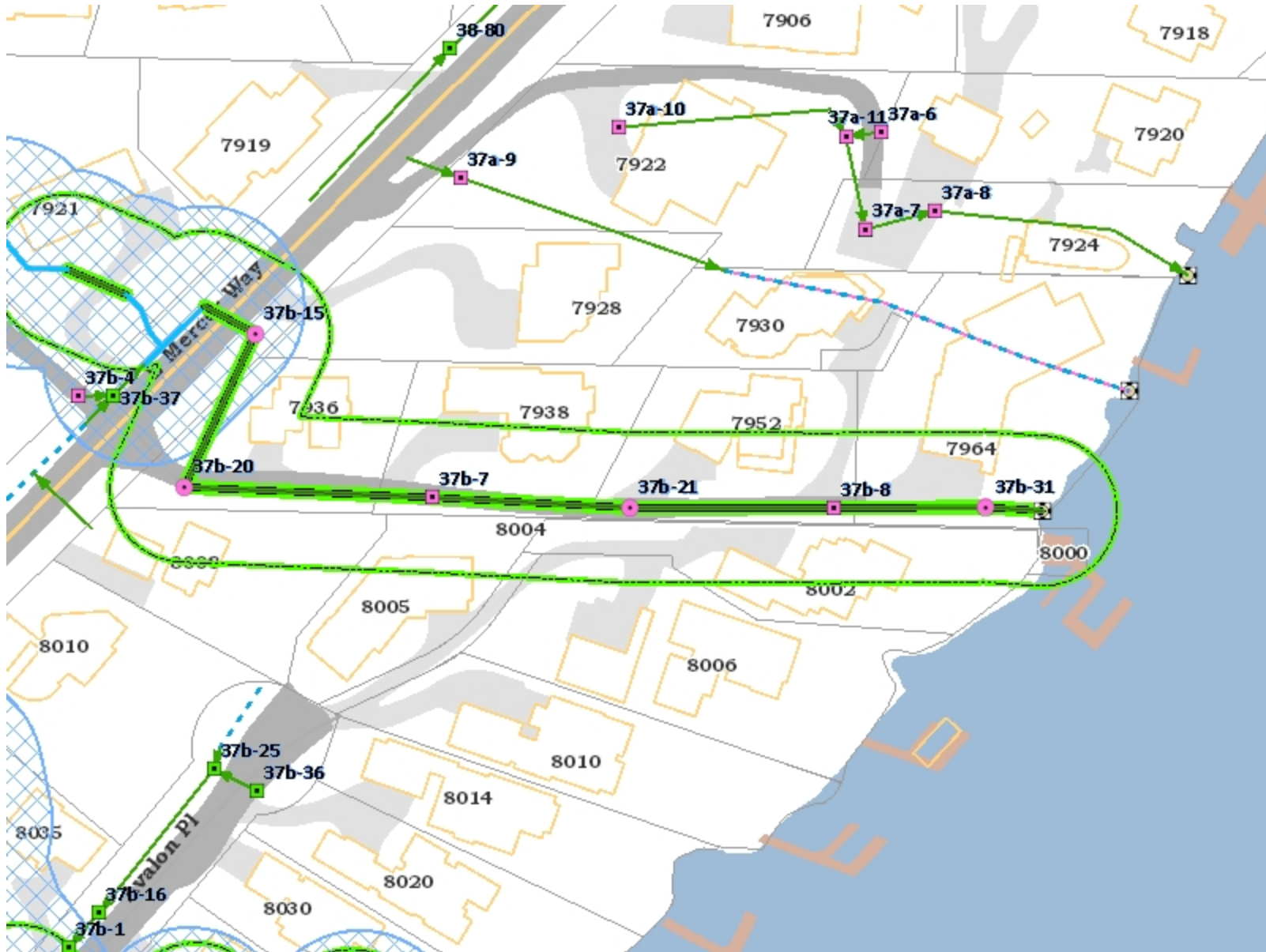


Disclaimer: These maps were developed by the City of Mercer Island and are intended to be a general purpose digital reference tool. These maps are not an accepted legal instrument for describing, establishing, recording or maintaining descriptions for property concerns or boundaries. The City makes no representation or warranty with respect to the accuracy or currency of these data sets, especially in regard to labeling of surveyed dimensions, or agreement with official sources such as records of survey, or mapped locations of features.

Notes

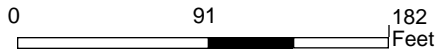


Item 3.



### Legend

- Storm Catch Basin**
  - CB, City Owned (Green square)
  - CB, Private (Pink square)
  - CB, Unknown (Dark green square)
  - Type 2, City Owned (Light green circle)
  - Type 2, Private (Pink circle)
  - Type 2, Unknown (Dark green circle)
- Storm Main**
  - Pipe (Green line with arrow)
  - Open Watercourse (Blue line)
  - Piped Watercourse (Green line)
  - Ditch (Dashed blue line)
  - Culvert (Dashed black line)
  - Other (Orange line)
  - Storm Main - Private (Pink line)
  - Storm Discharge Point (Square with 'S')
- Unpiped Watercourse**
  - Type "F" = Fish (Red line)
  - Type "Np" = Non-Fish (Blue line)
  - Type "Ns" = Non-Fish Seasonal (Purple line)
  - Type "Np" (Unverified) (Yellow line)
  - Type "Ns" (Unverified) (Orange line)
- Piped Watercourse** (Green line)
- Watercourse Buffer/Setback**
  - Type "F" = 120-Ft Buffer (Red hatched box)
  - Type "Np" = 60-Ft Buffer (Blue hatched box)
  - Type "Ns" = 60-Ft Buffer (Purple hatched box)
  - Type "Np" Unverified = 60-Ft Buffer (Yellow hatched box)
  - Type "Ns" Unverified = 60-Ft Buffer (Orange hatched box)
  - Piped Type F/Np/Ns = 45-Ft Setback (Green hatched box)
- Address**
  - Building (Orange outline)
  - Property Line (Grey outline)
  - Docks (Brown outline)



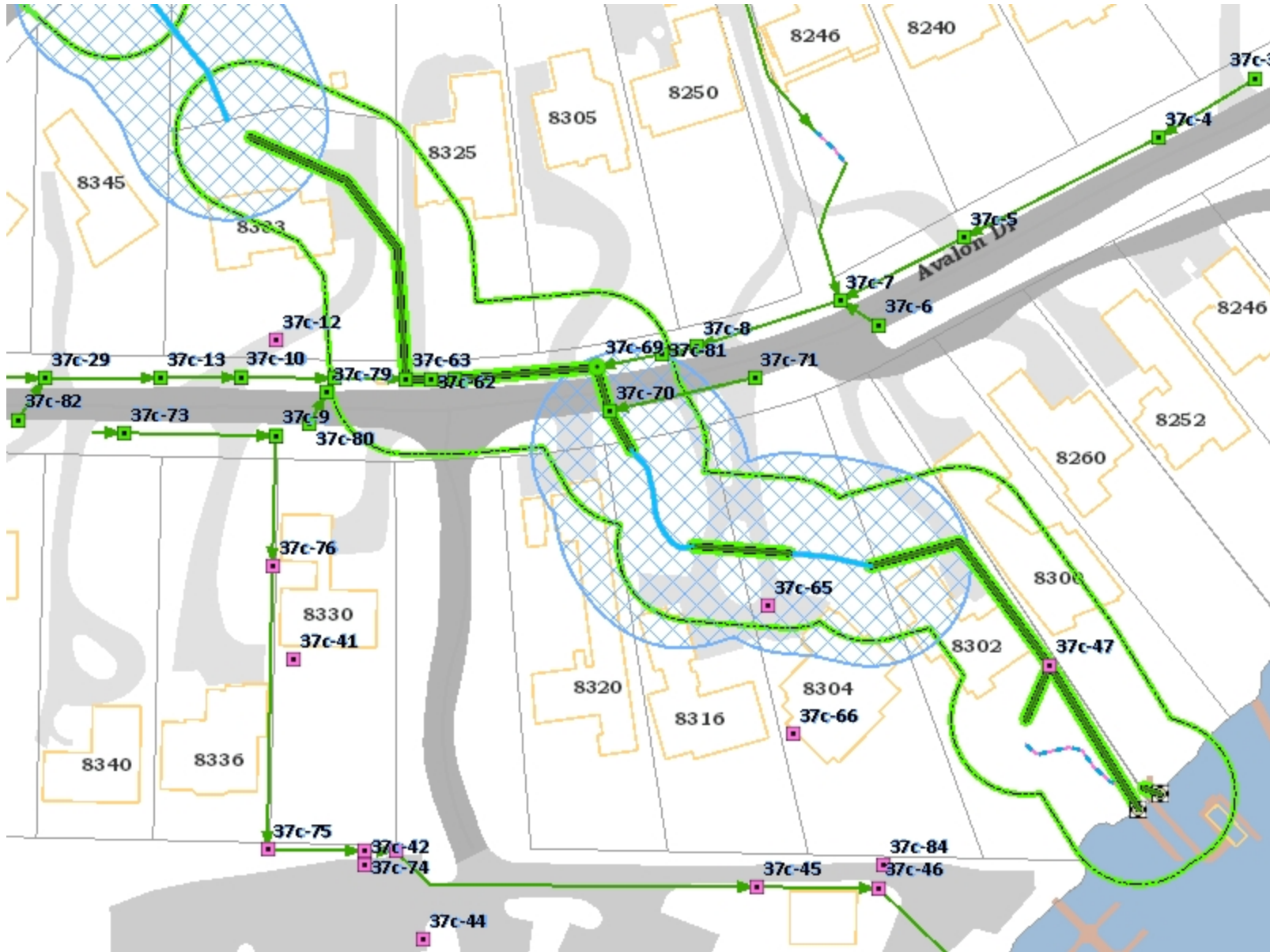
1 inch = 181.914282 feet



Disclaimer: These maps were developed by the City of Mercer Island and are intended to be a general purpose digital reference tool. These maps are not an accepted legal instrument for describing, establishing, recording or maintaining descriptions for property concerns or boundaries. The City makes no representation or warranty with respect to the accuracy or currency of these data sets, especially in regard to labeling of surveyed dimensions, or agreement with official sources such as records of survey, or mapped locations of features.

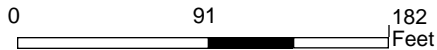
### Notes





### Legend

- Storm Catch Basin**
  - CB, City Owned (Green square)
  - CB, Private (Pink square)
  - CB, Unknown (Black square)
  - Type 2, City Owned (Green circle)
  - Type 2, Private (Pink circle)
  - Type 2, Unknown (Black circle)
- Storm Main**
  - Pipe (Green line with arrows)
  - Open Watercourse (Blue line)
  - Piped Watercourse (Green line)
  - Ditch (Dashed blue line)
  - Culvert (Dashed black line)
  - Other (Red line)
  - Storm Main - Private (Pink line)
- Storm Discharge Point** (Black square with 'X')
- Unpiped Watercourse**
  - Type "F" = Fish (Red line)
  - Type "Np" = Non-Fish (Blue line)
  - Type "Ns" = Non-Fish Seasonal (Purple line)
  - Type "Np" (Unverified) (Yellow line)
  - Type "Ns" (Unverified) (Orange line)
- Piped Watercourse** (Green line)
- Watercourse Buffer/Setback**
  - Type "F" = 120-Ft Buffer (Red hatched box)
  - Type "Np" = 60-Ft Buffer (Blue hatched box)
  - Type "Ns" = 60-Ft Buffer (Purple hatched box)
  - Type "Np" Unverified = 60-Ft Buffer (Yellow hatched box)
  - Type "Ns" Unverified = 60-Ft Buffer (Orange hatched box)
  - Piped Type F/Np/Ns = 45-Ft Setback (Green hatched box)
- Address**
  - Building (Orange outline)
  - Property Line (Grey outline)
  - Docks (Brown outline)



1 inch = 181.914282 feet

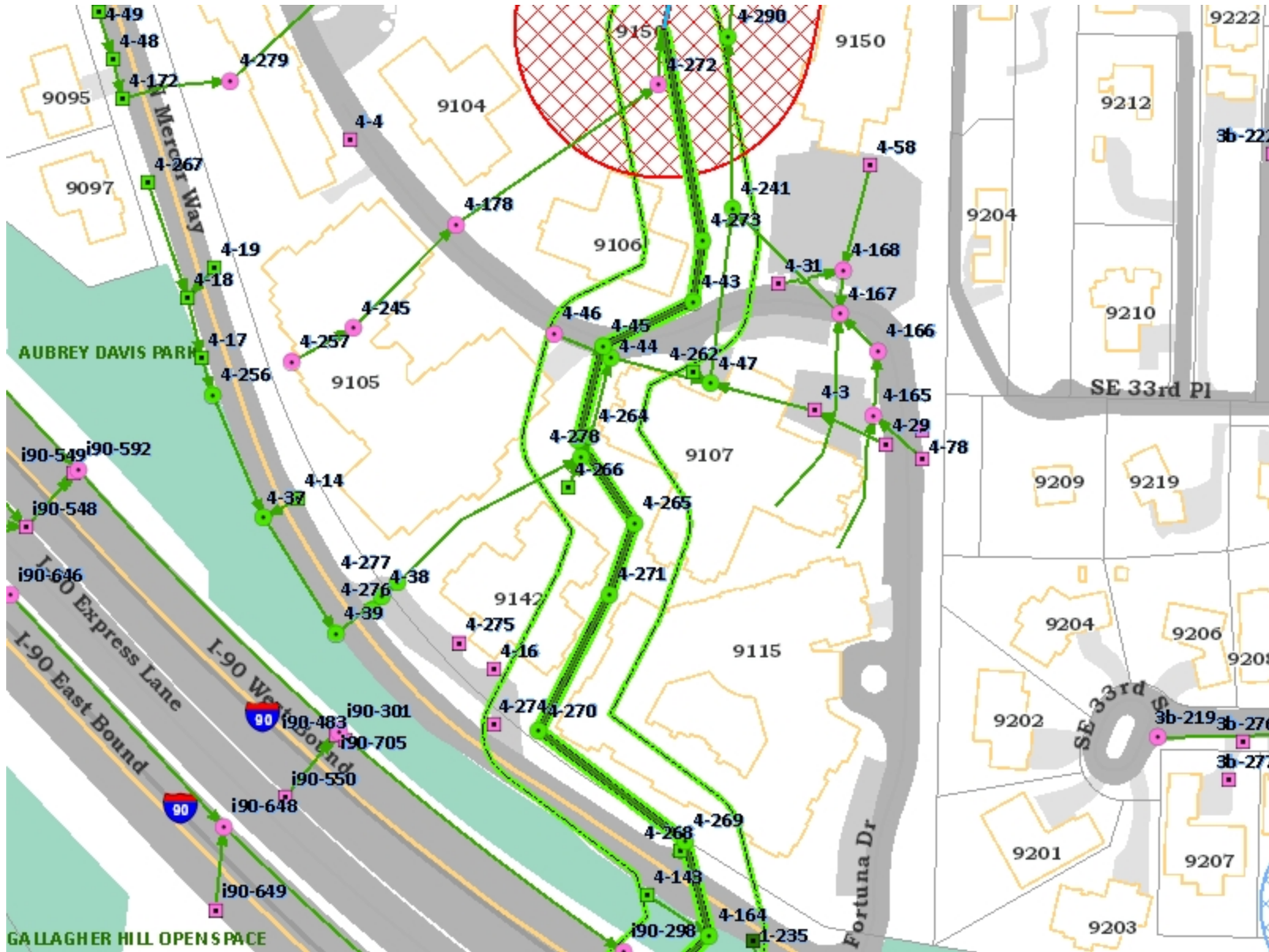


Disclaimer: These maps were developed by the City of Mercer Island and are intended to be a general purpose digital reference tool. These maps are not an accepted legal instrument for describing, establishing, recording or maintaining descriptions for property concerns or boundaries. The City makes no representation or warranty with respect to the accuracy or currency of these data sets, especially in regard to labeling of surveyed dimensions, or agreement with official sources such as records of survey, or mapped locations of features.

### Notes

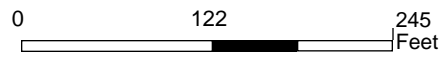


Item 3.



### Legend

- Storm Catch Basin**
  - CB, City Owned (Green square)
  - CB, Private (Pink square)
  - CB, Unknown (Dark green square)
  - Type 2, City Owned (Green circle)
  - Type 2, Private (Pink circle)
  - Type 2, Unknown (Dark green circle)
- Storm Main**
  - Pipe (Green line with arrow)
  - Open Watercourse (Blue line)
  - Piped Watercourse (Thick green line)
  - Ditch (Dashed blue line)
  - Culvert (Dashed black line)
  - Other (Red line)
  - Storm Main - Private (Pink line)
- Storm Discharge Point**
  - (Red hatched circle)
- Unpiped Watercourse**
  - Type "F" = Fish (Red line)
  - Type "Np" = Non-Fish (Blue line)
  - Type "Ns" = Non-Fish Seasonal (Purple line)
  - Type "Np" (Unverified) (Yellow line)
  - Type "Ns" (Unverified) (Orange line)
- Piped Watercourse**
  - (Thick green line)
- Watercourse Buffer/Setback**
  - Type "F" = 120-Ft Buffer (Red hatched square)
  - Type "Np" = 60-Ft Buffer (Blue hatched square)
  - Type "Ns" = 60-Ft Buffer (Purple hatched square)
  - Type "Np" Unverified = 60-Ft Buffer (Yellow hatched square)
  - Type "Ns" Unverified = 60-Ft Buffer (Orange hatched square)
  - Piped Type F/Np/Ns = 45-Ft Setback (Green hatched square)
- Address**
  - Building (Orange outline)
  - Property Line (Grey outline)
  - Docks (Brown outline)



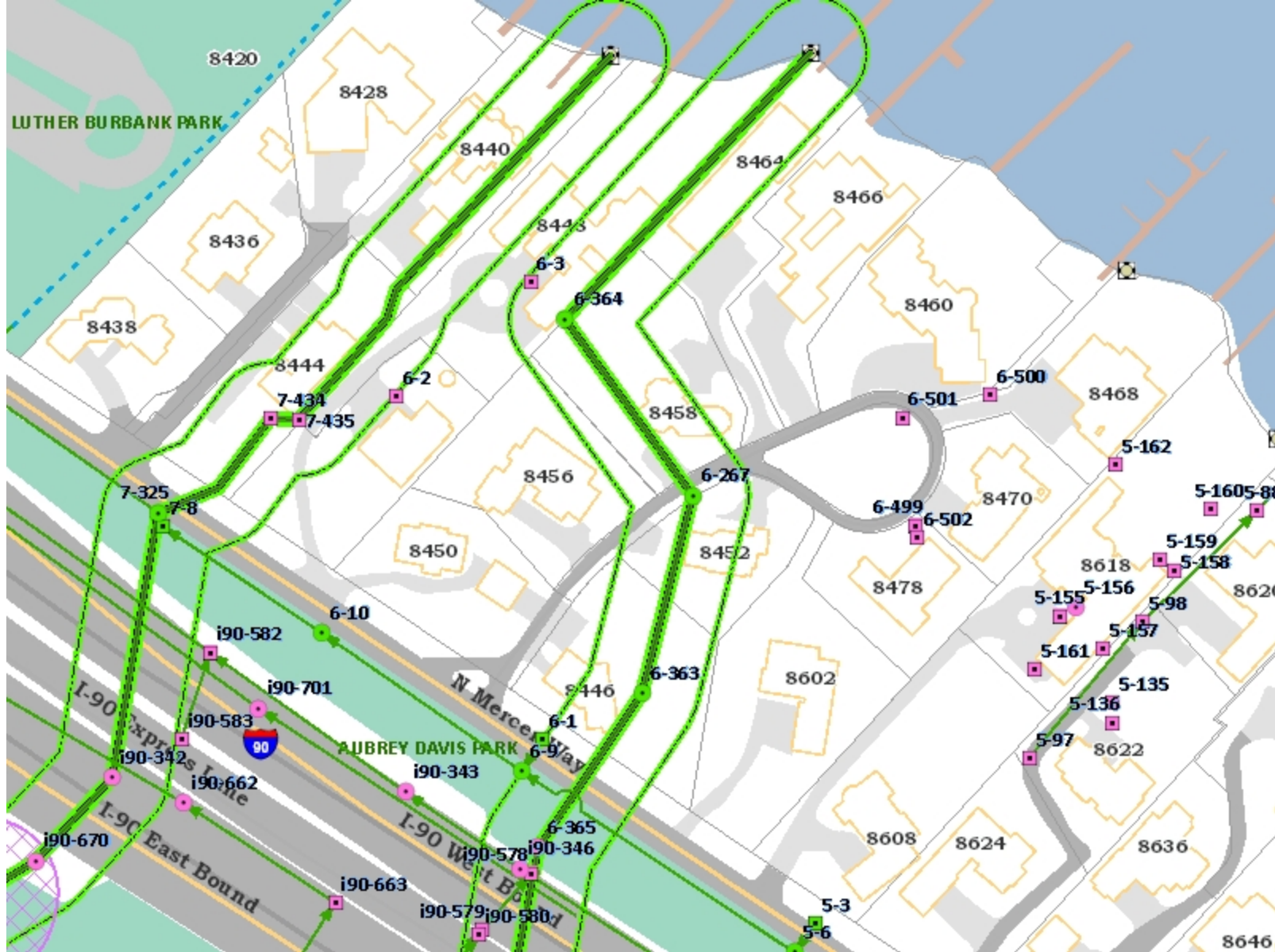
1 inch = 244.556941 feet



Disclaimer: These maps were developed by the City of Mercer Island and are intended to be a general purpose digital reference tool. These maps are not an accepted legal instrument for describing, establishing, recording or maintaining descriptions for property concerns or boundaries. The City makes no representation or warranty with respect to the accuracy or currency of these data sets, especially in regard to labeling of surveyed dimensions, or agreement with official sources such as records of survey, or mapped locations of features.

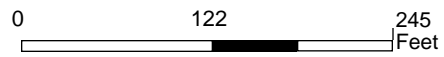
Notes





### Legend

- Storm Catch Basin**
  - CB, City Owned
  - CB, Private
  - CB, Unknown
  - Type 2, City Owned
  - Type 2, Private
  - Type 2, Unknown
- Storm Main**
  - Pipe
  - Open Watercourse
  - Piped Watercourse
  - - - Ditch
  - · · Culvert
  - Other
  - Storm Main - Private
  - ⊠ Storm Discharge Point
- Unpiped Watercourse**
  - Type "F" = Fish
  - Type "Np" = Non-Fish
  - Type "Ns" = Non-Fish Seasonal
  - Type "Np" (Unverified)
  - Type "Ns" (Unverified)
- Piped Watercourse**
  - Piped Watercourse
- Watercourse Buffer/Setback**
  - ⊠ Type "F" = 120-Ft Buffer
  - ⊠ Type "Np" = 60-Ft Buffer
  - ⊠ Type "Ns" = 60-Ft Buffer
  - ⊠ Type "Np" Unverified = 60-Ft Buffer
  - ⊠ Type "Ns" Unverified = 60-Ft Buffer
  - ⊠ Piped Type F/Np/Ns = 45-Ft Setback
- Address**
  - Building
  - Property Line
  - Docks



1 inch = 244.556941 feet

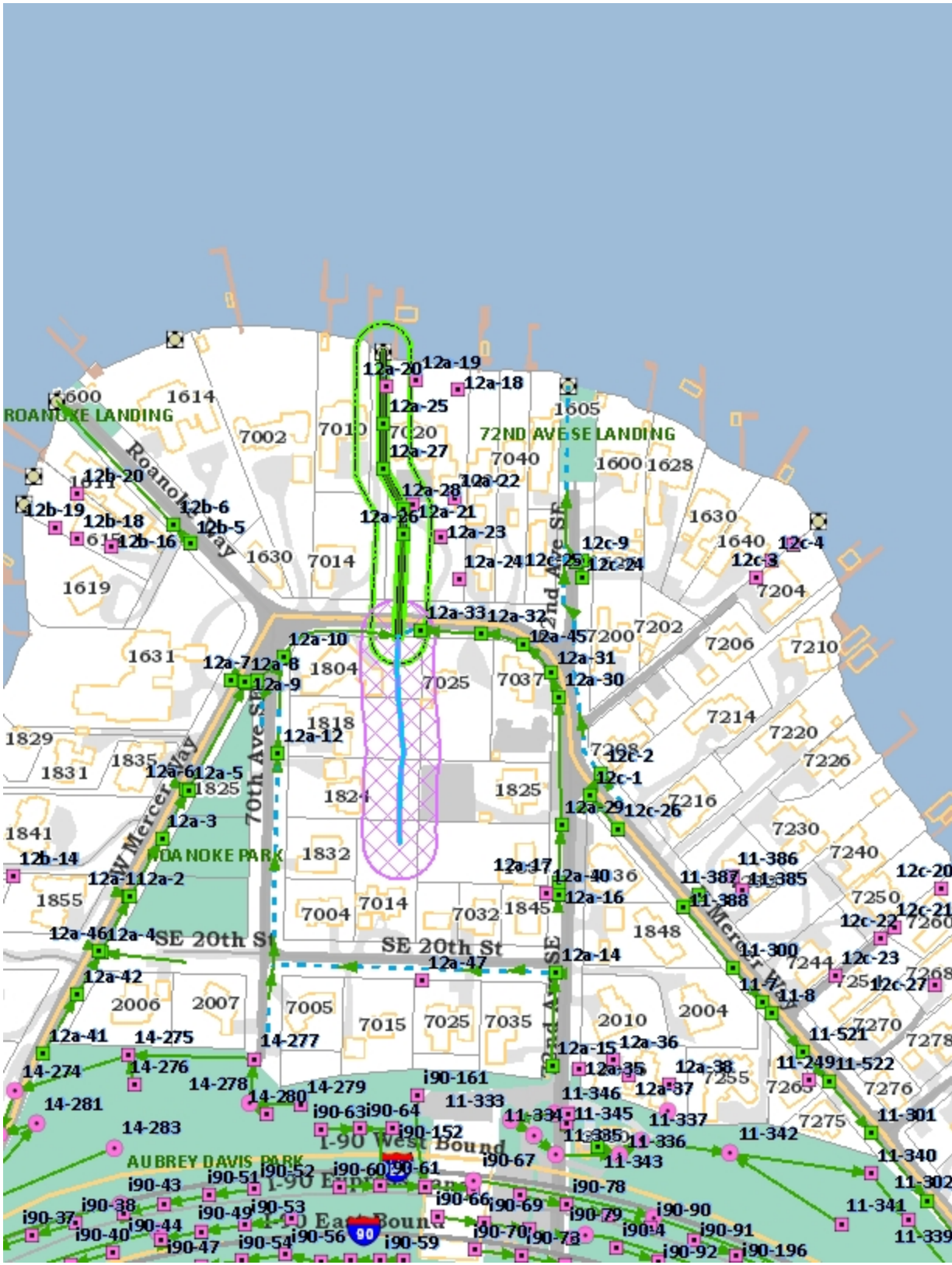


Disclaimer: These maps were developed by the City of Mercer Island and are intended to be a general purpose digital reference tool. These maps are not an accepted legal instrument for describing, establishing, recording or maintaining descriptions for property concerns or boundaries. The City makes no representation or warranty with respect to the accuracy or currency of these data sets, especially in regard to labeling of surveyed dimensions, or agreement with official sources such as records of survey, or mapped locations of features.

Notes

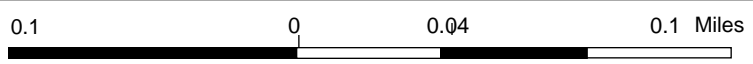


Item 3.



- ### Legend
- Storm Catch Basin**
    - CB, City Owned
    - CB, Private
    - CB, Unknown
    - Type 2, City Owned
    - Type 2, Private
    - Type 2, Unknown
  - Storm Main**
    - Pipe
    - Open Watercourse
    - Piped Watercourse
    - Ditch
    - Culvert
    - Other
  - Storm Main - Private**
  - Storm Discharge Point**
  - Unpiped Watercourse**
    - Type "F" = Fish
    - Type "Np" = Non-Fish
    - Type "Ns" = Non-Fish
    - Type "Np" (Unverified)
    - Type "Ns" (Unverified)
  - Piped Watercourse**
  - Watercourse Buffer/S**
    - Type "F" = 120-Ft Buff
    - Type "Np" = 60-Ft Buff
    - Type "Ns" = 60-Ft Buff
    - Type "Np" Unverified =
    - Type "Ns" Unverified =
    - Piped Type F/Np/Ns =
  - Address**
  - Building**
  - Property Line**
  - Docks**
  - Freeway**
  - Major Street**
  - Street**
  - Paved Driveway**
  - Paved Road**
  - Paved Parking Area**
  - Parks**

1:2,935



Disclaimer: These maps were developed by the City of Mercer Island and are intended to be a general purpose digital reference tool. These maps are not an accepted legal instrument for describing, establishing, recording or maintaining descriptions for property concerns or boundaries. The City makes no representation or warranty with respect to the accuracy or currency of these data sets, especially in regard to labeling of surveyed dimensions, or agreement with official sources such as records of survey, or mapped locations of features.

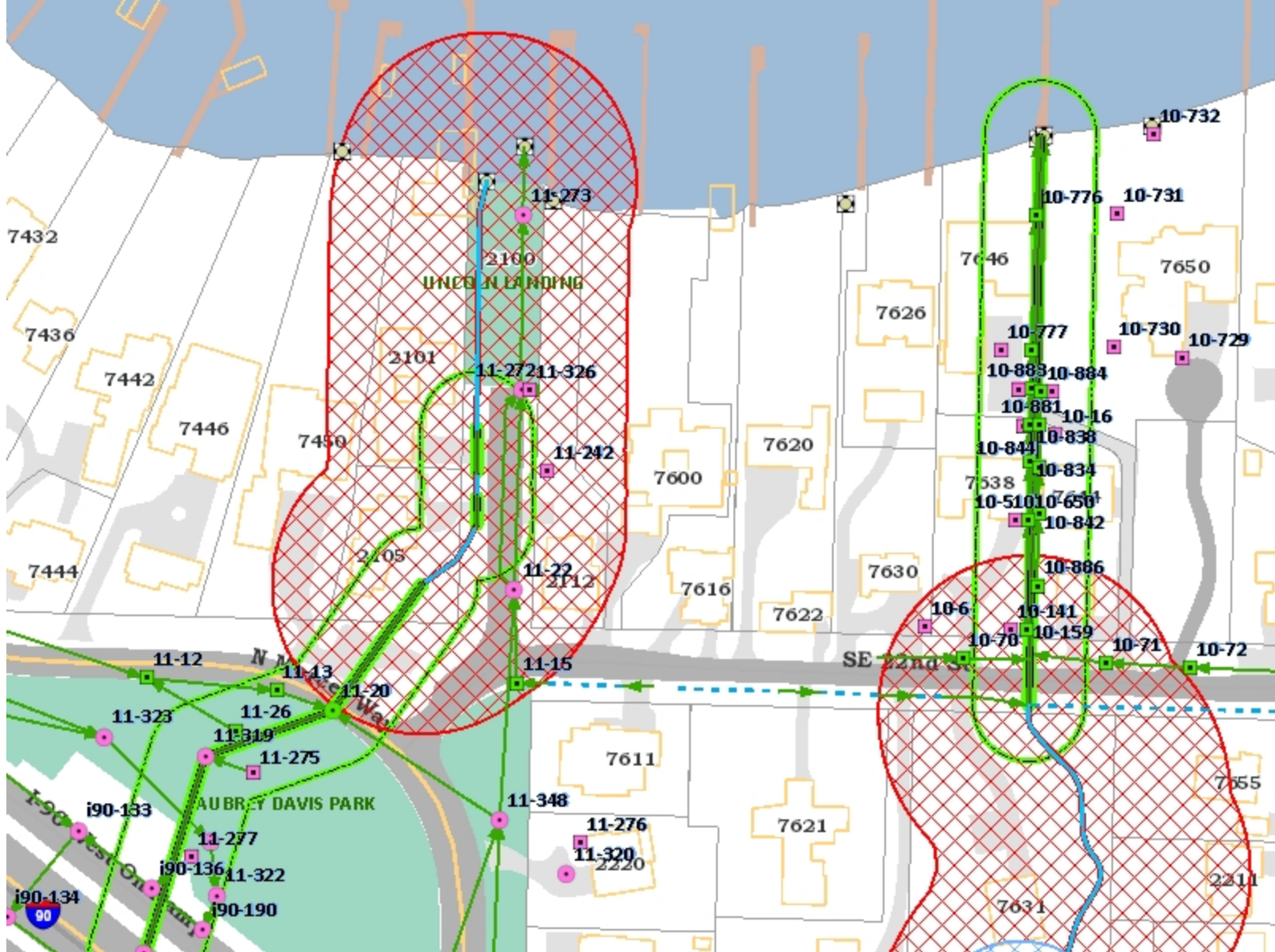
Notes





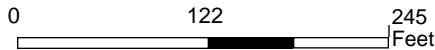


Item 3.



### Legend

- Storm Catch Basin**
  - CB, City Owned
  - CB, Private
  - CB, Unknown
  - Type 2, City Owned
  - Type 2, Private
  - Type 2, Unknown
- Storm Main**
  - Pipe
  - Open Watercourse
  - Piped Watercourse
  - Ditch
  - Culvert
  - Other
- Storm Main - Private**
- Storm Discharge Point**
- Unpiped Watercourse**
  - Type "F" = Fish
  - Type "Np" = Non-Fish
  - Type "Ns" = Non-Fish Seasonal
  - Type "Np" (Unverified)
  - Type "Ns" (Unverified)
- Piped Watercourse**
- Watercourse Buffer/Setback**
  - Type "F" = 120-Ft Buffer
  - Type "Np" = 60-Ft Buffer
  - Type "Ns" = 60-Ft Buffer
  - Type "Np" Unverified = 60-Ft Buffer
  - Type "Ns" Unverified = 60-Ft Buffer
  - Piped Type F/Np/Ns = 45-Ft Setback
- Address**
  - Building
  - Property Line
  - Docks



1 inch = 244.556941 feet



Disclaimer: These maps were developed by the City of Mercer Island and are intended to be a general purpose digital reference tool. These maps are not an accepted legal instrument for describing, establishing, recording or maintaining descriptions for property concerns or boundaries. The City makes no representation or warranty with respect to the accuracy or currency of these data sets, especially in regard to labeling of surveyed dimensions, or agreement with official sources such as records of survey, or mapped locations of features.

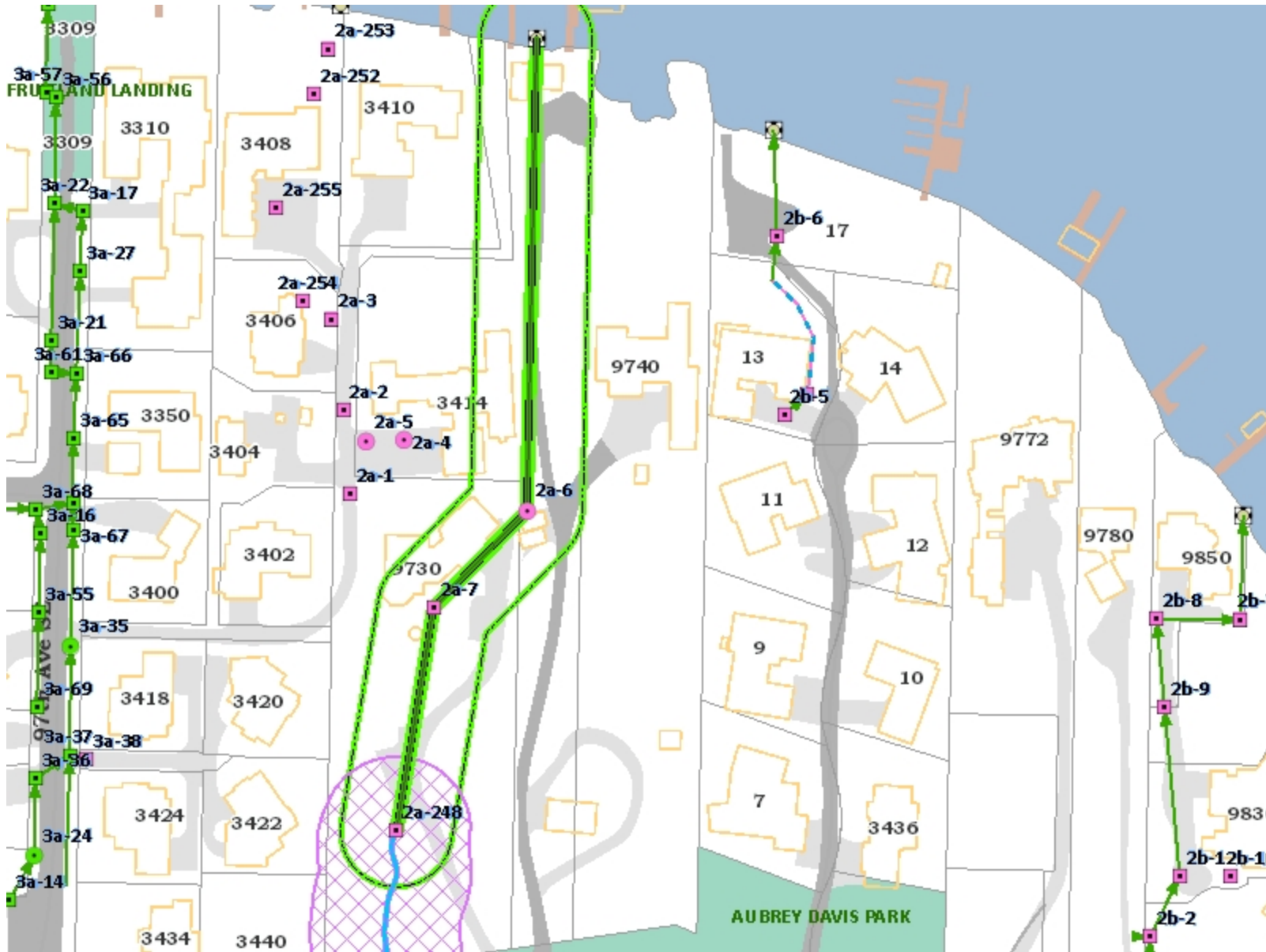
Notes





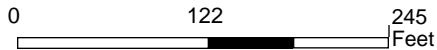


Item 3.



### Legend

- Storm Catch Basin**
  - CB, City Owned (Green square)
  - CB, Private (Pink square)
  - CB, Unknown (Dark green square)
  - Type 2, City Owned (Light green circle)
  - Type 2, Private (Pink circle)
  - Type 2, Unknown (Dark green circle)
- Storm Main**
  - Pipe (Green line with arrow)
  - Open Watercourse (Blue line)
  - Piped Watercourse (Green line)
  - Ditch (Dashed blue line)
  - Culvert (Dashed black line)
  - Other (Red line)
  - Storm Main - Private (Pink line)
- Storm Discharge Point** (Square with X)
- Unpiped Watercourse**
  - Type "F" = Fish (Red line)
  - Type "Np" = Non-Fish (Blue line)
  - Type "Ns" = Non-Fish Seasonal (Purple line)
  - Type "Np" (Unverified) (Yellow line)
  - Type "Ns" (Unverified) (Orange line)
- Piped Watercourse** (Green line)
- Watercourse Buffer/Setback**
  - Type "F" = 120-Ft Buffer (Red hatched)
  - Type "Np" = 60-Ft Buffer (Blue hatched)
  - Type "Ns" = 60-Ft Buffer (Purple hatched)
  - Type "Np" Unverified = 60-Ft Buffer (Yellow hatched)
  - Type "Ns" Unverified = 60-Ft Buffer (Orange hatched)
  - Piped Type F/Np/Ns = 45-Ft Setback (Green hatched)
- Address**
  - Building (Orange outline)
  - Property Line (Grey outline)
  - Docks (Brown outline)



1 inch = 244.556941 feet



Disclaimer: These maps were developed by the City of Mercer Island and are intended to be a general purpose digital reference tool. These maps are not an accepted legal instrument for describing, establishing, recording or maintaining descriptions for property concerns or boundaries. The City makes no representation or warranty with respect to the accuracy or currency of these data sets, especially in regard to labeling of surveyed dimensions, or agreement with official sources such as records of survey, or mapped locations of features.

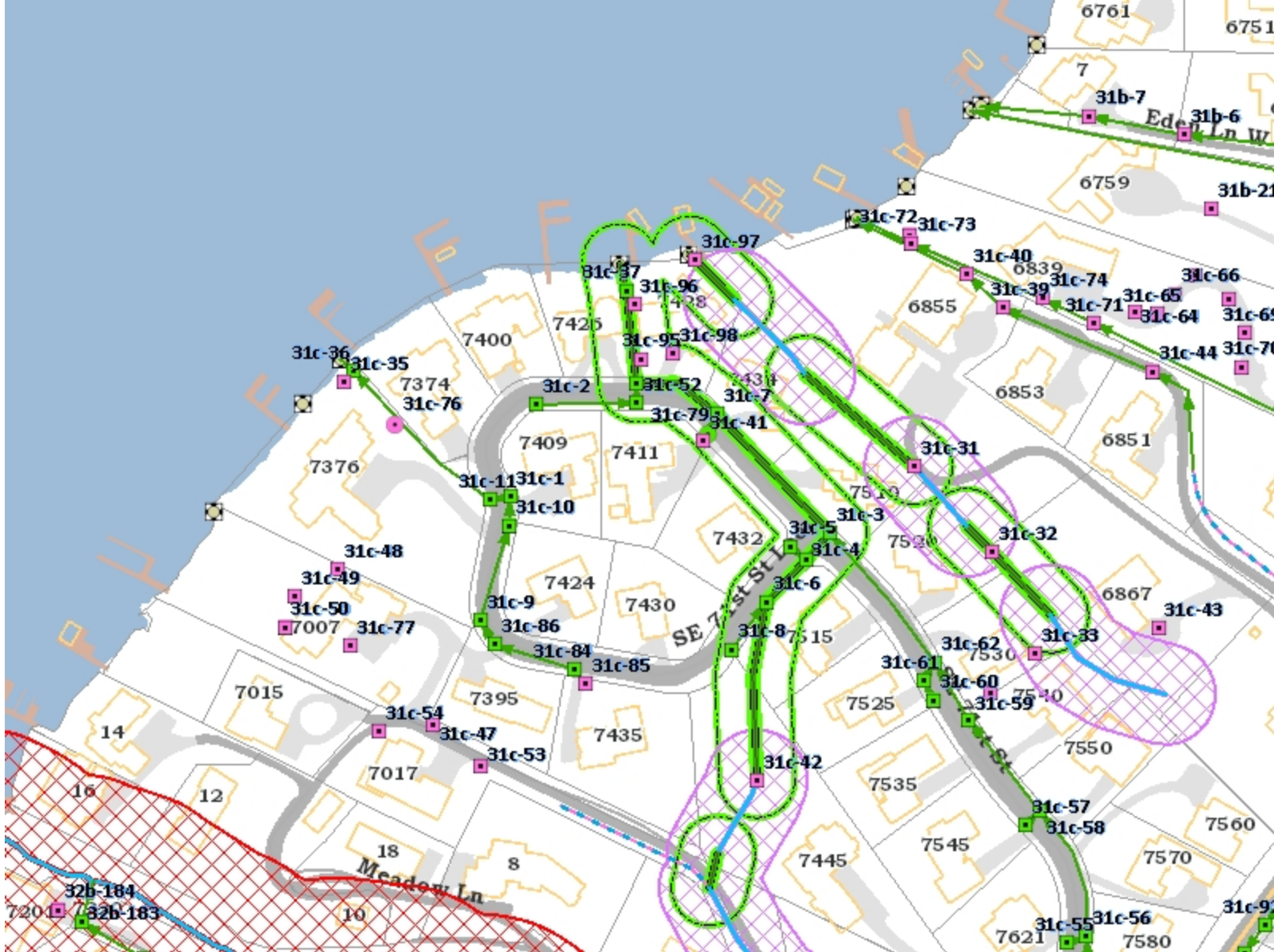
### Notes











### Legend

**Storm Catch Basin**

- CB, City Owned
- CB, Private
- CB, Unknown
- Type 2, City Owned
- Type 2, Private
- Type 2, Unknown

**Storm Main**

- Pipe
- Open Watercourse
- Piped Watercourse
- Ditch
- Culvert
- Other
- Storm Main - Private

**Storm Discharge Point**

- Storm Discharge Point

**Unpiped Watercourse**

- Type "F" = Fish
- Type "Np" = Non-Fish
- Type "Ns" = Non-Fish Seasonal
- Type "Np" (Unverified)
- Type "Ns" (Unverified)

**Piped Watercourse**

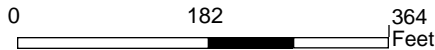
- Piped Watercourse

**Watercourse Buffer/Setback**

- Type "F" = 120-Ft Buffer
- Type "Np" = 60-Ft Buffer
- Type "Ns" = 60-Ft Buffer
- Type "Np" Unverified = 60-Ft Buffer
- Type "Ns" Unverified = 60-Ft Buffer
- Piped Type F/Np/Ns = 45-Ft Setback

**Address**

- Building
- Property Line
- Docks



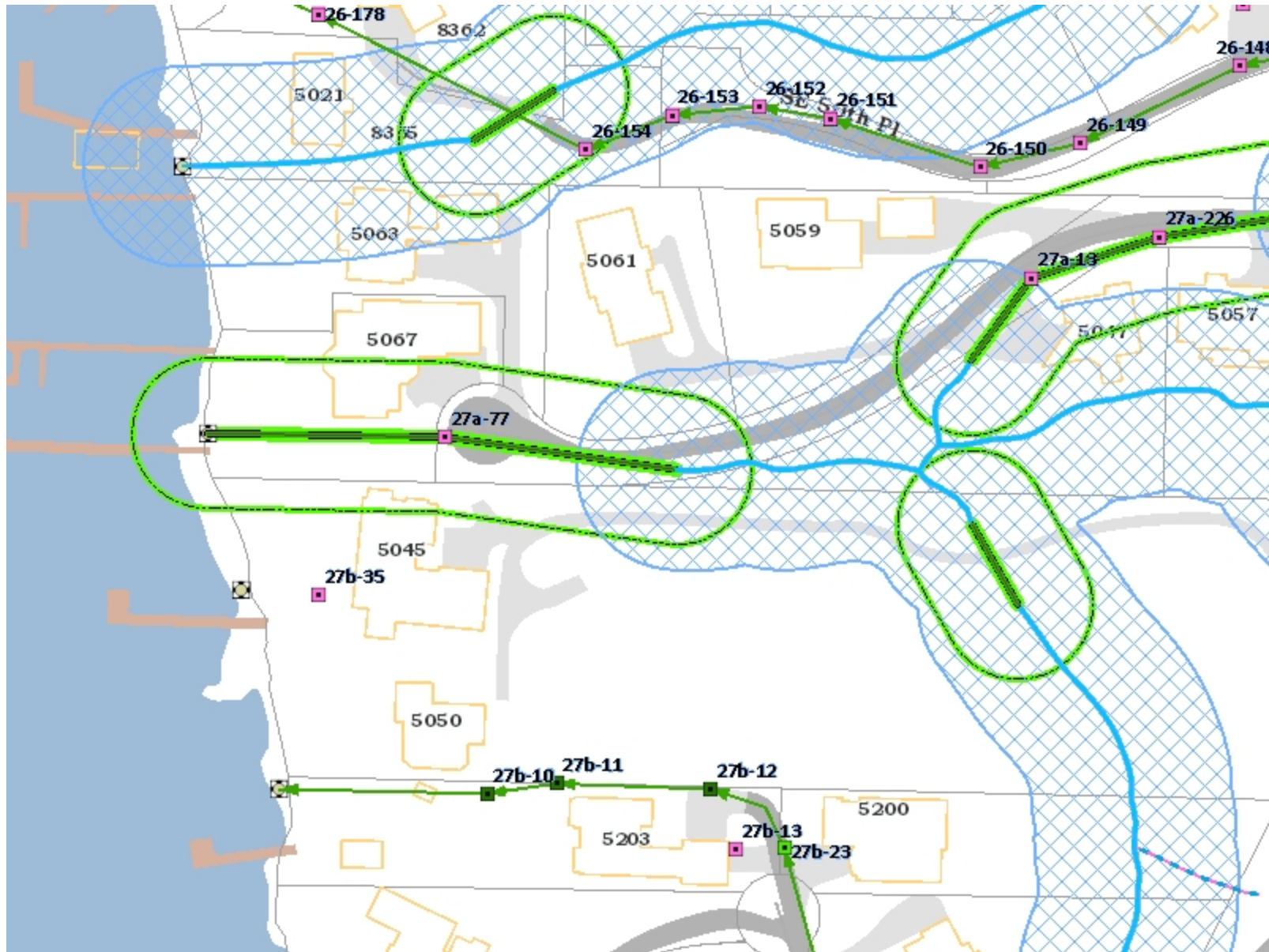
1 inch = 363.828563833333 feet



Disclaimer: These maps were developed by the City of Mercer Island and are intended to be a general purpose digital reference tool. These maps are not an accepted legal instrument for describing, establishing, recording or maintaining descriptions for property concerns or boundaries. The City makes no representation or warranty with respect to the accuracy or currency of these data sets, especially in regard to labeling of surveyed dimensions, or agreement with official sources such as records of survey, or mapped locations of features.

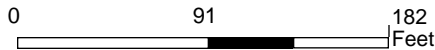
Notes





### Legend

- Storm Catch Basin**
  - CB, City Owned
  - CB, Private
  - CB, Unknown
  - Type 2, City Owned
  - Type 2, Private
  - Type 2, Unknown
- Storm Main**
  - Pipe
  - Open Watercourse
  - Piped Watercourse
  - - - Ditch
  - - - Culvert
  - - - Other
  - Storm Main - Private
- Storm Discharge Point**
  - ⊠
- Unpiped Watercourse**
  - Type "F" = Fish
  - Type "Np" = Non-Fish
  - Type "Ns" = Non-Fish Seasonal
  - Type "Np" (Unverified)
  - Type "Ns" (Unverified)
- Piped Watercourse**
  -
- Watercourse Buffer/Setback**
  - ⊠ Type "F" = 120-Ft Buffer
  - ⊠ Type "Np" = 60-Ft Buffer
  - ⊠ Type "Ns" = 60-Ft Buffer
  - ⊠ Type "Np" Unverified = 60-Ft Buffer
  - ⊠ Type "Ns" Unverified = 60-Ft Buffer
  - ⊠ Piped Type F/Np/Ns = 45-Ft Setback
- Address**
  - Building
  - Property Line
  - Docks



1 inch = 181.914282 feet

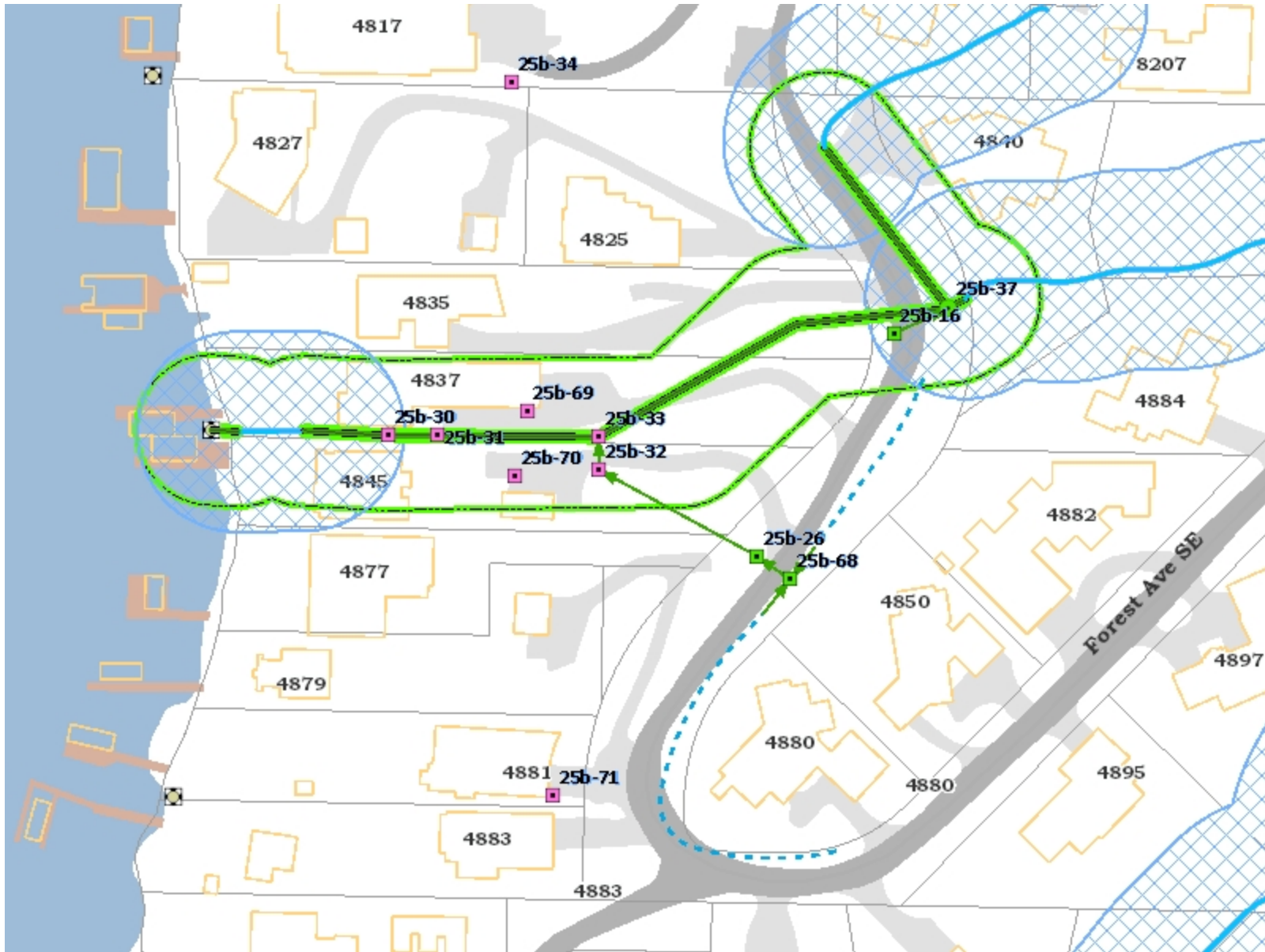


Disclaimer: These maps were developed by the City of Mercer Island and are intended to be a general purpose digital reference tool. These maps are not an accepted legal instrument for describing, establishing, recording or maintaining descriptions for property concerns or boundaries. The City makes no representation or warranty with respect to the accuracy or currency of these data sets, especially in regard to labeling of surveyed dimensions, or agreement with official sources such as records of survey, or mapped locations of features.

Notes

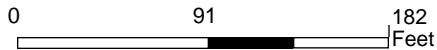


Item 3.



### Legend

- Storm Catch Basin**
  - CB, City Owned
  - CB, Private
  - CB, Unknown
  - Type 2, City Owned
  - Type 2, Private
  - Type 2, Unknown
- Storm Main**
  - Pipe
  - Open Watercourse
  - Piped Watercourse
  - - - Ditch
  - - - Culvert
  - - - Other
  - Storm Main - Private
- ⊠ Storm Discharge Point
- Unpiped Watercourse**
  - Type "F" = Fish
  - Type "Np" = Non-Fish
  - Type "Ns" = Non-Fish Seasonal
  - Type "Np" (Unverified)
  - Type "Ns" (Unverified)
- Piped Watercourse**
- Watercourse Buffer/Setback**
  - ⊠ Type "F" = 120-Ft Buffer
  - ⊠ Type "Np" = 60-Ft Buffer
  - ⊠ Type "Ns" = 60-Ft Buffer
  - ⊠ Type "Np" Unverified = 60-Ft Buffer
  - ⊠ Type "Ns" Unverified = 60-Ft Buffer
  - ⊠ Piped Type F/Np/Ns = 45-Ft Setback
- Address**
  - Building
  - Property Line
  - Docks

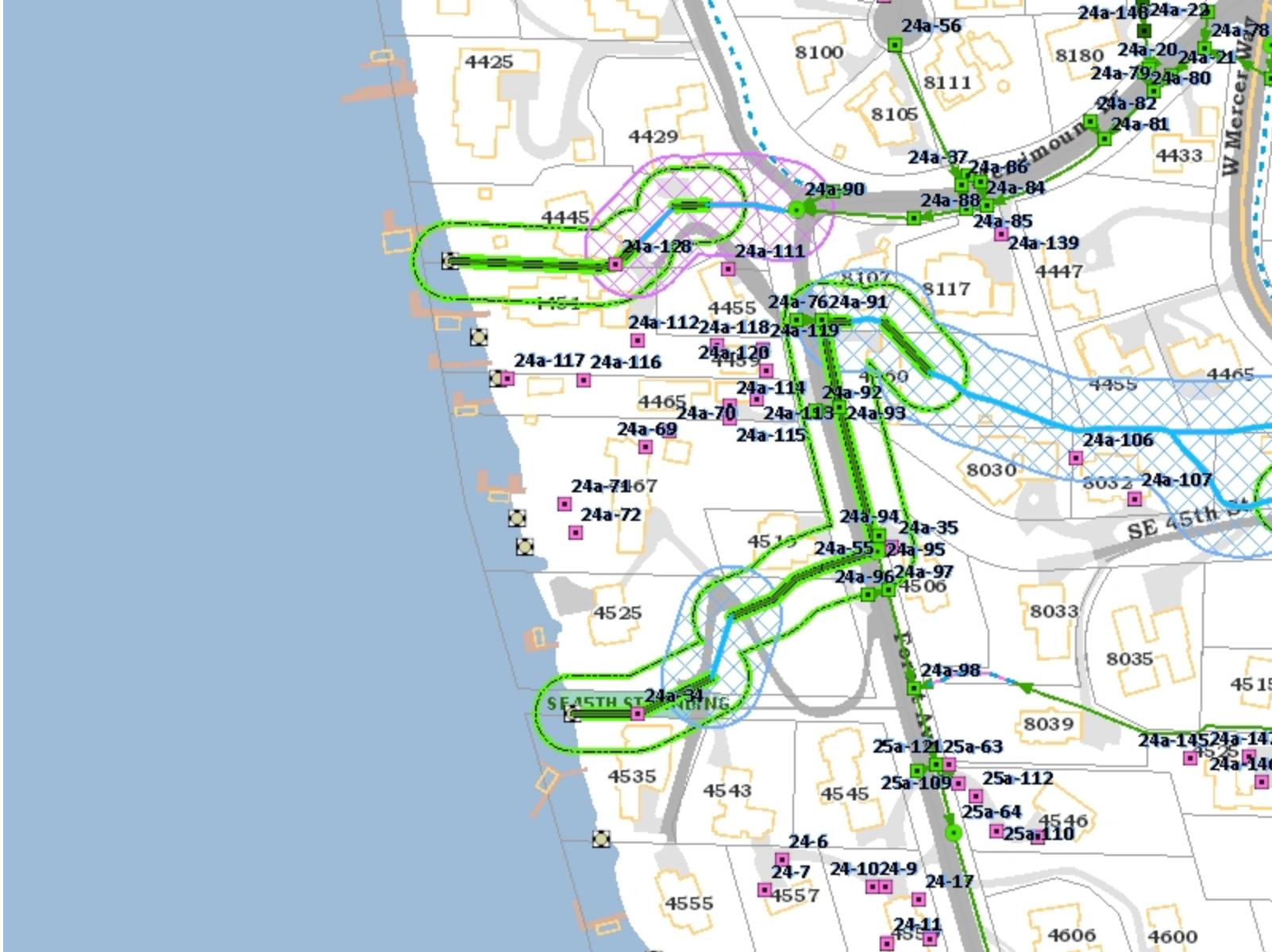


1 inch = 181.914282 feet



Disclaimer: These maps were developed by the City of Mercer Island and are intended to be a general purpose digital reference tool. These maps are not an accepted legal instrument for describing, establishing, recording or maintaining descriptions for property concerns or boundaries. The City makes no representation or warranty with respect to the accuracy or currency of these data sets, especially in regard to labeling of surveyed dimensions, or agreement with official sources such as records of survey, or mapped locations of features.

Notes



### Legend

**Storm Catch Basin**

- CB, City Owned
- CB, Private
- CB, Unknown
- Type 2, City Owned
- Type 2, Private
- Type 2, Unknown

**Storm Main**

- Pipe
- Open Watercourse
- Piped Watercourse
- Ditch
- Culvert
- Other

Storm Main - Private

Storm Discharge Point

**Unpiped Watercourse**

- Type "F" = Fish
- Type "Np" = Non-Fish
- Type "Ns" = Non-Fish Seasonal
- Type "Np" (Unverified)
- Type "Ns" (Unverified)

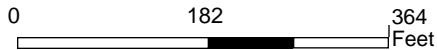
**Piped Watercourse**

**Watercourse Buffer/Setback**

- Type "F" = 120-Ft Buffer
- Type "Np" = 60-Ft Buffer
- Type "Ns" = 60-Ft Buffer
- Type "Np" Unverified = 60-Ft Buffer
- Type "Ns" Unverified = 60-Ft Buffer
- Piped Type F/Np/Ns = 45-Ft Setback

**Address**

- Building
- Property Line
- Docks



1 inch =  
363.828563833333  
feet



Disclaimer: These maps were developed by the City of Mercer Island and are intended to be a general purpose digital reference tool. These maps are not an accepted legal instrument for describing, establishing, recording or maintaining descriptions for property concerns or boundaries. The City makes no representation or warranty with respect to the accuracy or currency of these data sets, especially in regard to labeling of surveyed dimensions, or agreement with official sources such as records of survey, or mapped locations of features.

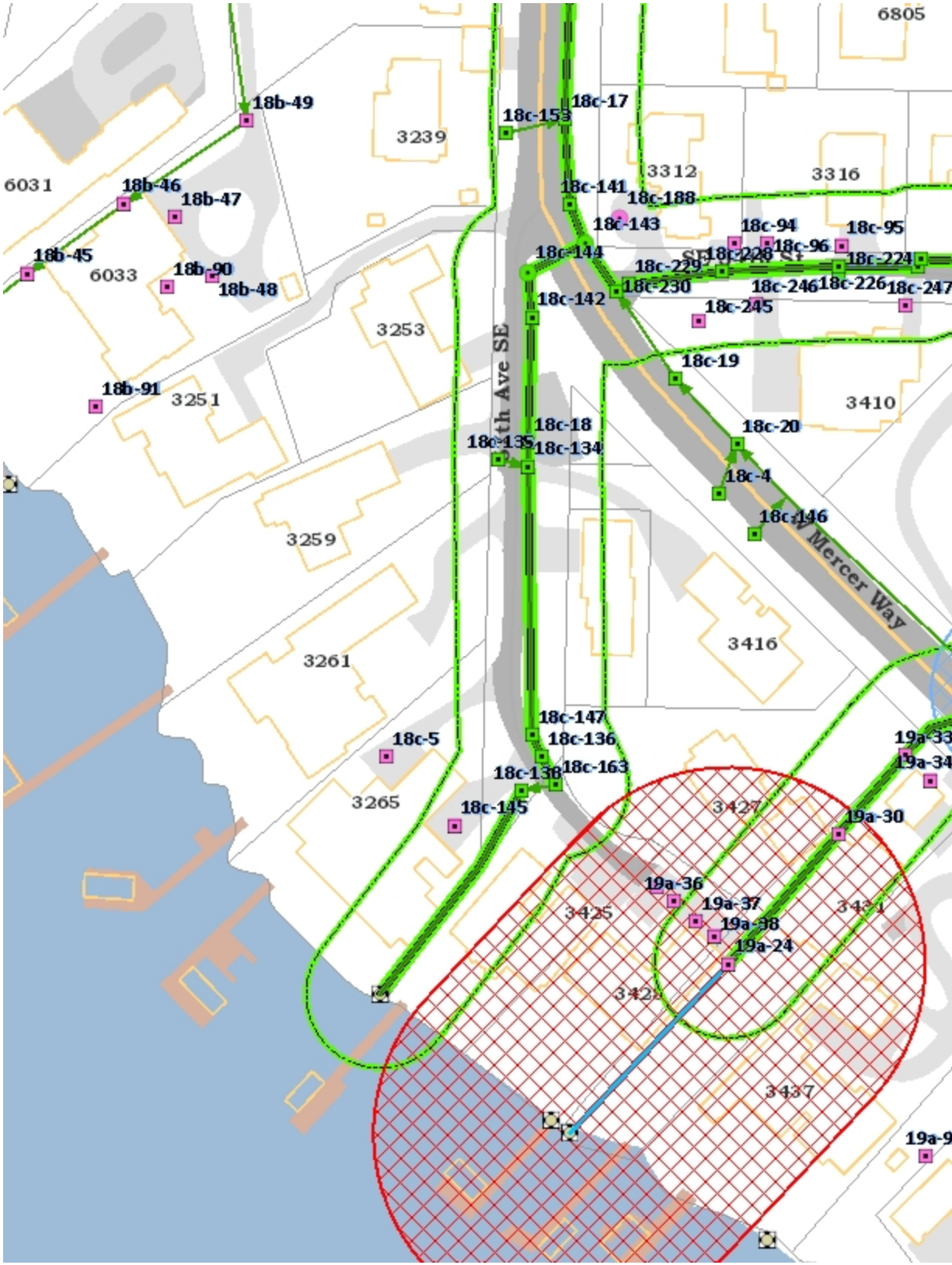
### Notes







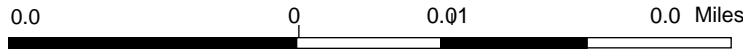
Item 3.



### Legend

- Storm Catch Basin**
  - CB, City Owned
  - CB, Private
  - CB, Unknown
  - Type 2, City Owned
  - Type 2, Private
  - Type 2, Unknown
- Storm Main**
  - Pipe
  - Open Watercourse
  - Piped Watercourse
  - Ditch
  - Culvert
  - Other
- Storm Main - Private**
- Storm Discharge Point**
- Unpiped Watercourse**
  - Type "F" = Fish
  - Type "Np" = Non-Fish
  - Type "Ns" = Non-Fish (Unverified)
  - Type "Np" (Unverified)
  - Type "Ns" (Unverified)
- Piped Watercourse**
- Watercourse Buffer/S**
  - Type "F" = 120-Ft Buff
  - Type "Np" = 60-Ft Buff
  - Type "Ns" = 60-Ft Buff
  - Type "Np" Unverified =
  - Type "Ns" Unverified =
  - Piped Type F/Np/Ns =
- Address**
  - Building
  - Property Line
  - Docks
  - Freeway
  - Major Street
  - Street
  - Paved Driveway
  - Paved Road
  - Paved Parking Area
  - Parks

1: 1,091



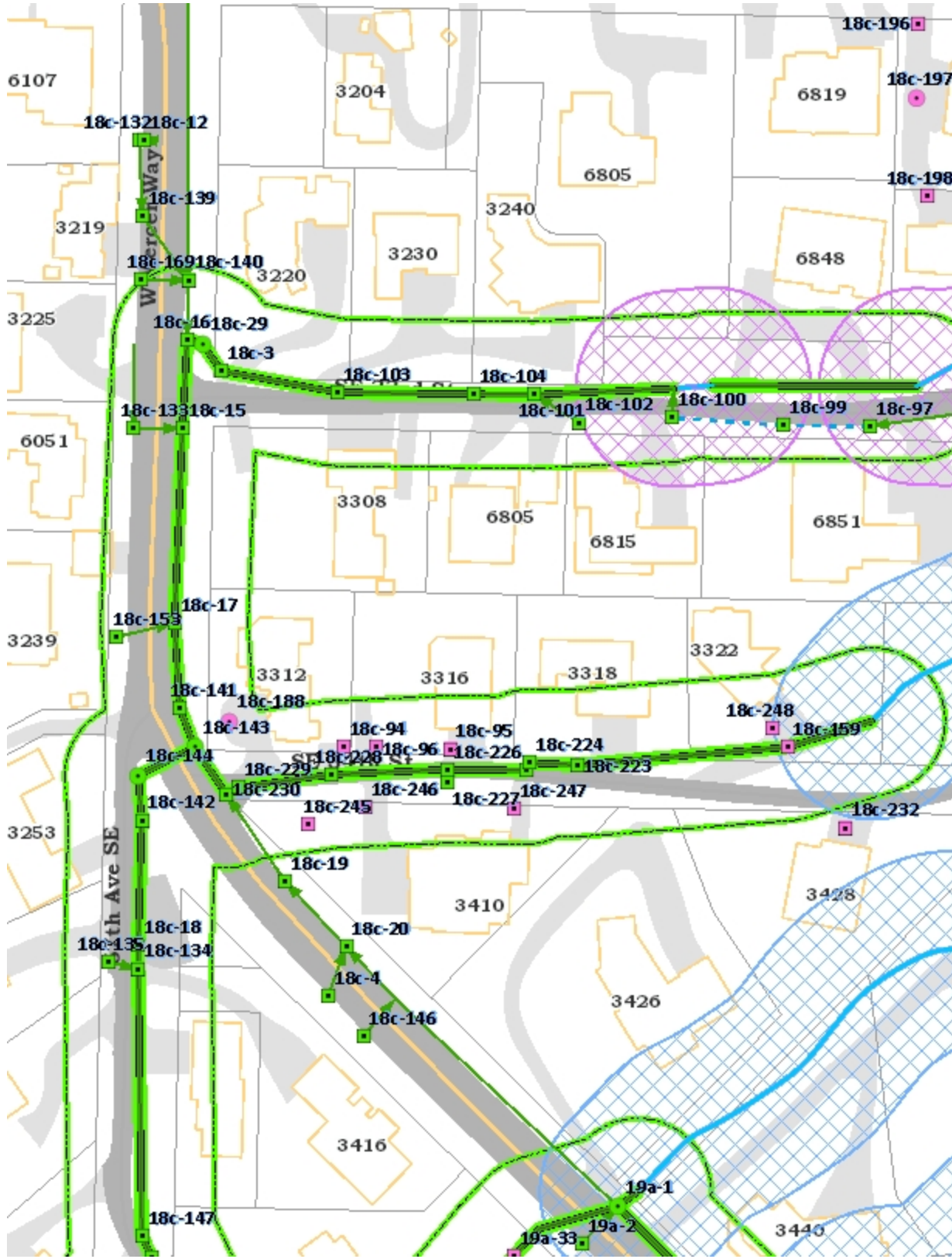
Disclaimer: These maps were developed by the City of Mercer Island and are intended to be a general purpose digital reference tool. These maps are not an accepted legal instrument for describing, establishing, recording or maintaining descriptions for property concerns or boundaries. The City makes no representation or warranty with respect to the accuracy or currency of these data sets, especially in regard to labeling of surveyed dimensions, or agreement with official sources such as records of survey, or mapped locations of features.

Notes





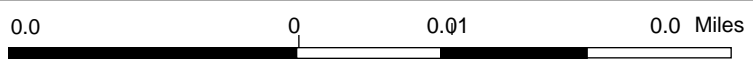
Item 3.



### Legend

- Storm Catch Basin**
  - CB, City Owned (Green square)
  - CB, Private (Pink square)
  - CB, Unknown (Black square)
  - Type 2, City Owned (Green circle)
  - Type 2, Private (Pink circle)
  - Type 2, Unknown (Black circle)
- Storm Main**
  - Pipe (Green line with arrow)
  - Open Watercourse (Blue line)
  - Piped Watercourse (Green line)
  - Ditch (Dashed blue line)
  - Culvert (Dashed black line)
  - Other (Red line)
  - Storm Main - Private (Pink line)
- Storm Discharge Point** (Pink square with 'X')
- Unpiped Watercourse**
  - Type "F" = Fish (Red line)
  - Type "Np" = Non-Fish (Blue line)
  - Type "Ns" = Non-Fish (Purple line)
  - Type "Np" (Unverified) (Yellow line)
  - Type "Ns" (Unverified) (Orange line)
- Piped Watercourse** (Green line)
- Watercourse Buffer/S**
  - Type "F" = 120-Ft Buff (Red hatched box)
  - Type "Np" = 60-Ft Buff (Blue hatched box)
  - Type "Ns" = 60-Ft Buff (Purple hatched box)
  - Type "Np" Unverified (Yellow hatched box)
  - Type "Ns" Unverified (Orange hatched box)
  - Piped Type F/Np/Ns (Green hatched box)
- Address**
  - Building (Orange outline)
  - Property Line (Grey outline)
  - Docks (Brown outline)
  - Freeway (Grey line)
  - Major Street (Orange line)
  - Street (Grey line)
  - Paved Driveway (Grey area)
  - Paved Road (Grey area)
  - Paved Parking Area (Grey area)
  - Parks (Green area)

1: 1,091



Disclaimer: These maps were developed by the City of Mercer Island and are intended to be a general purpose digital reference tool. These maps are not an accepted legal instrument for describing, establishing, recording or maintaining descriptions for property concerns or boundaries. The City makes no representation or warranty with respect to the accuracy or currency of these data sets, especially in regard to labeling of surveyed dimensions, or agreement with official sources such as records of survey, or mapped locations of features.

Notes

# CITY OF MERCER ISLAND

## COMMUNITY PLANNING & DEVELOPMENT

9611 SE 36TH STREET | MERCER ISLAND, WA 98040

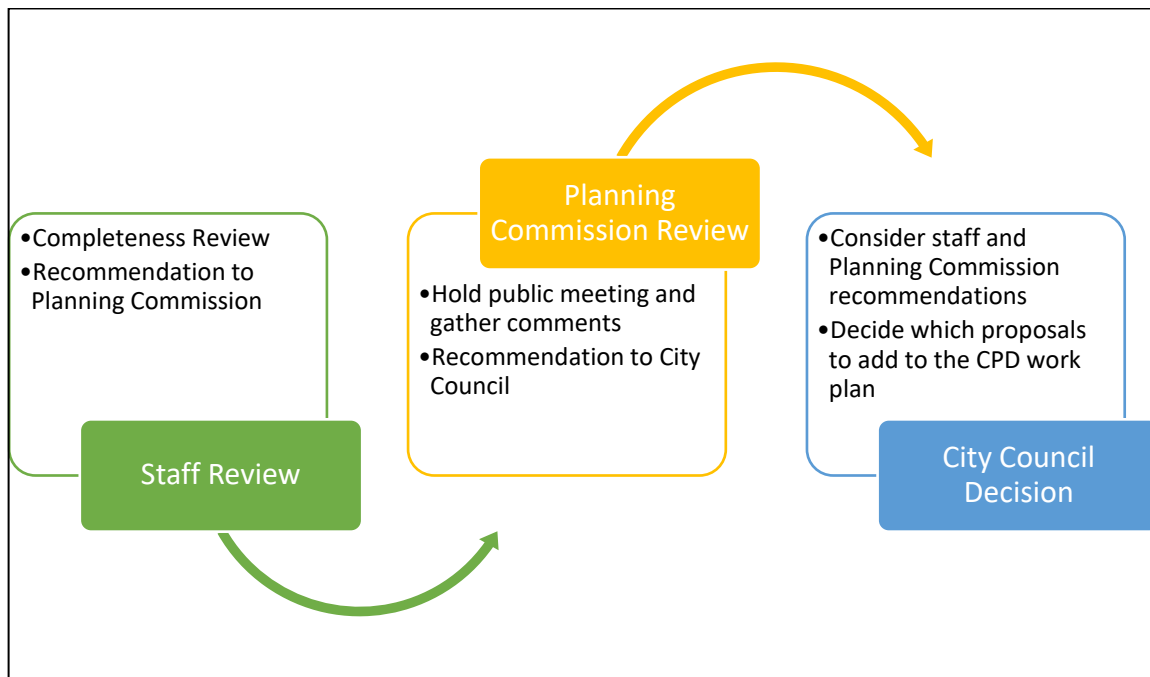
PHONE: 206.275.7605 | [www.mercerisland.gov](http://www.mercerisland.gov)



## DOCKET REQUEST FORM

### APPLICATION REVIEW PROCESS

Docket Requests are the first step in the process of amending the City’s Comprehensive Plan or development regulations. The Mercer Island City Code (MICC) describes the process for these amendments in MICC [19.15.230-.260](#). Figure 1 summarizes the annual docket process.



Staff review all docket requests for timeliness and completeness and will use the information provided in the application form to present your request to the Mercer Island Planning Commission and City Council. The Planning Commission will review the docket requests and make a recommendation to the City Council regarding which docket items to add to the final docket.

The City Council has decision-making authority over all annual docket proposals. The City Council determines whether to add a proposal to the final docket. Items added to the final docket will be incorporated in the Community Planning and Development work plan for the upcoming year. Docket requests are evaluated based on alignment with the current City work plan, current policies, programmatic priorities, staff capacity, and budget to complete of the legislative process for the request in the following year. The City Council will approve the final docket by December 31 each year. Items placed on the final docket will be scheduled for legislative review by the Planning Commission and City Council in the following year.



## DOCKET REQUEST FORM

The following information is required to be included. Failure to complete this form may result in the application being incomplete. Incomplete applications will not be considered during the annual docket process.

### APPLICANT INFORMATION

Name: Michael J. Murphy  
Address: 2711 64th Ave. SE, Mercer Island, WA 98040  
Phone: 206.618.7200  
Email: murpm@comcast.net

### AGENT/CONSULTANT/ATTORNEY: (COMPLETE IF PRIMARY CONTACT IS DIFFERENT FROM APPLICANT)

Name: N/A  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Email: \_\_\_\_\_

### REQUEST INFORMATION

*Please complete a separate Docket Request Form for each item you are requesting to be added to the Docket.*

Is this request related to a specific property or zone? Yes  No

If yes, please complete the following information:

Property Owner: \_\_\_\_\_  
Address: \_\_\_\_\_  
County Assessors Parcel No.: \_\_\_\_\_  
Parcel Size (sq. ft.): \_\_\_\_\_

If the application is submitted by an agent/consultant/attorney, please demonstrate that that the application has been submitted with the consent of all owners of the affected property. For example, attach a signed letter providing consent.

Is this request for a Comprehensive Plan amendment or a development code amendment?

Comprehensive Plan amendment  Development code amendment

Would you like to submit a suggestion for a comprehensive plan or development code amendment, or is this an application for a specific amendment (check boxes)? Please note: applications are subject to [applicable permit fees](#).

Suggestion  Application

**DOCKET REQUEST NARRATIVE – REQUIRED FOR ALL APPLICATIONS**

Please attach a narrative responding to the following questions. Attach any additional sheets, supporting maps or graphics. Answer each question separately and reference the question number in your answer. **The application will be considered incomplete without a narrative answering all of the following questions.**

1. Please provide a detailed description of the proposed amendment and a clear statement of what the proposed amendment is intended to accomplish.
  - a. Indicate the specific Comprehensive Plan Elements, maps, goals or policies or the specific sections of the development code you propose to amend.
  - b. If the proposal would amend existing Comprehensive Plan or development code text, please provide the proposal in underline/strikeout format with text to be added indicated by underlining and text to be deleted indicated with ~~strikeouts~~.
  - c. If a map amendment is proposed, please provide a map that clearly outlines the areas proposed to be changed.
2. How does the proposal benefit the community or the environment?
3. Explain how the request relates to the applicable decision criteria (MICC 19.15.250(D) for code amendments, and MICC 19.15.230(F) for Comprehensive Plan amendments, see below).
4. For Comprehensive plan amendments: Is the proposal consistent the Growth Management Act and King County Countywide Planning Policies?
5. For development code amendments: how does the proposal align with the goals of the City’s Comprehensive Plan?

Signature: \_\_\_\_\_ Date: 9/30/2023

**DOCKETING CRITERIA (MICC 19.15.230 (E)):**

*Docketing criteria.* The following criteria shall be used to determine whether a proposed amendment is added to the final docket in subsection D of this section:

1. The request has been filed in a timely manner, and either:
  - a. State law requires, or a decision of a court or administrative agency has directed, such a change; or
  - b. All of the following criteria are met:
    - i. The proposed amendment presents a matter appropriately addressed through the comprehensive plan or the code;
    - ii. The city can provide the resources, including staff and budget, necessary to review the proposal, or resources can be provided by an applicant for an amendment;
    - iii. The proposal does not raise policy or land use issues that are more appropriately addressed by an ongoing work program item approved by the city council;
    - iv. The proposal will serve the public interest by implementing specifically identified goals of the comprehensive plan or a new approach supporting the city's vision; and
    - v. The essential elements of the proposal and proposed outcome have not been considered by the city council in the last three years. This time limit may be waived by the city council if the proponent establishes that there exists a change in circumstances that justifies the need for the amendment.

**COMPREHENSIVE PLAN DECISION CRITERIA (MICC 19.15.230 (F)):**

*Decision criteria.* Decisions to amend the comprehensive plan shall be based on the criteria specified below. An applicant for a comprehensive plan amendment proposal shall have the burden of demonstrating that the proposed amendment complies with the applicable regulations and decision criteria.

1. The amendment is consistent with the Growth Management Act, the countywide planning policies, and the other provisions of the comprehensive plan and city policies; and:
  - a. There exists obvious technical error in the information contained in the comprehensive plan; or
  - b. The amendment addresses changing circumstances of the city as a whole.
2. If the amendment is directed at a specific property, the following additional findings shall be determined:
  - a. The amendment is compatible with the adjacent land use and development pattern;
  - b. The property is suitable for development in conformance with the standards under the potential zoning; and
  - c. The amendment will benefit the community as a whole and will not adversely affect community facilities or the public health, safety, and general welfare.

**DEVELOPMENT CODE AMENDMENT DECISION CRITERIA (MICC 19.15.250 (D)):**

*Criteria.* The city may approve or approve with modifications a proposal to amend this Code only if:

1. The amendment is consistent with the comprehensive plan; and
2. The amendment bears a substantial relation to the public health, safety, or welfare; and
3. The amendment is in the best interest of the community as a whole.

# Suggestion for Residential Code Amendment

MICC 19.02.020 Residential Development Standards

MICC 19.02.020(G)(2)(c) Parking Requirements (proposing a new item (c) )

## **Suggested Code Amendment:**

I suggest adding a new Residential Development Standards Section 19.02.020(G)(2)(c) - Parking Requirements. It would require that "each residential dwelling unit outside of the Town Center with a gross floor area of less than 3,000 sqft shall have at least two parking spaces sufficient in size to park a passenger automobile and charge it; provided, at least two of the stalls shall be a covered stall. Any residential dwelling unit with a gross floor area of 3,000 sqft or more shall be treated the same as a single family residence and subject to the requirements of 19.02.020(G)(2)(a)."

If MICC 19.02.020(G)(2)(a) and (b) are reduced from 3,000 sqft GFA to 2,000 sqft GFA per a Docket proposal from last year, then it would be reasonable and prudent to also reduce the proposed (G)(2)(c) threshold to 2,000 sqft GFA.

## **Docket Request Narrative:**

The intent of this code amendment is to ensure that newer development on Mercer Island is capable of supporting off-street EV use and charging. Current parking requirements (2)(a) and (2)(b) refer only to single-family dwellings, so small multifamily dwellings or other non-single-family dwellings in my understanding have no current parking requirements outside of Town Center. I do not wish to burden any future apartment development in the Town Center, nor come into conflict with MICC 19.11.130(B)(1)(a), hence the exclusion of the Town Center area.

Supporting EV use and charging is well within the goals of the Comprehensive Plan as it benefits the environment by encouraging people to use EVs which are less-polluting than fossil-fuel powered vehicles. Off-street, or curbside EV charging generally falls on municipalities to install and maintain and thus those costs would be passed on to all residents – the community benefits from off-street EV charging because it does not add additional costs to the city. The community also benefits from off-street EV charging because less cars on the sides of the street is safer for vehicle drivers or passengers, pedestrians, bicyclists, and other non-automobile users of the streets. This is a significant safety issue as many Mercer Island residential neighborhoods do not have sidewalks, many streets are narrow, winding, have significant flora along their edges, have no painted lines, have no curbs, or are steep; thus I am confident that an empirical study would clearly demonstrate that not enacting these parking requirements would be significantly less safe for vehicle drivers or passengers, pedestrians, or bicyclists.

MI Can and multiple parts of the Comprehensive Plan address reductions in greenhouse gases and promotion of EV use. Additionally, revisions to the Comprehensive Plan articulate that too much on-street parking can cause risk to pedestrians, cyclists, and other non-automobile users of the streets.

It is well documented that on-street/curbside EV charging can be expensive, unreliable and inconvenient. Additionally, the infrastructure needs then inevitably fall on the municipalities. To ensure that EVs park in

a potential on-street EV spot, a parking enforcement or registration program would have to be grown, also coming at a cost to the city.

Some neighborhoods do not have electrical poles on which to install curbside EV chargers. Those chargers would then have to be installed at ground level and would be prone to copper thieves, a well-documented occurrence nearby in Seattle.

This is also a time-sensitive matter - as new, smaller residential units are constructed, we run the risk of builders building the minimum necessary to close the sale. Only after inhabiting a dwelling unit would a resident observe the significant downsides of curbside EV charging compared to off-street charging. This will work against EV adoption (and thus against the city's goal of encouraging greener transportation) or would require expensive retrofit to dwellings which would cause financial strain to new residents or drive them to not purchase an EV and instead purchase a fossil-fueled vehicle.

This proposal satisfies the five decision criteria in MICC 19.15.250(D) as summarized below:

- i. Parking is mentioned in the Comprehensive Plan and City Codes, thus this concern is appropriately addressed through comp plan and/or code revisions too.
- ii. This is a simple code revision (addition) and I am happy to assist if/as needed.
- iii. I am not aware of an ongoing work plan related to on-street parking outside of the City Center
- iv. Supports MI Can's vision of reducing carbon footprint. Also, various elements of the Comprehensive Plan encourage the use of EVs or reduction of greenhouse gas emissions and
- v. This is a new proposal based on new state laws and recent/pending revisions to as well as existing goals of the Comprehensive Plan

Please support this common-sense code addition. It will encourage and facilitate the use of EVs on Mercer Island and is thus environmentally friendly. It will avoid the City having to install and maintain curbside EV charging which benefits all residents by not adding additional work and cost to the city. Finally, it will make the streets safer for pedestrians, cyclists, and all other non-motorized users of our mostly-sidewalkless streets. These are all in the best interests of the Mercer Island community as a whole, will help improve public health and safety, and is consistent with the Comprehensive Plan. Thank you for your time and consideration.

# COMMUNITY PLANNING & DEVELOPMENT

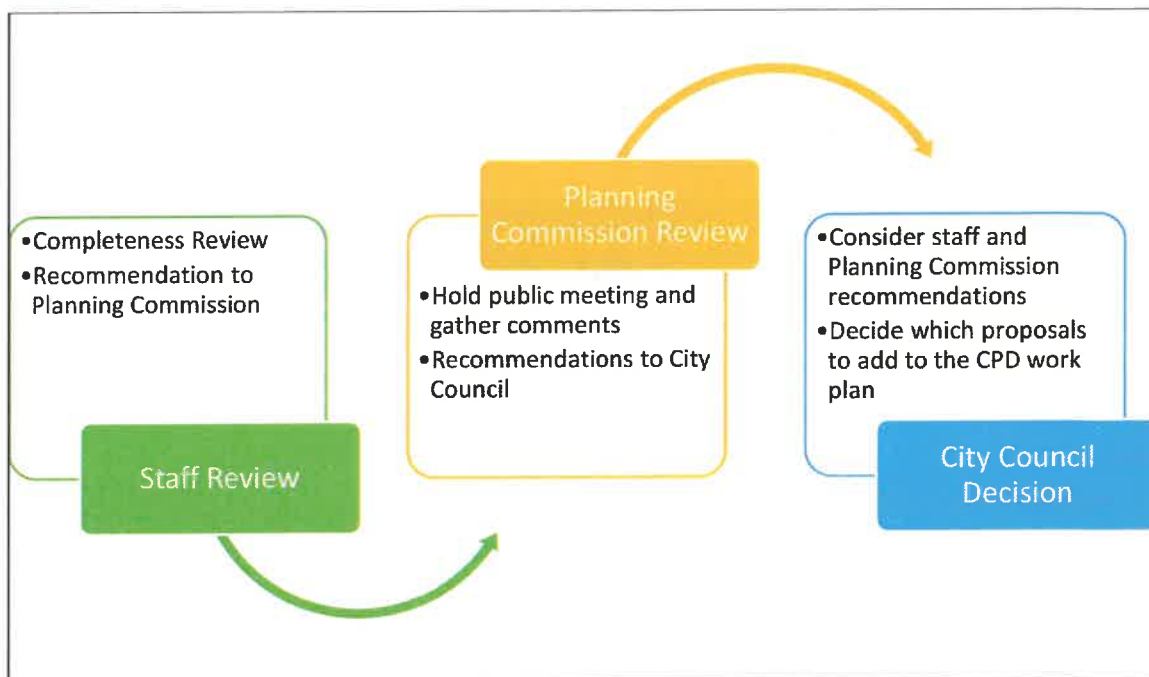
9611 SE 36TH STREET | MERCER ISLAND, WA 98040  
PHONE: 206.275.7605 | [www.mercerisland.gov/cpd](http://www.mercerisland.gov/cpd)



## 2024 DOCKET REQUEST FORM

### APPLICATION REVIEW PROCESS

Docket requests are the first step in the process of amending the City’s Comprehensive Plan or development regulations. The Mercer Island City Code (MICC) describes the process for these amendments in MICC [19.15.230-.260](#). The illustration below summarizes the annual docket process.



Staff review all docket requests for timeliness and completeness and will use the information provided in the application form to present a request to the Mercer Island Planning Commission and City Council. The Planning Commission will review the docket requests and make a recommendation to the City Council regarding which docket items to add to the final docket.

The City Council has decision-making authority over all annual docket proposals. The City Council determines whether to add a proposal to the final docket. Items added to the final docket will be incorporated in the Community Planning and Development work plan for the upcoming year. Docket requests are evaluated based on alignment with the current City work plan, current policies, programmatic priorities, staff capacity, and budget to complete the legislative process for the request in the following year. The City Council will approve the final docket by December 31 each year. Items placed on the final docket will be scheduled for legislative review by the Planning Commission and City Council in the following year.

## DOCKET REQUEST FORM

The following information is required. Failure to complete this form may result in the application being incomplete. Incomplete applications will not be considered during the annual docket process.

### APPLICANT INFORMATION

Name: Stroum Jewish Community Center, c/o Amy Lavin

Address: 3801 East Mercer Way, Mercer Island, WA 98040

Phone: 206-275-7115

Email: amyl@sjcc.org

### AGENT/CONSULTANT/ATTORNEY

Complete this section if the primary contact is different from the applicant.

Name: Jessica Clawson

Address: 8475 SE 45th Street, Mercer Island WA 98040

Phone: 206-812-3378

Email: jessie@mhseattle.com

### REQUEST INFORMATION

**Important:** A separate Docket Request Form must be completed for each docket item requested.

Is this request related to a specific property or zone? Yes       No

If yes, please complete the following information:

Property Owner Name: Stroum Jewish Community Center

Address: 3801 East Mercer Way, Mercer Island, WA 98040

County Assessor's Parcel No.: 2655500137, 2655500136, 2655500132, portion of 2655500115

Parcel Size (sq. ft.): Appx 381,468 s.f.

If the application is submitted by an agent/consultant/attorney, please attach a signed letter of consent from all owners of the affected property demonstrating that that the application is submitted with consent. Is this request for a Comprehensive Plan amendment or a development code amendment?

Comprehensive Plan Amendment                       Development code Amendment

Is this submission a **suggestion** for a Comprehensive Plan or Development Code amendment, or is this an **application** for a specific amendment? (Check one box below.)

**Note:** Applications are subject to [applicable permit fees](#).

Suggestion                                       Application




**DOCKET REQUEST NARRATIVE – REQUIRED FOR ALL APPLICATIONS**

Please attach a separate narrative responding to all five (5) questions outlined below. Attach additional sheets, supporting maps, or graphics as necessary. Answer each question separately and reference the question number in your answer.

**The application will be considered incomplete without a narrative answering all five questions.**

1. Please provide a detailed description of the proposed amendment and a clear statement of what the proposed amendment is intended to accomplish.
  - a. Indicate the specific Comprehensive Plan Elements, maps, goals or policies or the specific sections of the development code you propose to amend.
  - b. If the proposal would amend existing Comprehensive Plan or development code text, please provide the proposal in underline/strikeout format with text to be added indicated by underlining and text to be deleted indicated with ~~strikeouts~~.
  - c. If a map amendment is proposed, please provide a map that clearly outlines the areas proposed to be changed.
2. How does the proposal benefit the community or the environment?
3. Explain how the request relates to the applicable decision criteria (MICC 19.15.250(D) for code amendments, and MICC 19.15.230(F) for Comprehensive Plan amendments, see below).
4. For Comprehensive plan amendments: Is the proposal consistent the Growth Management Act and King County Countywide Planning Policies?
5. For development code amendments: How does the proposal align with the goals of the City's Comprehensive Plan?

Please sign and date below acknowledging application requirements.

Signature:  Date: 9/28/23

THIS AREA LEFT INTENTIONALLY BLANK

Please attach a separate narrative responding to the above questions.

## DOCKETING CRITERIA

*MICC 19.15.230(E) Docketing criteria.* The following criteria shall be used to determine whether a proposed amendment is added to the final docket in subsection D of this section:

1. The request has been filed in a timely manner, and either:
  - a. State law requires, or a decision of a court or administrative agency has directed, such a change; or
  - b. All of the following criteria are met:
    - i. The proposed amendment presents a matter appropriately addressed through the comprehensive plan or the code;
    - ii. The city can provide the resources, including staff and budget, necessary to review the proposal, or resources can be provided by an applicant for an amendment;
    - iii. The proposal does not raise policy or land use issues that are more appropriately addressed by an ongoing work program item approved by the city council;
    - iv. The proposal will serve the public interest by implementing specifically identified goals of the comprehensive plan or a new approach supporting the city's vision; and
    - v. The essential elements of the proposal and proposed outcome have not been considered by the city council in the last three years. This time limit may be waived by the city council if the proponent establishes that there exists a change in circumstances that justifies the need for the amendment.

## COMPREHENSIVE PLAN DECISION CRITERIA

*MICC 19.15.230(F) Decision criteria.* Decisions to amend the comprehensive plan shall be based on the criteria specified below. An applicant for a comprehensive plan amendment proposal shall have the burden of demonstrating that the proposed amendment complies with the applicable regulations and decision criteria.

1. The amendment is consistent with the Growth Management Act, the countywide planning policies, and the other provisions of the comprehensive plan and city policies; and:
  - a. There exists obvious technical error in the information contained in the comprehensive plan; or
  - b. The amendment addresses changing circumstances of the city as a whole.
2. If the amendment is directed at a specific property, the following additional findings shall be determined:
  - a. The amendment is compatible with the adjacent land use and development pattern;
  - b. The property is suitable for development in conformance with the standards under the potential zoning; and
  - c. The amendment will benefit the community as a whole and will not adversely affect community facilities or the public health, safety, and general welfare.

## DEVELOPMENT CODE AMENDMENT DECISION CRITERIA

*MICC 19.15.250(D) Criteria.* The city may approve or approve with modifications a proposal to amend this Code only if:

1. The amendment is consistent with the comprehensive plan; and
2. The amendment bears a substantial relation to the public health, safety, or welfare; and
3. The amendment is in the best interest of the community as a whole.

Stroum Jewish Community Center  
3801 E Mercer Way  
Mercer Island, WA 98040

September 27, 2023

Jeff Thomas  
Director, Community Planning & Development  
City of Mercer Island  
9611 SE 36<sup>th</sup> Street  
Mercer Island, WA 98040

Dear Director Thomas,

I write to let you know that Jessica M. Clawson, an Attorney with McCullough Hill PLLC, has the consent of the owners and leadership of the Stroum Jewish Community Center to submit the enclosed comprehensive plan and zoning map amendment application for the SJCC property.

Please do not hesitate to contact me if you have any questions about the application Jessica will submit with the consent of SJCC's owners and leadership.

Thank you,



Amy Lavin  
Executive Director  
Stroum Jewish Community Center

## **2023 Stroum Jewish Community Center Comprehensive Plan Map Amendment**

**Thank you for your consideration of our Comprehensive Plan Map Amendment. Answers to the various application and code criteria are in bold below.**

1. Please provide a detailed description of the proposed amendment and a clear statement of what the proposed amendment is intended to accomplish.

**The proposed Comprehensive Plan Amendment redesignates Parcels 2655500137, 2655500136, 2655500132, and a small portion of 2655500115 from Single Family to Commercial Office on the Comprehensive Plan’s Future Land Use Map.**

**The proposed map change will facilitate a rezone to Commercial Office, which will allow for a rebuild/renovation of the Stroum Jewish Community Center (“SJCC”). Under the current single-family designation, rebuilding and renovation is not possible, and variances necessary for the rebuild/renovation are not available under the current single family code provisions.**

**The SJCC has been intently pursuing the ability renovate our aging facilities for over six years. In this timeframe, we’ve taken many opportunities to share the hopes we have for a re-envisioned facility with our members, our neighbors, and the broader Mercer Island community.**

**Through multiple SJCC open houses, community meetings and even through public testimony provided during 2018-2019 council consideration of a broader Mercer Island initiative, we shared our priorities, and also learned what the community and our neighbors care about the most:**

- **Facilitating better traffic flow and provide enough safe parking so there is less impact on our neighbors;**
- **Designing our use of space to ensure less noise or light impact, and minimize visibility impact;**
- **Supplementing foliage and trees to enhance the buffer between our facilities and our neighbors; and**
- **Ensuring that any changes to the SJCC property through zoning don’t have secondary impact on other Mercer Island community facilities or neighborhoods.**

**With these guiding principles, the SJCC revised our designs to reflect what was learned from our engagement with the community and hosted a series of community conversations to share, discuss, and receive additional input from SJCC members, community organizations, the community at large, and our neighbors. In the last two years, this outreach included organized community conversations with immediate neighbors and organization stakeholders, meetings with similarly situated Mercer Island community organizations, and regular written and verbal communication with interested community members.**

**On September 7, 2023, the SJCC hosted an open house where our revised design was presented and discussed, followed by questions and answers. Similar to prior initiatives, an**

invitation was mailed to all addresses within 1000’ radius of the SJCC, emailed to SJCC members, SJCC participants and users, and other Mercer Island community facilities, and was promoted widely on SJCC assets. The SJCC hosted approximately 100 attendees at this open house, and we were pleased to see our revised designs, which are the direct benefit of so much engagement and feedback over the last six years, being received so well by the community and our neighbors.

- a. Indicate the specific Comprehensive Plan Elements, maps, goals or policies or the specific sections of the development code you propose to amend.

**Please see Exhibit A. The Comprehensive Plan’s Future Land Use Map would be amended per the exhibit.**

- b. If the proposal would amend existing Comprehensive Plan or development code text, please provide the proposal in underline/strikeout format with text to be added indicated by underlining and text to be deleted indicated with strikeouts.

**The proposal does not amend Comprehensive Plan or development code text. It only changes the maps.**

- c. If a map amendment is proposed, please provide a map that clearly outlines the areas proposed to be changed.

**Please see Exhibit A.**

2. How does the proposal benefit the community or the environment?

**The proposal benefits the community and the environment in several ways.**

**Community Benefits**

**Please see Exhibit B.**

**Environmental Benefits**

**Please see Exhibit C.**

3. Explain how the request relates to the applicable decision criteria (MICC 19.15.250(D) for code amendments, and MICC 19.15.230(F) for Comprehensive Plan amendments, see below).

**The proposal meets both the docketing criteria and the decision criteria, as follows:**

*E. Docketing criteria.* The following criteria shall be used to determine whether a proposed amendment is added to the final docket in subsection D of this section:

- 1. The request has been filed in a timely manner, and either:

**Yes. The request was filed prior to October 1, 2023.**

- a. State law requires, or a decision of a court or administrative agency has directed, such a change; or

**Not applicable.**

b. All of the following criteria are met:

i. The proposed amendment presents a matter appropriately addressed through the comprehensive plan or the code;

**Yes. The proposed amendment is a change to the Comprehensive Plan's Future Land Use Map, which is a change that can only be addressed through the Comprehensive Plan.**

ii. The city can provide the resources, including staff and budget, necessary to review the proposal, or resources can be provided by an applicant for an amendment;

**Yes. The proposal is occurring during the City's annual docketing cycle, which we presume is adequately staffed and resourced by the City. A simple map change should not require significant resources; any actual development on the site will require project specific environmental review and study, which costs would be borne by the applicant.**

iii. The proposal does not raise policy or land use issues that are more appropriately addressed by an ongoing work program item approved by the city council;

**No. The proposal does not raise larger policy or land use issues more appropriately addressed by an ongoing work program item. This proposal avoids any larger redesignation of similarly situated schools and institutions and focuses only on the JCC site. There is no current work program approved by the City Council that addresses redesignation of the SJCC to conform to the historic use of the property.**

iv. The proposal will serve the public interest by implementing specifically identified goals of the comprehensive plan or a new approach supporting the city's vision; and

**Yes. The proposal serves the public interest and implements the following specific goals and vision of the city (responses to policies, where appropriate, in italics):**

- **Residential Community.** Mercer Island is principally a single-family residential community supported by healthy schools, religious institutions, and recreational clubs. (Comp. Plan, Community Values). *The proposal will allow the JCC, which is both a school and a recreational club open to all, to continue to serve Mercer Island.*
- **Education is the Key.** The community and its public and private institutions are committed to provide excellence in Education (Comp Plan, Community Values). *The proposal allows the SJCC's Early Childhood School to continue its excellent education of hundreds of young children on Mercer Island.*
- **Community Services.** Mercer Island will continue to provide a wide range of education, cultural, and municipal services for the community's varied population.

Balanced and flexible programs will be necessary to meet the community's evolving needs in education, recreation, and cultural enjoyment. The community will maintain its broad range of quality basic services, including public safety, human services, physical development and utilities. At the same time, community leaders recognize that delivery of these services will take place in an arena of limited resources and heightened competition for tax revenues (Comp Plan, Values Manifested). *The SJCC provides a community center and educational, recreational, and cultural opportunities that are privately funded and do not burden the City's budget.*

- **Residential Land Use.** Civic, recreation, and religious organizations are important and integral elements of the community character and fabric. Their contribution and importance to the established community character should be reflected and respected in land use permit processes. (Comp Plan, Values Manifested). *Unfortunately, the single-family zoning has been interpreted by the City to not allow for the variances that would be necessary to rebuild and reconfigure the SJCC that would benefit the community. We are hopeful that this request for redesignation is respectfully considered and approved, so that we can build under the current CO zoning rules and do not require extensive or complicated workarounds.*
- **Commercial Office and PBZ zones** must serve the needs of the local population while remaining compatible with the overall residential character of the community. (Comp Plan, Land Use Issues, Outside the Town Center). *The Commercial Office zone, as developed in the future by the SJCC, will remain compatible and increase compatibility with the overall residential character of the community. First, nothing will be built on the site that is not the SJCC, and we have shared our draft plans with the community. Second, these plans improve on many of the required minimum development standards—better setbacks than required, less height than allowed, etc. Finally, the proposal is adjacent to CO designations and extends them southward. The strip of single-family homes to our west is owned by the French American School of Puget Sound.*
- **Goal 15.1.** Existing land use policies, which strongly support the preservation of existing conditions in the single-family residential zones, will continue to apply. Changes to the zoning code or development standards will be accomplished through code amendments. (Comp Plan, Land Use Goals). *This goal is met. The existing condition in this single-family zone that has existed for 54 years (pre-dating many of the homes that now exist next to the SJCC) will be maintained. This map change simply changes the map to fit the use that has been here for 54 years.*
- **Goal 15.4.** Compatible permitted uses such as education, recreation, open spaces, government social services and religious activities will be encouraged. *The proposed amendment maintains the SJCC which provides education, art, culture, and recreation, and are a permitted uses in the CO zone.*
- **Goal 17.4.** Social and recreation clubs, schools, and religious institutions are predominantly located in single family residential areas of the Island. Development regulation should reflect the desire to retain viable and healthy social, recreational, educational, and religious organizations as community assets which are essential for the mental, physical and spiritual health of Mercer Island. *As the City is aware, the current single-family zone has been amended and*



*development standards interpreted in a way that does not allow the maintenance of viable and healthy organizations. Further, the remodeling criteria make it impossible to maintain a nonconforming status and make upgrades to facilities that are necessary when a facility is well beyond its useful life, particularly given the concrete construction methods that were used in 1969. As such, the redesignation to the CO zone is necessary to be consistent with this Goal and retain a viable and healthy SJCC on Mercer Island.*

- **Goal 21.** Promote the use of green building methods, design standards, and materials...to reduce impacts on the built and natural environment and to improve the quality of life. Green building should result in demonstrable benefits, through the use of programs such as, but not limited to, Built Green, LEED+, The Living Building Challenge, Passive House, Salmon Safe, or other similar regional and recognized green building programs. *The new SJCC will be much more environmentally friendly than the current 54-year-old structure.*
- **Goal 23.** Support the arts on Mercer Island. *The SJCC holds regular arts events, including the Seattle Jewish Film Festival. The arts are deeply important to the SJCC and the SJCC's auditorium, which would remain under the proposal, is one of only two large gathering spaces on the island for arts-related events. See Exhibit B.*
- **Goal 25.** Preserve Mercer Island's Heritage. *The SJCC is a piece of Mercer Island's history.*  
<https://www.historylink.org/File/104#:~:text=In%20Seattle%2C%20the%20Jewish%20Community,Davis%20and%20secretary%20Harry%20Ash>. *Allowing for the redesignation of the property will allow the SJCC to remain on the island and thrive for another 60 years.*
- **Land Use Designations—CO.** The commercial office land use designation represents commercial areas within Mercer Island, located outside of Town Center, where the land use will be predominantly commercial office. Complementary land uses (e.g., healthcare uses, schools, places of worship, etc.) are also generally supported within this land use designation. *The CO designation reflects the use of the SJCC property, which has not been in single family residential use for over 54 years. A CO designation is a much more appropriate reflection of reality.*
- **Transportation Goal 6.1:** Ensure compatibility between transportation facilities and services and adjacent land uses, evaluating aspects such as: potential impacts of transportation on adjacent land use; potential impacts of land development and activities on transportation facilities and services; and need for buffering and/or landscaping alongside transportation facilities. *The while the designation of the property will change, the use will not change. The project-specific transportation review for the SJCC project will analyze at a project-level transportation impacts that may be mitigated via trip reduction and physical improvements.*
- **Transportation Goal 9.2.** Address parking overflow impacts on neighborhoods caused by major traffic generators such as schools, businesses, parks, and multifamily developments. *The SJCC proposal would add many more parking stalls which will reduce parking impacts to the neighborhood.*

v. The essential elements of the proposal and proposed outcome have not been considered by the city council in the last three years. This time limit may be waived by the city council if the proponent establishes that there exists a change in circumstances that justifies the need for the amendment.

**The proposal has not been considered by the city council in the last three years.**

F. *Decision criteria.* Decisions to amend the comprehensive plan shall be based on the criteria specified below. An applicant for a comprehensive plan amendment proposal shall have the burden of demonstrating that the proposed amendment complies with the applicable regulations and decision criteria.

1. The amendment is consistent with the Growth Management Act, the countywide planning policies, and the other provisions of the comprehensive plan and city policies; and:

**Yes. The proposal is consistent with GMA, King County’s CPPs, and other provisions of the Mercer Island Comprehensive Plan.**

**Compliance with GMA.**

WAC 365-196-405(1)(2) requires the City to designate the general location of the uses of land...for commerce (and) recreation. *The SJCC has not been in single family use for 60 years. It is consistent with GMA to designate the SJCC as CO which is consistent with its current use.*

WAC 365-196-405(2)(b) requires the City to identify existing general distribution and location of various land uses, the appropriate acreage, and general range of density or intensity of existing uses. *Again, the SJCC has not been in single family use for 60 years. It is appropriate for the City to identify and change the designation of the property to CO, consistent with GMA. It would be inappropriate for the City to include the SJCC in its buildable lands / housing needs assessment as single-family property, as it has not been in single family use for 60 years and is not “buildable land” for residential use.*

**Compliance with King County CPPs.**

The CPPs can be found [here](#). The following goals/policies support the proposed amendment:

- **Communities across King County are welcoming places where every person can thrive. (Vision for King County 2050). *The SJCC welcomes all people.***
- **FW-6. Enable culturally and linguistically appropriate equitable access to programs and services and help connect residents to service options, particularly for those most disproportionately cost-burdened or historically excluded. *The SJCC seeks to be the Puget Sound’s most open and welcoming community-center Jewish organization. Through its programs the SJCC connects Jewish and non-***

*Jewish people to culture, recreation, education, and arts, and through philanthropic support ensures this connection is affordable to anyone who seeks it.*

- **EN-6.** Locate development and supportive infrastructure in a manner that minimizes impacts to natural features. *This is an infill development which will actually decrease impact to surrounding natural features after redevelopment.*
- **CDP-40.** Plan for neighborhoods or subareas to encourage infill and redevelopment, reuse of existing buildings and underutilized lands, and provision of adequate public spaces, in a manner that enhances public health, existing community character, and mix of uses. *This change will facilitate the rebuilding and renovation of an existing building, and one of the SJCC’s missions is to support a healthy community.*
- **EC-14.** Celebrate the cultural diversity of local communities as a means to enhance social capital, neighborhood cohesion, the county’s global relationships, and support for cultural and arts institutions. *The SJCC is the only Jewish community center in Washington state. The SJCC hosts many global-related programs and is an incredible social and cultural resource for Mercer Island, and the broader region.*
- **EC-26.** Encourage commercial and mixed-use development that provides a range of job opportunities throughout the county to create a closer balance between the location of jobs and housing. *The SJCC is one of the Island’s largest employers. Keeping jobs on the Island is important.*
- **PF-19.** Locate schools, institutions, and other community facilities and services that primarily serve urban populations within the UGA, where they are accessible to the communities they serve. If possible, locate these facilities in places that are well served by transit and pedestrian and bicycle networks. *The SJCC is reachable by the I-90 bike trail, as well as the East Mercer Way bike trail. It is very accessible to all on the island, and also to those coming off of I-90 without creating a bunch of cut-through traffic on the Island.*

**Compliance with Mercer Island Comprehensive Plan.**

See above.

- a. There exists obvious technical error in the information contained in the comprehensive plan; or

Not applicable.

- b. The amendment addresses changing circumstances of the city as a whole.

**The SJCC has been in existence in this location for 54 years. The building is past its useful life and needs significant rebuilding and replacement. In 2017, the City of Mercer Island amended its single-family code provisions to prohibit “mega-houses.” In doing so, the City passed regulations that create maximum size of use limitations that rendered the SJCC nonconforming to several code provisions meant to apply to single-family homes. In 2021, the SJCC filed an interpretation request with the City to determine whether a rebuild of the SJCC could obtain variances from the single-family regulations, which**

would have capped a new building at those square footage limitations meant to apply to single-family homes. On November 21, 2022, the City issued Development Code Interpretation 22-004 that stated non-residential uses could not seek variances from the relevant single-family regulations in any area beyond impervious surface. The impact of the interpretation is that the SJCC cannot renovate/rebuild in its current single-family zone due to the City's stringent nonconforming provisions and impracticable renovation restrictions. In order to renovate/rebuild to stay on Mercer Island and continue to serve the community on the Island, the comprehensive plan map and zone designation of the SJCC's parcels must be changed from SF/R-8.4 to Commercial Office.

2. If the amendment is directed at a specific property, the following additional findings shall be determined:

a. The amendment is compatible with the adjacent land use and development pattern;

**Yes. The proposal would change the subject parcels to CO. There is adjacent CO land to the north of the parcel, public facilities/CO land to the west of the parcel, and CO/B land to the east of the parcel. To the south of the parcel is designated single family; the development standards of the CO zone, as well as SEPA review, can mitigate any potential incompatibilities of a future project on single family adjacencies.**

c. The property is suitable for development in conformance with the standards under the potential zoning; and

**Yes. The proposed rebuild/renovation of the SJCC can meet the CO zone requirements. In many areas it performs better than the CO development standards would require—it increases setbacks beyond requirements and is developed to a lower height than allowed by the CO zone.**

d. The amendment will benefit the community as a whole and will not adversely affect community facilities or the public health, safety, and general welfare.

**The amendment would retain the SJCC on Mercer Island. The SJCC is a benefit to all residents of Mercer Island. Please see Exhibit B for a benefits statement.**

**The change from single family to CO would not impact community facilities. Instead, it would benefit community facilities by maintaining a community facility on the Island, which in turn reduces pressure on the City pool, the City Community Center, and all other childcare and educational facilities. Further it assures the SJCC can continue enriching the lives of thousands of Mercer Island residents every year.**

**The change from single family to CO would not impact public health, safety, and general welfare. Instead, retaining the SJCC in this location will benefit public health, safety and general welfare. Any potential impacts of the future SJCC project can be mitigated by application of the CO zone standards and SEPA mitigation. Please see Exhibit C regarding environmental benefits associated with the redesignation.**

4. For Comprehensive plan amendments: Is the proposal consistent with the Growth Management Act and King County Countywide Planning Policies?

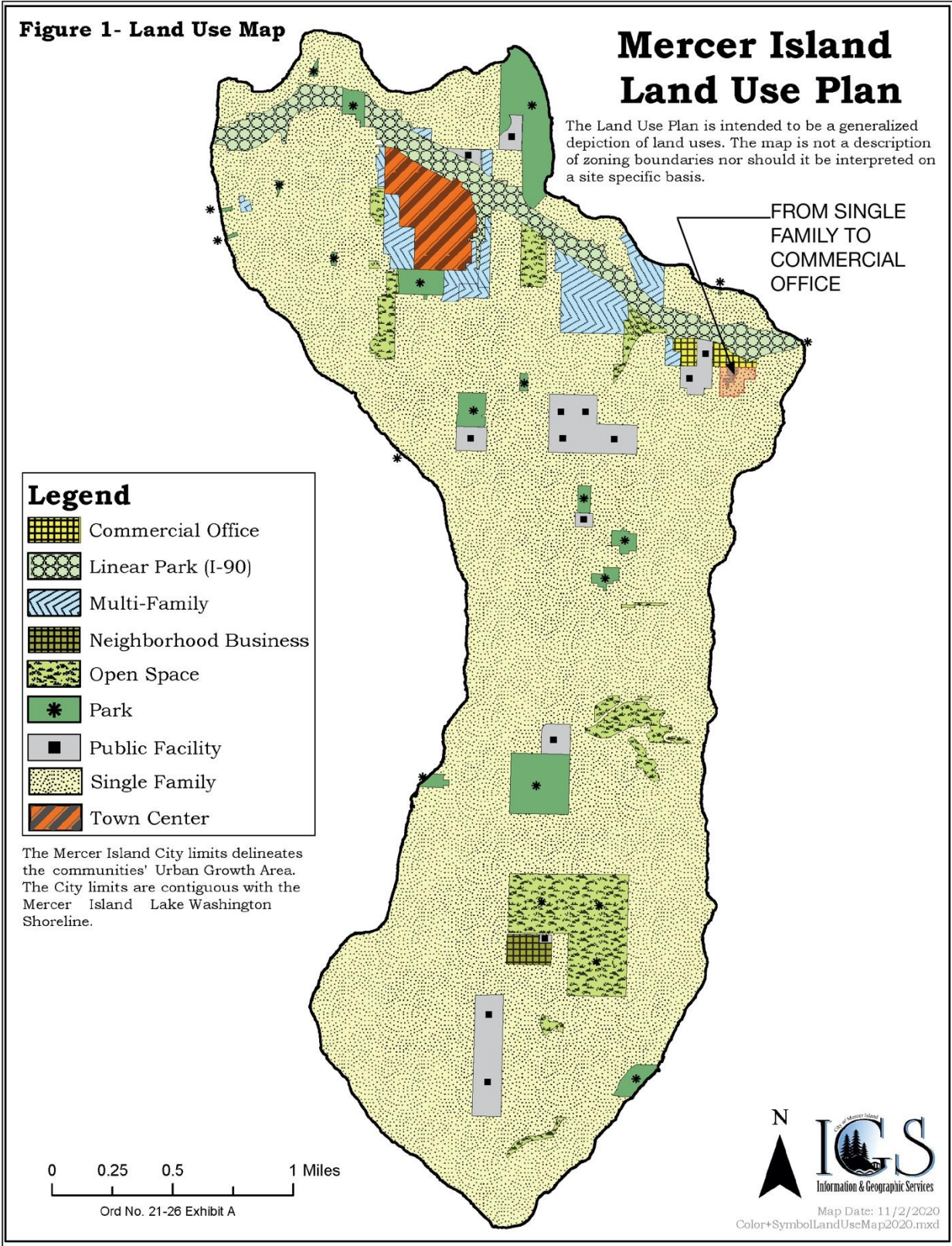
**Yes. Please see above.**

5. For development code amendments: How does the proposal align with the goals of the City's Comprehensive Plan?

**The proposal is aligned with the goals of the City's Comprehensive Plan. Please see above.**



Exhibit A Comp plan change map



## Exhibit B

### Benefits of the Comprehensive Plan Map Change

There are several benefits to the Comprehensive Plan map change:

The Stroum Jewish Community Center has served Mercer Island residents since opening in 1969. For nearly 55 years, “the J” has welcomed people of every age, culture, and religion to build and amplify profound connection; creating and fortifying community that contributes significantly to the communal fabric of Mercer Island. Today the SJCC reaches nearly 3,000 Mercer Island households throughout the year. On any given day, the J welcomes hundreds of Mercer Island residents, providing year-round early childhood education to over 200 children, afterschool care and recreational programming to dozens of middle schoolers, summer camp to ~450 Mercer Island children, and a series of character-building and fitness offerings for teenagers and young adults. For adults, the SJCC presents daily recreation programs for hundreds exercising individually or in group classes, including about 30 seniors who exercise in AquaFit or Rock Steady Boxing<sup>1</sup>, building muscle strength and friendships that endure challenges facing mature adults. Added to that, the J has a community garden, teaches and hosts mahjong and bridge, organizes communal hikes, and provides a series of cultural arts programs in Mercer Island’s only functioning performing arts hall outside of the school district. With 30+ programs a year, SJCC brings feature films, dance, live music, culinary arts programs, and special topics to the entire community on Mercer Island. The SJCC ensures, through private financial support, that these programs are available to everyone, regardless of one’s ability to pay.

As one of the longest-standing institutions on Mercer Island, the SJCC has helped connect and welcome generations of MI families, assuring MI residents—whether they are new or returning to their hometown—feel welcome and supported along life’s journey.

The SJCC has also been one of Mercer Island’s largest employers, with nearly 140 year-round employees and over 215 summer employees. For many, the J is the first job they have, building responsibility and leadership skills, lifesaving skills like CPR, and a sense of purpose and community.

In addition to the Mercer Island residents involved with the SJCC, the J brings people from around the Greater Seattle area that often, in addition to engaging with the J, will spend time and resources on Mercer Island for coffee, grocery shopping, dining, dry cleaning, and shopping at Island Books, Terra Bella, and more.

The J’s vision is to be the Puget Sound’s most open and welcoming community-centered Jewish organization. We lead with community in everything we do, and believe that many of the tightly woven MI bonds have started and been sustained through connections at the Stroum JCC. As a private organization, funded through programming fees and substantial private philanthropy, we are the only private organization on Mercer Island that makes it possible for anyone to

---

<sup>1</sup> Rock Steady Boxing is supported by the King County Get Active/Stay Active program, and serves people living with Parkinson’s disease.



participate in our activities and programs, regardless of income, race/ethnicity, orientation, religion, or residence. With the increasing pressure of the cost of living on MI, the J remains accessible, welcoming, and community-oriented for everyone and anyone.

A departure from Mercer Island driven by an inability to rebuild facilities would leave a vacuum. People of all ages will have fewer programs to choose from and fewer affordable options for fitness, enrichment, education, entertainment, gardening, and more. With the adoption of HB110 in the State legislature in 2023, the land on which The J is built—nearly eight and a half acres of residential property—could be converted into a housing development of approximately three dozen homes, 50 or more duplexes, and potentially, over 125 quadplexes with one (1) in four (4) being developed as affordable housing. An updated SJCC, on the other hand, would provide more certainty for neighbors and MI, while also mitigating lighting, traffic, and noise issues. ADA accessibility would also ensure people of all capabilities could safely and comfortably navigate the property and facility, and modern technology would assure the J is more environmentally sustainable. With sophisticated landscaping, the J would offer more attractive and low impact vegetation, better integrating the SJCC in its surroundings.

In summary, the SJCC has been a Mercer Island mainstay for over 50 years. Hundreds of families rely on the SJCC for child development and childcare, character development, jobs, personal and professional enrichment, friendship in times of strength and strife, and the confidence knowing that they belong at the J, a place where everyone is welcome. A City Council decision to rezone the SJCC's residentially zoned properties to Commercial Office zoning would bring comfort to everyone directly and indirectly touched by the J and certainty to the surrounding neighborhood, knowing the J would continue to serve as a place that offers convenient opportunity for profound Islander connections for every generation.

## Exhibit C

### Environmental Benefits of the Comprehensive Plan Map Change

There are several benefits to the Comprehensive Plan Map change:

- The Comprehensive Plan Map change will align long-standing and ongoing operations with the City's Comprehensive Plan Map and facilitate the rebuild/renovation of the SJCC. This will result in the following environmental benefits from the current SJCC:
  - A building that is compliant with current energy and environmental codes. The building was constructed in 1969. A new building would use far less energy and would use sustainable building materials and techniques, including high efficiency mechanical and electrical systems.
  - A site that is compliant with current stormwater codes. Currently the parking lot sheet flows into the stormwater system. Low impact design and compliance with the current stormwater manual would be required of a new SJCC.
  - A building with sufficient parking capacity and traffic flow. Currently the parking for the SJCC and traffic flow can be congested. The new SJCC would include a one-story tall parking garage that is mostly buried underground to mitigate visual impacts, which would add parking stalls the building needs for adequate parking capacity. The rearrangement of the site would also allow for sufficient room for traffic queuing during busy pick-up and drop-off times, reducing current traffic issues in the area.
  - A large setback buffer from the single-family properties to the south is proposed in the new building. This will reduce noise and light impacts from the current SJCC.
  - No parking lights on the south side of the property near single family residents. Currently light from parking lights may spill into neighboring houses and properties. All new lights would be placed to eliminate light spillage, and any required light fixtures would be cut-off to shield light.

## **2023 Stroum Jewish Community Center Zoning Map Amendment**

**Thank you for your consideration of our Zoning Map Amendment. Answers to the various application and code criteria are in bold below.**

1. Please provide a detailed description of the proposed amendment and a clear statement of what the proposed amendment is intended to accomplish.

**The proposed Comprehensive Plan Amendment redesignates Parcels 2655500137, 2655500136, 2655500132 from R 8.4 to Commercial Office, and a small portion of 2655500115 from R 9.6 to Commercial Office on the City's Official Zoning Map.**

**The proposed map change will allow for a rebuild/renovation of the Stroum Jewish Community Center ("SJCC"). Under the current single-family zone, rebuilding and renovation is not possible, and variances necessary for the rebuild/renovation are not available under the current single family code provisions.**

**The SJCC has been intently pursuing the ability to rebuild and renovate our aging facilities for over six years. In this timeframe, we've taken many opportunities to share the hopes we have for a re-envisioned facility with our members, our neighbors, and the broader Mercer Island community.**

**Through multiple SJCC open houses, community meetings and even through public testimony provided during 2018-2019 council consideration of a broader Mercer Island initiative, we shared our priorities, and also learned what the community and our neighbors care about the most:**

- Facilitating better traffic flow and providing enough safe parking so there is less impact on our neighbors;**
- Designing our use of space to ensure less noise or light impact, and minimize visibility impact;**
- Supplementing foliage and trees to enhance the buffer between our facilities and our neighbors; and**
- Ensuring that any changes to the SJCC property through zoning don't have secondary impacts on other Mercer Island community facilities or neighborhoods.**

**With these guiding principles, the SJCC revised our designs to reflect what was learned from our engagement with the community and hosted a series of community conversations to share, discuss, and receive additional input from SJCC members, community organizations, the community at large, and our neighbors. In the last two years, this outreach included organized community conversations with immediate neighbors and organization stakeholders, meetings with similarly-situated Mercer Island community organizations, and regular written and verbal communication with interested community members.**

**On September 7, 2023, the SJCC hosted an open house where our revised design was presented and discussed, followed by questions and answers. Similar to prior initiatives, an invitation was mailed to all addresses within a 1,000-foot radius of the SJCC, emailed to**

**SJCC members, SJCC participants and users, and other Mercer Island community facilities, and was promoted widely on SJCC assets. The SJCC hosted approximately 100 attendees at this open house, and we were pleased to see our revised designs, which are the direct benefit of so much engagement and feedback over the last six years, being received so well by the community and our neighbors.**

- a. Indicate the specific Comprehensive Plan Elements, maps, goals or policies or the specific sections of the development code you propose to amend.

**Please see Exhibit A. The City’s Zoning Map would be amended per the exhibit.**

- b. If the proposal would amend existing Comprehensive Plan or development code text, please provide the proposal in underline/strikeout format with text to be added indicated by underlining and text to be deleted indicated with strikeouts.

**The proposal does not amend Comprehensive Plan or development code text. It only changes the maps.**

- c. If a map amendment is proposed, please provide a map that clearly outlines the areas proposed to be changed.

**Please see Exhibit A.**

2. How does the proposal benefit the community or the environment?

**The proposal benefits the community and the environment in several ways.**

**Community Benefits**

**Please see Exhibit B.**

**Environmental Benefits**

**Please see Exhibit C.**

3. Explain how the request relates to the applicable decision criteria (MICC 19.15.240 for code amendments, and MICC 19.15.230(F) for Comprehensive Plan amendments).

**The proposal meets both the docketing criteria and the decision criteria, as follows:**

19.15.230.E. *Docketing criteria.* The following criteria shall be used to determine whether a proposed amendment is added to the final docket in subsection D of this section:

- 1. The request has been filed in a timely manner, and either:

**Yes. The request was filed prior to October 1, 2023.**

- a. State law requires, or a decision of a court or administrative agency has directed, such a change; or

**Not applicable.**

b. All of the following criteria are met:

i. The proposed amendment presents a matter appropriately addressed through the comprehensive plan or the code;

**Yes. The proposed amendment is a change to the City’s Zoning Map, which is a change that can only be addressed through a change of the zoning map.**

ii. The city can provide the resources, including staff and budget, necessary to review the proposal, or resources can be provided by an applicant for an amendment;

**Yes. The proposal is occurring during the City’s annual docketing cycle, which we presume is adequately staffed and resourced by the City. A simple map change should not require significant resources; any actual development on the site will require project specific environmental review and study, which costs would be borne by the applicant.**

iii. The proposal does not raise policy or land use issues that are more appropriately addressed by an ongoing work program item approved by the city council;

**No. The proposal does not raise larger policy or land use issues more appropriately addressed by an ongoing work program item. This proposal avoids any larger rezone of similarly situated schools and institutions and focuses only on the SJCC site. There is no current work program approved by the City Council that addresses rezone of the SJCC to conform to the historic use of the property.**

iv. The proposal will serve the public interest by implementing specifically identified goals of the comprehensive plan or a new approach supporting the city's vision; and

**Yes. The proposal serves the public interest and implements the following specific goals and vision of the city (responses to policies, where appropriate, in italics):**

- **Residential Community.** Mercer Island is principally a single-family residential community supported by healthy schools, religious institutions, and recreational clubs. (Comp. Plan, Community Values). *The proposal will allow the JCC, which is both a school and a recreational club open to all, to continue to serve Mercer Island.*
- **Education is the Key.** The community and its public and private institutions are committed to provide excellence in Education (Comp Plan, Community Values). *The proposal allows the SJCC’s Early Childhood School to continue its excellent education of hundreds of young children on Mercer Island.*
- **Community Services.** Mercer Island will continue to provide a wide range of education, cultural, and municipal services for the community’s varied population. Balanced and flexible programs will be necessary to meet the community’s evolving needs in education, recreation, and cultural enjoyment. The community will maintain its broad range of quality basic services, including public safety,

human services, physical development and utilities. At the same time, community leaders recognize that delivery of these services will take place in an arena of limited resources and heightened competition for tax revenues (Comp Plan, Values Manifested). *The SJCC provides a community center and educational, recreational, and cultural opportunities that are privately funded and do not burden the City's budget.*

- **Residential Land Use.** Civic, recreation, and religious organizations are important and integral elements of the community character and fabric. Their contribution and importance to the established community character should be reflected and respected in land use permit processes. (Comp Plan, Values Manifested). *Unfortunately, the single-family zoning has been interpreted by the City to not allow for the variances that would be necessary to rebuild and reconfigure the SJCC that would benefit the community. We are hopeful that this request for rezone is respectfully considered and approved, so that we can build under the current CO zoning rules and do not require extensive or complicated workarounds.*
- **Commercial Office and PBZ zones** must serve the needs of the local population while remaining compatible with the overall residential character of the community. (Comp Plan, Land Use Issues, Outside the Town Center). *The Commercial Office zone, as developed in the future by the SJCC, will remain compatible and increase compatibility with the overall residential character of the community. First, nothing will be built on the site that is not the SJCC, and we have shared our draft plans with the community. Second, these plans improve on many of the required minimum development standards—better setbacks than required, less height than allowed, etc. Finally, the proposal is adjacent to CO or Public zones and extends them southward. The strip of single-family homes to our west is owned by the French American School of Puget Sound.*
- **Goal 15.1.** Existing land use policies, which strongly support the preservation of existing conditions in the single-family residential zones, will continue to apply. Changes to the zoning code or development standards will be accomplished through code amendments. (Comp Plan, Land Use Goals). *This goal is met. The existing condition in this single-family zone that has existed for 54 years (pre-dating many of the homes that now exist next to the SJCC) will be maintained. This map change simply changes the map to fit the use that has been here for 54 years.*
- **Goal 15.4.** Compatible permitted uses such as education, recreation, open spaces, government social services and religious activities will be encouraged. *The proposed amendment maintains the SJCC which provides education, art, culture, and recreation, and are a permitted uses in the CO zone.*
- **Goal 17.4.** Social and recreation clubs, schools, and religious institutions are predominantly located in single family residential areas of the Island. Development regulation should reflect the desire to retain viable and healthy social, recreational, educational, and religious organizations as community assets which are essential for the mental, physical and spiritual health of Mercer Island. *As the City is aware, the current single-family zone has been amended and development standards interpreted in a way that does not allow the maintenance of viable and healthy organizations. Further, the remodeling criteria make it impossible to maintain a nonconforming status and make upgrades to facilities that are*

*necessary when a facility is well beyond its useful life, particularly given the concrete construction methods that were used in 1969. As such, the redesignation to the CO zone is necessary to be consistent with this Goal and retain a viable and healthy SJCC on Mercer Island.*

- **Goal 21.** Promote the use of green building methods, design standards, and materials...to reduce impacts on the built and natural environment and to improve the quality of life. Green building should result in demonstrable benefits, through the use of programs such as, but not limited to, Built Green, LEED, The Living Building Challenge, Passive House, Salmon Safe, or other similar regional and recognized green building programs. *The new SJCC will be much more environmentally friendly than the current 54-year-old structure.*
- **Goal 23.** Support the arts on Mercer Island. *The SJCC holds regular arts events, including the Seattle Jewish Film Festival. The arts are deeply important to the SJCC and the SJCC's auditorium, which would remain under the proposal, is one of only two large gathering spaces on the island for arts-related events. See Exhibit B.*
- **Goal 25.** Preserve Mercer Island's Heritage. *The SJCC is a piece of Mercer Island's history.*  
<https://www.historylink.org/File/104#:~:text=In%20Seattle%2C%20the%20Jewish%20Community,Davis%20and%20secretary%20Harry%20Ash.> *Allowing for the redesignation of the property will allow the SJCC to remain on the island and thrive for another 60 years.*
- **Land Use Designations—CO.** The commercial office land use designation represents commercial areas within Mercer Island, located outside of Town Center, where the land use will be predominantly commercial office. Complementary land uses (e.g., healthcare uses, schools, places of worship, etc.) are also generally supported within this land use designation. *The CO zone reflects the use of the SJCC property, which has not been in single family residential use for over 54 years. A CO zone is a much more appropriate reflection of reality.*
- **Transportation Goal 6.1:** Ensure compatibility between transportation facilities and services and adjacent land uses, evaluating aspects such as: potential impacts of transportation on adjacent land use; potential impacts of land development and activities on transportation facilities and services; and need for buffering and/or landscaping alongside transportation facilities. *While the zone of the property will change, the use will not change. The project-specific transportation review for the SJCC project will analyze at a project-level transportation impacts that may be mitigated via trip reduction and physical improvements.*
- **Transportation Goal 9.2.** Address parking overflow impacts on neighborhoods caused by major traffic generators such as schools, businesses, parks, and multifamily developments. *The SJCC proposal would add many more parking stalls which will reduce parking impacts to the neighborhood.*

v. The essential elements of the proposal and proposed outcome have not been considered by the city council in the last three years. This time limit may be waived by the city council if the proponent establishes that there exists a change in circumstances that justifies the need for the amendment.



**The proposal has not been considered by the city council in the last three years.**

19.15.250.C. *Rezone approval criteria.* Decisions to reclassify property shall be consistent with the criteria specified below, stated in MICC 19.15.240.C.

1. The amendment is consistent with policies and provisions of the Mercer Island comprehensive plan.

**Yes. The proposal is consistent with the policies and provisions of the Mercer Island Comprehensive Plan, as outlined above.**

2. The proposed reclassification is consistent with the purpose of the Mercer Island development code as set forth in MICC 19.01.010.

MICC 19.01.010: The general purpose of this Code is to protect and promote health, safety, and the general welfare through the regulation of development within the city of Mercer Island.

To that end, this Code classifies the land within the city into various zones and establishes the use of land and nature of buildings within those zones; controls the form of plats and subdivisions; regulates the construction of commercial and residential structures; and protects critical and sensitive areas within the city.

The provisions of this Code are designed to consider light, air and access; to conserve and protect natural beauty and other natural resources; to provide coordinated development; to avoid traffic congestion; to prevent overcrowding of land; to facilitate adequate provisions for transportation, water, sewage, schools, parks and other public requirements; and to encourage the use of solar energy practices.

This Code is to be interpreted as a whole, in view of the purpose set out in this section.

If the general purpose of this development code conflicts with the specific purpose of any chapter of this development code, the specific purpose shall control.

**Yes. The proposed reclassification would protect and promote and improve the health, safety and general welfare of Mercer Island. See Exhibit B. The reclassification would extend the CO zone.**

3. The proposed reclassification is an extension of an existing zone, or a logical transition between zones;

**Yes. The proposal would change the subject parcels to CO. There is adjacent CO land to the north of the parcel, and this boundary would be extended to the south to include the subject parcels. The provisions of the CO zone create appropriate transitions between zones.**

4. The proposed reclassification does not constitute an illegal site-specific rezone;

**The proposed reclassification does not constitute an illegal site-specific rezone, often known as an “illegal spot zone.”**

**Washington law has established several criteria for when an illegal spot zone may be found to exist, none of which are met by the current proposal:**

1. A smaller area is singled out of a larger area and given some special treatment. **No. The proposal extends the CO zone and does not change the specific CO zone criteria.**

2. The classification or use allowed in the smaller area is totally different from and inconsistent with the classification of surrounding land so as to disturb the tenor of the neighborhood and create an inconsistency or conflict of use with the uses allowed in the surrounding area. **No. The SJCC use is already established on the site and will continue. The extension of the CO zone over the site simply allows for the rebuilding of the SJCC under the code. The CO zone’s setbacks and development regulations ensure there is no inconsistency or conflict of use with the single family uses already adjacent to the SJCC.**

3. The action necessary to create the smaller area is taken for the private gain of one person or group of persons rather than for the general welfare of the community as a whole. **No. See above. The SJCC benefits the welfare of the community as a whole.**

4. The action taken is not in accordance with the comprehensive plan. **We agree that the comprehensive plan would need to be amended (either concurrently or prior to the rezone being adopted) in order for the rezone to occur. We have submitted a comprehensive plan amendment application concurrently with this rezone application for the city’s consideration.**

*McNaughton v. Boeing*, 68 Wn.2d 659, P.2d 778 (1966). In addition, the *McNaughton* case also determined that a City may impose conditions, either unilaterally or by contract in connection with a zoning amendment

5. The proposed reclassification is compatible with surrounding zones and land uses;

**Yes. The CO zone is compatible and allows for compatible uses with the B, CO, P, and R 8.6 and R-9.6 zones, all adjacent or nearby the site. The CO zone includes development regulations ensuring compatibility, including limitation of uses, increased setbacks, and height limits.**

6. The proposed reclassification does not adversely affect public health, safety, and welfare; and

**The proposed reclassification will not adversely impact the public health, safety or welfare. See Exhibit B.**

7. If a comprehensive plan amendment is required in order to satisfy subsection C1 of this section, approval of the comprehensive plan amendment is required prior to or concurrent with the granting of an approval of the rezone.

**Agreed. The rezone would not occur unless and until the comprehensive plan map amendment redesignating the property to CO is adopted.**

19.15.250.D. *Development code amendment decision criteria.* The city may approve or approve with modifications a proposal to amend this code only if:

1. The amendment is consistent with the comprehensive plan; and

**Yes. See above. The zoning map change is consistent with the comprehensive plan.**

2. The amendment bears a substantial relation to the public health, safety, or welfare; and

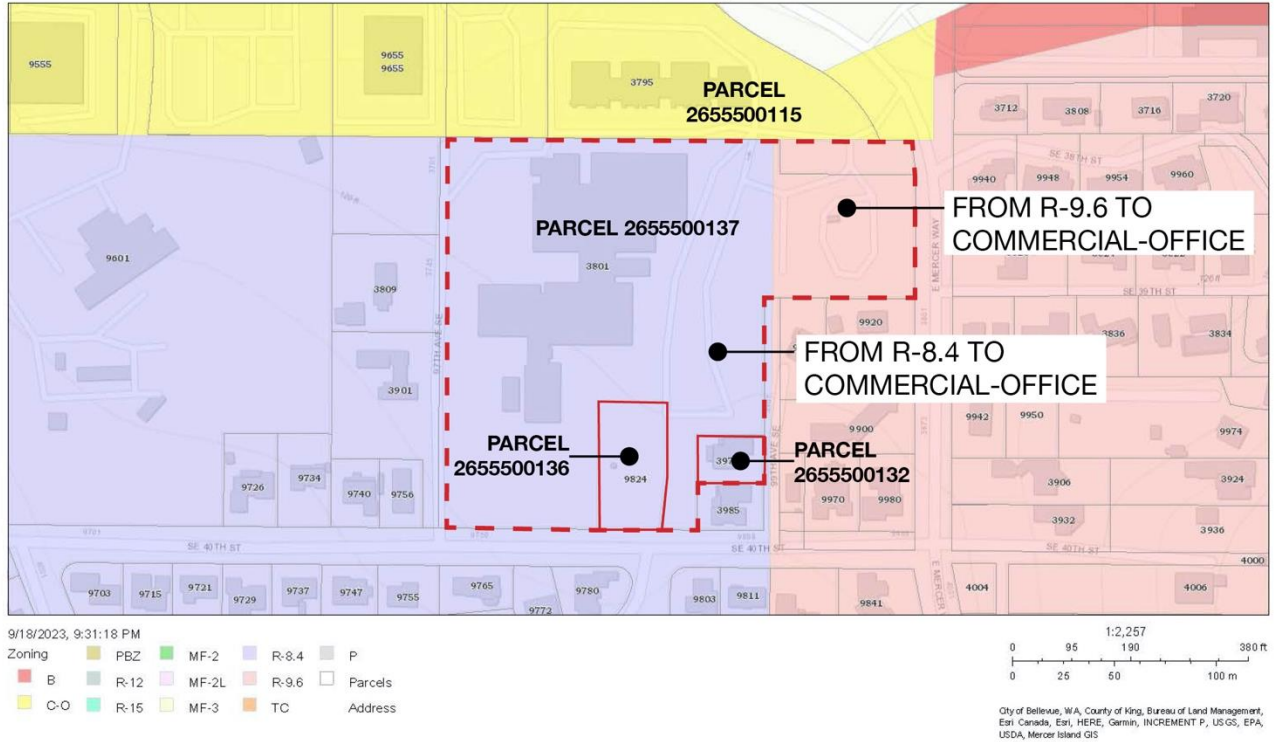
**Yes. See above. The amendment benefits public health, safety, and welfare.**

3. The amendment is in the best interest of the community as a whole.

**Yes. See Exhibit B as well as the application above. A rezone of property allowing the SJCC to be renovated would allow the SJCC to remain on Mercer Island, which is beneficial of the Mercer Island community as a whole.**

# Exhibit A Zoning Map Change

ArcGIS Web Map



Web AppBuilder for ArcGIS  
City of Bellevue, WA, County of King, Bureau of Land Management, Esri Canada, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA | Mercer Island GIS |

## Exhibit B

### Benefits of the Zoning Map Change

There are several benefits to the Zoning Map change:

The Stroum Jewish Community Center has served Mercer Island residents since opening in 1969. For nearly 55 years, “the J” has welcomed people of every age, culture, and religion to build and amplify profound connection; creating and fortifying community that contributes significantly to the communal fabric of Mercer Island. Today the SJCC reaches nearly 3,000 Mercer Island households throughout the year. On any given day, the J welcomes hundreds of Mercer Island residents, providing year-round early childhood education to over 200 children, afterschool care and recreational programming to dozens of middle schoolers, summer camp to ~450 Mercer Island children, and a series of character-building and fitness offerings for teenagers and young adults. For adults, the SJCC presents daily recreation programs for hundreds exercising individually or in group classes, including about 30 seniors who exercise in AquaFit or Rock Steady Boxing<sup>1</sup>, building muscle strength and friendships that endure challenges facing mature adults. Added to that, the J has a community garden, teaches and hosts mahjong and bridge, organizes communal hikes, and provides a series of cultural arts programs in Mercer Island’s only functioning performing arts hall outside of the school district. With 30+ programs a year, SJCC brings feature films, dance, live music, culinary arts programs, and special topics to the entire community on Mercer Island. The SJCC ensures, through private financial support, that these programs are available to everyone, regardless of one’s ability to pay.

As one of the longest-standing institutions on Mercer Island, the SJCC has helped connect and welcome generations of MI families, assuring MI residents—whether they are new or returning to their hometown—feel welcome and supported along life’s journey.

The SJCC has also been one of Mercer Island’s largest employers, with nearly 140 year-round employees and over 215 summer employees. For many, the J is the first job they have, building responsibility and leadership skills, lifesaving skills like CPR, and a sense of purpose and community.

In addition to the Mercer Island residents involved with the SJCC, the J brings people from around the Greater Seattle area that often, in addition to engaging with the J, will spend time and resources on Mercer Island for coffee, grocery shopping, dining, dry cleaning, and shopping at Island Books, Terra Bella, and more.

The J’s vision is to be the Puget Sound’s most open and welcoming community-centered Jewish organization. SJCC leads with community in everything they do, and believes that many of the tightly woven MI bonds have started and been sustained through connections at the Stroum JCC. As a private organization, funded through programming fees and substantial private philanthropy, SJCC is the only private organization on Mercer Island that makes it possible for

---

<sup>1</sup> Rock Steady Boxing is supported by the King County Get Active/Stay Active program and serves people living with Parkinson’s disease.

anyone to participate in their activities and programs, regardless of income, race/ethnicity, orientation, religion, or residence. With the increasing pressure of the cost of living on MI, the J remains accessible, welcoming, and community-oriented for everyone and anyone.

A departure from Mercer Island, driven by an inability to rebuild facilities, would leave a vacuum. People of all ages would have fewer programs to choose from and fewer affordable options for fitness, enrichment, education, entertainment, gardening, and more. With the adoption of HB110 in the State legislature in 2023, the land on which The J is built—nearly eight and a half acres of residential property—could be converted into a housing development of approximately three dozen homes, 50 or more duplexes, and potentially, over 125 quadplexes with one (1) in four (4) being developed as affordable housing. An updated SJCC, on the other hand, would provide more certainty for neighbors and MI, while also mitigating lighting, traffic, and noise issues. Improved ADA accessibility would ensure people of all capabilities could safely and comfortably navigate the property and facility, and modern technology would assure the J is more environmentally sustainable. With sophisticated landscaping, the J would offer more attractive and low impact vegetation, better integrating the SJCC in its surroundings.

In summary, the SJCC has been a Mercer Island mainstay for over 50 years. Hundreds of families rely on the SJCC for child development and childcare, character development, jobs, personal and professional enrichment, friendship in times of strength and strife, and the confidence knowing that they belong at the J, a place where everyone is welcome. A City Council decision to rezone the SJCC's residentially zoned properties to Commercial Office zoning would bring comfort to everyone directly and indirectly touched by the J and the surrounding neighborhood, providing the certainty of knowing the J would continue to serve as a place that offers convenient opportunity for profound Islander connections for every generation.

## Exhibit C

### Environmental Benefits of the Zoning Map Change

There are several benefits to the Zoning Map change:

- The Zoning Map change will align long-standing and ongoing operations with the City's Zoning Map and facilitate the rebuild/renovation of the SJCC. This will result in the following environmental benefits from the current SJCC:
  - A building that is compliant with current energy and environmental codes. The buildings were constructed in 1969 and 1980. A new and renovated building would use far less energy and would use sustainable building materials and techniques, including high efficiency mechanical and electrical systems.
  - A site that is compliant with current stormwater codes. Currently the parking lot sheet flows into the stormwater system. Low impact design and compliance with the current stormwater manual would be required of a new SJCC.
  - A building with sufficient parking capacity and traffic flow. Currently the parking for the SJCC and traffic flow can be congested. The new SJCC would include a one-story tall parking garage that is mostly buried underground to mitigate visual impacts, which would add parking stalls the building needs for adequate parking capacity. The rearrangement of the site would also allow for sufficient room for traffic queuing during busy pick-up and drop-off times, reducing current traffic issues in the area.
  - A large setback buffer from the single-family properties to the south. The proposed setbacks will reduce noise and light impacts from the current SJCC.
  - No parking lights on the south side of the property near single family residents. Currently light from parking lights may spill into neighboring houses and properties. All new lights would be placed to eliminate light spillage, and any required light fixtures would be cut-off to shield light.



Attachment 4: Docketing Criteria Analysis

Item 3.

| Proposed Amend. No. | Criterion 1: appropriately addressed by Comp Plan or code | Criterion 2: necessary staff and budget resources can be provided by city or applicant | Criterion 3: doesn't raise issues related to ongoing work program | Criterion 4: serves public interest by implementing Comp Plan goals or supports City's vision | Criterion 5: has not been considered by City Council in the last 3 years |
|---------------------|---|--|---|---|--|
| 1                   | ✓   | ■  | ✓   | ✓   | ✓  |
| 2                   | ✓   | ■  | ✓   | ✓   | ✓  |
| 3                   | ✓   | ■  | ✓   | ✓   | ✓  |
| 4                   | ✓   | ■  | ✓   | ✓   | ✓  |
| 5                   | ✓   | ■  | ✓   | ✓   | ✓  |
| 6                   | ✓   | ■  | ✓   | ✓   | ✓  |
| 7                   | ✓   | ■  | ✓   | ✓   | ✓  |
| 8                   | ✓   | ↑  | ✓   | ✓   | ✓  |
| 9                   | ✓   | ↑  | ✓   | ✓   | ✓  |
| 10                  | ✓   | ■  | ✓   | ✓   | ✓  |
| 11                  | P R O P O S A L   W I T H D R A W N                       |  |   |   |  |
| 12                  | ?   | ↓  | ✓   | ✓   | ✓  |
| 13                  | ?   | ↓  | ✓   | ✓   | ✓  |
| 14                  | ✓   | ↓  | ✓   | ✓   | ✓  |
| 15                  | ✓   | ↓  | ✓   | ✓   | ✓  |
| 16                  | ✓   | ↓  | ✓   | ✓   | ✓  |
| 17                  | ✓   | ↓  | ✓   | ✓   | ✓  |

|   |  |   |   |   |   |
|---|--|---|---|---|---|
| ✓ | The proposal could meet this criterion                     | ? | It is unclear or debatable whether the proposal could meet this criterion | ✗ | The proposal cannot meet this criterion                   |
| ↑ | The proposal is a high priority for staff/budget resources | ■ | The proposal is a moderate priority for staff/budget resources            | ↓ | The proposal is a low priority for staff/budget resources |

## COMPREHENSIVE PLAN AND DEVELOPMENT CODE DOCKET - PROGRESS REPORT

|  |           |  | PC<br>Recommendation | CC<br>Decision | AB                   | Ord No.                | Notes  |
|--|-----------|--|----------------------|----------------|----------------------|------------------------|--|
| <b>2020 PROPOSALS (2021 Docket) - Adopted 12/01/2020</b> |           |  |                      |                |                      |                        |  |
| 20-1   | CPA21-001 | Correct Comp Plan Land Use Map                           | Y                    | Y              | <a href="#">5971</a> | <a href="#">21-26</a>  | Complete, review of 20-1 and 20-8 was consolidated under CPA21-001 |
| 20-2   | ZTR21-004 | Town Center Commercial                                   | Y                    | Y              | <a href="#">6102</a> | <a href="#">22C-09</a> | Complete   |
|  | CPA22-001 |  |                      |                | <a href="#">6172</a> | <a href="#">22C-17</a> | Complete   |
| 20-3   | ZTR21-007 | Transportation Impact Fee Rate Update                    | Y                    | Y              | <a href="#">6092</a> | <a href="#">22C-06</a> | Complete   |
|  | ZTR21-008 | Park Impact Fee Rate Update                              |                      |                | <a href="#">6093</a> | <a href="#">22C-07</a> | Complete   |
| 20-4   | ZTR19-003 | Sign Regulations   | Y                    | Y              | <a href="#">5952</a> | <a href="#">21C-21</a> | Complete   |
| 20-5   | ZTR19-004 | Wireless/Small Cell Regulations                          | Y                    | Y              | <a href="#">5929</a> | <a href="#">21C-17</a> | Complete   |
| 20-6   | ZTR21-001 | Implementation of Comp Plan Amendments                   | N                    | Y              | <a href="#">5866</a> | <a href="#">21C-05</a> | Complete   |
| 20-7   | ZTR21-002 | Conditional Use Permit Regulations                       | N                    | Y              | <a href="#">5867</a> | <a href="#">21C-06</a> | Complete   |
| 20-8   | CPA21-001 | Correct Comp Plan Land Use Map                           | N                    | Y              | <a href="#">5971</a> | <a href="#">21-26</a>  | Complete, review of 20-1 and 20-8 was consolidated under CPA21-001 |
| 20-9   | ZTR21-005 | Noise and Lighting                                       | C                    | Y              | <a href="#">6019</a> | -                      | CC first reading completed, elected not to take further action     |
| 20-10  |           | Prioritization of the use of public ROW                  | N                    | N              | -                    | -                      |  |
| 20-11  |           | RDS: GFA for Clerestory Space *                          | N                    | N              | -                    | -                      |  |
| 20-12  |           | RDS: GFA for covered porches and decks *                 | N                    | N              | -                    | -                      |  |
| 20-13  |           | RDS: Garages within 10 ft of front property line *       | N                    | N              | -                    | -                      |  |
| 20-14  |           | RDS: GFA for ADUs on small lots *                        | N                    | N              | -                    | -                      |  |
| 20-15  | ZTR21-006 | Land Use Review Types and Noticing *                     | N                    | Y              | <a href="#">6074</a> | <a href="#">22C-05</a> | Complete   |
| 20-16  |           | RDS: parking requirements for smaller homes *            | N                    | N              | -                    | -                      |  |
| <b>2021 PROPOSALS (2022 Docket) - Adopted 12/07/2021</b> |           |  |                      |                |                      |                        |  |
| 21-1   |           | Increase Tree Retention to 50%                           | Y                    | N              | -                    | -                      |  |
| 21-2   |           | New Impact Fee for Ped/Bike                              | N                    | N              | -                    | -                      |  |
| 21-3   |           | Recategorize Intersections in Transportation Element     | Y                    | N              | -                    | -                      |  |
| 21-4   | ZTR22-001 | Amend Business Zone to Allow Schools                     | Y                    | Y              | <a href="#">6270</a> | <a href="#">23C-08</a> | Complete   |
| 21-5   |           | Allow additions to nonconforming homes in critical areas | C                    | N              | -                    | -                      |  |
| 21-6   |           | Require Electric Heating                                 | C                    | N              | -                    | -                      |  |
| 21-7   |           | RDS: GFA for Clerestory Space *                          | N                    | N              | -                    | -                      |  |

|       |           |  |   |   |                      |                        |  |
|-------|-----------|--|---|---|----------------------|------------------------|--|
| 21-8  |           | RDS: GFA for covered porches and decks *           | N | N | -                    | -                      |  |
| 21-9  |           | RDS: Garages within 10 ft of front property line * | N | N | -                    | -                      |  |
| 21-10 |           | RDS: GFA for ADUs on small lots *                  | N | N | -                    | -                      |  |
| 21-11 |           | Land Use Review Types and Noticing *               | N | N | -                    | -                      | Docketed in 2020, see ZTR21-006                                |
| 21-12 |           | RDS: parking requirements for smaller homes *      | N | N | -                    | -                      |  |
| 21-13 |           | Bike/Ped Plan Update Schedule                      | Y | N | -                    | -                      |  |
| 21-14 | ZTR21-003 | Remove Occupancy Limitations                       | Y | Y | <a href="#">6146</a> | <a href="#">22C-11</a> | Complete   |
| 21-15 | ZTR21-003 | Allow 8 people in Adult Family Homes               | Y | Y | <a href="#">6146</a> | <a href="#">22C-12</a> | Complete   |
| 21-16 | ZTR22-003 | Transitional and Permanent Supportive Housing      | Y | Y | (tbd)                | (tbd)                  | <a href="#">Interim regulations renewed by Ord. No. 23C-11</a> |

**2022 PROPOSALS (2023 Docket) - Adopted (TBD)**

|       |           |   |   |   |                      |                        |   |
|-------|-----------|---|---|---|----------------------|------------------------|---|
| 22-1  | ZTR23-001 | Allow SCUPs for Marina and Swim Facilities          | Y | Y | <a href="#">6340</a> | <a href="#">23C-15</a> | City review is complete, awaiting Dept. of Ecology approval |
| 22-2  |           | RDS: GFA for Clerestory Space **                    | Y | N |                      |                        |   |
| 22-3  |           | RDS: GFA for covered porches and decks **           | Y | N |                      |                        |   |
| 22-4  |           | RDS: Garages within 10 ft of front property line ** | N | N |                      |                        |   |
| 22-5  |           | RDS: GFA for ADUs on small lots **                  | Y | N |                      |                        |   |
| 22-6  |           | RDS: parking requirements for smaller homes **      | Y | N |                      |                        |   |
| 22-7  |           | Repeal Piped Watersource Regulations                | Y | N |                      |                        |   |
| 22-8  |           | Amend Docketing Criteria                            | Y | N |                      |                        |   |
| 22-9  |           | Town Center Commercial Height Limit                 | - | - | -                    | -                      | <i>withdrawn prior to PC consideration</i>                  |
| 22-10 |           | Administrative Code Corrections                     | - | - | -                    | -                      | <i>withdrawn prior to PC consideration</i>                  |
| 22-11 |           | Update Legal Lot Provisions                         | - | - | -                    | -                      | <i>withdrawn prior to PC consideration</i>                  |
| 22-12 |           | Temporary Use Regulations                           | - | - | -                    | -                      | <i>withdrawn prior to PC consideration</i>                  |

\* Docket proposal in 2020 & 2021  
 \*\* Docket proposal in 2020, 2021, & 2022  
 Y Yes  
 N No  
 C Consider