CITY OF MERCER ISLAND
CITY COUNCIL REGULAR HYBRID MEETING
Tuesday, September 01, 2026 at 5:00 PM

MERCER ISLAND CITY COUNCIL:

Mayor David Rosenbaum, Deputy Mayor Daniel Becker,
Councilmembers: Lisa Anderl, Julie Hsieh,
Craig Reynolds, Wendy Weiker, and Ted Weinberg

LOCATION & CONTACT:

MICEC – Slater Room Council Chambers and via Zoom
8236 SE 24th Street | Mercer Island, WA 98040
206.275.7793 | www.mercerisland.gov

We strive to create an inclusive and accessible experience. Those requiring accommodation for meetings should notify the City Clerk's Office three days prior to the meeting at 206.275.7793 or by emailing cityclerk@mercerisland.gov.

The hybrid meeting will be live streamed on the City Council's YouTube Channel.

Individuals wishing to speak live during Appearances (public comment period) must register with the City Clerk at 206.275.7793 or cityclerk@mercerisland.gov before 4 PM on the day of the Council meeting. Each speaker will be allowed to speak for three (3) minutes. A timer will be visible to online to speakers, City Council, and meeting participants.

Written comments may be sent to the City Council at council@mercerisland.gov.

Join the meeting at 5:00 PM (Appearances will start sometime after 5:00 PM) by:

- **Telephone:** Call 253.215.8782 and enter Webinar ID 886 0404 4217 and Password 730224
- **Zoom:** Click this link (Webinar ID 886 0404 4217; Password 730224)
- **In Person:** Mercer Island Community & Event Center – Slater Room Council Chambers (8236 SE 24th Street, Mercer Island, WA 98040)

MEETING AGENDA - AMENDED

CALL TO ORDER & ROLL CALL, 5:00 PM

PLEDGE OF ALLEGIANCE

AGENDA APPROVAL

CITY MANAGER REPORT

APPEARANCES

(This is the opportunity for anyone to speak to the City Council on any item, except items before the City Council requiring a public hearing, any quasi-judicial matters, or campaign-related matters)

EXECUTIVE SESSION - Approximately 20 Minutes

1. **Pending or Potential Litigation**
   Executive Session to discuss with legal counsel pending or potential litigation pursuant to RCW 42.30.110(1)(i)

CONSENT AGENDA

2. **AB 6983: July 24 2026 Payroll Certification**

   Recommended Action: Approve the July 24, 2026 Payroll Certification in the amount of $1,027,055.87 and authorize the Mayor to sign the certification on behalf of the entire City Council.

3. **AB 6974: August 10, 2026 Payroll Certification**

Recommended Action: Approve the August 10, 2026 Payroll Certification in the amount of $1,035,631.24 and authorize the Mayor to sign the certification on behalf of the entire City Council.

4. AB 6975: August 25, 2026 Payroll Certification

Recommended Action: Approve the August 25, 2026 Payroll Certification in the amount of $999,414.08 and authorize the Mayor to sign the certification on behalf of the entire City Council.

5. AB 6976: Certification for Claims Paid June 30, 2026 through July 15, 2026

Recommended Action: Approve the June 30, 2026 through July 15, 2026 Accounts Payable Certification of Claims in the amount of $2,833,172.53 and authorize the Mayor to sign the certification on behalf of the entire City Council.

6. AB 6977: Certification for Claims Paid July 16, 2026 through July 31, 2026

Recommended Action: Approve the July 16, 2026 through July 31, 2026 Accounts Payable Certification of Claims in the amount of $2,618,643.54 and authorize the Mayor to sign the certification on behalf of the entire City Council.

7. AB 6978: Certification for Claims Paid July 31, 2026 through August 15, 2026

Recommended Action: Approve the July 31, 2026 through August 15, 2026 Accounts Payable Certification of Claims in the amount of $1,641,184.94 and authorize the Mayor to sign the certification on behalf of the entire City Council.

8. City Council Regular Hybrid Meeting Minutes of July 21, 2026

Recommended Action: Approve the City Council Regular Hybrid Meeting Minutes of July 21, 2026.

9. AB 6979: National Recovery Month, Proclamation No. 393

Recommended Action: Approve Proclamation No. 393 proclaiming September 2026 as National Recovery Month on Mercer Island.

10. AB 6980: National Preparedness Month, Proclamation No. 394

Recommended Action: Approve Proclamation No. 394 proclaiming September 2026 National Preparedness Month on Mercer Island.

11. AB 6981: Hunger Action Month, Proclamation No. 395

Recommended Action: Approve Proclamation No. 395 proclaiming September 2026 as Hunger Action Month on Mercer Island.

12. AB 6982: Childhood Cancer Awareness Month, Proclamation No. 396

Recommended Action: Approve Proclamation No. 396 proclaiming September 2026 as Childhood Cancer Awareness Month on Mercer Island.

13. AB 6984: Amendment to ILA – Rate Increase for 2027 for Jail Services with South Correctional Entity (SCORE)

Recommended Action: Authorize the City Manager to execute the amendment to the interlocal agreement with SCORE.

14. AB 6987: Interlocal Agreement and Lease Agreement Amendments with the City of Newcastle for Municipal Court Operations

Recommended Action:
1. Authorize the City Manager to execute the First Amendment to the Interlocal Agreement with the City of Newcastle for use of the Council Chambers for Mercer Island Municipal Court proceedings, substantially in the form attached as Exhibit 1.

2. Authorize the City Manager to execute the First Amendment to the Lease Agreement with the City of Newcastle for Suite 301 in the Newcastle Professional Center located at 12835 Newcastle Way, Newcastle, Washington, for Mercer Island Municipal Court administrative offices, substantially in the form attached as Exhibit 2.

15. AB 6989: Appropriation for Luther Burbank Park Dock and Waterfront Improvements Project and Bid Award - *Packet materials added August 27, 2026*

Recommended Action: Award the Luther Burbank Park Dock and Waterfront Improvements Project construction contract, authorize funding, and set the project budget.

16. AB 6994: Interlocal Agreement with MISD for Mental Health Counseling Services

Recommended Action: Authorize the City Manager to sign the interlocal agreement with the Mercer Island School District for mental health counseling services during the 2026-2027 school year substantially in the form attached as Exhibit 1 to AB 6994.

REGULAR BUSINESS

17. AB 6971: Fire Apparatus Acquisition and Financing (Ordinance No. 26-12, First Reading)

Recommended Action: Schedule the second reading of Ordinance No. 26-12 on September 15, 2026.

18. AB 6988: Comprehensive Plan Map Amendment for four properties owned by the Stroum Jewish Community Center (SJCC) (Ordinance No. 26-13)

Recommended Action: Amend the Planning Commission's recommendation by rejecting both amended findings for MICC 19.15.230(F)(1) and (2) and replace these findings with those originally presented by staff to the Planning Commission as detailed in Exhibit 3 and schedule the second reading of Ordinance No. 26-13 for December 1, 2026.

19. AB 6963: Water Supply Pipeline Project – Mini-MACC 2 and Near-Term Funding Authorization

Recommended Action: Authorize the City Manager to execute Mini-MACC 2 with Scarsella Brothers, Inc., a Washington-based Corporation, in an amount not to exceed $10,535,100, for construction of the new 24-inch water supply pipeline and associated water-system improvements; appropriate $6,142,200 from the Water Fund available fund balance to the Water Supply Pipeline Project (90.40.0032); and authorize the City Manager to execute any related documents necessary to complete this work.

OTHER BUSINESS

20. Planning Schedule

21. Councilmember Absences & Reports

ADJOURNMENT

BUSINESS OF THE CITY COUNCIL
CITY OF MERCER ISLAND

AB 6983
September 1, 2026
Consent Agenda

AGENDA BILL INFORMATION

TITLE:	AB 6983: July 24 2026 Payroll Certification	☐ Discussion Only ☒ Action Needed: ☒ Motion ☐ Ordinance ☐ Resolution
RECOMMENDED ACTION:	Approve the July 24 2026 Payroll Certification in the amount of $1,027,055.87.	

1

DEPARTMENT:	Administrative Services
STAFF:	Ali Spietz, Chief of Administration Nicole Vannatter, Interim Human Resources Administrator
COUNCIL LIAISON:	n/a
EXHIBITS:	1. July 24, 2026 Payroll Certification 2. FTE/LTE Counts
CITY COUNCIL PRIORITY:	n/a

AMOUNT OF EXPENDITURE	$ n/a
AMOUNT BUDGETED	$ n/a
APPROPRIATION REQUIRED	$ n/a

EXECUTIVE SUMMARY

This agenda item is to approve the City of Mercer Island payroll certification for the period from July 1, 2026 through July 15, 2026 in the amount of $1,027,055.87 (see Exhibit 1).

BACKGROUND

RCW 42.24.080 requires that all claims presented against the City by performing labor must be certified by the appropriate official to ensure that the labor was performed as described, and that the claims are just, due, and unpaid obligations against the City, before payment can be made. RCW 42.24.180 allows the payment of claims to occur prior to City Council approval to expedite processing of the payment of claims, provided, however, that review and approval of the claims' documentation occur at the next regularly scheduled public meeting. The Payroll Certification details the total payment to employees for labor performed and benefits payments made for each payroll. The City is on a semi-monthly payroll schedule with payments on the 10th and 25th of each month.

ISSUE/DISCUSSION

Each payroll varies depending on several factors (i.e., number of employees, pay changes, leave cash outs, overtime, etc.). In addition to regular pay for employees, this payroll has variations that are outlined below.

Additional payments:

Description	Amount
Leave cash outs for current employees	$0.00
Leave cash outs for terminated employees	$529.46
Service and recognition awards	$3,150.00
Overtime earnings (see chart for overtime hours by department).	$57,992.80
Total	**$61,672.26**

Overtime hours by department:

Department	Hours
Administrative Services	
City Attorney's Office	
City Manager's Office	
Community Planning & Development	4.00
Finance	22.50
Municipal Court	
Police	333.25
Public Works	295.75
Thrift Shop	5.25
Youth & Family Services	
Total Overtime Hours	**660.75**

NEXT STEPS

FTE/LTE COUNTS

The table in Exhibit 2 shows the budgeted versus actual counts for Full Time Equivalents (FTEs) and Limited Term Equivalents (LTEs) for the current payroll. Casual labor employees (temporary and seasonal) are not included in the counts.

Casual Labor

In addition to FTE and LTE employees, the City utilizes casual labor to address workload needs that exceed the capacity or expertise of the City's regular staff and that are time limited or seasonal. Casual labor is used primarily to address seasonal workload needs and short-term workload issues created by special projects or position vacancies. Compared to an LTE position, a casual labor position has limited benefits and is filled for a shorter period (1-3 months, 6 months, or 9 months). The departments/divisions that utilize casual labor the most are Parks Maintenance, Recreation, Public Works, and the Thrift Shop.

RECOMMENDED ACTION

Approve the July 24, 2026 Payroll Certification in the amount of $1,027,055.87 and authorize the Mayor to sign the certification on behalf of the entire City Council.

CITY OF MERCER ISLAND PAYROLL CERTIFICATION

PAYROLL PERIOD ENDING		**07.15.2026**
PAYROLL DATED		**07.24.2026**
Net Cash	$	682,084.13
Net Voids/Manuals	$	(0.31)
Net Total	**$**	**682,083.82**
Federal Tax Deposit	$	121,397.17
Social Security and Medicare Taxes	$	77,234.84
State Tax (California & Oregon)	$	696.18
State Tax (California)	$	3.41
Family/Medical Leave Tax (California & Oregon)	$	59.44
Public Employees Retirement System 1 (PERS 1)	$	-
Public Employees' Retirement System (PERS Plan 2)	$	31,688.21
Public Employees' Retirement System (PERS Plan 3)	$	10,789.00
Public Employees' Retirement System (PERSJM)	$	760.25
Public Safety Employees' Retirement System (PSERS)	$	-
Law Enforcement Officers' & Fire Fighters' Retirement System (LEOFF Plan2)	$	21,436.49
Regence, Kaiser & LEOFF Trust Medical & Dental Insurance Deductions	$	15,078.56
Domestic Partner Medical Insurance Deductions	$	3,586.94
Health Care - Flexible Spending Account Contributions	$	3,404.91
Dependent Care - Flexible Spending Account Contributions	$	1,188.33
MS Roth IRA Contributions	$	1,199.78
MS 457 Deferred Compensation Contributions	$	42,604.39
ICMA 401K Deferred Compensation Contributions	$	-
Garnishments (Chapter 13)	$	1,216.03
Tax Wage Garnishment	$	-
Child Support Wage Garnishment	$	992.50
Mercer Island Employee Association Dues	$	245.00
AFSCME Union Dues	$	3,662.30
Police Union Dues	$	3,559.72
Standard - Supplemental Life Insurance	$	198.64
Unum - Long Term Care Insurance	$	176.90
AFLAC - Supplemental Insurance Plans	$	193.37
Nationwide - Pet Insurance	$	184.76
Transportation - Flexible Spending Account Contributions	$	106.50
Miscellaneous	$	107.51
Oregon Transit Tax and Oregon Benefit Tax	$	8.71
Washington Long Term Care	$	3,192.21
Tax & Benefit Obligations Total	**$**	**344,972.05**
TOTAL GROSS PAYROLL	**$**	**1,027,055.87**

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and that the claim is a just, due and unpaid obligation against the City of Mercer Island, and that I am authorized to authenticate and certify to said claim.

Finance Director

I, the undersigned, do hereby certify that the City Council has reviewed the documentation supporting claims paid and approved all checks or warrants issued in payment of claims.

M

Date

FTE AND LTE COUNTS AS OF 7/15/2026

Full Time Equivalents (FTEs)	2026 Budgeted	2026 Actual
Administrative Services	14.50	14.50
City Attorney's Office	2.00	2.00
City Manager's Office	3.00	3.00
Community Planning & Development	17.00	16.00
Finance	9.00	9.00
Municipal Court	3.10	3.10
Parks, Recreation & Facilities	27.25	26.25
Police	37.50	37.00
Public Works	47.00	45.00
Youth & Family Services	11.93	11.93
Thrift Shop	3.00	3.00
Total FTEs	**175.28**	**170.78**

Limited Term Equivalents (LTEs)	2026 Budgeted	2026 Actual
Administrative Services	1.00	0.00
City Manager's Office	1.00	1.00
Community Planning & Development	2.00	2.00
Parks, Recreation & Facilities	2.75	1.75
Public Works	3.00	5.00
Youth & Family Services	2.83	1.83
Thrift Shop	6.50	6.20
Total LTEs	**19.08**	**17.78**
Total FTEs & LTEs	**194.36**	**188.57**

FTE Vacancies:

1.0 Deputy Public Works Director
1.0 Planning Manager
0.5 Records Specialist
1.0 Recreation Facility Supervisor
1.0 Utilities Team Member

BUSINESS OF THE CITY COUNCIL
CITY OF MERCER ISLAND

AB 6974
September 1, 2026
Consent Agenda

AGENDA BILL INFORMATION

TITLE:	AB 6974: August 10, 2026 Payroll Certification	☐ Discussion Only ☒ Action Needed: ☒ Motion ☐ Ordinance ☐ Resolution
RECOMMENDED ACTION:	Approve the August 10, 2026 Payroll Certification in the amount of $1,035,631.24.	

1

DEPARTMENT:	Administrative Services
STAFF:	Ali Spietz, Chief of Administration Nicole Vannatter, Interim Human Resources Administrator
COUNCIL LIAISON:	n/a
EXHIBITS:	1. August 10, 2026 Payroll Certification 2. FTE/LTE Counts
CITY COUNCIL PRIORITY:	n/a

AMOUNT OF EXPENDITURE	$ n/a
AMOUNT BUDGETED	$ n/a
APPROPRIATION REQUIRED	$ n/a

EXECUTIVE SUMMARY

This agenda item is to approve the City of Mercer Island payroll certification for the period from July 16, 2026 through July 31, 2026 in the amount of $1,035,631.24 (see Exhibit 1).

BACKGROUND

RCW 42.24.080 requires that all claims presented against the City by performing labor must be certified by the appropriate official to ensure that the labor was performed as described, and that the claims are just, due, and unpaid obligations against the City, before payment can be made. RCW 42.24.180 allows the payment of claims to occur prior to City Council approval to expedite processing of the payment of claims, provided, however, that review and approval of the claims' documentation occur at the next regularly scheduled public meeting. The Payroll Certification details the total payment to employees for labor performed and benefits payments made for each payroll. The City is on a semi-monthly payroll schedule with payments on the 10th and 25th of each month.

ISSUE/DISCUSSION

Each payroll varies depending on several factors (i.e., number of employees, pay changes, leave cash outs, overtime, etc.). In addition to regular pay for employees, this payroll has variations that are outlined below.

Additional payments:

Description	Amount
Leave cash outs for current employees	$14,815.52
Leave cash outs for terminated employees	$0.00
Service and recognition awards	$4,350.00
Overtime earnings (see chart for overtime hours by department).	$39,587.28
Total	**$58,752.80**

Overtime hours by department:

Department	Hours
Administrative Services	
City Attorney's Office	
City Manager's Office	
Community Planning & Development	
Finance	
Municipal Court	
Police	257.00
Public Works	146.00
Thrift Shop	4.00
Youth & Family Services	
Total Overtime Hours	**407.00**

NEXT STEPS

FTE/LTE COUNTS

The table in Exhibit 2 shows the budgeted versus actual counts for Full Time Equivalents (FTEs) and Limited Term Equivalents (LTEs) for the current payroll. Casual labor employees (temporary and seasonal) are not included in the counts.

Casual Labor

In addition to FTE and LTE employees, the City utilizes casual labor to address workload needs that exceed the capacity or expertise of the City's regular staff and that are time limited or seasonal. Casual labor is used primarily to address seasonal workload needs and short-term workload issues created by special projects or position vacancies. Compared to an LTE position, a casual labor position has limited benefits and is filled for a shorter period (1-3 months, 6 months, or 9 months). The departments/divisions that utilize casual labor the most are Parks Maintenance, Recreation, Public Works, and the Thrift Shop.

RECOMMENDED ACTION

Approve the August 10, 2026 Payroll Certification in the amount of $1,035,631.24 and authorize the Mayor to sign the certification on behalf of the entire City Council.

CITY OF MERCER ISLAND PAYROLL CERTIFICATION

PAYROLL PERIOD ENDING		**07.31.2026**
PAYROLL DATED		**08.10.2026**
Net Cash	$	696,310.23
Net Voids/Manuals	$	(0.28)
Net Total	**$**	**696,309.95**
Federal Tax Deposit	$	122,057.18
Social Security and Medicare Taxes	$	77,874.32
State Tax (California & Oregon)	$	696.18
Family/Medical Leave Tax (California & Oregon)	$	56.01
Public Employees Retirement System 1 (PERS 1)	$	-
Public Employees' Retirement System (PERS Plan 2)	$	32,594.34
Public Employees' Retirement System (PERS Plan 3)	$	11,091.79
Public Employees' Retirement System (PERSJM)	$	760.25
Public Safety Employees' Retirement System (PSERS)	$	-
Law Enforcement Officers' & Fire Fighters' Retirement System (LEOFF Plan2)	$	20,059.17
Regence, Kaiser & LEOFF Trust Medical & Dental Insurance Deductions	$	15,274.35
Domestic Partner Medical Insurance Deductions	$	3,623.94
Health Care - Flexible Spending Account Contributions	$	3,404.91
Dependent Care - Flexible Spending Account Contributions	$	1,188.33
MS Roth IRA Contributions	$	1,199.78
MS 457 Deferred Compensation Contributions	$	42,904.90
ICMA 401K Deferred Compensation Contributions	$	-
Garnishments (Chapter 13)	$	1,216.03
Tax Wage Garnishment	$	-
Child Support Wage Garnishment	$	1,011.29
Mercer Island Employee Association Dues	$	250.00
AFSCME Union Dues	$	-
Police Union Dues	$	-
Standard - Supplemental Life Insurance	$	-
Unum - Long Term Care Insurance	$	176.90
AFLAC - Supplemental Insurance Plans	$	193.37
Nationwide - Pet Insurance	$	184.76
Transportation - Flexible Spending Account Contributions	$	106.50
Miscellaneous	$	107.51
Oregon Transit Tax and Oregon Benefit Tax	$	8.78
Washington Long Term Care	$	3,280.70
Tax & Benefit Obligations Total	**$**	**339,321.29**
TOTAL GROSS PAYROLL	**$**	**1,035,631.24**

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and that the claim is a just, due and unpaid obligation against the City of Mercer Island, and that I am authorized to authenticate and certify to said claim.

Finance Director

I, the undersigned, do hereby certify that the City Council has reviewed the documentation supporting claims paid and approved all checks or warrants issued in payment of claims.

Mayor Date

FTE AND LTE COUNTS AS OF 7/31/2026

Full Time Equivalents (FTEs)	2026 Budgeted	2026 Actual
Administrative Services	14.50	14.00
City Attorney's Office	2.00	2.00
City Manager's Office	3.00	3.00
Community Planning & Development	17.00	16.00
Finance	9.00	9.00
Municipal Court	3.10	3.10
Parks, Recreation & Facilities	27.25	26.25
Police	37.50	37.00
Public Works	47.00	45.00
Youth & Family Services	11.93	11.93
Thrift Shop	3.00	3.00
Total FTEs	**175.28**	**170.28**

Limited Term Equivalents (LTEs)	2026 Budgeted	2026 Actual
Administrative Services	1.00	0.00
City Manager's Office	1.00	1.00
Community Planning & Development	2.00	3.00
Parks, Recreation & Facilities	2.75	2.75
Public Works	3.00	4.00
Youth & Family Services	2.83	1.83
Thrift Shop	6.50	6.20
Total LTEs	**19.08**	**18.78**
Total FTEs & LTEs	**194.36**	**189.07**

FTE Vacancies:

0.5 Customer Service Representative
1.0 Deputy Public Works Director
1.0 Planning Manager
0.5 Records Specialist
1.0 Recreation Facility Supervisor
1.0 Utilities Team Member

BUSINESS OF THE CITY COUNCIL
CITY OF MERCER ISLAND

AB 6975
September 1, 2026
Consent Agenda

AGENDA BILL INFORMATION

TITLE:	AB 6975: August 25, 2026 Payroll Certification	☐ Discussion Only ☒ Action Needed: ☒ Motion ☐ Ordinance ☐ Resolution
RECOMMENDED ACTION:	Approve the August 25, 2026 Payroll Certification in the amount of $999,414.08.	

1

DEPARTMENT:	Administrative Services
STAFF:	Ali Spietz, Chief of Administration Nicole Vannatter, Interim Human Resources Administrator
COUNCIL LIAISON:	n/a
EXHIBITS:	1. August 25, 2026 Payroll Certification 2. FTE/LTE Counts
CITY COUNCIL PRIORITY:	n/a

AMOUNT OF EXPENDITURE	$ n/a
AMOUNT BUDGETED	$ n/a
APPROPRIATION REQUIRED	$ n/a

EXECUTIVE SUMMARY

This agenda item is to approve the City of Mercer Island payroll certification for the period from August 1, 2026 through August 15, 2026 in the amount of $999,414.08 (see Exhibit 1).

BACKGROUND

RCW 42.24.080 requires that all claims presented against the City by performing labor must be certified by the appropriate official to ensure that the labor was performed as described, and that the claims are just, due, and unpaid obligations against the City, before payment can be made. RCW 42.24.180 allows the payment of claims to occur prior to City Council approval to expedite processing of the payment of claims, provided, however, that review and approval of the claims' documentation occur at the next regularly scheduled public meeting. The Payroll Certification details the total payment to employees for labor performed and benefits payments made for each payroll. The City is on a semi-monthly payroll schedule with payments on the 10th and 25th of each month.

ISSUE/DISCUSSION

Each payroll varies depending on several factors (i.e., number of employees, pay changes, leave cash outs, overtime, etc.). In addition to regular pay for employees, this payroll has variations that are outlined below.

Additional payments:

Description	Amount
Leave cash outs for current employees	$0.00
Leave cash outs for terminated employees	$7,273.00
Service and recognition awards	$850.00
Overtime earnings (see chart for overtime hours by department).	$68,085.62
Total	**$76,208.62**

Overtime hours by department:

Department	Hours
Administrative Services	
City Attorney's Office	
City Manager's Office	
Community Planning & Development	
Finance	
Municipal Court	
Police	399.75
Public Works	350.50
Thrift Shop	9.25
Youth & Family Services	
Total Overtime Hours	**759.50**

NEXT STEPS

FTE/LTE COUNTS

The table in Exhibit 2 shows the budgeted versus actual counts for Full Time Equivalents (FTEs) and Limited Term Equivalents (LTEs) for the current payroll. Casual labor employees (temporary and seasonal) are not included in the counts.

Casual Labor

In addition to FTE and LTE employees, the City utilizes casual labor to address workload needs that exceed the capacity or expertise of the City's regular staff and that are time limited or seasonal. Casual labor is used primarily to address seasonal workload needs and short-term workload issues created by special projects or position vacancies. Compared to an LTE position, a casual labor position has limited benefits and is filled for a shorter period (1-3 months, 6 months, or 9 months). The departments/divisions that utilize casual labor the most are Parks Maintenance, Recreation, Public Works, and the Thrift Shop.

RECOMMENDED ACTION

Approve the August 25, 2026 Payroll Certification in the amount of $999,414.08 and authorize the Mayor to sign the certification on behalf of the entire City Council.

CITY OF MERCER ISLAND PAYROLL CERTIFICATION

PAYROLL PERIOD ENDING		**08.15.2026**
PAYROLL DATED		**08.25.2026**
Net Cash	$	662,442.61
Net Voids/Manuals	$	(0.25)
Net Total	**$**	**662,442.36**
Federal Tax Deposit	$	116,840.96
Social Security and Medicare Taxes	$	75,108.28
State Tax (California & Oregon)	$	696.18
State Tax (California)	$	1.05
Family/Medical Leave Tax (California & Oregon)	$	55.49
Public Employees Retirement System 1 (PERS 1)	$	-
Public Employees' Retirement System (PERS Plan 2)	$	30,495.70
Public Employees' Retirement System (PERS Plan 3)	$	10,508.97
Public Employees' Retirement System (PERSJM)	$	760.25
Public Safety Employees' Retirement System (PSERS)	$	-
Law Enforcement Officers' & Fire Fighters' Retirement System (LEOFF Plan2)	$	21,101.82
Regence, Kaiser & LEOFF Trust Medical & Dental Insurance Deductions	$	15,274.35
Domestic Partner Medical Insurance Deductions	$	3,628.33
Health Care - Flexible Spending Account Contributions	$	3,354.92
Dependent Care - Flexible Spending Account Contributions	$	1,188.33
MS Roth IRA Contributions	$	1,199.78
MS 457 Deferred Compensation Contributions	$	42,910.05
ICMA 401K Deferred Compensation Contributions		
Garnishments (Chapter 13)	$	1,216.03
Tax Wage Garnishment	$	-
Child Support Wage Garnishment	$	1,011.29
Mercer Island Employee Association Dues	$	250.00
AFSCME Union Dues	$	3,731.40
Police Union Dues	$	3,646.89
Standard - Supplemental Life Insurance	$	200.89
Unum - Long Term Care Insurance	$	176.90
AFLAC - Supplemental Insurance Plans	$	193.37
Nationwide - Pet Insurance	$	184.76
Transportation - Flexible Spending Account Contributions	$	106.50
Miscellaneous		
Oregon Transit Tax and Oregon Benefit Tax	$	8.64
Washington Long Term Care	$	3,120.59
Tax & Benefit Obligations Total	**$**	**336,971.72**
TOTAL GROSS PAYROLL	**$**	**999,414.08**

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and that the claim is a just, due and unpaid obligation against the City of Mercer Island, and that I am authorized to authenticate and certify to said claim.

Finance Director

I, the undersigned, do hereby certify that the City Council has reviewed the documentation supporting claims paid and approved all checks or warrants issued in payment of claims.

Ma 14 Date

FTE AND LTE COUNTS AS OF 8/15/2026

Full Time Equivalents (FTEs)	2026 Budgeted	2026 Actual
Administrative Services	14.50	15.00
City Attorney's Office	2.00	2.00
City Manager's Office	3.00	3.00
Community Planning & Development	17.00	15.00
Finance	9.00	9.00
Municipal Court	3.10	3.10
Parks, Recreation & Facilities	27.25	26.25
Police	37.50	37.50
Public Works	47.00	45.00
Youth & Family Services	11.93	11.93
Thrift Shop	3.00	3.00
Total FTEs	**175.28**	**170.78**

Limited Term Equivalents (LTEs)	2026 Budgeted	2026 Actual
Administrative Services	1.00	0.00
City Manager's Office	1.00	1.00
Community Planning & Development	2.00	4.00
Parks, Recreation & Facilities	2.75	1.75
Public Works	3.00	5.00
Youth & Family Services	2.83	1.83
Thrift Shop	6.50	6.20
Total LTEs	**19.08**	**19.78**
Total FTEs & LTEs	**194.36**	**190.57**

FTE Vacancies:

0.5 Customer Service Representative
1.0 Deputy Public Works Director
1.0 Planning Manager
1.0 Recreation Facility Supervisor
1.0 Utilities Team Member

BUSINESS OF THE CITY COUNCIL
CITY OF MERCER ISLAND

AB 6976
September 1, 2026
Consent Agenda

AGENDA BILL INFORMATION

TITLE:	AB 6976: Certification for Claims Paid June 30, 2026 through July 15, 2026	☐ Discussion Only ☒ Action Needed: ☒ Motion ☐ Ordinance ☐ Resolution
RECOMMENDED ACTION:	Approve the Accounts Payable Certification for Claims paid June 30, 2026 through July 15, 2026 in the amount of $2,833,172.53.	

DEPARTMENT:	Finance
STAFF:	Matt Mornick, Finance Director LaJuan Tuttle, Deputy Finance Director Ashley Olson, Accounts Payable Clerk
COUNCIL LIAISON:	n/a
EXHIBITS:	1. Certification for Claims Paid June 30 - July 15, 2026
CITY COUNCIL PRIORITY:	n/a

AMOUNT OF EXPENDITURE	$ n/a
AMOUNT BUDGETED	$ n/a
APPROPRIATION REQUIRED	$ n/a

EXECUTIVE SUMMARY

The purpose of this agenda bill is to approve the June 30, 2026 through July 15, 2026 Accounts Payable Certification of Claims in the amount of $2,833,172.53. (see Exhibit 1).

BACKGROUND

Claims refer to all external payments that are made to satisfy the obligations of the City, regardless of how payments are processed (e.g., through warrants, checks, electronic funds transfers, etc.). RCW 42.24.080 requires that all claims presented against the City must be certified by the appropriate official to ensure that the claims are just, true, and unpaid obligations against the City, before payment can be made.

RCW 42.24.180 allows the payment of claims to occur prior to City Council approval to expedite processing of the payment of claims, provided, however, that review and approval of the claims' documentation occurs at the next regularly scheduled public meeting.

ISSUE/DISCUSSION

The Accounts Payable Certification of Claims (see Exhibit 1) includes a table that summarizes the claims paid June 30, 2026 through July 15 2026:

The table combines printed checks and electronic payments. The disbursement method is identified by the Method code in the first column of the table:

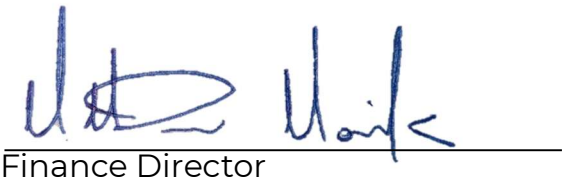
- **Check Register** includes printed accounts payable checks.
- **Direct Disbursement** includes wire transfers. Note that "check" numbers are two digits to easily identify them as distinct from printed checks.
- **Electronic Funds Transfer** includes EFT/ACH payments. "Check" numbers started at 5000 for this payment type.

RECOMMENDED ACTION

Approve the June 30, 2026 through July 15, 2026 Accounts Payable Certification of Claims in the amount of $2,833,172.53 and authorize the Mayor to sign the certification on behalf of the entire City Council.

City of Mercer Island
Certification of Claims

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered, or the labor performed as described herein, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and that the claim is a just, due and unpaid obligation against the City of Mercer Island, and that I am authorized to authenticate and certify to said claim.



Finance Director

I, the undersigned, do hereby certify that the City Council has reviewed the documentation supporting claims paid and approved all checks or warrants issued in payment of claims.

_____ _____

Mayor Date

Date	Method	Checks	Warrant	Total Amount
06/30/26	Direct Disbursement	289 – 303	WT 06-26	$730,946.51
07/02/26	Check Register	227643-227737	07022026	$713,251.22
07/02/26	Electronic Funds Transfer	5335 – 5342	EFT 0702	$223,525.69
07/10/26	Check Register	227738-227785	071026	$1,076,143.18
07/10/26	Electronic Funds Transfer	5343 - 5350	EFT 0710	$89,305.93
			GRAND TOTAL:	**$2,833,172.53**

BUSINESS OF THE CITY COUNCIL
CITY OF MERCER ISLAND

AB 6977
September 1, 2026
Consent Agenda

AGENDA BILL INFORMATION

TITLE:	AB 6977: Certification for Claims Paid July 16, 2026 through July 31, 2026	☐ Discussion Only ☒ Action Needed: ☒ Motion ☐ Ordinance ☐ Resolution
RECOMMENDED ACTION:	Approve the Accounts Payable Certification for Claims paid July 16, 2026 through July 31, 2026 in the amount of $2,618,643.54.	

DEPARTMENT:	Finance
STAFF:	Matt Mornick, Finance Director LaJuan Tuttle, Deputy Finance Director Ashley Olson, Accounts Payable Clerk
COUNCIL LIAISON:	n/a
EXHIBITS:	1. Certification for Claims Paid July 16 - 31, 2026
CITY COUNCIL PRIORITY:	n/a

AMOUNT OF EXPENDITURE	$ n/a
AMOUNT BUDGETED	$ n/a
APPROPRIATION REQUIRED	$ n/a

EXECUTIVE SUMMARY

The purpose of this agenda bill is to approve the July 16, 2026 through July 31, 2026 Accounts Payable Certification of Claims in the amount of $2,618,643.54. (see Exhibit 1).

BACKGROUND

Claims refer to all external payments that are made to satisfy the obligations of the City, regardless of how payments are processed (e.g., through warrants, checks, electronic funds transfers, etc.). RCW 42.24.080 requires that all claims presented against the City must be certified by the appropriate official to ensure that the claims are just, true, and unpaid obligations against the City, before payment can be made.

RCW 42.24.180 allows the payment of claims to occur prior to City Council approval to expedite processing of the payment of claims, provided, however, that review and approval of the claims' documentation occurs at the next regularly scheduled public meeting.

ISSUE/DISCUSSION

The Accounts Payable Certification of Claims (see Exhibit 1) includes a table that summarizes the claims paid July 16, 2026 through July 31, 2026:

The table combines printed checks and electronic payments. The disbursement method is identified by the Method code in the first column of the table:

- **Check Register** includes printed accounts payable checks.
- **Direct Disbursement** includes wire transfers. Note that "check" numbers are two digits to easily identify them as distinct from printed checks.
- **Electronic Funds Transfer** includes EFT/ACH payments. "Check" numbers started at 5000 for this payment type.

RECOMMENDED ACTION

Approve the July 16, 2026 through July 31, 2026 Accounts Payable Certification of Claims in the amount of $2,618,643.54 and authorize the Mayor to sign the certification on behalf of the entire City Council.

City of Mercer Island
Certification of Claims

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered, or the labor performed as described herein, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and that the claim is a just, due and unpaid obligation against the City of Mercer Island, and that I am authorized to authenticate and certify to said claim.

Finance Director

I, the undersigned, do hereby certify that the City Council has reviewed the documentation supporting claims paid and approved all checks or warrants issued in payment of claims.

Mayor

Date

Date	Method	Checks	Warrant	Total Amount
07/16/26	Check Register	227786-227856	07162026	$415,635.81
07/16/26	Electronic Funds Transfer	5351 – 5352	EFT 0716	$23,747.37
07/23/26	Check Register	227857-227903	07232026	$771,523.47
07/23/26	Electronic Funds Transfer	5353 – 5357	EFT 0726	$78,617.85
07/31/26	Check Register	227904-228006	073126	$1,131,257.06
07/31/26	Electronic Funds Transfer	5358 - 5370	EFT 0731	$197,861.98
			GRAND TOTAL:	**$2,618,643.54**

BUSINESS OF THE CITY COUNCIL
CITY OF MERCER ISLAND

AB 6978
September 1, 2026
Consent Agenda

AGENDA BILL INFORMATION

TITLE:	AB 6978: Certification for Claims Paid July 31, 2026 through August 15, 2026	☐ Discussion Only ☒ Action Needed: ☒ Motion ☐ Ordinance ☐ Resolution
RECOMMENDED ACTION:	Approve the Accounts Payable Certification for Claims paid July 31, 2026 through August 15, 2026 in the amount of $1,641,184.94.	

DEPARTMENT:	Finance
STAFF:	Matt Mornick, Finance Director LaJuan Tuttle, Deputy Finance Director Ashley Olson, Accounts Payable Clerk
COUNCIL LIAISON:	n/a
EXHIBITS:	1. Certification for Claims Paid July 31 - August 15, 2026
CITY COUNCIL PRIORITY:	n/a

AMOUNT OF EXPENDITURE	$ n/a
AMOUNT BUDGETED	$ n/a
APPROPRIATION REQUIRED	$ n/a

EXECUTIVE SUMMARY

The purpose of this agenda bill is to approve the July 31, 2026 through August 15, 2026 Accounts Payable Certification of Claims in the amount of $1,641,184.94 (see Exhibit 1).

BACKGROUND

Claims refer to all external payments that are made to satisfy the obligations of the City, regardless of how payments are processed (e.g., through warrants, checks, electronic funds transfers, etc.). RCW 42.24.080 requires that all claims presented against the City must be certified by the appropriate official to ensure that the claims are just, true, and unpaid obligations against the City, before payment can be made.

RCW 42.24.180 allows the payment of claims to occur prior to City Council approval to expedite processing of the payment of claims, provided, however, that review and approval of the claims' documentation occurs at the next regularly scheduled public meeting.

ISSUE/DISCUSSION

The Accounts Payable Certification of Claims (see Exhibit 1) includes a table that summarizes the claims paid July 31, 2026 through August 15, 2026:

The table combines printed checks and electronic payments. The disbursement method is identified by the Method code in the first column of the table:

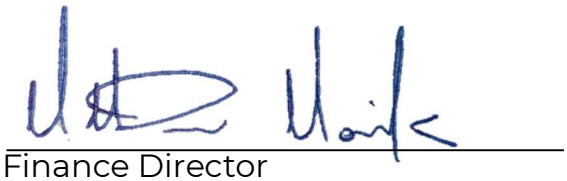
- **Check Register** includes printed accounts payable checks.
- **Direct Disbursement** includes wire transfers. Note that "check" numbers are two digits to easily identify them as distinct from printed checks.
- **Electronic Funds Transfer** includes EFT/ACH payments. "Check" numbers started at 5000 for this payment type.

RECOMMENDED ACTION

Approve the July 31, 2026 through August 15, 2026 Accounts Payable Certification of Claims in the amount of $1,641,184.94 and authorize the Mayor to sign the certification on behalf of the entire City Council.

City of Mercer Island
Certification of Claims

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered, or the labor performed as described herein, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and that the claim is a just, due and unpaid obligation against the City of Mercer Island, and that I am authorized to authenticate and certify to said claim.



Finance Director

I, the undersigned, do hereby certify that the City Council has reviewed the documentation supporting claims paid and approved all checks or warrants issued in payment of claims.

_____ _____

Mayor Date

Date	Method	Checks	Warrant	Total Amount
07/31/26	Direct Disbursement	304 – 319	WT 07-26	$783,480.03
08/06/26	Check Register	228007-228095	08062026	$196,431.65
08/06/26	Check Register	228096-228097	080626b	$66,860.53
08/06/26	Electronic Funds Transfer	5371 - 5385	EFT 0806	$81,773.07
08/13/26	Check Register	228098-228156	08132026	$258,553.16
08/13/26	Electronic Funds Transfer	5386 - 5394	EFT 0813	$254,086.50
			GRAND TOTAL:	**$1,641,184.94**

CITY COUNCIL MINUTES
REGULAR HYBRID MEETING
JULY 21, 2026

CALL TO ORDER & ROLL CALL

Mayor Dave Rosenbaum called the Regular Hybrid Meeting to order at 5:00 pm in the Slater Room Council Chambers at the Mercer Island Community & Event Center, 8236 SE 24th Street, Mercer Island, Washington.

Mayor Dave Rosenbaum, Deputy Mayor Daniel Becker, and Councilmembers Lisa Anderl, Julie Hsieh, Wendy Weiker, and Ted Weinberg attended in person. Councilmember Craig Reynolds attended via Zoom.

PLEDGE OF ALLEGIANCE

Deputy Mayor Becker led the Pledge of Allegiance.

AGENDA APPROVAL

It was moved by Weinberg; seconded by Anderl to:
Approve the agenda as presented.
PASSED: 7-0
FOR: 7 (Anderl, Becker, Hsieh, Reynolds, Rosenbaum, Weiker, and Weinberg)

CITY MANAGER REPORT

City Manager Jessi Bon reported on the following items:

- **Council, Boards & Commission Meetings:**
  - No City Council meetings in August, next City Council Meeting is on Tuesday, September 1 at 5:00 pm
  - Planning Commission Special Meeting on Wednesday, August 5 at 6:00 pm
  - No other Board and Commission meetings in August
- **City Updates:**
  - Water System Plan Update – The Water System Plan is a document that guides the City's water system over the next 20 years and is required by the Washington Administrative Code (WAC) 246-290-100. Updates and approval by the Department of Health of the Water System Plan are required every 10 years. The Utility Board and City Council will begin this work this fall.
  - Hydrant Flow Testing – Water crews completed fire hydrant flow testing on the south end to collect performance data that will be used to calibrate the City's hydraulic model as part of the Water System Plan update. Additional flow tests are scheduled over the next four weeks.
- **Upcoming Events:**
  - Pride Night in the Park – July 30, Mercerdale Park, 6:30 – 8:30 pm.
- **Summer Celebration Recap:**
  - 2026 Summer Celebration was one for the record books! From the morning parade through the evening fireworks, thousands of residents and visitors joined us for a day that celebrates everything that makes Mercer Island special. Thank you to the many City staff, volunteers, sponsors, performers, and community partners who made the event possible.

APPEARANCES

David Orem (Mercer Island) spoke against proposed amendments to the development standards for emergency and permanent supportive housing in the Mercer Island City Code.

Mike Cero (Mercer Island) spoke against proposed amendments to the development standards for emergency and permanent supportive housing in the Mercer Island City Code.

Darren Gold (Mercer Island) spoke against proposed amendments to the development standards for emergency and permanent supportive housing in the Mercer Island City Code.

John Hamer (Mercer Island) spoke against proposed amendments to the development standards for emergency and permanent supportive housing in the Mercer Island City Code.

Andrew Lane (Mercer Island) spoke against proposed amendments to the development standards for emergency and permanent supportive housing in the Mercer Island City Code.

CONSENT AGENDA

AB 6966: July 10, 2026 Payroll Certification

Recommended Action: Approve the July 10, 2026 Payroll Certification in the amount of $1,130,111.10 and authorize the Mayor to sign the certification on behalf of the entire City Council.

AB 6967: Certification for Claims Paid June 16, 2026 through June 30, 2026

Recommended Actions: Approve the June 16, 2026 through June 30, 2026 Accounts Payable Certification of Claims in the amount of $1,676,657.15 and authorize the Mayor to sign the certification on behalf of the entire City Council.

City Council Regular Hybrid Meeting Minutes of July 7, 2026

Recommended Action: Approve the City Council Regular Hybrid Meeting Minutes of July 7, 2026.

AB 6954: Appropriation to accelerate design of Phase 1 of the 2028 Water System Improvements Project

Recommended Action: Postpone the 2026 PRV Replacement Project (90.40.0015) to the 2027-2028 biennium and reallocate $400,000 to Phase 1 of the 2028 Water System Improvements Project (90.40.0020).

AB 6964: Appropriation for Design and Permitting of the City Hall Demolition Project

Recommended Action: Reallocate $80,000 from the MICEC Annex Repair Project (90.05.0007) and $125,000 from the Luther Burbank Administrative Building Repairs Project (90.05.0008) to fund design and permitting of the City Hall Demolition Project (90.05.0022).

AB 6968: GMA Compliance – Comprehensive Plan Amendments (Second Reading, Ord. No. 26-09)

Recommended Action: Adopt Ordinance No. 26-09 amending the Comprehensive Plan and establishing a Station Subarea Plan to complete the City's Growth Management Act compliance efforts.

AB 6969: GMA Compliance – MICC, Title 19 Amendments (Second Reading, Ord. No. 26C-10)

Recommended Action: Adopt Ordinance No. 26C-10 amending Mercer Island City Code Title 19 to implement Comprehensive Plan amendments and complete the City's Growth Management Act compliance efforts

AB 6970: 2026 Public Art Restorations

Recommended Action: Appropriate $30,836 from the 1% for Art in Public Places Fund and authorize the City Manager to execute general services agreements to reinstall Fire Flower by Gizel Berman and repair Gateway Figures by Garth Edwards.

AB 6972: Metropolitan Water Pollution Abatement Advisory Committee Staff Voting Delegate

Recommended Action: Delegate the City Council authority to appoint the representative to the Metropolitan Water Pollution Abatement Advisory Committee (MWPAAC) to the City Manager.

AB 6973: Sound Transit Traffic Signal Bill of Sale

Recommended Action: Authorize the City Manager to execute the Bill of Sale for the traffic signal at 80th Avenue SE and SE 27th Street substantially in the form included as Exhibit 1.

It was moved by Weinberg; seconded by Becker to:
Approve the Consent Agenda and the recommendations contained therein.
PASSED: 7-0
FOR: 7 (Anderl, Becker, Hsieh, Reynolds, Rosenbaum, Weiker and Weinberg)

The City Council was in recess from 5:23 pm to 5:30 pm.

EXECUTIVE SESSION 1

At 5:30 pm, Mayor Rosenbaum convened an Executive Session in Room 102 at the Mercer Island Community & Event Center, 8236 SE 24th Street, Mercer Island, WA and via Microsoft Teams for approximately 45 minutes until 6:15 pm.

Executive Session to discuss with legal counsel pending or potential litigation pursuant to RCW 42.30.110(1)(i).

Mayor David Rosenbaum, Deputy Mayor Daniel Becker, and Councilmembers Lisa Anderl, Julie Hsieh, Wendy Weiker, and Ted Weinberg participated in person. Councilmember Craig Reynolds participated via MS Teams.

City Attorney Bio Park and other staff participated in person.

Mayor Rosenbaum adjourned the Executive Session at 6:10 pm.

The City Council was in recess from 6:10 pm to 6:15 pm.

REGULAR BUSINESS

AB 6965: GMA Compliance – Title 15 MICC Amendments (First Reading, Ord. No 26C-11)

Mayor Rosenbaum opened the public hearing at 6:17 pm. There being no public comment, the public hearing was closed at 6:18 pm.

Chief of Operations Jason Kintner introduced Public Works Deputy Director Kellye Hilde who spoke about the amendment to Title 15 of the Mercer Island City Code related to stormwater retention for compliance with amendments to the Comprehensive Plan and establishment of the Station Subarea Plan.

It was moved by Weinberg; seconded by Becker to:
Suspend the City Council Rules of Procedure requiring a second reading of ordinances.
PASSED: 7-0
FOR: 7 (Anderl, Becker, Hsieh, Reynolds, Rosenbaum, Weiker and Weinberg)

It was moved by Becker; seconded by Weinberg to:
Adopt Ordinance No. 26C-11 to amend MICC 15.11.020(B) to implement Utilities Element Policy 4.7 by requiring onsite stormwater detention for development within the Town Center and other constrained drainage basins identified by the City.
PASSED: 7-0
FOR: 7 (Anderl, Becker, Hsieh, Reynolds, Rosenbaum, Weiker and Weinberg)

OTHER BUSINESS

Planning Schedule

It was moved by Weinberg; seconded by Weiker to:
Cancel the August 4 and 18 City Council Regular Hybrid Meetings.
PASSED: 7-0
FOR: 7 (Anderl, Becker, Hsieh, Reynolds, Rosenbaum, Weiker and Weinberg)

Councilmember Absences and Reports

Councilmember Weiker thanked staff for all of the work on the summer events.
Councilmember Weinberg noted his next open lunch is on August 15 at the Roanoke Inn at 12:00 pm.
Councilmember Anderl noted she attended the Open Space Conservancy Trust meeting and that Art Uncorked is on August 29.
Councilmember Hsieh noted she attended the Arts Council meeting, the WIRA 8 Salmon Recovery meeting, and her next monthly open event will be on August 24 at ASA at 7:30 pm. She also noted the next all Island arts meeting is on August 10 from 4:00 – 5:00 pm at the MIVAL Studio.
Mayor Rosenbaum thanked staff for the work on Summer Celebration, Mostly Music in the Park, and Seafair.

The City Council was in recess from 6:41 pm to 6:45 pm.

EXECUTIVE SESSION 2

At 6:45 pm, Mayor Rosenbaum convened an Executive Session in Room 104 at the Mercer Island Community & Event Center, 8236 SE 24th Street, Mercer Island, WA and via Microsoft Teams for approximately 15 minutes until 7:00 pm.

Executive Session to review the performance of a public employee pursuant to RCW 42.30.110(1)(g).

Mayor David Rosenbaum, Deputy Mayor Daniel Becker, and Councilmembers Lisa Anderl, Julie Hsieh, Wendy Weiker, and Ted Weinberg participated in person. Councilmember Craig Reynolds participated via MS Teams.

Mayor Rosenbaum adjourned the Executive Session at 7:00 pm.

ADJOURNMENT

The Regular Hybrid Council Meeting adjourned at 7:00 pm.

_____
Dave Rosenbaum, Mayor

Attest:

_____
Andrea Larson, City Clerk

BUSINESS OF THE CITY COUNCIL
CITY OF MERCER ISLAND

AB 6979
September 1, 2026
Consent Agenda

AGENDA BILL INFORMATION

TITLE:	AB 6979: National Recovery Month, Proclamation No. 393	☐ Discussion Only ☒ Action Needed: ☒ Motion ☐ Ordinance ☐ Resolution
RECOMMENDED ACTION:	Approve Proclamation No. 393 proclaiming September 2026 as National Recovery Month on Mercer Island.	

DEPARTMENT:	Youth and Family Services
STAFF:	Mayor David Rosenbaum Derek Franklin, YFS Administrator
COUNCIL LIAISON:	n/a
EXHIBITS:	1. Proclamation No. 393
CITY COUNCIL PRIORITY:	n/a

AMOUNT OF EXPENDITURE	$ n/a
AMOUNT BUDGETED	$ n/a
APPROPRIATION REQUIRED	$ n/a

EXECUTIVE SUMMARY

The purpose of this agenda bill is to proclaim September as National Recovery Month on Mercer Island with Proclamation No. 393 (Exhibit 1). Recognizing National Recovery Month each September raises awareness in the Mercer Island community that recovery from substance abuse and mental health conditions is possible for everyone and promotes prevention, intervention, and treatment on Mercer Island. The City's Department of Youth and Family Services provides low-barrier prevention, intervention, and treatment service to Mercer Island residents.

BACKGROUND

Mental health conditions and substance use disorders affect all communities nationwide, and National Recovery Month is celebrated in the U.S. each September to promote access to recovery, celebrate those participating in services, and educate the community to overcome the barriers of stigma and discrimination. Originally focused on recovery only from substances of abuse, over time National Recovery Month evolved to encompass mental health, recognizing the connection between these conditions.

Recovery Month advances the broader messages that behavioral health is essential to overall health and wellness and that prevention works, treatment is effective, and people do recover.

ISSUE/DISCUSSION

The 2026 National Recovery Month operates under the unifying tagline: “Recovery is for Everyone: Every Person, Every Family, Every Community.” The observance reminds people in recovery and those who support them that recovery belongs to all of us and is a community effort. It reinforces the message that behavioral health is essential to overall health, prevention works, treatment is effective, and people can and do recover.

Nationally, over 50 million American adults are living in recovery from substance use disorders or mental health conditions. Over 9% of all U.S. adults state they have successfully resolved a significant past drug or alcohol problem. National Recovery Month honors the courage and strength of those facing mental illness and substance use conditions.

Every $1 invested in evidence-based school and community substance abuse prevention programs yields an average of $18 in societal savings. The City of Mercer Island invests in prevention, intervention and treatment programs for Mercer Island residents through its Department of Youth and Family Services (YFS). YFS provides community-wide substance abuse prevention and mental health promotion services via the Healthy Youth Initiative. YFS outpatient mental health counselors and school-based counselors provide low barrier mental health treatment and substance abuse intervention and referral for all City residents.

National Recovery Month reminds Mercer Island residents that while the social stigma about getting help for substance use or mental health issues is shrinking, that only about 20% of those meeting medical criteria for needing substance abuse treatment in the past year received any form of specialized care.

Mercer Island residents seeking mental health or substance use-related services or information, are encouraged to contact the YFS Department Confidential Intake Voicemail Line at (206) 275-7657 or learn more at www.mercerisland.gov/yfs and www.mihealthyyouth.com.

RECOMMENDED ACTION

Approve Proclamation No. 393 proclaiming September 2026 as National Recovery Month on Mercer Island.

City of Mercer Island, Washington
Proclamation

WHEREAS, mental health and substance use conditions affect all communities nationwide including Mercer Island; education and awareness about prevention, intervention, and treatment reduces stigma and support those seeking, or, in recovery.

National Recovery Month highlights that prevention works, treatment is effective, and recovery is possible. Education and awareness allow for better recognition of substance use and mental health disorders and facilitate people finding appropriate services and entering recovery.

National Recovery Month honors the courage and strength of individuals and families facing mental health and substance use conditions. By promoting evidence-based treatment, highlighting stories of success, and recognizing the dedication of service providers, it inspires hope and supports the resilience for those struggling towards recovery.

The 2026 theme of National Recovery Month is "*Recovery is for Everyone: Every Person, Every Family, Every Community*". Spreading this message helps foster a strong recovery community, encourages advocacy, focusses on wellbeing, and fosters hope.

NOW, THEREFORE, I, David Rosenbaum, Mayor of the City of Mercer Island, do hereby proclaim September 2026 as

NATIONAL RECOVERY MONTH

APPROVED, this 1st day of September 2026.

_____
Mayor David Rosenbaum

NATIONAL RECOVERY MONTH

Proclamation No. 393

BUSINESS OF THE CITY COUNCIL
CITY OF MERCER ISLAND

AB 6980
September 1, 2026
Consent Agenda

AGENDA BILL INFORMATION

TITLE:	AB 6980: National Preparedness Month, Proclamation No. 394	☐ Discussion Only ☒ Action Needed: ☒ Motion ☐ Ordinance ☐ Resolution
RECOMMENDED ACTION:	Approve Proclamation No. 394 proclaiming September 2026 National Preparedness Month on Mercer Island.	

DEPARTMENT:	Police
STAFF:	Jeff Magnan, Acting Police Chief Amanda Keverkamp, Emergency Manager
COUNCIL LIAISON:	n/a
EXHIBITS:	1. Proclamation No. 394
CITY COUNCIL PRIORITY:	n/a

AMOUNT OF EXPENDITURE	$ n/a
AMOUNT BUDGETED	$ n/a
APPROPRIATION REQUIRED	$ n/a

EXECUTIVE SUMMARY

The purpose of this agenda bill is to proclaim September as National Preparedness Month with Proclamation No. 394 (Exhibit 1). Recognizing the importance of emergency preparedness each September helps remind the Mercer Island community to prepare for disasters, not just in September, but throughout the entire year. This year's theme is "Prepared Neighbors."

BACKGROUND

It is not a matter of if a disaster will happen, but rather when a disaster will happen.

While Mercer Island may face similar hazards as neighboring jurisdictions, our response and recovery will be more complex due to challenges unique to island-life.

The mission of Mercer Island's emergency preparedness program is to prepare all Islanders to be self-sufficient for 14 days following a major disaster, when public safety and emergency medical services are most overwhelmed. This follows the recommendation from state officials to be 2-weeks ready.

ISSUE/DISCUSSION

Post-disaster studies have shown that individuals and communities with strong neighborly connections have higher survival rates and recover faster after a disaster.

To emphasize the importance of building strong connections between neighbors, this year, Mercer Island is joining with King County and partners across the region in focusing on a singular theme for National Preparedness Month: “Prepared Neighbors.”

In this digital age, people are more connected than ever yet know very little about the people living next door. According to a 2025 Pew Research survey, just 26% of American adults said that they know all or most of their neighbors.

Getting to know your neighbors before an emergency is key to building a more resilient Mercer Island. During an emergency, City and regional resources will be stretched thin and may be delayed, focused on restoring infrastructure and responding to critical needs. There will not be enough first responders or trained volunteers to help everyone who will likely need it. Neighbors will be helping neighbors after a disaster. It is for this reason that it is essential to get to know and build trust with your neighbors before disaster strikes.

Throughout National Preparedness Month, the Mercer Island community is encouraged to get to know their neighbors through these four steps:

1. **Take the first step, meet your neighbors.**
   Start small: introduce yourself, set up a neighborhood group chat, or choose a trusted neighbor to be your emergency contact.

2. **Know who you can turn to nearby.**
   During major disasters, first responders including fire, EMS, and law enforcement response may be delayed. Your neighbors will be your quickest source of help after a disaster. Knowing what skills and resources your neighbors have and sharing yours with them will create a more resilient community.

3. **Answer the questions: “Who depends on you? Who do you depend on?”**
   Building trust before a disaster makes it easier to ask for help (and to offer it) when it’s needed most. Identify those in your neighborhood may be able to help you with pets, childcare, or if you live alone and could use an extra hand during an emergency.

4. **Know your neighborhood’s hazards.**
   Understand the hazards Mercer Island and the Puget Sound may be vulnerable to by visiting www.mercerisland.gov/emergencyprep.

To help the community in this endeavor, Mercer Island Emergency Management provides a program called Map Your Neighborhood (MYN) free of charge to the Mercer Island community that helps neighborhoods prepare together for disasters. Emergency Management also provides regular trainings and outreach opportunities to the community.

NEXT STEPS

Helping the Mercer Island community prepare for disasters of all kinds is the role of Mercer Island Emergency Management. Throughout National Preparedness Month, Emergency Management is hosting outreach events, trainings, and exercises, including:

- Outreach Booth at the Farmers Market | September 13, 10am – 2pm
- Stop the Bleed Class | September 16, 6:30 – 8:00pm
- Emergency Preparedness Workshop | September 30, 5:30 – 7:00pm
- Community Emergency Response Team (CERT) Training | October 1-3
- Map Your Neighborhood program | ongoing and as requested

RECOMMENDED ACTION

Approve Proclamation No. 394 proclaiming September 2026 National Preparedness Month on Mercer Island.

City of Mercer Island, Washington
Proclamation

WHEREAS, post-disaster studies have shown that individuals and communities with strong neighborly ties have higher survival rates and faster recoveries after a disaster.

Mercer Island joins communities across the county in preparing together with their neighbors this September for National Preparedness Month.

The City encourages all Islanders to prepare with their neighbors through these steps:

1. **Take the first step, meet your neighbors.**
   Building trust before a disaster makes it easier to ask for help (and to offer it) when it's needed most.
2. **Know who you can turn to nearby.**
   During major disasters, first responders including fire, EMS, and law enforcement response may be delayed. Your neighbors will be your quickest source of help after a disaster.
3. **Answer the questions: "Who depends on you? Who do you depend on?"**
   Identify those in your neighborhood may be able to help with pets, childcare, or if you live alone and could use an extra hand during an emergency.
4. **Know your neighborhood's hazards.**
   Understand the hazards Mercer Island may be vulnerable to by visiting www.mercerisland.gov/emergencyprep.

To help the community prepare for emergencies of all kinds, the City provides training and volunteer opportunities including Community Emergency Response Team (CERT) training, Map Your Neighborhood, emergency preparedness presentations, and more.

Islanders can learn more about emergency preparedness training opportunities at www.mercerisland.gov/emergencyprep.

NOW, THEREFORE, I, David Rosenbaum, Mayor of the City of Mercer Island, do hereby proclaim September 2026 as

NATIONAL PREPAREDNESS MONTH

and encourage all Mercer Island residents and businesses to commit to being prepared for 7- to 14-days following a disaster.

APPROVED, this 1st day of September 2026

_____
David Rosenbaum, Mayor

BUSINESS OF THE CITY COUNCIL
CITY OF MERCER ISLAND

AB 6981
September 1, 2026
Consent Agenda

AGENDA BILL INFORMATION

TITLE:	AB 6981: Hunger Action Month, Proclamation No. 395	☐ Discussion Only ☒ Action Needed: ☒ Motion ☐ Ordinance ☐ Resolution
RECOMMENDED ACTION:	Approve Proclamation No. 395 proclaiming September 2026 as Hunger Action Month on Mercer Island.	

DEPARTMENT:	Youth and Family Services
STAFF:	Mayor David Rosenbaum Derek Franklin, YFS Administrator
COUNCIL LIAISON:	n/a
EXHIBITS:	1. Proclamation No. 395
CITY COUNCIL PRIORITY:	n/a

AMOUNT OF EXPENDITURE	$ n/a
AMOUNT BUDGETED	$ n/a
APPROPRIATION REQUIRED	$ n/a

EXECUTIVE SUMMARY

The purpose of this agenda bill is to proclaim September 2026 as Hunger Action Month on Mercer Island with Proclamation No. 395 (Exhibit 1) to raise awareness about the importance of food security and to inspire residents to take action and help build a future where no one goes hungry.

BACKGROUND

September has historically been recognized as a month to focus on food security. Hunger Action Month was first launched by Feeding America in 2007 as an annual campaign to raise awareness about hunger in the United States. Mercer Island has historically recognized the regional Mayor's Day of Concern for the Hungry each September that corresponds with the National Hunger Action Month. The City of Mercer Island Department of Youth and Family Services (YFS) continues to champion food security as part of its mission to support the wellbeing of residents of all ages and encourages the community to contribute to support the effort.

ISSUE/DISCUSSION

Every community in the country faces food security issues, including Mercer Island. Pre-pandemic, the Youth and Family Services Department (YFS) operated a drop-in food pantry out of the Luther Burbank Administration Building. The YFS Food Pantry distributed primarily shelf-stable food items sourced through a

combination of donations from school and community food drives and modest funding support from the YFS Emergency Assistance budget.

During the Pandemic crisis, demand for food support increased dramatically. YFS closed the food pantry due to safety and operational concerns related to COVID-19 and introduced a grocery store cash card distribution system with substantial financial contribution from the Mercer Island Youth and Family Services Foundation.

As the Pandemic subsided and demand reduced, the financial and strategic decision was made to stop the food card distribution program. To adapt to evolving demand, YFS partnered with Hopelink to bring a Mobile Food Market (truck) to Mercer Island to provide both shelf-stable and fresh food items to residents in need. The truck currently stops on Mercer Island every other Wednesday. YFS augments the food security needs of residents with exceptional need with food/grocery cards from its Emergency Assistance program. Currently, residents from approximately 85 unique households visit the Mobile Market per stop on Mercer Island.

During Hunger Action Month 2026, YFS calls upon residents to increase their awareness of the impact of food insecurity both on Mercer Island and nationally and to consider donating time or resources towards ending food insecurity. Additional information is available at www.feedingamerica.org. Mercer Island residents facing food insecurity can receive assistance by calling the YFS Confidential Intake Voicemail Line at (206) 275-7657.

RECOMMENDED ACTION

Approve Proclamation No. 395 proclaiming September 2026 as Hunger Action Month on Mercer Island.

City of Mercer Island, Washington
Proclamation

WHEREAS, Hunger Action Month is observed in the United States in the month of September, and the City engages in food security efforts for its residents via programing at the Department of Youth and Family Services (YFS).

Mercer Island is not immune from the economic pressures and changing landscape of regional and national support services that can increase food insecurity especially among its most vulnerable residents.

In recognition of the importance of stable nutrition to the general well-being of a community, YFS offers food security programs in the community including a Mobile Market, individualized case management for food insecure families and seniors, and referrals for large families, those with mobility issues, and those with dietary restrictions.

All Islanders have a role to play in supporting basic food security in the community. Hunger Action Month calls upon the residents of Mercer Island to join efforts throughout the month of September to raise awareness about food insecurity and consider supporting local food security efforts.

NOW, THEREFORE, I, David Rosenbaum, Mayor of the City of Mercer Island, do hereby proclaim September 2026 as

HUNGER ACTION MONTH

APPROVED, this 1st day of September 2026.

_____
Mayor David Rosenbaum

HUNGER ACTION MONTH™

Proclamation No. 395

BUSINESS OF THE CITY COUNCIL
CITY OF MERCER ISLAND

AB 6982
September 1, 2026
Consent Agenda

AGENDA BILL INFORMATION

TITLE:	AB 6982: Childhood Cancer Awareness Month, Proclamation No. 396	☐ Discussion Only ☒ Action Needed: ☒ Motion ☐ Ordinance ☐ Resolution
RECOMMENDED ACTION:	Approve Proclamation No. 396 Proclaiming September 2026 as Childhood Cancer Awareness Month on Mercer Island.	

DEPARTMENT:	City Council
STAFF:	Mayor Dave Rosenbaum Andrea Larson, City Clerk
COUNCIL LIAISON:	n/a
EXHIBITS:	1. Proclamation No. 396
CITY COUNCIL PRIORITY:	n/a

AMOUNT OF EXPENDITURE	$ n/a
AMOUNT BUDGETED	$ n/a
APPROPRIATION REQUIRED	$ n/a

EXECUTIVE SUMMARY

The purpose of this agenda bill is to proclaim September 2026 as Childhood Cancer Awareness Month on Mercer Island with Proclamation No. 396 (Exhibit 1).

BACKGROUND

Cancer is the leading cause of death by disease among children between the ages of 1 and 14 years in the United States, with approximately 16,000 children diagnosed every year. Cancer affects not only the young patients but also their families, friends, and communities.

ISSUE/DISCUSSION

September is recognized nationally as Childhood Cancer Awareness Month. This month is a time to honor the young lives affected by the many different diseases comprising childhood cancer, to remember those who have lost their battles, and to support the families and medical professionals who tirelessly fight to improve the prognosis for all children with cancer.

Progress continues to be made in treating pediatric cancer over the past several decades with the survival rate increasing from approximately 58-68% in the 1970's to 83-88% today. Nevertheless, approximately 1,600 children die each year in the United States of cancer.

Communities across the country "Go Gold" in September to raise awareness and support for childhood cancer research, treatment, and prevention. "Go Gold" in September by wearing gold, displaying gold ribbons, and participating in events aimed at promoting understanding and solidarity with the affected families.

RECOMMENDED ACTION

Approve Proclamation No. 396 proclaiming September 2026 as Childhood Cancer Awareness Month on Mercer Island.

City of Mercer Island, Washington
Proclamation

WHEREAS, cancer is the leading cause of death by disease among children ages 1 to 14 in the United States, with approximately 16,000 children diagnosed every year, affecting not only the young patients but also their families, friends, and communities. Despite significant advancements in medical research, childhood cancer remains a critical public health issue, with many forms of pediatric cancer still lacking effective treatment options, leading to long-term health consequences and a need for ongoing medical care for survivors.

Only 4% of federal government cancer research funding is dedicated specifically to childhood cancers, highlighting a pressing need for increased awareness and support for research initiatives focused on pediatric oncology.

September is recognized nationally as Childhood Cancer Awareness Month, a time to honor the young lives both on Mercer Island and across the county affected by the dozens of different diseases comprising childhood cancer, to remember those who have lost their battle, and to support the families and medical professionals who tirelessly fight to improve the prognosis for all children with cancer.

The color gold symbolizes the precious nature of children and the resiliency of childhood cancer warriors. Mercer Island can "Go Gold" in September to raise awareness and support for childhood cancer research, treatment, and prevention, by wearing gold, displaying gold ribbons, and participating in events aimed at promoting understanding and solidarity.

NOW, THEREFORE, I, David Rosenbaum, Mayor of the City of Mercer Island, do hereby proclaim September 2026 as

CHILDHOOD CANCER AWARENESS MONTH

APPROVED, this 1st day of September 2026.

_____

Mayor Salim Nice

Proclamation No. 396

BUSINESS OF THE CITY COUNCIL
CITY OF MERCER ISLAND

AB 6984
September 1, 2026
Consent Agenda

AGENDA BILL INFORMATION

TITLE:	AB 6984: Amendment to ILA – Rate Increase for 2027 for Jail Services with South Correctional Entity (SCORE)	☐ Discussion Only ☒ Action Needed: ☒ Motion ☐ Ordinance ☐ Resolution
RECOMMENDED ACTION:	Authorize the City Manager to execute the amendment to the interlocal agreement with SCORE.	

DEPARTMENT:	Police
STAFF:	Jeff Magnan, Acting Chief of Police
COUNCIL LIAISON:	n/a
EXHIBITS:	1. Amendment to Interlocal Agreement for Inmate Housing with South Correctional Entity (SCORE) 2. Interlocal Agreement with SCORE
CITY COUNCIL PRIORITY:	n/a

AMOUNT OF EXPENDITURE	$ 169,400
AMOUNT BUDGETED (2027)	$ 169,400
APPROPRIATION REQUIRED	$ n/a

EXECUTIVE SUMMARY

The purpose of this agenda item is to authorize an amendment to the interlocal agreement with the South Correctional Entity (SCORE) for jail services (see Exhibit 1).

- Under State law, the City of Mercer Island is responsible for paying all jail costs associated with housing individuals for violations of misdemeanor level crimes occurring within the City.
- The City maintains contracts with the Issaquah City Jail, SCORE, and King County Jails. The Issaquah City Jail and SCORE are used for misdemeanor bookings, while the King County Jail is used primarily for felony bookings.
- The City utilizes the Issaquah City Jail as the primary jail service for cost efficiency and accessibility.
- Since 2011, the City has also maintained an Interlocal Agreement (ILA) with SCORE (see Exhibit 2), which provides backup jail services when the Issaquah Jail is at capacity and accepts individuals whose medical or behavioral health needs exceed the admission capabilities of the Issaquah Jail.
- From 2022–2024, the City's annual cost for use of SCORE facilities averaged approximately $54,000. Since 2024, the City's use of SCORE jail services has increased significantly, driven in part by individuals requiring medical or behavioral health services beyond the care capabilities of the Issaquah City Jail.

- In 2024, the City spent $49,400 on SCORE jail services. By 2025, expenditures increased to $159,200. This trend continued into 2026, with $140,100 in SCORE expenditures as of mid-August. The increase reflects both greater utilization of SCORE and higher costs associated with incarceration. One significant factor is the increasing number of individuals requiring medical or behavioral health services beyond what can be accommodated at the Issaquah City Jail.
- Effective January 1, 2027, SCORE's Administrative Board adopted increases in their daily housing rates, daily rate surcharges, and booking fees. The rate adjustment requires an amendment to the ILA.
- The cost of the rate adjustment in 2027 is included in the 2027-2028 Biennial Budget, with future year funding contingent on City Council budget approval.

BACKGROUND

Under State law, the City of Mercer Island is responsible for jail costs associated with housing individuals for misdemeanor-level offenses occurring within the City, while the State is generally responsible for incarceration costs associated with felony offenses. The City maintains contracts with the Issaquah City Jail, SCORE, and King County Jails. The Issaquah City Jail and SCORE are used primarily for misdemeanor bookings, while King County Jail is used primarily for felony bookings.

Since 2011, the City has maintained an Interlocal Agreement (ILA) with SCORE (see Exhibit 2), which provides backup jail services when the Issaquah City Jail is at capacity and accepts individuals whose medical or behavioral health needs exceed the care capabilities of the Issaquah City Jail.

From 2022–2024, the City's annual cost for use of SCORE facilities averaged approximately $54,000. In 2024, the City spent $49,400 on SCORE jail services. By 2025, expenditures increased to $159,200. This trend continued into 2026, with $140,100 in SCORE expenditures as of mid-August.

The increase reflects both greater utilization of SCORE and higher costs associated with incarceration. One significant factor is the increasing number of individuals requiring medical or behavioral health services beyond what can be accommodated at the Issaquah City Jail. When an individual cannot be medically cleared or safely housed at Issaquah, SCORE provides the City with an alternative facility capable of accommodating more complex medical and behavioral health needs. Increased jail utilization in recent years, together with SCORE's adopted rate increases, has further contributed to higher overall expenditures.

The Mercer Island Police Department and Municipal Court employ several operational strategies to limit unnecessary incarceration while maintaining public safety, accountability, and appropriate judicial oversight. These include off-court-day Zoom arraignments, expanded use of Electronic Home Monitoring (EHM) for eligible pre-trial and post-conviction defendants, weekend releases on personal recognizance when appropriate. Additionally, the court quashes eligible warrants and resetting hearings when individuals voluntarily contact the court, and a medical furlough process for inmates who cannot be medically cleared for jail housing.

These practices reduce unnecessary bookings, transportation, and jail housing days and help contain costs that the City would otherwise incur. Despite these efforts, the City's jail costs are increasingly driven by external factors beyond local control, including medical and behavioral health needs, regional capacity constraints, placement limitations, and rising facility rates.

ISSUE/DISCUSSION

Effective January 1, 2027, SCORE's Administrative Board adopted increases in their daily housing rates, daily rate surcharges, and booking fees outlined in Table 1. SCORE also created a Virtual Court Admin Fee to recover costs associated with court hearing integration (see Exhibit 1).

Table 1 – SCORE Rates

Rate Structure	2026	2027	YOY Chg. %	YOY Chg. $
Daily Housing Rates				
General Population – Guaranteed Beds	$ 155.69	$ 171.26	10.0%	$ 15.57
General Population – non-Guaranteed Beds	223.83	235.02	5.0%	11.19
Daily Rate Surcharges				
Mental Health – Residential Beds	178.84	187.78	5.0%	8.94
Medical Acute Beds	244.07	256.28	5.0%	12.21
Mental Health – Acute Beds	312.68	328.31	5.0%	15.63
Booking Fee	95.00	99.75	5.0%	4.75
Virtual Court Admin Fee	75.00	78.75	5.0%	3.75

The Police Department and Municipal Court remain committed to cost-effective alternatives to incarceration, wherever appropriate. Access to SCORE is vital when placement at other regional jail facilities is not feasible or appropriate. Approving the proposed ILA amendment accounts for SCORE's adopted rates while ensuring the City retains the bed space required to meet its jail obligations.

These updated rates and year-over year cost increases will be incorporated into the City's 2027–2028 Biennial Budget, with future year funding contingent on City Council budget approval.

RECOMMENDED ACTION

Authorize the City Manager to execute the amendment to the interlocal agreement with SCORE for jail services as substantially shown in Exhibit 1 to AB 6984.

AMENDMENT TO ORIGINAL AGREEMENT FOR INMATE HOUSING

(Amending Exhibit A: Fees and Charges and Services. Amending Housing Agreement: Section 7.)

THIS AMENDMENT TO INTERLOCAL AGREEMENT FOR INMATE HOUSING (this "Amendment"), dated _____, is made and entered into by and between the South Correctional Entity, a governmental administrative agency formed pursuant to RCW 39.34.030(3) ("SCORE") and _____, a [municipal corporation] organized under the laws of the State of Washington (hereinafter the "Contract Agency" together with SCORE, the "Parties" or individually a "Party").

RECITALS

WHEREAS, the Parties previously entered into an Interlocal Agreement for Inmate Housing dated _____, as amended and as may be further amended from time to time (the "Original Agreement") pursuant to which SCORE provides housing, care and custody of Contract Agency inmates housed at the SCORE consolidated correctional facility located in the City of Des Moines (the "SCORE Facility"); and

WHEREAS, the Parties now desire to amend Exhibit A to the Original Agreement (as amended by this Amendment, the "Agreement") with regard to fees and charges for such services as provided herein;

Section 1. Definitions. Terms not otherwise defined herein (including in the recitals, which are incorporated herein by this reference) shall have the meanings set forth in the Original Agreement.

Section 2. Amendment.

(1) Amendment to Exhibit A. Daily Housing Rates, Daily Rate Surcharges, Booking Fee, Transport Fee and Virtual Court Admin Fee in Exhibit A to the Original Agreement are hereby replaced in their entirety as follows:

Daily Housing Rates		
General Population – Guaranteed Beds	$171.26	No. of Beds: _____
General Population – Non-Guaranteed Beds	$235.02	
Daily Rate Surcharges:		
Mental Health – Residential Beds	$187.78	
Medical – Acute Beds	$256.28	
Mental Health – Acute Beds	$328.31	
Booking Fee	$99.75	
Transport/Security Fee	$98.70/hr.	
Virtual Court Admin Fee	$78.75	

Daily Rate Surcharges are in addition to the daily bed rates and subject to bed availability. The Booking Fee will be charged to the jurisdiction responsible for housing the inmate. Fees, charges, and services will be annually adjusted each January 1st.

Section 3. **Effective Date of Amendment**. The amendments to rates and charges set forth in Section 2 hereof shall become effective on January 1, 2027, at 12:01 a.m.

Section 4. **Entire Agreement.** Except as hereby amended by this Amendment, the remaining terms and conditions of the Original Agreement are hereby ratified and confirmed in all respects.

Section 5. **Severability**. The invalidity or unenforceability of any provision hereof as to any one or more jurisdictions shall not affect the validity or enforceability of the balance of the Agreement as to such jurisdiction or jurisdictions, or affect in any way such validity or enforceability as to any other jurisdiction.

Section 6. **Headings**. The captions in this Amendment are for convenience of reference only and shall not define or limit the provisions hereof.

Section 7. **Execution.** This Agreement shall be executed the Parties hereto by their duly authorized representative. This Amendment may be executed in one or more counterparts.

SOUTH CORRECTIONAL ENTITY

_____	_____
Signature	Signature
Title/Name Executive Director Devon Schrum_____	Title/Name:_____
NOTICE ADDRESS:	NOTICE ADDRESS:

SOUTH CORRECTIONAL ENTITY
20817 17th Avenue South
Des Moines, WA 98198
Attention: Devon Schrum

Email: dschrum@scorejailwa.gov
Telephone: 206-257-6262

SCORE

SOUTH CORRECTIONAL ENTITY

Serving the Cities of: Auburn, Burien, Des Moines, Federal Way, Renton, SeaTac, and Tukwila

Monday, September 16, 2019

City of Mercer Island
Attn. Chief Ed Holmes, Commander Jeff Magnan
C/O City Clerk Deborah Estrada
9611 SE 36th Street
Mercer Island, WA 98040-3732

RE: Executed - 2020 Interlocal Agreement for Inmate Housing [File 19-23]

Dear Chief Holmes and Commander Magnan,

On behalf of SCORE, I would like to thank you for your partnership and we appreciate the chance to offer our services, and we are pleased that you have decided to accept the 2020 Interlocal Agreement for Inmate Housing and have included a signed copy for your records.

We pride ourselves in providing quality services and welcome your feedback. We are available whenever you have questions, comments or suggestions. Please do not hesitate to call or e-mail Executive Director Schrum, Operations Chief Di Croce or myself personally, as we are happy to assist you.

We greatly appreciate this opportunity.

Sincerely,

Marilynn Montenegro
Communications & Contracts Manager
South Correctional Entity (SCORE)
206-257-6222
mmontenegro@scorejail.org

Enclosure

INTERLOCAL AGREEMENT FOR INMATE HOUSING

THIS INTERLOCAL AGREEMENT FOR INMATE HOUSING (hereinafter "Agreement") is made and entered into by and between the SOUTH CORRECTIONAL ENTITY, a governmental administrative agency formed pursuant to RCW 39.34.030(3) ("SCORE") and City of Mercer Island a [municipal corporation] organized under the laws of the State of Washington (hereinafter the "Contract Agency" together with SCORE, the "Parties" or individually a "Party").

RECITALS

WHEREAS, SCORE was formed by its Member Cities (as defined herein) as a governmental administrative agency pursuant to RCW 39.34.030(3) to operate and maintain a consolidated correctional facility located in the City of Des Moines (the "SCORE Facility") to serve the Member Cities and federal and state agencies and other local governments that contract with SCORE from time to time to provide correctional services essential to the preservation of the public health, safety and welfare; and

WHEREAS, the Contract Agency desires to transfer custody of certain inmates to SCORE to be housed at the SCORE Facility; and

WHEREAS, this Agreement is entered into by and between the Parties pursuant to chapters 39.34 and 70.48 RCW, which provide for interlocal agreements for sharing of correction/detention facilities between local governments;

In consideration of the mutual covenants, conditions, and promises contained herein, the Parties hereto mutually agree as follows:

SECTION 1. DEFINITIONS.

Terms defined in the recitals of this Agreement are incorporated herein as if fully set forth in this Agreement. Capitalized terms used herein shall have the following meanings. Terms not otherwise defined herein shall have the meanings set forth in the Interlocal Agreement.

Detainer means a legal order authorizing or commanding another agency a right to take custody of a person.

Commencement Date means January 1, 2020.

Contract Agency Inmate means a person or persons subject to the Contract Agency's custody who is transferred to SCORE's custody under this Agreement.

Daily Bed Rate means the daily rate Contract Agency is charged to occupy a general population bed, as set forth in Exhibit A.

Daily Surcharge Rates means any of the following special charges as defined in Exhibit A: Daily Surcharge Rates: Medical-Acute; Mental Health-Acute; and Mental Health-General Population.

Guaranteed Bed Rate means a reduced Daily Bed Rate - Guaranteed, as set forth in Exhibit A.

Inmate means a person or persons transferred to SCORE's custody to be housed at the SCORE Facility. The term "Inmates" includes Contract Agency Inmates.

Interlocal Agreement means the Amended and Restated SCORE Interlocal Agreement dated as of October 1, 2009, executed among the parties thereto for the purpose of forming SCORE, as it may be amended and restated from time to time.

Mental Health - Residential Beds means Inmates clinically determined by SCORE Health Services Provider, or its successor charged with the same duties, as needing ongoing mental health care services and specialized housing in SCORE's Mental Health - Residential Unit.

Medical – Acute Beds means an Inmate is clinically determined by SCORE Health Services Provider, or its successor charged with the same duties, as needing the level of medical services and housing provided in SCORE's medical clinic.

Mental Health – Acute Beds means an Inmate clinically determined by SCORE Health Services Provider, or its successor charged with the same duties, as needing the level of psychiatric services and specialized housing in SCORE's Mental Health - Acute Unit.

Member City has the meaning set forth in the Interlocal Agreement.

Non-Guaranteed Bed Rate means a higher Daily Bed Rate – Non-Guaranteed, as set forth in Exhibit A.

SCORE Facility means the correctional facility maintained and operated by SCORE known by 20817 17th Avenue South, Des Moines, WA 98198.

Termination Date means _____.

SECTION 2. TERM.

This Agreement shall commence at 12:00 a.m. PST on the Commencement Date and terminate at 11:59 p.m. PST on the Termination Date, unless sooner terminated by either Party in accordance with this Agreement. This Agreement may be renewed for any successive period by written addendum under terms and conditions acceptable to the Parties.

SECTION 3. INMATE HOUSING AND SERVICES.

Subject to the terms of this Agreement, SCORE hereby agrees to accept Contract Agency Inmates and to provide housing, care, and custody of those Contract Agency Inmates pursuant to SCORE policies and procedures. Additional related services and associated fees, if any, to be provided to Contract Agency Inmates and/or the Contract Agency are listed in Exhibit A.

To the greatest extent permitted by law, SCORE shall have the right to refuse to accept an individual in custody of the Contract Agency or to return any Contract Agency Inmate to the Contract Agency for any reason, including but not limited to if, in the sole discretion of SCORE, such individual presents a substantial risk of escape, of injury to self or other persons or property, of adversely affecting or significantly disrupting the operations of the SCORE Facility, and/or has a medical illness or injury that makes housing such individual not in the best interest of SCORE or other Inmates as described in Exhibit D. Final acceptance of an individual based on illness or injury is determined upon approval of medical staff at the time of booking.

SECTION 4. COMPENSATION.

In consideration of SCORE's commitment to provide housing and related services for Contract Agency Inmates, the Contract Agency agrees to pay SCORE the fees and charges set forth in Exhibit A. Such fees and charges may include, but are not limited to, booking, daily bed rate, medical and specialty, mental health, transportation, security, other charges and/or negotiated fees.

SCORE may from time to time revise the fees and charges for housing and related services under this Agreement during the term of this Agreement. SCORE shall give advance notice of any change to its fees and charges for such service in order to allow the Contract Agency sufficient time to adjust its annual budget. Unless otherwise agreed to by the Parties hereto, any new fees and charges under a new fee schedule shall become effective on January 1 of the following year.

The Contract Agency shall acknowledge receipt of the rates and charges schedule in writing and such acknowledgement shall be deemed to be an amendment to this Agreement and incorporated as if fully set forth herein without the necessity of a formal amendment or separate approval by the legislative authority of the Contract Agency or the Administrative Board of SCORE.

SECTION 5.TRANSPORTATION, BOOKING, CLASSIFICATION, DISCIPLINE AND RELEASE PROCEDURES.

A. Transportation. The Contract Agency is responsible for the transportation of Contract Agency Inmates to the SCORE Facility, including all costs associated therewith.

B. Booking. Contract Agency Inmates shall be booked pursuant to SCORE's booking policies and procedures. Pursuant to RCW 70.48.130, and as part of the booking procedure, SCORE shall obtain general information concerning the Contract Agency Inmate's ability to pay for medical care, including insurance or other medical benefits or resources to which a Contract Agency Inmate is entitled. The information is used for third party billing.

C. Classification. Contract Agency Inmates shall be classified pursuant to SCORE's classification policies and procedures, and within the sole discretion and judgment of SCORE. The Contract Agency shall provide sufficient information regarding each Contract Agency Inmate as needed to allow SCORE to make such classification. Contract Agency Inmates shall be assigned to housing pursuant to SCORE's policies and procedures, and within the sole discretion and judgment of SCORE as provided in Exhibit F.

D. Inmate Discipline. SCORE shall discipline Contract Agency Inmates according to SCORE policies and procedures and in the same manner which other Inmates are disciplined; provided, however, nothing contained herein shall be construed to authorize the imposition of a type of discipline that would not be imposed on a comparable Inmate, up to and including the removal of earned early release credits as approved by the Contract Agency.

E. Release. Except for work programs or health care, and during emergencies, Contract Agency Inmates shall not be removed and/or released from the SCORE Facility without written authorization from the Contract Agency or by the order of a court of competent jurisdiction. Other jurisdictions may "borrow" a Contract Agency Inmate according to policies and procedures of SCORE and as listed in Exhibit G.

Contract Agency Inmates will be transported at the time of release as follows. SCORE will release each Contract Agency Inmates to the Contract Agency at a mutually agreeable location. Alternatively, SCORE will provide transportation upon release to either the closest Member City of

arrest, or the Member City of residence, whichever is closer, unless confirmed transportation is available at the time of release. Additional fees, if any, for transportation outside of King County are included in Exhibit A.

Contract Agency Inmates for whom bail is posted, or who otherwise have a right to be released, may choose to remain in custody at the SCORE Facility by signing written waiver and return to the Contract Agency by the regularly scheduled transport, be released to a family member or friend with confirmed transportation, or be released via private taxi.

SECTION 6. INMATE MEDICAL RECORDS, CLOTHING, BEDDING, PROPERTY AND WORK PROGAMS.

A. Inmate Medical Records. Should a Contract Agency Inmate receive medical care for injuries or illness at the time of arrest and prior to booking at the SCORE Facility, the Contract Agency shall provide medical documentation pertaining to injury or illness to SCORE at the time of booking if the Contract Agency has access to such records. If the Contract Agency cannot provide such records, SCORE, in its sole discretion, may refuse to accept a Contract Agency Inmate.

B. Inmate Property. SCORE agrees to provide each Contract Agency Inmate with necessary or appropriate clothing and essential hygiene items. SCORE shall accept, hold and handle, and return any Contract Agency Inmate property in accordance with SCORE's policies and procedures, and shall be responsible only for Contract Agency Inmate property actually delivered into SCORE's possession. In the event a Contract Agency Inmate is being transported from a Contract Agency designated detention or correction facility, it will be the responsibility of the Contract Agency to process the Contract Agency Inmate's property not delivered and accepted into SCORE's possession as provided in Exhibit E.

C. Work Programs. SCORE may assign Contract Agency Inmates to work programs such as inside and outside work crews, kitchen and facility duties, and other appropriate duties pursuant to SCORE's policies and procedures and within the sole discretion and judgment of SCORE.

D. Visitation. SCORE shall provide reasonable scheduled visitation for Contract Agency Inmates. Inmate visitation may be accessible via video connection by third party provider at off-site locations for an access fee. Complimentary video visit access is available at the SCORE Facility. Confidential telephones or visitation rooms shall be available to a Contract Agency Inmate to communicate with his or her legal counsel.

E. Inmate Accounts. SCORE shall establish and maintain a non-interest bearing account for each Contract Agency Inmate. Upon returning custody of a Contract Agency Inmate to the Contract Agency, SCORE shall transfer the balance of that Contract Agency Inmate's account that is not subject to charges, to the Contract Agency Inmate or to the Contract Agency in the form of cash, check, debit card or other agreed upon method in the name of the Contract Agency Inmate.

SECTION 7. HEALTH CARE.

SCORE shall provide in-facility medical care commonly associated with corrections operations as guided by American Correctional Association or National Commission on Correctional Health Care.

Contract Agency Inmates shall be responsible for co-payment for health services according to SCORE policy. The Contract Agency shall not be responsible to SCORE for Contract Agency Inmate co-payments. No Contract Agency Inmate shall be denied necessary health care because of an inability to pay for health services.

In-facility medical, dental, and mental health services are included in the daily rate set forth in Exhibit A. Should a Contract Agency Inmate require medical, mental health, dental, and/or other medical services at an outside medical or health care facility, SCORE shall notify the Contract Agency's designee (either by written or electronic means) within a reasonable time period before the Contract Agency Inmate receives such medical, mental health, dental or any other medical services. Notwithstanding the foregoing, the Contract Agency acknowledges that such notice may not be reasonably possible prior to emergency care.

The Contract Agency shall pay for all medical, mental health, dental or any other medical services or equipment that are required to care for Contract Agency Inmates outside of the SCORE Facility in addition to the charges listed in Exhibit A. Lack of prior notice shall not excuse the Contract Agency from financial responsibility for such expenses, and shall not be a basis for imposing financial responsibility for related medical expenses on SCORE. SCORE shall bear the expense of any such medical care necessitated by improper conduct of SCORE, or of its officers or agents.

If a Contract Agency Inmate is admitted to a hospital, the Contracting Agency will be responsible for hospital security unless other arrangements are made with SCORE. SCORE, in its sole discretion, may provide hospital security services for an additional charge as provided in Exhibit A.

SECTION 8. DETAINERS.

Warrants and Contract Agency Inmates in a "Detainer" status shall be handled according to SCORE policies and procedures and as provided in Exhibit B attached hereto.

SECTION 9. RELEASE OF HOLDS AND COURT APPEARANCES.

If a court of limited jurisdiction releases a hold on a Contract Agency Inmate still incarcerated at the SCORE Facility, SCORE will not facilitate further court appearances of that Contract Agency Inmate except if the Contract Agency wishes to use the video arraignment system at the SCORE Facility.

SECTION 10. ESCAPE; DEATH.

If a Contract Agency Inmate escapes SCORE's custody, SCORE shall notify the Contract Agency as soon as reasonably possible. SCORE shall use all reasonable efforts to pursue and regain custody of escaped Contract Agency Inmates.

If a Contract Agency Inmate dies while in SCORE custody, SCORE shall notify the Contract Agency as soon as reasonably possible. The King County Medical Examiner shall assume custody of the Contract Agency Inmate's body. Unless another agency becomes responsible for investigation, one or more Member City shall investigate and shall provide the Contract Agency with a report of its investigation. The Contract Agency may participate in the investigation. If another agency becomes responsible for investigation, SCORE shall serve as a liaison or otherwise facilitate the Contract Agency's communication with and receipt of reports from the other agency.

The Contract Agency shall provide SCORE with written instructions regarding the disposition of the Contract Agency Inmate's body. The Contract Agency shall pay for all reasonable expenses for the preparation and shipment of the body. The Contract Agency may request in writing that SCORE arrange for burial and all matters related or incidental thereto and the Contract Agency shall be responsible for all costs associated with this request.

SECTION 11. REPORTING AND INSPECTION.

SCORE agrees to use reasonable efforts to work with the Contract Agency to provide access to and/or reports from jail management systems that provide statistical information about Inmates. The Contract Agency shall have the right, upon reasonable advance notice, to inspect the SCORE Facility at reasonable times. During such inspections, the Contract Agency may interview Contract Agency Inmates and review Contract Agency Inmates' records. The Contract Agency shall have no right to interview Inmates housed for other jurisdictions or to review their records, unless Contract Agency is properly authorized to do so by the Inmate or the other jurisdiction.

SECTION 12. TECHNOLOGY.

SCORE and the Contract Agency may each permit the other continuous access to its computer database regarding all Contract Agency Inmates housed by SCORE. This continuous access feature may be accomplished through a computer link between a computer(s) designated by the Contract Agency and appropriate computer(s) of SCORE.

SECTION 13. BILLING AND PAYMENT.

SCORE shall provide the Contract Agency with monthly statements itemizing the name of each Contract Agency Inmate, the number of days of housing, including the date and time booked into the SCORE Facility and date and time released from SCORE and itemization of any additional charges including a description of the service provided, date provided and reason for service. Payment shall be due to SCORE within 30 days from the date the bill is received. SCORE may bill the Contract Agency electronically. Payments not received by the 30th day shall bear interest at the rate of 1% per month until payment is received. Any fees or charges for Inmates housed on charges from multiple agencies (including but not limited to outside medical care) will be divided equally among those agencies.

SECTION 14. BILLING DISPUTE RESOLUTION.

The Contract Agency must provide written notice of dispute to SCORE within 60 days of billing and other disputed charges. SCORE shall respond in writing to such disputes within 60 days of receipt of such disputes. SCORE and the Contract Agency shall attempt to resolve the dispute by negotiation. If such negotiation is unsuccessful, either Party may refer the dispute to the SCORE Operations Board for resolution. The decision of the SCORE Operations Board is the final internal administrative remedy the Contract Agency must exhaust before pursuing other contractual, legal, equitable, or alternative dispute resolutions.

SECTION 15. INDEPENDENT CONTRACTOR.

In providing services under this Agreement, SCORE is an independent contractor and neither it nor its officers, nor its agents nor its employees are employees of the Contract Agency for any purpose, including responsibility for any federal or state tax, industrial insurance, or Social Security liability. Neither shall the provision of services under this Agreement give rise to any claim of career service or civil service rights, which may accrue to an employee of the Contract Agency under any applicable law, rule or regulation. Nothing in this Agreement is intended to create an interest in or give a benefit to third persons not signing as a Party to this Agreement.

SECTION 16. HOLD HARMLESS, DEFENSE, AND INDEMNIFICATION.

SCORE shall hold harmless, defend, and indemnify the Contract Agency, its elected officials, officers, employees, and agents from and against any and all suits, actions, claims, liability, damages, judgments, costs and expenses (including reasonable attorney's fees) (also including but not limited

to claims related to false arrest or detention, alleged mistreatment, alleged violation of civil rights, injury, or death of any Contract Agency Inmate, or loss or damage to Contract Agency Inmate property while in SCORE custody) that result from or arise out of the acts or omissions of SCORE, its elected officials, officers, employees, and agents in connection with or incidental to the performance or non-performance of SCORE's services, duties, and obligations under this Agreement.

The Contract Agency shall hold harmless, defend, and indemnify SCORE, its elected officials, officers, employees, and agents from and against any and all suits, actions, claims, liability, damages, judgments, costs and expenses (including reasonable attorney's fees) (also including but not limited to claims related to false arrest or detention, alleged mistreatment, alleged violation of civil rights, injury, or death of any Contract Agency Inmate, or loss or damage to Contract Agency Inmate property while in SCORE custody) that result from or arise out of the acts or omissions of the Contract Agency, its elected officials, officers, employees, and agents in connection with or incidental to the performance or non-performance of the Contract Agency's services, duties, and obligations under this Agreement.

In the event the acts or omissions of the officials, officers, agents, and/or employees of both the Contract Agency and SCORE in connection with or incidental to the performance or non-performance of the Contract Agency's and or SCORE's services, duties, and obligations under this Agreement are the subject of any liability claims by a third party, the Contract Agency and SCORE shall each be liable for its proportionate concurrent negligence in any resulting suits, actions, claims, liability, damages, judgments, costs and expenses and for their own attorney's fees.

Nothing contained in this section or this Agreement shall be construed to create a right in any third party to indemnification or defense.

SCORE and the Contract Agency hereby waive, as to each other only, their immunity from suit under industrial insurance, Title 51 RCW. This waiver of immunity was mutually negotiated by the Parties hereto.

The provisions of this section shall survive any termination or expiration of this Agreement.

SECTION 17. INSURANCE.

SCORE and the Contract Agency shall provide each other with evidence of insurance coverage, in the form of a certificate or other competent evidence from an insurance provider, insurance pool, or of self-insurance sufficient to satisfy the obligations set forth in this Agreement.

SCORE and the Contract Agency shall each maintain throughout the term of this Agreement coverage in minimum liability limits of one million dollars ($1,000,000) per occurrence and two million dollars ($2,000,000) in the aggregate for its liability exposures, including comprehensive general liability, errors and omissions, auto liability and police professional liability. The insurance policies shall provide coverage on an occurrence basis.

Each Party shall provide to the other Party at least 30 days advance notice of any cancellation, suspension or material change in coverage.

SECTION 18. TERMINATION.

Either Party may terminate this Agreement, with or without cause, by providing the other Party with 90 days written notice of termination as provided in RCW 70.48.090.

SECTION 19. RECORDS.

The Parties hereto shall maintain all records, reports, and documents created, held or maintained under this Agreement and the services to be provided hereunder in accordance with chapter 42.56 RCW (the Washington Public Records Act), chapter 40.14 RCW (Preservation and Destruction of Public Records) and all other applicable federal, state and local laws and regulations.

SECTION 20. OPERATION OF SCORE FACILITY; PRISON RAPE ELIMINATION ACT.

SCORE shall manage, maintain, and operate the SCORE Facility in compliance with all applicable federal, state, and local laws and regulations. SCORE acknowledges and complies with the terms of the Prison Rape Elimination Act regarding custodial sexual misconduct as set forth in Exhibit C.

SECTION 21. HIPAA AND HITECH COMPLIANCE.

The Parties shall comply with all requirements of the Federal Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the Federal Health Information and Technology for Economic and Clinical Health Act (HITECH Act) as applicable, which relate to the Parties' responsibilities under this Agreement, as well as state laws and regulations including chapter 70.02 RCW.

SECTION 22. EQUAL OPPORTUNITY.

Neither Party shall discriminate against any person on the grounds of race, creed, color, religion, national origin, sex, age, marital status, sexual orientation, veterans and military status, political affiliation or belief or the presence of any sensory, mental or physical handicap in violation of any applicable federal law, Washington State Law Against Discrimination (chapter 49.60 RCW) or the Americans with Disabilities Act (42 USC 12110 *et seq.*).

SECTION 23. MISCELLANEOUS.

A. Real or Personal Property. It is not anticipated that any real or personal property will be acquired or purchased by the Parties solely because of this Agreement.

B. Assignment. This Agreement, or any interest herein, or claim hereunder, shall not be assigned or transferred in whole or in part by a Party to any other person or entity without the prior written consent of the other Party, which consent shall not be unreasonably withheld. In the event that such prior written consent to an assignment is granted, then the assignee shall assume all duties, obligations, and liabilities of the assigning Party stated herein.

C. Non-Waiver. The failure of either Party to insist upon strict performance of any provision of this Agreement or to exercise any right based upon a breach thereof or the acceptance of any performance during such breach shall not constitute a waiver of any right under this Agreement.

D. Severability. If this Agreement, or any portion of this Agreement, is held invalid by a court of competent jurisdiction, the remainder of the Agreement shall remain in full force and effect.

E. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Washington. If any dispute arises between the Parties under any of the provisions of this Agreement, resolution of that dispute shall be available only through the jurisdiction, venue and rules of the King County Superior Court, King County, Washington.

F. Attorneys' Fees. In any claim or lawsuit for damages arising from the Parties' performance of this Agreement, each Party shall be responsible for payment of its own legal costs and attorney's fees incurred in defending or bringing such claim or lawsuit; however, nothing in this subsection shall limit the each Parties' right to indemnification under this Agreement.

G. Approval and Filing. Each Party shall approve this Agreement by resolution, ordinance, motion or otherwise pursuant to the laws of the governing body of each Party. The signatures of the authorized signatories below shall constitute a presumption that such approval was properly obtained. A copy of this Agreement shall be filed and/or posted pursuant to chapter 39.34 RCW.

H. Amendment. Except as otherwise provided in Section 4 of this Agreement, no waiver, alteration, or modification of any of the provisions of this Agreement shall be binding unless evidenced in writing signed by duly authorized representatives of both Parties.

I. No Joint Venture or Partnership. No joint venture, separate administrative or governmental entity, or partnership is formed as a result of this Agreement

J. Compliance with Applicable Laws and Standards. SCORE agrees to manage the Contract Agency Inmates and the SCORE Facility in accordance with applicable federal and state laws and regulations and to maintain staffing levels at the SCORE Facility in sufficient numbers and rank to maintain the safety of the public, staff, Inmates, and to reasonably carry out the provisions of this Agreement.

K. Continuation of Performance. In the event that any dispute or conflict arises between the Parties while this Agreement is in effect, the Parties hereto agree that, notwithstanding such dispute or conflict, they shall continue to make a good faith effort to cooperate and continue work toward successful completion of assigned duties and responsibilities. Provided that if the Contract Agency fails to pay for the services provided by the SCORE, SCORE can cease providing such services until payment is made.

L. Representatives; Notices. The individuals listed below the signature blocks included in this Agreement are designated as representatives of the respective Parties. The representatives shall be responsible for administration of this Agreement and for coordinating and monitoring performance under this Agreement. In the event such representatives are changed, the Party making the change shall notify the other Party. Any notice or other communication given hereunder shall be deemed sufficient, if in writing and delivered personally to the addressee, or sent electronically or by certified or registered mail, return receipt requested, addressed as provided after the signature blocks included in this Agreement, or to such other address as may be designated by the addressee by written notice to the other Party.

M. Entire Agreement. This Agreement, together with any subsequent amendments, constitutes the entire Agreement between the Parties and supersedes all prior agreements for inmate housing between the Parties.

SECTION 24. EXECUTION.

This Agreement shall be executed by the Parties hereto by their duly authorized representative. This Agreement may be executed in one or more counterparts.

THIS AGREEMENT is hereby effective as of the Commencement Date.

SOUTH CORRECTIONAL ENTITY

Devon Schrum
Signature

9-16-19
Date

City of Mercer Island
Contract Agency Name

Signature Jessi Bon, Interim City Manager

9/10/19
Date

ATTESTED BY:

Signature Deborah Estrada, City Clerk

NOTICE ADDRESS:

SOUTH CORRECTIONAL ENTITY
20817 17th Avenue South
Des Moines, WA 98198

Attention: Executive Director Devon Schrum

Email: dschrum@scorejail.org

Telephone: 206-257-6262

Fax: 206-257-6310

DESIGNED REPRESENTATIVES FOR PURPOSES OF THIS AGREEMENT:

Name:

Title:

NOTICE ADDRESS:

City of Mercer Island
9611 SE 36th Street
Mercer Island, WA 98040

Attention: Jeff Magnan

Email: jeff.magnam@mercergov.org

Telephone: (206) 275-7917

Fax:

DESIGNED REPRESENTATIVES FOR PURPOSES OF THIS AGREEMENT:

Name:

Title:

Exhibit A

FEES AND CHARGES AND SERVICES

Daily Housing Rates:[1]		
General Population – Guaranteed	$128.00	Number of Beds: _____
General Population – Non-Guaranteed	$184.00	
Daily Rate Surcharges: [2]		
Mental Health – Residential Beds	$159.00	
Medical - Acute Beds	$217.00	
Mental Health – Acute Beds	$278.00	
Health Care Services: [3]		
In-Facility Care	Included	
Co-Payments	Inmate responsibility	
Outside Medical Services	Contract Agency billed	
Emergency Care	Contract Agency billed	
Pharmaceuticals	Medications billed to Contract Agency	
Transportation Fees:		
SCORE Officer Transport	$65.00/per hour	
Released at Member City Location[4]	Included	
Security Services:		
Hospital Security	$65.00/per hour	
Video Court:		
In-Custody Arraignment	Included	
Other Terms & Conditions:		

[1] Guaranteed Bed Rate
[2] Surcharges are in addition to daily bed rates and subject to bed availability.
[3] Guided by American Correctional Association and/or National Commission on Correctional Health Care.
[4] Auburn, Burien, Des Moines, Federal Way (Until 12/31/2019), Renton, SeaTac, Tukwila.

Exhibit B

WARRANTS/OTHER COURT ORDERS/DETAINERS

The following shall apply to Contract Agency Inmates who are subject to warrants from other jurisdictions or to other court orders for confinement or detainers:

1. When receiving a Contract Agency Inmate, the booking officers at SCORE shall review all paperwork provided by the Contract Agency for all grounds to hold the Contract Agency Inmate.

2. Prior to releasing a Contract Agency Inmate, SCORE shall check the NCIC and WACIC systems to determine if the Contract Agency Inmate is subject to any valid warrants or other detainers.

   a) If the Contract Agency Inmate is subject to a warrant that is limited to King County, SCORE will, upon receiving written permission (e-mail) from the Contract Agency, transport the Inmate to the custodial agency for the jurisdiction that issued the warrant. However, SCORE will not assume responsibility to serve any such warrants.

   b) If the Contract Agency Inmate is subject to a warrant from a western Washington jurisdiction outside King County, SCORE will either process the Inmate for transfer on the Cooperative Transport Chain or provide transfer to a jurisdiction that participates in Cooperative Transport Chain.

   c) If the Contract Agency Inmate is subject to a warrant from an eastern Washington jurisdiction, SCORE will send the Inmate to a jurisdiction that participates in the Cooperative Transport Chain.

   d) If, upon return from SCORE to the Contract Agency, the Inmate is subject to a warrant that provides for statewide extradition, SCORE will either transport the Inmate to the detention/correction facility in King County designated by the agency/jurisdiction that issued the warrant if it is in King County, or will send the Inmate to the agency/jurisdiction that issued the warrant on the Mini- Chain.

Exhibit C

PREA ACKNOWLEDGMENT - CUSTODIAL AND SEXUAL MISCONDUCT

1. Compliance
SCORE agrees to ensure that all of its employees, contractors, vendors, and volunteers that have contact with Contract Agency Inmates comply with all federal and state laws regarding sexual misconduct including, but not limited to:

   a) The Prison Rape Elimination Act of 2003 (PREA)

   b) The standards for adult Prisons and Jails or Community Confinement Facilities, whichever is applicable, as promulgated by the US Attorney, and

   c) Zero tolerance toward all forms of sexual abuse and sexual harassment.

2. Monitoring
SCORE agrees to provide the Contract Agency documented compliance with the Federal Prison Rape Elimination Act standards. Monitoring may include, but is not limited to:

   a) Site visits,

   b) Access to facility data, and

   c) Review of applicable documentation.

3. Contract Agency may terminate this Agreement

   a) Should SCORE fail to provide documentation that demonstrates that the SCORE is actively and effectively working toward and is making substantive progress toward achieving compliance; or

   b) Should SCORE fail to maintain PREA compliance between auditing periods, after being given a reasonable opportunity to cure.

4. The Contract Agency will terminate this Agreement

   a) Should SCORE elect to discontinue pursuit of PREA compliance;

   b) Should SCORE be found in noncompliance through a PREA Audit and fail to cure such noncompliance within the identified time-frames; or

   c) Should SCORE be found to be in egregious violation of PREA.

Exhibit D

MEDICAL ACCEPTABILITY

SCORE shall determine the medical and mental acceptability of Inmates for booking or housing using the following guidelines. However, final acceptance is based upon approval of medical staff at the time of booking. Excluding criteria include but are not limited to:

1. Signs of untreated broken bones or dislocated joints.
2. Any injury or illness requiring emergency medical treatment.
3. Unconsciousness.
4. Inmates unable to stand and walk under their own power, unless they normally use an assistive device, such as a wheelchair, for mobility.
5. Bed bound individuals.
6. Individuals with attached IV or requiring IV medications.
7. Individuals requiring the use of oxygen tanks.
8. AMA (Against Medical Advice) from the hospital.
9. Individuals having had major invasive surgery within the last 72 hours. Non-invasive surgery such as oral surgery, laser-eye surgery and minor surgery may be evaluated on a case by case basis.
10. Wounds with drainage tubes attached.
11. Persons with Alzheimer's, dementia or other psychological conditions to the point where the Inmate cannot perform activities of daily living ("ADL's") or who do not have the capacity to function safely within a correctional environment.
12. Persons who are diagnosed as developmentally delayed and who do not have the capacity to function safely within a correctional environment or who cannot perform ADL's.
13. Persons undergoing chemotherapy and/or radiation treatment.
14. Persons undergoing dialysis.
15. Persons with suicidal ideations or gestures within the past 72 hours.
16. Persons, if prescribed, who have not taken psychotropic medications for at least 72 hours.
17. Persons who have by self-disclosure, admitted to attempting suicide within the last 30 days.
18. Persons who have attempted suicide during their current incarceration.
19. Persons displaying current psychotic episode.

Exhibit E

PROPERTY

1. SCORE will *not accept or transport* the following:
   a) Backpacks, suitcases, etc.
   b) Unpackaged food products.
   c) Food products in packaging that have been opened.
   d) Any type of weapon (includes pocket knives).
   e) Liquids.
   f) Helmets or any kind.
   g) Large items that will not fit into a common paper grocery bag.
   h) Material deemed to be contraband.

SCORE will limit property returned with the Inmate to the Contract Agency according to these criteria.

Exhibit F

CLASSIFICATION

SCORE maintains a classification plan to guide staff in the processing of individuals brought into the facility. The plan includes an initial screening process, as well as a process for determining appropriate housing assignments (28 CFR 115.42) and uses an objective screening instrument and procedures for making decisions about classification and housing assignments. The plan includes, and not limited to, an evaluation of the following criteria:

1. Behavior during arrest and intake process
2. Potential risk of safety to others or self
3. Medical needs
4. The inmate's own perception of his/her vulnerability
5. Any other criteria as deemed appropriate by the Executive Director or designee

The Contract Agency shall supply SCORE with the following Classification related information, if known to or in possession of the Contract Agency:

1. If the Contract Agency Inmate has been classified to a special housing unit.
2. If the Contract Agency Inmate has been classified as protective custody.
3. If the Contract Agency Inmate:
    a) Is a violent offender or has displayed violent behavior during present or past incarcerations
    b) Is identified as a threat to law enforcement
    c) Is an escape risk

Exhibit G

BORROWING

One contracting agency may "borrow" another Contract Agency's Inmate as follows:

1. If a Contract Agency requests the transport of another contracting agency's Inmate from SCORE the requesting agency must notify each agency with rights to custody of the Inmate, and if each agency with rights to custody of the Inmate notifies SCORE in writing (e-mail) of its approval, SCORE shall provide the requested transport to the requesting agency. SCORE will complete a custody transfer form that lists all outstanding detainers. The custody transfer paperwork will accompany the Inmate.
2. Once custody of the Inmate has been transferred to the requesting agency, it is the responsibility of the requesting agency to determine whether the Inmate shall be returned to the custody of SCORE, and if so, the requesting agency shall make all necessary and proper arrangements with SCORE and any agency with rights to custody of the Inmate, for the Inmate's return according to the terms of this Agreement. The requesting agency, to the full extent permitted by law, defend, indemnify, save and hold harmless SCORE as provided in Section 16 of the Agreement.
3. SCORE will not track the Inmate once he or she has left the SCORE Facility.
4. If the Inmate is returned to the custody of SCORE, the requesting agency shall provide SCORE with sentencing/charge information. The requesting agency shall supply all pre-sentence, and post-sentence paperwork from agreeing agencies that authorized the borrowing of the Inmate. This will aid SCORE in determining split billing and release dates.
5. SCORE will transport the Inmate only to an agency that also contracts with SCORE for Inmate housing.

BUSINESS OF THE CITY COUNCIL
CITY OF MERCER ISLAND

AB 6987
September 1, 2026
Consent Agenda

AGENDA BILL INFORMATION

TITLE:	AB 6987: Interlocal Agreement and Lease Agreement Amendments with the City of Newcastle for Municipal Court Operations	☐ Discussion Only ☒ Action Needed: ☒ Motion ☐ Ordinance ☐ Resolution
RECOMMENDED ACTION:	Authorize the City Manager to execute amendments to the Interlocal Agreement and Lease Agreement with the City of Newcastle for Mercer Island Municipal Court operations.	

DEPARTMENT:	Administrative Services Finance Department
STAFF:	Ali Spietz, Chief of Administration Matthew Mornick, Finance Director
COUNCIL LIAISON:	n/a
EXHIBITS:	1. First Amendment to Interlocal Agreement with Newcastle for Use of Council Chambers for Municipal Court Proceedings 2. First Amendment to Lease Agreement with Newcastle for Municipal Court Administrative Offices 3. Original Lease Agreement with Newcastle for Municipal Court Administrative Offices
CITY COUNCIL PRIORITY:	n/a

AMOUNT OF EXPENDITURE	$ n/a
AMOUNT BUDGETED	$ n/a
APPROPRIATION REQUIRED	$ n/a

EXECUTIVE SUMMARY

The purpose of this agenda bill is to authorize the City Manager to execute the First Amendment to the Interlocal Agreement (Exhibit 1) and the First Amendment to the Lease Agreement (Exhibit 2) with the City of Newcastle for Mercer Island Municipal Court ("Municipal Court") operations.

- Following the permanent closure of Mercer Island City Hall, the Municipal Court moved court proceedings and administrative offices to the Kirkland Justice Center for seven months and then to Newcastle City Hall. The current Interlocal Agreement with the City of Newcastle for Council Chambers usage and the Lease Agreement for administrative office space both expire on December 31, 2026.
- The proposed amendments transition both agreements to a month-to-month term, effective January 1, 2027. Staff negotiated these updated terms.

- Financial terms under the First Amendment to the Lease Agreement remain structured as originally established: base rent will increase by 1% annually, and Mercer Island's proportionate share of operating costs under Section 6 of the original lease (Exhibit 3) will continue during the month-to-month term.

BACKGROUND

In April 2023, Mercer Island City Hall closed temporarily following the discovery of asbestos, forcing Municipal Court operations to suspend court proceedings until an alternate venue was secured.

In May 2023, court administrative staff temporarily relocated to the meeting room at Mercer Island Fire Station 91. Simultaneously, the City secured an agreement with the City of Kirkland for temporary, emergency use of its court facility through September 30, 2023.

At the July 18, 2023 meeting, the City Council determined that asbestos abatement costs outweighed the benefits of reopening City Hall, prompting staff to pursue longer-term facility arrangements for the Municipal Court. To bridge this transition, the City Council approved an extension with Kirkland through December 31, 2023 (AB 6344). During this period, operations remained split between court proceedings in Kirkland and administrative staff at Fire Station 91.

In November 2023, the City entered into an Interlocal Agreement and a Lease Agreement with the City of Newcastle to consolidate Mercer Island Municipal Court proceedings and administrative operations at Newcastle City Hall (AB 6362). Both initial agreements are scheduled to expire on December 31, 2026.

ISSUE/DISCUSSION

The City of Newcastle owns the Newcastle Professional Center (12835 Newcastle Way), where Newcastle City Hall is located. Newcastle utilizes the second floor for municipal operations, with Suite 301 on the third floor leased for Mercer Island Municipal Court administrative offices and Newcastle's second-floor Council Chambers serving as the courtroom location.

INTERLOCAL AGREEMENT FOR USE OF COUNCIL CHAMBERS

The proposed amendment to the Interlocal Agreement (Exhibit 1) transitions the term to a month-to-month agreement beginning January 1, 2027. Either party may terminate the agreement by providing 180 days' prior written notice.

Mercer Island Municipal Court will continue using Newcastle's Council Chambers on the following schedule:

- Second Monday of each month (8:30 AM – 3:00 PM): Hearing Newcastle cases.
- Every Tuesday (8:30 AM – 3:00 PM): Hearing Mercer Island cases.
- Third Wednesday and/or Thursday of each month (8:00 AM – 4:30 PM): Jury trials, as needed.

Under this agreement, Mercer Island remains responsible for:

1. Setting up and resetting the room for court and Council Chamber functions, as well as maintaining cleanliness after each use.
2. Providing necessary court security during MIMC proceedings.
3. Repairing any damage to the Council Chambers, restrooms, or surrounding City Hall areas caused during court operations.

FIRST AMENDMENT TO LEASE AGREEMENT FOR SUITE 301

The original lease agreement for Suite 301 (1,298 of rentable square feet of office space) expires December 31, 2026. The proposed First Amendment transitions the lease to a month-to-month arrangement beginning January 1, 2027. The base rent for office space is as follows:

Year	Sq Ft	Per Sq Ft Base Rent	Annual Base Rent	Monthly Base Rent
1 (2024)	1,298	$27.01	$35,058.98	$2,921.58
2 (2025)	1,298	$27.28	35,409.44	2,950.79
3 (2026)	1,298	$27.55	35,759.90	2,979.99
4 (2027)	1,298	$27.83	36,123.34	3,010.28

Under the current triple net (NNN) lease, Mercer Island will continue paying its pro-rata share of operating expenses (property insurance, maintenance, and taxes) pursuant to Section 6 of the original lease (Exhibit 3). The monthly NNN rate for 2026 is $1,412, and staff estimate the 2027 monthly rate will be $1,575.

As a tax-exempt municipal corporation under RCW 84.36.010, Mercer Island is exempt from leasehold excise taxes. Newcastle will not assess leasehold excise or property taxes as additional rent unless mandated by state law.

NEXT STEPS

Upon City Council approval, the City Manager will execute the First Amendment to the Interlocal Agreement and the First Amendment to the Lease Agreement with the City of Newcastle.

RECOMMENDED ACTION

1. Authorize the City Manager to execute the First Amendment to the Interlocal Agreement with the City of Newcastle for use of the Council Chambers for Mercer Island Municipal Court proceedings, substantially in the form attached as Exhibit 1.
2. Authorize the City Manager to execute the First Amendment to the Lease Agreement with the City of Newcastle for Suite 301 in the Newcastle Professional Center located at 12835 Newcastle Way, Newcastle, Washington, for Mercer Island Municipal Court administrative offices, substantially in the form attached as Exhibit 2.

FIRST AMENDMENT TO INTERLOCAL AGREEMENT
BETWEEN THE CITY OF NEWCASTLE AND THE CITY OF MERCER ISLAND
FOR USE OF THE CITY OF NEWCASTLE CITY HALL COUNCIL CHAMBERS

THIS AMENDMENT TO INTERLOCAL AGREEMENT FOR USE OF THE CITY OF NEWCASTLE CITY HALL COUNCIL CHAMBERS ("First Amendment"), dated September ___, 2026 is made and entered into by and between the City of Newcastle ("Newcastle") and the City of Mercer Island ("Mercer Island"), municipal corporations of the State of Washington ("City") (individual "Party" or collectively, "Parties") pursuant to and as authorized by the Interlocal Cooperation Act (Chapter 39.34 RCW).

WHEREAS, the Parties previously entered into an Interlocal Agreement for use of the City of Newcastle City Hall Council Chambers dated November 8, 2023 ("Agreement"); and

WHEREAS, the Parties desire to amend the Agreement to extend the term and change the term to month-to-month basis.

NOW, THEREFORE, the Parties mutually agreed as follows:

Section 1. **Amendment.** Section 4 Term/Termination is here by amended and restated as follows: **Term/Termination**. This Agreement shall commence on November 1, 2023 ~~and terminate on December 31, 2026~~. Beginning January 1, 2027, this Agreement shall automatically continue on a month-to-month basis. Provided, however, that Newcastle or Mercer Island may terminate the Agreement upon giving one hundred eighty (180) days written notice to the other Party.

Section 2. All other provisions of the Agreement not specifically amended by this First Amendment shall remain in full force and effect.

DATED this ____ day of September 2026.

CITY OF NEWCASTLE

_____
Scott Pingel, City Manager

APPROVED AS TO FORM:

_____
Curtis Chambers, City Attorney

CITY OF MERCER ISLAND

_____
Jessi Bon, City Manager

APPROVED AS TO FORM:

_____
Bio Park, City Attorney

FIRST AMENDMENT TO LEASE AGREEMENT

THIS FIRST AMENDMENT TO LEASE AGREEMENT (this "Amendment") is effective as of the later of the signature dates below (the "Effective Date"), and is by and between the CITY OF NEWCASTLE, a Washington municipal corporation ("Landlord"), and the CITY OF MERCER ISLAND, a Washington municipal corporation ("Tenant") (individually a "Party" and collectively the "Parties").

RECITALS:

A. Pursuant to that certain Lease Agreement dated November 8, 2023 (the "Lease"), Landlord leased to Tenant approximately 1,298 rentable square feet located on the third floor of that certain commercial office building commonly known as the Newcastle Professional Center, 12835 Newcastle Way, Newcastle, Washington, and identified as Suite 301 (the "Premises"). The Premises are depicted on Exhibit A to the Lease and located on the real property legally described on Exhibit B to the Lease.

B. The Initial Lease Term commenced on November 8, 2023, and, absent this Amendment, terminates on December 31, 2026 (the "Expiration Date").

C. The Parties desire to provide for a transition of the Lease to a month-to-month tenancy following the Expiration Date, to set forth their agreement as to Base Rent during such tenancy, and otherwise to amend the Lease as set forth herein.

NOW, THEREFORE, in consideration of the foregoing and the mutual covenants and agreements set forth herein, the Parties agree as follows:

1. **Extension of Term; Month-to-Month Tenancy.** Section 1.8 of the Lease is hereby amended to provide that, effective January 1, 2027, and continuing thereafter, the Lease shall convert from a fixed Initial Lease Term to a month-to-month tenancy (the "Month-to-Month Term"), terminable by either Party upon sixty (60) days' prior written notice to the other Party. Except as modified by this Amendment, all other terms, covenants, and conditions of the Lease shall continue to apply during the Month-to-Month Term.

2. **Base Rent.** Section 1.10 of the Lease is hereby amended to add the following Base Rent for Lease Year 4, reflecting a one percent (1%) increase over the Lease Year 3 per-square-foot rate, effective January 1, 2027:

Year	Sq Ft	Per Sq Ft Base Rent	Annual Base Rent	Monthly Base Rent
1 (2024)	1,298	$27.01	$35,058.98	$2,921.58
2 (2025)	1,298	$27.28	$35,409.44	$2,950.79
3 (2026)	1,298	$27.55	$35,759.90	$2,979.99
4 (2027)	1,298	$27.83	$36,123.34	$3,010.28

   For so long as the Month-to-Month Term continues beyond Lease Year 4, the per-square-foot Base Rent shall increase by one percent (1%) on each subsequent January 1, calculated by applying a one percent (1%) increase to the immediately preceding year's per-square-foot Base Rent, rounded to the nearest cent, consistent with the methodology set forth above.

3. **Additional Rent.** Tenant's obligation to pay Additional Rent (Tenant's Proportionate Share of Operating Costs) under Section 6 of the Lease shall continue unchanged during the Month-to-Month Term, including the annual estimate and reconciliation process set forth in Sections 6.1.8 and 6.1.9.

4. **Hazardous Substances.** Section 15.1 of the Lease is hereby amended to replace the phrase "that would not normally be associated with the practice of dentistry" with "that would not normally be associated with Tenant's Permitted Use."

5. **Recitals.** The Recitals are part of this Amendment and are incorporated herein by this reference.

6. **Capitalized Terms.** Except as otherwise defined herein, capitalized terms used in this Amendment shall have the meaning assigned to them in the Lease.

7. **Ratification.** Except as expressly modified herein, all terms and conditions of the Lease shall remain unchanged and in full force and effect, and the Lease, as amended hereby, is hereby ratified and confirmed.

8. **Counterparts.** This Amendment may be executed in multiple counterparts, each of which shall be deemed an original, and all of which when taken together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the Parties have executed this Amendment.

LANDLORD:	**TENANT:**
City of Newcastle,	City of Mercer Island,
a Washington municipal corporation	a Washington municipal corporation
By: _____	By: _____
Print Name: Scott Pingel	Print Name: Jessi Bon
Its: City Manager	Its: City Manager
Date: _____	Date: _____

CITY OF NEWCASTLE

LEASE AGREEMENT
Landlord

and

CITY OF MERCER ISLAND
Tenant

Suite 301

1. LEASE DATA; DEFINITIONS

1.1 Lease Commencement Date: The Lease Commencement Date as defined herein shall be November 8, 2023.

1.2 Landlord: City of Newcastle, a Washington municipal corporation, or its successors and/or assigns.

1.3 Tenant: City of Mercer Island, a Washington municipal corporation, or its successors and/or assigns.

1.4 Building; Building Manager: Newcastle Professional Center located at 12835 Newcastle Way, Newcastle, Washington (the "Building"); Landlord's Building Manager: Highpointe, Inc., 18506 NW Montreux Dr., Issaquah, WA 98027.

1.5 Land/Legal Description: See **Exhibit B,** which is attached hereto and incorporated by reference herein.

1.6 Premises: Suite Number 301 on the third (3rd) floor of the Building (the Premises"). It is hereby agreed between the parties hereto that the Premises contains One Thousand Two-hundred and Ninety-eight (1,298) **rentable square feet** of floor area. A floor plan of the Premises is outlined on **Exhibit A,** which is attached hereto and incorporated by reference herein.

1.7 Tenant's Proportionate Share: Tenant's Proportionate Share is a fraction, the numerator of which is One Thousand Two-hundred and Ninety-eight (1,298) rentable square feet, the square footage of the Premises and the denominator of which is Sixteen Thousand One Hundred Sixty-Four (16,164) rentable square feet, the agreed square footage of the Building. It is hereby agreed between the parties hereto that the *Tenant's Proportionate Share* shall be **Eight and three hundredths (8.03%) percent.**

1.8 Initial Lease Term: The "Initial Lease Term" shall commence upon November 8, 2023 (the "Commencement Date"). The Initial Lease Term shall expire on December 31, 2026, (the "Expiration Date").

1.9 Rent Commencement Date: Except as may otherwise be provided herein**,** the Rent Commencement Date shall be November 8, 2023.

1.10 Base Rent: Tenant agrees to pay Landlord, or to such other parties Landlord may hereinafter designate, as minimum rent ("Base Rent"), without offset or deduction, the following sums:

Lease Year	Sq Ft	Per Sq Ft Base Rent	Annual Base Rent	Monthly Base Rent
1	1,298	$27.01	$35,058.98	$2,921.58
2	1,298	$27.28	$35,409.44	$2,950.79
3	1,298	$27.55	$35,759.90	$2,979.99

Tenants expressly acknowledges and agrees that this is a triple net (NNN) lease. At all times hereto, Tenant shall pay its *pro rata* share of Operating Expense as required by Section 6 of this Lease.

1.11 Permitted Use: General Office Space, municipal and governmental agency purposes.

1.12 Notice and Payment Addresses: Unless otherwise specified in writing, Landlord's notice/payment address shall be its Building Manager, and Tenant's notice address shall be the Premises.

1.13 Parking: Parking is provided on an unreserved, "first-come, first-serve" basis.

1.14 Project: The term "Project" shall mean the building(s) and other improvements located on the land from time to time and commonly known as the Newcastle Professional Center.

2 GRANT.

Subject to the terms of this Lease, Landlord leases to Tenant, and Tenant leases from Landlord, the Premises specified in Subsection 1.6 herein together with rights of ingress and egress over and across the Projects common areas.

3 RENT.

3.1 Payment. Tenant shall pay the Base Rent specified in Subsection 1.10, the Additional Rent specified in Section 6 below, and all other charges due under this Lease, without demand, deduction, or offset, in advance, on or before the first day of each month. Rent shall be paid to Landlord's Building Manager, or to such other person or place as may be designated by Landlord from time to time. For purposes of this Lease, Base Rent, Additional Rent, and all other amounts payable by Tenant to Landlord are collectively referred to in this Lease as "Rent," and are deemed to constitute rent for the purpose of all applicable laws. Rent for any partial month shall be prorated.

3.2 Late Charge/Interest. If any payment is not received by Landlord within ten (10) days after the due date, Tenant shall pay Landlord, in addition to the Rent due, a Late Charge equal to five percent (5%) of the delinquent amount. In addition, if payment is not received by Landlord within ten (10) days after the due date, then the delinquent amount will bear interest at a rate equal to one and one-half percent (1.5%) per month, or the highest rate permitted by law, whichever is less, calculated from the due date to the date full payment is received by Landlord.

3.3 Acceptance of Partial Payment. Landlord's acceptance (through negotiation of Tenant's check or otherwise) of less than the full amount of Rent or other sums due will not be deemed an accord and satisfaction unless Landlord specifically agrees in writing to the contrary.

4 USES.

4.1 Permitted Use. The Premises may be used only for the Permitted Use specified in Subsection 1.11, and for no other purpose without Landlord's prior written consent.

4.2 Compliance with Laws. No act shall be done in or about the Premises that is unlawful or that will increase insurance rates on the Building. Tenant shall not commit or permit any waste, or any public or private nuisance, or other act which disturbs other tenants in the Building. Tenant shall comply with all laws, regulations, ordinances, codes or conditions relating to its use of the Premises and shall observe Landlord's rules and regulations for the Building.

4.3 Signage. So long as Tenant occupies the Premises, Tenant, at **Landlord's** expense, shall have the right to have its business name displayed on the Building directory located in the first floor Building lobby and the entry door, where the Premises are located, all in the Building's standard size, typeface, materials, and locations, which shall be determined by Landlord. Tenant shall not place or display any other sign, notice, picture, placard or poster, or any advertising material whatsoever, visible either directly or indirectly (as an outline or shadow on a glass pane) from anywhere outside the Premises without first obtaining Landlord's prior written consent. Any consent by Landlord shall be upon the condition that Tenant will remove the signage/advertising promptly on Landlord's request, and in any event at the expiration or sooner termination of this Lease; that Tenant shall repair any damage to the Premises or the Building caused thereby and that any such signage/advertising comply with Landlord's requirements as to size, materials and design. Tenant shall pay the costs associated with any other signage approved by Landlord. Tenant shall also pay the costs for any changes requested by Tenant to the Building directory.

Provided however, notwithstanding anything to the contrary herein, Landlord in its discretion and at its' expense, shall install a monument sign as well as lobby and suite entry signage.

5 SERVICES AND UTILITIES.

5.1 Standard Services. Landlord will maintain the Premises and the common areas of the Building, such as lobbies, elevators, stairs, corridors and restrooms, in reasonably good condition. Between 7:00 a.m. and 6:00 p.m., Monday through Friday, and between 8:00 a.m. and 1:00 p.m. Saturday (excluding holidays), Landlord will furnish the Premises with HVAC service. Landlord will also provide light replacement service for landlord-furnished lighting fixtures (excluding those within the Premises), toilet room supplies, and window washing (excluding re-lites) at reasonable intervals. **Tenant shall provide and pay for janitorial services and supplies** within the Premises. Tenant shall have 24 hours per day, 7 days per week access to the Premises.

5.2 Additional Services. Before installing any equipment or lights in the Premises that generate, in combination with all other lights and equipment in the Premises, more than 2.5 watts per square foot of floor area, or which consume more electricity than the typical complement of office machinery, or use of medical/**dental equipment** Tenant shall obtain Landlord's prior written permission. Landlord may refuse to grant such permission if, in its judgment, the amount of heat so generated would place an above average burden on the HVAC or electrical systems for the Building. Landlord may require Tenant to agree to pay as Additional Rent amounts reasonably determined by Landlord to cover the additional installation and maintenance costs, as well as increased HVAC **and/or utilities** costs generated by Tenant's equipment and lights. Landlord shall be entitled to install and operate, at Tenant's cost, a monitoring/metering system in the Premises to measure the added demands on electricity and HVAC systems.

5.3 Interruption of Services. In the event of an interruption or failure of Building services, Landlord will use reasonable diligence to restore such service; however, Landlord will in no event be liable for any damages to business, persons or property directly or indirectly resulting from any variation, interruption, or failure of such services. No temporary interruption or failure of services incident to the making of repairs, alterations, or improvements, or due to accident or strike, or events beyond Landlord's control shall be deemed a default by Landlord or a constructive eviction of Tenant, nor shall such interruption or failure of services relieve Tenant from any of its obligations/responsibilities under this Lease.

6 ADDITIONAL RENT.

Tenant shall pay to Landlord, as Additional Rent, Tenant's Proportionate Share, as defined in Subsection 1.7 of this Lease, of Landlord's Operating Costs, as more specifically set forth in this Section 6.

6.1 Definitions.

6.1.1 Lease Year means the calendar year commencing January 1 and ending December 31.

6.1.2 Operating Costs Definition. The Operating Costs are hereby defined as all costs related to the ownership, administration, management, maintenance, and operation of the Building, the Common Areas, the Project, as well as the Land, including but not limited to:

6.1.2.1 Real estate taxes, assessments, and appeals of taxes and assessments on the Project, the Building or any parts thereof (including the Land, Common Areas, and buildings), and personal property taxes associated with personal property used in the operation of the Project or any part thereof.

6.1.2.2 The total annual net costs and expenses of insuring lands, buildings, improvements and equipment, and other property in or forming part of the Project including, but not limited to, earthquake and flood insurance, in such manner and form and with such companies and with

such coverage and deductibles and in such amounts as the Landlord may from time to time determine;

6.1.2.3 Special taxes, licenses (other than taxes on income or profits), and permits and inspection fees from time to time payable by the Landlord with respect to the Project;

6.1.2.4 Salaries and wages (including employee benefits, worker's compensation, pension plan contributions, fringe benefits, severance pay, termination payments and similar payments and contributions) paid or payable to all personnel, including supervisory personnel and managers, and all costs of obtaining such personnel, to the extent that they are employed in connection with the operation or maintenance of the Project or any part thereof and further including the cost of building and cleaning supplies, tools and equipment, employee uniforms, dry cleaning expenses and communication devices related to such personnel or employees, together with the costs of independent service contracts incurred in cleaning, maintenance and operation of the Project including without limitation policing, security, supervision, traffic control, **common area janitorial**, exterior and lobby window cleaning, waste collection, recycling, snow removal and gardening services, maintenance of mechanical and electrical systems, elevators (if applicable), fire and life safety systems, fire extinguishers;

6.1.2.5 Lighting, electricity, public utilities, loudspeakers, public address and musical broadcasting systems, telephone answering service facilities and systems and information facilities and systems used in or serving the Project, including the cost of any electricity, fuel, water, telephone, steam, gas, sewage disposal, heating, ventilating, air conditioning or other utilities and services and the cost of replacing the standard electric light fixtures, ballasts, tubes, starters, lamps, light bulbs and controls of the Project;

6.1.2.6 The cost and charges of the rental and any contract for the rental of any equipment and signs used by the Landlord in the operation or maintenance of the Project;

6.1.2.7 All repairs and replacements to and maintenance and operation of the Project or any part thereof including, without limitation, building exteriors (including painting) signs and directories, repairing and replacing roofs, walls, and the systems, facilities and equipment serving the Project, save for the cost of repairing or replacing any inherent structural defects or weaknesses;

6.1.2.8 Depreciation or amortization as determined by the Landlord in accordance with generally accepted accounting principles ("GAAP");

6.1.2.9 The costs and expenses, including repair and replacement, incurred in or attributable to the repairing or replacing of all fixtures, equipment, and facilities serving or comprising the Project or any part thereof or which are reasonably responsive to requirements imposed with respect to any applicable health, safety, fire, nondiscrimination or similar law or regulation unless they are, in accordance with generally accepted accounting principles, charged fully in the year in which they are incurred; and

6.1.2.10 In any given period a portion of the capital cost of and installation cost of any machinery, equipment or devices installed in, or utilized in connection with, any part of the Project for the purpose of saving energy or effecting other savings in the Operating Costs thereafter, whether installed in the Project in the first instance as part of its original design, or thereafter, which portion shall be determined by the Landlord amortizing the cost over the reasonable expected life of same determined by the Landlord;

6.1.2.11 Interest calculated at five (5) percentage points above the average prime commercial lending rate of the Landlord's bank (which shall be a major bank in the State of Washington) existing at the end of each calendar month and calculated on an annual basis upon the undepreciated or unamortized portion of the costs referred to in (6.1.2.7) above;

6.1.2.12 Attorney fees, accounting and systems costs, and audit fees related to the operation and maintenance of the Project;

6.1.2.13 The fair market rental value (having regard to rent being charged for similar space including Additional Rent as defined herein) of premises used by the Landlord or its property manager, acting reasonably, in respect of the operation, maintenance, administration or management of the Project; and,

6.1.2.14 An administration fee or actual management fees and/or management agent fees, together with the administrative charges of a management company, if any, for the Project or any part of it, provided that if the Landlord chooses to manage the Project itself, the Landlord shall be entitled to charge a management fee in an amount which would be charged by a first-class real estate management company for management of an office park similar to the Project;

Provided, however, that Operating Costs **shall not include:**

6.1.2.15 Depreciation or amortization save as expressly set out above;

6.1.2.16 Amounts charged to interest on debt or capital retirement of debt;

6.1.2.17 Initial capital costs of constructing the Project;

6.1.2.18 Debt service costs;

6.1.2.19 Any taxes on the income or profits (other than on rents) of the Landlord to the extent that the same are not imposed in lieu of real estate taxes; or

6.1.2.20 Costs incurred by the Landlord in leasing the Project, including commissions, legal costs, advertising costs and tenant inducement concessions/payments;

6.1.2.21 Except as otherwise provided herein, any cost which would be treated as a capital cost in accordance with generally accepted accounting principals;

6.1.2.22 Any special services provided to other tenants should also apply without charge and in a similar fashion;

and further provided that there shall be credited against Operating Costs all net proceeds from policies of insurance, warranties, or guarantees to the extent (but only to the extent) that such proceeds reimburse the Landlord for costs of repair and replacement which have previously been included in the calculation of Operating Costs.

In addition, if any facilities, services, systems, or utilities:

(i) For the operation, maintenance, administration, management, repair or replacement of the Project are provided from another building or buildings owned or operated by the Landlord or its agent; or

(ii) For the operation, maintenance, administration, management, repair or replacement of another building or buildings owned or operated by the Landlord or its agent are provided from the Project,

then the costs, charges, and expenses, therefore, shall for the purpose of calculation of Operating Costs, be allocated by the Landlord between the Project and the other building or buildings on a reasonable basis.

6.1.4 Operating Costs Allocable to the Premises means the Tenant's Proportionate Share of Operating Costs in a Lease Year as specified in Subsection 1.7 herein.

6.1.5 Estimated Operating Costs Allocable to the Premises means Landlord's estimate of Operating Costs Allocable to the Premises for the following Lease Year.

6.1.6 Base Amount means the Operating Costs Allocable to the Premises for the Base Year.

6.1.7 Property Taxes means all real property taxes and personal property taxes, charges and assessments levied with respect to the Land, the Building, and any improvements, fixtures and equipment and all other property of Landlord, real or personal, located in or on the Building and used in connection with the operation of the Building and the Land.

6.1.8 Payment of Additional Rent Based on Estimated Operating Costs. In each month of each Lease Year subsequent to the Base Year, Tenant shall pay, as Additional Rent, one-twelfth (1/12) of the amount, if any, by which the Estimated Operating Costs Allocable to the Premises for such Lease Year exceeds the Base Amount. If during such Lease Year, it appears to Landlord that the actual Operating Costs Allocable to the Premises will vary from Landlord's estimate by more than five percent (5%), Landlord may, by written notice to Tenant, revise its estimate for such Lease Year and Additional Rent payments by Tenant for that Lease Year will be based upon Landlord's revised estimate. Landlord shall use reasonable efforts to provide Tenant with a statement of Estimated Operating Costs Allocable to the Premises within ninety (90) days after commencement of each Lease Year, and if no such statement is provided, Tenant shall continue to pay the amount of Estimated Operating Costs Allocable to the Premises set forth in the previous statement until a new statement is provided.

6.1.9 Reconciliation Based on Actual Operating Costs. Landlord will use reasonable efforts to deliver to Tenant, within 90 days after the close of each Lease Year, a statement of the actual Operating Costs Allocable to the Premises for the preceding Lease Year, although Landlord's failure to deliver such statement within ninety (90) days shall not be construed as a waiver of Tenant's obligation to pay for actual Operating Costs in excess of Estimated Operating Costs. If such costs for any Lease Year exceed the estimated payments made by Tenant to Landlord for such Lease Year, Tenant shall pay such excess to Landlord within thirty (30) days after receipt of Landlord's invoice. If such statement shows that actual Operating Costs allocable to the Premises are less than the amount paid by Tenant to Landlord pursuant to Section 6.1.8, then the amount of such overpayment will be credited by Landlord against the next Rent due.

6.1.10 Pro-Rating Additional Rent. If this Lease commences on a day other than January 1, then the Operating Costs Allocable to the Premises with respect to the initial Lease Year will be prorated on the basis by which the number of months from the beginning of the month in which the commencement of this Lease occurs to the end of the Lease Year bears to 12.

6.1.11 Payment of Additional Rent Based on Property Taxes. If the amount of Property Taxes on the Land and the Building payable in a calendar year during the Lease term exceeds the amount of such taxes payable in the calendar year the Lease term commenced, then Landlord shall notify Tenant in writing and Tenant shall within 30 days of receipt of such notice reimburse Landlord for Tenant's

Proportionate Share of such excess. Commencing on and retroactive to January 1 of each calendar year, one-twelfth (1/12th) of the amount so determined shall be paid by Tenant to Landlord as Additional Rent on the first day of each month during the ensuing one-year period (or for the balance of the Lease term if it is then less than one year).

7. TAX ON RENTALS; TENANT'S PERSONAL PROPERTY TAXES.

7.1 Tax on Rentals. If any tax is placed on Rent payable under this Lease or accruing from use of property, or such a tax in any form against Landlord measured by income derived from the rental of the Building, such tax shall be paid by Tenant either directly or through Landlord; provided, however, that Tenant will not be liable to pay any net income tax imposed on Landlord.

7.2 Personal Property Taxes. Tenant shall pay prior to delinquency all personal property taxes payable with respect to all property of Tenant located on or in the Premises, or in the Building, and shall provide promptly upon request of Landlord written proof of payment.

7.3 Tenant Exempt from Leasehold Excise Taxes. As a municipal corporation that is exempt from property taxes pursuant to RCW 84.36.010, the Tenant is exempt from all leasehold excise taxes. Under this Lease, the Landlord will not charge or collect any leasehold excise tax or Property Taxes as Additional Rent from the Tenant, unless required by law.

8 ALTERATIONS AND CARE OF PREMISES.

8.1 Tenant's Duty. Tenant shall take good care of the Premises and shall promptly make all necessary repairs and maintenance. All damage to the Premises or Building (including windows and doors) caused directly or indirectly by Tenant, or Tenant's employees, agents, independent contractors, licensees or invitees, shall be promptly paid for by Tenant. If Tenant fails to maintain the Premises as required by this Lease, Landlord may at any time and at its option, cause the same to be put in the condition Landlord deems appropriate, and in such case, upon receipt of Landlord's invoice, Tenant shall, within ten (10) days, pay to Landlord the entire cost of those repairs as Additional Rent. Pursuant to Section 10, Landlord shall have the right to enter the Premises for the purpose of undertaking such work upon the failure of Tenant to do so.

8.2 Alterations. Except as provided in Subsection 9.3 Tenant may not, without first obtaining Landlord's written consent and, when required by Landlord provide Landlord with drawings, plans and specifications prepared at Tenant's expense and approved by Landlord, (a) make alterations to the Premises, (b) install, modify, replace or in any way change any floor or wall covering, ceiling, lighting, fixtures, plumbing, wiring, or signage, (c) install, modify, replace or in any way change curtains, draperies or other hangings on or beside the windows. Tenant may not change locks to any doors between the Premises and Building Common Areas under any circumstances without the prior written permission of Landlord or its representative. Tenant shall assure any approved lock changes are keyed to the building master key. Tenant shall be solely responsible for making sure that its alterations to the Premises comply with all laws, including applicable provisions of the Americans with Disabilities Act, 42 U.S.C. Ch. 126 (the "ADA"). Landlord's approval of Tenant's drawings, plans and specifications shall create no responsibility or liability on the part of Landlord for compliance with applicable laws, regulations or ordinances, including the ADA. Tenant shall reimburse Landlord for any reasonable sums expended for examination and approval of the architectural and mechanical plans and specifications for alterations. Tenant shall reimburse Landlord for its direct reasonable costs incurred during any inspection or supervision of the alterations. All approved work shall be at Tenant's expense and shall be performed by workmen and contractors approved by Landlord. Landlord's consent may be withdrawn by written notice to Tenant if, in Landlord's reasonable judgment, Tenant's contractors, workmen or suppliers are interfering with workmen or contractors of Landlord or of another tenant.

8.3 Normal Wear and Tear. Except as otherwise provided herein, all repairs necessitated by normal wear and tear in order to maintain the Premises and the Building in a tenantable condition shall be performed by or under the direction of Landlord and included in Operating Cost. Landlord shall be the sole judge of necessary repairs.

8.4 Notice of Damage. Tenant shall promptly inform Landlord and Landlord's Building Manager of any damage to the Premises or Building, whether or not caused by Tenant.

9 ALTERATIONS—ADDITIONAL CONSTRUCTION—OWNERSHIP OF IMPROVEMENTS

9.1 Tenant Improvements. Tenant shall complete all Tenant Improvements utilizing contractors of its choosing.

9.2 Exterior Appearance. Except as otherwise provided herein Landlord shall have the right, in Landlord's sole discretion, to control any alterations to or installations on the exterior of the Premises, including but not limited to exterior shades, awnings, window coverings, lights and canopies.

9.3 Additional Construction. During the Term of this Lease, Tenant shall have the right to make non-evasive alterations, additions and improvements to the interior of the Premises; provided, however, any such alterations, additions or improvements to the Premises, or to the structural portions of the Building in which the Premises are located, shall **not** be made by Tenant **without the prior written consent of Landlord (See Subsection 8.2 above).**

9.4 Ownership of Improvements. Improvements attached to the Premises become the property of the Building/Landlord and may not be removed without the prior written approval of Landlord which approval may be subject to the Tenant's paying for the cost of repairs resulting from the removal of such improvements. All trade fixtures and equipment placed on the Premises by Tenant which are not attached to the Premises, and any alterations or replacements thereof, shall remain the property of, and may be removed by, Tenant. Upon the expiration or earlier termination of this Lease, any such property belonging to Tenant which Tenant has failed to remove from the Premises within thirty (30) days of said expiration or termination shall become the property of Landlord. Landlord may thereafter elect to remove and dispose of such property at tenant's cost and expense. Should Tenant remove any fixture, or any alteration or replacement thereof, which was affixed to the Premises and placed there by Tenant, then Tenant, at its sole cost and expense, shall repair any damage to the Premises caused by such removal.

10 ACCESS TO PREMISES.

Tenant shall permit Landlord, Landlord's Building Manager, and any other persons designated by Landlord, to enter the Premises at all reasonable times for inspection purposes, or for the purpose of cleaning, repairing, altering or improving the Premises or the Building, or for the purpose of showing the Premises to prospective tenants. When necessary, Landlord may temporarily close entrances, doors, corridors, elevators or other facilities without liability to Tenant by reason of such closure and without such action by Landlord being construed as a constructive eviction of Tenant, or relieving or releasing Tenant from the duty of observing each provision of this Lease. Landlord shall not be liable for the consequences of admitting by passkey or refusing to admit to the Premises Tenant or any of Tenant's agents or employees.

11 DAMAGE OR DESTRUCTION.

11.1 Damage and Repair. If the Premises or Building are rendered untenable by fire or other casualty, either wholly or in part, Landlord may, at its option, either (a) terminate this Lease, or (b) repair the damages. If the Premises are damaged, the Rent shall be abated in the same proportion as the untenable portion of the Premises bears to the whole thereof during the period of the damage unless the damage directly or indirectly results from, any act or omission of Tenant, or its officers, contractors, licensees, agents, servants, employees, guests, invitees or visitors. If, within ninety (90) days after Landlord's receipt of Tenant's written notice that Tenant deems the Premises wholly or partially untenable, Landlord fails to notify Tenant of its election to restore the Premises, then Tenant may, at its option, terminate the Lease subject to the provisions set forth below. Tenant, in order to so

terminate, must provide written notice to Landlord by certified mail of its intention to terminate within thirty (30) days after the expiration of said ninety (90) day period. If Tenant gives notice of its intention to terminate the Lease as provided above, the Lease shall terminate thirty (30) days after Landlord's receipt of the notice unless within said thirty (30) day period Tenant receives notice of Landlord's election to restore. If Landlord elects to restore the Premises, Landlord shall proceed with reasonable diligence to restore the Premises.

11.2 Business Interruption. No damages, compensation or claim including, but not limited to consequential damages, shall be payable by Landlord for inconvenience, loss of business or annoyance arising from any repair or restoration of any portion of the Premises or of the Building.

11.3 Tenant Improvements and Tenant's Personal Property—Damage-Insurance. Landlord will not carry insurance of any kind for the protection of Tenant or for any improvements paid for by Tenant or on Tenant's furniture or on any fixtures, equipment, improvements or appurtenances of Tenant, and Landlord shall not be obligated to repair any damage thereto or replace the same.

12 INDEMNIFICATION

12.1 Tenant shall indemnify, defend and hold Landlord harmless from all claims arising from Tenant's use of the Premises or the conduct of its business or from any activity, work, or thing done, permitted or suffered by Tenant in or about the Premises or the Project. Tenant shall further indemnify, defend and hold Landlord harmless from all claims arising from any breach or default in the performance of any obligation to be performed by Tenant under the terms of this Lease, or arising from any act, neglect, fault or omission of Tenant or of its agents or employees, and from and against all costs, attorneys' fees, expenses, and liabilities incurred in or about such claim or any action or proceeding brought thereon. In case any action or proceeding shall be brought against Landlord by reason of any such claim, Tenant, upon notice from Landlord, shall defend the same at Tenant's expense by counsel approved in writing by Landlord; provided that the foregoing provision shall not be construed to make Tenant responsible for loss, damage, liability or expense resulting from injuries to third parties caused by the negligence of Landlord, or its officers, contractors, agents or employees. In the event of concurrent negligence of Tenant, its sub lessee(s), assignee(s), invitee(s), agent(s), employee(s), contractor(s), or licensee(s) on the one hand, and that of Landlord, its agent(s), employee(s), or contractor(s) on the other hand, which concurrent negligence results in injury or damage to persons or property of any nature and howsoever caused, and relates to the construction, alteration, repair, addition to, subtraction from, improvement to or maintenance of the Premises, Common Areas, or Building, Tenant's obligation to indemnify Landlord as set forth in this Subsection shall be limited to the extent of Tenant's negligence, and that of Tenant's sub lessee(s), assignee(s), invitee(s), agent(s), employee(s), contractor(s) or licensee(s), including Tenant's proportional share of costs, attorneys' fees and expenses incurred in connection with any claim, action or proceeding brought with respect to such injury or damage. Tenant agrees that it will not assert its industrial insurance immunity if such assertion would be inconsistent with Landlord's right to indemnification from Tenant pursuant to this Subsection. The parties agree that this provision was mutually negotiated.

12.2 The indemnification obligations contained in this Lease shall not be limited by any worker's compensation, benefits or disability laws and Tenant hereby waives any immunity that Tenant may have under the Industrial Insurance Act, Title 51 RCW and similar worker's compensation benefit or disability laws.

12.3 Landlord shall indemnify, defend and hold Tenant harmless from all claims arising from Landlord's work in or about the Common Area. Landlord shall further indemnify, defend and hold Tenant harmless from all claims arising from any breach or default in the performance of any obligation to be performed by Landlord under the terms of this Lease, or arising from any act, neglect, fault or omission of Landlord or of its agents or employees, and from and against all costs, attorneys' fees, expenses, and liabilities incurred in or about such claim or any action or proceeding brought thereon. In case any action or proceeding shall be brought against Tenant by reason of any such claim, Landlord, upon notice from Tenant, shall defend the same at Landlord's expense by counsel retained by Landlord, provided that the foregoing provision shall not be construed to make Landlord responsible

for loss, damage, liability or expense resulting from injuries to third parties caused by the negligence of Tenant, or its officers, contractors, agents or employees.

12.4 LANDLORD AND TENANT ACKNOWLEDGE BY THEIR EXECUTION OF THIS LEASE THAT EACH OF THE INDEMNIFICATION, RELEASE AND WAIVER PROVISIONS OF THIS SECTION 12 (SPECIFICALLY INCLUDING BUT NOT LIMITED TO THOSE RELATING TO WORKERS' COMPENSATION BENEFITS AND LAWS) WAS SPECIFICALLY NEGOTIATED AND AGREED TO BY LANDLORD AND TENANT.

13 TENANT'S INSURANCE

13.1 Tenant shall, during the term hereof and any other period of occupancy, at its sole cost and expense, keep in full force and affect the following insurance:

13.1.1 Commercial General Liability Insurance insuring Tenant against any liability arising out of lease, use, occupancy or maintenance of the Premises and all areas appurtenant thereto. Such insurance shall be in the amount of not less than **One Million and No/100 Dollars ($1,000,000.00)** Combined Single Limit for injury to, or death of one or more persons in an occurrence, and for damage to tangible property (including loss of use) in an occurrence. The policy shall insure the hazards of Premises and operations, independent contractors, contractual liability (covering the indemnity contained in Section 12 hereof and shall (1) name Landlord as an additional insured, and (2) contain a provision that "the insurance provided Landlord hereunder shall be primary and non-contributing with any other insurance available to Landlord;"

13.1.2 Proper coverage for full replacement cost covering all personal property (including but not limited to, contents**, furniture, fixtures, tenant improvements**, alterations, additions, and betterments to the Premises) for specified perils cause of loss; and,

13.1.3 Any other forms of insurance and in such amounts as Landlord, or any mortgagees of Landlord may require from time to time.

13.2 All policies shall be written in a form satisfactory to Landlord and shall be taken out with insurance companies holding a General Policyholders Rating of "A" and a Financial Rating of "A5" or better, as set forth in the most current issue of Bests Insurance Guide. Within five (5) days after occupancy of the Premises, Tenant shall deliver to Landlord copies of policies or certificates evidencing the existence of the amounts and forms of coverage satisfactory to Landlord. No such policy shall be cancelable or reducible in coverage except after thirty (30) days prior written notice to Landlord. Tenant shall within ten (10) days prior to the expiration of such policies, furnish Landlord with renewals or "binders" thereof, or Landlord may order such insurance and charge the cost thereof to Tenant as Additional Rent. If Landlord obtains any insurance that is the responsibility of Tenant under this Section 13, Landlord shall deliver to Tenant a written statement setting forth the cost of any such insurance and showing in reasonable detail the manner in which it has been computed. The insurance and coverage requirements in this Lease Agreement shall be deemed satisfied upon Tenant's presentation of an Evidence of Coverage letter evidencing Tenant's membership in a municipal self- insurance pool.

14 WAIVER OF SUBROGATION.

14.1 Release and Waiver. Whether any loss or damage is due to the negligence of either Landlord or Tenant, their agents or employees, or any other cause, Landlord and Tenant hereby release the other and any other tenant, their agents or employees, from responsibility for, and waive their entire claim of recovery for (a) any loss or damage to the Building or the property of either located anywhere in the Building arising out of or incident to the occurrence of any of the perils which may or should be covered by their respective insurance policies required under the terms and conditions of this Lease, or (b) any loss resulting from business interruption at the Premises or loss of rental income from the Building, arising out of or incident to the occurrence of any of the perils which may be covered by

business interruption or rental income insurance policies held by either party. Each party shall cause its insurance carriers to consent to such waiver and to waive all rights of subrogation against the other party.

15 HAZARDOUS SUBSTANCES.

15.1 Environmental Indemnity. Tenant shall not, without Landlord's prior written consent, cause or permit any Hazardous Substances to be brought upon, kept or used in or about the Premises, Building or Land that would not normally be associated with the practice of dentistry. If Tenant breaches its obligations set forth herein, or if the presence of Hazardous Substances on or about the Premises, Building, or Land caused or permitted by Tenant results in contamination for which Tenant or Landlord may be legally liable, then Tenant shall indemnify, defend and hold Landlord harmless from and against all claims, judgments' damages, penalties, fines, costs, liabilities, or losses arising out of or in connection therewith. Tenant's obligations under this Section shall survive the expiration or termination of this Lease.

15.2 Hazardous Substances Defined. Hazardous Substances shall mean: (i) those substances included within the definitions of "hazardous substances," "hazardous materials," "toxic substances," or "solid waste" in CERCLA, as amended by Superfund Amendments and Reauthorization Act of 1986 (Publ. L. 99-499 100 Stat. 1613) ("SARA"), the **Resource** Conservation and Recovery Act of 1976 (42 U.S.C. § 6901 et seq.) ("RCRA"), and the Hazardous Materials Transportation Act, 49 U.S.C. § 1801 et seq., and in the regulations promulgated pursuant to said laws, all as amended; (ii) those substances listed in the United States Department of Transportation Table (49 CFR 172.101 and amendments thereto) or by the Environmental Protection Agency (or any successor agency) as hazardous substances (40 CFR Part 302 and amendments thereto); (iii) any material, waste or substance which is (A) petroleum, (B) asbestos, (C) polychlorinated biphenyl, (D) designated as a "hazardous substance" pursuant to Section 311 of the Clean Water Act, 33 U.S.C. 1251 et seq. (33 U.S.C. § 1321) or listed pursuant to Section 307 of the Clean Water Act (33 U.S.C. § 1317); (E) flammable explosives; or (F) radioactive materials; (iv) those substances defined as "dangerous wastes," "hazardous wastes" or as "hazardous substances" under the Water Pollution Control Act, RCW 90.48.010 et seq., the Hazardous Waste Management Stature, RCW 70.105.010 et seq., and the Toxic Substance Control Act (Senate Bill No. 6085) RCW 70.105B.010 et seq., the Model Toxics Control Act, RCW 70.105D.010 et seq., and the Toxic Substance Control Act, 15 U.S.C. § 2601 et seq., and in the regulations promulgated pursuant to said laws all as amended; and (v) such other substances which are or become regulated or classified as hazardous or toxic under applicable local, state or federal laws or regulations.

16 ASSIGNMENT AND SUBLETTING.

16.1 General. Except as otherwise provided herein, Tenant shall not, either voluntarily or by operation of law, assign, hypothecate or transfer this Lease, or sublet the Premises or any part thereof, ("Transfer") without the prior written consent of Landlord in each instance, which consent shall not be unreasonably withheld. No Transfer shall relieve **Tenant** of any liability under this Lease. Consent to any Transfer shall not operate as a waiver of the necessity for consent to any subsequent Transfer. Any sale, assignment, hypothecation or Transfer of this Lease or subletting of the Premises that is not in compliance with the provisions of this Section 16 shall be void and shall, at the option of Landlord, terminate this Lease. Each *request* for an assignment or subletting must be accompanied by a review and processing fee, in the *minimum* amount of Five Hundred Dollars ($500.00), in order to reimburse Landlord for expenses, including attorneys' fees, incurred in connection with such request.

16.2 Entity Ownership. If Tenant is not a natural person, transfer of the right of the owner of Tenant, or the owner of any affiliated entity which directly or indirectly controls Tenant, shall constitute a transfer of this Lease, regardless of how such control is transferred. By way of example, any transfer, redemption, or new issuance of voting stock of a corporation which results in a change in the identity of the majority shareholder constitutes a transfer of control, and in the case of a Limited Partnership, change in the identity of the general partner would constitute a transfer of control. Whether material control has been transferred shall be judged in light of the governing documents of the entity in question. This Subsection 16.2 shall not apply to any Tenant corporation, the outstanding voting stock of which is listed on a national securities exchange or actively traded over-the-counter.

16.3 Assignee/Sub-Tenant Obligations. As a condition to Landlord's approval, any potential assignee or sub-tenant shall assume all obligations of Tenant under this Lease, and any amendments thereto, and shall be jointly and severally liable with Tenant and any guarantors hereof for the payment of Rent and performance of all terms, covenants and conditions of this Lease. In connection with any sublease or assignment, Tenant shall provide Landlord with copies of all assignments, subleases and assumption instruments.

17 LIENS AND INSOLVENCY.

17.1 Liens. Tenant shall keep the Premises and the Building free from any liens arising out of any work performed and materials ordered, or obligations incurred by or on behalf of Tenant. In the event any lien is filed against the Building, the Land or the Premises by any person claiming by, through or under Tenant, Tenant shall be in Default hereunder; provided however, Tenant shall not be in Default if Tenant furnishes immediately to Landlord (at Tenant's expense), a bond in form and amount and issued by a surety reasonably satisfactory to Landlord, indemnifying Landlord, the Land and the Building against all liability and expenses, including attorneys' fees, which Landlord could possibly incur as a result of said lien. Landlord shall, at all times, have the right to post notices of non responsibility on or around the Premises and/or record such notices in the county where the Building is located.

17.2 Insolvency. If Tenant becomes insolvent (not being able to pay existing obligations in due course and a timely manner), voluntarily or involuntarily bankrupt, or if a receiver, or assignee or other liquidating officer is appointed for the business of Tenant, then Landlord may terminate Tenant's right of possession under this Lease at Landlord's option and in no event shall this Lease or any rights or privileges hereunder be an asset of Tenant under any bankruptcy, insolvency or **reorganization** proceedings. The appointment of a trustee in bankruptcy or of a receiver for the business or property of Tenant shall be deemed a material Default of this Lease by Tenant, unless the trustee or receiver, within five (5) days after appointment in the case of any delinquency in any payment required as and when due, or within fifteen (15) days after appointment in the case of any Default other than the making of any payment, (i) cures any outstanding Default, (ii) fully compensates Landlord for any loss resulting from such Default, and (iii) provides adequate assurances of future performance under this Lease, which assurances may include at Landlord's option, depositing with Landlord additional security in an amount not to exceed the equivalent of two (2) months rent as determined at the time of appointment.

18 DEFAULT.

18.1 Default is Immediate. Time is of the essence, and except as specifically provided below Tenant shall be in default if Tenant fails to timely perform any material obligation of Tenant under this lease (a "Default").

18.2 TENANT'S RIGHT TO CURE.

18.2.1 Non Payment of Rent or Other Amounts Due: For the nonpayment of Rent, or any other amounts due under this Lease, Tenant shall have a period of ten (10) days from the date payment is due within which to cure by paying all amounts past due, together with *interest, in the event payment is not received by Landlord within ten (10)days of the due date* at the rate equal to one and one-half percent (1.5%) per month, or the highest rate permitted by law, whichever is less, calculated from the due date as per subsection 3.1 of this Lease to the date of full payment. In addition, in the case of Base Rent, Tenant shall pay a *Late Charge* equal to five percent (5%) of the delinquent amount.

18.2.2 Failure to Perform Other Lease Covenants or Provisions: For any other Default under this Lease, Tenant shall have a period of ten (10) days after the receipt of Landlord's written notice of Default within which to cure. If, notwithstanding Tenant's good faith efforts to cure, any Default under this subsection cannot be cured within the ten (10) day period, Tenant's Default shall not be deemed to be

uncured if Tenant continues exercising good faith and due diligence to cure such Default, which completion shall occur not later than sixty (60) days from the date of such notice from Landlord.

18.2.3 Multiple Defaults Within Twelve Month Period: In the event Tenant should Default on any provision of this Lease two (2) or more times within a twelve (12) month period during Tenant's occupancy of the Premises, regardless of whether such Defaults were subsequently cured, Tenant shall thereafter forfeit any further rights to cure any future Defaults.

18.2.4 Vacation and Abandonment. Notwithstanding anything to the contrary in Subsection 18.2 any vacation or abandonment by Tenant shall be considered a Default with no right to cure, allowing Landlord to exercise all rights contained in Subsections 18.2.5 and 18.2.6 of this Lease. Vacation shall be defined as an absence from the Premises for more than forty five (45) days. Abandonment shall be defined as an absence from the Premises for more than twenty (20) days while Tenant is otherwise in Default after any cure periods expire.

18.2.5 Landlord's Re-Entry; Acceleration of Rent. Following the expiration of any applicable cure period for a Default by Tenant, Landlord, in addition to other rights it may have, may at its option enter the Premises, either with or without process of law, and remove Tenant or any other persons who may be therein, together with all personal property found therein. In addition, Landlord may terminate this Lease, or it may from time to time, without terminating this Lease and as agent of Tenant, re-let the Premises or any part thereof upon such terms as Landlord may deem advisable, with the right to repair and remodel the Premises. Tenant shall remain liable for any deficiencies under this Lease, computed as set forth below. In the case of any uncured Default, re-entry and/or dispossession by summary proceedings or otherwise, all Rent and other sums due pursuant to this Lease for the balance of the term shall become immediately due, together with such expenses as Landlord may incur including, but not limited to, attorneys' fees, advertising expenses, brokerage fees, **lease incentives and/or inducements** and/or putting the Premises in good order or preparing the same for re-rental, together with interest and handling charges as provided in Section 3 above, accruing from the date of any such expenditure by Landlord (hereinafter “Landlord’s Expenses”).

18.2.6 Re-Letting the Premises. At the option of Landlord, rents received by Landlord from re-letting the Premises shall be applied first to the payment of any indebtedness from Tenant to Landlord other than Rent and other sums due; second to the payment of any costs resulting from such re-letting, including, but not limited to, attorneys' fees, advertising fees and brokerage fees and to the payment of any repairs or remodeling to the Premises; third, to the payment of Rent due and to become due hereunder, and, if after applying these amounts, there is any deficiency in the Rent to be paid by Tenant under this Lease, Tenant shall pay any deficiency to Landlord monthly on the dates specified herein and any payment made or suits brought to collect the amount of the deficiency for any month shall not prejudice in any way the right of Landlord to collect the deficiency for any subsequent month. **Provided, however, in the event Landlord re-lets the Premises for the balance of the lease term at a rent equal to or greater than the Rent due hereunder, then Tenant shall be relieved from paying any additional Rent from the date Landlord commences receiving rent from the new tenant. However, in no event shall Tenant be relieved from paying Landlord’s Expenses as defined in Subsection 18.2.5 above in the event of Landlord’s Re-Letting of the Premises**. The failure or refusal of Landlord to re-let the Premises or any part or parts thereof shall not release or affect Tenant's liability hereunder, nor shall Landlord be liable for failure to re-let, or in the event of re-letting, for failure to collect the Rent thereof, and in no event shall Tenant be entitled to receive any excess of net rents collected over sums payable by Tenant to Landlord hereunder, provided that landlord satisfies its legal obligation to take reasonable steps to mitigate its loses. No such re-entry or taking possession of the Premises shall be construed as an election on Landlord's part to terminate this Lease unless a written notice of such intention is given to Tenant. Notwithstanding any such re-letting without termination, Landlord may at any time thereafter elect to terminate this Lease for such previous Defaults, should Landlord at any time

terminate this Lease by reason of any Default, in addition to any for the balance of the term, as it may have been extended, over the then fair market value of the Premises for the same period reduced to present value, plus all court costs and attorneys' fees incurred by Landlord in the collection of the same.

18.2.7 Waiver of Redemption Rights. Tenant, for itself, and on behalf of any and all persons claiming through or under it, including creditors of all kinds, hereby waives all rights which they or any of them might have under or by reason of any present or future law, to redeem the Premises or to have a continuance of this Lease for the term hereof, after applicable cure periods under this Lease have expired, and before being dispossessed or ejected there from by process of law.

18.2.8 Cumulative Remedies. All rights and remedies of Landlord provided in this Lease shall be cumulative, and none shall exclude any other right or remedy allowed by law. In addition to the other remedies provided in this Lease, Landlord shall be entitled to restrain by injunction the violation or attempted violation of any of the provisions of this Lease.

19 MORTGAGE SUBORDINATION AND ATTORNMENT.

This Lease shall be subordinate to any mortgage or deed of trust now existing or hereafter placed upon the Land, the Building or the Premises created by or at the instance of Landlord, and to any and all advances to be made there under, and to interest thereon and all modifications, renewals and replacements or extensions thereof ("Landlord's Mortgage"); provided, however, that if the holder of any Landlord's Mortgage or any person or persons purchasing or otherwise acquiring the Land, Building or Premises at any sale or other proceeding under any Landlord's Mortgage shall elect to continue this Lease in full force and effect; and, in such event, Tenant shall attorney to and become the Tenant to such person or persons. Tenant shall, upon demand by Landlord, execute such instruments as may be required at any time, and from time to time, to subordinate the rights and interests of the Tenant under this Lease to the lien of any mortgage or deed of trust at any time placed on the Land or Building of which the Premises are a part. A failure by Tenant to execute such instruments shall be deemed an Event of Default under the terms of this Lease.

20 ACTIONS AT EXPIRATION OR TERMINATION OF LEASE.

20.1 Surrender of Possession. Subject to the terms of Section 11 relating to damage and destruction, upon expiration of the term of this Lease, whether by lapse of time or otherwise, Tenant shall promptly and peacefully surrender the Premises, together with all keys thereto, to Landlord in as good condition as when received by Tenant from Landlord or as thereafter improved, reasonable wear and tear excepted.

20.2 Holdover. If Tenant shall, without the written consent of Landlord, hold over after the expiration or termination of this Lease, such tenancy shall continue only on a month-to-month basis and may be terminated by Landlord in accordance with Washington law. During the holdover tenancy, Tenant shall pay Landlord **100%** of the Base Rent (including Additional Rent). All other Lease terms shall remain in full force and effect.

20.3 Movable Property. Tenant shall remove all its movable property and trade fixtures which can be removed without damage to the Premises prior to the Expiration Date or sooner termination of this Lease and shall pay Landlord for the cost of repairing any damages to the Premises or Building resulting from such removal.

20.4 Immovable Property. All other property in the Premises, and any alterations or additions thereto (including, without limitation, wall-to-wall carpeting, paneling, **cabinets and counters**, wall covering, window dressings, coverings or shades, or lighting fixtures and apparatus), whether provided by Landlord or Tenant, and any other article affixed to the floor, wall or ceiling of the Premises is the Landlord's property and shall remain with the Premises without any compensation to Tenant. If, however, Landlord requests in writing, Tenant will, prior to the Expiration Date or sooner termination of this Lease, remove such alterations, additions, fixtures, equipment and property placed or installed by it in the Premises and will immediately repair any damages caused by or

resulting from such removal to the condition of the Premises prevailing at the Commencement Date, reasonable wear and tear excepted.

20.5 Failure to Remove Property. If Tenant fails to remove any of its property from the Premises or the Building at the termination of this Lease or when Landlord has the right of re-entry, Landlord may, at its option, remove and store the property without liability for loss thereof or damage thereto, and at Tenant's expense. If Tenant fails to pay the cost of storing Tenant's property after it has been stored for a period of 30 days or more, Landlord may, at its option, sell any or all of such property at public or private sale (and Landlord may become a purchaser at such sale), in such manner and at such times and places as Landlord may reasonably deem proper, without notice to Tenant, and shall apply the proceeds of such sale in the following order: (a) to sale costs, including attorneys' fees actually incurred; (b) to the payment of storage costs; (c) to the payment of any other costs or amounts which may then be or thereafter become due; and (d) the balance, if any, to Tenant.

21 CONDEMNATION.

21.1 Entire Taking. If all of the Building or such portions of the Building as may be required for the reasonable use thereof are taken by eminent domain, or conveyed under a threat of condemnation, this Lease shall automatically terminate as of the date title vests in the condemning authority and all Rent shall be paid to that date.

21.2 Constructive Taking of Entire Premises. In the event of a taking of a material part but less than all of the Building, where Landlord shall reasonably determine that the remaining portions of the Building cannot be economically and effectively used by it (whether on account of physical, economic, aesthetic or other reasons), Landlord shall forward a written notice to Tenant of such determination not more than 60 days after the date of taking. The Lease term shall expire upon such date as Landlord shall specify in such notice but not earlier than 60 days after the date of such notice.

21.3 Partial Taking. In case of a partial taking of the Premises, or a portion of the Building not required for the reasonable use of the Premises, then this Lease shall continue in full force and effect and the Rent shall be equitably reduced in proportion to the reduction of the Floor Area of the Premises. The Rent reduction shall be effective as of the date title to such portion vests in the condemning authority.

21.4 Termination by Landlord. In the event that title to a part of the Building other than the Premises shall be condemned or taken under threat of condemnation, and if, in the opinion of Landlord, the Building should be restored in such a way as to alter the Premises materially, Landlord may terminate this Lease. Landlord shall notify Tenant of such termination within 60 days following the date of vesting of title of the property taken in the condemning authority. This Lease shall expire on the date specified in the notice of termination, but not less than 60 days after the giving of such notice, and the Rent shall be apportioned as of such date.

21.5 Awards and Damages. Landlord reserves all rights to damages to the Premises for any partial, constructive, or entire taking by eminent domain, and Tenant hereby assigns to Landlord any right Tenant may have to such damages or award, and neither Tenant nor anyone acting on behalf of or through Tenant shall make a claim against Landlord or the condemning authority for damages for termination of the leasehold interest or interference with Tenant's business.

22 MISCELLANEOUS.

22.1 Notices. All notices under this Lease shall be in writing and delivered in person or sent by registered or certified mail to Landlord Building Manager at the address specified in Subsection 1.4 and to Tenant at the Premises, or such other addresses as may from time to time be designated by such party in writing. Notices mailed as aforesaid shall be deemed received on the date which is three days following the date of mailing.

22.2 Costs and Attorneys' Fees—Scope of Fees. If either party shall bring an action or proceeding (including, without limitation, any cross-complaint, counterclaim or third party claim) against any other party by

reason of the breach or alleged violation of any covenant, term or obligation hereof, or for the enforcement to any provision hereof, or to interpret the Lease, or for any other claim otherwise arising out of this Lease, the Prevailing Party, as determined by the court, in such action or proceeding shall be entitled to its costs and expenses of suit, including but not limited to reasonable attorneys' fees, which shall be payable whether or not such action is prosecuted to judgment.

If either party is required to initiate or defend any action or proceeding with a third party (including, without limitation, any cross-complaint, counterclaim or third party claim) because of the other party's breach of this Lease, or otherwise arising out of this Lease, and such party is the Prevailing Party, as determined by the court, in such action or proceeding, then the party so initiating or defending shall be entitled to reasonable attorneys' fees from the other party.

Attorneys' fees under this Subsection 22.2 shall include attorneys' fees on any appeal, attorney fees on any confirmation of an arbitration award or in enforcing any judgment on an arbitration award, and, in addition, a party entitled to attorneys' fees shall be entitled to all other reasonable costs and expenses occurred in connection with such action.

22.3 Limitation on Landlord's Liability. Notwithstanding any other provision in this Lease, the obligations and agreements made on the part of Landlord are not made and/or intended to be personal obligations or agreements, or for the purpose of binding Landlord personally or the assets of Landlord except for Landlord's interest in the Premises and Building, but are made and intended for the purpose of binding only the Landlord's interest in the Premises and the Building as the same may from time to time be encumbered. No personal liability or personal responsibility is assumed by, nor shall at any time be asserted or enforceable against, Landlord, its partners, or member or manager of Landlord, or their respective heirs, legal representatives, successors, and assigns on account of this Lease or on account of any covenant, undertaking or agreement of Landlord in this Lease contained.

22.4 Estoppel Certificates. Tenant shall, from time to time, upon written request of Landlord, execute, acknowledge and deliver to Landlord, or its designee, a written statement certifying: (i) this Lease is unmodified and in full force and effect (or if modified, stating the nature of such modification and certifying that this Lease, as so modified, is in full force and effect) and the date to which the Rent and other charges are paid in advance, if any, and (ii) acknowledging that there are no uncured Defaults on the part of Landlord hereunder, or specifying such Defaults if any are claimed. Any such statement may be conclusively relied upon by any prospective purchaser or encumbrancer of the Premises. If Tenant shall fail to respond within 10 days of receipt by Tenant of a written request by Landlord as herein provided, Tenant shall be deemed to have given such certificate as above provided without modification and shall be deemed to have admitted the accuracy of any information supplied by Landlord pertaining to Tenant's occupancy of the Premises. A failure by Tenant to execute said certificate shall constitute an Event of Default under the terms of this Lease.

22.5 Transfer of Landlord's Interest. This Lease shall be assignable by Landlord without the consent of Tenant. In the event of any transfer or transfers of Landlord's interest in the Premises or in the Building, other than a transfer for security purposes only, the transferor shall be automatically relieved of all obligations and liabilities on the part of Landlord accruing from and after the date of such transfer and Tenant agrees to attorn to the transferee.

22.6 Heirs and Assigns. This Lease shall be binding upon Landlord and Tenant and their respective heirs, executors, administrators, successors and assigns.

22.7 No Brokers. Except as otherwise provided herein, Tenant represents and warrants to Landlord that it has not engaged any broker who would be entitled to any commission or fees in respect of the negotiation, execution, or delivery of this Lease and shall indemnify and hold harmless Landlord against any loss, cost, liability or expense incurred by Landlord as a result of any claim asserted by any such broker, finder or other person on

the basis of any arrangements or agreements made or alleged to have been made *by or on behalf of Tenant*. The provisions of this subparagraph shall not apply to brokers with whom Landlord has an express written brokerage agreement.

22.8 Entire Agreement. This Lease contains all of the agreements between Landlord and Tenant relating in any manner to the rental, use and occupancy of the Premises and Tenant's use of the Building and other matters set forth in this Lease. No prior agreements or understanding pertaining to the same shall be valid, and this Lease shall not be modified except in writing signed by Landlord and Tenant.

22.9 Severability. Any provision of this Lease which shall prove to be invalid, void or illegal shall in no way affect, impair or invalidate any other provision hereof and the remaining provisions hereof shall nevertheless remain in full force and effect.

22.10 Force Majeure. Time periods for Landlord's performance under any provision of this Lease shall be extended for periods of time during which the Landlord's performance is prevented due to circumstances beyond the Landlord's reasonable control, including without limitation, fires, floods, earthquakes, lockouts, strikes, embargoes, governmental regulations, acts of God, public enemy, war or other strife.

22.11 Building Parking. Parking spaces are provided on an unreserved "first-come, first-served" basis. Except for intentional acts or gross negligence, Landlord has no liability whatsoever for damage to property or any other items located in the Building parking area, or for any personal injuries or death arising out of any matter relating to the Building parking area. In all events, Tenant agrees to look first to its insurance carriers for payment of any losses sustained in connection with any use of the Building parking area. Landlord reserves the right to assign specific spaces, and to reserve spaces for visitors, small cars, handicapped persons and for other tenants, guests of tenants, or other parties. Tenant may not park in any such reserved or assigned spaces. Landlord also reserves the right to close all or any portion of the Building Parking area (1) in order to make repairs or perform maintenance services, or to alter, modify, re-stripe or renovate the Building parking area, or (2) if required by casualty, strike, condemnation, act of God, governmental law or requirement, or other reason beyond Landlord's reasonable control.

22.12 Right to Change Public Spaces. Landlord shall have the right, without thereby creating an actual or constructive eviction or incurring any liability to Tenant therefore, to change the arrangement or location of such of the following as are not contained within the Premises or any part thereof: entrances, lobbies, passageways, doors and doorways, corridors, stairs, toilets and other like public service portions of the Building. Nevertheless, in no event shall Landlord make any change which shall diminish the area of the Premises.

22.13 Right to Establish Building Rules and Regulations. During the term of this Lease, or any extension thereof, Landlord shall have the right to establish and enforce such reasonable, generally applicable rules and regulations for the Building as Landlord may deem necessary, provided such rules and regulations are consistent with the terms of this Lease. See **Exhibit C** entitled Building Rules and Regulations which are attached hereto and incorporated by reference herein.

22.14 Authority. Each person executing this Lease on behalf of Tenant warrants that he or she is duly authorized to execute and deliver this Lease on behalf of Tenant. Upon request from Landlord, Tenant shall provide a certified copy of an applicable resolution evidencing authorization or ratification of this Lease.

22.15 Nonwaiver. Landlord's failure to insist on strict performance of any of the terms of this Lease shall not be deemed a waiver of any rights or remedies which Landlord may have against Tenant at law or equity, and shall not be deemed a waiver of any subsequent Default in any of such terms.

22.16 Governing Law. This Lease shall be governed by and construed in accordance with the laws of the State of Washington. Any action to enforce the provisions hereof shall be in King County, Washington.

22.17 Quiet Enjoyment. Tenant shall, and may peacefully have, hold and enjoy the Premises, subject to the terms and conditions of this Lease, provided Tenant pays the Rent and fully performs all of its covenants and agreements. This covenant and all other covenants of Landlord shall be binding upon Landlord and its successors only during its or their respective periods of ownership of the Building, and shall not be a personal covenant of Landlord, or Landlord related parties.

22.18 Counterparts. This Lease may be executed in several counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same instrument.

22.19 Exhibits. The following exhibits or riders are made a part of this Lease:

Exhibit A – Floor Plan of Premises.
Exhibit B – Legal Description of Land.
Exhibit C – Building Rules and Regulations.

IN WITNESS WHEREOF this Lease has been executed on the _____ day of November 2023.

LANDLORD:

City of Newcastle

By: _____

Its: _____

TENANT:

City of Mercer Island

By: _____

Its: _____

LANDLORD'S ACKNOWLEDGMENT

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

I certify that I know or have satisfactory evidence that **Scott Pingel** is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that she was authorized to execute the instrument on behalf of the City of Newcastle, a Washington municipal corporation, and acknowledged it as the free and voluntary act of said corporation for the uses and purposes mentioned in this instrument.

Dated November _____, 2023.

_____
(Signature of Notary Public)

_____
(Printed Name of Notary Public)

Notary Public in and for the state of Washington residing at

_____

My Appointment expires: _____

TENANT'S ACKNOWLEDGMENT

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

I certify that I know or have satisfactory evidence that **Jessi Bon** is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that she was authorized to execute the instrument on behalf of the City of Mercer Island a Washington municipal corporation, and acknowledged it as the free and voluntary act of said corporation for the uses and purposes mentioned in this instrument.

Dated November_____, 2023.

_____
(Signature of Notary Public)

_____
(Printed Name of Notary Public)

Notary Public in and for the state of Washington residing at

_____

My Appointment expires: _____

EXHIBIT A
FLOOR PLANS OF PREMISES

(Attached hereto and incorporated herein by reference)

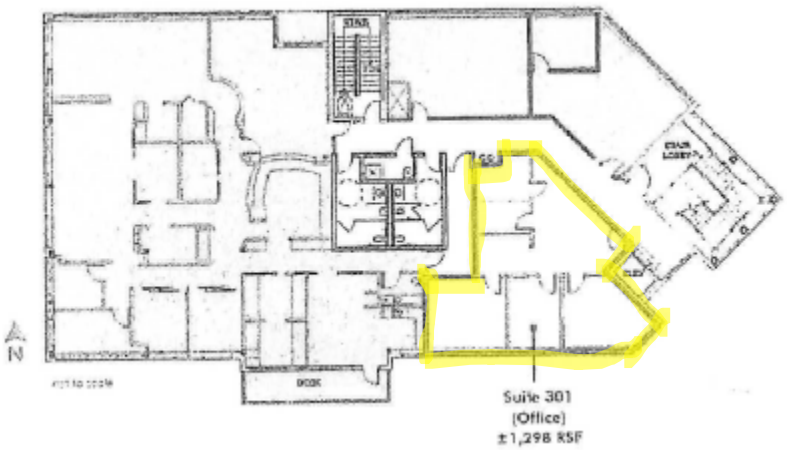


EXHIBIT B
LEGAL DESCRIPTION OF LAND

(Newcastle Professional Center)

THOSE PORTIONS OF THE SOUTH 150 FEET OF THE SOUTHEAST ¼ OF THE NORTHEAST ¼ AND THE NORTHEAST ¼ OF THE SOUTHEAST ¼ OF SECTION 28, TOWNSHIP 24 NORTH, RANGE 5 EAST W.M., LYING SOUTHWESTERLY OF GEORGE H.T. SPARLING COUNTY ROAD NO. 869, AS CONVEYED TO KING COUNTY BY DEED RECORDED UNDER RECORDING NO. 6453534 AND NORTHEASTERLY OF A 60 FOOT PIPELINE RIGHT-OF-WAY AS CONDEMNED IN KING COUNTY SUPERIOR COURT CAUSE NO. 486190, AND LYING NORTHWESTERLY OF THE FOLLOWING DESCRIBED LINE

BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST ¼ OF THE NORTHEAST ¼, THENCE EAST ALONG SAID SOUTH LINE TO THE EASTERLY MARGIN OF SAID 60 FEET PIPELINE RIGHT-OF-WAY;
THENCE SOUTHEASTERLY ALONG SAID RIGHT-OF-WAY 101.10 FEET TO THE NORTHWEST CORNER OF THAT PARCEL OF LAND CONVEYED TO BEN W. MCNAIR AND JOAN M. MCNAIR BY DEED RECORDING UNDER RECORDING NO. 5929269 AND THE TRUE COMMENCEMENT POINT OF BEGINNING OF SAID LINE,
THENCE NORTH 45°11’06” EAST, 230 70 TO THE SOUTHWEST MARGIN OF SAID GEORGE H.T. SPARLING COUNTY ROAD NO. 869 AND THE TERMINUS OF SAID LINE;

SITUATE IN THE CITY OF NEWCASTLE, COUNTY OF KING, STATE OF WASHINGTON
.

EXHIBIT C
BUILDING RULES AND REGULATIONS

This exhibit is a continuation of that certain Lease dated/executed the _____ day of October, 2023 by and between City of Newcastle and City of Mercer Island on real property in King County, Washington, and by this reference shall become part of that agreement, which Landlord shall have the right to amend from time to time.

1. The sidewalks, entries, passages, court corridors, stairways, and elevators shall not be obstructed by Tenant, its employees or agents, or used by them for purposes other than ingress and egress to and from Premises.

2. Notwithstanding any of the terms and provisions of this Lease, Tenant will refer all contractors, contractors' representatives, and installation technicians rendering any service on or to the Premises for Tenant to Landlord for Landlord's approval and supervision before performance of any contractual service. This provision shall apply to all work performed in the Building and/or the Project, including installation of telephones, telegraph equipment, electrical devices and attachments and installations of any nature affecting floors, walls, woodwork, trim, windows, ceilings, or any other physical portion of the Building or Project. Such approval, if given, shall in no way make Landlord a party to any contract between Tenant and any such contractor, and Landlord shall have no liability therefore. In the event a contractor is hired by Tenant, the Tenant and the contractor shall execute Landlord's standard form Hold Harmless Agreement, which indemnifies Landlord, its agents and invitees from any and all liability in connection with contractor's work. All work performed in the Building shall be performed in compliance with the Tenant Improvement Specifications and the Millennium Building Shell Specifications.

3. Tenant's communication equipment, cabling, telegraphic, telephonic, security systems or other electrical connections shall not be installed without Landlord's prior written approval. Tenant shall install its phone and computer systems in Tenant's suite, and Landlord will require Tenant to label all such installations at the point of beginning, in each mechanical room, every twenty (20) feet to the end point. Within thirty (30) days of final completion of any such work Tenant shall provide Landlord a final as-built detailing the routes and locations of such installation.

4. Except as otherwise indicated herein, no signs, advertisement, or notice shall be inscribed, painted, or affixed on any part of the inside or outside of the Building unless of such color, size, style, and medium and in such place upon or in the Building as shall first be designated in writing by Landlord; there shall be no obligation or duty on Landlord to allow any sign, advertisement notice to be inscribed, painted or affixed on any part of the inside or outside of the Building. Signs on doors must be pre-approved by Landlord. No furniture shall be placed in front of the Building or in any lobby or corridor without the prior written consent of Landlord. Landlord shall have the right to remove all other signs and furniture without notice to Tenant at the expense of Tenant.

5. Landlord's acceptance of any name for listing on the Building Directory will not be deemed, nor will it substitute for, Landlord's consent, as required by this Lease, to any sublease, assignment, or other occupancy of the Premises.

6. Tenant shall have the non-exclusive use in common with Landlord, other tenants, their guests, and invitees, of the automobile parking areas, driveways, and footways, subject to reasonable rules and regulations for the use thereof as prescribed from time to time by Landlord. Landlord shall have the right to designate parking areas for the use of the Project tenants and their employees, and the tenants and their employees shall not park in parking areas not so designated, specifically including driveways, fire lanes, load/unloading areas, handicapped zones, walkways, and building entrances. Tenant agrees that upon written notice from Landlord, it will furnish to Landlord, within five (5) days from receipt of such notice, the state automobile license numbers assigned to the automobiles of the Tenant and its employees. Landlord shall not be liable for any vehicle of the Tenant or its employees that Landlord shall have towed from the Premises. Landlord will not be liable for damage to vehicles in the parking areas or for theft of vehicles, personal property from vehicles, or equipment of vehicles. Cars parked overnight may be towed, at Tenant's expense, unless Tenant has prior written permission from Landlord.

7. No Tenant shall do or permit anything to be done in the Premises, or bring or keep anything therein, which will in any way increase the rate of casualty insurance on the Project, or on property kept therein, or obstruct or interfere with the rights of other tenants, or in any way injure or annoy them, or conflict with the laws relating to fire, or with any regulations of the fire department, or with any insurance policy upon said buildings or any part thereof, or conflict with any rules and ordinances of any governmental agency or department.

8. No windows or other openings that reflect or permit light into the corridors or passageways, or to any other place in said Building shall be covered or obstructed by Tenant.

9. No person shall disturb the occupants of the Project by the making of loud or objectionable noises, or any other unreasonable or offensive conduct or activity including, but not limited to, smoking, which is in violation of any applicable law or as designated by Landlord. In the absence of a designated smoking area, no person shall smoke within thirty (30) feet from any posted "No Smoking" signs or any entrance to any building in the Project. No dogs or other animals or pets of any kind will be allowed in the Building or the Project.

10. The water closets and other water fixtures shall not be used for any purpose other than those for which they were constructed, and any damage resulting to them from misuse, or by the defacing or injury of any part of the Project, shall be borne by the Tenant who, or whose employees or agents shall have caused it.

11. No bicycles or similar vehicles will be allowed in the Building.

12. Nothing shall be thrown out the windows of the Building or down the stairways or other passages.

13. Tenant shall not be permitted to use or to keep in the Building any kerosene, gasoline or any inflammable or combustible fluids or materials, without the prior written consent of Landlord.

14. If Tenant desires, at its cost, it may add shades, draperies, or awnings, they must be of such shape, color, materials and make as shall be designated by Landlord. Any outside awning may be prohibited by Landlord. Landlord or its agents shall have the right to enter the Premises to examine the same or to make such repairs, alterations, or additions as Landlord shall deem necessary for the safety, preservation or improvement of the Building. Landlord or its agents may show said Premises and may place on the windows or doors thereof, a notice "For Rent" for six (6) months prior to the expiration of the Lease.

15. No portion of the Building shall be used for the purpose of lodging rooms or for any unlawful purposes.

16. All glass, locks, and trimmings in or about the doors and windows and all electric fixtures belonging to the Building shall be kept whole, and whenever broken by anyone shall be immediately replaced or repaired and put in order by Tenant under the direction and to the satisfaction of Landlord, and on removal shall be left whole and in good repair.

17. Landlord reserves the right at any time to take one elevator out of service for the exclusive use by the Building management in servicing the Building.

18. All safes, furniture, or other heavy articles shall be carried up or into the Premises only at such times and in such manner as shall be prescribed by Landlord at Tenant's sole cost and expense. Landlord requires Common Area walls and comers to be protected and masonite board to be installed and used in all Common Areas for all furniture moves. Landlord shall in all cases have the right to specify the proper weight and position of any such safe or other heavy article. Any damage done to the Building by taking in or removing any such equipment or from overloading any floor in any way shall be the responsibility of the Tenant. Defacing or injuring in any way any part of the Building by the Tenant, its agents, or employees, shall be paid for by the Tenant.

19. Landlord may waive any one or more of these Rules and Regulations for the benefit of Tenant or any other tenant, but no such waiver by Landlord shall be construed as a waiver of such Rules and Regulations in favor of Tenant

or any other tenant, nor prevent Landlord from thereafter enforcing any such Rules and Regulations against any or all of the tenants of the Building.

20. These Rules and Regulations are in addition to, and shall not be construed to in any way modify or amend, in whole or in part, the terms, covenants, agreements, and conditions of Tenant's Lease of its Premises in the Building.

21. Tenant shall fully cooperate in allowing, from time to time, such examinations, tests, inspections, and reviews of the Premises as Landlord, in its sole and absolute discretion, shall determine to be advisable in order to evaluate any potential environmental problems. Landlord expressly reserves the right to conduct examinations, test (including but not limited to a geohydrologic survey of soil and subsurface conditions), inspections, and review of the premises as Landlord in its sole and absolute discretion may determine to be necessary.

22. Landlord reserves the right to make such other and reasonable Rules and Regulations as, in its judgment, may from time to time be needed for safety and security, for care and cleanliness of the Project, and for the preservation of good order therein. Tenant agrees to abide by all such Rules and Regulations herein above stated and any additional rules and regulations which are adopted.

23. Tenant shall be responsible for the observance of all of the foregoing rules by Tenant's employees, agents, contractors, clients, customers, invitees and guests.

24. If Tenant's use of heating, cooling, or convenience power exceeds the design load parameters of the Building and a service call is requested, then Tenant is responsible for such service as a direct Tenant cost.

25. Tenant shall pay for all additional security costs and Landlord maintenance personnel required in connection with Tenant's move-in or move-out. Landlord shall have the right to establish and modify from time-to-time rules governing the move-in and move-out of Tenant's furniture, fixtures, and equipment, and Tenant shall fully comply with such rules as established and modified.

26. No delay in the enforcement of any of these rules and regulations by Landlord shall be construed as a waiver by Landlord of its rights to enforce them. Any waiver by Landlord of any of these rules and regulations must be in writing.

BUSINESS OF THE CITY COUNCIL
CITY OF MERCER ISLAND

AB 6989
September 1, 2026
Consent Agenda

AGENDA BILL INFORMATION

TITLE:	AB 6989: Appropriation for Luther Burbank Park Dock and Waterfront Improvements Project and Bid Award	☐ Discussion Only ☒ Action Needed: ☒ Motion ☐ Ordinance ☐ Resolution
RECOMMENDED ACTION:	Award the Luther Burbank Park Dock and Waterfront Improvements Project construction contract, authorize funding, and set the project budget.	

DEPARTMENT:	Public Works
STAFF:	Jason Kintner, Chief of Operations Kellye Hilde, Deputy Public Works Director Shelby Perrault, Interim Capital Division Manager Sarah Bluvas, CIP Project Manager
COUNCIL LIAISON:	n/a
EXHIBITS:	1. Project Location Map 2. *Mercer Island Medallions* Public Art Package
CITY COUNCIL PRIORITY:	3. Make once-in-a-generation investments to update and modernize aging infrastructure, capital facilities, and parks.

AMOUNT OF EXPENDITURE	$ 9,755,000
AMOUNT BUDGETED	$ 7,563,000
APPROPRIATION REQUIRED	$ 2,192,000

EXECUTIVE SUMMARY

The purpose of this agenda item is for the City Council to award a public works construction contract to Quigg Bros. Inc., appropriate additional resources to construct the Luther Burbank Park Dock and Waterfront Improvements Project (90.25.0020) and set the total project budget at $9,755,000.

- The City began work on this project in 2018, beginning a multiyear process to upgrade and replace critical waterfront park assets at Luther Burbank Park along Lake Washington.
- On March 1, 2022, the City Council accepted the 30% design recommendation from the Parks and Recreation Commission and authorized staff to complete design for a two-part project that included phase one renovations to the Luther Burbank Boiler Building and comprehensive dock and waterfront improvements (AB 6021).
- While originally authorized as a single two-part project, the Boiler Building renovations and Dock and Waterfront Improvements are now treated as separate capital projects, each with its own distinct scope, schedule, and associated budget.

- Permitting for both projects began in summer 2022 and included pursuit of more than 20 permits/approvals from eight federal, state, and local agencies. Approval for the Boiler Building phase one renovations was achieved in 2023, and building renovations were successfully completed in 2024.
- Construction of the Dock and Waterfront Improvements Project was anticipated to be completed in 2025. However, the permitting and agency review process resulted in changes to the project design, which delayed the overall schedule by a full year.
- In August 2026, the City received all final agency permits to construct the Dock and Waterfront Improvements Project. The project includes renovating and replacing docks; expanding water access through ADA accessible pathways, beach improvements, dock features, and a new overwater platform extending from the plaza; enhancing shoreline habitat; upgrading utility infrastructure; and adding new plaza improvements and amenities.
- The project also includes the *Mercer Island Medallions* public art package, which integrates public art components developed with the community in 2023 and recommended for approval by the Arts Council on October 25, 2023. The anticipated 1% Arts Fund contribution for this project is $97,000, which is sufficient to cover the cost of fabricating and installing the public art package.
- The Luther Burbank Park Dock and Waterfront Improvements Project was advertised on June 2, 2026, with bids due on July 15, 2026. Four bids were received. The lowest responsive and responsible bidder is Quigg Bros., Inc., with a total bid amount of $6,729,171, including WA State sales tax.
- The authorized 2025-2026 project budget is $7,563,000 to complete design and construction. An appropriation of $2,192,000 is needed to fund the project, establishing the amended project budget at $9,755,000. The additional costs are related to unanticipated soil remediation at the Plaza area; design changes as a result of permitting requirements, including adding a fire suppression system, a sanitary sewer lift station and vault, upgraded electrical supply, and project mitigation elements; and the increase in costs due to the one year permitting delay.
- Since 2019, the Dock and Waterfront Improvements Project has been awarded $5,014,274 in grant funding from five state and local grant sources to support design and construction. $1,196,877 has been reimbursed to support overall project design and permitting efforts from 2019 to 2025 as well as construction of restroom and concession stand improvements during the Boiler Building phase one renovations. Remaining grant funding will support construction of the Dock and Waterfront Improvements Project in 2026-2027. Most funding must be expended by the end of 2027 to avoid being turned back to the grantors.
- A full financial summary of the Luther Burbank Waterfront Improvements Project is included in the narrative of this agenda bill.
- Project construction will begin in fall 2026 and take approximately 15 to 18 months to complete.

BACKGROUND

Luther Burbank Park is a regional destination that draws visitors from communities surrounding Lake Washington and along the I-90 corridor. The park's waterfront and docks were constructed in 1974 and have been a popular destination for more than 50 years (Exhibit 1).

In 2014, the City completed a structural assessment of the docks, which identified extensive rot in the substructure of the main docks and recommended substantial repairs. Anticipating complicated permitting and escalating costs of the repair project, the City suspended work on the dock repair in 2016 in favor of a broader discussion about replacing the docks at Luther Burbank Park. The 2006 Luther Burbank Park Master Plan provided a vision for the waterfront that included a dock reconfiguration to better accommodate community use and City-sponsored boating programs. The City began pursuing grant funding in 2018 to begin the process of designing the new docks.

On March 1, 2022, the City Council accepted the Parks and Recreation Commission's 30% design recommendation, which combined renovations to the Boiler Building and comprehensive dock and waterfront improvements into a two-phased project. The Boiler Building renovations and dock and waterfront improvements were subsequently separated into distinct capital projects, each with its own scope, schedule, and budget. The Boiler Building phase one renovations were completed in 2024, and, in September 2025, the City Council accepted the completed project and authorized staff to close it out (AB 6773).

PREVIOUS CITY COUNCIL ACTIONS

Previous City Council actions on the Dock and Waterfront Improvements Project are summarized below.

- AB 5486: On October 16, 2018, the City Council adopted Resolution No. 1547 authorizing submission of a grant application to the Washington State Recreation and Conservation Offices Boating Facilities Program to redesign the south portion of the docks to become floating docks. The grant was awarded in 2019.
- AB 5544: On April 2, 2019, the City Council held a study session on "Parks 2019-2020 Major Projects Update." The Luther Burbank Dock Project was one of several projects discussed.
- AB 5692: On June 16, 2020, the City Council adopted Resolution No. 1581, authorizing a grant application to be submitted to the Washington State Recreation and Conservation Office Boating Infrastructure Grant program to renovate the north pier. The City was successful, and the grant funding was awarded in 2021.
- AB 5868: On May 18, 2021, the City Council approved the Concept Design for the Luther Burbank Park Dock and Waterfront Improvement Project and requested that the Parks and Recreation Commission work with the project team to develop a 30% design recommendation.
- AB 6021: On March 1, 2022, the City Council accepted the Parks and Recreation Commission's recommendation for 30% design, which combined renovations to the Boiler Building and comprehensive dock and waterfront improvements into a two-phased project. The City Council appropriated additional funding to complete the project design and authorized the City Manager to execute professional services agreements to complete the design work.
- AB 6048: On May 3, 2022, the City Council adopted Resolution No. 1623, authorizing staff to apply for funding from Washington State Recreation and Conservation Office Aquatic Lands Enhancement Account, Washington Wildlife and Recreation Program, and Land and Water Conservation Fund grant programs to support design and construction of comprehensive dock and waterfront improvements. Grant funding from the Aquatics Lands Enhancement Account and the Washington Wildlife and Recreation Program was awarded in 2023.
- AB 6176: The City Council adopted Resolution No. 1634, authorizing submission of a grant application to the Washington State Recreation and Conservation Office Boating Facilities Program to construct the mooring float/wave attenuator element of the project, and the funding was awarded in 2023.
- AB 6268: On May 16, 2023, the City Council appropriated funding from the 1% for Art in Public Places Fund and authorized the City Manager to execute an artist agreement to develop the Art in Public Places project for the dock and waterfront improvements.
- AB 6773: The City Council authorized staff to close out the Boiler Building Phase 1 Renovations project (90.25.0047) and reallocated $188,636 of project savings to the Dock and Waterfront Improvements Project.

PERMITTING PROCESS

Permitting for the Luther Burbank Dock and Waterfront Improvements Project began in summer 2022 and involved obtaining 21 permits and approvals from eight federal, state, and local agencies. While some reviews happened concurrently, most agencies required approval by other agencies before subsequent reviews could begin. Construction of the dock and waterfront project was originally anticipated to begin in 2025, but the lengthy permitting process pushed the start date out by a year. Table 1 summarizes the required permits/approvals and their issuance.

TABLE 1: LUTHER BURBANK PARK DOCK AND WATERFRONT IMPROVEMENT PERMITTING REQUIREMENTS

Permit/Approval	Lead Agency	Submittal Date	Decision Date
Nationwide Permit (NWP) 27 and Letter of Permission	U.S. Army Corps of Engineers (USACE)	10/26/22	05/29/26
National Historic Preservation Act (NHPA) Section 106 Concurrence	USACE in consultation with WA Dept of Archaeology and Historic Preservation	10/26/22	03/26/26
Endangered Species Act (ESA) Section 7 Concurrence	USACE in consultation with National Marine Fisheries Services and U.S. Fish and Wildlife Service	10/26/22	4/16/26
Coastal Zone Management (CZM) Act Federal Consistency	USACE in consultation with WA Dept of Ecology (Ecology)	08/23/23	10/09/23
Clean Water Act Section 401 Water Quality Certification (WQC)	Ecology	10/26/22	10/09/23
Shoreline Conditional Use Permit	Ecology	09/19/24	04/21/25
Shoreline Variance: Wider Dock Width	Ecology	09/19/24	04/21/25
Shoreline Variance: Solid Decking	Ecology	09/19/24	04/21/25
Shoreline Variance: Pile Diameter	Ecology	09/19/24	04/21/25
Shoreline Variance: Dock Height Above Water Surface	Ecology	09/19/24	04/21/25
Aquatic Use Authorization (AUA)	WA Dept of Natural Resources	10/26/22	08/21/26
Hydraulic Project Approval (HPA)	WA Dept of Fish and Wildlife	08/01/24	04/02/26
State Environmental Policy Act (SEPA) Determination of Nonsignificance (DNS)	City of Mercer Island (City)	10/28/22	07/01/24
Shoreline Substantial Development Permit	City	10/28/22	09/19/24
Shoreline Conditional Use Permit	City	10/28/22	09/19/24
Shoreline Variance: Wider Dock Width	City	04/30/24	09/19/24
Shoreline Variance: Solid Decking	City	04/30/24	09/19/24
Shoreline Variance: Pile Diameter	City	04/30/24	09/19/24
Shoreline Variance: Dock Height Above Water Surface	City	04/30/24	09/19/24
Critical Areas Ordinance Compliance	City	04/18/24	09/19/24
Building Permit	City	10/31/25	06/18/26

GRANT FUNDING

Since 2019, the Dock and Waterfront Improvements Project has been awarded $5,014,274 in grant funding from five Washington State Recreation and Conservation Office and King County Flood Control District Grant Programs. Grant funds expended from 2019 to 2025 supported design and permitting of the overall project as well as construction of the restroom and concession stand improvements as part of the Boiler Building phase

one renovations completed in 2024. An overview of grant funding awarded since 2019 is provided in the narrative below and summarized in Table 2.

Washington State Recreation and Conservation Office

The Recreation and Conservation Office currently offers more than 20 grant programs funded by a variety of state and federal sources to support work by local governments, nonprofits, tribes, and other jurisdictions and organizations. Most grant programs run on a two-year cycle and require varying levels of sponsor match. These grant programs are reimbursement-based.

The City has been awarded $3,552,320 from four Recreation and Conservation Office Grant Programs to support design and construction of the Dock and Waterfront Improvements Project.

Boating Facilities Program

The Boating Facilities Program provides grant funding to acquire, develop, and renovate facilities for motorized boats and other watercrafts, including launching ramps, guest moorage, and support facilities. A 25% sponsor match is required, and grant limits range from $250,000 for planning to $2,000,000 for acquisition/development. The City was awarded a Boating Facilities Program planning grant of $173,000 in 2019 to design the dock reconfiguration and a development grant of $1,000,000 in 2023 to construct the wave attenuator/mooring float. The planning grant has been expended and reimbursed as of March 2026. The development grant will be expended during construction.

Boating Infrastructure Grant Program

The Boating Infrastructure Grant Program is a federal grant program that provides funding to develop, renovate, or plan for boating facilities targeting guest recreational boats twenty-six feet and larger. A 25% sponsor match is required, and the grant limit is $1,400,000. Funding is provided by the U.S. Fish and Wildlife Service from federal gas taxes deposited in the federal Aquatic Resources Trust Fund. In 2021, the City was awarded a Boating Infrastructure Grant in the amount of $379,320 to support design and construction of repairs to the North Pier, which is intended to continue providing moorage access for large, motorized vessels (26’ and above). The funding for design from this grant has been expended and reimbursed as of 2023, and the remaining grant funding from this program will support construction of the North Pier repairs.

Aquatic Lands Enhancement Account and Washington Wildlife and Recreation Program

In 2022, the City applied for funding from three Recreation and Conservation Office Grant Programs: the Aquatic Lands Enhancement Account, the Washington Wildlife and Recreation Program, and the Land and Water Conservation Fund. Funding requests focused on construction of the floating special purpose dock and improvements for the plaza, pathways, North Beach, and other landward elements. The City was awarded $2,000,000 in combined funding from the Aquatic Lands Enhancement Account and the Washington Wildlife and Recreation Program to support design and construction. Approximately 34% of the grant funding has been expended to support project design and construction of renovations to the Boiler Building restroom/concession annex completed in 2024 (AB 6773) as well as design, permitting, and cultural resources review costs associated with the other waterfront improvements from 2023 to 2025. The remaining grant funds will be expended during construction of the Dock and Waterfront Improvements Project.

King County Flood Control District Subregional Opportunity Fund

Established in 2007, the King County Flood Control District (District) provides funding and policy oversight for flood risk reduction capital projects and programs in King County. District programs are funded through a countywide property tax assessment of $.11 per $1,000 of assessed property evaluation, and funding currently supports three grant programs: the Subregional Opportunity Fund, the Steve Bleifuhs Memorial Flood Reduction Grant, and the Cooperative Watershed Grants.

Funds in the Subregional Opportunity Fund are set aside every year by the District to design or implement projects primarily related to flood and stormwater control in King County. The funding in this program represents 10.23% of the District's annual levy proceeds, and funding is allocated to 40 King County jurisdictions based on assessed values.

Each fall, the City has the option to propose a new project, add dollars to an existing project, or defer funds to a future date for its annual Subregional Opportunity Fund allocation. Funds are distributed on a reimbursement basis and can be used to support design and construction of a range of projects related to flood control, stormwater control, and cooperative watershed management.

Staff initially anticipated using approximately $1 million of the City's Subregional Opportunity Fund resources to support design and construction of drainage improvements for the Dock and Waterfront Improvements Project. As the project design evolved through permitting (further discussed in the next section of this agenda bill), additional Subregional Opportunity Fund resources were recommended to be authorized to support the stormwater, water-quality, and plaza improvement elements.

The Project is now anticipated to utilize $1,461,954 of the City of Mercer Island's allocation from the Subregional Opportunity Fund. Approximately 22% of these resources have been expended to support geotechnical investigation, design, and permitting from 2022 to 2025 and reimbursed for this project. The remaining will be expended and reimbursed during construction. The City Council will be asked to authorize the use of these additional funds as part of the recommended motions.

TABLE 2: LUTHER BURBANK PARK DOCK AND WATERFRONT IMPROVEMENTS GRANT FUNDING						
Program	**Project Element**	**Date Awarded**	**Expiration Date**	**Award Amount**	**Amount Expended**	**Amount Remaining**
Washington State Recreation and Conservation Office						
Boating Facilities Program - Planning	Dock reconfiguration / replacement design	06/27/19	COMPLETE	$173,000	$173,000	$0
Boating Facilities Program - Development	Wave attenuator / mooring float construction	06/28/23	06/27/27	$1,000,000	$0	$1,000,00
Boating Infrastructure Grant	North Pier repairs design / construction	07/01/21	06/30/28	$379,320	$31,372	$347,948
Aquatic Lands Enhancement Account / Washington Wildlife and Recreation Program	Floating special purpose dock and other waterfront improvements design / construction	06/28/23	06/27/27	$2,000,000	$670,140	$1,329,860
King County Flood Control District						
Subregional Opportunity Fund	Stormwater infrastructure improvements design / construction	Multiple since 2022	12/31/27	$1,461,954	$322,365	$1,139,589
			Funding Totals:	**$5,014,274**	**$1,196,877**	**$3,817,397**

ISSUE/DISCUSSION

PROJECT OVERVIEW

The Dock and Waterfront Improvements Project will construct comprehensive renovations to the Luther Burbank Park docks, plaza, North Beach, and upland areas to expand water access to Lake Washington. Improvements include:

- Renovating the north pier, including replacing decking, jacketing creosote-timber piles, and repairing/replacing degrading piles to continue providing moorage access for large, motorized vessels (26’ and above).
- Replacing the central and south dock structures with a new wave attenuator/mooring float to serve small and mid-sized motorized vessels (below 26’) and special purpose float to serve non-motorized watercraft, including adding an ADA-accessible kayak launch.
- Installing a new ADA overwater platform off the plaza bulkhead to provide a stable surface where community members can enjoy shoreline activities and “get their feet wet.”
- Renovating the North Beach to provide ADA access to the water, including installing a new concrete pathway from the north bulkhead, installing an ADA beach mat to the water, and replacing non-native vegetation with new riparian and native plantings.
- Adding ADA pathway connections from the South Shoreline Trail and renovating the existing hidden path from the plaza to the playground with an ADA switchback trail and concrete stairs.
- Enhancing shoreline ecological functions with habitat gravel and lakebed cleanup.
- Upgrading sewer, electrical, stormwater, and irrigation utilities as well as installing a new fire suppression system to serve the docks and Boiler Building.

- Installing a new raw water intake system to enable the City to activate its water rights and draw water from Lake Washington to support park irrigation.
- Installing plaza improvements and amenities, including new surfacing, picnic tables/benches, signage, and the *Mercer Island Medallions* public art project.

DESIGN CHANGES FROM 30% TO FINAL DESIGN

Several project elements were added, modified, or further developed between the 30% design approved by the City Council in March 2022 and final design. These changes resulted from requirements identified during the permitting process, conditions encountered during the construction of the South Shoreline Trail (AB 6755) and phase one Boiler Building renovations, and input from other City departments and project specialists. The major changes are summarized below.

Fire Suppression System

Based on requirements identified in the Fire Code during an on-site meeting with the Fire Department and project team in December 2022 and additional consultation during the 90% design phase in July through September 2025, a new fire suppression system was added to the project. The system will serve the docks and provide the fire suppression infrastructure required for future occupancy. It includes a new ductile iron fire water line, fire hydrants, and a fire department connection to an existing hydrant in the park's North Parking Lot.

Soil Remediation

During excavation for the South Shoreline Trail project, the contractor encountered subsurface soil containing petroleum residues near the north end of the project site. Work was immediately stopped and containment materials were deployed. No contaminants entered Lake Washington.

The City engaged GeoEngineers Inc. to evaluate the contaminated material, which was subsequently stabilized and removed. GeoEngineers determined that the underground storage tanks near the Boiler Building were the likely source of petroleum contamination. As a result, additional soil remediation work was incorporated into the Dock and Waterfront Improvements Project.

Remediation will occur during construction and includes partial removal of the underground storage tanks, excavation of contaminated soils, and treatment of remaining soil to prevent future contamination. Additionally, the City entered Ecology's Expedited Voluntary Cleanup Program to obtain a "No Further Action" for the site and is working to recover these unforeseen costs associated with the cleanup action from the Seattle School District and King County, who were previous owners of the site. In December 2025, the City received a "No Further Action Likely" letter from Ecology, pending completion of the soil cleanup. Cost recovery discussions are ongoing.

The costs associated with the unforeseen soil contamination, including geotechnical investigation, permitting, design, pursuit of the "No Further Action," and legal support, have contributed to the increase in the overall project budget discussed later in this agenda bill.

Sanitary Sewer Lift Station and Vault

A new sewer pump connection to the existing waterfront sewer vault was originally planned as part of the Boiler Building phase one renovations. However, during construction, the contractor discovered a leak in the existing utility vault. The project team determined that the vault needed to be replaced and coordinating the replacement with the upcoming waterfront construction would avoid conflicts with planned excavation work.

The City therefore deferred the vault replacement and temporarily closed the Boiler Building restrooms until the work could be completed as part of the Dock and Waterfront Improvements Project. The project now includes a new sewer lift station and vault designed to current City standards and relocated closer to the restrooms. The new location will improve future maintenance and operations while moving the utility infrastructure away from the waterfront. The existing vault will be decommissioned and sealed in place.

Costs associated with incorporating the sanitary sewer lift station and vault late into the design process, including expanding the element from a sewer pump connection to a full lift station/vault replacement and pursuing additional shoreline permitting, have contributed to the increase in the overall project budget discussed later in this agenda bill.

Upgraded Electrical Supply

During construction of the Boiler Building Project, the electrical subcontractor determined that the existing underground conduit had deteriorated and was not adequate to support the future electrical needs of the Boiler Building and Restroom Annex. The project team designed a new 400-amp electrical service, including a new electrical line connection to the transformer near the Luther Burbank Administrative Building. The upgraded service requires approval from Puget Sound Energy (PSE). The City began the PSE permitting process in April 2024, and the new electrical line will be constructed as part of the Dock and Waterfront Improvements Project.

Costs associated with incorporating the upgraded electrical supply into the project late in the process, including design, permitting, and new utility connection, have contributed to the overall project budget increase discussed later in this agenda bill.

North Beach Revised Design

During review of the required Shoreline Conditional Use Permit and Variances by the Washington State Department of Ecology, the North Beach design was revised to remove proposed hard armoring and better align the accessible pathway with the existing gravel path. Additional native plantings were also added as conditions of the permit approval.

Multiple agency reviews to agree on the revised design contributed to the increase in overall project budget discussed later in this agenda bill.

Irrigation Line Expansion

The project includes a new lake water intake system that will allow the City to activate its existing water rights permit for Lake Washington and use lake water for park irrigation. During review of the 90% design in August 2025, Parks and Capital staff met with the project irrigation specialist to evaluate the intake system in the context of the park's broader irrigation needs and future expansion. This review resulted in refinements to the intake system and connections to the existing irrigation system that will allow the new system to adequately support current park irrigation needs and accommodate future irrigation expansion. The modification reduces ongoing expenses in the park, including reducing reliance on City-issued water for park irrigation.

Additional costs associated with designing the expanded irrigation line and coordinating needs with the irrigation intake pump manufacturer contributed to the increase in overall project budget discussed later in this agenda bill.

City Float Repairs
The project will reuse the existing wood floating dock to connect to the new floating special-purpose dock and aluminum gangway. Inspections conducted in May 2025 and January 2026 identified repairs that will be needed during construction. An allowance of $90,000 was included in the bid package to cover these repairs.

Derelict Dock Removal
As part of the permitting process, several agencies, including United States Army Corps of Engineers and the Washington State Departments of Ecology and Fish & Wildlife, required additional mitigation for project impacts. Removal of an existing derelict dock at the south end of the park shoreline was added to the project to satisfy part of these mitigation requirements. This existing facility was decommissioned several years ago and is no longer operational or open to public use. No replacement structure will be installed at this location following the dock removal.

Incorporating this mitigation effort required additional costs for design, surveying, permitting, and cultural resources review, and contributed to the overall increase in project budget discussed later in this agenda bill.

Rooftop Deck – Deferred Work
The rooftop deck was not constructed as part of the Boiler Building phase one renovations because land use approvals associated with the Dock and Waterfront Improvements Project had not yet been completed. Although land use permitting for the waterfront project was completed in May 2025, the City subsequently determined that constructing the rooftop deck would change the Boiler Building's occupancy classification and require additional building upgrades beyond the scope of the Dock and Waterfront Improvements Project. The rooftop deck will therefore be deferred and re-evaluated when design for the Luther Burbank Boiler Building Phase 2 project is included in a future biennial budget. This element was removed from the current scope of work.

MERCER ISLAND MEDALLIONS AND OTHER PUBLIC ART ELEMENTS

Pursuant to Mercer Island City Code (MICC 4.40.200), the 1% for Art in Public Places Fund pools contributions from qualifying capital improvement program projects to support public art projects on Mercer Island. In August 2020, the project team began working with the Arts Council to identify appropriate public art components for the Luther Burbank projects. The team determined that integrated and/or functional art elements were preferred.

Following a competitive call for artists process, the City selected Marsha Rollinger to develop integrated public art elements for the Dock and Waterfront Improvements Project (AB 6268). Rollinger led a robust community engagement process that included input opportunities at three community events, on Let's Talk, through direct outreach to Mercer Island community groups, and through meetings with the Friends of Luther Burbank Park and the Mercer Island Historical Society.

The public art package includes four elements, summarized below and described in greater detail in Exhibit 2:

- *Mercer Island Medallions* – Twelve bronze medallions representing aspects of Mercer Island life and developed with community input will be inlaid at the plaza.
- Light pole fixture – A metal sculptural element depicting a belted kingfisher will be installed on a light pole in the plaza.

- Boiler Building vinyl decals – Vinyl decals depicting salmon and "Luther Burbank Park" will be installed on the east-facing wall of the Boiler Building to help identify the park as a destination for visitors arriving from the water.
- Kiosk art embellishments – Metal sculptural elements representing boating activities and shoreline wildlife will be mounted on the two-panel kiosk planned for the waterfront plaza.

The cost to fabricate and install the four elements, including artist oversight during installation, amounts to $97,000. Public art element expenses are included in the overall project budget.

BID RESULTS

Four construction bids were received on July 15, 2026. The lowest bid was from Quigg Bros., Inc., for $6,729,171, which is approximately 13% below the engineer's estimate. Table 3 provides a summary of the bid results.

TABLE 3: LUTHER BURBANK PARK DOCK AND WATERFRONT IMPROVEMENTS BID RESULTS

COMPANY NAME	BASE BID	ALLOWANCES	WSST (10.3%)	TOTAL BID AMOUNT
Quigg Bros., Inc.	$5,925,812	$193,000	$610,359	**$6,729,171**
Orion Marine Contractors, Inc.	$7,534,839	$193,000	$776,088	**$8,503,927**
Strider Construction Co., Inc.	$7,660,501	$193,000	$789,032	**$8,642,533**
Kassel & Associates	$7,884,203	$193,000	$812,073	**$8,889,275**
Engineer's Estimate:	**$6,850,547**	**$193,000**	**$705,607**	**$7,749,154**

The apparent low bidder, Quigg Bros., Inc., from Aberdeen, has operated for 72 years and successfully completed numerous marine projects around the state, including the Des Moines Marina Redevelopment (2025-2026), the Port of Poulsbo Breakwater Replacement (2022-2024), the Fry Creek Pump Station Replacement for the City of Aberdeen (2022-2024), and multiple Foss Waterways projects for the City of Tacoma.

A review of the Labor and Industries (L&I) website confirms Quigg Bros., Inc., is a contractor in good standing with no license violations, outstanding lawsuits, or L&I tax debt. Based on review of their bid submittal and reference checks, staff determined that Quigg Bros., Inc., is the lowest responsive and responsible bidder for this project, and staff recommend awarding the Luther Burbank Park Dock and Waterfront Improvements Project to Quigg Bros., Inc.

PROJECT COST

The total estimated cost for the Luther Burbank Park Dock and Waterfront Improvements Project is $9,755,000. This estimate includes the construction contract and other costs necessary to complete the project, including construction contingency, design support, construction inspection and other support, project management, and public art installation. Table 4 summarizes the total estimated project costs.

Table 4: Luther Burbank Park Dock and Waterfront Improvements Project Budget		
Description		**Cost Estimate**
Construction Contract		
Base Bid[1]	$	5,926,000
Allowances		193,000
Washington State Sales Tax (10.3%)		611,000
Construction Contract Subtotal	**$**	**6,730,000**
Additional Project Costs		
Construction Contingency (10%)	$	593,000
Design & Engineering (thru Bid Award)		852,000
Permitting & Mitigation Fees		255,000
On-Call Engineer of Record Support		20,000
Construction Support Services		450,000
Contract Admin/Project Management		64,000
Soil Remediation - Permitting and Design Services		426,000
Geotechnical Special Inspections and Observation		57,000
Testing and Inspections		40,000
Cultural Resources Monitoring (Grant Requirement)		70,000
Utility Connections		66,000
Miscellaneous Costs (Signage, Furnishings, Other)		35,000
1% for the Arts – *Mercer Island Medallions* package		97,000
Additional Project Costs Subtotal	**$**	**3,025,000**
Total Project Cost	**$**	**9,755,000**

[1]The portion of the Base Bid for construction tied to soil remediation work is approximately $270,000. The portion of Additional Project Costs (design, project management, etc.) tied to soil remediation work is approximately $740,000. Taken together, total cost estimate related to soil remediation is $1,010,000. Figures rounded to the nearest $1,000.

BUDGET

The 2025-2026 total authorized project budget is $7,563,000. Due to permitting delays and unforeseen project design changes to meet permitting requirements, the estimated project costs exceed the project budget by $2,192,000.

An appropriation is requested to fully fund the Dock and Waterfront Improvements Project. Table 5 summarizes the proposed funding sources and the additional appropriation needed to fully fund the project. A detailed explanation of the source of the funding to support the appropriation is provided in the narrative that follows Table 5.

Table 5: Luther Burbank Park Dock and Waterfront Improvements Project Budget and Additional Funding Requirements		
2025-2026 Authorized Project Budget	**$**	**7,563,000**
Updated Project Cost		9,755,000
Project Budget Over/ (Under)	**$**	**(2,192,000)**
Summary of Additional Budget Resources		
Budget Reallocation in Capital Improvement Fund (320)		46,000
King County Parks Levy Funds		539,000
Additional District SROF Grant Funding		361,000
Sewer Utility		90,000
Stormwater Utility		146,000
General Fund (001) Unassigned Fund Balance		1,010,000
Total Additional Budget Resources	**$**	**2,192,000**

Figures rounded to the nearest $1,000.

APPROPRIATION REQUEST

Staff request an appropriation of $2,192,000 to complete this project through construction. The sources for the appropriation request are detailed at the bottom of Table 5 and further explained below.

Budget Reallocation in Capital Improvement Fund (320) - $46,000
The City Manager recommends $46,000 be reallocated from project savings from the MICEC Groundwater Intrusion Project (90.05.0003). This project was budgeted at $350,400 to address groundwater intrusion issues at the Community Center. After completing investigative work, staff determined the scope of facility repairs is smaller than originally anticipated and sufficient project savings are available to reallocate $46,000.

King County Parks Levy 2026 Funding Authorization - $274,400; 2027 Budget Directive - $264,600
Approved by King County voters as Proposition 1 on August 5, 2025, the 2026–2031 King County Parks Levy is a six-year property tax levy lid lift that replaces the previous levy that expired at the end of 2025. The local pass-through portion of the levy lid lift for cities supports the maintenance, operation, and investment in parks and open spaces. The City of Mercer Island receives an annual allocation, which is used to fund park capital projects.

When the 2025-2026 Biennial Budget was adopted, no King County Parks Levy funding was assumed in 2026. With its August 2025 renewal, the City has $274,400 in King County Parks Levy funds available in 2026 and expects to receive $264,600 in 2027, totaling $539,000.

The City Manager recommends the City Council authorize use of the 2026 and 2027 King County Parks Levy funding for the Dock and Waterfront Improvements Project.

Additional King County Flood Control District Subregional Opportunity Fund Grant Dollars - $361,000
As detailed earlier in this agenda bill, the City has allocated $1,461,954 from its Subregional Opportunity Fund resources to the Dock and Waterfront Improvements Project. This is $361,000 more than originally assumed for the project.

The City Manager recommends the City Council authorize additional use of Mercer Island's King County Flood Control District Subregional Opportunity Fund resources for the Luther Burbank Park Dock and Waterfront Improvement Project.

Sewer Utility - $90,000

The City Manager recommends allocating $90,000 from the Sewer Utility Fund to support replacement of the sanitary sewer system at the site. A new sewer pump connection to the existing sewer vault at the waterfront was planned for construction as part of the Boiler Building renovations completed in 2024. However, during construction, the contractor discovered a leak in the existing utility vault. The project team determined that the vault must be fully replaced but that timing would conflict with excavation work associated with the upcoming Dock and Waterfront Improvements Project.

The City postponed the vault replacement and opted to close the restrooms until the vault could be replaced during future construction. A new sewer lift station and vault have been designed to the City's current standards and will be constructed closer to the restrooms to improve future maintenance and operations. The existing vault will be decommissioned and sealed in place. Replacing the existing sewer vault is necessary to reopen the waterfront restrooms, which remain closed to the public, as well as to prevent future impacts on the City's entire sewer conveyance system.

Because the Sewer Fund (420) ended 2025 with no unassigned fund balance, staff evaluated active capital projects to identify available funding. The Sewer Pipe Replacement and Upsizing Project (90.30.0008) currently has $162,770 remaining of its authorized $250,000 budget. Originally scheduled for the 2025-2026 biennium, this project has been deferred to 2031-2032.

The City Manager recommends the City Council appropriate $90,000 from this remaining project balance to fund the sewer improvements at Luther Burbank Park. This is an eligible use of these funds.

Stormwater Utility - $146,000

The City Manager recommends allocating $146,000 from the Stormwater Utility Fund to support the overall stormwater infrastructure of Basin 8, which serves Luther Burbank Park, the Mercer Island Community and Event Center, and several homes along 82nd Avenue SE. The stormwater elements of the project will improve water quality draining into Lake Washington by installing a Silva Cell biofiltration system and replacing catch basins, outfalls, and other infrastructure at the site, and will benefit the City's entire stormwater system upon completion.

At 2025 year-end, the Stormwater Fund (430) maintained an available unassigned fund balance of $1,990,930 to support capital improvements for the City's stormwater system. The City Manager recommends the City Council appropriate $146,000 from the Stormwater Fund for stormwater utility-related improvements included in the Luther Burbank Park Dock and Waterfront Improvement Project. This is an eligible use of these funds.

General Fund (001) Unassigned Fund Balance - $1,010,000

At the end of 2025, the General Fund (001) unassigned fund balance amounted to $5,124,091. Staff recommend the City Council appropriate $1,010,000 of this unassigned fund balance for the unforeseen costs associated with remediating the contaminated soil at the project site. This includes all costs associated with design, permitting, geotechnical investigation, legal support, and construction related to the soil cleanup action.

Staff will continue to work with previous owners of the site – who include the Seattle School District and King County – to recover the soil remediation costs borne by the City. Any funds reimbursed by third parties tied to soil remediation efforts will be returned to the General Fund.

NEXT STEPS

Following City Council approval of the contract award, staff will execute the public works contract with Quigg Bros., Inc., along with agreements for construction support and other professional services. Construction is expected to begin in fall 2026 and take approximately 15 to 18 months to complete. Regular project updates will be shared on Let's Talk at letstalk.mercergov.org/lbdock throughout construction.

RECOMMENDED ACTION

1. Award the Luther Burbank Park Dock and Waterfront Improvements Project construction contract to Quigg Bros., Inc., a Washington-based Corporation, in an amount not to exceed $6,730,000, including Washington State Sales Tax.
2. Reallocate $46,000 from the MICEC Groundwater Intrusion project (90.05.0003) to the Luther Burbank Park Dock and Waterfront Improvements Project;
3. Authorize $539,000 of Mercer Island's King County Parks Levy funding for the Luther Burbank Park Dock and Waterfront Improvement Project;
4. Authorize an additional $361,000 of Mercer Island's King County Flood Control District Subregional Opportunity Fund resources for the Luther Burbank Park Dock and Waterfront Improvement Project;
5. Reallocate $90,000 from the remaining Sewer Pipe Replacement and Upsizing project budget (90.30.0008) to fund the sewer utility-related improvements in the Luther Burbank Park Dock and Waterfront Improvements project;
6. Appropriate $146,000 from the Stormwater Utility Fund for stormwater utility-related improvements in the Luther Burbank Park Dock and Waterfront Improvements project;
7. Appropriate $1,010,000 from the unassigned fund balance in the General Fund for the unforeseen soil remediation costs associated with the project site; and
8. Set the Luther Burbank Park Dock and Waterfront Improvements total project budget to $9,755,000.

90.25.0020
Luther Burbank Dock and Waterfront Improvements

Major Roads | Street Centerline | Project Location | Parks

N

111

Disclaimer: No warranties of any sort including accuracy, fitness or merchanaibility accompany this map.

PA0122.mxd Date:6/23/2021

Mercer Island Arts Council | October 25, 2023 meeting
Designs by Marsha Rollinger

Project Summary & Location

Mercer Island Medallions

Through various events, meetings, and other methods of community outreach, artist Marsha Rollinger and the City of Mercer Island worked together to collect input from the public on what they felt makes Mercer Island and Luther Burbank Park special to them. Input came in the form of words, stories, images, and poems. Marsha then created 12 unique medallion designs based on the responses received.

These designs, presented today, will be cast in bronze and set into the new Luther Burbank Park dock plaza paving as part of the renovations there. The bronze medallions are three different sizes: (4) 18", (4) 24" and (4) 30".

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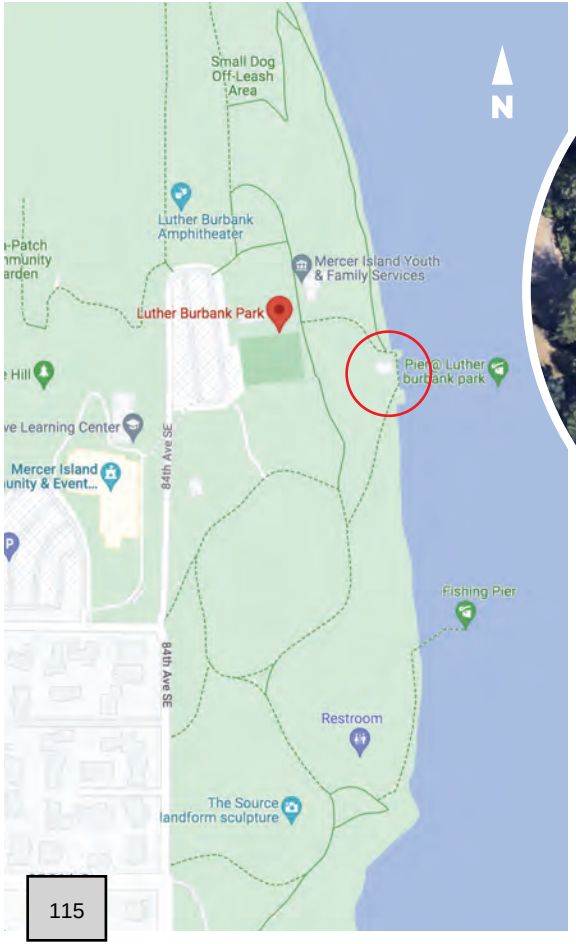
Mercer Island Medallions



The bronze medallions will be installed in the plaza area paving next to the Luther Burbank Park Boiler Building.

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The layout is reminiscent of bubbles, drawing viewers from one side of the paved plaza area to the other.

12 total unique bronze inlays

★ = 18" (qty. 4) ▲ = 24" (qty. 4) ◆ = 30" (qty. 4)

Mercer Island Medallions

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Community Engagement

Print materials were designed and posted in various locations containing info about the project, the outreach events, and a QR code linking to the Mercer Island Let's Talk webpage. City of Mercer Island social media platforms also helped spread the word.

IN-PERSON EVENTS:

Mercer Island Farmers Market
Summer Celebration
Mostly Music in the Park

COLLABORATORS:

Friends of Luther Burbank Park (Sue Stewart & Judith Roan)
Mercer Island Historical Society (Jane Meyer Brahm & Terry Moreman)
Mercer Island Visual Arts League (Anne Hritzay)
Mercer Island Preschool Association (Fan Yuan)

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Posters and A-Boards

Postcards

Business cards

Stickers

Coloring pages

Mercer Island Medallions

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Mercer Island Medallions

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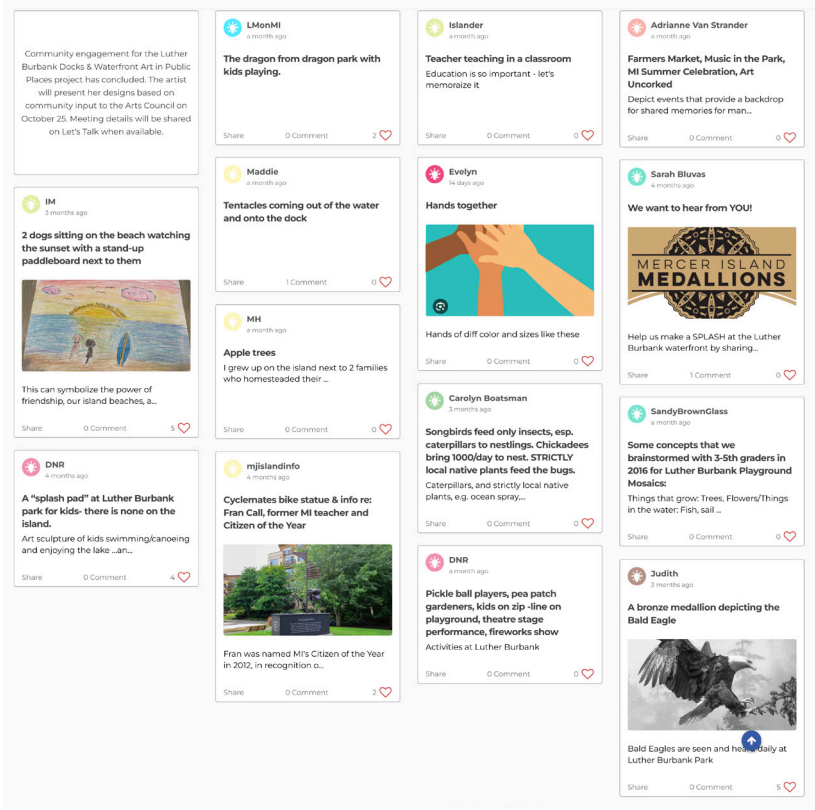
LET'S TALK MERCER ISLAND

IM
3 months ago

2 dogs sitting on the beach watching the sunset with a stand-up paddleboard next to them

This can symbolize the power of friendship, our island beaches, and the large number of dogs on the island. Idea and art by Sofia and Romy, 3rd graders who live here on the island.



Mercer Island Medallions

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The Designs

This medallion is an educational piece featuring phases and stages, focusing on the life cycle of salmon.

Starting at the center and moving outwards, this design includes:

- Sun or water waves (interpretation is up to the viewer)
- Moon phases—the moon has an effect on nature—creating tides, etc.
- Salmon life stages with terms

Mercer Island Medallions

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This medallion represents two aspects of Mercer Island—the indigenous peoples' belief the island would sink every night, and the sunken forest(s) off the island's coastline.

Starting at the center and moving outwards, this design includes:

- Moon and stars
- Underwater trees with fish swimming among them

Mercer Island Medallions

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This medallion honors education and schools on Mercer Island, past and present.

Starting at the center and moving outwards, this design includes:

- Sun icon for "school days"
- Apples, textbooks and pencils represent education at the Boys Parental School at Luther Burbank Park, and all of the schools on Mercer Island
- Architecture from the 1890 East Seattle School building
- A mushroom shape is "hidden" above the graduation cap as an homage to "The Mushroom" building at Mercer Island High School that was torn down in 1997
- Graduation caps
- Mascots from each of the six public schools on the island: snail, wolf, owl, lion, eagle, and gator

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Mercer Island Medallions

This medallion pays homage to all of the people throughout history that have walked the land of Mercer Island.

Starting at the center and moving outwards, this design includes:

- A spiral—one of the oldest shapes in the ancient world that has many symbolic meanings: passage of time, growth, rebirth, change, etc. It is also the shape of eddies and whirlpools
- Trigons, a geometric shape often used in indigenous Pacific Northwest peoples' artwork—here with the spiral they look like a sun
- Gooseberries, relating to the Lushootseed word *TsEjtsEjkaʼbats* for Mercer Island meaning "place where gooseberries grow"
- A haiku submitted by poet Kalehua Kim (bio at kalehuakim.com)
- Footprints, relating to the haiku title as well as people who have, and do, walk upon this land. As an "easter egg" the footprint above the poem's title contains the shape of Mercer Island

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This medallion features some of the beloved arts and events at Luther Burbank Park.

Starting at the center and moving outwards, this design includes:

- Music notes (Summer Celebration)
- Fireworks (Summer Celebration)
- Theater comedy and tragedy masks (Shakespeare in the Park)
- *The Source* (public art piece)
- *Handsome Bollards* (public art piece)

Mercer Island Medallions

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This medallion celebrates play and friendship—making memories in the special places on Mercer Island.

Starting at the center and moving outwards, this design includes:

- Hearts (love, connection, kindness)
- Dogs at the docks or Calkins Point, watching the sunrise or sunset—many dogs live on the island and play together at the off-leash area of Luther Burbank Park, etc.
- *Kenton's Dragon* at Deane's Children's Park (Dragon Park), showing past and present versions of the dragon's face
- People holding hearts (community, friendships and togetherness—people working together saved and helped establish parks and other special places on Mercer Island)

Mercer Island Medallions

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This medallion honors the gardening and farming aspects of the Boys Parental School at Luther Burbank Park, as well as the Community & Event Center pea patch and Farmers Market.

Starting at the center and moving outwards, this design includes:

- Sunflower and leaves
- Slugs, a maligned garden dweller
- Pigs, cows and chickens that were raised by the students at the Boys Parental School at Luther Burbank Park
- Earthworms—a gardener's friend
- Various things found or grown in the island's gardens, farms and orchards: fruits, vegetables, milk, bugs, flowers, etc.
- As an "easter egg", three plants attributed to Luther Burbank are side by side in this design: Shasta daisy, Russet Burbank potato and the Himalayan blackberry

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This medallion highlights the Great Blue Heron, which can be seen daily at Luther Burbank Park and in other natural places on Mercer Island.

Starting at the center and moving outwards, this design includes:

- Flower
- Great Blue Heron with fish
- Anchors

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This medallion features several elements from Mercer Island's rich history.

Starting at the center and moving outwards, this design includes:

- Sun (relates to *Dawn*, below)
- Rowboats—early means of travel around the island
- *Dawn* passenger ferry
- Calkins Hotel architecture
- The Roanoke Inn sign shape
- Trees and logging saws

Mercer Island Medallions

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This medallion celebrates the water-related activities seen and participated in at Luther Burbank Park and other places on Mercer Island.

Starting at the center and moving outwards, this design includes:

- Oars
- Sailboats
- Kayaks
- Fish and life preservers

Mercer Island Medallions

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This medallion is a tribute to Mercer Island's wonderful natural spaces and the creatures who live there.

Starting at the center and moving outwards, this design includes:

- Blackberry
- Ducks
- Butterfly
- Dragonfly
- Deer tracks
- Bald eagle
- Bewick's Wren with caterpillar
- Rabbit (hiding from eagle)
- Garry Oak and Big Leaf Maple leaves
- Pacific treefrog
- Trillium

Mercer Island Medallions

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PROPOSED DESIGN #12. | 30" INLAY

This medallion is based on a nautical compass rose, and is meant to be a helpful, general wayfinding tool for folks at the dock area.

Starting at the center and moving outwards, this design includes:

- Mercer Island shape
- Ship's wheel
- Tentacle representing the fables about "monsters" who live in deep waters of lakes and seas
- Fishing hook
- Fern design
- Bubbles
- Off-leash dogs running, kayaks/canoers, swimmers, and tennis/pickleball players
- Distant mountain ridge line
- Directions to general, important areas of Luther Burbank Park and nearby cities

Mercer Island Medallions

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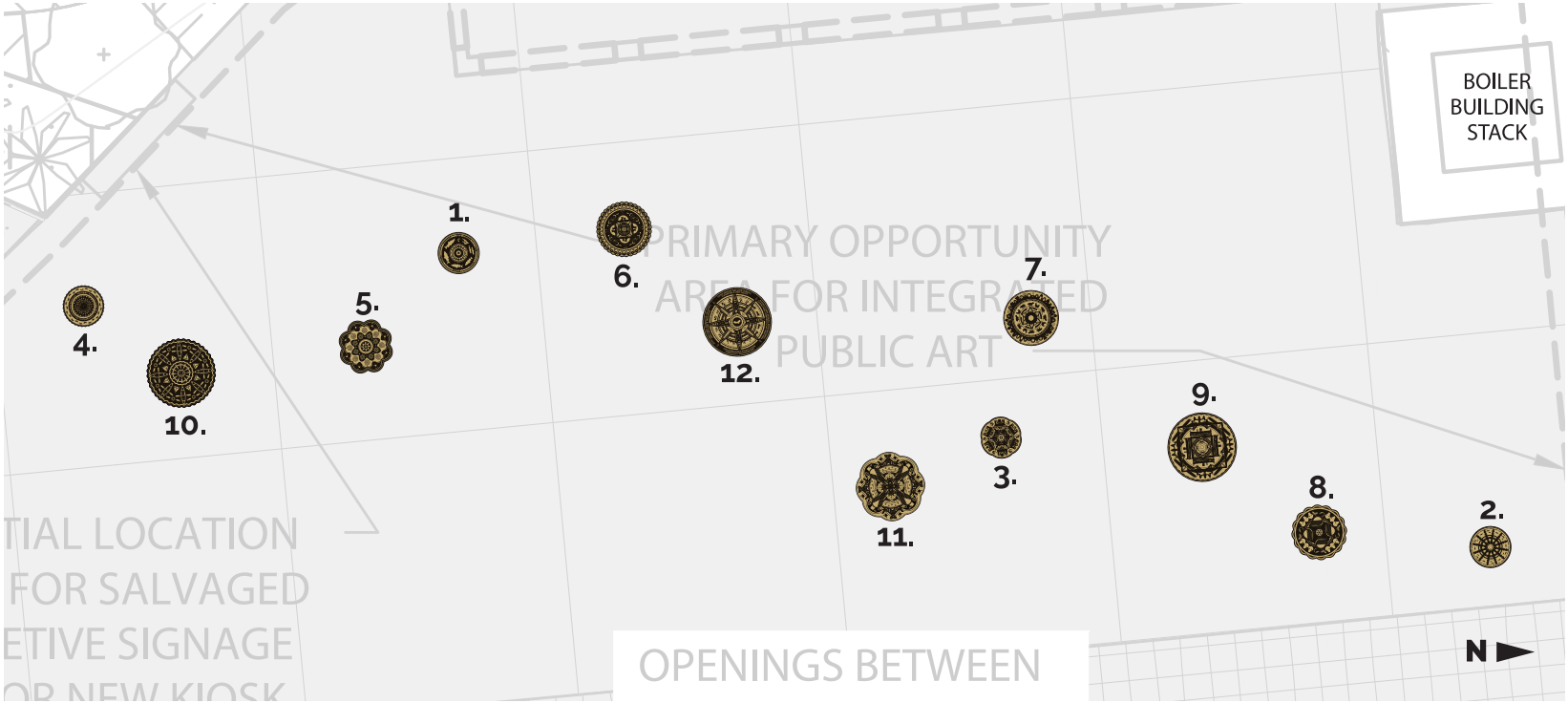

Mercer Island Medallions

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Additional Art Elements

Mercer Island Medallions

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These are temporary decals made from printed and cut 3M Envision Print Wrap Film, (LX480mC). The expected service life of this material is seven years.

In addition to adding visual interest to the views from the water, the decals would act as a sign, identifying the park to those coming to the docks by boat.

The decals also add verticality to offset the horizontal plane of the bronze inlays.

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Belted Kingfisher design

This is a black aluminum silhouette art piece that would be designed to screw onto existing light pole banner brackets.

The art would be added to the light pole that will remain along the waterfront, near the Luther Burbank Park Boiler Building.

Mercer Island Medallions

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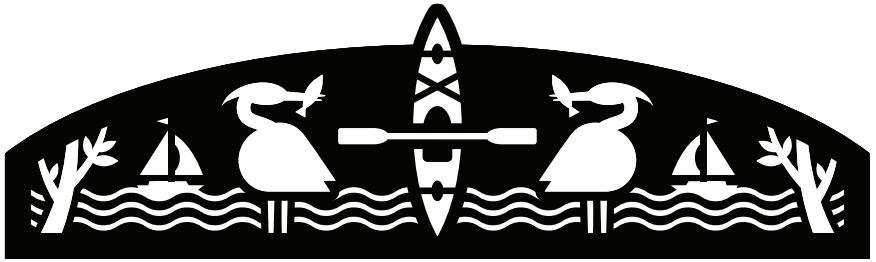

This artwork is a black 36.5" x 10.75" cut metal silhouette art header that goes on top of the kiosk that will be down in the dock plaza area.

Mercer Island Medallions

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BUSINESS OF THE CITY COUNCIL
CITY OF MERCER ISLAND

AB 6994
September 1, 2026
Consent Agenda

AGENDA BILL INFORMATION

TITLE:	AB 6994: Interlocal Agreement with MISD for Mental Health Counseling Services	☐ Discussion Only ☒ Action Needed: ☒ Motion ☐ Ordinance ☐ Resolution
RECOMMENDED ACTION:	Authorize the City Manager to sign the interlocal agreement with the Mercer Island School District for mental health counseling services during the 2026-2027 school year.	

DEPARTMENT:	Youth and Family Services
STAFF:	Ali Spietz, Chief of Administration Derek Franklin, YFS Administrator
COUNCIL LIAISON:	n/a
EXHIBITS:	1. 2026-2027 Interlocal Agreement for School Mental Health Counseling Services
CITY COUNCIL PRIORITY:	4. Focus efforts and actions to be an environmentally and fiscally sustainable, connected, and diverse community.

AMOUNT OF EXPENDITURE	$ n/a
AMOUNT BUDGETED	$ n/a
APPROPRIATION REQUIRED	$ n/a

EXECUTIVE SUMMARY

The purpose of this agenda item is to seek approval from the City Council to enter into an Interlocal Agreement ("ILA") with the Mercer Island School District ("District") for mental health counseling services for the 2026-2027 school year.

- YFS mental health counselors have served in one or more schools in the District for 46 years and under an ILA for the past 29 years.
- The proposed ILA for the 2026-2027 school year includes eight mental health and drug and alcohol school-based counseling professionals.
- The District contributes $60,000 to the cost of the salaries, benefits, and certification for the eight mental health counselors covered in the ILA.

BACKGROUND

Since 1979, the City's Department of Youth and Family Services (YFS) has maintained a partnership with the District whereby YFS has placed mental health counselors in the District's schools. This began with a YFS counselor at the high school then grew to include YFS counselors at every school; a staffing level that has

been in place for more than 30 years. This model allows for collaborative mental health counseling programs in the four elementary schools, the middle school, and the high school including the Crest Learning Center.

Students that have mental health counselors in their school are found to be over 20 times more likely to access needed mental health support. For the last 29 years, the City and the District have memorialized this collaboration in an annual ILA detailing staffing and costs for the counseling services.

ISSUE/DISCUSSION

As part of the proposed ILA (see Exhibit 1), the City will provide eight mental health and drug and alcohol school-based counseling professionals for the 2026-2027 school year. The ILA also allows for the inclusion of graduate-level interns as part of the staffing.

The 2026-2027 ILA includes the addition in section 3.3 of language that includes the capacity for YFS school-based counselors to offer optional student emotional support advocacy related to formal school reporting, discipline, or other processes. There are no other substantive changes in this year's ILA regarding the provision of services.

STAFFING COST ESTIMATE

The estimate below includes the full cost of salary and benefits for the eight school counseling professionals for the 2026-2027 school calendar year. The ILA reflects an annual payment of $60,000 from the District to support the eight YFS counselors.

2026-2027 ESTIMATE			
	City Share	**District Share**	**Total**
4 Elementary School Counselors	$484,249.60	$60,000.00	$424,249.60
2 Middle School Counselor	227,773.79		227,773.79
1 High School Drug/Alcohol Specialist	133,207.43		133,207.43
1High School Counselor	128,092.45		128,092.45
Tuition & Registrations	3,200.00		3,200.00
	$976,523.27	**$60,000.00**	**$916,523.27**

RECOMMENDED ACTION

Authorize the City Manager to sign the interlocal agreement with the Mercer Island School District for mental health counseling services during the 2026-2027 school year substantially in the form attached as Exhibit 1 to AB 6994.

City of Mercer Island and Mercer Island School District
Interlocal Agreement for 2026-2027 Mental Health Counseling Services

THIS INTERLOCAL AGREEMENT ("Agreement") is entered into by and between Mercer Island School District No. 400 ("District") and the City of Mercer Island, a municipal corporation of the State of Washington ("City") (collectively, "Parties") pursuant to and as authorized by the Interlocal Cooperation Act (Chapter 39.34 RCW).

WHEREAS the District desires to obtain comprehensive mental health counseling services; and

WHEREAS the City has a comprehensive mental health counseling service available within the Department of Youth and Family Services ("YFS"); and

WHEREAS the City Council has determined that the public health, welfare, and safety is enhanced by delivering these services; and

WHEREAS the Parties desire to enter into this Agreement to set forth the terms and conditions under which such mental health counseling services shall be provided by the City to the District.

NOW, THEREFORE, in consideration of the mutual promises and covenants herein contained, to be kept, performed, and fulfilled by the respective Parties hereto, and other good and valuable consideration, it is mutually agreed as follows:

1. Purpose. The purpose of the Agreement is to enable the City and the District to cooperatively provide comprehensive mental health counseling services to the students of the District to the mutual advantage of the Parties and the benefit of the community.

2. Duration/Termination. This Agreement shall commence on August 17, 2026 and terminate on August 16, 2027. Provided, however, that the City or the District may terminate the Agreement upon giving thirty (30) days' written notice to the other party.

   If the Agreement is terminated as provided in this section, the District shall be liable only for payment in accordance with the terms of this Agreement for services rendered prior to the effective date of termination and the City shall be released from any obligation to provide such further service pursuant to the Agreement as of the effective date of the termination.

3. Services to be Provided.

   3.1 The City will provide the equivalent of eight (8) counselors from YFS to perform services at District facilities and/or through virtual platforms (i.e., remote videoconferencing). The eight counselors are as follows:
   - four elementary school counselors,
   - two middle school counselors,
   - one high school counselor, and
   - one high school mental health and substance abuse specialist.

3.2 The counselors will each provide the District 40 work hours/week during the District's 2026-2027 academic year (August 17, 2026 to June 25, 2027).

3.3 The counselors shall provide services which include, but shall not be limited to the following: assistance with personal behavioral health challenges of students; individual and group counseling with students; family and parental consultation and counseling on a short term basis; engagement in the broader school community to support mental health promotion and substance abuse prevention, delivering group or classroom social-emotional curricula in collaboration with school staff and when appropriate; alcohol and other drug prevention/intervention services by dully credentialled staff, student emotional support advocacy (student opt-in related to formal school reporting, discipline, or other processes) , and consulting with the District staff concerning student behavior, including participation, when appropriate, on Student Study Teams (SST), Building Guidance Teams (BGT) and/or other formal building planning, crisis intervention, and support functions.

3.4 The City may also provide 20 hours per week of school mental health support services through unpaid clinical internship(s) under the direct supervision of qualified, licensed YFS staff.

3.5 Services will be provided in person, in the classroom, and/or via virtual platforms (or a combination of the three) determined upon mutual consideration the needs of the individual school, the District, the City and personal health and safety needs of individual City staff (per City Human Resources policy and YFS staff policy).

4. Cost Allocation. The District will pay $60,000.00 of the total sum for the school-based counseling personnel services during the term of the Agreement and the City will pay the difference of the total sum as estimated below:

2026-2027 ESTIMATE			
	City Share	**District Share**	**Total**
4 Elementary School Counselors	$484,249.60	$60,000.00	$424,249.60
2 Middle School Counselor	227,773.79		227,773.79
1 High School Drug/Alcohol Specialist	133,207.43		133,207.43
1High School Counselor	128,092.45		128,092.45
Tuition & Registrations	3,200.00		3,200.00
	$976,523.27	**$60,000.00**	**$916,523.27**

The Parties' cost allocation and payment responsibilities for 2026-2027, and any subsequent academic years, will be reviewed and discussed during the term of the Agreement by both parties prior to the development and execution of any future interlocal agreements.

5. Service Level Changes. The number of counseling professionals and corresponding services provided by the City, as set forth above in Section 3, are contingent on receipt of sufficient revenues by the City to pay for them. If sufficient revenues are not received in the

sole judgment of the City, the City may, in lieu of terminating the agreement pursuant to Section 2, modify the service levels provided in Section 3. If services levels are modified, allocation of total cost outstanding shall remain at the same ratio shown in Section 4.

6. Premises/Equipment. The District will provide on-site space, equipment, email accounts, and supplies necessary to provide the counseling services, at no cost to the City. Each school counselor must comply with the Acceptable Use Policy of the District.

7. Employees. All persons performing services hereunder shall be employees of the City and not the District. Nothing in this Agreement shall make any employee of the City an employee of the District, and vice versa, for any purpose, including but not limited to, withholding of taxes, payment of benefits, insurance, worker's compensation pursuant to Title 51 RCW, or any other rights or privileges accorded to either Parties' employee by virtue of their employment. At all times pertinent hereto, employees of the City are acting as City employees and employees of the District are acting as District employees.

8. Indemnification. The City will protect, defend, indemnify, and save harmless the District, its officers, employees, and agents from and against any costs, claims, actions, liabilities, judgments or awards and damages (including attorney's fees and costs) arising out of or in any way resulting from the negligent acts or omissions of the City, its officers, its employees, and agents in connection with this Agreement.

   The District will protect, defend, indemnify, and save harmless the City, its officers, employees, and agents from and against any and all costs, claims, actions, liabilities, judgments or awards and damages (including attorney's fees and costs) arising out of or in any way resulting from the negligent acts or omissions of the District, its officers, employees, and agents in connection with this Agreement. The District waives any immunity that may be granted to it under the Washington State Industrial Insurance Act, Title 51 RCW. The District's indemnification shall not be limited in any way by any limitation on the amount of damages, compensation or benefits payable to or by any third party under workers compensation acts, disability benefit acts or any other benefits acts or programs.

   These indemnification paragraphs shall survive the expiration or earlier termination of this Agreement.

9. Insurance.

   9.1 The City shall maintain in full force throughout the duration of this Agreement comprehensive general liability insurance with a minimum coverage of $1,000,000 per occurrence/$2,000,000 aggregate for personal injury and property damage. This requirement shall be deemed satisfied by evidence of the City's membership in a municipal self- insurance pool, including evidence of limits of coverage, exclusions, and limits of liability, satisfactory to the District.

   9.2 The District shall maintain in full force throughout the duration of this Agreement comprehensive general liability insurance with a minimum coverage of $1,000,000 per occurrence/$2,000,000 aggregate for personal injury and property damage and name the City as an additional insured thereon. This requirement shall be deemed

satisfied by evidence of the District's membership in a school district self-insurance pool, including evidence of limits of coverage, exclusions, and limits of liability, satisfactory to the City.

10. Standards of Performance. All services performed hereunder by the City shall be performed diligently and competently and in accordance with professional standards. The District will formally meet with the City supervisor of counselors for an end-of-year review on or before July 1 to discuss the counseling services overall and individual counselor's performance. The end-of-year review will include input from the school principal and when appropriate the Director of Learning Services or Superintendent of the District and will note annual successes and opportunities for growth and development for the ensuing year(s) should the District and City extend this agreement in successive years. The District will communicate to the City supervisor of the counselors at any time when performance issues arise during the school year. The City will consult with the District when improvement plans may be needed.

    The City will provide an end-of-year review that includes a summary of the issues identified that affected a counselor's ability to perform his/her duties. The review will note practices and environments which led to a successful partnership as well as any opportunities for improvement in the partnership and collaboration for the ensuing year should the District and City extend this Agreement in successive years. The District will consult with the City when improvement plans may be needed.

11. Disclosure of Student Information. In the course of consulting with District staff concerning student behavior and participation on Student Study Teams (SST), Building Guidance Teams (BGT), and/or in other formal and informal venues, counselors providing services under this Agreement may receive personally identifiable information from the education records of students. Such information remains subject to the control of the District. Counselors are authorized to use this information only for the purpose of consulting with District staff concerning student behavior and participation on Student Study Teams (SST), Building Guidance Teams (BGT), and/or in other formal and informal venues. Counselors may not disclose such information for any other purpose without the consent of the parent or eligible student.

12. Summary Report. At the conclusion of the academic year, the City will provide a summary document to the Superintendent or designee that will include but is not limited to the number of students counselors worked with during the year (unduplicated), the number of student contacts counselors had during the year (duplicated), and the broad themes for why students needed counselor support.

13. Severability. Whenever possible, each provision of this Agreement shall be interpreted in such a manner as to be effective and valid under applicable law. Any provisions of this Agreement that are declared invalid, void, or illegal by a court of competent jurisdiction shall in no way affect, impair, or invalidate any other provision hereof, and such other provisions shall remain in full force and effect.

14. Assignability. The rights, duties, and obligations of either party to this Agreement may not be assigned to any third party without the prior written consent of the other party, which consent shall not be unreasonably withheld.

15. No Third-Party Rights. Except as expressly provided herein, nothing in this Agreement shall be construed to permit anyone other than the Parties hereto and their successors and assigns to rely upon the covenants and agreements herein contained nor to give any such third party a cause of action (as a third-party beneficiary or otherwise) on account of any nonperformance hereunder.

16. Entire Agreement. This Agreement constitutes the entire agreement between the Parties. Either party may request changes in the Agreement. Proposed changes that are mutually agreed upon shall be incorporated by written amendment hereto.

17. Applicable Law and Venue. This Agreement shall be governed by and construed in accordance with the laws of the State of Washington. In the event of any suit or other proceeding instituted to enforce any term of this Agreement, the venue shall be King County, Washington.

18. Filing Requirement. This Agreement shall be filed/posted in accordance with RCW 39.34.040.

19. Nondiscrimination. The City will not unlawfully discriminate against any employee or applicant for employment in connection with the services provided under this Agreement because of race, creed, color, sex, sexual orientation, age, national origin, marital status, or physical and motor handicap or other unlawful basis unless based upon bona fide occupational qualifications.

    The City will ensure that all employees are treated without regard to the race, creed, color, sex, sexual orientation, age, national origin, marital status, and physical and other motor handicap. Such action shall include, but not be limited to the following: employment, upgrading, demotion, transfer, recruitment, or recruiting advertisement, layoff, termination rates of pay or other forms of compensation, selection for training, including any apprenticeship.

20. Administration of Agreement. Each party shall designate an official responsible for the administration of this Agreement and negotiate with regard thereto.

    In the case of the City, that official shall be the Chief of Administration or their designee.

    In the case of the District, that official shall be the Superintendent or their designee. These officials shall communicate from time to time, as they deem necessary to discuss the services and performance of this Agreement and other relevant matters.

DATED this ____day of _____2026.

CITY OF MERCER ISLAND

_____
Jessi Bon, City Manager

APPROVED AS TO FORM:

_____
Bio Park, City Attorney

MERCER ISLAND SCHOOL DISTRICT NO. 400

_____
Dr. Fred Rundle, Superintendent

APPROVED AS TO FORM:

_____
Erin Battersby, Attorney for District
Assistant Superintendent, Compliance, Legal Affairs, & HR

BUSINESS OF THE CITY COUNCIL
CITY OF MERCER ISLAND

AB 6971
September 1, 2026
Regular Business

AGENDA BILL INFORMATION

TITLE:	AB 6971: Fire Apparatus Acquisition and Financing (Ordinance No. 26-12, First Reading)	☐ Discussion Only ☒ Action Needed: ☒ Motion ☒ Ordinance ☐ Resolution
RECOMMENDED ACTION:	Schedule the second reading of Ordinance No. 26-12 on September 15, 2026.	

DEPARTMENT:	Fire
STAFF:	Matt Mornick, Finance Director Jeromy Hicks, Deputy Chief, Eastside Fire & Rescue Carson Hornsby, Management Analyst II
COUNCIL LIAISON:	n/a
EXHIBITS:	1. Ordinance No. 26-12 including Exhibit A – Purchase Agreement with Hughes Fire Equipment, Inc. and Exhibit B – Property Schedule No. 2 to the Master Tax-Exempt Installment Purchase Agreement with Municipal Asset Management, Inc. 2. Executed Master Tax-Exempt Installment Purchase Agreement with Municipal Asset Management, Inc.
CITY COUNCIL PRIORITY:	4. Focus efforts and actions to be an environmentally and fiscally sustainable, connected, and diverse community.

AMOUNT OF EXPENDITURE	$ n/a
AMOUNT BUDGETED	$ n/a
APPROPRIATION REQUIRED	$ n/a

EXECUTIVE SUMMARY

The purpose of this agenda item is to authorize the purchase and financing of a replacement fire apparatus.

- One of the City's type 2 fire apparatus (FL-403) purchased in 2008 is overdue for replacement. This mid-size apparatus is a cost-effective alternative for joint emergency medical service (EMS) and rescue responses, with a compact design well suited for navigating the narrow and steeply graded streets throughout Mercer Island.
- Eastside Fire and Rescue (EF&R) is the City's fire and emergency medical services provider. EF&R's Technical Advisory Group began the design specifications process to replace the apparatus in late 2025 and provided a recommendation to the City in Spring 2026.
- Hughes Fire Equipment ("Hughes"), the Pierce Manufacturing dealer for Washington State, provided a quote for one type 2 fire apparatus in May 2026. The purchase price of the apparatus is $774,266.47 including discounts and sales tax. The quote is valid until October 16, 2026.

- Ordinance No. 26-12 (Exhibit 1) authorizes the City Manager to purchase a new Pierce International Pumper (type 2 apparatus) via a purchase agreement with Hughes.
- In June 2026, the City, EF&R, and Hughes drafted a purchase agreement for the acquisition of one Pierce International Pumper. The City and Hughes agree to the terms outlined in the purchase agreement (Exhibit 1A).
- To secure financing for the apparatus, staff requested financing proposals from two banks and applied for pooled financing via the Washington State Treasurer's Office LOCAL Program. Municipal Asset Management, Inc. offered the most competitive terms with a 4.97% interest rate and 9-year term outlined in the proposed Property Schedule No. 2 (Exhibit 1B) to the previously executed Master Tax-Exempt Installment Purchase Agreement with Municipal Asset Management, Inc. (Exhibit 2).

BACKGROUND

Eastside Fire and Rescue (EF&R) is the City of Mercer Island's fire and emergency medical services provider. The current interlocal agreement between EF&R and the City was executed on January 1, 2024. Per the interlocal agreement, the City will finance and own its fleet while EF&R will manage the fleet's operation and maintenance.

In February 2025, the City Council approved Ordinance No. 25-04 (AB 6624), authorizing the purchase of one type 1 apparatus and one type 2 apparatus from Hughes Fire Equipment ("Hughes"), the exclusive dealer of Pierce Manufacturing in Washington State. The City and Hughes were unable to agree to the price escalator clause in the agreement and the City Manager placed the acquisition on hold.

In September 2025, EF&R's Technical Advisory Group resumed work on the design specifications to replace the City's type 1 apparatus alongside three EF&R-owned type 1 apparatus. To maintain fleet standardization, EF&R recommended a Pierce Manufacturing engine, which optimizes first responder training, certifications, and maintenance efficiencies. In November 2025, the City Council approved Ordinance No. 25-34 (AB 6819), authorizing a joint purchase agreement with Hughes for all four apparatus – including a capped manufacturer price escalator clause – and a lease purchase financing agreement with Municipal Asset Management, Inc.

Following this framework, EF&R resumed plans in late 2025 to replace the City's type 2 apparatus. In May 2026, Hughes provided a quote for the type 2 apparatus (also known as an "International Pumper," which is the formal name of the model by Pierce Manufacturing). City staff, EF&R, and Hughes drafted a purchase agreement that mirrors the November 2025 joint purchase agreement, successfully securing the same cap on the manufacturer's price escalator clause.

ISSUE/DISCUSSION

Type 2 Fire Apparatus

The City currently owns two type 2 fire apparatus, one at each fire station. One of the City's type 2 apparatus (FL-403) is overdue for replacement. Purchased in 2008, the type 2 apparatus has an expected useful life of 16 years and was due for replacement in 2024. Fire apparatus expected useful life is evaluated in conjunction with recommendations from the National Fire Protection Association (NFPA).

For type 2 apparatus, NFPA recommends a useful life of 15 years as a "first out" response vehicle with a subsequent back-up/ reserve life span of an additional 5 to 10 years. Older equipment is maintained to serve as a back-up/reserve pending vehicle condition and maintenance costs. Using "first out" vehicles past their useful life span results in increased maintenance and repair costs, and outdated technology and safety

features. Staggering the replacement of “first out” vehicles with back-up/reserve vehicles helps to maintain the condition and reliability of the City’s fire fleet.

Pierce International Pumper

A new Pierce International Pumper is recommended to replace FL-403. The Pierce International Pumper is a type 2 apparatus also known as a “midi pumper,” or mid-size engine that is larger than a type 3 mini pumper and smaller than a full-size type 1 pumper. This apparatus is more fuel efficient compared to full-size pumpers and is designed as a cost-effective measure for departments responding to both fire and EMS calls. The mid-size apparatus is ideal for the unique geography of Mercer Island due to its ability to effectively maneuver on narrow and steeply graded streets in neighborhoods throughout the island.

Purchase Agreement

In May 2026, Hughes provided a quote for the Pierce International Pumper with a total purchase price of $774,266.47 including discounts and sales tax. The quote is valid until October 16, 2026.

The City, EF&R, and Hughes drafted a purchase agreement (Exhibit 1A) adapted from the 2025 joint purchase agreement with EF&R. The agreement permits Hughes to adjust the purchase price if component costs rise, subject to two specific caps. First, if the Producer Price Index (PPI) for Components of Manufacturing increases at a compounded annual growth rate of 5.0% or more between the order date and 14 months prior to estimated delivery, the price may increase by the amount over 5.0%, pro-rated over that timeframe. Second, cost increases for major third-party manufactured components (e.g. engine, transmission, and fire pump) are capped at a maximum of 10% of the original purchase price.

The manufacturing lead time for the Pierce International Pumper is estimated at 14 to 19 months after the purchase agreement is finalized.

Financing

Staff evaluated financing proposals from Municipal Asset Management, Inc., Holman Capital, and the Washington State Treasurer’s Office LOCAL (Local Option Capital Asset Lending) Program, which pools municipal financing to reduce issuance costs and secure lower interest rates.

The LOCAL program approved the City’s application to finance the purchase of the international pumper in July. However, the LOCAL Program disperses funds once the fire apparatus is delivered, meaning the City would not be able to secure $29,000 in pre-payment discounts offered by Hughes.

Property Schedule No. 2 to the Master Tax-Exempt Installment Purchase Agreement

In contrast, Municipal Asset Management, Inc. offered the most competitive overall package with up-front funding. This immediate financing allows the City to capture the $29,000 pre-payment discount – a net savings that exceeds the long-term interest cost advantages of waiting for LOCAL program funding.

Staff recommend moving forward with Property Schedule No. 2 (Exhibit 1B) under the existing Master Tax-Exempt Installment Purchase Agreement with Municipal Asset Management, Inc. (Exhibit 2), securing a 4.97% interest rate and a 9-year term. Upon delivery of the International Pumper, staff will re-evaluate the LOCAL Program’s latest pooled market offerings to determine whether refinancing the lease-purchase agreement is in the City's best financial interest.

If Property Schedule No. 2 is executed beginning September 29, 2026, the City will make annual installment payments of $108,786 through September 2035 for a total payment of $979,075 over a 9-year term. After the final lease payment in 2035, ownership of the apparatus transfers to the City.

The City has previously financed several fire apparatus acquisitions with Municipal Asset Management, Inc., including the City's most recent acquisition in January 2026. All new fire apparatus purchased by the City since 2007 have been financed through installment purchase (also known as lease purchase) agreements except for one fire rescue truck which was financed by a LTGO bond issue in 2013.

Budgetary Impact

The City's Equipment Rental Fund (510) will pay the debt service for the acquisition of the Pierce International Pumper as outlined in the "Financing" section above. Similar to what the City is experiencing with the acquisition of other specialized vehicles and equipment, the funding mechanisms in place to cover the debt service for fire apparatus are not keeping pace with the cost increases seen in recent years. FL-403 was acquired in 2008 for $251,982. In 2026, the cost to replace the apparatus has risen to $774,266.47 including discounts and sales tax, which represents a 307% increase. This degree of price escalation is commonplace in today's market for fire and EMS vehicles.

Debt service payments for the Pierce International Pumper are made from the Equipment Rental Fund. Staff recently completed a cash flow analysis on the Equipment Rental Fund. A new financing strategy to sustainably operate, maintain, and replace the City's fleet – including fire apparatus – is included in the 2027-2028 Preliminary Biennial Budget that will be presented to the City Council later this month.

NEXT STEPS

Following adoption of Ordinance No. 26-12, the City Manager will finalize and sign the Purchase Agreement with Hughes Fire Equipment and Property Schedule No. 2 to the existing Master Tax-Exempt Installment Purchase Agreement with Municipal Asset Management, Inc. Staff will submit the up-front payment for the International Pumper prior to the October 16, 2026 purchase deadline.

RECOMMENDED ACTION

Schedule the second reading of Ordinance No. 26-12 on September 15, 2026.

CITY OF MERCER ISLAND
ORDINANCE NO. 26-12

AN ORDINANCE OF THE CITY OF MERCER ISLAND, WASHINGTON, RELATING TO THE PURCHASE AND FINANCING OF A FIRE APPARATUS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Mercer Island, Washington ("City") has determined that it is advisable to purchase one Pierce Manufacturing, Inc. International Pumper fire apparatus to replace a City fire apparatus that is beyond its useful life; and

WHEREAS, the City's contracted fire and emergency medical services provider, Eastside Fire and Rescue, completed the specifications process, provided a recommendation to the City, and obtained a final bid at the lowest available price from Hughes Fire Equipment, Inc., the exclusive dealer for Pierce Manufacturing, Inc. in Washington State; and

WHEREAS, the City finds it in the best interest of the public to enter into a purchase agreement with Hughes Fire Equipment, Inc.; and

WHEREAS, pursuant to Ordinance No. 25-34 passed by the City Council on December 2, 2025, the City executed a Master Tax-Exempt Installment Purchase Agreement (the "Master Agreement") with Municipal Asset Management, Inc. to finance the acquisition of property from time to time subject to the terms of a related schedule; and

WHEREAS, the City now desires to execute and deliver a new Property Schedule to the Master Agreement to evidence financing under the terms of the Master Agreement, proceeds of which will be used to acquire a Pierce International Pumper fire apparatus;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MERCER ISLAND, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. **Authorization of Documents Required to Purchase Fire Apparatus.** The City Manager or designee is hereby authorized to execute the following documents, substantially in the form of the drafts attached as Exhibits A and B to this ordinance, relating to the acquisition and financing of one Pierce International Pumper fire apparatus on behalf of the City: (1) Purchase Agreement with Hughes Fire Equipment, Inc. and associated exhibits; and (2) Property Schedule No. 2 to the Master Agreement with Municipal Asset Management, Inc. and associated exhibits, including but not limited to the associated Addendum. The City Manager or designee is hereby authorized and directed to take such steps, to do such other acts and things, and to execute such documents, letters, certificates, agreements, papers, financing statements, assignments or instruments as in their judgment may be necessary, appropriate or desirable, in order to carry out the terms and provisions of, and complete the transactions contemplated by this ordinance, including changes in the documents attached as Exhibits A and B that are determined to be in the best interest of the City of Mercer Island.

Section 2. **General Obligation.** The City's payment obligation under the documents referenced in Section 1 of this ordinance shall be a general obligation of the City payable from its regular property tax levy and other available funds of the City.

The City hereby irrevocably covenants and agrees for as long as such obligations are outstanding and unpaid that each year it will include in its budget and levy a regular property tax upon all the property within the City subject to taxation in an amount that will be sufficient, together with other revenues and money of the City legally available for such purposes, to pay the principal of and interest on such obligations when due. The full faith, credit and resources of the City are hereby irrevocably pledged for the annual levy and collection of said regular taxes and for the prompt payment of the principal of and interest on the obligations when due.

Section 3. **Prior Acts.** All acts taken pursuant to the authority of this ordinance but prior to its effective date are hereby ratified and confirmed.

Section 4. **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, or its application held inapplicable to any person, property, or circumstance, such invalidity or unconstitutionality shall not affect the validity of any other section, sentence, clause, or phrase of this ordinance of its application to any other person, property, or circumstance.

Section 5. **Effective Date.** This ordinance shall take effect five days after its passage, approval and publication as required by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF MERCER ISLAND, WASHINGTON, AT ITS MEETING ON SEPTEMBER 15, 2026.

CITY OF MERCER ISLAND

_____
Dave Rosenbaum, Mayor

APPROVED AS TO FORM:

_____
Bio Park, City Attorney

ATTEST:

_____
Andrea Larson, City Clerk

Date of Publication:

AGREEMENT BETWEEN CITY OF MERCER ISLAND, AND HUGHES FIRE EQUIPMENT, Inc. FOR THE PURCHASE OF ONE (1) PIERCE INTERNATIONAL PUMPER MC1180

THIS AGREEMENT is made and entered into by City of Mercer Island, a Washington Municipal corporation, with its principal offices at 3030 78th Ave SE, Mercer Island, Washington 98040, hereinafter "Customer"; Hughes Fire Equipment, Inc., with its principal offices at 910 Shelley St, Springfield, OR 97477. For the purposes of this Agreement, Hughes Fire Equipment, Inc. shall be referred to as "Vendor."

WITNESSETH: That in consideration of the payments, covenants, and agreements hereinafter mentioned, to be made or performed by the parties hereto, the parties covenant and agree to the following:

1. Term – Agreement

The term "Agreement" as used herein, shall constitute this document entitled "Agreement between City of Mercer Island, and Hughes Fire Equipment, Inc. for the Purchase of the One (1) Pierce International Pumper MC1180, and the following attachments which are incorporated by this reference:

a. Attachment A, entitled "Apparatus Specifications the Product," and

b. Attachment B, entitled "Preliminary Drawing", and

c. Attachment C, entitled "Hughes Fire Equipment Proposal," and

d. Attachment D, entitled "Pierce's Build Sheet."

2. Term – Product

This Agreement is for the purchase of One (1) Pierce International Pumper MC1180 (hereinafter referred to as the "Product"), which shall conform to the terms and conditions of this Agreement. All references to the purchased apparatus in this Agreement and its attachments shall be understood to mean the Product unless otherwise specified.

3. Scope of Work

Vendor agrees to build and deliver to the Customer Product that meets the specifications set forth in this Agreement and its various attachments.

The Customer promises and agrees with Vendor to engage Vendor to provide the Product as described in this Agreement and for Vendor to complete and

finish the same according to the plans and specifications set forth in this Agreement and Attachments A, B, C, and D.

The parties agree that the Product will conform to all Federal Department of Transportation rules and regulations in effect at the time of signing of the Agreement, with all National Fire Protection Association guidelines for Automotive Fire Apparatus as published at the time of signing of this Agreement in effect at the time of signing of the Agreement.

4. Delivery and Risk of Loss

Vendor agrees the unit proposed will be ready for pick up from the factory in 14 to 19 months after contract execution. This does not include the time it will take to transport the unit to the local dealer, complete the pre-delivery inspection and other items to satisfy contract requirements, and transport it to the Customer location. The vendor further agrees to deliver to the Customer Product, free of defects, that conform to the specifications set forth in this Agreement within 420 to 570 calendar days from the date of signing of this Agreement, F.O.B. Mercer Island, Washington; provided, the risk of loss for any defect or damage to the Product shall remain with Vendor until the Product is accepted by the Customer.

Delivery Address:
Eastside Fire & Rescue Station 85
3600 Tolt Ave, Carnation, WA 98014

5. Time is of the Essence

The Customer and Vendor agree that time is of the essence in the performance of this Agreement.

6. Payment and Options

The total purchase price for the Product is $774,266.47, which includes $707,739.00 for the Product and $66,527.47 in applicable Washington state and motor vehicle taxes.

A 100% prepayment in the amount of $774,266.47 is due within 30 days of contract execution, an invoice will be provided. If payment is not made at this time $28,608.00, or a portion thereof, will be added to the final invoice. Final payment, including any changes made during the manufacturing process, will be due upon completion of the apparatus at the factory and prior to the apparatus leaving the factory for delivery.

Any price increase enacted by the suppliers of major components of the Product (including but not limited to engine, transmission, and fire pump as referenced in Attachment A) after the execution of the contract or purchase order shall be paid by the customer up to maximum of a 10% increase on the agreed purchase price. Any price increase on major components of the product will be documented on a Change Order and provided to the customer for approval prior to proceeding. The customer will have the option to cancel the order due to any price increase on major components of the product.

7. Preconstruction

Vendor shall provide and pay the expenses for travel by air, meals, and accommodations for five (5) representatives of the Customer to sit down with the Vendor's representatives at its facility to go over the specifications, so all parties have a clear understanding of the Customer's specifications.

8. Inspection

The Customer is entitled to inspect the Product at two (2) different stages. The inspections shall include:

(i) a final construction inspection prior to leaving the factory; and

(ii) a post-delivery final inspection.

With the exception of the post-delivery final inspection, the inspections shall occur at the Vendor's manufacturing site.

Vendor shall provide and pay the expenses for travel by air, meals, and accommodations for five (5) representatives of the Customer for the final construction inspection prior to leaving the factory. All deficiencies shall be corrected prior to the apparatus leaving the Vendor's facility.

There shall be a post-delivery final inspection conducted at the Customer's premises to ensure that the Product conforms to the terms of this Agreement and pass all inspections and tests as required by the Customer or other laws or regulations. The initial post-delivery inspection and testing shall be completed within thirty (30) days of delivery of the Product. In the event the Product fails to meet the tests as required by the Customer on first trials, second trials may be conducted by the Customer, at the sole option of the Customer, within thirty (30) days from the date of the first trials. Such trials shall be final and conclusive.

Vendor specifically agrees that its failure to afford the Customer the opportunity to inspect the Product pursuant to the terms of this Agreement shall be enough cause, in and of itself, for the rejection of the Product.

Notwithstanding any right of inspection, Vendor shall notify the Customer of any known or discoverable defects in the Product that exist on the date the Product is delivered or are later discovered by Vendor.

9. Acceptance

Acceptance of the Product shall occur after the Product pass post-delivery inspections and tests, which shall be completed within thirty (30) days after the Product is delivered to the Customer. The fact that the Customer uses the Product for the inspection and tests shall not constitute acceptance.

10. Rejection

The Customer reserves the right to inspect the Product for any defects, irregularities, non-conformities, and defects in workmanship and appearance, and to reject the nonconforming or defective Product. The Customer will notify Vendor of the rejection of the Product in writing. The Customer will also provide Vendor with a written description of the reason(s) for rejection. The Customer will hold the Product in its possession with reasonable care at Vendor's disposition for a time enough to permit Vendor to remove the Product. If Vendor gives no instructions within a reasonable time after notification of the rejection, the Customer will store the Product at Vendor's expense and such expense shall become a security interest in favor of the Customer. The parties understand that in the case of rejection, the Customer is not required to store the Product in an enclosed area.

11. Cure

If the Customer rejects the Product for a defect or non-conformity, Vendor shall have thirty (30) days to cure the defect; provided, Vendor provides the Customer written notice of Vendor's intent to cure the defect and assures the Customer that it is capable of curing such defect. The Customer shall notify Vendor in writing of its discovery of any defect within thirty (30) days of the actual discovery of the defect. The cure of the defect shall be at the sole expense of the Vendor, and Vendor shall cover all costs of such cure. In the event the cure requires that the Product to be transported beyond the limits of the State of Washington, Vendor shall, in addition to covering all costs of such cure, pay to the Customer $0.725 per mile that the Product is driven to cover the wear and tear on the Product.

Unless otherwise agreed to in a separate writing signed by the parties, Vendor shall have one opportunity to cure each defect for which it has been placed on notice or which Vendor discovers. Any agreement to cure defects of the Product shall not constitute a settlement of claims brought pursuant to the terms of this Agreement.

If, at any time after acceptance, Vendor discovers a defect, Vendor shall, within four (4) days of discovery, notify the Customer of such defects in writing and shall cure such defects pursuant to the Warranties provided and Section 12 herein.

12. Warranty

Vendor warrants and guarantees that the Product will be manufactured in accordance with the specifications set forth in this Agreement. Unless a longer warranty is provided by Pierce or per the specifications, Pierce Manufacturing ("Pierce") warrants to the Buyer that the portions of its Fire and Rescue Apparatus vehicle that are manufactured by Pierce shall be free from all defects in material and workmanship for a warranty period of one (1) year after the date of acceptance of the vehicle to the Buyer, unless a longer warranty is mutually agreed upon by both parties, which shall commence when the vehicle is either placed into service, or sixty (60) days from the date of delivery, whichever shall occur first. The warranty certificates provided will become part of this contract.

The implied warranties of merchantability and fitness for a particular purpose, as set forth in sections 62A.2-314 and -315 of the Revised Code of Washington, shall apply to the Product. These implied warranties shall apply even though they may be disclaimed in an attachment to this Agreement or other documents supplied by the Vendor, such that this section shall prevail over such disclaimer, and such disclaimer shall not apply. The inspection of or failure to inspect the Product shall not constitute a waiver or cancellation of the implied warranties.

All additional or separate warranties associated with any part, component, attachment, or accessory that is incorporated into or attached to the Product shall, regardless of length of said warranty, be for the benefit of the Customer and passed on to the Customer, and vendor shall take all steps necessary to ensure that all such warranties are activated and in effect when the vehicle is delivered. If the Product or any component, unit, or subsystem is repaired, rebuilt, or replaced pursuant to this Agreement, such warranty work, component, unit, or subsystem shall have the remaining unexpired warranty of the Product, the original component, unit, or subsystem.

Vendor shall provide all paperwork relating to warranty coverage of the Product or their components to the Customer upon delivery of the Product.

The warranty period will begin sixty (60) days after the Product leaves the factory for delivery or when the Product is placed in service, whichever is sooner.

In the event a component manufacturer requires that the purchaser register its purchase with the manufacturer to make effective a component manufacturer's warranty, Vendor shall take all steps necessary to register such purchase with the component manufacturer. In the event Vendor fails to properly register the Customer's purchase with the component manufacturer, then Vendor shall assume the status of warrantor of such component as if such registration had occurred. The Customer's failure to discover any defect during any inspection or at any other time shall not constitute a waiver of the warranty applicable to such defect.

13. Performance Bond

Vendor shall provide and execute a performance bond for the full contract amount.

This performance bond shall:

(1) Be signed by an approved surety (or sureties) that:

a. Is registered with the Washington State Insurance Commissioner, and

b. Appears on the current authorized Insurance List for the State of Washington published by the Office of the Washington Insurance Commissioner.

(2) Be conditioned on and guarantee the faithful performance of the contract by Vendor within the prescribed time.

(3) Guarantee that the surety shall indemnify, defend, and protect the Customer against any claim of direct or indirect loss resulting from the failure:

a. Of Vendor (or any of the employees, sub-contractors, volunteer sub-contractors of Vendor) to faithfully perform the contract, and

b. Of Vendor (or the sub-contractors) to pay all laborers, mechanics, subcontractors, volunteers, material person, or any other person who provides supplies or provisions for carrying out the work.

(4) The Customer may require the surety companies on the Performance Bond to appear and qualify themselves. When the Customer deems the surety or sureties to be inadequate, it may, upon written demand, require Vendor to furnish additional surety to cover any remaining work. Until the added surety is furnished, payments on the contract will stop.

(5) The parties agree that no liability shall attach to the Customer by reason of entering into this Agreement except as expressly provided herein.

(6) Notwithstanding any document or assertion to the contrary, any surety bond related to the sale of a vehicle will apply only to the Basic Limited Warranty for such Vehicle. Any surety bond related to the sale of a vehicle will not apply to any other warranties that are included with this bid (OEM or otherwise) or to the warranties (if any) of any third party of any part, component, attachment, or accessory that is incorporated into or attached to the vehicle. In the event of any contradiction or inconsistency between this provision and any other document or assertion, this provision will prevail.

(7) Due to global supply chain constraints, any delivery date contained herein is a good faith estimate as of the date of this order/contract, and merely an approximation based on current information. Delivery updates will be made available, and a final firm delivery date will be provided as soon as possible.

(8) If the Producer Price Index of Components for Manufacturing [www.bls.gov Series ID: WPUID6112] ("PPI") has increased at a compounded annual growth rate of 5.0% or more between the month Pierce accepts our order ("Order Month") and a month 14 months prior to the then predicted Ready For Pickup date ("Evaluation Month"), then pricing may be updated in an amount equal to the increase in PPI over 5.0% for each year or fractional year between the Order Month and the Evaluation Month. The seller will document any such updated price for the customer's approval before proceeding and provide an option to cancel the order.

14. Independent Contractor

The parties intend that an Independent Contractor-Employer Relationship will be created by this Agreement. By their execution of this Agreement, and in

accordance with Ch. 51.08 RCW, the parties make the following representations:

A. The Vendor has the ability to control and direct the performance and details of its work, the Customer being interested only in the results obtained under this Agreement.

B. The Vendor maintains and pays for its own place of business from which Vendor's services under this Agreement will be performed.

C. The Vendor has an established and independent business that is eligible for a business deduction for federal income tax purposes that existed before the Customer retained Vendor's services, or the Vendor is engaged in an independently established trade, occupation, profession, or business of the same nature as that involved under this Agreement.

D. The Vendor is responsible for filing as they become due all necessary tax documents with appropriate federal and state agencies, including the Internal Revenue Service and the state Department of Revenue.

E. The Vendor has registered its business and established an account with the state Department of Revenue and other state agencies as may be required by Vendor's business, and has obtained a Unified Business Identifier (UBI) number from the State of Washington.

F. The Vendor maintains a set of books dedicated to the expenses and earnings of its business.

15. Non-Assignment

Vendor shall not assign this Agreement nor any part thereof, nor any monies due or to become due thereunder, without the prior written approval of the Customer. Vendor shall not sublet any part of this Agreement without first having obtained the written consent of the Customer to do so. In case such consent to sublet any part of this agreement is given by the customer, it shall in no way release vendor from any responsibility under this agreement, and vendor shall be held in all respects accountable as if no consent has been given. Vendor will be required to give personal attention to the work that is sublet.

16. Indemnification

Vendor shall defend, indemnify, and hold the Customer, it's officers, officials, employees, agents and volunteers harmless from injury and all claims,

injuries, damages, losses, and suits including all legal costs and attorney fees arising out of or in connection with the Vendor's negligent performance of this Agreement except for injuries and damages resulting from the sole negligence of the Customer. The Customer's inspection or acceptance of the Product when completed will not be grounds to avoid any of these covenants of indemnification. The provisions of this section shall survive the expiration or termination of this Agreement. The Customer shall: (1) promptly notify Vendor of any claim for which indemnification may be sought; (2) cooperate fully in the defense of such claim; and (3) permit Vendor to settle or compromise such claim on terms and conditions which, in good faith, it determines are appropriate.

17. Insurance

INSURANCE PROVIDED BY Vendor

COMMERCIAL GENERAL LIABILITY INSURANCE
The Vendor will, during the performance of the contract and for three (3) years following acceptance of the product, keep in force at least the following minimum limits of commercial general liability insurance:

Each Occurrence: $1,000,000

Products/Completed Operations Aggregate: $1,000,000

Personal and Advertising Injury: $1,000,000

General Aggregate: $2,000,000

Coverage will be written on a Commercial General Liability form. The policy will be written on an occurrence form and will include Contractual Liability coverage for bodily injury and property damage subject to the terms and conditions of the policy. The policy will include Owner as an additional insured when required by written contract.

COMMERCIAL AUTOMOBILE LIABILITY INSURANCE
The Vendor will, during the performance of the contract, keep in force at least the following minimum limits of commercial automobile liability insurance and coverage will be written on a Commercial Automobile liability form:

Each Accident Combined Single Limit: $1,000,000

UMBRELLA/EXCESS LIABILITY INSURANCE
The Vendor will, during the performance of the contract and for three (3) years following acceptance of the product, keep in force at least the following minimum limits of umbrella liability insurance:

Aggregate: $3,000,000

Each Occurrence: $3,000,000

The umbrella policy will be written on an occurrence basis and at a minimum provide excess to the Vendor's General Liability and Automobile Liability policies.

The required limits can be provided by one (1) or more policies provided all other insurance requirements are met.

Coverage will be provided by a carrier(s) rated A- or better by A.M. Best.

All policies will provide a 30-day notice of cancellation to the named insured. The Certificate of Insurance will provide the following cancellation clause: Should any of the above described polices be cancelled before the expiration date thereof, notice will be delivered in accordance with the policy provisions.

Vendor agrees to furnish owner with a current Certificate of Insurance with the coverages listed above along with the bid. The certificate will show the purchaser as certificate holder.

INSURANCE PROVIDED BY MANUFACTURER

PRODUCT LIABILITY INSURANCE

The manufacturer will, during the performance of the contract and for three (3) years following acceptance of the product, keep in force at least the following minimum limits of Product Liability insurance:

Each Occurrence: $1,000,000

Products/Completed Operations Aggregate: $1,000,000

Coverage will be written on a Commercial General Liability form. The policy will be written on an occurrence form. The manufacturer's policy will include the owner as additional insured when required by written contract between the Owner and a Pierce authorized dealer.

UMBRELLA/EXCESS LIABILITY INSURANCE

The manufacturer will, during the performance of the contract and for three (3) years following acceptance of the product, keep in force at least the following minimum limits of umbrella liability insurance:

Each Occurrence: $25,000,000

Aggregate: $25,000,000

The umbrella policy will be written on an occurrence basis and provide excess to the manufacturer's General Liability/Products policies.

The required limits can be provided by one (1) or more policies provided all other insurance requirements are met.

Coverage will be provided by a carrier(s) rated A- or better by A.M. Best.

All policies will provide a 30-day notice of cancellation to the named insured. The Certificate of Insurance will provide the following cancellation clause: Should any of the above described polices be cancelled before the expiration date thereof, notice will be delivered in accordance with the policy provisions.

Manufacturer agrees to furnish owner with a current Certificate of Insurance with the coverages listed above along with the bid. The certificate will show the purchaser as the certificate holder.

18. Discrimination

In the hiring of employees for the performance of work under this Agreement or any sub-contract hereunder, Vendor, its sub-contractors, or any person acting on behalf of Vendor or its sub-contractor shall not, by reason of race, religion, color, sex, national origin, or the presence of any sensory, mental, or physical disability, discriminate against any person who is qualified and available to perform the work to which the employment relates.

19. Severability

If any term, provision, condition, or other portion of this Agreement, or its application to any person is held to be inoperative, invalid, or void, than the same shall not affect any other term, provision, condition, or any other portion of this Agreement or its application to any person.

20. Cumulation of Remedies

All remedies available to either party for breach of this Agreement are cumulative and may be exercised concurrently or separately, and the exercise of any one remedy shall not be deemed an election of such remedy to the exclusion of other remedies.

21. Non-Waiver of Breach

No term or provision hereof shall be deemed waived and no breach consented to unless such waiver or consent shall be in writing and signed by the party claimed to have waived or consented. Any consent by any party, or waiver of, the breach of the other whether expressed or implied shall not constitute a continuing waiver of or consent to, nor excuse a different or subsequent breach. The failure of the Customer to enforce one portion of this Agreement

shall not constitute a waiver, or excuse the breach, of another portion of this Agreement.

22. Authority

Each party has full power and authority to enter into and perform this Agreement, and the person signing this Agreement on behalf of each party has been properly authorized and empowered to enter into this Agreement. Each party further acknowledges that it has read this Agreement and understands and agrees to be bound by its terms.

23. Choice of Law

This Agreement shall be exclusively governed and controlled by the laws of the State of Washington, including, but not limited to, the State's Uniform Commercial Code as contained in Chapter 62A.2 RCW. To the extent that this Agreement conflicts with the provisions of Chapter 62A.2 RCW, the terms of this Agreement shall control. Jurisdiction and venue for any action relating to this Agreement shall exclusively be in the Superior Court for King County, Washington.

24. Termination

This Agreement may be terminated in whole or in part:

(a) By the Customer if Vendor fails to deliver the Product within thirty (30) days after the time for delivery specified in this Agreement or after thirty (30) days for a cure of any defect or non-conformity. The Customer shall notify Vendor of the termination, the reasons thereof, and the effective date. The Customer will receive a full refund.

(b) (b) By the mutual written agreement between Customer and Vendor. The Agreement to terminate shall include the conditions of termination, the effective date, and in the case of termination in part, the portion to be terminated.

(c) In the event this Agreement is cancelled or terminated by the Customer before completion, Vendor may charge a cancellation fee. The following charge schedule based on costs incurred may be applied:

(a) 10% of the Purchase Price after order is accepted and entered by Vendor;
(b) 20% of the Purchase Price after completion of approval drawings, and;
(c) 30% of the Purchase Price upon any material requisition.

The cancellation fee will increase accordingly as costs are incurred as the order progresses through engineering and into manufacturing. Vendor endeavors to mitigate any such costs through the sale of such Product to another purchaser; however, Customer shall remain liable for the difference between the Purchase Price and, if applicable, the sale price obtained by Vendor upon sale of the Product to another purchaser, plus any costs incurred by Vendor to conduct any such sale.

After the effective date of termination, no charges incurred under this Agreement, or terminated portions thereof, are allowable.

25. Force Majeure

Neither Party shall be responsible nor deemed to be in default on account of delays in performance due to causes which are beyond the Party's control which make the Party's performance impracticable, including but not limited to civil wars, insurrections, strikes, riots, fires, storms, floods, other acts of nature, explosions, earthquakes, accidents, any act of government, delays in transportation, inability to obtain necessary labor supplies or manufacturing facilities, allocation regulations or orders affecting materials, equipment, facilities or completed products, failure to obtain any required license or certificates, acts of God or the public enemy or terrorism, failure of transportation, epidemics, pandemics, quarantine restrictions, failure of vendors (due to causes similar to those within the scope of this clause) to perform their contracts or labor troubles causing cessation, slowdown, or interruption of work.

26. Notice to Proceed

Vendor shall commence all work immediately upon execution of the Agreement and shall provide a performance bond, a copy of an insurance certificate(s), and a copy of the Equal Employment Opportunity Policy Declaration.

27. Sales Tax

The Customer shall be responsible for paying Washington State Sales Tax and motor vehicle tax on the contract amount at a rate that is current when and where the unit is purchased. Sales tax collected by Vendor will be subject to WAC 458-20-145, Special Rule No. I. The sales tax rate is calculated at 9.4% based on the delivery location of Carnation, WA.

28. Ownership and Title

Upon acceptance of the Product and payment by the Customer pursuant to this Agreement, ownership, and title of the Product shall pass to the Customer.

29. Modification

This Agreement may only be amended or modified by the mutual written agreement of the parties. All amendments or modifications shall be signed by both parties and be attached to this Agreement.

30. Standard of Performance

All work to be performed by Vendor shall be performed in a workman-like manner in accordance with generally accepted professional practices in effect at the time such work is performed.

31. Notices

Any notices to be delivered shall be directed to the attention of the following:

NOTICES TO BE SENT TO:

HUGHES FIRE EQUIPMENT:

Attn: Matt Chambers, Sales Rep.
Sheri Taylor, Sales Manager
Dani Turrubiates, Contract Admin.
Hughes Fire Equipment
910 Shelley Street
Springfield, Oregon 97477

(541) 747-0072 (telephone)
(541) 747-0073 (facsimile)
(206) 953-9505 (Matt's Cell)

NOTICES TO BE SENT TO:

CITY OF MERCER ISLAND:

Attn: Jessi Bon, City Manager

CITY OF MERCER ISLAND
9611 SE 36th St
Mercer Island, WA, 98040
(206) 275-7600 (telephone)

NOTICES TO BE SENT TO:

PIERCE MANUFACTURING Inc:

Attn: _____
Pierce Manufacturing
2600 American Drive
Appleton, Wisconsin 54914

(920) 832-3000 (telephone)
(920) 832-3080 (facsimile)

32. Entire Agreement

This Agreement constitutes the entire agreement between the Customer and Vendor. With the exception of properly executed written modifications,

representations, either written or oral, that do not conform to the "modification" section of this Agreement, shall not be considered part of this Agreement.

33. Conflict of Terms

The terms of this Agreement, including the Attachments, shall be read together. Unless otherwise specified in this Agreement, in the event that any of the terms of the Agreement including the Attachments conflict with each other, the following shall be the order of precedence:

(a) The terms of this Document entitled "Agreement between City of Mercer Island, and Hughes Fire Equipment, Inc., for the Purchase of One (1) Pierce International Pumper MC1180 ," shall take precedence over the terms of any other portion of this Agreement.

(b) Attachment A entitled "Apparatus Specifications the Product," shall take precedence over Attachments B, C, & D.

(c) Attachment B entitled "Drawings," shall take precedence over Attachment C entitled "Hughes Fire Equipment, Inc. specifications for the Product," and Attachment D entitled "Pierce Manufacturing Build Sheet".

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed the day and year written below. If the dates written below do not coincide, the latest written date shall act as the effective date of this Agreement.

Hughes Fire Equipment Inc	**CITY OF MERCER ISLAND:**
By: _____ *(signature)*	By: _____ *(signature)*
Print Name: Rex Hughes	Print Name: Jessi Bon
Its President *(title)*	Its City Manager *(title)*
DATE: _____	DATE: _____

MUNICIPAL ASSET MANAGEMENT, INC.

August 17, 2026

Mr. Matthew Mornick
City of Mercer Island
9611 SE 36th Street
Mercer Island, WA 98040-3732

Re: Property Schedule 02 to Master Tax-Exempt Installment Purchase Agreement

Dear Matthew:

Enclosed you will find the lease financing documents for your review and execution. Please complete the documents and have a duly authorized officer sign the documents where indicated. **PLEASE HAVE THE DOCUMENTS EXECUTED WITH BLUE INK.**

Once executed, please e-mail a copy of the documents to me at jtiemeyer@mamgt.com. Please return the original documents to me at Municipal Asset Management, Inc., 25288 Foothills Drive North, Golden, CO 80401. Please contact me at 303-273-9496 or via e-mail with any questions.

Sincerely,

Jamie Tiemeyer
Vice President

ADDENDUM (WASHINGTON)
Master Tax-Exempt Installment Purchase Agreement

THIS ADDENDUM, which is entered into as of September 29, 2026 between Municipal Asset Management, Inc. ("Seller") and City of Mercer Island ("Purchaser"), is intended to modify and supplement Property Schedule No. 2 (the "Property Schedule") to the Master Tax-Exempt Installment Purchase Agreement between Seller and Purchaser dated as of January 9, 2026 (the "Master Agreement"). Capitalized terms not otherwise defined herein shall have the meanings set forth in the Master Agreement.

In addition to the representations, warranties and covenants of Purchaser set forth in the Master Agreement, Purchaser, as of the Commencement Date for the Property Schedule, represents, warrants and covenants for the benefit of Seller that Purchaser is not in violation of, and the execution and delivery of the Property Schedule will not cause Purchaser to violate, any debt limitations applicable to Purchaser or the Property Schedule, and without limiting the foregoing:

(i) if Purchaser is a county, city or town, Purchaser is not in violation of, and the execution and delivery of the Property Schedule will not cause Purchaser to violate, the provisions of Section 39.30.010 of the Revised Code of Washington *[attach computation of test]*;

(ii) if Purchaser is a school district, Purchaser is not in violation of, and the execution and delivery of the Property Schedule will not cause Purchaser to violate, the provisions of Section 28A.335.200 or Section 39.36.020 of the Revised Code of Washington *[attach computation of test];*

(iii) if Purchaser is a fire district, Purchaser is not in violation of, and the execution and delivery of the Property Schedule will not cause Purchaser to violate, the provisions of Section 52.12.061 of the Revised Code of Washington *[attach computation of test];*

(iv) if Purchaser is a hospital district, Purchaser is not in violation of, and the execution and delivery of the Property Schedule will not cause Purchaser to violate, the provisions of Section 70.44.260 of the Revised Code of Washington *[attach computation of test]*.

IN WITNESS WHEREOF, Seller and Purchaser have caused this Addendum to be executed in their names by their duly authorized representatives as of the date first above written.

Seller: Municipal Asset Management, Inc.
By:
Name:
Title:

Purchaser: City of Mercer Island
By:
Name:
Title:

Attest:
By
Name:
Title:

Property Schedule No. 2

Master Tax-Exempt Installment Purchase Agreement

This **Property Schedule No. 2** is entered into as of the Commencement Date set forth below, pursuant to that certain Master Tax-Exempt Installment Purchase Agreement (the "Master Agreement"), dated as of January 9, 2026, between Municipal Asset Management, Inc., and City of Mercer Island.

1. Entire Agreement; Interpretation. The terms and conditions of the Master Agreement are incorporated herein by reference as if fully set forth herein. The Master Agreement, this Property Schedule and the associated documents hereto constitute the entire agreement between Purchaser and Seller with respect to the Property and supersede any purchase order, invoice, request for proposal, response or other related document. Reference is made to the Master Agreement for all representations, covenants and warranties made by Purchaser in the execution of this Property Schedule, unless specifically set forth herein. In the event of a conflict between the provisions of the Master Agreement and the provisions of this Property Schedule, the provisions of this Property Schedule shall control. All capitalized terms not otherwise defined herein shall have the meanings provided in the Master Agreement.

2. Commencement Date. The Commencement Date for this Property Schedule is September 29, 2026.

3. Property Description and Payment Schedule. The Property subject to this Property Schedule is described in Exhibit 1 hereto. Purchaser shall not remove such property from the locations set forth therein without giving prior written notice to Seller. The Installment Payment Schedule for this Property Schedule is set forth in Exhibit 1. It includes all replacements, parts, repairs, additions, accessions and accessories incorporated therein or affixed or attached thereto and any and all proceeds of the foregoing, including, without limitation, insurance recoveries.

4. Opinion. The Opinion of Purchaser's Counsel is attached as Exhibit 2.

5. Purchaser's Certificate. The Purchaser's Certificate is attached as Exhibit 3.

6. Proceeds. Seller shall disburse the proceeds of this Property Schedule in accordance with the instructions attached hereto as Exhibit 4.

7. Acceptance Certificate. The form of Acceptance Certificate is attached as Exhibit 5.

8. Additional Purchase Option Provisions. In addition to the Purchase Option provisions set forth in the Master Agreement, Installment Payments payable under this Property Schedule shall be subject to prepayment in whole at any time by payment of the applicable Termination Amount set forth in Exhibit 1 (Payment Schedule) and payment of all accrued and unpaid interest through the date of prepayment.

9. Private Activity Issue. Purchaser understands that among other things, in order to maintain the exclusion of the interest component of Installment Payments from gross income for federal income tax purposes, it must limit and restrict the rights private businesses (including, for this purpose, the federal government and its agencies and organizations described in the Code § 501(c)(3)) have to use the Property. Each of these requirements will be applied beginning on the later of the Commencement Date or date each portion of the Property is placed in service and will continue to apply until earlier of the end of the economic useful life of the property or the date the Agreement or any tax-exempt obligation issued to refund the Property Schedule is retired (the "Measurement Period"). Purchaser will comply with the requirements of Section 141 of the Code and the regulations thereunder which provide restrictions on special legal rights that users other than Purchaser or a state or local government or an agency or instrumentality of a state or a local government (an "Eligible User") may have to use the Property. For this purpose, special legal rights may arise from a management or service agreement, Installment, research agreement or other arrangement providing any entity except an Eligible User the right to use the Property. Any use of the Property by a user other than an Eligible User is referred to herein as **"**Non-Qualified Use". Throughout the Measurement Period, all of the Property is expected to be owned by Purchaser. Throughout the Measurement Period, Purchaser will not permit the Non-Qualified Use of the Property to exceed 10%.

10. Bank Qualification and Arbitrage Rebate. Attached as Exhibit 6.

11. Expiration. Seller, at its sole determination, may choose not to accept this Property Schedule if the fully executed, original Master Agreement (including this Property Schedule and all ancillary documents) is not received by Seller at its place of business by October 15, 2026.

(Page intentionally left blank. Signature page to follow.)

IN WITNESS WHEREOF, Seller and Purchaser have caused this Property Schedule to be executed in their names by their duly authorized representatives as of the Commencement Date above.

Seller: Municipal Asset Management, Inc.
By:
Name:
Title:

Purchaser: City of Mercer Island
By:
Name:
Title:

Attest:
By
Name:
Title:

EXHIBIT 1

Property Description and Payment Schedule

Re: **Property Schedule No. 2** to Master Tax-Exempt Installment Purchase Agreement between Municipal Asset Management, Inc. and City of Mercer Island.

The Property is as follows: The Property as more fully described in Exhibit A incorporated herein by reference and attached hereto.

PROPERTY LOCATION:

_____
Address

_____
City, State Zip Code

USE: Fire Truck - This use is essential to the proper, efficient and economic functioning of Purchaser or to the services that Purchaser provides; and Purchaser has immediate need for and expects to make immediate use of substantially all of the Property, which need is not temporary or expected to diminish in the foreseeable future.

Installment Payment Schedule

Total Principal Amount: $774,266.47

Payment No.	Due Date	Installment Payment	Principal Portion	Interest Portion	Termination Amount (After Making Payment for said Due Date)
1	9/29/2027	108,786.13	70,305.09	38,481.04	NA
2	9/29/2028	108,786.13	73,799.25	34,986.88	649,066.99
3	9/29/2029	108,786.13	77,467.08	31,319.05	569,275.90
4	9/29/2030	108,786.13	81,317.19	27,468.94	485,519.20
5	9/29/2031	108,786.13	85,358.65	23,427.48	397,599.78
6	9/29/2032	108,786.13	89,600.98	19,185.15	302,346.60
7	9/29/2033	108,786.13	94,054.15	14,731.98	206,411.37
8	9/29/2034	108,786.13	98,728.64	10,057.49	105,708.16
9	9/29/2035	108,786.13	103,635.44	5,150.69	0.00
TOTAL		**979,075.17**	**774,266.47**	**204,808.70**	

Interest Rate: 4.97%

Purchaser: City of Mercer Island
By:
Name:
Title:

EXHIBIT A

Property Description

Fire Truck

VIN # To Be Determined

EXHIBIT 2

Purchaser's Counsel's Opinion

[To be provided on letterhead of Purchaser's counsel.]

September 29, 2026

Municipal Asset Management, Inc.
25288 Foothills Drive North
Golden, CO 80401

City of Mercer Island
9611 SE 36th St
Mercer Island, WA 98040
Attention: Matthew Mornick

RE: Property Schedule No. 2 dated as of September 29, 2026 to Master Tax-Exempt Installment Purchase Agreement dated as of January 9, 2026 between Municipal Asset Management, Inc. and City of Mercer Island.

Ladies and Gentlemen:

We have acted as special counsel to City of Mercer Island ("Purchaser"), in connection with the Master Tax-Exempt Installment Purchase Agreement, dated as of January 9, 2026 (the "Master Agreement"), between City of Mercer Island, as Purchaser, and Municipal Asset Management, Inc. as Seller (“Seller”), and the execution of Property Schedule No. 2 (the "Property Schedule") dated as of September 29, 2026, pursuant to the Master Agreement. We have examined the law and such certified proceedings and other papers as we deem necessary to render this opinion.

All capitalized terms not otherwise defined herein shall have the meanings provided in the Master Agreement and Property Schedule.

As to questions of fact material to our opinion, we have relied upon the representations of Purchaser in the Master Agreement and the Property Schedule and in the certified proceedings and other certifications of public officials furnished to us without undertaking to verify the same by independent investigation.

Based upon the foregoing, we are of the opinion that, under existing law:

1. Purchaser is a public body corporate and politic, duly organized and existing under the laws of the State, and has a substantial amount of one or more of the following sovereign powers: (a) the power to tax, (b) the power of eminent domain, and (c) the police power.

2. Purchaser has all requisite power and authority to enter into the Master Agreement and the Property Schedule and to perform its obligations thereunder.

3. The execution, delivery and performance of the Master Agreement and the Property Schedule by Purchaser has been duly authorized by all necessary action on the part of Purchaser.

4. All proceedings of Purchaser and its governing body relating to the authorization and approval of the Master Agreement and the Property Schedule, the execution thereof and the transactions contemplated thereby have been conducted in accordance with all applicable open meeting laws and all other applicable state and federal laws.

5. Purchaser has acquired or has arranged for the acquisition of the Property subject to the Property Schedule, and has entered into the Master Agreement and the Property Schedule, in compliance with all applicable public bidding laws.

6. Purchaser has obtained all consents and approvals of other governmental authorities or agencies which may be required for the execution, delivery and performance by Purchaser of the Master Agreement and the Property Schedule.

7. The Master Agreement and the Property Schedule have been duly executed and delivered by Purchaser and constitute legal, valid and binding obligations of Purchaser, enforceable against Purchaser in accordance with the terms thereof, except insofar as the enforcement thereof may be limited by any applicable bankruptcy, insolvency, moratorium, reorganization or other laws of equitable principles of general application, or of application to municipalities or political subdivisions such as the Purchaser, affecting remedies or creditors' rights generally, and to the exercise of judicial discretion in appropriate cases.

8. As of the date hereof, based on such inquiry and investigation as we have deemed sufficient, no litigation is pending, (or, to our knowledge, threatened) against Purchaser in any court (a) seeking to restrain or enjoin the delivery of the Master Agreement or the Property Schedule or of other agreements similar to the Master Agreement; (b) questioning the authority of Purchaser to execute the Master Agreement or the Property Schedule, or the validity of the Master Agreement or the Property Schedule, or the payment of principal of or interest on, the Property Schedule; (c) questioning the constitutionality of any statute, or the validity of any proceedings, authorizing the execution of the Master Agreement and the Property Schedule; or (d) affecting the provisions made for the payment of or security for the Master Agreement and the Property Schedule.

This opinion may be relied upon by Seller, its successors and assigns, and any other legal counsel who provides an opinion with respect to the Property Schedule.

Very truly yours,

By: _____

Name: _____

Title: _____

Dated: _____

Purchaser's General and Incumbency Certificate

GENERAL CERTIFICATE

Re: **Property Schedule No. 2** dated as of September 29, 2026 to the Master Tax-Exempt Installment Purchase Agreement dated January 9, 2026 between Municipal Asset Management, Inc. and City of Mercer Island.

The undersigned, being the duly elected, qualified and acting _____
(Title of Person to Execute Installment Purchase Agreement)
of the City of Mercer Island ("Purchaser") does hereby certify, as of September 29, 2026, as follows:

1. Purchaser did, at a meeting of the governing body of the Purchaser, by resolution or ordinance duly enacted, in accordance with all requirements of law, approve and authorize the execution and delivery of the above-referenced Property Schedule (the "Property Schedule") and the Master Tax-Exempt Installment Purchase Agreement (the "Master Agreement") by the undersigned.

2. The meeting(s) of the governing body of the Purchaser at which the Master Agreement and the Property Schedule were approved and authorized to be executed was duly called, regularly convened and attended throughout by the requisite quorum of the members thereof, and the enactment approving the Master Agreement and the Property Schedule and authorizing the execution thereof has not been altered or rescinded. All meetings of the governing body of Purchaser relating to the authorization and delivery of Master Agreement and the Property Schedule have been: (a) held within the geographic boundaries of the Purchaser; (b) open to the public, allowing all people to attend; (c) conducted in accordance with internal procedures of the governing body; and (d) conducted in accordance with the charter of the Purchaser, if any, and the laws of the State.

3. No event or condition that constitutes, or with the giving of notice or the lapse of time or both would constitute, an Event of Default (as such term defined in the Master Agreement) exists at the date hereof with respect to this Property Schedule or any other Property Schedules under the Master Agreement.

4. The acquisition of all of the Property under the Property Schedule has been duly authorized by the governing body of Purchaser.

5. Purchaser has, in accordance with the requirements of law, fully budgeted and appropriated sufficient funds for the current budget year to make the Lease Payments scheduled to come due during the current budget year under the Property Schedule and to meet its other obligations for the current budget year and such funds have not been expended for other purposes.

6. As of the date hereof, no litigation is pending, (or, to my knowledge, threatened) against Purchaser in any court (a) seeking to restrain or enjoin the delivery of the Master Agreement or the Property Schedule or of other agreements similar to the Master Agreement; (b) questioning the authority of Purchaser to execute the Master Agreement or the Property Schedule, or the validity of the Master Agreement or the Property Schedule, or the payment of principal of or interest on, the Property Schedule; (c) questioning the constitutionality of any statute, or the validity of any proceedings, authorizing the execution of the Master Agreement and the Property Schedule; or (d) affecting the provisions made for the payment of or security for the Master Agreement and the Property Schedule.

IN WITNESS WHEREOF, the undersigned has executed this Certificate as of September 29, 2026.

City of Mercer Island

By _____
Signature of Person to Execute Installment Purchase Agreement

_____
Print Name and Title of Person to Execute Installment Purchase Agreement

INCUMBENCY CERTIFICATE

Re: **Property Schedule No. 2** dated as of September 29, 2026 to the Master Tax-Exempt Installment Purchase Agreement dated as of January 9, 2026 between Municipal Asset Management, Inc. and City of Mercer Island.

The undersigned, being the duly elected, qualified and acting Secretary or Clerk of the City of Mercer Island ("Purchaser") does hereby certify, as of September 29, 2026, as follows:

As of the date of the meeting(s) of the governing body of the Purchaser at which the above-referenced Master Agreement and the Property Schedule were approved and authorized to be executed, and as of the date hereof, the below-named representative of the Purchaser held and holds the office set forth below, and the signature set forth below is his/her true and correct signature.

_____ _____

(Signature of Person to Execute Installment Purchase Agreement) (Print Name and Title)

IN WITNESS WHEREOF, the undersigned has executed this Certificate as of September 29, 2026.

_____

Secretary/Clerk

Print Name
and Title: _____

EXHIBIT 4

Payment of Proceeds Instructions

Municipal Asset Management, Inc.
25288 Foothills Drive North
Golden, CO 80401

Re: Property Schedule No. 2 (the "Property Schedule") to Master Tax-Exempt Installment Purchase Agreement between Municipal Asset Management, Inc. ("Seller") and City of Mercer Island ("Purchaser").

Ladies and Gentlemen:

The undersigned, an Authorized Representative of the Purchaser hereby requests and authorizes Seller to disburse the net proceeds of the Property Schedule as follows:

Name of Payee: _____

By Check: _____ By Wire Transfer: _____

If by check, Payee's Address: _____

_____

_____

If by wire transfer, instructions as follows:

Pay to Bank Name: _____

Bank Address: _____

Bank Phone #: _____

For Account of: _____

Account No: _____

ABA No.: _____

Purchaser: City of Mercer Island
By:
Name:
Title:

EXHIBIT 5

Acceptance Certificate

Municipal Asset Management, Inc.
25288 Foothills Drive North
Golden, CO 80401

Re: **Property Schedule No. 2** to Master Tax-Exempt Installment Purchase Agreement between Municipal Asset Management, Inc. and City of Mercer Island

Ladies and Gentlemen:

In accordance with the above-referenced Master Tax-Exempt Installment Purchase Agreement (the "Master Agreement"), the undersigned ("Purchaser") hereby certifies and represents to, and agrees with, Municipal Asset Management, Inc. ("Seller"), as follows:

(1) The Property, as such terms are defined in the above-referenced Property Schedule, has been acquired, made, delivered, installed and accepted on the date indicated below.

(2) Purchaser has conducted such inspection and/or testing of the Property as it deems necessary and appropriate and hereby acknowledges that it accepts the Property for all purposes.

(3) No event or condition that constitutes, or with notice or lapse of time, or both, would constitute, an Event of Default (as such term is defined in the Master Agreement) exists at the date hereof.

Acceptance Date: _____

Purchaser: City of Mercer Island
By:
Name:
Title:

EXHIBIT 6

Bank Qualification And Arbitrage Rebate

Municipal Asset Management, Inc.
25288 Foothills Drive North
Golden, CO 80401

Re: **Property Schedule No. 2** to Master Tax-Exempt Installment Purchase Agreement between Municipal Asset Management, Inc. and City of Mercer Island

PLEASE CHECK EITHER:

Bank Qualified Tax-Exempt Obligation under Section 265

_____ Purchaser hereby designates this Property Schedule as a "qualified tax-exempt obligation" as defined in Section 265(b)(3)(B) of the Code. Purchaser reasonably anticipates issuing tax-exempt obligations (excluding private activity bonds other than qualified 501(c)(3) bonds and including all tax-exempt obligations of subordinate entities of the Purchaser) during the calendar year in which the Commencement Date of this Property Schedule falls, in an amount not exceeding $10,000,000.

or

_____ Not applicable.

Arbitrage Rebate

Eighteen Month Exception:

Pursuant to Treasury Regulations Section 1.148-7(d), the gross proceeds of this Property Schedule will be expended for the governmental purposes for which this Property Schedule was entered into, as follows: at least 15% within six months after the Commencement Date, at least 60% within 12 months after the Commencement Date, and 100% within 18 months after the Commencement Date. If Purchaser is unable to comply with Section 1.148-7(d) of the Treasury Regulations, Purchaser shall compute rebatable arbitrage on this Agreement and pay rebatable arbitrage to the United States at least once every five years, and within 60 days after payment of the final Lease Payment due under this Agreement.

Consult tax counsel if there is any chance that the Eighteen Month Exception will not be met.

Purchaser: City of Mercer Island
By:
Name:
Title:

***Please be sure to select ONE option above.**

This **Notification of Tax Treatment** is pursuant to Property Schedule No. 2 to the Master Tax-Exempt Installment Purchase Agreement dated as of January 9, 2026 and the related Property Schedule, between Seller and Purchaser (the "Agreement").

_____ Purchaser agrees that this Property Schedule SHOULD be subject to sales/use taxes

_____ Purchaser agrees that this Property Schedule should NOT be subject to sales/use taxes and Purchaser has included our tax-exemption certificate with this document package

_____ Purchaser agrees that this Property Schedule should NOT be subject to sales/use taxes and no tax-exemption certificate is issued to us by the State

_____ Purchaser agrees that this Property Schedule is a taxable transaction and subject to any/all taxes

_____ Purchaser agrees that this Property Schedule is subject to sales/use taxes and will pay those taxes directly to the State or Vendor

IN WITNESS WHEREOF, Purchaser has caused this Notification of Tax Treatment to be executed by their duly authorized representative.

Purchaser: City of Mercer Island
By:
Name:
Title:

Form **8038-G**
(Rev. October 2021)
Department of the Treasury
Internal Revenue Service

Information Return for Tax-Exempt Governmental Bonds

▶ **Under Internal Revenue Code section 149(e)**
▶ **See separate instructions.**
Caution: *If the issue price is under $100,000, use Form 8038-GC.*
▶ **Go to *www.irs.gov/F8038G* for instructions and the latest information.**

OMB No. 1545-0047

Part I Reporting Authority

Check box if **Amended Return** ▶ ☐

1 Issuer's name	**2** **Issuer's employer identification number (EIN)**
3a Name of person (other than issuer) with whom the IRS may communicate about this return (see instructions)	**3b** Telephone number of other person shown on 3a
4 Number and street (or P.O. box if mail is not delivered to street address) / Room/suite	**5** Report number *(For IRS Use Only)* 3
6 City, town, or post office, state, and ZIP code	**7** Date of issue
8 Name of issue	**9** CUSIP number
10a Name and title of officer or other employee of the issuer whom the IRS may call for more information	**10b** Telephone number of officer or other employee shown on 10a

Part II Type of Issue (Enter the issue price.) See the instructions and attach schedule.

11	Education	**11**	
12	Health and hospital	**12**	
13	Transportation	**13**	
14	Public safety	**14**	
15	Environment (including sewage bonds)	**15**	
16	Housing	**16**	
17	Utilities	**17**	
18	Other. Describe ▶	**18**	
19a	If bonds are TANs or RANs, check only box 19a ▶ ☐		
b	If bonds are BANs, check only box 19b ▶ ☐		
20	If bonds are in the form of a lease or installment sale, check box ▶ ☐		

Part III Description of Bonds. Complete for the entire issue for which this form is being filed.

	(a) Final maturity date	**(b)** Issue price	**(c)** Stated redemption price at maturity	**(d)** Weighted average maturity	**(e)** Yield
21		$	$	years	%

Part IV Uses of Proceeds of Bond Issue (including underwriters' discount)

22	Proceeds used for accrued interest		**22**	
23	Issue price of entire issue (enter amount from line 21, column (b))		**23**	
24	Proceeds used for bond issuance costs (including underwriters' discount)	**24**		
25	Proceeds used for credit enhancement	**25**		
26	Proceeds allocated to reasonably required reserve or replacement fund	**26**		
27	Proceeds used to refund prior tax-exempt bonds. Complete Part V	**27**		
28	Proceeds used to refund prior taxable bonds. Complete Part V	**28**		
29	Total (add lines 24 through 28)		**29**	
30	Nonrefunding proceeds of the issue (subtract line 29 from line 23 and enter amount here)		**30**	

Part V Description of Refunded Bonds. Complete this part only for refunding bonds.

31	Enter the remaining weighted average maturity of the tax-exempt bonds to be refunded ▶	years
32	Enter the remaining weighted average maturity of the taxable bonds to be refunded ▶	years
33	Enter the last date on which the refunded tax-exempt bonds will be called (MM/DD/YYYY) ▶	
34	Enter the date(s) the refunded bonds were issued ▶ (MM/DD/YYYY)	

Form 8038-G (Rev. 10-2021)

Part VI Miscellaneous

35	Enter the amount of the state volume cap allocated to the issue under section 141(b)(5)	35	
36a	Enter the amount of gross proceeds invested or to be invested in a guaranteed investment contract (GIC). See instructions	36a	
b	Enter the final maturity date of the GIC ▶ (MM/DD/YYYY) _____		
c	Enter the name of the GIC provider ▶ _____		
37	Pooled financings: Enter the amount of the proceeds of this issue that are to be used to make loans to other governmental units	37	

38a If this issue is a loan made from the proceeds of another tax-exempt issue, check box ▶ ☐ and enter the following information:

b Enter the date of the master pool bond ▶ (MM/DD/YYYY) _____

c Enter the EIN of the issuer of the master pool bond ▶ _____

d Enter the name of the issuer of the master pool bond ▶ _____

39 If the issuer has designated the issue under section 265(b)(3)(B)(i)(III) (small issuer exception), check box . . . . ▶ ☐

40 If the issuer has elected to pay a penalty in lieu of arbitrage rebate, check box . . . . . ▶ ☐

41a If the issuer has identified a hedge, check here ▶ ☐ and enter the following information:

b Name of hedge provider ▶ _____

c Type of hedge ▶ _____

d Term of hedge ▶ _____

42 If the issuer has superintegrated the hedge, check box . . . . . ▶ ☐

43 If the issuer has established written procedures to ensure that all nonqualified bonds of this issue are remediated according to the requirements under the Code and Regulations (see instructions), check box . . . . . ▶ ☐

44 If the issuer has established written procedures to monitor the requirements of section 148, check box . . . . . ▶ ☐

45a If some portion of the proceeds was used to reimburse expenditures, check here ▶ ☐ and enter the amount of reimbursement . . . . . ▶ _____

b Enter the date the official intent was adopted ▶ (MM/DD/YYYY)

Signature and Consent

Under penalties of perjury, I declare that I have examined this return and accompanying schedules and statements, and to the best of my knowledge and belief, they are true, correct, and complete. I further declare that I consent to the IRS's disclosure of the issuer's return information, as necessary to process this return, to the person that I have authorized above.

▶ _____ Signature of issuer's authorized representative Date ▶ _____ Type or print name and title

Paid Preparer Use Only

Print/Type preparer's name	Preparer's signature	Date	Check ☐ if self-employed	PTIN

Firm's name ▶	Firm's EIN ▶
Firm's address ▶	Phone no.

Form **8038-G** (Rev. 10-2021)

INSURANCE AUTHORIZATION AND VERIFICATION

Date: September 29, 2026 **Property Schedule No. 2**

To: City of Mercer Island (the "Purchaser")

From: Municipal Asset Management, Inc. (the "Seller")
25288 Foothills Drive North
Golden, CO 80401

TO THE PURCHASER: In connection with the above-referenced Property Schedule, Seller requires proof in the form of this document, executed by both Purchaser* and Purchaser's agent, that Purchaser's insurable interest in the financed property (the "Property") meets Seller's requirements as follows, with coverage including, but not limited to, fire, extended coverage, vandalism, and theft:

Seller, AND ITS SUCCESSORS AND ASSIGNS, shall be covered as both ADDITIONAL INSURED and LENDER'S LOSS PAYEE with regard to all equipment financed or leased by policy holder through or from Seller. All such insurance shall contain a provision to the effect that such insurance shall not be canceled or modified without first giving written notice thereof to Seller and Purchaser at least thirty (30) days in advance of such cancellation or modification.

Purchaser must carry GENERAL LIABILITY (and/or, for vehicles, Automobile Liability) in the amount of no less than $1,000,000.00 (one million dollars).

Purchaser must carry PROPERTY Insurance (or, for vehicles, Physical Damage Insurance) in an amount no less than the 'Insurable Value' $774,266.47, with deductibles no more than $25,000.00.

**Purchaser: Please execute this form and return with your document package.* Please fax this form to your insurance agency for endorsement. In lieu of agent endorsement, Purchaser's agency may submit insurance certificates demonstrating compliance with all requirements.

By signing, Purchaser authorizes the Agent named below: 1) to complete and return this form as indicated; and 2) to endorse the policy and subsequent renewals to reflect the required coverage as outlined above.

Agency/Agent:		
Address:		
Phone/Fax:		
Email:		

Purchaser: City of Mercer Island
By:
Name:
Title:

TO THE AGENT: ***In lieu of providing a certificate, please execute this form in the space below and promptly send a PDF scan to Seller at: EFGLFDOCS@usbank.com - This fully endorsed form shall serve as proof that Purchaser's insurance meets the above requirements.***

Agent hereby verifies that the above requirements have been met in regard to the Property listed below.

Print Name Of Agency: **X**_____

By: **X**_____
(Agent's Signature)

Print Name: **X**_____ Date: **X**_____

Insurable Value: $774,266.47

ATTACHED: PROPERTY DESCRIPTION FOR PROPERTY SCHEDULE NO. 2

Master Tax-Exempt Installment Purchase Agreement

Between: Municipal Asset Management, Inc. (the "Seller")
25288 Foothills Drive North
Golden, CO 80401

And: City of Mercer Island (the "Purchaser")
9611 SE 36th St.
Mercer Island, WA 98040
Attention: Matthew Mornick
Telephone: 206-516-9468

Dated: January 9, 2026

ARTICLE I
DEFINITIONS

The following terms will have the meanings indicated below unless the context clearly requires otherwise:

"Agreement" means this Master Tax-Exempt Installment Purchase Agreement, including all exhibits and schedules attached hereto.

"Code" is defined in Section 3.01(f).

"Commencement Date" is the date when the term of a Property Schedule and Purchaser's obligation to pay Installment Payments thereunder commences, which date shall be set forth in such Property Schedule.

"Event of Default" is defined in Section 13.01.

"Installment Payments" means the installment payments payable by Purchaser under Article VI of this Agreement and each Property Schedule, as set forth in each Property Schedule.

"Installment Payment Dates" means the Installment Payment dates for the Installment Payments as set forth in each Property Schedule.

"Property" means, collectively, the property purchased pursuant to this Agreement, and with respect to each Property Schedule, the property described in such Property Schedule, and all replacements, repairs, restorations, modifications and improvements thereof or thereto made pursuant to Section 8.01 or Article IX.

"Property Schedule" means a Property Schedule in the form attached hereto for Property Schedule 1. Subsequent Property Schedules pursuant to this Agreement shall be numbered consecutively, beginning with Property Schedule 2.

"Purchaser" means the entity identified as such in the first paragraph hereof, and its permitted successors and assigns.

"Seller" means the entity identified as such in the first paragraph hereof, and its successors and assigns.

"State" means the state where Purchaser is located.

"Term" means, with respect to a Property Schedule, the Term set forth in such Property Schedule.

"Vendor" means the manufacturer or contractor of the Property as well as the agents or dealers of the manufacturer or contractor from whom Seller or Purchaser arranged for the purchase of all or any portion of the Property.

ARTICLE II

2.01 Property Schedules Separate Financings. Each Property Schedule executed and delivered under this Agreement shall be a separate financing, distinct from other Property Schedules. Without limiting the foregoing, upon the occurrence of an Event of Default with respect to a Property Schedule, Seller shall have the rights and remedies specified herein with respect to the Property financed and the Installment Payments payable under such Property Schedule, and except as expressly provided in Section 12.02 below, Seller shall have no rights or remedies with respect to Property financed or Installment Payments payable under any other Property Schedules unless an Event of Default has also occurred under such other Property Schedules.

ARTICLE III

3.01 Covenants of Purchaser. As of the Commencement Date for each Property Schedule executed and delivered hereunder, Purchaser shall be deemed to represent, covenant and warrant for the benefit of Seller as follows:

(a) Purchaser is a public body corporate and politic duly organized and existing under the constitution and laws of the State with full power and authority to enter into this Agreement and the Property Schedule and the transactions contemplated thereby and to perform all of its obligations thereunder.

(b) Purchaser will do or cause to be done all things necessary to preserve and keep in full force and effect its existence as a body corporate and politic. To the extent Purchaser should merge with another entity under the laws of the State, Purchaser agrees that as a condition to such merger it will require that the remaining or resulting entity shall be assigned Purchaser's rights and shall assume Purchaser's obligations hereunder.

(c) Purchaser has been duly authorized to execute and deliver this Agreement and the Property Schedule by proper action by its governing body, or by other appropriate official approval, and all requirements have been met and procedures have occurred in order to ensure the validity and enforceability of this Agreement and the Property Schedule, and Purchaser has complied with such public bidding requirements as may be applicable to this Agreement and the Property Schedule and the acquisition by Purchaser of the Property thereunder. On or before the Commencement Date for the Property Schedule, Purchaser shall cause to be delivered an opinion of counsel in substantially the form attached to the form of the Property Schedule as Exhibit 2.

(d) During the Term for the Property Schedule, the Property thereunder will perform and will be used by Purchaser only for the purpose of performing essential governmental uses and public functions within the permissible scope of Purchaser's authority.

(e) Purchaser will provide Seller with current financial statements, budgets and proof of appropriation for the ensuing budget year and other financial information relating to the ability of Purchaser to continue this Agreement and the Property Schedule in such form and containing such information as may be requested by Seller.

(f) Purchaser will comply with all applicable provisions of the Internal Revenue Code of 1986, as amended (the "Code"), including Sections 103 and 148 thereof, and the regulations of the Treasury Department thereunder, from time to time proposed or in effect, in order to maintain the excludability from gross income for federal income tax purposes of the interest component of Installment Payments under the Property Schedule and will not use or permit the use of the Property in such a manner as to cause a Property Schedule to be a "private activity bond" under Section 141(a) of the Code. Purchaser covenants and agrees that it will use the proceeds of the Property Schedule as soon as practicable and with all reasonable dispatch for the purpose for which the Property Schedule has been entered into, and that no part of the proceeds of the Property Schedule shall be invested in any securities, obligations or other investments except for the temporary period pending such use nor used, at any time, directly or indirectly, in a manner which, if such use had been reasonably anticipated on the date of issuance of the Agreement, would have caused any portion of the Property Schedule to be or become "arbitrage bonds" within the meaning of Section 103(b)(2) or Section 148 of the Code and the regulations of the Treasury Department thereunder proposed or in effect at the time of such use and applicable to obligations issued on the date of issuance of the Property Schedule.

(g) The execution, delivery and performance of this Agreement and the Property Schedule and compliance with the provisions hereof and thereof by Purchaser does not conflict with or result in a violation or breach or constitute a default under, any resolution, bond, agreement, indenture, mortgage, note, lease or other instrument to which Purchaser is a party or by which it is bound by any law or any rule, regulation, order or decree of any court, governmental agency or body having jurisdiction over Purchaser or any of its activities or properties resulting in the creation or imposition of any lien, charge or other security interest or encumbrance of any nature whatsoever upon any property or assets of Purchaser or to which it is subject.

(h) Purchaser's exact legal name is as set forth on the first page of this Agreement. Purchaser will not change its legal name in any respect without giving thirty (30) days prior notice to Seller.

ARTICLE IV

4.01 Sale of Property. On the Commencement Date of each Property Schedule executed hereunder, Seller will be deemed to sell, transfer and convey to Purchaser, and Purchaser will be deemed to purchase and accept from Seller, the Property described in such Property Schedule, in accordance with this Agreement and such Property Schedule, for the Term set forth in such Property Schedule.

4.02 Term. The term of each Property Schedule shall commence on the Commencement Date set forth therein and shall terminate upon payment of the final Installment Payment set forth in such Property Schedule, unless terminated sooner pursuant to this Agreement or the Property Schedule.

4.03 Delivery, Installation and Acceptance of Property. Purchaser shall order the Property, shall cause the Property to be delivered and installed at the locations specified in the applicable Property Schedule and shall pay all taxes, delivery costs and installation costs, if any, in connection therewith. To the extent funds are deposited under an escrow agreement or trust agreement for the acquisition of the Property, such funds shall be disbursed as provided therein. When the Property described in such Property Schedule is delivered, installed and accepted as to Purchaser's specifications, Purchaser shall immediately accept the Property and evidence said acceptance by executing and delivering to Seller the Acceptance Certificate substantially in the form attached to the Property Schedule.

ARTICLE V

5.01 Location; Inspection. The Property will be initially located or based at the location specified in the applicable Property Schedule. Seller shall have the right at all reasonable times during business hours to enter into and upon the property of Purchaser for the purpose of inspecting the Property.

ARTICLE VI

6.01 Payment of Installment Payments. Purchaser shall promptly pay Installment Payments under each Property Schedule, exclusively from legally available funds, in lawful money of the United States of America, to Seller in such amounts and on such dates as described in the applicable Property Schedule, at Seller's address set forth on the first page of this Agreement, unless Seller instructs Purchaser otherwise. Purchaser shall pay Seller a charge on any delinquent Installment Payments under a Property Schedule in an amount sufficient to cover all additional costs and expenses incurred by Seller from such delinquent Installment Payment. In addition, Purchaser shall pay a late charge of five cents per dollar or the highest amount permitted by applicable law, whichever is lower, on all delinquent Installment Payments and interest on said delinquent amounts from the date such amounts were due until paid at the rate of 12% per annum or the maximum amount permitted by law, whichever is less.

6.02 Installment Payments to Constitute Binding Contractual Obligation. Seller and Purchaser understand and intend that the obligation of Purchaser to pay Installment Payments under this Agreement and each Property Schedule executed and delivered hereunder shall constitute a binding contractual obligation of Purchaser for the full Term of each such Property Schedule. Purchaser covenants to include all such Installment Payments due under the Property Schedules in its annual budget and to make the necessary annual appropriation for all such Installment Payments. Neither this Agreement nor any Property Schedule shall be subject to termination by Purchaser in the event that Purchaser fails to appropriate any Installment Payments.

6.03 Interest Component. A portion of each Installment Payment due under each Property Schedule is paid as, and represents payment of, interest, and each Property Schedule hereunder shall set forth the interest component (or method of computation thereof) of each Installment Payment thereunder during the Term.

6.04 Installment Payments to be Unconditional. THE OBLIGATIONS OF PURCHASER TO PAY THE INSTALLMENT PAYMENTS DUE UNDER THE PROPERTY SCHEDULES AND TO PERFORM AND OBSERVE THE OTHER COVENANTS AND AGREEMENTS CONTAINED HEREIN SHALL BE ABSOLUTE AND UNCONDITIONAL IN ALL EVENTS WITHOUT ABATEMENT, DIMINUTION, DEDUCTION, SET-OFF OR DEFENSE, FOR ANY REASON, INCLUDING WITHOUT LIMITATION, ANY DEFECTS, MALFUNCTIONS, BREAKDOWNS OR INFIRMITIES IN THE PROPERTY OR ANY ACCIDENT, CONDEMNATION OR UNFORESEEN CIRCUMSTANCES. THIS PROVISION SHALL NOT LIMIT PURCHASER'S RIGHTS OR ACTIONS AGAINST ANY VENDOR AS PROVIDED IN SECTION 10.02.

6.05 Defeasance of Installment Payments. Purchaser may at any time irrevocably deposit in escrow with a defeasance escrow agent for the purpose of paying all of the principal component and interest component accruing under a Property Schedule, a sum of cash and non-callable securities consisting of direct obligations of, or obligations the principal of an interest on which are unconditionally guaranteed by, the United States of America or any agency or instrumentality thereof, in such aggregate amount, bearing interest at such rates and maturing on such dates as shall be required to provide funds sufficient for this purpose. Upon such defeasance, all right, title and interest of Seller in the Property under said Property Schedule shall terminate. Purchaser shall cause such investment to comply with the requirements of federal tax law so that the exclusion from gross income of the interest component of Installment Payments on said Property Schedule is not adversely affected.

6.06 Gross-Up. If an Event of Taxability occurs with respect to a Property Schedule, the interest component of Installment Payments on the Property Schedule shall thereafter be payable at the Taxable Rate, and Purchaser shall pay to Seller promptly following demand an amount sufficient to supplement prior Installment Payments on such Property Schedule so that Seller receives the interest component of such Installment Payments, retroactive to the date as of which the interest component is determined to be includible in the gross income of Seller for federal income tax purposes, calculated at the Taxable Rate, together with any penalties and interest actually imposed on Seller as a result of the Event of Taxability. For purposes of this Section, "Event of Taxability" means, with respect to a Property Schedule, (a) a final determination by the Internal Revenue Service or a court of competent jurisdiction that the interest component of Installment Payments on the Property Schedule is includible for federal income tax purposes in the gross income of Seller, or (b) receipt by Seller of a written opinion of a nationally recognized public finance lawyer or law firm to the effect that there exists substantial doubt whether the interest component of Installment Payments on the Property Schedule is excludible for federal income tax purposes from the gross income of Seller, in each case due to any action or failure to take action by Purchaser. "Taxable Rate" means an interest rate calculated to provide Purchaser with an after-tax yield equivalent to the yield provided to Purchaser by the interest rate at which the interest component of Installment Payments on a Property Schedule was originally calculated.

ARTICLE VII

7.01 Title to the Property. Upon acceptance of the Property by Purchaser and unless otherwise required by the laws of the State, title to the Property shall vest in Purchaser, subject to Seller's interests under the applicable Property Schedule and this Agreement.

7.02 Personal Property. The Property is and will remain personal property and will not be deemed to be affixed to or a part of the real estate on which it may be situated, notwithstanding that the Property or any part thereof may be or hereafter become in any manner physically affixed or attached to real estate or any building thereon. If requested by Seller, Purchaser will, at Purchaser's expense, furnish a waiver of any interest in the Property from any party having an interest in any such real estate or building.

7.03 Security Interest. To secure the performance of all of Purchaser's obligations under this Agreement with respect to a Property Schedule, including without limitation all Property Schedules now existing are hereafter executed, Purchaser grants to Seller, for the benefit of Seller and its successors and assigns, a security interest constituting a first lien on Purchaser's interest in all of the Property under the Property Schedule, whether now owned or hereafter acquired, all additions, attachments, alterations and accessions to the Property, all substitutions and replacements for the Property, and on any proceeds of any of the foregoing, including insurance proceeds. Purchaser shall execute any additional documents, including financing statements, affidavits, notices and similar instruments, in form and substance satisfactory to Seller, which Seller deems necessary or appropriate to establish, maintain and perfect a security interest in the Property in favor of Seller and its successors and assigns. Purchaser hereby authorizes Seller to file all financing statements which Seller deems necessary or appropriate to establish, maintain and perfect such security interest.

ARTICLE VIII

8.01 Maintenance of Property by Purchaser. Purchaser shall keep and maintain the Property in good condition and working order and in compliance with the manufacturer's specifications, shall use, operate and maintain the Property in conformity with all laws and regulations concerning the Property's ownership, possession, use and maintenance, and shall keep the Property free and clear of all liens and claims, other than those created by this Agreement. Purchaser shall have sole responsibility to maintain and repair the Property. Should Purchaser fail to maintain, preserve and keep the Property in good repair and working order and in accordance with manufacturer's specifications, and if requested by Seller, Purchaser will enter into maintenance contracts for the Property in form approved by Seller and with approved providers.

8.02 Liens, Taxes, Other Governmental Charges and Utility Charges. Purchaser shall keep the Property free of all levies, liens and encumbrances, except for the interest of Seller under this Agreement. The parties to this Agreement contemplate that the Property will be used for a governmental or proprietary purpose of Purchaser and, therefore, that the Property will be exempt from all property taxes. The Installment Payments payable by Purchaser under this Agreement and the Property Schedules hereunder have been established to reflect the savings resulting from this exemption from taxation. Purchaser will take such actions necessary under applicable law to obtain said exemption. Nevertheless, if the use, possession or acquisition of the Property is determined to be subject to taxation or later becomes subject to such taxes, Purchaser shall pay when due all taxes and governmental charges lawfully assessed or levied against or with respect to the Property. Purchaser shall pay all gas, water, steam, electricity, heat, power, telephone, utility and other charges incurred in the operation, maintenance, use, occupancy and upkeep of the Property. Purchaser shall pay such taxes or charges as the same may become due; provided that, with respect to any such taxes or charges that may lawfully be paid in installments over a period of years, Purchaser shall be obligated to pay only such installments as accrue during the then current fiscal year of the Term for such Property.

8.03 Insurance. At its own expense, Purchaser shall maintain (a) casualty insurance insuring the Property against loss or damage by fire and all other risks covered by the standard extended coverage endorsement then in use in the State and any other risks reasonably required by Seller in an amount equal to at least the outstanding principal component of Installment Payments, and (b) liability insurance that protects Seller from liability in all events in an amount reasonably acceptable to Seller, and (c) worker's compensation insurance covering all employees working on, in, near or about the Property; provided that Purchaser may self-insure against all such risks (other than rental interruption). All insurance proceeds from casualty losses shall be payable as hereinafter provided in this Agreement. All such insurance shall be with insurers that are authorized to issue such insurance in the State. All such liability insurance shall name Seller as an additional insured. All such casualty insurance shall contain a provision making any losses payable to Seller and Purchaser as their respective interests may appear. All such insurance shall contain a provision to the effect that such insurance shall not be canceled or modified without first giving written notice thereof to Seller and Purchaser at least thirty (30) days in advance of such cancellation or modification. Such changes shall not become effective without Seller's prior written consent. Purchaser shall furnish to Seller, on or before the Commencement Date for each Property Schedule, and thereafter at Seller's request, certificates evidencing such coverage, or, if Purchaser self-insures, a written description of its self-insurance program together with a certification from Purchaser's risk manager or insurance agent or consultant to the effect that Purchaser's self-insurance program provides adequate coverage against the risks listed above.

8.04 Advances. In the event Purchaser shall fail to either maintain the insurance required by this Agreement or keep the Property in good repair and working order, Seller may, but shall be under no obligation to, purchase the required insurance and pay the cost of the premiums thereof or maintain and repair the Property and pay the cost thereof. All amounts so advanced by Seller shall constitute additional rent for the Term for the applicable Property Schedule and shall be due and payable on the next Installment Payment Date and Purchaser covenants and agrees to pay such amounts so advanced by Seller with interest thereon from the date such amounts are advanced until paid at the rate of 12% per annum or the maximum amount permitted by law, whichever is less.

ARTICLE IX

9.01 Damage or Destruction. If (a) the Property under a Property Schedule or any portion thereof is destroyed, in whole or in part, or is damaged by fire or other casualty, or (b) title to, or the temporary use of, the Property under a Property Schedule or any part thereof shall be taken under the exercise or threat of the power of eminent domain by any governmental body or by any person, firm or corporation acting pursuant to governmental authority, Seller and Purchaser will cause the Net Proceeds (as hereinafter defined) of any insurance claim, condemnation award or sale under threat of condemnation to be applied to the prompt replacement, repair, restoration, modification or improvement of the Property, unless Purchaser shall have exercised its right to defease the Property Schedule as provided herein, or unless Purchaser shall have exercised its option to prepay the Installment Payments if the Property Schedule so provides. Any balance of the Net Proceeds remaining after such work has been completed shall be paid to Purchaser. For purposes of Section 8.03 and this Article IX, the term "Net Proceeds" shall mean the amount remaining from the gross proceeds of any insurance claim, condemnation award or sale under threat of condemnation after deducting all expenses, including attorneys' fees, incurred in the collection thereof.

9.02 Insufficiency of Net Proceeds. If the Net Proceeds are insufficient to pay in full the cost of any repair, restoration, modification or improvement referred to in Section 9.01, Purchaser shall (a) complete such replacement, repair, restoration, modification or improvement and pay any costs thereof in excess of the amount of the Net Proceeds and, if Purchaser shall make any payments pursuant to this Section, Purchaser shall not be entitled to any reimbursement therefor from Seller nor shall Purchaser be entitled to any diminution of the amounts payable under Section 6.01, or (b) defease the Property Schedule pursuant to Section 6.05, or (c) exercise its option to prepay the Installment Payments pursuant to the optional prepayment provisions of the Property Schedule, if any. The amount of the Net Proceeds, if any, remaining after completing such repair, restoration, modification or improvement or after such defeasance or purchase may be retained by Purchaser.

ARTICLE X

10.01 Disclaimer of Warranties. SELLER MAKES NO (AND SHALL NOT BE DEEMED TO HAVE MADE ANY) WARRANTIES, EXPRESS OR IMPLIED, AS TO ANY MATTER WHATSOEVER, INCLUDING, WITHOUT LIMITATION, THE DESIGN, OPERATION OR CONDITION OF, OR THE QUALITY OF THE MATERIAL, EQUIPMENT OR WORKMANSHIP IN, THE PROPERTY, ITS MERCHANTABILITY OR ITS FITNESS FOR ANY PARTICULAR PURPOSE, THE STATE OF TITLE THERETO OR ANY COMPONENT THEREOF, THE ABSENCE OF LATENT OR OTHER DEFECTS (WHETHER OR NOT DISCOVERABLE), AND SELLER HEREBY DISCLAIMS THE SAME; IT BEING UNDERSTOOD THAT THE PROPERTY IS SOLD TO PURCHASER "AS IS" ON THE DATE OF THIS AGREEMENT OR THE DATE OF DELIVERY, WHICHEVER IS LATER, AND ALL SUCH RISKS, IF ANY, ARE TO BE BORNE BY PURCHASER. Purchaser acknowledges that it has made (or will make) the selection of the Property from the Vendor based on its own judgment and expressly disclaims any reliance upon any statements or representations made by Seller. Purchaser understands and agrees that (a) neither the Vendor nor any sales representative or other agent of Vendor, is (i) an agent of Seller, or (ii) authorized to make or alter any term or condition of this Agreement, and (b) no such waiver or alteration shall vary the terms of this Agreement unless expressly set forth herein. In no event shall Seller be liable for any incidental, indirect, special or consequential damage in connection with or arising out of this Agreement, the Property Schedules, or the existence, furnishing, functioning or use of any item, product or service provided for in this Agreement or the Property Schedules.

10.02 Vendor's Warranties. Seller hereby irrevocably assigns to Purchaser all rights that Seller may have to assert from time to time whatever claims and rights (including without limitation warranties) related to the Property against the Vendor. Purchaser's sole remedy for the breach of such warranty, indemnification or representation shall be against the Vendor of the Property, and not against Seller, nor shall such matter have any effect whatsoever on the rights and obligations of Seller with respect to this Agreement, including the right to receive full and timely payments hereunder. Purchaser expressly acknowledges that Seller makes, and has made, no representations or warranties whatsoever as to the existence or the availability of such warranties of the Vendor of the Property.

10.03 Use of the Property. Purchaser will not install, use, operate or maintain the Property improperly, carelessly, in violation of any applicable law or in a manner contrary to that contemplated by this Agreement and the applicable Property Schedule. Purchaser shall provide all permits and licenses, if any, necessary for the installation and operation of the Property. In addition, Purchaser agrees to comply in all respects with all laws of the jurisdiction in which its operations involving any item of Property may extend and any legislative, executive, administrative or judicial body exercising any power or jurisdiction over the items of the Property; provided that Purchaser may contest in good faith the validity or application of any such law or rule in any reasonable manner that does not, in the opinion of Seller, adversely affect the interest of Seller in and to the Property or its interest or rights under this Agreement. Purchaser shall promptly notify Seller in writing of any pending or threatened investigation, inquiry, claim or action by any governmental authority which could adversely affect this Agreement, any Property Schedule or the Property thereunder.

10.04 Modifications. Subject to the provisions of this Section, Purchaser shall have the right, at its own expense, to make alterations, additions, modifications or improvements to the Property. All such alterations, additions, modifications and improvements shall thereafter comprise part of the Property and shall be subject to the provisions of this Agreement. Such alterations, additions, modifications and improvements shall not in any way damage the Property, substantially alter its nature or cause it to be used for purposes other than those authorized under the provisions of state and federal law; and the Property, on completion of any alterations, additions, modifications or improvements made pursuant to this Section, shall be of a value which is equal to or greater than the value of the Property immediately prior to the making of such alterations, additions, modifications and improvements. Purchaser shall, at its own expense, make such alterations, additions, modifications and improvements to the Property as may be required from time to time by applicable law or by any governmental authority.

ARTICLE XI

11.01 Option to Purchase. Purchaser shall have the option to purchase Seller's entire interest in all of the Property subject to a Property Schedule and to terminate any restrictions herein on the Property under such Property Schedule on the last day of the Term for a Property Schedule, if the Property Schedule is still in effect on such day, upon payment in full of the Installment Payments due thereunder plus payment of One (1) Dollar to Seller. Upon exercise of the purchase option as set forth in this Section 11.01 and payment of the purchase price under the applicable Property Schedule, and performance by Purchaser of all other terms, conditions and provisions hereof, Seller shall deliver to Purchaser all such documents and instruments as Purchaser may reasonably require to evidence the transfer, without warranty by or recourse to Seller, of all of Seller's right, title and interest in and to the Property subject to such Property Schedule to Purchaser.

11.02 Option to Prepay. Purchaser shall have the option to prepay in whole the Installment Payments due under a Property Schedule, but only if the Property Schedule so provides, and on the terms set forth in the Property Schedule. Purchaser shall give written notice to Seller of its intent to purchase Seller's interest in the Property at least sixty (60) days prior to the last day of the Installment Term for applicable Property Schedule.

ARTICLE XII

12.01 Assignment by Seller. Seller's right, title and interest in, to and under each Property Schedule and the Property under such Property Schedule may be assigned and reassigned in whole or in part to one or more assignees or subassignees by Seller without the necessity of obtaining the consent of Purchaser; provided that any assignment shall not be effective until Purchaser has received written notice, signed by the assignor, of the name, address and tax identification number of the assignee. Purchaser shall retain all such notices as a register of all assignees and shall make all payments to the assignee or assignees designated in such register. Purchaser agrees to execute all documents, including notices of assignment and chattel mortgages or financing statements that may be reasonably requested by Seller or any assignee to protect its interests in this Agreement and the Property Schedules.

12.02 Property Schedules Separate Financings. Assignees of the Seller's rights in one Property Schedule shall have no rights in any other Property Schedule unless such rights have been separately assigned.

12.03 Assignment and Subleasing by Purchaser. NONE OF PURCHASER'S RIGHTS, TITLE AND INTEREST IN, TO AND UNDER THIS AGREEMENT AND IN THE PROPERTY MAY BE ASSIGNED, TRANSFERRED, CONVEYED, LEASED OR ENCUMBERED BY PURCHASER FOR ANY REASON, WITHOUT THE PRIOR WRITTEN CONSENT OF SELLER.

12.04 Release and Indemnification Covenants. To the extent permitted by applicable law, Purchaser shall indemnify, protect, hold harmless, save and keep harmless Seller from and against any and all liability, obligation, loss, claim and damage whatsoever, regardless of cause thereof, and all expenses in connection therewith, including, without limitation, counsel fees and expenses, penalties and interest (collectively, "Losses") arising out of or resulting from the entering into this Agreement, any Property Schedules hereunder, the ownership of any item of the Property, the loss of federal tax exemption of the interest on any of the Property Schedules, the ordering, acquisition, use, operation, condition, purchase, delivery, rejection, storage or return of any item of the Property or any accident in connection with the operation, use, condition, possession, storage or return of any item of the Property resulting in damage to property or injury to or death to any person; provided, however, that Purchaser shall not be required to indemnify Seller for Losses arising out of or resulting from Seller's own willful or negligent conduct, or for Losses arising out of or resulting from Seller's preparation of disclosure material relating to certificates of participation in this Agreement and any Property Schedule (other than disclosure material provided to Seller by Purchaser). The indemnification arising under this Section shall continue in full force and effect notwithstanding the full payment of all obligations under this Agreement, or the applicable Property Schedule, or the termination of the Term for such Property Schedule for any reason.

ARTICLE XIII

13.01 Events of Default Defined. Any of the following shall constitute an "Event of Default" under a Property Schedule:

(a) Failure by Purchaser to pay any Installment Payment under the Property Schedule or other payment required to be paid with respect thereto at the time specified therein;

(b) Failure by Purchaser to observe and perform any covenant, condition or agreement on its part to be observed or performed with respect to the Property Schedule, other than as referred to in subparagraph (a) above, for a period of thirty (30) days after written notice specifying such failure and requesting that it be remedied is given to Purchaser by Seller, unless Seller shall agree in writing to an extension of such time prior to its expiration; provided that, if the failure stated in the notice cannot be corrected within the applicable period, Seller will not unreasonably withhold its consent to an extension of such time if corrective action is instituted by Purchaser within the applicable period and diligently pursued until the default is corrected;

(c) Any statement, representation or warranty made by Purchaser in or pursuant to the Property Schedule or its execution, delivery or performance shall prove to have been false, incorrect, misleading or breached in any material respect on the date when made;

(d) Purchaser shall (i) apply for or consent to the appointment of a receiver, trustee, custodian or liquidator of Purchaser, or of all or a substantial part of the assets of Purchaser, (ii) be unable, fail or admit in writing its inability generally to pay its debts as they become due, (iii) make a general assignment for the benefit of creditors, (iv) have an order for relief entered against it under applicable federal bankruptcy law, or (v) file a voluntary petition in bankruptcy or a petition or an answer seeking reorganization or an arrangement with creditors or taking advantage of any insolvency law or any answer admitting the material allegations of a petition filed against Purchaser in any bankruptcy, reorganization or insolvency proceeding; or

(e) An order, judgment or decree shall be entered by any court of competent jurisdiction, approving a petition or appointing a receiver, trustee, custodian or liquidator of Purchaser or of all or a substantial part of the assets of Purchaser, in each case without its application, approval or consent, and such order, judgment or decree shall continue unstayed and in effect for any period of 60 consecutive days.

The foregoing provisions of Section 13.01 are subject to the following limitation: if by reason of force majeure Purchaser is unable in whole or in part to perform its agreements under this Agreement and the Property Schedule (other than any obligations on the part of Seller to make any payments hereunder) Purchaser shall not be in default during the continuance of such inability. The term "force majeure" as used herein shall mean the following: acts of God; strikes, lockouts or other industrial disturbances; acts of public enemies; orders or restraints of any kind of the government of the United States or of the State or any of their departments, agencies or officials, or any civil or military authority; insurrections, riots, landslides, earthquakes, fires, storms, droughts, floods, explosions, breakage or accident to machinery, transmission pipes or canals; or any other cause or event not reasonably within the control of Purchaser.

13.02 Remedies on Default. Whenever any Event of Default exists with respect to a Property Schedule, Seller shall have the right, at its sole option without any further demand or notice, to take one or any combination of the following remedial steps:

(a) To the extent allowed by Washington law, without terminating the Property Schedule, and by written notice to Purchaser, Seller may declare all Installment Payments and other amounts payable by Purchaser thereunder to the end of the then-current budget year of Purchaser to be due, including without limitation delinquent Installment Payments under the Property Schedule from prior budget years, and such amounts shall thereafter bear interest at the rate of 12% per annum or the maximum rate permitted by applicable law, whichever is less;

(b) To the extent allowed by Washington law, Seller may terminate the Property Schedule, and by written notice to Purchaser, Seller may accelerate the principal component of all outstanding Installment Payments, in which case Purchaser shall pay to Seller a sum sufficient to defease the Property Schedule under Section 6.05, together with interest on such sum from the date of acceleration until so paid at the rate of 12% per annum or the maximum rate permitted by applicable law, whichever is less, and to pay all other sums due under the Property Schedule;

(c) Seller may terminate the Property Schedule, may enter the premises where the Property subject to the Property Schedule is located and retake possession of the Property, or require Purchaser, at Purchaser's expense, to promptly return any or all of the Property to the possession of Seller at such place within the United States as Seller shall specify, and Seller may thereafter dispose of the Property in accordance with Article 9 of the Uniform Commercial Code in effect in the State, continuing to hold Purchaser liable for any deficiency and all costs and expenses incurred by Seller in exercising its remedies hereunder, including, without limitation, all costs and expenses of taking possession, removing, storing and reconditioning the Property, and including, without limitation, all brokerage and attorneys fees;

(d) By written notice to any escrow agent who is holding proceeds of the Property Schedule, Seller may instruct such escrow agent to release all such proceeds and any earnings thereon to Seller, such sums to be credited to payment of Purchaser's obligations under the Property Schedule;

(e) Seller may take any action, at law or in equity, that is permitted by applicable law and that may appear necessary or desirable to enforce or to protect any of its rights under the Property Schedule and this Agreement.

13.03 No Remedy Exclusive. No remedy herein conferred upon or reserved to Seller is intended to be exclusive and every such remedy shall be cumulative and shall be in addition to every other remedy given under this Agreement now or hereafter existing at law or in equity. No delay or omission to exercise any right or power accruing upon any default shall impair any such right or power or shall be construed to be a waiver thereof, but any such right or power may be exercised from time to time and as often as may be deemed expedient. In order to entitle Seller to exercise any remedy reserved to it in this Article it shall not be necessary to give any notice, other than such notice as may be required in this Article.

13.04 Costs and Attorney Fees. Upon the occurrence of an Event of Default by Purchaser in the performance of any term of this Agreement, Purchaser agrees to pay to Seller or reimburse Seller for, in addition to all other amounts due hereunder, all of Seller's costs of collection, including reasonable attorney fees, whether or not suit or action is filed thereon. Any such costs shall be immediately due and payable upon written notice and demand given to Purchaser, shall be secured by this Agreement until paid and shall bear interest at the rate of 12% per annum or the maximum amount permitted by law, whichever is less. In the event suit or action is instituted to enforce any of the terms of this Agreement, the prevailing party shall be entitled to recover from the other party such sum as the court may adjudge reasonable as attorneys' fees at trial or on appeal of such suit or action or in any bankruptcy proceeding, in addition to all other sums provided by law.

ARTICLE XIV

14.01 Notices. All notices, certificates or other communications hereunder shall be sufficiently given and shall be deemed given when delivered or mailed by certified mail, postage prepaid, to the parties hereto at the addresses specified on the first page of this Agreement (or at such other address as either party hereto shall designate in writing to the other for notices to such party), to any assignee at its address as it appears on the registration books maintained by Purchaser.

14.02 Arbitrage Certificates. Unless a separate Arbitrage Certificate is delivered on the Commencement Date, Purchaser shall be deemed to make the following representations and covenants as of the Commencement Date for each Property Schedule:

(a) The estimated total costs, including taxes, freight, installation, cost of issuance, of the Property under the Property Schedule will not be less than the total principal amount of the Installment Payments.

(b) The Property under the Property Schedule has been ordered or is expected to be ordered within six months after the Commencement Date and the Property is expected to be delivered and installed, and the Vendor fully paid, within eighteen months from the Commencement Date. Purchaser will pursue the completion of the Property and the expenditure of the net proceeds of the Property Schedule with due diligence.

(c) Purchaser has not created or established, and does not expect to create or establish, any sinking fund or other similar fund (i) that is reasonably expected to be used to pay the Installment Payments under the Property Schedule, or (ii) that may be used solely to prevent a default in the payment of the Installment Payments under the Property Schedule.

(d) The Property under the Property Schedule has not been and is not expected to be sold or otherwise disposed of by Purchaser, either in whole or in major part, prior to the last maturity of the Installment Payments under the Property Schedule.

(e) There are no other obligations of Purchaser which (i) are being sold within 15 days of the Commencement Date of the Property Schedule; (ii) are being sold pursuant to the same plan of financing as the Property Schedule; and (iii) are expected to be paid from substantially the same source of funds.

(f) The officer or official who has executed the Property Schedule on Purchaser's behalf is familiar with Purchaser's expectations regarding the use and expenditure of the proceeds of the Property Schedule. To the best of Purchaser's knowledge, information and belief, the facts and estimates set forth in herein are accurate and the expectations of Purchaser set forth herein are reasonable.

14.03 Further Assurances. Purchaser agrees to execute such other and further documents, including, without limitation, confirmatory financing statements, continuation statements, certificates of title and the like, and to take all such action as may be necessary or appropriate, from time to time, in the reasonable opinion of Seller, to perfect, confirm, establish, reestablish, continue, or complete the interests of Seller in this Agreement and the Property Schedules, to consummate the transactions contemplated hereby and thereby, and to carry out the purposes and intentions of this Agreement and the Property Schedules.

14.04 Binding Effect. This Agreement shall inure to the benefit of and shall be binding upon Seller and Purchaser and their respective successors and assigns.

14.05 Severability. In the event any provision of this Agreement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof.

14.06 Waiver of Jury Trials. Purchaser and Seller hereby irrevocably waive all right to trial by jury in any action, proceeding or counterclaim (whether based on contract, tort or otherwise) arising out of or relating to this Agreement or the actions of Seller or Purchaser in the negotiation, administration, performance or enforcement hereof.

14.07 Amendments, Changes and Modifications. This Agreement may be amended in writing by Seller and Purchaser to the extent the amendment or modification does not apply to outstanding Property Schedules at the time of such amendment or modification. The consent of all assignees shall be required to any amendment or modification before such amendment or modification shall be applicable to any outstanding Property Schedule.

14.08 Execution in Counterparts. This Agreement and the Property Schedules hereunder may be simultaneously executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

14.09 Applicable Law. This Agreement shall be governed by and construed in accordance with the laws of the State.

14.10 Captions. The captions or headings in this Agreement are for convenience only and in no way define, limit or describe the scope or intent of any provisions or sections of this Agreement.

14.11 Continuing Disclosure. Seller acknowledges that, in connection with Purchaser's compliance with any continuing disclosure undertakings (each, a "Continuing Disclosure Agreement") entered into by Purchaser pursuant to SEC Rule 15c2-12 promulgated pursuant to the Securities and Exchange Act of 1934, as amended (the "Rule"), Purchaser may be required to file with the Municipal Securities Rulemaking Board's Electronic Municipal Market Access system, or its successor ("EMMA"), notice of its incurrence of its obligations under this Agreement and notice of any accommodation, waiver, amendment, modification of terms or other similar events reflecting financial difficulties in connection with this Agreement, in each case including a description of the material terms thereof (each such notice, an "EMMA Notice"). Purchaser shall not file or submit or permit the filing or submission of any EMMA Notice that includes any of the following unredacted information regarding Seller or the Escrow Agent: physical or mailing addresses, account information, e-mail addresses, telephone numbers, fax numbers, tax identification numbers, or titles or signatures of officers, employees or other signatories. Purchaser acknowledges and agrees that Seller is not responsible in connection with any EMMA Notice relating to this Agreement for Purchaser's compliance or noncompliance (or any claims, losses or liabilities arising therefrom) with the Rule, any Continuing Disclosure Agreement or any applicable securities laws, including but not limited to those relating to the Rule.

IN WITNESS WHEREOF, Seller and Purchaser have caused this Agreement to be executed in their names by their duly authorized representatives as of the date first above written.

Seller: Municipal Asset Management, Inc.
By: Paul E Collings
Name: Paul E Collings
Title: President

Purchaser: City of Mercer Island
By:
Name: Jessi Bon
Title: City Manager

Attest:
By:
Name: Andrea Larson
Title: City Clerk

ADDENDUM (WASHINGTON)
Master Tax-Exempt Installment Purchase Agreement

THIS ADDENDUM, which is entered into as of January 9, 2026 between Municipal Asset Management, Inc. ("Seller") and City of Mercer Island ("Purchaser"), is intended to modify and supplement Property Schedule No. 1 (the "Property Schedule") to the Master Tax-Exempt Installment Purchase Agreement between Seller and Purchaser dated as of January 9, 2026 (the "Master Agreement"). Capitalized terms not otherwise defined herein shall have the meanings set forth in the Master Agreement.

In addition to the representations, warranties and covenants of Purchaser set forth in the Master Agreement, Purchaser, as of the Commencement Date for the Property Schedule, represents, warrants and covenants for the benefit of Seller that Purchaser is not in violation of, and the execution and delivery of the Property Schedule will not cause Purchaser to violate, any debt limitations applicable to Purchaser or the Property Schedule, and without limiting the foregoing:

(i) if Purchaser is a county, city or town, Purchaser is not in violation of, and the execution and delivery of the Property Schedule will not cause Purchaser to violate, the provisions of Section 39.30.010 of the Revised Code of Washington *[attach computation of test]*;

(ii) if Purchaser is a school district, Purchaser is not in violation of, and the execution and delivery of the Property Schedule will not cause Purchaser to violate, the provisions of Section 28A.335.200 or Section 39.36.020 of the Revised Code of Washington *[attach computation of test]*;

(iii) if Purchaser is a fire district, Purchaser is not in violation of, and the execution and delivery of the Property Schedule will not cause Purchaser to violate, the provisions of Section 52.12.061 of the Revised Code of Washington *[attach computation of test]*;

(iv) if Purchaser is a hospital district, Purchaser is not in violation of, and the execution and delivery of the Property Schedule will not cause Purchaser to violate, the provisions of Section 70.44.260 of the Revised Code of Washington *[attach computation of test]*.

IN WITNESS WHEREOF, Seller and Purchaser have caused this Addendum to be executed in their names by their duly authorized representatives as of the date first above written.

Seller: Municipal Asset Management, Inc.
By: Paul E Collings
Name: Paul E Collings
Title: President

Purchaser: City of Mercer Island
By:
Name: Jessi Bon
Title: City Manager

Attest:
By
Name: Andrea Larson
Title: City Clerk

ADDENDUM No. 2
Master Tax-Exempt Installment Purchase Agreement

THIS ADDENDUM, which is entered into as of January 9, 2026 between Municipal Asset Management, Inc. ("Seller") and City of Mercer Island ("Purchaser"), is intended to modify and supplement the Master Tax-Exempt Installment Purchase Agreement between Seller and Purchaser dated as of January 9, 2026 (the "Master Agreement"). Capitalized terms not otherwise defined herein shall have the meanings set forth in the Master Agreement.

Section 5.01 Location; Inspection is hereby deleted and restated as follows:

The Property will be initially located or based at the location specified in the applicable Property Schedule. With prior notice to the Purchaser, Seller shall have the right at all reasonable times during business hours to enter into and upon the property of Purchaser for the purpose of inspecting the Property. The Property shall be used in the operations and within the jurisdictional boundaries of the Purchaser, Eastside Fire & Rescue, and/or the members of Eastside Fire & Rescue in accordance with the policies and procedures of Eastside Fire & Rescue. Purchaser shall not remove such property from the locations set forth therein without giving prior written notice to Seller.

Section 6.02 Installment Payments to Constitute Binding Contractual Obligation. is hereby deleted and restated as follows:

Seller and Purchaser understand and intend that the obligation of Purchaser to pay Installment Payments under this Agreement and each Property Schedule executed and delivered hereunder shall constitute a binding contractual obligation of Purchaser for the full Term of each such Property Schedule. Purchaser covenants to include all such Installment Payments due under the Property Schedules in its annual budget and to make the necessary annual appropriation for all such Installment Payments. Neither this Agreement nor any Property Schedule shall be subject to termination by Purchaser in the event that Purchaser fails to appropriate any Installment Payments. The covenants on the part of Purchaser contained in this Agreement as incorporated into each Property Schedule, including the covenant to budget and appropriate amounts necessary to make Installment Payments, shall be deemed to be duties imposed by law, and it shall be the duty of each and every public official of Purchaser to take such action and do such things as are required by law in the performance of the official duty of such officials to enable Purchaser to carry out and perform the covenants and agreements in this Agreement and each Property Schedule agreed to be carried out and performed by Purchaser.

Section 7.03 Security Interest is hereby deleted and restated as follows:

To secure the performance of all of Purchaser's obligations under this Agreement with respect to a Property Schedule, including without limitation all Property Schedules now existing are hereafter executed, to the extent permitted by law Purchaser grants to Seller, for the benefit of Seller and its successors and assigns, a security interest constituting a first lien on Purchaser's interest in all of the Property under the Property Schedule, whether now owned or hereafter acquired, all additions, attachments, alterations and accessions to the Property, all substitutions and replacements for the Property, and on any proceeds of any of the foregoing, including insurance proceeds. Purchaser shall execute any additional documents, including financing statements, affidavits, notices and similar instruments, in form and substance satisfactory to Seller, which Seller deems necessary or appropriate to establish, maintain and perfect a security interest in the Property in favor of Seller and its successors and assigns. Purchaser hereby authorizes Seller to file all financing statements which Seller deems necessary or appropriate to establish, maintain and perfect such security interest.

Section 8.01 Maintenance of Property by Purchaser is hereby deleted and restated as follows:

Purchaser shall keep and maintain, or cause to be kept and maintained, the Property in good condition and working order and in compliance with the manufacturer's specifications, shall use, operate and maintain, or cause to be used, operated, and maintained, the Property in conformity with all applicable laws and regulations, and shall keep the Property free and clear of all liens and claims, other than those created by this Agreement. Purchaser shall have sole responsibility to maintain and repair the Property. Should Purchaser or other authorized user of the Property fail to maintain, preserve and keep the Property in good repair and working order and in accordance with manufacturer's specifications, and if requested by Seller, Purchaser will enter into, or cause to be entered into, maintenance contracts for the Property in form approved by Seller and with approved providers.

Section 8.03 Insurance is hereby deleted and restated as follows:

Purchaser shall maintain, or cause to be maintained, (a) casualty insurance insuring the Property against loss or damage by fire and all other risks covered by the standard extended coverage endorsement then in use in the State and any other risks reasonably required by Seller in an amount equal to at least the outstanding principal component of Installment Payments, (b) liability insurance that protects Seller from liability in all events in an amount reasonably acceptable to Seller, and (c) worker's compensation insurance covering all employees working on, in, near or about the Property; provided that Purchaser may self-insure against all such risks (other than rental interruption). All insurance proceeds from casualty losses shall be payable as hereinafter provided in this Agreement. All such insurance shall be with insurers that are authorized to issue such insurance in the State. All such liability insurance shall name Seller as an additional insured. All such casualty insurance shall contain a provision making any losses payable to Seller and Purchaser as their respective interests may appear. All such insurance shall contain a provision to the effect that such insurance shall not be canceled or modified without first giving written notice thereof to Seller and Purchaser at least thirty (30) days in advance of such cancellation or modification. Such changes shall not become effective without Seller's prior written consent. Purchaser shall furnish to Seller, on or before the Commencement Date for each Property Schedule, and thereafter at Seller's request, certificates evidencing such coverage, or, if Purchaser self-insures, a written description of its self-insurance program together with a certification from Purchaser's risk manager or insurance agent or consultant to the effect that Purchaser's self-insurance program provides adequate coverage against the risks listed above.

Section 8.04 Advances is hereby deleted and restated as follows:

In the event Purchaser shall fail to either maintain, or cause to be maintained, the insurance required by this Agreement or keep, or cause to be kept, the Property in good repair and working order, Seller may, but shall be under no obligation to, purchase the required insurance

and pay the cost of the premiums thereof or maintain and repair the Property and pay the cost thereof. All amounts so advanced by Seller shall constitute additional rent for the Term for the applicable Property Schedule and shall be due and payable on the next Installment Payment Date and Purchaser covenants and agrees to pay such amounts so advanced by Seller with interest thereon from the date such amounts are advanced until paid at the rate of 12% per annum or the maximum amount permitted by law, whichever is less.

Section 11.02 Option to Prepay is hereby deleted and restated as follows:

Purchaser shall have the option to prepay in whole the Installment Payments due under a Property Schedule, but only if the Property Schedule so provides, and on the terms set forth in the Property Schedule. Purchaser shall give written notice to Seller of its intent to purchase Seller's interest in the Property at least thirty (30) days prior to the last day of the Installment Term for applicable Property Schedule.

Section 13.02 Remedies on Default is hereby deleted and restated as follows:

Whenever any Event of Default exists with respect to a Property Schedule, Seller shall have the right, at its sole option without any further demand or notice, to take one or any combination of the following remedial steps:

(a) Without terminating the Property Schedule, and by written notice to Purchaser, Seller may add interest at the rate of 12% per annum or the maximum rate permitted by applicable law, whichever is less, until the time the Event of Default is cured.

(b) Seller may terminate the Property Schedule, and by written notice to the Purchaser, may enter the premises where the Property subject to the Property Schedule is located and retake possession of the Property, or require Purchaser, at Purchaser's expense, to promptly return any or all of the Property to the possession of Seller at such place within the United States as Seller shall specify, and Seller may thereafter dispose of the Property in accordance with Article 9 of the Uniform Commercial Code in effect in the State, continuing to hold Purchaser liable for any deficiency and all costs and expenses incurred by Seller in exercising its remedies hereunder, including, without limitation, all costs and expenses of taking possession, removing, storing and reconditioning the Property, and including, without limitation, all brokerage and attorneys fees;

(c) By written notice to any escrow agent who is holding proceeds of the Property Schedule, Seller may instruct such escrow agent to release all such proceeds and any earnings thereon to Seller, such sums to be credited to payment of Purchaser's obligations under the Property Schedule;

(d) Obtain the issuance of a writ of mandamus enforcing, for the entire balance of the term of each Property Schedule, the duty of Purchaser to appropriate and take all other administrative steps necessary for the making of Installment Payments; and

(e) Seller may take any action, at law or in equity, that is permitted by applicable law and that may appear necessary or desirable to enforce or to protect any of its rights under the Property Schedule and this Agreement.

Section 13.03 No Remedy Exclusive is hereby deleted and restated as follows:

No remedy herein conferred upon or reserved to Seller is intended to be exclusive and every such remedy shall be cumulative and shall be in addition to every other remedy given under this Agreement now or hereafter existing at law or in equity. No delay or omission to exercise any right or power accruing upon any default shall impair any such right or power or shall be construed to be a waiver thereof, but any such right or power may be exercised from time to time and as often as may be deemed expedient. In order to entitle Seller to exercise any remedy reserved to it in this Article it shall not be necessary to give any notice, other than such notice as may be required in this Article. Notwithstanding anything herein to the contrary, acceleration shall not be a remedy upon the occurrence and continuation of an Event of Default.

Section 13.04 Costs and Attorney Fees is hereby deleted and restated as follows:

Upon the occurrence of an Event of Default by Purchaser in the performance of any term of this Agreement, Purchaser agrees to pay to Seller or reimburse Seller for, in addition to all other amounts due hereunder, all of Seller's reasonable costs of collection, including reasonable attorney fees, whether or not suit or action is filed thereon. Any such costs shall be immediately due and payable upon written notice and demand given to Purchaser, shall be secured by this Agreement until paid and shall bear interest at the rate of 12% per annum or the maximum amount permitted by law, whichever is less. In the event suit or action is instituted to enforce any of the terms of this Agreement, the prevailing party shall be entitled to recover from the other party such sum as the court may adjudge reasonable as attorneys' fees at trial or on appeal of such suit or action or in any bankruptcy proceeding, in addition to all other sums provided by law.

Section 14.12 Electronic Transactions is hereby added as follows:

Seller and Purchaser hereby agree that this Agreement, any Property Schedule entered into hereunder, and any other document or instrument entered into in connection herewith or therewith may be authenticated by electronic means, and expressly consent to the use of the electronic version of this Agreement, any Property Schedule and such other documents or instruments to embody the entire agreement and the understanding between Seller and Purchaser. Purchaser agrees not to raise as a defense to the enforcement of this Agreement, any Property Schedule or any other document or instrument that it was executed or authenticated by electronic or digital means or that Purchaser used facsimile or other electronic means to transmit Purchaser's signature thereon. To the extent that Seller accepts, in its sole discretion, any Property Schedule bearing Purchaser's electronic signature, Seller shall have the sole right and discretion to mark a tangible counterpart hereof bearing Seller's manual or electronic signature as the "Original" and, to the extent the Property Schedule constitutes chattel paper (as defined by the UCC), perfection of a security interest in the Property Schedule by possession can only be accomplished by possession of the counterpart marked "Original". To the extent that any Property Schedule has been authenticated by Seller and Purchaser in accordance with applicable law and exists as an electronic record that is controlled by Seller (or any assignee of Seller), such electronic record shall (pursuant to the rules and regulations of eOriginal, Inc.) constitute the original authoritative version of such Property Schedule; provided that if the "Paper Out" process shall have occurred pursuant to the eOriginal Product Reference Guide, then the "Paper Out" printed version of such Property Schedule as identified in the eOriginal audit record and corresponding affidavit shall constitute the sole authoritative version. Notwithstanding anything to the contrary herein, Seller reserves the right to require Purchaser to sign any document or instrument manually and to deliver to Seller an original of this Agreement, any Property Schedule or other document or instrument. Purchaser agrees to provide Seller with such certificates of incumbency, certificates of completion, and metadata or other information from the electronic signature platform used by Purchaser as Seller shall request in order to confirm the due execution of this Agreement, any Property Schedule or other document or instrument, and shall cooperate with Seller in obtaining any information or evidence from the provider of such electronic signature platform as Seller may reasonably request.

IN WITNESS WHEREOF, Seller and Purchaser have caused this Addendum to be executed in their names by their duly authorized representatives as of the date first above written.

Seller: Municipal Asset Management, Inc.
By: Paul E Collings
Name: Paul E Collings
Title: President

Purchaser: City of Mercer Island
By:
Name: Jessi Bon
Title: City Manager

Attest:
By
Name: Andrea Larson
Title: City Clerk

BUSINESS OF THE CITY COUNCIL
CITY OF MERCER ISLAND

AB 6988
September 1, 2026
Regular Business

AGENDA BILL INFORMATION

TITLE:	AB 6988: Comprehensive Plan Map Amendment for four properties owned by the Stroum Jewish Community Center (SJCC) (Ordinance No. 26-13)	☐ Discussion Only ☒ Action Needed: ☐ Motion ☒ Ordinance ☐ Resolution
RECOMMENDED ACTION:	Amend the Planning Commission's recommendation by rejecting both amended findings for MICC 19.15.230(F)(1) and (2) and replace these findings with those originally presented by staff to the Planning Commission as detailed in Exhibit 3 and schedule the second reading of Ordinance No. 26-13 for December 1, 2026.	

DEPARTMENT:	Community Planning and Development
STAFF:	Jeff Thomas, Community Planning and Development Department Director Molly McGuire, Senior Planner
COUNCIL LIAISON:	n/a
EXHIBITS:	1. Ordinance No. 26-13 2. Planning Commission Recommendation 3. CPA25-002 Staff Report
CITY COUNCIL PRIORITY:	n/a

AMOUNT OF EXPENDITURE	$ n/a
AMOUNT BUDGETED	$ n/a
APPROPRIATION REQUIRED	$ n/a

EXECUTIVE SUMMARY

The purpose of this agenda item is to consider the Planning Commission's recommendation to approve the proposed comprehensive plan map amendment to redesignate parcels 2655500137, 2655500136, 2655500132, and a portion of 2655500115 from Single-Family Residential to Commercial Office within the Land Use Map of the Comprehensive Plan. As discussed further below, this agenda item does **not** address the request for rezoning of the same parcels within the City's zoning map, which will be evaluated separately at a later date.

- On December 5, 2023, the City Council adopted Resolution No. 1657 which added the Stroum Jewish Community Center's (SJCC) proposal for a Comprehensive Plan Land Use Map Amendment and Rezone to the 2024 Annual Docket.

- Applications for the proposed Comprehensive Plan Amendment (CPA25-002) and Rezone (RZN25-002) were received by the Community Planning and Development (CPD) Department on December 11, 2025 and deemed complete for the purpose of review on January 6, 2026. The application for the Rezone has been put on hold until the City Council completes a first reading of CPA25-002.
- A SEPA Determination of Non-Significance was issued on June 22, 2026. The comment period ended on June 6, 2026 and no comments were submitted regarding the City's determination. There were no timely appeals of the SEPA threshold determination.
- 341 written public comments were received during the public comment period until the close of the public hearing on August 5, 2026. Twenty-five additional public comments were received in-person during the public hearing portion of the Planning Commission's meeting on August 5, 2026.
- At its August 5, 2026 meeting, the Planning Commission held a public hearing, considered public comments, the staff report, and criteria in Mercer Island City Code (MICC) Chapter 19.15. The Planning Commission adopted findings by motion and made a recommendation to the City Council for consideration at its September 1, 2026 regular meeting for first reading.

BACKGROUND

On December 5, 2023, the City Council adopted Resolution No. 1657 which added the SJCC's proposal for a Comprehensive Plan Land Use Map Amendment and Rezone to the 2024 Annual Docket. On December 11, 2025, the SJCC submitted applications for a Comprehensive Plan Amendment (CPA25-002) to redesignate parcels 2655500137, 2655500136, 2655500132, and a portion of 2655500115 from Single-Family Residential to Commercial Office and a Rezone to reclassify (RZN25-002) parcels 2655500137, 2655500136, 2655500132, and a portion of 2655500115 from Single-Family Residential (R-9.6) to Commercial Office (C-O). The applications were deemed complete for processing on January 6, 2026.

The application for the Rezone (RZN25-002) was put on hold until the City Council completes a first reading of CPA25-002.

Pursuant to MICC 19.15.230(G), in cases where both a comprehensive plan amendment and an area-wide rezone are required, both shall be considered together. However, applications for comprehensive plan amendments and rezones follow two different review processes. Per MICC 19.15.260, comprehensive plan amendments must be first considered by b the Planning Commission. On August 5, 2026, the Planning Commission made a recommendation to the City Council, and now the City Council will complete a first reading of CPA25-002. After the first reading of CPA25-002, the required public hearing for RZN25-002 is anticipated to be scheduled before the Hearing Examiner followed by first reading with the City Council. Should both applications proceed, a second reading and potential adoption of both CPA25-002 and RZN25-002 would likely occur in December 2026.

Legislative Review

Comprehensive Plan Map Amendments must be reviewed and decided according to the procedures in MICC 19.15.230 and .260. Pursuant to MICC 19.15.260(B), the Planning Commission considered the proposed amendment for conformance with the criteria listed in MICC 19.15.230(F) (the applicable section) and made a written recommendation to the City Council.

Decision Criteria

The Mercer Island City Code lays out the decision criteria for comprehensive plan amendments in 19.15.230(F) MICC. This code section is provided below for reference.

F. *Decision criteria.* Decisions to amend the comprehensive plan shall be based on the criteria 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.

The applicant's demonstration is contained in the staff report for CPA25-002.

August 5, 2026 Public Hearing – Planning Commission

Consistent with practices of the Community Planning & Development (CPD) Department, staff prepared a Staff Report containing staff findings on the consistency of the comprehensive plan amendment application with the criteria in MICC 19.15.230(F). The Planning Commission reviewed this staff report during the August 5, 2026 public hearing. The Planning Commission also considered 341 written public comments submitted to the City, 25 verbal public comments provided during the public hearing on August 5, 2026, and presentations by the project applicant and CPD staff.

After reviewing the above materials, the Planning Commission adopted findings generally consistent with the Staff Findings presented in the report (Exhibits 2 and 3). The Planning Commission made amendments by motion to the staff findings for criteria (1) and (2). These findings are in addition to the staff findings presented in the staff report:

Planning Commission Finding for Criteria (1): The consistency demonstration for Countywide Planning Policies FW-6, DP-2, DP-4, DP-6, DP-8, EC-2, EC-14, EC-26, EC-29, and PF-19, and for the Comprehensive Plan community values and Land Use Goals 7.4 and 7.5, rests on programs and services provided by the current owner and operator. A Comprehensive Plan land use designation runs with the land and does not require the continuation of any use or program. The record contains no instrument that would secure the community benefits relied upon. The Commission therefore recommends an instrument to run with the land be required by the City Council.

Planning Commission Finding for Criteria (2): The Planning Commission amends the recommendation to the City Council to exclude parcel 2655500132 from CPA25-002, and adds the following supporting findings: (i) the staff report finds that parcels 2655500137, 2655500115, and 2655500136 appear integrated in their daily operations as the Stroum Jewish Community Center site and does not so find as to parcel 2655500132; (ii) parcel 2655500132 is developed with a two-story, 1,860 square foot single-family residence constructed in 1986 and has not been used for recreational or community facility purposes; (iii) the applicant's compatibility demonstration, which rests on more than fifty years of continuous community facility use, does not apply to

this parcel; (iv) no changed circumstance has been demonstrated as to this parcel; and (v) the parcel cannot be developed in conformance with Commercial Office standards. The Commission finds that the applicant has carried its burden under MICC 19.15.230(F)(2) subject to the removal of parcel 2655500132.

Planning Commission Recommendation (Exhibit 2)

The Planning Commission made the following recommendation based on their adopted findings:

> *"The Planning Commission recommends that the City Council approve the proposed Comprehensive Plan Amendment based on the adopted findings."*

The motion passed unanimously with a vote of 3-0. Recording of the proceedings before the Planning Commission is available here: Planning Commission Special Hybrid Meeting | Mercer Island, Washington

ISSUE/DISCUSSION

Staff prepared a Report which was presented to the Planning Commission on August 5, 2026, and contains staff findings on the consistency of the comprehensive plan amendment with the criteria in MICC 19.15.230(F) (Exhibit 3). The Staff Report also contains a recommendation to the Planning Commission stating:

> *"Staff reviewed the proposed application in accordance with the criteria for comprehensive plan amendments in MICC 19.15.230(F). The staff report and findings are based on the application and all supplemental information. The Planning Commission shall consider the proposed amendment for conformance with the criteria listed in the applicable section, the comprehensive plan, and other applicable development standards. The Planning Commission shall make a written recommendation on the review to the City Council. Based on the findings contained in this staff report and the application materials, Staff recommend the Planning Commission adopt the above findings and move to recommend approval of the proposed Comprehensive Plan Amendment under City File Number CPA25-002 to reclassify King County Parcel Nos. 2655500137, 2655500136, 2655500132, and a portion of 2655500115 from Single-Family Residential to Commercial Office (C-O) within the Land Use Map (Exhibit 8) to the City Council."*

Planning Commission Findings and Recommendation

The adopted Planning Commission findings for the criteria in MICC 19.15.230(F)(1) and (F)(2) result in two changes to the proposal that the City Council must consider.

1. The Planning Commission finding to amend the staff finding for criteria (F)(1) results in the requirement for "an instrument to run with the land." A comprehensive plan amendment, however, is a legislative exercise. It is not a project application that can be conditioned like a permit. Consequently, staff recommends that the City Council reject the Planning Commission's amendment to this finding and retain the staff findings presented in the staff report in Exhibit 3.
2. The Planning Commission's finding to amend the staff finding for criteria (F)(2) results in a change to the boundary of the amendment proposed by the applicant. More specifically, it contracts the proposed boundary to exclude parcel no. 2655500132 from the proposal. Unlike the previous recommendation, there is authority in law for the City Council to add or subtract properties that are subject to the amendment being considered. Consequently, the City Council may choose to accept or reject this recommendation. Should the City Council wish to proceed with this recommendation to

amend the boundary of the redesignation area, this can be accomplished by adopting the Planning Commission finding and directing staff to amend Ordinance No. 26-13 for second reading.

Legislative Review – City Council

Discussion and deliberation at the September 1, 2026 City Council meeting should be limited to whether or not the proposed comprehensive plan amendment meets all of the criteria in MICC 19.15.230(F). During the September 1, 2026 meeting, the City Council shall also consider the Planning Commission's recommendation and findings **related to the criteria for comprehensive plan amendments in MICC 19.15.230(F)**. In completing the first reading of Ordinance 26-13, the City Council may select one of the following options:

1. Accept the Planning Commission's recommendation as presented which includes the amended findings for MICC 19.15.230(F)(1) and (2);
2. Amend the Planning Commission's recommendation as presented to reject one or both amended findings for MICC 19.15.230(F)(1) and (2);
3. Reject the Planning Commission recommendation as presented, discuss new findings and provide direction to staff.

Ordinance No. 26-13 Recommendation

It is recommended the City Council select a version of option (2.) above and amend the Planning Commission's recommendation as presented by rejecting both amended findings for MICC 19.15.230(F)(1) and (2) and replacing these findings with those originally presented by staff to the Planning Commission as detailed in Exhibit 3. Therefore, the recommendations of the Planning Commission to include the requirement for the "instrument to run with the land" to satisfy MICC 19.15.230(F)(1) and the contraction of the proposed boundary to exclude parcel no. 2655500132 to satisfy MICC 19.15.230(F)(2) would be rejected.

Should the City Council select option (1.) above and accept the Planning Commission's recommendation as presented which includes the amended findings for MICC 19.15.230(F)(1) and (2), Ordinance No. 26-13 will be revised as directed, and the City Council will be able to review it at second reading later this fall.

NEXT STEPS

If the City Council wishes to move forward with the proposed amendment to the Comprehensive Plan, second reading of Ordinance No. 26-13 should be scheduled for December 1, 2026. This will allow time for the Hearing Examiner review of the related rezone, RZN25-002. The City Council would then conduct a first reading of an ordinance related to RZN25-002 in November and the second reading would potentially be scheduled for December 1, 2026, to allow the Comprehensive Plan amendment and the rezone to be considered together.

RECOMMENDED ACTION

The recommended action is to reject both amended Planning Commission findings:

Move to amend the Planning Commission's recommendation by rejecting both amended findings for MICC 19.15.230(F)(1) and (2) and replace these findings with those originally presented by staff to the Planning Commission as detailed in Exhibit 3 and schedule the second reading of Ordinance No. 26-13 for December 1, 2026.

Alternate actions:

1. Accept both amended Planning Commission findings:
   Accept the Planning Commission's recommendation as presented which includes the amended findings for MICC 19.15.230(F)(1) and (2) and schedule the second reading for Ordinance No. 26-13 for December 1, 2026.

2a. Accept only amended Planning Commission finding (F)(1):
   Amend the Planning Commission's recommendation as presented by rejecting the amended finding for MICC 19.15.230(F)(2) and replacing this finding with that originally presented by staff to the Planning Commission as detailed in Exhibit 3 and schedule the second reading for Ordinance No. 26-13 for December 1, 2026.

2b. Accept only amended Planning Commission finding (F)(2):
   Amend the Planning Commission's recommendation as presented by rejecting the amended finding for MICC 19.15.230(F)(1) and replacing this finding with that originally presented by staff to the Planning Commission as detailed in Exhibit 3 and schedule the second reading for Ordinance No. 26-13 for December 1, 2026.

3. Reject the Planning Commission recommendation, discuss new findings and provide direction to staff.

CITY OF MERCER ISLAND
ORDINANCE NO. 26-13

AN ORDINANCE OF THE CITY OF MERCER ISLAND, WASHINGTON, AMENDING THE COMPREHENSIVE PLAN LAND USE ELEMENT TO UPDATE SECTION VII. FIGURE 1. LAND USE MAP; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, in compliance with the Washington State Growth Management Act (GMA), Chapter 36.70A RCW, the City of Mercer Island adopted a Comprehensive Plan in 1994 and has amended the plan on several occasions since that time; and

WHEREAS, in accordance with RCW 36.70A.130, an adopted Comprehensive Plan is subject to continuing evaluation and review; and

WHEREAS, the Comprehensive Plan was most recently amended by Ordinance 26-09; and

WHEREAS, through the annual Development Code and Comprehensive Plan docket and the adoption of Resolution No. 1657 in 2023, the City added the task of redesignating the comprehensive plan land use designation and zoning designation for four parcels owned by the Stroum Jewish Community Center (SJCC); and

WHEREAS, the proposed comprehensive plan map amendment is for the redesignation of parcels 2655500137, 2655500136, 2655500132, and a portion of 2655500115 from Single-Family Residential to Commercial Office within the Land Use Map of the Comprehensive Plan; and

WHEREAS, the proposed comprehensive plan map amendment and rezone follow two separate review processes under Mercer Island City Code, Chapter 19.15; and

WHEREAS, the proposed rezone application will be processed separately with its own public hearing and recommendation to the City Council by the Hearing Examiner at a later date; and

WHEREAS, notice of a Planning Commission public hearing on August 5, 2026, was published in the Weekly Permit Bulletin, mailed to adjacent properties within 300 feet of the subject property, and posted on-site visible from the right-of-way on June 29, 2026 and published in the Mercer Island Reporter, a newspaper of general circulation, on July 1, 2026; and

WHEREAS, on August 5, 2026 the Planning Commission held a duly advertised public hearing and made a recommendation to the City Council for the approval based on adopted findings of the proposed comprehensive plan map amendment to amend Figure 1. Land Use Map; and

WHEREAS, on August 18, 2026, the City notified the Washington State Department of Commerce of the City's intent to amend the Comprehensive Plan and the Development Code; and

WHEREAS, on June 22, 2026, the City issued a State Environmental Policy Act (SEPA) threshold determination of non-significance (DNS) consistent with the procedures established in Chapter 19.21 MICC; and

WHEREAS, the City of Mercer Island has met all applicable public notice requirements for said Comprehensive Plan amendment consistent with chapter 19.15 MICC in effect at the time notice was given; and

WHEREAS, on September 1, 2026, the City Council was briefed on the Planning Commission recommendation on the Comprehensive Plan amendment and had its first reading of this ordinance, and on December 1, 2026, the City Council had its second reading of this ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MERCER ISLAND, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. **Whereas Clauses Adopted.** The "Whereas Clauses" set forth in the recital of this ordinance are hereby adopted as the findings and conclusions of the City Council for passing this ordinance.

Section 2. **Comprehensive Plan Land Use Element Figure 1, Land Use Map.** Effective December 14, 2026, Figure 1 of the Land Use Element of the Comprehensive Plan shall be amended as set forth in Exhibit A to this ordinance.

Section 3. **Severability.** If any section, sentence, clause, or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, or its application held inapplicable to any person, property, or circumstance, such invalidity or unconstitutionality shall not affect the validity of any other section, sentence, clause, or phrase of this ordinance or its application to any other person, property, or circumstance.

Section 4. **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 MEETING ON December 1, 2026.

ATTEST: CITY OF MERCER ISLAND

Andrea Larson, City Clerk

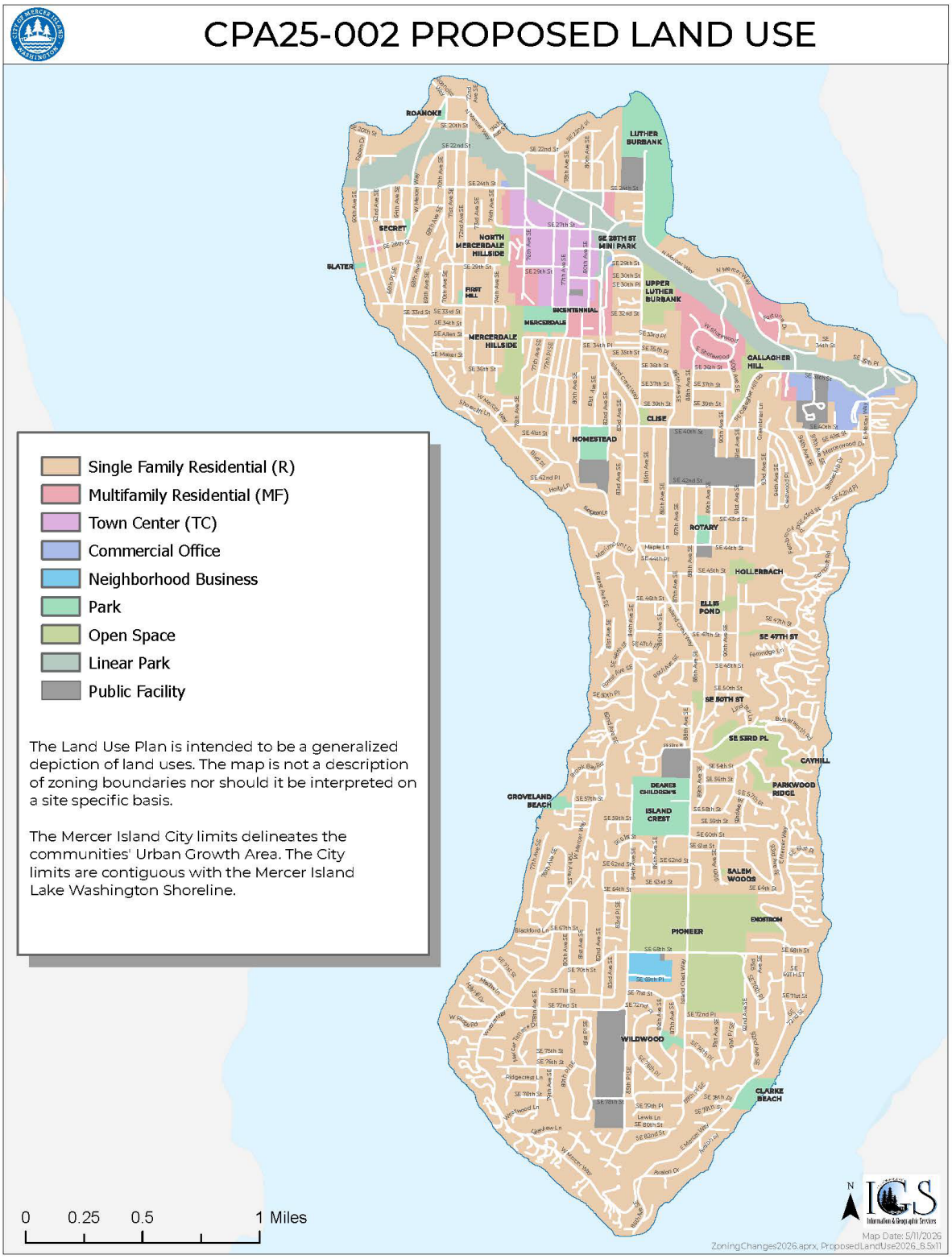
David Rosenbaum, Mayor

APPROVED AS TO FORM

Bio Park, City Attorney

Date of publication: XX

Exhibit A
FIGURE 1. LAND USE MAP



COMMUNITY PLANNING & DEVELOPMENT
9611 SE 36TH STREET | MERCER ISLAND, WA 98040
PHONE: 206.275.7605 | www.mercerisland.gov

PLANNING COMMISSION

To:	City Council
From:	JB Gibson, Planning Commission Vice Chair
Date	August 5, 2026
Subject:	Planning Commission Recommendation on the proposed comprehensive plan amendment to redesignate parcels 2655500137, 2655500136, 2655500132, and a portion of 2655500115 from Single-Family Residential to Commercial Office (C-O).
Attachments:	A. CPA25-002 Staff Report and Recommendation

On behalf of the Planning Commission, I am pleased to present this recommendation for the proposed request to redesignate parcels 2655500137, 2655500136, 2655500132, and a portion of 2655500115 from Single-Family Residential to Commercial Office (C-O) in the City's Comprehensive Plan Land Use Map.

On August 5, 2026, the Planning Commission held a public hearing and review of the proposed comprehensive plan map amendment to redesignate the four properties.

The proponent of the comprehensive plan amendment application spoke to the proposal's compliance with the criteria for approval in MICC 19.15.230(F), followed by a presentation from City staff on the Staff Report and draft findings (Attachment A).

The Planning Commission received for review 324 public comments that were included in the agenda packet in advance of the public hearing. At the meeting, 25 additional public comments were provided during the public hearing portion of the meeting.

In addition to the public comments and presentations, the Planning Commission considered the materials submitted by the applicant and the Staff Report dated August 5, 2026. In making its recommendation, the Planning Commission considered the criteria for approval of a comprehensive plan amendment contained in MICC 19.15.230(F):

> 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.

Findings

The Planning Commission adopted findings by motion for each of the criteria in MICC 19.15.230(F) for approval of the comprehensive plan amendment during the August 5, 2026 meeting.

(F)(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.

Planning Commission Finding: Pursuant to MICC 19.15.230(F) an applicant for a comprehensive plan amendment proposal has the burden of demonstrating that the proposed amendment complies with the applicable regulations and decision criteria.

The City agrees that the proposed CPA is consistent with the Growth Management Act, the countywide planning policies, and the other provisions of the comprehensive plan and city policies, as detailed in the Applicant's Response above.

The City further agrees that there is no obvious technical error in the information contained in the comprehensive plan and that the proposed CPA is not intended to resolve any obvious technical errors in the comprehensive plan.

Additionally, the City agrees that the proposed CPA addresses changing circumstances of the City as a whole. The City disagrees with the Applicant's assertions as to the 2017 development standards. The changes to the residential development standards that occurred in 2017 were policy decisions made by the then seated City Council, and are not "changing circumstances of the city as whole." Additionally, the

applicant's assertation that the changes to the residential development standards were passed "without including an exception for rebuilds, expansions, and remodels of institutional uses like the SJCC" is incorrect. The development code includes provisions for the exterior alteration or enlargement of nonconforming structures other than single-family or in Town Center in MICC 19.01.050(D)(3). Intentional exterior alteration or enlargement is allowed, provided the legal nonconforming status of the structure is not lost. Legal nonconforming status would be lost if there is an intentional exterior alteration or enlargement of the structure over any three-year period that incurs construction costs in excess of 50 percent of the structure's current King County assessed value as of the time the initial application for such work is submitted.

The changing circumstances of the city as a whole are more accurately described as an increased demand of a facility that is at the end of its useful life and which demand cannot be accommodated under the current provisions allowed for intentional exterior alteration or enlargement of a legally nonconforming structure in MICC 19.01.050(D)(3). To meet these increased demands, a remodel or enlargement that would likely exceed 50 percent of the structure's assessed value would likely be necessary, which would in turn result in the loss of legal nonconforming status, and the whole site would be required to come into compliance with the development standards in the single-family residential zoning designation. The currently applicable standards are, as the name suggests, written for single-family residential development with no provisions that address facilities that need a larger footprint or gross floor area to accommodate the demand required by the community.

The consistency demonstration for Countywide Planning Policies FW-6, DP-2, DP-4, DP-6, DP-8, EC-2, EC-14, EC-26, EC-29, and PF-19, and for the Comprehensive Plan community values and Land Use Goals 7.4 and 7.5, rests on programs and services provided by the current owner and operator. A Comprehensive Plan land use designation runs with the land and does not require the continuation of any use or program. The record contains no instrument that would secure the community benefits relied upon. The Commission therefore recommends an instrument to run with the land be required by the City Council.

(F)(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.**

Planning Commission Finding: The City agrees that the proposed CPA is compatible with the adjacent land use and development patterns. Adjacent land use and development patterns include both single-family residences and commercial buildings. The proposed amendment would redesignate four Single-Family Residential parcels to Commercial Office. The adjacent land uses and development patterns include single-family residential development, commercial, and public

facilities, which all align with the existing facilities on the SJCC properties. The applicant has emphasized the SJCC's intentions to rebuild the SJCC facilities to continue providing services to Mercer Island residents, which can no longer be adequately provided with the existing, aging buildings. 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.

The City agrees that the subject property is suitable for development in conformance with the standards in the proposed C-O zoning designation. Allowed uses in the C-O zone include professional, scientific, and technical services, office uses, places of worship, civic and social organizations, and public and private schools. Required conditions for development within the C-O zone are contained in MICC 19.04.020 and include, but are not limited to: screening adjacent to external boundaries of the site, restrictions on lot coverage and building footprints, building height limits, yard requirements, and parking requirements.

MICC 19.04.020(E) provides yard requirements for development within the C-O zone. The minimum setback from all rights-of-way shall be 50 feet. The minimum rear yard setback shall be 50 feet. The sum of side yards shall be at least 75 feet, with no side yard less than 25 feet; provided, however, that a minimum 50-foot setback shall be required from the property line of any adjacent property that is zoned residential or multifamily and developed for such use and no parking or driveways shall be allowed within this setback. Dimensions of the subject properties are provided below:

Parcel	Width (Side Yards)	Depth (Front and Rear Yards)
2655500132 (south property line adjacent to single-family residentially zoned parcel)	75.5 feet	108 feet
2655500136	110 feet	205 feet
2655500137	Must be determined using Lot Width Circle method	Must be determined by the mean average distance measured from the front lot line to the rear lot line
2655500115	Must be determined using Lot Width Circle method	Must be determined by the mean average distance measured from the front lot line to the rear lot line

Based on this information, at least one parcel would not be suitable for development in conformance with the standards under the potential zoning as it currently exists; however, the development code includes options for nonconforming structures, sites,

and uses, as well as the option for lot line revisions to create a lot width and depth which could allow a new building in the C-O zone to conform with the development standards.

The City agrees that the proposed CPA would benefit the community as a whole and would not adversely affect community facilities or the public health, safety, and general welfare. The proposed CPA would allow for new commercial development in an area that has contained uses that align with those allowed in the Commercial-Office designation for many decades. The subject properties contain uses that already provide benefit to the community, and the proposed CPA would align the comprehensive plan designation with these uses.

The Planning Commission amends the recommendation to the City Council to exclude parcel 2655500132 from CPA25-002, and adds the following supporting findings: (i) the staff report finds that parcels 2655500137, 2655500115, and 2655500136 appear integrated in their daily operations as the Stroum Jewish Community Center site and does not so find as to parcel 2655500132; (ii) parcel 2655500132 is developed with a two-story, 1,860 square foot single-family residence constructed in 1986 and has not been used for recreational or community facility purposes; (iii) the applicant's compatibility demonstration, which rests on more than fifty years of continuous community facility use, does not apply to this parcel; (iv) no changed circumstance has been demonstrated as to this parcel; and (v) the parcel cannot be developed in conformance with Commercial Office standards. The Commission finds that the applicant has carried its burden under MICC 19.15.230(F)(2) subject to the removal of parcel 2655500132.

Recommendation

After considerable discussion and deliberation, the Planning Commission approved the recommendation by a 3-0 vote:

The Planning Commission recommends that the City Council approve the proposed Comprehensive Plan Amendment based on the adopted findings.

JB Gibson

JB Gibson
Planning Commission Vic Chair

8/12/26

Date

Updated:
Public comments added through August 5, 2026 at the close of the Public Hearing

COMMUNITY PLANNING & DEVELOPME
206.275.7605
www.mercerisland.gov/cpd
9611 SE 36th St, Mercer Island, WA 98040

STAFF REPORT AND RECOMMENDATION
CPA25-002

Project Number:	CPA25-002
Project Name:	Stroum Jewish Community Center (SJCC) Comprehensive Plan Amendment
Review Type:	N/A
Description:	A request for a Comprehensive Plan Amendment to reclassify King County Parcel Nos. 2655500137, 2655500136, 2655500132, and a portion of 2655500115 from Single-Family Residential to Commercial Office (C-O).
Applicant/Owner:	Amy Lavin (Stroum Jewish Community Center) / Stroum Jewish Community Center (SJCC)
Address:	3801 E Mercer Way, 9824 SE 40th St, 3975 99th Ave SE, and 3795 E Mercer Way, Mercer Island, WA 98040; identified by King County Assessor's Parcel Numbers: 2655500137, 2655500136, 2655500132, and 2655500115
Zoning Designation:	R-8.4; R-9.6
Staff Contact(s):	Jeff Thomas, Community Planning and Development Department Director Molly McGuire, Senior Planner

Key Project Dates:

Date of Application:	December 11, 2025
Determined to be Complete:	January 6, 2026
Notice of Public Hearing Bulletin Published:	June 29, 2026
Notice of Public Hearing Mailed:	June 29, 2026
Notice of Public Hearing Posted on Site:	June 29, 2026
Notice of Public Hearing Published in Newspaper:	July 1, 2026
Date of Open Record Public Hearing:	August 5, 2026

Exhibits:

1. Staff Report, dated August 5, 2026
2. Development Application, received by the City of Mercer Island on December 11, 2025
3. Project Narrative
4. Comprehensive Plan Amendment Criteria Compliance Narrative
5. Memorandum – 3801 E Mercer Way Rezone Potential Trip Generation Review prepared by Transpo Group, dated February 10, 2026
6. Determination of Complete Application, issued by the City of Mercer Island on January 6, 2026
7. Zoning Map, generated by the City of Mercer Island on March 5, 2026
8. Proposed Land Use Map, generated by the City of Mercer Island on May 12, 2026
9. Notice of Public Hearing, issued by the City of Mercer Island on June 29, 2026
10. Notice of Public Hearing, published in the Mercer Island Reporter on July

1, 2026

11. Public Comments
    - 11.1. Rick Tydings, received June 28, 2026
    - 11.2. John and Kathleen O'Rourke, received July 5, 2026
    - 11.3. Teresa and Wally Hall, received July 6, 2026
    - 11.4. Blake Zhang, received July 8, 2026
    - 11.5. Anthony Bastone, received July 13, 2026
    - 11.6. Shang Xinli, received July 13, 2026
    - 11.7. Jessica Prince, received July 14, 2026
    - 11.8. Sydney Tomlinson, received July 14, 2026
    - 11.9. Tyler, received July 14, 2026
    - 11.10. Erin K. Randall, received July 15, 2026
    - 11.11. Sven Kratz, received July 15, 2026
    - 11.12. Albert Angel, received July 16, 2026
    - 11.13. Art and Pat McGougan, received July 16, 2026
    - 11.14. Brooke Pariser, received July 16, 2026
    - 11.15. Deb Arnold, received July 16, 2026
    - 11.16. Henry and Magdalen Hwang, received July 16, 2026
    - 11.17. Michele Murburg, received July 16, 2026
    - 11.18. Mike Adler, received July 16, 2026
    - 11.19. Mike Post, received July 16, 2026
    - 11.20. Narita Ghumman, received July 16, 2026
    - 11.21. Rosanne Fleischmann Lapan, received July 16, 2026
    - 11.22. SJCC Facilities, received July 16, 2026
    - 11.23. Stephanie Castle, received July 16, 2026
    - 11.24. Zivit Shechter-Nissim, received July 16, 2026
    - 11.25. Alexis Odell, received July 17, 2026 ****
    - 11.26. Carla Greenbaum, received July 17, 2026
    - 11.27. Fredric Tobis, received July 17, 2026
    - 11.28. Joshua Levin, received July 17, 2026
    - 11.29. Kristi and Chad Robins, received July 17, 2026
    - 11.30. Linda Bookey, received July 17, 2026
    - 11.31. Marion and George Mohler, received July 17, 2026
    - 11.32. Mark Meyer, received July 17, 2026
    - 11.33. Martin Nelson, received July 17, 2026
    - 11.34. Maureen Leyser, received July 17, 2026
    - 11.35. Mindy Stern, received July 17, 2026
    - 11.36. Paulo, received July 17, 2026
    - 11.37. Robin Farrish, received July 17, 2026
    - 11.38. Sarah Joshi, received July 17, 2026
    - 11.39. Thuy and Mark Seafort, received July 17, 2026
    - 11.40. Tracy Sigmon, received July 17, 2026
    - 11.41. Anne Woodley, received July 18, 2026
    - 11.42. Cathy and Jim Ford, received July 18, 2026
    - 11.43. Cynthia Moller, received July 18, 2026
    - 11.44. Jean F. Dunbabin, received July 18, 2026
    - 11.45. Joanne Kinsman, received July 18, 2026
    - 11.46. Lisa Dembo, received July 18, 2026
    - 11.47. Margie Starnes, received July 18, 2026
    - 11.48. Michael, Nicole, Finn, and Nash Searing, received July 18, 2026

11.49. Richard Fruchter, received July 18, 2026
11.50. Stacey J. Parson, received July 18, 2026
11.51. A.M., received July 19, 2026
11.52. Gina Gonchar, received July 19, 2026
11.53. Jean Dunbabin, received July 19, 2026
11.54. Cindy Paborsky, received July 20, 2026
11.55. David Paborsky, received July 20, 2026
11.56. Jim Horgdal, received July 20, 2026
11.57. Kayla Locke, July 20, 2026
11.58. Lori Kraft, received July 20, 2026
11.59. Randy Kessler, received July 20, 2026
11.60. Susan Szafir, received July 20, 2026
11.61. Andrew Iwano, received July 21, 2026
11.62. Denise Joffe, received July 21, 2026
11.63. Elaine Kraft, received July 21, 2026
11.64. Karen Roberts, received July 21, 2026
11.65. Lisa Kranseler, received July 21, 2026
11.66. Michelle Pierce Kavesh, received July 21, 2026
11.67. Yunhan Huang, received July 21, 2026
11.68. Janet Matzke, received July 22, 2026
11.69. Jason McCune, received July 22, 2026
11.70. Liz Friedman, received July 22, 2026
11.71. Sayce William Falk, received July 22, 2026
11.72. Charles Flake, received July 23, 2026
11.73. Mike DaCosta, received July 23, 2026
11.74. Moss Patashnik, received July 23, 2026
11.75. Anastasia Mironova, received July 24, 2026
11.76. Beth Lippman, received July 24, 2026
11.77. Elaine Kavalok, received July 24, 2026
11.78. Laura Senft, received July 24, 2026
11.79. Pavel Sterba, received July 24, 2026
11.80. Tanming Fong, received July 24, 2026
11.81. Kunal Patel, received July 25, 2026
11.82. Kate Robertson, received July 26, 2026
11.83. Pallu (1), received July 26, 2026
11.84. Pallu (2), received July 26, 2026
11.85. Patty Willner, received July 26, 2026
11.86. Peter Jacobs, received July 26, 2026
11.87. A. Teng, received July 27, 2026
11.88. Benjamin S. Pariser, received July 27, 2026
11.89. Carol Shafer, received July 27, 2026
11.90. David and Patrick White, received July 27, 2026
11.91. Deborah Urman, received July 27, 2026
11.92. Ellen Lynn, received July 27, 2026
11.93. Emma Kearns, received July 27, 2026
11.94. The Frizzells, received July 27, 2026
11.95. Gail Zucker, received July 27, 2026
11.96. Hayley Duitch, received July 27, 2026
11.97. Heidi Behrens-Benedict, received July 27, 2026
11.98. Jeff Bean, received July 27, 2026

11.99. Jeff Davis, received July 27, 2026
11.100. Jordan Hueneman, received July 27, 2026
11.101. Lisa Cohen, received July 27, 2026
11.102. Mark A. Clausen, received July 27, 2026
11.103. Pamela Lavitt, received July 27, 2026
11.104. Samuel Small, Violet Resnick, Erez Small, and Simona Small, received July 27, 2026
11.105. Sandy Glass, received July 27, 2026
11.106. Sandy M. Samuel, received July 27, 2026
11.107. Sarah Fletcher, received July 27, 2026
11.108. Scott Porad, received July 27, 2026
11.109. Shari Basom, received July 27, 2026
11.110. Steven K. Linkon, received July 27, 2026
11.111. Trea Diament, received July 27, 2026
11.112. Winky Lai, Suresh Krishnamoorthy, and Ashwin Krishnamoorthy, received July 27, 2026
11.113. A. Meyer, received July 28, 2026
11.114. Aaron Rosenstein, received July 28, 2026
11.115. Alan Rothblatt, received July 28, 2026
11.116. Austin Cohn, received July 28, 2026
11.117. Ava Raisi, received July 28, 2026
11.118. Avi Freedman, received July 28, 2026
11.119. Barby Cohen, received July 28, 2026
11.120. Blake Zhang, received July 28, 2026
11.121. Bonnie Cape, received July 28, 2026
11.122. Candace Friedman, received July 28, 2026
11.123. Cindy Stratiner, received July 28, 2026
11.124. Carol and Andy Harris, received July 28, 2026
11.125. Dan Friedman, received July 28, 2026
11.126. Dan Kezner, received July 28, 2026
11.127. David Youssefnia, received July 28, 2026
11.128. Deb Schweikert, received July 28, 2026
11.129. Dodi Nov, received July 28, 2026
11.130. Ellen Rosenstein Brin, received July 28, 2026
11.131. Erik D. Laursen, received July 28, 2026
11.132. Dr. Eugene Normand, received July 28, 2026
11.133. Evelyn Jimenez, received July 28, 2026
11.134. Ginger Howse, received July 28, 2026
11.135. Jan Abkowitz, received July 28, 2026
11.136. Jean Greaves, received July 28, 2026
11.137. Jessi Wasson, received July 28, 2026
11.138. Joel Feldman, received July 28, 2026
11.139. Julie Hirsch, received July 28, 2026
11.140. Julie Sarkissian, received July 28, 2026
11.141. Kalai Socha-Leialoha, received July 28, 2026
11.142. Kimberly Florence, received July 28, 2026
11.143. Laurie and Randy Koehler, received July 28, 2026
11.144. Lisa Pedee, received July 28, 2026
11.145. Mary W. Clarfeld, received July 28, 2026
11.146. Melissa Benaroya, received July 28, 2026

11.147. Michael Clarfeld, received July 28, 2026
11.148. Nancy MacCormack, received July 28, 2026
11.149. Nicola Thornton, received July 28, 2026
11.150. Pam Feinstein, received July 28, 2026
11.151. Paul Amato, received July 28, 2026
11.152. Peter Sadowski, received July 28, 2026
11.153. Ronen Elad, received July 28, 2026
11.154. Ruth Miller, received July 28, 2026
11.155. Sara Eizen, received July 28, 2026
11.156. Sarah Kopelovich, received July 28, 2026
11.157. Shauna Swerland, received July 28, 2026
11.158. Zach Stroum, received July 28, 2026
11.159. Akili Lawson, received July 29, 2026
11.160. Alan Waldbaum and Kim Muscatel Waldbaum, received July 29, 2026
11.161. Alexis Rubenstein, received July 29, 2026
11.162. Arlette Ordell, received July 29, 2026
11.163. Benjamin E. Norton, received July 29, 2026
11.164. Caitlin Curry, received July 29, 2026
11.165. Carol Schapira, received July 29, 2026
11.166. Catherine Lee, received July 29, 2026
11.167. Christina and Aaron Hendelman, received July 29, 2026
11.168. Craig Katz, received July 29, 2026
11.169. Dana Azose, received July 29, 2026
11.170. David Landsman, received July 29, 2026
11.171. Debbie Lawson, received July 29, 2026
11.172. Doron Holan, received July 29, 2026
11.173. Etana Kunovsky, received July 29, 2026
11.174. Eydie Hasson Katz, received July 29, 2026
11.175. Ian Morris, received July 29, 2026
11.176. Irene Markman Geisner, received July 29, 2026
11.177. James and Gloria, received July 29, 2026
11.178. Jamie Weinstein, received July 29, 2026
11.179. Jean Klein, received July 29, 2026
11.180. Jeffrey Kanter and Susan Kleiner, received July 29, 2026
11.181. Jennifer Kessler, received July 29, 2026
11.182. Jennifer Selby, received July 29, 2026
11.183. Jill Friedman, received July 29, 2026
11.184. Jill Landauer and Peter Hundrieser, received July 29, 2026
11.185. John Hall, received July 29, 2026
11.186. Jonathan Spare, received July 29, 2026
11.187. Jordan Friedman, received July 29, 2026
11.188. Joseph L. Schocken, received July 29, 2026
11.189. Julie Stone Egnal, received July 29, 2026
11.190. Julie Takasugi, received July 29, 2026
11.191. Leanne Gordon, received July 29, 2026
11.192. Leslie Bair, received July 29, 2026
11.193. Lisa Morris, received July 29, 2026
11.194. Lisa Porad, received July 29, 2026
11.195. Masooma Naqvi, received July 29, 2026

11.196. Matt Lemchen, received July 29, 2026
11.197. Max Strasburg, received July 29, 2026
11.198. Michael Gluck and Lisa R. Koper, received July 29, 2026
11.199. Michele and Alan Tesler, received July 29, 2026
11.200. Mindy Landsman, received July 29, 2026
11.201. Miriam Porad, received July 29, 2026
11.202. Mitch Buder, received July 29, 2026
11.203. Naomi Alhadeff, received July 29, 2026
11.204. Nathan Holan, received July 29, 2026
11.205. Owen Smith, received July 29, 2026
11.206. Paul Burstein, received July 29, 2026
11.207. Paula Libes, received July 29, 2026
11.208. Perry Drapekin, received July 29, 2026
11.209. Rebecca and Leeran Raphaely, received July 29, 2026
11.210. Ricca Piha Poll, received July 29, 2026
11.211. Richard Tomaselli, received July 29, 2026
11.212. Rick Clarfeld, received July 29, 2026
11.213. Shirley Chen, received July 29, 2026
11.214. Simeon A. Rubenstein, received July 29, 2026
11.215. Stephanie Lee, received July 29, 2026
11.216. Stephen Chess, received July 29, 2026
11.217. Suzanne Skinner, received July 29, 2026
11.218. Uri Bar-Joseph, received July 29, 2026
11.219. Wendy Kaufman, received July 29, 2026
11.220. Wendy Rosen, received July 29, 2026
11.221. Bobbie Meltzer Stern, received July 30, 2026
11.222. Camberly Gilmartin, received July 30, 2026
11.223. Nadine Samter, received July 30, 2026
11.224. Ping Zhao, received July 30, 2026
11.225. Scott and Cindy Rockfeld, received July 30, 2026
11.226. Stephanie Auten, received July 28, 2026
11.227. Donna Tomlinson, received July 30, 2026
11.228. Gregg Rogers, received July 30, 2026
11.229. Julie Tseng, received July 30, 2026
11.230. Jaime Chang and Justin Deng, received July 30, 2026
11.231. Jessica Tabakin, received July 30, 2026
11.232. Andreea and Vadim Volk, received July 31, 2026
11.233. Merkys Gomez, received July 31, 2026
11.234. Michael Bundesmann, received July 31, 2026
11.235. Purvi Maheshwari, received July 31, 2026
11.236. Tseng Mei, received July 31, 2026
11.237. Marueen Skall, received August 1, 2026
11.238. Shirley and Bob Marcus, received August 1, 2026
11.239. Thellea Leveque, received August 1, 2026
11.240. Jessica Bastone, received August 2, 2026
11.241. Kara Moscovitz, received August 2, 2026
11.242. Peter Carr, received August 2, 2026
11.243. Anthony Bastone, received August 3, 2026
11.244. Brent Jordan, received August 3, 2026
11.245. Brian Schultz, received August 3, 2026

11.246. Cynthia Hennessy, received August 3, 2026
11.247. Donna Tomlinson, received August 3, 2026
11.248. Gracie Hennessy, received August 3, 2026
11.249. Gregg Rogers, received August 3, 2026
11.250. Jeff Davis, received August 3, 2026
11.251. John Hall, received August 3, 2026
11.252. Josh Hirschland, received August 3, 2026
11.253. Kunal Patel, received August 3, 2026
11.254. Laura Jantos, received August 3, 2026
11.255. Leslie Rubenstein, received August 3, 2026
11.256. Mark Rousso, received August 3, 2026
11.257. Randy Koehler, received August 3, 2026
11.258. Sven Kratz, received August 3, 2026
11.259. Sydney Tomlinson, received August 3, 2026
11.260. Aliyah Vinikoor, received August 4, 2026
11.261. Anne Magnin Masin, received August 4, 2026
11.262. Benjamin Diament, received August 4, 2026
11.263. Benjamin Norton, received August 4, 2026
11.264. Bruce B. Levy, received August 4, 2026
11.265. Carin Jacobson, received August 4, 2026
11.266. Carin Parcel, received August 4, 2026
11.267. Courtney Keller, received August 4, 2026
11.268. Cynthia Moller, received August 4, 2026
11.269. Dan Jones, received August 4, 2026
11.270. Dana Weiner, received August 4, 2026
11.271. Donna Blankinship, received August 4, 2026
11.272. Dylan Vargas, received August 4, 2026
11.273. Erik Laursen, received August 4, 2026
11.274. Erin K. Randall, received August 4, 2026
11.275. Francesca Mahoney, received August 4, 2026
11.276. Glen Lutchman, received August 4, 2026
11.277. Gloria Wolfe, received August 4, 2026
11.278. Jaime Kezner, received August 4, 2026
11.279. Janet Matzke, received August 4, 2026
11.280. Jennifer Muscatel, received August 4, 2026
11.281. Jim Horgdal, received August 4, 2026
11.282. Joan Moritz, received August 4, 2026
11.283. Joann Eskenazi, received August 4, 2026
11.284. Jon O'Rourke, received August 4, 2026
11.285. Jon and Naomi Newman, received August 4, 2026
11.286. Julie Chivo, received August 4, 2026
11.287. Kathleen Hall-O'Rourke, received August 4, 2026
11.288. Kelly and Dan Piha, received August 4, 2026
11.289. Kiran Hew, received August 4, 2026
11.290. Leslie Rousso, received August 4, 2026
11.291. Letty Cherry, received August 4, 2026
11.292. Linda Schwaber, received August 4, 2026
11.293. Linda Sherran, received August 4, 2026
11.294. Lisa Pedee, received August 4, 2026
11.295. Marla Goldberg, received August 4, 2026

11.296. Matt Johnson, received August 4, 2026
11.297. Matthew Goldbach, received August 4, 2026
11.298. Michelle Pierce Kavesh, received August 4, 2026
11.299. Michelle R. Molan, received August 4, 2026
11.300. Michelle Shleifer, received August 4, 2026
11.301. Nevet Basker, received August 4, 2026
11.302. Nina Lu, received August 4, 2026
11.303. Paul Sommer, received August 4, 2026
11.304. Perry Bloch, received August 4, 2026
11.305. Rick Tydings, received August 4, 2026
11.306. Robin Li, received August 4, 2026
11.307. Ron Waldbaum, received August 4, 2026
11.308. Ronnie Stern, received August 4, 2026
11.309. Tanming Fong, received August 4, 2026
11.310. Tara Koehler, received August 4, 2026
11.311. Teresa and Wally Hall, received August 4, 2026
11.312. Terry Azose, received August 4, 2026
11.313. Tony Frego, received August 4, 2026
11.314. Winky Lai, received August 4, 2026
11.315. Ammie Matalka, received August 5, 2026
11.316. Andrea Lott, received August 5, 2026
11.317. Cindy Masin, received August 5, 2026
11.318. Jody Bardacke, received August 5, 2026
11.319. Linda Morgan, received August 5, 2026
11.320. Sarah Fletcher, received August 5, 2026
11.321. Shirley Chen, received August 5, 2026
11.322. Stuart Sulman, received August 5, 2026
11.323. Taryn Jones, received August 5, 2026
11.324. Tyler, received August 5, 2026
11.325. Dina Holan, received August 4, 2026
11.326. Steph Foley, received August 4, 2026
11.327. Douglas C. Rosen, received August 5, 2026
11.328. Ed and Pam Bridge, received August 5, 2026
11.329. Garrett and Rachel Hyman, received August 5, 2026
11.330. Jason Koehler, received August 5, 2026
11.331. Jeffery Weisman, received August 5, 2026
11.332. Lee Keller, received August 5, 2026
11.333. Lynn Lewicki, received August 5, 2026
11.334. Marsha and Bruce Krivosha, received August 5, 2026
11.335. Michael Sandler, received August 5, 2026
11.336. Naaman Heyman, received August 5, 2026
11.337. Phoebe O'Rourke, received August 5, 2026
11.338. Sarah Fletcher, received August 5, 2026
11.339. Sean Morris, received August 5, 2026
11.340. Tom Acker, received August 5, 2026
11.341. Deborah Levinger, received August 4, 2026

12. Applicant Response to Public Comments, received June 29, 2026
13. SEPA Checklist, dated November 20, 2025
14. SEPA Determination of Nonsignificance, issued by the City of Mercer Island on June 22, 2026

I. APPLICATION OVERVIEW

1. Project Overview: A request for a Comprehensive Plan Amendment to reclassify King County Parcel Nos. 2655500137, 2655500136, 2655500132, and a portion of 2655500115 from Single-Family Residential to Commercial Office (C-O) within the Land Use Map (**Exhibit 8**).
2. Location: The subject properties are located at 3801 E Mercer Way, 9824 SE 40th St, 3975 99th Ave SE, and 3795 E Mercer Way, situated in the Southeast Quarter of Section 7, Township 24, and Range 5, in the City of Mercer Island, King County, WA 98040.
3. Access: Access to the subject properties is from E Mercer Way.
4. Existing Conditions: The subject properties contain the two-story, 88,362 square foot Stroum Jewish Community Center building on King County tax parcel 2655500137 which was constructed in 1969 and includes facilities for various activities including an auditorium, fitness center, indoor pool, and most of the parking for the site. Tax parcel 2655500115 contains the French American School, which is a two-story, 31,815 square foot building constructed in 2005. Tax parcel 2655500136 is developed with landscaping, picnic tables, and hardscape. Finally, tax parcel 2655500132 contains a two-story, 1,860 square foot, single-family residence constructed in 1986. Tax parcels 2655500137, 2655500115, and 2655500136 all appear to be integrated in their daily operations as the Stroum Jewish Community Center site.
5. Contact Information:

Project Contact:	Applicant:	Engineer:
Amy Lavin, SJCC 3801 E Mercer Way, Mercer Island, WA 98040 (206) 232-7116 amyl@sjcc.org	Stroum Jewish Community Center	N/A

6. Terms Used:

Term:	**Refers to, unless otherwise specified:**
Applicant	Stroum Jewish Community Center
Proposed development	Comprehensive Plan Map Amendment to redesignate parcels 2655500137, 2655500136, 2655500132, and a portion of 2655500115 from Single-Family Residential (R) to Commercial Office (C-O) within the Future Land Use Map.
Subject property, site	The subject property or site where the proposed development is located as defined in this staff report
City	City of Mercer Island
MICC	Mercer Island City Code
Code Official	City of Mercer Island Community Planning and Development Director or a duly authorized designee
SJCC	Stroum Jewish Community Center
CPA	Comprehensive Plan Amendment

II. PROCEDURE AND NOTICE REQUIREMENTS

7. Review Type: Applications for Comprehensive Plan Amendments (CPA) are required to be processed consistent with the requirements in MICC 19.15.260. Following the completion of an open record public hearing, the Planning Commission shall consider the proposed amendment for conformance with the criteria as listed in MICC 19.15.230(F), the Comprehensive Plan, and other applicable development standards (MICC 19.15.260(B)(1)). The Planning Commission shall make a written recommendation on the review to the City Council (MICC 19.15.260(B)(2)). The City Council shall consider the Planning Commission's recommendation at a public meeting where it may adopt or reject the Planning Commission's recommendation or remand the review back to the Planning Commission (MICC 19.15.260(B)(3)).

8. Application: The application for the proposed CPA was submitted on December 11, 2025. On January 6, 2026, the application was deemed complete for the purposes of review, pursuant to MICC 19.15.070 (**Exhibit 6**).

9. Notice of Application and Public Hearing: The City issued a combined notice of application and public hearing for the proposed CPA on June 29, 2026, consistent with the provisions of MICC 19.15.260, which include the following methods: a mailing sent to the neighboring property owners within 300 feet of the subject property; a notice sign posted on the subject property in a location visible to the public right-of-way; publication in the City's weekly permit bulletin; and made available to the general public upon request (**Exhibit 9**). The notice of application and public hearing was also published in the Mercer Island Reporter, a newspaper of general circulation, on July 1, 2026, as required in MICC 19.15.260 (**Exhibit 10**).

10. Opportunities for Public Comment: The notice of application began the 30-day public comment period, which took place on June 29, 2026 through the close of the public hearing on August 5, 2026. Written comments that were received during the public comment period, between the issuance of the Notice of Public Hearing and the close of the public hearing, are included in **Exhibit 11.001 through 11.340.**

11. Response to Public Comment: While the City accepts public comments at any time prior to the open record pre-decision hearing, common practice is to request that the applicant provides responses only to those public comments received during the 30-day public comment period. The code does not require the applicant to respond to any public comments received. The applicant provided responses to the public comments received during the public comment period through July 28 contained in **Exhibit 12**.

12. State Environmental Policy Act (SEPA) Review: A SEPA Determination of Non-significance (DNS) was issued on June 22, 2026, following the DNS process in WAC 197-11-340 (**Exhibit 14**). The comment period ended on July 6, 2026 and no comments were filed.

13. Public Hearing: Pursuant to MICC 19.15.260, a public hearing is required for the CPA. A combined notice of application and notice of public hearing was provided to the public as described in MICC 19.15.260 (**Exhibits 9 and 10**). The public hearing will take place with the Planning Commission on August 5, 2026.

III. ZONING AND COMPREHENSIVE PLAN DESIGNATIONS

14. Site Zoning and Land Use: The Comprehensive Plan designation for the parcels is: Single-Family Residential. Parcel 2655500137 is currently split-zoned Single-Family Residential (R-8.4) and Single-Family Residential (R-9.6). Parcels 2655500136 and 2655500132 are zoned Single-Family Residential (R-8.4). Parcel 2655500115 is split-zoned Single-Family Residential (R-9.6) and Commercial Office (C-O). A site zoning map can be found in **Exhibit 7**. Pursuant to MICC 19.01.040(G)(2), where a boundary between zones divides a lot into two or more pieces, the entire

lot shall be deemed to be located in the first zone on the following list in which any part of the lot is located: R-15, R-12, R-9.6, R-8.4, MF-2L, MF-3, MF-2, OS, PI, PBZ, C-O, TC, and B; therefore, parcels 2655500137 and 2655500115 are located in the R-9.6 zone.

15. Comprehensive Plan Policies: The Comprehensive Plan, adopted by the City Council in 2024, contains a Land Use Map, which designates parcels 2655500137, 2655500136, and 2655500132 as Single-Family Residential. The single-family residential land use designation 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. Parcel 2655500115 is within the Commercial Office designation. 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.

16. Adjacent Zoning and Comprehensive Plan Designations:

Direction and Current Development	Zoning	Comprehensive Plan Designation
North; SE 36th St and E Mercer Way	Public Institution (PI)	Linear Park (I-90)
East; Single-Family Residences and E Mercer Way	Single-Family Residential R-9.6	Single-Family Residential
South; SE 40th St and Single-Family Residences	Single-Family Residential R-8.4	Single-Family Residential
West; Commercial Buildings and Single-Family Residences (City of Mercer Island City Hall and Public Works beyond)	Commercial Office (C-O), Single-Family Residential R-8.4, Public Institution (PI) beyond	Commercial Office, Single-Family Residential, Public Facility

IV. CONSISTENCY WITH MICC 19.15.230, COMPREHENSIVE PLAN AMENDMENTS

17. *Application requirements*. Proposed amendment requests may be submitted by the public, city manager, city department directors or by majority vote of the city council, planning commission or other city board or commission. Proposed amendments submitted by the public shall be accompanied by application forms required by this title and by the code official and the filing fees established by resolution. All application forms for amendments to the comprehensive plan shall include a detailed description of the proposed amendment in nontechnical terms.

    Staff Analysis: The application for a comprehensive plan amendment was submitted by a representative of the Stroum Jewish Community Center, a member of the public. The application included all required materials for a comprehensive plan amendment, as detailed on the application forms provided by the City (**Exhibit 2**) and the filing fees established in the 2026 Fee Schedule were paid. A detailed description of the proposed amendment in nontechnical terms was also provided (**Exhibit 3**). The applicant also provided a memorandum prepared by Transpo Group to address potential trip generation as a result of the proposed CPA and rezone (**Exhibit 5**); therefore, the application requirements have been met.

18. *Frequency of amendments*.

    A. *Periodic review*. The comprehensive plan shall be subject to continuing review and evaluation by the city ("periodic review"). The city shall take legislative action to review and, if needed,

revise its comprehensive plan to ensure the plan complies with the requirements of the GMA according to the deadlines established in RCW 36.70A.130.

B. *Annual amendment cycle*. Updates, proposed amendments, or revisions to the comprehensive plan may be considered by the city council no more frequently than once every calendar year as established in this section (the "annual amendment cycle"). During a year when periodic review of the comprehensive plan is required under RCW 36.70A.130, the annual amendment cycle and the periodic review shall be combined.

C. More frequent amendments may be allowed under the circumstances set forth within RCW 36.70A.130(2). Amendments processed outside of the annual amendment cycle under RCW 36.70A.130(2) may be initiated by action of the city council. The city council shall specify the scope of the amendment, identify the projected completion date, and identify and, if necessary, fund resources necessary to accomplish the work. Amendments allowed to be processed outside of the annual amendment cycle are not subject to the docketing process outlined within subsection D of this section.

Staff Analysis: The proposed comprehensive plan amendment would be updated through the annual amendment cycle. This would be the only regular comprehensive plan amendment for the 2026 annual amendment cycle period; therefore, the proposed amendment is consistent with the frequency of amendment limitations established by both the GMA and MICC chapter 19.15.

19. *Decision criteria*. Decisions to amend the comprehensive plan shall be based on the criteria specified below per MICC 19.15.230(F). 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.

A. 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:

1) There exists obvious technical error in the information contained in the comprehensive plan; or

2) The amendment addresses changing circumstances of the city as a whole.

Applicant Response: Yes. The proposal complies with MICC 19.15.230(F)(1). First, it is consistent with the Growth Management Act, at Chapter 36.70A RCW. Most specifically, the amendment is “internally consistent” with the Comprehensive Plan, which is one of the main requirements of GMA (RCW 36.70A.070: “The plan shall be an internally consistent document and all elements shall be consistent with the future land use map”).

Second, it is consistent with the Countywide Planning Policies (“CPPs”), specifically the following (responses to CPPs in italics):

- 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 welcomes everyone, and connects the community to a wide variety of programs and services. The SJCC exists due to historical exclusion of Jewish people from other clubs and organizations on Mercer Island and elsewhere. The redesignation will allow the J’s work to continue on Mercer Island. The SJCC issues extensive scholarships so that anyone can participate in anything related to the J: Camp, Schwartz Early Childhood School, after-school care and programs, swim lessons, general membership, gardening, and any cultural arts event. The change to the CO zone allows SJCC to remain on the island in an appropriate designation/zone.*

- EN-3: Ensure public and private projects incorporate locally appropriate, low-impact development approaches developed using a watershed planning framework for managing stormwater, protecting water quality, minimizing flooding and erosion, protecting habitat, and reducing GHG emissions. *The redesignation will eventually allow for remodeling or rebuilding of the SJCC, which will be required to comply with then-current codes and regulations. This will benefit the environment.*
- EN-4: Encourage the transition to a sustainable energy future by reducing demand through efficiency and conservation, supporting the development of energy management technology, and meeting reduced needs from sustainable resources. *The redesignation will eventually allow for remodeling or rebuilding of the SJCC, which will be required to comply with then-current codes and regulations. This will benefit the environment.*
- DP-2: Prioritize housing and employment growth in cities and centers within the UGA, where residents have higher access to opportunity and high-capacity transit. ..the UGA will include a mix of uses that are convenient to and support public transportation to reduce reliance on SOV travel for most daily activities. *The SJCC is the fifth largest employer on Mercer Island. The designation will ensure that this employment continues on the Island. In addition, the SJCC is extremely well-served by bike/trail infrastructure for alternative commuting methods.*
- DP-4: Develop and use...commercial land efficiently in the UGA to create healthy, vibrant, and equitable urban communities with a full range of urban services, by...b) encouraging compact and infill development with a mix of compatible residential, commercial, and community activities...*The redesignation to a commercial designation allows the SJCC to remain on Mercer Island, providing a wide variety of needed community services to the Mercer Island community. The commercial designation is consistent with the existing and proposed use of the property and would be an efficient use of commercially designated land. Given that the City recently took its own property out of CO, it makes sense to add additional CO land back to ensure compliance with job target and other Comp Plan policy goals surrounding jobs and employment (the CO zone is one of the main zones where businesses/jobs can be placed).*
- DP-6: Adopt land use and community investment strategies that promote public health and address racially and environmentally disparate health outcomes and promote access to opportunity. Focus on residents with the highest needs in providing and enhancing opportunities for employment, safe and convenient daily physical activity, social connectivity, protection from exposure to harmful substances and environments, and housing in high opportunity areas. *The redesignation allows the SJCC to remain and offer a variety of opportunities for daily physical activity and social connectivity for people of all ages, in a high opportunity area.*
- DP-8: Increase access to healthy and culturally relevant food in communities throughout the Urban Growth Area by encouraging the location of healthy food purveyors, such as grocery stores, farmers markets, urban agriculture programs, and community food gardens in proximity to residential uses and transit facilities, particularly in those areas with limited access to healthy food. *The SJCC includes a garden for fresh food production. Food grown in the garden is used in SJCC programs, donated to community food banks, and used to prepare food for those in need, like unhoused teens at YouthCare. The SJCC also regularly conducts food drives for both the broad and Kosher communities. It is in close proximity to alternative modes of*

transportation and is walkable to housing areas.

- EC-2: Support economic growth that accommodates employment growth targets (see Table DP1) through local land use plans, infrastructure development, and implementation of economic development strategies. Prioritize growth of a diversity of middle-wage jobs and prevent the loss of such jobs from the region. *The SJCC is the fifth largest employer on Mercer Island. The designation will ensure that this employment continues on the Island. In addition, the SJCC is extremely well-served by bike/trail infrastructure for alternative commuting methods. In addition, the SJCC employs people of all ages and all stages of careers. The SJCC is often a teenager's first employer and many of these employees return for employment, either seasonal or permanent, for decades. The designation to CO protects hundreds of jobs that will be able to remain on the island*.
- 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 Puget Sound's most open and welcoming community-centered Jewish organization, creating opportunities that amplify profound Jewish connection for people of all ages. The designation to CO protects this Jewish cultural institution on Mercer Island, creating a space and place for anyone to experience Jewish culture, traditions, and education*.
- 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 the fifth largest employer on Mercer Island. The redesignation will ensure that this employment continues on the Island. In addition, the SJCC is extremely well-served by bike/trail infrastructure for alternative commuting methods and is walkable to housing*.
- EC-29: Stabilize and prevent the economic displacement of small, culturally relevant businesses and business clusters during periods of growth, contraction, and redevelopment. Mitigate displacement risks through monitoring and adaptive responses. *The SJCC is the fifth largest employer on Mercer Island. The designation will ensure that this employment continues on the Island. In addition, the SJCC is extremely well-served by bike/trail infrastructure for alternative commuting methods. The designation to CO protects the SJCC and enables it to remain on Mercer Island*.
- PF-19: Locate schools, institutions, and other community facilities and services that primarily serve urban populations within the Urban Growth Area, where they are accessible to the communities they serve, except as provided in Appendix 5 (March 31, 2012 School Siting Task Force Report). If possible, locate these facilities in places that are well served by transit and pedestrian and bicycle networks. *The SJCC includes the Island's largest early childhood school and is extremely accessible to the families it serves. It also includes other child-related care and services including after-school care that includes transportation directly from schools, J Camp, teen programs, and a wide variety of other classes and activities that are geared toward education and children. The site is well served by alternative means of transportation as well as traditional means of transportation. The designation to CO is the more appropriate designation for the existing and proposed use, and allows the SJCC to remain in this location, which is specifically called for by the CPP*.

Third, the proposal is consistent with the Mercer Island Comprehensive Plan, specifically the following (responses to plan in italics):

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 SJCC, which is a school, afterschool care provider, summer camp organization, cultural arts producer, and a recreational club open to all, to continue to serve Mercer Island. The CO designation directly supports this Comprehensive Plan value—in fact, is the only organization on Mercer Island that does all of these things for anyone and everyone.*
- 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 Schwartz Early Childhood School to continue its excellent education of hundreds of young children on Mercer Island, after-school care for elementary students, and camp care for children four years old through their teens. SJCC also offers dozens of opportunities each month for adults to learn new skills, create with art, and explore curious subjects through the SJCC Arts + Ideas program. The CO designation directly supports this Comprehensive Plan value.*
- Welcoming and Inclusive. Mercer Island is a place of acceptance where all are welcome, irrespective of race, ethnicity, national origin, religion, gender, sexual orientation, disability status, financial resources, or age. We believe that a diverse community is a healthier community. We respect and appreciate the benefits of diversity. *The SJCC's vision is to be the Puget Sound's most open and welcoming community-centered Jewish organization. The CO designation directly supports this Comprehensive Plan value.*
- Pride & Spirit, Excellence in Education, Recreational & Cultural Opportunities. 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. The SJCC is the only Jewish Community Center in the state of Washington. It anchors Jewish community in the region, serves thousands of households on Mercer Island—Jewish and beyond—and is an irreplaceable asset to Island life, providing services and community connection that the City could not possibly replace. The CO designation directly supports this Comprehensive Plan value.*
- Residential, Environmental Stewardship, Leadership, Citizen Involvement, Neighborhood Pride. 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). *The SJCC has been an important and integral part of the community for decades. This redesignation request will allow the SJCC to rebuild and reconfigure the SJCC to continue serving the community with modernized amenities, sustaining the benefits the community knows*

and expects from the J. We are hopeful that this request for redesignation is respectfully considered and approved, so that we can rebuild under the current CO zoning rules. The designation to CO directly supports this value.

- 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. Anything that is built will conform to CO standards. Finally, the proposal is adjacent to CO designations and extends them southward; this extension is consistent with good zoning and planning principles.*

- Goal 7.1 Preserve the neighborhood character in residential zones. For the purpose of implementing this element, neighborhood character only refers to the form, bulk, scale, and intensity of the built environment. (Comp Plan, Land Use Goals). *The proposal is consistent with this goal. The SJCC is a use that requires a gym and a pool, the larger scale of which is inconsistent with the desired scale identified in a single family zoning designation. Therefore, the designation should be changed, so that the SJCC can remain in this location. In addition, the designation to CO will require compliance with CO zoning, which includes significant protections of neighboring residential zones in terms of form, bulk, scale, light, and noise standards.*

- Goal 7.4 Social and recreation clubs, schools, and religious institutions are predominantly located in single-family residential areas of the Island. The City may consider measures within the land use code to address the maintenance, updating, and renovation of these facilities, while ensuring compatibility with surrounding neighborhoods. Such facilities contribute to the mental, physical, and spiritual well-being of Mercer Island residents. Land use decisions should balance the retention of these facilities with overall community planning and zoning regulations (Comp Plan, Land Use Goals). *The City's current single family zoning regulations, and its issued formal interpretation of the regulations, do not allow variation from the gross square footage or impervious surface limitations currently placed on all structures in single family zones such that it is not possible for the SJCC to rebuild/remodel in place. The only sustainable option to retain the SJCC in this location is to redesignate to CO. The City has been very aware of this issue for many years now and has declined to make changes to its single family code that would accommodate the SJCC. Thus, a change to CO is necessary to allow the SJCC to move forward on Mercer Island.*

- Goal 7.5 Encourage compatible uses such as education, recreation, open spaces, government, social services, and religious activities (Comp Plan, Land Use Goals). *This goal of the Comprehensive Plan specifically encourages compatible uses such as the SJCC, which offers education, recreation, open space, and social services. As such, the Plan supports the redesignation to CO as the redesignation allows the SJCC to sustainably remain on the Island within a comp plan designation/zone that supports it.*

- Goal 9.2 Commercial uses and densities near the I-90 / East Mercer Way exit and SE 36th Street are appropriate for that area. All activities in the Commercial Office zone are subject to design review, and supplemental design guidelines may be adopted. *All SJCC uses are allowable uses in the CO zone. Any development proposal would be subject to design review. The CO designation is specifically called out in the comprehensive plan as being appropriate in this subarea.*

- Goal 10.6. Encourage low impact development approaches for managing stormwater and protecting water quality and habitat. *Any new development proposal will comply with current stormwater codes, which will benefit the environment. Designation to CO facilitates updated facilities and compliance with modern codes and practices, maintaining a safe, accessible, and operationally functional facility.*
- 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. *The SJCC fits within the description of this designation. The land and its uses are appropriate for designation to CO.*
- 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 designation of the property will change, the use will not change. The project-specific transportation review for any future SJCC project will analyze at a project-level transportation impacts, including concurrency review, 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 change to CO will allow the SJCC to better address parking issues. As an existing nonconforming building/site, the SJCC cannot change its footprint without triggering full compliance with the code, which would require compliance with the gross floor area and impervious surface limitations intended for single family homes which the SJCC cannot meet. As a result, the SJCC cannot address any existing parking issues. At the time of any future development proposal submittal, the SJCC would be required to comply with applicable parking requirements, which will address any potential parking issues.*

Finally, the proposal complies with the following provisions of MICC 19.15.230(F)(1):

- **There exists obvious technical error in the information contained in the comprehensive plan; or** *N/A; this is not a technical error. While we believe it is an error to include a non-single family use in a single family designation, when the City's zoning standards severely restrict the existing nonconformities, this is not correcting a technical error.*
- **The amendment addresses changing circumstances of the city as a whole.** *Yes. The amendment is necessary due to the change in the single family zoning requirements that were passed in 2017. In 2017, the City limited the amount of gross floor area and impervious surface that could be built in all single family zones, without including an exception for rebuilds, expansions, and remodels of institutional uses like the SJCC. The City subsequently interpreted its code to limit permitted variances in single family zones. Thus, the SJCC - and many other vital community organizations on MI - are stranded in a zone that does not allow for the necessary rebuilding/remodeling to be present on the Island for another 50 years. As has been documented, the SJCC facilities are nearing the end of their useful life and the strict nonconforming provisions of the single family code cannot accommodate the needed remodel/refurbishing/renovation.*

Standards for community centers and the residential zones in which they sit have changed over the years, and significant change to the facility needs to occur so that it can attract members and sustain operations with facilities that meet modern environmental, safety, and accessibility standards. It is not possible to achieve this goal under the single family residential designation and zoning. It is therefore asking for the redesignation to CO to correct this issue so that it can be permitted to move forward with an appropriate redevelopment plan. These code changes have created a changed circumstance that applies to the city as a whole.

Staff Analysis: Pursuant to MICC 19.15.230(F) an applicant for a comprehensive plan amendment proposal has the burden of demonstrating that the proposed amendment complies with the applicable regulations and decision criteria.

The City agrees that the proposed CPA is consistent with the Growth Management Act, the countywide planning policies, and the other provisions of the comprehensive plan and city policies, as detailed in the Applicant's Response above.

The City further agrees that there is no obvious technical error in the information contained in the comprehensive plan and that the proposed CPA is not intended to resolve any obvious technical errors in the comprehensive plan.

Additionally, the City agrees that the proposed CPA addresses changing circumstances of the City as a whole. The City disagrees with the Applicant's assertions as to the 2017 development standards. The changes to the residential development standards that occurred in 2017 were policy decisions made by the then seated City Council, and are not "changing circumstances of the city as whole." Additionally, the applicant's assertation that the changes to the residential development standards were passed "without including an exception for rebuilds, expansions, and remodels of institutional uses like the SJCC" is incorrect. The development code includes provisions for the exterior alteration or enlargement of nonconforming structures other than single-family or in Town Center in MICC 19.01.050(D)(3). Intentional exterior alteration or enlargement is allowed, provided the legal nonconforming status of the structure is not lost. Legal nonconforming status would be lost if there is an intentional exterior alteration or enlargement of the structure over any three-year period that incurs construction costs in excess of 50 percent of the structure's current King County assessed value as of the time the initial application for such work is submitted.

The changing circumstances of the city as a whole are more accurately described as an increased demand of a facility that is at the end of its useful life and which demand cannot be accommodated under the current provisions allowed for intentional exterior alteration or enlargement of a legally nonconforming structure in MICC 19.01.050(D)(3). To meet these increased demands, a remodel or enlargement that would likely exceed 50 percent of the structure's assessed value would likely be necessary, which would in turn result in the loss of legal nonconforming status, and the whole site would be required to come into compliance with the development standards in the single-family residential zoning designation. The currently applicable standards are, as the name suggests, written for single-family residential development with no provisions that address facilities that need a larger footprint or gross floor area to accommodate the demand required by the community.

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

1) The amendment is compatible with the adjacent land use and development pattern;

Applicant Response: *Yes. The SJCC has been on this property for over 50 years and the existing use is inherently compatible with the adjacent land use and development pattern; the SJCC is part of the existing land use and development pattern. There is no change proposed to the underlying use of the property. In addition, the proposal would simply extend the CO zone from the north to encompass the SJCC property. The adjacent designations (SF, B, CO, potentially PI) would not be impacted by the redesignation. Any future development proposal would be reviewed under the CO zone standards and would be subject to SEPA and development-level review at that time. Any use that is proposed under the CO zone would be required to comply with the CO zone standards, which include height, setback, and bulk standards to protect adjacent lower density zones.*

Staff Analysis: The City agrees that the proposed CPA is compatible with the adjacent land use and development patterns. Adjacent land use and development patterns include both single-family residences and commercial buildings. The proposed amendment would redesignate four Single-Family Residential parcels to Commercial Office. The adjacent land uses and development patterns include single-family residential development, commercial, and public facilities, which all align with the existing facilities on the SJCC properties. The applicant has emphasized the SJCC's intentions to rebuild the SJCC facilities to continue providing services to Mercer Island residents, which can no longer be adequately provided with the existing, aging buildings. 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.

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

Applicant Response: *Yes. The SJCC is an allowed use in the CO zone. The CO standards are suitable for any future rebuild or remodeling of the SJCC. The property itself is well-suited for redevelopment with the standards under the CO zoning, as it is a large enough parcel that can accommodate CO-permitted uses, and also accommodate the required large setbacks and landscaping buffers that are required by the CO zone.*

Staff Analysis: The City agrees that the subject property is suitable for development in conformance with the standards in the proposed C-O zoning designation. Allowed uses in the C-O zone include professional, scientific, and technical services, office uses, places of worship, civic and social organizations, and public and private schools. Required conditions for development within the C-O zone are contained in MICC 19.04.020 and include, but are not limited to: screening adjacent to external boundaries of the site, restrictions on lot coverage and building footprints, building height limits, yard requirements, and parking requirements.

MICC 19.04.020(E) provides yard requirements for development within the C-O zone. The minimum setback from all rights-of-way shall be 50 feet. The minimum rear yard setback shall be 50 feet. The sum of side yards shall be at least 75 feet, with no side yard less than 25 feet; provided, however, that a minimum 50-foot setback shall be required from the property line of any adjacent property that is zoned residential or multifamily and developed for such use and no parking or driveways shall be allowed within this setback. Dimensions of the subject properties are provided below:

Parcel	Width (Side Yards)	Depth (Front and Rear Yards)
2655500132 (south	75.5 feet	108 feet

property line adjacent to single-family residentially zoned parcel)		
2655500136	110 feet	205 feet
2655500137	Must be determined using Lot Width Circle method	Must be determined by the mean average distance measured from the front lot line to the rear lot line
2655500115	Must be determined using Lot Width Circle method	Must be determined by the mean average distance measured from the front lot line to the rear lot line

Based on this information, at least one parcel would not be suitable for development in conformance with the standards under the potential zoning as it currently exists; however, the development code includes options for nonconforming structures, sites, and uses, as well as the option for lot line revisions to create a lot width and depth which could allow a new building in the C-O zone to conform with the development standards.

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

Applicant Response: *Yes. The amendment allows the SJCC to remain on the Island in its current location, as it has existed for the last 55+ years. As stated throughout this document, the SJCC is a very clear public benefit for the Island, with the largest early childhood school on the Island, the largest provider of swim lessons on the Island, and the fifth largest employer on the Island. The SJCC provides a place for people of all ages. It is committed to affordability and accessibility. It provides an antidote to the current loneliness epidemic. The redesignation to CO allows the SJCC to sustainably rebuild/remodel in place, which benefits all who ever use, or will use, the SJCC. The loss of the SJCC would be devastating to a large amount of people on Mercer Island. Aligning the designation of the property to the actual use, thereby facilitating a thriving use from a land use perspective, will have a positive, not adverse, effect on the public health, safety and welfare. In addition, the CO zone, as stated above, is protective of surrounding properties and regulates what can be built on the property, regardless of use. It requires large setbacks, landscape buffers, and other elements that result in no adverse effect on community facilities or the public health, safety, and general welfare.*

Staff Analysis: The City agrees that the proposed CPA would benefit the community as a whole and would not adversely affect community facilities or the public health, safety, and general welfare. The proposed CPA would allow for new commercial development in an area that has contained uses that align with those allowed in the Commercial-Office designation for many decades. The subject properties contain uses that already provide benefit to the community, and the proposed CPA would align the comprehensive plan designation with these uses.

20. *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.

Staff Analysis: The proposal results in a case where both a comprehensive plan amendment and a rezone are required. The applicant has submitted applications for both the comprehensive plan amendment and rezone. Since these applications require different review procedures under both

state law and the MICC, the public hearing with the Planning Commission will be solely focused on the comprehensive plan amendment, which the rezone will undergo quasi-judicial review starting with the Hearing Examiner. Following the receipt of recommendations from the Planning Commission and Hearing Examiner, both applications will then be presented to the City Council for final review and approval, together.

V. DEVELOPMENT REGULATION COMPLIANCE – DISCLOSURE

21. Compliance with all local, state, and federal regulations is required.

VI. PLANNING COMMISSION RECOMMENDATION

Staff reviewed the proposed application in accordance with the criteria for comprehensive plan amendments in MICC 19.15.230(F). The staff report and findings are based on the application and all supplemental information. The Planning Commission shall consider the proposed amendment for conformance with the criteria listed in the applicable section, the comprehensive plan, and other applicable development standards. The Planning Commission shall make a written recommendation on the review to the City Council. Based on the findings contained in this staff report and the application materials, Staff recommend the Planning Commission adopt the above findings and move to recommend approval of the proposed Comprehensive Plan Amendment under City File Number CPA25-002 to reclassify King County Parcel Nos. 2655500137, 2655500136, 2655500132, and a portion of 2655500115 from Single-Family Residential to Commercial Office (C-O) within the Land Use Map (**Exhibit 8**) to the City Council.

Molly McGuire

Molly McGuire, Senior Planner
City of Mercer Island Community Planning and Development
molly.mcguire@mercerisland.gov
(206) 275-7712

CITY OF MERCER ISLAND

COMMUNITY PLANNING & DEVELOPMENT
9611 SE 36TH STREET | MERCER ISLAND, WA 98040
PHONE: (206) 275-7605 | www.mercerisland.gov

CITY USE ONLY		
PROJECT NO.	RECEIPT NO.	FEE
Date Received:		
Received By:		

DEVELOPMENT APPLICATION

A Development Application form is required to be completed for any land use project within the City of Mercer Island. Additional supplemental information for each specific land use permit requested is required. See below for land use permits and associated permit forms.

PROPERTY INFORMATION

Property Address: 3801 East Mercer Way

Parcel Number(s): 265550-0132, 265550-0136, 265550-0137, and a smal portion of 265550-0115

Gross Lot Area(s): 405,242 sf

Net Lot Area(s): 398,955.5 sf

Zone: R-8.4, R-9.6

Shoreline Environment Designation:
(if located within 200 feet of Lake Washington)

- ☐ Urban Residential
- ☐ Urban Park

CRITICAL AREAS ON PROPERTY

GEOLOGICALLY HAZARDOUS AREAS

- ☐ Potential Landslide Hazard
- ☐ Erosion Hazard
- ☐ Seismic Hazard
- ☐ Steep Slope

WATERCOURSES

- ☐ Type F
- ☐ Type Np
- ☐ Type Ns
- ☐ Piped
- ☐ Unknown

WETLANDS

- ☐ Category I
- ☐ Category II
- ☐ Category III
- ☐ Category IV
- ☐ Unknown

PROPERTY OWNER INFORMATION

Name: Stroum Jewish Community Center	Company (if applicable): Stroum Jewish Community Center
Address: 3801 East Mercer Way	E-Mail: amyl@sjcc.org
Phone: 206-232-7116	

APPLICANT/REPRESENTATIVE INFORMATION

Same as property owner ☐

Name: Amy Lavin	Company (if applicable): Stroum Jewish Community Center
Address: 3801 East Mercer Way	E-Mail: amyl@sjcc.org
Phone: 206-232-7116	

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	12/10/2025 **Date**

PROPOSED APPLICATION(S) AND CLEAR DESCRIPTION OF PROPOSAL (please use additional paper if needed):

The Stroum Jewish Community Center proposes to redesignate the Future Land Use Map of the Mercer Island Comprehensive Plan from Single Family Residential ("R") to Commercial Office ("CO") for the following parcels: 265550-0132, 265550-0136, 265550-0137, and a small portion of 265550-0115.

INDICATE REQUESTED LAND USE APPROVALS

	CRITICAL AREAS		ENVIRONMENTAL REVIEW (SEPA)		SUBDIVISION
	Critical Area Review 1		Environmental Impact Statement		Short Plat- Preliminary
	Critical Area Review 2	X	SEPA Review		Short Plat- Alteration
	DESIGN REVIEW		**LEGISLATIVE**		Short Plat- Final Plat
	Design Review – Signs		Code Amendment		Long Plat- Preliminary
	Design Review – Code Official		Comprehensive Plan Docket Application		Long Plat- Alteration
	Design Commission Study Session	X	Comprehensive Plan Application (If Docketed)		Long Plat- Final Plat
	Design Commission Review – Exterior Alteration		Rezone		Lot Line Revision
	Design Commission Review – Major New Construction		**OTHER LAND USE**		**WIRELESS COMMUNICATION FACILITIES**
			Accessory Dwelling Unit		New Wireless Communication Facility
	DEVIATIONS		Code Interpretation Request		Wireless Communications Facilities- 6409 Exemption
	Deviations to Antenna Standards – Code Official		Conditional Use (CUP)		Small Cell Deployment
	Deviations to Antenna Standards – Design Commission		Noise Exception Type I - IV		Height Variance
	Public Agency Exception		Other Permit/Services Not Listed		
	Reasonable Use Exception		**SHORELINE MANAGEMENT**		
	Variance		Shoreline Exemption		
	Seasonal Development Limitation Waiver – Wet Season Construction Approval		Shoreline Substantial Development Permit		
			Shoreline Variance		
			Shoreline Conditional Use Permit		
			Shoreline Permit Revision		

LAND USE APPLICATION SUBMITTAL REQUIREMENTS

Each Land Use Application requested above must be accompanied by the appropriate land use application form and required materials. Refer to the City of Mercer Island Permit Forms webpage for a complete list of all land use application forms and submittal requirements.

2025 Stroum Jewish Community Center Comprehensive Plan Map Amendment

Redesignation Project Narrative

Thank you for the consideration of our Comprehensive Plan Amendment. The Stroum Jewish Community Center ("SJCC") is proposing to redesignate the Future Land Use Map ("FLUM") of the Mercer Island Comprehensive Plan from Single Family Residential ("R") to Commercial Office ("CO"), for the following parcels:

- 2655500137
- 2655500136
- 2655500132
- small portion of 2655500115

The current zoning (R-8 and R-9.6) does not reflect how the property is being used today or how it is planned to be used in the future, which is as the SJCC. The SJCC has been in place on the property for over 55 years. Changing the zoning requires a FLUM change as well, and brings both the FLUM and the zoning into alignment with the actual use of the property. The City has given guidance that the Comprehensive Plan Amendment and Rezone Amendments should be submitted separately.

As the City is aware, under the current single family zone, rebuilding and renovation is inefficient and not possible. The City has determined that the variances necessary to rebuild the SJCC are not available in the single family zones. As such, a redesignation is necessary.

The SJCC has been intently pursuing the ability renovate our aging facilities for over eight 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 impact on other Mercer Island community facilities or neighborhoods.

In 2023, before the Comprehensive Plan and Rezone were docketed by the City Council, the SJCC hosted an open house where the redesignation and rezone were 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 vast majority of the community and our neighbors.

There is no current development proposal that is being submitted to the City for simultaneous review with the redesignation and rezone proposal. However, we are confident that a rebuilt SJCC can meet the objectives that the majority of the community has put forth. The redesignation of the property will reflect the long-standing use of the site as the SJCC, and will allow for the property to continue to serve the community into the future.

2025 Stroum Jewish Community Center Comprehensive Plan Map Amendment

Criteria Compliance Narrative

Thank you for your consideration of our Comprehensive Plan Map Amendment. The Stroum Jewish Community Center ("SJCC") is proposing to redesignate the Future Land Use Map ("FLUM") of the Mercer Island Comprehensive Plan from Single Family Residential ("R") to Commercial Office ("CO"), for the following parcels:

- 2655500137
- 2655500136
- 2655500132
- small portion of 2655500115

Please see Exhibit A attached to this form for the redesignation map.

Per the application form, the following are answers as to how the proposed amendment meets the following codes:

- MICC 19.15.230[1]
- RCW Chapter 36.70A
- Mercer Island Comprehensive Plan
- Mercer Island City Policies

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1. **MICC 19.15.230.E.**

The proposed Comprehensive Plan Amendment was docketed by the City Council in December 2023.

2. **MICC 19.15.230.F**

F. 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**

[1] Please note: the application checklist request "how the application meets the review criteria in MICC 19.15.260." The criteria stated in 19.15.260 are procedural in nature and not appropriate for inclusion in the review narrative.

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

Yes. The proposal complies with MICC 19.15.230.F.1. First, it is consistent with the Growth Management Act, at Chapter 36.70A RCW. Most specifically, the amendment creates an "internally consistent" Comprehensive Plan, which is one of the main requirements of GMA (RCW 36.70A.070: "The plan shall be an internally consistent document and all elements shall be consistent with the future land use map").

Second, it is consistent with the Countywide Planning Policies ("CPPs"), specifically the following (responses to CPPs in italics):

- 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 welcomes everyone, and connects the community to a wide variety of programs and services. The SJCC exists due to historical exclusion of Jewish people from other clubs and organizations on Mercer Island and elsewhere. The redesignation will allow the J's work to continue on Mercer Island. The SJCC issues extensive scholarships so that anyone can participate in anything related to the J: Camp, Schwartz Early Childhood School, after-school care and programs, swim lessons, general membership, gardening, and any cultural arts event.*
- EN-3: Ensure public and private projects incorporate locally appropriate, low-impact development approaches developed using a watershed planning framework for managing stormwater, protecting water quality, minimizing flooding and erosion, protecting habitat, and reducing GHG emissions. *The redesignation will eventually allow for remodeling or rebuilding of the SJCC, which will be required to comply with then-current codes and regulations. This will benefit the environment.*
- EN-4: Encourage the transition to a sustainable energy future by reducing demand through efficiency and conservation, supporting the development of energy management technology, and meeting reduced needs from sustainable resources. *The redesignation will eventually allow for remodeling or rebuilding of the SJCC, which will be required to comply with then-current codes and regulations. This will benefit the environment.*
- DP-2: Prioritize housing and employment growth in cities and centers within the UGA, where residents have higher access to opportunity and high-capacity transit. ..the UGA will include a mix of uses that are convenient to and support public transportation to reduce reliance on SOV travel for most daily activities. *The SJCC is the fifth largest employer on Mercer Island. The designation will ensure that this employment continues on the Island. In addition, the SJCC is extremely well-served by bike/trail infrastructure for alternative commuting methods.*
- DP-4: Develop and use…commercial land efficiently in the UGA to create healthy, vibrant, and equitable urban communities with a full range of urban services, by…b) encouraging compact and infill development with a mix of compatible residential, commercial, and community activities…*The redesignation allows the SJCC to remain*

on Mercer Island, providing a wide variety of needed community services to the Mercer Island community.

- DP-6: Adopt land use and community investment strategies that promote public health and address racially and environmentally disparate health outcomes and promote access to opportunity. Focus on residents with the highest needs in providing and enhancing opportunities for employment, safe and convenient daily physical activity, social connectivity, protection from exposure to harmful substances and environments, and housing in high opportunity areas. *The redesignation allows the SJCC to remain and offer a variety of opportunities for daily physical activity and social connectivity for people of all ages, in a high opportunity area.*
- DP-8: Increase access to healthy and culturally relevant food in communities throughout the Urban Growth Area by encouraging the location of healthy food purveyors, such as grocery stores, farmers markets, urban agriculture programs, and community food gardens in proximity to residential uses and transit facilities, particularly in those areas with limited access to healthy food. *The SJCC includes a garden for fresh food production. Food grown in the garden is used in SJCC programs, donated to community food banks, and used to prepare food for those in need, like unhoused teens at YouthCare. The SJCC also regularly conducts food drives for both the broad and Kosher communities. It is in close proximity to alternative modes of transportation and is walkable to housing areas.*
- EC-2: Support economic growth that accommodates employment growth targets (see Table DP1) through local land use plans, infrastructure development, and implementation of economic development strategies. Prioritize growth of a diversity of middle-wage jobs and prevent the loss of such jobs from the region. *The SJCC is the fifth largest employer on Mercer Island. The designation will ensure that this employment continues on the Island. In addition, the SJCC is extremely well-served by bike/trail infrastructure for alternative commuting methods. In addition, the SJCC employs people of all ages and all stages of careers. The SJCC is often a teenager's first employer and many of these employees return for employment, either seasonal or permanent, for decades.*
- 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 Puget Sound's most open and welcoming community-centered Jewish organization, creating opportunities that amplify profound Jewish connection for people of all ages. The SJCC welcomes everyone.*
- 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 the fifth largest employer on Mercer Island. The redesignation will ensure that this employment continues on the Island. In addition, the SJCC is extremely well-served by bike/trail infrastructure for alternative commuting methods and is walkable to housing.*
- EC-29: Stabilize and prevent the economic displacement of small, culturally relevant businesses and business clusters during periods of growth, contraction, and redevelopment. Mitigate displacement risks through monitoring and adaptive responses. *The SJCC is the fifth largest employer on Mercer Island. The designation*

will ensure that this employment continues on the Island. In addition, the SJCC is extremely well-served by bike/trail infrastructure for alternative commuting methods.

- PF-19: Locate schools, institutions, and other community facilities and services that primarily serve urban populations within the Urban Growth Area, where they are accessible to the communities they serve, except as provided in Appendix 5 (March 31, 2012 School Siting Task Force Report). If possible, locate these facilities in places that are well served by transit and pedestrian and bicycle networks. *The SJCC includes the Island's largest early childhood school and is extremely accessible to the families it serves. It also includes other child-related care and services including after-school care that includes transportation directly from schools, J Camp, teen programs, and a wide variety of other classes and activities that are geared toward education and children. The site is well served by alternative means of transportation as well as traditional means of transportation.*

Third, the proposal is consistent with the Mercer Island Comprehensive Plan, specifically the following (responses to plan in italics):

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 SJCC, which is a school, after school care provider, summer camp organization, cultural arts producer, 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 Schwartz Early Childhood School to continue its excellent education of hundreds of young children on Mercer Island, after-school care for elementary students, and camp care for children four years old through their teens. SJCC also offers dozens of opportunities each month for adults to learn new skills, create with art, and explore curious subjects through the SJCC Arts + Ideas program.*
- Welcoming and Inclusive. Mercer Island is a place of acceptance where all are welcome, irrespective of race, ethnicity, national origin, religion, gender, sexual orientation, disability status, financial resources, or age. We believe that a diverse community is a healthier community. We respect and appreciate the benefits of diversity. *The SJCC's vision is to be the Puget Sound's most open and welcoming community-centered Jewish organization. The SJCC serves people of all ages and capabilities. Everyone is welcome.*
- Pride & Spirit, Excellence in Education, Recreational & Cultural Opportunities. 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. The SJCC is the only Jewish Community Center in the state of Washington. It anchors Jewish community in the region, serves thousands of households on Mercer Island—Jewish and beyond—and is an irreplaceable asset to Island life, providing services and community connection that the City could not possibly replace.*

- Residential, Environmental Stewardship, Leadership, Citizen Involvement, Neighborhood Pride. 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). *The SJCC has been an important and integral part of the community for decades. This redesignation request will allow the SJCC to rebuild and reconfigure the SJCC to continue serving the community with modernized amenities, sustaining the benefits the community knows and expects from the J. We are hopeful that this request for redesignation is respectfully considered and approved, so that we can rebuild under the current CO zoning rules*
- 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. Anything that is built will conform to CO standards. Finally, the proposal is adjacent to CO designations and extends them southward.*
- Goal 7.1 Preserve the neighborhood character in residential zones. For the purpose of implementing this element, neighborhood character only refers to the form, bulk, scale, and intensity of the built environment. (Comp Plan, Land Use Goals). *The proposal is consistent with this goal. The SJCC is a use that requires a gym and a pool the larger scale of which is inconsistent with the desired scale identified in a single family zoning designation. Therefore, the designation should be changed, so that the SJCC can remain in this location.*
- Goal 7.4 Social and recreation clubs, schools, and religious institutions are predominantly located in single-family residential areas of the Island. The City may consider measures within the land use code to address the maintenance, updating, and renovation of these facilities, while ensuring compatibility with surrounding neighborhoods. Such facilities contribute to the mental, physical, and spiritual well-being of Mercer Island residents. Land use decisions should balance the retention of these facilities with overall community planning and zoning regulations (Comp Plan, Land Use Goals). *The City's current single family zoning regulations do not allow variation from the gross square footage limitations currently placed on all structures in single family zones such that it is not possible for the SJCC to rebuild/remodel in place.. The only sustainable option to retain the SJCC in this location is to redesignate to CO. The City has been very aware of this issue for many years now and has declined to make changes to its single family code that would accommodate the SJCC.*

- Goal 7.5 Encourage compatible uses such as education, recreation, open spaces, government, social services, and religious activities (Comp Plan, Land Use Goals). This goal of *the Comprehensive Plan specifically encourages compatible uses such as the SJCC, which offers education, recreation, open space, and social services. As such, the Plan supports the redesignation to CO as the redesignation allows the SJCC to sustainably remain on the Island within a comp plan designation/zone that supports it.*
- Goal 9.2 Commercial uses and densities near the I-90 / East Mercer Way exit and SE 36th Street are appropriate for that area. All activities in the Commercial Office zone are subject to design review, and supplemental design guidelines may be adopted. *All SJCC uses are allowable uses in the CO zone. Any development proposal would be subject to design review.*
- Goal 10.6. Encourage low impact development approaches for managing stormwater and protecting water quality and habitat. *Any new development proposal will comply with current stormwater codes, which will benefit the environment.*
- 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. *The SJCC fits within the description of this designation.*
- 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 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, including concurrency review, 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 change to CO will allow the SJCC to better address parking issues. As an existing nonconforming building/site, the SJCC cannot change its footprint without triggering full compliance with the code, which would require compliance with the gross floor area limitations intended for single family homes which the SJCC cannot meet. As a result, the SJCC cannot address any existing parking issues. At the time of its development proposal submittal, the SJCC would be required to comply with applicable parking requirements, which will address any potential parking issues.*

Finally, the proposal complies with the following provisions of MICC 19.15.230.F.1:

a. There exists obvious technical error in the information contained in the comprehensive plan; or *N/A; this is not a technical error. While we believe it is an error to include a non-single family use in a single family designation, when the City's zoning standards severely restrict the existing nonconformities, this is not correcting a technical error.*

b. The amendment addresses changing circumstances of the city as a whole. *Yes. The amendment is necessary due to the change in the single family zoning requirements that were passed in 2017. In 2017, the City limited the amount of gross floor area and impervious surface that could be built in all single family zones, without including an exception for rebuilds, expansions, and remodels of institutional uses like the SJCC. The City subsequently interpreted its code to limit permitted variances in single family zones. Thus, the SJCC - and many other vital community organizations on MI - are stranded in a zone that does not allow for the necessary rebuilding/remodeling to be present on the Island for another 50 years. The SJCC is therefore asking for the redesignation to CO to correct this issue so that it can be permitted to move forward with an appropriate redevelopment plan. These code changes have created a changed circumstance that applies to the city as a whole.*

MICC 19.15.230.F.2

F.2. If the amendment is directed at a specific property, the following additional findings shall be determined: Yes. The proposal is compliant with 19.15.230.F.2:

a. The amendment is compatible with the adjacent land use and development pattern; *Yes. The SJCC has been on this property for over 55 years and the existing use is inherently compatible with the adjacent land use and development pattern; the SJCC is part of the existing land use and development pattern. There is no change proposed to the underlying use of the property. In addition, the proposal would simply extend the CO zone from the south to encompass the SJCC property. The adjacent designations (SF, B, CO, potentially PI) would not be impacted by the redesignation. Any future development proposal would be reviewed under the CO zone standards and would be subject to SEPA and development-level review at that time.*

b. The property is suitable for development in conformance with the standards under the potential zoning; and Yes. *The SJCC is an allowed use in the CO zone. The CO standards are suitable for any future rebuild or remodeling of the SJCC.*

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. *Yes. The amendment allows the SJCC to remain on the Island in its current location, as it has existed for the last 55+ years. As stated throughout this document, the SJCC is a very clear public benefit for the Island, with the largest early childhood school on the Island, the largest provider of swim lessons on the Island, and the fifth largest employer on the Island. The SJCC provides a place for people of all ages. It is committed to affordability and accessibility. It provides an antidote to the current loneliness epidemic. The redesignation to CO allows the SJCC to sustainably rebuild/remodel in place, which benefits all who ever use, or will use, the SJCC. The loss of the SJCC would be devastating to a large amount of people on Mercer Island and disrupt daily family activity. Aligning the designation of the property to the actual use, thereby facilitating a thriving use from a land use perspective, will have a positive, not adverse, effect on the public health, safety and welfare.*

3. Compliance with the Growth Management Act, chapter 36.70A.

Yes. The proposal is consistent with GMA, in particular the internal consistency requirement stated in RCW 36.70A.020. See above for additional information.

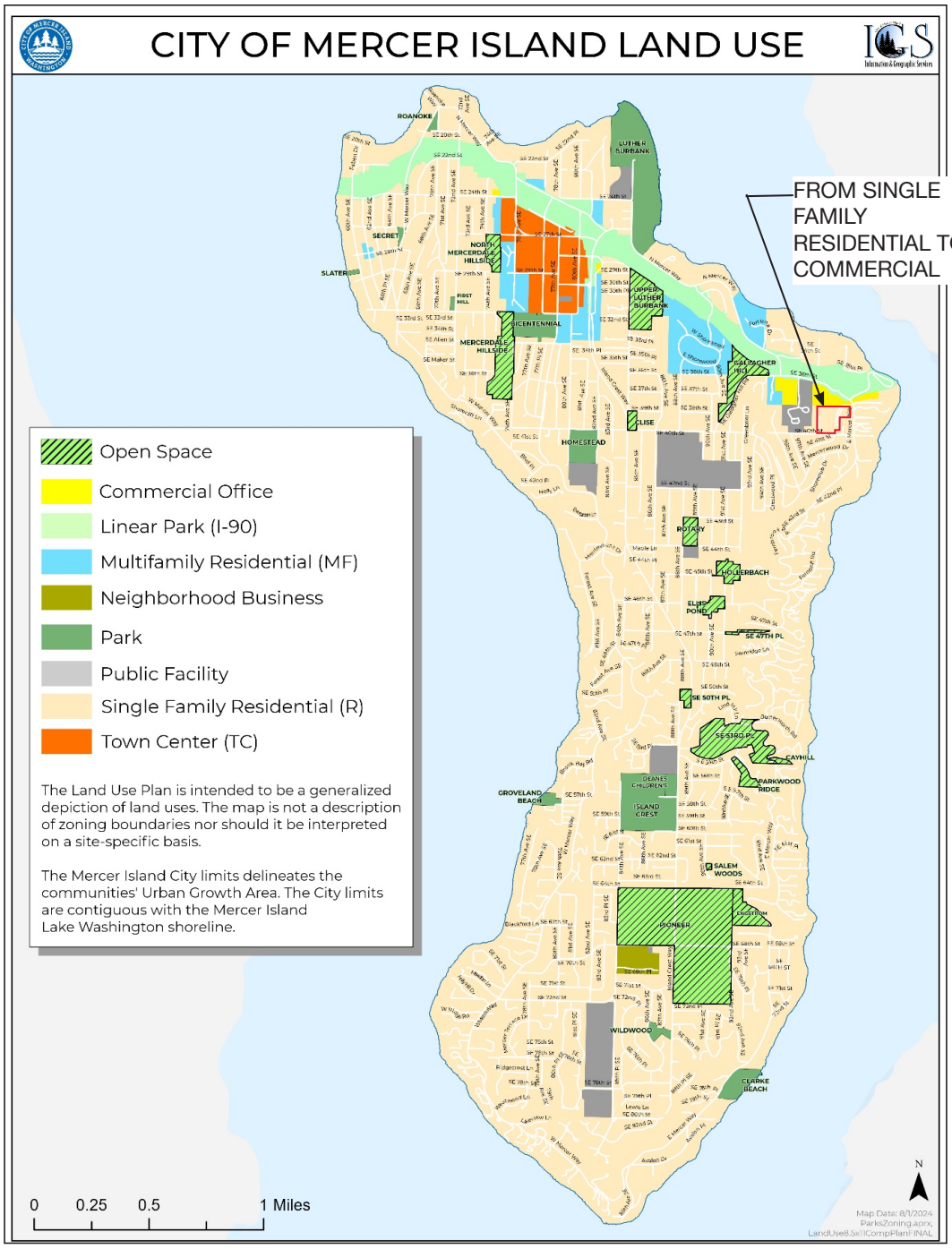
4. Compliance with the Countywide Planning Policies.

Yes. Please see above for the consistent CPPs.

5. Compliance with the Comprehensive Plan and City Policies.

Yes. Please see above for consistency.

Exhibit A Comp Plan Change Map



transpogroup
WHAT TRANSPORTATION CAN BE.

MEMORANDUM

Date:	February 10, 2026	**TG:**	1.25486.00
To:	Molly McGuire – City of Mercer Island		
From:	Dan McKinney Jr. and Kassi Leingang, PE – Transpo Group		
cc:	Amy Lavin - SJCC		
Subject:	3801 E Mercer Way Rezone Potential Trip Generation Review		

The following memorandum responds to the comment received from the City of Mercer Island dated January 20, 2026 regarding the requested rezone to Commercial Office (CO) Zone of 3801 E Mercer Way, Mercer Island, WA 98040 (*see location in Figure 1*).[1] The City's comment and response are provided below.

Mercer Island Zoning Map

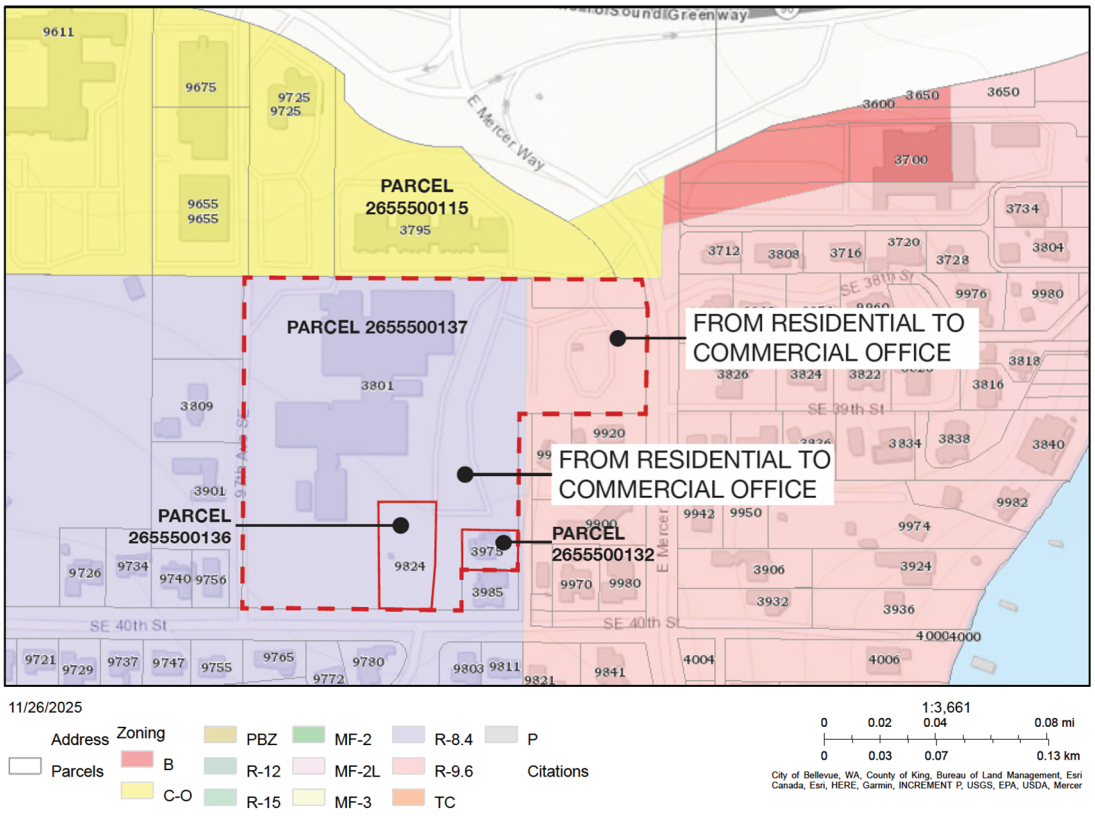


Figure 1: Requested Rezone

Rezone Comment 1:

Traffic impacts should be analyzed for the change in allowed uses as a result of the proposed rezone. While City staff understand that the property is not anticipating a change in use in the foreseeable future, the rezone could result in future traffic impacts from the highest intensity use that could be allowed. **Please provide a memorandum or report from a qualified professional**

[1] RZN25-002; CPA25-002; SEP25-021 Review Letter 1

to speak to the traffic impacts that would result from the proposed changes to the allowed uses. Consider comparing the trip generation for the highest possible generating uses and the existing use from the ITE Manual.

Response:

The trip generation for the existing/proposed use and allowed use in the CO zone(area as illustrated in Figure 1) was estimated based on trip rates using the Institute of Transportation Engineers (ITE) *Trip Generation Manual* (12th Edition, 2025). The existing/proposed use and the allowed use in the Commercial Office (CO) zone are summarized below. It is our understanding that no proposed use is requested as part of the rezone application, but the City is requesting documentation of the highest possible generating use allowed in the CO zone.

Existing - The existing use is the Stroum Jewish Community Center (SJCC) totaling 94,723 gross square feet (gsf). ITE's Recreational Community Center (495) was assumed for the existing use based on review of the land use description as well as validation through existing driveway counts. The detailed trip generation for the existing use is provided in Attachment A.

Allowed use in the CO zone[2] – In the CO zone, the site could accommodate a 134,087 sf building footprint (35%) with 3 stories for a total of 402,261 gsf. The trip generation of the allowable uses in the CO zone for that size of development were evaluated . This included consideration of the following ITE land uses:

- Government Office Building (730)
- Research and Development Center (760)
- General Office Building (710)
- Church (560)
- Medical-Dental Office Building - Stand-Alone (720)
- Hospital (610)[i]

Note that the size of the potential building was outside of the extremes of the Government Office Building and Medical-Dental Office Building - Stand-Alone buildings so those potential land uses were eliminated. Of the remaining land uses above, the highest generating land use was the General Office Building, and so was assumed for the comparison of traffic impacts with the requested rezone. The detailed trip generation for the potential uses reviewed is provided in Attachment A.

The comparison of trip generation for the existing use and the highest possible generating use is summarized in the table below.

Table 1. Weekday PM Peak Hour Trip Generation Comparison

			Weekday PM Peak Hour Trips		
Condition	**Land Use[1]**	**Size**	**In**	**Out**	**Total**
Existing	Recreational Community Center (495)	94,723 gsf	132	142	274
Allowed in CO Zone	General Office Building (710)	402,261 gsf	69	360	429

Note: gsf = gross square-feet
1. Trips rates from ITE *Trip Generation Manual*, 12th Edition.

[2] The allowed uses in the CO zone are found at MICC 19.04.020.

Attachment A: Detailed Trip Generation

Potential Use

	Land Use	Setting	Size	Units	Model	Equation	Rate	Inbound %	Primary Trips Inbound	Outbound	Total	
1	**Government Office Building (730)**		**402,261**	sf								
	PM Peak Hour	General Urban/Suburban			Equation (log)	Ln(T) = 0.97 Ln(X) + 0.62	-	25%	156	469	625	*building size outside of data range*
2	**Research and Development Center (760)**		**402,261**	sf								
	PM Peak Hour	General Urban/Suburban			Rate	-	0.45	25%	45	136	181	
3	**General Office Building (710)**		**402,261**	sf								
	PM Peak Hour	General Urban/Suburban			Equation (lin)	T = 0.99(X) + 31.14	-	16%	69	360	429	
4	**Church (560)**		**402,261**	sf								
	PM Peak Hour	General Urban/Suburban			Equation (lin)	T = 0.37(X) + 2.59	-	41%	62	89	151	
5	**Medical-Dental Office Building - Stand-Alone (720)**		**402,261**	sf								
	PM Peak Hour	General Urban/Suburban			Rate	-	3.42	30%	413	963	1,376	*building size outside of data range*
6	**Hospital (610)**		**402,261**	sf								
	PM Peak Hour	General Urban/Suburban			Rate	-	0.86	34%	118	228	346	

Notes:

1. Trip rates based on Institute of Transportation Engineers' (ITE) *Trip Generation Manual (* 12th Edition) equation and average trip rates as shown above.

Existing Use

									Gross Trips			Primary Trips		
	Land Use	Setting	Size	Units	Model	Equation	Rate	Inbound %	Inbound	Outbound	Subtotal	Inbound	Outbound	Total
1	**Recreational Community Center (495)**		**94,723**	sf										
	PM Peak Hour	General Urban/Suburban			Rate	-	2.89	48%	132	142	274	132	142	274
	Observations - PM		94,723	sf								121	124	245

Notes:

1. Trip rates based on Institute of Transportation Engineers' (ITE) *Trip Generation Manual (*12th Edition) equation and average trip rates as shown above.

COMMUNITY PLANNING & DEVELOPMENT

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January 6, 2026

Stroum Jewish Community Center
Attn: Amy Lavin
3801 East Mercer Way
Mercer Island, WA 98040
Via: Email

RE: **RZN25-002; CPA25-002; SEP25-021** Determination of Complete Application; 3801 E Mercer Way, Mercer Island, WA 98040

The City of Mercer Island received applications for a(n) **Reclassification of Property (Rezone), Comprehensive Plan Amendment, and SEPA Threshold Determination** for the subject property on December 11, 2025. The City has assigned file number **RZN25-002** to the Rezone application, **CPA25-002** to the Comprehensive Plan Amendment application, and **SEP25-021** to the SEPA Threshold Determination application. Following review of the application, City staff has determined that the application is procedurally complete and has established a vesting date of January 6, 2026.

Formal review of the application will now begin in compliance with Mercer Island City Code, Chapter 19. As review progresses, additional documentation will most likely be requested. Pursuant to Mercer Island City Code 19.15.110(B), if the applicant fails to provide the required information within 60 days from the date of any request for information, the application shall lapse, and become null and void.

Please do not hesitate to contact me if you have any questions.

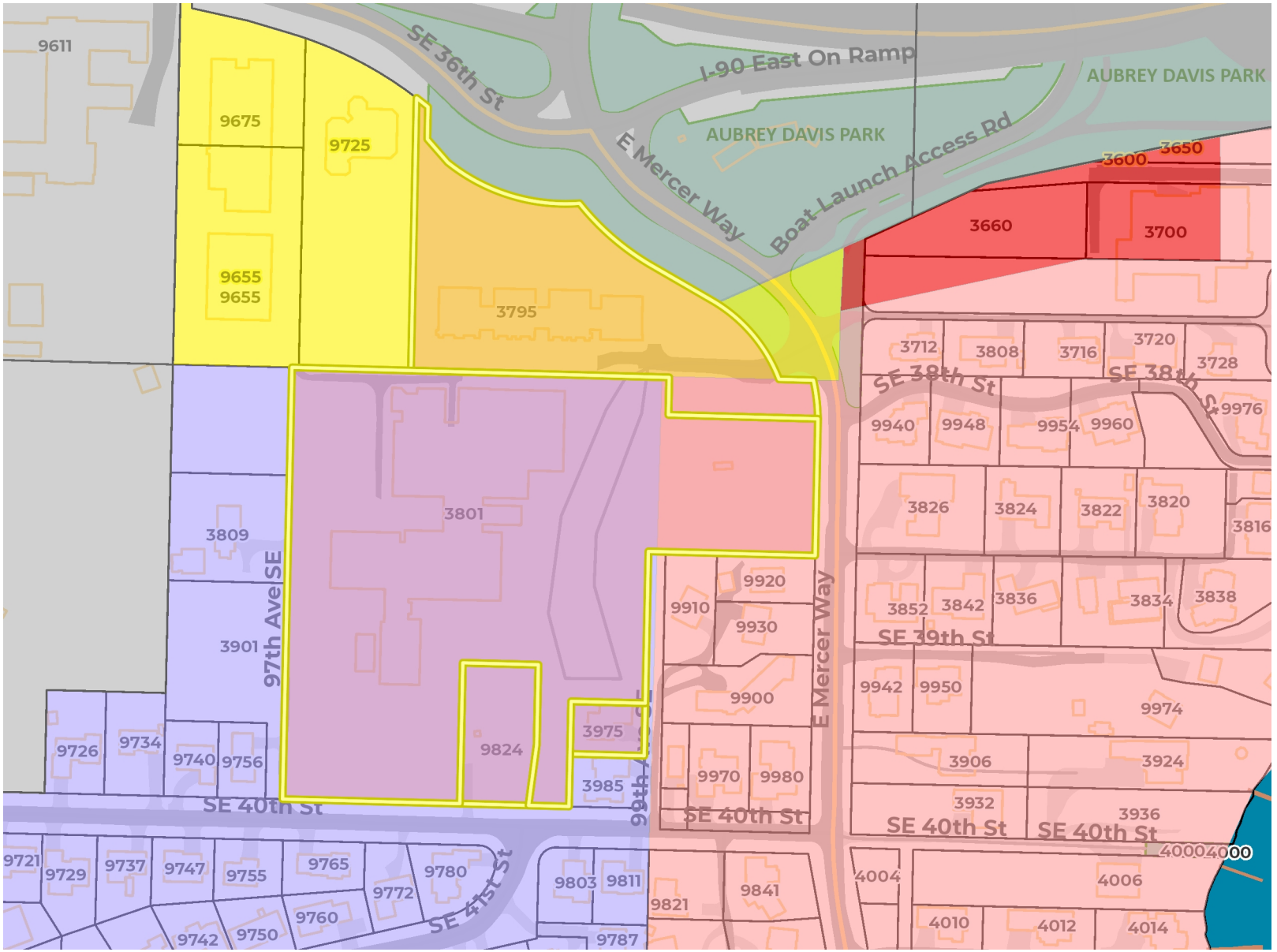
Sincerely,

Molly McGuire

Molly McGuire, Senior Planner
(206) 275-7712 | molly.mcguire@mercerisland.gov
City of Mercer Island Community Planning and Development

SJCC Zoning Map (CPA25-002)

Item 18.



Legend

Zoning

- OS
- P
- R-15
- R-12
- R-9.6
- R-8.4
- MF-2L
- MF-3
- MF-2
- PI
- PBZ
- C-O
- TC
- B

Address

- Parcels
- Buildings
- Docks
- Shoreline
- Major Roads
- Street Centerline
- Paved Road
- Paved Driveway
- Parks

0 220 441 Feet

1 inch = 440.742788666667 feet

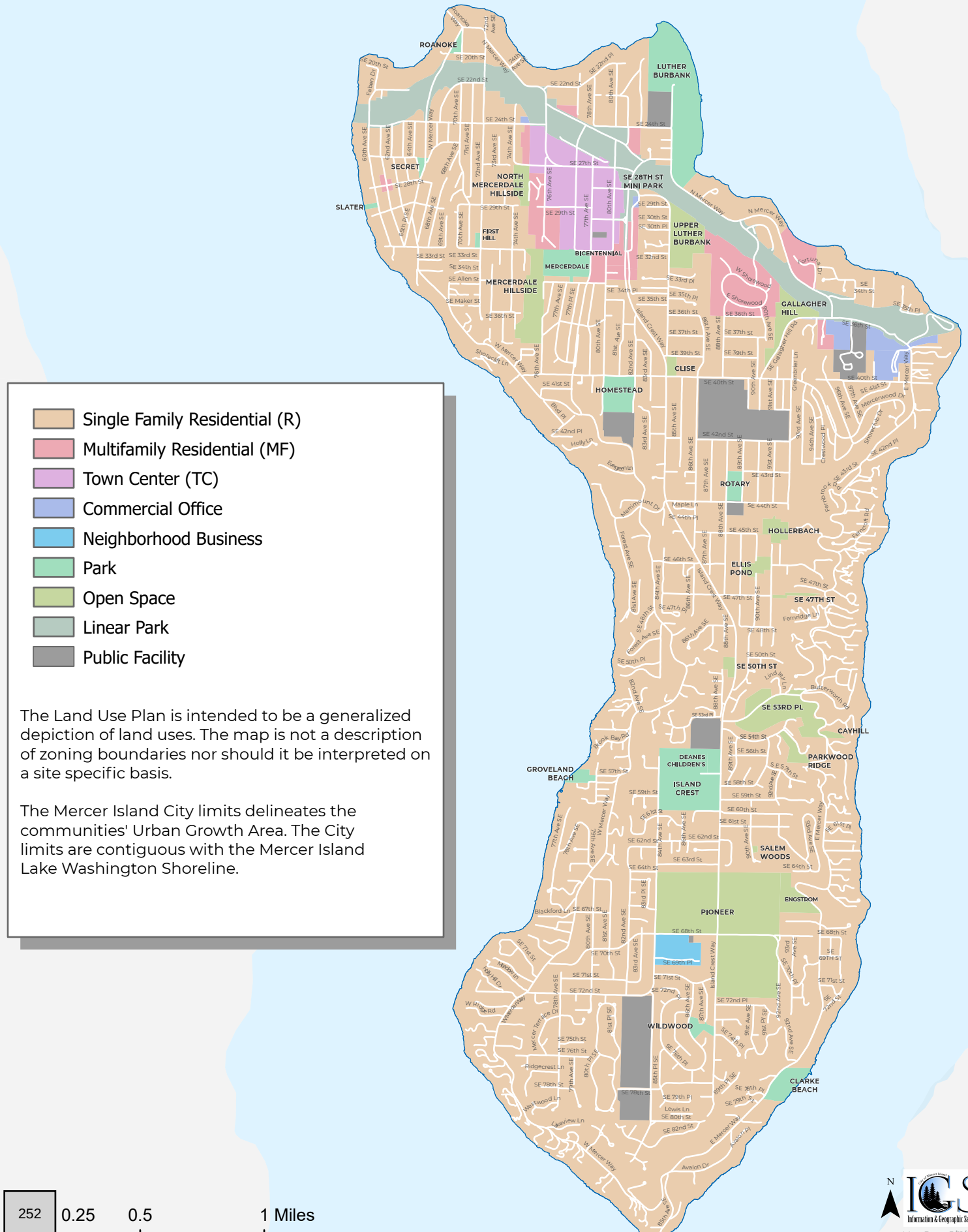
251 Mercer Island

Map Printed: March 5, 2026

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

CPA25-002 PROPOSED LAND USE



COMMUNITY PLANNING & DEVELOP

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NOTICE OF PUBLIC HEARING - RESCHEDULED

NOTICE IS HEREBY GIVEN that the City of Mercer Island Planning Commission open record public hearing previously scheduled for July 8, 2026 has been **RESCHEDULED** for **August 5, 2026 at approximately 6:00PM** for the project described below:

File No.	CPA25-002
Permit Type:	N/A; Comprehensive Plan Amendment
Description of Request:	A request for a Comprehensive Plan Amendment to amend the Land Use Map for King County Parcel Nos. 2655500137, 2655500136, 2655500132, and a portion of 2655500115 from Single-Family Residential to Commercial Office (C-O).
Applicant/Owner:	Amy Lavin (Stroum Jewish Community Center) / Stroum Jewish Community Center (SJCC)
Location:	3801 E Mercer Way, 9824 SE 40th St, 3975 99th Ave SE, and 3795 E Mercer Way, Mercer Island, WA 98040; identified by King County Assessor's Parcel Numbers: 2655500137, 2655500136, 2655500132, and 2655500115 A vicinity map is available at https://mieplan.mercergov.org/public/CPA25-002

SEPA Compliance: Following review of the submitted State Environmental Policy Act (SEPA) checklist, an initial evaluation of the proposed project for probably significant adverse environmental impacts has been conducted. The City issued a SEPA Determination of Non-Significance (DNS) for this project under File No. SEP25-021 on June 22, 2026 with a 14-day comment period ending on July 6, 2026. The DNS process, as specified in Washington Administrative Code (WAC) 197-11-340, is being used. This may be your only opportunity to comment on the environmental impacts of the proposal. The proposal may include mitigation measures under applicable codes, and the project review process may incorporate or require mitigation measures regardless of whether an Environmental Impact Statement (EIS) is prepared. A copy of the threshold determination for this specific project may be obtained upon request.

Project Documents:	https://mieplan.mercergov.org/public/CPA25-002 Use the camera on your smartphone to scan the QR code and easily access the project documents.
Environmental Documents:	Copies of all studies and/or environmental documents are available through the above project documents link.

Written Comments: Only those persons who submit written comments or testify at the open record hearing will be parties of record; and only parties of record will receive a notice of decision and have the right to appeal. Written comments may be submitted to the City of Mercer Island either by email to molly.mcguire@mercerisland.gov or by mail to the City of Mercer Island, 9611 SE 36th Street, Mercer Island, WA 98040-3732.

Public Hearing/Meeting: Pursuant to Mercer Island City Code (MICC) 19.15.030, public hearings are required for Type IV land use reviews.

A public hearing for CPA25-002 is scheduled before the Planning Commission on **August 5, 2026 at approximately 6:00PM** at the Mercer Island Community and Events Center (8263 SE 24th St, Mercer Island, WA 98040).

The Planning Commission public hearing is accessible in person and using Zoom. The public will have the opportunity to comment during the public hearing by either attending in person, calling in, or logging onto the meeting via Zoom. Written comments may be submitted to the City of Mercer Island by e-mail to cityclerk@mercerisland.gov until such time that the public hearing is adjourned.

Detailed instructions on how to comment live during the public hearing will be available online on or before July 31, 2026, at https://www.mercerisland.gov/bc-pc

Americans with disabilities accommodations are available by calling (206) 275-7791.

Applicable Development Regulations: Review procedures for comprehensive plan amendments are contained in MICC 19.15.260.

Other Associated Permits: Permit No(s): RZN25-002; SEP25-021

This Comprehensive Plan Amendment is accompanied by an application for a reclassification of property (rezone) which follows a separate review process and will be duly noticed as the project moves forward.

Project Contact: Molly McGuire, Senior Planner molly.mcguire@mercerisland.gov
(206) 275-7712

Classified Proof

Client	91534 - City of Mercer Island- LEGALS	Phone	(206) 275-7600
Address	9611 SE 36th Street	E-Mail	Deborah.Estrada@mercerisland.gov
	Mercer Island, WA, 98040	Fax	(206) 275-7663

Order#	1031571	Requested By	DEB ESTRADA	Order Price	$238.80
Classification	3030 - Legal Notices	PO #	NOPH CPA25-002	Tax 1	$0.00
Start Date	06/03/2026	Created By	0917	Tax 2	$0.00
End Date	06/03/2026	Creation Date	05/27/2026, 03:48:56 pm	Total Net	$238.80
Run Dates	1			Payment	$0.00
Publication(s)	Mercer Island Reporter				

Sales Rep	9470 - Jennifer Tribbett	Phone	(360) 802-8212
		E-Mail	jtribbett@courierherald.com
		Fax	

CITY OF MERCER ISLAND – NOTICE OF PUBLIC HEARING CPA25-002 – Public Hearing July 8, 2026

NOTICE IS HEREBY GIVEN that the Mercer Island Planning Commission will hold a public hearing at its regular meeting on **Wednesday, July 8, 2026 at approximately 6:00PM** at the Mercer Island Community and Events Center:

File No(s).: CPA25-002

Permit Type: Comprehensive Plan Amendment

Description of Amendment(s): A request for a Comprehensive Plan Amendment to amend the Land Use Map for King County Parcel Nos. 2655500137, 2655500136, 2655500132, and a portion of 2655500115 from Single-Family Residential to Commercial Office (C-O).

Applicant/Owner: Amy Lavin (Stroum Jewish Community Center) / Stroum Jewish Community Center (SJCC)

Location: 3801 E Mercer Way, 9824 SE 40th St, 3975 99th Ave SE, and 3795 E Mercer Way, Mercer Island, WA 98040; identified by King County Assessor's Parcel Numbers: 2655500137, 2655500136, 2655500132, and 2655500115

A vicinity map is available at https://mieplan.mercergov.org/public/CPA25-002

Project Documents: https://mieplan.mercergov.org/public/CPA25-002

SEPA Compliance: Fol-

lowing review of the submitted State Environmental Policy Act (SEPA) checklist, an initial evaluation of the proposed project for probably significant adverse environmental impacts has been conducted. The City expects to issue a SEPA Determination of Non-Significance (DNS) for this project. The DNS process, as specified in Washington Administrative Code (WAC) 197-11-340, is being used. A SEPA Determination will be issued on or before June 22, 2026 followed by a 14-day comment period. This may be your only opportunity to comment on the environmental impacts of the proposal. The proposal may include mitigation measures under applicable codes, and the project review process may incorporate or require mitigation measures regardless of whether an Environmental Impact Statement (EIS) is prepared. A copy of the subsequent threshold determination for this specific project may be obtained upon request.

Written Comments: This may be the only opportunity to comment on this proposal. Written comments on this proposal may be submitted to the City of Mercer Island either by email, in person, or by mail to the City of Mercer Island, 9611 SE 36th Street, Mercer Island, WA 98040-3732. Anyone may comment on the application, receive notice, and request a copy of the decision once made. Only those persons who submit written comments or participate at the public hearing (if a hearing is required) will be parties of record; and only parties of record will have the right to appeal.

Public Hearing: A public hearing for CPA25-002 is scheduled before the Planning Commission on **Wednesday, July 8, 2026 at approximately 6:00PM** at the Mercer Island Community and Events Center (8263 SE 24th St, Mercer Island, WA 98040).

The Planning Commission public hearing is accessible in person and using Zoom. The public will have the opportunity to comment during the public hearing by either attending in person, calling in, or logging onto the meeting via Zoom. Written comments may be submitted to the City of Mercer Island by e-mail to cityclerk@mercerisland.gov until such

time that the public hearing is adjourned.
Detailed instructions on how to comment live during the public hearing will be available online on or before July 3, 2026, at https://www.merceris-land.gov/bc-pc
Americans with disabilities accommodations are available by calling (206) 275-7791.
Applicable Development Regulations: Review procedures for comprehensive plan amendments are contained in MICC 19.15.260.
Other Associated Permits: Permit No(s): RZN25-002; SEP25-021
Application Process Information: Published in Newspaper: June 3, 2026; Weekly Permit Bulletin Notice: June 1, 2026; Date Mailed: June 1, 2026; Comprehensive Plan Amendment (CPA26-001) Comment **Period Ends: Close of Public Hearing on July 8, 2026.**
Project Contact: Molly McGuire, Senior Planner | molly.mcguire@mercerisland.gov | (206) 275-7712
Deborah Estrada, MMC
Deputy City Clerk
Published in the Mercer Island Reporter: June 3, 2026
MIR1031571
6/3/26

Molly McGuire

From: Andrea Larson
Sent: Wednesday, July 1, 2026 9:15 AM
To: Molly McGuire
Subject: FW: Public hearing for CPA 25-002

Comment related to the SJCC site specific rezone. Please save to the record and add Mr. Tydings as a party of record.

Thank you,

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

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-----Original Message-----
From: Rick Tydings <rtydings@comcast.net>
Sent: Sunday, June 28, 2026 9:42 PM
To: City Clerk <cityclerk@mercerisland.gov>
Subject: Public hearing for CPA 25-002

As a former homeowner that lived next to the JCC for 22 years and was forced out by the congestion, I'm totally opposed to their efforts of any zoning changes. Please keep me posted on the hearings.
Sent from my iPhone

Molly McGuire

From: John O'Rourke <johnsorourke@gmail.com>
Sent: Sunday, July 5, 2026 9:31 PM
To: Molly McGuire
Cc: John O'Rourke; Casey O'Rourke
Subject: Written comments regarding CPA25-002

To Molly McGuire, Senior Planner for the City of Mercer Island. **Please reply to this email to confirm your receipt**.

My wife and I have lived on Mercer Island since 2007 in the Mercerwood neighborhood near the SJCC. We raised our daughter here, taught her to ride a bike on the low-traffic neighborhood roads, and appreciate the deer and other wildlife that live in the forest in the ravine bordering the SJCC and north of SE 40th Street. We've created an intentional community with our neighbors hosting National Night Out events, holiday gatherings, and supporting our kids with Girl Scout cookie sales, impromptu games of baseball in the cul-de-sac, and walk and talks with nearby families.

We are writing as a concerned neighbor regarding **CPA25-002 – the Comprehensive Plan Amendment**. We support the SJCC and recognize its value to Mercer Island. However, our concern, and reason for this note, is not with the SJCC itself but with the permanent zoning and Comprehensive Plan changes being requested.

There is already a lot of change that has happened near the SJCC since we first moved here, and more is currently underway. Traffic during the day for the SJCC combined with peak school hours for the French American School of Puget Sound has gotten to a point where it's dangerous to cars, bicycles, and pedestrians as harried parents rush to pickup or dropoff their kids and patrons come in and out of the JCC. During holidays and events at the Temple, parking along East Mercer Way and up SE 40th Street is such that cars line both sides of the street, and since there are no sidewalks, pedestrians dangerously walk into the lanes of oncoming traffic. The infrastructure in this area is simply not ready for increased traffic, tenants, etc. It is a primarily residential area, and should remain that way.

As we read through the documents available at: https://permitbulletin.mercerisland.gov/public/CPA25-002/, this application is being presented as a way to align the zoning with the SJCC's existing use. However, the City of Mercer Island (the "City" henceforth) is not being asked to approve the site as it exists today. The City is being asked to change the property from residential to Commercial Office zoning, creating new development rights that would remain with the property long into the future.

What concerns us most is that no specific redevelopment proposal is being reviewed at this time. The application repeatedly states that there will be little or no impact because this is a "nonproject" action. Yet without a project proposal, neither the City nor neighboring residents can fully evaluate future traffic, parking, noise, lighting, building scale, or other impacts that could result from the broader Commercial Office zoning being requested.

Mercer Island's Comprehensive Plan emphasizes protecting neighborhood character while balancing the needs of community institutions. We do not believe the record currently demonstrates that this balance has been achieved. The fact that the existing zoning may make future redevelopment difficult is not, by itself, a sufficient reason to redesignate residential land to a commercial classification.

Before making a permanent change to the Comprehensive Plan and zoning map, the City should require a c understanding of the future impacts that could result and demonstrate that the proposal is fully consistent with the City's long-standing commitment to protecting residential neighborhoods. These findings should be proactively distributed with ample time for review, conversation and discussion, and not scheduled near a major holiday or over the summer when so many travel.

For these reasons and so many more, we respectfully request that the City deny the application as currently proposed, and require substantially more analysis, community, and availability of specific plans for development before amending the Comprehensive Plan.

Thank you for your consideration.

John and Kathleen O'Rourke
4043 97th Ave SE
Mercer Island, WA 98040

Molly McGuire

From: Teresa Hall <teresajkhall@gmail.com>
Sent: Monday, July 6, 2026 3:16 PM
To: Molly McGuire
Subject: Fwd: Future of Mercer Island

-------- Original Message --------
Subject: Future of Mercer Island
From: Teresa Hall <teresajkhall@gmail.com>
Sent: Monday, July 6, 2026, 9:06 AM
To: molly.mcquire@mercerisland.gov
CC: Teresa Hall <teresajkhall@gmail.com>,Wally Hall <wallyhallnd68@gmail.com>

Having lived on Mercer Island for more than forty years in the Mercerwood neighborhood near the SJCC, we have watched our community evolve while retaining the residential character that makes it such a special place to live. It is in that spirit that we are writing regarding CPA25-002.

First, we want to emphasize that we value the SJCC and the many ways it serves island residents. The issue before the City is not whether the SJCC is an important community asset. It clearly is. Our concern is with the long-term implications of the zoning and Comprehensive Plan changes being requested.

After reviewing the application materials available through the City's permit bulletin, it appears that the request is being framed as simply bringing the property's zoning into alignment with its current use. However, the decision before the City goes much further than recognizing what exists today. It would permanently redesignate residentially designated property to Commercial Office, creating future development opportunities and rights that would remain in place indefinitely.

What gives us pause is that there is no actual redevelopment proposal for the City or neighboring residents to review. We are being asked to evaluate a permanent change in land use policy without knowing what a future project might look like or how it might affect the surrounding neighborhood. Questions about traffic, parking, building scale, noise, lighting, and neighborhood compatibility are largely being deferred to some future date. Once the zoning change is approved, however, the community will no longer have the opportunity to weigh in on whether that broader land use designation is appropriate for this location.

The Mercer Island Comprehensive Plan has long recognized the importance of both community institutions and stable residential neighborhoods. In our view, this application has not yet demonstrated how those competing interests are being balanced. The fact that existing zoning may constrain future redevelopment does not necessarily mean that residentially designated land should be converted to a commercial designation.

For that reason, we believe the City should proceed carefully and require a much clearer understanding of the practical impacts and long-term consequences of this proposal before making a permanent amendment to the Comprehensive Plan and zoning map.

We respectfully ask that the City deny the application as currently proposed, or alternatively require additional analysis and community review before taking further action.

Thank you for your time and consideration. Please reply to this mail so that we know you have received this a
comments are registered.

Wally and Teresa Hall
4242 East Mercer Way, Mercer Island, WA 98040

Item 18.

Molly McGuire

From: Molly McGuire
Sent: Thursday, July 9, 2026 9:10 AM
To: 'Blake Zhang'
Cc: Customer Service Mailbox; Andrea Larson
Subject: RE: CPA25-002 (Stroum Jewish Community Center) hearing

Hi Blake,

Thank you for reaching out regarding the SJCC's Comprehensive Plan Amendment project. I wanted to take a moment to answer your questions regarding the application process, but you can also find all of this information, and more, published on the City's Let's Talk page: Stroum Jewish Community Center Comprehensive Plan Map Amendment and Rezone Project | Let's Talk Mercer Island

A decision has not been made on this proposal. The notice you received was to notify neighbors that a public hearing will be taking place with the Planning Commission on August 5, 2026. At this public hearing, the Planning Commission will be making a recommendation for approval or denial to the City Council based on the criteria for a Comprehensive Plan Amendment in MICC 19.15.230(F).

Sincerely,

Molly McGuire
Senior Planner
City of Mercer Island – Community Planning & Development
206-275-7712 | www.mercerisland.gov

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The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City service hours of operation.

From: Blake Zhang <bzblake347@gmail.com>
Sent: Wednesday, July 8, 2026 8:13 PM
To: Customer Service Mailbox <customerservice@mercerisland.gov>; Molly McGuire <molly.mcguire@mercerisland.gov>
Subject: Re: CPA25-002 (Stroum Jewish Community Center) hearing

I would want to understand whether these have been conducted / considered:

traffic study, event parking plan, no overflow parking on nearby residential streets, lighting directed away from homes, strong landscape screening on E Mercer Way, limits on outdoor amplified sound, and disclosure of max building height facing E Mercer way.

On Wed, Jul 8, 2026 at 8:07 PM Blake Zhang <bzblake347@gmail.com> wrote:

> Dear city of MI,
>
> I got a letter in the mail about the public hearing for this project at Stroum Jewish Community Center.

It doesn't say in the letter but has this been fully approved? I live right across the street from JCC so this has the biggest impact on me. Thanks.

Blake Zhang
612-859-1233 | blake.x.zhang@gmail.com

Molly McGuire

From: Andrea Larson
Sent: Tuesday, July 14, 2026 9:07 AM
To: Molly McGuire
Subject: FW: Public hearing for CPA25-002

Comment for CPA25-002.

Thank you,

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

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From: Anthony Bastone <abastone@gmail.com>
Sent: Monday, July 13, 2026 9:15 PM
To: City Clerk <cityclerk@mercerisland.gov>
Subject: Public hearing for CPA25-002

Dear City Clerk,

As a resident of Mercer Island, I am writing to formally object to the proposed rezoning of the JCC property to Commercial Office. I believe this change sets a concerning precedent that deviates from Mercer Island's stated goal of maintaining its character as a premier residential community.

I also wish to express my objection to the timing of the hearing. Scheduling this discussion during the summer, when many residents are on vacation or preparing for the upcoming school year, limits the community's ability to participate effectively in the process.

Thank you for considering my concerns.

Best regards,
Anthony Bastone

Molly McGuire

From: Andrea Larson
Sent: Monday, July 13, 2026 3:39 PM
To: Molly McGuire
Subject: FW: Public hearing for CPA25-002

Hi Molly,

The below comment was submitted for CPA25-002.

Thank you,

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

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From: shang xinli <shangxinli@hotmail.com>
Sent: Monday, July 13, 2026 3:37 PM
To: City Clerk <cityclerk@mercerisland.gov>
Subject: Public hearing for CPA25-002

As a resident of Mercer Island, I object to rezoning the JCC property to Commercial Office. This sets a terrible precedent and moves Mercer Island away from its stated goal of being a premier residential community. I further object to the hearing to consider the proposal being during a time when residents are on summer vacation and preparing for back to school

Molly McGuire

From: Andrea Larson
Sent: Tuesday, July 14, 2026 12:57 PM
To: Molly McGuire
Subject: FW: Thank you!

Comment for CPA25-002.

Thank you,

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

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From: Jessica Prince <jgprince@hotmail.com>
Sent: Tuesday, July 14, 2026 12:46 PM
To: City Clerk <cityclerk@mercerisland.gov>
Subject: Thank you!

Finally..the hearing for the JCC rezone – so long overdue! Thank you for finally scheduling the hearing for August 5. So many residents are eager for this to pass to improve both the JCC AND traffic around the area. It's going to be awesome once the J can make their improvements that will benefit the entire community and local residents and their members. And have the building zoned properly for what it is.

Jessica Prince
3940 96th Ave.

Molly McGuire

From: Andrea Larson
Sent: Tuesday, July 14, 2026 9:10 AM
To: Molly McGuire
Subject: FW: Public hearing for CPA25-002

Comment for CPA25-002.

Thank you,

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

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-----Original Message-----
From: Sydney Tomlinson <sydneyraetomlinson@gmail.com>
Sent: Tuesday, July 14, 2026 8:35 AM
To: City Clerk <cityclerk@mercerisland.gov>
Subject: Public hearing for CPA25-002

As a resident of Mercer Island, I object to rezoning the JCC property to commercial office. This sets a terrible precedent and moves Mercer island away from its stated goal of being a premier residential community, we did not move her to live in a commercial setting or downtown. This is a residential area and we have already been affected by the lack of planning by the JCC. I further object to the hearing to consider the proposal being during a time when residents are on summer vacation and preparing for back to school this seems like a very calculated move on the JCCs part.

Molly McGuire

From: Andrea Larson
Sent: Tuesday, July 14, 2026 9:07 AM
To: Molly McGuire
Subject: FW: Opposition to CPA25-002

Comment for CPA25-002.

Thank you,

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

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-----Original Message-----
From: 46_oat_parkway@icloud.com <46_oat_parkway@icloud.com>
Sent: Monday, July 13, 2026 7:43 PM
To: City Clerk <cityclerk@mercerisland.gov>
Subject: Opposition to CPA25-002

Hello,

As a resident who lives very near the JCC, I oppose the proposed rezone to commercial office. I much prefer the area to stay residential like it is when my wife and I moved here 6 years ago. I also support rescheduling the hearing to the autumn when residents are more able to attend.

Thanks!

Tyler

Molly McGuire

From: Andrea Larson
Sent: Wednesday, July 15, 2026 12:20 PM
To: Molly McGuire
Subject: FW: Public hearing for CPA25-002

Comment for CPA25-002.

Thank you,

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

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From: Erin K Randall <erin.randall.v2@gmail.com>
Sent: Wednesday, July 15, 2026 12:01 PM
To: City Clerk <cityclerk@mercerisland.gov>
Subject: Public hearing for CPA25-002

Hello

"As a resident of Mercer Island, I object to rezoning the JCC property to Commercial Office. This sets a terrible precedent and moves Mercer Island away from its stated goal of being a premier residential community. I further object to the hearing to consider the proposal being during a time when residents are on summer vacation and preparing for back to school."

Regards,

Molly McGuire

From: Andrea Larson
Sent: Wednesday, July 15, 2026 4:28 PM
To: Molly McGuire
Subject: FW: Public hearing for CPA25-002

Comment for CPA25-002.

Thank you,

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

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-----Original Message-----
From: Sven Kratz <svenkratz@fastmail.com>
Sent: Wednesday, July 15, 2026 4:27 PM
To: City Clerk <cityclerk@mercerisland.gov>
Subject: Public hearing for CPA25-002

As a resident of Mercer Island, I am writing to object to the proposed rezone of the JCC property (CPA25-002) from residential to Commercial Office. A change of this kind sets a troubling precedent and moves the Island away from its stated goal of remaining a premier residential community.

My concern is heightened by the fact that the JCC appears to have unresolved code compliance issues on the two residential lots it purchased last year — including summer camp activities and overheight fencing that fall outside what residential zoning permits. It seems premature to expand the property's allowed uses through a rezone while existing residential conditions are not being met. Full compliance with the current zoning and the original Conditional Use Permit should be established before any rezone is even considered.

I also object to scheduling the hearing in the middle of summer, when many residents are traveling or preparing for the start of the school year and are far less able to follow or participate. Please reschedule this matter for a time when the community can meaningfully weigh in.

Thank you for your consideration.

- Sven Kratz

Item 18.

Molly McGuire

From: Alison Van Gorp
Sent: Friday, July 17, 2026 4:19 PM
To: Molly McGuire
Subject: FW: Subject. Success

From: Albert Angel <aangels@aol.com>
Sent: Thursday, July 16, 2026 7:50 PM
To: Alison Van Gorp <alison.vangorp@mercergov.org>
Subject: Subject. Success

Please allow the sjcc to grow and thrive and zone as they request
I grew up at the J. My 4 children grew up at the J
And now my grandchildren are at the J
Invaluable resource for children adults and now as I am experiencing seniors
Thank you Albert

Sent from the all new AOL app for iOS

Molly McGuire

From: Andrea Larson
Sent: Friday, July 17, 2026 8:50 AM
To: Molly McGuire
Subject: FW: JCC

Comment on CPA25-002.

Thank you,

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

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From: A W MCGOUGAN <ampm38@comcast.net>
Sent: Thursday, July 16, 2026 2:59 PM
To: City Clerk <cityclerk@mercerisland.gov>
Subject: JCC

We have lived on the Island for over 50 years. This is residential area and not for Commercial purposes. It could add more traffic, that we already have too much of. Also the hearing should be at a time when people will be home from vacations not during the summer months.

Thank you
Art & Pat McGougan

Molly McGuire

From: Andrea Larson
Sent: Friday, July 17, 2026 8:48 AM
To: Molly McGuire
Subject: FW: Support Proposed Zoning Change for the SJCC

Comment on CPA25-002.

Thank you,

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

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-----Original Message-----
From: Brooke Pariser <brookepariser@gmail.com>
Sent: Thursday, July 16, 2026 8:12 PM
To: Planning Commission <Planning.Commission@mercergov.org>; Alison Van Gorp <alison.vangorp@mercergov.org>; Deb Estrada <Deborah.Estrada@mercerisland.gov>; Council <council@mercergov.org>
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

I attended preschool and summer camp at the JCC and both of my children have done the same. My entire family grew up at the JCC and nothing has changed at all in that time and it desperately needs a lot of improvements to be able to sustain the future generations as the current building is falling apart.

The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Sincerely,
Brooke Pariser
Mercer Island Resident for 36 years
Sent from my iPhone

Molly McGuire

From: Andrea Larson
Sent: Friday, July 17, 2026 9:23 AM
To: Molly McGuire
Subject: FW: Please support changing the designation of the SJCC property

Comment on CPA25-002.

Thank you,

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

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From: Deb Arnold <debarnold01@gmail.com>
Sent: Thursday, July 16, 2026 8:32 PM
To: Planning Commission <Planning.Commission@mercergov.org>; Alison Van Gorp <alison.vangorp@mercergov.org>; Deb Estrada <Deborah.Estrada@mercerisland.gov>; Council <council@mercergov.org>
Subject: Please support changing the designation of the SJCC property

Dear Mercer Island leaders,

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial.

As a member of the greater Seattle Jewish community, I have attended countless cultural events at the J over the years, including yearly attendance at the Seattle Jewish Film Festival. The J has been one of the vital organs of our community for over 55 years. We need it to survive and thrive.

Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Thank you for your attention in this matter.

Sincerely,

Deb Arnold

Deb Arnold
debarnold01@gmail.com
+1 206-734-9899

Molly McGuire

From: Andrea Larson
Sent: Friday, July 17, 2026 8:47 AM
To: Molly McGuire
Subject: FW: Public hearing for CPA25-002

Comment on CPA25-002.

Thank you,

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

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From: magdalen hwang <magdalenhwang@yahoo.com>
Sent: Thursday, July 16, 2026 8:55 PM
To: City Clerk <cityclerk@mercerisland.gov>
Subject: Public hearing for CPA25-002

We object to the proposal to rezone the JCC property to Commercial Office.

Our home is one of the closest residences to the JCC, and its existing operations have already had a significant impact on our daily lives. These impacts include increased traffic, noise from the summer camp, and congestion during special events. On those occasions, visitors often park wherever they can, including along the shoulder of East Mercer Way, creating safety hazards for pedestrians and cyclists.

We also object to holding the public hearing during the summer, when many residents are away on vacation or occupied with preparations for the upcoming school year. Scheduling the hearing at this time limits meaningful public participation in a decision that will have a lasting impact on the surrounding neighborhood.

Thank you for your consideration.

Henry & Magdalen Hwang

9765 SE 40TH ST
MERCER ISLAND

Molly McGuire

From: Deb Estrada
Sent: Thursday, July 16, 2026 12:36 PM
To: Molly McGuire
Subject: FW: Public hearing for CPA25-002

-----Original Message-----
From: Michele Murburg <mmurburg@comcast.net>
Sent: Wednesday, July 15, 2026 8:53 PM
To: City Clerk <cityclerk@mercerisland.gov>
Subject: Public hearing for CPA25-002

As the 40 plus year owner of a home on Shoreclub Drive, and the mother of two offspring who attended preschool and after school and summer camps at the JCC, I am very supportive of the organization overall.

However, this proposed rezoning of the JCC to commercial/office is a terrible idea. First of all, traffic is already extremely bad in that area, particularly when the JCC and/or French School are ending their school, camp or daycare days or having special events. I recently sat for nearly 10 minutes in traffic, trying to get off of westbound I 90 because of the traffic going into and out of the JCC. This intolerable traffic situation would worsen even further if rezoning is allowed.

Furthermore, due to the JCC preschool, and the French school, there are many children crossing east Mercer Way in front of the JCC at multiple times during each day, even into dark hours in winter. These kids would be further endangered by a situation that could engender even more traffic than is already present. Sadly, not everyone drives carefully or attentively and I have personally witnessed near misses when kids moved unexpectedly while trying to cross.

Commercial use areas are not needed in this part of Mercer Island, more office space is most certainly not needed in our region overall, and commercial zoning would detract from the residential quality of life for property owners in this area of Mercer Island.

Who would compensate the residents of this area of town for the likely loss of peace and quiet; increased traffic, noise, air pollution, and pedestrian hazards, and overall lessened quality of life there if the zoning of the JCC to commercial/office is approved? Would the JCC be willing to provide such compensation? I suspect not, and even if they were, money could not adequately compensate for the loss of quality of life.

The very idea of rezoning to commercial/office seems quite unnecessary and most undesirable.

There is in fact already plenty of underutilized commercial space in downtown Mercer Island and in the south end, where commercial zoning is already permitted, and there is already massive underutilization of both retail and office space in both Bellevue and Seattle. There is absolutely no need to extend commercial/office zoning to the JCC based on any sort of reasonable community needs. There isn't even a bus stop near the JCC any longer, much less a train stop, to justify even a coffee kiosk.

Exactly whose interests would be served here by approving a zoning change? It is certainly not good for either the children who attend the JCC, or for the residential neighbors who live around the JCC who already have to battle annoying and often dangerous traffic and attendant air pollution and noise caused by the already existing activities at the JCC.

Commercial rezoning extension anywhere on the island is certainly not good for the purpose of maintaining the near pristine environment of Mercer Island, an ecologically vulnerable area which, if well managed, can withstand being a primarily residential community but not a center of commerce. The community's commercially zoned areas already in existence provide for the needs of Mercer Island citizens more than adequately.

Moreover, the hearing on this proposal should be held at a time when citizens of Mercer Island are likely to be on island, available, and able to voice their opinions on this matter. It appears highly manipulative on someone's part to schedule such an important and impactful meeting at times when the community cannot participate to a maximum degree.

I don't know with whom this bad idea originated, but I am firmly opposed to it.

Thank you for what I hope will be a careful and thoughtful decision to deny this change in zoning.

M. Michele Murburg MD

Molly McGuire

From: Andrea Larson
Sent: Friday, July 17, 2026 8:48 AM
To: Molly McGuire
Subject: FW: JCC rezoning

Comment on CPA25-002.

Thank you,

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

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From: Michael Adler <madler1988@gmail.com>
Sent: Thursday, July 16, 2026 7:38 PM
To: Planning Commission <Planning.Commission@mercergov.org>
Subject: JCC rezoning

Hi, I am writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. My family moved to the Seattle area in 2006 and have been JCC members since then for 20 and have benefitted from the excellent programs and services made available to the community there. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Best,

Mike Adler

Molly McGuire

From: Deb Estrada
Sent: Thursday, July 16, 2026 12:36 PM
To: Molly McGuire
Subject: FW: Public Hearding for CPA25-002

From: Mike Post <mpost23@outlook.com>
Sent: Wednesday, July 15, 2026 6:38 PM
To: City Clerk <cityclerk@mercerisland.gov>
Subject: Public Hearding for CPA25-002

Hello

I have questions about the rezoning petition for the JCC.
What is it that they want to do, that they can't do under the current zoning?
I don't want to wake up one morning to see new commercial offices or a bigger school being built on the current site.
The JCC is great, I have no problem with the JCC.

I am not as happy with the French American School.
Isn't that operated on JCC property with JCC cooperation?
It's the traffic that is the problem.
I live at 9974 SE 39th St just off Eat Mercer Way and only a couple blocks from the entrance to the JCC and the school.
In the mornings and afternoons, I am afraid to walk north along East Mercer at the JCC entrance because of the high traffic volume.
People are coming from both north and south and equal numbers are exiting.
I've seen many near misses between through traffic and turning and exiting traffic.
It doesn't really get better in the summer because of summer camps.

Anyway, I agree with the folks who say that the public hearing should be in October when more island residents are home.
And I think more people on the south end of the island that use East Mercer Way need to be made aware of potential traffic impacts.
And as of this minute I don't believe the rezoning should go forward without a lot more detail about the plans that would need a rezone.

Thanks for listening
Mike Post

Molly McGuire

From: Deb Estrada
Sent: Thursday, July 16, 2026 12:36 PM
To: Molly McGuire
Subject: FW: CPA25-002

From: Narita Ghumman <narita.ghumman@gmail.com>
Sent: Thursday, July 16, 2026 12:34 PM
To: City Clerk <cityclerk@mercerisland.gov>
Subject: CPA25-002

As a resident of Mercer Island, I object to rezoning the JCC property to Commercial Office. This sets a terrible precedent and moves Mercer Island away from its stated goal of being a premier residential community. I further object to the hearing to consider the proposal being during a time when residents are on summer vacation and preparing for back to school.

How do I get more information about the proposed changes and how that will impact my community?

Thank you,
Narita Ghumman
MI resident

Molly McGuire

From: Andrea Larson
Sent: Friday, July 17, 2026 8:48 AM
To: Molly McGuire
Subject: FW: Support Proposed Zoning Change for the SJCC

Comment on CPA25-002.

Thank you,

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

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-----Original Message-----
From: Rosanne Lapan <rflapan@gmail.com>
Sent: Thursday, July 16, 2026 8:39 PM
To: Planning Commission <Planning.Commission@mercergov.org>
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

[State why you value the J, and your relationship with the J. For example: I've been coming to the J since…; My kids have attended the J….; My family has used the J….]

The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.
I am a longtime Mercer Island homeowner. Regards, Rosanne
7 Eden Lane, MI, WA 98040

Rosanne Fleischmann Lapan
Sent from my iPhone: 206-323-3300

Rosanne Fleischmann Lapan
Sent from my iPhone

Molly McGuire

From: Andrea Larson
Sent: Friday, July 17, 2026 8:47 AM
To: Molly McGuire
Subject: FW: Support Proposed Zoning Change for the SJCC

Comment on CPA25-002.

Thank you,

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

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From: Facilities <facilities@sjcc.org>
Sent: Thursday, July 16, 2026 8:52 PM
To: Planning Commission <Planning.Commission@mercergov.org>; Alison Van Gorp <alison.vangorp@mercergov.org>; Deb Estrada <Deborah.Estrada@mercerisland.gov>; Council <council@mercergov.org>
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Molly McGuire

From: Andrea Larson
Sent: Friday, July 17, 2026 8:48 AM
To: Molly McGuire
Subject: FW: SJCC Rezone

Comment on CPA25-002.

Thank you,

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

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From: Stephanie Castle <stephaniejb354@hotmail.com>
Sent: Thursday, July 16, 2026 7:58 PM
To: Planning Commission <Planning.Commission@mercergov.org>; Alison Van Gorp <alison.vangorp@mercergov.org>; Deb Estrada <Deborah.Estrada@mercerisland.gov>; Council <council@mercergov.org>
Subject: SJCC Rezone

Hello,

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. My children both attended the Early Childhood School for preschool and now attend J Camp in the summers. We are not Jewish but have so loved and appreciated the warm, caring and inclusive community of staff and members who have welcomed us. The J has been serving the Mercer Island community in this way – as a community center and school – for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to bless our community and thrive on Mercer Island for the next 55 years and beyond.

Best wishes,

Stephanie Castle
4706 E Mercer Way

Sent from my iPhone

Molly McGuire

From: Andrea Larson
Sent: Friday, July 17, 2026 8:47 AM
To: Molly McGuire
Subject: FW: Support Proposed Zoning Change for the SJCC

Comment on CPA25-002.

Thank you,

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

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From: Zivit Shechter Nissim <zivit_s@hotmail.com>
Sent: Thursday, July 16, 2026 9:20 PM
To: Planning Commission <Planning.Commission@mercergov.org>; Alison Van Gorp <alison.vangorp@mercergov.org>; Deb Estrada <Deborah.Estrada@mercerisland.gov>; Council <council@mercergov.org>
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

I first got to know the SJCC when we moved to the US and were looking for a preschool for our daughter. We found an amazing preschool but we also found a family at the J - where all our kids grew up (after school activities, summer camps, swim lessons etc), where we attend events and cultural gatherings, and where we all regularly exercise and swim.

The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Zivit Shechter-Nissim

Molly McGuire

From: Deb Estrada
Sent: Friday, July 17, 2026 8:44 AM
To: Molly McGuire; Andrea Larson
Subject: FW: Support the rezone of the JCC

From: Alexis Odell <alexis.odell@gmail.com>
Sent: Friday, July 17, 2026 7:48 AM
To: Alison Van Gorp <alison.vangorp@mercergov.org>; Deb Estrada <Deborah.Estrada@mercerisland.gov>; Council <council@mercergov.org>
Subject: Support the rezone of the JCC

As a long time member of the JCC, I urge you to help our Mercer Island community thrive by allowing the rezoning of the JCC property.

My family has used the JCC daily for the last 17 years. My kids were in preschool there. We work out there and now my eldest son is a camp counselor for their summer camp. This institution is an important third place for many Mercer Island residents. We would like to see it evolve to meet the needs of current and future Mercer Island residents. We believe the rezone will allow this evolution to occur responsibly. And it is critical to support necessary building and facility updates and remodeling. Please do your part to help ensure the safety of our JCC community.

Alexis

Molly McGuire

From: Andrea Larson
Sent: Friday, July 17, 2026 4:32 PM
To: Molly McGuire
Subject: FW: Urging revision of the comprehensive plan

Comment on CPA25-002.

Thank you,

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

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From: Carla Tobis <cjtobis@gmail.com>
Sent: Friday, July 17, 2026 3:24 PM
To: Planning Commission <Planning.Commission@mercergov.org>; Alison Van Gorp <alison.vangorp@mercergov.org>; Deb Estrada <Deborah.Estrada@mercerisland.gov>; Council <council@mercergov.org>
Subject: Urging revision of the comprehensive plan

To members of the Mercer Island Planning Commission,
I will be unable to attend the upcoming Planning Commission meeting in person, yet I am passionate about the need to modify the Comprehensive plan and land use maps to address the erroneous designation of the JCC as a single family property.

My name is Carla Greenbaum. I've been a Mercer Island resident for more than 30 years and a member of the Jewish Community Center for the same length of time. My four children, who are now adults with their own families and all of whom live on Mercer Island, all attended JCC pre-school and camps, participated in sports through the JCC and developed lasting relationships. My five Mercer Island grandchildren are now also active at the JCC. In addition, is my own personnel connection. I regularly use the pool to swim laps, I attend exercise classes, and interact with others at events such as celebration of holidays, movies, education. The JCC has been an essential part of my family's life for decades and has been a key attraction of living on Mercer Island all these years.

The current designation of the SJCC as a single family property is patently incorrect. The JCC has been a community center - serving the Mercer Island community for more than 50 years. I'm therefore writing to urge your support to amend the Comprehensive Plan - and align the zoning with the reality that the property is a commercial and not-single family residence.

This change in the comprehensive plan and land use maps will allow the JCC to continue to add value to Mercer Island residents for the future.

Thank you for your consideration,

Carla Greenbaum
7411 SE 36th St
Mercer Island, WA 09804
cjtobis@gmail.com

Molly McGuire

From: Andrea Larson
Sent: Friday, July 17, 2026 4:32 PM
To: Molly McGuire
Subject: FW: SJCC rezoning

Comment on CPA25-002.

Thank you,

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

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From: Fred Tobis <fredtobis@gmail.com>
Sent: Friday, July 17, 2026 3:40 PM
To: Planning Commission <Planning.Commission@mercergov.org>; Alison Van Gorp <alison.vangorp@mercergov.org>; Deb Estrada <Deborah.Estrada@mercerisland.gov>; Council <council@mercergov.org>
Subject: SJCC rezoning

To Members of the Mercer Island Planning Commission,

I am writing to urge you to amend the land use maps and Comprehensive Plan to change the erroneous designation of the JCC from single family property to its real use - a community center that benefits a significant proportion of Mercer Island residents.

I have been a Mercer Island resident for more than 30 years. We've raised 4 children who currently are all Mercer Island residents. They all attended JCC preschool, camps, sports, and holiday activities. They made lasting friendships. It truly has been a community center for them. The next generation is now also embedded with the JCC - the 5 grandkids enjoy the preschool and facilities. In addition, I make regular use of the JCC classes, gym, and cultural activities.

It is time to correct an obvious mischaracterization - the JCC has been a commercial property and community center for more than 50 years. Please amend the Comprehensive plan to reflect reality and allow this facility to continue to serve Mercer Island residents and families in the years ahead.

I'm writing to you, because I'm unable to attend the planning meeting in person. Yet, this issue is incredibly important to me, my family, and to the greater Mercer Island community Jews and non-Jews alike. It is a place to be with neighbors, it is a place that creates the environment that Mercer Island residents come here for.

Thank you for your attention,
Fredric Tobis
7411 SE 36th St
Mercer Island, WA 98040

Molly McGuire

From: Andrea Larson
Sent: Friday, July 17, 2026 4:32 PM
To: Molly McGuire
Subject: FW: SJCC Designation Change

Comment on CPA25-002.

Thank you,

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

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From: Joshua Levin <joshuaelevin@gmail.com>
Sent: Friday, July 17, 2026 3:26 PM
To: Planning Commission <Planning.Commission@mercergov.org>; Alison Van Gorp <alison.vangorp@mercergov.org>; Deb Estrada <Deborah.Estrada@mercerisland.gov>; Council <council@mercergov.org>
Subject: SJCC Designation Change

Good day,

I am writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. My wife, three children ages 10, 7, and 6, and I reside in Newcastle. Over the years, we have exercised, attended musical concerts, youth services and events, and enriched our own and our children's lives at the J. My kids took swimming lessons at the SJCC, and two attended preschool there. At no point is the building serving as a single family home and there is no logical reason it should be designated as such.

The J has been serving the Mercer Island community – as a community center – for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Sincerely yours,
Joshua Levin

Molly McGuire

From: Andrea Larson
Sent: Friday, July 17, 2026 3:01 PM
To: Molly McGuire
Subject: FW: Support Proposed Zoning Change for the SJCC

Comments on CPA25-002.

Thank you,

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

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-----Original Message-----
From: kristirobins@icloud.com <kristirobins@icloud.com>
Sent: Friday, July 17, 2026 2:50 PM
To: Planning Commission <Planning.Commission@mercergov.org>
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

Our family has been coming to the J for over 17 years and both my grown daughters attended the J for pre school.

The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Best,
Kristi and Chad

Sent from my iPhone

Molly McGuire

From: Andrea Larson
Sent: Friday, July 17, 2026 3:00 PM
To: Molly McGuire
Subject: FW: Support to amend comprehensive plan re: the SJCC

Comment on CPA25-002.

Thank you,

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

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From: Linda Bookey <linda@bookeygroup.com>
Sent: Friday, July 17, 2026 2:37 PM
To: Planning Commission <Planning.Commission@mercergov.org>; Alison Van Gorp <alison.vangorp@mercergov.org>; Deb Estrada <Deborah.Estrada@mercerisland.gov>; Council <council@mercergov.org>
Cc: Linda Bookey <linda@bookeygroup.com>
Subject: Support to amend comprehensive plan re: the SJCC

As a long time member of the JCC, I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. In 1962, my family moved to Shorewood Apartments from Butte, MT. We belonged to the J in Seattle before the MI facility even opened. Having a brand-new building 55 years ago was exciting, and the community has changed significantly since then. I learned to swim at the J, went to classes there, attended day camp, and then became a daycamp counselor. My children went to daycare, camps and learned to swim there. Now as a senior, I take fitness classes there. I love how the J serves the entire MI and West Bellevue community.

The J has been serving the Mercer Island community – as a community center – for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years. As a West Bellevue resident, when I come to the J, I do my food, book and gift shopping on the Island. The J matters to me and many others as a place for fitness, connection and community.
Thanks,
Linda

--

Linda Bookey
she/her/hers
linda@bookeygroup.com
425.785.1121

Molly McGuire

From: Andrea Larson
Sent: Friday, July 17, 2026 12:27 PM
To: Molly McGuire
Subject: FW: Public hearing for CPA25-002

Comment for CPA25-002.

Thank you,

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

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-----Original Message-----
From: Marion Mohler <mgmarion@msn.com>
Sent: Friday, July 17, 2026 12:12 PM
To: City Clerk <cityclerk@mercerisland.gov>
Subject: Public hearing for CPA25-002

As residents of Mercer Island, we object to rezoning the JCC property to Commercial Office. This sets a terrible precedent and moves Mercer Island away from its stated goal of being a premier residential community, We further object to the hearing to consider the proposal being during a time when residents are on summer vacation and preparing for back to school.

Thank you. Marion and George Mohler

Molly McGuire

From: Andrea Larson
Sent: Friday, July 17, 2026 11:32 AM
To: Molly McGuire
Subject: FW: proposed rezoning (CPA25-002)

Comment on CPA25-002.

Thank you,

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

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From: mark meyer <3dotstudio.com@gmail.com>
Sent: Friday, July 17, 2026 11:19 AM
To: City Clerk <cityclerk@mercerisland.gov>
Subject: re: proposed rezoning (CPA25-002)

As a long-time Mercer Island homeowner & resident, I am very concerned about the proposed rezoning of the JCC from residential to commercial. Doing so may set a precedent that can affect MI neighborhoods in general. For this reason, whether one is pro or con, the proposed upcoming meeting will be especially important for MI residents.

Like many, I would like the opportunity to attend and deliberate the proposal, but the timing for this summer is not convenient for many, including myself. Please consider postponing the meeting date to October to give everyone the chance to participate.

Thanks,

Mark Meyer
9713 SE 41st St

{{{{{ mrm / 3dotstudio / android X3 }}}}}

Item 18.

Molly McGuire

From: Andrea Larson
Sent: Friday, July 17, 2026 9:09 AM
To: Molly McGuire
Subject: FW: SJCC's Comprehensive Plan Amendment and Rezone Request

Comment on CPA25-002.

Thank you,

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

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From: Martin Nelson <martysnelson@hotmail.com>
Sent: Friday, July 17, 2026 9:02 AM
To: Planning Commission <Planning.Commission@mercergov.org>; Alison Van Gorp <alison.vangorp@mercergov.org>; Deb Estrada <Deborah.Estrada@mercerisland.gov>; Council <council@mercergov.org>
Subject: SJCC's Comprehensive Plan Amendment and Rezone Request

Good morning. I have been a resident of Mercer Island for 26 years. I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial.

Both of my daughters went to preschool at the SJCC and had fantastic experiences, like countless other lucky children. The SJCC has been serving the Mercer Island community as a community center for over 55 years. It is one of our island's true gems. Please align the comprehensive plan and land use maps to reflect the reality of it serving as a community center so it can continue to enhance the quality of life on Mercer Island for many decades more. Thank you.

Martin Nelson

Molly McGuire

From: Alison Van Gorp
Sent: Friday, July 17, 2026 4:22 PM
To: Molly McGuire
Subject: FW: SJCC

From: Maureen Leyser <maureen.leyser@gmail.com>
Sent: Friday, July 17, 2026 12:26 PM
To: Alison Van Gorp <alison.vangorp@mercergov.org>
Subject: SJCC

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. [*State your relationship with the J and why you value the J*]. The J has been serving the Mercer Island community – as a community center – for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55

Thank you
Maureen Leyser
M

Sent from my iPhone

Item 18.

Molly McGuire

From: Andrea Larson
Sent: Friday, July 17, 2026 4:33 PM
To: Molly McGuire
Subject: FW: Support Proposed Zoning Change for the SJCC

Comment on CPA25-002.

Thank you,

Andrea Larson, CMC
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.

From: Mindy Stern <mindyellenstern@gmail.com>
Sent: Friday, July 17, 2026 3:50 PM
To: Planning Commission <Planning.Commission@mercergov.org>
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

Please lend your support to amending the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

I've lived on the island for 30 years, and the presence of the J is a big part of why I moved here. It's a vital part of this community and needs to continue to serve in a capacity that meets modern needs.

Thank you,

Mindy Stern
4047 96th Ave SE
Mercer Island, WA 98040
206-605-6095

300

Molly McGuire

From: Andrea Larson
Sent: Monday, July 20, 2026 10:17 AM
To: Molly McGuire
Subject: FW: Public hearing for CPA25-002

Comment on CPA25-002.

Thank you,

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

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From: Paulo <paulo@fassina.me>
Sent: Friday, July 17, 2026 5:41 PM
To: City Clerk <cityclerk@mercerisland.gov>
Subject: Public hearing for CPA25-002

As a resident of Mercer Island, I object to rezoning the JCC property to Commercial Office. This sets a terrible precedent and moves Mercer Island away from its stated goal of being a premier residential community. I further object to the hearing to consider the proposal being during a time when residents are on summer vacation and preparing for back to school.

Molly McGuire

From: Andrea Larson
Sent: Friday, July 17, 2026 11:01 AM
To: Molly McGuire
Subject: FW: SJCC

Comment on CPA25-002.

Thank you,

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

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The City of Mercer Island 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 Farrish <robin@gallagherco.net>
Sent: Friday, July 17, 2026 10:44 AM
To: Planning Commission <Planning.Commission@mercergov.org>; Alison Van Gorp <alison.vangorp@mercergov.org>; Deb Estrada <Deborah.Estrada@mercerisland.gov>; Council <council@mercergov.org>
Subject: SJCC

Hello,

I'm writing to support the rezone for the SJCC. The code change would reflect the actual function of the space and allow the improvements needed to fully support the community needs.

Thank you for your consideration.

Robin Farrish
Gallagher Co. LLC
robin@gallagherco.net
801-361-7951 cell
206-232-1600 office
Take a look at our latest projects:
Gallagher Co.
https://www.gallagherco.net

Molly McGuire

From: Andrea Larson
Sent: Friday, July 17, 2026 11:01 AM
To: Molly McGuire
Subject: FW: Letter of support: SJCC Comprehensive Plan

Comment on CPA25-002.

Thank you,

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

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From: Sarah Joshi <sarah.a.joshi@outlook.com>
Sent: Friday, July 17, 2026 10:43 AM
To: Planning Commission <Planning.Commission@mercergov.org>; Alison Van Gorp <alison.vangorp@mercergov.org>; Deb Estrada <Deborah.Estrada@mercerisland.gov>; Council <council@mercergov.org>
Subject: Letter of support: SJCC Comprehensive Plan

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. We are members of the J and our son attends SJCC. It's so important the Jewish community has a place in Seattle to be safe and thrive - there's no other places like it left. The J has been serving the Mercer Island community – as a community center – for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Sarah Joshi

Molly McGuire

From: Andrea Larson
Sent: Friday, July 17, 2026 3:02 PM
To: Molly McGuire
Subject: FW: JCC Permit - Public Hearing

Comments on CPA25-002.

Thank you,

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

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From: Thuy Christina Seafort <tseafort@gmail.com>
Sent: Friday, July 17, 2026 2:42 PM
To: City Clerk <cityclerk@mercerisland.gov>
Subject: JCC Permit - Public Hearing

Hello, I recently learned about the JCC seeking to rezone their property to a commercial office. I am a resident of Mercer Island and have owned several homes on the island. I currently own and reside in a home on Shoreclub Drive with my family. Our home is located near the JCC, and on a daily basis we drive, walk or bike near the JCC and East Mercer multiple times a day. In the past couple of years, we've experienced increased traffic, congestion and potential safety hazards with cars darting in and out of the JCC facilities and onto East Mercer Way. This is made worse with the nearly blind curve on that road and multiple streets converging into that area. We've also been experiencing various nuisance, inconvenience, and safety concerns with the ongoing construction as JCC expands its property and facilities.

We are deeply concerned about ongoing safety, traffic, congestion, nuisance, aesthetic, property values, and the overall well-being of our residential community. To be sure, we do support the JCC and its offerings on the island, and also encourage more downtown commercial development with respect to retail, restaurants, etc. to enhance our neighborhood and avoid having to drive off island for more retail and restaurant choices. However, we want to ensure that such commercially zoned areas remain in a central main corridor vs. expanding into residential zones with limited land and many families residing in a densely populated area, such as the area surrounding the JCC. It's already congested enough with the East Mercer Way I-90 ramp and on several occasions I've personally witnessed near accidents with cars and families/children crossing the stop sign near the JCC. Commercial expansion will only exacerbate this issue and I'm deeply concerned that we're not holding more public forums and assessments to determine the impact of such a commercial re-zoning request on our community. Safety and the well

being of our community should be paramount and as such, any hearing regarding the rezoning sho
noticed well in advance to the community and certainly not rushed within the next couple months.

As part of this, MI should communicate more public notice of such hearing(s), invite more analysis and fact gathering on the impact of the request, and ensure this is completed in a manner where all information is readily available to the community before any decisions are made that significantly impact MI residents.

Thank you for your time and consideration.

Regards,
Thuy and Mark Seafort
4280 Shoreclub Drive, Mercer Island
949-500-8218 mobile

Molly McGuire

From: Andrea Larson
Sent: Friday, July 17, 2026 9:09 AM
To: Molly McGuire
Subject: FW: SJCC Property Designation - Please support change to commercial property

Comment on CPA25-002.

Thank you,

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

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From: TRACY SIGMON <tracy.sigmon@comcast.net>
Sent: Friday, July 17, 2026 8:44 AM
To: Planning Commission <Planning.Commission@mercergov.org>; Alison Van Gorp <alison.vangorp@mercergov.org>; Deb Estrada <Deborah.Estrada@mercerisland.gov>; Council <council@mercergov.org>
Subject: SJCC Property Designation - Please support change to commercial property

Hello:

I have been part of the SJCC community for over 50 years. I attended preschool and day camps, had my first job as a junior counselor at their day camps, then sent my own children to preschool there. They continued participating in activities like Dinky Dunkers and others and now, as adults, still come play pick-up basketball at the J. My husband and I use the facilities on a weekly basis to this day.

The J has been serving as a community hub for the entirety of my life (55+ years). While it's officially the "Jewish" community center, it serves all communities. I hear a multitude of languages as I walk down the halls. It's an critically important community space housed in a building that has outlasted its best self.

Please support the plan to amend the designation of the property from single family to commercial use. It's always been used as a commercial space and the zoning should reflect that so that this property can continue serving the greater Mercer Island and Seattle areas.

Thank you,
Tracy Sigmon
425.351.1332 (m)

Molly McGuire

From: Andrea Larson
Sent: Monday, July 20, 2026 8:58 AM
To: Molly McGuire
Subject: FW: Rezoning As a resident of Mercer Island, I object to rezoning the JCC property to Commercial Office. We have a traffic problem at our current use. The new school being built will add to that. This sets a terrible precedent

Comment on CPA25-002.

Thank you,

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

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-----Original Message-----
From: Anne Comcast <a.woodley@comcast.net>
Sent: Saturday, July 18, 2026 7:43 AM
To: City Clerk <cityclerk@mercerisland.gov>
Subject: Rezoning As a resident of Mercer Island, I object to rezoning the JCC property to Commercial Office. We have a traffic problem at our current use. The new school being built will add to that. This sets a terrible precedent a...

Sincerely, Anne Woodley
Sent from my iPhone

Molly McGuire

From: Andrea Larson
Sent: Monday, July 20, 2026 8:55 AM
To: Molly McGuire
Subject: FW: Support Proposed Zoning Change for the SJCC

Comment on CPA25-002.

Thank you,

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

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From: Catherine Ford <fordjc@comcast.net>
Sent: Saturday, July 18, 2026 2:21 PM
To: Planning Commission <Planning.Commission@mercergov.org>; Alison Van Gorp <alison.vangorp@mercergov.org>; Deb Estrada <Deborah.Estrada@mercerisland.gov>; Council <council@mercergov.org>
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

My husband and I joined the "J" several years ago. Now that we are spending more time on Mercer Island while at the J, we find that we have been doing more of our shopping on Mercer Island. Supporting local businesses (or their branches) such as Island Books, Able Acupuncture, Metropolitan Market, QFC, Mercer Island Farmers's Market, Barrels Wine Shop, True Value Hardware (so much better than Home Depot), Shell station, Mercer Island Pilates, Bank of America (Mercer Island branch).

Allowing the J to better serve the community with an improved facility serves everyone.

The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Thank you.
-Cathy and Jim Ford
2119 104th PL SE
Bellevue, WA 98004

Molly McGuire

From: Andrea Larson
Sent: Monday, July 20, 2026 8:56 AM
To: Molly McGuire
Subject: FW: Special privileges for JCC

Comment on CPA25-002.

Thank you,

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

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-----Original Message-----
From: cindy moller <cindmo724@gmail.com>
Sent: Saturday, July 18, 2026 1:13 PM
To: City Clerk <cityclerk@mercerisland.gov>
Subject: Special privileges for JCC

All should be held to the same regulations. Problems that would occur, if no restrictions were in place, would not be able to be resolved. No special allowances for anyone. Please schedule hearing during a time all can attend. Not Summer vacation or beginning of school year.
Thank you, Cynthia Moller 4800 E Mercer Wy

Molly McGuire

From: Andrea Larson
Sent: Monday, July 20, 2026 8:54 AM
To: Molly McGuire
Subject: FW: JCC redone

Comment on CPA25-002.

Thank you,

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

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From: Jean Dunbabin <jeanfdunbabin@outlook.com>
Sent: Saturday, July 18, 2026 3:16 PM
To: City Clerk <cityclerk@mercerisland.gov>
Subject: JCC redone

My husband and I moved to Mercer island over 40 years ago from Kirkland. We built our home here and raised our son here and joined the Jcc and still belong. Now as a senior Citizen It still is an important part of my life. I attend the pool exercises during the week and use the gym. It is an amazing organization that serves everyone .
Our Grandson also attended classes as a preschooler and fought against the racism at Whitman college which he attends presently.
We are not Jewish but the fact that it serves everyone is extremely important.
Jean F Dunbabin

Get Outlook for iOS

Molly McGuire

From: Andrea Larson
Sent: Monday, July 20, 2026 8:55 AM
To: Molly McGuire
Subject: FW: JCC rezoning

Comment on CPA25-002.

Thank you,

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

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From: Joanie Kinsman <joaniekinsman@gmail.com>
Sent: Saturday, July 18, 2026 2:14 PM
To: City Clerk <cityclerk@mercerisland.gov>
Subject: JCC rezoning

I am a 37 year resident and homeowner of Mercer Island. I vehemently oppose the rezoning of the JCC property to commercial. It does not benefit the Mercer Island community.

Regards,

Joanne Kinsman
9020 SE 43rd St, Mercer Island, WA 98040

Molly McGuire

From: Andrea Larson
Sent: Monday, July 20, 2026 8:56 AM
To: Molly McGuire
Subject: FW: Support Proposed Zoning Change for the SJCC

Comment on CPA25-002.

Thank you,

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

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-----Original Message-----
From: Lisa Dembo <ljdem@comcast.net>
Sent: Saturday, July 18, 2026 11:49 AM
To: Planning Commission <Planning.Commission@mercergov.org>; Alison Van Gorp <alison.vangorp@mercergov.org>; Deb Estrada <Deborah.Estrada@mercerisland.gov>; Council <council@mercergov.org>
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

The SJCC has been part of my life since moving to the Seattle area 28 years ago this July. My first group of friends were found there as a single person, my moms group as a mother, day care for our first child, and the day camps that gave both of our children an impactful childhood/young adulthood and subsequent employment. I have lived on Mercer Island plus lived in Seattle and Bellevue over the years and this is the community that an expansive contribution to the Puget Sound area.

The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Lisa Dembo
Sent from my iPhone

Molly McGuire

From: Andrea Larson
Sent: Monday, July 20, 2026 8:55 AM
To: Molly McGuire
Subject: FW: Support Proposed Zoning Change for the SJCC

Comment on CPA25-002.

Thank you,

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

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From: mbstarnes@comcast.net <mbstarnes@comcast.net>
Sent: Saturday, July 18, 2026 1:17 PM
To: Planning Commission <Planning.Commission@mercergov.org>; Alison Van Gorp <alison.vangorp@mercergov.org>; Deb Estrada <Deborah.Estrada@mercerisland.gov>; Council <council@mercergov.org>
Cc: mbstarnes@comcast.net
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

I moved here in 2006 & my family has enjoyed the SJCC through the years, back to when my daughter attended preschool and all the many activities and events there- too many to list here, but I do attend regularly for fitness classes as well as other activities.

The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Thank you for your consideration to this important issue.

Best regards,

Margie Starnes

Item 18.

Molly McGuire

From: Andrea Larson
Sent: Monday, July 20, 2026 8:54 AM
To: Molly McGuire
Subject: FW: Public Hearing for CPA25-002
Attachments: daycare_access.png

Comment on CPA25-002.

Thank you,

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

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From: Michael Searing <searing.michael@gmail.com>
Sent: Saturday, July 18, 2026 9:05 PM
To: City Clerk <cityclerk@mercerisland.gov>
Cc: Nicole Searing <nrsearing@gmail.com>
Subject: Public Hearing for CPA25-002

Good morning,
Seeing all the commentary about the zoning change to the JCC made me want to write in with a safety request. Our two toddlers attend the daycare at the JCC, and we prefer, when possible, to walk to daycare.

From our house on the north end of the island, the only way on foot to the JCC is down Gallagher Hill (not safe) or down 40th, accessing it from the neighborhoods directly to the south. The problem is that from these neighborhoods, you have to walk briefly on East Mercer Way. There is no sidewalk along this portion, and the shoulder is almost always blocked by parked cars, forcing us onto the street. (And even the shoulder is not that safe, being along a blind curve.)

We believe that there is a safer way. 97th Ave used to provide safe access to the J, the parking lot behind the pediatrician's office, and the other commercial buildings along 36th St. This access was blocked by the installation of a fence in the last year. 36th St has a sidewalk providing safe access to all these institutions, and there seem to be a couple of easy locations where a short pedestrian trail could be added to restore access.

About 25% of the island would be within a safe 30-minute walk of this area if access were restored between 40th St and 36th St. There is city property, namely the City Shop behind City Hall, providing a connection (the blue line in the attached). There is also JCC property which could provide access (the

pink line in the attached). Both of these options would only involve building a trail 50 yards long thro relatively flat forest. This exact route behind the City Shop was already mostly cleared of brush in the last year.

Our family would be grateful for anything the city can do to facilitate safe pedestrian access to this community and childcare center. This will be all the more important as more cars access the J, making travel to the J by alternate transportation methods more beneficial to the entire community.

Thank you,
Michael, Nicole, Finn, and Nash Searing

I-90 Express Lane
I-90 East Bound
I-90 East Off Ramp
SE 36th St
90
SE 36th Pl
92nd Ave SE
93rd Ave SE
Maintenance Shop Road
Daycares
City Hall
Pediatrician
FASPS
JCC/daycare
Fence
City Shop
96th Ave SE
97th Ave SE
Greenbrier Ln
92nd Pl SE
40th St
Mercerwood Dr
City Property
J Property
SE 40th St
SE 41st St
97th Ave

Molly McGuire

From: Andrea Larson
Sent: Monday, July 20, 2026 8:56 AM
To: Molly McGuire
Subject: FW: Comprehensive Plan Amendment for the SJCC

Comment on CPA25-002.

Thank you,

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

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From: Richard Fruchter <richardfruchter@comcast.net>
Sent: Saturday, July 18, 2026 1:13 PM
To: Planning Commission <Planning.Commission@mercergov.org>; Alison Van Gorp <alison.vangorp@mercergov.org>; Deb Estrada <Deborah.Estrada@mercerisland.gov>; Council <council@mercergov.org>
Subject: Comprehensive Plan Amendment for the SJCC

My name is Richard Fruchter and I've lived on Mercer Island for 20 years. My wife and I are members of the SJCC and our grandchild attended its preschool. I was the CEO of the Jewish Federation of Greater Seattle (now retired), the umbrella agency for the Jewish community.

The SJCC brings the Jewish and non Jewish community together in a way no other institution can. Whether through its exercise facilities, pool, preschool, cultural events, family activities, summer camps, sports camps, basketball leagues, garden, film festival, speaker series, the SJCC offers a place for families and individuals to feel a part of a giving and supportive community. It is truly a jewel in the crown of Mercer Island.

I urge your support in amending the Comprehensive Plan to change the designation fo the SJCC property from single family to commercial, more in keeping with its historical use as a community center. Please align the the comprehensive plan with the longstanding and future use of this facility and property. I know the SjCC is embarking on a needed upgrade of their facility and the designation as a commercial property will allow them to continue to serve the community for an additional 55 years.

Please approve this plan amendment.

Sincerely,

Richard Fruchter

Molly McGuire

From: Andrea Larson
Sent: Monday, July 20, 2026 8:57 AM
To: Molly McGuire
Subject: FW: Public hearing for CPA25-002

Comment on CPA25-002.

Thank you,

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

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-----Original Message-----
From: Stacey Parson <stacey.j.parson@icloud.com>
Sent: Saturday, July 18, 2026 10:32 AM
To: City Clerk <cityclerk@mercerisland.gov>
Subject: Public hearing for CPA25-002

Hello,
As a newer resident of Mercer Island I support the rezoning of the JCC property to a commercial zone. Reading through numerous e-mails and reviewing the JCC's website it appears that the JCC offers numerous enrichment programs. For Mercer Island to be a premier residential community the Island needs organizations like the JCC to attract and support families.

A conditional use permit is not intended for long-term use. The JCC has existed for decades so it makes logical sense to convert the property so the City can enforce applicable regulations instead of this perpetual grey area the JCC exists in now.

Residents who express concern that the JCC is acquiring additional residential properties for club use would actually benefit from the re-zoning. The CUP provides precedence for using residential properties for commercial purposes. Rezoning would pull it out of the grey and provide clear direction that residential for residential purposes only and commercial for commercial purposes only. Rezoning would allow the City to provide clear guidance and enforcement on lighting, parking, ADA requirements, and operating hours.

Please do not reschedule the hearing. Delaying it further will not change the circumstances. It has been nine years since the 2017 proposal; the City of Mercer Island needs to either rezone the property or enforce the CUP. Seeing as nothing has changed in nine years continuing the CUP likely will provide the same results as the prior years where no one is happy. Now is the time for momentum, not delaying until October.

Change is always hard, but it should not be avoided.

Sincerely,

Molly McGuire

From: Andrea Larson
Sent: Monday, July 20, 2026 8:51 AM
To: Molly McGuire
Subject: FW: Public hearing for CPA25-002

Comment on CPA25-002.

Thank you,

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

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-----Original Message-----
From: degree.album_5l@icloud.com <degree.album_5l@icloud.com>
Sent: Sunday, July 19, 2026 3:39 PM
To: City Clerk <cityclerk@mercerisland.gov>
Subject: Public hearing for CPA25-002

As a resident of Mercer Island, I strongly object to rezoning the JCC property to Commercial Office.
This sets a terrible precedent and moves Mercer Island away from its stated goal of being a premier residential community. This will lead to near by French American school to do the same and the current already busy traffic will be even more that itself will affect the property owners in this neighborhood not ideal place to live if it passed. Therefore, I object to the hearing to consider the proposal being during a time when residents are in summer vacation and preparing for back to school. All the concerning neighbors must get a fair and reasonable date to attend for the healing.

A.M

Molly McGuire

From: Andrea Larson
Sent: Monday, July 20, 2026 8:47 AM
To: Molly McGuire
Subject: FW: Commercial Zoning for the J!

Comment on CPA25-002.

Thank you,

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

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The City of Mercer Island 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: gina gonchar <ginagonchar@gmail.com>
Sent: Sunday, July 19, 2026 9:39 PM
To: Alison Van Gorp <alison.vangorp@mercergov.org>; Council <council@mercergov.org>; Deb Estrada <Deborah.Estrada@mercerisland.gov>; Planning Commission <Planning.Commission@mercergov.org>; City Clerk <cityclerk@mercerisland.gov>
Subject: Commercial Zoning for the J!

Dear Mercer Island City Council and Planning Commission,

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. The J is what drew my family to live within easy access to Mercer Island. I sent my kids to the preschool there, we participated in basketball and swimming, the gym, evening classes, lectures and the library. My kids had their first jobs as camp counselors and lifeguards at the J. We come to the J for community events and holiday events. We met our first and lasting friends at the J. It's the heartbeat of Mercer Island and unequivocally deserves your support! The J has been serving the Mercer Island community – as a community center – for over 55 years. Enough of the bureaucratic runaround. Please align the comprehensive plan and land use maps to reflect the reality of the J as a commercial entity that is integral to the success of Mercer Island.

Sincerely,
Gina Gonchar
PO Box 413
Mercer Island, WA 98040

Molly McGuire

From: Andrea Larson
Sent: Monday, July 20, 2026 8:47 AM
To: Molly McGuire
Subject: FW: Zoning of JCC

Comment on CPA25-002.

Thank you,

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

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The City of Mercer Island 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 Dunbabin <jeanfdunbabin@outlook.com>
Sent: Sunday, July 19, 2026 6:12 PM
To: Planning Commission <Planning.Commission@mercergov.org>
Subject: Zoning of JCC

I have been a member of the J since my husband and I first moved to Mercer island over 40 years ago. Our son. David attended

Get Outlook for iOS

Item 18.

Molly McGuire

From: Andrea Larson
Sent: Tuesday, July 21, 2026 8:42 AM
To: Molly McGuire
Subject: FW: Support Proposed Zoning Change for the SJCC

Comment on CPA25-002.

Thank you,

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

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From: Cindy Paborsky <dcpaborsky@yahoo.com>
Sent: Monday, July 20, 2026 8:42 PM
To: Planning Commission <Planning.Commission@mercergov.org>; Alison Van Gorp <alison.vangorp@mercergov.org>; Deb Estrada <Deborah.Estrada@mercerisland.gov>; Council <council@mercergov.org>
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

> I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.
>
> I have been a member of the J for more than 15 years. I have met and built a community of people thru the J. I am an active user of the fitness center, pool, regularly play pickleball during rainy season and attend community events, comedians, author talks, and movie festivals. It is a huge asset to living on Mercer Island.
>
> The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Thank you,
Cindy Paborsky

Item 18.

Molly McGuire

From: Andrea Larson
Sent: Monday, July 20, 2026 1:57 PM
To: Molly McGuire
Subject: FW: Support Proposed Zoning Change for the SJCC

Comments on CPA25-002.

Thank you,

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

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From: David Paborsky <dmp@igpequity.com>
Sent: Monday, July 20, 2026 1:53 PM
To: Planning Commission <Planning.Commission@mercergov.org>; Alison Van Gorp <alison.vangorp@mercergov.org>; Deb Estrada <Deborah.Estrada@mercerisland.gov>; Council <council@mercergov.org>
Cc: Cindy Paborsky <dcpaborsky@yahoo.com>
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

I have been a member of the J for more than 15 years. I have met and know 100's of people thru the J. I am an active user of the fitness center, pool, regularly play pickleball during rainy season and attend community events, comedians, author talks, and movie festivals. It is a huge asset to living on Mercer Island.

The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Molly McGuire

From: Andrea Larson
Sent: Monday, July 20, 2026 2:50 PM
To: Molly McGuire
Subject: FW: Public hearing for CPA25-002

Comment on CPA25-002.

Thank you,

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

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From: Jim Horgdal <jimhorgdal@gmail.com>
Sent: Monday, July 20, 2026 2:46 PM
To: City Clerk <cityclerk@mercerisland.gov>
Subject: Public hearing for CPA25-002

As a resident of Mercer Island, specifically on E Mercer Way, I object to rezoning the JCC property to Commercial Office. This sets a terrible precedent and moves Mercer Island away from its stated goal of being a premier residential community. I further object to the hearing to consider the proposal being during a time when residents are on summer vacation and preparing for back to school. Please reschedule the meeting for October when more residents will be available to attend and state their position on the matter.

--
Best regards, Jim

Mobile +1 (347) 255-7652

Molly McGuire

From: Andrea Larson
Sent: Tuesday, July 21, 2026 8:42 AM
To: Molly McGuire
Subject: FW: SJCC zoning - Mercer Island Resident Support

Comment on CPA25-002.

Thank you,

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

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From: Kayla Locke <kaylalocke17@gmail.com>
Sent: Monday, July 20, 2026 8:38 PM
To: Alison Van Gorp <alison.vangorp@mercergov.org>; Council <council@mercergov.org>; Deb Estrada <Deborah.Estrada@mercerisland.gov>; Planning Commission <Planning.Commission@mercergov.org>
Subject: SJCC zoning - Mercer Island Resident Support

Hi,
Please support the designation of the SJCC property from single family to commercial.

I've lived on Mercer island my whole life and now raising my children on Mercer island. They both graduated from the SJCC preschool and now attend J camps. It's a cornerstone of the Mercer island community and so many families rely on the JCC for child care and camps.

Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Thank you,
Kayla Locke

Molly McGuire

From: Andrea Larson
Sent: Monday, July 20, 2026 8:45 AM
To: Molly McGuire
Subject: FW: Support Proposed Zoning Change for the SJCC

Comment on CPA25-002.

Thank you,

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

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-----Original Message-----
From: Lkraft <lkraft7142@gmail.com>
Sent: Monday, July 20, 2026 7:03 AM
To: Planning Commission <Planning.Commission@mercergov.org>
Cc: Alison Van Gorp <alison.vangorp@mercergov.org>; Deb Estrada <Deborah.Estrada@mercerisland.gov>
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

As a member of the Jewish Community, my family has used the SJCC for as long as it has existed and find it to be a valuable and vital part of not only the Jewish Community but the community at large.

The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Best Regards,
Lori Kraft
425-301-0068
331 101st Ave SE
Bellevue, WA 98004

Sent from my iPad

Molly McGuire

From: Andrea Larson
Sent: Tuesday, July 21, 2026 8:41 AM
To: Molly McGuire
Subject: FW: Please Support Proposed Zoning Change for the SJCC

Comment on CPA25-002,

Thank you,

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

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From: randy.kessler@comcast.net <randy.kessler@comcast.net>
Sent: Monday, July 20, 2026 5:43 PM
To: Planning Commission <Planning.Commission@mercergov.org>; Alison Van Gorp <alison.vangorp@mercergov.org>; Deb Estrada <Deborah.Estrada@mercerisland.gov>
Cc: Council <council@mercergov.org>
Subject: Please Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

Our family has been living in Mercer Island since 2007 and I have been a lifelong member of the Stroum Jewish Community Center. As a child, I went to summer day camp there, and for the past 34 years, I have used the facility for personal fitness as well as for community events. It's a huge part of why we – and so many other Island residents - love living here.

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial, so that the facility can serve my family and others for decades to come.

Please align the comprehensive plan and land use maps to give the JCC the flexibility to grow. This will ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Sincerely,

Randy Kessler
7616 SE 40th St

Molly McGuire

From: Andrea Larson
Sent: Monday, July 20, 2026 1:32 PM
To: Molly McGuire
Subject: FW: Designation of SJCC Property

Comment on CPA25-002.

Thank you,

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

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From: Susan Szafir <susanoszafir@gmail.com>
Sent: Monday, July 20, 2026 1:04 PM
To: Planning Commission <Planning.Commission@mercergov.org>; Alison Van Gorp <alison.vangorp@mercergov.org>; Deb Estrada <Deborah.Estrada@mercerisland.gov>; Council <council@mercergov.org>
Subject: Designation of SJCC Property

Dear Planning Commission, Council Members and Government Servants,

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. My family and I have been residents of Mercer Island for over 18 years and we've been members of the SJCC for almost the entire time we've lived on the island.

The SJCC has been so important to my family over the years. When we first moved to the Island from Austin, Texas in 2008, it is where we enrolled our daughters in pre-school, and it is where our family made lasting, foundational friendships that have provided us with tremendous joy and community throughout our time on Mercer Island.

As an empty nester, I now take Line Dancing lessons weekly, which I love and have at times relied on Aquafit classes when I've been unable to do weight bearing exercises. My husband and I will occasionally attend social or educational events or speakers which consistently enrich our lives. It is always nice to connect and see people we know when we visit the J. It is so familiar, that when we walk through the doors, it feels like a home away from home. We feel so fortunate to live in a community which has a vibrant and active JCC.

The J has been serving the Mercer Island community - as a community center - for over 55 years. **Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.**

Thank you for your consideration,

Susan Szafir

Molly McGuire

From: Andrea Larson
Sent: Tuesday, July 21, 2026 9:24 AM
To: Molly McGuire
Subject: FW: rezoning of JCC property

Comment on CPA25-002.

Thank you,

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

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From: Andy & Colleen Iwano <andycolleen12@gmail.com>
Sent: Tuesday, July 21, 2026 9:16 AM
To: City Clerk <cityclerk@mercerisland.gov>
Subject: rezoning of JCC property

As a resident of the neighborhood near the JCC, I am concerned about the consideration of the rezoning of the JCC property from residential to commercial.

There is enough pressure on neighborhood traffic patterns under the current zoning. Adding additional vehicle traffic under the rezone would create access and safety issues for all Island residents using the East Mercer Way ramp to I-90.

At the very least, the scheduled hearing on July 31 should be postponed to a date later in the year to encourage input from the MI community.

What is the purpose of the rezone? Mercer Island is essentially a residential community, not a commercial hub. We should recognize this and not open up additional land to commercial development.

Very truly yours,

Andrew Iwano
12 El Dorado Beach Club Drive

Molly McGuire

From: denisejoffe@mac.com
Sent: Tuesday, July 21, 2026 8:00 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: JCC rezone request

Follow Up Flag: Follow up
Flag Status: Completed

July 31, 2026

To the MI city council:

I'm writing to urge your support for amending the Comprehensive Plan to change the designation of the SJCC property from single-family residential to commercial, allowing the Jewish Community Center to move forward with plans to replace its aging facility.

I'm here as a passionate member of the Mercer Island community and as someone who regularly uses the JCC. I visit several times a week for fitness and classes, and I have come to appreciate the J as much more than a Jewish institution. It is a community resource that welcomes people of all backgrounds and serves Islanders at every stage of life—from preschoolers and families to adults and seniors.

The JCC is an important part of the fabric of Mercer Island. It provides opportunities for fitness, education, recreation, childcare, and community connection. It also makes an effort to ensure that cost is not a barrier for those who cannot afford membership. In that sense, the J's mission extends well beyond its membership. It contributes to the health, well-being, and vitality of our entire island community.

But the current facility is aging, outdated, and no longer able to meet the needs of the community it serves. It is not simply a matter of wanting a newer or larger building. The existing structure presents significant challenges related to safety, accessibility, infrastructure, and security. At a time when antisemitism is on the rise and security concerns are very real, the limitations of the current facility are particularly troubling. It is difficult to accept that armed officers must stand outside in the rain and cold to protect the building and the people inside it. A modern facility would provide the opportunity to address these concerns in a way that the existing building simply cannot.

I understand that some Islanders have concerns about the proposed project, including traffic, membership growth, the scale of the new building, and whether rezoning would provide the JCC with an unfair advantage. These concerns deserve to be considered carefully, but I also believe they need to be evaluated in the context of what this project means for Mercer Island as a whole.

The proposed redevelopment is not an effort to fundamentally change the character of the East Mercer Way community. It is an opportunity to replace an aging facility with a modern, safe, and functional community resource.

I also believe the proposed rezoning should be viewed in the context of the property's history and existing use. The JCC has long served as a community institution, and the current zoning designation does not fully reflect the property's established role or the services it provides. Changing the designation would allow the land use designation to better align with the reality of how this property has functioned for years.

This decision is ultimately about more than one building or one organization. It is about what kind of community we want Mercer Island to be. Do we want to preserve an aging facility that is increasingly difficult to secure, maintain, and adapt? Or do we want to support the creation of a modern community center that can safely and effectively serve Islanders for decades to come?

I believe Mercer Island is stronger when we invest in institutions that bring people together, support families, promote health and wellness, care for children and seniors, and provide a place where people from different backgrounds can connect. The JCC is one of those institutions.

I urge you to support the requested Comprehensive Plan amendment and rezoning. The JCC cannot simply remodel its way out of the limitations of the existing building. It is time for a thoughtful tear-down and rebuild.

The JCC is asking for the opportunity to build a modern facility that can continue serving Mercer Island—safely, inclusively, and for generations to come. I believe that is an investment that benefits the entire island.

Thank you for your time and consideration.

Denise Joffe

2222 78th Ave SE

Mercer Island, WA 98040

Molly McGuire

From: Andrea Larson
Sent: Tuesday, July 21, 2026 9:12 AM
To: Molly McGuire
Subject: FW: Please support the rezone for the SJCC on Aug. 5

Comment on CPA25-002.

Thank you,

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

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From: Elaine Kraft <ejk9151@gmail.com>
Sent: Tuesday, July 21, 2026 9:08 AM
To: Planning Commission <Planning.Commission@mercergov.org>; Alison Van Gorp <alison.vangorp@mercergov.org>; Deb Estrada <Deborah.Estrada@mercerisland.gov>; Council <council@mercergov.org>
Subject: Please support the rezone for the SJCC on Aug. 5

I was on hand when the SJCC was officially opened in 1969. It was a gem for the island.
Since then, my grandmother, great aunt, parents, husband and I, brothers, children and grandchildren have used it in so very many ways. Sports, culture, day care, preschool, after school, camps and I came backyard later to learn bridge -- meeting a whole new group of Island residents. It is a remarkable place. It must continue to serve that purpose.

But today the building desperately needs your help. It has no HVAC, no elevator and is held together with duct tape! It may be in a residential area but it and has been for almost 60 years a commercial facility serving hundreds of thousands of people.

It should be zoned as such, consistent with its decades old use

Over the years of discussion, J leaders have heard the neighbors and addressed their concerns. No showy building is planned. Buffers, traffic, etc. have all been carefully considered. A revitalized J is needed, and it would be as much a part of the neighborhood as the current J has been. And it would be there for everyone with open doors.

From someone born and raised on the island, to you who are now stewards of the island, I urge you to support the proposed rezone for the SJCC.

Thank you for your consideration

•

Molly McGuire

From: Karen Roberts <kroberts@live.com>
Sent: Tuesday, July 21, 2026 1:01 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: SJCC's Comprehensive Plan Amendment and Rezone request

My name is Karen Roberts, and I live at 7007 SE Maker Street in Mercer Island. I have owned my home since 2004, and my sons went to school in Mercer Island. I retired in 2023 and have chosen to remain in Mercer Island. Our community here in Mercer Island offers so much that I appreciate, but truly, one of the main reasons I remain here is the easy accessibility to the **Stroum Jewish Community Center (SJCC),** located at 3801 East Mercer Way, Mercer Island. This institution is such a gift to all of us here in the area!

While the SJCC is an entity founded to foster and promote Jewish connections in the community, it is so much more than that. It is a supportive, inclusive, and welcoming gathering place for ALL people regardless of religion, race, age, and domicile. It is a gym facility, a school, an activity center, and gathering space for our Mercer Island community**.** And it is where I personally spend countless hours every week exercising and finding connections with other people. Were it not for the SJCC, I would be lonely and disconnected from a community that supports and cares for me in countless ways. I feel lucky to belong to the SJCC, and I take advantage of its many offerings throughout the year. It is an extremely important resource to me and so many others, serving needs that are not met elsewhere in the Mercer Island community or the greater King County region.

I am writing to you to request your support in amending the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. I understand that the current zoning of the property is that of single-family usage, and this must be changed to properly reflect the actual usage AND allow the SJCC to update its facilities to provide even more benefits and support to our community.

I strongly urge the Planning Commission to support the revision of the Mercer Island comprehensive plan and land use maps with the longstanding actual use of this property, removing any barriers due to zoning designation. This will allow the SJCC to continue to serve the Mercer Island community without the obstacles its current zoning designation represents.

Thank you.

Regards,

Karen Roberts

kroberts@live.com | (206)550-1887

Molly McGuire

From: Lisa Kranseler <lisak@wsjhs.org>
Sent: Tuesday, July 21, 2026 11:27 AM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Cc: Amy Lavin
Subject: Comments on behalf of the SJCC to amend the Comprehensive Plan to change the SJCC property designation

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Planning Commission and Members,

As the long-time director of the Washington State Jewish Historical Society (WSJHS, 20+ years), I want to write in support of amending the designation of the SJCC property from single family to commercial.

Historically speaking, the SJCC is a significant center of Jewish life in for our community as well as for the entire Mercer Island and surrounding communities. The sense of comradery and community that is lived within its walls on a daily basis cannot be understated. It is time to step up for the next generation to ensure that this building get the renovation it so badly needs to continue to serve the community at large for the next 50 years.

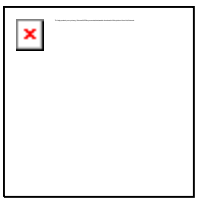
We also have the oral history interview of Samuel Stroum.
Stroum (Samuel) interview - Samuel Stroum interview, audio (Cassette 1A) - Oral History Collection - University of Washington Digital Collections
Please see his transcript at: Stroum (Samuel) interview - Samuel Stroum interview, transcript - Oral History Collection - University of Washington Digital Collections On page 83, of the 99 page transcript, Sam Stroum stated that" everyone had to feel a part of saving the JCC, even if they gave a dollar." He truly meant that everyone matters, a community effort, and at this point it is your vote will make a difference.

Being the Director of the WSJHS, has taught me that **there are certain times that history calls for courage and commitment**. **This is that time**. Please make this happen now so that the SJCC can thrive with the facility that is long past due for improvement. The WSJHS also had its offices at the SJCC for 5 years (2018-2023) and we were able to personally witness that values that were promoted amongst staff, volunteers, members and the next generation of our community's leaders – our youth!

Please feel free to use this email at the hearing, that I am sorry not to be able to attend. I would also be available for any questions or comments.

Lisa

Lisa Kranseler, WSJHS Executive Director Emerita



Every day, you make history happen!

lisak@wsjhs.org

office: 206-774-2277 cell: 425-681-8128

Molly McGuire

From: Michelle Kavesh <mpiercekavesh@gmail.com>
Sent: Tuesday, July 21, 2026 11:54 AM
To: City Clerk
Subject: Support for JCC Rezone

Just writing to support the JCC rezone scheduled for the August city council meeting agenda.
There appears to be an opposition group in favor of changes and moving this item to a later time. This has been an ongoing project for a very long time, there are no surprises in here, and the fact that this opposition group has just popped up recently expressing concerns about I90 access and the reality that the JCC is already a commercial enterprise operating on mixed zoned land, is a little late and disingenuous. The JCC's operations are not going to materially change, but they need the flexibility to replace and rebuild the property to modern needs, including an entirely new pool to replace one that is currently leaking and near the end of its life.

Best,

Michelle Pierce Kavesh
mpiercekavesh@gmail.com

Molly McGuire

From: Leslie Huang <yunhan.huang94@gmail.com>
Sent: Tuesday, July 21, 2026 10:09 PM
To: City Clerk
Cc: Qian Cao
Subject: Public Hearing – CPA25-002 / RZN25-002

Dear City Clerk,

I am writing as a Mercer Island resident to oppose the proposed rezoning of the JCC property from residential to commercial (CPA25-002 / RZN25-002).

This is a permanent change, and I don't believe the community has had a fair opportunity to weigh in, scheduling a consequential land-use hearing during summer vacation and the first weeks of school makes it hard for most families to participate.

I'm also concerned about traffic. The JCC sits at our east side I-90 access point, and congestion already spills off the property during busy periods. Commercial zoning removes any regulatory limit on membership, events, or vehicle trips, leaving the city no mechanism to require mitigation. That's a real impact on everyday life for residents on this side of the island.

I support the JCC and the role it plays in our community. But I believe a Conditional Use Permit with enforceable conditions is the right framework for the JCC and for every organization on Mercer Island. I urge the city to require full CUP compliance before any rezone discussion moves forward, and to reschedule the hearing to no sooner than October, when residents are home and able to engage.

Thank you for considering my comments.

Best,
Yunhan Huang

Molly McGuire

From: Janet Matzke <janet.matzke@gmail.com>
Sent: Wednesday, July 22, 2026 6:27 PM
To: City Clerk
Subject: SJCC rezone

BODY*"As a resident of Mercer Island, I object to rezoning the JCC property to Commercial Office. This sets a terrible precedent and moves Mercer Island away from its stated goal of being a premier residential community. I further object to the hearing to consider the proposal being during a time when residents are on summer vacation and preparing for back to school."*

As a resident of Mercer Island I don't agree with the proposed rezone of JCC to commercial property. The traffic is horrendous as it is, there are commercial centers already established on the island nearby and unless this fills the coffers of the local government I don't understand why this is being proposed.

Thanks,
Janet Matzke

Janet Matzke
425-505-3480
Janet.matzke@gmail.com

Sent from my iPad, which may affect my spelling and grammar

Molly McGuire

From: Jason Mccune <mccune_jason@yahoo.com>
Sent: Wednesday, July 22, 2026 11:49 AM
To: City Clerk
Subject: JCC re-zoning

Hello MI city clerk,
I am a resident of Mercer Island and I live off East Mercer Way, mid island. I oppose the re-zoning of the JCCto a commercial property. I believe this will have many consequences that will negatively impact the quality of life of my family. Further, this decision opens a can of worms as it sets a precedent for future re-zoning.

At the least, push back the hearing to the fall when residents are around. Scheduling during the summer for such a consequential decision is inconsiderate to the citizens of our city.

Thank you,
Jason McCune

Molly McGuire

From: Liz Friedman <lizfriedman@outlook.com>
Sent: Wednesday, July 22, 2026 1:36 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support amendment in favor of SJCC

To the Members of the Mercer Island Planning Commission,

I am writing to express my strong support for amending the Comprehensive Plan to redesignate the SJCC property from single-family to commercial. This change is not only appropriate; it is long overdue.

I have been involved with the J for more than 20 years: as a member, supporter, committee member, board member, President of the Board, and now as a past president. Over these decades, I have watched the organization work tirelessly to be a responsible, thoughtful steward of its property and its mission. I have also watched it face obstacle after obstacle - procedural, structural, and political - despite its clear and consistent commitment to serving Mercer Island.

The J has been a community anchor for over 55 years. It has welcomed generations of Islanders and beyond, provided essential programs for families and seniors, supported cultural and educational enrichment, and served as a gathering place for all. Its role in the community is undeniable. Yet the land use designation applied to its property does not reflect that reality, nor does it support the organization's ability to evolve and meet the needs of the next generation.

For years, the J has attempted to establish the right, logical conditions to responsibly redevelop its property, conditions that would allow it to modernize its facilities, expand community services, and continue contributing meaningfully to Mercer Island. Instead, it has been met with delays, shifting requirements, and a lack of alignment between its actual use and the City's planning framework. This mismatch has hindered progress and placed an unnecessary burden on an institution that has done nothing but serve this community with integrity.

We are well past the point of asking whether the J's property should be designated as commercial. The question now is: why hasn't this already happened? What are we waiting for? The Comprehensive Plan and land use maps should reflect the truth of the J's role and presence on Mercer Island and support - and in fact, accelerate - its ability to thrive for the next 55 years, just as it has for the last 55.

I urge you to adopt this amendment and bring the City's planning documents into alignment with the lived reality of our community. It is time to remove the barriers that have held the J back and allow it to move forward responsibly, sustainably, and in partnership with Mercer Island.

Thank you for your consideration.
Liz Friedman
2035 80th Ave SE, Mercer Island

Molly McGuire

From: Sayce William Falk <sayce.w.falk@gmail.com>
Sent: Wednesday, July 22, 2026 5:38 PM
To: City Clerk
Subject: In favor of JCC rezoning

Hi, I just wanted to say I'm in favor of the JCC rezone and think it's the right decision for that part of our community.

Sayce
4645 88th Ave SE, Mercer Island, WA 98040

Item 18.

Molly McGuire

From: charles flake <crflake@outlook.com>
Sent: Thursday, July 23, 2026 9:31 PM
To: City Clerk
Subject: CPA25-002

I reside at 4130 100th Ave SE and am one of the citizens having to contend daily, morning and afternoon, with the traffic snarl from drop off and pick up of students at the French American School. And now I see construction of the Seattle Jewish Day School directly across East Mercer Way. The city Traffic Engineers have failed to acknowledge and resolve this issue. More than one year ago, in conversation with Ms. Corigliano's predecessor I was reassured that the problem was temporary since the FAS was relocating. It has not.

I mention this issue since an application has been made to rezone the JCC to Commercial Office. Good for them. If I owned the property, I would want the same. However, it is my understanding that the JCC has not been in compliance with all the provisions of their conditional use permit. Maybe this is hearsay. The council should know if the city has been assiduously enforcing the CUP.

I am asking that the city fulfil its obligation to correct the current traffic mess and do a thorough traffic study of foreseeable impacts on EMW before any serious consideration of the request for rezoning.

Thank you for your consideration.

Charles Flake
206 551-2701

Get Outlook for iOS

346

Molly McGuire

From: Mike DaCosta <michel.david@gmail.com>
Sent: Thursday, July 23, 2026 2:25 PM
To: Planning Commission
Subject: Zoning issue: Stroum Jewish Community Center (SJCC)

I just heard that the SJCC property is zoned as a single home. That makes no sense, because I have a subscription and use their facilities regularly. Nothing looks like a single home to me. Can we please fix this zoning issue?

Thanks,
Mike

Molly McGuire

From: MOSS PATASHNIK <mossnpeg@aol.com>
Sent: Thursday, July 23, 2026 10:05 AM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

I have been a board member of the SJCC for over ten years. Members of my family, friends and relatives, and members of the community at large have been using the facilities, resources, and programs of the SJCC for decades — all of these having been of inestimable value to the both the Jewish and non-Jewish members of the community.

The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Thank you in advance for your support for amending the Comprehensive Plan.

Sincerely,

Moss Patashnik

Item 18.

Molly McGuire

From: Anastasia Mironova <ak_orca@yahoo.com>
Sent: Friday, July 24, 2026 11:46 AM
To: City Clerk
Subject: Public hearing for CPA 25-002

As a resident of Mercer Island, I object to rezoning the JCC property to commercial use. This sets a terrible precedent and moves Mercer Island away from its stated goal of being a primarily residential community. I further object to the hearing to consider the proposal being during a time when residents are on summer vacation and preparing back to school.

I strongly object to rezoning of JCC property adjacent to my house.

Sent from Yahoo Mail for iPhone

Molly McGuire

From: beth lippman <b.lippman@icloud.com>
Sent: Friday, July 24, 2026 6:42 PM
To: Planning Commission
Subject: Expanding the JCC

I am a member of the JCC and find it a welcoming ming and busy place for prople of all ethnicities We meed to expand to serve the people Please allow the expansion

Beth Lippman
Sent from my iPhone

Molly McGuire

From: Elaine Kavalok
Sent: Friday, July 24, 2026 8:49 AM
To: City Clerk
Subject: Residential Area Rezone proposal

With a precedent setting agenda item next week about rezoning a residential area to commercial, I strongly suggest that agenda item be bumped to October in order for the broader impacted community to be in town to comment. Otherwise, this looks like the planning commission and potentially city council have already been heavily influenced by the JCC, made their decision and prefer to do this "under the radar" to zone JCC area for the benefit of the JCC.

Please consider a reschedule.
--Elaine Kavalok
5908 E Mercer Way

Molly McGuire

From: Laura Senft <laura_senft@hotmail.com>
Sent: Friday, July 24, 2026 12:40 PM
To: Council; Planning Commission; allison.vangorp@mercerisland.gov; Deb Estrada
Subject: Please support the JCC

Dear Commission,
As a community member who benefits greatly from the JCC, I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial.

The J has been serving the Mercer Island community – as a community center – for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

These improvements will not only benefit current residents, but future as well, as people from all ages and demographics use the JCC. I am a Bellevue resident. It's worth noting that when I come to MI, I often shop or eat on MI. The only reason I am on MI is the JCC. Not improving the JCC would discourage membership and also have a deleterious effect on the community as a whole. I would imagine that others patronize local businesses as well when they come over to work out or drop off a child at camp. While I know some congestion is not desirable, it also results in increased revenue and positive activity on the Island.

The JCC an organization that encourages community and productive activity for people of all ages. At a time when people need connection more than ever, making places like the JCC as functional, safe, and accessible as possible should be the priority of any group looking to improve and sustain their community.

Many thanks for your consideration,
Laura Senft

Sent from my iPad

Molly McGuire

From: Sterba, Pavel <PSterba@parpacific.com>
Sent: Friday, July 24, 2026 11:41 AM
To: City Clerk
Subject: Public Hearing for CPA25-002

Please I am out of town during august 5. Most of my neighbors are as well. Why do we have a hearing during a time when most neighbors cant comment? Can we please reschedule for sometime in the fall when everyone is back?
Pavel

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Item 18.

Molly McGuire

From: Tanming Fong <tmfong@yahoo.com>
Sent: Friday, July 24, 2026 5:01 PM
To: City Clerk
Cc: Virginia Leong
Subject: Public hearing for CPA25-002

Dear City Council Members,

I am writing to formally oppose the proposed rezoning of the JCC property to Commercial Office. As a resident of Mercer Island, I believe this change would set a troubling precedent and move our community away from its stated vision of remaining a premier residential community.

The traffic impacts alone are reason for rejection. The JCC sits at Mercer Island's east side I-90 access point, and traffic already backs well off the property during peak times, sometimes extending to the I-90 off-ramps and limiting east side residents' timely access to and from their homes. Commercial zoning removes all regulatory limits on membership, events, and vehicle trips, leaving the city with no mechanism to require mitigation. This would permanently worsen an already critical choke point.

I further urge the Council to reconsider the hearing schedule. Holding this review during summer vacation—when residents are traveling and managing back-to-school logistics—severely limits meaningful community participation. A proposal of this significance deserves a hearing scheduled when the community can fully engage.

I respectfully ask that the council reject this rezoning proposal and reschedule the hearing to a date that allows for broader community engagement. Thank you for your time and for your service to Mercer Island.

Sincerely,

Tanming Fong

Molly McGuire

From: Deb Estrada
Sent: Saturday, July 25, 2026 11:19 AM
To: Molly McGuire
Cc: City Clerk
Subject: FW: Public hearing for CPA25-002

Deb

From: Kunal Patel <drpatelk@gmail.com>
Sent: Saturday, July 25, 2026 11:17 AM
To: City Clerk <cityclerk@mercerisland.gov>
Subject: Public hearing for CPA25-002

To MI City Clerk

As a resident of Mercer Island, I am writing to formally object the proposed rezoning of the JCC property to Commercial Office. This change sets an unfavorable precedent and deviates from Mercer Island's established goal of remaining a premier residential community.

Furthermore, I object to scheduling the hearing for this proposal during the summer, a time when many residents are away on vacation or preparing for the upcoming school year, thereby limiting community participation.

Thank you for your attention to this matter.

Best regards,

Kunal Patel

Molly McGuire

From: Kate Robertson <robertson.katie@gmail.com>
Sent: Sunday, July 26, 2026 5:07 PM
To: City Clerk
Subject: Public hearing for CPA25-002

Hello,

As a resident of Mercer Island, I object to rezoning the JCC property to Commercial Office. This sets a terrible precedent and moves Mercer Island away from its stated goal of being a premier residential community. I further object to the hearing to consider the proposal being during a time when residents are on summer vacation and preparing for back to school.

Thank you,
Kate Robertson

Molly McGuire

From: Urmil shah <urmilshah@comcast.net>
Sent: Sunday, July 26, 2026 3:57 PM
To: Deb Estrada
Subject: Meeting

Follow Up Flag: Follow up
Flag Status: Completed

- I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. I'm a member at J for15 years. We moved from Minnesota and new to town. Originally we are from India and JCC accepted us and we have made so many friends now. They accepted us without asking any questions and welcomed us. We attend so many classes and water aerobics that has improved our life. The J has been serving the Mercer Island community – as a community center – for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Thanks, Pallu

Molly McGuire

From: Pallu Shah <pallushah@comcast.net>
Sent: Sunday, July 26, 2026 3:53 PM
To: Planning Commission
Subject: Meeting

Follow Up Flag: Follow up
Flag Status: Completed

-
  - I’m writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. I'm a member at J for15 years. We moved from Minnesota and new to town. Originally we are from India and JCC accepted us and we have made so many friends now. They accepted us without asking any questions and welcomed us. We attend so many classes and water aerobics that has improved our life. The J has been serving the Mercer Island community – as a community center – for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Thanks, Pallu

Molly McGuire

From: Patricia Willner <pattywillner623@gmail.com>
Sent: Sunday, July 26, 2026 3:29 PM
To: Planning Commission
Subject: Approve SJCC Zoning Change

Follow Up Flag: Follow up
Flag Status: Completed

Pl ask approve the he zoning change to comport with longstanding use of the facility as a multi purpose facility for combatting, athletics, aquafit and lap swim. It has never been a single family facility.

Patty Willner's
425766-2075

Molly McGuire

From: Jacobs (Home) <pjacobs@comcast.net>
Sent: Sunday, July 26, 2026 4:12 PM
To: City Clerk
Subject: Public hearing for CPA25-002

Follow Up Flag: Follow up
Flag Status: Completed

As a resident of Mercer Island, I passionately object to rezoning the JCC property to commercial office zoning. What is the City Council thinking?? This sets a terrible precedent and moves Mercer Island away from its stated goal of being a premier residential community. I regularly travel from the north end of the island to mid island along East Mercer Way. The traffic around JCC is horrendous as it is. If the acquiring neighboring properties, which I have heard, for unknown reasons, that raises a lot of red flags. I further object to the hearing to consider the proposal being during a time when residents are on summer vacation and preparing for back to school.

The current non-compliance with established rules and regulations should have the JCC under investigation and violations mitigated. I am pro-JCC, just not pro commercial, do whatever you want, JCC.

Protect our Island.

Peter Jacobs
2233 80th Avenue SE
Mercer Island

206.799.1248

Molly McGuire

From: Del <del8com@yahoo.com>
Sent: Monday, July 27, 2026 1:55 PM
To: City Clerk
Subject: Public hearing for CPA25-002

To Whom it may concern:

As a resident of Mercer Island, living VERY near JCC, I would like to express my objection to rezoning of the JCC property to Commercial Office.

I also would like to kindly request any hearing on rezoning of JCC be rescheduled till after October 1, 2026 when residents are less likely to be gone on vacation and can participate in this discussion/hearing.

Thank you,

A. Teng

Molly McGuire

From: Benjamin Pariser <pariser@bpsqd.com>
Sent: Monday, July 27, 2026 8:02 AM
To: Alison Van Gorp; Deb Estrada; Planning Commission; Council
Subject: Mercer Island JCC - Support

Dear Mercer Island,

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial.

I am a Mercer Island resident and the JCC has been an integral part of my life since 1982. This institution has been there at every stage of my life. And the JCC has provided a safe community space for my family and children since they were infants through their present teenage years.

The J has been serving the Mercer Island community – as a community center – for over 55 years.

Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Sincerely,
Benjamin S. Pariser
206-963-4818

Molly McGuire

From: Carol Shafer <aloha4now@gmail.com>
Sent: Monday, July 27, 2026 6:52 AM
To: Planning Commission
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

I am a resident of Mercer Island. I attend classes at the J five days a week. I have developed close friendships here. I credit the J with improving my physical strength as well as my mobility. The J definitely needs modernization. I look forward to seeing the J renovated so it can better serve its patrons and the community at large.

The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Sincerely,
Carol Shafer

Molly McGuire

From: David W. <surjin907@yahoo.com>
Sent: Monday, July 27, 2026 5:16 PM
To: Planning Commission
Subject: Mercer Island JCC

Planning Commission,

This email is in complete support of a Comprehensive Plan to change the designation of the SJCC property from single family to commercial. I am a member who uses the J for exercise and classes for my medical issues. The J is a critical member of the MI community for those of us that cannot afford other expensive facilities nor can easily commute to outside of MI. Please allow this change so we can update the facilities.

David White
Patrick White

Molly McGuire

From: Deborah Urman <dburman319@aol.com>
Sent: Monday, July 27, 2026 8:34 AM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support Proposed Zoning Change for the SJCC

July 27, 2026

Dear Planning Committee Representative,

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. As a homeowner on Mercer Island, parent and career educator, the JCC created a familiar home away from home, a learning community and safe place for my children when they were very young. As they grew up, they continued to frequent the JCC as a camper and exercise enthusiast. As parents, we continued to support the JCC by attending many evening programs, cooking classes and exercise classes.

Fact is, the JCC has been serving the Mercer Island community – as a community center – for over 55 years. It has not been updated to meet current standards in all the years my family has used it. My family and many, many others have moved to this area because it has a local JCC. Where else, other than the schools, can you see generation after generation, grow and continue to learn?

I urge you to please align the comprehensive plan and land use maps to reflect the current reality and ensure the JCC can continue to serve our community and thrive on Mercer Island for the next 55 years.

Thank you,
Deborah Urman
7025 82nd Ave. SE
Mercer Island, WA

Molly McGuire

From: Deb Estrada
Sent: Tuesday, July 28, 2026 7:36 AM
To: Molly McGuire
Subject: FW: Support Proposed Zoning Change for the SJCC

From: Ellen Lynn <ellenlynn215@hotmail.com>
Sent: Monday, July 27, 2026 9:49 PM
To: Council <council@mercergov.org>
Subject: Fwd: Support Proposed Zoning Change for the SJCC

Sent from my iPad

Begin forwarded message:

> **From:** Ellen Lynn <ellenlynn215@hotmail.com>
> **Date:** July 27, 2026 at 9:47:16 PM PDT
> **To:** alison.vangorp@mercerisland.gov
> **Subject: Support Proposed Zoning Change for the SJCC**
>
> To the Members of the Planning Commission:
>
> I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.
>
> The J welcomed me and my family as newcomers to the Seattle area in 1994. Many friendships were formed from preschool and day camp experiences for us, through community and cultural events, as well as various classes over the years. Most recently I have been attending water aerobic classes, where I have been forming new friendships (and getting much-needed exercise) in a supportive and friendly environment. Those of us with physical limitations would really appreciate an updated, more easily accessible pool and restrooms.
>
> The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.
>
> Thank you for your attention to this matter.
>
> Sincerely,
> Ellen Lynn

Sent from my iPad

Molly McGuire

From: Emmi Kearns <kearnsemmi@gmail.com>
Sent: Monday, July 27, 2026 2:02 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

I attend the SJCC several times weekly to use the fitness facilities and attend other events such as classes and lectures. My daughter teaches in the preschool. The current building is inadequate to serve the widespread use of the facility. The building is used extensively by Mercer Island residents and folks throughout the Seattle metropolitan area. It is a jewel for the entire city to utilize. The parking area is frequently filled to capacity. As a former Mercer Island resident and MIHS graduate and now Bellevue resident, please comply with updating the property status so we all can continue to use our Community Center and give it the facelift it deserves.

The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Sincerely,

Emma Kearns

Molly McGuire

From: Feiock Heidi <heidiashleyfeiock@hotmail.com>
Sent: Monday, July 27, 2026 8:07 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

The JCC has been a place of inclusiveness and gathering. Since we moved here with our two children in 2024; we have used the facility for a place that provides a safe, nurturing and educational space for our children to grow and learn. Myself uses it as a space to stay healthy and clear my mind by using the gym and attending the fitness classes. My family has also attended some of the events held by the JCC such as the movies and a treat. (Frozen and frozen yogurt) (Moana and milkshakes). My oldest daughter takes swim lessons there and has made a lot of improvement through the lessons. We also use the pool to attend open swim with both our young children. Regardless of one's religion or beliefs we have felt welcomed and it is a place everyone on the island and beyond can enjoy.
Please consider changing the zoning from single family to commercial for the JCC to continue to server and support our community as it moves foward.
The Frizzells

Sent from my iPhone

Molly McGuire

From: Gail Zucker <zuckerg2020@gmail.com>
Sent: Monday, July 27, 2026 7:49 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

I've been coming to the J since 1983. My kids have attended the JCC preschool and after school programs. My family has used the JCC for special programming and events over the years.

The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Gail Zucker
Mobile: 415 235 2696
Email: Zuckerg2020@gmail.com

Molly McGuire

From: hayley d <hayleyduitch@gmail.com>
Sent: Monday, July 27, 2026 12:41 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support Proposed Zoning Change for the SJCC

Follow Up Flag: Follow up
Flag Status: Completed

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial.

The J has been part of my family for generations. My husband and I both attended preschool there, as did our children. I worked at the J as a teenager, and today both of my kids work there as well, and also attend youth group meetings each week. Over the years I've taken classes and attended lectures at the J, my husband played in the basketball and baseball leagues, and my parents made some of their closest, lifelong friends through the community there, friendships that helped shape my own childhood. Three generations of my family have called the J home, and it has never once functioned as a single-family residence. It has always been exactly what it is today: a school, a gathering space, an activity center, and a cornerstone of community life on Mercer Island.

The J has been serving the Mercer Island community, as a community center, for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality, and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Sincerely,
Hayley Duitch
6551 80th Ave SE
Mercer Island, WA 98040

Molly McGuire

From: Heidi Behrens-Benedict <hbbenedict@aol.com>
Sent: Monday, July 27, 2026 3:58 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: The comprehensive plan

Follow Up Flag: Follow up
Flag Status: Completed

- Dear Friends on the Mercer Island City Council ~
-
- I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial.
-
- Why is this important to me? I've been attending Aqua Fit classes five days a week since I joined the J. When friends ask me why I've so happy about my membership, I tell them about how it feels to walk out of the dressing room onto the pool deck and have a dozen+ women turn and smile.
-
- What a great way to start the day.
-
- The J has been serving the Mercer Island community – as a community center – for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Heidi Behrens-Benedict, ASID, NCIDQ

Behrens-Benedict Limited
1844 140th Avenue Southeast
Bellevue WA 98005

206-412-0610

www.BehrensBenedict.com

Molly McGuire

From: Deb Estrada
Sent: Monday, July 27, 2026 6:17 PM
To: Molly McGuire
Subject: FW: JCC Rezone

-----Original Message-----
From: Jeff Bean <olyhardware@hotmail.com>
Sent: Monday, July 27, 2026 3:49 PM
To: Council <council@mercergov.org>
Subject: JCC Rezone

Dear Council Members,
I am reaching out to ask that you approve The JCC rezone for their remodel. I use the gym at this facility at least twice a week. It is a critical part of my health regimen. I implore you to make it possible for the JCC to remodel and update their aging facilities.
Jeff Bean
Age 78

Sent from my iPhone

Molly McGuire

From: Jeff Davis <jeffd@davisdoor.com>
Sent: Monday, July 27, 2026 7:53 AM
To: City Clerk
Subject: Public hearing for CPA25-002

As a resident of Mercer Island for over 66 years, I object to rezoning the JCC property to Commercial Office. The traffic caused by their out of compliance operations blocks East Mercer Way onto the I-90 overpass for multiple stoplight changes at times now. This sets a terrible precedent and moves Mercer Island away from its stated goal of being a premier residential community. I further object to the hearing to consider the proposal being during a time when residents are on summer vacation and preparing for back to school. Please consider moving it to a date in September or October so it can be attended by more residents of Mercer Island.

Thank you,

Jeff Davis
206-510-4535

Molly McGuire

From: Jordan Hueneman <jordan.hueneman@gmail.com>
Sent: Monday, July 27, 2026 8:07 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

When I first moved to Seattle, SJCC was the first place I went to to look for community events. Since then I have brought my children for swim lessons with their cousins, Tot Shabbat with their grandparents, and other events with friends. I look forward to this place being updated in the a way the Jewish community needs.

Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Sincerely,

Jordan Hueneman

--
Jordan Hueneman

Molly McGuire

From: Lisa Cohen <lisa.cohen@hotmail.com>
Sent: Monday, July 27, 2026 11:45 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: The future of SJCC facilities

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. I grew up at the J in LA, and have now attended the J in Seattle for over 20yrs. The J has been a key focal point throughout my life, and the Seattle Stroum JCC badly needs updated facilities. I think of it each time I visit. The J has been serving the Mercer Island community – as a community center – for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.
Thanks,
Lisa Cohen

Molly McGuire

From: Mark Clausen <mclausen@clausenlawfirm.com>
Sent: Monday, July 27, 2026 9:18 PM
To: Planning Commission
Cc: Council
Subject: JCC Plan Revision

I am writing to support the request of the Jewish Community Center to be able to update and expand its aging facilities. I live at 6107 SE 32nd St. I have lived on Mercer Island since 1995. I have raised 4 children here.

My wife and I have been members of the JCC for more than a decade. One or both of us use it essentially every day. We see the importance of the JCC for Mercer Island families: activities for kids, like summer camps and after-school child care; and exercise equipment, a pool and gym for Mercer Island residents of all ages. We also see classes and activities that give Islanders a convenient place to follow their passions. I see young people spending time there working out, playing table tennis, and talking with other athletes. We all know how many unhealthy and destructive options are available to teens these days. The JCC is a precious resource.

I am closing in on my 70th birthday. I know that the loss of muscle mass and balance are the natural outcomes of aging unless something is done. That means regularly lifting weights and performing plyometrics and balance exercises. I use the JCC facilities extensively for that. I see dozens of other seniors doing the same at the JCC. It is the most convenient and best-equipped facility on the Island for how I like to work out. Please don't make me go off-Island to stay fit as I age.

It would be a huge mistake to underestimate the extent and significance of the JCC in maintaining and improving the quality of life on Mercer Island. Similarly, it would be a huge mistake to force the JCC to continue to labor under the constraints of the old facility with inadequate parking, traffic control and layout. The Planning Commission should focus on how the JCC can perform its mission more effectively and serve Mercer Island families even better.

A rejection of the JCC's request would be a huge mistake. Do not think for a minute that, if Mercer Island slams the door on the JCC's efforts to provide a better facility, the JCC will simply continue at the present premises for the next 20+ years. The Planning Commission can be sure that other cities will be opportunistic and take advantage of Mercer Island's mistake. If Mercer Island insists on a policy of small-mindedness, you can bet that the JCC will have other attractive options from cities on both shores of Lake WA. You should not be the Commissioners who "lost" the JCC to Bellevue, Newcastle, Renton or Seattle. Keep the JCC here and allow it to serve Mercer Island even better.

Mercer Island suffers from a common condition in our part of the country: allowing a small number of vocal citizens to kill efforts that would materially improve the quality of life for thousands of Island residents. The JCC is vital to the health of this community. It should be allowed to provide the best services to Island residents that it can envision and afford. A small number of vocal opponents should not ruin and drive away one of the best organizations available to Mercer Island residents.

Sincerely, Mark A Clausen

Item 18.

Molly McGuire

From: Pamela Lavitt <Pamelal@Sjcc.org>
Sent: Monday, July 27, 2026 9:15 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

I am both a member of the J and have worked at the J on Mercer Island for 15 years, producing cultural programming and a film festival for everyone in the Puget Sound region and collaborating closely with Mercer Island's arts and arts-loving community including many artists, businesses, nonprofits and community members.

The J has been serving the Mercer Island community – as a community center for all – for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

The future of our vital community building work depends on it!

Thank you,

Pamela Lavitt (she, her)
Director of Arts + Ideas and Festivals
Stroum Jewish Community Center
206-388-0832 direct | PamelaL@sjcc.org
sjcc.org/ARTS | SeattleJFF.org | FB: @seattlejff | IG: @sjcc.arts | YouTube: SJCC On Demand | LinkedIn: @Pamela-Lavitt

Molly McGuire

From: Samuel Small <samuelasmall@gmail.com>
Sent: Monday, July 27, 2026 8:00 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

My kids have and currently attend the J summer camps and my family attends the events regularly.

The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Best,
Sam Small
Violet Resnick
Erez Small
Simona Small

Sent from my iPhone

Molly McGuire

From: Sandy Glass <sandyglass1@gmail.com>
Sent: Monday, July 27, 2026 8:55 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Cc: Sandy Glass
Subject: Support for Proposed Zoning Change for the SJCC

To the Members of the Planning Commission,

I am writing to urge your support in amending the Comprehensive Plan to redesignate the Stroum Jewish Community Center (SJCC) property from single-family to commercial.

The SJCC is a true community hub—a welcoming place where people come together and lifelong friendships begin. Although I've lived on Mercer Island for over 28 years, I still remember what it felt like to be new to the Pacific Northwest. The SJCC immediately gave me a place to belong. Years later, when my in-laws moved here to be near us, the SJCC offered them that exact same warmth and connection. Today, when I teach mosaic classes at the J, I see firsthand how inclusive and supportive this space continues to be for everyone who walks through its doors.

For over 55 years, the SJCC has served the entire Mercer Island community as an open, vibrant gathering place. Updating the comprehensive plan and land use maps simply aligns the official designation with the reality of how the site functions today. Most importantly, it ensures the J can continue to thrive and serve our community..

Thank you for your time and consideration.

Sincerely,

Sandy Glass
Mercer Island resident

Sandy Glass
Cell: 206-551-8161

Molly McGuire

From: Sandy Samuel <sandysamuel@icloud.com>
Sent: Monday, July 27, 2026 10:55 AM
To: Planning Commission
Cc: Amyl@sjcc.org
Subject: SJCC zoning proposal

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.

I have lived on Mercer Island since 1984. During this period I have used the JCC

for preschool, swim lessons for my kids, sports leagues, cultural events, camp, physical fitness and for 15 years water aerobics which has basically satisfied critical health issues, allowed me to develop relationships with the greater Mercer Island community, and has satisfied numerous social needs.

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

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

Sandy M. Samuel
9711 Mercerwood Drive ,
Mercer Island
45 years on Mercer Island.

Item 18.

Molly McGuire

From: Sarah Fletcher <fletchsa1@gmail.com>
Sent: Monday, July 27, 2026 8:42 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council; Jessi Bon
Subject: JCC - Totally against the rezoning of the JCC, it is not compatible with single family residential neighborhoods

Hello, I received an email urging me to support the Comprehensive Plan to change the designation, see below. The JCC have no right to amend the Comprehensive Plan to change the designation from single family zone to commercial. I want you to all understand the implications should you allow the zone change. I want you to specifically ask the following questions:
1) if you allow the JCC to change their zoning, will the other clubs on the island all be allowed to change their zone?
2) Commercial Office allows a retirement home, would the JCC and all the other clubs, should the zone change, be allowed to have a retirement home on their property in a single family residential area?
And are each and every one aware of what is allowed in Commercial Offices????
These are the examples of what you are permitting, because I don't want to hear that you allowed the JCC to rezone and the next minute, they are providing "Care services, special employee dormitories, service stations in connection with authorized motor pool facilities and similar uses, special needs group housing, special service transitional housing;
3) And I would like to know, are the things I mentioned above, would those things be allowed in a single family residential zone?
4) And with regards to the theater which was remodeled in 2014 as state of the art, why would they want to demolish it and build another theater? I love the theater and have special memories of going to watch the films with my mum or to attend the Jewish film festivals there.
5) And are they not supposed to build a playfield, but in the designs, I don't see any playfield. Currently, there is a garden for the preschoolers. What is going to happen to that garden? Is it going to be paved over?
6) And what the JCC is trying to build is a campus, it is not compatible with a residential zone.
7) And please ask how the JCC has been a good neighbor? Please ask them to list all the examples of how they have accommodated the neighbors to date.
This is what the Commercial Offices zone offers so you need to make it very clear to the JCC that not only if the City allows them to rezone, but they are making it that the Beach Club, the Shore Club, the Yeshiva, the Country Club, will then all be able to have the same permitted uses as the JCC and if you think that is not the case, please explain why that is not the case.

19.04.020 - Commercial offices.

A.

Uses permitted.

1.

384

Government services.

2.

Professional, scientific, and technical services.

3.

Office uses.

4.

Places of worship.

5.

Civic and social organizations.

6.

Mortuary services.

7.

Healthcare services.

8.

Care services.

9.

Auxiliary uses directly related to the principal use, such as residences of watchmen or employees in training, special employee dormitories, employee cafeterias, auditoriums, service stations in connection with authorized motor pool facilities and similar uses.

10.

Wireless communications facilities subject to the conditions set out in MICC 19.06.040.

11.

Special needs group housing as provided in MICC 19.06.080.

12.

Social service transitional housing as provided in MICC 19.06.080.

13.

Public and private schools accredited or approved by the state for compulsory school attendance, sub design commission review and the following conditions:

a.

A one-fourth acre or larger playfield, play surface or open space shall be provided in one usable unit abutting or adjacent to the site.

8) There is a conflict of interest with Dave Rosenbaum, Ted Weinberg, Daniel Becker, and Julie Hsieh should remove themselves from voting on this because there is a conflict of interest in that they all have interests and/or connections to the JCC/Jewish Community.
This is what Amy Lavin is telling members to write to the Planning Commission just in case you were not aware of what she is telling members to email:

- "I am here to urge your support in amending the Comprehensive Plan to change the designation of the SJCC property from single family to commercial." The J has been serving the Mercer Island community — as a community center — for over 55 years. My hope is it will be here for another 55. I am not a land-use expert, but I know for certain the J has always served the community as a gathering space, an activity center, a school, and as a place for reflection and community — it has never been in single family use. As such, the city should align the comprehensive plan and land use maps with the longstanding use of this property. More importantly, it will allow the J to continue to serve the Mercer Island community without hindrance.
- Recommend approval of this comprehensive plan amendment.

Molly McGuire

From: Scott Porad <scott@porad.com>
Sent: Monday, July 27, 2026 9:34 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support the JCC

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial.

My family has spent every stage of our lives at the JCC, for generations! The J has served the Mercer Island community – as a community center – for over 55 years.

Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Thank you,

Scott Porad
2445 74th Ave SE, Mercer Island, WA 98040

Molly McGuire

From: SHARI BASOM <sharibasom@icloud.com>
Sent: Monday, July 27, 2026 7:41 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

I have been a screener for the Seattle Jewish Film Festival since 2012 and a Co-Chair since 2020. I also attend and volunteer at many of the Arts & Culture series, of which the Seattle Jewish Film Festival is a part of this series.

The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Thank you for your attention to this matter. I cannot attend in person so hopefully this email will give you all my views on this matter. If I can supply any other information please let me know.

Shari Basom

Molly McGuire

From: Steve Linkon <stevelinkon@msn.com>
Sent: Monday, July 27, 2026 9:32 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I am writing to strongly support amending the Comprehensive Plan to reclassify the SJCC property from single-family to commercial use. My family has been part of the J community since 2009, when my daughter began preschool there. She attended for three years and also took swimming lessons at the J. I have observed children from the French American School frequently using the J's pool and gymnasium.

My family has participated in numerous events at the J, including carnivals, educational programs, lectures, and religious gatherings. The J has been a vital part of the Mercer Island community—serving as a community center for over 55 years. I urge you to update the Comprehensive Plan and land-use maps to accurately reflect this reality, ensuring that the J can continue to serve and thrive on Mercer Island for many more years. It is essential that the city align land-use policies with the property's long-standing community use so the J can operate without impediments. I recommend you approve this Comprehensive Plan amendment.

Steven K. Linkon
949-697-8889

Molly McGuire

From: Trea Diament <treadiament@gmail.com>
Sent: Monday, July 27, 2026 8:53 AM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: I support the SJCC rezone request

Dear Mercer Island City Council,
I am writing in support of the SJCC rezone request. I am a neighbor of the SJCC (13 El Dorado Beach Club Drive, Mercer Island) and a member. The SJCC is a beloved MI institution. For too long (maybe a decade?) the SJCC rebuild has been mired in permitting issues. The result is a building that doesn't meet the standards of the community. Without complete and timely support from the Mercer Island City Council, this institution will no longer be able to provide the services that MI loves - summer camp, swim lessons, pre-school, etc. Please do not force our non profits off the Island. Without explicit support from the council, we will lose what makes MI a community.
Thank you for your consideration,
Trea Diament

Molly McGuire

From: Winky Lai <winkylai@gmail.com>
Sent: Monday, July 27, 2026 2:47 PM
To: City Clerk
Subject: Re: Public Hearing for CPA25-002

HI - my name is Winky Lai and my family of 3 lives at 3716 E Mercer Way right across from JCC and I am writing to represent myself, my husband and my son to as the city to and also to (1) reschedule the hearing to at least to October 2026 after residents settle back in from their summer travels & adjusting to new school year schedules. I feel that with the current agenda, it does not allow for a reasonable amount of time for residents to do their research to give the appropriate input to the project. I would also like to the city to halt / deny the rezoning request as is. I feel that the application should require a full CUP compliance before any rezoning discussion should be considered.

Regards,
Winky Lai
Suresh Krishnamoorthy
Ashwin Krishnamoorthy (minor)

Molly McGuire

From: Deb Estrada
Sent: Wednesday, July 29, 2026 8:04 AM
To: Molly McGuire
Subject: FW: Public hearing for CPA25-002

-----Original Message-----
From: IM AM <zapkappa@hotmail.com>
Sent: Tuesday, July 28, 2026 10:01 AM
To: City Clerk <cityclerk@mercerisland.gov>
Subject: Public hearing for CPA25-002

As a resident of Mercer Island, I object to rezoning the JCC property to Commercial Office. This sets a terrible precedent and moves Mercer Island away from its stated goal of being a premier residential community. I further object to the hearing to consider the proposal being during a time when residents are on summer vacation and preparing for back to school.

Mercer island resident for 23 years
A Meyer

Molly McGuire

From: Aaron Rosenstein <aaronrosenstein65@gmail.com>
Sent: Tuesday, July 28, 2026 8:10 AM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: change the designation of the SJCC property from single family to commercial

Dear Planning Commission,

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial.

Our family has lived here on Mercer Island all of our lives. Our children attended SJCC pre-school, we have regularly used the J for fitness/racketball/softball/basketball, attended many lectures/movies/events and have family members who have worked for the J for decades.

The J is an essential part of our family, our community and our lives.

Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 year.

Thanks,

Aaron

Aaron Rosenstein
206-618-7261

Molly McGuire

From: Alan Rothblatt <amagiccarpet@comcast.net>
Sent: Tuesday, July 28, 2026 12:24 PM
To: Planning Commission
Cc: Deb Estrada
Subject: SJCC

To Planning Commission,

I am writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. I have been a member of the SJCC which provides affordable and comprehensive facilities for residents of the region of all ages and ethnicities. The J has been serving its community – as a community center – for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Thank you.

Alan Rothblatt

Molly McGuire

From: austindcohn@gmail.com
Sent: Tuesday, July 28, 2026 1:48 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support for SJCC Project

Hi,

I fully support the rezone on SJCC property so the SJCC can rebuild their facility as they see fit.

Thank you,

Austin Cohn

Austin Cohn
Principal
Wahl & Associates
M: 206.579.1344
www.wahlseattle.com

Washington Law of Real Estate Agency

Molly McGuire

From: Ava Raisi <ava.raisi@googlemail.com>
Sent: Tuesday, July 28, 2026 4:33 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

As a Mercer Island resident and a member of the J community, I have seen how important the Stroum Jewish Community Center is to our island. The J is much more than a building—it is a place where families connect, children grow, seniors stay active, and people from all backgrounds come together through recreation, education, wellness, and community events.

The J has long been an important part of Mercer Island and has served generations of families as a true community gathering place. Updating the Comprehensive Plan and land use designation to reflect its long-standing role is a practical and forward-looking decision that will allow the J to continue serving our community for generations to come.

Please support this amendment and help ensure the J remains a vibrant part of Mercer Island's future.

Thanks,
Ava

Molly McGuire

From: Avi Freedman <af@thefitnessoutlet.com>
Sent: Tuesday, July 28, 2026 1:03 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

[State why you value the J, and your relationship with the J. For example: I've been coming to the J since…; My kids have attended the J….; My family has used the J….]

The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Avi Freedman
The Fitness Outlet, Inc

Molly McGuire

From: Barbara Cohen <cohenhead1@icloud.com>
Sent: Tuesday, July 28, 2026 7:25 AM
To: Planning Commission
Subject: SJCC

Dear Planning Commission,

"I'm writing to urge your support in amending the Comprehensive Plan to change the designation of the SJCC property from single family to commercial." The J has been serving the Mercer Island community — **as a community center** — for over 55 years. My hope is it will be here for another 55. I am not a land-use expert, but I know for certain the J has always served the community as a gathering space, an activity center, a school, and as a place for reflection and community — **it has never been in single family use**. As such, the city should align the comprehensive plan and land use maps with the longstanding use of this property. More importantly, it will allow the J to continue to serve the Mercer Island community without hindrance.

Please approve this amendment.

Barby Cohen,
Long time Mercer Islander and past daily user of The J

Sent from my iPad

Molly McGuire

From: Deb Estrada
Sent: Wednesday, July 29, 2026 8:05 AM
To: Molly McGuire
Subject: FW: Public hearing for CPA25-002

From: Blake Zhang <blake.x.zhang@gmail.com>
Sent: Tuesday, July 28, 2026 10:12 AM
To: Deb Estrada <Deborah.Estrada@mercerisland.gov>; City Clerk <cityclerk@mercerisland.gov>
Subject: Re: Public hearing for CPA25-002

Thanks Deb. I want to add a bit more to my comment to the record on concerns. I don't mind JCC modernizing their facility but they can do so without rezoning and they should be in compliance before having a hearing.

- Existing record of noncompliance. I live across the street and the lighting is already illegally shining into my window. The trees have also been trimmed down to what is required.
- Traffic and overflow parking. The property sits close to the I-90 interchange, and drop-off and pickup traffic already backs up along East Mercer Way. A commercial rezone removes any limit on how much bigger that gets. Parking also overflows to our street, sometimes partially blocking my and the neighbhor's driveways
- Safety. Neighbors have already raised concerns about pedestrians and cyclists being pushed into the road near the bus stop on this stretch. More traffic makes that worse.
- Fairness. Every other Conditional Use Permit property owner on Mercer Island operates within their special zoning rules. The JCC should be held to the same standard.
- Property values. Neighbors' homes were bought and built around a residential zoning designation. A commercial rezone next door changes that calculus for everyone nearby.
- Compliance. The JCC already operates under an existing Conditional Use Permit, and there are reported violations of it on record. The city shouldn't be expanding what this property is allowed to do while known compliance issues remain unresolved.
- Complete application. Part of the rezone application is missing information the applicant was required to provide. The city shouldn't move forward on an incomplete application.
- Timing. The hearing is currently set for August 5, right in the middle of summer vacation, when many residents are traveling and can't participate. Pushing it to September doesn't fix that either, since that's back to school and just as hard for families to engage with. Ask the city to reschedule to no sooner than October, so residents actually get a fair chance to weigh in.

On Tue, Jul 28, 2026 at 8:27 AM Deb Estrada <Deborah.Estrada@mercerisland.gov> wrote:

> Please accept my sincere apologies. I previously responded to your email regarding the SJCC's Comprehensive Plan Amendment with information regarding the Comprehensive Plan and Growth Management Act (GMA) compliance updates.

Staff recognizes and appreciates your public comment on the SJCC's Comprehensive Plan Amendment applica
Your comment has been saved in the project record, and you are now a Party of Record.

Deb

Deborah Estrada, MMC

Administrative Coordinator/Deputy City Clerk

City of Mercer Island - Community Planning & Development

206-275-7791 | www.mercerisland.gov

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

From: Deb Estrada
Sent: Tuesday, July 28, 2026 7:30 AM
To: 'Blake Zhang' <blake.x.zhang@gmail.com>
Subject: RE: Public hearing for CPA25-002

Thank you for taking the time to share your comments.

For the most current information regarding the Comprehensive Plan and Growth Management Act (GMA) compliance updates, including the status of the adopted ordinances and related materials, please visit the City's Let's Talk Mercer Island.

July 27 Update - https://letstalk.mercergov.org/comprehensive-plan-gma-compliance/news_feed/city-council-adopts-gma-compliance-ordinances

We appreciate your feedback and your continued involvement in the City's planning efforts.

Deb

Deborah Estrada, MMC

Administrative Coordinator/Deputy City Clerk

City of Mercer Island - Community Planning & Development

206-275-7791 | www.mercerisland.gov

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From: Blake Zhang <blake.x.zhang@gmail.com>
Sent: Monday, July 27, 2026 10:47 PM
To: City Clerk <cityclerk@mercerisland.gov>
Subject: Public hearing for CPA25-002

Dear City of Mercer Island,

As a resident of Mercer Island, and based on my experience living across the street from JCC, I object to rezoning the JCC property to Commercial Office. I further object to the hearing to consider the proposal being during a time when residents are on summer vacation and preparing for back to school.

Thanks,

Blake

--

Blake Zhang

612-859-1233 | blake.x.zhang@gmail.com

--
Blake Zhang
612-859-1233 | blake.x.zhang@gmail.com

Item 18.

Molly McGuire

From: Bonnie Cape <bonnie@capefamily.org>
Sent: Tuesday, July 28, 2026 5:57 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Planning Commission Public Hearing in support of the JCC

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial.

The J was one of our first connections to our local Jewish community when my husband and I moved to the Seattle area in 1993. Since then, our family has been a member of the J consistently for over 30 years. It's where we took our kids to preschool for 9 consecutive years, where they went to summer camp as young kids and where we work out almost daily. The J where we met many of our closest friends today, dating back to the late 90's.

The J has been serving the Mercer Island community – as a community center – for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Thank you,

Bonnie Cape

--
Bonnie Cape
425-785-8813

403

Molly McGuire

From: Candace Friedman <candacebfriedman@me.com>
Sent: Tuesday, July 28, 2026 2:45 PM
To: Planning Commission
Cc: Alison Van Gorp; Deb Estrada; Council
Subject: SJCC

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. My family has been a part of the J since we moved to the Seattle area over 26 years ago and have spent countless hours at the SJCC. From pre-school to fitness classes, swim lessons to fundraising events, lectures to cooking classes -- the J has always provided a rich and diverse menu of offerings for all ages.

The J has been serving the Mercer Island community - as a community center - for over 55 years! Please align the comprehensive plan and land use maps to reflect that reality and ensue the J can continue to serve our growing community and thrive for the next 55 years!

Many thanks,

Candace

Molly McGuire

From: Cindy Stratiner <cstratiner@gmail.com>
Sent: Tuesday, July 28, 2026 9:49 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Amend JCC property to commercial

Hello.
My Name is Cindy Stratiner. I grew up in Bellevue and went to the JCC regularly with my family. We played and participated in sports, we participated in all kinds of classes, including art, music, theater, and I learned to swim at the JCC. We also came for community. When I married and moved to Issaquah, we chose to send our 3 boys to preschool at the JCC. They also did camps of all kinds and many sporting activities. We also participated in community activities especially the Purim Carnival every year.
Now they bring their children (our grandchildren) to the JCC.
I urge your support in amending the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. The J has been serving the Mercer Island community — as a community center — for over 55 years. My hope is it will be here for another 55. I am not a land-use expert, but I know for certain the J has always served the community as a gathering space, an activity center, a school, and as a place for reflection and community — it has never been in single family use. As such, the city should align the comprehensive plan and land use maps with the longstanding use of this property. More importantly, it will allow the J to continue to serve the Mercer Island community without hindrance.
I strongly recommend and hope that you will approve this comprehensive plan amendment.
Sincerely,
Cindy Stratiner
cstratiner@gmail.com

Molly McGuire

From: Andy Harris <Andrewt@outlook.com>
Sent: Tuesday, July 28, 2026 1:58 PM
To: Planning Commission
Subject: JCC zoning

We are writing to strongly urge the planning commission to grant the zoning variance requested by the Stroum Jewish Community Center to make critically needed improvements to existing structures and for a much-needed expansion. JCC programing is a magnet for a significant number of Mercer Island residents of all denominations, as everyone is welcome at the JCC.

The JCC Preschool, After School Day Care and Summer Day-Camp programs are of the best in the region and are almost always full. So many Mercer Island parents rely on the JCC as a safe, nurturing environment for their children to be cared for, taught and encouraged, while they are at work, taking care of elderly parents or engaged in other activities.

The combination of the JCC gymnasium, workout rooms, sports courts, pool and locker rooms are, by far, the best combined facilities on the Island, and available to all Islanders. The senior fitness and social programming is also unmatched on the Island. The auditorium hosts performing arts programming as well as the Seattle Jewish Film Festival. However, this, and so much more, is all being accomplished in an old facility that is badly in need of upgrading or, in some cases, replacing with newer, larger and more energy-efficient facilities.

With its growing popularity, the JCC needs upgrading and expanding to meet the needs our community. Without it, The JCC may have no choice but to find a city that appreciates and welcomes the services that the JCC uniquely offers to a surrounding community. We have not doubt that the presence of the JCC on Mercer Island is a strong reason people choose to live here. Please don't force them to search elsewhere for a supportive local government. Please don't allow a few vocal objectors to drive one of Mercer Island's most cherished and utilized resources to relocate elsewhere.

Sincerely,

Carol and Andy Harris
50 year MI residents

Molly McGuire

From: Daniel Friedman <danielbfriedman@icloud.com>
Sent: Tuesday, July 28, 2026 2:56 PM
To: Planning Commission
Subject: SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

I attended preschool at the JCC in the early 1970's and more recently my kids attended preschool there too. It has been a center of activity in our community for both religious and secular events it's entire existence. When I found out the land is still zoned as single family use, I initially laughed and thought it was a joke, or some silly error that never got corrected many years ago. It's time to fix that.

The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

As Mercer Island works to develop its density "downtown" and now has functioning light rail, the need for nearby community services adds even more value. The J is a large and active preschool, fitness center, place for community events, lectures, and other activities for members, non-members, and everyone in the area.

It is especially important at a time when anti-Semitism and anti-Israel sentiment is rising, that our community actually increase the engagement and cross-religious bonds that the J provides. Please support the J in expanding its mission to do exactly that.

Sincerely,

Dan Friedman
Mercer Island

Molly McGuire

From: Deb Estrada
Sent: Wednesday, July 29, 2026 9:03 AM
To: Daniel Kezner
Subject: RE: Support the SJCC Comprehensive Plan Amendment

Staff recognizes and appreciates your public comment on the SJCC's Comprehensive Plan Amendment application. Your comment has been saved in the project record, and you are now a Party of Record.

If you would like to know more about the Stroum Jewish Community Center Comprehensive Plan Map Amendment and Rezone Project, please see the Project Website (https://letstalk.mercergov.org/sjcc-cpa-rezone-project) for more information and supporting documents.

Best,

Deb

Deborah Estrada, MMC
Administrative Coordinator/Deputy City Clerk
City of Mercer Island - Community Planning & Development
206-275-7791 | www.mercerisland.gov

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

From: Daniel Kezner <dan@keznerconsulting.com>
Sent: Tuesday, July 28, 2026 1:39 PM
To: Planning Commission <Planning.Commission@mercergov.org>; Alison Van Gorp <alison.vangorp@mercergov.org>; Deb Estrada <Deborah.Estrada@mercerisland.gov>; Council <council@mercergov.org>
Subject: Support the SJCC Comprehensive Plan Amendment

Dan Kezner
7248 SE 27th Street
Mercer Island, WA 98040

I am writing to urge your support for amending the Comprehensive Plan and changing the designation of the Stroum Jewish Community Center property from single family to commercial.

I have lived on Mercer Island for most of my life, and the JCC has been one of the most important and frequently used community assets in my experience. In high school, I attended youth group meetings there and formed friendships that have lasted a lifetime. I worked out at the JCC for more than 20 years, and both of my children attended preschool there for five years each. Today, my sons attend the same youth group meetings that I attended when I was their age.

For more than 55 years, the JCC has served as a true community center for Mercer Island. It is part identity and fabric of the Island, supporting children, families, adults, and seniors in countless ways. The proposed improvements are necessary to ensure that the JCC can continue meeting the needs of our community for generations to come.

Please align the Comprehensive Plan and land use maps with the reality of how this property has long been used. Updating the designation will help the JCC remain on Mercer Island, make needed improvements, and continue serving the community for the next 55 years and beyond. These improvements will provide significant benefits to the entire Island, and it would be a great loss if they were unable to move forward.

Sincerely,

Dan Kezner

Daniel Kezner

President
Kezner Consulting Group
m: 206-715-0881
e: dan@keznerconsulting.com
www.keznerconsulting.com
www.linkedin.com/in/daniel-kezner

KEZNER
CONSULTING GROUP

Molly McGuire

From: David Youssefnia <dyoussefnia@gmail.com>
Sent: Tuesday, July 28, 2026 7:32 PM
To: Alison Van Gorp; Deb Estrada; Council; Planning Commission
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission and City Council

I encourage you to support amending the Comprehensive Plan to redesignate the SJCC property from single-family to commercial.

For my family, the J has been much more than a building. All three of my children attended preschool there, and as they grew, they participated in camps and other programs that helped make the J a central part of their childhood. Today, it continues to be a place where adults gather, families connect, and our community comes together.

That experience isn't unique to my family. For more than 55 years, the J has been a cornerstone of Mercer Island—a place that serves young families, children, teens, older adults, and people from every corner of our community. It has long functioned as a true community center, and its land use designation should reflect that reality.

Updating the Comprehensive Plan and land use maps is a practical, common-sense step that recognizes how the property has served Mercer Island for decades. More importantly, it will help ensure the J can continue to evolve, serve future generations, and remain a vibrant community asset for the next 55 years and beyond.

Thank you for your thoughtful consideration.

Thanks,

David Youssefnia
917-701-9143

Molly McGuire

From: Deb Schweikert <debagrin@hotmail.com>
Sent: Tuesday, July 28, 2026 7:56 AM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

The J has been an invaluable place for our kids since we moved to Mercer Island in 2020. They have attended preschool, afterschool programs, swim lessons, and J camp each year since then.

And we're an example of just one of many many families that rely on the J. The J has been serving the Mercer Island community – as a community center for all - for over 55 years.

Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Best,
Deb Schweikert

Molly McGuire

From: Dodi Nov <drdodi@bellevuesmiles.com>
Sent: Tuesday, July 28, 2026 1:15 PM
To: Council; Planning Commission; Deb Estrada; Alison Van Gorp
Subject: Support for SJCC

As a resident of Mercer Island I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. Igrew up there from summer camp to my first job. The J has been serving the Mercer Island community – as a community center – for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Molly McGuire

From: Ellen Brin <elstation@aol.com>
Sent: Tuesday, July 28, 2026 9:39 PM
To: Planning Commission
Subject: request from ellen rosenstein brin

Dear Planning Commission,
I am writing to urge your support to amend the comprehensive plan to change the designation of the SJCC property from family to commercial.
After moving from the Midwest, my family found the SJCC to be an integral part of our lives and a main reason we chose Mercer Island.
Thank you for your kind attention.
Sincerely,
Ellen Rosenstein Brin

Molly McGuire

From: Deb Estrada
Sent: Wednesday, July 29, 2026 8:22 AM
To: Molly McGuire
Subject: FW: Public hearing for CPA25-002

From: erik.laursen48@gmail.com <erik.laursen48@gmail.com>
Sent: Tuesday, July 28, 2026 12:06 PM
To: City Clerk <cityclerk@mercerisland.gov>
Subject: Public hearing for CPA25-002

Dear Sirs,

I'm a resident of Mercer Island, and object to rezoning the JCC property to Commercial Office.
This sets a terrible precedent and moves Mercer Island away from its stated goal of being a premier residential community.
I further object to the hearing to consider the proposal being during a time when residents are on summer vacation and preparing for back to school."
Sincerely,

Erik D. Laursen
6204 E. Mercer Way
Mercer Island, WA 98040
Tel: 206.816.4579

Molly McGuire

From: seehuge@aol.com
Sent: Tuesday, July 28, 2026 3:08 PM
To: Planning Commission
Subject: In Support of JCC Renovation

Planning Commission

I am writing to strongly express my support for the Stroum JCC and its plan to update the facility.

I have been a member of the JCC for about 15 years, using its fitness facility 3 days a week for 60-70 minute workouts. I received my PhD from the UW in nuclear engineering more than 50 years ago and worked at Boeing for 24 years where I achieved the level of Technical Fellow. Thus, I believe that I am a good judge of excellence in Seattle institutions. The J operates at a high level, but the facility is old and could use renovation, which I strongly support.

Thank you,
Dr. Eugene Normand
email: seehuge@aol.com

Molly McGuire

From: E Jimenez <sra.ejimenez@gmail.com>
Sent: Tuesday, July 28, 2026 2:38 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support for the Comprehensive Plan Amendment for the SJCC Property

Dear Members of the Mercer Island Planning Commission and City Council,

I am writing to respectfully urge your support for amending the Comprehensive Plan to change the designation of the SJCC (The J) property from single-family to commercial.

I have lived on Mercer Island for many years and have witnessed firsthand the tremendous value that The J brings to our community. For more than 55 years, it has never functioned as a single-family property. Instead, it has served as a true community center that welcomes everyone, regardless of their religious beliefs or background. Over the years, I have had the privilege of participating in many activities at The J.

I have attended educational programs, community events, and fitness classes, and I have seen children, families, adults, and seniors all benefit from what this special place offers. The fitness and wellness programs are especially important for many older adults, providing opportunities to stay active, healthy, and socially connected. The J truly offers something meaningful for every generation.

One of the things I admire most is that The J creates a welcoming environment where people feel they belong. It brings neighbors together, builds friendships, supports families, and strengthens the sense of community that makes Mercer Island such a wonderful place to live. Countless children have grown up participating in programs there, and many adults continue to benefit from its services throughout their lives.

Like many community facilities that have served for decades, the building now needs significant care and investment. I believe that updating the property's designation to reflect its longstanding community use will help ensure that these improvements can happen and allow The J to continue serving Mercer Island for generations to come. This change would not only recognize the reality of how the property has been used for decades, but it would also enable it to better meet the
needs of our growing and evolving community while continuing to be a good neighbor.

Please approve this amendment to the Comprehensive Plan and align the land use designation with the property's historic and ongoing role as a community center. Doing so will help ensure that The J continues to enrich the lives of Mercer Island residents for the next 55 years and beyond.

Thank you for your thoughtful consideration and for your service to our community.

Sincerely,
Evelyn Jimenez
9208 SE 33rd St
Mercer Island. WA 98040

Molly McGuire

From: Ginger Howse <gingrhowse@me.com>
Sent: Tuesday, July 28, 2026 10:24 AM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial. I've been coming to the J since 2014 and I would like to continue my activities at the J for a long time to come.

The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Thank you for listening!

Ginger Howe

206-696-1464

Molly McGuire

From: Janis L Abkowitz <janabk@uw.edu>
Sent: Tuesday, July 28, 2026 4:44 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

My family has been members of the J for many years. Our two children had swimming lessons there and attended day camps during the summer and school holidays. I played on a women's basketball league and still use the gym. It is a community center for everyone, not a single family use area.

Please change the designation so appropriate upgrades can occur to assure that the facility is safe and can continue to thrive.

Thank you,
Jan Abkowitz

Molly McGuire

From: Jean Greaves <jeangreaves@yahoo.com>
Sent: Tuesday, July 28, 2026 1:09 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: SJCC zoning designation

Hello,

I'm writing to request support for amending the Comprehensive Plan to change the SJCC property designation from single family to commercial. It occupies space that is clearly not a single-family neighborhood, and its ability to meet its stated mission means that it must be able to maintain and upgrade its facilities going forward.

I am a member of SJCC primarily to use its athletic facilities, including the pool. Theirs is the only comprehensive sports facility on Mercer Island that is financially accessible to most. The Beach Club, Country Club, and Shore Club are out of reach for many. Other athletic options are typically single focus. The J's fitness classes and equipment, including swim lessons and aqua classes, are an invaluable resource for me and for the community.

In addition to fitness, the SJCC offers preschool, summer camps, and other programming for kids and families, regardless of faith tradition. When my kids were young they were able to attend camps, theater, and dance at SJCC along with many of their friends.

SJCC has been serving as a community center on Mercer Island for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure that it can continue thrive on Mercer Island for the next 55 years.

Thanks,
Jean Greaves

7428 91st Ave. SE
Mercer Island

Molly McGuire

From: Jessi Wasson <jessiwasson@gmail.com>
Sent: Tuesday, July 28, 2026 9:04 AM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Cc: Amy Lavin
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

My name is Jessi Wasson and I am the Deputy Director for Inspire Washington, former staff at Youth Theatre NW and the JCC, as well as a 12 year resident of Mercer Island. The J is an integral part of the Mercer Island community and deserves to upgrade to better serve your constituents and the region.

The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Thank you,
Jessi Wasson

Sent from my iPad

Molly McGuire

From: Joel Feldman <revjoelfeldman@gmail.com>
Sent: Tuesday, July 28, 2026 11:22 AM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

My very first memories in life were at the SJCC. This place is so vital for our community and has been a place to connect with the Jewish Community and the Mercer Island community as well. This is a multi-generational asset and needs to be updated. I'm 50 years old and much of the structure hasn't been changed since I was a preschool but the community is nearly 3x the size.

We need a welcoming, safe and modern space to welcome the Jewish Community and the greater community as a whole!

The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Thanks for your consideration!

Joel Feldman
Mercer Island Alumni (class of 95), SJCC Alumni, Co Founder MI Lacrosse Club, BBYO Alumni

206-551-3981

Molly McGuire

From: Julie Hirsch <juliehirsch17@outlook.com>
Sent: Tuesday, July 28, 2026 6:11 PM
To: Planning Commission
Subject: SJCC

Dear Planning Commission, I am urging you to switch the status of SJCC from single family to commercial usage. I have lived in Seattle for 59 years, and the SJCC has always been a recreational facility since inception 55 years ago.

The SJCC provides affordable opportunities for health and wellness, on Mercer Island. No one is turned away for lack of funds, and it is a warm and welcoming place for all.

I take numerous classes and swim at the SJCC, and I have participated in its beloved water aerobics that is largely made up of seniors.

A son of a friend of mine has gained employment experience working as a lifeguard. What a joy it was for me to see the teenagers participating in lifeguard training.

The SJCC is an iconic institution on Mercer Island, and I urge you to approve the comprehensive plan amendment for the SJCC to be considered commercial usage.

Thank you,

Julie Hirsch
3615 93rd Ave SE
Mercer Island, WA 98040
206.383.9842
Juliehirsch17@outlook.com

Molly McGuire

From: ronjuliess@gmail.com
Sent: Tuesday, July 28, 2026 9:12 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support Proposed Zoning Change for the SJCC

Dear Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

I've been a member of the SJCC for at least 10 years and have found the center to be truly inclusive of our community. I participate in fitness and various other activities and feel that I am part of a very supportive community that includes all races & religions. I especially enjoy seeing the pre-school and camp children in the pool, garden, hallways and gym.

The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Like any property of that age, it is in sore need of updating, especially for ADA, and that apparently requires this change in zoning. It only makes sense to align that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

I am frustrated that this item has been on the docket for almost two years and public consideration has been expected and anticipated. Council and the City guaranteed immediate consideration as soon as other State growth management matters were addressed, and that time is now. Please support the change from single family to commercial zoning.

Thank you,

Julie Sarkissian

Molly McGuire

From: Kalai Socha-Leialoha <kalai@socha.com>
Sent: Tuesday, July 28, 2026 6:53 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

For decades, my family and I have attended many various events at the SJCC, most of which are educational and always in a very friendly social environment. As I'm sure you are aware, this type of activity is what our world desperately needs these days.

The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Sincerely,

Kalai Socha-Leialoha

Molly McGuire

From: Kimberly Spears Florence <kimberly.spears@gmail.com>
Sent: Tuesday, July 28, 2026 2:51 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support for the Re-Zoning of the JCC

Dear Planning Commission Members,

I am writing to express my support for the re-zoning of the JCC property that will be voted on in the August 5th Planning meeting. The JCC is a bedrock institution on Mercer Island. It has faithfully served multiple generations on this Island and deserves a makeover and that can't be done without the necessary re-zoning. A small group of loud and opinionated individuals on this Island continue to hamper progress and essential development. The Planning Commission should not allow what happened to the schools and city hall to happen to the JCC. I hope you will vote to affirm the re-zoning of the JCC.

With gratitude for all you do!
Kim

--
Kimberly Florence

Molly McGuire

From: Laurie Koehler <callbutch@comcast.net>
Sent: Tuesday, July 28, 2026 8:44 PM
To: Planning Commission
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

We have been members of the J for 48 years. I have lived on the Island since 1960. My children and grand children attended the preschool and used the many programs offered by the J. It is an integral part of our family life on the Island. We need to continue its useful life.

The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.
Thank you Laurie and Randy Koehler
3056 70th Ave SE
Sent from my iPhone

Molly McGuire

From: Deb Estrada
Sent: Wednesday, July 29, 2026 8:19 AM
To: Molly McGuire
Subject: FW: Public hearing for CPA25-002

@Molly McGuire Please see Ms. Pedee's additional comments below:

Deb

From: Lisa Pedee <lisamp@gmail.com>
Sent: Tuesday, July 28, 2026 11:56 AM
To: City Clerk <cityclerk@mercerisland.gov>
Subject: Re: Public hearing for CPA25-002

Dear City Clerk,

I'm writing to add additional information to my earlier comment objecting to the JCC rezone from Commercial Office designation, to be considered at the August 5th meeting.
Since submitting my initial comment, I've learned of two additional concerns that I believe the council should weigh before moving forward:

- **Compliance:** The JCC already operates under an existing Conditional Use Permit, and there are reported violations of that permit on record. The city should not expand what this property is permitted to do while known compliance issues remain unresolved.
- **Incomplete application:** Part of the rezone application is missing information the applicant was required to provide. The city should not move forward on an incomplete application.

I also want to note that other Conditional Use Permit property owners on Mercer Island operate within their zoning rules, and the JCC should be held to that same standard.

Given these outstanding issues, I renew my request that the council delay this hearing, ideally to no sooner than October, to allow time for these matters to be resolved and for residents to participate fully.

Lisa Pedee
9317 SE 36th Street
206 412 8230

On Tue, Jul 28, 2026 at 11:15 AM Lisa Pedee <lisamp@gmail.com> wrote:

> Dear City Clerk,
>
> As a resident of Mercer Island living near 36th street & East Mercer Way, I object to the proposal to rezone the JCC property to Commercial Office, to be considered at the August 5th council meeting.
>
> This rezone sets a troubling precedent and moves Mercer Island away from its stated goal of remaining a premier residential community. Two specific concerns:
>
> - **Spot zoning:** This parcel would become an island of Commercial Office surrounded by residential zoning, a classic spot-zoning problem that invites legal challenge.

- **Precedent for adjacent parcels:** Once this parcel converts, it becomes harder to deny similar requests nearby, and this decision would set a pattern others could point to.

I'm also concerned about the timing of this hearing. The council isn't holding regular meetings in August due to summer recess, yet this item is being allowed to proceed during a period when many residents are on vacation or preparing for back to school, limiting the public's ability to weigh in.

I urge the council to reconsider this rezone, or at minimum delay the hearing to a date that allows for full public participation.

Thank you,
Lisa Pedee
9317 SE 36th Street
206 412 8230

Molly McGuire

From: MARY CLARFELD <m.clarfeld@comcast.net>
Sent: Tuesday, July 28, 2026 12:00 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: JCC

Dear Planning Commission, Ms Vangorp and Ms Estrada, and to the City Council of Mercer Island:
I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial.
My grandchildren have benefited greatly from programs at the J, and from summer camp - currently one of my older grandchildren is working at the camp and is thrilled to have the opportunity. The J is welcoming to all people, and is a critical community asset to Mercer Island and the other areas of King County.
The J has been serving the Mercer Island community – as a community center – for over 55 years! The buildings are long past the need for a new center, and there are many ideas and future plans that need a larger, more coordinated space to come true.
Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Sincerely,
Mary W Clarfeld

Molly McGuire

From: Melissa Benaroya <melissa@benaroya.net>
Sent: Tuesday, July 28, 2026 11:20 AM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support for SJCC!

To the Planning Commission, Alison, Deb, and City Council

I'm reaching out to ask you to support updating the Comprehensive Plan to designate the SJCC property as commercial rather than single-family residential.

My husband grew up at the J, and both my kids went to preschool and summer camps at the J. The community and all that the J has to offer have been a big part of all of their childhoods. And it still is a source of community and connection as we have moved through our adult lives.

For more than 55 years, the J has been an important part of Mercer Island, serving as a community gathering place and providing programs, resources, and connections for people of all ages. Its current use clearly reflects its role as a community center, and the Comprehensive Plan should recognize that reality.

I hope you will support bringing the Comprehensive Plan and land use maps into alignment with the J's longstanding use and purpose. Doing so will help ensure that the J can continue to be a vibrant and valuable part of Mercer Island for generations to come.

Thank you for your consideration and for supporting the future of our community.

Warmly,

Melissa Benaroya

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Molly McGuire

From: Clarfeld, Michael <MClarfeld@clearbridge.com>
Sent: Tuesday, July 28, 2026 7:37 AM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Supporting the JCC's development plans

I grew up on Mercer Island and the JCC played a formative role in my childhood. I went to preschool there, attended afterschool care there, played sports there and made lifelong friendships there.

Today, my own kids attend summer camp there.

The JCC has been a foundational community organization on Mercer Island for decades and a force for good on the Island. For the JCC to continue to thrive in the future, it needs to be able to redevelop its facilities and expand its footprint.

The city of Mercer Island should both welcome this invest in the community and approve it.

Thank You.

Michael Clarfeld
Cell 646-373-1368

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Molly McGuire

From: Deb Estrada
Sent: Wednesday, July 29, 2026 8:09 AM
To: Molly McGuire
Subject: FW: Public hearing for CPA25-002

@Molly McGuire - please note Ms. MacCormack's question at the end of her comments.

Deb

-----Original Message-----
From: Nancy MacCormack <nancyjmaccormack@gmail.com>
Sent: Tuesday, July 28, 2026 10:50 AM
To: City Clerk <cityclerk@mercerisland.gov>
Subject: Public hearing for CPA25-002

As a resident of Mercer Island who drives on East Mercer every day, I object to rezoning the JCC property to Commercial Office.

Traffic already backs up multiple times a day during camp and school drop off and pick up times interfering with Mercer Island residents access to and from I-90 and East Mercer Way.

And there is another school that was approved across the street when road capacity is already maxed out.

The JCC and schools need to build additional capacity for vehicles on site, stagger their pickups, or find another way to manage their traffic so that they do not overwhelm city streets and I-90 ramps and block access for residents who do not have another way to get out of their neighborhood.

Was there a traffic study with this application or any mitigation agreed to by the JCC, French American School or the new school?

Molly McGuire

From: Nicola Thornton <chockelet@yahoo.com>
Sent: Tuesday, July 28, 2026 9:30 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

The J has become a big part of my life over the past 4 years, allowing me to connect to the wider community as I work towards my own personal betterment. I discovered the exercise classes at the J through a friend while looking for avenues for weight loss. As someone who struggled to find enjoyment in exercise her whole life, the J's classes provided not only the guidance I needed to stick to a consistent plan, but an encouraging community that enabled me to, through commitment and perseverance, lose over 50lbs and return to a much healthier version of myself.

But these classes are not the only reason I value the J. While the exercise classes the J provides have been stellar for my personal health, the community that the J provides has been even greater. Through the J, I have had the privilege of meeting the amazing people of Mercer Island and greater King County. I'm not a particularly social person, and after moving to the Seattle area with my family, I struggled to make new connections out here. But through the community that the J provides, I've found a great place that I feel at home, with friendly people with whom I can connect. It's done so much for me, I can only imagine how much it has helped the wider Mercer Island community.

The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Regards

Nicola Thornton

Molly McGuire

From: Pam Feinstein <pam@chutzpa.com>
Sent: Tuesday, July 28, 2026 8:24 AM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: SJCC

I want to urge you to support the change in designation of the SJCC property from single family to commercial zoning. The J has been a part of the Mercer Island community for over 55 years and has been a centerpoint of my life for almost 50 years. It's where I met my first group of close friends when our children were in preschool. And, as a "mature" adult, it's where I met my most recent group of good friends..in the J pool in Aquafit. These friends are women from all kinds of backgrounds and people I wouldn't have met without the JCC. We get together outside the J as well and utilize many of the Island's cafes, restaurants and other businesses.

The J has always been an open and very welcoming place for everyone and anyone, with friendly faces around every corner. Honestly, as a retiree, I would be at a loss of what to do and where to go if I didn't have the JCC. Also I can't tell you how many older women in the Aquafit classes have talked about finally finding real friends by joining the J.

We need the JCC and we need to be able to grow and welcome more people into its school, its camps, its arts/lecture programs and its pool and fitness center/classes. It is truly a community center and I ask that you align the comprehensive plan/land use maps with the actual use of the property so that it can continue to thrive and serve our community.

Thank you.

Pam Feinstein

Molly McGuire

From: Paul Amato <pra717@yahoo.com>
Sent: Tuesday, July 28, 2026 7:14 AM
To: Alison Van Gorp; Planning Commission; Deb Estrada; Council
Subject: Mercer Isalnd SJCC

Dear Members of the Mercer Island Planning Commission and City Council,

My name is Paul Amato. As a 51-year-old resident and a parent of three children, I am writing to share my strong support for the Stroum Jewish Community Center and its future on our island. My family and I use the SJCC regularly, whether for fitness, youth programs, or gathering with friends, and I am proud to count myself among the thousands of community members whose daily lives are enriched by what the J offers.

Over the decades, the SJCC has served as far more than just a facility. It is a vital anchor for Mercer Island—a place where children grow up learning, playing, and making lifelong friendships, where adults stay active and connected, and where community members of all backgrounds find a welcoming home for reflection, celebration, and connection. The value the J provides to our island is immeasurable, offering accessible health and wellness, educational programs, and cultural enrichment that strengthen the social fabric of our entire city.

I am here to urge your support in amending the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. The J has been serving the Mercer Island community — as a community center — for over 55 years. My hope is it will be here for another 55. I am not a land-use expert, but I know for certain the J has always served the community as a gathering space, an activity center, a school, and as a place for reflection and community — it has never been in single family use. As such, the city should align the comprehensive plan and land use maps with the longstanding use of this property. More importantly, it will allow the J to continue to serve the Mercer Island community without hindrance.

For over half a century, the SJCC has proven itself to be a deeply committed and caring neighbor, continuously adapting to meet the evolving needs of our growing population. Updating the land-use designation simply recognizes the reality of what this site has been since 1969, giving this indispensable institution the regulatory clarity it needs to update its aging facilities and continue its mission for generations to come.

I strongly recommend approval of this comprehensive plan amendment. Thank you for your time, your service to our city, and your thoughtful consideration of Mercer Island's future.

Sincerely,

Paul Amato

Molly McGuire

From: Peter Sadowski <peterjsadowski@gmail.com>
Sent: Tuesday, July 28, 2026 11:11 AM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Letter of Support for Amendment to Comprehensive Plan

Dear Planning Commission;

As a Mercer Island resident, I am emailing you to support the proposed amendment to the Comprehensive Plan to change the designation of the SJCC property from single family to commercial.

The J has been an anchor institution for the Mercer Island community for many years, and the city should enable it to continue serving this role by aligning the comprehensive plan and land use maps with the J's current use. The J helps me feel connected to my neighbors and invested in the island, and my daughter is enrolled in the early childcare program there. While I understand there are important trade-offs in this decision, there is tremendous value in enabling the J to thrive and undergo improvements, and I urge you to support the proposed amendment.

Peter Sadowski
7853 SE 27th St
Mercer Island, WA 98040

Molly McGuire

From: Ronen Elad <ronenelad73@gmail.com>
Sent: Tuesday, July 28, 2026 6:00 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

When I was growing up in the 80s and 90s, the J was my second home. I would be there multiple times a week after school and on weekends to play basketball, work out and attend youth programs. Today, my kids attend camp at the J, where I used to be a counselor. I want to make sure the J is positioned to have an impact on my kids' and future generations like it was able to positively impact mine.

The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Thank you for considering my note,
Ronen Elad

Get Outlook for iOS

Molly McGuire

From: RE Miller <oogiyot4@gmail.com>
Sent: Tuesday, July 28, 2026 11:08 AM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Planning Commission Hearing 8/5/26

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. As retirees, my husband and I attend many programs here. Additionally, my grandchildren attend daycare here. This is a place of safe haven in a city that does not always welcome people of the Jewish faith. The J has been serving the Mercer Island community – as a community center – for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Ruth Miller

"Promise me you'll always remember that you're braver than you believe, stronger than you seem, and smarter than you think." ~Christopher Robin

Molly McGuire

From: Deb Estrada
Sent: Wednesday, July 29, 2026 9:02 AM
To: Sara Eizen
Subject: RE: Support Proposed Zoning Change for the SJCC

Staff recognizes and appreciates your public comment on the SJCC's Comprehensive Plan Amendment application. Your comment has been saved in the project record, and you are now a Party o Record.

I you would like to know more about the Stroum Jewish Community Center Comprehensive Plan Map Amendment and Rezone Project, please see the Project Website (https://gcc02.sa elinks.protection.outlook.com/?url=https%3A%2F%2Fletstalk.mercergov.org%2Fsjcc-cpa-rezone-project&data=05%7C02%7Cmolly.mcguire%40mercerisland.gov%7Cb9 c93ca2d714370b4c908deed8ac165%7Ced2aa098b804de2b9dd7410b6965ed0%7C0%7C0%7C639209377358017454%7CUnknown%7CTWFpbGZsb3d8eyJFbXB0eU1hcGkiOnRydWUsIlYiOiIwLjAuMDAwMCIsIlAiOiJXaW4zMiIsIkFOIjoiTWFpbCIsIldUIjoy Q%3D%3D%7C0%7C%7C%7C&sdata=2v8ZSe%2BVOTqC19ZxSxP8DOpy706pPZj eNN6M 4648g%3D&reserved=0) or more in ormation and supporting documents.

Best,

Deb

Deborah Estrada, MMC
Administrative Coordinator/Deputy City Clerk City o Mercer Island - Community Planning & Development
206-275-7791 |
https://gcc02.sa elinks.protection.outlook.com/?url=http%3A%2F%2Fwww.mercerisland.gov%2F&data=05%7C02%7Cmolly.mcguire%40mercerisland.gov%7Cb9 c93ca2d714370b4c908deed8ac165%7Ced2aa098b804de2b9dd7410b6965ed0%7C0%7C0%7C639209377358048059%7CUnknown%7CTWFpbGZsb3d8eyJFbXB0eU1hcGkiOnRydWUsIlYiOiIwLjAuMDAwMCIsIlAiOiJXaW4zMiIsIkFOIjoiTWFpbCIsIldUIjoy Q%3D%3D%7C0%7C%7C%7C&sdata=ROn6vM1ZJ21SWaUDeEIVV%2Fw2sTPZy8Vn%2FgV0Caq9Ro8%3D&reserved=0

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-----Original Message-----
From: Sara Eizen <saranneizen@gmail.com>
Sent: Tuesday, July 28, 2026 2:24 PM
To: Planning Commission <Planning.Commission@mercergov.org>; Alison Van Gorp <alison.vangorp@mercergov.org>; Deb Estrada <Deborah.Estrada@mercerisland.gov>; Council <council@mercergov.org>
Subject: Support Proposed Zoning Change or the SJCC

To the Members o the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation o the SJCC property rom single- amily to commercial.

The J has been serving the Mercer Island community – as a community center for all - for over 55 years and is a crucial part of the greater Seattle Jewish community at large.

Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Sincerely,
Sara Eizen

Molly McGuire

From: Sarah Kopelovich, PhD <skopelovich@gmail.com>
Sent: Tuesday, July 28, 2026 12:41 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: JCC: Support of amending the Comprehensive Plan

Hello,
I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. I moved here from the east coast, where large metropolitan areas have thriving JCCs that serve their communities. The JCC on Mercer Island serves this same, important role. From childcare, to cultural events, arts, the fitness center and basketball courts, the JCC is a lifeline to families through the Greater Seattle area.

Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next century.

Kind regards,
Sarah Kopelovich
Private Citizen, Greater Seattle Area

Molly McGuire

From: Shauna Swerland <swerland@fueltalent.com>
Sent: Tuesday, July 28, 2026 7:54 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: JCC

To the Members of the Planning Commission and City Council-
I encourage you to support amending the Comprehensive Plan to redesignate the SJCC property from single-family to commercial.
For my family, the J has been much more than a building. All three of my children attended preschool there, and as they grew, they participated in camps and other programs that helped make the J a central part of their childhood. Today, it continues to be a place where adults gather, families connect, and our community comes together.
That experience isn't unique to my family. For more than 55 years, the J has been a cornerstone of Mercer Island—a place that serves young families, children, teens, older adults, and people from every corner of our community. It has long functioned as a true community center, and its land use designation should reflect that reality.
Updating the Comprehensive Plan and land use maps is a practical, common-sense step that recognizes how the property has served Mercer Island for decades. More importantly, it will help ensure the J can continue to evolve, serve future generations, and remain a vibrant community asset for the next 55 years and beyond.
Thank you for your thoughtful consideration.

Shauna Swerland
Founder & CEO | Fuel Talent
917.804.1296 |swerland@fueltalent.com
www.fueltalent.com
My LinkedIn

Molly McGuire

From: Zach Stroum <stroum@gmail.com>
Sent: Tuesday, July 28, 2026 11:48 AM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Please Support Proposed Zoning Change for the SJCC

Members of the Planning Commission,

I am a third generation Stroum who grew up on Mercer Island and currently resides a bridge away in Lake Hills, Bellevue. Growing up at the JCC and being surrounded by Jewish culture seemed like a given as a child. Only as I grew older and became a parent myself did I realize how incredibly rare an organization and campus like the SJCC is.

The most common question I get when I suggest someone join is whether they must be Jewish to belong. My answer is simple: No, it's for everyone. When I visit, I see people of all backgrounds, faiths, orientations, and incomes sharing a safe space to relax, learn, exercise, or even take a break from parenting for just a moment. Right now my two daughters are at summer camp there (which they look forward to throughout the school year). This allows me to work full time to support my family and be present for them at the end of the day.

However, the current facility and its zoning make it difficult to maintain and expand the services it provides to the community. The preservation of Mercer Island's environment and character through zoning laws is entirely understandable. I also believe we can agree that the SJCC campus is not a single-family home. I also believe that a modernized, ADA-accessible campus (subject to the same land use regulations and public processes the rest of the island has followed) would benefit Mercer Island by attracting families and their business here. Thoughtful leadership by the Commission in this instance would result in a win for the community and the city, demonstrating to the region that Mercer Island is and will continue to be one of the best places to live and visit.

Thank you for your time and consideration,

-Zach Stroum

Molly McGuire

From: Akili Lawson <AkiliL@sjcc.org>
Sent: Wednesday, July 29, 2026 8:25 PM
To: Planning Commission
Subject: The Heart of Our Community: Unwavering Support for the Jewish Community Center

Dear Mercer Island City Officials and Community Leaders,

I am writing to you today to express my absolute, unwavering support for the Jewish Community Center and its reselling and redevelopment efforts.

While I cannot be at the upcoming meeting to speak in person on August 5th, it is crucial to me that my voice is on the record. I stand shoulder-to-shoulder with the Jewish community, and I want to make it unequivocally clear how vital this institution is to the very soul of Mercer Island.

Through my daily work in early childhood education, I see firsthand exactly what it takes to build a strong foundation for the next generation. It takes safe spaces, shared resources, and a true sense of belonging.

The JCC isn't just a building; it is a lifeline. It is where our families grow in parallel, where our children learn, and where the fabric of our city is woven together. When we support spaces like this, we are investing in the health and future of everyone who lives here.

diminishing this center is not an option. We need to fiercely protect and advocate for the spaces that keep our community tight-knit and vibrant.

I strongly urge the council and community leaders to clear the path for the JCC's plans. Let's ensure this incredible community cornerstone continues to thrive for generations to come.

Thank you for your time and for prioritizing the people of Mercer Island.
Sincerely,

Akili Lawson
206-578-9797
Akili.j.lawson@gmail.com

Molly McGuire

From: Alan Waldbaum <alanwaldbaum@hotmail.com>
Sent: Wednesday, July 29, 2026 2:18 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Cc: Kim Waldbaum
Subject: Please Support Rezoning the SJCC Property to Reflect its Longstanding Community Role

Dear Mercer Island Planning Commission and City Council Members,

We are writing to urge your support for amending the Comprehensive Plan to change the designation of the Stroum Jewish Community Center (SJCC) property from single-family residential to commercial.

The SJCC has been serving the Mercer Island community as a community center for more than 55 years. We respectfully ask that the Comprehensive Plan and land use maps be updated to reflect that longstanding reality and to ensure that the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Our family's connection to the SJCC spans generations and has shaped some of the most important experiences of our lives. We have grandparents who were members, both sets of our parents were members, and now our family of five are members.

Between the two of us, we attended preschool at "the J" (as we affectionately refer to the SJCC), took swim lessons and gymnastics classes there as children, participated in youth groups as teenagers, and worked out at the J through our young adulthood.

As adults, we met each other while working out at the J's fitness center and began dating soon afterward. We played softball and basketball through the J's sports leagues, and after we married, we settled in Bellevue, where we have lived for the past 25 years.

Even though we do not live on Mercer Island, the SJCC continues to draw us to the Island on an almost daily basis. We regularly use the fitness center, pool, and gym. Our children attended preschool there, took swimming lessons there, participated in youth groups and sports programs there, and now use the fitness facilities themselves.

Our story also highlights something important about the SJCC's impact beyond its campus. Families like ours who live off-island make frequent trips to Mercer Island because of the J. Before and after our visits, we regularly shop at Mercer Island grocery stores and pharmacies, buy books, purchase gas, dine at local restaurants and cafés, and use local businesses and services. The SJCC is an economic driver that brings thousands of visitors and customers to Mercer Island businesses every year.

The reality is that the J has operated as a community center for decades and has become an integral part of the social, recreational, educational, and economic fabric of Mercer Island. The facility is also in need of significant modernization and reinvestment to continue serving current and future generations. If the zoning designation is not updated to support the J's long-term viability and redevelopment needs, Mercer Island risks losing not only a cherished community institution, but also the economic activity generated by families like ours who choose Mercer Island because of the SJCC.

We strongly encourage you to approve the Comprehensive Plan amendment and redesignate the SJCC property from single-family residential to commercial. Doing so will align the City's planning documents with the property's actual use, recognize the J's more than half-century of service to the community, and help ensure that this invaluable institution can continue to benefit Mercer Island residents and visitors alike for generations to come.

Thank you for your consideration.

Sincerely,

Alan Waldbaum
Kim Muscatel Waldbaum

Molly McGuire

From: Alexis Rubenstein <alexis@foundationgroupre.com>
Sent: Wednesday, July 29, 2026 10:56 AM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

The other day I went to the JCC for the first time in a few years to enjoy my new hobby, Mah Jonng. It was not a particularly warm day but the room we were in was stuffy, hot, and humid. It struck me as the building has not changed since I went to preschool there 40+ years ago.

The SJCC and its facilities serve a wide range of Mercer Island residents and provide tremendous educational, recreational, cultural, and community services. To ensure that the organization can continue meeting the needs of our community, I strongly urge you to support amending the Comprehensive Plan to change the designation of the SJCC property from single-family residential to commercial.

Please align the Comprehensive Plan and land-use maps with the property's longstanding use and current reality. Doing so will help ensure that the J can continue to improve its facilities, serve our community, and thrive on Mercer Island for the next 55 years and beyond.

Thank you for your consideration.

Alexis Rubenstein

Molly McGuire

From: Arlette Ordell <rondjo@comcast.net>
Sent: Wednesday, July 29, 2026 10:32 AM
To: Planning Commission
Subject: JCC remodel

Hello
I strongly support the plan to remodel the JCC on Mercer Island. This J serves the entire greater Seattle community and it is open to people of all religious and ethnic groups.

Thanks,
Arlette Ordell
Sent from my iPhone

Molly McGuire

From: Deb Estrada
Sent: Thursday, July 30, 2026 9:06 AM
To: Molly McGuire
Subject: FW: Public hearing for CPA25-002

From: Benjamin Norton <benjaminenorton@gmail.com>
Sent: Wednesday, July 29, 2026 8:03 PM
To: City Clerk <cityclerk@mercerisland.gov>
Cc: Lisa Norton Pedee <lisamp@gmail.com>; Benjamin Norton <benjaminenorton@gmail.com>
Subject: Public hearing for CPA25-002

I am a Mercer Island resident on 36th street and a member of JCC. I oppose changing the JCC property to Commercial Office zoning. In my view, approving this change would create an unfortunate precedent and conflict with Mercer Island's commitment to preserving its residential character.

I also object to the hearing being scheduled during a period when many residents are traveling for summer break or focused on back-to-school preparations.

Thank you in advance for acknowledging receipt of this message.

Regards,
Benjamin E. Norton

Molly McGuire

From: Deb Estrada
Sent: Thursday, July 30, 2026 9:12 AM
To: Molly McGuire
Subject: FW: Public hearing for CPA25-002

From: Caitlin Sears Curry <caitlinsears@gmail.com>
Sent: Wednesday, July 29, 2026 9:09 PM
To: City Clerk <cityclerk@mercerisland.gov>
Subject: Public hearing for CPA25-002

Hello!

As a Mercer Island resident, I object to rezoning to JCC property to Commercial Office. The hearing to decide on this matter needs to be postponed until October (after summer vacations, not coinciding with the start of the school year) so that all relevant stakeholders can be present to participate democratically.

Thank you!
Caitlin Curry

Sent from my iPhone

Molly McGuire

From: Carol Schapira <cookela328@gmail.com>
Sent: Wednesday, July 29, 2026 3:22 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

My now 40 year old kids were in preschool and camps for many years… I have attended and been a volunteer at countless events since we moved to Mercer Island in 1990.

The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Respectfully,

Carol Schapira
206.321.2554

Molly McGuire

From: Catherine Lee <clee921@gmail.com>
Sent: Wednesday, July 29, 2026 5:52 AM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

My family moved to Mercer Island in June 2023, and we immediately became members of the SJCC as it was so well regarded in the community as a center for fostering friendships with any person regardless of religion, race, ethnicity or socioeconomic status. The J is a center where my children enjoy camps, sports, swim, arts, and have the opportunity to learn Jewish culture. I regularly use the J to maintain my fitness and health. While my family is not Jewish, I deeply appreciate the support this center provides to all the families who follow the Jewish faith. We always feel so welcomed at the J by the staff and feel as part of the community despite my family not being of Jewish heritage. This center is a jewel on the island.

The J has been serving the Mercer Island community – as a community center for all - for over 55 years. However, in order to continue to serve all its members optimally in the future, we need to plan now for the future. The SJCC could benefit from building expansion and updates to serve its members safely and optimally. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Sincerely,
Catherine Lee
Mercer Island Resident and SJCC Member

Molly McGuire

From: Hendelman, Aaron <ahendelman@wsgr.com>
Sent: Wednesday, July 29, 2026 10:32 AM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Cc: christina Hendelman
Subject: Support for JCC Comprehensive Plan Amendment

To the Mercer Island Planning Commission and City Council,

We are writing in strong support of the Comprehensive Plan amendment that would allow the Stroum Jewish Community Center to move forward with its long-needed remodel.

We are Christina and Aaron Hendelman. We moved to Mercer Island in 2005 with three small children, not knowing a single person on the island. From nearly the first week, the J became our home away from home. Our kids went through J preschool, took their swim lessons there, and spent their summers at J camp. Looking back, the JCC helped raise our children as much as any other institution.

The J's role in this community goes far beyond our own family. It's likely the largest employer of Mercer Island teenagers outside the school district itself, hiring them for camps, the front desk, and the gym. Our (non-Jewish) neighbor spent last summer working as a J counselor. For Mercer Island's teenagers and college students home for the summer, the J is often their first job and their default workout spot.

Twenty years later, we're still there every week. We work out at the gym, take fitness classes, and catch up with friends. We come for the speaker series and film nights. We are still making new friends there today, and many of the people we met through preschool drop-off two decades ago remain our closest friends now. Our amazing friendships with Noreen (of Irish descent) and Lisa (who is Australian) started and blossomed at the J and have nothing to do with religion. That's the point: the J is no more "Jewish" than Providence Hospital is Christian. It's a community institution that happens to have Jewish roots, and it draws in and serves everyone on this island, regardless of background.

That's exactly why this amendment matters. The current building is more than 60 years old. Anyone who has spent time there has seen the maintenance issues and the lack of space for the classes and programs that serve so many of us. A remodel means the J can keep doing what it's done for our family and thousands of others for the next 60 years and can serve even more of our neighbors in the process.

We urge the Planning Commission and City Council to approve this amendment. Mercer Island is a better, more connected place because of the J, and this vote will decide whether it can keep serving us the way it always has. We're asking nothing more and the community deserves nothing less.

Thank you for considering our comments.

Sincerely,
Christina and Aaron Hendelman
Mercer Island, WA

WILSON SONSINI

Aaron Hendelman | Partner
701 Fifth Avenue, Suite 5100 | Seattle, WA 98104-7036 | direct: 206.883.2514
ahendelman@wsgr.com

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Molly McGuire

From: Craig Katz <craigakatz@outlook.com>
Sent: Wednesday, July 29, 2026 11:26 AM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: The J is for the whole community

All
Why is rational, positive, supportive action so difficult for this community?! All the SJCC does is of benefit for the whole island - people of ALL ethnicities and religions. The haters - and you know who they - are enemies of the people and just need to be ignored. Do what it takes to let the J flourish and elevate its ability to serve this *whole community*. The city has done a masterful job holding up progress for at least the 15 years I've lived here. It's time to let the good guys finally win.

Craig Katz
206-303-7502

Molly McGuire

From: Dana Azose <danaaz@comcast.net>
Sent: Wednesday, July 29, 2026 9:08 PM
To: Planning Commission
Subject: The JCC builds future leaders

I have been a member of the JCC my entire life. I grew up there, and later I raised my own children there. I'm sure you've heard many reasons why people choose to invest in the J, but I'd like to share one that is especially meaningful to me.

The J doesn't just serve families—it helps shape the next generation by giving young people meaningful opportunities to work, lead, and grow. Both of my children, along with countless others, got their first jobs at the J as camp counselors. They learned responsibility, accountability, teamwork, and what it means to show up for others.

For my daughter, working as a camp counselor sparked a passion for teaching. She went on to earn her master's degree in education and now has a career she truly loves. My son chose a different professional path and works in banking, but the values he developed at the J stayed with him. For the past 15 years, he has continued to coach youth sports, giving back to the next generation in the same spirit that the J invested in him.

Today's job market is challenging, and it can be difficult for young people to gain the experience employers value. The J provides that critical first opportunity. Every summer I watch new camp counselors, lifeguards, coaches, and teachers begin their journeys there, building confidence, developing leadership skills, and discovering passions that often last a lifetime.

I am proud to support an organization that strengthens our community not only through its programs, but by investing in young people and helping develop the skills, character, and leadership of our future.

Thanks for your consideration,
Dana Azose

Molly McGuire

From: dave-landsman@comcast.net
Sent: Wednesday, July 29, 2026 4:22 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Please approve the JCC plan

Hi,
I'm David Landsman, an MI resident since 1999, and JCC member since 1994 when we moved to the Northwest and lived in Kirkland. Our son went to pre-school at the J.

I am no expert on city planning, but I'm surprised, and it makes no sense to me, that the J would be zoned as single family. The city should zone the JCC campus for what it is, a commercial entity serving Mercer Island and beyond. Surely the J can better plan its future without having to arbitrarily navigate single family zoning when putting forward plans for the site.

Please amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial.

Best regards,
David Landsman
7210 79th Ave SE
Mercer Island

Molly McGuire

From: Deborah A. Lawson <deborahalawson@icloud.com>
Sent: Wednesday, July 29, 2026 8:19 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

Although, we don't live on Mercer Island, the JCC has been both valuable to my family and me over the years. I attended various programs at the MIJCC while in high school in the Shoreline School District. I attended both Jewish programs, but above all I used the different athletic facilities and took classes. This was about 50 years ago.

20 years ago, our eldest went to the high school of Jewish Studies at the JCC. A few years ago, my husband and I took Bridge playing classes for about 8 weeks in a row. Every year we attend the Jewish Film Festival movies at the JCC as well as many other events including speakers, cookbook tours, wine tastings, etc.

The JCC is on Mercer Island, but because it's on the north end of the island, it's very easy to get to from our north end Seattle home.

The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

The J is not only a community gathering space for Jewish people from the greater Seattle and Eastside area, it is also a gathering place for people who live on or near Mercer Island to work out or take various classes.

Thank you.

Debbie Lawson

Molly McGuire

From: Doron Holan <doron_holan@hotmail.com>
Sent: Wednesday, July 29, 2026 9:59 AM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support for the SJCC Comprehensive Plan Amendment

Dear Planning Commission and City Council,

I am writing to urge your support in amending the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. This change is needed to accurately reflect its current use and use for the past 55 years.

My family and I have been Mercer Island residents for the past 15 years. My first introduction to the J was when I moved to Seattle in 1997. I volunteered at the SJCC advising teens. I served as a volunteer for over a decade.

Years later, my wife and I sent our children to the JCC's early childhood school. We regularly frequented Mercer Island retail, supermarkets, and restaurants during this time. While our children made friends in preschool, we too, made friends and built a community. So much so, that in 2028 we moved to Mercer Island for the Mercer Island School District and the JCC, as well as the community we had forged there. The JCC supports our family and other MI families alike in all life stages. It serves the Mercer Island intergenerational community.

My hope is that the SJCC will continue to be a resource for all of Mercer Island. Recognizing and rectifying the inaccurate zoning designation will allow a revitalization of facilities that are up to code and ADA accessible. These changes will better enable the SJCC to continue to serve our community, Mercer Islanders, and future Mercer Islanders to come for the next 55 years.

Sincerely,
Doron Holan

6121 85th Pl SE

Molly McGuire

From: Etana Kunovsky <etanaku5@gmail.com>
Sent: Wednesday, July 29, 2026 12:04 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Timely - Support Proposed Zoning Change for the SJCC - Critical!

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

My family has been coming to the J since 1986. My children attended pre-school and after school activities there. They attended summer camp there for 10 years. They had birthday parties there. They attended holiday and community celebrations and I've attended film festivals. I've served on committees, swam in the lap pool for years and attended adult classes. And now my grandchildren attend youth programs and will soon attend summer camp there. All this to say, the J has been a huge part of our lives.

The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Thank you,
Etana Kunovsky

Molly McGuire

From: Eydie Hasson Katz <eydiekatz@outlook.com>
Sent: Wednesday, July 29, 2026 11:13 AM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to AMEND the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

I am a Mercer Island resident. I grew up on the east side. I'm 57 years old – the JCC has been part of my life since the beginning. I participated in programming there as a child, I was a summer camp counselor as a teen, both of my children attended the amazing early childhood school there, one of my children currently works there..the list goes on. The JCC is a safe, inclusive, and welcoming place for all kinds of individuals and families throughout the lifecycle.

The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Thank you,
Eydie Hasson Katz
Get Outlook for iOS

Molly McGuire

From: Ian Morris <ianmorris@outlook.com>
Sent: Wednesday, July 29, 2026 9:05 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Counting on Your Support

Members of the Planning Commission,

The Jewish Community Center has been serving Mercer Island families for decades. It is a cherished institution that has been invaluable to my family and was central to our decision to relocate from Kirkland to Mercer Island after our children were born. The JCC is a core part of what makes Mercer Island such a great community, not just for Jewish families but for local families of all faiths. It is a safe and welcoming place for our children to receive early childhood education, attend arts and cultural events, swim, exercise, and be made to feel a part of a very welcoming community.

At a time when third spaces are so important and often lacking, the JCC is a vital resource and one that needs our continued and ongoing support. It is my sincere hope that you will support amending the comprehensive plan to change the designation of the JCC property from a single family to commercial so that the JCC can continue to serve Mercer Islanders for decades more to come.

Thank you in advance for your support and for your service to our community.

Ian Morris

Molly McGuire

From: Irene Geisner <geisnercoaching@gmail.com>
Sent: Wednesday, July 29, 2026 11:03 AM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial. My kids have attended the j for youth groups and camps. I have attended classes and events and celebrated holidays. The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Thank you

Irene Markman Geisner, Ph.D.
Licensed Clinical Psychologist
(206) 419-8999
Eastside Psychological Associates
1740 NW Maple St. Suite 210
Issaquah, WA 98027

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Molly McGuire

From: James Gottesman <james.gottesman@icloud.com>
Sent: Wednesday, July 29, 2026 11:57 AM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: sjcc

Dear MI City Council,

My wife and I moved to the Island in 1978. Following that were three children and seven grandchildren, all who lived on the island. I can't tell you how strongly I believe that the JCC is a Mercer Island treasure but it's in bad need of redevelopment to fulfill its promise to the whole island. I certainly hope that you will go along with the plans for the new JCC.

Sincerely

James Gottesman MD
Gloria Gottesman

james.gottesman@COMCAST.NET

Molly McGuire

From: Jamie Weinstein <jamielynnweinstein@gmail.com>
Sent: Wednesday, July 29, 2026 1:22 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support for SJCC's Comprehensive Plan Amendment and Rezone request

To the committee,

My name is Jamie Weinstein and I am a proud board member of the SJCC.
I am here to urge your support in amending the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. The J has been serving the Mercer Island community — as a community center — for over 55 years. My hope is it will be here for another 55 and beyond. While I don't have children currently, my dearest hope is to have a family one day and have a community and place like the SJCC to raise my kids, just as my parents raised me. All of my formative memories from childhood are at the J, from preschool, to after school gymnastics and musical theater, and of course, summer camp. It left such an imprint on my life that I returned in college to be a camp counselor, and now as an adult, it is a privilege to help shape the future of the organization as a board member. As I am sure you are aware, redeveloping our current physical structure is imperative to the longevity and prosperity of our organization. Our journey to redevelop our campus has been years in the making, and now, more than ever, our community needs the J. I am not a land-use expert, but I know for certain the J has always served the community as a gathering space, an activity center, a school, and as a place for reflection and community — it has never been in single family use. As such, the city should align the comprehensive plan and land use maps with the longstanding use of this property. More importantly, it will allow the J to continue to serve the Mercer Island community without hindrance. With that, I urge you to support amending the comprehensive plan to change the designation of the SJCC property from single family to commercial.

Thank you for your time and consideration.

Best,
Jamie Weinstein

Molly McGuire

From: Jean K <jeankanklein@gmail.com>
Sent: Wednesday, July 29, 2026 11:17 AM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support for Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

The SJCC has been serving Mercer Island as a community center for all - for over 55 years. The J welcomes everyone, no matter what their ethnicity, age, etc. More than 1/3 of Mercer Island belongs to the J, however you don't need be a member to take advantage of its programs and facilities.

On a personal level, when I moved to Mercer Island from the Midwest in 1974, I didn't know anyone and there weren't many avenues for people to make friends. We immediately joined the J and have been members ever since. Our children were in daycare, preschool, camp, sports, continuing education, etc. and the J has been a focal point in all of our lives. The J has provided a foundation for life and, by the values that the J promotes, to become good citizens of the world. All 4 of our children are productive members of society and I attribute much of that to their lifelong connection to the J. And for me, the J has been a place of instant warmth and connection throughout my whole life.

The current building is basically the same one that was there in 1974. At this point it is well past the life span for just "fixes". It needs a building that is up to code, ADA accessible and realigned to meet the shared goals of the J, our neighbors, and the Mercer Island community. Very much thought and planning have gone into the proposed plan keeping consideration of neighbors and community at the forefront.

Changing the land use designation will not in any way change the daily operations of the SJCC. Any future changes in configuration will go through design review and significant public processes. The J will be subject to the same land use protocol as similarly zoned properties including its next door neighbor, Mercer Island City Hall. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years. Thank you.

Sincerely,

Jean Klein

Molly McGuire

From: jeff @jkanter.com <jeff@jkanter.com>
Sent: Wednesday, July 29, 2026 7:17 PM
To: Planning Commission
Subject: Mercer Island JCC rezone

Dear friends,

I am a long-time Mercer Island resident and member of the JCC for over 30 years. The JCC is a vital community resource with up to one-third of MI residents as members. It is open to Islanders of all faiths and creeds.

Programs at the JCC are incredibly popular and the facility is outgrowing its space constraints. Please act favorably on the necessary actions to expand this important and beloved community resource.

Thank you for your consideration,

Jeffrey Kanter, DDS, MS
Susan Kleiner, PhD

Molly McGuire

From: jen.kessler@comcast.net
Sent: Wednesday, July 29, 2026 11:07 AM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Please amend the Comprehensive Plan to allow the SJCC to grow

To the Members of the Planning Commission:

Our family has been living in Mercer Island since 2007 and we have been long-term members of the Stroum Jewish Community Center.

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial, so that the facility can serve my family and others for decades to come.

Please align the comprehensive plan and land use maps to give the JCC the flexibility to grow. This will ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Sincerely,

Jennifer Kessler
7616 SE 40th St

Molly McGuire

From: Deb Estrada
Sent: Wednesday, July 29, 2026 11:56 AM
To: Molly McGuire
Subject: FW: Please modify zoning requirements to allow the JCC to remodel.

-----Original Message-----
From: Jennifer Selby <jselby@outlook.com>
Sent: Wednesday, July 29, 2026 11:28 AM
To: Council <council@mercergov.org>
Subject: Please modify zoning requirements to allow the JCC to remodel.

City Council Members,

The JCC is an absolute asset to our community on so many levels.

I am not Jewish, but when we first moved to Mercer Island 17 years ago, I looked at every local preschool option for my 3 year old. It turned out that the JCC and their program was the perfect fit for him. It was an incredibly caring and kind environment and a great way to start our time living on Mercer Island.

Since those years we have returned many times to attend lectures, watch our son perform in plays, have our sons participate in Dinky Dunkers basketball and summer camps, and to attend important community fundraising auctions.

17 years later I am still going to the JCC weekly to workout, as they have one of the best gyms on the Island.

What I love so much about the JCC is that they truly welcome every community member regardless of religion.

From an equity perspective, there really is no better community space on Mercer Island. Mercer Island has three private swim, fitness, and social clubs each of which charge significant entry fees to join that cost many thousands of dollars. This exclusive cost structure is cost prohibitive for so many families.

The JCC has monthly memberships with no initiation fees and is truly affordable and more equitable for all community members. Similar to the three private clubs, this also includes a pool, an important offering for children who live on an island to learn how to swim. They also offer community childcare, fitness, camps, recreation activities, lectures, programs, event space, and just general community building.

I urge you all to vote in favor of any necessary zoning modifications so that the JCC can modernize and continue to offer great programming at an affordable price without expensive initiation fees to our entire community.

Thank you,

Jennifer Selby
8320 SE 61st Street

Sent from my iPhone

Molly McGuire

From: jill friedman <jillfriedman@hotmail.com>
Sent: Wednesday, July 29, 2026 4:09 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: SJCC plans

Hi,

My name is Jill Friedman. My husband Chuck and I have lived on Mercer island since 2013, just around the corner from the JCC on Mercerwood Dr. However, our connection to the SJCC began in 1997 when we moved to the Seattle area. This organization has been an important part of our lives and the lives of our children for decades.

I write with a unique perspective of being a longtime member of the SJCC, member of Herzl Ner Tamid synagogue and past parent+ past board chair of the Jewish Day School. My interest in this project before you also extends to my interest as a close neighbor. On all accounts, the SJCC project is an essential part of the Jewish community and will be an enhancement to the whole community on Mercer Island.

I urge you to support amending the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. The J has been serving the Mercer Island community — as a community center — for over 55 years. My hope is it will be here for another 55. I am not a land-use expert, but I know for certain the J has always served the community as a gathering space, an activity center, a school, and as a place for reflection and community — it has never been in single family use. As such, the city should align the comprehensive plan and land use maps with the longstanding use of this property. More importantly, it will allow the J to continue to serve the Mercer Island community without hindrance.

This building project will provide a much-needed refresh of a well-loved and well-used property and provide an opportunity to configure the infrastructure to adapt to the needs of the community and the surrounding area.

Thank you for your consideration.

Jill Friedman
4245 Mercerwood Dr.
Mercer Island, WA
425-890-1367

Sent from my iPhone

Molly McGuire

From: Jill Landauer <jill.landauer@gmail.com>
Sent: Wednesday, July 29, 2026 10:55 AM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support for Revising SJCC Zoning

Good morning,

I'm writing to express my strong support for the SJCC and to encourage the City to revise its zoning so the J can (a) continue serving our community with updated facilities and (b) move forward with a plan that minimizes the impact on neighboring residents.

My family has lived on Mercer Island for 16 years, and the J has been an important part of our lives. Our child attended summer camp there for several years, making lasting friendships and wonderful memories. I use the J regularly for fitness and have met an incredible community of people through its programs.

We live on East Mercer Way, so I frequently use Exit 8. In all these years, I have rarely experienced any significant traffic issues related to the J or the French School. The tremendous value these organizations bring to Mercer Island far outweighs the occasional, brief inconvenience when traveling to and from I-90.

I'm also willing to tolerate the temporary inconvenience of construction, knowing it will result in lasting benefits for our community—just as many of us have done during the Light Rail project.

The SJCC is an exceptionally welcoming and inclusive place that enriches the lives of people of all ages and backgrounds. It provides invaluable recreational, educational, and community programming that makes Mercer Island a better place to live. I hope you'll support its efforts to improve its facilities while balancing the needs of the surrounding neighborhood.

Thank you for your consideration.

Jill Landauer and Peter Hundrieser

Molly McGuire

From: velooceella@gmail.com
Sent: Wednesday, July 29, 2026 10:53 AM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Cc: velooceella@gmail.com
Subject: JCC RE-ZONE OPPOSITION
Attachments: JCC RE-ZONE OPPOSITION .pdf

Dear Commissioners and City Council members

Please read my opposition submittal and look at 98040mi.com
If you need any history documents let me know.

John Hall
9970 S.E. 40th Street
Mercer Island, WA 98040
206-914-5599

I have lived in the Mercerwood neighborhood since 1958, long before the Jewish Community Center (JCC) was established at its current location. Over nearly six decades I ha witnessed the gradual expansion of the JCC and its increasing impacts on our residential neighborhood. The tranquility of our neighborhood has already been significantly affected by repeated violations and abuses of the JCC's Conditional Use Permit (CUP), including increased traffic and the safety of pedestrians daily on East Mercer noise, parking on residential lawns, and other ongoing impacts.

As a neighborhood we have had great neighbors leave because of the continual abuses of the JCC.

The Mercerwood neighborhood has repeatedly borne the burden of this expansion. During planning discussions in the mid-1980s, the City Council and Planning Commission recognized the importance of protecting adjacent residential properties. Their direction was clear: if the JCC needed to expand, it should do so to the north, where commercial zoning already existed, while the southern boundary adjacent to Mercerwood homes would remain a permanent greenbelt buffer.

The current rezone proposal disregards that long-standing planning principle. The JCC has had opportunities over the years to acquire property to the north that would allow it to expand consistent with those earlier decisions. Instead, it has repeatedly sought to change the zoning of neighboring residential property, asking homeowners—not the institution—to bear the impacts of its continued growth.

This proposed rezone is not necessary for the JCC to achieve its long-term objectives. Rather, it shifts the burden of institutional expansion onto an established residential neighborhood, contrary to the City's previous commitments and planning policies.

My concern is also based on experience. The JCC has repeatedly violated the conditions of its Conditional Use Permit (CUP), often with little or no effective enforcement. This history raises legitimate questions about whether additional development and increased intensity of use can be relied upon to comply with future conditions.

The scale of the institution compared with the surrounding neighborhood is also significant. According to the JCC's 2016 IRS Form 990, the organization employed 472 people and served more than 5,000 members. Those numbers have likely increased since then. By comparison, Mercerwood is a residential neighborhood made up of young families, working adults, and retirees. The institution already has a far greater daily presence than the surrounding residents.

The City should protect the integrity of established residential neighborhoods and honor the planning commitments made to Mercerwood decades ago. This proposed rezone is unnecessary, inconsistent with prior City direction, and would further erode the character and livability of our neighborhood.

Please protect our neighborhoods. This is where we live, raise our families, and invest in our homes for the long term.

The Mercerwood residents have carefully documented the history of complaints and repeated CUP violations. We ask that the City's decision be based not only on future promises, but also on this documented record of past performance.

This re-zoning effects the whole Island if one can change a residential lot to commercial or its illegal spot zone.

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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

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) 3801 East Mercer Way | Room/suite

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

3 Number of voting members of the governing body (Part VI, line 1a)	3	20
4 Number of independent voting members of the governing body (Part VI, line 1b)	4	20
5 Total number of individuals employed in calendar year 2016 (Part V, line 2a)	5	472
6 Total number of volunteers (estimate if necessary)	6	115
7a Total unrelated business revenue from Part VIII, column (C), line 12	7a	-16,906
b Net unrelated business taxable income from Form 990-T, line 34	7b	-16,906

	Prior Year	Current Year
8 Contributions and grants (Part VIII, line 1h)	2,943,713	3,065,445
9 Program service revenue (Part VIII, line 2g)	6,869,926	7,318,283
10 Investment income (Part VIII, column (A), lines 3, 4, and 7d)	5,662	10,252
11 Other revenue (Part VIII, column (A), lines 5, 6d, 8c, 9c, 10c, and 11e)	504,923	506,403
12 Total revenue—add lines 8 through 11 (must equal Part VIII, column (A), line 12)	10,324,244	10,900,383
13 Grants and similar amounts paid (Part IX, column (A), lines 1–3)	0	0
14 Benefits paid to or for members (Part IX, column (A), line 4)	0	0
15 Salaries, other compensation, employee benefits (Part IX, column (A), lines 5–10)	7,558,838	8,117,740
16a Professional fundraising fees (Part IX, column (A), line 11e)	0	0
b Total fundraising expenses (Part IX, column (D), line 25) ▶216,644		
17 Other expenses (Part IX, column (A), lines 11a–11d, 11f–24e)	2,493,143	2,774,279
18 Total expenses Add lines 13–17 (must equal Part IX, column (A), line 25)	10,051,981	10,892,019
19 Revenue less expenses Subtract line 18 from line 12	272,263	8,364

	Beginning of Current Year	End of Year
20 Total assets (Part X, line 16)	20,455,624	20,605,386
21 Total liabilities (Part X, line 26)	3,543,537	3,684,935
22 Net assets or fund balances Subtract line 21 from line 20	16,912,087	16,920,451

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

Sign Here

▶ ..... Signature of officer — 2018-07-16 Date

▶ Amy Lavin Chief Executive Officer Type or print name and title

Paid Preparer Use Only

Print/Type preparer's name	Preparer's signature	Date	Check ☐ if self-employed	PTIN
Matthew R Matson	Matthew R Matson	2018-07-16		P00775671

Firm's name ▶ Peterson Sullivan LLP CPA'S — Firm's EIN ▶ 91-0605875

Firm's address ▶ 601 Union St Ste 2300 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)

STROUM JEWISH COMMUNITY CENTER

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

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Judy Neuman
Chief Executive Office

September 8, 2015

I am Judy Neuman, CEO of the Stroum 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 36th 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

DECLARATION OF JOHN MICHAEL HALL

I, John Michael Hall, the undersigned, being over 18 years of age and otherwise competent to make this declaration, do freely offer the statement outlined below as a true and accurate account of events based upon my direct knowledge and recollection and public record.

I have lived in the Mercerwood neighborhood for 64 years moving here in 1958. Our family has been involved with living in or building 8 homes in the neighborhood. Currently residing for 41 years at 9970 S.E. 40th Street, Mercer Island, WA.

The JCC has known the limit of their footprint and intensity of use since 1967 under Ord #142 and current Conditional Use Permits.

They have repeatedly tried to expand beyond their required buffer zones into existing residential neighborhoods and the City of Mercer Island has denied them every time for the best interest of the taxpaying residents #1(1971,1985,2019-CFZ). The City of Mercer Island decreed if the JCC wants to expand, they should do so by purchasing the commercial properties to the North of their existing facility. These pieces of commercial property are situated with I-90 to the north and the City of Mercer Island to the West.#2 (MAP/Commercial Property)The JCC did purchase one piece of commercial property in 1997 to the North however instead of expanding as they have claimed they needed they instead leased it out to the French School (FASPS) for $600,000.00 a year rent.

UNFORTUNATLEY THIS IS ALL ABOUT MONEY!

The JCC has tried to manipulate past and present Mayor, City Council, and Planners for the past 53 years with narratives (for one example, they claim they are like the other clubs and organizations on Mercer Island. However, the others all have less than ten employees).#3 On the 2016 filed tax forms 501 (c)
The JCC claimed 472 employees and 115 volunteers for a total of 587
The FASPS claimed 126 employees and 250 volunteers for a total of 376
#3 In 2016 for a total of 963 Employees and volunteers.

By their own publication the JCC has over 5,000 family memberships while their commitment to the City and neighbors was #4 1,000 family memberships. The intensity of use is horribly abusive.

The JCC has had the same complaints by the neighbors #5 (public Record small sampling) for 53 years of their failure to follow the regulations and commitments, have created abusive nuisances which forced out neighbors over the years, and the current JCC management has forced out 6 neighbors recently. These neighbors were very exhausted going to council and planning hearing for years on end and hiring attorneys. A neighborhood is where you raise your family and spend time, not to have facilities trying to constantly manipulate the zoning laws to their benefit and to ruin the residential nature of our community.

Their request for Variances permission is just another go around on the chess board. #6 For example in 2002 the street vacation will not be used for increased density. **We agree with the City of Mercer Island this Variance request should not be granted.**

Sincerely
John Michael Hall

Molly McGuire

From: Jonathan Spare <jdspare@gmail.com>
Sent: Wednesday, July 29, 2026 1:19 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: In support of SJCC's Plan Amendment and Rezone

Hi there,

My name is Jonathan Spare, and I live on south Mercer Island. I have 3 young children (7, 10, and 12), who attend Island Park Elementary and IMS. While our family is not Jewish, we have utilized the SJCC since we moved to Mercer Island in 2017. Our kids have attended camps, played sports, and had swimming lessons at the SJCC, and my wife and I have played in rec leagues at the SJCC. The SJCC has been a wonderful, welcoming place on Mercer Island.

I write to urge you to approve amending the Comprehensive Plan to change the SJCC property's designation from single family to commercial. The rezoning will align the comprehensive plan and land use maps with the property's longstanding use. The rezoning will also allow the SJCC to be remodeled to continue serving the Mercer Island community, especially the families with children who use it.

I recommend approving the SJCC's comprehensive plan amendment.

Cheers
Jonathan Spare

Molly McGuire

From: Jordan Friedman <jordanfriedman@outlook.com>
Sent: Wednesday, July 29, 2026 3:59 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support amendment in favor of SJCC

To the Members of the Mercer Island Planning Commission,

I am writing to express my strong support for amending the Comprehensive Plan to redesignate the SJCC property from single-family to commercial. This change is not only appropriate; it is long overdue.

Over the past twenty-two years during which I have been a devoted member and supporter of the J, I have watched the organization work tirelessly to be a responsible, thoughtful steward of its property and its mission. I have also watched it face obstacle after obstacle - procedural, structural, and political - despite its clear and consistent commitment to serving Mercer Island.

The J has served as a pillar of the MI community for over 55 years, welcoming generations of Islanders and beyond, providing essential programs for families and seniors, supporting cultural and educational enrichment, and serving as a gathering place for all. Its central and vital role on Mercer Island is undeniable, and yet the land-use designation applied to its property does not reflect that reality, nor does it support the organization's ability to evolve and meet the needs of the next generation.

For years, the J has attempted to establish the right, logical conditions to responsibly redevelop its property, conditions that would allow it to modernize its facilities, expand community services, and continue contributing meaningfully to Mercer Island. Instead, it has been met with delays, shifting requirements, and a lack of alignment between its actual use and the City's planning framework. This mismatch has hindered progress and placed an unnecessary burden on an institution that has done nothing but consistently serve this community with integrity.

We are well past the point of asking whether the J's property should be designated as commercial. The question now is: Why hasn't this already happened? What are we waiting for? The Comprehensive Plan and land-use maps should accurately reflect the J's true role and presence on Mercer Island and support - and in fact, accelerate - its ability to thrive for the next 55 years, just as it has for the last 55.

I urge you to adopt this amendment and bring the City's planning documents into alignment with the lived reality of our community. It is time to remove the barriers that have held the J back and allow it to move forward responsibly, sustainably, and in partnership with our broader Mercer Island community.

Thank you for your service to our community and consideration to this important matter.

Regards,
Jordan Friedman
2035 80th Ave SE, Mercer Island

Item 18.

Molly McGuire

From: Joe Schocken <jls@tranceka.com>
Sent: Wednesday, July 29, 2026 3:11 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada
Subject: JCC

I am writing in support of the rezone for the JCC property.

The J has long been a hugely important part of the fabric of Mercer Island. My family - and hundreds of other families we know - have long used the facilities and programming at the J.

Use of the J has not been limited to the Jewish community... it has always been open to and widely used by a broad cross section of Islanders.

Facilities age, they need to be renewed to accommodate current needs, and the J needs to be updated.

We urge you to change the designation of the JCC property from single family to commercial.. both to reflect its actual usage and to allow the J to continue to serve our MI community.

With respect..

Joseph L. Schocken
President, Tranceka Capital, LLC
jls@tranceka.com
206.612.6937 Mobile
206.232.0852

Molly McGuire

From: Julie Stone Egnal <stone.jules@gmail.com>
Sent: Wednesday, July 29, 2026 6:10 AM
To: Alison Van Gorp; Planning Commission
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission: I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial. [State why you value the J, and your relationship with the J. For example: I've been coming to the J since…; My kids have attended the J….; My family has used the J….] The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Molly McGuire

From: Julie Takasugi <cxr4all@gmail.com>
Sent: Wednesday, July 29, 2026 9:48 AM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: SJCC

Good morning,
My name is Julie Takasugi. I've resided here on Mercer Island for 38 fantastic years and I have enjoyed the SJCC for about 10. The SJCC has become a very important part of my life, especially since my retirement about 7 years ago. Since joining, life has been enriched through friendships, exercise, education, community, and outreach.
The SJCC is in need of growth as more people discover its benefits. The facility is aging and putting dollars into temporary repairs seems wasteful. Enlarging the facility would allow more people to enjoy the welcoming atmosphere, classes, friendships and exposure to a variety of age groups and ideas here on the island at a very reasonable price.
Please allow the expansion of the SJCC, I truly believe that this would be beneficial for a large part of the Mercer Island community.
Thank you,
Julie

Molly McGuire

From: Leanne B. Gordon <leanne.b.gordon@gmail.com>
Sent: Wednesday, July 29, 2026 11:49 AM
To: Planning Commission
Subject: JCC hearing

I'm writing to urge your support for amending the Comprehensive Plan to redesignate the SJCC property from single-family to commercial.

Our family has three elementary-aged boys who all attended preschool at the JCC, and we continue to benefit from its programs and the strong Jewish community it fosters. For more than 55 years, the J has served Mercer Island as a vital community center.

Please ensure the Comprehensive Plan and land use maps reflect this longstanding reality so the J can continue serving our community and thrive on Mercer Island for the next 55 years.

Best,
Leanne Gordon

Molly McGuire

From: Leslie Bair <lesliepbair@gmail.com>
Sent: Wednesday, July 29, 2026 8:46 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Future of the SJCC

Hello-
I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial.

I grew up going to the JCC to celebrate my friends during their Bar Mitzvah and Bat Mitzvahs. It was a special community then and now I am lucky enough to have my son attend the early education program at the J. This program is incredible along with the community it is a part of.

The J has been serving the Mercer Island community – as a community center – for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Thank you!
Leslie Bair

Molly McGuire

From: Lisa Morris <skopster@hotmail.com>
Sent: Wednesday, July 29, 2026 9:10 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support the SJCC

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. The J has been serving the Mercer Island community – as a community center – for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Thank you for your support.

Lisa Morris

Molly McGuire

From: Lisa Porad <lisa@lisaporad.com>
Sent: Wednesday, July 29, 2026 10:34 AM
To: Alison Van Gorp; Planning Commission; Deb Estrada; Council
Subject: Support the J

Hi-

I'm writing to urge you to support and amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial.

My family has spent every stage of our lives at the JCC, for generations! I grew up at the J, my kids grew up at the j and if there is a next generation I want them to have the same opportunity. The J has served the Mercer Island community – as a community center – for over 55 years.

One of Mercer Islands many gifts/strengths is our strong community and the J is a big part of that. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Thank you,

Lisa
2445 74th Ave SE
206.295.2166

Molly McGuire

From: M Naqvi <masooma.naqvi@gmail.com>
Sent: Wednesday, July 29, 2026 10:48 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support Proposed Zoning Change for the SJCC

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial.

My family and I are members of the SJCC, and having the J is a huge part of what makes living on Mercer Island so unique and special. Through the J, we have been welcomed into a diverse community of new friends. I hope the J can continue to grow and thrive so other families can enjoy the same benefits that my family has enjoyed in this community.

The J has been serving the Mercer Island community – as a community center – for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Thank you for your consideration.
Masooma, Mercer Island resident

Molly McGuire

From: Matt Lemchen <MattL@sjcc.org>
Sent: Wednesday, July 29, 2026 12:49 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

My family has been part of the SJCC community and have enjoyed J programming for over 40 years, from my first Purim Carnival in the early 1980s to my own kids involvement in teen community service programs through the J.

The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Thank you for your consideration,

Matt Lemchen

Molly McGuire

From: max strasburg <m_stras@yahoo.com>
Sent: Wednesday, July 29, 2026 1:22 AM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: JCC

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. I grew up participating in JCC programming and have sent my own children to camp there. The J has been serving the Mercer Island community – as a community center – for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.
Max Strasburg

Molly McGuire

From: michael gluck <gasm1g@yahoo.com>
Sent: Wednesday, July 29, 2026 10:12 AM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: amending the comprehensive plan for SJCC

Dear members of the planning commission:

My name is Michael Gluck. My wife, Lisa, and I have been residents of Mercer Island since 1987. We have been member of the J since then, have had our children in the pre-school, have used the J's exercise facilities, taken classes there, made lifelong friends, and feel fully committed to it.

- We urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. The J has been serving the Mercer Island community – as a community center – for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.
- The entire Mercer Island benefits from an upgrade to the facility and the multiple activities that occur there.

Sincerely,

Michael Gluck, MD
Lisa R. Koper

Molly McGuire

From: Alan Tesler <atesler3@comcast.net>
Sent: Wednesday, July 29, 2026 3:42 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Please Support the Proposed Zoning Change for the Stroum Jewish Community Center

To the Members of the Planning Commission:

As Mercer Island residents for over 40 years, and members and frequent users of the Stroum Jewish Community Center for the entire time our family has lived here, we're writing today to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

We joined the JCC right after moving to Seattle in 1984, and that connection eased our move to the new community. The services we've received and the friends we've made through the JCC have been a vital enriching part of our lives. We use the gym almost daily, and we enjoy the cultural arts programs that are offered as well.

The JCC has been serving the Mercer Island community – as a community center for all - for over 55 years. Many of the users, including the people we see every day in the gym, are not Jewish, but the JCC is welcoming to everyone.

The JCC is clearly not a single family residence. Please align the comprehensive plan and land use maps to reflect that reality and ensure the JCC can continue to serve our community and thrive on Mercer Island for at least another 55 years.

Thank you!

-Michele and Alan Tesler
2205 82nd Avenue SE

Molly McGuire

From: mindylandsman@comcast.net
Sent: Wednesday, July 29, 2026 8:32 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Please approve the JCC plan

Hi,
I'm Mindy Landsman, an MI resident since 1999, and a JCC member since 1994 when we moved to the Northwest and lived in Kirkland.

The J has been a critical part of our family life since 1994. Here are some of the ways that the J has enriched our lives:

- Our son (who was 10 months old at the time) attended the Mommy and Me class. He is now 33 years old.
- Our son went to pre-school at the J.
- I've been working out in the fitness room at the J since 1994.
- I worked as a Personal Fitness Trainer at the J from 2003 until 2020.
- I've been taking fitness classes at the J for 30 years.
- Our family watches films in the J auditorium from the Seattle Jewish Film Festival.
- We've attended wonderful cooking classes, comedy shows, and more at the J.
- For the past 2 years, I've been a volunteer in the Parkinson's Fitness Class.

I am no expert on city planning, but I'm surprised, and it makes no sense to me, that the J would be zoned as single family. The city should zone the JCC campus for what it is, a commercial entity serving Mercer Island and beyond. Surely the J can better plan its future without having to arbitrarily navigate single family zoning when putting forward plans for the site.

Please amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial.

Best regards,
Mindy Landsman
7210 79th Ave SE
Mercer Island

Molly McGuire

From: Miriam Porad <mimiporad@icloud.com>
Sent: Wednesday, July 29, 2026 5:03 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Please amend the Comprehensive Plan to change the designation of the SJCC Property

-
  - I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. Our family has enjoyed the SJCC for many years. We've taken advantage of may of the adult programs. Our children and grandchildren have enjoyed the preschool, day camps, youth programs, lifeguarding and working in the preschool. It's provide many great experiences and many new friends,.The J has been serving the Mercer Island community – as a community center – for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years. Thank you, Miriam Porad

Molly McGuire

From: Mitchell Buder <mitchell.buder@gmail.com>
Sent: Wednesday, July 29, 2026 8:18 AM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Cc: Juliet Buder
Subject: Support for the JCC

Dear All,

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial.

The J has been a large part of my family's positive experience with our move to Mercer Island nearly 5-years ago. It has provided swim lessons and the first classroom experience for my two young boys; it has fostered an environment and community for our Jewish identity; and it has created a safe and fun camp experience, building lasting relationships and growth. The JCC is a critical voice and force during this period of uncertainty and challenge for the Jewish community.

The J has been serving the Mercer Island community – as a community center – for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Thank you,
Mitch Buder
7011 92nd Ave SE, Mercer Island, WA

Molly McGuire

From: Naomi Alhadeff <mrs.alhadeff@gmail.com>
Sent: Wednesday, July 29, 2026 8:45 PM
To: Planning Commission; Deb Estrada; Alison Van Gorp; Council
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

Good evening. My name is Naomi Alhadeff, and I have been coming to the Stroum Jewish Community Center since I was a little girl, beginning in preschool.

Some of my happiest childhood memories were made there and where I could celebrate Jewish holidays, learning to swim, attending summer camp, and participating in teen programs. Today, it's incredibly meaningful that my own children now attend preschool, camp, and community programs, creating memories of their own.

The JCC is so much more than a building. It is a place where people of all backgrounds come together to learn, build friendships, celebrate, exercise, volunteer, and support one another. It strengthens not only the Jewish community but the entire Mercer Island community and surrounding areas.

Especially in today's climate, Jewish families need places where our children can safely and proudly embrace their identity. The JCC provides that sense of belonging, acceptance, and security while welcoming everyone who walks through its doors.

Approving this zoning change is an investment in community, allowing the building to update to code, ADA accessibility and other needed improvements. A vibrant community center that serves thousands of children, families, seniors, and neighbors every year provides far greater and longer-lasting value than a single commercial or residential development on this site. The benefits extend well beyond the Jewish community, it will continue to strengthen the social fabric of Mercer Island for generations to come.

I hope you'll support this request and path to updating the facilities to help ensure that future generations have the same opportunity to learn, grow, celebrate, and build community that I have been fortunate to experience throughout my life.

Thank you for your time and consideration.

Naomi

Sent from my iPhone

Molly McGuire

From: Nathan Holan <nathan.a.holan@gmail.com>
Sent: Wednesday, July 29, 2026 11:51 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: JCC

Dear Planning Commission,

I urge your support in amending the Comprehensive Plan to change the designation of the SJCC property from single family to commercial.

My parents, brother, and I are all members of the JCC. I attended preschool at the JCC and made friends there who have remained my friends from kindergarten through MIHS and beyond. As a teenager, I learned leadership skills through participating and holding office in a teen organization held at the J, as well as through serving as a counselor-in-training.

That the J is zone'd single family does not make sense. It doesn't reflect its use over the past 6 decades, including the two decades I've been a member. Changing the designation is necessary to reflect reality AND allow it to serve Islanders for the next 6 decades.

Thank you,

Nathan Holan

6121 85th Pl SE

Mercer Island, WA 98040

Molly McGuire

From: Owen Smith <mr.owen.smith@owensmith.biz>
Sent: Wednesday, July 29, 2026 11:27 PM
To: Planning Commission; Alison Van Gorp; Council; Deb Estrada
Subject: Recommendation to amend Comprehensive Plan to change SJCC property designation to Commercial

Hello,

My name is Owen Smith and I urge the Mercer Island planning commission to amend the Comprehensive Plan to change the designation of the Stroum Jewish Community Center property from single family to commercial.

I am a Mercer Island resident and I currently serve on the board of the SJCC. I'm grateful for the community that I found at The J since I moved here three years ago. Both of my kids attended preschool at the Schwartz Early Childhood School, learned to swim at the JCC Pool, played basketball in the gym and enjoyed camp for several weeks this summer as well as last. There's no other community gathering place on Mercer Island with such a variety of valuable resources that is as readily accessible and as welcoming to newcomers such as myself. I'm not Jewish, and neither are many of the families who I've gotten to know through all my activities at The J — truly all are welcome here. For these reasons I recommend amending the property designation to ease the administrative burden and expense of maintaining and improving this vital community resource.

Best Regards,

Owen Smith

Molly McGuire

From: PAUL BURSTEIN <burstein62@comcast.net>
Sent: Wednesday, July 29, 2026 9:55 AM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Planning Commission meeting August 5 on Stroum JCC

This is Paul Burstein writing in favor of amending the Comprehensive Plan to change the designation of the Stroum Jewish Community Center property from single family to commercial.

My wife Florence and I have been members of the Stroum JCC for 40 years. When we moved from Nashville, Tennessee, to the Seattle area in 1985, and to Mercer Island in early 1986, we knew we wanted to join the SJCC. Our children were 3-1/2 and 1-1/2, and we had heard that the SJCC preschool was a great place for young children, and for their families. Our children spent many years at the SJCC--in the preschool, after-school programs, holiday programs, and summer camp. They were soon joined by our third child. The SJCC programs for children served not only our children, but ourselves as well. It was there that we made friends--some of whom are friends to this day--and were introduced not only to the Jewish community, but to the general Mercer Island community as well. We have participated in cultural programs, worked out at the fitness center, enjoyed holiday celebrations, and engaged with friends in the very real community provided by the SJCC. It is a critical part of life on Mercer Island. One of our daughters and her family live in Seattle, but they enjoy their membership as well.

The SJCC facility is aging. The addition of the fitness center years ago, and the more recent upgrade of the preschool facility have added greatly to the quality of the SJCC, but the entire facility needs major upgrades if it is to continue to fulfill its purpose as a center of community life. Mercer Island's central business district is not what it was 55 years ago--it is much more developed, more vibrant, a real 21st century center of community life. Mercer Island would not be what it is today if the central business district had been forced to remain what it was 55 years ago, and it is just not reasonable to force the SJCC to remain what it was so many years ago.

Please allow the SJCC to formally be what it has always been in practice--a community center rather than the mythical location of single family homes that have never existed. I urge you to change the designation of the SJCC property from single family to commercial, and by so doing enhance the quality of life on Mercer Island.

Thank you for your consideration.

Sincerely,

Paul Burstein
8367 SE 30th Street, Mercer Island

Molly McGuire

From: Paula Libes <paula.libes@gmail.com>
Sent: Wednesday, July 29, 2026 9:45 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: The Stroum JCC is essential for Mercer Island residents and nearby communities

Hello. My name is Paula L. Chester. I've lived on "the island" since 1988. I've finally begun to take full advantage of the amazing resource that is the Stroum Jewish Community Center. When I go there to swim, to take classes and to view movies, I am amazed at the huge demographic served by this 50 year old facility. Truth: Nearly all of the original Jewish residents of the city have passed on or are in assisted living facilities. They have been replaced by young families of all religions and nationalities who see the same advantage of living in our beautiful community. We continue to have the best schools, amazing parks and walking trails, and now a more vibrant and thriving downtown. The Stroum JCC is a home away from home for Mercer Island parents and their children. It offers great fitness facilities for adults, teens and seniors. There is always lots going on, and there could be even more if the aging facility were to undergo a radical updating.

It's not only Mercer Islanders who utilize the JCC. We are a stone's throw from Bellevue, and other communities who take advantage of the JCC's offerings. Please keep a modernized Stroum JCC part of any long term plan as the City of Mercer Island looks to the future.

Thank you for your time and consideration.

Sincerely,

Paula Libes Chester

Molly McGuire

From: Perry Drapekin <perrydrapekin@gmail.com>
Sent: Wednesday, July 29, 2026 9:47 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support for the SJCC Comprehensive Plan Amendment

Dear Members of the Planning Commission,

I'm writing to urge your support for amending the Comprehensive Plan to change the designation of the Stroum Jewish Community Center property from single-family to commercial.

My children have attended the SJCC's Early Childhood School since 2021, and our family has become deeply connected to the J through its programs and community. I am co-chair of the Early Childhood School Parent Teacher Committee, and over the years my children have attended camp, taken swim lessons, and participated in youth sports at the J. It is so much more than an early childhood school or a fitness center—it is a true community center that brings people together across generations and is an invaluable asset to Mercer Island.

The J has been serving the Mercer Island community as a community center for more than 55 years. It is where children learn, families build lifelong friendships, neighbors connect, and traditions are celebrated. The J has enriched my family's life in countless ways, and I hope it will continue to do the same for future generations.

Please align the Comprehensive Plan and land use maps with the longstanding reality of how this property has served Mercer Island and ensure the J can continue to thrive and serve our community for the next 55 years.

Thank you for your time and thoughtful consideration.

Sincerely,

Perry Drapekin

Molly McGuire

From: Rebecca Raphaely <rebecca.a.raphaely@gmail.com>
Sent: Wednesday, July 29, 2026 10:31 AM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council

To Whom it May Concern

I am writing to urge your support for amending the Comprehensive Plan to change the designation of the Stroum Jewish Community Center (SJCC) property from Single Family to Commercial.

My husband grew up on Mercer Island attending the JCC as a child. His parents are still members there 36 years later. Although we do not live on Mercer Island, we still make a point to bring our daughter to the JCC for lessons.

At a time when antisemitism is on the rise and Jewish communities across the country are experiencing unprecedented levels of harassment and hate crimes, spaces like the J are more important than ever. They offer not only programs and services but also a sense of security, belonging, and community. Preserving and supporting these spaces demonstrates our community's commitment to inclusion, religious freedom, and ensuring that everyone has a place where they feel welcome.

The J has been operating as a community center on this site for over five decades. Updating the Comprehensive Plan and land use maps to designate the property as Commercial simply recognizes the reality of how the property has long been used and provides the certainty needed for the J to continue serving Mercer Island for generations to come.

Please align the Comprehensive Plan and land use maps to reflect this longstanding community asset and ensure the J can continue to serve, grow, and thrive on Mercer Island for the next 55 years.

Thank you for your consideration and for your commitment to supporting institutions that strengthen our entire community.

Sincerely,

Rebecca Raphaley MD

Leeran Raphaely

Molly McGuire

From: Ricca Poll <riccapihapoll@gmail.com>
Sent: Wednesday, July 29, 2026 12:37 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: It is time to rezone the SJCC Now

Hi,
My name is Ricca Piha Poll. I have lived on the island for over 22 years. I grew up in Bellevue but Mercer Island JCC was a big part of my childhood life. I attended preschool there in the early 70s, went to summer camp throughout my early childhood years (still friends with many of the people I met there), and attended youth group programing in my teens. As I walk through the center I do not see a lot of significant change since I was young. My children also grew up at the J. They both went to preschool there, summer camp and the same youth program I did. Some of their closest friends are from preschool at the SJCC. The J feels like home to my family. The problem is it NEEDS a great deal of improvements to be a constant center for our generations to come.

One big piece for me that is troublesome is that the J cannot become ADA compliant without a rezone. Mercer Island claims to care about EVERYONE, however limiting access to the entire building without going outside to get from one level to other is unacceptable. Unfortunately my sister died at the age of 44, but because of her cancer treatments she was in a wheelchair towards the end of her life. I think about how people like my sister could not drop off their child as the preschool and then go downstairs for programming without going outside. THAT IS NOT OK!

It is shameful that it is taking the city council this long to rezone such a valuable institution to our island. The time is NOW to amend the Comprehensive Plan to change the designation of the SJCC property from single gamily to a commercial use as it is currently being used.

My hope is that you see the importance of the changes that need to happen to the SJCC and you stop putting the off what needs to be done today.
Please rezone NOW!

Thank you for taking the time to read,
Ricca Piha Poll

Molly McGuire

From: Deb Estrada
Sent: Wednesday, July 29, 2026 11:00 AM
To: Molly McGuire
Subject: FW: Public hearing for CPA25-002

From: Richard Tomaselli <rtomaselli@gmail.com>
Sent: Wednesday, July 29, 2026 10:24 AM
To: City Clerk <cityclerk@mercerisland.gov>
Subject: Public hearing for CPA25-002

As a resident of Mercer Island, I object to rezoning the JCC property to Commercial Office. This sets a terrible precedent and moves Mercer Island away from its stated goal of being a premier residential community. I further object to the hearing to consider the proposal being during a time when residents are on summer vacation and preparing for back to school.

Kind regards,
Richard Tomaselli

Sent from Gmail Mobile

Molly McGuire

From: Rick Clarfeld <rickclarfeld@gmail.com>
Sent: Wednesday, July 29, 2026 3:59 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Zoning change

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial.
My family, like many others, has benefitted by the presence of the JCC on Mercer Island. My children and grandchildren have attended the preschool as well as the summer camps. They learned how to swim, they developed skills in arts and crafts, and most importantly, they were taught to embrace everyone in their community and treat everyone with respect. The "J" provides opportunities for physical activity and cultural enrichment for all age groups in this community. It's a real asset to Mercer Island. The population of the Island has grown and the demand for the SJCC's services has grown with it - it's no wonder that the J needs to expand. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island.
Sincerely,
Rick Clarfeld

Item 18.

Molly McGuire

From: Deb Estrada
Sent: Wednesday, July 29, 2026 5:30 PM
To: Molly McGuire
Subject: FW: public hearing for CPA125-002

From: Shirley Chen <shirlingchen@gmail.com>
Sent: Wednesday, July 29, 2026 2:33 PM
To: City Clerk <cityclerk@mercerisland.gov>
Subject: public hearing for CPA125-002

Hello!

As a 10 years resident of Mercer island, I object to rezoning the JCC property to Commercial Office. This sets a terrible precedent and moves Mercer Island away from its stated goal of being a premier residential community. I further object to the hearing to consider the proposal being during a time when residents are on summer vacation and preparing for back to school.

Sincerely,
Shirley

509

Molly McGuire

From: Simeon Rubenstein <rubenstein.simeon@gmail.com>
Sent: Wednesday, July 29, 2026 11:17 AM
To: Planning Commission
Cc: allison.vangorp@mercerisland.gov
Subject: Remodel of JCC

My name is Simeon Rubenstein - a retired physician My family and I moved to Mercer Island in 1972. Our three children grew up here and went to our wonderful schools.

The JCC has been in integral part of our lives over the last 54 years - we met many of our friends there -- we have attended many community functions there.
The JCC is a community resource with members from all backgrounds using the facilities and taking advantage of the programming.

It's past time for a refresh - a remodel and possible expansion. I encourage you and all the council members to support the remodel to enhance the future opportunities for other families that live here now and into the future

Thanks for reading this

Simeon A Rubenstein
5327 84th Pl SE

206 409 2981

Item 18.

Molly McGuire

From: Deb Estrada
Sent: Wednesday, July 29, 2026 5:29 PM
To: Molly McGuire
Subject: FW: Public hearing for CPA25-002

From: Stephanie Lee <ycstephani@gmail.com>
Sent: Wednesday, July 29, 2026 3:59 PM
To: City Clerk <cityclerk@mercerisland.gov>
Subject: Public hearing for CPA25-002

Dear City Clerk,

As a resident of Mercer Island, I respectfully request that the public hearing regarding the proposed rezoning of the JCC property be rescheduled until the fall. This proposal sets a concerning precedent and moves Mercer Island away from its stated vision of being a premier residential community.

Holding a hearing on a matter of such significance during the summer limits meaningful public participation and prevents many residents from having the opportunity to be informed and provide input. A proposal that could have a lasting impact on the character of our community deserves the broadest possible public engagement.

Best,

Stephanie Lee

Mercer Island Resident

511

Molly McGuire

From: Steve Chess <tripickle6@gmail.com>
Sent: Wednesday, July 29, 2026 2:12 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: JCC Property

I have been a member of the JCC for many years. The JCC deserves a facility that is up to code. As a person with a long-term physical disability, many of the potential updates would be of great help to me and others. Please amend the comprehensive plan to designate the JCC property from single family to commercial use.

Thank you,
Stephen Chess

Molly McGuire

From: Suzanne Skinner <skinnersuzanne@hotmail.com>
Sent: Wednesday, July 29, 2026 11:04 AM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Please amend the MI Comp Plan as requested by the JCC

Dear Mercer Island government members:

I am joining the chorus of residents urging that the City amend the comp plan to change the JCC's property designation from single family to commercial.

This is a common sense change which reflects the current use and, moreover, will allow the JCC to undertake important and essential renovations of its aging facility.

The JCC is absolutely integral to the fabric of the Mercer Island community. It's membership is affordable and consequently, I have heard that one-third of MI residents belong. It provides essential services to families: after school programs, child care, summer camps, swimming lessons and so much more. It provides essential services to seniors: specialized, affordable mobility and strength classes, senior social time and health clinics and so much more. It opens its doors annually to a well-received, affordable film festival that is open to all: where else on MI can one see the latest international films open to all?

In short, it is essential that the City approve this comp plan change to keep the JCC able to play the key role it plays in the lives of thousands of MI residents.

And for heavens sakes, the City does not need any more single family residences. It needs community spaces to support the families that call MI home.

Suzanne Skinner
JCC member

Molly McGuire

From: Uri Bar-Joseph <uribarjoseph1@gmail.com>
Sent: Wednesday, July 29, 2026 9:56 AM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Cc: Karen Bar-Joseph
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

We've been members of the J since we moved to Mercer Island six years ago and have used the J's programming for over 15 years, while we lived in Seattle before moving to the Island. My wife's family have been a proud member of the J since 1990, and we plan for our kids and one day our grandkids to continue this tradition.

The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Thank you for the consideration,
Uri Bar-Joseph

Molly McGuire

From: Wendy Kaufman <kaufmanwr@gmail.com>
Sent: Wednesday, July 29, 2026 6:05 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Cc: kaufmanwr@gmail.com
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

WE have been happily living on Mercer Island for more than 3 decades; and we have Been using the SJCC for most of that time. The "J" is a fantastic resource and addition To our community. But it needs and wants to create new facilities. I totally support that effort.

I urge you to support amending the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial to enable the J to create an even better SJCC.

Like so many Islanders we used the wonderful pre-school, after school programs (a tremendous resource for working parents), and summer camp. We continue to use their exercise facility, wonderful fitness classes and pool.

The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to allow it to more
effectively serve the Island community for many decades to come .

Thank you for your consideration.

Wendy Kaufman
206 300 6720

Molly McGuire

From: Wendy Rosen <rawendy@msn.com>
Sent: Wednesday, July 29, 2026 12:25 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: JCC Comprehensive Plan Amendment

Dear Mercer Island City Council Members and Planning Commission Members,

I'm writing to you as a lifelong Mercer Island resident who also raised our children on Mercer Island. We attended Mercer Island schools and have also been proud and involved lifelong members of the Stroum Jewish Community Center (SJCC), starting with preschool.

Our family and so many fellow Mercer Islanders who we know have made countless lifelong friends at the SJCC.

I am writing to you today to ask that you *please support a Comprehensive Plan amendment, that would create a viable path forward for the SJCC to update the facility*.

I ask that you consider this for several reasons.

1. The SJCC is open to everyone. You do not need to be a member to come to the SJCC.
2. A bigger and better SJCC will benefit the entire Island.
3. Everyone is welcome at the SJCC, regardless of age, ethnicity, religion, or gender.
4. The current space is old and limited and there are many ongoing and costly maintenance issues.
5. The SJCC is such an important part of our community, and with a remodel it will be able to serve even more Mercer Island children, adults and seniors.

Thank you so much for your consideration and ongoing support for this beloved and critically important Mercer Island institution.

My warmest regards,
Wendy Rosen

Wendy Rosen
4140 Boulevard Pl
Mercer Island, WA. 98040
206-353-3208

Get Outlook for iOS

Molly McGuire

From: Roberta Stern <mibobbie@aol.com>
Sent: Thursday, July 30, 2026 10:26 AM
To: Planning Commission
Subject: Support

I want to add my POSITIVE support for you to amend the Comprehensive Plan to change designation of the SJCC property from single family to commercial.
As a Mercer Island resident since 1959, acquiring the SJCC was a fantastic addition to the stellar lifestyle we still value.
My father, Herb Meltzer, served on the original Construction Committee & my mother Fern Meltzer, served on the Board of Trustees & Co-Chaired the Ground Breaking Ceremony.
Because the SJCC has been so well managed & inclusive, our family has enjoyed over 50 years of lifetime enrichment opportunities. Programs including Pre-School, Athletic , Camping, Arts & Cultural have been available for all ages.
Daughter Dana spent her childhood years developing skills & friendships & leadership prowess while participating on Gymnastics & Swim Team. As an adult, Dana worked as Senior Program Director & Group Fitness Coordinator. She initiated the outstanding Rock Steady Boxing for Parkinson's program as well as many other innovative wellness programs.
Our granddaughter Molly also benefitted from the incredibly well run Athletic & Theater Arts opportunities.
Molly, presently teaching First Grade @ Ben Franklin Elementary, produced 3 plays at the school where she received the Outstanding Teacher of the Year Award.
And where did Molly get her inspiration?
Where did she develop her skills?
AT THE SJCC!!
Grandson Mason who participated @ SJCC camp & other many other athletic activities will now be Mercer Island High School Head Coach this fall.
And where did he develop his passion for Coaching & for working with young kids?
Yep ! At the SJCC!!
SJCC is a beacon of light on our precious island & a treasure for all ages to enjoy!!
Thank you for your support.
Bobbie Meltzer Stern

Sent from my iPhone

Molly McGuire

From: Deb Estrada
Sent: Thursday, July 30, 2026 9:16 AM
To: Molly McGuire
Subject: FW: Public hearing for CPA25-002

From: Camberly Gilmartin <camberlyg@gmail.com>
Sent: Wednesday, July 29, 2026 11:07 PM
To: City Clerk <cityclerk@mercerisland.gov>
Subject: Public hearing for CPA25-002

As a resident of Mercer Island, I object to proposed rezoning of the JCC property to Commercial Office. This sets an unfair and inequitable precedent and moves Mercer Island away from its goal of being a premier residential community. I further object to the hearing to consider the proposal being held during a time when a majority of island residents are on summer vacation and preparing for back to school and ask the City to postpone this important community hearing to early Fall when island families are back in town and children are settled back into school. This will allow for broader participation, consideration and discussion by the overall Mercer Island community so that an informed equitable decision may be made.
Thank you for your consideration,
Camberly Gilmartin

Molly McGuire

From: Nadine and Lou Samter/Stubecki <louandnadine@msn.com>
Sent: Thursday, July 30, 2026 11:07 AM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Proposed Amendment of Comprehensive Plan to Designate SJCC as Commercial Property

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. I have attended programs and other events there and the SJCC is not only the primary hub of the Jewish community in King County, but it serves the more general community in Mercer Island. The J has been serving the Mercer Island community – as a community center – for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years. Best regards, Nadine Samter

Get Outlook for iOS

Molly McGuire

From: Deb Estrada
Sent: Thursday, July 30, 2026 9:19 AM
To: Molly McGuire
Subject: FW: public hearing for CPA125-002

From: ping zhao _ YHOO <pingzhao1990@yahoo.com>
Sent: Thursday, July 30, 2026 6:14 AM
To: City Clerk <cityclerk@mercerisland.gov>
Subject: public hearing for CPA125-002

Hello!

As a 10 years resident of Mercer island, I object to rezoning the JCC to Commercial Office. This sets a terrible precedent and moves Mercer Island away from its stated goal of being a premier residential community. I further object to the hearing to consider the proposal being during a time when residents are on summer vacation and preparing for back to school.

Thank you,

Ping Zhao
Sent from Yahoo Mail for iPhone

Molly McGuire

From: Scott Rockfeld <scott@rockfeld.com>
Sent: Tuesday, July 28, 2026 4:19 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

My kids have attended the J since preschool and continue to this day. It's an important part of the Jewish community, at a time when we really need the support.

The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Thanks
Scott and Cindy Rockfeld

South Mercer Island.

Molly McGuire

From: Alison Van Gorp
Sent: Monday, August 3, 2026 2:06 PM
To: Molly McGuire
Subject: FW: Amendment

From: steph <stephauten@gmail.com>
Sent: Tuesday, July 28, 2026 12:07 AM
To: Alison Van Gorp <alison.vangorp@mercergov.org>
Subject: Amendment

Please amend the Comprehensive Plan to change the designation of the SJCC property from single to commercial.

The SJCC has been a hub of this community ever since I moved here in the 70's. It has served us with a multitude of activities for all age groups. In my personal experiences, I have gone to lectures, lessons, fitness classes and holiday celebrations... my children have attended classes as an extension of their high school studies....my grandchildren have attended years of camp and preschool.

Our community needs the SJCC. Please help it survive as a special destination for so many.

Thank you.
Stephanie Auten

Molly McGuire

From: Deb Estrada
Sent: Thursday, July 30, 2026 12:16 PM
To: Molly McGuire
Subject: FW: Public Hearing for CPA25-002

From: donna tomlinson <donna.tomlinson@hotmail.com>
Sent: Thursday, July 30, 2026 11:35 AM
To: City Clerk <cityclerk@mercerisland.gov>
Subject: Public Hearing for CPA25-002

Dear City Clerk, City Council, and Mayor,

As a Mercer Island resident, I am writing to formally object to the proposed rezoning of the JCC property to Commercial Office. This change sets a concerning precedent and conflicts with Mercer Island's goal of remaining a premier residential community.

My additional concerns include:

- CUP Compliance: The current lack of adherence to the Conditional Use Permit (CUP) in place for these properties.
- Parking Shortages: Inadequate parking for employees and construction crews, which causes vehicles to spill into surrounding residential neighborhoods. Which is out of compliance with the CUP.
- Traffic Impact: The lack of a traffic relief plan for the congestion this project would create, making it difficult for residents to travel on and off the island.

Furthermore, I object to scheduling the hearing during the summer, when many residents are away or preparing for the school year. I request that the hearing be scheduled no sooner than October 2026 to ensure residents can attend.

Thank you for your time and consideration.

Donna Tomlinson
9729 SE 40th St
Mercer Island WA 98040

Molly McGuire

From: Deb Estrada
Sent: Thursday, July 30, 2026 12:17 PM
To: Molly McGuire
Subject: FW: Public Hearing for CPA25-002

From: Gregg Rogers' Golf Performance Centers <grogers@grgolfperformance.com>
Sent: Thursday, July 30, 2026 11:30 AM
To: City Clerk <cityclerk@mercerisland.gov>
Subject: Public Hearing for CPA25-002

Dear City Clerk, City Council, and Mayor,

As a Mercer Island resident, I am writing to formally object to the proposed rezoning of the JCC property to Commercial Office. This change sets a concerning precedent and conflicts with Mercer Island's goal of remaining a premier residential community.

My additional concerns include:

- CUP Compliance: The current lack of adherence to the Conditional Use Permit (CUP) in place for these properties.
- Parking Shortages: Inadequate parking for employees and construction crews, which causes vehicles to spill into surrounding residential neighborhoods. Which is out of compliance with the CUP.
- Traffic Impact: The lack of a traffic relief plan for the congestion this project would create, making it difficult for residents to travel on and off the island.

Furthermore, I object to scheduling the hearing during the summer, when many residents are away or preparing for the school year. I request that the hearing be scheduled no sooner than October 2026 to ensure residents can attend.

Thank you for your time and consideration.

Sincerely,

Gregg Rogers
9729 SE 40th St, Mercer Island, WA 98040

Warm Regards!

"Live Healthy...Play Well!"

Gregg Rogers
Founder - Gregg Rogers' Golf Performance Centers LLC.,
TaylorMade Golf - National Fitters Council Member
2025-26 GRAA Elite Member Growth of the game Teaching Professional
2020-26 GRAA Top 100 Growth of the game Teaching Professional

2020 Golf Magazine "Top 50 Club Fitter in North America"
2011-24 Golf Digest "America's Top 100 Club Fitter"

2021 130th Ave NE, Suite D
Bellevue, WA 98005
425.556.9022
www.grgolfperformance.com

Molly McGuire

From: Deb Estrada
Sent: Friday, July 31, 2026 7:43 AM
To: Molly McGuire
Subject: FW: Public hearing for CPA25-002

From: Julie Tseng <julietseng@yahoo.com>
Sent: Thursday, July 30, 2026 9:02 PM
To: City Clerk <cityclerk@mercerisland.gov>
Subject: Public hearing for CPA25-002

As a resident of Mercer Island, I object to rezoning the JCC property to Commercial Office. This sets a terrible precedent and moves Mercer Island away from its stated goal of being a premier residential community. I further object to the hearing to consider the proposal being during a time when residents are on summer vacation and preparing for back to school.

Sent from my iPhone

Item 18.

Molly McGuire

From: Deb Estrada
Sent: Thursday, July 30, 2026 1:23 PM
To: Molly McGuire
Subject: FW: Public hearing for CPA25-002

From: Justin and Jaime <jayisee@gmail.com>
Sent: Thursday, July 30, 2026 1:22 PM
To: City Clerk <cityclerk@mercerisland.gov>
Subject: Public hearing for CPA25-002

To the City of Mercer Island Planning Commission:

It has recently been brought to our attention that the City is considering the rezoning of residential property to commercial property, specifically, the JCC.

In doing so, a precedent will be set for other residential properties to be converted into commercial properties. As it is, Mercer Island is a premier residential community with great schools, close neighborhoods, and several vibrant communities. The JCC is one of these wonderful communities - and its growth is exciting. However, being part of the Island also comes with the social responsibility to preserve what makes the Island enjoyable for all residents. If this conversion occurs, the Island is at risk for other community centers to also request changes to commercial status and change the culture and environment permanently.

As such a decision impacts the entire Island, not just the properties within 200 ft of the construction zone, a greater conversation with education and notification needs to occur across the entire Island. Aside from the potential other conversions, just this change alone would significantly impact the traffic pattern. We all remember when the East Mercer Way ramp was closed just within the past year. The traffic spilled into the entire north Mercer Island - at least all of downtown and south beyond 40th. With more traffic at the JCC (and adjacent Herzl-Ner Tamid and upcoming new school), we can anticipate more traffic throughout. At least a formal traffic study should be performed.

We object to the hearing occurring on August 5. We request that the hearing be moved to allow for more time for research, review and discussion. The current date in August is while many are away on vacations. The September date is just at the start of the school year. And, while we're all always busy, October would be less so (before the holidays start up).

Sincerely,
Jaime Chang and Justin Deng
3219 84th Ave SE
Mercer Island, WA 98040

Molly McGuire

From: Jessica Tabakin <mamadoulallc@yahoo.com>
Sent: Thursday, July 30, 2026 3:56 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Keeping this treasured institution, Draft 2

Hello, important people making an important decision,

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

I have been a member of the SJCC for several years, am an annual volunteer for the Jewish Film Festival, and sent my daughter to summer camp there when she was younger.

Since October 7th, 2023, the JCC has been my haven. It is difficult to express the visceral feeling of entering a building that flies an Israeli and American flag out front. I almost keep my membership for that alone!

Where I live in South Seattle, we generally see Palestinian Flags hung in public spaces; local cafes keep small flags by the checkout or paint them on entire walls. Homes display the Palestinian flags out their front windows, and there is a general feeling of disdain for Israel, its policies since Hamas began the war. Anti-Zionism is the new form of Antisemitism, unfortunately, and I combat it emotionally every time I leave my home.

At the J, I swim and take saunas or do the occasional exercise class, which gets me through the dreary part of the year. Our family enjoys the J's community events, such as concerts, lectures, comedians, and chefs. I joke that the Jewish Film Festival, hosted partly within the walls of the SJCC, is my favorite Jewish Holiday! You could say the place is like a Cheers; I come to work out, and stay for the community.

The SJCC is a place I go to feel safe, because it supports and protects my worldview and beliefs. I could have a shorter commute to swim at a Seattle city pool or the YMCA, but I make the drive and keep my membership because the next closest thing is a religious institution which doesn't offer all of the above.

My daughter attends Puget Sound's only Jewish High School, NW Yeshiva High School, and our family is far from Orthodox. We transferred her from Garfield High School in 2024, after her freshman year ('23-'24) had five school shootings. If I could afford to move to Mercer Island, I would!

The J has been serving the Mercer Island community – as a community center – for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Thank you kindly,

Jessica Tabakin

Mama Doula LLC &
Seattle Family Chef:
Certified Nursing Assistant,
Personal Chef & Postpartum Doula Services.
(206) 293-4472

https://gcc02.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.mamadoulallc.com%2F&data=05%7C02%7Cmolly.mcguire%40mercerisland.gov%7C076446df584642f9a11408deee8dc3bd%7Cced2aa098b804de2b9dd7410b6965ed0%7C0%7C0%7C639210489826807079%7CUnknown%7CTWFpbGZsb3d8eyJFbXB0eU1hcGkiOnRydWUsIlYiOiIwLjAuMDAwMCIsIlAiOiJXaW4zMiIsIkFOIjoiTWFpbCIsIldUIjoyfQ%3D%3D%7C0%7C%7C%7C&sdata=5eKmMKVCxLoL5JVSJMxdCyGu5mXFDY1Qgl2TZ1%2BEUwg%3D&reserved=0

SPTA, Physical Therapy Assistant Student

“At the end of the day people won't remember what you said or did, they will remember how you made them feel.” — Maya Angelou

Molly McGuire

From: Deb Estrada
Sent: Monday, August 3, 2026 11:51 AM
To: Molly McGuire
Subject: FW: Public hearing for CPA25-002

-----Original Message-----
From: Andreea Volk <andreea.u@gmail.com>
Sent: Friday, July 31, 2026 8:18 AM
To: City Clerk <cityclerk@mercerisland.gov>
Subject: Public hearing for CPA25-002

As residents of Mercer Island residing at the intersection of Gallagher Hill Rd and SE 40th, we object to rezoning the JCC property to Commercial use. This threatens the residential character of our community, will have a monstruous impact on traffic and our ability to get to our homes, work or really anywhere in a timely manner, increase noise & pollution and ultimately negatively impact both our quality of life and our property value.

We also object to the hearing being held during the summer vacation when most of us are travelling or busy with visiting family. This is a huge issue which desserves thoughtful assessment and input from a wide swath of MI residents, who will likely be impacted by this. Please move this hearing to Oct-Nov and ensure we all receive communication of when the rescheduled meeting is & what is the agenda.

Thank you,
Andreea & Vadim Volk

Molly McGuire

From: Merkys Gomez <merkysg@gmail.com>
Sent: Friday, July 31, 2026 1:42 AM
To: City Clerk; Molly McGuire
Subject: Comments re Permit Nos. CPA25-002 and associated permits RZN25-002, SEP25-021
Attachments: 2026.07.30 -- Comments re JCC Re-zone-emailed.pdf

Dear City of Mercer Island Clerk & Ms. McGuire: I am unable to make it to the hearing scheduled for August 5, 2026, and respectfully submit my comments (below & attached).
Sincerely,
Merkys

July 31, 2026: Comments from Merkys I. Gómez Regarding the JCC Rezone
Permit Nos. CPA25-002 and associated permits RZN25-002, SEP25-021

As a resident of Mercer Island living in the neighborhood off of I-90's Exit 8, I am very concerned about the JCC's request to rezone their property from residential to commercial.

I write to express 2 initial concerns:

1. **Traffic**

First, to grant the JCC's request to rezone to commercial would be poor planning. The City of Mercer Island (the City) has already granted Herzl's request for a new building on its property to house a school. The Herzl property is effectively across the street from the JCC property. The Traffic Impact Analysis (TIA) that was completed alongside Herzl's proposal indicated that East Mercer Way (EMW) needed to be altered in order to accommodate the changes (and increases) in traffic flow. Herzl will not be making any modifications to EMW – the street is city property. However, the City does not have any plans to modify EMW. Even if it did, the modifications to EMW would not occur prior to the Herzl's new building opening. The traffic snarls are likely to impact not just island residents in general, but also island children as the buses that come down Gallagher Hill and turn onto EMW to pick up Mercer Island School District children will have to face the additional traffic of vehicles exiting I-90 and lining up along EMW's one lane road to turn into the Herzl property. Even if this were not to occur, thoughtful planning would involve sufficient time to gather data as Herzl's new school opens and grows to understand, in-time versus forecasting, the actual impacts. Granting a permit to the JCC that has even a remote chance of increasing traffic to the area makes no sense at this time.

Second, the JCC currently runs summer programming out of its facilities that adversely affect traffic along EMW. I have only lived on the island for a few years, and have experienced the adverse impacts of this increased traffic flow. When I first reached out to the JCC, the response that I received was that the public roadway is not under their jurisdiction. Rather, they informed me that they wanted to update their facility, a process that would include a traffic study. As we have learned from the Herzl process, a traffic study does not require that the entity seeking the permit make the changes to the roadway because, as the JCC aptly notes, the public roadway is not under their jurisdiction. Furthermore, in the meantime, the JCC could have been taking steps to ameliorate the problem. The JCC has the option to contract certified flaggers or traffic control companies, or even hiring off-duty police officers, which large-scale camps, sports complexes and venues do when experiencing heavy congestion at specific peak times. Instead, the JCC uses the traffic snarls to advocate for its position that it needs the rezone rather than acting in a safety conscious way respectful of the residential neighborhood within which it operates.

Moreover, the JCC's rezoning would inevitably increase traffic flow into its property. The rezoning would allow for higher-density use. The JCC does not need rezoning for the operations it runs, nor for remodeling that would allow it to update its facilities nor to conduct a traffic pattern study on its property to address traffic issues, including the

potential hiring of personnel during peak time. Even the Shore Club along EMW, which has a pool and tennis courts and which hosts events and swim competitions is zoned residential. Rather, the JCC seeks rezoning to change the nature of its property, adversely impacting the character of the area. Their website accurately portrays what they intend to do – it is not simply to renovate or remodel, but rather to "refine and reimagine [their] facilities" in a way that would increase use of their premises, including a field for evening games.

EMW currently runs through a residential neighborhood not meant to accommodate commercial uses. Thus, until/unless the City is able to make modifications to EMW to accommodate greater traffic flows, granting permits that would necessitate the existence of these modifications would be irresponsible.

2. Changing Residential Nature of the Community

Mercer Island is a community that is intersected by I-90, an eight-lane highway that connects Seattle to Bellevue, on its northern end. The traffic flow on I-90 is heavy, emitting pollutants into the air and generating noise pollution. Mercer Island professes pride in its trees. Trees are known to help clear the air that we breath and buffer sound. Based on the City's website, the City Council's priorities are to provide outstanding municipal services that enhance and protect the environment, the quality of life, and our community's health, safety, and welfare. As a highway island, Mercer Island needs trees to protect the air quality for its residents. In fact, Mercer Island (on the books at least) has stringent regulations on the removal of trees. These are not equally enforced. Despite the City's professed care for the canopy of the island, the City does not have an arborist overseeing decisions made regarding trees. When Herzl's proposal to clear cut the green space on its property to make way for its building was before the hearing examiner, the hearing examiner noted that "MICC 19.16.010 defines 'City Arborist' as 'the person designated by the code official to administer the provisions of chapter 19.10 MICC'; therefore, the Hearing Examiner must act as the 'City Arborist' for the purposes of allowing a reduction in required replacement trees under MICC" and granted Herzl's request to pay a fee in lieu of required replacement fees. (Design Review DSR25-009 dated Nov. 21, 2025). The hearing officer is an attorney by training, not a trained arborist, geo-technical engineer, scientist, pulmonologist nor any other profession with the skills to be making a decision on the impact of the removal of so many trees to the land or the health of its residents. In short, the City is not equipped with the appropriate personnel to grant these proposals. Similarly to the Herzl plans, the remodel that the JCC is proposing would require removal of several exceptional trees, some including Western Red Cedars, in order to create space for an open playfield that would invariably involve evening time activities, along with additional light and noise pollution. Below is a picture from the JCC's website of the playfield, which would be located where several of these trees currently call home.

The area along EMW and onto SE 40th St, where the JCC's property borders, is a residential zone. It is not intended for the high density rezoning that a commercial rezone would allow, nor the operations that would impact residents returning to their homes in the evening. If the JCC needs a commercial zone to conduct its operations, the most correct course of action would be for the JCC to move its location, not change the character of the neighborhood within which it resides just to suit its individual, commercial needs. If they want to renovate and remodel, they have what they need to do that. If they want to own a commercial property, then find a commercial property to own. To allow this rezone would be to grant the JCC special privileges, since the rezone would allow for the private gain of the JCC to the detriment of their neighbors. It baffles me that residents have to fight to keep a residential area zoned residential.

On a final note, this hearing has been scheduled (and rescheduled) to take place during the summer months. I object that such an important hearing is scheduled when many families are fitting in final vacations before the start of the school year. We are the residents of this residential area who are experiencing the pressures of an institution with employees who get paid to advocate for these changes. Then, they leave our residential area and go to their neighborhoods and home. Meanwhile, we are trying to live our lives while additionally finding ways to inform ourselves of changes in hearing dates, educating ourselves on complicated city issues, and finding a way to make it to meetings in order to preserve the residential nature for which our neighborhood is zoned.

Please do the right thing and allow the many to keep our residential neighborhood residential instead of changing it for the sole benefit of one.

Sincerely,
Merkys I. Gómez

Item 18.

Molly McGuire

From: Deb Estrada
Sent: Monday, August 3, 2026 11:51 AM
To: Molly McGuire
Subject: FW: Public hearing for CPA25-002

-----Original Message-----
From: Michael Bundesmann <mikebundesmann@gmail.com>
Sent: Friday, July 31, 2026 9:28 PM
To: City Clerk <cityclerk@mercerisland.gov>
Subject: Public hearing for CPA25-002

I am a Mercer Island resident and live near the JCC.

For starters, having a hearing in the middle of summer while community families are away and traveling is a poor decision designed to push something through without community input. This is underhanded and undermines the democratic process our Island should run on. It clearly indicates that someone does not want to hear from community families that are impacted by these decisions. The hearing and decision should be postponed to a time when community engagement is possible.

Second, the proposed rezone is strongly opposed by the community residents. This is a residential Island and zone. The JCC already creates substantial problems with traffic in and out of the traffic in this portion of the Island. It creates back-ups that cause drivers to be inpatient, frustrated and dangerous. We have a school bus stop for this neighborhood right in front of the JCC on EMW, and the number of times I and other parents accompanying our children to the bus stop have seen the traffic reckless driving endanger us and our children is unacceptable. This is not only those driving in and out of the JCC, but also those just trying to get onto and off the Island through East Mercer Way. I would like our family and local pedestrians to stay safe. Rezoning this area will only make it worse. Further, we haven't even realized the added challenges that the new school at Herzl will bring before passing through this change before residents feel the impact of the already poorly planned schools at Herzl.

The continued city caving to the interests of centralized lobbies of the JCC and Herzl continue to send the message to everyday residents of the Island that their voices and experiences do not count. We have children in our community with asthma and respiratory conditions. The city has already allowed Herzl to remove large swaths of dense tree coverage between our neighborhood and the highway. In conjunction with the increased traffic from the school and decreased green band between the highway and local neighborhoods worsen air-quality and increase respiratory illness. (I can provide extensive citations on this if desired, I am a pulmonary physician). The city essentially preeches green ethics and then turns the other direction when it is inconvenient.

Thus, the combined message from the city if the rezoning is passed is summarized by: 1. The city doesn't care about the changes to quality of life and traffic impact when coming and going from our homes. 2. The city doesn't care that the increased traffic that will place our children at risk when coming and going from home to school. 3. The city doesn't care that these institutions tear down trees, increase traffic, and expose us to further biomass fuel emissions worsening respiratory health with missed school, work, and productivity. The city supposed should want it to be a healthy and safe place to live. 4. The city doesn't care that these decisions will occur when the community voice is missing in the midst of summer travel season. Because frankly, its hard to admit to your own residents that you don't care about their health, safety, and quality of life. So better to it while they are all out of town.

The bottom line is that allowing these changes tells the community that the city does not care about its residents.

The JCC is a lovely resource and presence on the island. My children went there for aftercare, they have had their swim lessons there. It is part of their community. I'd like to keep it that way. I'd happily support improvements and upgrades to the JCC. But it has to be in a way that is pro-Mercer Island.

Sincerely,

Michael Bundesmann
3712 E. Mercer Way
206-428-8969

Molly McGuire

From: Deb Estrada
Sent: Monday, August 3, 2026 11:49 AM
To: Molly McGuire
Subject: FW: Opposition to JCC Rezoning Request: Public hearing for CPA25-002

From: Purvi Maheshwari (Samria) <purvi.samria@gmail.com>
Sent: Friday, July 31, 2026 3:32 PM
To: City Clerk <cityclerk@mercerisland.gov>
Subject: Opposition to JCC Rezoning Request: Public hearing for CPA25-002

I am writing to express my strong opposition to the proposed rezoning of the JCC property from residential to commercial.

Ideally, I would request that Planning Commission hearing be moved to no sooner than October 2026, after summer vacation, after school resumes, and when most Mercer Island families are back home and able to participate

Also, I respectfully ask that the property remain zoned residential to preserve the character of the neighborhood and to avoid additional traffic and infrastructure impacts on the surrounding residential streets.

Thank you for your consideration.

Purvi (resident of Mercer Island)

Molly McGuire

From: Deb Estrada
Sent: Tuesday, August 4, 2026 2:00 PM
To: Molly McGuire
Subject: FW: Public hearing for CPA25-002

-----Original Message-----
From: Tseng Mei <mei.seattle@gmail.com>
Sent: Friday, July 31, 2026 10:44 PM
To: City Clerk <cityclerk@mercerisland.gov>
Subject: Public hearing for CPA25-002

I am a resident near SJCC,and I object to rezoning SJCC to commercial size. Chief among other reasons is the inevitable increase of traffic on top of already contested traffic during certain hours.
I further object to the hearing to consider the proposal being during a time when residents are on summer vacation and preparing for back to school.

Molly McGuire

From: Maureen Skall <maureen.skall@gmail.com>
Sent: Saturday, August 1, 2026 8:55 AM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial.

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. The J has been serving the Mercer Island community – as a community center – for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.
Thanks,
Maureen Skall

Molly McGuire

From: Shirley Marcus <shirleymar2@gmail.com>
Sent: Saturday, August 1, 2026 6:04 PM
To: Planning Commission
Subject: Mercer Island Expansion

I strongly support the SJCC expansion and the proposed Comprehensive Plan amendment.

The SJCC is much more than a recreation center—it is a welcoming community resource that serves people of all ages, backgrounds, and abilities**. It provides fitness and wellness programs, swim lessons, camps, educational and cultural events, and gathering spaces that benefit the entire Mercer Island community.**

Updating the aging facilities so they are safe, ADA accessible, and able to meet current and future community needs is both reasonable and necessary. The proposed amendment simply provides a path for the SJCC to modernize a facility that has served our community for many years.

I encourage decision-makers to support this amendment so the SJCC can continue to be an inclusive, vibrant, and accessible place for everyone.

Shirley & Bob Marcus

Molly McGuire

From: Thellea Leveque <thellea@me.com>
Sent: Saturday, August 1, 2026 5:58 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support for JCC facility update!!!

The JCC is a VITAL part of our community and the current infrastructure is truly old and outdated. If there really is a chance to turn it into the beautiful community space shown on the plans, I am ALL FOR IT!!!!!!!

I am not worried about my i90 access, I am not worried about neighbor noise or inconvenience, I am not worried about some kind of zoning interference. Just build the darn thing. The plan looks amazing and will be a huge win for our whole community. It will probably raise property values and bolster the public school satisfaction (with their before and after school programs for elementary age kids).

Thellea Leveque
9323 SE 43rd St
Mercer Island, WA 98040

Molly McGuire

From: Deb Estrada
Sent: Monday, August 3, 2026 11:54 AM
To: Molly McGuire
Subject: FW: Public hearing for CPA25-002

From: Jessica Bastone <bastone.jessica@gmail.com>
Sent: Sunday, August 2, 2026 9:32 PM
To: City Clerk <cityclerk@mercerisland.gov>
Subject: Public hearing for CPA25-002

Dear City Clerk,

As a resident of Mercer Island, I am writing to formally object to the proposed rezoning of the JCC property to Commercial Office. I believe this change sets a concerning precedent that deviates from Mercer Island's stated goal of maintaining its character as a premier residential community.

I also wish to express my objection to the timing of the hearing. Scheduling this discussion during the summer, when many residents are on vacation or preparing for the upcoming school year, limits the community's ability to participate effectively in the process.

Thank you for considering my concerns.

Best regards,
Jessica Bastone

Sent from my iPhone

Item 18.

Molly McGuire

From: Kara Moscovitz <karamosco22@outlook.com>
Sent: Sunday, August 2, 2026 7:34 AM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.
My kids attended the JCC early childhood Program, and the Community at the J has been an integral part of their upbringing ever since. Now more than ever, we need to maintain a safe space for our community to gather for life events and activities.
The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.
Sincerely,
Kara Moscovitz
Get Outlook for iOS

Molly McGuire

From: Peter Carr <ottotrontor@msn.com>
Sent: Sunday, August 2, 2026 12:41 PM
To: Planning Commission; Council; City Clerk
Subject: Comment on CPA25-002 / RZN25-002 / SEP25-021

To the Planning Commission,

I am a Mercer Island resident and I oppose the proposed rezone of the JCC property at 3801 East Mercer Way from residential to Commercial Office (CPA25-002 / RZN25-002 / SEP25-021).

Without proper oversight, environmental analysis, and mitigation, I'm concerned that future development could cause significant adverse impacts, especially traffic.

The applicant has not submitted a full Traffic Impact Analysis, only a trip generation memo, despite this being a permanent change to the zoning designation with no specific development proposal attached. A Conditional Use Permit already allows the JCC to operate here with enforceable, revisable conditions. A rezone removes that oversight permanently and sets a precedent for converting residential land to commercial elsewhere on the island.

A related issue - the JCC recently built a tall chain-link fence blocking access to/through the property. I was under the impression that area was right-of-way, connecting the north end of the island to areas to the south (e.g., the high school) via 97th Ave SE. Apart from appearing to be over the standard height limit, the fence cuts off a safe connection between our neighborhood and areas to the south. One of the biggest problems in this area is lack of safe pedestrian and bike access, as so few streets have sidewalks and people drive way too fast on SE 36th Street. The now fenced-off area was the only way I could safely walk to the south, as walking up Gallagher Hill (which has no sidewalks) is completely unsafe. That connection is now completely severed.

I ask the Planning Commission to deny this rezone request, or at minimum to require full CUP compliance and a complete traffic study before any further consideration.

Thank you,
Peter Carr
9319 SE 36th Street
Mercer Island

Molly McGuire

From: Anthony Bastone <abastone@gmail.com>
Sent: Monday, August 3, 2026 8:42 PM
To: City Clerk
Cc: Molly McGuire
Subject: RE: Public hearing for CPA25-002 — Supplemental Public Comment (CPA25-002, RZN25-002, SEP25-021)

Dear City Clerk and Ms. McGuire,

I submitted public comment on July 13, 2026 regarding CPA25-002 and was confirmed as a Party of Record. I am writing to supplement that comment with detailed objections addressed to the specific decision criteria. Please add this letter to the project record for CPA25-002, RZN25-002, and SEP25-021.

Anthony Bastone
9942 SE 39th Street
Mercer Island, WA 98040
Resident and property owner

I respectfully request that the Planning Commission recommend denial of the application, and that the City Council deny it.

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PART I — COMPREHENSIVE PLAN AMENDMENT CRITERIA (MICC 19.15.230.F)
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MICC 19.15.230.F places the burden of demonstration on the applicant. In my view, the applicant has not carried that burden.

CRITERION 1 — CONSISTENCY WITH THE GMA, COUNTYWIDE PLANNING POLICIES, AND THE COMPREHENSIVE PLAN

1. The application is argued on the wrong subject. Each of the applicant's responses rests on the current use of the property as a community center, the current building size, and the current intensity of use. The applicant relies on the operator, not the designation. The proposed amendment is not tied to the existing use, is not tied to a specific project, is not tied to a proposed use, and does not guarantee that the current use will continue. The proposal does not limit future development to the square footage that exists today. It is an application to change the designation from residential to Commercial Office, which permits materially greater density and intensity regardless of whether the eventual occupant is an office building or a community center.

2. Land use designations attach to land, not to owners or programs. Nothing in the CO designation requires an early childhood school, scholarships, a community garden, swim lessons, or cultural programming. Nothing prevents a sale of the property and a different program under a future owner. The amendment secures none of the benefits offered as the basis for finding it consistent.

3. The applicant has not offered a development agreement. Under RCW 36.70B.170–.210, a develo agreement could be executed concurrently with the rezone; it would run with the land and bind successors. It could restrict permitted uses to community-facility uses, cap gross floor area, fix access locations, and require specific transportation mitigation. If the applicant's representation is that no change of use is proposed, a development agreement would cost the applicant nothing it has claimed to want. Its absence leaves the record without any enforceable limit on future intensity.

4. Internal consistency with the Transportation Element is not established. RCW 36.70A.070 requires an internally consistent plan, and RCW 36.70A.070(6)(a)(i)(C) requires the transportation element to rest on land use assumptions. The Land Use Map is the input to the travel forecast. Redesignating this site from Single-Family Residential to Commercial Office — on the applicant's own consultant's figures, from 94,723 gsf to 402,261 gsf of buildout capacity — changes that assumption. Nothing in the application shows that the Transportation Element's forecasts, LOS standards, or capital facilities program were checked against the amended map, and the staff report does not address this.

5. Land Use Goal 7.1 is not addressed on its own terms. Goal 7.1 provides: "Preserve the neighborhood character in residential zones. For the purpose of implementing this element, neighborhood character only refers to form, bulk, scale and intensity of the built environment." The application does not analyze what happens to form, bulk, scale, and intensity under the CO designation. A roughly 4.25x increase in buildout capacity is, by the Comprehensive Plan's own definition, precisely a neighborhood-character question.

6. Transportation Goal 9.2 is not addressed. Goal 9.2 directs the City to "address parking overflow impacts on neighbors caused by major traffic generators such as schools, businesses, parks." Existing conditions already include parking overflow onto East Mercer Way that blocks the bike lane and forces cyclists and pedestrians into the travel lane, parking on SE 40th Street, and vehicles blocking driveways on adjacent streets. The application identifies no measures responsive to these impacts. A designation permitting roughly 4.25x the building area would increase, not reduce, the generator's size.

7. Compatibility is asserted rather than analyzed. The Plan provides that Commercial Office and PBZ zones must serve the needs of local populations while remaining compatible with the overall residential character of the community. The applicant asserts that compatibility will "increase" and that anything built will conform to CO standards. That is a statement about code compliance, not about compatibility, and it is unsupported by any analysis of how CO buildout would sit against adjoining Single-Family Residential land.

8. No alternative designations were analyzed. The application contains no evaluation of whether PBZ, a Public Institution designation, or a tailored community-facility designation would fit the situation better than CO. Where the burden of showing the proposed designation is consistent rests on the applicant, the absence of any alternatives analysis is itself a failure to carry that burden.

CRITERION 1(A) — TECHNICAL ERROR

The applicant concedes there is no technical error. This criterion cannot support the amendment.

CRITERION 1(B) — CHANGED CIRCUMSTANCES OF THE CITY AS A WHOLE

This criterion requires a change in the circumstances of the city as a whole — not of the property, not of

the applicant, not of a single institution. Washington reclassification cases look to changed conditi the area rather than a changed circumstance of the proponent. See Parkridge v. City of Seattle, 89 Wn.2d 454 (1978).

1. Staff rejected the applicant's theory. The staff report states that the City disagrees with the applicant's assertion regarding the 2017 development standards, and that those changes were policy decisions of the then-seated City Council rather than changing circumstances of the city as a whole. Staff also found the applicant's factual premise incorrect, concluding that MICC 19.01.050(D)(3) does permit exterior alteration or enlargement of nonconforming non-single-family structures, subject to the 50-percent-of-assessed-value threshold.

2. Staff then supplied a substitute rationale — that the changed circumstance is more accurately described as increased demand for a facility at the end of its useful life, which cannot be accommodated under MICC 19.01.050(D)(3). Two problems follow:

a. MICC 19.15.230(F) places the burden on the applicant. When the reviewing body rejects the applicant's theory and finds its factual premise incorrect, the result should be denial. Where staff constructs a substitute rationale, the burden has effectively been carried by staff rather than by the applicant.

b. The substitute theory is unsupported by the record:
- Increased demand: no membership trend data, enrollment figures, waitlists, utilization studies, or demographic demand analysis has been provided. The applicant offers only that Mercer Island's population has grown over 20% since 1969. A 20% population increase does not support a greater than 400% increase in allowed building area on this site.
- End of useful life: no condition assessment, structural evaluation, systems assessment, or cost-to-cure estimate has been provided.
- In any event, a single facility reaching the end of its useful life is a circumstance of that property, not of the city as a whole.

3. The applicant's own framing points to a different remedy. The applicant argues that the 2017 GFA and impervious surface limits, combined with the variance interpretation, apply across most of the Island's zoning and have stranded many other community organizations. If that is accurate, the correct response to a city-wide regulatory gap affecting a class of institutions is a code amendment or a community-facility overlay applicable to that class — not a parcel-specific redesignation for one member of it. Land Use Goal 7.4 says as much: "The City may consider measures within the land use code to address the maintenance, updating, and renovation of these facilities." The applicant quotes Goal 7.4 and then requests the one remedy the goal does not contemplate.

CRITERION 2(A) — COMPATIBILITY WITH ADJACENT LAND USE AND DEVELOPMENT PATTERN

"Development pattern" is not a synonym for "surrounding uses." It refers to the geometry and logic of the map, the coherence of district boundaries, and how the amendment fits the City's overall land use structure. Both adjacent land use and development pattern must be satisfied.

1. The staff finding that adjacent land uses include both single-family residences and commercial buildings which "all align with the existing facilities on the SJCC properties" addresses the compatibility of the existing facility, not of the proposed designation. The amendment is not tied to the current use. A

402,261 gsf building — more than four times the existing structure — is not compatible with single-residential zoning on three sides.

2. Deferring compatibility to future project-level review for CO code compliance does not answer the compatibility question. Trip generation, hours of operation, parking demand, and cumulative intensity are designation-level questions.

3. Development pattern: the amendment would leave (i) a narrow strip of residentially designated property to the west, sandwiched between Public Institution and Commercial Office designations, and (ii) an isolated pocket of residential parcels in the southeast corner of the block sharing a property line with the subject site. The staff report contains no analysis of the resulting boundary — whether it is orderly, whether the remnant residential areas remain viable as designated, or whether the City would draw this line on its own initiative.

4. Boundaries drawn to follow a single owner's parcel assembly are the evidentiary pattern Washington courts examine in spot-zoning analysis as indicating private rather than public benefit. See Anderson v. Island County, 81 Wn.2d 312 (1972); Save Our Rural Environment v. Snohomish County, 99 Wn.2d 363 (1983).

CRITERION 2(B) — SUITABILITY FOR DEVELOPMENT UNDER THE POTENTIAL ZONING

1. Staff itself found that at least one parcel would not be suitable for development in conformance with CO standards as it currently exists: applying CO setbacks to parcel 2655500132 yields a building envelope of approximately six inches by eight feet. Parcel 2655500137 is similarly constrained, yielding an envelope of roughly 35 feet by 105 feet. The staff report does not perform this calculation for the larger parcels.

2. Parcels 2655500132 and 2655500136 both take access from SE 40th Street, a residential street. Applying CO zoning to these parcels would direct commercial traffic onto a residential street.

3. Parcel 2655500132 is omitted from the staff report's list of currently observed conditions, which states that "Tax Parcels 2655500137, 2655500115, and 2655500136 all appear to be integrated in their daily operations as the Stroum Jewish Community Center site." Parcel 2655500132 has not been used for a recreational or community-facility purpose. It is a single-family home, on a single-family street, in a single-family neighborhood, acquired by an institutional neighbor in 2016.

4. Parcel 265550-0136 was acquired by the applicant on October 30, 2012, is not included in the applicant's Conditional Use Permit, and had a single-family home on it at the time of purchase. This parcel should be excluded from any rezone consideration.

CRITERION 2(C) — BENEFIT TO THE COMMUNITY AS A WHOLE; NO ADVERSE EFFECT

This criterion has two independent requirements. The amendment must benefit the community as a whole, and it must not adversely affect community facilities or the public health, safety, and general welfare. The second requirement is not satisfied by showing that benefits outweigh harms.

1. The claimed benefits are again attributes of the current operator and current programming rather than of the Commercial Office designation. For the reasons stated under Criterion 1, the application must be

evaluated on the designation being requested.

2. Neither the application nor the staff report addresses the "no adverse effect" requirement. The record indicates adverse effects on public health, safety, and general welfare:

a. The applicant's own rendering of a potential new facility shows two curb cuts onto 97th Avenue SE, indicating an intent to use 97th Avenue SE and SE 40th Street for ingress and egress. Both are local residential streets that cannot accommodate commercial traffic volumes. These access points are not discussed in the applicant's Trip Generation Memo.

b. The Trip Generation Memo indicates that the redesignation could produce a greater than 460% increase in total trips to and from the property (from 245 to 1,376 per the Transpo Group memorandum dated February 10, 2026). This would generate traffic beyond what the surrounding residential network can support and would push traffic and parking onto adjacent residential streets used by residents and children.

c. The Trip Generation Memo does not account for trips associated with the French American School of Puget Sound, which shares a driveway with the subject property. Observed trips cannot be attributed between FASPS and SJCC, which means observed trips are overstated; future trips are simultaneously understated by excluding FASPS. The actual impact would be greater than the memo presents.

d. The City required a Traffic Impact Analysis; the applicant submitted only a Trip Generation Memo. These are materially different work products. A Traffic Impact Analysis would include a forecast of future volumes with and without the rezone, crash history including trends and serious injury or fatal crashes, a review of site access against sight distance and applicable standards, and a level-of-service analysis of surrounding intersections. Without it, compliance with this criterion cannot be confirmed.

3. Given the site's proximity to I-90, WSDOT should review the proposal and its impacts on the interstate system.

4. Any Traffic Impact Analysis must account for the school currently under construction across East Mercer Way from the subject property.

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PART II — REZONE CRITERIA
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CRITERION 1 — CONSISTENCY WITH THE COMPREHENSIVE PLAN

1. As above, the reclassification is not tied to the existing use, a specific project, or a proposed use, and does not guarantee continuation of the current use or limit development to the existing square footage.

2. The applicant states an intention to continue using the property as it has for 55 years. The record does not support that framing: since the original Conditional Use Permit was granted, the building footprint has grown substantially and additional parcels have been acquired.

3. The existing building is 88,362 square feet per the King County Assessor. CO zoning would permit a building of approximately 402,261 square feet, in addition to the existing 31,815 sf FASPS building.

4. Mercer Island currently contains approximately 637,818 sf of office space in total. The largest existing office building is the Riot Games building in the Town Center at 155,599 sf. This application would permit 402,261 sf on this site alone — larger than the seven largest existing office buildings combined, and a roughly 60% increase in total Island office space, sited in the middle of residential zoning.

5. The GMA requires the City to plan for and prioritize housing. This application converts single-family zoned property to Commercial Office, which runs in the opposite direction.

6. The application states that "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." In the absence of any binding limitation, the Planning Commission and City Council should evaluate the application on the assumption that the maximum density permitted under CO zoning will be built.

CRITERION 2 — CONSISTENCY WITH MICC 19.01.010

MICC 19.01.010 includes provisions directed at avoiding traffic congestion, protecting natural beauty and natural resources, and preventing overcrowding.

1. Traffic congestion: see the Trip Generation and Traffic Impact Analysis points above, which apply equally here. The applicant's own materials indicate an intent to increase parking counts, which necessarily implies increased vehicle trips. The rendering showing curb cuts onto 97th Avenue SE indicates commercial access onto residential streets that was never analyzed.

2. Natural beauty and natural resources; overcrowding: a designation permitting roughly 4.25x the current buildout capacity increases density and intensity rather than limiting them.

3. Again, the responses in the application address the current use rather than the reclassification actually being sought.

CRITERION 3 — EXTENSION OF AN EXISTING ZONE OR LOGICAL TRANSITION BETWEEN ZONES

1. The property is bounded on three sides by residential zoning. The reclassification would create a pocket of commercially zoned parcels surrounded on three sides by single-family residential.

2. Parcels 265550-0166, 265550-0168, and 265550-0165 to the west — single-family zoned — would be surrounded by Commercial zoning to the north and east and Public Institution zoning to the west.

3. The zoning map included in the application is not current.

4. The result is a patchwork boundary with no logical transition between zones.

CRITERION 4 — NOT AN ILLEGAL SPOT ZONE

Washington law prohibits reclassification granted primarily for the private benefit of a single owner rather than for the public benefit. Several features of this application raise that concern:

1. The reclassification would attach to specific parcels assembled by one owner, and the resulting

boundary follows that assembly rather than any independent planning logic.

2. The applicant constructed a building on the commercially zoned portion of its property and leases it to the French American School of Puget Sound. If additional square footage were needed for the applicant's own operations, that commercially zoned area was available for it.

3. Parcels acquired after the original Conditional Use Permit are now proposed for reclassification:
- Parcel 265550-0136, acquired October 30, 2012, is not included in the CUP and had a single-family home on it at the time of purchase.
- Parcel 265550-0132, acquired November 21, 2016, is not included in the CUP and currently has a single-family home on it. The applicant's own renderings show that residence remaining in place.
Both parcels should be excluded from any reclassification consideration.

4. Because the application is not tied to any project or use and rests entirely on representations about current programming, the record does not establish a public benefit sufficient to sustain the reclassification.

CRITERION 5 — COMPATIBILITY WITH SURROUNDING ZONES AND LAND USES

Commercial Office zoning is not compatible with the single-family residential zoning bordering the property on three sides, for the reasons set out under Criterion 3 and Criterion 2(a) above.

CRITERION 6 — NO ADVERSE EFFECT ON PUBLIC HEALTH, SAFETY, AND WELFARE

1. The existing building is 88,362 sf; CO zoning would permit approximately 402,261 sf, in addition to the existing 31,815 sf FASPS building.

2. The applicant's rendering shows two curb cuts onto 97th Avenue SE, indicating intended commercial access via 97th Avenue SE and SE 40th Street — local residential streets that cannot safely accommodate that traffic. These access points are absent from the Trip Generation Memo.

3. The traffic and pedestrian safety concerns described under Criterion 2(c) apply here in full. Without the Traffic Impact Analysis the City required, compliance with this criterion cannot be confirmed.

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CONCLUSION
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The applicant bears the burden under MICC 19.15.230(F) and has not met it. The application is argued on the basis of the current operator and current programming rather than the designation sought; it offers no enforceable limit on future intensity; it does not establish changed circumstances of the city as a whole; it leaves an incoherent zoning boundary; and it is supported by a Trip Generation Memo where the City required a Traffic Impact Analysis.

I respectfully request that the Planning Commission recommend denial of CPA25-002 and RZN25-002, and that the City Council deny the applications. At a minimum, no action should be taken until a complete Traffic Impact Analysis — including the FASPS shared driveway, the school under construction across East Mercer Way, and WSDOT review of I-90 impacts — has been prepared and made available

for public review.

Thank you for your consideration and for adding this letter to the record.

Respectfully,

Anthony Bastone
9942 SE 39th Street
Mercer Island, WA 98040
Party of Record, CPA25-002

On Tue, Jul 14, 2026 01:55 PM, Molly McGuire <molly.mcguire@mercerisland.gov> wrote:

> Hi Anthony,
>
> Thank you for providing public comment on the SJCC's Comprehensive Plan Amendment application. Your comment has been saved in the project record, and you are now a Party of Record.
>
> Sincerely,
>
> **Molly McGuire**
> Senior Planner
> City of Mercer Island – Community Planning & Development
> 206-275-7712 | www.mercerisland.gov
>
> *Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW).*
>
> *The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City service hours of operation.*
>
> ---
>
> **From:** Anthony Bastone <abastone@gmail.com>
> **Sent:** Monday, July 13, 2026 9:15 PM
> **To:** City Clerk <cityclerk@mercerisland.gov>
> **Subject:** Public hearing for CPA25-002
>
> Dear City Clerk,
>
> As a resident of Mercer Island, I am writing to formally object to the proposed rezoning of the JCC

property to Commercial Office. I believe this change sets a concerning precedent that deviates fro Mercer Island's stated goal of maintaining its character as a premier residential community.

I also wish to express my objection to the timing of the hearing. Scheduling this discussion during the summer, when many residents are on vacation or preparing for the upcoming school year, limits the community's ability to participate effectively in the process.

Thank you for considering my concerns.

Best regards,
Anthony Bastone

Molly McGuire

From: Brent Jordan <nwrace@gmail.com>
Sent: Monday, August 3, 2026 7:51 PM
To: Planning Commission
Cc: Council; Deb Estrada; Alison Van Gorp
Subject: Public Comment RE CPA25-002, RZN25-002, SEP25-021

Greetings!

As a resident and business owner in Mercer Island I strongly object to the proposed comprehensive plan amendment. While I am a fan of the original intent of the SJCC, they have clearly changed their goal from providing services to Mercer Island residents to providing services to the entire Puget Sound. We're an Island. That's not our thing.

The Mercer Island website says it best, "Just over five miles long and two miles wide, Mercer Island is a true island community consisting of high quality residential areas, preserved parks and open space, as well as miles of developed shoreline... Mercer Island has been widely recognized as one of the premier residential communities in the State of Washington."

Let's hold to that.

Below is an assessment of the SJCC application for comprehensive plan amendment. Given this information, there is no other option but to deny the amendment.

Thank you,

Brent Jordan

Public Comment RE CPA25-002, RZN25-002, SEP25-021

Comprehensive Plan Amendment

Criteria 1 MICC 19.15.230.F

F. 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 decisions criteria.

The applicant has not met the burden of demonstrating the proposed amendment complies with the applicable regulations and decision criteria.

Criteria 1. The amendment is not consistent with the Growth Management Act, the countywide planning policies, or the other provisions of the comprehensive plan and city policies based on the following:

1. Each and every response by the applicant to these criteria regarding compliance with the comp plan, GMA and city policies are based on the current use of the property as a community center,

and the current building size and intensity of use - the applicant relies on the operator, not the designation. However, the proposed comprehensive plan amendment is not tied to the existing use, it is not tied to a specific project, it is not tied to a proposed use, and it does not guarantee that the current use will continue after an amendment. The proposal does not limit future development to the square footage that currently exists. It is simply an application to change the zoning from residential to commercial office, which would result in increased density and intensity of use of the property, regardless if that use is an office building or a community center.

2. Comprehensive plan land use designation attaches to the land, not an owner or a program. Nothing in the CO designation requires an early childhood school, scholarships, a community garden, swim lessons, or any cultural programming. Nothing prevents the sale of the property and a future owner implementing different programming. The applicant's amendment secures none of the benefits offered as the basis for finding it consistent.

3. The applicant does not offer to enter a Development Agreement under RCW 36.70B.170-.210, which they could do concurrently with the rezone, and would run with the land and bind successors. A Development Agreement can restrict permitted uses to community-facility uses, cap gross floor area, fix access locations, and require specific transportation mitigation. If the applicant's representation is that "no change of use is proposed," a development agreement cost the applicant nothing it has claimed to want. By declining to enter a development agreement, the applicant brings into question their intended future use.

4. The applicant does not establish consistence with the Transportation Element. RCW 36.70A.070 requires an internally consistent plan: RCW 36.70A.070(6)(a)(i)(C) requires the transportation element to rest on land use assumptions. The Land Use Map is the input to the travel forecast. Redesignating this site from Single-Family Residential to Commercial Office – on the applicant's own consultant's figures, from 94,723 gsf to 402,261 gsf buildout capacity – changes the assumption. Nothing in the application shows that the Transportation Element's forecasts, LOS standards, or capital facilities program were checked against the amended map. The Staff report does not address this internal inconsistency.

5. Land Use Goal 7.1 – "Preserve the neighborhood character in residential zones. For the purpose of implementing this element, neighborhood character only refers to form, bulk, scale and intensity of the built environment." The applicant does not address what Goal 7.1 actually askes, which is what happens to form, bulk, scale, and intensity under the Commercial Office designation. A 4.25X increase in buildout capacity is, by the comprehensive plan's own definition, a neighborhood-character question that the application does not comply with.

6. Transportation Goal 9.2 – "Address parking overflow impacts on neighbors cause by major traffic generators such as schools, businesses, parks…" The applicant does not address how the redesignation would address the neighbors' concerns, including parking overflowing onto East Mercer Way that blocks the bike lane and forces bikes and pedestrians into the traffic lane; cars from user of the property parking on SE 40th, cars from users of the property blocking driveways on adjacent streets. Goal 9.2 asks for a plan to address the impact, but the applicant does not cite any specifics in how the redesignation will do that. In fact, the redesignation would allow for 4.25X building area, which would result in even more traffic and overflow parking.
7. "Commercial Office and PBZ zones must serve the needs of the local populations while remaining compatible with the overall residential character of the community." The applicant asserts compatibility will "increase" and that "anything that is built will conform to CO standards." That is an assertion about code compliance, not about compatibility, and it is unsupported by any

analysis of way CO buildout looks like against the neighboring Single-Family Residential lan
Additionally, the applicants current membership is made up primarily of non-residents of Mercer Island, thus they are not serving the local population.

8. The applicant does not include any analysis of whether PBZ, a Public Institution designation, or tailored community-facility designation would fit the situation better than CO. It is the applicant's burden to show the proposed designation is consistent, the absence of any alternative analysis demonstrates the applicant has not met the burden.

Criteria 1A – The applicant concedes there is not a technical error, thus this criterion cannot be used to allow for the applicant's amendment.

Criteria 1B – Changed Circumstances of the City as a Whole – This criterion requires a change in circumstances of the city as a whole, not of the property, not of the applicant, not of a single institution. Washington reclassification cases look for changed conditions in the area, not merely a changed circumstance of the proponent. See Parkridge v Seattle, 90Wn.2d454(1987).

1. The staff report rejects that there has been a change in circumstance of the City as a Whole "The City disagrees with the applicant's assertion as to the 2017 development standards. The changes to the residential development standards that occurred in 2017 were policy decisions made by the then seated City Council, and are not 'changing circumstances of the city as a whole." Additionally, the staff report found that the applicant's factual premise incorrect – that the MICC 19.01.050(D)(3) does in fact permit exterior alteration or enlargement of nonconforming non-single-family structures, subject to the 50-percent-of-assessed-value threshold.
2. The Staff report theorizes that the changed circumstances are "more accurately described as an increased demand of a facility that is at the end of its useful life and which demand cannot be accommodated under" MICC 19.01.050(D)(3).
    a. MICC 19.15.230(F) places the burden of demonstration on the applicant. When the reviewing body rejects the applicant's theory, finds its factual premise incorrect, that should result in denial of the application. The city staff cannot construct a substitute rationale, by doing so the burden has effectively been carried by staff rather than by the applicant.
    b. The staff's substitute theory is unsupported by anything in the application or the staff report and relies on two assertions without providing any evidence.
        i. "Increased demand" – The applicant has refused to provide any membership trend data, enrollment figures, waitlists, utilization studies, or demographic demand analysis. The applicant offers only that Mercer Island's population "has grown over 20% since the JCC was built in 1969." A 20% increase in the cities population does not justify an over 400% increase in allowed building area for the site.
        ii. The applicant asserts that the facility that is at the end of its useful life, however no condition assessment, structural evaluation, systems assessment, or cost-to-cure estimate has been provided.
        iii. A single facility reaching the end of its useful life is a circumstance of that property, not of the city as a whole.
3. The applicant argues that the 2017 GFA and impervious surface limits, combined with the variance interpretation, apply across most of the Island's zoning and have stranded "many other vital community organizations on MI." If that is true, the correct response to a city-wide regulatory

gap affecting a class of institutions is a code amendment or community-facility overlay appl to that class, not a parcel-specific change for one member of it. Comprehensive Plan Land Use Goal 7.4 says exactly this: The City may consider measures within the land use code to address the maintenance, updating, and renovation of these facilities." The applicant quotes Goal 7.4 and then argues for the one remedy the goal does not contemplate.

Criterion 2(a) – MICC 19.15.230(F)(2)(a): Compatibility with Adjacent Land Use and Development Pattern. – "Development pattern" is not a synonym for "surrounding uses," rather it refers to the geometry and logic of the map, the coherence of district boundaries, and how the amendment fits the City's overall land use structure. Both adjacent land use and development patterns must be satisfied.

1. The Staff report misinterprets this requirement, stating "adjacent land use and development patterns include both single-family residences and commercial buildings… which all align with the existing facilities on the SJCC properties." That finding is about the compatibility of the existing facilitates, not the proposed amendment. The proposed amendment is not tied to the current use. A 402,261 gsf building, over four times larger than the existing building, is not compatible with single-family residential zoning on three sides.
2. The applicant differs to future review of any proposed development for compliance with the CO code in an attempt to justify compliance with this criteria, however this does not address the compatibility questions, including trip generation, hours of operation, parking demand, or cumulative intensity.
3. Development Pattern: The amendment would leave (i) a narrow strip of residentially designated property to the west, sandwiched between Public Institution and Commercial Office designations, and (ii) an isolated pocket of residential parcels in the southeast corner of the block sharing a property line with the subject site. The staff report does not provide any analysis of the resulting boundary or development pattern, whether the amended boundary is orderly, whether the remnant residential areas remain viable as designated, or whether the city would ever draw this line on its own.
4. Irregular boundaries drawn to follow one owner's parcel assembly are precisely the evidentiary pattern Washington courts look to in spot-zoning analysis as indicating private rather than public benefit. See Anderson v Island County, 81Wn.2d312(1972); Save Our rural Env't, 99Wn.2d363(1983).

Criteria 2(b) – MICC 19.15.230(F)(2)(b): Suitability for Development in Conformance with the Standards Under the Potential Zoning.

1. The Staff report disputes the applicants compliance with this criteria, stating "at least one parcel would not be suitable for development in conformance with the standards under the potential zoning as it currently exists" in reference to parcel 2655500132, which when applying CO zoning setbacks would result in abuilding envelope of six inches by eight feet. Parcel 2655500137 is similarly cannot practically be developed under the CO zoning setbacks, resulting in a building envelope of 35' by 105'. The staff report does not calculate the larger parcels.
2. Parcels 2655500132 & 2655500136 both have access to the residential street, SE 40th St. Rezoning these parcels to CO would direct commercial traffic directly onto a residential street.
3. Parcel 2655500132 is omitted from the staff reports list currently observed conditions: "Tax Parcels 2655500137, 2655500115, and 2655500136 all appear to be integrated in their daily operations as the Stroum Jewish Community Center site." – Parcel 2655500132 has not been

used for recreational or community-facility purpose. It is a single-family home, in a single-fa neighborhood, on a single-family street, that happens to have been speculatively acquired by an institutional neighbor in 2016.

4. Parcel 265550-0136 was speculatively purchased by the applicant on October 30th, 2012 and is not included in their Conditional Use Permit. This parcel had a single family home existing on it when the applicant purchased it. This parcel should be excluded from any rezone consideration.

Criteria 2(c) – MICC 19.15.230(F)(2)(c): Benefit to the Community as a Whole; No Adverse Effect on Community Facilities or Public Health, Safety, and General Welfare.

The amendment must benefit the community as a whole and must not adversely affect community facilities or the public health, safety, and general welfare. The second cannot be satisfied by showing the benefit outweighs the harm.

1. The applicant again rests their argument of benefit to the community as a whole on the operator rather than the Commercial Office designation. As discussed, the application must be reviewed based on the Commercial Office Designation – not the current owner, current programming, or current operator of the property – which this application has failed to do. Additionally, the applicant does not provide services to all Mercer Island Residents, they do not offer discounts to Mercer Island residents, and their membership is primarily made-up of non-residents.
2. This criterion also requires No Adverse Effect, however the applicant does not address this criterion in their application and neither does the Staff Report. This application would, in fact, adversely affect public health, safety, and general welfare as follows:
    a. The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.
    b. The proposed rezone will increase traffic congestion and reduce pedestrian safety, as evidenced by the following.

        - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.

        - The Trip Generation Memo does not account for trips associated with French American School of Puget Sound (FASPS), which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips. Commercial Office Rezone would be even more impactful than presented by the applicant.

    c. The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and

analysis required. A Traffic Impact Analysis would include, among other things, a fore of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections around the property.

3. Based on the proximity to I-90, Washington State DOT should be reviewing the amendment and its impacts on I90.
4. A Traffic Impact Analysis must include the school that is currently under construction across East Mercer from the applicants property.

Rezon Criteria:

Criteria 1. The proposed reclassification must be consistent with the policies and provisions of the Mercer Island Comprehensive Plan:

The proposed reclassification is not consistent with the comprehensive plan for the following reasons:

1. The applicant tries to justify compliance with the comprehensive plan based on the current use of the property as a community center, and the current building size and intensity of use. However, the proposed rezone is not tied to the existing use, it is not tied to a specific project, it is not tied to a proposed use, and it does not guarantee that the current use will continue after a rezone. The proposal does not limit future development to the square footage that currently exists. It is simply an application to change the zoning from residential to commercial office, which would result in increased density and intensity of use of the property, regardless if that use is an office building or a community center.

2. The applicant has stated that they want to continue to use the property as it has been used for 55 years, however that is untrue. Since the original Conditional Use Permit was granted, the applicant has significantly grown their building footprint, and purchased multiple additional parcels.

3. The existing building is 88,362 square feet (per King County Assessor). Rezoning the property to Commercial Office would allow a 402,261 square foot building to be built on the property. This is a **355% increase** in building area and is in addition to the existing 31,815 SF FASPS Building.

4. Commercial Office in this location is not compatible with the comprehensive plan. The justifications presented in the application are irrelevant without a project being tied to the application. The applicant only focuses on the current use of the property (including the current building size), not what is actually being applied for, which is Commercial Office zoning recalcification.

5. There is currently a total of 637,818 SF of office space existing on Mercer Island. The largest existing office building is the Riot Games building in the town center at 155,599 SF. This rezone application would allow for 402,261 SF on this site alone, making it larger than the total size of the seven largest existing office buildings combined. Rezoning this property could result in a **60% increase** in total office space across all of Mercer Island, and place that significant growth in a location surrounded by residential zoning.

6. The Washington State Growth Management Act (GMA) requires the City of Mercer Island to prioritize housing in the comprehensive plan. This application does the exact opposite; it converts single family zoned property to Commercial Office. It does not meet the criteria of the Mercer Island Comprehensive Plan or the WA State GMA.
7. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 2. The proposed reclassification must be consistent with Mercer Island development code as set for in MICC 19.01.010;

The proposal does not comply with these criteria for the following reasons:

1. This criteria includes provisions to avoid traffic congestion. The proposed rezone will increase traffic congestion, as evidenced by the following:
    - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.
    - The Trip Generation Memo does not account for trips associated with FASPS, which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips to/from the shared driveway. Commercial Office Rezone would be even more impactful than presented by the applicant.
    - The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections serving the property. A Traffic Impact Analysis would further confirm that this application does not comply with Criteria 2.
    - The applicant indicates on their own documentation that they intend to increase parking counts, which means they intend to increase traffic to the property.
    - The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.

2. This criteria includes provisions to protect the natural beauty and other natural resources. The proposal does the opposite, by increasing density and the intensity of the approved land use.
3. This criteria includes provisions to prevent overcrowding. The proposal does the opposite, by increasing density and the intensity of the approved land use.
4. The applicant again refers to the current use of the land to justify rezoning, however those responses are irrelevant as the proposal is not tied to a specific use, the proposal is to rezone the property to Commercial Office, which is not compatible with this criteria of the comprehensive plan.
5. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning, because that is what is being applied for.

Criteria 3. The proposed reclassification must be an extension of an existing zone, or a logical transition between zones.

The proposed rezone is not the extension of an existing zone or a logical transition between zones, it is actually the opposite.

1. The property is bound on three sides by residential zones, rezoning this parcel would create a pocket of commercially zoned parcels surrounded on three sides by single-family residential zoning.
2. Additionally, parcels 265550-0166, 265550-0168, and 265550-0165 to the west of the applicant's property, which are single-family zoned properties, would end up surrounded by Commercial zoning to the north and east, and Public Institution zoning to the West. See below map.
3. The zoning map in the application is not current.
4. Rezoning of this property would create a choppy patchwork of zoning with no logical transition between zones.
5. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 4. The proposed reclassification must not constitute an illegal Site-Specific Rezone.

The proposal does create an illegal site-specific rezone, solely for the benefit of a single property.

1. While the applicant has chosen to pursue non-profit status for tax purposes, and they do not pay property taxes on Mercer Island, they are still business that will see financial gain from the rezone.

2. With the applicant's tax status, they rely on Mercer Island residents and taxpayers to fund p safety and maintenance of city infrastructure serving their property, while they indicate on their website that they serve the "general community of the greater Seattle area" and the majority of their members or not Island residents. This is in contrast to other clubs and CUP properties on Mercer Island that primarily cater to Island residents and abide by strict membership limits. The burden on Mercer Island taxpayers will be exacerbated if the land were to be rezoned to commercial and land use becomes more intense with no limits on programming or membership.
3. The applicant chose to build a building for the French American School of Puget Sound (FASPS) on the commercially zoned portion of their property in order to generate revenue through a lease for their own financial gain. If the applicant desired additional square footage to operate their center, they could have used that commercially zoned parcel and should not have leased the land to FASPS. A rezone cannot legally be granted for the private gain of one owner or a group of owners to the detriment of their neighbors. The FASPS lease demonstrates that the rezone application is for the financial gain of the applicant.
4. The applicant recently and speculatively purchased additional parcels that were not included in their original conditional use permit, and they are now seeking to rezone those parcels for their own gain.
    - Parcel 265550-0136 was speculatively purchased by the applicant on October 30th, 2012 and is not included in their Conditional Use Permit. This parcel had a single family home existing on it when the applicant purchased it. This parcel should be excluded from any rezone consideration.
    - Parcel 265550-0132 was speculatively purchased by the applicant on November 21, 2016 and is not included in their Conditional Use Permit. Furthermore, this parcel currently has a single-family home on it. Renderings presented by the applicant of a potential new facility shows the single-family residence remaining. Based on that, and the fact that this parcel is not included in the CUP, this parcel should be excluded from any rezone consideration.
5. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.
6. Again, the proposed rezone is not tied to a specific project or use and the applicant refers to the current use of the land to justify rezoning. Rezoning this property to commercial office does not provide a public benefit, making it an illegal site-specific rezone.

Criteria 5. The proposed reclassification must be compatible with surrounding zones and land uses.

Commercial Office zoning is not compatible with the single-family residential zoning that borders the property on three sides.

1. The property is bound on three sides by residential zones, and one side by commercial office. Rezoning this parcel would create a pocket of commercially zoned parcels surrounded on three sides by single family zoning.

2. Additionally, parcels 265550-0166, 265550-0168, and 265550-0165 to the west of the applic property, which are single family zoned properties, would end up surrounded by Commercial zoning to the north and east, and Public Institution zoning to the West.
3. The zoning map in the application is not current.
4. Rezoning of this property would create a choppy patchwork of zoning with no logical transition between zones.
5. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 6. The proposed reclassification must not adversely affect public health, safety and welfare.

Rezoning this property to Commercial Office would adversely affect public health, safety and welfare for the following reasons.

1. The existing building is 88,362 square feet (per King County Assessor). Rezoning the property to Commercial Office would allow a 402,261 square foot building to be built on the property. This is a **355% increase** in building area and is in addition to the existing 31,815 SF FASPS Building.
2. The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.
6. The proposed rezone will increase traffic congestion and reduce pedestrian safety, as evidenced by the following.
    - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.
    - The Trip Generation Memo does not account for trips associated with FASPS, which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips. Commercial Office Rezone would be even more impactful than presented by the applicant.
    - The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast

of future traffic volumes with and without the rezone, an analysis of crash history inc trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections around the property. Without the Traffic Impact Analysis, it is impossible to confirm compliance with Criteria 6.

Molly McGuire

From: Brian Schultz <brian@schultzworld.net>
Sent: Monday, August 3, 2026 8:19 AM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: SJCC / Planning Commission

Hello,

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial.

My son works at the JCC and both sons have attended camp and other activities there. I am a member.

The J has been serving the Mercer Island community – as a community center – for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Best,
Brian

--
Brian Schultz | Connect on LinkedIn | Follow me on Twitter | +1 206-910-7160

Molly McGuire

From: Cynthia Hennessy <cynthiahennessy@me.com>
Sent: Monday, August 3, 2026 7:43 PM
To: Planning Commission
Cc: Council; Deb Estrada; Alison Van Gorp
Subject: Public Comment RE CPA25-002, RZN25-002, SEP25-021

Attachment available until Sep 2, 2026

Greetings.

I am a 25-year resident of Mercer Island and live 60 yards from the JCC's property.

I write to express my support for the JCC — and my strenuous opposition to its attempt to rezone the property to commercial office use. This is a gross overreach for something that can be accomplished within the current zoning and conditional use permit.

The JCC has been notably vague about why it cannot further modernize its facilities without a zoning change. That's because it has other options — it simply wants the broadest possible zoning, giving it wide latitude for use and future monetization, without necessary protections for its residential neighbors.

Parking and traffic have been an issue for years, and the JCC has done virtually nothing to mitigate the situation under its current CUP. It has provided no response to how it will manage a more than four-fold increase in square footage and a 460% increase in traffic. Attached is a video of the current traffic situation on East Mercer Way on an average weekday morning, just after 9am — before any proposed growth. Traffic was backed up Gallagher Hill, and for half a mile on the East Mercer Way exit off I-90. This is a regular occurrence.

Click to Download

IMG_2506.mov
85.8 MB

Below are the facts and the law that should be taken into consideration when deciding on the JCC's application.

Thank you for your service,

Cynthia Hennessy

Public Comment RE CPA25-002, RZN25-002, SEP25-021

Comprehensive Plan Amendment

Criteria 1 MICC 19.15.230.F

F. 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 decisions criteria.

The applicant has not met the burden of demonstrating the proposed amendment complies with the applicable regulations and decision criteria.

Criteria 1. The amendment is not consistent with the Growth Management Act ("GMA"), the countywide planning policies, or the other provisions of the comprehensive plan and city policies based on the following:

1. Each and every response by the applicant to these criteria regarding compliance with the comp plan, GMA and city policies are based on the current use of the property as a community center, and the current building size and intensity of use - the applicant relies on the operator, not the designation. However, the proposed comprehensive plan amendment is not tied to the existing use, it is not tied to a specific project, it is not tied to a proposed use, and it does not guarantee that the current use will continue after an amendment. The proposal does not limit future development to the square footage that currently exists. It is simply an application to change the zoning from residential to commercialoffice, which would result in increased density and intensity of use of the property, regardless if that use is an office building or a community center.

2. Comprehensive plan land use designation attaches to the land, not an owner or a program. Nothing in the CO designation requires an early childhood school, scholarships, a community garden, swim lessons, or any cultural programming. Nothing prevents the sale of the property and a future owner implementing different programming. The applicant's amendment secures none of the benefits offered as the basis for finding it consistent.

3. The applicant does not offer to enter a Development Agreement under RCW 36.70B.170-.210, which they could do concurrently with the rezone, and would run with the land and bind successors. A Development Agreement can restrict permitted uses to community-facility uses, cap gross floor area, fix access locations, and require specific transportation mitigation. If the applicant's representation is that "no change of use is proposed," a development agreement costs the applicant nothing it has claimed to want. By declining to enter a development agreement, the applicant brings into question their intended future use.

4. The applicant does not establish consistence with the Transportation Element. RCW 36.70A.070 requires an internally consistent plan: RCW 36.70A.070(6)(a)(i)(C) requires the transportation element to rest on land use assumptions. The Land Use Map is the input to the travel forecast. Redesignating this site from Single-Family Residential to Commercial Office – on the applicant's own consultant's figures, from 94,723 gsf to 402,261 gsf buildout capacity – changes the assumption. Nothing in the application shows that the Transportation Element's forecasts, LOS standards, or capital facilities program were checked against the amended map. The Staff report does not address this internal inconsistency.

5. Land Use Goal 7.1 – "Preserve the neighborhood character in residential zones. For the purpose of implementing this element, neighborhood character only refers to form, bulk, scale and intensity of the built environment." The applicant does not address what Goal 7.1 actually askes, which is what happens to form, bulk, scale, and intensity under the Commercial Office designation. A 4.25X increase in buildout capacity is, by the comprehensive plan's own definition, a neighborhood-character question that the application does not comply with.

6. Transportation Goal 9.2 – "Address parking overflow impacts on neighbors cause by major traffic generators such as schools, businesses, parks…" The applicant does not address how the redesignation

would address the neighbors' concerns, including parking overflowing onto East Mercer Way that blo the bike lane and forces bikes and pedestrians into the traffic lane; cars from user of the property parking on SE 40th, cars from users of the property blocking driveways on adjacent streets. Goal 9.2 asks for a plan to address the impact, but the applicant does not cite any specifics in how the redesignation will do that. In fact, the redesignation would allow for 4.25X building area, which would result in even more traffic and overflow parking.

7. "Commercial Office and PBZ zones must serve the needs of the local populations while remaining compatible with the overall residential character of the community." The applicant asserts compatibility will "increase" and that "anything that is built will conform to CO standards." That is an assertion about code compliance, not about compatibility, and it is unsupported by any analysis of way CO buildout looks like against the neighboring Single-Family Residential land. Additionally, the applicants current membership is made up primarily of non-residents of Mercer Island, thus they are not serving the local population.
8. The applicant does not include any analysis of whether PBZ, a Public Institution designation, or tailored community-facility designation would fit the situation better than CO. It is the applicant's burden to show the proposed designation is consistent, the absence of any alternative analysis demonstrates the applicant has not met the burden.

Criteria 1A – The applicant concedes there is not a technical error, thus this criterion cannot be used to allow for the applicant's amendment.

Criteria 1B – Changed Circumstances of the City as a Whole – This criterion requires a change in circumstances of the city as a whole, not of the property, not of the applicant, not of a single institution. Washington reclassification cases look for changed conditions in the area, not merely a changed circumstance of the proponent. See Parkridge v Seattle, 90Wn.2d454(1987).

1. The staff report rejects that there has been a change in circumstance of the City as a Whole "The City disagrees with the applicant's assertion as to the 2017 development standards. The changes to the residential development standards that occurred in 2017 were policy decisions made by the then seated City Council, and are not 'changing circumstances of the city as a whole." Additionally, the staff report found that the applicant's factual premise incorrect – that the MICC 19.01.050(D)(3) does in fact permit exterior alteration or enlargement of nonconforming non-single-family structures, subject to the 50-percent-of-assessed-value threshold.
2. The Staff report theorizes that the changed circumstances are "more accurately described as an increased demand of a facility that is at the end of its useful life and which demand cannot be accommodated under" MICC 19.01.050(D)(3).
    a. MICC 19.15.230(F) places the burden of demonstration on the applicant. When the reviewing body rejects the applicant's theory, finds its factual premise incorrect, that should result in denial of the application. The city staff cannot construct a substitute rationale, by doing so the burden has effectively been carried by staff rather than by the applicant.
    b. The staff's substitute theory is unsupported by anything in the application or the staff report and relies on two assertions without providing any evidence.
        i. "Increased demand" – The applicant has refused to provide any membership trend data, enrollment figures, waitlists, utilization studies, or demographic demand analysis. The

applicant offers only that Mercer Island's population "has grown over 20% since the was built in 1969." A 20% increase in the cities population does not justify an over 400% increase in allowed building area for the site.

ii. The applicant asserts that the facility that is at the end of its useful life, however no condition assessment, structural evaluation, systems assessment, or cost-to-cure estimate has been provided.

iii. A single facility reaching the end of its useful life is a circumstance of that property, not of the city as a whole.

3. The applicant argues that the 2017 GFA and impervious surface limits, combined with the variance interpretation, apply across most of the Island's zoning and have stranded "many other vital community organizations on MI." If that is true, the correct response to a city-wide regulatory gap affecting a class of institutions is a code amendment or community-facility overlay applicable to that class, not a parcel-specific change for one member of it. Comprehensive Plan Land Use Goal 7.4 says exactly this: The City may consider measures within the land use code to address the maintenance, updating, and renovation of these facilities." The applicant quotes Goal 7.4 and then argues for the one remedy the goal does not contemplate.

Criterion 2(a) – MICC 19.15.230(F)(2)(a): Compatibility with Adjacent Land Use and Development Pattern.

– "Development pattern" is not a synonym for "surrounding uses," rather it refers to the geometry and logic of the map, the coherence of district boundaries, and how the amendment fits the City's overall land use structure. Both adjacent land use and development patterns must be satisfied.

1. The Staff report misinterprets this requirement, stating "adjacent land use and development patterns include both single-family residences and commercial buildings… which all align with the existing facilities on the SJCC properties." That finding is about the compatibility of the existing facilitates, not the proposed amendment. The proposed amendment is not tied to the current use. A 402,261 gsf building, over four times larger than the existing building, is not compatible with single-family residential zoning on three sides.
2. The applicant differs to future review of any proposed development for compliance with the CO code in an attempt to justify compliance with this criteria, however this does not address the compatibility questions, including trip generation, hours of operation, parking demand, or cumulative intensity.
3. Development Pattern: The amendment would leave (i) a narrow strip of residentially designated property to the west, sandwiched between Public Institution and Commercial Office designations, and (ii) an isolated pocket of residential parcels in the southeast corner of the block sharing a property line with the subject site. The staff report does not provide any analysis of the resulting boundary or development pattern, whether the amended boundary is orderly, whether the remnant residential areas remain viable as designated, or whether the city would ever draw this line on its own.
4. Irregular boundaries drawn to follow one owner's parcel assembly are precisely the evidentiary pattern Washington courts look to in spot-zoning analysis as indicating private rather than public benefit. See Anderson v Island County, 81Wn.2d312(1972); Save Our rural Env't, 99Wn.2d363(1983).

Criteria 2(b) – MICC 19.15.230(F)(2)(b): Suitability for Development in Conformance with the Standards Under the Potential Zoning.

1. The Staff report disputes the applicants compliance with this criteria, stating "at least one parcel would not be suitable for development in conformance with the standards under the potential zoning as it currently

exists" in reference to parcel 2655500132, which when applying CO zoning setbacks would result in abuilding envelope of six inches by eight feet. Parcel 2655500137 is similarly cannot practically be developed under the CO zoning setbacks, resulting in a building envelope of 35' by 105'. The staff report does not calculate the larger parcels.

2. Parcels 2655500132 & 2655500136 both have access to the residential street, SE 40th St. Rezoning these parcels to CO would direct commercial traffic directly onto a residential street.
3. Parcel 2655500132 is omitted from the staff reports list currently observed conditions: "Tax Parcels 2655500137, 2655500115, and 2655500136 all appear to be integrated in their daily operations as the Stroum Jewish Community Center site." – Parcel 2655500132 has not been used for recreational or community-facility purpose. It is a single-family home, in a single-family neighborhood, on a single-family street, that happens to have been speculatively acquired by an institutional neighbor in 2016.

1. Parcel 265550-0136 was speculatively purchased by the applicant on October 30th, 2012 and is not included in their Conditional Use Permit. This parcel had a single family home existing on it when the applicant purchased it. This parcel should be excluded from any rezone consideration.

Criteria 2(c) – MICC 19.15.230(F)(2)(c): Benefit to the Community as a Whole; No Adverse Effect on Community Facilities or Public Health, Safety, and General Welfare.

The amendment must benefit the community as a whole and must not adversely affect community facilities or the public health, safety, and general welfare. The second cannot be satisfied by showing the benefit outweighs the harm.

1. The applicant again rests their argument of benefit to the community as a whole on the operator rather than the Commercial Office designation. As discussed, the application must be reviewed based on the Commercial Office Designation – not the current owner, current programming, or current operator of the property – which this application has failed to do. Additionally, the applicant does not provide services to all Mercer Island Residents, they do not offer discounts to Mercer Island residents, and their membership is primarily made-up of non-residents.
2. This criterion also requires No Adverse Effect, however the applicant does not address this criterion in their application and neither does the Staff Report. This application would, in fact, adversely affect public health, safety, and general welfare as follows:
    a. The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.
    b. The proposed rezone will increase traffic congestion and reduce pedestrian safety, as evidenced by the following.

        - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.

- The Trip Generation Memo does not account for trips associated with French American S of Puget Sound (FASPS), which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips. Commercial Office Rezone would be even more impactful than presented by the applicant.

c. The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections around the property.

3. Based on the proximity to I-90, Washington State DOT should be reviewing the amendment and its impacts on I90.
4. A Traffic Impact Analysis must include the school that is currently under construction across East Mercer from the applicant's property.

Rezone Criteria:

Criteria 1. The proposed reclassification must be consistent with the policies and provisions of the Mercer Island Comprehensive Plan:

The proposed reclassification is not consistent with the comprehensive plan for the following reasons:

1. The applicant tries to justify compliance with the comprehensive plan based on the current use of the property as a community center, and the current building size and intensity of use. However, the proposed rezone is not tied to the existing use, it is not tied to a specific project, it is not tied to a proposed use, and it does not guarantee that the current use will continue after a rezone. The proposal does not limit future development to the square footage that currently exists. It is simply an application to change the zoning from residential to commercialoffice, which would result in increased density and intensity of use of the property, regardless if that use is an office building or a community center.

2. The applicant has stated that they want to continue to use the property as it has been used for 55 years, however that is untrue. Since the original Conditional Use Permit was granted, the applicant has significantly grown their building footprint, and purchased multiple additional parcels.

3. The existing building is 88,362 square feet (per King County Assessor). Rezoning the property to Commercial Office would allow a 402,261 square foot building to be built on the property. This is a 355% increasein building area and is in addition to the existing 31,815 SF FASPS Building.

4. Commercial Office in this location is not compatible with the comprehensive plan. The justifications presented in the application are irrelevant without a project being tied to the application. The applicant only focuses on the current use of the property (including the current building size), not what is actually being applied for, which is Commercial Office zoning recalcification.

5. There is currently a total of 637,818 SF of office space existing on Mercer Island. The largest existing office building is the Riot Games building in the town center at 155,599 SF. This rezone application would allow for

402,261 SF on this site alone, making it larger than the total size of the seven largest existing office buildings combined. Rezoning this property could result in a 60% increasein total office space across all of Mercer Island, and place that significant growth in a location surrounded by residential zoning.

6. The GMA requires the City of Mercer Island to prioritize housing in the comprehensive plan. This application does the exact opposite; it converts single family zoned property to Commercial Office. It does not meet the criteria of the Mercer Island Comprehensive Plan or the WA State GMA.
7. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 2. The proposed reclassification must be consistent with Mercer Island development code as set for in MICC 19.01.010;

The proposal does not comply with these criteria for the following reasons:

1. This criteria includes provisions to avoid traffic congestion. The proposed rezone will increase traffic congestion, as evidenced by the following:
    - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over 460% increase total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.
    - The Trip Generation Memo does not account for trips associated with FASPS, which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips to/from the shared driveway. Commercial Office Rezone would be even more impactful than presented by the applicant.
    - The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections serving the property. A Traffic Impact Analysis would further confirm that this application does not comply with Criteria 2.
    - The applicant indicates on their own documentation that they intend to increase parking counts, which means they intend to increase traffic to the property.
    - The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that

cannot accommodate commercial traffic and would adversely affect public safety. This access p
was not discussed in the Trip Generation memo submitted by the applicant.

1. This criteria includes provisions to protect the natural beauty and other natural resources. The proposal does the opposite, by increasing density and the intensity of the approved land use.
2. This criteria includes provisions to prevent overcrowding. The proposal does the opposite, by increasing density and the intensity of the approved land use.
3. The applicant again refers to the current use of the land to justify rezoning, however those responses are irrelevant as the proposal is not tied to a specific use, the proposal is to rezone the property to Commercial Office, which is not compatible with this criteria of the comprehensive plan.
4. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning, because that is what is being applied for.

Criteria 3. The proposed reclassification must be an extension of an existing zone, or a logical transition between zones.

The proposed rezone is not the extension of an existing zone or a logical transition between zones -- it is actually the opposite.

1. The property is bound on three sides by residential zones, rezoning this parcel would create a pocket of commercially zoned parcels surrounded on three sides by single-family residential zoning.
2. Additionally, parcels 265550-0166, 265550-0168, and 265550-0165 to the west of the applicant's property, which are single-family zoned properties, would end up surrounded by Commercial zoning to the north and east, and Public Institution zoning to the West. See below map.

1. The zoning map in the application is not current.
2. Rezoning of this property would create a choppy patchwork of zoning with no logical transition between zones.

1. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 4. The proposed reclassification must not constitute an illegal Site-Specific Rezone.

The proposal creates an illegal site-specific rezone, solely for the benefit of a single property.

1. While the applicant has chosen to pursue non-profit status for tax purposes, and they do not pay property taxes on Mercer Island (but there should be a review of their unrelated business income!!), they will still see financial gain from the rezone.
2. With the applicant's tax status, they rely on Mercer Island residents and taxpayers to fund public safety and maintenance of city infrastructure serving their property, while they indicate on their website that they serve the "general community of the greater Seattle area" and the majority of their members or not Island residents. This is in contrast to other clubs and CUP properties on Mercer Island that primarily cater to Island residents and abide by strict membership limits. The burden on Mercer Island taxpayers will be exacerbated if the land were to be rezoned to commercial and land use becomes more intense with no limits on programming or membership.
3. The applicant chose to build a building for the French American School of Puget Sound (FASPS) on the commercially zoned portion of their property in order to generate revenue through a lease for their own financial gain. If the applicant desired additional square footage to operate their center, they could have used that commercially zoned parcel and should not have leased the land to FASPS. A rezone cannot legally be granted for the private gain of one owner or a group of owners to the detriment of their neighbors. The FASPS lease demonstrates that the rezone application is for the financial gain of the applicant.
4. The applicant recently and speculatively purchased additional parcels that were not included in their original conditional use permit, and they are now seeking to rezone those parcels for their own gain.
    - Parcel 265550-0136 was speculatively purchased by the applicant on October 30th, 2012 and is not included in their Conditional Use Permit. This parcel had a single family home existing on it when the applicant purchased it. This parcel should be excluded from any rezone consideration.
    - Parcel 265550-0132 was speculatively purchased by the applicant on November 21, 2016 and is not included in their Conditional Use Permit. Furthermore, this parcel currently has a single-family home on it. Renderings presented by the applicant of a potential new facility shows the single-family residence remaining. Based on that, and the fact that this parcel is not included in the CUP, this parcel should be excluded from any rezone consideration.

1. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.
2. Again, the proposed rezone is not tied to a specific project or use and the applicant refers to the current use of the land to justify rezoning. Rezoning this property to commercial office does not provide a public benefit, making it an illegal site-specific rezone.

Criteria 5. The proposed reclassification must be compatible with surrounding zones and land uses.

Commercial Office zoning is not compatible with the single-family residential zoning that borders the property on three sides.

1. The property is bound on three sides by residential zones, and one side by commercial office. Rezoning parcel would create a pocket of commercially zoned parcels surrounded on three sides by single family zoning.
2. Additionally, parcels 265550-0166, 265550-0168, and 265550-0165 to the west of the applicant's property, which are single family zoned properties, would end up surrounded by Commercial zoning to the north and east, and Public Institution zoning to the West.
3. The zoning map in the application is not current.
4. Rezoning of this property would create a choppy patchwork of zoning with no logical transition between zones.
5. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 6. The proposed reclassification must not adversely affect public health, safety and welfare.

Rezoning this property to Commercial Office would adversely affect public health, safety and welfare for the following reasons.

1. The existing building is 88,362 square feet (per King County Assessor). Rezoning the property to Commercial Office would allow a 402,261 square foot building to be built on the property. This is a **355% increase**in building area and is in addition to the existing 31,815 SF FASPS Building.
2. The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.

1. The proposed rezone will increase traffic congestion and reduce pedestrian safety, as evidenced by the following.
    - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.
    - The Trip Generation Memo does not account for trips associated with FASPS, which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips. Commercial Office Rezone would be even more impactful than presented by the applicant.

- The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation I which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections around the property. Without the Traffic Impact Analysis, it is impossible to confirm compliance with Criteria 6.

Mercer Island is first and foremost a residential community, and residential zoning and safety should be protected for the residents and families of Mercer Island.

Molly McGuire

From: donna tomlinson <donna.tomlinson@hotmail.com>
Sent: Monday, August 3, 2026 7:53 PM
To: Planning Commission; Council; Deb Estrada; Alison Van Gorp
Subject: Public Comment RE CPA25-002, RZN25-002, SEP25-21 Comprehensive Plan Amendment

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From: Donna Tomlinson
Donna.tomlinson@hotmail.com

TO: City of Mercer Island Planning Commission,

I am writing to strongly oppose the proposed changes to the Mercer Island Comprehensive Plan as noted below.

Public Comment RE CPA25-002, RZN25-002, SEP25-021

Comprehensive Plan Amendment

Criteria 1 MICC 19.15.230.F

F. 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 decisions criteria.

The applicant has not met the burden of demonstrating the proposed amendment complies with the applicable regulations and decision criteria.

Criteria 1. The amendment is not consistent with the Growth Management Act, the countywide planning policies, or the other provisions of the comprehensive plan and city policies based on the following:

1. Each and every response by the applicant to these criteria regarding compliance with the comp plan, GMA and city policies are based on the current use of the property as a community center, and the current building size and intensity of use - the applicant relies on the operator, not the designation. However, the proposed comprehensive plan amendment is not tied to the existing use, it is not tied to a specific project, it is not tied to a proposed use, and it does not guarantee that the current use will continue after an amendment. The proposal does not limit future development to the square footage that currently exists. It is simply an application to change the zoning from residential to commercial office, which would result in increased density and intensity of use of the property, regardless if that use is an office building or a community center.
2. Comprehensive plan land use designation attaches to the land, not an owner or a program. Nothing in the CO designation requires an early childhood school, scholarships, a community garden, swim lessons, or any cultural programming. Nothing prevents the sale of the property

and a future owner implementing different programming. The applicant's amendment sec none of the benefits offered as the basis for finding it consistent.

3. The applicant does not offer to enter a Development Agreement under RCW 36.70B.170-.210, which they could do concurrently with the rezone, and would run with the land and bind successors. A Development Agreement can restrict permitted uses to community-facility uses, cap gross floor area, fix access locations, and require specific transportation mitigation. If the applicant's representation is that "no change of use is proposed," a development agreement cost the applicant nothing it has claimed to want. By declining to enter a development agreement, the applicant brings into question their intended future use.
4. The applicant does not establish consistence with the Transportation Element. RCW 36.70A.070 requires an internally consistent plan: RCW 36.70A.070(6)(a)(i)(C) requires the transportation element to rest on land use assumptions. The Land Use Map is the input to the travel forecast. Redesignating this site from Single-Family Residential to Commercial Office – on the applicant's own consultant's figures, from 94,723 gsf to 402,261 gsf buildout capacity – changes the assumption. Nothing in the application shows that the Transportation Element's forecasts, LOS standards, or capital facilities program were checked against the amended map. The Staff report does not address this internal inconsistency.
5. Land Use Goal 7.1 – "Preserve the neighborhood character in residential zones. For the purpose of implementing this element, neighborhood character only refers to form, bulk, scale and intensity of the built environment." The applicant does not address what Goal 7.1 actually askes, which is what happens to form, bulk, scale, and intensity under the Commercial Office designation. A 4.25X increase in buildout capacity is, by the comprehensive plan's own definition, a neighborhood-character question that the application does not comply with.
6. Transportation Goal 9.2 – "Address parking overflow impacts on neighbors cause by major traffic generators such as schools, businesses, parks…" The applicant does not address how the redesignation would address the neighbors' concerns, including parking overflowing onto East Mercer Way that blocks the bike lane and forces bikes and pedestrians into the traffic lane; cars from user of the property parking on SE 40th, cars from users of the property blocking driveways on adjacent streets. Goal 9.2 asks for a plan to address the impact, but the applicant does not cite any specifics in how the redesignation will do that. In fact, the redesignation would allow for 4.25X building area, which would result in even more traffic and overflow parking.
7. "Commercial Office and PBZ zones must serve the needs of the local populations while remaining compatible with the overall residential character of the community." The applicant asserts compatibility will "increase" and that "anything that is built will conform to CO standards." That is an assertion about code compliance, not about compatibility, and it is unsupported by any analysis of way CO buildout looks like against the neighboring Single-Family Residential land. Additionally, the applicants current membership is made up primarily of non-residents of Mercer Island, thus they are not serving the local population.
8. The applicant does not include any analysis of whether PBZ, a Public Institution designation, or tailored community-facility designation would fit the situation better than CO. It is the applicant's burden to show the proposed designation is consistent, the absence of any alternative analysis demonstrates the applicant has not met the burden.

Criteria 1A – The applicant concedes there is not a technical error, thus this criterion cannot be used to allow for the applicant's amendment.

Criteria 1B – Changed Circumstances of the City as a Whole – This criterion requires a change in circumstances of the city as a whole, not of the property, not of the applicant, not of a single institution. Washington reclassification cases look for changed conditions in the area, not merely a changed circumstance of the proponent. See Parkridge v Seattle, 90Wn.2d454(1987).

1. The staff report rejects that there has been a change in circumstance of the City as a Whole "The City disagrees with the applicant's assertion as to the 2017 development standards. The changes to the residential development standards that occurred in 2017 were policy decisions made by the then seated City Council, and are not 'changing circumstances of the city as a whole." Additionally, the staff report found that the applicant's factual premise incorrect – that the MICC 19.01.050(D)(3) does in fact permit exterior alteration or enlargement of nonconforming non-single-family structures, subject to the 50-percent-of-assessed-value threshold.
2. The Staff report theorizes that the changed circumstances are "more accurately described as an increased demand of a facility that is at the end of its useful life and which demand cannot be accommodated under" MICC 19.01.050(D)(3).
    a. MICC 19.15.230(F) places the burden of demonstration on the applicant. When the reviewing body rejects the applicant's theory, finds its factual premise incorrect, that should result in denial of the application. The city staff cannot construct a substitute rationale, by doing so the burden has effectively been carried by staff rather than by the applicant.
    b. The staff's substitute theory is unsupported by anything in the application or the staff report and relies on two assertions without providing any evidence.
        i. "Increased demand" – The applicant has refused to provide any membership trend data, enrollment figures, waitlists, utilization studies, or demographic demand analysis. The applicant offers only that Mercer Island's population "has grown over 20% since the JCC was built in 1969." A 20% increase in the cities population does not justify an over 400% increase in allowed building area for the site.
        ii. The applicant asserts that the facility that is at the end of its useful life, however no condition assessment, structural evaluation, systems assessment, or cost-to-cure estimate has been provided.
        iii. A single facility reaching the end of its useful life is a circumstance of that property, not of the city as a whole.
3. The applicant argues that the 2017 GFA and impervious surface limits, combined with the variance interpretation, apply across most of the Island's zoning and have stranded "many other vital community organizations on MI." If that is true, the correct response to a city-wide regulatory gap affecting a class of institutions is a code amendment or community-facility overlay applicable to that class, not a parcel-specific change for one member of it. Comprehensive Plan Land Use Goal 7.4 says exactly this: The City may consider measures within the land use code to address the maintenance, updating, and renovation of these facilities." The applicant quotes Goal 7.4 and then argues for the one remedy the goal does not contemplate.

Criterion 2(a) – MICC 19.15.230(F)(2)(a): Compatibility with Adjacent Land Use and Development Pattern. – "Development pattern" is not a synonym for "surrounding uses," rather it refers to the geometry and logic of the map, the coherence of district boundaries, and how the amendment fits the City's overall land use structure. Both adjacent land use and development patterns must be satisfied.

1. The Staff report misinterprets this requirement, stating “adjacent land use and development patterns include both single-family residences and commercial buildings… which all align with the existing facilities on the SJCC properties.” That finding is about the compatibility of the existing facilitates, not the proposed amendment. The proposed amendment is not tied to the current use. A 402,261 gsf building, over four times larger than the existing building, is not compatible with single-family residential zoning on three sides.
2. The applicant differs to future review of any proposed development for compliance with the CO code in an attempt to justify compliance with this criteria, however this does not address the compatibility questions, including trip generation, hours of operation, parking demand, or cumulative intensity.
3. Development Pattern: The amendment would leave (i) a narrow strip of residentially designated property to the west, sandwiched between Public Institution and Commercial Office designations, and (ii) an isolated pocket of residential parcels in the southeast corner of the block sharing a property line with the subject site. The staff report does not provide any analysis of the resulting boundary or development pattern, whether the amended boundary is orderly, whether the remnant residential areas remain viable as designated, or whether the city would ever draw this line on its own.
4. Irregular boundaries drawn to follow one owner’s parcel assembly are precisely the evidentiary pattern Washington courts look to in spot-zoning analysis as indicating private rather than public benefit. See Anderson v Island County, 81Wn.2d312(1972); Save Our rural Env’t, 99Wn.2d363(1983).

Criteria 2(b) – MICC 19.15.230(F)(2)(b): Suitability for Development in Conformance with the Standards Under the Potential Zoning.

1. The Staff report disputes the applicants compliance with this criteria, stating “at least one parcel would not be suitable for development in conformance with the standards under the potential zoning as it currently exists” in reference to parcel 2655500132, which when applying CO zoning setbacks would result in abuilding envelope of six inches by eight feet. Parcel 2655500137 is similarly cannot practically be developed under the CO zoning setbacks, resulting in a building envelope of 35’ by 105’. The staff report does not calculate the larger parcels.
2. Parcels 2655500132 & 2655500136 both have access to the residential street, SE 40th St. Rezoning these parcels to CO would direct commercial traffic directly onto a residential street.
3. Parcel 2655500132 is omitted from the staff reports list currently observed conditions: “Tax Parcels 2655500137, 2655500115, and 2655500136 all appear to be integrated in their daily operations as the Stroum Jewish Community Center site.” – Parcel 2655500132 has not been used for recreational or community-facility purpose. It is a single-family home, in a single-family neighborhood, on a single-family street, that happens to have been speculatively acquired by an institutional neighbor in 2016.

1. Parcel 265550-0136 was speculatively purchased by the applicant on October 30th, 2012 and is not included in their Conditional Use Permit. This parcel had a single family home existing on it when the applicant purchased it. This parcel should be excluded from any rezone consideration.

Criteria 2(c) – MICC 19.15.230(F)(2)(c): Benefit to the Community as a Whole; No Adverse Effect on Community Facilities or Public Health, Safety, and General Welfare.

The amendment must benefit the community as a whole and must not adversely affect community facilities or the public health, safety, and general welfare. The second cannot be satisfied by showing the benefit outweighs the harm.

1. The applicant again rests their argument of benefit to the community as a whole on the operator rather than the Commercial Office designation. As discussed, the application must be reviewed based on the Commercial Office Designation – not the current owner, current programming, or current operator of the property – which this application has failed to do. Additionally, the applicant does not provide services to all Mercer Island Residents, they do not offer discounts to Mercer Island residents, and their membership is primarily made-up of non-residents.
2. This criterion also requires No Adverse Effect, however the applicant does not address this criterion in their application and neither does the Staff Report. This application would, in fact, adversely affect public health, safety, and general welfare as follows:
    a. The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.
    b. The proposed rezone will increase traffic congestion and reduce pedestrian safety, as evidenced by the following.

        - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.

        - The Trip Generation Memo does not account for trips associated with French American School of Puget Sound (FASPS), which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips. Commercial Office Rezone would be even more impactful than presented by the applicant.

    c. The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections around the property.
3. Based on the proximity to I-90, Washington State DOT should be reviewing the amendment and its impacts on I90.
4. A Traffic Impact Analysis must include the school that is currently under construction across East Mercer from the applicants property.

Rezon Criteria:

Criteria 1. The proposed reclassification must be consistent with the policies and provisions of the Mercer Island Comprehensive Plan:

The proposed reclassification is not consistent with the comprehensive plan for the following reasons:

1. The applicant tries to justify compliance with the comprehensive plan based on the current use of the property as a community center, and the current building size and intensity of use. However, the proposed rezone is not tied to the existing use, it is not tied to a specific project, it is not tied to a proposed use, and it does not guarantee that the current use will continue after a rezone. The proposal does not limit future development to the square footage that currently exists. It is simply an application to change the zoning from residential to commercial office, which would result in increased density and intensity of use of the property, regardless if that use is an office building or a community center.
2. The applicant has stated that they want to continue to use the property as it has been used for 55 years, however that is untrue. Since the original Conditional Use Permit was granted, the applicant has significantly grown their building footprint, and purchased multiple additional parcels.
3. The existing building is 88,362 square feet (per King County Assessor). Rezoning the property to Commercial Office would allow a 402,261 square foot building to be built on the property. This is a **355% increase** in building area and is in addition to the existing 31,815 SF FASPS Building.
4. Commercial Office in this location is not compatible with the comprehensive plan. The justifications presented in the application are irrelevant without a project being tied to the application. The applicant only focuses on the current use of the property (including the current building size), not what is actually being applied for, which is Commercial Office zoning recalcification.
5. There is currently a total of 637,818 SF of office space existing on Mercer Island. The largest existing office building is the Riot Games building in the town center at 155,599 SF. This rezone application would allow for 402,261 SF on this site alone, making it larger than the total size of the seven largest existing office buildings combined. Rezoning this property could result in a **60% increase** in total office space across all of Mercer Island, and place that significant growth in a location surrounded by residential zoning.
6. The Washington State Growth Management Act (GMA) requires the City of Mercer Island to prioritize housing in the comprehensive plan. This application does the exact opposite; it converts single family zoned property to Commercial Office. It does not meet the criteria of the Mercer Island Comprehensive Plan or the WA State GMA.
7. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 2. The proposed reclassification must be consistent with Mercer Island development code as set for in MICC 19.01.010;

The proposal does not comply with these criteria for the following reasons:

1. This criteria includes provisions to avoid traffic congestion. The proposed rezone will increase traffic congestion, as evidenced by the following:
    - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.
    - The Trip Generation Memo does not account for trips associated with FASPS, which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips to/from the shared driveway. Commercial Office Rezone would be even more impactful than presented by the applicant.
    - The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections serving the property. A Traffic Impact Analysis would further confirm that this application does not comply with Criteria 2.
    - The applicant indicates on their own documentation that they intend to increase parking counts, which means they intend to increase traffic to the property.
    - The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.

1. This criteria includes provisions to protect the natural beauty and other natural resources. The proposal does the opposite, by increasing density and the intensity of the approved land use.
2. This criteria includes provisions to prevent overcrowding. The proposal does the opposite, by increasing density and the intensity of the approved land use.
3. The applicant again refers to the current use of the land to justify rezoning, however those responses are irrelevant as the proposal is not tied to a specific use, the proposal is to rezone the property to Commercial Office, which is not compatible with this criteria of the comprehensive plan.
4. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning, because that is what is being applied for.

Criteria 3. The proposed reclassification must be an extension of an existing zone, or a logical transition between zones.

The proposed rezone is not the extension of an existing zone or a logical transition between zones, it is actually the opposite.

1. The property is bound on three sides by residential zones, rezoning this parcel would create a pocket of commercially zoned parcels surrounded on three sides by single-family residential zoning.
2. Additionally, parcels 265550-0166, 265550-0168, and 265550-0165 to the west of the applicant's property, which are single-family zoned properties, would end up surrounded by Commercial zoning to the north and east, and Public Institution zoning to the West. See below map.

1. The zoning map in the application is not current.
2. Rezoning of this property would create a choppy patchwork of zoning with no logical transition between zones.

1. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 4. The proposed reclassification must not constitute an illegal Site-Specific Rezone.

The proposal does create an illegal site-specific rezone, solely for the benefit of a single property.

1. While the applicant has chosen to pursue non-profit status for tax purposes, and they do not pay property taxes on Mercer Island, they are still business that will see financial gain from the rezone.
2. With the applicant’s tax status, they rely on Mercer Island residents and taxpayers to fund public safety and maintenance of city infrastructure serving their property, while they indicate on their website that they serve the "general community of the greater Seattle area" and the majority of their members or not Island residents. This is in contrast to other clubs and CUP properties on Mercer Island that primarily cater to Island residents and abide by strict membership limits. The burden on Mercer Island taxpayers will be exacerbated if the land were to be rezoned to commercial and land use becomes more intense with no limits on programming or membership.
3. The applicant chose to build a building for the French American School of Puget Sound (FASPS) on the commercially zoned portion of their property in order to generate revenue through a lease for their own financial gain. If the applicant desired additional square footage to operate their center, they could have used that commercially zoned parcel and should not have leased the land to FASPS. A rezone cannot legally be granted for the private gain of one owner or a group of owners to the detriment of their neighbors. The FASPS lease demonstrates that the rezone application is for the financial gain of the applicant.

4. The applicant recently and speculatively purchased additional parcels that were not inclu their original conditional use permit, and they are now seeking to rezone those parcels for their own gain.
    - Parcel 265550-0136 was speculatively purchased by the applicant on October 30th, 2012 and is not included in their Conditional Use Permit. This parcel had a single family home existing on it when the applicant purchased it. This parcel should be excluded from any rezone consideration.
    - Parcel 265550-0132 was speculatively purchased by the applicant on November 21, 2016 and is not included in their Conditional Use Permit. Furthermore, this parcel currently has a single-family home on it. Renderings presented by the applicant of a potential new facility shows the single-family residence remaining. Based on that, and the fact that this parcel is not included in the CUP, this parcel should be excluded from any rezone consideration.

1. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.
2. Again, the proposed rezone is not tied to a specific project or use and the applicant refers to the current use of the land to justify rezoning. Rezoning this property to commercial office does not provide a public benefit, making it an illegal site-specific rezone.

Criteria 5. The proposed reclassification must be compatible with surrounding zones and land uses.

Commercial Office zoning is not compatible with the single-family residential zoning that borders the property on three sides.

1. The property is bound on three sides by residential zones, and one side by commercial office. Rezoning this parcel would create a pocket of commercially zoned parcels surrounded on three sides by single family zoning.
2. Additionally, parcels 265550-0166, 265550-0168, and 265550-0165 to the west of the applicant's property, which are single family zoned properties, would end up surrounded by Commercial zoning to the north and east, and Public Institution zoning to the West.
3. The zoning map in the application is not current.
4. Rezoning of this property would create a choppy patchwork of zoning with no logical transition between zones.
5. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 6. The proposed reclassification must not adversely affect public health, safety and welfare.

Rezoning this property to Commercial Office would adversely affect public health, safety and we for the following reasons.

1. The existing building is 88,362 square feet (per King County Assessor). Rezoning the property to Commercial Office would allow a 402,261 square foot building to be built on the property. This is a **355% increase** in building area and is in addition to the existing 31,815 SF FASPS Building.
2. The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.
1. The proposed rezone will increase traffic congestion and reduce pedestrian safety, as evidenced by the following.
    - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.
    - The Trip Generation Memo does not account for trips associated with FASPS, which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips. Commercial Office Rezone would be even more impactful than presented by the applicant.
    - The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections around the property. Without the Traffic Impact Analysis, it is impossible to confirm compliance with Criteria 6.

Mercer Island is first and foremost a residential community, and residential zoning should be protected for the residents and families of Mercer Island.

Sincerely,
Donna Tomlinson

Molly McGuire

From: Gracie H <maragrace@live.com>
Sent: Monday, August 3, 2026 7:52 PM
To: Planning Commission
Cc: Council
Subject: Public Comment RE CPA25-002, RZN25-002, SEP25-021

Dear Planning Commission:

I was born and raised on Mercer Island and hope that you will carefully consider the following facts and law when deciding on the JCC's application for rezone. This is not a "NIMBY" issue - there are serious legal, fairness and safety concerns with this application, which I oppose.

Sincerely,

Gracie Hennessy

Public Comment RE CPA25-002, RZN25-002, SEP25-021

Comprehensive Plan Amendment

Criteria 1 MICC 19.15.230.F

F. 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 decisions criteria.

The applicant has not met the burden of demonstrating the proposed amendment complies with the applicable regulations and decision criteria.

Criteria 1. The amendment is not consistent with the Growth Management Act, the countywide planning policies, or the other provisions of the comprehensive plan and city policies based on the following:

1. Each and every response by the applicant to these criteria regarding compliance with the comp plan, GMA and city policies are based on the current use of the property as a community center, and the current building size and intensity of use - the applicant relies on the operator, not the designation. However, the proposed comprehensive plan amendment is not tied to the existing use, it is not tied to a specific project, it is not tied to a proposed use, and it does not guarantee that the current use will continue after an amendment. The proposal does not limit future development to the square footage that currently exists. It is simply an application to change the zoning from residential to commercial office, which would result in increased density and intensity of use of the property, regardless if that use is an office building or a community center.
2. Comprehensive plan land use designation attaches to the land, not an owner or a program. Nothing in the CO designation requires an early childhood school, scholarships, a community garden, swim lessons, or any cultural programming. Nothing prevents the sale of the property and a future owner

implementing different programming. The applicant's amendment secures none of the benefits offered as the basis for finding it consistent.

3. The applicant does not offer to enter a Development Agreement under RCW 36.70B.170-.210, which they could do concurrently with the rezone, and would run with the land and bind successors. A Development Agreement can restrict permitted uses to community-facility uses, cap gross floor area, fix access locations, and require specific transportation mitigation. If the applicant's representation is that "no change of use is proposed," a development agreement cost the applicant nothing it has claimed to want. By declining to enter a development agreement, the applicant brings into question their intended future use.

4. The applicant does not establish consistence with the Transportation Element. RCW 36.70A.070 requires an internally consistent plan: RCW 36.70A.070(6)(a)(i)(C) requires the transportation element to rest on land use assumptions. The Land Use Map is the input to the travel forecast. Redesignating this site from Single-Family Residential to Commercial Office – on the applicant's own consultant's figures, from 94,723 gsf to 402,261 gsf buildout capacity – changes the assumption. Nothing in the application shows that the Transportation Element's forecasts, LOS standards, or capital facilities program were checked against the amended map. The Staff report does not address this internal inconsistency.

5. Land Use Goal 7.1 – "Preserve the neighborhood character in residential zones. For the purpose of implementing this element, neighborhood character only refers to form, bulk, scale and intensity of the built environment." The applicant does not address what Goal 7.1 actually askes, which is what happens to form, bulk, scale, and intensity under the Commercial Office designation. A 4.25X increase in buildout capacity is, by the comprehensive plan's own definition, a neighborhood-character question that the application does not comply with.

6. Transportation Goal 9.2 – "Address parking overflow impacts on neighbors cause by major traffic generators such as schools, businesses, parks…" The applicant does not address how the redesignation would address the neighbors' concerns, including parking overflowing onto East Mercer Way that blocks the bike lane and forces bikes and pedestrians into the traffic lane; cars from user of the property parking on SE 40th, cars from users of the property blocking driveways on adjacent streets. Goal 9.2 asks for a plan to address the impact, but the applicant does not cite any specifics in how the redesignation will do that. In fact, the redesignation would allow for 4.25X building area, which would result in even more traffic and overflow parking.
7. "Commercial Office and PBZ zones must serve the needs of the local populations while remaining compatible with the overall residential character of the community." The applicant asserts compatibility will "increase" and that "anything that is built will conform to CO standards." That is an assertion about code compliance, not about compatibility, and it is unsupported by any analysis of way CO buildout looks like against the neighboring Single-Family Residential land. Additionally, the applicants current membership is made up primarily of non-residents of Mercer Island, thus they are not serving the local population.
8. The applicant does not include any analysis of whether PBZ, a Public Institution designation, or tailored community-facility designation would fit the situation better than CO. It is the applicant's burden to show the proposed designation is consistent, the absence of any alternative analysis demonstrates the applicant has not met the burden.

Criteria 1A – The applicant concedes there is not a technical error, thus this criterion cannot be used to allow for the applicant's amendment.

Criteria 1B – Changed Circumstances of the City as a Whole – This criterion requires a change in circumstances of the city as a whole, not of the property, not of the applicant, not of a single institution. Washington reclassification cases look for changed conditions in the area, not merely a changed circumstance of the proponent. See Parkridge v Seattle, 90Wn.2d454(1987).

1. The staff report rejects that there has been a change in circumstance of the City as a Whole "The City disagrees with the applicant's assertion as to the 2017 development standards. The changes to the residential development standards that occurred in 2017 were policy decisions made by the then seated City Council, and are not 'changing circumstances of the city as a whole." Additionally, the staff report found that the applicant's factual premise incorrect – that the MICC 19.01.050(D)(3) does in fact permit exterior alteration or enlargement of nonconforming non-single-family structures, subject to the 50-percent-of-assessed-value threshold.
2. The Staff report theorizes that the changed circumstances are "more accurately described as an increased demand of a facility that is at the end of its useful life and which demand cannot be accommodated under" MICC 19.01.050(D)(3).
    a. MICC 19.15.230(F) places the burden of demonstration on the applicant. When the reviewing body rejects the applicant's theory, finds its factual premise incorrect, that should result in denial of the application. The city staff cannot construct a substitute rationale, by doing so the burden has effectively been carried by staff rather than by the applicant.
    b. The staff's substitute theory is unsupported by anything in the application or the staff report and relies on two assertions without providing any evidence.
        i. "Increased demand" – The applicant has refused to provide any membership trend data, enrollment figures, waitlists, utilization studies, or demographic demand analysis. The applicant offers only that Mercer Island's population "has grown over 20% since the JCC was built in 1969." A 20% increase in the cities population does not justify an over 400% increase in allowed building area for the site.
        ii. The applicant asserts that the facility that is at the end of its useful life, however no condition assessment, structural evaluation, systems assessment, or cost-to-cure estimate has been provided.
        iii. A single facility reaching the end of its useful life is a circumstance of that property, not of the city as a whole.
3. The applicant argues that the 2017 GFA and impervious surface limits, combined with the variance interpretation, apply across most of the Island's zoning and have stranded "many other vital community organizations on MI." If that is true, the correct response to a city-wide regulatory gap affecting a class of institutions is a code amendment or community-facility overlay applicable to that class, not a parcel-specific change for one member of it. Comprehensive Plan Land Use Goal 7.4 says exactly this: The City may consider measures within the land use code to address the maintenance, updating, and renovation of these facilities." The applicant quotes Goal 7.4 and then argues for the one remedy the goal does not contemplate.

Criterion 2(a) – MICC 19.15.230(F)(2)(a): Compatibility with Adjacent Land Use and Development Pattern. – "Development pattern" is not a synonym for "surrounding uses," rather it refers to the geometry and logic of the map, the coherence of district boundaries, and how the amendment fits the City's overall land use structure. Both adjacent land use and development patterns must be satisfied.

1. The Staff report misinterprets this requirement, stating “adjacent land use and development pa include both single-family residences and commercial buildings… which all align with the existing facilities on the SJCC properties.” That finding is about the compatibility of the existing facilitates, not the proposed amendment. The proposed amendment is not tied to the current use. A 402,261 gsf building, over four times larger than the existing building, is not compatible with single-family residential zoning on three sides.
2. The applicant differs to future review of any proposed development for compliance with the CO code in an attempt to justify compliance with this criteria, however this does not address the compatibility questions, including trip generation, hours of operation, parking demand, or cumulative intensity.
3. Development Pattern: The amendment would leave (i) a narrow strip of residentially designated property to the west, sandwiched between Public Institution and Commercial Office designations, and (ii) an isolated pocket of residential parcels in the southeast corner of the block sharing a property line with the subject site. The staff report does not provide any analysis of the resulting boundary or development pattern, whether the amended boundary is orderly, whether the remnant residential areas remain viable as designated, or whether the city would ever draw this line on its own.
4. Irregular boundaries drawn to follow one owner’s parcel assembly are precisely the evidentiary pattern Washington courts look to in spot-zoning analysis as indicating private rather than public benefit. See Anderson v Island County, 81Wn.2d312(1972); Save Our rural Env’t, 99Wn.2d363(1983).

Criteria 2(b) – MICC 19.15.230(F)(2)(b): Suitability for Development in Conformance with the Standards Under the Potential Zoning.

1. The Staff report disputes the applicants compliance with this criteria, stating “at least one parcel would not be suitable for development in conformance with the standards under the potential zoning as it currently exists” in reference to parcel 2655500132, which when applying CO zoning setbacks would result in abuilding envelope of six inches by eight feet. Parcel 2655500137 is similarly cannot practically be developed under the CO zoning setbacks, resulting in a building envelope of 35’ by 105’. The staff report does not calculate the larger parcels.
2. Parcels 2655500132 & 2655500136 both have access to the residential street, SE 40th St. Rezoning these parcels to CO would direct commercial traffic directly onto a residential street.
3. Parcel 2655500132 is omitted from the staff reports list currently observed conditions: “Tax Parcels 2655500137, 2655500115, and 2655500136 all appear to be integrated in their daily operations as the Stroum Jewish Community Center site.” – Parcel 2655500132 has not been used for recreational or community-facility purpose. It is a single-family home, in a single-family neighborhood, on a single-family street, that happens to have been speculatively acquired by an institutional neighbor in 2016.

1. Parcel 265550-0136 was speculatively purchased by the applicant on October 30th, 2012 and is not included in their Conditional Use Permit. This parcel had a single family home existing on it when the applicant purchased it. This parcel should be excluded from any rezone consideration.

Criteria 2(c) – MICC 19.15.230(F)(2)(c): Benefit to the Community as a Whole; No Adverse Effect on Community Facilities or Public Health, Safety, and General Welfare.

The amendment must benefit the community as a whole and must not adversely affect community facilities or the public health, safety, and general welfare. The second cannot be satisfied by showing the benefit outweighs the harm.

1. The applicant again rests their argument of benefit to the community as a whole on the operato rather than the Commercial Office designation. As discussed, the application must be reviewed based on the Commercial Office Designation – not the current owner, current programming, or current operator of the property – which this application has failed to do. Additionally, the applicant does not provide services to all Mercer Island Residents, they do not offer discounts to Mercer Island residents, and their membership is primarily made-up of non-residents.
2. This criterion also requires No Adverse Effect, however the applicant does not address this criterion in their application and neither does the Staff Report. This application would, in fact, adversely affect public health, safety, and general welfare as follows:
    a. The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.
    b. The proposed rezone will increase traffic congestion and reduce pedestrian safety, as evidenced by the following.

        - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.

        - The Trip Generation Memo does not account for trips associated with French American School of Puget Sound (FASPS), which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips. Commercial Office Rezone would be even more impactful than presented by the applicant.

    c. The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections around the property.
3. Based on the proximity to I-90, Washington State DOT should be reviewing the amendment and its impacts on I90.
4. A Traffic Impact Analysis must include the school that is currently under construction across East Mercer from the applicants property.

Rezone Criteria:

Criteria 1. The proposed reclassification must be consistent with the policies and provisions of the Mercer Island Comprehensive Plan:

The proposed reclassification is not consistent with the comprehensive plan for the following reasons:

1. The applicant tries to justify compliance with the comprehensive plan based on the current use of the property as a community center, and the current building size and intensity of use. However, the proposed rezone is not tied to the existing use, it is not tied to a specific project, it is not tied to a proposed use, and it does not guarantee that the current use will continue after a rezone. The proposal does not limit future development to the square footage that currently exists. It is simply an application to change the zoning from residential to commercial office, which would result in increased density and intensity of use of the property, regardless if that use is an office building or a community center.
2. The applicant has stated that they want to continue to use the property as it has been used for 55 years, however that is untrue. Since the original Conditional Use Permit was granted, the applicant has significantly grown their building footprint, and purchased multiple additional parcels.
3. The existing building is 88,362 square feet (per King County Assessor). Rezoning the property to Commercial Office would allow a 402,261 square foot building to be built on the property. This is a **355% increase** in building area and is in addition to the existing 31,815 SF FASPS Building.
4. Commercial Office in this location is not compatible with the comprehensive plan. The justifications presented in the application are irrelevant without a project being tied to the application. The applicant only focuses on the current use of the property (including the current building size), not what is actually being applied for, which is Commercial Office zoning recalcification.
5. There is currently a total of 637,818 SF of office space existing on Mercer Island. The largest existing office building is the Riot Games building in the town center at 155,599 SF. This rezone application would allow for 402,261 SF on this site alone, making it larger than the total size of the seven largest existing office buildings combined. Rezoning this property could result in a **60% increase** in total office space across all of Mercer Island, and place that significant growth in a location surrounded by residential zoning.
6. The Washington State Growth Management Act (GMA) requires the City of Mercer Island to prioritize housing in the comprehensive plan. This application does the exact opposite; it converts single family zoned property to Commercial Office. It does not meet the criteria of the Mercer Island Comprehensive Plan or the WA State GMA.
7. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 2. The proposed reclassification must be consistent with Mercer Island development code as set for in MICC 19.01.010;

The proposal does not comply with these criteria for the following reasons:

1. This criteria includes provisions to avoid traffic congestion. The proposed rezone will increase traffic congestion, as evidenced by the following:
    - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to

1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property w create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.

- The Trip Generation Memo does not account for trips associated with FASPS, which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips to/from the shared driveway. Commercial Office Rezone would be even more impactful than presented by the applicant.
- The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections serving the property. A Traffic Impact Analysis would further confirm that this application does not comply with Criteria 2.
- The applicant indicates on their own documentation that they intend to increase parking counts, which means they intend to increase traffic to the property.
- The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.

1. This criteria includes provisions to protect the natural beauty and other natural resources. The proposal does the opposite, by increasing density and the intensity of the approved land use.
2. This criteria includes provisions to prevent overcrowding. The proposal does the opposite, by increasing density and the intensity of the approved land use.
3. The applicant again refers to the current use of the land to justify rezoning, however those responses are irrelevant as the proposal is not tied to a specific use, the proposal is to rezone the property to Commercial Office, which is not compatible with this criteria of the comprehensive plan.
4. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning, because that is what is being applied for.

Criteria 3. The proposed reclassification must be an extension of an existing zone, or a logical transition between zones.

The proposed rezone is not the extension of an existing zone or a logical transition between zones, it is actually the opposite.

1. The property is bound on three sides by residential zones, rezoning this parcel would create a pocket of commercially zoned parcels surrounded on three sides by single-family residential zoning.

2. Additionally, parcels 265550-0166, 265550-0168, and 265550-0165 to the west of the applicant's property, which are single-family zoned properties, would end up surrounded by Commercial zoning to the north and east, and Public Institution zoning to the West. See below map.

1. The zoning map in the application is not current.
2. Rezoning of this property would create a choppy patchwork of zoning with no logical transition between zones.

1. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 4. The proposed reclassification must not constitute an illegal Site-Specific Rezone.

The proposal does create an illegal site-specific rezone, solely for the benefit of a single property.

1. While the applicant has chosen to pursue non-profit status for tax purposes, and they do not pay property taxes on Mercer Island, they are still business that will see financial gain from the rezone.
2. With the applicant's tax status, they rely on Mercer Island residents and taxpayers to fund public safety and maintenance of city infrastructure serving their property, while they indicate on their website that they serve the "general community of the greater Seattle area" and the majority of their members or not Island residents. This is in contrast to other clubs and CUP properties on Mercer Island that primarily cater to Island residents and abide by strict membership limits. The burden on Mercer Island taxpayers will be exacerbated if the land were to be rezoned to commercial and land use becomes more intense with no limits on programming or membership.
3. The applicant chose to build a building for the French American School of Puget Sound (FASPS) on the commercially zoned portion of their property in order to generate revenue through a lease for their own financial gain. If the applicant desired additional square footage to operate their center, they could have used that commercially zoned parcel and should not have leased the land to FASPS. A rezone cannot legally be granted for the private gain of one owner or a group of owners to the detriment of their neighbors. The FASPS lease demonstrates that the rezone application is for the financial gain of the applicant.
4. The applicant recently and speculatively purchased additional parcels that were not included in their original conditional use permit, and they are now seeking to rezone those parcels for their own gain.
    - Parcel 265550-0136 was speculatively purchased by the applicant on October 30th, 2012 and is not included in their Conditional Use Permit. This parcel had a single family home existing on it when the applicant purchased it. This parcel should be excluded from any rezone consideration.
    - Parcel 265550-0132 was speculatively purchased by the applicant on November 21, 2016 and is not included in their Conditional Use Permit. Furthermore, this parcel currently has a single-family home on it. Renderings presented by the applicant of a potential new facility shows

the single-family residence remaining. Based on that, and the fact that this parcel is not included in the CUP, this parcel should be excluded from any rezone consideration.

1. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.
2. Again, the proposed rezone is not tied to a specific project or use and the applicant refers to the current use of the land to justify rezoning. Rezoning this property to commercial office does not provide a public benefit, making it an illegal site-specific rezone.

Criteria 5. The proposed reclassification must be compatible with surrounding zones and land uses.

Commercial Office zoning is not compatible with the single-family residential zoning that borders the property on three sides.

1. The property is bound on three sides by residential zones, and one side by commercial office. Rezoning this parcel would create a pocket of commercially zoned parcels surrounded on three sides by single family zoning.
2. Additionally, parcels 265550-0166, 265550-0168, and 265550-0165 to the west of the applicant's property, which are single family zoned properties, would end up surrounded by Commercial zoning to the north and east, and Public Institution zoning to the West.
3. The zoning map in the application is not current.
4. Rezoning of this property would create a choppy patchwork of zoning with no logical transition between zones.
5. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 6. The proposed reclassification must not adversely affect public health, safety and welfare.

Rezoning this property to Commercial Office would adversely affect public health, safety and welfare for the following reasons.

1. The existing building is 88,362 square feet (per King County Assessor). Rezoning the property to Commercial Office would allow a 402,261 square foot building to be built on the property. This is a **355% increase** in building area and is in addition to the existing 31,815 SF FASPS Building.
2. The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.

1. The proposed rezone will increase traffic congestion and reduce pedestrian safety, as evidenced following.

    - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.

    - The Trip Generation Memo does not account for trips associated with FASPS, which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips. Commercial Office Rezone would be even more impactful than presented by the applicant.

    - The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections around the property. Without the Traffic Impact Analysis, it is impossible to confirm compliance with Criteria 6.

Mercer Island is first and foremost a residential community, and residential zoning should be protected for the residents and families of Mercer Island.

Molly McGuire

From: Gregg Rogers' Golf Performance Centers <grogers@grgolfperformance.com>
Sent: Monday, August 3, 2026 8:02 PM
To: Planning Commission; Council; Deb Estrada; Alison Van Gorp
Subject: Public Comment RE CPA25-002, RZN25-002, SEP25-021 City of MI Comprehensive Plan amendment request

From: Gregg Rogers
grogers@grgolfperformance.com

TO: City of Mercer Island Planning Commission,

I am writing to strongly oppose the proposed changes to the Mercer Island Comprehensive Plan as noted below. I also am very disappointed the meeting was not set at a date or time that better accommodates people's work schedules.

Public Comment RE CPA25-002, RZN25-002, SEP25-021

Comprehensive Plan Amendment

Criteria 1 MICC 19.15.230.F

F. 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 decisions criteria.

The applicant has not met the burden of demonstrating the proposed amendment complies with the applicable regulations and decision criteria.

Criteria 1. The amendment is not consistent with the Growth Management Act, the countywide planning policies, or the other provisions of the comprehensive plan and city policies based on the following:

1. Each and every response by the applicant to these criteria regarding compliance with the comp plan, GMA and city policies are based on the current use of the property as a community center, and the current building size and intensity of use - the applicant relies on the operator, not the designation. However, the proposed comprehensive plan amendment is not tied to the existing use, it is not tied to a specific project, it is not tied to a proposed use, and it does not guarantee that the current use will continue after an amendment. The proposal does not limit future development to the square footage that currently exists. It is simply an application to change the zoning from residential to commercial office, which would result in increased density and intensity of use of the property, regardless if that use is an office building or a community center.
2. Comprehensive plan land use designation attaches to the land, not an owner or a program. Nothing in the CO designation requires an early childhood school, scholarships, a community garden, swim lessons, or any cultural programming. Nothing prevents the sale of the property and a future owner implementing different programming. The applicant’s amendment secures none of the benefits offered as the basis for finding it consistent.

3. The applicant does not offer to enter a Development Agreement under RCW 36.70B.170 which they could do concurrently with the rezone, and would run with the land and bind successors. A Development Agreement can restrict permitted uses to community-facility uses, cap gross floor area, fix access locations, and require specific transportation mitigation. If the applicant's representation is that "no change of use is proposed," a development agreement cost the applicant nothing it has claimed to want. By declining to enter a development agreement, the applicant brings into question their intended future use.

4. The applicant does not establish consistence with the Transportation Element. RCW 36.70A.070 requires an internally consistent plan: RCW 36.70A.070(6)(a)(i)(C) requires the transportation element to rest on land use assumptions. The Land Use Map is the input to the travel forecast. Redesignating this site from Single-Family Residential to Commercial Office – on the applicant's own consultant's figures, from 94,723 gsf to 402,261 gsf buildout capacity – changes the assumption. Nothing in the application shows that the Transportation Element's forecasts, LOS standards, or capital facilities program were checked against the amended map. The Staff report does not address this internal inconsistency.

5. Land Use Goal 7.1 – "Preserve the neighborhood character in residential zones. For the purpose of implementing this element, neighborhood character only refers to form, bulk, scale and intensity of the built environment." The applicant does not address what Goal 7.1 actually askes, which is what happens to form, bulk, scale, and intensity under the Commercial Office designation. A 4.25X increase in buildout capacity is, by the comprehensive plan's own definition, a neighborhood-character question that the application does not comply with.

6. Transportation Goal 9.2 – "Address parking overflow impacts on neighbors cause by major traffic generators such as schools, businesses, parks…" The applicant does not address how the redesignation would address the neighbors' concerns, including parking overflowing onto East Mercer Way that blocks the bike lane and forces bikes and pedestrians into the traffic lane; cars from user of the property parking on SE 40th, cars from users of the property blocking driveways on adjacent streets. Goal 9.2 asks for a plan to address the impact, but the applicant does not cite any specifics in how the redesignation will do that. In fact, the redesignation would allow for 4.25X building area, which would result in even more traffic and overflow parking.

7. "Commercial Office and PBZ zones must serve the needs of the local populations while remaining compatible with the overall residential character of the community." The applicant asserts compatibility will "increase" and that "anything that is built will conform to CO standards." That is an assertion about code compliance, not about compatibility, and it is unsupported by any analysis of way CO buildout looks like against the neighboring Single-Family Residential land. Additionally, the applicants current membership is made up primarily of non-residents of Mercer Island, thus they are not serving the local population.

8. The applicant does not include any analysis of whether PBZ, a Public Institution designation, or tailored community-facility designation would fit the situation better than CO. It is the applicant's burden to show the proposed designation is consistent, the absence of any alternative analysis demonstrates the applicant has not met the burden.

Criteria 1A – The applicant concedes there is not a technical error, thus this criterion cannot be used to allow for the applicant's amendment.

Criteria 1B – Changed Circumstances of the City as a Whole – This criterion requires a change in circumstances of the city as a whole, not of the property, not of the applicant, not of a single

institution. Washington reclassification cases look for changed conditions in the area, not merely changed circumstance of the proponent. See Parkridge v Seattle, 90Wn.2d454(1987).

1. The staff report rejects that there has been a change in circumstance of the City as a Whole "The City disagrees with the applicant's assertion as to the 2017 development standards. The changes to the residential development standards that occurred in 2017 were policy decisions made by the then seated City Council, and are not 'changing circumstances of the city as a whole." Additionally, the staff report found that the applicant's factual premise incorrect – that the MICC 19.01.050(D)(3) does in fact permit exterior alteration or enlargement of nonconforming non-single-family structures, subject to the 50-percent-of-assessed-value threshold.
2. The Staff report theorizes that the changed circumstances are "more accurately described as an increased demand of a facility that is at the end of its useful life and which demand cannot be accommodated under" MICC 19.01.050(D)(3).
    a. MICC 19.15.230(F) places the burden of demonstration on the applicant. When the reviewing body rejects the applicant's theory, finds its factual premise incorrect, that should result in denial of the application. The city staff cannot construct a substitute rationale, by doing so the burden has effectively been carried by staff rather than by the applicant.
    b. The staff's substitute theory is unsupported by anything in the application or the staff report and relies on two assertions without providing any evidence.
        i. "Increased demand" – The applicant has refused to provide any membership trend data, enrollment figures, waitlists, utilization studies, or demographic demand analysis. The applicant offers only that Mercer Island's population "has grown over 20% since the JCC was built in 1969." A 20% increase in the cities population does not justify an over 400% increase in allowed building area for the site.
        ii. The applicant asserts that the facility that is at the end of its useful life, however no condition assessment, structural evaluation, systems assessment, or cost-to-cure estimate has been provided.
        iii. A single facility reaching the end of its useful life is a circumstance of that property, not of the city as a whole.
3. The applicant argues that the 2017 GFA and impervious surface limits, combined with the variance interpretation, apply across most of the Island's zoning and have stranded "many other vital community organizations on MI." If that is true, the correct response to a city-wide regulatory gap affecting a class of institutions is a code amendment or community-facility overlay applicable to that class, not a parcel-specific change for one member of it. Comprehensive Plan Land Use Goal 7.4 says exactly this: The City may consider measures within the land use code to address the maintenance, updating, and renovation of these facilities." The applicant quotes Goal 7.4 and then argues for the one remedy the goal does not contemplate.

Criterion 2(a) – MICC 19.15.230(F)(2)(a): Compatibility with Adjacent Land Use and Development Pattern. – "Development pattern" is not a synonym for "surrounding uses," rather it refers to the geometry and logic of the map, the coherence of district boundaries, and how the amendment fits the City's overall land use structure. Both adjacent land use and development patterns must be satisfied.

1. The Staff report misinterprets this requirement, stating "adjacent land use and development patterns include both single-family residences and commercial buildings… which all align with the existing facilities on the SJCC properties." That finding is about the compatibility of the

existing facilitates, not the proposed amendment. The proposed amendment is not tied t current use. A 402,261 gsf building, over four times larger than the existing building, is not compatible with single-family residential zoning on three sides.
2. The applicant differs to future review of any proposed development for compliance with the CO code in an attempt to justify compliance with this criteria, however this does not address the compatibility questions, including trip generation, hours of operation, parking demand, or cumulative intensity.
3. Development Pattern: The amendment would leave (i) a narrow strip of residentially designated property to the west, sandwiched between Public Institution and Commercial Office designations, and (ii) an isolated pocket of residential parcels in the southeast corner of the block sharing a property line with the subject site. The staff report does not provide any analysis of the resulting boundary or development pattern, whether the amended boundary is orderly, whether the remnant residential areas remain viable as designated, or whether the city would ever draw this line on its own.
4. Irregular boundaries drawn to follow one owner's parcel assembly are precisely the evidentiary pattern Washington courts look to in spot-zoning analysis as indicating private rather than public benefit. See Anderson v Island County, 81Wn.2d312(1972); Save Our rural Env't, 99Wn.2d363(1983).

Criteria 2(b) – MICC 19.15.230(F)(2)(b): Suitability for Development in Conformance with the Standards Under the Potential Zoning.

1. The Staff report disputes the applicants compliance with this criteria, stating "at least one parcel would not be suitable for development in conformance with the standards under the potential zoning as it currently exists" in reference to parcel 2655500132, which when applying CO zoning setbacks would result in abuilding envelope of six inches by eight feet. Parcel 2655500137 is similarly cannot practically be developed under the CO zoning setbacks, resulting in a building envelope of 35' by 105'. The staff report does not calculate the larger parcels.
2. Parcels 2655500132 & 2655500136 both have access to the residential street, SE 40th St. Rezoning these parcels to CO would direct commercial traffic directly onto a residential street.
3. Parcel 2655500132 is omitted from the staff reports list currently observed conditions: "Tax Parcels 2655500137, 2655500115, and 2655500136 all appear to be integrated in their daily operations as the Stroum Jewish Community Center site." – Parcel 2655500132 has not been used for recreational or community-facility purpose. It is a single-family home, in a single-family neighborhood, on a single-family street, that happens to have been speculatively acquired by an institutional neighbor in 2016.

1. Parcel 265550-0136 was speculatively purchased by the applicant on October 30th, 2012 and is not included in their Conditional Use Permit. This parcel had a single family home existing on it when the applicant purchased it. This parcel should be excluded from any rezone consideration.

Criteria 2(c) – MICC 19.15.230(F)(2)(c): Benefit to the Community as a Whole; No Adverse Effect on Community Facilities or Public Health, Safety, and General Welfare.

The amendment must benefit the community as a whole and must not adversely affect community facilities or the public health, safety, and general welfare. The second cannot be satisfied by showing the benefit outweighs the harm.

1. The applicant again rests their argument of benefit to the community as a whole on the operator rather than the Commercial Office designation. As discussed, the application must be reviewed based on the Commercial Office Designation – not the current owner, current programming, or current operator of the property – which this application has failed to do. Additionally, the applicant does not provide services to all Mercer Island Residents, they do not offer discounts to Mercer Island residents, and their membership is primarily made-up of non-residents.
2. This criterion also requires No Adverse Effect, however the applicant does not address this criterion in their application and neither does the Staff Report. This application would, in fact, adversely affect public health, safety, and general welfare as follows:
    a. The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.
    b. The proposed rezone will increase traffic congestion and reduce pedestrian safety, as evidenced by the following.

        - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.

        - The Trip Generation Memo does not account for trips associated with French American School of Puget Sound (FASPS), which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips. Commercial Office Rezone would be even more impactful than presented by the applicant.

    c. The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections around the property.
3. Based on the proximity to I-90, Washington State DOT should be reviewing the amendment and its impacts on I90.
4. A Traffic Impact Analysis must include the school that is currently under construction across East Mercer from the applicants property.

Rezon Criteria:

Criteria 1. The proposed reclassification must be consistent with the policies and provisi of the Mercer Island Comprehensive Plan:

The proposed reclassification is not consistent with the comprehensive plan for the following reasons:

1. The applicant tries to justify compliance with the comprehensive plan based on the current use of the property as a community center, and the current building size and intensity of use. However, the proposed rezone is not tied to the existing use, it is not tied to a specific project, it is not tied to a proposed use, and it does not guarantee that the current use will continue after a rezone. The proposal does not limit future development to the square footage that currently exists. It is simply an application to change the zoning from residential to commercial office, which would result in increased density and intensity of use of the property, regardless if that use is an office building or a community center.
2. The applicant has stated that they want to continue to use the property as it has been used for 55 years, however that is untrue. Since the original Conditional Use Permit was granted, the applicant has significantly grown their building footprint, and purchased multiple additional parcels.
3. The existing building is 88,362 square feet (per King County Assessor). Rezoning the property to Commercial Office would allow a 402,261 square foot building to be built on the property. This is a **355% increase** in building area and is in addition to the existing 31,815 SF FASPS Building.
4. Commercial Office in this location is not compatible with the comprehensive plan. The justifications presented in the application are irrelevant without a project being tied to the application. The applicant only focuses on the current use of the property (including the current building size), not what is actually being applied for, which is Commercial Office zoning recalcification.
5. There is currently a total of 637,818 SF of office space existing on Mercer Island. The largest existing office building is the Riot Games building in the town center at 155,599 SF. This rezone application would allow for 402,261 SF on this site alone, making it larger than the total size of the seven largest existing office buildings combined. Rezoning this property could result in a **60% increase** in total office space across all of Mercer Island, and place that significant growth in a location surrounded by residential zoning.
6. The Washington State Growth Management Act (GMA) requires the City of Mercer Island to prioritize housing in the comprehensive plan. This application does the exact opposite; it converts single family zoned property to Commercial Office. It does not meet the criteria of the Mercer Island Comprehensive Plan or the WA State GMA.
7. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 2. The proposed reclassification must be consistent with Mercer Island development code as set for in MICC 19.01.010;

The proposal does not comply with these criteria for the following reasons:

1. This criteria includes provisions to avoid traffic congestion. The proposed rezone will incr traffic congestion, as evidenced by the following:

    - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.

    - The Trip Generation Memo does not account for trips associated with FASPS, which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips to/from the shared driveway. Commercial Office Rezone would be even more impactful than presented by the applicant.

    - The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections serving the property. A Traffic Impact Analysis would further confirm that this application does not comply with Criteria 2.

    - The applicant indicates on their own documentation that they intend to increase parking counts, which means they intend to increase traffic to the property.

    - The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.

1. This criteria includes provisions to protect the natural beauty and other natural resources. The proposal does the opposite, by increasing density and the intensity of the approved land use.
2. This criteria includes provisions to prevent overcrowding. The proposal does the opposite, by increasing density and the intensity of the approved land use.
3. The applicant again refers to the current use of the land to justify rezoning, however those responses are irrelevant as the proposal is not tied to a specific use, the proposal is to rezone the property to Commercial Office, which is not compatible with this criteria of the comprehensive plan.
4. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning, because that is what is being applied for.

Criteria 3. The proposed reclassification must be an extension of an existing zone, or a logical transition between zones.

The proposed rezone is not the extension of an existing zone or a logical transition between zon
is actually the opposite.

1. The property is bound on three sides by residential zones, rezoning this parcel would create a pocket of commercially zoned parcels surrounded on three sides by single-family residential zoning.
2. Additionally, parcels 265550-0166, 265550-0168, and 265550-0165 to the west of the applicant's property, which are single-family zoned properties, would end up surrounded by Commercial zoning to the north and east, and Public Institution zoning to the West. See below map.

1. The zoning map in the application is not current.
2. Rezoning of this property would create a choppy patchwork of zoning with no logical transition between zones.

1. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 4. The proposed reclassification must not constitute an illegal Site-Specific Rezone.

The proposal does create an illegal site-specific rezone, solely for the benefit of a single property.

1. While the applicant has chosen to pursue non-profit status for tax purposes, and they do not pay property taxes on Mercer Island, they are still business that will see financial gain from the rezone.
2. With the applicant’s tax status, they rely on Mercer Island residents and taxpayers to fund public safety and maintenance of city infrastructure serving their property, while they indicate on their website that they serve the "general community of the greater Seattle area" and the majority of their members or not Island residents. This is in contrast to other clubs and CUP properties on Mercer Island that primarily cater to Island residents and abide by strict membership limits. The burden on Mercer Island taxpayers will be exacerbated if the land were to be rezoned to commercial and land use becomes more intense with no limits on programming or membership.
3. The applicant chose to build a building for the French American School of Puget Sound (FASPS) on the commercially zoned portion of their property in order to generate revenue through a lease for their own financial gain. If the applicant desired additional square footage to operate their center, they could have used that commercially zoned parcel and should not have leased the land to FASPS. A rezone cannot legally be granted for the private gain of one owner or a group of owners to the detriment of their neighbors. The FASPS lease demonstrates that the rezone application is for the financial gain of the applicant.
4. The applicant recently and speculatively purchased additional parcels that were not included in their original conditional use permit, and they are now seeking to rezone those parcels for their own gain.

- Parcel 265550-0136 was speculatively purchased by the applicant on October 2012 and is not included in their Conditional Use Permit. This parcel had a single family home existing on it when the applicant purchased it. This parcel should be excluded from any rezone consideration.

- Parcel 265550-0132 was speculatively purchased by the applicant on November 21, 2016 and is not included in their Conditional Use Permit. Furthermore, this parcel currently has a single-family home on it. Renderings presented by the applicant of a potential new facility shows the single-family residence remaining. Based on that, and the fact that this parcel is not included in the CUP, this parcel should be excluded from any rezone consideration.

1. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.
2. Again, the proposed rezone is not tied to a specific project or use and the applicant refers to the current use of the land to justify rezoning. Rezoning this property to commercial office does not provide a public benefit, making it an illegal site-specific rezone.

Criteria 5. The proposed reclassification must be compatible with surrounding zones and land uses.

Commercial Office zoning is not compatible with the single-family residential zoning that borders the property on three sides.

1. The property is bound on three sides by residential zones, and one side by commercial office. Rezoning this parcel would create a pocket of commercially zoned parcels surrounded on three sides by single family zoning.
2. Additionally, parcels 265550-0166, 265550-0168, and 265550-0165 to the west of the applicant's property, which are single family zoned properties, would end up surrounded by Commercial zoning to the north and east, and Public Institution zoning to the West.
3. The zoning map in the application is not current.
4. Rezoning of this property would create a choppy patchwork of zoning with no logical transition between zones.
5. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 6. The proposed reclassification must not adversely affect public health, safety and welfare.

Rezoning this property to Commercial Office would adversely affect public health, safety and welfare for the following reasons.

1. The existing building is 88,362 square feet (per King County Assessor). Rezoning the property to Commercial Office would allow a 402,261 square foot building to be built on the

property. This is a **355% increase** in building area and is in addition to the existing 31,81 FASPS Building.

2. The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.

1. The proposed rezone will increase traffic congestion and reduce pedestrian safety, as evidenced by the following.

    - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.

    - The Trip Generation Memo does not account for trips associated with FASPS, which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips. Commercial Office Rezone would be even more impactful than presented by the applicant.

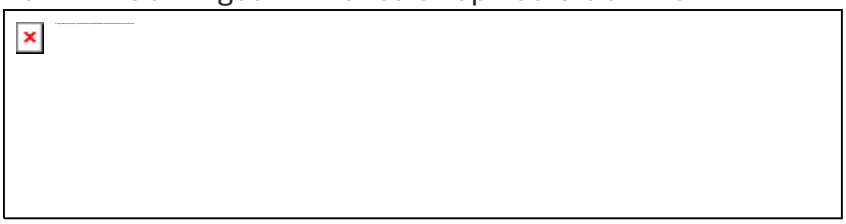
    - The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections around the property. Without the Traffic Impact Analysis, it is impossible to confirm compliance with Criteria 6.

Mercer Island is first and foremost a residential community, and residential zoning should be protected for the residents and families of Mercer Island.

Sincerely,
Gregg Rogers
...

Gregg Rogers
Founder - Gregg Rogers' Golf Performance Centers LLC.,
TaylorMade Golf - National Fitters Council Member
2025-26 GRAA Elite Member Growth of the game Teaching Professional
2020-26 GRAA Top 100 Growth of the game Teaching Professional
2020 Golf Magazine "Top 50 Club Fitter in North America"

2011-24 Golf Digest "America's Top 100 Club Fitter"



Molly McGuire

From: Jeff Davis <jeffd@davisdoor.com>
Sent: Monday, August 3, 2026 6:57 PM
To: Planning Commission
Cc: Council; Deb Estrada; Alison Van Gorp
Subject: Public Comment RE CPA25-002, RZN25-002, SEP25-021

To the City of Mercer Island, all departments listed above.

As a resident of Mercer Island since 1960, I am appalled at the lack of protection from our planning commission regarding this project. Do you see what we see and can you respond to our concerns as listed below? This is a major decision that could affect every other CUP on the Island. Is this really in our, (meaning the RESIDENTS and TAX PAYERS who make our City function by provided the income for services and wages,) best interest? In addition to all the lack of complying as listed below, the safety of everyone using East Mercer Way will be at an increased risk of injury or worse if this is approved. Have you seen what happens at this location?

Mercer Island is first and foremost a residential community, and residential zoning should be protected for the residents and families of Mercer Island.

Sincerely,

Jeff Davis, a 66 year resident of Mercer Island and a party of record.
4568 East Mercer Way
206-510-4535

Public Comment RE CPA25-002, RZN25-002, SEP25-021

Comprehensive Plan Amendment

Criteria 1 MICC 19.15.230.F

F. 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 decisions criteria.

The applicant has not met the burden of demonstrating the proposed amendment complies with the applicable regulations and decision criteria.

Criteria 1. The amendment is not consistent with the Growth Management Act, the countywide planning policies, or the other provisions of the comprehensive plan and city policies based on the following:

1. Each and every response by the applicant to these criteria regarding compliance with the comp plan, GMA and city policies are based on the current use of the property as a community center, and the current building size and intensity of use - the applicant relies on the operator, not the designation. However, the proposed comprehensive plan amendment is not tied to the existing use, it is not tied to a

specific project, it is not tied to a proposed use, and it does not guarantee that the current use will continue after an amendment. The proposal does not limit future development to the square footage that currently exists. It is simply an application to change the zoning from residential to commercial office, which would result in increased density and intensity of use of the property, regardless if that use is an office building or a community center.

2. Comprehensive plan land use designation attaches to the land, not an owner or a program. Nothing in the CO designation requires an early childhood school, scholarships, a community garden, swim lessons, or any cultural programming. Nothing prevents the sale of the property and a future owner implementing different programming. The applicant's amendment secures none of the benefits offered as the basis for finding it consistent.

3. The applicant does not offer to enter a Development Agreement under RCW 36.70B.170-.210, which they could do concurrently with the rezone, and would run with the land and bind successors. A Development Agreement can restrict permitted uses to community-facility uses, cap gross floor area, fix access locations, and require specific transportation mitigation. If the applicant's representation is that "no change of use is proposed," a development agreement cost the applicant nothing it has claimed to want. By declining to enter a development agreement, the applicant brings into question their intended future use.

4. The applicant does not establish consistence with the Transportation Element. RCW 36.70A.070 requires an internally consistent plan: RCW 36.70A.070(6)(a)(i)(C) requires the transportation element to rest on land use assumptions. The Land Use Map is the input to the travel forecast. Redesignating this site from Single-Family Residential to Commercial Office – on the applicant's own consultant's figures, from 94,723 gsf to 402,261 gsf buildout capacity – changes the assumption. Nothing in the application shows that the Transportation Element's forecasts, LOS standards, or capital facilities program were checked against the amended map. The Staff report does not address this internal inconsistency.

5. Land Use Goal 7.1 – "Preserve the neighborhood character in residential zones. For the purpose of implementing this element, neighborhood character only refers to form, bulk, scale and intensity of the built environment." The applicant does not address what Goal 7.1 actually askes, which is what happens to form, bulk, scale, and intensity under the Commercial Office designation. A 4.25X increase in buildout capacity is, by the comprehensive plan's own definition, a neighborhood-character question that the application does not comply with.

6. Transportation Goal 9.2 – "Address parking overflow impacts on neighbors cause by major traffic generators such as schools, businesses, parks…" The applicant does not address how the redesignation would address the neighbors' concerns, including parking overflowing onto East Mercer Way that blocks the bike lane and forces bikes and pedestrians into the traffic lane; cars from user of the property parking on SE 40th, cars from users of the property blocking driveways on adjacent streets. Goal 9.2 asks for a plan to address the impact, but the applicant does not cite any specifics in how the redesignation will do that. In fact, the redesignation would allow for 4.25X building area, which would result in even more traffic and overflow parking.
7. "Commercial Office and PBZ zones must serve the needs of the local populations while remaining compatible with the overall residential character of the community." The applicant asserts compatibility will "increase" and that "anything that is built will conform to CO standards." That is an assertion about code compliance, not about compatibility, and it is unsupported by any analysis of way CO buildout looks like against the neighboring Single-Family Residential land. Additionally, the applicants current membership is made up primarily of non-residents of Mercer Island, thus they are not serving the local population.

8. The applicant does not include any analysis of whether PBZ, a Public Institution designation or tailored community-facility designation would fit the situation better than CO. It is the applicant's burden to show the proposed designation is consistent, the absence of any alternative analysis demonstrates the applicant has not met the burden.

Criteria 1A – The applicant concedes there is not a technical error, thus this criterion cannot be used to allow for the applicant's amendment.

Criteria 1B – Changed Circumstances of the City as a Whole – This criterion requires a change in circumstances of the city as a whole, not of the property, not of the applicant, not of a single institution. Washington reclassification cases look for changed conditions in the area, not merely a changed circumstance of the proponent. See Parkridge v Seattle, 90Wn.2d454(1987).

1. The staff report rejects that there has been a change in circumstance of the City as a Whole "The City disagrees with the applicant's assertion as to the 2017 development standards. The changes to the residential development standards that occurred in 2017 were policy decisions made by the then seated City Council, and are not 'changing circumstances of the city as a whole." Additionally, the staff report found that the applicant's factual premise incorrect – that the MICC 19.01.050(D)(3) does in fact permit exterior alteration or enlargement of nonconforming non-single-family structures, subject to the 50-percent-of-assessed-value threshold.
2. The Staff report theorizes that the changed circumstances are "more accurately described as an increased demand of a facility that is at the end of its useful life and which demand cannot be accommodated under" MICC 19.01.050(D)(3).
    a. MICC 19.15.230(F) places the burden of demonstration on the applicant. When the reviewing body rejects the applicant's theory, finds its factual premise incorrect, that should result in denial of the application. The city staff cannot construct a substitute rationale, by doing so the burden has effectively been carried by staff rather than by the applicant.
    b. The staff's substitute theory is unsupported by anything in the application or the staff report and relies on two assertions without providing any evidence.
        i. "Increased demand" – The applicant has refused to provide any membership trend data, enrollment figures, waitlists, utilization studies, or demographic demand analysis. The applicant offers only that Mercer Island's population "has grown over 20% since the JCC was built in 1969." A 20% increase in the cities population does not justify an over 400% increase in allowed building area for the site.
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        iii. A single facility reaching the end of its useful life is a circumstance of that property, not of the city as a whole.
3. The applicant argues that the 2017 GFA and impervious surface limits, combined with the variance interpretation, apply across most of the Island's zoning and have stranded "many other vital community organizations on MI." If that is true, the correct response to a city-wide regulatory gap affecting a class of institutions is a code amendment or community-facility overlay applicable to that class, not a parcel-specific change for one member of it. Comprehensive Plan Land Use Goal 7.4 says exactly this: The City may consider measures within the land use code to address the maintenance, updating, and renovation of these

facilities." The applicant quotes Goal 7.4 and then argues for the one remedy the goal do contemplate.

Criterion 2(a) – MICC 19.15.230(F)(2)(a): Compatibility with Adjacent Land Use and Development Pattern. – "Development pattern" is not a synonym for "surrounding uses," rather it refers to the geometry and logic of the map, the coherence of district boundaries, and how the amendment fits the City's overall land use structure. Both adjacent land use and development patterns must be satisfied.

1. The Staff report misinterprets this requirement, stating "adjacent land use and development patterns include both single-family residences and commercial buildings… which all align with the existing facilities on the SJCC properties." That finding is about the compatibility of the existing facilitates, not the proposed amendment. The proposed amendment is not tied to the current use. A 402,261 gsf building, over four times larger than the existing building, is not compatible with single-family residential zoning on three sides.
2. The applicant differs to future review of any proposed development for compliance with the CO code in an attempt to justify compliance with this criteria, however this does not address the compatibility questions, including trip generation, hours of operation, parking demand, or cumulative intensity.
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1. The Staff report disputes the applicants compliance with this criteria, stating "at least one parcel would not be suitable for development in conformance with the standards under the potential zoning as it currently exists" in reference to parcel 2655500132, which when applying CO zoning setbacks would result in abuilding envelope of six inches by eight feet. Parcel 2655500137 is similarly cannot practically be developed under the CO zoning setbacks, resulting in a building envelope of 35' by 105'. The staff report does not calculate the larger parcels.
2. Parcels 2655500132 & 2655500136 both have access to the residential street, SE 40th St. Rezoning these parcels to CO would direct commercial traffic directly onto a residential street.
3. Parcel 2655500132 is omitted from the staff reports list currently observed conditions: "Tax Parcels 2655500137, 2655500115, and 2655500136 all appear to be integrated in their daily operations as the Stroum Jewish Community Center site." – Parcel 2655500132 has not been used for recreational or community-facility purpose. It is a single-family home, in a single-family neighborhood, on a single-family street, that happens to have been speculatively acquired by an institutional neighbor in 2016.

1. Parcel 265550-0136 was speculatively purchased by the applicant on October 30th, 2012 and is included in their Conditional Use Permit. This parcel had a single family home existing on it when the applicant purchased it. This parcel should be excluded from any rezone consideration.

Criteria 2(c) – MICC 19.15.230(F)(2)(c): Benefit to the Community as a Whole; No Adverse Effect on Community Facilities or Public Health, Safety, and General Welfare.

The amendment must benefit the community as a whole and must not adversely affect community facilities or the public health, safety, and general welfare. The second cannot be satisfied by showing the benefit outweighs the harm.

1. The applicant again rests their argument of benefit to the community as a whole on the operator rather than the Commercial Office designation. As discussed, the application must be reviewed based on the Commercial Office Designation – not the current owner, current programming, or current operator of the property – which this application has failed to do. Additionally, the applicant does not provide services to all Mercer Island Residents, they do not offer discounts to Mercer Island residents, and their membership is primarily made-up of non-residents.
2. This criterion also requires No Adverse Effect, however the applicant does not address this criterion in their application and neither does the Staff Report. This application would, in fact, adversely affect public health, safety, and general welfare as follows:
    a. The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.
    b. The proposed rezone will increase traffic congestion and reduce pedestrian safety, as evidenced by the following.

        - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.

        - The Trip Generation Memo does not account for trips associated with French American School of Puget Sound (FASPS), which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips. Commercial Office Rezone would be even more impactful than presented by the applicant.

    c. The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with

respect to sight distance and other applicable standards, and a level of services analysis of intersections around the property.

3. Based on the proximity to I-90, Washington State DOT should be reviewing the amendment and its impacts on I90.
4. A Traffic Impact Analysis must include the school that is currently under construction across East Mercer from the applicants property.

Rezone Criteria:

Criteria 1. The proposed reclassification must be consistent with the policies and provisions of the Mercer Island Comprehensive Plan:

The proposed reclassification is not consistent with the comprehensive plan for the following reasons:

1. The applicant tries to justify compliance with the comprehensive plan based on the current use of the property as a community center, and the current building size and intensity of use. However, the proposed rezone is not tied to the existing use, it is not tied to a specific project, it is not tied to a proposed use, and it does not guarantee that the current use will continue after a rezone. The proposal does not limit future development to the square footage that currently exists. It is simply an application to change the zoning from residential to commercial office, which would result in increased density and intensity of use of the property, regardless if that use is an office building or a community center.

2. The applicant has stated that they want to continue to use the property as it has been used for 55 years, however that is untrue. Since the original Conditional Use Permit was granted, the applicant has significantly grown their building footprint, and purchased multiple additional parcels.

3. The existing building is 88,362 square feet (per King County Assessor). Rezoning the property to Commercial Office would allow a 402,261 square foot building to be built on the property. This is a **355% increase** in building area and is in addition to the existing 31,815 SF FASPS Building.

4. Commercial Office in this location is not compatible with the comprehensive plan. The justifications presented in the application are irrelevant without a project being tied to the application. The applicant only focuses on the current use of the property (including the current building size), not what is actually being applied for, which is Commercial Office zoning recalcification.

5. There is currently a total of 637,818 SF of office space existing on Mercer Island. The largest existing office building is the Riot Games building in the town center at 155,599 SF. This rezone application would allow for 402,261 SF on this site alone, making it larger than the total size of the seven largest existing office buildings combined. Rezoning this property could result in a **60% increase** in total office space across all of Mercer Island, and place that significant growth in a location surrounded by residential zoning.

6. The Washington State Growth Management Act (GMA) requires the City of Mercer Island to prioritize housing in the comprehensive plan. This application does the exact opposite; it converts single family zoned property to Commercial Office. It does not meet the criteria of the Mercer Island Comprehensive Plan or the WA State GMA.

7. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city

council must assume that a rezone will result in the applicant (or future owner) utilizing the maxim density allowed under the Commercial Office zoning.

Criteria 2. The proposed reclassification must be consistent with Mercer Island development code as set for in MICC 19.01.010;

The proposal does not comply with these criteria for the following reasons:

1. This criteria includes provisions to avoid traffic congestion. The proposed rezone will increase traffic congestion, as evidenced by the following:
    - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.
    - The Trip Generation Memo does not account for trips associated with FASPS, which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips to/from the shared driveway. Commercial Office Rezone would be even more impactful than presented by the applicant.
    - The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections serving the property. A Traffic Impact Analysis would further confirm that this application does not comply with Criteria 2.
    - The applicant indicates on their own documentation that they intend to increase parking counts, which means they intend to increase traffic to the property.
    - The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.

1. This criteria includes provisions to protect the natural beauty and other natural resources. The proposal does the opposite, by increasing density and the intensity of the approved land use.
2. This criteria includes provisions to prevent overcrowding. The proposal does the opposite, by increasing density and the intensity of the approved land use.
3. The applicant again refers to the current use of the land to justify rezoning, however those responses are irrelevant as the proposal is not tied to a specific use, the proposal is to rezone the property to Commercial Office, which is not compatible with this criteria of the comprehensive plan.
4. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city

council must assume that a rezone will result in the applicant (or future owner) utilizing the maxim density allowed under the Commercial Office zoning, because that is what is being applied for.

Criteria 3. The proposed reclassification must be an extension of an existing zone, or a logical transition between zones.

The proposed rezone is not the extension of an existing zone or a logical transition between zones, it is actually the opposite.

1. The property is bound on three sides by residential zones, rezoning this parcel would create a pocket of commercially zoned parcels surrounded on three sides by single-family residential zoning.
2. Additionally, parcels 265550-0166, 265550-0168, and 265550-0165 to the west of the applicant's property, which are single-family zoned properties, would end up surrounded by Commercial zoning to the north and east, and Public Institution zoning to the West. See below map.

1. The zoning map in the application is not current.
2. Rezoning of this property would create a choppy patchwork of zoning with no logical transition between zones.

1. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 4. The proposed reclassification must not constitute an illegal Site-Specific Rezone.

The proposal does create an illegal site-specific rezone, solely for the benefit of a single property.

1. While the applicant has chosen to pursue non-profit status for tax purposes, and they do not pay property taxes on Mercer Island, they are still business that will see financial gain from the rezone.
2. With the applicant’s tax status, they rely on Mercer Island residents and taxpayers to fund public safety and maintenance of city infrastructure serving their property, while they indicate on their website that they serve the "general community of the greater Seattle area" and the majority of their members or not Island residents. This is in contrast to other clubs and CUP properties on Mercer Island that primarily cater to Island residents and abide by strict membership limits. The burden on Mercer Island taxpayers will be exacerbated if the land were to be rezoned to commercial and land use becomes more intense with no limits on programming or membership.
3. The applicant chose to build a building for the French American School of Puget Sound (FASPS) on the commercially zoned portion of their property in order to generate revenue through a lease for their own financial gain. If the applicant desired additional square footage to operate their center, they could have used that commercially zoned parcel and should not have leased the land to FASPS. A rezone cannot legally be granted for the private gain of one owner or a group of owners to the detriment of their neighbors. The FASPS lease demonstrates that the rezone application is for the financial gain of the applicant.

4. The applicant recently and speculatively purchased additional parcels that were not included in th original conditional use permit, and they are now seeking to rezone those parcels for their own gain.
    - Parcel 265550-0136 was speculatively purchased by the applicant on October 30th, 2012 and is not included in their Conditional Use Permit. This parcel had a single family home existing on it when the applicant purchased it. This parcel should be excluded from any rezone consideration.
    - Parcel 265550-0132 was speculatively purchased by the applicant on November 21, 2016 and is not included in their Conditional Use Permit. Furthermore, this parcel currently has a single-family home on it. Renderings presented by the applicant of a potential new facility shows the single-family residence remaining. Based on that, and the fact that this parcel is not included in the CUP, this parcel should be excluded from any rezone consideration.

1. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.
2. Again, the proposed rezone is not tied to a specific project or use and the applicant refers to the current use of the land to justify rezoning. Rezoning this property to commercial office does not provide a public benefit, making it an illegal site-specific rezone.

Criteria 5. The proposed reclassification must be compatible with surrounding zones and land uses.

Commercial Office zoning is not compatible with the single-family residential zoning that borders the property on three sides.

1. The property is bound on three sides by residential zones, and one side by commercial office. Rezoning this parcel would create a pocket of commercially zoned parcels surrounded on three sides by single family zoning.
2. Additionally, parcels 265550-0166, 265550-0168, and 265550-0165 to the west of the applicant's property, which are single family zoned properties, would end up surrounded by Commercial zoning to the north and east, and Public Institution zoning to the West.
3. The zoning map in the application is not current.
4. Rezoning of this property would create a choppy patchwork of zoning with no logical transition between zones.
5. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 6. The proposed reclassification must not adversely affect public health, safety and welfare.

Rezoning this property to Commercial Office would adversely affect public health, safety and welfare for the following reasons.

1. The existing building is 88,362 square feet (per King County Assessor). Rezoning the property to Commercial Office would allow a 402,261 square foot building to be built on the property. This is a **355% increase** in building area and is in addition to the existing 31,815 SF FASPS Building.
2. The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.

1. The proposed rezone will increase traffic congestion and reduce pedestrian safety, as evidenced by the following.
    - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.
    - The Trip Generation Memo does not account for trips associated with FASPS, which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips. Commercial Office Rezone would be even more impactful than presented by the applicant.
    - The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections around the property. Without the Traffic Impact Analysis, it is impossible to confirm compliance with Criteria 6.

Thank you,

Jeff Davis, a 66 year resident of Mercer Island and a party of record.
4568 East Mercer Way
206-510-4535

Molly McGuire

From: velooceella@gmail.com
Sent: Monday, August 3, 2026 8:44 PM
To: Planning Commission
Cc: Council; Deb Estrada; Alison Van Gorp
Subject: Public Comment RE CPA25-002, RZN25-002,SEP25-021

To the City of Mercer Island and the CPD, City Council and Planning Commission

This is so **ABUSIVE** not the mention the tax dollars that have been wasted by this institution over and over again. Their attempts have been denied every time. However every time there is a new city council they try to manipulate the rules. This group tries to change the rules for their benefit violating the residences and with their years of non-compliance this proposal should not be even considered.
Mercer Island is a residential community, and residential zoning should be protected at all costs for the tax paying citizens not be abused by this institution.

PLEASE READ BELOW PUBLIC COMMENTS AND REPLY WITH FACTS

REGARDS
John Hall I am a 68 year resident of Mercerwood Neighborhood before there was a JCC.
9970 S.E. 40th Street
Mercer Island, WA 98040
206-914-5599

Public Comment RE CPA25-002, RZN25-002, SEP25-021

Comprehensive Plan Amendment

Criteria 1 MICC 19.15.230.F

F. 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 decisions criteria.

The applicant has not met the burden of demonstrating the proposed amendment complies with the applicable regulations and decision criteria.

Criteria 1. The amendment is not consistent with the Growth Management Act, the countywide planning policies, or the other provisions of the comprehensive plan and city policies based on the following:

1. Each and every response by the applicant to these criteria regarding compliance with the comp plan, GMA and city policies are based on the current use of the property as a community center, and the current building size and intensity of use - the applicant relies on the operator, not the designation. However, the proposed comprehensive plan amendment is not tied to the

existing use, it is not tied to a specific project, it is not tied to a proposed use, and it does guarantee that the current use will continue after an amendment. The proposal does not limit future development to the square footage that currently exists. It is simply an application to change the zoning from residential to commercial office, which would result in increased density and intensity of use of the property, regardless if that use is an office building or a community center.

2. Comprehensive plan land use designation attaches to the land, not an owner or a program. Nothing in the CO designation requires an early childhood school, scholarships, a community garden, swim lessons, or any cultural programming. Nothing prevents the sale of the property and a future owner implementing different programming. The applicant's amendment secures none of the benefits offered as the basis for finding it consistent.

3. The applicant does not offer to enter a Development Agreement under RCW 36.70B.170-.210, which they could do concurrently with the rezone, and would run with the land and bind successors. A Development Agreement can restrict permitted uses to community-facility uses, cap gross floor area, fix access locations, and require specific transportation mitigation. If the applicant's representation is that "no change of use is proposed," a development agreement cost the applicant nothing it has claimed to want. By declining to enter a development agreement, the applicant brings into question their intended future use.

4. The applicant does not establish consistence with the Transportation Element. RCW 36.70A.070 requires an internally consistent plan: RCW 36.70A.070(6)(a)(i)(C) requires the transportation element to rest on land use assumptions. The Land Use Map is the input to the travel forecast. Redesignating this site from Single-Family Residential to Commercial Office – on the applicant's own consultant's figures, from 94,723 gsf to 402,261 gsf buildout capacity – changes the assumption. Nothing in the application shows that the Transportation Element's forecasts, LOS standards, or capital facilities program were checked against the amended map. The Staff report does not address this internal inconsistency.

5. Land Use Goal 7.1 – "Preserve the neighborhood character in residential zones. For the purpose of implementing this element, neighborhood character only refers to form, bulk, scale and intensity of the built environment." The applicant does not address what Goal 7.1 actually askes, which is what happens to form, bulk, scale, and intensity under the Commercial Office designation. A 4.25X increase in buildout capacity is, by the comprehensive plan's own definition, a neighborhood-character question that the application does not comply with.

6. Transportation Goal 9.2 – "Address parking overflow impacts on neighbors cause by major traffic generators such as schools, businesses, parks…" The applicant does not address how the redesignation would address the neighbors' concerns, including parking overflowing onto East Mercer Way that blocks the bike lane and forces bikes and pedestrians into the traffic lane; cars from user of the property parking on SE 40th, cars from users of the property blocking driveways on adjacent streets. Goal 9.2 asks for a plan to address the impact, but the applicant does not cite any specifics in how the redesignation will do that. In fact, the redesignation would allow for 4.25X building area, which would result in even more traffic and overflow parking.
7. "Commercial Office and PBZ zones must serve the needs of the local populations while remaining compatible with the overall residential character of the community." The applicant asserts compatibility will "increase" and that "anything that is built will conform to CO standards." That is an assertion about code compliance, not about compatibility, and it is unsupported by any analysis of way CO buildout looks like against the neighboring Single-Family Residential land. Additionally, the applicants current membership is made up primarily of non-residents of Mercer Island, thus they are not serving the local population.

8. The applicant does not include any analysis of whether PBZ, a Public Institution designat or tailored community-facility designation would fit the situation better than CO. It is the applicant's burden to show the proposed designation is consistent, the absence of any alternative analysis demonstrates the applicant has not met the burden.

Criteria 1A – The applicant concedes there is not a technical error, thus this criterion cannot be used to allow for the applicant's amendment.

Criteria 1B – Changed Circumstances of the City as a Whole – This criterion requires a change in circumstances of the city as a whole, not of the property, not of the applicant, not of a single institution. Washington reclassification cases look for changed conditions in the area, not merely a changed circumstance of the proponent. See Parkridge v Seattle, 90Wn.2d454(1987).

1. The staff report rejects that there has been a change in circumstance of the City as a Whole "The City disagrees with the applicant's assertion as to the 2017 development standards. The changes to the residential development standards that occurred in 2017 were policy decisions made by the then seated City Council, and are not 'changing circumstances of the city as a whole." Additionally, the staff report found that the applicant's factual premise incorrect – that the MICC 19.01.050(D)(3) does in fact permit exterior alteration or enlargement of nonconforming non-single-family structures, subject to the 50-percent-of-assessed-value threshold.
2. The Staff report theorizes that the changed circumstances are "more accurately described as an increased demand of a facility that is at the end of its useful life and which demand cannot be accommodated under" MICC 19.01.050(D)(3).
    a. MICC 19.15.230(F) places the burden of demonstration on the applicant. When the reviewing body rejects the applicant's theory, finds its factual premise incorrect, that should result in denial of the application. The city staff cannot construct a substitute rationale, by doing so the burden has effectively been carried by staff rather than by the applicant.
    b. The staff's substitute theory is unsupported by anything in the application or the staff report and relies on two assertions without providing any evidence.
        i. "Increased demand" – The applicant has refused to provide any membership trend data, enrollment figures, waitlists, utilization studies, or demographic demand analysis. The applicant offers only that Mercer Island's population "has grown over 20% since the JCC was built in 1969." A 20% increase in the cities population does not justify an over 400% increase in allowed building area for the site.
        ii. The applicant asserts that the facility that is at the end of its useful life, however no condition assessment, structural evaluation, systems assessment, or cost-to-cure estimate has been provided.
        iii. A single facility reaching the end of its useful life is a circumstance of that property, not of the city as a whole.
3. The applicant argues that the 2017 GFA and impervious surface limits, combined with the variance interpretation, apply across most of the Island's zoning and have stranded "many other vital community organizations on MI." If that is true, the correct response to a city-wide regulatory gap affecting a class of institutions is a code amendment or community-facility overlay applicable to that class, not a parcel-specific change for one member of it. Comprehensive Plan Land Use Goal 7.4 says exactly this: The City may consider measures within the land use code to address the maintenance, updating, and renovation of these

facilities." The applicant quotes Goal 7.4 and then argues for the one remedy the goal do contemplate.

Criterion 2(a) – MICC 19.15.230(F)(2)(a): Compatibility with Adjacent Land Use and Development Pattern. – "Development pattern" is not a synonym for "surrounding uses," rather it refers to the geometry and logic of the map, the coherence of district boundaries, and how the amendment fits the City's overall land use structure. Both adjacent land use and development patterns must be satisfied.

1. The Staff report misinterprets this requirement, stating "adjacent land use and development patterns include both single-family residences and commercial buildings… which all align with the existing facilities on the SJCC properties." That finding is about the compatibility of the existing facilitates, not the proposed amendment. The proposed amendment is not tied to the current use. A 402,261 gsf building, over four times larger than the existing building, is not compatible with single-family residential zoning on three sides.
2. The applicant differs to future review of any proposed development for compliance with the CO code in an attempt to justify compliance with this criteria, however this does not address the compatibility questions, including trip generation, hours of operation, parking demand, or cumulative intensity.
3. Development Pattern: The amendment would leave (i) a narrow strip of residentially designated property to the west, sandwiched between Public Institution and Commercial Office designations, and (ii) an isolated pocket of residential parcels in the southeast corner of the block sharing a property line with the subject site. The staff report does not provide any analysis of the resulting boundary or development pattern, whether the amended boundary is orderly, whether the remnant residential areas remain viable as designated, or whether the city would ever draw this line on its own.
4. Irregular boundaries drawn to follow one owner's parcel assembly are precisely the evidentiary pattern Washington courts look to in spot-zoning analysis as indicating private rather than public benefit. See Anderson v Island County, 81Wn.2d312(1972); Save Our rural Env't, 99Wn.2d363(1983).

Criteria 2(b) – MICC 19.15.230(F)(2)(b): Suitability for Development in Conformance with the Standards Under the Potential Zoning.

1. The Staff report disputes the applicants compliance with this criteria, stating "at least one parcel would not be suitable for development in conformance with the standards under the potential zoning as it currently exists" in reference to parcel 2655500132, which when applying CO zoning setbacks would result in abuilding envelope of six inches by eight feet. Parcel 2655500137 is similarly cannot practically be developed under the CO zoning setbacks, resulting in a building envelope of 35' by 105'. The staff report does not calculate the larger parcels.
2. Parcels 2655500132 & 2655500136 both have access to the residential street, SE 40th St. Rezoning these parcels to CO would direct commercial traffic directly onto a residential street.
3. Parcel 2655500132 is omitted from the staff reports list currently observed conditions: "Tax Parcels 2655500137, 2655500115, and 2655500136 all appear to be integrated in their daily operations as the Stroum Jewish Community Center site." – Parcel 2655500132 has not been used for recreational or community-facility purpose. It is a single-family home, in a single-family neighborhood, on a single-family street, that happens to have been speculatively acquired by an institutional neighbor in 2016.

1. Parcel 265550-0136 was speculatively purchased by the applicant on October 30th, 2012 is not included in their Conditional Use Permit. This parcel had a single family home existing on it when the applicant purchased it. This parcel should be excluded from any rezone consideration.

Criteria 2(c) – MICC 19.15.230(F)(2)(c): Benefit to the Community as a Whole; No Adverse Effect on Community Facilities or Public Health, Safety, and General Welfare.

The amendment must benefit the community as a whole and must not adversely affect community facilities or the public health, safety, and general welfare. The second cannot be satisfied by showing the benefit outweighs the harm.

1. The applicant again rests their argument of benefit to the community as a whole on the operator rather than the Commercial Office designation. As discussed, the application must be reviewed based on the Commercial Office Designation – not the current owner, current programming, or current operator of the property – which this application has failed to do. Additionally, the applicant does not provide services to all Mercer Island Residents, they do not offer discounts to Mercer Island residents, and their membership is primarily made-up of non-residents.
2. This criterion also requires No Adverse Effect, however the applicant does not address this criterion in their application and neither does the Staff Report. This application would, in fact, adversely affect public health, safety, and general welfare as follows:
    a. The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.
    b. The proposed rezone will increase traffic congestion and reduce pedestrian safety, as evidenced by the following.
        - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.
        - The Trip Generation Memo does not account for trips associated with French American School of Puget Sound (FASPS), which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips. Commercial Office Rezone would be even more impactful than presented by the applicant.
    c. The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with

respect to sight distance and other applicable standards, and a level of services analysis of intersections around the property.

3. Based on the proximity to I-90, Washington State DOT should be reviewing the amendment and its impacts on I90.
4. A Traffic Impact Analysis must include the school that is currently under construction across East Mercer from the applicants property.

Rezon Criteria:

Criteria 1. The proposed reclassification must be consistent with the policies and provisions of the Mercer Island Comprehensive Plan:

The proposed reclassification is not consistent with the comprehensive plan for the following reasons:

1. The applicant tries to justify compliance with the comprehensive plan based on the current use of the property as a community center, and the current building size and intensity of use. However, the proposed rezone is not tied to the existing use, it is not tied to a specific project, it is not tied to a proposed use, and it does not guarantee that the current use will continue after a rezone. The proposal does not limit future development to the square footage that currently exists. It is simply an application to change the zoning from residential to commercial office, which would result in increased density and intensity of use of the property, regardless if that use is an office building or a community center.
2. The applicant has stated that they want to continue to use the property as it has been used for 55 years, however that is untrue. Since the original Conditional Use Permit was granted, the applicant has significantly grown their building footprint, and purchased multiple additional parcels.
3. The existing building is 88,362 square feet (per King County Assessor). Rezoning the property to Commercial Office would allow a 402,261 square foot building to be built on the property. This is a **355% increase** in building area and is in addition to the existing 31,815 SF FASPS Building.
4. Commercial Office in this location is not compatible with the comprehensive plan. The justifications presented in the application are irrelevant without a project being tied to the application. The applicant only focuses on the current use of the property (including the current building size), not what is actually being applied for, which is Commercial Office zoning recalcification.
5. There is currently a total of 637,818 SF of office space existing on Mercer Island. The largest existing office building is the Riot Games building in the town center at 155,599 SF. This rezone application would allow for 402,261 SF on this site alone, making it larger than the total size of the seven largest existing office buildings combined. Rezoning this property could result in a **60% increase** in total office space across all of Mercer Island, and place that significant growth in a location surrounded by residential zoning.
6. The Washington State Growth Management Act (GMA) requires the City of Mercer Island to prioritize housing in the comprehensive plan. This application does the exact opposite; it

converts single family zoned property to Commercial Office. It does not meet the criteria in Mercer Island Comprehensive Plan or the WA State GMA.

7. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 2. The proposed reclassification must be consistent with Mercer Island development code as set for in MICC 19.01.010;

The proposal does not comply with these criteria for the following reasons:

1. This criteria includes provisions to avoid traffic congestion. The proposed rezone will increase traffic congestion, as evidenced by the following:
    - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.
    - The Trip Generation Memo does not account for trips associated with FASPS, which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips to/from the shared driveway. Commercial Office Rezone would be even more impactful than presented by the applicant.
    - The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections serving the property. A Traffic Impact Analysis would further confirm that this application does not comply with Criteria 2.
    - The applicant indicates on their own documentation that they intend to increase parking counts, which means they intend to increase traffic to the property.
    - The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.

1. This criteria includes provisions to protect the natural beauty and other natural resources. The proposal does the opposite, by increasing density and the intensity of the approved land use.
2. This criteria includes provisions to prevent overcrowding. The proposal does the opposite, by increasing density and the intensity of the approved land use.

3. The applicant again refers to the current use of the land to justify rezoning, however those responses are irrelevant as the proposal is not tied to a specific use, the proposal is to rezone the property to Commercial Office, which is not compatible with this criteria of the comprehensive plan.
4. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning, because that is what is being applied for.

Criteria 3. The proposed reclassification must be an extension of an existing zone, or a logical transition between zones.

The proposed rezone is not the extension of an existing zone or a logical transition between zones, it is actually the opposite.

1. The property is bound on three sides by residential zones, rezoning this parcel would create a pocket of commercially zoned parcels surrounded on three sides by single-family residential zoning.
2. Additionally, parcels 265550-0166, 265550-0168, and 265550-0165 to the west of the applicant's property, which are single-family zoned properties, would end up surrounded by Commercial zoning to the north and east, and Public Institution zoning to the West. See below map.

1. The zoning map in the application is not current.
2. Rezoning of this property would create a choppy patchwork of zoning with no logical transition between zones.

1. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 4. The proposed reclassification must not constitute an illegal Site-Specific Rezone.

The proposal does create an illegal site-specific rezone, solely for the benefit of a single property.

1. While the applicant has chosen to pursue non-profit status for tax purposes, and they do not pay property taxes on Mercer Island, they are still business that will see financial gain from the rezone.
2. With the applicant’s tax status, they rely on Mercer Island residents and taxpayers to fund public safety and maintenance of city infrastructure serving their property, while they indicate on their website that they serve the "general community of the greater Seattle area" and the majority of their members or not Island residents. This is in contrast to other clubs and CUP properties on Mercer Island that primarily cater to Island residents and abide by strict membership limits. The burden on Mercer Island taxpayers will be exacerbated if the land were

to be rezoned to commercial and land use becomes more intense with no limits on programming or membership.

3. The applicant chose to build a building for the French American School of Puget Sound (FASPS) on the commercially zoned portion of their property in order to generate revenue through a lease for their own financial gain. If the applicant desired additional square footage to operate their center, they could have used that commercially zoned parcel and should not have leased the land to FASPS. A rezone cannot legally be granted for the private gain of one owner or a group of owners to the detriment of their neighbors. The FASPS lease demonstrates that the rezone application is for the financial gain of the applicant.
4. The applicant recently and speculatively purchased additional parcels that were not included in their original conditional use permit, and they are now seeking to rezone those parcels for their own gain.
    - Parcel 265550-0136 was speculatively purchased by the applicant on October 30th, 2012 and is not included in their Conditional Use Permit. This parcel had a single family home existing on it when the applicant purchased it. This parcel should be excluded from any rezone consideration.
    - Parcel 265550-0132 was speculatively purchased by the applicant on November 21, 2016 and is not included in their Conditional Use Permit. Furthermore, this parcel currently has a single-family home on it. Renderings presented by the applicant of a potential new facility shows the single-family residence remaining. Based on that, and the fact that this parcel is not included in the CUP, this parcel should be excluded from any rezone consideration.
1. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.
2. Again, the proposed rezone is not tied to a specific project or use and the applicant refers to the current use of the land to justify rezoning. Rezoning this property to commercial office does not provide a public benefit, making it an illegal site-specific rezone.

Criteria 5. The proposed reclassification must be compatible with surrounding zones and land uses.

Commercial Office zoning is not compatible with the single-family residential zoning that borders the property on three sides.

1. The property is bound on three sides by residential zones, and one side by commercial office. Rezoning this parcel would create a pocket of commercially zoned parcels surrounded on three sides by single family zoning.
2. Additionally, parcels 265550-0166, 265550-0168, and 265550-0165 to the west of the applicant's property, which are single family zoned properties, would end up surrounded by Commercial zoning to the north and east, and Public Institution zoning to the West.
3. The zoning map in the application is not current.
4. Rezoning of this property would create a choppy patchwork of zoning with no logical transition between zones.

5. The application states "There is no current development proposal being submitted to the [illegible] for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 6. The proposed reclassification must not adversely affect public health, safety and welfare.

Rezoning this property to Commercial Office would adversely affect public health, safety and welfare for the following reasons.

1. The existing building is 88,362 square feet (per King County Assessor). Rezoning the property to Commercial Office would allow a 402,261 square foot building to be built on the property. This is a **355% increase** in building area and is in addition to the existing 31,815 SF FASPS Building.
2. The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.

1. The proposed rezone will increase traffic congestion and reduce pedestrian safety, as evidenced by the following.
    - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.
    - The Trip Generation Memo does not account for trips associated with FASPS, which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips. Commercial Office Rezone would be even more impactful than presented by the applicant.
    - The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections around the property. Without the Traffic Impact Analysis, it is impossible to confirm compliance with Criteria 6.

Mercer Island is first and foremost a residential community, and residential zoning should be protected for the residents and families of Mercer Island.

Molly McGuire

From: Josh Hirschland <josh.hirschland@gmail.com>
Sent: Monday, August 3, 2026 12:00 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: JCC Upzone

Hello all--

As a Mercer Island resident (7061 81st Ave SE), a JCC member, and a parent of a student who will be attending school at the JCC next year, I wanted to reach out to express my support for the proposed zoning action related to enabling growth at the Jewish Community Center.

I support this both in the specific instance here--the JCC should be able to update and refresh its facilities to code and comfort standards--and as part of a broader theme--we should be making it easier to support this kind of low-impact development on Mercer Island to support the goals of both the Island community and the region at large.

Please feel free to reach out with any questions, and thank you for your consideration,

Josh
--
Josh Hirschland
Tel: 347.878.1798
E-Mail: Josh.Hirschland@gmail.com

Molly McGuire

From: Kunal Patel <drpatelk@gmail.com>
Sent: Monday, August 3, 2026 8:18 PM
To: Planning Commission
Cc: Council; Deb Estrada; Alison Van Gorp
Subject: Public Comment RE CPA25-002, RZN25-002, SEP25-021

Public Comment RE CPA25-002, RZN25-002, SEP25-021

Comprehensive Plan Amendment

Criteria 1 MICC 19.15.230.F

F. 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 decisions criteria.

The applicant has not met the burden of demonstrating the proposed amendment complies with the applicable regulations and decision criteria.

Criteria 1. The amendment is not consistent with the Growth Management Act, the countywide planning policies, or the other provisions of the comprehensive plan and city policies based on the following:

1. Each and every response by the applicant to these criteria regarding compliance with the comp plan, GMA and city policies are based on the current use of the property as a community center, and the current building size and intensity of use - the applicant relies on the operator, not the designation. However, the proposed comprehensive plan amendment is not tied to the existing use, it is not tied to a specific project, it is not tied to a proposed use, and it does not guarantee that the current use will continue after an amendment. The proposal does not limit future development to the square footage that currently exists. It is simply an application to change the zoning from residential to commercial office, which would result in increased density and intensity of use of the property, regardless if that use is an office building or a community center.
2. Comprehensive plan land use designation attaches to the land, not an owner or a program. Nothing in the CO designation requires an early childhood school, scholarships, a community garden, swim lessons, or any cultural programming. Nothing prevents the sale of the property and a future owner implementing different programming. The applicant's amendment secures none of the benefits offered as the basis for finding it consistent.
3. The applicant does not offer to enter a Development Agreement under RCW 36.70B.170-.210, which they could do concurrently with the rezone, and would run with the land and bind successors. A Development Agreement can restrict permitted uses to community-facility uses, cap gross floor area, fix access locations, and require specific transportation mitigation. If the applicant's representation is that "no change of use is proposed," a development agreement cost the applicant nothing it has claimed to want. By declining to enter a development agreement, the applicant brings into question their intended future use.

4. The applicant does not establish consistence with the Transportation Element. RCW 36.70A.070 requires an internally consistent plan: RCW 36.70A.070(6)(a)(i)(C) requires the transportation element to rest on land use assumptions. The Land Use Map is the input to the travel forecast. Redesignating this site from Single-Family Residential to Commercial Office – on the applicant's own consultant's figures, from 94,723 gsf to 402,261 gsf buildout capacity – changes the assumption. Nothing in the application shows that the Transportation Element's forecasts, LOS standards, or capital facilities program were checked against the amended map. The Staff report does not address this internal inconsistency.
5. Land Use Goal 7.1 – "Preserve the neighborhood character in residential zones. For the purpose of implementing this element, neighborhood character only refers to form, bulk, scale and intensity of the built environment." The applicant does not address what Goal 7.1 actually askes, which is what happens to form, bulk, scale, and intensity under the Commercial Office designation. A 4.25X increase in buildout capacity is, by the comprehensive plan's own definition, a neighborhood-character question that the application does not comply with.

6. Transportation Goal 9.2 – "Address parking overflow impacts on neighbors cause by major traffic generators such as schools, businesses, parks…" The applicant does not address how the redesignation would address the neighbors' concerns, including parking overflowing onto East Mercer Way that blocks the bike lane and forces bikes and pedestrians into the traffic lane; cars from user of the property parking on SE 40th, cars from users of the property blocking driveways on adjacent streets. Goal 9.2 asks for a plan to address the impact, but the applicant does not cite any specifics in how the redesignation will do that. In fact, the redesignation would allow for 4.25X building area, which would result in even more traffic and overflow parking.
7. "Commercial Office and PBZ zones must serve the needs of the local populations while remaining compatible with the overall residential character of the community." The applicant asserts compatibility will "increase" and that "anything that is built will conform to CO standards." That is an assertion about code compliance, not about compatibility, and it is unsupported by any analysis of way CO buildout looks like against the neighboring Single-Family Residential land. Additionally, the applicants current membership is made up primarily of non-residents of Mercer Island, thus they are not serving the local population.
8. The applicant does not include any analysis of whether PBZ, a Public Institution designation, or tailored community-facility designation would fit the situation better than CO. It is the applicant's burden to show the proposed designation is consistent, the absence of any alternative analysis demonstrates the applicant has not met the burden.

Criteria 1A – The applicant concedes there is not a technical error, thus this criterion cannot be used to allow for the applicant's amendment.

Criteria 1B – Changed Circumstances of the City as a Whole – This criterion requires a change in circumstances of the city as a whole, not of the property, not of the applicant, not of a single institution. Washington reclassification cases look for changed conditions in the area, not merely a changed circumstance of the proponent. See Parkridge v Seattle, 90Wn.2d454(1987).

1. The staff report rejects that there has been a change in circumstance of the City as a Whole "The City disagrees with the applicant's assertion as to the 2017 development standards. The changes to the residential development standards that occurred in 2017 were policy decisions made by the then seated City Council, and are not 'changing circumstances of the city as a whole." Additionally, the staff report found that the applicant's factual premise

incorrect – that the MICC 19.01.050(D)(3) does in fact permit exterior alteration or enlarg of nonconforming non-single-family structures, subject to the 50-percent-of-assessed-value threshold.

2. The Staff report theorizes that the changed circumstances are "more accurately described as an increased demand of a facility that is at the end of its useful life and which demand cannot be accommodated under" MICC 19.01.050(D)(3).

a. MICC 19.15.230(F) places the burden of demonstration on the applicant. When the reviewing body rejects the applicant's theory, finds its factual premise incorrect, that should result in denial of the application. The city staff cannot construct a substitute rationale, by doing so the burden has effectively been carried by staff rather than by the applicant.

b. The staff's substitute theory is unsupported by anything in the application or the staff report and relies on two assertions without providing any evidence.

i. "Increased demand" – The applicant has refused to provide any membership trend data, enrollment figures, waitlists, utilization studies, or demographic demand analysis. The applicant offers only that Mercer Island's population "has grown over 20% since the JCC was built in 1969." A 20% increase in the cities population does not justify an over 400% increase in allowed building area for the site.

ii. The applicant asserts that the facility that is at the end of its useful life, however no condition assessment, structural evaluation, systems assessment, or cost-to-cure estimate has been provided.

iii. A single facility reaching the end of its useful life is a circumstance of that property, not of the city as a whole.

3. The applicant argues that the 2017 GFA and impervious surface limits, combined with the variance interpretation, apply across most of the Island's zoning and have stranded "many other vital community organizations on MI." If that is true, the correct response to a city-wide regulatory gap affecting a class of institutions is a code amendment or community-facility overlay applicable to that class, not a parcel-specific change for one member of it. Comprehensive Plan Land Use Goal 7.4 says exactly this: The City may consider measures within the land use code to address the maintenance, updating, and renovation of these facilities." The applicant quotes Goal 7.4 and then argues for the one remedy the goal does not contemplate.

Criterion 2(a) – MICC 19.15.230(F)(2)(a): Compatibility with Adjacent Land Use and Development Pattern. – "Development pattern" is not a synonym for "surrounding uses," rather it refers to the geometry and logic of the map, the coherence of district boundaries, and how the amendment fits the City's overall land use structure. Both adjacent land use and development patterns must be satisfied.

1. The Staff report misinterprets this requirement, stating "adjacent land use and development patterns include both single-family residences and commercial buildings… which all align with the existing facilities on the SJCC properties." That finding is about the compatibility of the existing facilitates, not the proposed amendment. The proposed amendment is not tied to the current use. A 402,261 gsf building, over four times larger than the existing building, is not compatible with single-family residential zoning on three sides.

2. The applicant differs to future review of any proposed development for compliance with the CO code in an attempt to justify compliance with this criteria, however this does not address the compatibility questions, including trip generation, hours of operation, parking demand, or cumulative intensity.

3. Development Pattern: The amendment would leave (i) a narrow strip of residentially designated property to the west, sandwiched between Public Institution and Commercial Office designations, and (ii) an isolated pocket of residential parcels in the southeast corner of the block sharing a property line with the subject site. The staff report does not provide any analysis of the resulting boundary or development pattern, whether the amended boundary is orderly, whether the remnant residential areas remain viable as designated, or whether the city would ever draw this line on its own.
4. Irregular boundaries drawn to follow one owner's parcel assembly are precisely the evidentiary pattern Washington courts look to in spot-zoning analysis as indicating private rather than public benefit. See Anderson v Island County, 81Wn.2d312(1972); Save Our rural Env't, 99Wn.2d363(1983).

Criteria 2(b) – MICC 19.15.230(F)(2)(b): Suitability for Development in Conformance with the Standards Under the Potential Zoning.

1. The Staff report disputes the applicants compliance with this criteria, stating "at least one parcel would not be suitable for development in conformance with the standards under the potential zoning as it currently exists" in reference to parcel 2655500132, which when applying CO zoning setbacks would result in abuilding envelope of six inches by eight feet. Parcel 2655500137 is similarly cannot practically be developed under the CO zoning setbacks, resulting in a building envelope of 35' by 105'. The staff report does not calculate the larger parcels.
2. Parcels 2655500132 & 2655500136 both have access to the residential street, SE 40th St. Rezoning these parcels to CO would direct commercial traffic directly onto a residential street.
3. Parcel 2655500132 is omitted from the staff reports list currently observed conditions: "Tax Parcels 2655500137, 2655500115, and 2655500136 all appear to be integrated in their daily operations as the Stroum Jewish Community Center site." – Parcel 2655500132 has not been used for recreational or community-facility purpose. It is a single-family home, in a single-family neighborhood, on a single-family street, that happens to have been speculatively acquired by an institutional neighbor in 2016.

1. Parcel 265550-0136 was speculatively purchased by the applicant on October 30th, 2012 and is not included in their Conditional Use Permit. This parcel had a single family home existing on it when the applicant purchased it. This parcel should be excluded from any rezone consideration.

Criteria 2(c) – MICC 19.15.230(F)(2)(c): Benefit to the Community as a Whole; No Adverse Effect on Community Facilities or Public Health, Safety, and General Welfare.

The amendment must benefit the community as a whole and must not adversely affect community facilities or the public health, safety, and general welfare. The second cannot be satisfied by showing the benefit outweighs the harm.

1. The applicant again rests their argument of benefit to the community as a whole on the operator rather than the Commercial Office designation. As discussed, the application must be reviewed based on the Commercial Office Designation – not the current owner, current programming, or current operator of the property – which this application has failed to do. Additionally, the applicant does not provide services to all Mercer Island Residents, they do not offer discounts to Mercer Island residents, and their membership is primarily made-up of non-residents.

2. This criterion also requires No Adverse Effect, however the applicant does not addres criterion in their application and neither does the Staff Report. This application would, in fact, adversely affect public health, safety, and general welfare as follows:

a. The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.

b. The proposed rezone will increase traffic congestion and reduce pedestrian safety, as evidenced by the following.

- The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.

- The Trip Generation Memo does not account for trips associated with French American School of Puget Sound (FASPS), which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips. Commercial Office Rezone would be even more impactful than presented by the applicant.

c. The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections around the property.

3. Based on the proximity to I-90, Washington State DOT should be reviewing the amendment and its impacts on I90.

4. A Traffic Impact Analysis must include the school that is currently under construction across East Mercer from the applicants property.

Rezon Criteria:

Criteria 1. The proposed reclassification must be consistent with the policies and provisions of the Mercer Island Comprehensive Plan:

The proposed reclassification is not consistent with the comprehensive plan for the following reasons:

1. The applicant tries to justify compliance with the comprehensive plan based on the current of the property as a community center, and the current building size and intensity of use. However, the proposed rezone is not tied to the existing use, it is not tied to a specific project, it is not tied to a proposed use, and it does not guarantee that the current use will continue after a rezone. The proposal does not limit future development to the square footage that currently exists. It is simply an application to change the zoning from residential to commercial office, which would result in increased density and intensity of use of the property, regardless if that use is an office building or a community center.
2. The applicant has stated that they want to continue to use the property as it has been used for 55 years, however that is untrue. Since the original Conditional Use Permit was granted, the applicant has significantly grown their building footprint, and purchased multiple additional parcels.
3. The existing building is 88,362 square feet (per King County Assessor). Rezoning the property to Commercial Office would allow a 402,261 square foot building to be built on the property. This is a **355% increase** in building area and is in addition to the existing 31,815 SF FASPS Building.
4. Commercial Office in this location is not compatible with the comprehensive plan. The justifications presented in the application are irrelevant without a project being tied to the application. The applicant only focuses on the current use of the property (including the current building size), not what is actually being applied for, which is Commercial Office zoning recalcification.
5. There is currently a total of 637,818 SF of office space existing on Mercer Island. The largest existing office building is the Riot Games building in the town center at 155,599 SF. This rezone application would allow for 402,261 SF on this site alone, making it larger than the total size of the seven largest existing office buildings combined. Rezoning this property could result in a **60% increase** in total office space across all of Mercer Island, and place that significant growth in a location surrounded by residential zoning.
6. The Washington State Growth Management Act (GMA) requires the City of Mercer Island to prioritize housing in the comprehensive plan. This application does the exact opposite; it converts single family zoned property to Commercial Office. It does not meet the criteria of the Mercer Island Comprehensive Plan or the WA State GMA.
7. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 2. The proposed reclassification must be consistent with Mercer Island development code as set for in MICC 19.01.010;

The proposal does not comply with these criteria for the following reasons:

1. This criteria includes provisions to avoid traffic congestion. The proposed rezone will increase traffic congestion, as evidenced by the following:

    - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning

the property would create traffic beyond what the residential area can support, wo cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.

- The Trip Generation Memo does not account for trips associated with FASPS, which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips to/from the shared driveway. Commercial Office Rezone would be even more impactful than presented by the applicant.

- The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections serving the property. A Traffic Impact Analysis would further confirm that this application does not comply with Criteria 2.

- The applicant indicates on their own documentation that they intend to increase parking counts, which means they intend to increase traffic to the property.

- The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.

1. This criteria includes provisions to protect the natural beauty and other natural resources. The proposal does the opposite, by increasing density and the intensity of the approved land use.
2. This criteria includes provisions to prevent overcrowding. The proposal does the opposite, by increasing density and the intensity of the approved land use.
3. The applicant again refers to the current use of the land to justify rezoning, however those responses are irrelevant as the proposal is not tied to a specific use, the proposal is to rezone the property to Commercial Office, which is not compatible with this criteria of the comprehensive plan.
4. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning, because that is what is being applied for.

Criteria 3. The proposed reclassification must be an extension of an existing zone, or a logical transition between zones.

The proposed rezone is not the extension of an existing zone or a logical transition between zones, it is actually the opposite.

1. The property is bound on three sides by residential zones, rezoning this parcel would create a pocket of commercially zoned parcels surrounded on three sides by single-family residential zoning.

2. Additionally, parcels 265550-0166, 265550-0168, and 265550-0165 to the west of the applicant's property, which are single-family zoned properties, would end up surrounded by Commercial zoning to the north and east, and Public Institution zoning to the West. See below map.

1. The zoning map in the application is not current.
2. Rezoning of this property would create a choppy patchwork of zoning with no logical transition between zones.

1. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 4. The proposed reclassification must not constitute an illegal Site-Specific Rezone.

The proposal does create an illegal site-specific rezone, solely for the benefit of a single property.

1. While the applicant has chosen to pursue non-profit status for tax purposes, and they do not pay property taxes on Mercer Island, they are still business that will see financial gain from the rezone.
2. With the applicant's tax status, they rely on Mercer Island residents and taxpayers to fund public safety and maintenance of city infrastructure serving their property, while they indicate on their website that they serve the "general community of the greater Seattle area" and the majority of their members or not Island residents. This is in contrast to other clubs and CUP properties on Mercer Island that primarily cater to Island residents and abide by strict membership limits. The burden on Mercer Island taxpayers will be exacerbated if the land were to be rezoned to commercial and land use becomes more intense with no limits on programming or membership.
3. The applicant chose to build a building for the French American School of Puget Sound (FASPS) on the commercially zoned portion of their property in order to generate revenue through a lease for their own financial gain. If the applicant desired additional square footage to operate their center, they could have used that commercially zoned parcel and should not have leased the land to FASPS. A rezone cannot legally be granted for the private gain of one owner or a group of owners to the detriment of their neighbors. The FASPS lease demonstrates that the rezone application is for the financial gain of the applicant.
4. The applicant recently and speculatively purchased additional parcels that were not included in their original conditional use permit, and they are now seeking to rezone those parcels for their own gain.

    - Parcel 265550-0136 was speculatively purchased by the applicant on October 30th, 2012 and is not included in their Conditional Use Permit. This parcel had a single family home existing on it when the applicant purchased it. This parcel should be excluded from any rezone consideration.

    - Parcel 265550-0132 was speculatively purchased by the applicant on November 21, 2016 and is not included in their Conditional Use Permit. Furthermore, this

parcel currently has a single-family home on it. Renderings presented by the appli of a potential new facility shows the single-family residence remaining. Based on that, and the fact that this parcel is not included in the CUP, this parcel should be excluded from any rezone consideration.

1. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.
2. Again, the proposed rezone is not tied to a specific project or use and the applicant refers to the current use of the land to justify rezoning. Rezoning this property to commercial office does not provide a public benefit, making it an illegal site-specific rezone.

Criteria 5. The proposed reclassification must be compatible with surrounding zones and land uses.

Commercial Office zoning is not compatible with the single-family residential zoning that borders the property on three sides.

1. The property is bound on three sides by residential zones, and one side by commercial office. Rezoning this parcel would create a pocket of commercially zoned parcels surrounded on three sides by single family zoning.
2. Additionally, parcels 265550-0166, 265550-0168, and 265550-0165 to the west of the applicant's property, which are single family zoned properties, would end up surrounded by Commercial zoning to the north and east, and Public Institution zoning to the West.
3. The zoning map in the application is not current.
4. Rezoning of this property would create a choppy patchwork of zoning with no logical transition between zones.
5. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 6. The proposed reclassification must not adversely affect public health, safety and welfare.

Rezoning this property to Commercial Office would adversely affect public health, safety and welfare for the following reasons.

1. The existing building is 88,362 square feet (per King County Assessor). Rezoning the property to Commercial Office would allow a 402,261 square foot building to be built on the property. This is a **355% increase** in building area and is in addition to the existing 31,815 SF FASPS Building.

2. The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would

adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.

1. The proposed rezone will increase traffic congestion and reduce pedestrian safety, as evidenced by the following.

    - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.

    - The Trip Generation Memo does not account for trips associated with FASPS, which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips. Commercial Office Rezone would be even more impactful than presented by the applicant.

    - The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections around the property. Without the Traffic Impact Analysis, it is impossible to confirm compliance with Criteria 6.

Mercer Island is first and foremost a residential community, and residential zoning should be protected for the residents and families of Mercer Island.

Regards

Kunal Patel

Molly McGuire

From: Laura Jantos <laura.jantos@gmail.com>
Sent: Monday, August 3, 2026 8:26 AM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial. After a long and protracted process with much technicality that frankly, I don't understand, this seems to be the only way to allow the SJCC to continue to serve the Mercer Island community and the broader Jewish community.

I've used the JCC since I was a kid in the 70s, when it was a training facility for the Sonics! When my husband and I moved back to MI in 2003, the SJCC's great preschool (and MISD schools) was a big part of our decision. Both of our kids attended preschool at the J as it was the only full-time option on MI that also had tons of enrichment programs. As a dual-working family, our kids could be cared for and have access to swim lessons, karate, gardening, and lots of other activities. We've attended and supported tons of broader community events there as well such as MISD Band Boosters auctions.

The J has been serving the Mercer Island community – as a community center for all - for over 55 years. It is badly in need of remodel and modernization. During our travels, we've found that most other communities similar to Mercer Island have much nicer facilities than our SJCC.

Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Respectfully,

Laura Jantos
(206) 484-8804

Molly McGuire

From: Leslie Rubenstein <lilrubie@hotmail.com>
Sent: Monday, August 3, 2026 2:30 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support for the SJCC Rezone and Future of Our Community

Dear Mercer Island Planning Committee and City Council,

I was born and raised on Mercer Island and am proud to still call it home. The Stroum Jewish Community Center (SJCC) has been an important part of Mercer Island for more than 50 years, and I strongly support the proposed zoning change that will allow the renovation and expansion of this aging facility.

I am what many would call a "lifer" at the SJCC. My connection to the J began when I was just a few months old. I attended preschool there, spent my summers at camp, became a camp counselor, and later worked in customer service, marketing, fitness, and now community programming. The SJCC has been woven into every stage of my life.

The impact of the J extends far beyond the building itself. My parents met many of their closest friends while I was in preschool there, and decades later those friendships remain some of the strongest in their lives. For many of us who do not have extended family nearby, the people we met at the J became our family.

Every day I see people of all ages—from infants just a few months old to adults in their 90s—coming through our doors. Children from across Mercer Island, whether they are members or not, participate in our swim lessons and gain lifesaving water safety skills. Many local teenagers get their very first job at the J. Adults come to exercise, connect with friends, and build community, while older adults find opportunities to learn, stay active, and combat isolation.

In my role with Fitness, I have had the privilege of watching lifelong friendships form. I have seen members support one another through illnesses, celebrate milestones together, and become like family. Those relationships exist because the SJCC provides a welcoming place where everyone belongs, regardless of their background.

In my Community Engagement role, I strive to create those same opportunities for adults and older adults. We offer educational programs, social events, cultural experiences, and opportunities for people to connect with others and enrich their lives. Unfortunately, our current facility limits what we are able to provide. We simply do not have the space to offer many of the programs our community wants and needs.

With an expanded and modernized facility, we could welcome more people, create innovative programming, and provide additional gathering spaces that strengthen our community. At a time when loneliness and social isolation are increasingly recognized as major public health concerns, community spaces like the SJCC are more important than ever. Creating opportunities for people to connect is not just my job—it is my passion. To fulfill that mission, we need a facility that is safe, accessible, and designed to serve today's community while preparing for future generations.

I also urge you to approve this zoning change without further delay. Every day this project is postponed, construction costs continue to rise due to increasing material and labor expenses. Delays mean fewer

resources can ultimately go toward serving the community and more time before we can offer expanded programs, improved accessibility, and new opportunities for Mercer Island residents. The sooner this project moves forward, the sooner we can begin providing the additional services and spaces our community deserves.

I am disappointed by some of the misinformation that has circulated regarding this project. While I understand that change can bring concerns, I wish more of our neighbors could see the positive impact this renovation will have—not only for the greater Mercer Island community, but for them as well. Approximately 30% of Mercer Island residents utilize the SJCC in some way, making it one of the community's most significant gathering places. The J is part of what makes Mercer Island such a special place to live.

This project is also designed to improve the experience for our neighbors. The renovation includes changes that will improve traffic flow and create a better overall environment for those who live nearby. Our staff already goes to great lengths to reduce neighborhood impacts, including parking off-site and being shuttled to the facility during busy events to minimize on-street parking.

I also hope the City will consider this application with the same standards applied to other community-serving organizations. Other facilities on Mercer Island have been granted zoning flexibility to meet the needs of the community. The SJCC deserves the same fair consideration. While concerns have been raised about occasional street parking near the J a handful of times each year, nearby recreational facilities regularly generate significantly more on-street parking during the summer months. We have consistently worked to mitigate our impacts and will continue to be good neighbors while expanding our ability to serve the community.

This proposal is not simply about expanding a building. It is about investing in children, families, older adults, health and wellness, education, and creating stronger connections within our community for generations to come.

I respectfully ask that you approve the zoning change as soon as possible so the SJCC can continue serving Mercer Island for the next 50 years and beyond.

Thank you for your time and consideration.

Sincerely,

Leslie Rubenstein

"Try to be a Rainbow in Someone Else's Cloud."

Molly McGuire

From: Marc Rousso <marc@jaymarchomes.com>
Sent: Monday, August 3, 2026 5:14 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: SJCC

Dear Members of the Planning Commission,

I'm writing to urge your support to amend the Comprehensive Plan and change the designation of the SJCC property from single-family to commercial.

I've been a member of the J for over 30 years. I played basketball there as a kid growing up on Mercer Island. Years later I walked my own children through those same doors, first to preschool and then through kindergarten. That full circle means everything to me.

What makes the J so special is how it serves everyone, from the very young to the very old. Youth programs, fitness, community events, preschool, and yes, a basketball court that has seen generations come through. It is a place that grows with you and your family over a lifetime, and that is rare.

The J has been at the center of Mercer Island community life for over 55 years. I want my kids to bring their kids there someday. For that to happen, we need the Comprehensive Plan to reflect what the J has always been, a true community center, not a single family home.

Please update the land use maps to match that reality and give the J the foundation it needs to serve our community for the next 55 years.

All the best,

Marc Rousso

Molly McGuire

From: Randy Koehler <randy@rkkconstruction.com>
Sent: Monday, August 3, 2026 5:18 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

My name is Randy Koehler. I've been an Island resident for 55 years and a member of the JCC for 50 years. I have operated a home building here for 50 years. I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

The JCC is a valuable asset for our family as we have sent our kids and Grandkids there for their outstanding earl childhood school and they have attended summer camps there as well. My wife and I have used the work out facilities over the years and I have competed in the their Basketball and Softball leagues for many years. The J is very convenient facility and is open to anyone regardless of any faith and ethnicity .Many of our Fire and Police Departments have made use of these facilities .

To me this rezoning request is a no brainer. Even though the current zoning is single family , the J (a commercial building) has been operating and serving this community for 55 years , this redone is well overdue. It's time that you clean up this issue with this rezone and let the JCC update their facilities just like other commercial buildings without being "out of zone". This facility is an important part of our City and should have an opportunity to update their building the proper way so they may be able to serve the Island for many years to come. I know there are Nay Sayers that will tell you otherwise but at some point you just have to do what's right. Just use your common sense which often gets forgotten these days. Like I said , "this is a no brainer".

Randy Koehler
3056 70th Avenue SE
Mercer Island , Washington 98040

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Molly McGuire

From: Sven Kratz <svenkratz@fastmail.com>
Sent: Monday, August 3, 2026 8:03 PM
To: Planning Commission
Cc: Council; Deb Estrada; Alison Van Gorp
Subject: Public Comment RE CPA25-002, RZN25-002, SEP25-021

Dear Planning Commission and Council,

I want to be clear at the outset that I am not opposed to development on the land owned by the JCC, nor to their continued presence on Mercer Island. What I care about is that any such development be carried out in accordance with the law and our local regulations, and with the rigorous oversight that a change of this magnitude deserves.

Members of the 98040 community have brought to my attention that this rezone does not appear to be proceeding that way — that shortcuts are being taken which could negatively affect our neighborhood and the residential character of the surrounding area. Having reviewed the concerns, I share them. As it stands, the applicant has not demonstrated that the proposal satisfies the applicable regulations and decision criteria, and for that reason I am opposed to this application in its current form.

My objection is not to the JCC, but to a process that falls short of the standard our community should hold itself to. We should strive to uphold proper process and lawfulness in how these decisions are made. I ask that the Commission and Council hold the application to that standard.

The more detailed comments below reflect the specific ways in which I believe the application fails to meet the required criteria.

Sincerely,
Sven
--

Public Comment RE CPA25-002, RZN25-002, SEP25-021

Comprehensive Plan Amendment

Criteria 1 MICC 19.15.230.F

F. 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 decisions criteria.

The applicant has not met the burden of demonstrating the proposed amendment complies with the applicable regulations and decision criteria.

Criteria 1. The amendment is not consistent with the Growth Management Act, the countywide planning policies, or the other provisions of the comprehensive plan and city policies based on the following:

1. Each and every response by the applicant to these criteria regarding compliance with the comp plan, GMA and city policies are based on the current use of the property as a community center, and the current building size and intensity of use - the applicant relies on the operator, not the designation. However, the proposed comprehensive plan amendment is not tied to the existing use, it is not tied to a specific project, it is not tied to a proposed use, and it does not guarantee that the current use will continue after an amendment. The proposal does not limit future development to the square footage that currently exists. It is simply an application to change the zoning from residential to commercial office, which would result in increased density and intensity of use of the property, regardless if that use is an office building or a community center.

2. Comprehensive plan land use designation attaches to the land, not an owner or a program. Nothing in the CO designation requires an early childhood school, scholarships, a community garden, swim lessons, or any cultural programming. Nothing prevents the sale of the property and a future owner implementing different programming. The applicant's amendment secures none of the benefits offered as the basis for finding it consistent.

3. The applicant does not offer to enter a Development Agreement under RCW 36.70B.170-.210, which they could do concurrently with the rezone, and would run with the land and bind successors. A Development Agreement can restrict permitted uses to community-facility uses, cap gross floor area, fix access locations, and require specific transportation mitigation. If the applicant's representation is that "no change of use is proposed," a development agreement cost the applicant nothing it has claimed to want. By declining to enter a development agreement, the applicant brings into question their intended future use.

4. The applicant does not establish consistence with the Transportation Element. RCW 36.70A.070 requires an internally consistent plan: RCW 36.70A.070(6)(a)(i)(C) requires the transportation element to rest on land use assumptions. The Land Use Map is the input to the travel forecast. Redesignating this site from Single-Family Residential to Commercial Office – on the applicant's own consultant's figures, from 94,723 gsf to 402,261 gsf buildout capacity – changes the assumption. Nothing in the application shows that the Transportation Element's forecasts, LOS standards, or capital facilities program were checked against the amended map. The Staff report does not address this internal inconsistency.

5. Land Use Goal 7.1 – "Preserve the neighborhood character in residential zones. For the purpose of implementing this element, neighborhood character only refers to form, bulk, scale and intensity of the built environment." The applicant does not address what Goal 7.1 actually askes, which is what happens to form, bulk, scale, and intensity under the Commercial Office designation. A 4.25X increase in buildout capacity is, by the comprehensive plan's own definition, a neighborhood-character question that the application does not comply with.

6. Transportation Goal 9.2 – "Address parking overflow impacts on neighbors cause by major traffic generators such as schools, businesses, parks…" The applicant does not address how the redesignation would address the neighbors' concerns, including parking overflowing onto East Mercer Way that blocks the bike lane and forces bikes and pedestrians into the traffic lane; cars from user of the property parking on SE 40th, cars from users of the property blocking driveways on adjacent streets. Goal 9.2 asks for a plan to address the impact, but the applicant does not

cite any specifics in how the redesignation will do that. In fact, the redesignation would allow 4.25X building area, which would result in even more traffic and overflow parking.

7. "Commercial Office and PBZ zones must serve the needs of the local populations while remaining compatible with the overall residential character of the community." The applicant asserts compatibility will "increase" and that "anything that is built will conform to CO standards." That is an assertion about code compliance, not about compatibility, and it is unsupported by any analysis of way CO buildout looks like against the neighboring Single-Family Residential land. Additionally, the applicants current membership is made up primarily of non-residents of Mercer Island, thus they are not serving the local population.
8. The applicant does not include any analysis of whether PBZ, a Public Institution designation, or tailored community-facility designation would fit the situation better than CO. It is the applicant's burden to show the proposed designation is consistent, the absence of any alternative analysis demonstrates the applicant has not met the burden.

Criteria 1A – The applicant concedes there is not a technical error, thus this criterion cannot be used to allow for the applicant's amendment.

Criteria 1B – Changed Circumstances of the City as a Whole – This criterion requires a change in circumstances of the city as a whole, not of the property, not of the applicant, not of a single institution. Washington reclassification cases look for changed conditions in the area, not merely a changed circumstance of the proponent. See Parkridge v Seattle, 90Wn.2d454(1987).

1. The staff report rejects that there has been a change in circumstance of the City as a Whole "The City disagrees with the applicant's assertion as to the 2017 development standards. The changes to the residential development standards that occurred in 2017 were policy decisions made by the then seated City Council, and are not 'changing circumstances of the city as a whole." Additionally, the staff report found that the applicant's factual premise incorrect – that the MICC 19.01.050(D)(3) does in fact permit exterior alteration or enlargement of nonconforming non-single-family structures, subject to the 50-percent-of-assessed-value threshold.
2. The Staff report theorizes that the changed circumstances are "more accurately described as an increased demand of a facility that is at the end of its useful life and which demand cannot be accommodated under" MICC 19.01.050(D)(3).
    a. MICC 19.15.230(F) places the burden of demonstration on the applicant. When the reviewing body rejects the applicant's theory, finds its factual premise incorrect, that should result in denial of the application. The city staff cannot construct a substitute rationale, by doing so the burden has effectively been carried by staff rather than by the applicant.
    b. The staff's substitute theory is unsupported by anything in the application or the staff report and relies on two assertions without providing any evidence.
        i. "Increased demand" – The applicant has refused to provide any membership trend data, enrollment figures, waitlists, utilization studies, or demographic demand analysis. The applicant offers only that Mercer Island's population "has grown over 20% since the JCC was built in 1969." A 20% increase in the cities population does not justify an over 400% increase in allowed building area for the site.

   ii. The applicant asserts that the facility that is at the end of its useful life, however condition assessment, structural evaluation, systems assessment, or cost-to-cure estimate has been provided.
   iii. A single facility reaching the end of its useful life is a circumstance of that property, not of the city as a whole.
3. The applicant argues that the 2017 GFA and impervious surface limits, combined with the variance interpretation, apply across most of the Island's zoning and have stranded "many other vital community organizations on MI." If that is true, the correct response to a city-wide regulatory gap affecting a class of institutions is a code amendment or community-facility overlay applicable to that class, not a parcel-specific change for one member of it. Comprehensive Plan Land Use Goal 7.4 says exactly this: The City may consider measures within the land use code to address the maintenance, updating, and renovation of these facilities." The applicant quotes Goal 7.4 and then argues for the one remedy the goal does not contemplate.

Criterion 2(a) – MICC 19.15.230(F)(2)(a): Compatibility with Adjacent Land Use and Development Pattern. – "Development pattern" is not a synonym for "surrounding uses," rather it refers to the geometry and logic of the map, the coherence of district boundaries, and how the amendment fits the City's overall land use structure. Both adjacent land use and development patterns must be satisfied.

1. The Staff report misinterprets this requirement, stating "adjacent land use and development patterns include both single-family residences and commercial buildings… which all align with the existing facilities on the SJCC properties." That finding is about the compatibility of the existing facilitates, not the proposed amendment. The proposed amendment is not tied to the current use. A 402,261 gsf building, over four times larger than the existing building, is not compatible with single-family residential zoning on three sides.
2. The applicant differs to future review of any proposed development for compliance with the CO code in an attempt to justify compliance with this criteria, however this does not address the compatibility questions, including trip generation, hours of operation, parking demand, or cumulative intensity.
3. Development Pattern: The amendment would leave (i) a narrow strip of residentially designated property to the west, sandwiched between Public Institution and Commercial Office designations, and (ii) an isolated pocket of residential parcels in the southeast corner of the block sharing a property line with the subject site. The staff report does not provide any analysis of the resulting boundary or development pattern, whether the amended boundary is orderly, whether the remnant residential areas remain viable as designated, or whether the city would ever draw this line on its own.
4. Irregular boundaries drawn to follow one owner's parcel assembly are precisely the evidentiary pattern Washington courts look to in spot-zoning analysis as indicating private rather than public benefit. See Anderson v Island County, 81Wn.2d312(1972); Save Our rural Env't, 99Wn.2d363(1983).

Criteria 2(b) – MICC 19.15.230(F)(2)(b): Suitability for Development in Conformance with the Standards Under the Potential Zoning.

1. The Staff report disputes the applicants compliance with this criteria, stating "at least one parcel would not be suitable for development in conformance with the standards under the potential zoning as it currently exists" in reference to parcel 2655500132, which when applying CO zoning

setbacks would result in abuilding envelope of six inches by eight feet. Parcel 2655500137 is similarly cannot practically be developed under the CO zoning setbacks, resulting in a building envelope of 35' by 105'. The staff report does not calculate the larger parcels.

2. Parcels 2655500132 & 2655500136 both have access to the residential street, SE 40th St. Rezoning these parcels to CO would direct commercial traffic directly onto a residential street.
3. Parcel 2655500132 is omitted from the staff reports list currently observed conditions: "Tax Parcels 2655500137, 2655500115, and 2655500136 all appear to be integrated in their daily operations as the Stroum Jewish Community Center site." – Parcel 2655500132 has not been used for recreational or community-facility purpose. It is a single-family home, in a single-family neighborhood, on a single-family street, that happens to have been speculatively acquired by an institutional neighbor in 2016.

1. Parcel 265550-0136 was speculatively purchased by the applicant on October 30th, 2012 and is not included in their Conditional Use Permit. This parcel had a single family home existing on it when the applicant purchased it. This parcel should be excluded from any rezone consideration.

Criteria 2(c) – MICC 19.15.230(F)(2)(c): Benefit to the Community as a Whole; No Adverse Effect on Community Facilities or Public Health, Safety, and General Welfare.

The amendment must benefit the community as a whole and must not adversely affect community facilities or the public health, safety, and general welfare. The second cannot be satisfied by showing the benefit outweighs the harm.

1. The applicant again rests their argument of benefit to the community as a whole on the operator rather than the Commercial Office designation. As discussed, the application must be reviewed based on the Commercial Office Designation – not the current owner, current programming, or current operator of the property – which this application has failed to do. Additionally, the applicant does not provide services to all Mercer Island Residents, they do not offer discounts to Mercer Island residents, and their membership is primarily made-up of non-residents.
2. This criterion also requires No Adverse Effect, however the applicant does not address this criterion in their application and neither does the Staff Report. This application would, in fact, adversely affect public health, safety, and general welfare as follows:
    a. The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.
    b. The proposed rezone will increase traffic congestion and reduce pedestrian safety, as evidenced by the following.

        - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.

- The Trip Generation Memo does not account for trips associated with French American School of Puget Sound (FASPS), which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips. Commercial Office Rezone would be even more impactful than presented by the applicant.

c. The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections around the property.

3. Based on the proximity to I-90, Washington State DOT should be reviewing the amendment and its impacts on I90.
4. A Traffic Impact Analysis must include the school that is currently under construction across East Mercer from the applicants property.

Rezon Criteria:

Criteria 1. The proposed reclassification must be consistent with the policies and provisions of the Mercer Island Comprehensive Plan:

The proposed reclassification is not consistent with the comprehensive plan for the following reasons:

1. The applicant tries to justify compliance with the comprehensive plan based on the current use of the property as a community center, and the current building size and intensity of use. However, the proposed rezone is not tied to the existing use, it is not tied to a specific project, it is not tied to a proposed use, and it does not guarantee that the current use will continue after a rezone. The proposal does not limit future development to the square footage that currently exists. It is simply an application to change the zoning from residential to commercial office, which would result in increased density and intensity of use of the property, regardless if that use is an office building or a community center.

2. The applicant has stated that they want to continue to use the property as it has been used for 55 years, however that is untrue. Since the original Conditional Use Permit was granted, the applicant has significantly grown their building footprint, and purchased multiple additional parcels.

3. The existing building is 88,362 square feet (per King County Assessor). Rezoning the property to Commercial Office would allow a 402,261 square foot building to be built on the property. This is a **355% increase** in building area and is in addition to the existing 31,815 SF FASPS Building.

4. Commercial Office in this location is not compatible with the comprehensive plan. The justifications presented in the application are irrelevant without a project being tied to the

application. The applicant only focuses on the current use of the property (including the cur building size), not what is actually being applied for, which is Commercial Office zoning recalcification.

5. There is currently a total of 637,818 SF of office space existing on Mercer Island. The largest existing office building is the Riot Games building in the town center at 155,599 SF. This rezone application would allow for 402,261 SF on this site alone, making it larger than the total size of the seven largest existing office buildings combined. Rezoning this property could result in a **60% increase** in total office space across all of Mercer Island, and place that significant growth in a location surrounded by residential zoning.
6. The Washington State Growth Management Act (GMA) requires the City of Mercer Island to prioritize housing in the comprehensive plan. This application does the exact opposite; it converts single family zoned property to Commercial Office. It does not meet the criteria of the Mercer Island Comprehensive Plan or the WA State GMA.
7. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 2. The proposed reclassification must be consistent with Mercer Island development code as set for in MICC 19.01.010;

The proposal does not comply with these criteria for the following reasons:

1. This criteria includes provisions to avoid traffic congestion. The proposed rezone will increase traffic congestion, as evidenced by the following:
    - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.
    - The Trip Generation Memo does not account for trips associated with FASPS, which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips to/from the shared driveway. Commercial Office Rezone would be even more impactful than presented by the applicant.
    - The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections

serving the property. A Traffic Impact Analysis would further confirm that this applica does not comply with Criteria 2.

- The applicant indicates on their own documentation that they intend to increase parking counts, which means they intend to increase traffic to the property.
- The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.

1. This criteria includes provisions to protect the natural beauty and other natural resources. The proposal does the opposite, by increasing density and the intensity of the approved land use.
2. This criteria includes provisions to prevent overcrowding. The proposal does the opposite, by increasing density and the intensity of the approved land use.
3. The applicant again refers to the current use of the land to justify rezoning, however those responses are irrelevant as the proposal is not tied to a specific use, the proposal is to rezone the property to Commercial Office, which is not compatible with this criteria of the comprehensive plan.
4. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning, because that is what is being applied for.

Criteria 3. The proposed reclassification must be an extension of an existing zone, or a logical transition between zones.

The proposed rezone is not the extension of an existing zone or a logical transition between zones, it is actually the opposite.

1. The property is bound on three sides by residential zones, rezoning this parcel would create a pocket of commercially zoned parcels surrounded on three sides by single-family residential zoning.
2. Additionally, parcels 265550-0166, 265550-0168, and 265550-0165 to the west of the applicant's property, which are single-family zoned properties, would end up surrounded by Commercial zoning to the north and east, and Public Institution zoning to the West. See below map.

1. The zoning map in the application is not current.
2. Rezoning of this property would create a choppy patchwork of zoning with no logical transition between zones.

1. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and

city council must assume that a rezone will result in the applicant (or future owner) utilizing maximum density allowed under the Commercial Office zoning.

Criteria 4. The proposed reclassification must not constitute an illegal Site-Specific Rezone.

The proposal does create an illegal site-specific rezone, solely for the benefit of a single property.

1. While the applicant has chosen to pursue non-profit status for tax purposes, and they do not pay property taxes on Mercer Island, they are still business that will see financial gain from the rezone.
2. With the applicant's tax status, they rely on Mercer Island residents and taxpayers to fund public safety and maintenance of city infrastructure serving their property, while they indicate on their website that they serve the "general community of the greater Seattle area" and the majority of their members or not Island residents. This is in contrast to other clubs and CUP properties on Mercer Island that primarily cater to Island residents and abide by strict membership limits. The burden on Mercer Island taxpayers will be exacerbated if the land were to be rezoned to commercial and land use becomes more intense with no limits on programming or membership.
3. The applicant chose to build a building for the French American School of Puget Sound (FASPS) on the commercially zoned portion of their property in order to generate revenue through a lease for their own financial gain. If the applicant desired additional square footage to operate their center, they could have used that commercially zoned parcel and should not have leased the land to FASPS. A rezone cannot legally be granted for the private gain of one owner or a group of owners to the detriment of their neighbors. The FASPS lease demonstrates that the rezone application is for the financial gain of the applicant.
4. The applicant recently and speculatively purchased additional parcels that were not included in their original conditional use permit, and they are now seeking to rezone those parcels for their own gain.
    - Parcel 265550-0136 was speculatively purchased by the applicant on October 30th, 2012 and is not included in their Conditional Use Permit. This parcel had a single family home existing on it when the applicant purchased it. This parcel should be excluded from any rezone consideration.
    - Parcel 265550-0132 was speculatively purchased by the applicant on November 21, 2016 and is not included in their Conditional Use Permit. Furthermore, this parcel currently has a single-family home on it. Renderings presented by the applicant of a potential new facility shows the single-family residence remaining. Based on that, and the fact that this parcel is not included in the CUP, this parcel should be excluded from any rezone consideration.

1. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.
2. Again, the proposed rezone is not tied to a specific project or use and the applicant refers to the current use of the land to justify rezoning. Rezoning this property to commercial office does not provide a public benefit, making it an illegal site-specific rezone.

Criteria 5. The proposed reclassification must be compatible with surrounding zones and land uses.

Commercial Office zoning is not compatible with the single-family residential zoning that borders the property on three sides.

1. The property is bound on three sides by residential zones, and one side by commercial office. Rezoning this parcel would create a pocket of commercially zoned parcels surrounded on three sides by single family zoning.
2. Additionally, parcels 265550-0166, 265550-0168, and 265550-0165 to the west of the applicant's property, which are single family zoned properties, would end up surrounded by Commercial zoning to the north and east, and Public Institution zoning to the West.
3. The zoning map in the application is not current.
4. Rezoning of this property would create a choppy patchwork of zoning with no logical transition between zones.
5. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 6. The proposed reclassification must not adversely affect public health, safety and welfare.

Rezoning this property to Commercial Office would adversely affect public health, safety and welfare for the following reasons.

1. The existing building is 88,362 square feet (per King County Assessor). Rezoning the property to Commercial Office would allow a 402,261 square foot building to be built on the property. This is a **355% increase** in building area and is in addition to the existing 31,815 SF FASPS Building.
2. The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.

1. The proposed rezone will increase traffic congestion and reduce pedestrian safety, as evidenced by the following.
    - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.

- The Trip Generation Memo does not account for trips associated with FASPS, which s a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips. Commercial Office Rezone would be even more impactful than presented by the applicant.
- The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections around the property. Without the Traffic Impact Analysis, it is impossible to confirm compliance with Criteria 6.

Mercer Island is first and foremost a residential community, and residential zoning should be protected for the residents and families of Mercer Island.

Molly McGuire

From: Sydney Tomlinson <sydneyraetomlinson@gmail.com>
Sent: Monday, August 3, 2026 7:07 PM
To: Planning Commission; Deb Estrada; Alison Van Gorp
Subject: Public Comment RE CPA25-002, RZN25-002, SEP25-021

Dear Planning Commissioners:

I am writing to strongly oppose the proposed Mercer Island Comprehensive Plan changes associated with CPA25-002. These changes are not consistent with— and would undermine—key goals, policies, and growth/land-use direction in the Mercer Island Comprehensive Plan. The Commission should deny the proposed changes and retain CUP conditions that remain aligned with the Comprehensive Plan's intent.

The Comprehensive Plan establishes Mercer Island's expectations for land use compatibility, neighborhood character, and managing impacts from conditional uses. As proposed, CPA25-002 would allow operational and/or development changes that would increase or alter impacts (such as traffic/parking burden, noise, hours/intensity of activity, site impacts, and/or other neighborhood compatibility concerns) without providing the kind of specific, enforceable safeguards needed to demonstrate continued consistency with the Comprehensive Plan.

In particular, the Planning Commission must evaluate whether the proposed CUP changes still conform to the Comprehensive Plan's:

land use and compatibility direction for the relevant area,
policies addressing transportation/traffic and parking impacts from land uses,
policies addressing impacts to surrounding neighborhoods (including noise and other operational externalities),
and any applicable guidance on maintaining the City's community character through careful limits on use intensity and mitigation.

I respectfully request that the Commission:

Deny the proposed changes to the Mercer Island Comprehensive Plan associated with CPA25-002 as presented because they are not adequately tied to— and do not sufficiently further—Comprehensive Plan policies.
If the Commission is not inclined to deny, require specific revisions that directly address Comprehensive Plan consistency by adding objective, measurable, and enforceable conditions (not vague promises), including clear limits and compliance/verification measures for the specific impact areas raised by these changes.
Thank you for your time and service. Please include this comment in the official record for CPA25-002.

Public Comment RE CPA25-002, RZN25-002, SEP25-021

Comprehensive Plan Amendment

Criteria 1 MICC 19.15.230.F

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

The applicant has not met the burden of demonstrating the proposed amendment complies with the applicable regulations and decision criteria.

Criteria 1. The amendment is not consistent with the Growth Management Act, the countywide planning policies, or the other provisions of the comprehensive plan and city policies based on the following:

1. Each and every response by the applicant to these criteria regarding compliance with the comp plan, GMA and city policies are based on the current use of the property as a community center, and the current building size and intensity of use - the applicant relies on the operator, not the designation. However, the proposed comprehensive plan amendment is not tied to the existing use, it is not tied to a specific project, it is not tied to a proposed use, and it does not guarantee that the current use will continue after an amendment. The proposal does not limit future development to the square footage that currently exists. It is simply an application to change the zoning from residential to commercial office, which would result in increased density and intensity of use of the property, regardless if that use is an office building or a community center.
2. Comprehensive plan land use designation attaches to the land, not an owner or a program. Nothing in the CO designation requires an early childhood school, scholarships, a community garden, swim lessons, or any cultural programming. Nothing prevents the sale of the property and a future owner implementing different programming. The applicant's amendment secures none of the benefits offered as the basis for finding it consistent.
3. The applicant does not offer to enter a Development Agreement under RCW 36.70B.170-.210, which they could do concurrently with the rezone, and would run with the land and bind successors. A Development Agreement can restrict permitted uses to community-facility uses, cap gross floor area, fix access locations, and require specific transportation mitigation. If the applicant's representation is that "no change of use is proposed," a development agreement cost the applicant nothing it has claimed to want. By declining to enter a development agreement, the applicant brings into question their intended future use.
4. The applicant does not establish consistence with the Transportation Element. RCW 36.70A.070 requires an internally consistent plan: RCW 36.70A.070(6)(a)(i)(C) requires the transportation element to rest on land use assumptions. The Land Use Map is the input to the travel forecast. Redesignating this site from Single-Family Residential to Commercial Office – on the applicant's own consultant's figures, from 94,723 gsf to 402,261 gsf buildout capacity – changes the assumption. Nothing in the application shows that the Transportation Element's forecasts, LOS standards, or capital facilities program were checked against the amended map. The Staff report does not address this internal inconsistency.
5. Land Use Goal 7.1 – "Preserve the neighborhood character in residential zones. For the purpose of implementing this element, neighborhood character only refers to form, bulk, scale and intensity of the built environment." The applicant does not address what Goal 7.1 actually askes, which is what happens to form, bulk, scale, and intensity under the Commercial Office designation. A 4.25X increase in buildout capacity is, by the comprehensive plan's own definition, a neighborhood-character question that the application does not comply with.

6. Transportation Goal 9.2 – "Address parking overflow impacts on neighbors cause by major traffic generators such as schools, businesses, parks…" The applicant does not address how the redesignation would address the neighbors' concerns, including parking overflowing onto East Mercer Way that blocks the bike lane and forces bikes and pedestrians into the traffic lane; cars from user of the property parking on SE 40th, cars from users of the property blocking driveways on adjacent streets. Goal 9.2 asks for a plan to address the impact, but the applicant does not cite any specifics in how the redesignation will do that. In fact, the redesignation would allow for 4.25X building area, which would result in even more traffic and overflow parking.
7. "Commercial Office and PBZ zones must serve the needs of the local populations while remaining compatible with the overall residential character of the community." The applicant asserts compatibility will "increase" and that "anything that is built will conform to CO standards." That is an assertion about code compliance, not about compatibility, and it is unsupported by any analysis of way CO buildout looks like against the neighboring Single-Family Residential land. Additionally, the applicants current membership is made up primarily of non-residents of Mercer Island, thus they are not serving the local population.
8. The applicant does not include any analysis of whether PBZ, a Public Institution designation, or tailored community-facility designation would fit the situation better than CO. It is the applicant's burden to show the proposed designation is consistent, the absence of any alternative analysis demonstrates the applicant has not met the burden.

Criteria 1A – The applicant concedes there is not a technical error, thus this criterion cannot be used to allow for the applicant's amendment.

Criteria 1B – Changed Circumstances of the City as a Whole – This criterion requires a change in circumstances of the city as a whole, not of the property, not of the applicant, not of a single institution. Washington reclassification cases look for changed conditions in the area, not merely a changed circumstance of the proponent. See Parkridge v Seattle, 90Wn.2d454(1987).

1. The staff report rejects that there has been a change in circumstance of the City as a Whole "The City disagrees with the applicant's assertion as to the 2017 development standards. The changes to the residential development standards that occurred in 2017 were policy decisions made by the then seated City Council, and are not 'changing circumstances of the city as a whole." Additionally, the staff report found that the applicant's factual premise incorrect – that the MICC 19.01.050(D)(3) does in fact permit exterior alteration or enlargement of nonconforming non-single-family structures, subject to the 50-percent-of-assessed-value threshold.
2. The Staff report theorizes that the changed circumstances are "more accurately described as an increased demand of a facility that is at the end of its useful life and which demand cannot be accommodated under" MICC 19.01.050(D)(3).
    a. MICC 19.15.230(F) places the burden of demonstration on the applicant. When the reviewing body rejects the applicant's theory, finds its factual premise incorrect, that should result in denial of the application. The city staff cannot construct a substitute rationale, by doing so the burden has effectively been carried by staff rather than by the applicant.
    b. The staff's substitute theory is unsupported by anything in the application or the staff report and relies on two assertions without providing any evidence.
        i. "Increased demand" – The applicant has refused to provide any membership trend data, enrollment figures, waitlists, utilization studies, or demographic demand

analysis. The applicant offers only that Mercer Island's population "has grov over 20% since the JCC was built in 1969." A 20% increase in the cities population does not justify an over 400% increase in allowed building area for the site.

ii. The applicant asserts that the facility that is at the end of its useful life, however no condition assessment, structural evaluation, systems assessment, or cost-to-cure estimate has been provided.

iii. A single facility reaching the end of its useful life is a circumstance of that property, not of the city as a whole.

3. The applicant argues that the 2017 GFA and impervious surface limits, combined with the variance interpretation, apply across most of the Island's zoning and have stranded "many other vital community organizations on MI." If that is true, the correct response to a city-wide regulatory gap affecting a class of institutions is a code amendment or community-facility overlay applicable to that class, not a parcel-specific change for one member of it. Comprehensive Plan Land Use Goal 7.4 says exactly this: The City may consider measures within the land use code to address the maintenance, updating, and renovation of these facilities." The applicant quotes Goal 7.4 and then argues for the one remedy the goal does not contemplate.

Criterion 2(a) – MICC 19.15.230(F)(2)(a): Compatibility with Adjacent Land Use and Development Pattern. – "Development pattern" is not a synonym for "surrounding uses," rather it refers to the geometry and logic of the map, the coherence of district boundaries, and how the amendment fits the City's overall land use structure. Both adjacent land use and development patterns must be satisfied.

1. The Staff report misinterprets this requirement, stating "adjacent land use and development patterns include both single-family residences and commercial buildings… which all align with the existing facilities on the SJCC properties." That finding is about the compatibility of the existing facilitates, not the proposed amendment. The proposed amendment is not tied to the current use. A 402,261 gsf building, over four times larger than the existing building, is not compatible with single-family residential zoning on three sides.
2. The applicant differs to future review of any proposed development for compliance with the CO code in an attempt to justify compliance with this criteria, however this does not address the compatibility questions, including trip generation, hours of operation, parking demand, or cumulative intensity.
3. Development Pattern: The amendment would leave (i) a narrow strip of residentially designated property to the west, sandwiched between Public Institution and Commercial Office designations, and (ii) an isolated pocket of residential parcels in the southeast corner of the block sharing a property line with the subject site. The staff report does not provide any analysis of the resulting boundary or development pattern, whether the amended boundary is orderly, whether the remnant residential areas remain viable as designated, or whether the city would ever draw this line on its own.
4. Irregular boundaries drawn to follow one owner's parcel assembly are precisely the evidentiary pattern Washington courts look to in spot-zoning analysis as indicating private rather than public benefit. See Anderson v Island County, 81Wn.2d312(1972); Save Our rural Env't, 99Wn.2d363(1983).

Criteria 2(b) – MICC 19.15.230(F)(2)(b): Suitability for Development in Conformance with the Standards Under the Potential Zoning.

1. The Staff report disputes the applicants compliance with this criteria, stating “at least one parcel would not be suitable for development in conformance with the standards under the potential zoning as it currently exists” in reference to parcel 2655500132, which when applying CO zoning setbacks would result in abuilding envelope of six inches by eight feet. Parcel 2655500137 is similarly cannot practically be developed under the CO zoning setbacks, resulting in a building envelope of 35’ by 105’. The staff report does not calculate the larger parcels.
2. Parcels 2655500132 & 2655500136 both have access to the residential street, SE 40th St. Rezoning these parcels to CO would direct commercial traffic directly onto a residential street.
3. Parcel 2655500132 is omitted from the staff reports list currently observed conditions: “Tax Parcels 2655500137, 2655500115, and 2655500136 all appear to be integrated in their daily operations as the Stroum Jewish Community Center site.” – Parcel 2655500132 has not been used for recreational or community-facility purpose. It is a single-family home, in a single-family neighborhood, on a single-family street, that happens to have been speculatively acquired by an institutional neighbor in 2016.

1. Parcel 265550-0136 was speculatively purchased by the applicant on October 30th, 2012 and is not included in their Conditional Use Permit. This parcel had a single family home existing on it when the applicant purchased it. This parcel should be excluded from any rezone consideration.

Criteria 2(c) – MICC 19.15.230(F)(2)(c): Benefit to the Community as a Whole; No Adverse Effect on Community Facilities or Public Health, Safety, and General Welfare.

The amendment must benefit the community as a whole and must not adversely affect community facilities or the public health, safety, and general welfare. The second cannot be satisfied by showing the benefit outweighs the harm.

1. The applicant again rests their argument of benefit to the community as a whole on the operator rather than the Commercial Office designation. As discussed, the application must be reviewed based on the Commercial Office Designation – not the current owner, current programming, or current operator of the property – which this application has failed to do. Additionally, the applicant does not provide services to all Mercer Island Residents, they do not offer discounts to Mercer Island residents, and their membership is primarily made-up of non-residents.
2. This criterion also requires No Adverse Effect, however the applicant does not address this criterion in their application and neither does the Staff Report. This application would, in fact, adversely affect public health, safety, and general welfare as follows:
    a. The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.
    b. The proposed rezone will increase traffic congestion and reduce pedestrian safety, as evidenced by the following.

        - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026).

Rezoning the property would create traffic beyond what the residential area c support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.

- The Trip Generation Memo does not account for trips associated with French American School of Puget Sound (FASPS), which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips. Commercial Office Rezone would be even more impactful than presented by the applicant.

c. The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections around the property.

3. Based on the proximity to I-90, Washington State DOT should be reviewing the amendment and its impacts on I90.
4. A Traffic Impact Analysis must include the school that is currently under construction across East Mercer from the applicants property.

Rezon Criteria:

Criteria 1. The proposed reclassification must be consistent with the policies and provisions of the Mercer Island Comprehensive Plan:

The proposed reclassification is not consistent with the comprehensive plan for the following reasons:

1. The applicant tries to justify compliance with the comprehensive plan based on the current use of the property as a community center, and the current building size and intensity of use. However, the proposed rezone is not tied to the existing use, it is not tied to a specific project, it is not tied to a proposed use, and it does not guarantee that the current use will continue after a rezone. The proposal does not limit future development to the square footage that currently exists. It is simply an application to change the zoning from residential to commercial office, which would result in increased density and intensity of use of the property, regardless if that use is an office building or a community center.

2. The applicant has stated that they want to continue to use the property as it has been used for 55 years, however that is untrue. Since the original Conditional Use Permit was granted, the applicant has significantly grown their building footprint, and purchased multiple additional parcels.

3. The existing building is 88,362 square feet (per King County Assessor). Rezoning the property to Commercial Office would allow a 402,261 square foot building to be built on the property.

This is a **355% increase** in building area and is in addition to the existing 31,815 SF FASPS Building.

4. Commercial Office in this location is not compatible with the comprehensive plan. The justifications presented in the application are irrelevant without a project being tied to the application. The applicant only focuses on the current use of the property (including the current building size), not what is actually being applied for, which is Commercial Office zoning recalcification.
5. There is currently a total of 637,818 SF of office space existing on Mercer Island. The largest existing office building is the Riot Games building in the town center at 155,599 SF. This rezone application would allow for 402,261 SF on this site alone, making it larger than the total size of the seven largest existing office buildings combined. Rezoning this property could result in a **60% increase** in total office space across all of Mercer Island, and place that significant growth in a location surrounded by residential zoning.
6. The Washington State Growth Management Act (GMA) requires the City of Mercer Island to prioritize housing in the comprehensive plan. This application does the exact opposite; it converts single family zoned property to Commercial Office. It does not meet the criteria of the Mercer Island Comprehensive Plan or the WA State GMA.
7. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 2. The proposed reclassification must be consistent with Mercer Island development code as set for in MICC 19.01.010;

The proposal does not comply with these criteria for the following reasons:

1. This criteria includes provisions to avoid traffic congestion. The proposed rezone will increase traffic congestion, as evidenced by the following:
    - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.
    - The Trip Generation Memo does not account for trips associated with FASPS, which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips to/from the shared driveway. Commercial Office Rezone would be even more impactful than presented by the applicant.
    - The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with

respect to sight distance and other applicable standards, and a level of services analysis of intersections serving the property. A Traffic Impact Analysis would further confirm that this application does not comply with Criteria 2.

- The applicant indicates on their own documentation that they intend to increase parking counts, which means they intend to increase traffic to the property.
- The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.

1. This criteria includes provisions to protect the natural beauty and other natural resources. The proposal does the opposite, by increasing density and the intensity of the approved land use.
2. This criteria includes provisions to prevent overcrowding. The proposal does the opposite, by increasing density and the intensity of the approved land use.
3. The applicant again refers to the current use of the land to justify rezoning, however those responses are irrelevant as the proposal is not tied to a specific use, the proposal is to rezone the property to Commercial Office, which is not compatible with this criteria of the comprehensive plan.
4. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning, because that is what is being applied for.

Criteria 3. The proposed reclassification must be an extension of an existing zone, or a logical transition between zones.

The proposed rezone is not the extension of an existing zone or a logical transition between zones, it is actually the opposite.

1. The property is bound on three sides by residential zones, rezoning this parcel would create a pocket of commercially zoned parcels surrounded on three sides by single-family residential zoning.
2. Additionally, parcels 265550-0166, 265550-0168, and 265550-0165 to the west of the applicant's property, which are single-family zoned properties, would end up surrounded by Commercial zoning to the north and east, and Public Institution zoning to the West. See below map.

1. The zoning map in the application is not current.
2. Rezoning of this property would create a choppy patchwork of zoning with no logical transition between zones.

1. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning

commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 4. The proposed reclassification must not constitute an illegal Site-Specific Rezone.

The proposal does create an illegal site-specific rezone, solely for the benefit of a single property.

1. While the applicant has chosen to pursue non-profit status for tax purposes, and they do not pay property taxes on Mercer Island, they are still business that will see financial gain from the rezone.
2. With the applicant's tax status, they rely on Mercer Island residents and taxpayers to fund public safety and maintenance of city infrastructure serving their property, while they indicate on their website that they serve the "general community of the greater Seattle area" and the majority of their members or not Island residents. This is in contrast to other clubs and CUP properties on Mercer Island that primarily cater to Island residents and abide by strict membership limits. The burden on Mercer Island taxpayers will be exacerbated if the land were to be rezoned to commercial and land use becomes more intense with no limits on programming or membership.
3. The applicant chose to build a building for the French American School of Puget Sound (FASPS) on the commercially zoned portion of their property in order to generate revenue through a lease for their own financial gain. If the applicant desired additional square footage to operate their center, they could have used that commercially zoned parcel and should not have leased the land to FASPS. A rezone cannot legally be granted for the private gain of one owner or a group of owners to the detriment of their neighbors. The FASPS lease demonstrates that the rezone application is for the financial gain of the applicant.
4. The applicant recently and speculatively purchased additional parcels that were not included in their original conditional use permit, and they are now seeking to rezone those parcels for their own gain.
    - Parcel 265550-0136 was speculatively purchased by the applicant on October 30th, 2012 and is not included in their Conditional Use Permit. This parcel had a single family home existing on it when the applicant purchased it. This parcel should be excluded from any rezone consideration.
    - Parcel 265550-0132 was speculatively purchased by the applicant on November 21, 2016 and is not included in their Conditional Use Permit. Furthermore, this parcel currently has a single-family home on it. Renderings presented by the applicant of a potential new facility shows the single-family residence remaining. Based on that, and the fact that this parcel is not included in the CUP, this parcel should be excluded from any rezone consideration.

1. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.
2. Again, the proposed rezone is not tied to a specific project or use and the applicant refers to the current use of the land to justify rezoning. Rezoning this property to commercial office does not provide a public benefit, making it an illegal site-specific rezone.

Criteria 5. The proposed reclassification must be compatible with surrounding zones and uses.

Commercial Office zoning is not compatible with the single-family residential zoning that borders the property on three sides.

1. The property is bound on three sides by residential zones, and one side by commercial office. Rezoning this parcel would create a pocket of commercially zoned parcels surrounded on three sides by single family zoning.
2. Additionally, parcels 265550-0166, 265550-0168, and 265550-0165 to the west of the applicant's property, which are single family zoned properties, would end up surrounded by Commercial zoning to the north and east, and Public Institution zoning to the West.
3. The zoning map in the application is not current.
4. Rezoning of this property would create a choppy patchwork of zoning with no logical transition between zones.
5. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 6. The proposed reclassification must not adversely affect public health, safety and welfare.

Rezoning this property to Commercial Office would adversely affect public health, safety and welfare for the following reasons.

1. The existing building is 88,362 square feet (per King County Assessor). Rezoning the property to Commercial Office would allow a 402,261 square foot building to be built on the property. This is a **355% increase** in building area and is in addition to the existing 31,815 SF FASPS Building.
2. The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.

1. The proposed rezone will increase traffic congestion and reduce pedestrian safety, as evidenced by the following.
    - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.
    - The Trip Generation Memo does not account for trips associated with FASPS, which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the

report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips. Commercial Office Rezone would be even more impactful than presented by the applicant.

- The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections around the property. Without the Traffic Impact Analysis, it is impossible to confirm compliance with Criteria 6.

Mercer Island is first and foremost a residential community, and residential zoning should be protected for the residents and families of Mercer Island.

Sincerely,
Sydney Tomlinson

Molly McGuire

From: Aliyah Vinikoor <aliyahjv@gmail.com>
Sent: Tuesday, August 4, 2026 12:14 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

I was born and raised in Seattle and regularly attended JCC programs and events. Until the early 2000s there was an outpost in NE Seattle - since then my family (and many others!) happily trek to Mercer Island to attend Jewish programs, youth events, swim lessons and more at the SJCC.

The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Sincerely,
Aliyah Vinikoor

Molly McGuire

From: Anne Masin <annemasin@gmail.com>
Sent: Tuesday, August 4, 2026 7:55 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to strongly encourage your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial. The current zoning simply does not make sense. It's time to correct this!

As a California transplant living in Seattle, the JCC gave me and my young children a home away from home. My husband grew up at the JCC and it has been the center of his Jewish community for generations. My three children attended the ECS, and have participated in many youth programs- basketball, camp, swim lessons and more! My 78 year old father in law, with Parkinson's, is at the J many times a week participating in the Rock Steady classes along with other people from around the Mercer Island area living with Parkinson's. The J is an organization my whole family holds dearly in it's heart. I have had the honor to serve on the J's board for many years now. I love this place and I will do anything to ensure it thrives as an organization for generations to come.

The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Thank you!
Anne Magnin Masin

Molly McGuire

From: Benjamin Diament <bdiament@gmail.com>
Sent: Tuesday, August 4, 2026 11:47 AM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: I support rezoning for the SJCC

My name is Benjamin Diament; I live on Mercer Island, and I am a close neighbor of the SJCC living about a quarter mile away on El Dorado Drive. I fully support the SJCC's plan to modernize and expand.
Most importantly, however, I support property rights. This should not be a matter of popular vote or majority rule. In general, a proper rights-respecting council should ignore neighbor objections to their neighbor's rights to build, use, benefit from, dispose, and alienate their property as they see fit. Except in the most extraordinary circumstances, stay out of controlling private property. Instead you should, in general, favor granting permits to owners of private property or require them less often.
Thank you,
Benjamin Diament

Molly McGuire

From: Benjamin Norton <benjaminenorton@gmail.com>
Sent: Tuesday, August 4, 2026 6:21 PM
To: Planning Commission; Council; Deb Estrada; Alison Van Gorp
Cc: Benjamin Norton
Subject: Public Comment RE CPA25-002, RZN25-002, SEP25-021 - from Benjamin Norton

Public Comment RE CPA25-002, RZN25-002, SEP25-021
Comprehensive Plan Amendment
Criteria 1 MICC 19.15.230.F
F. 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 decisions criteria.
The applicant has not met the burden of demonstrating the proposed amendment complies with the applicable regulations and decision criteria.

Criteria 1. The amendment is not consistent with the Growth Management Act, the countywide planning policies, or the other provisions of the comprehensive plan and city policies based on the following:

1. Each and every response by the applicant to these criteria regarding compliance with the comp plan, GMA and city policies are based on the current use of the property as a community center, and the current building size and intensity of use - the applicant relies on the operator, not the designation. However, the proposed comprehensive plan amendment is not tied to the existing use, it is not tied to a specific project, it is not tied to a proposed use, and it does not guarantee that the current use will continue after an amendment. The proposal does not limit future development to the square footage that currently exists. It is simply an application to change the zoning from residential to commercial office, which would result in increased density and intensity of use of the property, regardless if that use is an office building or a community center.
2. Comprehensive plan land use designation attaches to the land, not an owner or a program. Nothing in the CO designation requires an early childhood school, scholarships, a community garden, swim lessons, or any cultural programming. Nothing prevents the sale of the property and a future owner implementing different programming. The applicant's amendment secures none of the benefits offered as the basis for finding it consistent.
3. The applicant does not offer to enter a Development Agreement under RCW 36.70B.170-.210, which they could do concurrently with the rezone, and would run with the land and bind successors. A Development Agreement can restrict permitted uses to community-facility uses, cap gross floor area, fix access locations, and require specific transportation mitigation. If the applicant's representation is that "no change of use is proposed," a development agreement cost the applicant nothing it has claimed to want. By declining to enter a development agreement, the applicant brings into question their intended future use.
4. The applicant does not establish consistence with the Transportation Element. RCW 36.70A.070 requires an internally consistent plan: RCW 36.70A.070(6)(a)(i)(C) requires the transportation element to rest on land use assumptions. The Land Use Map is the input to the travel forecast. Redesignating this site from Single-Family Residential to Commercial Office – on the applicant's own consultant's figures, from 94,723 gsf to 402,261 gsf buildout capacity – changes the assumption. Nothing in the application shows that the Transportation Element's forecasts, LOS

standards, or capital facilities program were checked against the amended map. The Staff r
does not address this internal inconsistency.

5. Land Use Goal 7.1 – "Preserve the neighborhood character in residential zones. For the purpose of implementing this element, neighborhood character only refers to form, bulk, scale and intensity of the built environment." The applicant does not address what Goal 7.1 actually askes, which is what happens to form, bulk, scale, and intensity under the Commercial Office designation. A 4.25X increase in buildout capacity is, by the comprehensive plan's own definition, a neighborhood-character question that the application does not comply with.

6. Transportation Goal 9.2 – "Address parking overflow impacts on neighbors cause by major traffic generators such as schools, businesses, parks…" The applicant does not address how the redesignation would address the neighbors' concerns, including parking overflowing onto East Mercer Way that blocks the bike lane and forces bikes and pedestrians into the traffic lane; cars from user of the property parking on SE 40th, cars from users of the property blocking driveways on adjacent streets. Goal 9.2 asks for a plan to address the impact, but the applicant does not cite any specifics in how the redesignation will do that. In fact, the redesignation would allow for 4.25X building area, which would result in even more traffic and overflow parking.

7. "Commercial Office and PBZ zones must serve the needs of the local populations while remaining compatible with the overall residential character of the community." The applicant asserts compatibility will "increase" and that "anything that is built will conform to CO standards." That is an assertion about code compliance, not about compatibility, and it is unsupported by any analysis of way CO buildout looks like against the neighboring Single-Family Residential land. Additionally, the applicants current membership is made up primarily of non-residents of Mercer Island, thus they are not serving the local population.

8. The applicant does not include any analysis of whether PBZ, a Public Institution designation, or tailored community-facility designation would fit the situation better than CO. It is the applicant's burden to show the proposed designation is consistent, the absence of any alternative analysis demonstrates the applicant has not met the burden.

Criteria 1A – The applicant concedes there is not a technical error, thus this criterion cannot be used to allow for the applicant's amendment.

Criteria 1B – Changed Circumstances of the City as a Whole – This criterion requires a change in circumstances of the city as a whole, not of the property, not of the applicant, not of a single institution. Washington reclassification cases look for changed conditions in the area, not merely a changed circumstance of the proponent. See Parkridge v Seattle, 90Wn.2d454(1987).

1. The staff report rejects that there has been a change in circumstance of the City as a Whole "The City disagrees with the applicant's assertion as to the 2017 development standards. The changes to the residential development standards that occurred in 2017 were policy decisions made by the then seated City Council, and are not 'changing circumstances of the city as a whole." Additionally, the staff report found that the applicant's factual premise incorrect – that the MICC 19.01.050(D)(3) does in fact permit exterior alteration or enlargement of nonconforming non-single-family structures, subject to the 50-percent-of-assessed-value threshold.

2. The Staff report theorizes that the changed circumstances are "more accurately described as an increased demand of a facility that is at the end of its useful life and which demand cannot be accommodated under" MICC 19.01.050(D)(3).

a. MICC 19.15.230(F) places the burden of demonstration on the applicant. When the reviewing body rejects the applicant's theory, finds its factual premise incorrect, that should result in denial of the

application. The city staff cannot construct a substitute rationale, by doing so the burden has effec
been carried by staff rather than by the applicant.
b. The staff's substitute theory is unsupported by anything in the application or the staff report and relies on two assertions without providing any evidence.

i. "Increased demand" – The applicant has refused to provide any membership trend data, enrollment figures, waitlists, utilization studies, or demographic demand analysis. The applicant offers only that Mercer Island's population "has grown over 20% since the JCC was built in 1969." A 20% increase in the cities population does not justify an over 400% increase in allowed building area for the site.

ii. The applicant asserts that the facility that is at the end of its useful life, however no condition assessment, structural evaluation, systems assessment, or cost-to-cure estimate has been provided.

iii. A single facility reaching the end of its useful life is a circumstance of that property, not of the city as a whole.

3. The applicant argues that the 2017 GFA and impervious surface limits, combined with the variance interpretation, apply across most of the Island's zoning and have stranded "many other vital community organizations on MI." If that is true, the correct response to a city-wide regulatory gap affecting a class of institutions is a code amendment or community-facility overlay applicable to that class, not a parcel-specific change for one member of it. Comprehensive Plan Land Use Goal 7.4 says exactly this: The City may consider measures within the land use code to address the maintenance, updating, and renovation of these facilities." The applicant quotes Goal 7.4 and then argues for the one remedy the goal does not contemplate.

Criterion 2(a) – MICC 19.15.230(F)(2)(a): Compatibility with Adjacent Land Use and Development Pattern. – "Development pattern" is not a synonym for "surrounding uses," rather it refers to the geometry and logic of the map, the coherence of district boundaries, and how the amendment fits the City's overall land use structure. Both adjacent land use and development patterns must be satisfied.
1. The Staff report misinterprets this requirement, stating "adjacent land use and development patterns include both single-family residences and commercial buildings… which all align with the existing facilities on the SJCC properties." That finding is about the compatibility of the existing facilitates, not the proposed amendment. The proposed amendment is not tied to the current use. A 402,261 gsf building, over four times larger than the existing building, is not compatible with single-family residential zoning on three sides.
2. The applicant differs to future review of any proposed development for compliance with the CO code in an attempt to justify compliance with this criteria, however this does not address the compatibility questions, including trip generation, hours of operation, parking demand, or cumulative intensity.
3. Development Pattern: The amendment would leave (i) a narrow strip of residentially designated property to the west, sandwiched between Public Institution and Commercial Office designations, and (ii) an isolated pocket of residential parcels in the southeast corner of the block sharing a property line with the subject site. The staff report does not provide any analysis of the resulting boundary or development pattern, whether the amended boundary is orderly, whether the remnant residential areas remain viable as designated, or whether the city would ever draw this line on its own.
4. Irregular boundaries drawn to follow one owner's parcel assembly are precisely the evidentiary pattern Washington courts look to in spot-zoning analysis as indicating private rather than public benefit. See Anderson v Island County, 81Wn.2d312(1972); Save Our rural Env't, 99Wn.2d363(1983).

Criteria 2(b) – MICC 19.15.230(F)(2)(b): Suitability for Development in Conformance with the Standards Under the Potential Zoning.

1. The Staff report disputes the applicants compliance with this criteria, stating “at least one parce would not be suitable for development in conformance with the standards under the potential zoning as it currently exists” in reference to parcel 2655500132, which when applying CO zoning setbacks would result in abuilding envelope of six inches by eight feet. Parcel 2655500137 is similarly cannot practically be developed under the CO zoning setbacks, resulting in a building envelope of 35’ by 105’. The staff report does not calculate the larger parcels.
2. Parcels 2655500132 & 2655500136 both have access to the residential street, SE 40th St. Rezoning these parcels to CO would direct commercial traffic directly onto a residential street.
3. Parcel 2655500132 is omitted from the staff reports list currently observed conditions: “Tax Parcels 2655500137, 2655500115, and 2655500136 all appear to be integrated in their daily operations as the Stroum Jewish Community Center site.” – Parcel 2655500132 has not been used for recreational or community-facility purpose. It is a single-family home, in a single-family neighborhood, on a single-family street, that happens to have been speculatively acquired by an institutional neighbor in 2016.

1. Parcel 265550-0136 was speculatively purchased by the applicant on October 30th, 2012 and is not included in their Conditional Use Permit. This parcel had a single family home existing on it when the applicant purchased it. This parcel should be excluded from any rezone consideration.

Criteria 2(c) – MICC 19.15.230(F)(2)(c): Benefit to the Community as a Whole; No Adverse Effect on Community Facilities or Public Health, Safety, and General Welfare.

The amendment must benefit the community as a whole and must not adversely affect community facilities or the public health, safety, and general welfare. The second cannot be satisfied by showing the benefit outweighs the harm.

1. The applicant again rests their argument of benefit to the community as a whole on the operator rather than the Commercial Office designation. As discussed, the application must be reviewed based on the Commercial Office Designation – not the current owner, current programming, or current operator of the property – which this application has failed to do. Additionally, the applicant does not provide services to all Mercer Island Residents, they do not offer discounts to Mercer Island residents, and their membership is primarily made-up of non-residents.
2. This criterion also requires No Adverse Effect, however the applicant does not address this criterion in their application and neither does the Staff Report. This application would, in fact, adversely affect public health, safety, and general welfare as follows:

a. The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.

b. The proposed rezone will increase traffic congestion and reduce pedestrian safety, as evidenced by the following.

- The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.
- The Trip Generation Memo does not account for trips associated with French American School of Puget Sound (FASPS), which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips. Commercial Office Rezone would be even more impactful than presented by the applicant.

c. The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections around the property.
3. Based on the proximity to I-90, Washington State DOT should be reviewing the amendment and its impacts on I90.
4. A Traffic Impact Analysis must include the school that is currently under construction across East Mercer from the applicants property.

Rezon Criteria:

Criteria 1. The proposed reclassification must be consistent with the policies and provisions of the Mercer Island Comprehensive Plan:

The proposed reclassification is not consistent with the comprehensive plan for the following reasons:

1. The applicant tries to justify compliance with the comprehensive plan based on the current use of the property as a community center, and the current building size and intensity of use. However, the proposed rezone is not tied to the existing use, it is not tied to a specific project, it is not tied to a proposed use, and it does not guarantee that the current use will continue after a rezone. The proposal does not limit future development to the square footage that currently exists. It is simply an application to change the zoning from residential to commercial office, which would result in increased density and intensity of use of the property, regardless if that use is an office building or a community center.
2. The applicant has stated that they want to continue to use the property as it has been used for 55 years, however that is untrue. Since the original Conditional Use Permit was granted, the applicant has significantly grown their building footprint, and purchased multiple additional parcels.
3. The existing building is 88,362 square feet (per King County Assessor). Rezoning the property to Commercial Office would allow a 402,261 square foot building to be built on the property. This is a **355% increase** in building area and is in addition to the existing 31,815 SF FASPS Building.
4. Commercial Office in this location is not compatible with the comprehensive plan. The justifications presented in the application are irrelevant without a project being tied to the application. The applicant only focuses on the current use of the property (including the current building size), not what is actually being applied for, which is Commercial Office zoning recalcification.
5. There is currently a total of 637,818 SF of office space existing on Mercer Island. The largest existing office building is the Riot Games building in the town center at 155,599 SF. This rezone application would allow for 402,261 SF on this site alone, making it larger than the total size of the seven largest existing office buildings combined. Rezoning this property could result in a **60% increase** in total office space across all of Mercer Island, and place that significant growth in a location surrounded by residential zoning.
6. The Washington State Growth Management Act (GMA) requires the City of Mercer Island to prioritize housing in the comprehensive plan. This application does the exact opposite; it converts single family zoned property to Commercial Office. It does not meet the criteria of the Mercer Island Comprehensive Plan or the WA State GMA.

7. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 2. The proposed reclassification must be consistent with Mercer Island development code as set for in MICC 19.01.010;

The proposal does not comply with these criteria for the following reasons:

1. This criteria includes provisions to avoid traffic congestion. The proposed rezone will increase traffic congestion, as evidenced by the following:

● The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.

● The Trip Generation Memo does not account for trips associated with FASPS, which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips to/from the shared driveway. Commercial Office Rezone would be even more impactful than presented by the applicant.

● The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections serving the property. A Traffic Impact Analysis would further confirm that this application does not comply with Criteria 2.

● The applicant indicates on their own documentation that they intend to increase parking counts, which means they intend to increase traffic to the property.

● The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.

1. This criteria includes provisions to protect the natural beauty and other natural resources. The proposal does the opposite, by increasing density and the intensity of the approved land use.
2. This criteria includes provisions to prevent overcrowding. The proposal does the opposite, by increasing density and the intensity of the approved land use.
3. The applicant again refers to the current use of the land to justify rezoning, however those responses are irrelevant as the proposal is not tied to a specific use, the proposal is to rezone the property to Commercial Office, which is not compatible with this criteria of the comprehensive plan.
4. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning, because that is what is being applied for.

Criteria 3. The proposed reclassification must be an extension of an existing zone, or a logical transition between zones.

The proposed rezone is not the extension of an existing zone or a logical transition between zones, it is actually the opposite.

1. The property is bound on three sides by residential zones, rezoning this parcel would create a pocket of commercially zoned parcels surrounded on three sides by single-family residential zoning.
2. Additionally, parcels 265550-0166, 265550-0168, and 265550-0165 to the west of the applicant's property, which are single-family zoned properties, would end up surrounded by Commercial zoning to the north and east, and Public Institution zoning to the West. See below map.

1. The zoning map in the application is not current.
2. Rezoning of this property would create a choppy patchwork of zoning with no logical transition between zones.

1. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 4. The proposed reclassification must not constitute an illegal Site-Specific Rezone.

The proposal does create an illegal site-specific rezone, solely for the benefit of a single property.

1. While the applicant has chosen to pursue non-profit status for tax purposes, and they do not pay property taxes on Mercer Island, they are still business that will see financial gain from the rezone.
2. With the applicant's tax status, they rely on Mercer Island residents and taxpayers to fund public safety and maintenance of city infrastructure serving their property, while they indicate on their website that they serve the "general community of the greater Seattle area" and the majority of their members or not Island residents. This is in contrast to other clubs and CUP properties on Mercer Island that primarily cater to Island residents and abide by strict membership limits. The burden on Mercer Island taxpayers will be exacerbated if the land were to be rezoned to commercial and land use becomes more intense with no limits on programming or membership.
3. The applicant chose to build a building for the French American School of Puget Sound (FASPS) on the commercially zoned portion of their property in order to generate revenue through a lease for their own financial gain. If the applicant desired additional square footage to operate their center, they could have used that commercially zoned parcel and should not have leased the land to FASPS. A rezone cannot legally be granted for the private gain of one owner or a group of owners to the detriment of their neighbors. The FASPS lease demonstrates that the rezone application is for the financial gain of the applicant.
4. The applicant recently and speculatively purchased additional parcels that were not included in their original conditional use permit, and they are now seeking to rezone those parcels for their own gain.

● Parcel 265550-0136 was speculatively purchased by the applicant on October 30th, 2012 and is not included in their Conditional Use Permit. This parcel had a single family home existing on it when the applicant purchased it. This parcel should be excluded from any rezone consideration.

● Parcel 265550-0132 was speculatively purchased by the applicant on November 21, 2016 and is not included in their Conditional Use Permit. Furthermore, this parcel currently has a single-family home on it. Renderings presented by the applicant of a potential new facility shows the single-family residence

remaining. Based on that, and the fact that this parcel is not included in the CUP, this parcel should be excluded from any rezone consideration.

1. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.
2. Again, the proposed rezone is not tied to a specific project or use and the applicant refers to the current use of the land to justify rezoning. Rezoning this property to commercial office does not provide a public benefit, making it an illegal site-specific rezone.

Criteria 5. The proposed reclassification must be compatible with surrounding zones and land uses.

Commercial Office zoning is not compatible with the single-family residential zoning that borders the property on three sides.

1. The property is bound on three sides by residential zones, and one side by commercial office. Rezoning this parcel would create a pocket of commercially zoned parcels surrounded on three sides by single family zoning.
2. Additionally, parcels 265550-0166, 265550-0168, and 265550-0165 to the west of the applicant's property, which are single family zoned properties, would end up surrounded by Commercial zoning to the north and east, and Public Institution zoning to the West.
3. The zoning map in the application is not current.
4. Rezoning of this property would create a choppy patchwork of zoning with no logical transition between zones.
5. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 6. The proposed reclassification must not adversely affect public health, safety and welfare.

Rezoning this property to Commercial Office would adversely affect public health, safety and welfare for the following reasons.

1. The existing building is 88,362 square feet (per King County Assessor). Rezoning the property to Commercial Office would allow a 402,261 square foot building to be built on the property. This is a **355% increase** in building area and is in addition to the existing 31,815 SF FASPS Building.

2. The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.

1. The proposed rezone will increase traffic congestion and reduce pedestrian safety, as evidenced by the following.

● The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.

● The Trip Generation Memo does not account for trips associated with FASPS, which shares a dri with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips. Commercial Office Rezone would be even more impactful than presented by the applicant.
● The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections around the property. Without the Traffic Impact Analysis, it is impossible to confirm compliance with Criteria 6.
===
Mercer Island is first and foremost a residential community, and residential zoning should be protected for the residents and families of Mercer Island.

My wife and I have lived on Mercer Island for 6 years and selected this community to get away from the commercial zones of the city.
I live close to the MI JCC. I am a member of the JCC, and I appreciate the service it provides to the community. This JCC project seems to be trying to be a regional center and go beyond serving Mercer Island, and that is a mistake for the type of land and zoning they have available. This type of project should be done at a site with better access to services, such as high-traffic roads and existing commercial zoning.

Best regards,
Benjamin Norton, a concerned Mercer Island citizen

Molly McGuire

From: BRUCE B LEVY <westcoastfish@hotmail.com>
Sent: Tuesday, August 4, 2026 10:56 AM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

My kids have attended the JCC since 1996 for our daughter's pre-school and use of the exercise room.

The J has been serving the Mercer Island community – as a community center for **ALL ETHNICITIES** - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Bruce B Levy
3828 Greenbrier Lane
Mercer Island, WA 98040

Bruce Levy
Tel. **206-930-8222**
westcoastfish@hotmail.com

Molly McGuire

From: Carin Jacobson <csulman@comcast.net>
Sent: Tuesday, August 4, 2026 3:12 PM
To: Council
Cc: Planning Commission; Alison Van Gorp; Deb Estrada
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

For me, the J has never simply been a building—it has always been my second home.I first came to the J as a preschooler. I went to camp there, participated in high school programming, and later returned as an adult to work out and stay connected to my community. Now, I've had the privilege of watching my own children grow up at the J, creating memories and friendships that I know will last a lifetime, just as mine have.

Some of my closest friends today are people I met at the J decades ago. The same is true for my children. The J is where relationships are built across generations. It is where traditions are celebrated, identity is strengthened, and Jewish pride is nurtured in a welcoming, joyful environment. It is where our entire community gathers to celebrate milestones, support one another through difficult times, and simply be together.

The J has been serving the Mercer Island community, not just the Jewish community, for over 55 years. I respectfully urge the Planning Commission to align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to service our community and thrive on Mercer Island. Doing so is an investment not just in a property, but in the future of our community. It will ensure that future generations of children can find the same lifelong friendships, sense of belonging, and deep connection to Jewish life that my family and I have found at the J.The J has been my home away from home for my entire life. I hope it will continue to be that home for generations of families yet to come.

Respectfully,

Carin Jacobson

Molly McGuire

From: Carin Riekes Parcel <carinparcel@gmail.com>
Sent: Tuesday, August 4, 2026 5:10 PM
To: Deb Estrada; Planning Commission; Alison Van Gorp; Council
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

Since moving here 17 years ago, the J has been our family's community. I moved here with a toddler and enrolled her at the J for classes so I could meet other moms. From that day forward all my kids (3) attended preschool there, participated in sports, has birthday parties at the facility, attended movies and community events. My husband joined the board and has remained on the finance committee for almost 8 years now. The J has been and always will be our community. Growing up in Omaha, the JCC facility was stellar - it brought together so many people and houses incredible organizations. Part of the reason it can accomplish this as well as other premier community centers across the country is the ability of the building and land to be updated, laid out appropriately, and be accessible.

The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Thank you,
Carin Parcel

Molly McGuire

From: Courtney <courtneykeller@comcast.net>
Sent: Tuesday, August 4, 2026 4:08 PM
To: Planning Commission
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

I attended the preschool at the J when I was growing up and now I take my 18 month old to mommy and me classes with the hopes of her attending for preschool.

The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Courtney Keller

Sent from my iPhone

Molly McGuire

From: Council
Sent: Tuesday, August 4, 2026 1:56 PM
To: Molly McGuire
Subject: FW: JCC hearing

-----Original Message-----
From: cindy moller <cindmo724@gmail.com>
Sent: Tuesday, August 4, 2026 8:45 AM
To: planningcommission@mercerisland.gov
Subject: JCC hearing

In full agreement with 9840 community. All members of our city need to e held to the same standards.
Cynthia Moller

Molly McGuire

From: Dan Jones <danvj1@gmail.com>
Sent: Tuesday, August 4, 2026 5:02 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council; City Clerk
Subject: Public Comment RE CPA25-002, RZN25-002, SEP25-021

City of Mercer Island Planning Commission and City Council,

As a resident of Mercer Island since 1986, I oppose the rezoning of the property located at 3801 East Mercer Way. The rezone application must be denied.

Mercer Island is first and foremost a residential community, and residential zoning must be protected for the residents, taxpayers, and families of Mercer Island.

Public Comment RE CPA25-002, RZN25-002, SEP25-021
Comprehensive Plan Amendment

Criterial 1 MICC 19.15.230.F

F. 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 decisions criteria.

The applicant has not met the burden of demonstrating the proposed amendment complies with the applicable regulations and decision criteria.

Criteria 1. The amendment is not consistent with the Growth Management Act, the countywide planning policies, or the other provisions of the comprehensive plan and city policies based on the following:

1. Each and every response by the applicant to these criteria regarding compliance with the comp plan, GMA and city policies are based on the current use of the property as a community center, and the current building size and intensity of use - the applicant relies on the operator, not the designation. However, the proposed comprehensive plan amendment is not tied to the existing use, it is not tied to a specific project, it is not tied to a proposed use, and it does not guarantee that the current use will continue after an amendment. The proposal does not limit future development to the square footage that currently exists. It is simply an application to change the zoning from residential to commercial office, which would result in increased density and intensity of use of the property, regardless if that use is an office building or a community center.
2. Comprehensive plan land use designation attaches to the land, not an owner or a program. Nothing in the CO designation requires an early childhood school, scholarships, a community garden, swim lessons, or any cultural programming. Nothing prevents the sale of the property and a future owner

implementing different programming. The applicant's amendment secures none of the benefits offered as the basis for finding it consistent.

3. The applicant does not offer to enter a Development Agreement under RCW 36.70B.170-.210, which they could do concurrently with the rezone, and would run with the land and bind successors. A Development Agreement can restrict permitted uses to community-facility uses, cap gross floor area, fix access locations, and require specific transportation mitigation. If the applicant's representation is that "no change of use is proposed," a development agreement cost the applicant nothing it has claimed to want. By declining to enter a development agreement, the applicant brings into question their intended future use.

4. The applicant does not establish consistency with the Transportation Element. RCW 36.70A.070 requires an internally consistent plan: RCW 36.70A.070(6)(a)(i)(C) requires the transportation element to rest on land use assumptions. The Land Use Map is the input to the travel forecast. Redesignating this site from Single-Family Residential to Commercial Office – on the applicant's own consultant's figures, from 94,723 gsf to 402,261 gsf buildout capacity – changes the assumption. Nothing in the application shows that the Transportation Element's forecasts, LOS standards, or capital facilities program were checked against the amended map. The Staff report does not address this internal inconsistency.

5. Land Use Goal 7.1 – "Preserve the neighborhood character in residential zones. For the purpose of implementing this element, neighborhood character only refers to form, bulk, scale and intensity of the built environment." The applicant does not address what Goal 7.1 actually askes, which is what happens to form, bulk, scale, and intensity under the Commercial Office designation. A 4.25X increase in buildout capacity is, by the comprehensive plan's own definition, a neighborhood-character question that the application does not comply with.

6. Transportation Goal 9.2 – "Address parking overflow impacts on neighbors cause by major traffic generators such as schools, businesses, parks…" The applicant does not address how the redesignation would address the neighbors' concerns, including parking overflowing onto East Mercer Way that blocks the bike lane and forces bikes and pedestrians into the traffic lane; cars from user of the property parking on SE 40th, cars from users of the property blocking driveways on adjacent streets. Goal 9.2 asks for a plan to address the impact, but the applicant does not cite any specifics in how the redesignation will do that. In fact, the redesignation would allow for 4.25X building area, which would result in even more traffic and overflow parking.

7. "Commercial Office and PBZ zones must serve the needs of the local populations while remaining compatible with the overall residential character of the community." The applicant asserts compatibility will "increase" and that "anything that is built will conform to CO standards." That is an assertion about code compliance, not about compatibility, and it is unsupported by any analysis of way CO buildout looks like against the neighboring Single-Family Residential land. Additionally, the applicant's current membership is made up primarily of non-residents of Mercer Island, thus they are not serving the local population.

8. The applicant does not include any analysis of whether PBZ, a Public Institution designation, or tailored community-facility designation would fit the situation better than CO. It is the applicant's

burden to show the proposed designation is consistent, the absence of any alternative analysis demonstrates the applicant has not met the burden.

Criteria 1A – The applicant concedes there is not a technical error, thus this criterion cannot be used to allow for the applicant's amendment.

Criteria 1B – Changed Circumstances of the City as a Whole – This criterion requires a change in circumstances of the city as a whole, not of the property, not of the applicant, not of a single institution. Washington reclassification cases look for changed conditions in the area, not merely a changed circumstance of the proponent. See Parkridge v Seattle, 90Wn.2d454(1987).

1. The staff report rejects that there has been a change in circumstance of the City as a Whole "The City disagrees with the applicant's assertion as to the 2017 development standards. The changes to the residential development standards that occurred in 2017 were policy decisions made by the then seated City Council, and are not 'changing circumstances of the city as a whole." Additionally, the staff report found that the applicant's factual premise incorrect – that the MICC 19.01.050(D)(3) does in fact permit exterior alteration or enlargement of nonconforming non-single-family structures, subject to the 50-percent-of-assessed-value threshold.
2. The Staff report theorizes that the changed circumstances are "more accurately described as an increased demand of a facility that is at the end of its useful life and which demand cannot be accommodated under" MICC 19.01.050(D)(3).
    a. MICC 19.15.230(F) places the burden of demonstration on the applicant. When the reviewing body rejects the applicant's theory, finds its factual premise incorrect, that should result in denial of the application. The city staff cannot construct a substitute rationale, by doing so the burden has effectively been carried by staff rather than by the applicant.
    b. The staff's substitute theory is unsupported by anything in the application or the staff report and relies on two assertions without providing any evidence.
        i. "Increased demand" – The applicant has refused to provide any membership trend data, enrollment figures, waitlists, utilization studies, or demographic demand analysis. The applicant offers only that Mercer Island's population "has grown over 20% since the JCC was built in 1969." A 20% increase in the cities population does not justify an over 400% increase in allowed building area for the site.
        ii. The applicant asserts that the facility that is at the end of its useful life, however no condition assessment, structural evaluation, systems assessment, or cost-to-cure estimate has been provided.
        iii. A single facility reaching the end of its useful life is a circumstance of that property, not of the city as a whole.
3. The applicant argues that the 2017 GFA and impervious surface limits, combined with the variance interpretation, apply across most of the Island's zoning and have stranded "many other vital community organizations on MI." If that is true, the correct response to a city-wide regulatory gap

affecting a class of institutions is a code amendment or community-facility overlay applicable to the class, not a parcel-specific change for one member of it. Comprehensive Plan Land Use Goal 7.4 says exactly this: The City may consider measures within the land use code to address the maintenance, updating, and renovation of these facilities." The applicant quotes Goal 7.4 and then argues for the one remedy the goal does not contemplate.

Criterion 2(a) – MICC 19.15.230(F)(2)(a): Compatibility with Adjacent Land Use and Development Pattern. – "Development pattern" is not a synonym for "surrounding uses," rather it refers to the geometry and logic of the map, the coherence of district boundaries, and how the amendment fits the City's overall land use structure. Both adjacent land use and development patterns must be satisfied.

1. The Staff report misinterprets this requirement, stating "adjacent land use and development patterns include both single-family residences and commercial buildings… which all align with the existing facilities on the SJCC properties." That finding is about the compatibility of the existing facilities, not the proposed amendment. The proposed amendment is not tied to the current use. A 402,261 gsf building, over four times larger than the existing building, is not compatible with single-family residential zoning on three sides.
2. The applicant defers to future review of any proposed development for compliance with the CO code in an attempt to justify compliance with this criterion, however this does not address the compatibility questions, including trip generation, hours of operation, parking demand, or cumulative intensity.
3. Development Pattern: The amendment would leave (i) a narrow strip of residentially designated property to the west, sandwiched between Public Institution and Commercial Office designations, and (ii) an isolated pocket of residential parcels in the southeast corner of the block sharing a property line with the subject site. The staff report does not provide any analysis of the resulting boundary or development pattern, whether the amended boundary is orderly, whether the remnant residential areas remain viable as designated, or whether the city would ever draw this line on its own.
4. Irregular boundaries drawn to follow one owner's parcel assembly are precisely the evidentiary pattern Washington courts look to in spot-zoning analysis as indicating private rather than public benefit. See Anderson v Island County, 81Wn.2d312(1972); Save Our rural Env't, 99Wn.2d363(1983).

Criteria 2(b) – MICC 19.15.230(F)(2)(b): Suitability for Development in Conformance with the Standards Under the Potential Zoning.

1. The Staff report disputes the applicant's compliance with this criterion, stating "at least one parcel would not be suitable for development in conformance with the standards under the potential zoning as it currently exists" in reference to parcel 2655500132, which when applying CO zoning setbacks would result in a building envelope of six inches by eight feet. Parcel 2655500137 similarly cannot practically be developed under the CO zoning setbacks, resulting in a building envelope of 35' by 105'. The staff report does not calculate the larger parcels.

2. Parcels 2655500132 & 2655500136 both have access to the residential street, SE 40th St. Rezoning these parcels to CO would direct commercial traffic directly onto a residential street.
3. Parcel 2655500132 is omitted from the staff reports list currently observed conditions: "Tax Parcels 2655500137, 2655500115, and 2655500136 all appear to be integrated in their daily operations as the Stroum Jewish Community Center site." – Parcel 2655500132 has not been used for recreational or community-facility purposes. It is a single-family home, in a single-family neighborhood, on a single-family street, that happens to have been speculatively acquired by an institutional neighbor in 2016.

4. Parcel 265550-0136 was speculatively purchased by the applicant on October 30th, 2012 and is not included in their Conditional Use Permit. This parcel had a single family home existing on it when the applicant purchased it. This parcel should be excluded from any rezone consideration.

Criteria 2(c) – MICC 19.15.230(F)(2)(c): Benefit to the Community as a Whole; No Adverse Effect on Community Facilities or Public Health, Safety, and General Welfare.

The amendment must benefit the community as a whole and must not adversely affect community facilities or the public health, safety, and general welfare. The second cannot be satisfied by showing the benefit outweighs the harm.

1. The applicant again rests their argument of benefit to the community as a whole on the operator rather than the Commercial Office designation. As discussed, the application must be reviewed based on the Commercial Office Designation – not the current owner, current programming, or current operator of the property – which this application has failed to do. Additionally, the applicant does not provide services to all Mercer Island Residents, they do not offer discounts to Mercer Island residents, and their membership is primarily made-up of non-residents.
2. This criterion also requires No Adverse Effect; however, the applicant does not address this criterion in their application and neither does the Staff Report. This application would, in fact, adversely affect public health, safety, and general welfare as follows:
    a. The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. (See Exhibit B). This access point was not discussed in the Trip Generation memo submitted by the applicant.
    b. The proposed rezone will increase traffic congestion and reduce pedestrian safety, as evidenced by the following.

        - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.

- The Trip Generation Memo does not account for trips associated with French American School of Puget Sound (FASPS), which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips. Commercial Office Rezone would be even more impactful than presented by the applicant.

c. The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections around the property.

3. Based on the proximity to I-90, Washington State DOT should be reviewing the amendment and its impacts on I90.

4. A Traffic Impact Analysis must include the school that is currently under construction across East Mercer from the applicant's property.

Rezone Criteria:

Criteria 1. The proposed reclassification must be consistent with the policies and provisions of the Mercer Island Comprehensive Plan:

The proposed reclassification is not consistent with the comprehensive plan for the following reasons:

1. The applicant tries to justify compliance with the comprehensive plan based on the current use of the property as a community center, and the current building size and intensity of use. However, the proposed rezone is not tied to the existing use, it is not tied to a specific project, it is not tied to a proposed use, and it does not guarantee that the current use will continue after a rezone. The proposal does not limit future development to the square footage that currently exists. It is simply an application to change the zoning from residential to commercial office, which would result in increased density and intensity of use of the property, regardless if that use is an office building or a community center.

2. The applicant has stated that they want to continue to use the property as it has been used for 55 years, however that is untrue. Since the original Conditional Use Permit was granted, the applicant has significantly grown their building footprint, and purchased multiple additional parcels. (See Exhibit D)

3. The existing building is 88,362 square feet (per King County Assessor). Rezoning the property to Commercial Office would allow a 402,261 square foot building to be built on the property. This is a **355% increase** in building area and is in addition to the existing 31,815 SF FASPS Building.

4. Commercial Office in this location is not compatible with the comprehensive plan. The justifications presented in the application are irrelevant without a project being tied to the application. The applicant only focuses on the current use of the property (including the current building size), not what is actually being applied for, which is Commercial Office zoning recalcification.

5. There is currently a total of 637,818 SF of office space existing on Mercer Island. The largest existing office building is the Riot Games building in the town center at 155,599 SF. This rezone application would allow for 402,261 SF on this site alone, making it larger than the total size of the seven largest existing office buildings combined. Rezoning this property could result in a **60% increase** in total office space across all of Mercer Island, and place that significant growth in a location surrounded by residential zoning.

6. The Washington State Growth Management Act (GMA) requires the City of Mercer Island to prioritize housing in the comprehensive plan. This application does the exact opposite; it converts single family zoned property to Commercial Office. It does not meet the criteria of the Mercer Island Comprehensive Plan or the WA State GMA.

7. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 2. The proposed reclassification must be consistent with Mercer Island development code as set for in MICC 19.01.010;

The proposal does not comply with these criteria for the following reasons:

1. This criterion includes provisions to avoid traffic congestion. The proposed rezone will increase traffic congestion, as evidenced by the following:

    - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.

    - The Trip Generation Memo does not account for trips associated with FASPS, which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips

to/from the shared driveway. Commercial Office Rezone would be even more impactful t presented by the applicant.

- The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections serving the property. A Traffic Impact Analysis would further confirm that this application does not comply with Criteria 2.

- The applicant indicates on their own documentation that they intend to increase parking counts, which means they intend to increase traffic to the property.

- The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. (See Exhibit B). This access point was not discussed in the Trip Generation memo submitted by the applicant.

2. This criterion includes provisions to protect the natural beauty and other natural resources. The proposal does the opposite, by increasing density and the intensity of the approved land use.
3. This criterion includes provisions to prevent overcrowding. The proposal does the opposite, by increasing density and the intensity of the approved land use.
4. The applicant again refers to the current use of the land to justify rezoning; however, those responses are irrelevant as the proposal is not tied to a specific use, the proposal is to rezone the property to Commercial Office, which is not compatible with this criterion of the comprehensive plan.
5. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning, because that is what is being applied for.

Criterial 3. The proposed reclassification must be an extension of an existing zone, or a logical transition between zones.

The proposed rezone is not the extension of an existing zone or a logical transition between zones; it is actually the opposite.

1. The property is bound on three sides by residential zones, rezoning this parcel would create a pocket of commercially zoned parcels surrounded on three sides by single-family residential zoning.

2. Additionally, parcels 265550-0166, 265550-0168, and 265550-0165 to the west of the applicant's property, which are single-family zoned properties, would end up surrounded by Commercial zoning to the north and east, and Public Institution zoning to the West. See below map. (See Exhibit A). (See Exhibit A)

3. The zoning map in the application is not current.

4. Rezoning of this property would create a choppy patchwork of zoning with no logical transition between zones. (See Exhibit A)

5. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 4. The proposed reclassification must not constitute an illegal Site-Specific Rezone.

The proposal does create an illegal site-specific rezone, solely for the benefit of a single property.

1. While the applicant has chosen to pursue non-profit status for tax purposes, and they do not pay property taxes on Mercer Island, they are still business that will see financial gain from the rezone.

2. With the applicant's tax status, they rely on Mercer Island residents and taxpayers to fund public safety and maintenance of city infrastructure serving their property, while they indicate on their website that they serve the "general community of the greater Seattle area" and the majority of their members or not Island residents. This is in contrast to other clubs and CUP properties on Mercer Island that primarily cater to Island residents and abide by strict membership limits. The burden on Mercer Island taxpayers will be exacerbated if the land were to be rezoned to commercial and land use becomes more intense with no limits on programming or membership.

3. The applicant chose to build a building for the French American School of Puget Sound (FASPS) on the commercially zoned portion of their property in order to generate revenue through a lease for their own financial gain. If the applicant desired additional square footage to operate their center, they could have used that commercially zoned parcel and should not have leased the land to FASPS. A rezone cannot legally be granted for the private gain of one owner or a group of owners to the detriment of their neighbors. The FASPS lease demonstrates that the rezone application is for the financial gain of the applicant.

4. The applicant recently and speculatively purchased additional parcels that were not included in their original conditional use permit, and they are now seeking to rezone those parcels for their own gain.

    - Parcel 265550-0136 was speculatively purchased by the applicant on October 30th, 2012 and is not included in their Conditional Use Permit. This parcel had a single family home existing

on it when the applicant purchased it. This parcel should be excluded from any rezone consideration.

- Parcel 265550-0132 was speculatively purchased by the applicant on November 21, 2016 and is not included in their Conditional Use Permit. Furthermore, this parcel currently has a single-family home on it. Renderings presented by the applicant of a potential new facility shows the single-family residence remaining. Based on that, and the fact that this parcel is not included in the CUP, this parcel should be excluded from any rezone consideration.

5. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.
6. Again, the proposed rezone is not tied to a specific project or use and the applicant refers to the current use of the land to justify rezoning. Rezoning this property to Commercial Office does not provide a public benefit, making it an illegal site-specific rezone.

Criterial 5. The proposed reclassification must be compatible with surrounding zones and land uses.

Commercial Office zoning is not compatible with the single-family residential zoning that borders the property on three sides.

1. The property is bounded on three sides by residential zones, and one side by commercial office. Rezoning this parcel would create a pocket of commercially zoned parcels surrounded on three sides by single family zoning.
2. Additionally, parcels 265550-0166, 265550-0168, and 265550-0165 to the west of the applicant's property, which are single family zoned properties, would end up surrounded by Commercial zoning to the north and east, and Public Institution zoning to the West. (See Exhibit A)
3. The zoning map in the application is not current.
4. Rezoning of this property would create a choppy patchwork of zoning with no logical transition between zones.
5. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 6. The proposed reclassification must not adversely affect public health, safety and welfare.

Rezoning this property to Commercial Office would adversely affect public health, safety and welfare for the following reasons.

1. The existing building is 88,362 square feet (per King County Assessor). Rezoning the property Commercial Office would allow a 402,261 square foot building to be built on the property. This is a **355% increase** in building area and is in addition to the existing 31,815 SF FASPS Building.

2. The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. (See Exhibit B). This access point was not discussed in the Trip Generation memo submitted by the applicant.

6. The proposed rezone will increase traffic congestion and reduce pedestrian safety, as evidenced by the following.

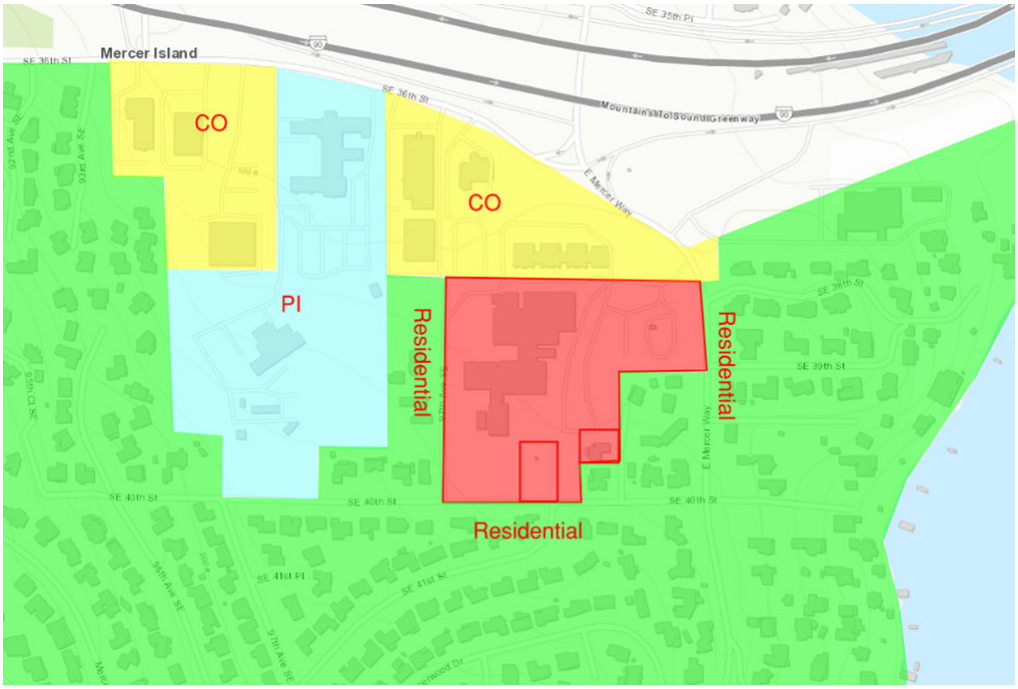
- The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.

- The Trip Generation Memo does not account for trips associated with FASPS, which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips. Commercial Office Rezone would be even more impactful than presented by the applicant.

- The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections around the property. Without the Traffic Impact Analysis, it is impossible to confirm compliance with Criteria 6.

Mercer Island is first and foremost a residential community, and residential zoning should be protected for the residents and families of Mercer Island.

Exhibit A - Proposed Zoning Map



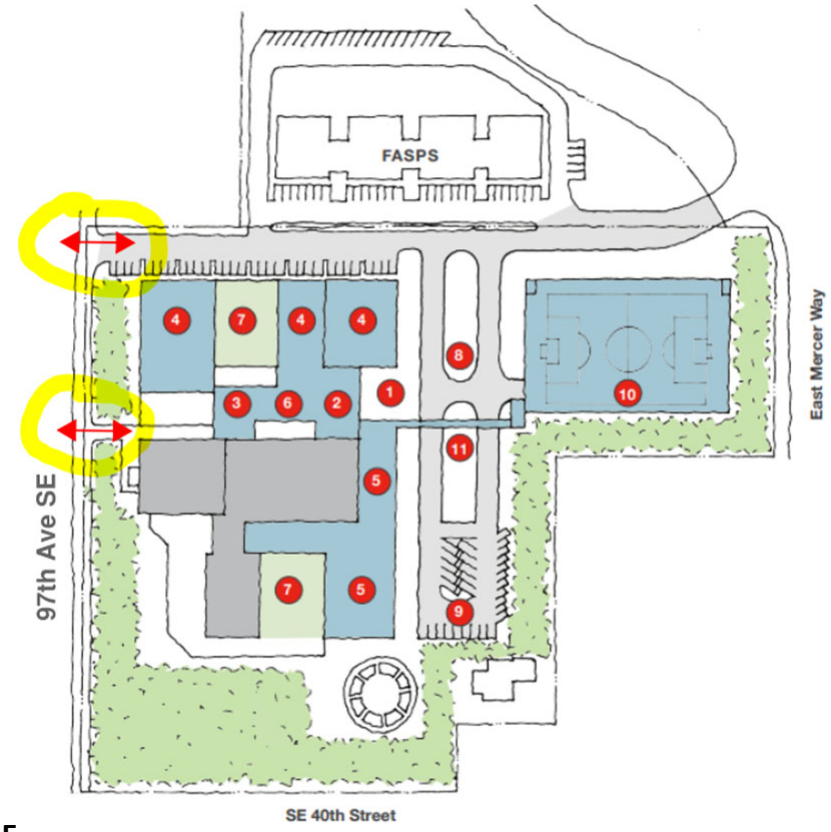


Exhibit B - Proposed Curb Cuts to 97th Ave SE

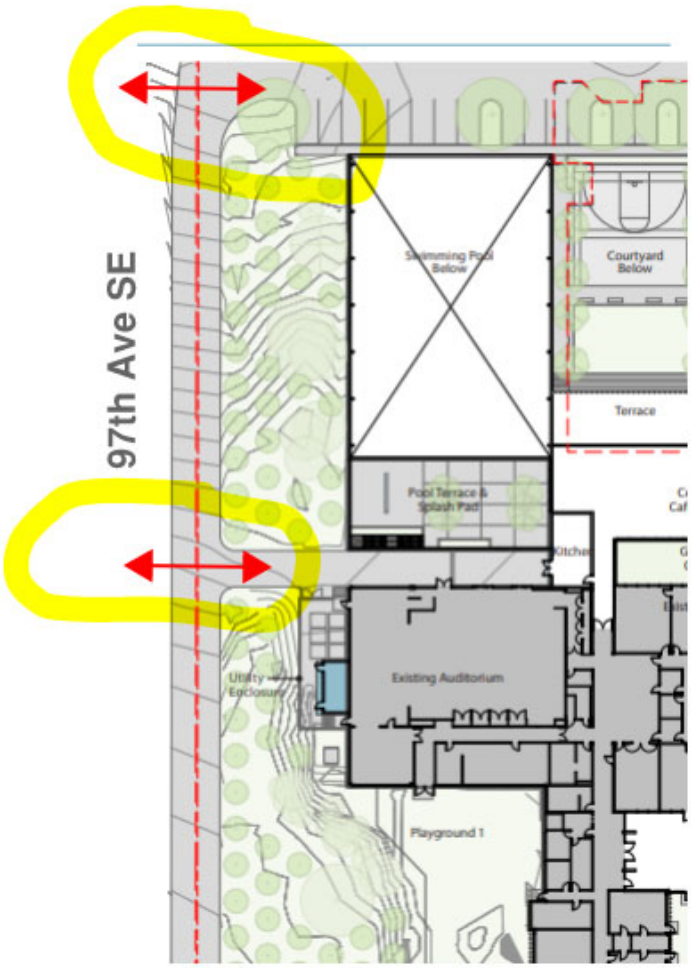


Exhibit B - Proposed Curb Cuts to 97th Ave SE

Exhibit B - Proposed extension of 97th Ave SE to applicants' property

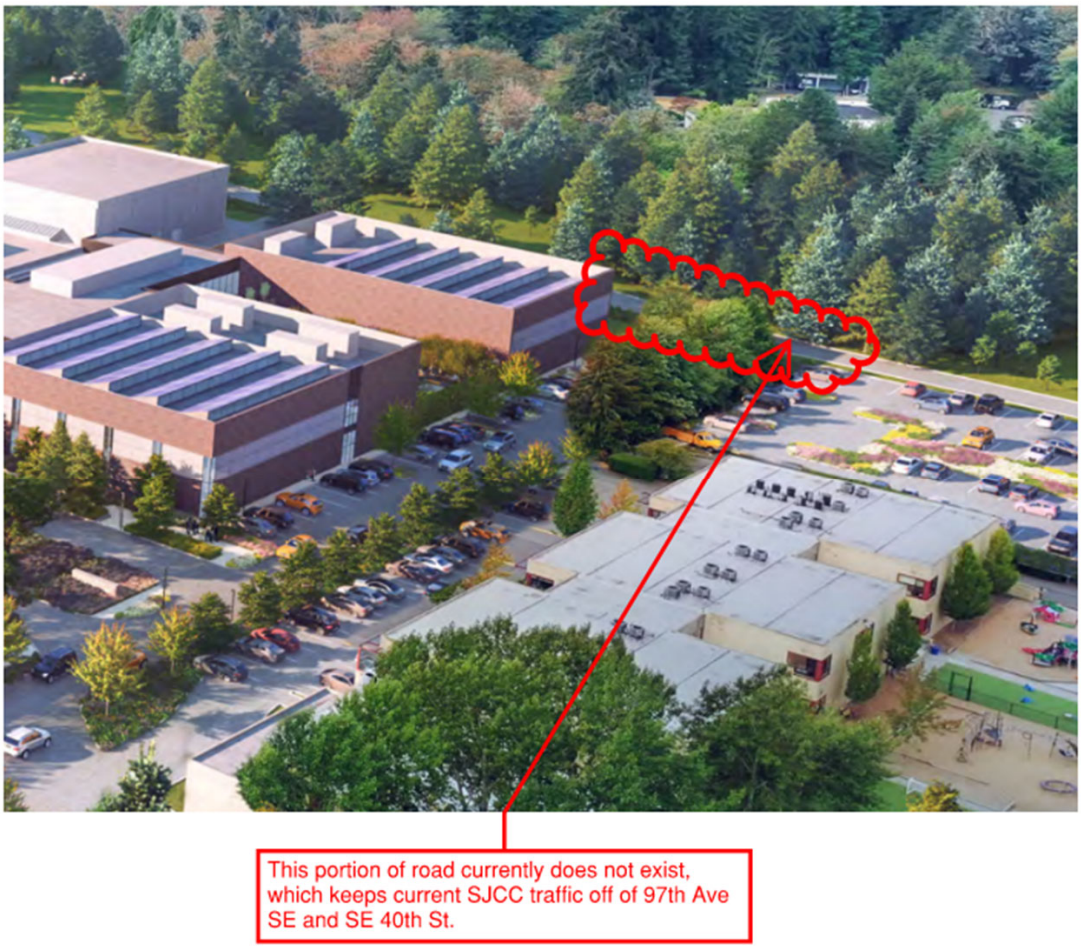
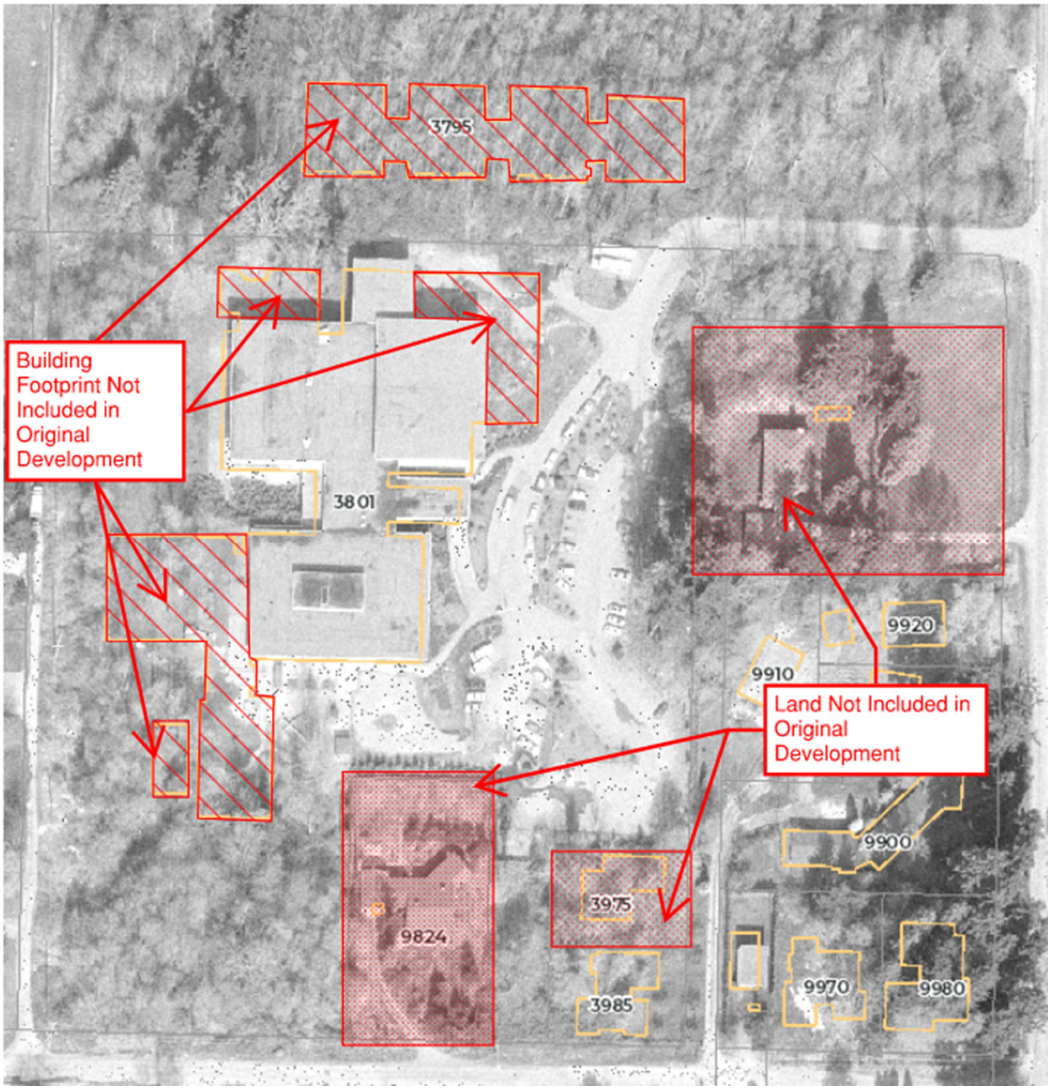


Exhibit D - 1978 Aerial Of Site, Additional development since is hatched.


3795
Building Footprint Not Included in Original Development
3801
9920
9910
Land Not Included in Original Development
9900
3975
9824
3985
9970
9980

Molly McGuire

From: Dana Weiner <danarweiner@hotmail.com>
Sent: Tuesday, August 4, 2026 10:48 AM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support for the SJCC

I am writing to urge you to support amending the Comprehensive Plan to change the designation of the Stroum Jewish Community Center (SJCC) property from Single-Family Residential to Commercial.

I have been part of the J community for more than 30 years. My children attended preschool and summer camp there, and their first jobs were as camp counselors. During the 15 years my family lived on Mercer Island, the J played a central role in our lives and enriched our experience as residents.

For more than 55 years, the J has served as a true community center for Mercer Island. It is much more than a recreational facility—it is a place where people of all ages come together to learn, celebrate, volunteer, build friendships, and support one another. The J also serves as an important feeder to Mercer Island schools, bringing young families to the Island and contributing to the vitality of our community.

What makes the J especially valuable is that it is open and welcoming to everyone. While it proudly celebrates Jewish culture, traditions, and values, its programs and facilities serve people of all backgrounds, faiths, and identities. Families attend preschool, swim lessons and camps, neighbors use the fitness center, seniors participate in social and wellness programs, and community members gather for cultural events, educational programs, and service opportunities. In a time when opportunities for genuine connection are increasingly rare, the J provides an inclusive space where people can build relationships across generations and backgrounds.

Communities are strengthened by institutions that foster belonging, engagement, and mutual understanding. The J does exactly that. It has been an integral part of Mercer Island for decades, and its land-use designation should reflect the way the property has long functioned-as a vibrant community center serving the broader public.

Please align the Comprehensive Plan and land use maps with this longstanding reality by redesignating the SJCC property as Commercial. Doing so will ensure that the J can continue to serve Mercer Island, welcome all members of the community, and thrive for the next 55 years and beyond.

Sincerely,
Dana Weiner

Molly McGuire

From: Donna Blankinship <donnablankinship@gmail.com>
Sent: Tuesday, August 4, 2026 5:54 PM
To: Planning Commission
Subject: Updating zoning for the JCC

Hello planning commission,
I am a frequent visitor to Mercer Island but not a resident. I was surprised to hear that you still haven't updated zoning for the JCC, a simple change that will enable much needed improvements in the facility. I can't think of a single good reason not to grant this request. A better JCC means more people will visit Mercer Island, spend money there and increase the city's tax receipts. An updated building also creates a better place for everyone to gather.

Why would anyone want to block these improvements? I am trying my best not to even consider that antisemitism could be part of the reason. But in today's political climate, anything is possible.

Thank you for doing your best to enable the JCC to move forward to improve the facility.

Donna Blankinship

Molly McGuire

From: Dylan Vargas <dylanv2369@hotmail.com>
Sent: Tuesday, August 4, 2026 10:50 AM
To: Planning Commission; Deb Estrada; Alison Van Gorp
Subject: Public Comment RE CPA25-002, RZN25-002, SEP25-021

Dear Planning Commissioners:

I am writing to strongly oppose the proposed Mercer Island Comprehensive Plan changes associated with CPA25-002. These changes are not consistent with— and would undermine—key goals, policies, and growth/land-use direction in the Mercer Island Comprehensive Plan. The Commission should deny the proposed changes and retain CUP conditions that remain aligned with the Comprehensive Plan's intent.

The Comprehensive Plan establishes Mercer Island's expectations for land use compatibility, neighborhood character, and managing impacts from conditional uses. As proposed, CPA25-002 would allow operational and/or development changes that would increase or alter impacts (such as traffic/parking burden, noise, hours/intensity of activity, site impacts, and/or other neighborhood compatibility concerns) without providing the kind of specific, enforceable safeguards needed to demonstrate continued consistency with the Comprehensive Plan.

In particular, the Planning Commission must evaluate whether the proposed CUP changes still conform to the Comprehensive Plan's:

land use and compatibility direction for the relevant area,
policies addressing transportation/traffic and parking impacts from land uses,
policies addressing impacts to surrounding neighborhoods (including noise and other operational externalities),
and any applicable guidance on maintaining the City's community character through careful limits on use intensity and mitigation.

I respectfully request that the Commission:

Deny the proposed changes to the Mercer Island Comprehensive Plan associated with CPA25-002 as presented because they are not adequately tied to— and do not sufficiently further—Comprehensive Plan policies.
If the Commission is not inclined to deny, require specific revisions that directly address Comprehensive Plan consistency by adding objective, measurable, and enforceable conditions (not vague promises), including clear limits and compliance/verification measures for the specific impact areas raised by these changes.
Thank you for your time and service. Please include this comment in the official record for CPA25-002.

Public Comment RE CPA25-002, RZN25-002, SEP25-021
Comprehensive Plan Amendment

Criteria 1 MICC 19.15.230.F

F. 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 decisions criteria.

The applicant has not met the burden of demonstrating the proposed amendment complies with the applicable regulations and decision criteria.

Criteria 1. The amendment is not consistent with the Growth Management Act, the countywide planning policies, or the other provisions of the comprehensive plan and city policies based on the following:

1. Each and every response by the applicant to these criteria regarding compliance with the comp plan, GMA and city policies are based on the current use of the property as a community center, and the current building size and intensity of use - the applicant relies on the operator, not the designation. However, the proposed comprehensive plan amendment is not tied to the existing use, it is not tied to a specific project, it is not tied to a proposed use, and it does not guarantee that the current use will continue after an amendment. The proposal does not limit future development to the square footage that currently exists. It is simply an application to change the zoning from residential to commercial office, which would result in increased density and intensity of use of the property, regardless if that use is an office building or a community center.
2. Comprehensive plan land use designation attaches to the land, not an owner or a program. Nothing in the CO designation requires an early childhood school, scholarships, a community garden, swim lessons, or any cultural programming. Nothing prevents the sale of the property and a future owner implementing different programming. The applicant's amendment secures none of the benefits offered as the basis for finding it consistent.
3. The applicant does not offer to enter a Development Agreement under RCW 36.70B.170-.210, which they could do concurrently with the rezone, and would run with the land and bind successors. A Development Agreement can restrict permitted uses to community-facility uses, cap gross floor area, fix access locations, and require specific transportation mitigation. If the applicant's representation is that "no change of use is proposed," a development agreement cost the applicant nothing it has claimed to want. By declining to enter a development agreement, the applicant brings into question their intended future use.
4. The applicant does not establish consistence with the Transportation Element. RCW 36.70A.070 requires an internally consistent plan: RCW 36.70A.070(6)(a)(i)(C) requires the transportation element to rest on land use assumptions. The Land Use Map is the input to the travel forecast. Redesignating this site from Single-Family Residential to Commercial Office – on the applicant's own consultant's figures, from 94,723 gsf to 402,261 gsf buildout capacity – changes the assumption. Nothing in the application shows that the Transportation Element's forecasts, LOS standards, or capital facilities program were checked against the amended map. The Staff report does not address this internal inconsistency.
5. Land Use Goal 7.1 – "Preserve the neighborhood character in residential zones. For the purpose of implementing this element, neighborhood character only refers to form, bulk, scale and intensity of the built environment." The applicant does not address what Goal 7.1 actually askes, which is what happens to form, bulk, scale, and intensity under the Commercial Office designation. A 4.25X increase in buildout capacity is, by the comprehensive plan's own definition, a neighborhood-character question that the application does not comply with.
6. Transportation Goal 9.2 – "Address parking overflow impacts on neighbors cause by major traffic generators such as schools, businesses, parks…" The applicant does not address how the redesignation would address the neighbors' concerns, including parking overflowing onto

East Mercer Way that blocks the bike lane and forces bikes and pedestrians into the traffic lane; cars from user of the property parking on SE 40th, cars from users of the property blocking driveways on adjacent streets. Goal 9.2 asks for a plan to address the impact, but the applicant does not cite any specifics in how the redesignation will do that. In fact, the redesignation would allow for 4.25X building area, which would result in even more traffic and overflow parking.

7. "Commercial Office and PBZ zones must serve the needs of the local populations while remaining compatible with the overall residential character of the community." The applicant asserts compatibility will "increase" and that "anything that is built will conform to CO standards." That is an assertion about code compliance, not about compatibility, and it is unsupported by any analysis of way CO buildout looks like against the neighboring Single-Family Residential land. Additionally, the applicants current membership is made up primarily of non-residents of Mercer Island, thus they are not serving the local population.

8. The applicant does not include any analysis of whether PBZ, a Public Institution designation, or tailored community-facility designation would fit the situation better than CO. It is the applicant's burden to show the proposed designation is consistent, the absence of any alternative analysis demonstrates the applicant has not met the burden.

Criteria 1A – The applicant concedes there is not a technical error, thus this criterion cannot be used to allow for the applicant's amendment.

Criteria 1B – Changed Circumstances of the City as a Whole – This criterion requires a change in circumstances of the city as a whole, not of the property, not of the applicant, not of a single institution. Washington reclassification cases look for changed conditions in the area, not merely a changed circumstance of the proponent. See Parkridge v Seattle, 90Wn.2d454(1987).

1. The staff report rejects that there has been a change in circumstance of the City as a Whole "The City disagrees with the applicant's assertion as to the 2017 development standards. The changes to the residential development standards that occurred in 2017 were policy decisions made by the then seated City Council, and are not 'changing circumstances of the city as a whole." Additionally, the staff report found that the applicant's factual premise incorrect – that the MICC 19.01.050(D)(3) does in fact permit exterior alteration or enlargement of nonconforming non-single-family structures, subject to the 50-percent-of-assessed-value threshold.

2. The Staff report theorizes that the changed circumstances are "more accurately described as an increased demand of a facility that is at the end of its useful life and which demand cannot be accommodated under" MICC 19.01.050(D)(3).

   a. MICC 19.15.230(F) places the burden of demonstration on the applicant. When the reviewing body rejects the applicant's theory, finds its factual premise incorrect, that should result in denial of the application. The city staff cannot construct a substitute rationale, by doing so the burden has effectively been carried by staff rather than by the applicant.

   b. The staff's substitute theory is unsupported by anything in the application or the staff report and relies on two assertions without providing any evidence.

      i. "Increased demand" – The applicant has refused to provide any membership trend data, enrollment figures, waitlists, utilization studies, or demographic demand analysis. The applicant offers only that Mercer Island's population "has grown over 20% since the JCC was built in 1969." A 20% increase in the cities

population does not justify an over 400% increase in allowed buildi area for the site.

ii. The applicant asserts that the facility that is at the end of its useful life, however no condition assessment, structural evaluation, systems assessment, or cost-to-cure estimate has been provided.

iii. A single facility reaching the end of its useful life is a circumstance of that property, not of the city as a whole.

3. The applicant argues that the 2017 GFA and impervious surface limits, combined with the variance interpretation, apply across most of the Island's zoning and have stranded "many other vital community organizations on MI." If that is true, the correct response to a city-wide regulatory gap affecting a class of institutions is a code amendment or community-facility overlay applicable to that class, not a parcel-specific change for one member of it. Comprehensive Plan Land Use Goal 7.4 says exactly this: The City may consider measures within the land use code to address the maintenance, updating, and renovation of these facilities." The applicant quotes Goal 7.4 and then argues for the one remedy the goal does not contemplate.

Criterion 2(a) – MICC 19.15.230(F)(2)(a): Compatibility with Adjacent Land Use and Development Pattern. – "Development pattern" is not a synonym for "surrounding uses," rather it refers to the geometry and logic of the map, the coherence of district boundaries, and how the amendment fits the City's overall land use structure. Both adjacent land use and development patterns must be satisfied.

1. The Staff report misinterprets this requirement, stating "adjacent land use and development patterns include both single-family residences and commercial buildings… which all align with the existing facilities on the SJCC properties." That finding is about the compatibility of the existing facilitates, not the proposed amendment. The proposed amendment is not tied to the current use. A 402,261 gsf building, over four times larger than the existing building, is not compatible with single-family residential zoning on three sides.
2. The applicant differs to future review of any proposed development for compliance with the CO code in an attempt to justify compliance with this criteria, however this does not address the compatibility questions, including trip generation, hours of operation, parking demand, or cumulative intensity.
3. Development Pattern: The amendment would leave (i) a narrow strip of residentially designated property to the west, sandwiched between Public Institution and Commercial Office designations, and (ii) an isolated pocket of residential parcels in the southeast corner of the block sharing a property line with the subject site. The staff report does not provide any analysis of the resulting boundary or development pattern, whether the amended boundary is orderly, whether the remnant residential areas remain viable as designated, or whether the city would ever draw this line on its own.
4. Irregular boundaries drawn to follow one owner's parcel assembly are precisely the evidentiary pattern Washington courts look to in spot-zoning analysis as indicating private rather than public benefit. See Anderson v Island County, 81Wn.2d312(1972); Save Our rural Env't, 99Wn.2d363(1983).

Criteria 2(b) – MICC 19.15.230(F)(2)(b): Suitability for Development in Conformance with the Standards Under the Potential Zoning.

1. The Staff report disputes the applicants compliance with this criteria, stating "at least one parcel would not be suitable for development in conformance with the standards under the

potential zoning as it currently exists" in reference to parcel 2655500132, which when ap
CO zoning setbacks would result in abuilding envelope of six inches by eight feet.
Parcel 2655500137 is similarly cannot practically be developed under the CO zoning setbacks, resulting in a building envelope of 35' by 105'. The staff report does not calculate the larger parcels.

2. Parcels 2655500132 & 2655500136 both have access to the residential street, SE 40th St. Rezoning these parcels to CO would direct commercial traffic directly onto a residential street.

3. Parcel 2655500132 is omitted from the staff reports list currently observed conditions: "Tax Parcels 2655500137, 2655500115, and 2655500136 all appear to be integrated in their daily operations as the Stroum Jewish Community Center site." – Parcel 2655500132 has not been used for recreational or community-facility purpose. It is a single-family home, in a single-family neighborhood, on a single-family street, that happens to have been speculatively acquired by an institutional neighbor in 2016.

1. Parcel 265550-0136 was speculatively purchased by the applicant on October 30th, 2012 and is not included in their Conditional Use Permit. This parcel had a single family home existing on it when the applicant purchased it. This parcel should be excluded from any rezone consideration.

Criteria 2(c) – MICC 19.15.230(F)(2)(c): Benefit to the Community as a Whole; No Adverse Effect on Community Facilities or Public Health, Safety, and General Welfare.

The amendment must benefit the community as a whole and must not adversely affect community facilities or the public health, safety, and general welfare. The second cannot be satisfied by showing the benefit outweighs the harm.

1. The applicant again rests their argument of benefit to the community as a whole on the operator rather than the Commercial Office designation. As discussed, the application must be reviewed based on the Commercial Office Designation – not the current owner, current programming, or current operator of the property – which this application has failed to do. Additionally, the applicant does not provide services to all Mercer Island Residents, they do not offer discounts to Mercer Island residents, and their membership is primarily made-up of non-residents.

2. This criterion also requires No Adverse Effect, however the applicant does not address this criterion in their application and neither does the Staff Report. This application would, in fact, adversely affect public health, safety, and general welfare as follows:

a. The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.

b. The proposed rezone will increase traffic congestion and reduce pedestrian safety, as evidenced by the following.

- The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto

adjacent residential streets, and would endanger the safety of residents children who use those streets.

- The Trip Generation Memo does not account for trips associated with French American School of Puget Sound (FASPS), which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips. Commercial Office Rezone would be even more impactful than presented by the applicant.

c. The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections around the property.

3. Based on the proximity to I-90, Washington State DOT should be reviewing the amendment and its impacts on I90.

4. A Traffic Impact Analysis must include the school that is currently under construction across East Mercer from the applicants property.

Rezon Criteria:

Criteria 1. The proposed reclassification must be consistent with the policies and provisions of the Mercer Island Comprehensive Plan:

The proposed reclassification is not consistent with the comprehensive plan for the following reasons:

1. The applicant tries to justify compliance with the comprehensive plan based on the current use of the property as a community center, and the current building size and intensity of use. However, the proposed rezone is not tied to the existing use, it is not tied to a specific project, it is not tied to a proposed use, and it does not guarantee that the current use will continue after a rezone. The proposal does not limit future development to the square footage that currently exists. It is simply an application to change the zoning from residential to commercial office, which would result in increased density and intensity of use of the property, regardless if that use is an office building or a community center.
2. The applicant has stated that they want to continue to use the property as it has been used for 55 years, however that is untrue. Since the original Conditional Use Permit was granted, the applicant has significantly grown their building footprint, and purchased multiple additional parcels.
3. The existing building is 88,362 square feet (per King County Assessor). Rezoning the property to Commercial Office would allow a 402,261 square foot building to be built on the property. This is a **355% increase** in building area and is in addition to the existing 31,815 SF FASPS Building.
4. Commercial Office in this location is not compatible with the comprehensive plan. The justifications presented in the application are irrelevant without a project being tied to the application. The applicant only focuses on the current use of the property (including the current building size), not what is actually being applied for, which is Commercial Office zoning recalcification.

5. There is currently a total of 637,818 SF of office space existing on Mercer Island. The largest existing office building is the Riot Games building in the town center at 155,599 SF. This rezone application would allow for 402,261 SF on this site alone, making it larger than the total size of the seven largest existing office buildings combined. Rezoning this property could result in a **60% increase** in total office space across all of Mercer Island, and place that significant growth in a location surrounded by residential zoning.
6. The Washington State Growth Management Act (GMA) requires the City of Mercer Island to prioritize housing in the comprehensive plan. This application does the exact opposite; it converts single family zoned property to Commercial Office. It does not meet the criteria of the Mercer Island Comprehensive Plan or the WA State GMA.
7. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 2. The proposed reclassification must be consistent with Mercer Island development code as set for in MICC 19.01.010;

The proposal does not comply with these criteria for the following reasons:

1. This criteria includes provisions to avoid traffic congestion. The proposed rezone will increase traffic congestion, as evidenced by the following:
    - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.
    - The Trip Generation Memo does not account for trips associated with FASPS, which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips to/from the shared driveway. Commercial Office Rezone would be even more impactful than presented by the applicant.
    - The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections serving the property. A Traffic Impact Analysis would further confirm that this application does not comply with Criteria 2.
    - The applicant indicates on their own documentation that they intend to increase parking counts, which means they intend to increase traffic to the property.
    - The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This

demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.

1. This criteria includes provisions to protect the natural beauty and other natural resources. The proposal does the opposite, by increasing density and the intensity of the approved land use.
2. This criteria includes provisions to prevent overcrowding. The proposal does the opposite, by increasing density and the intensity of the approved land use.
3. The applicant again refers to the current use of the land to justify rezoning, however those responses are irrelevant as the proposal is not tied to a specific use, the proposal is to rezone the property to Commercial Office, which is not compatible with this criteria of the comprehensive plan.
4. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning, because that is what is being applied for.

Criteria 3. The proposed reclassification must be an extension of an existing zone, or a logical transition between zones.

The proposed rezone is not the extension of an existing zone or a logical transition between zones, it is actually the opposite.

1. The property is bound on three sides by residential zones, rezoning this parcel would create a pocket of commercially zoned parcels surrounded on three sides by single-family residential zoning.
2. Additionally, parcels 265550-0166, 265550-0168, and 265550-0165 to the west of the applicant's property, which are single-family zoned properties, would end up surrounded by Commercial zoning to the north and east, and Public Institution zoning to the West. See below map.

1. The zoning map in the application is not current.
2. Rezoning of this property would create a choppy patchwork of zoning with no logical transition between zones.

1. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 4. The proposed reclassification must not constitute an illegal Site-Specific Rezone.

The proposal does create an illegal site-specific rezone, solely for the benefit of a single property.

1. While the applicant has chosen to pursue non-profit status for tax purposes, and they do not pay property taxes on Mercer Island, they are still business that will see financial gain from the rezone.
2. With the applicant’s tax status, they rely on Mercer Island residents and taxpayers to fund public safety and maintenance of city infrastructure serving their property, while they indicate on their website that they serve the "general community of the greater Seattle area" and the majority of their members or not Island residents. This is in contrast to other clubs and CUP properties on

Mercer Island that primarily cater to Island residents and abide by strict membership limits. burden on Mercer Island taxpayers will be exacerbated if the land were to be rezoned to commercial and land use becomes more intense with no limits on programming or membership.

3. The applicant chose to build a building for the French American School of Puget Sound (FASPS) on the commercially zoned portion of their property in order to generate revenue through a lease for their own financial gain. If the applicant desired additional square footage to operate their center, they could have used that commercially zoned parcel and should not have leased the land to FASPS. A rezone cannot legally be granted for the private gain of one owner or a group of owners to the detriment of their neighbors. The FASPS lease demonstrates that the rezone application is for the financial gain of the applicant.
4. The applicant recently and speculatively purchased additional parcels that were not included in their original conditional use permit, and they are now seeking to rezone those parcels for their own gain.
    - Parcel 265550-0136 was speculatively purchased by the applicant on October 30th, 2012 and is not included in their Conditional Use Permit. This parcel had a single family home existing on it when the applicant purchased it. This parcel should be excluded from any rezone consideration.
    - Parcel 265550-0132 was speculatively purchased by the applicant on November 21, 2016 and is not included in their Conditional Use Permit. Furthermore, this parcel currently has a single-family home on it. Renderings presented by the applicant of a potential new facility shows the single-family residence remaining. Based on that, and the fact that this parcel is not included in the CUP, this parcel should be excluded from any rezone consideration.

1. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.
2. Again, the proposed rezone is not tied to a specific project or use and the applicant refers to the current use of the land to justify rezoning. Rezoning this property to commercial office does not provide a public benefit, making it an illegal site-specific rezone.

Criteria 5. The proposed reclassification must be compatible with surrounding zones and land uses.

Commercial Office zoning is not compatible with the single-family residential zoning that borders the property on three sides.

1. The property is bound on three sides by residential zones, and one side by commercial office. Rezoning this parcel would create a pocket of commercially zoned parcels surrounded on three sides by single family zoning.
2. Additionally, parcels 265550-0166, 265550-0168, and 265550-0165 to the west of the applicant's property, which are single family zoned properties, would end up surrounded by Commercial zoning to the north and east, and Public Institution zoning to the West.
3. The zoning map in the application is not current.
4. Rezoning of this property would create a choppy patchwork of zoning with no logical transition between zones.
5. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 6. The proposed reclassification must not adversely affect public health, safety and welfare.

Rezoning this property to Commercial Office would adversely affect public health, safety and welfare for the following reasons.

1. The existing building is 88,362 square feet (per King County Assessor). Rezoning the property to Commercial Office would allow a 402,261 square foot building to be built on the property. This is a **355% increase** in building area and is in addition to the existing 31,815 SF FASPS Building.
2. The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.

1. The proposed rezone will increase traffic congestion and reduce pedestrian safety, as evidenced by the following.
    - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.
    - The Trip Generation Memo does not account for trips associated with FASPS, which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips. Commercial Office Rezone would be even more impactful than presented by the applicant.
    - The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections around the property. Without the Traffic Impact Analysis, it is impossible to confirm compliance with Criteria 6.

Mercer Island is first and foremost a residential community, and residential zoning should be protected for the residents and families of Mercer Island.

Thanks,
Dylan Vargas

Molly McGuire

From: erik.laursen48@gmail.com
Sent: Tuesday, August 4, 2026 12:16 PM
To: Planning Commission
Cc: Council; Deb Estrada; Alison Van Gorp
Subject: Public Comment RE CPA25-002, RZN25-002, SEP25-021

Dear Sirs,

I have in vain been looking for a rationale for the proposed rezoning.
From the SJCC website it appears the aim is to be and expand being a hub for recreation, education, and childcare for the entire Puget Sound.
I bike by on E Mercer Way several times a week and see that the traffic is already quite significant. An increased traffic would be unbearable.
My more formal response to the proposal is below.

Public Comment RE CPA25-002, RZN25-002, SEP25-021

Comprehensive Plan Amendment

Criteria 1 MICC 19.15.230.F

F. 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 decisions criteria.

The applicant has not met the burden of demonstrating the proposed amendment complies with the applicable regulations and decision criteria.

Criteria 1. The amendment is not consistent with the Growth Management Act, the countywide planning policies, or the other provisions of the comprehensive plan and city policies based on the following:

1. Each and every response by the applicant to these criteria regarding compliance with the comp plan, GMA and city policies are based on the current use of the property as a community center, and the current building size and intensity of use - the applicant relies on the operator, not the designation. However, the proposed comprehensive plan amendment is not tied to the existing use, it is not tied to a specific project, it is not tied to a proposed use, and it does not guarantee that the current use will continue after an amendment. The proposal does not limit future development to the square footage that currently exists. It is simply an application to change the zoning from residential to commercial office, which would result in increased density and intensity of use of the property, regardless if that use is an office building or a community center.
2. Comprehensive plan land use designation attaches to the land, not an owner or a program. Nothing in the CO designation requires an early childhood school, scholarships, a community garden, swim lessons, or any cultural programming. Nothing prevents the sale of the property

and a future owner implementing different programming. The applicant's amendment sec none of the benefits offered as the basis for finding it consistent.

3. The applicant does not offer to enter a Development Agreement under RCW 36.70B.170-.210, which they could do concurrently with the rezone, and would run with the land and bind successors. A Development Agreement can restrict permitted uses to community-facility uses, cap gross floor area, fix access locations, and require specific transportation mitigation. If the applicant's representation is that "no change of use is proposed," a development agreement cost the applicant nothing it has claimed to want. By declining to enter a development agreement, the applicant brings into question their intended future use.
4. The applicant does not establish consistence with the Transportation Element. RCW 36.70A.070 requires an internally consistent plan: RCW 36.70A.070(6)(a)(i)(C) requires the transportation element to rest on land use assumptions. The Land Use Map is the input to the travel forecast. Redesignating this site from Single-Family Residential to Commercial Office – on the applicant's own consultant's figures, from 94,723 gsf to 402,261 gsf buildout capacity – changes the assumption. Nothing in the application shows that the Transportation Element's forecasts, LOS standards, or capital facilities program were checked against the amended map. The Staff report does not address this internal inconsistency.
5. Land Use Goal 7.1 – "Preserve the neighborhood character in residential zones. For the purpose of implementing this element, neighborhood character only refers to form, bulk, scale and intensity of the built environment." The applicant does not address what Goal 7.1 actually askes, which is what happens to form, bulk, scale, and intensity under the Commercial Office designation. A 4.25X increase in buildout capacity is, by the comprehensive plan's own definition, a neighborhood-character question that the application does not comply with.
6. Transportation Goal 9.2 – "Address parking overflow impacts on neighbors cause by major traffic generators such as schools, businesses, parks…" The applicant does not address how the redesignation would address the neighbors' concerns, including parking overflowing onto East Mercer Way that blocks the bike lane and forces bikes and pedestrians into the traffic lane; cars from user of the property parking on SE 40th, cars from users of the property blocking driveways on adjacent streets. Goal 9.2 asks for a plan to address the impact, but the applicant does not cite any specifics in how the redesignation will do that. In fact, the redesignation would allow for 4.25X building area, which would result in even more traffic and overflow parking.
7. "Commercial Office and PBZ zones must serve the needs of the local populations while remaining compatible with the overall residential character of the community." The applicant asserts compatibility will "increase" and that "anything that is built will conform to CO standards." That is an assertion about code compliance, not about compatibility, and it is unsupported by any analysis of way CO buildout looks like against the neighboring Single-Family Residential land. Additionally, the applicants current membership is made up primarily of non-residents of Mercer Island, thus they are not serving the local population.
8. The applicant does not include any analysis of whether PBZ, a Public Institution designation, or tailored community-facility designation would fit the situation better than CO. It is the applicant's burden to show the proposed designation is consistent, the absence of any alternative analysis demonstrates the applicant has not met the burden.

Criteria 1A – The applicant concedes there is not a technical error, thus this criterion cannot be used to allow for the applicant's amendment.

Criteria 1B – Changed Circumstances of the City as a Whole – This criterion requires a change in circumstances of the city as a whole, not of the property, not of the applicant, not of a single institution. Washington reclassification cases look for changed conditions in the area, not merely a changed circumstance of the proponent. See Parkridge v Seattle, 90Wn.2d454(1987).

1. The staff report rejects that there has been a change in circumstance of the City as a Whole "The City disagrees with the applicant's assertion as to the 2017 development standards. The changes to the residential development standards that occurred in 2017 were policy decisions made by the then seated City Council, and are not 'changing circumstances of the city as a whole." Additionally, the staff report found that the applicant's factual premise incorrect – that the MICC 19.01.050(D)(3) does in fact permit exterior alteration or enlargement of nonconforming non-single-family structures, subject to the 50-percent-of-assessed-value threshold.
2. The Staff report theorizes that the changed circumstances are "more accurately described as an increased demand of a facility that is at the end of its useful life and which demand cannot be accommodated under" MICC 19.01.050(D)(3).
    a. MICC 19.15.230(F) places the burden of demonstration on the applicant. When the reviewing body rejects the applicant's theory, finds its factual premise incorrect, that should result in denial of the application. The city staff cannot construct a substitute rationale, by doing so the burden has effectively been carried by staff rather than by the applicant.
    b. The staff's substitute theory is unsupported by anything in the application or the staff report and relies on two assertions without providing any evidence.
        i. "Increased demand" – The applicant has refused to provide any membership trend data, enrollment figures, waitlists, utilization studies, or demographic demand analysis. The applicant offers only that Mercer Island's population "has grown over 20% since the JCC was built in 1969." A 20% increase in the cities population does not justify an over 400% increase in allowed building area for the site.
        ii. The applicant asserts that the facility that is at the end of its useful life, however no condition assessment, structural evaluation, systems assessment, or cost-to-cure estimate has been provided.
        iii. A single facility reaching the end of its useful life is a circumstance of that property, not of the city as a whole.
3. The applicant argues that the 2017 GFA and impervious surface limits, combined with the variance interpretation, apply across most of the Island's zoning and have stranded "many other vital community organizations on MI." If that is true, the correct response to a city-wide regulatory gap affecting a class of institutions is a code amendment or community-facility overlay applicable to that class, not a parcel-specific change for one member of it. Comprehensive Plan Land Use Goal 7.4 says exactly this: The City may consider measures within the land use code to address the maintenance, updating, and renovation of these facilities." The applicant quotes Goal 7.4 and then argues for the one remedy the goal does not contemplate.

Criterion 2(a) – MICC 19.15.230(F)(2)(a): Compatibility with Adjacent Land Use and Development Pattern. – "Development pattern" is not a synonym for "surrounding uses," rather it refers to the geometry and logic of the map, the coherence of district boundaries, and how the amendment fits the City's overall land use structure. Both adjacent land use and development patterns must be satisfied.

1. The Staff report misinterprets this requirement, stating “adjacent land use and developm patterns include both single-family residences and commercial buildings… which all align with the existing facilities on the SJCC properties.” That finding is about the compatibility of the existing facilitates, not the proposed amendment. The proposed amendment is not tied to the current use. A 402,261 gsf building, over four times larger than the existing building, is not compatible with single-family residential zoning on three sides.
2. The applicant differs to future review of any proposed development for compliance with the CO code in an attempt to justify compliance with this criteria, however this does not address the compatibility questions, including trip generation, hours of operation, parking demand, or cumulative intensity.
3. Development Pattern: The amendment would leave (i) a narrow strip of residentially designated property to the west, sandwiched between Public Institution and Commercial Office designations, and (ii) an isolated pocket of residential parcels in the southeast corner of the block sharing a property line with the subject site. The staff report does not provide any analysis of the resulting boundary or development pattern, whether the amended boundary is orderly, whether the remnant residential areas remain viable as designated, or whether the city would ever draw this line on its own.
4. Irregular boundaries drawn to follow one owner’s parcel assembly are precisely the evidentiary pattern Washington courts look to in spot-zoning analysis as indicating private rather than public benefit. See Anderson v Island County, 81Wn.2d312(1972); Save Our rural Env’t, 99Wn.2d363(1983).

Criteria 2(b) – MICC 19.15.230(F)(2)(b): Suitability for Development in Conformance with the Standards Under the Potential Zoning.

1. The Staff report disputes the applicants compliance with this criteria, stating “at least one parcel would not be suitable for development in conformance with the standards under the potential zoning as it currently exists” in reference to parcel 2655500132, which when applying CO zoning setbacks would result in abuilding envelope of six inches by eight feet. Parcel 2655500137 is similarly cannot practically be developed under the CO zoning setbacks, resulting in a building envelope of 35’ by 105’. The staff report does not calculate the larger parcels.
2. Parcels 2655500132 & 2655500136 both have access to the residential street, SE 40th St. Rezoning these parcels to CO would direct commercial traffic directly onto a residential street.
3. Parcel 2655500132 is omitted from the staff reports list currently observed conditions: “Tax Parcels 2655500137, 2655500115, and 2655500136 all appear to be integrated in their daily operations as the Stroum Jewish Community Center site.” – Parcel 2655500132 has not been used for recreational or community-facility purpose. It is a single-family home, in a single-family neighborhood, on a single-family street, that happens to have been speculatively acquired by an institutional neighbor in 2016.

1. Parcel 265550-0136 was speculatively purchased by the applicant on October 30th, 2012 and is not included in their Conditional Use Permit. This parcel had a single family home existing on it when the applicant purchased it. This parcel should be excluded from any rezone consideration.

Criteria 2(c) – MICC 19.15.230(F)(2)(c): Benefit to the Community as a Whole; No Adverse Effect on Community Facilities or Public Health, Safety, and General Welfare.

The amendment must benefit the community as a whole and must not adversely affect community facilities or the public health, safety, and general welfare. The second cannot be satisfied by showing the benefit outweighs the harm.

1. The applicant again rests their argument of benefit to the community as a whole on the operator rather than the Commercial Office designation. As discussed, the application must be reviewed based on the Commercial Office Designation – not the current owner, current programming, or current operator of the property – which this application has failed to do. Additionally, the applicant does not provide services to all Mercer Island Residents, they do not offer discounts to Mercer Island residents, and their membership is primarily made-up of non-residents.
2. This criterion also requires No Adverse Effect, however the applicant does not address this criterion in their application and neither does the Staff Report. This application would, in fact, adversely affect public health, safety, and general welfare as follows:
    a. The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.
    b. The proposed rezone will increase traffic congestion and reduce pedestrian safety, as evidenced by the following.
        - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.
        - The Trip Generation Memo does not account for trips associated with French American School of Puget Sound (FASPS), which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips. Commercial Office Rezone would be even more impactful than presented by the applicant.
    c. The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections around the property.
3. Based on the proximity to I-90, Washington State DOT should be reviewing the amendment and its impacts on I90.
4. A Traffic Impact Analysis must include the school that is currently under construction across East Mercer from the applicants property.

Rezon Criteria:

Criteria 1. The proposed reclassification must be consistent with the policies and provisions of the Mercer Island Comprehensive Plan:

The proposed reclassification is not consistent with the comprehensive plan for the following reasons:

1. The applicant tries to justify compliance with the comprehensive plan based on the current use of the property as a community center, and the current building size and intensity of use. However, the proposed rezone is not tied to the existing use, it is not tied to a specific project, it is not tied to a proposed use, and it does not guarantee that the current use will continue after a rezone. The proposal does not limit future development to the square footage that currently exists. It is simply an application to change the zoning from residential to commercial office, which would result in increased density and intensity of use of the property, regardless if that use is an office building or a community center.
2. The applicant has stated that they want to continue to use the property as it has been used for 55 years, however that is untrue. Since the original Conditional Use Permit was granted, the applicant has significantly grown their building footprint, and purchased multiple additional parcels.
3. The existing building is 88,362 square feet (per King County Assessor). Rezoning the property to Commercial Office would allow a 402,261 square foot building to be built on the property. This is a **355% increase** in building area and is in addition to the existing 31,815 SF FASPS Building.
4. Commercial Office in this location is not compatible with the comprehensive plan. The justifications presented in the application are irrelevant without a project being tied to the application. The applicant only focuses on the current use of the property (including the current building size), not what is actually being applied for, which is Commercial Office zoning recalcification.
5. There is currently a total of 637,818 SF of office space existing on Mercer Island. The largest existing office building is the Riot Games building in the town center at 155,599 SF. This rezone application would allow for 402,261 SF on this site alone, making it larger than the total size of the seven largest existing office buildings combined. Rezoning this property could result in a **60% increase** in total office space across all of Mercer Island, and place that significant growth in a location surrounded by residential zoning.
6. The Washington State Growth Management Act (GMA) requires the City of Mercer Island to prioritize housing in the comprehensive plan. This application does the exact opposite; it converts single family zoned property to Commercial Office. It does not meet the criteria of the Mercer Island Comprehensive Plan or the WA State GMA.
7. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 2. The proposed reclassification must be consistent with Mercer Island development code as set for in MICC 19.01.010;

The proposal does not comply with these criteria for the following reasons:

1. This criteria includes provisions to avoid traffic congestion. The proposed rezone will increase traffic congestion, as evidenced by the following:
    - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.
    - The Trip Generation Memo does not account for trips associated with FASPS, which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips to/from the shared driveway. Commercial Office Rezone would be even more impactful than presented by the applicant.
    - The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections serving the property. A Traffic Impact Analysis would further confirm that this application does not comply with Criteria 2.
    - The applicant indicates on their own documentation that they intend to increase parking counts, which means they intend to increase traffic to the property.
    - The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.

1. This criteria includes provisions to protect the natural beauty and other natural resources. The proposal does the opposite, by increasing density and the intensity of the approved land use.
2. This criteria includes provisions to prevent overcrowding. The proposal does the opposite, by increasing density and the intensity of the approved land use.
3. The applicant again refers to the current use of the land to justify rezoning, however those responses are irrelevant as the proposal is not tied to a specific use, the proposal is to rezone the property to Commercial Office, which is not compatible with this criteria of the comprehensive plan.
4. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning, because that is what is being applied for.

Criteria 3. The proposed reclassification must be an extension of an existing zone, or a logical transition between zones.

The proposed rezone is not the extension of an existing zone or a logical transition between zones, it is actually the opposite.

1. The property is bound on three sides by residential zones, rezoning this parcel would create a pocket of commercially zoned parcels surrounded on three sides by single-family residential zoning.
2. Additionally, parcels 265550-0166, 265550-0168, and 265550-0165 to the west of the applicant's property, which are single-family zoned properties, would end up surrounded by Commercial zoning to the north and east, and Public Institution zoning to the West. See below map.

1. The zoning map in the application is not current.
2. Rezoning of this property would create a choppy patchwork of zoning with no logical transition between zones.

1. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 4. The proposed reclassification must not constitute an illegal Site-Specific Rezone.

The proposal does create an illegal site-specific rezone, solely for the benefit of a single property.

1. While the applicant has chosen to pursue non-profit status for tax purposes, and they do not pay property taxes on Mercer Island, they are still business that will see financial gain from the rezone.
2. With the applicant’s tax status, they rely on Mercer Island residents and taxpayers to fund public safety and maintenance of city infrastructure serving their property, while they indicate on their website that they serve the "general community of the greater Seattle area" and the majority of their members or not Island residents. This is in contrast to other clubs and CUP properties on Mercer Island that primarily cater to Island residents and abide by strict membership limits. The burden on Mercer Island taxpayers will be exacerbated if the land were to be rezoned to commercial and land use becomes more intense with no limits on programming or membership.
3. The applicant chose to build a building for the French American School of Puget Sound (FASPS) on the commercially zoned portion of their property in order to generate revenue through a lease for their own financial gain. If the applicant desired additional square footage to operate their center, they could have used that commercially zoned parcel and should not have leased the land to FASPS. A rezone cannot legally be granted for the private gain of one owner or a group of owners to the detriment of their neighbors. The FASPS lease demonstrates that the rezone application is for the financial gain of the applicant.

4. The applicant recently and speculatively purchased additional parcels that were not inclu their original conditional use permit, and they are now seeking to rezone those parcels for their own gain.
    - Parcel 265550-0136 was speculatively purchased by the applicant on October 30th, 2012 and is not included in their Conditional Use Permit. This parcel had a single family home existing on it when the applicant purchased it. This parcel should be excluded from any rezone consideration.
    - Parcel 265550-0132 was speculatively purchased by the applicant on November 21, 2016 and is not included in their Conditional Use Permit. Furthermore, this parcel currently has a single-family home on it. Renderings presented by the applicant of a potential new facility shows the single-family residence remaining. Based on that, and the fact that this parcel is not included in the CUP, this parcel should be excluded from any rezone consideration.

1. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.
2. Again, the proposed rezone is not tied to a specific project or use and the applicant refers to the current use of the land to justify rezoning. Rezoning this property to commercial office does not provide a public benefit, making it an illegal site-specific rezone.

Criteria 5. The proposed reclassification must be compatible with surrounding zones and land uses.

Commercial Office zoning is not compatible with the single-family residential zoning that borders the property on three sides.

1. The property is bound on three sides by residential zones, and one side by commercial office. Rezoning this parcel would create a pocket of commercially zoned parcels surrounded on three sides by single family zoning.
2. Additionally, parcels 265550-0166, 265550-0168, and 265550-0165 to the west of the applicant's property, which are single family zoned properties, would end up surrounded by Commercial zoning to the north and east, and Public Institution zoning to the West.
3. The zoning map in the application is not current.
4. Rezoning of this property would create a choppy patchwork of zoning with no logical transition between zones.
5. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 6. The proposed reclassification must not adversely affect public health, safety and welfare.

Rezoning this property to Commercial Office would adversely affect public health, safety and we for the following reasons.

1. The existing building is 88,362 square feet (per King County Assessor). Rezoning the property to Commercial Office would allow a 402,261 square foot building to be built on the property. This is a **355% increase** in building area and is in addition to the existing 31,815 SF FASPS Building.
2. The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.
1. The proposed rezone will increase traffic congestion and reduce pedestrian safety, as evidenced by the following.
    - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.
    - The Trip Generation Memo does not account for trips associated with FASPS, which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips. Commercial Office Rezone would be even more impactful than presented by the applicant.
    - The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections around the property. Without the Traffic Impact Analysis, it is impossible to confirm compliance with Criteria 6.

Mercer Island is first and foremost a residential community, and residential zoning should be protected for the residents and families of Mercer Island.

Sincerely,

Erik D. Laursen
6204 E. Mercer Way
Mercer Island, WA 98040
Tel: 206.816.4579

Molly McGuire

From: Erin K Randall <erin.randall.v2@gmail.com>
Sent: Tuesday, August 4, 2026 3:40 PM
To: Planning Commission
Cc: Council; Deb Estrada; Alison Van Gorp
Subject: Public Comment RE CPA25-002, RZN25-002, SEP25-021

Public Comment RE CPA25-002, RZN25-002, SEP25-021

Comprehensive Plan Amendment

Criteria 1 MICC 19.15.230.F

F. 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 decisions criteria.

The applicant has not met the burden of demonstrating the proposed amendment complies with the applicable regulations and decision criteria.

Criteria 1. The amendment is not consistent with the Growth Management Act, the countywide planning policies, or the other provisions of the comprehensive plan and city policies based on the following:

1. Each and every response by the applicant to these criteria regarding compliance with the comp plan, GMA and city policies are based on the current use of the property as a community center, and the current building size and intensity of use - the applicant relies on the operator, not the designation. However, the proposed comprehensive plan amendment is not tied to the existing use, it is not tied to a specific project, it is not tied to a proposed use, and it does not guarantee that the current use will continue after an amendment. The proposal does not limit future development to the square footage that currently exists. It is simply an application to change the zoning from residential to commercial office, which would result in increased density and intensity of use of the property, regardless if that use is an office building or a community center.
2. Comprehensive plan land use designation attaches to the land, not an owner or a program. Nothing in the CO designation requires an early childhood school, scholarships, a community garden, swim lessons, or any cultural programming. Nothing prevents the sale of the property and a future owner implementing different programming. The applicant's amendment secures none of the benefits offered as the basis for finding it consistent.
3. The applicant does not offer to enter a Development Agreement under RCW 36.70B.170-.210, which they could do concurrently with the rezone, and would run with the land and bind successors. A Development Agreement can restrict permitted uses to community-facility uses, cap gross floor area, fix access locations, and require specific transportation mitigation. If the applicant's representation is that "no change of use is proposed," a development agreement cost the applicant nothing it has claimed to want. By declining to enter a development agreement, the applicant brings into question their intended future use.

4. The applicant does not establish consistence with the Transportation Element. RCW 36.70A.070 requires an internally consistent plan: RCW 36.70A.070(6)(a)(i)(C) requires the transportation element to rest on land use assumptions. The Land Use Map is the input to the travel forecast. Redesignating this site from Single-Family Residential to Commercial Office – on the applicant's own consultant's figures, from 94,723 gsf to 402,261 gsf buildout capacity – changes the assumption. Nothing in the application shows that the Transportation Element's forecasts, LOS standards, or capital facilities program were checked against the amended map. The Staff report does not address this internal inconsistency.
5. Land Use Goal 7.1 – "Preserve the neighborhood character in residential zones. For the purpose of implementing this element, neighborhood character only refers to form, bulk, scale and intensity of the built environment." The applicant does not address what Goal 7.1 actually askes, which is what happens to form, bulk, scale, and intensity under the Commercial Office designation. A 4.25X increase in buildout capacity is, by the comprehensive plan's own definition, a neighborhood-character question that the application does not comply with.

6. Transportation Goal 9.2 – "Address parking overflow impacts on neighbors cause by major traffic generators such as schools, businesses, parks…" The applicant does not address how the redesignation would address the neighbors' concerns, including parking overflowing onto East Mercer Way that blocks the bike lane and forces bikes and pedestrians into the traffic lane; cars from user of the property parking on SE 40th, cars from users of the property blocking driveways on adjacent streets. Goal 9.2 asks for a plan to address the impact, but the applicant does not cite any specifics in how the redesignation will do that. In fact, the redesignation would allow for 4.25X building area, which would result in even more traffic and overflow parking.
7. "Commercial Office and PBZ zones must serve the needs of the local populations while remaining compatible with the overall residential character of the community." The applicant asserts compatibility will "increase" and that "anything that is built will conform to CO standards." That is an assertion about code compliance, not about compatibility, and it is unsupported by any analysis of way CO buildout looks like against the neighboring Single-Family Residential land. Additionally, the applicants current membership is made up primarily of non-residents of Mercer Island, thus they are not serving the local population.
8. The applicant does not include any analysis of whether PBZ, a Public Institution designation, or tailored community-facility designation would fit the situation better than CO. It is the applicant's burden to show the proposed designation is consistent, the absence of any alternative analysis demonstrates the applicant has not met the burden.

Criteria 1A – The applicant concedes there is not a technical error, thus this criterion cannot be used to allow for the applicant's amendment.

Criteria 1B – Changed Circumstances of the City as a Whole – This criterion requires a change in circumstances of the city as a whole, not of the property, not of the applicant, not of a single institution. Washington reclassification cases look for changed conditions in the area, not merely a changed circumstance of the proponent. See Parkridge v Seattle, 90Wn.2d454(1987).

1. The staff report rejects that there has been a change in circumstance of the City as a Whole "The City disagrees with the applicant's assertion as to the 2017 development standards. The changes to the residential development standards that occurred in 2017 were policy decisions made by the then seated City Council, and are not 'changing circumstances of the city as a whole." Additionally, the staff report found that the applicant's factual premise

incorrect – that the MICC 19.01.050(D)(3) does in fact permit exterior alteration or enlarg of nonconforming non-single-family structures, subject to the 50-percent-of-assessed-value threshold.

2. The Staff report theorizes that the changed circumstances are "more accurately described as an increased demand of a facility that is at the end of its useful life and which demand cannot be accommodated under" MICC 19.01.050(D)(3).

a. MICC 19.15.230(F) places the burden of demonstration on the applicant. When the reviewing body rejects the applicant's theory, finds its factual premise incorrect, that should result in denial of the application. The city staff cannot construct a substitute rationale, by doing so the burden has effectively been carried by staff rather than by the applicant.

b. The staff's substitute theory is unsupported by anything in the application or the staff report and relies on two assertions without providing any evidence.

i. "Increased demand" – The applicant has refused to provide any membership trend data, enrollment figures, waitlists, utilization studies, or demographic demand analysis. The applicant offers only that Mercer Island's population "has grown over 20% since the JCC was built in 1969." A 20% increase in the cities population does not justify an over 400% increase in allowed building area for the site.

ii. The applicant asserts that the facility that is at the end of its useful life, however no condition assessment, structural evaluation, systems assessment, or cost-to-cure estimate has been provided.

iii. A single facility reaching the end of its useful life is a circumstance of that property, not of the city as a whole.

3. The applicant argues that the 2017 GFA and impervious surface limits, combined with the variance interpretation, apply across most of the Island's zoning and have stranded "many other vital community organizations on MI." If that is true, the correct response to a city-wide regulatory gap affecting a class of institutions is a code amendment or community-facility overlay applicable to that class, not a parcel-specific change for one member of it. Comprehensive Plan Land Use Goal 7.4 says exactly this: The City may consider measures within the land use code to address the maintenance, updating, and renovation of these facilities." The applicant quotes Goal 7.4 and then argues for the one remedy the goal does not contemplate.

Criterion 2(a) – MICC 19.15.230(F)(2)(a): Compatibility with Adjacent Land Use and Development Pattern. – "Development pattern" is not a synonym for "surrounding uses," rather it refers to the geometry and logic of the map, the coherence of district boundaries, and how the amendment fits the City's overall land use structure. Both adjacent land use and development patterns must be satisfied.

1. The Staff report misinterprets this requirement, stating "adjacent land use and development patterns include both single-family residences and commercial buildings… which all align with the existing facilities on the SJCC properties." That finding is about the compatibility of the existing facilitates, not the proposed amendment. The proposed amendment is not tied to the current use. A 402,261 gsf building, over four times larger than the existing building, is not compatible with single-family residential zoning on three sides.

2. The applicant differs to future review of any proposed development for compliance with the CO code in an attempt to justify compliance with this criteria, however this does not address the compatibility questions, including trip generation, hours of operation, parking demand, or cumulative intensity.

3. Development Pattern: The amendment would leave (i) a narrow strip of residentially designated property to the west, sandwiched between Public Institution and Commercial Office designations, and (ii) an isolated pocket of residential parcels in the southeast corner of the block sharing a property line with the subject site. The staff report does not provide any analysis of the resulting boundary or development pattern, whether the amended boundary is orderly, whether the remnant residential areas remain viable as designated, or whether the city would ever draw this line on its own.
4. Irregular boundaries drawn to follow one owner's parcel assembly are precisely the evidentiary pattern Washington courts look to in spot-zoning analysis as indicating private rather than public benefit. See Anderson v Island County, 81Wn.2d312(1972); Save Our rural Env't, 99Wn.2d363(1983).

Criteria 2(b) – MICC 19.15.230(F)(2)(b): Suitability for Development in Conformance with the Standards Under the Potential Zoning.

1. The Staff report disputes the applicants compliance with this criteria, stating "at least one parcel would not be suitable for development in conformance with the standards under the potential zoning as it currently exists" in reference to parcel 2655500132, which when applying CO zoning setbacks would result in abuilding envelope of six inches by eight feet. Parcel 2655500137 is similarly cannot practically be developed under the CO zoning setbacks, resulting in a building envelope of 35' by 105'. The staff report does not calculate the larger parcels.
2. Parcels 2655500132 & 2655500136 both have access to the residential street, SE 40th St. Rezoning these parcels to CO would direct commercial traffic directly onto a residential street.
3. Parcel 2655500132 is omitted from the staff reports list currently observed conditions: "Tax Parcels 2655500137, 2655500115, and 2655500136 all appear to be integrated in their daily operations as the Stroum Jewish Community Center site." – Parcel 2655500132 has not been used for recreational or community-facility purpose. It is a single-family home, in a single-family neighborhood, on a single-family street, that happens to have been speculatively acquired by an institutional neighbor in 2016.

1. Parcel 265550-0136 was speculatively purchased by the applicant on October 30th, 2012 and is not included in their Conditional Use Permit. This parcel had a single family home existing on it when the applicant purchased it. This parcel should be excluded from any rezone consideration.

Criteria 2(c) – MICC 19.15.230(F)(2)(c): Benefit to the Community as a Whole; No Adverse Effect on Community Facilities or Public Health, Safety, and General Welfare.

The amendment must benefit the community as a whole and must not adversely affect community facilities or the public health, safety, and general welfare. The second cannot be satisfied by showing the benefit outweighs the harm.

1. The applicant again rests their argument of benefit to the community as a whole on the operator rather than the Commercial Office designation. As discussed, the application must be reviewed based on the Commercial Office Designation – not the current owner, current programming, or current operator of the property – which this application has failed to do. Additionally, the applicant does not provide services to all Mercer Island Residents, they do not offer discounts to Mercer Island residents, and their membership is primarily made-up of non-residents.

2. This criterion also requires No Adverse Effect, however the applicant does not addres criterion in their application and neither does the Staff Report. This application would, in fact, adversely affect public health, safety, and general welfare as follows:

a. The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.

b. The proposed rezone will increase traffic congestion and reduce pedestrian safety, as evidenced by the following.

- The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.

- The Trip Generation Memo does not account for trips associated with French American School of Puget Sound (FASPS), which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips. Commercial Office Rezone would be even more impactful than presented by the applicant.

c. The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections around the property.

3. Based on the proximity to I-90, Washington State DOT should be reviewing the amendment and its impacts on I90.

4. A Traffic Impact Analysis must include the school that is currently under construction across East Mercer from the applicants property.

Rezon Criteria:

Criteria 1. The proposed reclassification must be consistent with the policies and provisions of the Mercer Island Comprehensive Plan:

The proposed reclassification is not consistent with the comprehensive plan for the following reasons:

1. The applicant tries to justify compliance with the comprehensive plan based on the current use of the property as a community center, and the current building size and intensity of use. However, the proposed rezone is not tied to the existing use, it is not tied to a specific project, it is not tied to a proposed use, and it does not guarantee that the current use will continue after a rezone. The proposal does not limit future development to the square footage that currently exists. It is simply an application to change the zoning from residential to commercial office, which would result in increased density and intensity of use of the property, regardless if that use is an office building or a community center.
2. The applicant has stated that they want to continue to use the property as it has been used for 55 years, however that is untrue. Since the original Conditional Use Permit was granted, the applicant has significantly grown their building footprint, and purchased multiple additional parcels.
3. The existing building is 88,362 square feet (per King County Assessor). Rezoning the property to Commercial Office would allow a 402,261 square foot building to be built on the property. This is a **355% increase** in building area and is in addition to the existing 31,815 SF FASPS Building.
4. Commercial Office in this location is not compatible with the comprehensive plan. The justifications presented in the application are irrelevant without a project being tied to the application. The applicant only focuses on the current use of the property (including the current building size), not what is actually being applied for, which is Commercial Office zoning recalcification.
5. There is currently a total of 637,818 SF of office space existing on Mercer Island. The largest existing office building is the Riot Games building in the town center at 155,599 SF. This rezone application would allow for 402,261 SF on this site alone, making it larger than the total size of the seven largest existing office buildings combined. Rezoning this property could result in a **60% increase** in total office space across all of Mercer Island, and place that significant growth in a location surrounded by residential zoning.
6. The Washington State Growth Management Act (GMA) requires the City of Mercer Island to prioritize housing in the comprehensive plan. This application does the exact opposite; it converts single family zoned property to Commercial Office. It does not meet the criteria of the Mercer Island Comprehensive Plan or the WA State GMA.
7. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 2. The proposed reclassification must be consistent with Mercer Island development code as set for in MICC 19.01.010;

The proposal does not comply with these criteria for the following reasons:

1. This criteria includes provisions to avoid traffic congestion. The proposed rezone will increase traffic congestion, as evidenced by the following:

    - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning

the property would create traffic beyond what the residential area can support, wo cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.

- The Trip Generation Memo does not account for trips associated with FASPS, which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips to/from the shared driveway. Commercial Office Rezone would be even more impactful than presented by the applicant.

- The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections serving the property. A Traffic Impact Analysis would further confirm that this application does not comply with Criteria 2.

- The applicant indicates on their own documentation that they intend to increase parking counts, which means they intend to increase traffic to the property.

- The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.

1. This criteria includes provisions to protect the natural beauty and other natural resources. The proposal does the opposite, by increasing density and the intensity of the approved land use.
2. This criteria includes provisions to prevent overcrowding. The proposal does the opposite, by increasing density and the intensity of the approved land use.
3. The applicant again refers to the current use of the land to justify rezoning, however those responses are irrelevant as the proposal is not tied to a specific use, the proposal is to rezone the property to Commercial Office, which is not compatible with this criteria of the comprehensive plan.
4. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning, because that is what is being applied for.

Criteria 3. The proposed reclassification must be an extension of an existing zone, or a logical transition between zones.

The proposed rezone is not the extension of an existing zone or a logical transition between zones, it is actually the opposite.

1. The property is bound on three sides by residential zones, rezoning this parcel would create a pocket of commercially zoned parcels surrounded on three sides by single-family residential zoning.

2. Additionally, parcels 265550-0166, 265550-0168, and 265550-0165 to the west of the applicant's property, which are single-family zoned properties, would end up surrounded by Commercial zoning to the north and east, and Public Institution zoning to the West. See below map.

1. The zoning map in the application is not current.
2. Rezoning of this property would create a choppy patchwork of zoning with no logical transition between zones.

1. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 4. The proposed reclassification must not constitute an illegal Site-Specific Rezone.

The proposal does create an illegal site-specific rezone, solely for the benefit of a single property.

1. While the applicant has chosen to pursue non-profit status for tax purposes, and they do not pay property taxes on Mercer Island, they are still business that will see financial gain from the rezone.
2. With the applicant's tax status, they rely on Mercer Island residents and taxpayers to fund public safety and maintenance of city infrastructure serving their property, while they indicate on their website that they serve the "general community of the greater Seattle area" and the majority of their members or not Island residents. This is in contrast to other clubs and CUP properties on Mercer Island that primarily cater to Island residents and abide by strict membership limits. The burden on Mercer Island taxpayers will be exacerbated if the land were to be rezoned to commercial and land use becomes more intense with no limits on programming or membership.
3. The applicant chose to build a building for the French American School of Puget Sound (FASPS) on the commercially zoned portion of their property in order to generate revenue through a lease for their own financial gain. If the applicant desired additional square footage to operate their center, they could have used that commercially zoned parcel and should not have leased the land to FASPS. A rezone cannot legally be granted for the private gain of one owner or a group of owners to the detriment of their neighbors. The FASPS lease demonstrates that the rezone application is for the financial gain of the applicant.
4. The applicant recently and speculatively purchased additional parcels that were not included in their original conditional use permit, and they are now seeking to rezone those parcels for their own gain.

    - Parcel 265550-0136 was speculatively purchased by the applicant on October 30th, 2012 and is not included in their Conditional Use Permit. This parcel had a single family home existing on it when the applicant purchased it. This parcel should be excluded from any rezone consideration.

    - Parcel 265550-0132 was speculatively purchased by the applicant on November 21, 2016 and is not included in their Conditional Use Permit. Furthermore, this

parcel currently has a single-family home on it. Renderings presented by the appli of a potential new facility shows the single-family residence remaining. Based on that, and the fact that this parcel is not included in the CUP, this parcel should be excluded from any rezone consideration.

1. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.
2. Again, the proposed rezone is not tied to a specific project or use and the applicant refers to the current use of the land to justify rezoning. Rezoning this property to commercial office does not provide a public benefit, making it an illegal site-specific rezone.

Criteria 5. The proposed reclassification must be compatible with surrounding zones and land uses.

Commercial Office zoning is not compatible with the single-family residential zoning that borders the property on three sides.

1. The property is bound on three sides by residential zones, and one side by commercial office. Rezoning this parcel would create a pocket of commercially zoned parcels surrounded on three sides by single family zoning.
2. Additionally, parcels 265550-0166, 265550-0168, and 265550-0165 to the west of the applicant's property, which are single family zoned properties, would end up surrounded by Commercial zoning to the north and east, and Public Institution zoning to the West.
3. The zoning map in the application is not current.
4. Rezoning of this property would create a choppy patchwork of zoning with no logical transition between zones.
5. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 6. The proposed reclassification must not adversely affect public health, safety and welfare.

Rezoning this property to Commercial Office would adversely affect public health, safety and welfare for the following reasons.

1. The existing building is 88,362 square feet (per King County Assessor). Rezoning the property to Commercial Office would allow a 402,261 square foot building to be built on the property. This is a **355% increase** in building area and is in addition to the existing 31,815 SF FASPS Building.

2. The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would

adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.

1. The proposed rezone will increase traffic congestion and reduce pedestrian safety, as evidenced by the following.

    - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.

    - The Trip Generation Memo does not account for trips associated with FASPS, which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips. Commercial Office Rezone would be even more impactful than presented by the applicant.

    - The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections around the property. Without the Traffic Impact Analysis, it is impossible to confirm compliance with Criteria 6.

Mercer Island is first and foremost a residential community, and residential zoning should be protected for the residents and families of Mercer Island.

Molly McGuire

From: Francesca Mahoney <francesca.mahoney1@gmail.com>
Sent: Tuesday, August 4, 2026 1:20 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support Proposed Zoning Change for the SJCC

Dear Planning Commissioners,

My family moved to Mercer Island a little over a year ago, and one of the first places that made this feel like home was the J. My daughter's preschool held its holiday concert there, and it's since become a regular stop for our family's workouts and activities.

That's exactly why I'm asking you to support amending the Comprehensive Plan to redesignate the SJCC property from single-family to commercial.

This isn't a new use for the site — the J has operated as an open community center on Mercer Island for more than five decades. The zoning simply hasn't caught up to what the property has always been. Updating the Comprehensive Plan and land use maps to reflect that reality would let the J keep doing what it's done since long before most of us lived here: giving island families, new and longtime alike, a place to gather.

Thank you for considering this.

Best,

Francesca Mahoney

Molly McGuire

From: Glen Lutchman <glen.lutchman@gmail.com>
Sent: Tuesday, August 4, 2026 9:28 PM
To: Alison Van Gorp; Planning Commission; Deb Estrada; Council
Subject: Support expansion of SJCC

I'm writing to give my support to the rezoning and expansion of SJCC. They do a lot for my community and I would like to see them grow and do more

Best
Glen

Molly McGuire

From: Gloria Wolfe <gloria@wolfedwelling.com>
Sent: Tuesday, August 4, 2026 2:40 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Cc: Gloria Wolfe
Subject: Supporting the comprehensive plan change for the J

Dear Planning commission,

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. As a 20 member of the SJCC and living on the Island for 17 years, I can't think of a more welcoming community center.

The SCC welcomed us not only to Washington State, but to becoming parents, raising our children on the Island and creating and fostering a community of friends who have supported our family for many years now. Our friends were made through the SJCC and continue to be our nearest and dearest people in WA. Our kids' friends continue to be the ones they went to preschool with at the SJCC. We have done Dinky Dunkers, J Explorers, Parents nights out, Adult Co-Rec Slow Pitch Softball, the Jewish Film Festival at the SJCC. We have been to Mitzvahs and auctions, celebrations of Life, parties and everything in between. We have done exercise at the SJCC, our kids learned to swim at the SJCC and we continue to utilize the SJCC for adult programming.

It's time for major improvements and updates and upgrades to the SJCC. Please please please allow the SJCC to stay relevant for the next generation of Washingtonians.

The SJCC has been serving the Mercer Island community – as a community center – for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Sincerely,

Gloria Wolfe
425 922 7675

Molly McGuire

From: Jamie Kezner <jamiekezner@gmail.com>
Sent: Tuesday, August 4, 2026 3:48 PM
To: Planning Commission
Subject: Support of the SJCC

Dear Planning commission,

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial.

I am a born and raised Islander. My husband and I, who also grew up her, chose to come back to raise our family here. There are so many reasons why we chose to come back but one of them is the support of this community and what it has done for us. A large piece of that community comes from the J. I went to preschool there, worked out there, hung out there and we chose to send our children to pre-school there. It is hard to put into words what one place can be to someone let alone an entire community. I only hope it can be the same to my children, and their children and beyond.

The J has been serving the Mercer Island community – as a community center – for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

PLEASE, PLEASE, PLEASE understand how important the J is and know how much more it can be with this comprehensive plan.

Thank you,
Jamie Kezner

Molly McGuire

From: Janet Matzke <janet.matzke@gmail.com>
Sent: Tuesday, August 4, 2026 1:48 PM
To: Planning Commission
Subject: public comment

Public Comment RE CPA25-002, RZN25-002, SEP25-021

Comprehensive Plan Amendment

Criteria 1 MICC 19.15.230.F

F. 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 decisions criteria.

The applicant has not met the burden of demonstrating the proposed amendment complies with the applicable regulations and decision criteria.

Criteria 1. The amendment is not consistent with the Growth Management Act, the countywide planning policies, or the other provisions of the comprehensive plan and city policies based on the following:

1. Each and every response by the applicant to these criteria regarding compliance with the comp plan, GMA and city policies are based on the current use of the property as a community center, and the current building size and intensity of use - the applicant relies on the operator, not the designation. However, the proposed comprehensive plan amendment is not tied to the existing use, it is not tied to a specific project, it is not tied to a proposed use, and it does not guarantee that the current use will continue after an amendment. The proposal does not limit future development to the square footage that currently exists. It is simply an application to change the zoning from residential to commercial office, which would result in increased density and intensity of use of the property, regardless if that use is an office building or a community center.
2. Comprehensive plan land use designation attaches to the land, not an owner or a program. Nothing in the CO designation requires an early childhood school, scholarships, a community garden, swim lessons, or any cultural programming. Nothing prevents the sale of the property and a future owner

implementing different programming. The applicant's amendment secures none of the benefits offered as the basis for finding it consistent.

3. The applicant does not offer to enter a Development Agreement under RCW 36.70B.170-.210, which they could do concurrently with the rezone, and would run with the land and bind successors. A Development Agreement can restrict permitted uses to community-facility uses, cap gross floor area, fix access locations, and require specific transportation mitigation. If the applicant's representation is that "no change of use is proposed," a development agreement cost the applicant nothing it has claimed to want. By declining to enter a development agreement, the applicant brings into question their intended future use.
4. The applicant does not establish consistence with the Transportation Element. RCW 36.70A.070 requires an internally consistent plan: RCW 36.70A.070(6)(a)(i)(C) requires the transportation element to rest on land use assumptions. The Land Use Map is the input to the travel forecast. Redesignating this site from Single-Family Residential to Commercial Office – on the applicant's own consultant's figures, from 94,723 gsf to 402,261 gsf buildout capacity – changes the assumption. Nothing in the application shows that the Transportation Element's forecasts, LOS standards, or capital facilities program were checked against the amended map. The Staff report does not address this internal inconsistency.
5. Land Use Goal 7.1 – "Preserve the neighborhood character in residential zones. For the purpose of implementing this element, neighborhood character only refers to form, bulk, scale and intensity of the built environment." The applicant does not address what Goal 7.1 actually askes, which is what happens to form, bulk, scale, and intensity under the Commercial Office designation. A 4.25X increase in buildout capacity is, by the comprehensive plan's own definition, a neighborhood-character question that the application does not comply with.

6. Transportation Goal 9.2 – "Address parking overflow impacts on neighbors cause by major traffic generators such as schools, businesses, parks…" The applicant does not address how the redesignation would address the neighbors' concerns, including parking overflowing onto East Mercer Way that blocks the bike lane and forces bikes and pedestrians into the traffic lane; cars from user of the property parking on SE 40th, cars from users of the property blocking driveways on adjacent streets. Goal 9.2 asks for a plan to address the impact, but the applicant does not cite any specifics in how the redesignation will do that. In fact, the redesignation would allow for 4.25X building area, which would result in even more traffic and overflow parking.

7. "Commercial Office and PBZ zones must serve the needs of the local populations while remaining compatible with the overall residential character of the community." The applicant asserts compatibility will "increase" and that "anything that is built will conform to CO standards."

That is an assertion about code compliance, not about compatibility, and it is unsupported by any analysis of way CO buildout looks like against the neighboring Single-Family Residential land. Additionally, the applicants current membership is made up primarily of non-residents of Mercer Island, thus they are not serving the local population.

8. The applicant does not include any analysis of whether PBZ, a Public Institution designation, or tailored community-facility designation would fit the situation better than CO. It is the applicant's burden to show the proposed designation is consistent, the absence of any alternative analysis demonstrates the applicant has not met the burden.

Criteria 1A – The applicant concedes there is not a technical error, thus this criterion cannot be used to allow for the applicant's amendment.

Criteria 1B – Changed Circumstances of the City as a Whole – This criterion requires a change in circumstances of the city as a whole, not of the property, not of the applicant, not of a single institution. Washington reclassification cases look for changed conditions in the area, not merely a changed circumstance of the proponent. See Parkridge v Seattle, 90Wn.2d454(1987).

1. The staff report rejects that there has been a change in circumstance of the City as a Whole "The City disagrees with the applicant's assertion as to the 2017 development standards. The changes to the residential development standards that occurred in 2017 were policy decisions made by the then seated City Council, and are not 'changing circumstances of the city as a whole." Additionally, the staff report found that the applicant's factual premise incorrect – that the MICC 19.01.050(D)(3) does in fact permit exterior alteration or enlargement of nonconforming non-single-family structures, subject to the 50-percent-of-assessed-value threshold.

2. The Staff report theorizes that the changed circumstances are "more accurately described as an increased demand of a facility that is at the end of its useful life and which demand cannot be accommodated under" MICC 19.01.050(D)(3).

a. MICC 19.15.230(F) places the burden of demonstration on the applicant. When the reviewing body rejects the applicant's theory, finds its factual premise incorrect, that should result in denial of the application. The city staff cannot construct a substitute rationale, by doing so the burden has effectively been carried by staff rather than by the applicant.

b. The staff's substitute theory is unsupported by anything in the application or the staff report and relies on two assertions without providing any evidence.

i. “Increased demand” – The applicant has refused to provide any membership trend data, enrollment figures, waitlists, utilization studies, or demographic demand analysis. The applicant offers only that Mercer Island’s population “has grown over 20% since the JCC was built in 1969.” A 20% increase in the cities population does not justify an over 400% increase in allowed building area for the site.

ii. The applicant asserts that the facility that is at the end of its useful life, however no condition assessment, structural evaluation, systems assessment, or cost-to-cure estimate has been provided.

iii. A single facility reaching the end of its useful life is a circumstance of that property, not of the city as a whole.

3. The applicant argues that the 2017 GFA and impervious surface limits, combined with the variance interpretation, apply across most of the Island’s zoning and have stranded “many other vital community organizations on MI.” If that is true, the correct response to a city-wide regulatory gap affecting a class of institutions is a code amendment or community-facility overlay applicable to that class, not a parcel-specific change for one member of it. Comprehensive Plan Land Use Goal 7.4 says exactly this: The City may consider measures within the land use code to address the maintenance, updating, and renovation of these facilities.” The applicant quotes Goal 7.4 and then argues for the one remedy the goal does not contemplate.

Criterion 2(a) – MICC 19.15.230(F)(2)(a): Compatibility with Adjacent Land Use and Development Pattern. – “Development pattern” is not a synonym for “surrounding uses,” rather it refers to the geometry and logic of the map, the coherence of district boundaries, and how the amendment fits the City’s overall land use structure. Both adjacent land use and development patterns must be satisfied.

1. The Staff report misinterprets this requirement, stating “adjacent land use and development patterns include both single-family residences and commercial buildings… which all align with the existing facilities on the SJCC properties.” That finding is about the compatibility of the existing facilitates, not the proposed amendment. The proposed amendment is not tied to the current use. A 402,261 gsf building, over four times larger than the existing building, is not compatible with single-family residential zoning on three sides.

2. The applicant differs to future review of any proposed development for compliance with the CO code in an attempt to justify compliance with this criteria, however this does not address the compatibility questions, including trip generation, hours of operation, parking demand, or cumulative intensity.

3. Development Pattern: The amendment would leave (i) a narrow strip of residentially designated property to the west, sandwiched between Public Institution and Commercial Office designations, and (ii) an isolated pocket of residential parcels in the southeast corner of the block sharing a property line with the subject site. The staff report does not provide any analysis of the resulting boundary or development pattern, whether the amended boundary is orderly, whether the remnant residential areas remain viable as designated, or whether the city would ever draw this line on its own.

4. Irregular boundaries drawn to follow one owner's parcel assembly are precisely the evidentiary pattern Washington courts look to in spot-zoning analysis as indicating private rather than public benefit. See Anderson v Island County, 81Wn.2d312(1972); Save Our rural Env't, 99Wn.2d363(1983).

Criteria 2(b) – MICC 19.15.230(F)(2)(b): Suitability for Development in Conformance with the Standards Under the Potential Zoning.

1. The Staff report disputes the applicants compliance with this criteria, stating "at least one parcel would not be suitable for development in conformance with the standards under the potential zoning as it currently exists" in reference to parcel 2655500132, which when applying CO zoning setbacks would result in abuilding envelope of six inches by eight feet. Parcel 2655500137 is similarly cannot practically be developed under the CO zoning setbacks, resulting in a building envelope of 35' by 105'. The staff report does not calculate the larger parcels.

2. Parcels 2655500132 & 2655500136 both have access to the residential street, SE 40th St. Rezoning these parcels to CO would direct commercial traffic directly onto a residential street.

3. Parcel 2655500132 is omitted from the staff reports list currently observed conditions: "Tax Parcels 2655500137, 2655500115, and 2655500136 all appear to be integrated in their daily operations as the Stroum Jewish Community Center site." – Parcel 2655500132 has not been used for recreational or community-facility purpose. It is a single-family home, in a single-family neighborhood, on a single-family street, that happens to have been speculatively acquired by an institutional neighbor in 2016.

    1. Parcel 265550-0136 was speculatively purchased by the applicant on October 30th, 2012 and is not included in their Conditional Use Permit. This parcel had a single family home existing on it when the applicant purchased it. This parcel should be excluded from any rezone consideration.

Criteria 2(c) – MICC 19.15.230(F)(2)(c): Benefit to the Community as a Whole; No Adverse Effect on Community Facilities or Public Health, Safety, and General Welfare.

The amendment must benefit the community as a whole and must not adversely affect community facilities or the public health, safety, and general welfare. The second cannot be satisfied by showing the benefit outweighs the harm.

1. The applicant again rests their argument of benefit to the community as a whole on the operator rather than the Commercial Office designation. As discussed, the application must be reviewed based on the Commercial Office Designation – not the current owner, current programming, or current operator of the property – which this application has failed to do. Additionally, the applicant does not provide services to all Mercer Island Residents, they do not offer discounts to Mercer Island residents, and their membership is primarily made-up of non-residents.

2. This criterion also requires No Adverse Effect, however the applicant does not address this criterion in their application and neither does the Staff Report. This application would, in fact, adversely affect public health, safety, and general welfare as follows:

a. The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.

b. The proposed rezone will increase traffic congestion and reduce pedestrian safety, as evidenced by the following.

- The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.

- The Trip Generation Memo does not account for trips associated with French American School of Puget Sound (FASPS), which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips. Commercial Office Rezone would be even more impactful than presented by the applicant.

c. The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections around the property.

3. Based on the proximity to I-90, Washington State DOT should be reviewing the amendment and its impacts on I90.

4. A Traffic Impact Analysis must include the school that is currently under construction across East Mercer from the applicants property.

Rezon Criteria:

Criteria 1. The proposed reclassification must be consistent with the policies and provisions of the Mercer Island Comprehensive Plan:

The proposed reclassification is not consistent with the comprehensive plan for the following reasons:

1. The applicant tries to justify compliance with the comprehensive plan based on the current use of the property as a community center, and the current building size and intensity of use. However, the proposed rezone is not tied to the existing use, it is not tied to a specific project, it is not tied to a proposed use, and it does not guarantee that the current use will continue after a rezone. The proposal does not limit future development to the square footage that currently exists. It is simply an application to change the zoning from residential to commercial office, which would result in increased density and intensity of use of the property, regardless if that use is an office building or a community center.
2. The applicant has stated that they want to continue to use the property as it has been used for 55 years, however that is untrue. Since the original Conditional Use Permit was granted, the applicant has significantly grown their building footprint, and purchased multiple additional parcels.
3. The existing building is 88,362 square feet (per King County Assessor). Rezoning the property to Commercial Office would allow a 402,261 square foot building to be built on the property. This is a **355% increase** in building area and is in addition to the existing 31,815 SF FASPS Building.
4. Commercial Office in this location is not compatible with the comprehensive plan. The justifications presented in the

application are irrelevant without a project being tied to the application. The applicant only focuses on the current use of the property (including the current building size), not what is actually being applied for, which is Commercial Office zoning recalcification.

5. There is currently a total of 637,818 SF of office space existing on Mercer Island. The largest existing office building is the Riot Games building in the town center at 155,599 SF. This rezone application would allow for 402,261 SF on this site alone, making it larger than the total size of the seven largest existing office buildings combined. Rezoning this property could result in a **60% increase** in total office space across all of Mercer Island, and place that significant growth in a location surrounded by residential zoning.
6. The Washington State Growth Management Act (GMA) requires the City of Mercer Island to prioritize housing in the comprehensive plan. This application does the exact opposite; it converts single family zoned property to Commercial Office. It does not meet the criteria of the Mercer Island Comprehensive Plan or the WA State GMA.
7. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 2. The proposed reclassification must be consistent with Mercer Island development code as set for in MICC 19.01.010;

The proposal does not comply with these criteria for the following reasons:

1. This criteria includes provisions to avoid traffic congestion. The proposed rezone will increase traffic congestion, as evidenced by the following:

● The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.

● The Trip Generation Memo does not account for trips associated with FASPS, which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from

the calculation of future trips to/from the shared driveway. Commercial Office Rezone would be even more impactful than presented by the applicant.

- The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections serving the property. A Traffic Impact Analysis would further confirm that this application does not comply with Criteria 2.

- The applicant indicates on their own documentation that they intend to increase parking counts, which means they intend to increase traffic to the property.

- The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.

1. This criteria includes provisions to protect the natural beauty and other natural resources. The proposal does the opposite, by increasing density and the intensity of the approved land use.
2. This criteria includes provisions to prevent overcrowding. The proposal does the opposite, by increasing density and the intensity of the approved land use.
3. The applicant again refers to the current use of the land to justify rezoning, however those responses are irrelevant as the proposal is not tied to a specific use, the proposal is to rezone the property to Commercial Office, which is not compatible with this criteria of the comprehensive plan.
4. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning, because that is what is being applied for.

Criteria 3. The proposed reclassification must be an extension of an existing zone, or a logical transition between zones.

The proposed rezone is not the extension of an existing zone or a logical transition between zones, it is actually the opposite.

1. The property is bound on three sides by residential zones, rezoning this parcel would create a pocket of commercially zoned parcels surrounded on three sides by single-family residential zoning.
2. Additionally, parcels 265550-0166, 265550-0168, and 265550-0165 to the west of the applicant's property, which are single-family zoned properties, would end up surrounded by Commercial zoning to the north and east, and Public Institution zoning to the West. See below map.

1. The zoning map in the application is not current.
2. Rezoning of this property would create a choppy patchwork of zoning with no logical transition between zones.

1. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 4. The proposed reclassification must not constitute an illegal Site-Specific Rezone.

The proposal does create an illegal site-specific rezone, solely for the benefit of a single property.

1. While the applicant has chosen to pursue non-profit status for tax purposes, and they do not pay property taxes on Mercer Island, they are still business that will see financial gain from the rezone.
2. With the applicant’s tax status, they rely on Mercer Island residents and taxpayers to fund public safety and maintenance of city infrastructure serving their property, while they indicate on their website that they serve the "general community of the greater Seattle area" and the majority of their members or not Island residents. This is in contrast to other clubs and CUP properties on Mercer Island that primarily cater to Island residents and abide by strict membership limits. The burden on Mercer Island taxpayers will be exacerbated if the land were to be rezoned to commercial and land use becomes more intense with no limits on programming or membership.

3. The applicant chose to build a building for the French American School of Puget Sound (FASPS) on the commercially zoned portion of their property in order to generate revenue through a lease for their own financial gain. If the applicant desired additional square footage to operate their center, they could have used that commercially zoned parcel and should not have leased the land to FASPS. A rezone cannot legally be granted for the private gain of one owner or a group of owners to the detriment of their neighbors. The FASPS lease demonstrates that the rezone application is for the financial gain of the applicant.
4. The applicant recently and speculatively purchased additional parcels that were not included in their original conditional use permit, and they are now seeking to rezone those parcels for their own gain.

● Parcel 265550-0136 was speculatively purchased by the applicant on October 30th, 2012 and is not included in their Conditional Use Permit. This parcel had a single family home existing on it when the applicant purchased it. This parcel should be excluded from any rezone consideration.

● Parcel 265550-0132 was speculatively purchased by the applicant on November 21, 2016 and is not included in their Conditional Use Permit. Furthermore, this parcel currently has a single-family home on it. Renderings presented by the applicant of a potential new facility shows the single-family residence remaining. Based on that, and the fact that this parcel is not included in the CUP, this parcel should be excluded from any rezone consideration.

1. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.
2. Again, the proposed rezone is not tied to a specific project or use and the applicant refers to the current use of the land to justify rezoning. Rezoning this property to commercial office does not provide a public benefit, making it an illegal site-specific rezone.

Criteria 5. The proposed reclassification must be compatible with surrounding zones and land uses.

Commercial Office zoning is not compatible with the single-family residential zoning that borders the property on three sides.

1. The property is bound on three sides by residential zones, and one side by commercial office. Rezoning this parcel would create

a pocket of commercially zoned parcels surrounded on three sides by single family zoning.
2. Additionally, parcels 265550-0166, 265550-0168, and 265550-0165 to the west of the applicant's property, which are single family zoned properties, would end up surrounded by Commercial zoning to the north and east, and Public Institution zoning to the West.
3. The zoning map in the application is not current.
4. Rezoning of this property would create a choppy patchwork of zoning with no logical transition between zones.
5. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 6. The proposed reclassification must not adversely affect public health, safety and welfare.

Rezoning this property to Commercial Office would adversely affect public health, safety and welfare for the following reasons.

1. The existing building is 88,362 square feet (per King County Assessor). Rezoning the property to Commercial Office would allow a 402,261 square foot building to be built on the property. This is a **355% increase** in building area and is in addition to the existing 31,815 SF FASPS Building.

2. The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.

1. The proposed rezone will increase traffic congestion and reduce pedestrian safety, as evidenced by the following.

● The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.

- The Trip Generation Memo does not account for trips associated with FASPS, which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips. Commercial Office Rezone would be even more impactful than presented by the applicant.

- The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections around the property. Without the Traffic Impact Analysis, it is impossible to confirm compliance with Criteria 6.

Mercer Island is first and foremost a residential community, and residential zoning should be protected for the residents and families of Mercer Island.

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janetmatzke@gmail.com
425-505-3480

Molly McGuire

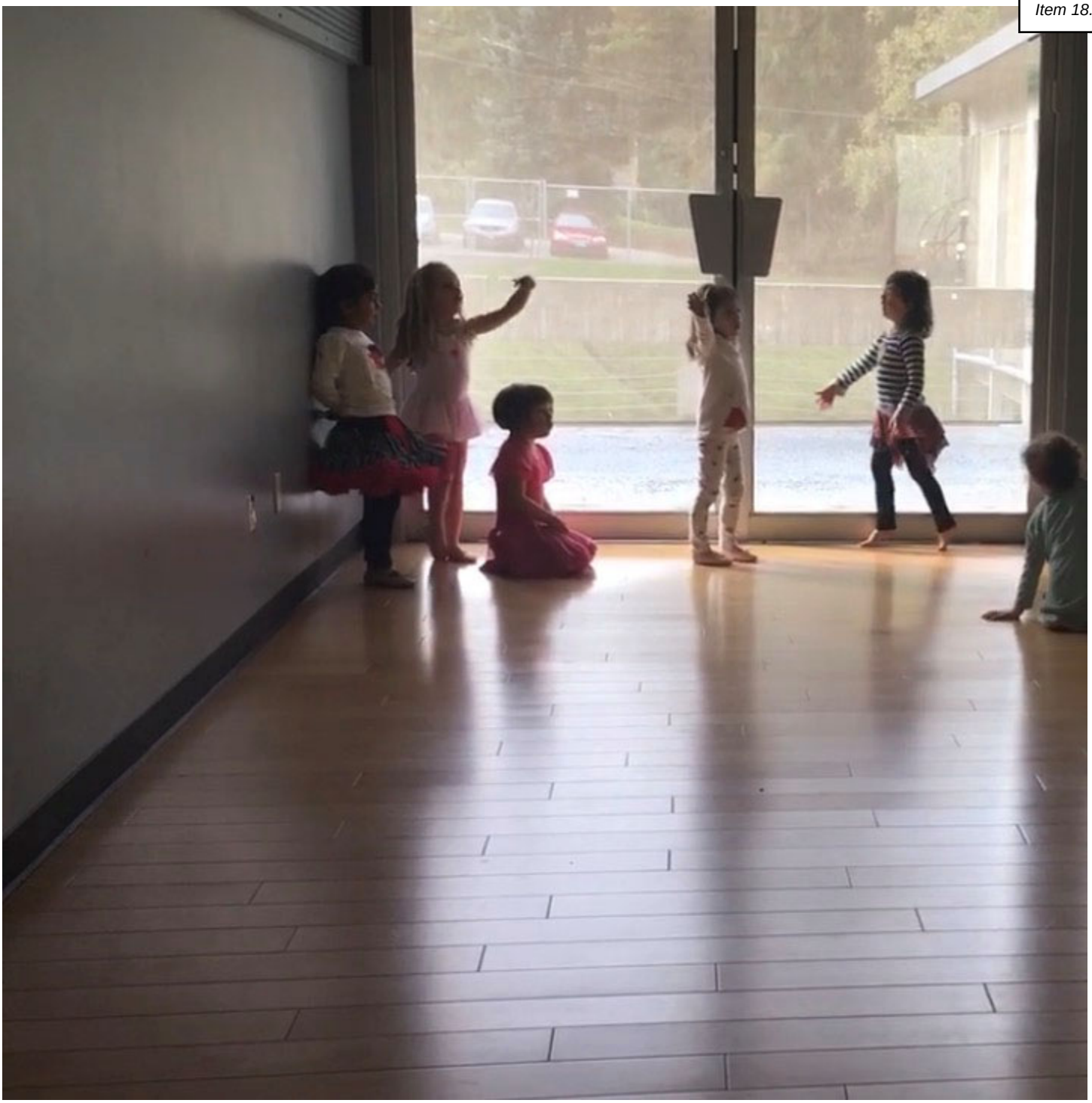
From: Jennifer Emm <hello@jenniferemm.com>
Sent: Tuesday, August 4, 2026 2:23 PM
To: Planning Commission; Alison Van Gorp; Council; Deb Estrada
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

I was literally raised at the JCC and it has played a role in every stage of my life. As a baby, preschooler, teen, and parent. And, now that I'm 53, I will by relying the J's service to support me as I move into my older years.

Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for another 55 years.



My daughter's turn at the J. She took dance, swimming, and art. My son went to preschool there.

A JCC field trip to Luther Burbank. I'm still friends with every one of these boys.

The Muscatel Family in the 70's breaking ground on a new wing of the JCC.

Jennifer Muscatel
@jennifer_muscatel
206-661-0566

Molly McGuire

From: Jim Horgdal <jimhorgdal@gmail.com>
Sent: Tuesday, August 4, 2026 4:10 PM
To: Planning Commission
Cc: deb.estrade@mercerisland.gov; counil@mercerisland.gov; Alison Van Gorp
Subject: SUBJECT: Public Comment RE CPA25-002, RZN25-002, SEP25-021

PUBLIC COMMENT

CPA25-002, RZN25-002, AND SEP25-021

Comprehensive Plan Amendment and Rezone Application

Submitted to	Mercer Island Planning Commission and City Council
Submitted by	Jim Horgdal
Address	4464 E Mercer Way, Mercer Island, WA 98040
Date	August 4, 2026

Requested action: Deny the application as presently submitted, or defer action until complete impact analysis and enforceable development limitations are provided.

Public Comment | CPA25-002, RZN25-002, SEP25-021

Executive Summary

The proposed comprehensive plan amendment and rezone should be denied because the applicant has not demonstrated compliance with the applicable decision criteria under MICC 19.15.230.F or the City's rezone criteria.

The central issue is not whether the Stroum Jewish Community Center currently provides valued programs. The issue is whether the requested Commercial Office land-use designation and zoning classification are appropriate for this property and compatible with the surrounding residential neighborhood.

A comprehensive plan designation and zoning classification attach to the land. They are not limited to the present owner, present operator, existing building, or current programs. The proposed amendment is not tied to a specific development proposal, does not guarantee continuation of the present community-center use, and does not impose binding limits on future building area, access, traffic generation, hours of operation, parking demand, ownership, or programming.

The applicant's narrative relies heavily on the SJCC's current operations and stated intention to continue serving as a community facility. Those representations do not define the legal effect of Commercial Office zoning. Nothing in the proposed designation would require continuation of early-childhood education, scholarships, cultural programming, recreation, swim lessons, community-garden activities, or other current services. Nor would it prevent a future owner or operator from pursuing a materially different use permitted under the Commercial Office designation.

The existing record also lacks sufficient analysis of:

Compatibility with residential properties on three sides of the site;
The form, bulk, scale and intensity permitted by Commercial Office zoning;
Traffic, parking, pedestrian, bicycle and emergency-access impacts;
The effect of the redesignation on the assumptions underlying the City's Transportation Element;
The practical development capacity of the site after application of all development standards;
The treatment of residential parcels included within or adjoining the requested rezone;

The effect of removing residentially designated property from the City's land-use inventory; and
Less intensive alternatives, including a Public Institution designation, community-facility overlay, tailored code amendment or binding development agreement.

The City should deny the application as presently submitted. Alternatively, the City should defer action until the applicant provides a complete Traffic Impact Analysis, a realistic development-capacity analysis, a comprehensive compatibility analysis, and enforceable restrictions aligning the requested entitlement with the applicant's stated objective of continuing a community-facility use.

I. Comprehensive Plan Amendment Criteria

Criterion 1: Consistency with the Growth Management Act, Countywide Planning Policies, Comprehensive Plan and City Policies

MICC 19.15.230.F places the burden on the applicant to demonstrate that the proposed comprehensive plan amendment complies with all applicable regulations and decision criteria. The present application does not satisfy that burden.

A. The application relies on the current operator rather than the legal effect of the proposed designation

The applicant repeatedly relies on the SJCC's current programs, current ownership, existing building and present level of activity. Those considerations do not determine the legal effect of the requested amendment.

The proposed Commercial Office designation would run with the land. It would remain in effect following a sale, change of operator, change in programming or change in institutional mission. Nothing in the proposal requires continuation of the current community-center use or limits future development to the existing building footprint and intensity.

The City must therefore evaluate the uses, scale and intensity reasonably permitted under the proposed Commercial Office designation—not solely the applicant's present intentions.

The applicant's statement that no change of use is presently proposed does not resolve this issue. No concurrent development proposal has been submitted, and no enforceable mechanism would prevent future development materially different from the applicant's current concept.

B. The absence of binding development restrictions is material

The applicant has not proposed a development agreement or comparable binding mechanism that would:

Restrict the property to community-facility or institutional uses;
Limit gross floor area, height, bulk or impervious surface;
Preserve buffers adjacent to residential properties;
Restrict access from residential streets;
Establish parking and transportation requirements;
Limit hours of operation;
Require specific traffic mitigation; or
Bind future owners and operators.

A development agreement could align the legal entitlement with the applicant's stated objective by restricting permitted uses, capping building area, establishing access locations and requiring transportation mitigation. The absence of such restrictions leaves open uses and intensities materially different from those relied upon in the application.

If the applicant seeks only to modernize and continue the existing community-facility use, enforceable restrictions should be considered before granting unrestricted Commercial Office zoning.

C. The proposed amendment may create substantial additional development capacity

The existing SJCC building is identified in the record as approximately 88,362 square feet. Elsewhere, the record refers to a 94,723-square-foot baseline and an estimated Commercial Office buildout capacity of approximately 402,261 square feet. These figures should be reconciled and clearly explained before any decision is made.

Measure	Square footage
Existing SJCC building	88,362
Alternative baseline cited in record	94,723
Estimated Commercial Office capacity	402,261

Using the 94,723-square-foot baseline, 402,261 square feet would be approximately 4.25 times the current baseline, representing an increase of approximately 325 percent.

Using the 88,362-square-foot existing-building figure, 402,261 square feet would be approximately 4.55 tim existing building area, representing an increase of approximately 355 percent.

The City should require the applicant to identify:

What is included in each baseline;

Whether the 402,261-square-foot figure represents theoretical or practical development capacity;

Whether the calculation accounts for setbacks, parking, access, stormwater, impervious-surface limits, topography and other development standards;

Whether the FASPS building is included or excluded; and

Whether all parcels included in the application can practically accommodate Commercial Office development.

Even if the theoretical maximum cannot be fully realized, the proposed designation would materially increase the legally permissible scale and intensity of development.

D. The application does not adequately address neighborhood character

Comprehensive Plan Land Use Goal 7.1 directs the City to preserve neighborhood character in residential zones and defines neighborhood character in terms of the form, bulk, scale and intensity of the built environment.

The application does not adequately analyze what Commercial Office development could look like next to single-family residential zoning on three sides. The fact that future construction would be required to comply with Commercial Office development standards does not, by itself, establish compatibility. Code compliance and land-use compatibility are separate questions.

The analysis should address:

Building form and bulk;

Height and massing;

Setbacks and buffers;

Lighting;

Noise;

Hours of operation;

Parking demand;

Traffic intensity;

Access locations; and

The cumulative effect of development reasonably permitted under Commercial Office zoning.

A potential increase of several times the existing building area is directly relevant to neighborhood character as defined by the Comprehensive Plan.

E. The application does not establish consistency with the Transportation Element

The Transportation Element is based on land-use assumptions reflected in the Comprehensive Plan Land Use Map. A redesignation that materially increases potential development intensity changes those assumptions.

The application and staff report do not demonstrate whether the proposed amendment has been evaluated against:

Existing travel-demand forecasts;

Intersection level-of-service standards;

Planned transportation improvements;

Pedestrian and bicycle conditions;

Parking demand and neighborhood spillover;

Emergency access;

School-related traffic;

Capital-facilities planning; and

Transportation mitigation necessary under foreseeable development scenarios.

Before approving the amendment, the City should determine whether the Transportation Element remains internally consistent with the amended land-use assumptions.

F. Parking and transportation impacts remain unresolved

Transportation Goal 9.2 calls for addressing parking overflow caused by major traffic generators such as schools, businesses and parks.

Neighbors have identified existing concerns involving:

Parking along East Mercer Way;

Vehicles obstructing or encroaching on bicycle and pedestrian areas;

Parking on SE 40th Street;

Vehicles blocking or affecting residential driveways; and

Traffic using nearby residential streets.
The application does not provide a specific plan for addressing these impacts under the increased intensity potentially permitted by Commercial Office zoning.

G. The application does not adequately evaluate alternative designations

The application does not meaningfully analyze whether a Public Institution designation, PBZ designation, community-facility overlay, tailored institutional zone or development agreement would better address the applicant's modernization needs while protecting the surrounding residential neighborhood.
The applicant bears the burden of demonstrating that the proposed Commercial Office designation is appropriate. The absence of a meaningful alternatives analysis leaves an important policy question unresolved.

Criterion 1A: Technical Error

The applicant reportedly concedes that the existing designation is not the result of a technical mapping or drafting error. This criterion therefore does not support approval of the proposed amendment.

Criterion 1B: Changed Circumstances Affecting the City as a Whole

The applicant has not demonstrated changed circumstances affecting the City as a whole.
The applicant initially relied on changes to residential development standards adopted in 2017. The staff report reportedly rejected that premise, explaining that those standards reflected policy decisions of the City Council rather than changed circumstances satisfying this criterion. The staff report also concluded that the applicable code continues to allow certain exterior alterations or enlargements of nonconforming non-single-family structures, subject to the applicable assessed-value threshold.
The staff report instead suggested that the relevant circumstances may be increased demand for the facility and the age or condition of the existing building. The present record, however, does not appear to contain:
Membership trend data;
Enrollment figures;
Waitlist information;
Utilization studies;
Demographic demand analysis;
A facility-condition assessment;
A structural evaluation;
A building-systems assessment; or
A cost-to-cure estimate.
A general statement that Mercer Island's population has increased since the facility was built does not, without additional analysis, establish a need for the level of development capacity potentially created by the proposed amendment.
More fundamentally, increased demand at one institution and the age of one facility concern the circumstances of a particular property or operator. They do not, without broader evidence, demonstrate changed circumstances affecting Mercer Island as a whole.
If the City determines that its regulations inadequately address modernization of community institutions generally, the more appropriate solution would be a citywide code amendment, community-facility overlay or tailored institutional designation applicable to similarly situated facilities. Comprehensive Plan Land Use Goal 7.4 expressly contemplates measures within the land-use code addressing maintenance, updating and renovation of these facilities.
The applicant bears the burden of proof. Any approval based on a rationale materially different from the applicant's stated rationale should be supported by substantial evidence in the record and should provide the public with a meaningful opportunity to respond.

Criterion 2(a): Compatibility with Adjacent Land Uses and Development Pattern

A. Existing facilities are not the same as the proposed zoning entitlement

The staff report reportedly refers to nearby residential and commercial buildings and concludes that they align with the existing SJCC facilities. That analysis addresses the existing development, not the broader range of development permitted by the proposed amendment.
The amendment is not limited to the existing facility. It would authorize a Commercial Office designation adjoining residentially zoned property on three sides. A compatibility analysis should therefore evaluate the foreseeable scale, intensity, hours, traffic, parking, lighting, noise and access associated with uses reasonably permitted under the proposed designation.

Deferring those questions to a future project review does not answer whether Commercial Office zoning itself is compatible with this location.

B. The resulting zoning boundary requires further analysis

The amendment would leave residentially designated parcels bordered or partially surrounded by Commercial Office and Public Institution designations.

The staff report should analyze whether the resulting boundary:

Creates an orderly and logical transition between zoning districts;

Leaves viable residential areas;

Follows identifiable streets, natural features or established district boundaries;

Treats similarly situated parcels consistently;

Advances a public land-use purpose independent of current ownership; and

Creates isolated or remnant residential parcels.

The present record does not adequately address whether the City would independently select this zoning boundary based on sound planning principles rather than the applicant's parcel ownership.

Criterion 2(b): Suitability for Development Under the Potential Zoning

The record raises substantial questions about whether all parcels included in the application are practically suitable for development under Commercial Office standards.

The staff report reportedly found that parcel 265550-0132 would have an extremely limited building envelope after application of Commercial Office setbacks. Parcel 265550-0137 may also have a constrained development envelope.

The City should calculate and disclose the practical development envelope for every parcel included in the application.

The City should also evaluate whether rezoning parcels with access to SE 40th Street would direct institutional or commercial traffic onto a residential street.

Parcel 265550-0132 currently contains a single-family residence and reportedly has not historically been used as part of the community facility. Parcel 265550-0136 also previously contained a single-family residence and reportedly is not included within the existing Conditional Use Permit.

The City should determine:

Whether these parcels should be included in the amendment;

Whether their inclusion creates a logical zoning boundary;

Whether they are functionally integrated with the existing institutional use;

Whether Commercial Office zoning is suitable for each parcel; and

Whether their inclusion would create new access or traffic impacts on residential streets.

Criterion 2(c): Community-Wide Benefit and No Adverse Effect on Public Health, Safety and Welfare

This criterion separately requires a benefit to the community as a whole and the absence of adverse effects on community facilities, public health, safety and general welfare. The City should make distinct findings on both requirements rather than treating general community benefits as a substitute for evaluating potential adverse effects.

A. Operational benefits must be distinguished from zoning consequences

The applicant describes benefits associated with the SJCC's current programs. Those benefits may be meaningful, but they do not by themselves establish that unrestricted Commercial Office zoning is appropriate.

The City should distinguish:

Benefits provided by the current operator;

Benefits secured through enforceable land-use conditions; and

Development rights that would remain after a change in ownership, use or programming.

Any public benefit relied upon in approving the amendment should be supported by enforceable restrictions ensuring that the benefit continues for the life of the entitlement.

B. Residential-street access requires further review

A conceptual rendering reportedly appears to show two curb cuts connecting to 97th Avenue SE.

The City should clarify whether those access points are contemplated. If so, their impacts on 97th Avenue SE and SE 40th Street should be analyzed before any action is taken. These streets serve a residential area, and the traffic and safety implications of directing additional institutional or commercial traffic to them have not been adequately evaluated.

C. The trip-generation figures require a complete explanation

The applicant's Trip Generation Memo reportedly identifies a potential increase from approximately 245 ho trips to approximately 1,376 hourly trips.
That would represent an increase of approximately 1,131 trips per hour, or approximately 462 percent above the stated baseline.
Before relying on these figures, the City should require clarification of:
Whether the figures represent peak-hour or total traffic;
Whether the scenario assumes office development, community-facility development or maximum zoning capacity;
How existing SJCC and FASPS traffic were separated;
Whether the FASPS building and operations are included in future conditions;
Whether nearby school traffic is included; and
Whether the figures account for realistic site constraints.
Because the SJCC and FASPS share a driveway, the memorandum should explain how observed trips were allocated between the facilities. Without that information, the record does not establish whether the existing SJCC baseline is overstated, understated or otherwise affected by FASPS traffic.

D. A full Traffic Impact Analysis is needed

The City reportedly required a Traffic Impact Analysis, but the applicant submitted a Trip Generation Memo.
A full Traffic Impact Analysis should address:
Existing and future weekday and weekend traffic;
AM and PM peak-hour conditions;
SJCC and FASPS traffic separately and cumulatively;
Nearby school traffic;
Intersection level of service;
Vehicle queuing;
Access from East Mercer Way, SE 40th Street and 97th Avenue SE;
Sight distance and driveway safety;
Collision history;
Pedestrian and bicycle conditions;
Parking demand and neighborhood spillover;
Emergency-vehicle access;
Construction traffic;
Impacts on I-90 and the state transportation system, where applicable; and
Reasonable development scenarios permitted under Commercial Office zoning.
A trip-generation memorandum alone does not provide sufficient information to make the required compatibility and public-safety findings.

II. Rezone Criteria

Rezone Criterion 1: Consistency with the Mercer Island Comprehensive Plan

The proposed reclassification has not been shown to be consistent with the policies and provisions of the Mercer Island Comprehensive Plan.
The applicant relies primarily on the existing community-center use and current building. The rezone, however, is not tied to the existing use, a specific project or enforceable development limitations. It would authorize Commercial Office zoning regardless of whether the property continues to operate as a community facility.
The City should evaluate the full scope of development reasonably permitted by the proposed classification.
The record should also address the scale of the proposed zoning in the context of Mercer Island's existing commercial development. The application materials reportedly indicate that the potential building capacity would be unusually large relative to existing office development on Mercer Island. Those comparisons should be independently verified and evaluated as part of the compatibility analysis.
The amendment would also remove residentially designated land from the City's land-use inventory. Before approval, the staff report should identify:
Whether the affected parcels contribute to planned housing capacity;
Whether the redesignation affects compliance with countywide housing allocations;
Whether replacement residential capacity would be necessary; and
How the amendment is consistent with the Housing Element and applicable countywide planning policies.
The present record does not appear to contain that analysis.

Rezone Criterion 2: Consistency with MICC 19.01.010

The proposal has not been shown to satisfy the code purposes involving traffic congestion, public safety, nat character and overcrowding.
The traffic concerns include the potential increase identified in the applicant's Trip Generation Memo, uncertainty regarding the allocation of FASPS traffic, the absence of a full Traffic Impact Analysis, proposed increases in parking capacity and possible new access points connecting with residential streets.
The application also does not adequately evaluate the environmental and neighborhood effects of substantially increased development intensity, including:
Impervious surface;
Tree and vegetation removal;
Stormwater;
Noise;
Lighting;
Building mass;
Parking;
Traffic; and
Effects on adjoining residential properties.
The applicant's reliance on the existing use does not establish that the broader Commercial Office entitlement satisfies these criteria.

Rezone Criterion 3: Extension of an Existing Zone or Logical Transition Between Zones

The proposed rezone has not been shown to create a logical extension or transition between zoning districts.
The subject property is bordered by residential zoning on three sides and Commercial Office zoning on one side.
The amendment would create a Commercial Office area extending into a predominantly residential setting.
It may also leave residential parcels to the west bordered by Commercial Office and Public Institution designations and create irregular zoning boundaries.
The City should analyze whether the resulting boundary:
Represents an orderly extension of an existing district;
Creates a logical transition in intensity;
Leaves isolated or remnant residential parcels;
Follows recognizable planning boundaries;
Treats similarly situated properties consistently; and
Would be selected independently of the applicant's ownership pattern.
The zoning map used in the application should also be reviewed and updated if it does not reflect current zoning conditions.

Rezone Criterion 4: Site-Specific Rezone and Public Benefit

The proposal raises substantial concerns associated with unlawful spot zoning because it would confer a different and potentially more intensive classification on property assembled by one owner while surrounding properties remain residentially designated.
A private benefit does not necessarily invalidate a rezone. The City must, however, establish that the proposal:
Serves a legitimate public land-use purpose;
Is consistent with the Comprehensive Plan;
Treats similarly situated properties consistently;
Does not confer an unjustified special privilege; and
Does not create material detriment to surrounding properties.
The present record does not adequately establish that the benefits associated with the current operator would be secured following a future change in ownership or use.
The application should be evaluated according to the rights created by Commercial Office zoning, not the applicant's nonprofit status, present membership, current programs or existing lease arrangements.
The applicant acquired parcels 265550-0136 and 265550-0132 after the original community facility was established. Parcel 265550-0132 currently contains a single-family residence, and both parcels reportedly fall outside portions of the existing Conditional Use Permit.
The relevant question is not why those parcels were acquired. The relevant questions are:
Whether their inclusion serves a coherent public planning purpose;
Whether they are suitable for Commercial Office zoning;
Whether they create an orderly zoning boundary;

Whether they direct traffic onto residential streets; and
Whether similarly situated residential parcels are treated consistently.

Rezone Criterion 5: Compatibility with Surrounding Zones and Land Uses

Commercial Office zoning has not been shown to be compatible with single-family residential zoning bordering the property on three sides.
The compatibility analysis should not be limited to the existing SJCC building. It should evaluate the full range of reasonably foreseeable development under Commercial Office zoning.
That analysis should include:
Form, bulk and scale;
Height and massing;
Setbacks and buffers;
Lighting;
Noise;
Hours of operation;
Parking demand;
Traffic generation;
Residential-street access;
Pedestrian and bicycle safety; and
The cumulative intensity of development.
The proposed amendment may also create irregular zoning boundaries and residential parcels bordered by Commercial Office and Public Institution designations.
Without a project-specific proposal or binding development restrictions, the City cannot determine compatibility solely from the applicant's current operations or illustrative concepts.

Rezone Criterion 6: No Adverse Effect on Public Health, Safety and Welfare

The record does not presently establish that the proposed reclassification would avoid adverse effects on public health, safety and welfare.
Relevant unresolved issues include:
The substantial increase in potential building area;
Possible access from 97th Avenue SE and SE 40th Street;
Increased traffic and parking demand;
Neighborhood parking spillover;
Pedestrian and bicycle safety;
Shared-driveway traffic involving FASPS;
Nearby school traffic;
Intersection and queuing impacts;
Emergency access;
Construction traffic; and
The absence of a complete Traffic Impact Analysis.
The applicant's memorandum reportedly identifies a potential increase from approximately 245 hourly trips to approximately 1,376 hourly trips. That potential increase requires detailed analysis before the City can make a finding that the rezone would not adversely affect public safety and welfare.
The City should not defer all of these issues to a future project review. The present decision would determine whether Commercial Office zoning is appropriate for the site. The City therefore needs enough information now to understand the reasonably foreseeable consequences of that designation.

III. More Appropriate Alternatives

Denial of the current application would not prevent the City from considering reasonable modernization of the SJCC facility.
Potential alternatives include:
A community-facility overlay applicable to similarly situated institutions;
A tailored Public Institution or institutional designation;
A citywide code amendment addressing nonconforming community facilities;
A parcel-specific development agreement containing enforceable limitations;
Exclusion of residential parcels that are not functionally part of the existing facility;
A smaller or more carefully defined land-use amendment;

Restrictions on floor area, height, access, hours, parking and permitted uses; and
Required transportation and neighborhood mitigation.

These alternatives would allow the City to address legitimate modernization needs without granting a broader Commercial Office entitlement untethered to the use and public benefits relied upon by the applicant.

IV. Requested Action

For the foregoing reasons, the applicant has not met its burden of demonstrating compliance with the applicable comprehensive plan amendment and rezone criteria.

The City should deny CPA25-002, RZN25-002 and SEP25-021 as presently submitted.

At minimum, the City should defer action until:

A complete Traffic Impact Analysis has been prepared;
Existing and future SJCC and FASPS traffic have been separately and cumulatively analyzed;
The potential access points on 97th Avenue SE and SE 40th Street have been clarified and evaluated;
Development capacity has been calculated using realistic site constraints;
The differing square-footage baselines in the record have been reconciled;
Compatibility with surrounding residential properties has been fully analyzed;
The effect on the Transportation Element and housing capacity has been addressed;
The suitability of each parcel included in the amendment has been established;
Alternative community-facility or institutional zoning approaches have been evaluated; and
The applicant has proposed enforceable limitations through a development agreement or comparable mechanism.

Mercer Island is primarily a residential community. Its community institutions are also important. A carefully tailored solution can recognize both values.

The present application does not achieve that balance because it requests a permanent Commercial Office entitlement without a specific project, adequate impact analysis or binding limitations ensuring that future development remains consistent with the applicant's stated community-facility purpose.

Respectfully submitted,

Jim Horgdal
4464 E Mercer Way, Mercer Island, WA 98040
jimhorgdal@gmail.com
347 255 7652

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Best regards, Jim

Mobile +1 (347) 255-7652

Molly McGuire

From: Joan Moritz <jzmoritz@gmail.com>
Sent: Tuesday, August 4, 2026 2:55 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Stroum Jewish Community Center (SJCC)

To whom it may concern:

I'm writing to urge your support for amending the Mercer Island Comprehensive Plan to change the designation of the SJCC property from single family to commercial.

SJCC has served Mercer Island as a community center since 1969. Unfortunately, a 2017 zoning change intended to prevent construction of mega houses had the unintended consequence of classifying SJCC as a single-family dwelling and limiting SJCC's much needed remodel.

Please align the comprehensive plan and land use maps to reflect that reality and ensure SJCC can continue to serve its community and thrive on Mercer Island well into the future.

I live in Seattle, but have taken classes and attended events at SJCC in the past. I hope it will be possible to continue doing so in the future.

Thank you for your consideration.
Joan Moritz

Molly McGuire

From: samandjoni <samandjoni@hotmail.com>
Sent: Tuesday, August 4, 2026 10:51 AM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

Born and raised in Seattle, without a JCC, and as President of BBG (B'nai B'rith Girls) we organized skits and talks to as many Jewish adult organizations possible, asking for their support in providing us with a much needed JCC to bring our Jewish life to full circle. We are proud that many generations and families, have supported our local JCC and continue to thrive by having the J in our lives.

The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Thank you for your consideration.
Joann Eskenazi

Sent from my iPad

Molly McGuire

From: johnsorourke@gmail.com
Sent: Tuesday, August 4, 2026 5:21 PM
To: Planning Commission; Alison Van Gorp; Council; Deb Estrada; molly.mcguire@mercerisland.com
Cc: caseyhallorourke@gmail.com; johnsorourke@gmail.com
Subject: Public Comment RE CPA25-002, RZN25-002, SEP25-021
Attachments: Written comments regarding CPA25-002

Hi – in advance of the August 5th meeting to discuss changing Comprehensive Plan of Mercer Island, specifically "**PCB 26-09: Public Hearing to Amend the Comprehensive Plan Land Use Map Designation from Single-Family to Commercial Office for Parcels 2655500137, 2655500136, 2655500132, and a portion of 2655500115 (CPA25-002)**" as it is stated in the Planning Commission Special Hybrid Meeting Agenda (link), I'm writing to express my concerns with this proposal to amend the Comprehensive Plan and change the designation from Single Family to Commercial Office.

I've written before with my concerns, and background context in the attached email. However, I've come to learn that the only comments that can be considered are those that specifically address the Mercer Island Comprehensive Plan. Therefore, I am submitting the following comments regarding CPA25-002, RZN25-002, and SEP25-021. I respectfully request denial of the proposed Comprehensive Plan Amendment and rezone because the applicant has not met the burden of demonstrating compliance with the applicable Comprehensive Plan, Growth Management Act, and Mercer Island City Code criteria.

Key Concerns

1. The application relies on the current use and operator rather than the proposed designation.
The applicant's justification is based on the property's existing use as a community center and the benefits currently provided by the SJCC. However, the proposed Comprehensive Plan Amendment and rezone would apply to the land itself, not to the current owner, programs, or operations. The application is not tied to a specific project, use, or enforceable restrictions, and nothing guarantees that the current uses cited by the applicant will continue in the future.

2. No binding commitments are offered to preserve the claimed community benefits.
The applicant has not proposed a Development Agreement or other legally binding mechanism that would limit future uses, cap building size, address access and traffic concerns, or otherwise ensure that the public benefits cited in support of the application remain in place. Without such commitments, the City's decision must be based on the full development potential of the requested designation.

3. The proposal is inconsistent with Comprehensive Plan goals regarding neighborhood character.
The Comprehensive Plan calls for preservation of neighborhood character, including the form, bulk, scale, and intensity of development in residential areas. The proposed redesignation would increase potential buildout capacity from approximately 94,723 square feet to 402,261 square feet, a more than fourfold increase that has not been analyzed in relation to surrounding single-family neighborhoods.

4. Transportation impacts have not been adequately evaluated.
The applicant's own Trip Generation Memo indicates that the rezone could increase traffic from approximately **245 trips per hour to 1,376 trips per hour**, an increase of more than **460**%. Despite the significance of this increase, no Traffic Impact Analysis has been provided. In addition:

- The analysis does not adequately account for traffic associated with the French American S of Puget Sound (FASPS), which shares access with the site.
- Existing parking and traffic impacts on neighboring residential streets have not been addressed.
- Potential future access from 97th Ave SE and SE 40th St. raises additional public safety concerns.
- The impacts on nearby schools, pedestrians, cyclists, and the I-90 corridor have not been fully evaluated.

5. The applicant has not demonstrated changed circumstances of the City as a whole.
The changed-circumstances criterion requires evidence of citywide changes, not changes affecting a single property or institution. The Staff Report rejects the applicant's primary rationale and concludes that the cited 2017 code changes do not constitute changed circumstances of the City as a whole. The remaining justification appears to be based on the needs of a single property and facility rather than broader citywide conditions.

6. The proposal is not a logical extension or transition of existing zoning.
The subject property is bordered on three sides by single-family residential zoning. The proposed rezone would create an isolated pocket of Commercial Office zoning within a predominantly residential area and would leave certain nearby residential parcels surrounded by non-residential designations. This creates an irregular zoning pattern rather than a logical transition between districts.

7. The applicant has not shown that Commercial Office is the most appropriate designation.
The application does not analyze alternative approaches, such as a Public Institution designation, Public Benefit Zone, community-facility overlay, or other mechanisms that could address the stated concerns while remaining more consistent with the surrounding residential context. The burden rests with the applicant to demonstrate that the requested designation is the most appropriate and consistent option.

8. The proposal raises concerns regarding public health, safety, and welfare.
The combination of substantially increased development potential, significant projected traffic growth, unaddressed parking impacts, and the absence of a comprehensive traffic analysis prevents a finding that the proposal will have no adverse effect on public health, safety, and welfare.

For these reasons, I respectfully request that the Planning Commission and City Council deny CPA25-002 and RZN25-002. At a minimum, the City should require a project-specific proposal, a complete Traffic Impact Analysis, and legally binding restrictions sufficient to ensure consistency with any findings relied upon to support approval.

Thank you for listening and for executing on your elected role to protect and represent the needs of the residents of Mercer Island and deliver on the mission, vision, and values of Mercer Island as stated on City Overview page on Mercer Island webpage: https://www.mercerisland.gov/community/page/city-overview

> *"We provide outstanding municipal services that enhance and protect the environment, the quality of life, and the community health, safety, and welfare on Mercer Island."*

Sincerely,

John O'Rourke
4043 97th Ave SE

Molly McGuire

From: Jon Newman <jonn_msft@hotmail.com>
Sent: Tuesday, August 4, 2026 1:28 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Cc: Naomi Newman (naomi@halcyon.com); Jon Newman
Subject: Supporting the SJCC property rezone

To Mercer Island Commissioners:

We are writing to ask you to support the SJCC rezone, and enable the SJCC to undertake needed upgrades to improve their service to the Mercer Island community. The SJCC is a valuable and self-sufficient resource for our beautiful city. Our family has been members for over 20 years, taking part in family activities, the gym, and the diverse cultural offerings.

We strongly request that you update the comprehensive plan consistent with the ongoing actual use of this property, so that Mercer Island families can thrive at the SJCC for another 55 years.

Sincerely,

Jon and Naomi Newman
9097 North Mercer Way

Molly McGuire

From: Julie Chivo <julie.chivo@gmail.com>
Sent: Tuesday, August 4, 2026 12:55 PM
To: Council; Planning Commission; debestrada@mercerisland.gov; alisonvangorp@mercerisland.gov
Subject: I Support Proposed Zoning Change for the SJCC

Please amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

The SJCC organizes great cultural events for the residents of Mercer Island. I particularly love the cookbook authors.

My 23 year old son loves the fitness center.
He frequently mentions to me seeing friends from high school or scout troop 647 at the SJCC gym.

It is a huge benefit to us to have this facility on the island. It serves the young and the old and everyone in between.

The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Julie Chivo
2824 61st Avenue SE
Mercer Island, WA

Molly McGuire

From: Casey O'Rourke <caseyhallorourke@gmail.com>
Sent: Tuesday, August 4, 2026 8:28 PM
To: Planning Commission; Alison Van Gorp; Council; Deb Estrada; molly.mcguire@mercerisland.com
Cc: johnsorourke@gmail.com; Casey O'Rourke
Subject: Re: Public Comment RE CPA25-002, RZN25-002, SEP25-021

Hello Mercer Island Planning Commission and City Council.

I experience significant traffic congestion multiple times each day at the intersection serving the JCC, Herzl Ner-Tamid Temple, and FASPS. This congestion occurs year-round and is especially problematic during the morning and afternoon peak periods, typically between 8:00-9:00 a.m. and 3:00-4:00 p.m. During these times, traffic frequently backs up toward the freeway exits, and vehicles leaving the JCC and FASPS parking lots often pull onto East Mercer Way with little opportunity to merge safely. I have witnessed numerous near misses involving vehicles, cyclists, and pedestrians.

Given these existing conditions, the prospect of adding a regional facility that would further increase traffic is deeply concerning. For years, I along with many residents have attended City Hall meetings regarding proposed developments and traffic solutions. We have repeatedly suggested directing traffic through the commercial driveways along 36th Street to reduce pressure on residential streets, yet no action has been taken on that proposal.

Adding additional traffic burden to a residential neighborhood is neither appropriate nor considerate of the families who live here and rely on these roads every day. Having lived on 97th Avenue SE, I know firsthand that our neighborhood streets are already used as cut-through routes by drivers traveling from Mercerwood. I fear that this proposal will only worsen those conditions.

I urge our elected and appointed officials, who are charged with protecting the interests and quality of life of Mercer Island residents, to deny this proposal. At a minimum, further traffic analysis, additional community engagement, and a more comprehensive planning process should occur before any action is taken. Decisions of this magnitude should not be rushed.

I wrote to many of you in June regarding these concerns. Just today, my husband received an email from Amy Lavin of the JCC offering a meeting opportunity. While we appreciate the outreach, it came barely 24 hours before this planning commission meeting. Without sufficient time for meaningful discussion, collaboration, and consideration of solutions that serve the broader Mercer Island community, the offer feels more symbolic than substantive.

I respectfully ask that you pause this process, continue engaging with residents and other city leaders, and allow the community the opportunity to work together toward a solution that balances the needs of all stakeholders.

My husband submitted the statement below, and I fully support and agree with the concerns and points he has raised and request you deny the proposed Comprehensive Plan Amendment and rezone because the applicant has not met the burden of demonstrating compliance with the applicable Comprehensive Plan, Growth Management Act, and Mercer Island City Code criteria.

Sincerely,

Kathleen Hall-O'Rourke

On Tue, Aug 4, 2026 at 5:20 PM <johnsorourke@gmail.com> wrote:

> Hi – in advance of the August 5th meeting to discuss changing Comprehensive Plan of Mercer Island, specifically "**PCB 26-09: Public Hearing to Amend the Comprehensive Plan Land Use Map Designation from Single-Family to Commercial Office for Parcels 2655500137, 2655500136, 2655500132, and a portion of 2655500115 (CPA25-002)**" as it is stated in the Planning Commission Special Hybrid Meeting Agenda (link), I'm writing to express my concerns with this proposal to amend the Comprehensive Plan and change the designation from Single Family to Commercial Office.
>
> I've written before with my concerns, and background context in the attached email. However, I've come to learn that the only comments that can be considered are those that specifically address the Mercer Island Comprehensive Plan. Therefore, I am submitting the following comments regarding CPA25-002, RZN25-002, and SEP25-021. I respectfully request denial of the proposed Comprehensive Plan Amendment and rezone because the applicant has not met the burden of demonstrating compliance with the applicable Comprehensive Plan, Growth Management Act, and Mercer Island City Code criteria.
>
> **Key Concerns**
>
> **1. The application relies on the current use and operator rather than the proposed designation.**
> The applicant's justification is based on the property's existing use as a community center and the benefits currently provided by the SJCC. However, the proposed Comprehensive Plan Amendment and rezone would apply to the land itself, not to the current owner, programs, or operations. The application is not tied to a specific project, use, or enforceable restrictions, and nothing guarantees that the current uses cited by the applicant will continue in the future.
>
> **2. No binding commitments are offered to preserve the claimed community benefits.**
> The applicant has not proposed a Development Agreement or other legally binding mechanism that would limit future uses, cap building size, address access and traffic concerns, or otherwise ensure that the public benefits cited in support of the application remain in place. Without such commitments, the City's decision must be based on the full development potential of the requested designation.

3. The proposal is inconsistent with Comprehensive Plan goals regarding neighborhood char
The Comprehensive Plan calls for preservation of neighborhood character, including the form, bulk, scale, and intensity of development in residential areas. The proposed redesignation would increase potential buildout capacity from approximately 94,723 square feet to 402,261 square feet, a more than fourfold increase that has not been analyzed in relation to surrounding single-family neighborhoods.

4. Transportation impacts have not been adequately evaluated.
The applicant's own Trip Generation Memo indicates that the rezone could increase traffic from approximately **245 trips per hour to 1,376 trips per hour**, an increase of more than **460**%. Despite the significance of this increase, no Traffic Impact Analysis has been provided. In addition:

- The analysis does not adequately account for traffic associated with the French American School of Puget Sound (FASPS), which shares access with the site.
- Existing parking and traffic impacts on neighboring residential streets have not been addressed.
- Potential future access from 97th Ave SE and SE 40th St. raises additional public safety concerns.
- The impacts on nearby schools, pedestrians, cyclists, and the I-90 corridor have not been fully evaluated.

5. The applicant has not demonstrated changed circumstances of the City as a whole.
The changed-circumstances criterion requires evidence of citywide changes, not changes affecting a single property or institution. The Staff Report rejects the applicant's primary rationale and concludes that the cited 2017 code changes do not constitute changed circumstances of the City as a whole. The remaining justification appears to be based on the needs of a single property and facility rather than broader citywide conditions.

6. The proposal is not a logical extension or transition of existing zoning.
The subject property is bordered on three sides by single-family residential zoning. The proposed rezone would create an isolated pocket of Commercial Office zoning within a predominantly residential area and would leave certain nearby residential parcels surrounded by non-residential designations. This creates an irregular zoning pattern rather than a logical transition between districts.

7. The applicant has not shown that Commercial Office is the most appropriate designation.
The application does not analyze alternative approaches, such as a Public Institution designation, Public Benefit Zone, community-facility overlay, or other mechanisms that could address the stated concerns while remaining more consistent with the surrounding residential context. The burden rests with the applicant to demonstrate that the requested designation is the most appropriate and consistent option.

8. The proposal raises concerns regarding public health, safety, and welfare.
The combination of substantially increased development potential, significant projected traffic growth, unaddressed parking impacts, and the absence of a comprehensive traffic analysis prevents a finding that the proposal will have no adverse effect on public health, safety, and welfare.

For these reasons, I respectfully request that the Planning Commission and City Council deny CPA25-002 and RZN25-002. At a minimum, the City should require a project-specific proposal, a complete Traffic Impact Analysis, and legally binding restrictions sufficient to ensure consistency with any findings relied upon to support approval.

Thank you for listening and for executing on your elected role to protect and represent the needs of the residents of Mercer Island and deliver on the mission, vision, and values of Mercer Island as stated on City Overview page on Mercer Island webpage: https://www.mercerisland.gov/community/page/city-overview

> *"We provide outstanding municipal services that enhance and protect the environment, the quality of life, and the community health, safety, and welfare on Mercer Island."*

Sincerely,

John O'Rourke

4043 97th Ave SE

Mercer Island, WA 98040

Molly McGuire

From: Kelly Piha <kelly.piha@gmail.com>
Sent: Tuesday, August 4, 2026 3:54 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

I've been coming to the J since preschool—40 years ago. My husband worked there as a teenager, and as teens we both participated in its social programs. Years later, we still use this facility regularly. Our children attended the J preschool, and our family continues to use the pool, gym, and participate in community activities. The J has truly been a part of our lives for decades.

The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Kelly and Dan Piha

Molly McGuire

From: Kiran Hew <kiran.hew@gmail.com>
Sent: Tuesday, August 4, 2026 9:24 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: I support re-zoning and expansion of SJCC

I'm writing in support of the re-zoning and expansion of the SJCC. They provide wonderful services to families on Mercer Island and we would love to see them be able to do more.

Kiran Hew

Molly McGuire

From: Leslie S <lshtabs@gmail.com>
Sent: Tuesday, August 4, 2026 3:28 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to ask you to support the amendment to the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

My husband played basketball at the J for decades and the time he spent on the court there has been such an important part of his life. My kids also attended the JCC preschool and the lifelong friendships they made there were an integral part of their childhood and will remain part of their lives forever, not to mention all the family friends we have made there as well.

The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Thank you,
Leslie Rousso

Molly McGuire

From: Letty C <lettycherry@gmail.com>
Sent: Tuesday, August 4, 2026 10:49 AM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm out of town so unable to attend and speak at the meeting so I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

My family has been coming to the J for 20 years and it provides is with a great sense of community and belongings.

The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Thank you so much for your consideration.

Best Regards,
Letty Cherry

Molly McGuire

From: Linda Schwaber <linda.schwaber@gmail.com>
Sent: Tuesday, August 4, 2026 10:20 AM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support for SJCC Comprehensive plan and rezone request

Dear Mercer Island Planning Commission,

My name is Linda Schwaber and I am a resident of Burien, but have benefitted from the service of SJCC like so many of my neighbors around the Mercer Island and Seattle community.

The SJCC provides invaluable services to the community, drawing people to Mercer Island in a positive way that fosters community building and inclusion. It is a pillar of Mercer Island, and offers so much to residents and visitors - safe childcare, fitness and aquatics, cultural programming, community outreach and so much more. It is surprising that it has been zoned as a single family property to date.

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. The J has been serving the Mercer Island community – as a community center – for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Thank you,
Linda Schwaber

Molly McGuire

From: Linda Sherran <linda.sherran@gmail.com>
Sent: Tuesday, August 4, 2026 6:22 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: SJCC

Hello,

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. All our immediate family is in New Jersey and the J's events, facilities, and programs have given us the opportunity to meet new friends and to have a community close to home. The J has been serving the Mercer Island community – as a community center – for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Thank you,

Linda Sherran

Molly McGuire

From: Lisa Pedee <lisamp@gmail.com>
Sent: Tuesday, August 4, 2026 3:03 PM
To: Planning Commission; Council; Deb Estrada; Alison Van Gorp
Subject: Public Comment RE CPA25-002, RZN25-002, SEP25-021

Public Comment RE CPA25-002, RZN25-002, SEP25-021

Comprehensive Plan Amendment

As a Mercer Island resident since 2020, I'm deeply concerned about the pattern of redevelopment happening across the island, the loss of mature trees and the changes to the character of this community that I don't believe serve residents well. I'm submitting the following comment in opposition to this rezone.

Criteria 1 MICC 19.15.230.F

F. 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 decisions criteria.

The applicant has not met the burden of demonstrating the proposed amendment complies with the applicable regulations and decision criteria.

Criteria 1. The amendment is not consistent with the Growth Management Act, the countywide planning policies, or the other provisions of the comprehensive plan and city policies based on the following:

1. Each and every response by the applicant to these criteria regarding compliance with the comp plan, GMA and city policies are based on the current use of the property as a community center, and the current building size and intensity of use - the applicant relies on the operator, not the designation. However, the proposed comprehensive plan amendment is not tied to the existing use, it is not tied to a specific project, it is not tied to a proposed use, and it does not guarantee that the current use will continue after an amendment. The proposal does not limit future development to the square footage that currently exists. It is simply an application to change the zoning from residential to commercial office, which would result in increased density and intensity of use of the property, regardless if that use is an office building or a community center.
2. Comprehensive plan land use designation attaches to the land, not an owner or a program. Nothing in the CO designation requires an early childhood school, scholarships, a community garden, swim lessons, or any cultural programming. Nothing prevents the sale of the property and a future owner implementing different programming. The applicant’s amendment secures none of the benefits offered as the basis for finding it consistent.

3. The applicant does not offer to enter a Development Agreement under RCW 36.70B.170 which they could do concurrently with the rezone, and would run with the land and bind successors. A Development Agreement can restrict permitted uses to community-facility uses, cap gross floor area, fix access locations, and require specific transportation mitigation. If the applicant's representation is that "no change of use is proposed," a development agreement cost the applicant nothing it has claimed to want. By declining to enter a development agreement, the applicant brings into question their intended future use.

4. The applicant does not establish consistence with the Transportation Element. RCW 36.70A.070 requires an internally consistent plan: RCW 36.70A.070(6)(a)(i)(C) requires the transportation element to rest on land use assumptions. The Land Use Map is the input to the travel forecast. Redesignating this site from Single-Family Residential to Commercial Office – on the applicant's own consultant's figures, from 94,723 gsf to 402,261 gsf buildout capacity – changes the assumption. Nothing in the application shows that the Transportation Element's forecasts, LOS standards, or capital facilities program were checked against the amended map. The Staff report does not address this internal inconsistency.

5. Land Use Goal 7.1 – "Preserve the neighborhood character in residential zones. For the purpose of implementing this element, neighborhood character only refers to form, bulk, scale and intensity of the built environment." The applicant does not address what Goal 7.1 actually askes, which is what happens to form, bulk, scale, and intensity under the Commercial Office designation. A 4.25X increase in buildout capacity is, by the comprehensive plan's own definition, a neighborhood-character question that the application does not comply with.

6. Transportation Goal 9.2 – "Address parking overflow impacts on neighbors cause by major traffic generators such as schools, businesses, parks…" The applicant does not address how the redesignation would address the neighbors' concerns, including parking overflowing onto East Mercer Way that blocks the bike lane and forces bikes and pedestrians into the traffic lane; cars from user of the property parking on SE 40th, cars from users of the property blocking driveways on adjacent streets. Goal 9.2 asks for a plan to address the impact, but the applicant does not cite any specifics in how the redesignation will do that. In fact, the redesignation would allow for 4.25X building area, which would result in even more traffic and overflow parking.

7. "Commercial Office and PBZ zones must serve the needs of the local populations while remaining compatible with the overall residential character of the community." The applicant asserts compatibility will "increase" and that "anything that is built will conform to CO standards." That is an assertion about code compliance, not about compatibility, and it is unsupported by any analysis of way CO buildout looks like against the neighboring Single-Family Residential land. Additionally, the applicants current membership is made up primarily of non-residents of Mercer Island, thus they are not serving the local population.

8. The applicant does not include any analysis of whether PBZ, a Public Institution designation, or tailored community-facility designation would fit the situation better than CO. It is the applicant's burden to show the proposed designation is consistent, the absence of any alternative analysis demonstrates the applicant has not met the burden.

Criteria 1A – The applicant concedes there is not a technical error, thus this criterion cannot be used to allow for the applicant's amendment.

Criteria 1B – Changed Circumstances of the City as a Whole – This criterion requires a change in circumstances of the city as a whole, not of the property, not of the applicant, not of a single

institution. Washington reclassification cases look for changed conditions in the area, not merely changed circumstance of the proponent. See Parkridge v Seattle, 90Wn.2d454(1987).

1. The staff report rejects that there has been a change in circumstance of the City as a Whole "The City disagrees with the applicant's assertion as to the 2017 development standards. The changes to the residential development standards that occurred in 2017 were policy decisions made by the then seated City Council, and are not 'changing circumstances of the city as a whole." Additionally, the staff report found that the applicant's factual premise incorrect – that the MICC 19.01.050(D)(3) does in fact permit exterior alteration or enlargement of nonconforming non-single-family structures, subject to the 50-percent-of-assessed-value threshold.
2. The Staff report theorizes that the changed circumstances are "more accurately described as an increased demand of a facility that is at the end of its useful life and which demand cannot be accommodated under" MICC 19.01.050(D)(3).
    a. MICC 19.15.230(F) places the burden of demonstration on the applicant. When the reviewing body rejects the applicant's theory, finds its factual premise incorrect, that should result in denial of the application. The city staff cannot construct a substitute rationale, by doing so the burden has effectively been carried by staff rather than by the applicant.
    b. The staff's substitute theory is unsupported by anything in the application or the staff report and relies on two assertions without providing any evidence.
        i. "Increased demand" – The applicant has refused to provide any membership trend data, enrollment figures, waitlists, utilization studies, or demographic demand analysis. The applicant offers only that Mercer Island's population "has grown over 20% since the JCC was built in 1969." A 20% increase in the cities population does not justify an over 400% increase in allowed building area for the site.
        ii. The applicant asserts that the facility that is at the end of its useful life, however no condition assessment, structural evaluation, systems assessment, or cost-to-cure estimate has been provided.
        iii. A single facility reaching the end of its useful life is a circumstance of that property, not of the city as a whole.
3. The applicant argues that the 2017 GFA and impervious surface limits, combined with the variance interpretation, apply across most of the Island's zoning and have stranded "many other vital community organizations on MI." If that is true, the correct response to a city-wide regulatory gap affecting a class of institutions is a code amendment or community-facility overlay applicable to that class, not a parcel-specific change for one member of it. Comprehensive Plan Land Use Goal 7.4 says exactly this: The City may consider measures within the land use code to address the maintenance, updating, and renovation of these facilities." The applicant quotes Goal 7.4 and then argues for the one remedy the goal does not contemplate.

Criterion 2(a) – MICC 19.15.230(F)(2)(a): Compatibility with Adjacent Land Use and Development Pattern. – "Development pattern" is not a synonym for "surrounding uses," rather it refers to the geometry and logic of the map, the coherence of district boundaries, and how the amendment fits the City's overall land use structure. Both adjacent land use and development patterns must be satisfied.

1. The Staff report misinterprets this requirement, stating "adjacent land use and development patterns include both single-family residences and commercial buildings… which all align with the existing facilities on the SJCC properties." That finding is about the

compatibility of the existing facilitates, not the proposed amendment. The proposed amendment is not tied to the current use. A 402,261 gsf building, over four times larger than the existing building, is not compatible with single-family residential zoning on three sides.
2. The applicant differs to future review of any proposed development for compliance with the CO code in an attempt to justify compliance with this criteria, however this does not address the compatibility questions, including trip generation, hours of operation, parking demand, or cumulative intensity.
3. Development Pattern: The amendment would leave (i) a narrow strip of residentially designated property to the west, sandwiched between Public Institution and Commercial Office designations, and (ii) an isolated pocket of residential parcels in the southeast corner of the block sharing a property line with the subject site. The staff report does not provide any analysis of the resulting boundary or development pattern, whether the amended boundary is orderly, whether the remnant residential areas remain viable as designated, or whether the city would ever draw this line on its own.
4. Irregular boundaries drawn to follow one owner's parcel assembly are precisely the evidentiary pattern Washington courts look to in spot-zoning analysis as indicating private rather than public benefit. See Anderson v Island County, 81Wn.2d312(1972); Save Our rural Env't, 99Wn.2d363(1983).

Criteria 2(b) – MICC 19.15.230(F)(2)(b): Suitability for Development in Conformance with the Standards Under the Potential Zoning.

1. The Staff report disputes the applicants compliance with this criteria, stating "at least one parcel would not be suitable for development in conformance with the standards under the potential zoning as it currently exists" in reference to parcel 2655500132, which when applying CO zoning setbacks would result in abuilding envelope of six inches by eight feet. Parcel 2655500137 is similarly cannot practically be developed under the CO zoning setbacks, resulting in a building envelope of 35' by 105'. The staff report does not calculate the larger parcels.
2. Parcels 2655500132 & 2655500136 both have access to the residential street, SE 40th St. Rezoning these parcels to CO would direct commercial traffic directly onto a residential street.
3. Parcel 2655500132 is omitted from the staff reports list currently observed conditions: "Tax Parcels 2655500137, 2655500115, and 2655500136 all appear to be integrated in their daily operations as the Stroum Jewish Community Center site." – Parcel 2655500132 has not been used for recreational or community-facility purpose. It is a single-family home, in a single-family neighborhood, on a single-family street, that happens to have been speculatively acquired by an institutional neighbor in 2016.

1. Parcel 265550-0136 was speculatively purchased by the applicant on October 30th, 2012 and is not included in their Conditional Use Permit. This parcel had a single family home existing on it when the applicant purchased it. This parcel should be excluded from any rezone consideration.

Criteria 2(c) – MICC 19.15.230(F)(2)(c): Benefit to the Community as a Whole; No Adverse Effect on Community Facilities or Public Health, Safety, and General Welfare.

The amendment must benefit the community as a whole and must not adversely affect community facilities or the public health, safety, and general welfare. The second cannot be satisfied by showing the benefit outweighs the harm.

1. The applicant again rests their argument of benefit to the community as a whole on the operator rather than the Commercial Office designation. As discussed, the application must be reviewed based on the Commercial Office Designation – not the current owner, current programming, or current operator of the property – which this application has failed to do. Additionally, the applicant does not provide services to all Mercer Island Residents, they do not offer discounts to Mercer Island residents, and their membership is primarily made-up of non-residents.
2. This criterion also requires No Adverse Effect, however the applicant does not address this criterion in their application and neither does the Staff Report. This application would, in fact, adversely affect public health, safety, and general welfare as follows:
    a. The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.
    b. The proposed rezone will increase traffic congestion and reduce pedestrian safety, as evidenced by the following.

        - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.

        - The Trip Generation Memo does not account for trips associated with French American School of Puget Sound (FASPS), which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips. Commercial Office Rezone would be even more impactful than presented by the applicant.

    c. The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections around the property.
3. Based on the proximity to I-90, Washington State DOT should be reviewing the amendment and its impacts on I90.
4. A Traffic Impact Analysis must include the school that is currently under construction across East Mercer from the applicants property.

Rezon Criteria:

Criteria 1. The proposed reclassification must be consistent with the policies and provisi of the Mercer Island Comprehensive Plan:

The proposed reclassification is not consistent with the comprehensive plan for the following reasons:

1. The applicant tries to justify compliance with the comprehensive plan based on the current use of the property as a community center, and the current building size and intensity of use. However, the proposed rezone is not tied to the existing use, it is not tied to a specific project, it is not tied to a proposed use, and it does not guarantee that the current use will continue after a rezone. The proposal does not limit future development to the square footage that currently exists. It is simply an application to change the zoning from residential to commercial office, which would result in increased density and intensity of use of the property, regardless if that use is an office building or a community center.
2. The applicant has stated that they want to continue to use the property as it has been used for 55 years, however that is untrue. Since the original Conditional Use Permit was granted, the applicant has significantly grown their building footprint, and purchased multiple additional parcels.
3. The existing building is 88,362 square feet (per King County Assessor). Rezoning the property to Commercial Office would allow a 402,261 square foot building to be built on the property. This is a **355% increase** in building area and is in addition to the existing 31,815 SF FASPS Building.
4. Commercial Office in this location is not compatible with the comprehensive plan. The justifications presented in the application are irrelevant without a project being tied to the application. The applicant only focuses on the current use of the property (including the current building size), not what is actually being applied for, which is Commercial Office zoning recalcification.
5. There is currently a total of 637,818 SF of office space existing on Mercer Island. The largest existing office building is the Riot Games building in the town center at 155,599 SF. This rezone application would allow for 402,261 SF on this site alone, making it larger than the total size of the seven largest existing office buildings combined. Rezoning this property could result in a **60% increase** in total office space across all of Mercer Island, and place that significant growth in a location surrounded by residential zoning.
6. The Washington State Growth Management Act (GMA) requires the City of Mercer Island to prioritize housing in the comprehensive plan. This application does the exact opposite; it converts single family zoned property to Commercial Office. It does not meet the criteria of the Mercer Island Comprehensive Plan or the WA State GMA.
7. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 2. The proposed reclassification must be consistent with Mercer Island development code as set for in MICC 19.01.010;

The proposal does not comply with these criteria for the following reasons:

1. This criteria includes provisions to avoid traffic congestion. The proposed rezone will incr traffic congestion, as evidenced by the following:

    - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.

    - The Trip Generation Memo does not account for trips associated with FASPS, which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips to/from the shared driveway. Commercial Office Rezone would be even more impactful than presented by the applicant.

    - The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections serving the property. A Traffic Impact Analysis would further confirm that this application does not comply with Criteria 2.

    - The applicant indicates on their own documentation that they intend to increase parking counts, which means they intend to increase traffic to the property.

    - The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.

1. This criteria includes provisions to protect the natural beauty and other natural resources. The proposal does the opposite, by increasing density and the intensity of the approved land use.
2. This criteria includes provisions to prevent overcrowding. The proposal does the opposite, by increasing density and the intensity of the approved land use.
3. The applicant again refers to the current use of the land to justify rezoning, however those responses are irrelevant as the proposal is not tied to a specific use, the proposal is to rezone the property to Commercial Office, which is not compatible with this criteria of the comprehensive plan.
4. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning, because that is what is being applied for.

Criteria 3. The proposed reclassification must be an extension of an existing zone, or a logical transition between zones.

The proposed rezone is not the extension of an existing zone or a logical transition between zon
is actually the opposite.

1. The property is bound on three sides by residential zones, rezoning this parcel would create a pocket of commercially zoned parcels surrounded on three sides by single-family residential zoning.
2. Additionally, parcels 265550-0166, 265550-0168, and 265550-0165 to the west of the applicant's property, which are single-family zoned properties, would end up surrounded by Commercial zoning to the north and east, and Public Institution zoning to the West. See below map.

1. The zoning map in the application is not current.
2. Rezoning of this property would create a choppy patchwork of zoning with no logical transition between zones.

1. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 4. The proposed reclassification must not constitute an illegal Site-Specific Rezone.

The proposal does create an illegal site-specific rezone, solely for the benefit of a single property.

1. While the applicant has chosen to pursue non-profit status for tax purposes, and they do not pay property taxes on Mercer Island, they are still business that will see financial gain from the rezone.
2. With the applicant’s tax status, they rely on Mercer Island residents and taxpayers to fund public safety and maintenance of city infrastructure serving their property, while they indicate on their website that they serve the "general community of the greater Seattle area" and the majority of their members or not Island residents. This is in contrast to other clubs and CUP properties on Mercer Island that primarily cater to Island residents and abide by strict membership limits. The burden on Mercer Island taxpayers will be exacerbated if the land were to be rezoned to commercial and land use becomes more intense with no limits on programming or membership.
3. The applicant chose to build a building for the French American School of Puget Sound (FASPS) on the commercially zoned portion of their property in order to generate revenue through a lease for their own financial gain. If the applicant desired additional square footage to operate their center, they could have used that commercially zoned parcel and should not have leased the land to FASPS. A rezone cannot legally be granted for the private gain of one owner or a group of owners to the detriment of their neighbors. The FASPS lease demonstrates that the rezone application is for the financial gain of the applicant.
4. The applicant recently and speculatively purchased additional parcels that were not included in their original conditional use permit, and they are now seeking to rezone those parcels for their own gain.

- Parcel 265550-0136 was speculatively purchased by the applicant on October 30th, 2012 and is not included in their Conditional Use Permit. This parcel had a single family home existing on it when the applicant purchased it. This parcel should be excluded from any rezone consideration.

- Parcel 265550-0132 was speculatively purchased by the applicant on November 21, 2016 and is not included in their Conditional Use Permit. Furthermore, this parcel currently has a single-family home on it. Renderings presented by the applicant of a potential new facility shows the single-family residence remaining. Based on that, and the fact that this parcel is not included in the CUP, this parcel should be excluded from any rezone consideration.

1. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.
2. Again, the proposed rezone is not tied to a specific project or use and the applicant refers to the current use of the land to justify rezoning. Rezoning this property to commercial office does not provide a public benefit, making it an illegal site-specific rezone.

Criteria 5. The proposed reclassification must be compatible with surrounding zones and land uses.

Commercial Office zoning is not compatible with the single-family residential zoning that borders the property on three sides.

1. The property is bound on three sides by residential zones, and one side by commercial office. Rezoning this parcel would create a pocket of commercially zoned parcels surrounded on three sides by single family zoning.
2. Additionally, parcels 265550-0166, 265550-0168, and 265550-0165 to the west of the applicant's property, which are single family zoned properties, would end up surrounded by Commercial zoning to the north and east, and Public Institution zoning to the West.
3. The zoning map in the application is not current.
4. Rezoning of this property would create a choppy patchwork of zoning with no logical transition between zones.
5. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 6. The proposed reclassification must not adversely affect public health, safety and welfare.

Rezoning this property to Commercial Office would adversely affect public health, safety and welfare for the following reasons.

1. The existing building is 88,362 square feet (per King County Assessor). Rezoning the property to Commercial Office would allow a 402,261 square foot building to be built on the

property. This is a **355% increase** in building area and is in addition to the existing 31,81 FASPS Building.

2. The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.

1. The proposed rezone will increase traffic congestion and reduce pedestrian safety, as evidenced by the following.

    - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.

    - The Trip Generation Memo does not account for trips associated with FASPS, which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips. Commercial Office Rezone would be even more impactful than presented by the applicant.

    - The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections around the property. Without the Traffic Impact Analysis, it is impossible to confirm compliance with Criteria 6.

Mercer Island is first and foremost a residential community, and residential zoning should be protected for the residents and families of Mercer Island.

I want to be clear that I am not opposed to the SJCC continuing to serve this community. I would support a code amendment or a Development Agreement that allows the SJCC to modernize within its existing building footprint, with a limited height increase if needed, binding that commitment to the land so it cannot be exceeded by this or any future owner. What I cannot support is an unconditional rezone to Commercial Office that permits a 4.25x increase in buildable area with no binding commitment to any specific use, size, or community benefit. The existing footprint is already substantial; a redesigned, modestly taller building within that footprint would meet the SJCC's stated needs without creating the risks outlined above.

Thank you for your consideration.

Lisa Pedee
9317 SE 36th Street
Mercer Island, WA 98040

Molly McGuire

From: Marla Goldberg <MarlaG@sjcc.org>
Sent: Tuesday, August 4, 2026 2:53 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

I've been coming to the J since 1969, when the doors opened. I grew up in this building, participating in many activities and experiencing firsthand the importance of building community. My kids attended the J starting at very early ages. This place provided me with a safe space for my children so I could work. My kids formed friendships and relationships that still exist today at ages 24 and 26. They feel this place is theirs—that they are always welcome and have a positive, familiar, and welcoming space to connect, be Jewish, and always feel part of a community.

My husband was in the first preschool class ever held at the J, and his family also grew up here. Both of our families have used the J for a multitude of activities over the last 57 years, and we hope to continue to have the JCC here for generations to come.

The J has been serving the Mercer Island community—as a community center for all—for over 55 years. The city should change the zoning to reflect what this place has been operating as for all that time. Please align the Comprehensive Plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Also, allow them to make the building accessible. The idea that zoning laws have hindered them from making the building accessible to people with disabilities is so sad. They want to make it right, but the current zoning is not allowing those changes to happen. How is there still no elevator? It should have been done years ago!

There is so much misinformation circulating, and it continues to spread without anyone correcting it. People are making things up instead of trying to find out the truth. Someone mentioned that it appears the proposal to address traffic is simply to redirect it onto adjacent streets. They even suggest looking at the plans, yet the plans do not support that statement or show any redirection of traffic onto neighborhood streets.

Please change the zoning to allow the J to continue being a community center for anyone who wants to be part of it, Jewish or not. The amount of good that is being done there is incredible. Let them keep doing it.

Marla Goldberg
marla@marlagoldberg.com
425.466.7808

Molly McGuire

From: Matt Johnson <matt@mattjohnsonrecruiting.com>
Sent: Tuesday, August 4, 2026 2:21 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Attn: Planning Commission | Support for the SJCC

Attn: Planning Commission

I'm unable to attend the upcoming meeting, so I am writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial.

My wife attended school at the SJCC nearly 40 years ago, our son and daughter both currently attend school there, and if remaining local, I hope they will have the opportunity to send their kids to the J. It has provided an incredible learning environment for our kids, and has provided my wife and I a truly wonderful community in which we have built very close friends in a short time.

The J has been serving the Mercer Island community – as a community center – for over 55 years. It has been serving the community through education and providing a foundation for the future community leaders of Mercer Island and beyond. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Thank you,
Matt

***Ask me how you can earn $5,000 by referring your early-stage startup friends.**

Life / Work Balance Disclaimer: Getting this email outside of normal work hours? Life / Work balance and remote culture are important to me as well. I am sending this email to you at a time that works best for me; I expect that you will respond to this email at a time that works best for you!

Molly McGuire

From: blkship <blkship@yahoo.com>
Sent: Tuesday, August 4, 2026 2:14 PM
To: Planning Commission
Cc: Council; Deb Estrada; Alison Van Gorp; Jessi Bon
Subject: Public Comments: OPPOSITION to CPA25-002, RZN25-002, SEP25-021...OPPOSITION to City's Process
Attachments: 2026_08_04_13_34_45.pdf

To the City of Mercer Island, the CPD, City Council and Planning Commission

1) Scheduling hearings for the JCC proposals while the JCC has been in violation of City Ordinances for over a year is either incompetence or something more sinister. (see exhibit 1) WHY are you wasting our time and money.

2) Scheduling hearings in August when most residents are on vacation. At the last Council meeting the City Manager stated August meetings were not normally scheduled.....but here we are....over 400 pages of staff report material to be reviewed by residents so they can comment. Whats the urgency..... October would make more since.....

e
exhibit 1

The following is a compilation of observations by neighbours and other residents all of which require consideration. Please enter all of these comments into the record...

Public Comment RE CPA25-002, RZN25-002, SEP25-021

Comprehensive Plan Amendment

Criteria 1 MICC 19.15.230.F

F. 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 decisions criteria.

The applicant has not met the burden of demonstrating the proposed amendment complies with applicable regulations and decision criteria.

Criteria 1. The amendment is not consistent with the Growth Management Act, the countywide planning policies, or the other provisions of the comprehensive plan and city policies based on the following:

1. Each and every response by the applicant to these criteria regarding compliance with the comp plan, GMA and city policies are based on the current use of the property as a community center, and the current building size and intensity of use - the applicant relies on the operator, not the designation. However, the proposed comprehensive plan amendment is not tied to the existing use, it is not tied to a specific project, it is not tied to a proposed use, and it does not guarantee that the current use will continue after an amendment. The proposal does not limit future development to the square footage that currently exists. It is simply an application to change the zoning from residential to commercial office, which would result in increased density and intensity of use of the property, regardless if that use is an office building or a community center.
2. Comprehensive plan land use designation attaches to the land, not an owner or a program. Nothing in the CO designation requires an early childhood school, scholarships, a community garden, swim lessons, or any cultural programming. Nothing prevents the sale of the property and a future owner implementing different programming. The applicant's amendment secures none of the benefits offered as the basis for finding it consistent.
3. The applicant does not offer to enter a Development Agreement under RCW 36.70B.170-.210, which they could do concurrently with the rezone, and would run with the land and bind successors. A Development Agreement can restrict permitted uses to community-facility uses, cap gross floor area, fix access locations, and require specific transportation mitigation. If the applicant's representation is that "no change of use is proposed," a development agreement cost the applicant nothing it has claimed to want. By declining to enter a development agreement, the applicant brings into question their intended future use.
4. The applicant does not establish consistence with the Transportation Element. RCW 36.70A.070 requires an internally consistent plan: RCW 36.70A.070(6)(a)(i)(C) requires the transportation element to rest on land use assumptions. The Land Use Map is the input to the travel forecast. Redesignating this site from Single-Family Residential to Commercial Office – on the applicant's own consultant's figures, from 94,723 gsf to 402,261 gsf buildout capacity – changes the assumption. Nothing in the application shows that the Transportation Element's forecasts, LOS standards, or capital facilities program were checked against the amended map. The Staff report does not address this internal inconsistency.
5. Land Use Goal 7.1 – "Preserve the neighborhood character in residential zones. For the purpose of implementing this element, neighborhood character only refers to form, bulk, scale and intensity of the built environment." The applicant does not address what Goal 7.1 actually askes, which is what happens to form, bulk, scale, and intensity under the Commercial Office designation. A 4.25X increase in buildout capacity is, by the comprehensive plan's own definition, a neighborhood-character question that the application does not comply with.
6. Transportation Goal 9.2 – "Address parking overflow impacts on neighbors cause by major traffic generators such as schools, businesses, parks…" The applicant does not address how the redesignation would address the neighbors' concerns, including parking overflowing onto East Mercer Way that blocks the bike lane and forces bikes and pedestrians into the traffic

lane; cars from user of the property parking on SE 40th, cars from users of the property blocking driveways on adjacent streets. Goal 9.2 asks for a plan to address the impact, but the applicant does not cite any specifics in how the redesignation will do that. In fact, the redesignation would allow for 4.25X building area, which would result in even more traffic and overflow parking.

7. "Commercial Office and PBZ zones must serve the needs of the local populations while remaining compatible with the overall residential character of the community." The applicant asserts compatibility will "increase" and that "anything that is built will conform to CO standards." That is an assertion about code compliance, not about compatibility, and it is unsupported by any analysis of way CO buildout looks like against the neighboring Single-Family Residential land. Additionally, the applicants current membership is made up primarily of non-residents of Mercer Island, thus they are not serving the local population.
8. The applicant does not include any analysis of whether PBZ, a Public Institution designation, or tailored community-facility designation would fit the situation better than CO. It is the applicant's burden to show the proposed designation is consistent, the absence of any alternative analysis demonstrates the applicant has not met the burden.

Criteria 1A – The applicant concedes there is not a technical error, thus this criterion cannot be used to allow for the applicant's amendment.

Criteria 1B – Changed Circumstances of the City as a Whole – This criterion requires a change in circumstances of the city as a whole, not of the property, not of the applicant, not of a single institution. Washington reclassification cases look for changed conditions in the area, not merely a changed circumstance of the proponent. See Parkridge v Seattle, 90Wn.2d454(1987).

1. The staff report rejects that there has been a change in circumstance of the City as a Whole "The City disagrees with the applicant's assertion as to the 2017 development standards. The changes to the residential development standards that occurred in 2017 were policy decisions made by the then seated City Council, and are not 'changing circumstances of the city as a whole." Additionally, the staff report found that the applicant's factual premise incorrect – that the MICC 19.01.050(D)(3) does in fact permit exterior alteration or enlargement of nonconforming non-single-family structures, subject to the 50-percent-of-assessed-value threshold.
2. The Staff report theorizes that the changed circumstances are "more accurately described as an increased demand of a facility that is at the end of its useful life and which demand cannot be accommodated under" MICC 19.01.050(D)(3).
    a. MICC 19.15.230(F) places the burden of demonstration on the applicant. When the reviewing body rejects the applicant's theory, finds its factual premise incorrect, that should result in denial of the application. The city staff cannot construct a substitute rationale, by doing so the burden has effectively been carried by staff rather than by the applicant.
    b. The staff's substitute theory is unsupported by anything in the application or the staff report and relies on two assertions without providing any evidence.
        i. "Increased demand" – The applicant has refused to provide any membership trend data, enrollment figures, waitlists, utilization studies, or demographic demand analysis. The applicant offers only that Mercer Island's population "has grown over 20% since the JCC was built in 1969." A 20% increase in the cities population does not justify an over 400% increase in allowed building area for the site.

   ii. The applicant asserts that the facility that is at the end of its useful life, however no condition assessment, structural evaluation, systems assessment, or cost-to-cure estimate has been provided.
   iii. A single facility reaching the end of its useful life is a circumstance of that property, not of the city as a whole.
3. The applicant argues that the 2017 GFA and impervious surface limits, combined with the variance interpretation, apply across most of the Island's zoning and have stranded "many other vital community organizations on MI." If that is true, the correct response to a city-wide regulatory gap affecting a class of institutions is a code amendment or community-facility overlay applicable to that class, not a parcel-specific change for one member of it. Comprehensive Plan Land Use Goal 7.4 says exactly this: The City may consider measures within the land use code to address the maintenance, updating, and renovation of these facilities." The applicant quotes Goal 7.4 and then argues for the one remedy the goal does not contemplate.

Criterion 2(a) – MICC 19.15.230(F)(2)(a): Compatibility with Adjacent Land Use and Development Pattern. – "Development pattern" is not a synonym for "surrounding uses," rather it refers to the geometry and logic of the map, the coherence of district boundaries, and how the amendment fits the City's overall land use structure. Both adjacent land use and development patterns must be satisfied.

1. The Staff report misinterprets this requirement, stating "adjacent land use and development patterns include both single-family residences and commercial buildings… which all align with the existing facilities on the SJCC properties." That finding is about the compatibility of the existing facilitates, not the proposed amendment. The proposed amendment is not tied to the current use. A 402,261 gsf building, over four times larger than the existing building, is not compatible with single-family residential zoning on three sides.
2. The applicant differs to future review of any proposed development for compliance with the CO code in an attempt to justify compliance with this criteria, however this does not address the compatibility questions, including trip generation, hours of operation, parking demand, or cumulative intensity.
3. Development Pattern: The amendment would leave (i) a narrow strip of residentially designated property to the west, sandwiched between Public Institution and Commercial Office designations, and (ii) an isolated pocket of residential parcels in the southeast corner of the block sharing a property line with the subject site. The staff report does not provide any analysis of the resulting boundary or development pattern, whether the amended boundary is orderly, whether the remnant residential areas remain viable as designated, or whether the city would ever draw this line on its own.
4. Irregular boundaries drawn to follow one owner's parcel assembly are precisely the evidentiary pattern Washington courts look to in spot-zoning analysis as indicating private rather than public benefit. See Anderson v Island County, 81Wn.2d312(1972); Save Our rural Env't, 99Wn.2d363(1983).

Criteria 2(b) – MICC 19.15.230(F)(2)(b): Suitability for Development in Conformance with the Standards Under the Potential Zoning.

1. The Staff report disputes the applicants compliance with this criteria, stating "at least one parcel would not be suitable for development in conformance with the standards under the potential zoning as it currently exists" in reference to parcel 2655500132, which when applying

CO zoning setbacks would result in abuilding envelope of six inches by eight feet. Parcel 2655500137 is similarly cannot practically be developed under the CO zoning setbacks, resulting in a building envelope of 35' by 105'. The staff report does not calculate the larger parcels.

2. Parcels 2655500132 & 2655500136 both have access to the residential street, SE 40th St. Rezoning these parcels to CO would direct commercial traffic directly onto a residential street.
3. Parcel 2655500132 is omitted from the staff reports list currently observed conditions: "Tax Parcels 2655500137, 2655500115, and 2655500136 all appear to be integrated in their daily operations as the Stroum Jewish Community Center site." – Parcel 2655500132 has not been used for recreational or community-facility purpose. It is a single-family home, in a single-family neighborhood, on a single-family street, that happens to have been speculatively acquired by an institutional neighbor in 2016.

1. Parcel 265550-0136 was speculatively purchased by the applicant on October 30th, 2012 and is not included in their Conditional Use Permit. This parcel had a single family home existing on it when the applicant purchased it. This parcel should be excluded from any rezone consideration.

Criteria 2(c) – MICC 19.15.230(F)(2)(c): Benefit to the Community as a Whole; No Adverse Effect on Community Facilities or Public Health, Safety, and General Welfare.

The amendment must benefit the community as a whole and must not adversely affect community facilities or the public health, safety, and general welfare. The second cannot be satisfied by showing the benefit outweighs the harm.

1. The applicant again rests their argument of benefit to the community as a whole on the operator rather than the Commercial Office designation. As discussed, the application must be reviewed based on the Commercial Office Designation – not the current owner, current programming, or current operator of the property – which this application has failed to do. Additionally, the applicant does not provide services to all Mercer Island Residents, they do not offer discounts to Mercer Island residents, and their membership is primarily made-up of non-residents.
2. This criterion also requires No Adverse Effect, however the applicant does not address this criterion in their application and neither does the Staff Report. This application would, in fact, adversely affect public health, safety, and general welfare as follows:
    a. The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.
    b. The proposed rezone will increase traffic congestion and reduce pedestrian safety, as evidenced by the following.

        - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.

- The Trip Generation Memo does not account for trips associated with French American School of Puget Sound (FASPS), which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips. Commercial Office Rezone would be even more impactful than presented by the applicant.

c. The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections around the property.

3. Based on the proximity to I-90, Washington State DOT should be reviewing the amendment and its impacts on I90.
4. A Traffic Impact Analysis must include the school that is currently under construction across East Mercer from the applicants property.

Rezon Criteria:

Criteria 1. The proposed reclassification must be consistent with the policies and provisions of the Mercer Island Comprehensive Plan:

The proposed reclassification is not consistent with the comprehensive plan for the following reasons:

1. The applicant tries to justify compliance with the comprehensive plan based on the current use of the property as a community center, and the current building size and intensity of use. However, the proposed rezone is not tied to the existing use, it is not tied to a specific project, it is not tied to a proposed use, and it does not guarantee that the current use will continue after a rezone. The proposal does not limit future development to the square footage that currently exists. It is simply an application to change the zoning from residential to commercial office, which would result in increased density and intensity of use of the property, regardless if that use is an office building or a community center.

2. The applicant has stated that they want to continue to use the property as it has been used for 55 years, however that is untrue. Since the original Conditional Use Permit was granted, the applicant has significantly grown their building footprint, and purchased multiple additional parcels.

3. The existing building is 88,362 square feet (per King County Assessor). Rezoning the property to Commercial Office would allow a 402,261 square foot building to be built on the property. This is a **355% increase** in building area and is in addition to the existing 31,815 SF FASPS Building.

4. Commercial Office in this location is not compatible with the comprehensive plan. The justifications presented in the application are irrelevant without a project being tied to the

application. The applicant only focuses on the current use of the property (including the c building size), not what is actually being applied for, which is Commercial Office zoning recalcification.

5. There is currently a total of 637,818 SF of office space existing on Mercer Island. The largest existing office building is the Riot Games building in the town center at 155,599 SF. This rezone application would allow for 402,261 SF on this site alone, making it larger than the total size of the seven largest existing office buildings combined. Rezoning this property could result in a **60% increase** in total office space across all of Mercer Island, and place that significant growth in a location surrounded by residential zoning.
6. The Washington State Growth Management Act (GMA) requires the City of Mercer Island to prioritize housing in the comprehensive plan. This application does the exact opposite; it converts single family zoned property to Commercial Office. It does not meet the criteria of the Mercer Island Comprehensive Plan or the WA State GMA.
7. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 2. The proposed reclassification must be consistent with Mercer Island development code as set for in MICC 19.01.010;

The proposal does not comply with these criteria for the following reasons:

1. This criteria includes provisions to avoid traffic congestion. The proposed rezone will increase traffic congestion, as evidenced by the following:
    - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.
    - The Trip Generation Memo does not account for trips associated with FASPS, which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips to/from the shared driveway. Commercial Office Rezone would be even more impactful than presented by the applicant.
    - The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections serving the property. A Traffic Impact Analysis would further confirm that this application does not comply with Criteria 2.

- The applicant indicates on their own documentation that they intend to increase pa[illegible] counts, which means they intend to increase traffic to the property.
- The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.

1. This criteria includes provisions to protect the natural beauty and other natural resources. The proposal does the opposite, by increasing density and the intensity of the approved land use.
2. This criteria includes provisions to prevent overcrowding. The proposal does the opposite, by increasing density and the intensity of the approved land use.
3. The applicant again refers to the current use of the land to justify rezoning, however those responses are irrelevant as the proposal is not tied to a specific use, the proposal is to rezone the property to Commercial Office, which is not compatible with this criteria of the comprehensive plan.
4. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning, because that is what is being applied for.

Criteria 3. The proposed reclassification must be an extension of an existing zone, or a logical transition between zones.

The proposed rezone is not the extension of an existing zone or a logical transition between zones, it is actually the opposite.

1. The property is bound on three sides by residential zones, rezoning this parcel would create a pocket of commercially zoned parcels surrounded on three sides by single-family residential zoning.
2. Additionally, parcels 265550-0166, 265550-0168, and 265550-0165 to the west of the applicant's property, which are single-family zoned properties, would end up surrounded by Commercial zoning to the north and east, and Public Institution zoning to the West. See below map.

1. The zoning map in the application is not current.
2. Rezoning of this property would create a choppy patchwork of zoning with no logical transition between zones.

1. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 4. The proposed reclassification must not constitute an illegal Site-Specific Rezo

The proposal does create an illegal site-specific rezone, solely for the benefit of a single property.

1. While the applicant has chosen to pursue non-profit status for tax purposes, and they do not pay property taxes on Mercer Island, they are still business that will see financial gain from the rezone.
2. With the applicant's tax status, they rely on Mercer Island residents and taxpayers to fund public safety and maintenance of city infrastructure serving their property, while they indicate on their website that they serve the "general community of the greater Seattle area" and the majority of their members or not Island residents. This is in contrast to other clubs and CUP properties on Mercer Island that primarily cater to Island residents and abide by strict membership limits. The burden on Mercer Island taxpayers will be exacerbated if the land were to be rezoned to commercial and land use becomes more intense with no limits on programming or membership.
3. The applicant chose to build a building for the French American School of Puget Sound (FASPS) on the commercially zoned portion of their property in order to generate revenue through a lease for their own financial gain. If the applicant desired additional square footage to operate their center, they could have used that commercially zoned parcel and should not have leased the land to FASPS. A rezone cannot legally be granted for the private gain of one owner or a group of owners to the detriment of their neighbors. The FASPS lease demonstrates that the rezone application is for the financial gain of the applicant.
4. The applicant recently and speculatively purchased additional parcels that were not included in their original conditional use permit, and they are now seeking to rezone those parcels for their own gain.
    - Parcel 265550-0136 was speculatively purchased by the applicant on October 30th, 2012 and is not included in their Conditional Use Permit. This parcel had a single family home existing on it when the applicant purchased it. This parcel should be excluded from any rezone consideration.
    - Parcel 265550-0132 was speculatively purchased by the applicant on November 21, 2016 and is not included in their Conditional Use Permit. Furthermore, this parcel currently has a single-family home on it. Renderings presented by the applicant of a potential new facility shows the single-family residence remaining. Based on that, and the fact that this parcel is not included in the CUP, this parcel should be excluded from any rezone consideration.

1. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.
2. Again, the proposed rezone is not tied to a specific project or use and the applicant refers to the current use of the land to justify rezoning. Rezoning this property to commercial office does not provide a public benefit, making it an illegal site-specific rezone.

Criteria 5. The proposed reclassification must be compatible with surrounding zones and land uses.

Commercial Office zoning is not compatible with the single-family residential zoning that borders property on three sides.

1. The property is bound on three sides by residential zones, and one side by commercial office. Rezoning this parcel would create a pocket of commercially zoned parcels surrounded on three sides by single family zoning.
2. Additionally, parcels 265550-0166, 265550-0168, and 265550-0165 to the west of the applicant's property, which are single family zoned properties, would end up surrounded by Commercial zoning to the north and east, and Public Institution zoning to the West.
3. The zoning map in the application is not current.
4. Rezoning of this property would create a choppy patchwork of zoning with no logical transition between zones.
5. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 6. The proposed reclassification must not adversely affect public health, safety and welfare.

Rezoning this property to Commercial Office would adversely affect public health, safety and welfare for the following reasons.

1. The existing building is 88,362 square feet (per King County Assessor). Rezoning the property to Commercial Office would allow a 402,261 square foot building to be built on the property. This is a **355% increase** in building area and is in addition to the existing 31,815 SF FASPS Building.
2. The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.

1. The proposed rezone will increase traffic congestion and reduce pedestrian safety, as evidenced by the following.
    - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.
    - The Trip Generation Memo does not account for trips associated with FASPS, which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding

FASPS from the calculation of future trips. Commercial Office Rezone would be ev
more impactful than presented by the applicant.

- The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections around the property. Without the Traffic Impact Analysis, it is impossible to confirm compliance with Criteria 6.

Mercer Island is first and foremost a residential community, and residential zoning should be protected for the residents and families of Mercer Island.

Matthew Goldbach

9980SE 40th ST

Mercer Island,WA

CITY OF MERCER ISLAND
COMMUNITY PLANNING & DEVELOPMENT
9611 SE 36TH STREET | MERCER ISLAND, WA 98040
PHONE: 206.275.7605 | www.mercergov.org

Notice of Civil Penalties Due

May 7, 2026

Commented [GM1]: Date of issuance

FIRST NOTICE

Property Owner(s): Stroum Jewish Community Center (Samuel and Althea Stroum Jewish Community Center of Greater Seattle)
Subject Property(s): 3801 E Mercer Way, MERCER ISLAND, WA 98040
King County Tax Parcel # 2655500137
Code Compliance Case: CE25-0049

Date of Penalties: January 17, 2026 – May 7, 2026 (this statement only)
Penalty Amount: $40,500
Penalty Due Date: May 21, 2026

Commented [GM2]: Issued December 18, 2025.
Date for compliance: January 17, 2026.
First 30 days ($100/day): January 18, 2025 - February 16, 2026 ($3,000)
30-60 days ($250/day): February 16, 2026- March 18, 2026 ($7,500)
after 60 days ($500/day): March 18, 2026 - May 7, 2026 (59 days) ($30,000 to date)
Total to date: $40,500

Commented [GM3]: 14 days

Hello,

The City of Mercer Island issued a Notice of Violation on December 18, 2025, for violation of Mercer Island City Code (MICC) 19.02.020(H)(1)(2) and MICC 19.02.050(E)(1)(a)(i)(ii). The Notice of Violation letter set a compliance date of January 17, 2026, before daily civil penalties were to commence. The corrective actions outlined in the Notice of Violation were not completed before close of business on January 17, 2026, so daily civil penalties began. Daily civil penalties continue to accrue every day until a completed permit application is submitted.

Under MICC 6.10.050, the City may place a hold on future permit applications and/or file a notice with the King County recorder's office to notify the public of the presence of an unresolved Notice of Violation on the property if the penalty is not paid. Additionally, unpaid penalties will be sent to a collection agency for the purposes of collecting penalties and costs assessed pursuant to MICC 6.10.100 and RCW 19.16.500. The collection agency may add fees or interest charges to the original amount assigned to collections as allowed by law.

Payment of the Civil Penalty must be made within fourteen (14) days of the date of this notice. Payment can be made in person or by mail to City of Mercer Island, 9611 SE 36th St, Mercer Island, WA 98040.

Sincerely,

Grace Manahan
Code Compliance Planner
City of Mercer Island

Molly McGuire

From: Michelle Kavesh <mpiercekavesh@gmail.com>
Sent: Tuesday, August 4, 2026 12:01 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission: I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial. The J has been serving the Mercer Island community – as a community center for all - for over 55 years, and operates as a commercial property already. Updating the zoning designation changes nothing about the J's operations, but reflects the reality. In addition, this would allow the SJCC to update and modernize their facilities, which are woefully out of date, and allow for better security on the the property.
A large percentage of MI residents use the SJCC facilities, including our family, and all will benefit from the re-zone.

Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Best,

Michelle Pierce Kavesh
mpiercekavesh@gmail.com

Molly McGuire

From: Michelle Molan <mmolan58@gmail.com>
Sent: Tuesday, August 4, 2026 10:13 AM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

My husband, our two small sons and I moved to Bellevue in 1992. Within 2 months we had found a home at the MI JCC. Both my sons went to preschool there, aftercare, day camps and went on to be camp counselors as older teens. I served on the search committee for the head of the Early Childhood Program director and she remained in that position for years providing stability to young families. I've been involved with the JCC as adult delegation leader for 7 years to the Maccabi games where we take teens 13-16 to other cities (including Canada) to have an Olympic style sports competition. It builds community and character in teens. I have been honored with the Max Kaminoff Volunteer of the Year Award from the JCC. And more recently as a senior, I have found a safe and welcoming community whether for the annual film festival or for Line Dancing classes. The J has been home to Jews and non-Jews for over 5 decades and while the programming remains strong, the building needs modernization to support growth in our community.

The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Thank you in advance for your careful and thoughtful consideration of what needs to change so that the SJCC can remain a safe, vibrant community center for all.

Michelle R Molan, MPH
Bellevue, WA

Molly McGuire

From: Michelle Shleifer <Michelle@speventsllc.com>
Sent: Tuesday, August 4, 2026 4:13 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support for designation change for SJCC property from single family to commercial

Hello,

My name is Michelle Shleifer and I grew up on Mercer Island, attended preschool at the SJCC, sent my own kids to preschool at the SJCC and am emailing to urge your support in amending the Comprehensive Plan to change the designation of the SJCC property from single family to commercial.

The JCC has been serving our Mercer Island and greater Seattle communities for my entire life. It's a preschool, a sports and activities center, a camp, a gathering place, a workout facility and so much more – it's most definitely not a single family home. I firmly believe the city should align the comprehensive plan and land use maps with the way the SJCC property has been used for decades.

The J is home to everyone. There are no barriers to the walls there, and it serves the community beyond the "gym", "preschool", "swimming facility", etc labels. Amending the designation of the SJCC property from single family to commercial will most importantly allow the J to continue to grow with and serve the community the way it has for 55 years.

I cannot attend the planning commission meeting tomorrow because I am out of town, but if I could, I would urge you whole heartedly to amend the designation to commercial property for the SJCC.

Thank you for your consideration and for listening to our community.

Michelle Shleifer
Founder & CCO (Chief Celebration Officer)
Surf www.seattlepremierevents.com
Text/Call (206) 948-2735
Social @seattlepremierevents

Molly McGuire

From: Nevet Basker <nevet@nevet.com>
Sent: Tuesday, August 4, 2026 1:23 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Cc: Amy Lavin
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Mercer Island Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

I am a member of the JCC and an active participant in many of its programs and activities. The current building is a concrete and asphalt monstrosity, an eyesore and an embarrassment to the community and the Island. It desperately needs a modernization and upgrade – from energy efficiency to parking to ADA accessibility. None of that is feasible within the current zoning and development code. Please fix this to allow the facility to be brought into the 21st century and serve the community and the wider public.

Thank you for your consideration.

--Nevet

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Nevet Basker (she/her)
nevet@nevet.com
425-681-5545

Molly McGuire

From: Nina Lu <g.ninalu@gmail.com>
Sent: Tuesday, August 4, 2026 10:58 AM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

My family has been going to the JCC for five years to find a shared community, exercise, learn to swim, attend schools and camps, and engage with Jewish life. I strongly believe the aging facilities limit the contributions and growth to the community that the J could have on the Mercer island community as a whole.

The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Thank you,
Nina Lu

Molly McGuire

From: Paul Sommer <paulsommer27@gmail.com>
Sent: Tuesday, August 4, 2026 3:05 PM
To: Planning Commission
Subject: JCC upgrade support

To whom it may concern,

I am writing to urge you to support the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. We have been members of the JCC on Mercer Island since 1990 and continue to take advantage of many aspects of the J from working out, attending events, playing pickleball and growing vegetables (mostly garlic) in the Kesher garden. Unil Covid we played racquetball five days a week for more than twenty years.

Please support the comprehensive plan to ensure the J can continue to serve our community and thrive on Mercer Island for at least the next 55 years.

Paul Sommer
JCC Member
Island resident since January of 1990

Item 18.

Molly McGuire

From: Perry <profnot@aol.com>
Sent: Tuesday, August 4, 2026 2:53 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: I support the change in zoning for the SJCC

Dear Planning Commision:

I have lived on Mercer Island for over 30 years. I have been a member of the JCC for many years. I used to play basketball there with many men, Jewish and Gentile. My children attended the preschool, again with a wide variety of other children. I remember when I was a teenager and the building was new. That was over 50 years ago. The facility serves a wide swath of people for athletics and cultural studies.

The building has been there for a very long time and needs upgrading. I support the changing of the Comprehensive Plan from single-family to commercial. The facility is not going away and it needs the upgrades to serve the wider community now.

Thank you
Perry Bloch
4280 95th Ave SE
Mercer Island, WA 98040

811

Molly McGuire

From: WILLIAM TYDINGS JR <rtydings@comcast.net>
Sent: Tuesday, August 4, 2026 8:55 PM
To: Planning Commission; Council; deb.astrada@mercerisland.gov; Alison Van Gorp
Subject: Public Comments RE CPA 25-0002, RZN 25-002, SEP 25-021

From 1980 to 2006 I lived next door to the JCC parking lot which grew in congestion to an intolerable level. At a city meeting we brought up our concerns and the JCC agreed to put in some bushes and landscape to ilvaite the traffic and noise. The JCC never made any changes and we moved. The growth in membership, traffic and congestion and obvious not caring for the surrounding neighbors' concerns is obvious.
Totally opposed to zone changes.

Rick Tydings

Molly McGuire

From: Deb Estrada
Sent: Tuesday, August 4, 2026 1:56 PM
To: Molly McGuire
Subject: FW: Please support the SJCC

From: Robin A. Li <robinanneli@gmail.com>
Sent: Tuesday, August 4, 2026 11:22 AM
To: Alison Van Gorp <alison.vangorp@mercergov.org>; Deb Estrada <Deborah.Estrada@mercerisland.gov>; Council <council@mercergov.org>
Subject: Please support the SJCC

Dear Planning Commission:

I am writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. This seems like a nontrivial correction to put code in alignment with use. The SJCC has been a critical hub in the Mercer Island community almost as long as we have been a city, and is a foundational community space for Jewish and non-Jewish islanders alike.

My family moved to Mercer Island in 1975, and I grew up with the J being a place where community events were held, where I played sports and met friends. When I returned to the island to raise my own children here in 2009, the J provided the highest quality preschool we could find, as well as a place for our new family to grow community and put down roots on the island. My children learned to swim at the SJCC pool, learned to play basketball in the gym, and made friendships that have lasted through today. As non-Jewish islanders, the SJCC has been central to our sense of community and connection on Mercer Island.

Now in middle age, I go to the J several times a week, as it has the best gym facilities on the island. Every time I go, I see islanders of all ages finding a place to stay healthy, meet friends, and be in community. It's also been a space where I attend author readings and cultural events. The J has also been a great partner with community organizations, offering places for events and meetings at reasonable cost, and providing excellent summer camps for generations of islanders. Community spaces like the J are rare, and take decades to establish, and I have trust that any renovations the J may undertake will be done with the same spirit of care and community which have marked their operations for over fifty years.

The facility is aging, and the parking lot can be challenging. As the island has developed, the entrance and exit out of the J has become more congested. Recognizing that the SJCC is an extension of the commercial corridor that runs along the south side of Gallagher Hill, rather than as part of the residential area on the other side of the greenbelt behind it, is both a practical and logical change. As a nearby resident on East Mercer Way, I can attest that they have been considerate neighbors and I am eager for the benefits I will experience if the J is able to undertake improvements on the property.

Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island. My hope is that when my own children

consider returning to MI to raise their family, they can find the same vibrant and welcoming place to ground their family that we have found at the SJCC.

Sincerely,

Robin Li
4550 East Mercer Way
Mercer Island, WA 98040

Robin A. Li
she/her
415.595.0074

Item 18.

Molly McGuire

From: Ron Waldbaum <rwaldbaum@leibsohn.com>
Sent: Tuesday, August 4, 2026 10:30 AM
To: Alison Van Gorp; Deb Estrada; Council; Planning Commission
Subject: SJCC Rezone

Dear All,

I have been going to the SJCC for over 50 years and it always brings back great memories. I associate Mercer Island with all that is good from my childhood because of the Jewish Community Center. When it was time for us to raise our children all three attended the Preschool and participated in the camps at the Center. They all have fond memories and would like to live and raise their families on the Island because of the special feelings they had growing up there.

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. [*State your relationship with the J and why you value the J*]. The J has been serving the Mercer Island community – as a community center – for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Now is the time!

Ron

RON WALDBAUM
CEO

LEIBSOHN & COMPANY *Commercial Real Estate Services*
40 Lake Bellevue Drive, Suite 270, Bellevue, WA 98005
Phone: 425-586-4640 **Cell:** 206-817-2707
Email: rwaldbaum@leibsohn.com

Leibsohn & Company Commercial Real Estate Services
RETAIL BROKERS NETWORK Washington Affiliate
The Retail Brokers Network has qualified professionals in over 60 offices within the United States and Canada.

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Molly McGuire

From: Ronnie Stern <ronnie.stern@gmail.com>
Sent: Tuesday, August 4, 2026 1:14 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: SJCC Comprehensive Plan amendment

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. My family has been attending various events and camps at the J for over 20 years and we value the J as the center of our community here on Mercer Island.

Quite frankly, the J has been serving the Mercer Island community – as a community center – for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Kind regards,
Ronnie Stern
Mercer Island Resident

Molly McGuire

From: Tanming Fong <tmfong@yahoo.com>
Sent: Tuesday, August 4, 2026 9:05 PM
To: Planning Commission
Cc: Council; Deb Estrada; Alison Van Gorp; Virginia Leong
Subject: Public Comment RE CPA25-002, RZN25-002, SEP25-021

Before the formal comments, I'd like to share a personal perspective.

My family lives very close to the SJCC, and we have sent both of our children there for day care. We have always deeply appreciated the center's service to the community. Even then, parking was already an issue, so we walked our kids to the center. I can assure you, there were many nervous moments for me to watch my pre-schoolers navigating around the parked cars while cars and bicycles flew by them on that narrow stretch of EMW. That was before the pandemic. Since then, the situation has grown significantly worse.

Now that my children are no longer in day care, I'm no longer a pedestrian on EMW, but rather a driver who regularly has to pass through that congested section during drop-off and pick-up hours. On some days, the traffic was so bad around SJCC that I had to take a long detour by exiting I-90 at Island Crest Way, adding 5 to 10 minutes to my trip back home. Throughout the year, SJCC special events only add to the strain, with cars parking on both sides of EMW, narrowing that busy street further for vehicles, cyclists, pedestrians, and dogs on leashes.

In my view, the SJCC is simply located in the wrong part of town, too close to the I-90 exit and intersections. Reducing its operations or relocating it seems to be the only viable solution, and any effort to expand SJCC will only magnify the existing problems.

Tanming Fong
Mercer Island resident

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Public Comment RE CPA25-002, RZN25-002, SEP25-021

Comprehensive Plan Amendment

Criteria 1 MICC 19.15.230.F

F. 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 decisions criteria.

The applicant has not met the burden of demonstrating the proposed amendment complies with applicable regulations and decision criteria.

Criteria 1. The amendment is not consistent with the Growth Management Act, the countywide planning policies, or the other provisions of the comprehensive plan and city policies based on the following:

1. Each and every response by the applicant to these criteria regarding compliance with the comp plan, GMA and city policies are based on the current use of the property as a community center, and the current building size and intensity of use - the applicant relies on the operator, not the designation. However, the proposed comprehensive plan amendment is not tied to the existing use, it is not tied to a specific project, it is not tied to a proposed use, and it does not guarantee that the current use will continue after an amendment. The proposal does not limit future development to the square footage that currently exists. It is simply an application to change the zoning from residential to commercial office, which would result in increased density and intensity of use of the property, regardless if that use is an office building or a community center.
2. Comprehensive plan land use designation attaches to the land, not an owner or a program. Nothing in the CO designation requires an early childhood school, scholarships, a community garden, swim lessons, or any cultural programming. Nothing prevents the sale of the property and a future owner implementing different programming. The applicant's amendment secures none of the benefits offered as the basis for finding it consistent.
3. The applicant does not offer to enter a Development Agreement under RCW 36.70B.170-.210, which they could do concurrently with the rezone, and would run with the land and bind successors. A Development Agreement can restrict permitted uses to community-facility uses, cap gross floor area, fix access locations, and require specific transportation mitigation. If the applicant's representation is that "no change of use is proposed," a development agreement cost the applicant nothing it has claimed to want. By declining to enter a development agreement, the applicant brings into question their intended future use.
4. The applicant does not establish consistence with the Transportation Element. RCW 36.70A.070 requires an internally consistent plan: RCW 36.70A.070(6)(a)(i)(C) requires the transportation element to rest on land use assumptions. The Land Use Map is the input to the travel forecast. Redesignating this site from Single-Family Residential to Commercial Office – on the applicant's own consultant's figures, from 94,723 gsf to 402,261 gsf buildout capacity – changes the assumption. Nothing in the application shows that the Transportation Element's forecasts, LOS standards, or capital facilities program were checked against the amended map. The Staff report does not address this internal inconsistency.
5. Land Use Goal 7.1 – "Preserve the neighborhood character in residential zones. For the purpose of implementing this element, neighborhood character only refers to form, bulk, scale and intensity of the built environment." The applicant does not address what Goal 7.1 actually askes, which is what happens to form, bulk, scale, and intensity under the Commercial Office designation. A 4.25X increase in buildout capacity is, by the comprehensive plan's own definition, a neighborhood-character question that the application does not comply with.
6. Transportation Goal 9.2 – "Address parking overflow impacts on neighbors cause by major traffic generators such as schools, businesses, parks…" The applicant does not address how the redesignation would address the neighbors' concerns, including parking overflowing onto East Mercer Way that blocks the bike lane and forces bikes and pedestrians into the traffic

lane; cars from user of the property parking on SE 40th, cars from users of the property blocking driveways on adjacent streets. Goal 9.2 asks for a plan to address the impact, but the applicant does not cite any specifics in how the redesignation will do that. In fact, the redesignation would allow for 4.25X building area, which would result in even more traffic and overflow parking.

7. "Commercial Office and PBZ zones must serve the needs of the local populations while remaining compatible with the overall residential character of the community." The applicant asserts compatibility will "increase" and that "anything that is built will conform to CO standards." That is an assertion about code compliance, not about compatibility, and it is unsupported by any analysis of way CO buildout looks like against the neighboring Single-Family Residential land. Additionally, the applicants current membership is made up primarily of non-residents of Mercer Island, thus they are not serving the local population.
8. The applicant does not include any analysis of whether PBZ, a Public Institution designation, or tailored community-facility designation would fit the situation better than CO. It is the applicant's burden to show the proposed designation is consistent, the absence of any alternative analysis demonstrates the applicant has not met the burden.

Criteria 1A – The applicant concedes there is not a technical error, thus this criterion cannot be used to allow for the applicant's amendment.

Criteria 1B – Changed Circumstances of the City as a Whole – This criterion requires a change in circumstances of the city as a whole, not of the property, not of the applicant, not of a single institution. Washington reclassification cases look for changed conditions in the area, not merely a changed circumstance of the proponent. See Parkridge v Seattle, 90Wn.2d454(1987).

1. The staff report rejects that there has been a change in circumstance of the City as a Whole "The City disagrees with the applicant's assertion as to the 2017 development standards. The changes to the residential development standards that occurred in 2017 were policy decisions made by the then seated City Council, and are not 'changing circumstances of the city as a whole." Additionally, the staff report found that the applicant's factual premise incorrect – that the MICC 19.01.050(D)(3) does in fact permit exterior alteration or enlargement of nonconforming non-single-family structures, subject to the 50-percent-of-assessed-value threshold.
2. The Staff report theorizes that the changed circumstances are "more accurately described as an increased demand of a facility that is at the end of its useful life and which demand cannot be accommodated under" MICC 19.01.050(D)(3).
    a. MICC 19.15.230(F) places the burden of demonstration on the applicant. When the reviewing body rejects the applicant's theory, finds its factual premise incorrect, that should result in denial of the application. The city staff cannot construct a substitute rationale, by doing so the burden has effectively been carried by staff rather than by the applicant.
    b. The staff's substitute theory is unsupported by anything in the application or the staff report and relies on two assertions without providing any evidence.
        i. "Increased demand" – The applicant has refused to provide any membership trend data, enrollment figures, waitlists, utilization studies, or demographic demand analysis. The applicant offers only that Mercer Island's population "has grown over 20% since the JCC was built in 1969." A 20% increase in the cities population does not justify an over 400% increase in allowed building area for the site.

   ii. The applicant asserts that the facility that is at the end of its useful life, however no condition assessment, structural evaluation, systems assessment, or cost-to-cure estimate has been provided.
   iii. A single facility reaching the end of its useful life is a circumstance of that property, not of the city as a whole.
3. The applicant argues that the 2017 GFA and impervious surface limits, combined with the variance interpretation, apply across most of the Island's zoning and have stranded "many other vital community organizations on MI." If that is true, the correct response to a city-wide regulatory gap affecting a class of institutions is a code amendment or community-facility overlay applicable to that class, not a parcel-specific change for one member of it. Comprehensive Plan Land Use Goal 7.4 says exactly this: The City may consider measures within the land use code to address the maintenance, updating, and renovation of these facilities." The applicant quotes Goal 7.4 and then argues for the one remedy the goal does not contemplate.

Criterion 2(a) – MICC 19.15.230(F)(2)(a): Compatibility with Adjacent Land Use and Development Pattern. – "Development pattern" is not a synonym for "surrounding uses," rather it refers to the geometry and logic of the map, the coherence of district boundaries, and how the amendment fits the City's overall land use structure. Both adjacent land use and development patterns must be satisfied.

1. The Staff report misinterprets this requirement, stating "adjacent land use and development patterns include both single-family residences and commercial buildings… which all align with the existing facilities on the SJCC properties." That finding is about the compatibility of the existing facilitates, not the proposed amendment. The proposed amendment is not tied to the current use. A 402,261 gsf building, over four times larger than the existing building, is not compatible with single-family residential zoning on three sides.
2. The applicant differs to future review of any proposed development for compliance with the CO code in an attempt to justify compliance with this criteria, however this does not address the compatibility questions, including trip generation, hours of operation, parking demand, or cumulative intensity.
3. Development Pattern: The amendment would leave (i) a narrow strip of residentially designated property to the west, sandwiched between Public Institution and Commercial Office designations, and (ii) an isolated pocket of residential parcels in the southeast corner of the block sharing a property line with the subject site. The staff report does not provide any analysis of the resulting boundary or development pattern, whether the amended boundary is orderly, whether the remnant residential areas remain viable as designated, or whether the city would ever draw this line on its own.
4. Irregular boundaries drawn to follow one owner's parcel assembly are precisely the evidentiary pattern Washington courts look to in spot-zoning analysis as indicating private rather than public benefit. See Anderson v Island County, 81Wn.2d312(1972); Save Our rural Env't, 99Wn.2d363(1983).

Criteria 2(b) – MICC 19.15.230(F)(2)(b): Suitability for Development in Conformance with the Standards Under the Potential Zoning.

1. The Staff report disputes the applicants compliance with this criteria, stating "at least one parcel would not be suitable for development in conformance with the standards under the potential zoning as it currently exists" in reference to parcel 2655500132, which when applying

CO zoning setbacks would result in abuilding envelope of six inches by eight feet. Parcel 2655500137 is similarly cannot practically be developed under the CO zoning setbacks, resulting in a building envelope of 35' by 105'. The staff report does not calculate the larger parcels.

2. Parcels 2655500132 & 2655500136 both have access to the residential street, SE 40th St. Rezoning these parcels to CO would direct commercial traffic directly onto a residential street.
3. Parcel 2655500132 is omitted from the staff reports list currently observed conditions: "Tax Parcels 2655500137, 2655500115, and 2655500136 all appear to be integrated in their daily operations as the Stroum Jewish Community Center site." – Parcel 2655500132 has not been used for recreational or community-facility purpose. It is a single-family home, in a single-family neighborhood, on a single-family street, that happens to have been speculatively acquired by an institutional neighbor in 2016.

1. Parcel 265550-0136 was speculatively purchased by the applicant on October 30th, 2012 and is not included in their Conditional Use Permit. This parcel had a single family home existing on it when the applicant purchased it. This parcel should be excluded from any rezone consideration.

Criteria 2(c) – MICC 19.15.230(F)(2)(c): Benefit to the Community as a Whole; No Adverse Effect on Community Facilities or Public Health, Safety, and General Welfare.

The amendment must benefit the community as a whole and must not adversely affect community facilities or the public health, safety, and general welfare. The second cannot be satisfied by showing the benefit outweighs the harm.

1. The applicant again rests their argument of benefit to the community as a whole on the operator rather than the Commercial Office designation. As discussed, the application must be reviewed based on the Commercial Office Designation – not the current owner, current programming, or current operator of the property – which this application has failed to do. Additionally, the applicant does not provide services to all Mercer Island Residents, they do not offer discounts to Mercer Island residents, and their membership is primarily made-up of non-residents.
2. This criterion also requires No Adverse Effect, however the applicant does not address this criterion in their application and neither does the Staff Report. This application would, in fact, adversely affect public health, safety, and general welfare as follows:
    a. The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.
    b. The proposed rezone will increase traffic congestion and reduce pedestrian safety, as evidenced by the following.

        - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.

- The Trip Generation Memo does not account for trips associated with French American School of Puget Sound (FASPS), which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips. Commercial Office Rezone would be even more impactful than presented by the applicant.

c. The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections around the property.

3. Based on the proximity to I-90, Washington State DOT should be reviewing the amendment and its impacts on I90.
4. A Traffic Impact Analysis must include the school that is currently under construction across East Mercer from the applicants property.

Rezon Criteria:

Criteria 1. The proposed reclassification must be consistent with the policies and provisions of the Mercer Island Comprehensive Plan:

The proposed reclassification is not consistent with the comprehensive plan for the following reasons:

1. The applicant tries to justify compliance with the comprehensive plan based on the current use of the property as a community center, and the current building size and intensity of use. However, the proposed rezone is not tied to the existing use, it is not tied to a specific project, it is not tied to a proposed use, and it does not guarantee that the current use will continue after a rezone. The proposal does not limit future development to the square footage that currently exists. It is simply an application to change the zoning from residential to commercial office, which would result in increased density and intensity of use of the property, regardless if that use is an office building or a community center.

2. The applicant has stated that they want to continue to use the property as it has been used for 55 years, however that is untrue. Since the original Conditional Use Permit was granted, the applicant has significantly grown their building footprint, and purchased multiple additional parcels.

3. The existing building is 88,362 square feet (per King County Assessor). Rezoning the property to Commercial Office would allow a 402,261 square foot building to be built on the property. This is a **355% increase** in building area and is in addition to the existing 31,815 SF FASPS Building.

4. Commercial Office in this location is not compatible with the comprehensive plan. The justifications presented in the application are irrelevant without a project being tied to the

application. The applicant only focuses on the current use of the property (including the c building size), not what is actually being applied for, which is Commercial Office zoning recalcification.

5. There is currently a total of 637,818 SF of office space existing on Mercer Island. The largest existing office building is the Riot Games building in the town center at 155,599 SF. This rezone application would allow for 402,261 SF on this site alone, making it larger than the total size of the seven largest existing office buildings combined. Rezoning this property could result in a **60% increase** in total office space across all of Mercer Island, and place that significant growth in a location surrounded by residential zoning.
6. The Washington State Growth Management Act (GMA) requires the City of Mercer Island to prioritize housing in the comprehensive plan. This application does the exact opposite; it converts single family zoned property to Commercial Office. It does not meet the criteria of the Mercer Island Comprehensive Plan or the WA State GMA.
7. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 2. The proposed reclassification must be consistent with Mercer Island development code as set for in MICC 19.01.010;

The proposal does not comply with these criteria for the following reasons:

1. This criteria includes provisions to avoid traffic congestion. The proposed rezone will increase traffic congestion, as evidenced by the following:
    - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.
    - The Trip Generation Memo does not account for trips associated with FASPS, which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips to/from the shared driveway. Commercial Office Rezone would be even more impactful than presented by the applicant.
    - The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections serving the property. A Traffic Impact Analysis would further confirm that this application does not comply with Criteria 2.

- The applicant indicates on their own documentation that they intend to increase pa[illegible] counts, which means they intend to increase traffic to the property.
- The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.

1. This criteria includes provisions to protect the natural beauty and other natural resources. The proposal does the opposite, by increasing density and the intensity of the approved land use.
2. This criteria includes provisions to prevent overcrowding. The proposal does the opposite, by increasing density and the intensity of the approved land use.
3. The applicant again refers to the current use of the land to justify rezoning, however those responses are irrelevant as the proposal is not tied to a specific use, the proposal is to rezone the property to Commercial Office, which is not compatible with this criteria of the comprehensive plan.
4. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning, because that is what is being applied for.

Criteria 3. The proposed reclassification must be an extension of an existing zone, or a logical transition between zones.

The proposed rezone is not the extension of an existing zone or a logical transition between zones, it is actually the opposite.

1. The property is bound on three sides by residential zones, rezoning this parcel would create a pocket of commercially zoned parcels surrounded on three sides by single-family residential zoning.
2. Additionally, parcels 265550-0166, 265550-0168, and 265550-0165 to the west of the applicant's property, which are single-family zoned properties, would end up surrounded by Commercial zoning to the north and east, and Public Institution zoning to the West. See below map.

1. The zoning map in the application is not current.
2. Rezoning of this property would create a choppy patchwork of zoning with no logical transition between zones.

1. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 4. The proposed reclassification must not constitute an illegal Site-Specific Rezo

The proposal does create an illegal site-specific rezone, solely for the benefit of a single property.

1. While the applicant has chosen to pursue non-profit status for tax purposes, and they do not pay property taxes on Mercer Island, they are still business that will see financial gain from the rezone.
2. With the applicant's tax status, they rely on Mercer Island residents and taxpayers to fund public safety and maintenance of city infrastructure serving their property, while they indicate on their website that they serve the "general community of the greater Seattle area" and the majority of their members or not Island residents. This is in contrast to other clubs and CUP properties on Mercer Island that primarily cater to Island residents and abide by strict membership limits. The burden on Mercer Island taxpayers will be exacerbated if the land were to be rezoned to commercial and land use becomes more intense with no limits on programming or membership.
3. The applicant chose to build a building for the French American School of Puget Sound (FASPS) on the commercially zoned portion of their property in order to generate revenue through a lease for their own financial gain. If the applicant desired additional square footage to operate their center, they could have used that commercially zoned parcel and should not have leased the land to FASPS. A rezone cannot legally be granted for the private gain of one owner or a group of owners to the detriment of their neighbors. The FASPS lease demonstrates that the rezone application is for the financial gain of the applicant.
4. The applicant recently and speculatively purchased additional parcels that were not included in their original conditional use permit, and they are now seeking to rezone those parcels for their own gain.
    - Parcel 265550-0136 was speculatively purchased by the applicant on October 30th, 2012 and is not included in their Conditional Use Permit. This parcel had a single family home existing on it when the applicant purchased it. This parcel should be excluded from any rezone consideration.
    - Parcel 265550-0132 was speculatively purchased by the applicant on November 21, 2016 and is not included in their Conditional Use Permit. Furthermore, this parcel currently has a single-family home on it. Renderings presented by the applicant of a potential new facility shows the single-family residence remaining. Based on that, and the fact that this parcel is not included in the CUP, this parcel should be excluded from any rezone consideration.

1. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.
2. Again, the proposed rezone is not tied to a specific project or use and the applicant refers to the current use of the land to justify rezoning. Rezoning this property to commercial office does not provide a public benefit, making it an illegal site-specific rezone.

Criteria 5. The proposed reclassification must be compatible with surrounding zones and land uses.

Commercial Office zoning is not compatible with the single-family residential zoning that borders property on three sides.

1. The property is bound on three sides by residential zones, and one side by commercial office. Rezoning this parcel would create a pocket of commercially zoned parcels surrounded on three sides by single family zoning.
2. Additionally, parcels 265550-0166, 265550-0168, and 265550-0165 to the west of the applicant's property, which are single family zoned properties, would end up surrounded by Commercial zoning to the north and east, and Public Institution zoning to the West.
3. The zoning map in the application is not current.
4. Rezoning of this property would create a choppy patchwork of zoning with no logical transition between zones.
5. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 6. The proposed reclassification must not adversely affect public health, safety and welfare.

Rezoning this property to Commercial Office would adversely affect public health, safety and welfare for the following reasons.

1. The existing building is 88,362 square feet (per King County Assessor). Rezoning the property to Commercial Office would allow a 402,261 square foot building to be built on the property. This is a **355% increase** in building area and is in addition to the existing 31,815 SF FASPS Building.
2. The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.

1. The proposed rezone will increase traffic congestion and reduce pedestrian safety, as evidenced by the following.
    - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.
    - The Trip Generation Memo does not account for trips associated with FASPS, which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding

FASPS from the calculation of future trips. Commercial Office Rezone would be ev more impactful than presented by the applicant.

- The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections around the property. Without the Traffic Impact Analysis, it is impossible to confirm compliance with Criteria 6.

Mercer Island is first and foremost a residential community, and residential zoning should be protected for the residents and families of Mercer Island.

Item 18.

Molly McGuire

From: Tara Koehler <taracarrasco@gmail.com>
Sent: Tuesday, August 4, 2026 3:47 PM
To: Alison Van Gorp; Planning Commission; Deb Estrada
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

unds warm and authentic:

I value the J because it has truly been a home away from home for our family. My husband grew up attending preschool there, playing sports, and spending countless hours at the J. When we started our own family, it felt natural to continue that tradition. Both of our children attended the Early Childhood Education program full time and later participated in countless after-school activities, camps, sports, and programs.

Today, our children are in high school and college, but some of their closest friendships were formed at the JCC and remain some of the most meaningful relationships in their lives. The J has been so much more than a place to work out or take classes—it's been a community that has supported our family through every stage of life. Even now, we each continue to use the J in our own ways, whether it's exercising, taking classes, or simply feeling connected to a place that has meant so much to us over the years.

The JCC isn't just a community center to us—it's part of our family's story, and we're incredibly grateful for the sense of belonging, connection, and lifelong relationships it has fostered.

The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Sincerely,
Tara Koehler

Sent from my iPhone

828

Molly McGuire

From: Teresa Hall <teresajkhall@gmail.com>
Sent: Tuesday, August 4, 2026 1:17 PM
To: Planning Commission
Cc: Council; Deb Estrada; Alison Van Gorp
Subject: Comprehensive Plan Amendment

We have lived on Mercer Island since 1983. We live next to the Mercerwood Shore Club. We have been involved over the years with changes to the CUP, attempted changes to the JCC a few years ago and now this. We strongly encourage you to vote this amendment down because it will cause a great deal of upset especially to the neighborhoods around the JCC. It is outrageous that it is even considered because of all criteria listed below have not been met.

Please do not change what has worked for the Island. You represent the people of Mercer Island not just the JCC.

Sincerely,

Teresa and Wally Hall
4242 E Mercer Way
Mercer Island, WA 98040

Public Comment RE CPA25-002, RZN25-002, SEP25-021

Comprehensive Plan Amendment

Criteria 1 MICC 19.15.230.F

F. 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 decisions criteria.

The applicant has not met the burden of demonstrating the proposed amendment complies with the applicable regulations and decision criteria.

Criteria 1. The amendment is not consistent with the Growth Management Act, the countywide planning policies, or the other provisions of the comprehensive plan and city policies based on the following:

1. Each and every response by the applicant to these criteria regarding compliance with the comp plan, GMA and city policies are based on the current use of the property as a community center, and the current building size and intensity of use - the applicant relies on the operator, not the designation. However, the proposed comprehensive plan amendment is not tied to the existing use, it is not tied to a specific project, it is not tied to a proposed use, and it does not guarantee that the current use will continue after an amendment. The proposal does not limit future development to the square footage that currently exists. It is simply an application to change the

zoning from residential to commercial office, which would result in increased density and intensity of use of the property, regardless if that use is an office building or a community center.

2. Comprehensive plan land use designation attaches to the land, not an owner or a program. Nothing in the CO designation requires an early childhood school, scholarships, a community garden, swim lessons, or any cultural programming. Nothing prevents the sale of the property and a future owner implementing different programming. The applicant's amendment secures none of the benefits offered as the basis for finding it consistent.

3. The applicant does not offer to enter a Development Agreement under RCW 36.70B.170-.210, which they could do concurrently with the rezone, and would run with the land and bind successors. A Development Agreement can restrict permitted uses to community-facility uses, cap gross floor area, fix access locations, and require specific transportation mitigation. If the applicant's representation is that "no change of use is proposed," a development agreement cost the applicant nothing it has claimed to want. By declining to enter a development agreement, the applicant brings into question their intended future use.

4. The applicant does not establish consistence with the Transportation Element. RCW 36.70A.070 requires an internally consistent plan: RCW 36.70A.070(6)(a)(i)(C) requires the transportation element to rest on land use assumptions. The Land Use Map is the input to the travel forecast. Redesignating this site from Single-Family Residential to Commercial Office – on the applicant's own consultant's figures, from 94,723 gsf to 402,261 gsf buildout capacity – changes the assumption. Nothing in the application shows that the Transportation Element's forecasts, LOS standards, or capital facilities program were checked against the amended map. The Staff report does not address this internal inconsistency.

5. Land Use Goal 7.1 – "Preserve the neighborhood character in residential zones. For the purpose of implementing this element, neighborhood character only refers to form, bulk, scale and intensity of the built environment." The applicant does not address what Goal 7.1 actually askes, which is what happens to form, bulk, scale, and intensity under the Commercial Office designation. A 4.25X increase in buildout capacity is, by the comprehensive plan's own definition, a neighborhood-character question that the application does not comply with.

6. Transportation Goal 9.2 – "Address parking overflow impacts on neighbors cause by major traffic generators such as schools, businesses, parks…" The applicant does not address how the redesignation would address the neighbors' concerns, including parking overflowing onto East Mercer Way that blocks the bike lane and forces bikes and pedestrians into the traffic lane; cars from user of the property parking on SE 40th, cars from users of the property blocking driveways on adjacent streets. Goal 9.2 asks for a plan to address the impact, but the applicant does not cite any specifics in how the redesignation will do that. In fact, the redesignation would allow for 4.25X building area, which would result in even more traffic and overflow parking.
7. "Commercial Office and PBZ zones must serve the needs of the local populations while remaining compatible with the overall residential character of the community." The applicant asserts compatibility will "increase" and that "anything that is built will conform to CO standards." That is an assertion about code compliance, not about compatibility, and it is unsupported by any analysis of way CO buildout looks like against the neighboring Single-Family Residential land. Additionally, the applicants current membership is made up primarily of non-residents of Mercer Island, thus they are not serving the local population.
8. The applicant does not include any analysis of whether PBZ, a Public Institution designation, or tailored community-facility designation would fit the situation better than CO. It is the applicant's

burden to show the proposed designation is consistent, the absence of any alternative analysis demonstrates the applicant has not met the burden.

Criteria 1A – The applicant concedes there is not a technical error, thus this criterion cannot be used to allow for the applicant's amendment.

Criteria 1B – Changed Circumstances of the City as a Whole – This criterion requires a change in circumstances of the city as a whole, not of the property, not of the applicant, not of a single institution. Washington reclassification cases look for changed conditions in the area, not merely a changed circumstance of the proponent. See Parkridge v Seattle, 90Wn.2d454(1987).

1. The staff report rejects that there has been a change in circumstance of the City as a Whole "The City disagrees with the applicant's assertion as to the 2017 development standards. The changes to the residential development standards that occurred in 2017 were policy decisions made by the then seated City Council, and are not 'changing circumstances of the city as a whole." Additionally, the staff report found that the applicant's factual premise incorrect – that the MICC 19.01.050(D)(3) does in fact permit exterior alteration or enlargement of nonconforming non-single-family structures, subject to the 50-percent-of-assessed-value threshold.
2. The Staff report theorizes that the changed circumstances are "more accurately described as an increased demand of a facility that is at the end of its useful life and which demand cannot be accommodated under" MICC 19.01.050(D)(3).
    a. MICC 19.15.230(F) places the burden of demonstration on the applicant. When the reviewing body rejects the applicant's theory, finds its factual premise incorrect, that should result in denial of the application. The city staff cannot construct a substitute rationale, by doing so the burden has effectively been carried by staff rather than by the applicant.
    b. The staff's substitute theory is unsupported by anything in the application or the staff report and relies on two assertions without providing any evidence.
        i. "Increased demand" – The applicant has refused to provide any membership trend data, enrollment figures, waitlists, utilization studies, or demographic demand analysis. The applicant offers only that Mercer Island's population "has grown over 20% since the JCC was built in 1969." A 20% increase in the cities population does not justify an over 400% increase in allowed building area for the site.
        ii. The applicant asserts that the facility that is at the end of its useful life, however no condition assessment, structural evaluation, systems assessment, or cost-to-cure estimate has been provided.
        iii. A single facility reaching the end of its useful life is a circumstance of that property, not of the city as a whole.
3. The applicant argues that the 2017 GFA and impervious surface limits, combined with the variance interpretation, apply across most of the Island's zoning and have stranded "many other vital community organizations on MI." If that is true, the correct response to a city-wide regulatory gap affecting a class of institutions is a code amendment or community-facility overlay applicable to that class, not a parcel-specific change for one member of it. Comprehensive Plan Land Use Goal 7.4 says exactly this: The City may consider measures within the land use code to address the maintenance, updating, and renovation of these facilities." The applicant quotes Goal 7.4 and then argues for the one remedy the goal does not contemplate.

Criterion 2(a) – MICC 19.15.230(F)(2)(a): Compatibility with Adjacent Land Use and Development Pattern. – "Development pattern" is not a synonym for "surrounding uses," rather it refers to the geometry and logic of the map, the coherence of district boundaries, and how the amendment fits the City's overall land use structure. Both adjacent land use and development patterns must be satisfied.

1. The Staff report misinterprets this requirement, stating "adjacent land use and development patterns include both single-family residences and commercial buildings… which all align with the existing facilities on the SJCC properties." That finding is about the compatibility of the existing facilitates, not the proposed amendment. The proposed amendment is not tied to the current use. A 402,261 gsf building, over four times larger than the existing building, is not compatible with single-family residential zoning on three sides.
2. The applicant differs to future review of any proposed development for compliance with the CO code in an attempt to justify compliance with this criteria, however this does not address the compatibility questions, including trip generation, hours of operation, parking demand, or cumulative intensity.
3. Development Pattern: The amendment would leave (i) a narrow strip of residentially designated property to the west, sandwiched between Public Institution and Commercial Office designations, and (ii) an isolated pocket of residential parcels in the southeast corner of the block sharing a property line with the subject site. The staff report does not provide any analysis of the resulting boundary or development pattern, whether the amended boundary is orderly, whether the remnant residential areas remain viable as designated, or whether the city would ever draw this line on its own.
4. Irregular boundaries drawn to follow one owner's parcel assembly are precisely the evidentiary pattern Washington courts look to in spot-zoning analysis as indicating private rather than public benefit. See Anderson v Island County, 81Wn.2d312(1972); Save Our rural Env't, 99Wn.2d363(1983).

Criteria 2(b) – MICC 19.15.230(F)(2)(b): Suitability for Development in Conformance with the Standards Under the Potential Zoning.

1. The Staff report disputes the applicants compliance with this criteria, stating "at least one parcel would not be suitable for development in conformance with the standards under the potential zoning as it currently exists" in reference to parcel 2655500132, which when applying CO zoning setbacks would result in abuilding envelope of six inches by eight feet. Parcel 2655500137 is similarly cannot practically be developed under the CO zoning setbacks, resulting in a building envelope of 35' by 105'. The staff report does not calculate the larger parcels.
2. Parcels 2655500132 & 2655500136 both have access to the residential street, SE 40th St. Rezoning these parcels to CO would direct commercial traffic directly onto a residential street.
3. Parcel 2655500132 is omitted from the staff reports list currently observed conditions: "Tax Parcels 2655500137, 2655500115, and 2655500136 all appear to be integrated in their daily operations as the Stroum Jewish Community Center site." – Parcel 2655500132 has not been used for recreational or community-facility purpose. It is a single-family home, in a single-family neighborhood, on a single-family street, that happens to have been speculatively acquired by an institutional neighbor in 2016.

1. Parcel 265550-0136 was speculatively purchased by the applicant on October 30th, 2012 a[illegible] not included in their Conditional Use Permit. This parcel had a single family home existing on it when the applicant purchased it. This parcel should be excluded from any rezone consideration.

Criteria 2(c) – MICC 19.15.230(F)(2)(c): Benefit to the Community as a Whole; No Adverse Effect on Community Facilities or Public Health, Safety, and General Welfare.

The amendment must benefit the community as a whole and must not adversely affect community facilities or the public health, safety, and general welfare. The second cannot be satisfied by showing the benefit outweighs the harm.

1. The applicant again rests their argument of benefit to the community as a whole on the operator rather than the Commercial Office designation. As discussed, the application must be reviewed based on the Commercial Office Designation – not the current owner, current programming, or current operator of the property – which this application has failed to do. Additionally, the applicant does not provide services to all Mercer Island Residents, they do not offer discounts to Mercer Island residents, and their membership is primarily made-up of non-residents.
2. This criterion also requires No Adverse Effect, however the applicant does not address this criterion in their application and neither does the Staff Report. This application would, in fact, adversely affect public health, safety, and general welfare as follows:
    a. The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.
    b. The proposed rezone will increase traffic congestion and reduce pedestrian safety, as evidenced by the following.

        - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.

        - The Trip Generation Memo does not account for trips associated with French American School of Puget Sound (FASPS), which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips. Commercial Office Rezone would be even more impactful than presented by the applicant.

    c. The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight

distance and other applicable standards, and a level of services analysis of intersect around the property.

3. Based on the proximity to I-90, Washington State DOT should be reviewing the amendment and its impacts on I90.
4. A Traffic Impact Analysis must include the school that is currently under construction across East Mercer from the applicants property.

Rezon Criteria:

Criteria 1. The proposed reclassification must be consistent with the policies and provisions of the Mercer Island Comprehensive Plan:

The proposed reclassification is not consistent with the comprehensive plan for the following reasons:

1. The applicant tries to justify compliance with the comprehensive plan based on the current use of the property as a community center, and the current building size and intensity of use. However, the proposed rezone is not tied to the existing use, it is not tied to a specific project, it is not tied to a proposed use, and it does not guarantee that the current use will continue after a rezone. The proposal does not limit future development to the square footage that currently exists. It is simply an application to change the zoning from residential to commercial office, which would result in increased density and intensity of use of the property, regardless if that use is an office building or a community center.

2. The applicant has stated that they want to continue to use the property as it has been used for 55 years, however that is untrue. Since the original Conditional Use Permit was granted, the applicant has significantly grown their building footprint, and purchased multiple additional parcels.

3. The existing building is 88,362 square feet (per King County Assessor). Rezoning the property to Commercial Office would allow a 402,261 square foot building to be built on the property. This is a **355% increase** in building area and is in addition to the existing 31,815 SF FASPS Building.

4. Commercial Office in this location is not compatible with the comprehensive plan. The justifications presented in the application are irrelevant without a project being tied to the application. The applicant only focuses on the current use of the property (including the current building size), not what is actually being applied for, which is Commercial Office zoning recalcification.

5. There is currently a total of 637,818 SF of office space existing on Mercer Island. The largest existing office building is the Riot Games building in the town center at 155,599 SF. This rezone application would allow for 402,261 SF on this site alone, making it larger than the total size of the seven largest existing office buildings combined. Rezoning this property could result in a **60% increase** in total office space across all of Mercer Island, and place that significant growth in a location surrounded by residential zoning.

6. The Washington State Growth Management Act (GMA) requires the City of Mercer Island to prioritize housing in the comprehensive plan. This application does the exact opposite; it converts

single family zoned property to Commercial Office. It does not meet the criteria of the Mercer Island Comprehensive Plan or the WA State GMA.

7. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 2. The proposed reclassification must be consistent with Mercer Island development code as set for in MICC 19.01.010;

The proposal does not comply with these criteria for the following reasons:

1. This criteria includes provisions to avoid traffic congestion. The proposed rezone will increase traffic congestion, as evidenced by the following:
    - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.
    - The Trip Generation Memo does not account for trips associated with FASPS, which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips to/from the shared driveway. Commercial Office Rezone would be even more impactful than presented by the applicant.
    - The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections serving the property. A Traffic Impact Analysis would further confirm that this application does not comply with Criteria 2.
    - The applicant indicates on their own documentation that they intend to increase parking counts, which means they intend to increase traffic to the property.
    - The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.

1. This criteria includes provisions to protect the natural beauty and other natural resources. The proposal does the opposite, by increasing density and the intensity of the approved land use.

2. This criteria includes provisions to prevent overcrowding. The proposal does the opposite, b increasing density and the intensity of the approved land use.
3. The applicant again refers to the current use of the land to justify rezoning, however those responses are irrelevant as the proposal is not tied to a specific use, the proposal is to rezone the property to Commercial Office, which is not compatible with this criteria of the comprehensive plan.
4. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning, because that is what is being applied for.

Criteria 3. The proposed reclassification must be an extension of an existing zone, or a logical transition between zones.

The proposed rezone is not the extension of an existing zone or a logical transition between zones, it is actually the opposite.

1. The property is bound on three sides by residential zones, rezoning this parcel would create a pocket of commercially zoned parcels surrounded on three sides by single-family residential zoning.
2. Additionally, parcels 265550-0166, 265550-0168, and 265550-0165 to the west of the applicant's property, which are single-family zoned properties, would end up surrounded by Commercial zoning to the north and east, and Public Institution zoning to the West. See below map.

1. The zoning map in the application is not current.
2. Rezoning of this property would create a choppy patchwork of zoning with no logical transition between zones.

1. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 4. The proposed reclassification must not constitute an illegal Site-Specific Rezone.

The proposal does create an illegal site-specific rezone, solely for the benefit of a single property.

1. While the applicant has chosen to pursue non-profit status for tax purposes, and they do not pay property taxes on Mercer Island, they are still business that will see financial gain from the rezone.
2. With the applicant’s tax status, they rely on Mercer Island residents and taxpayers to fund public safety and maintenance of city infrastructure serving their property, while they indicate on their website that they serve the "general community of the greater Seattle area" and the majority of

their members or not Island residents. This is in contrast to other clubs and CUP properties Mercer Island that primarily cater to Island residents and abide by strict membership limits. The burden on Mercer Island taxpayers will be exacerbated if the land were to be rezoned to commercial and land use becomes more intense with no limits on programming or membership.

3. The applicant chose to build a building for the French American School of Puget Sound (FASPS) on the commercially zoned portion of their property in order to generate revenue through a lease for their own financial gain. If the applicant desired additional square footage to operate their center, they could have used that commercially zoned parcel and should not have leased the land to FASPS. A rezone cannot legally be granted for the private gain of one owner or a group of owners to the detriment of their neighbors. The FASPS lease demonstrates that the rezone application is for the financial gain of the applicant.
4. The applicant recently and speculatively purchased additional parcels that were not included in their original conditional use permit, and they are now seeking to rezone those parcels for their own gain.
    - Parcel 265550-0136 was speculatively purchased by the applicant on October 30th, 2012 and is not included in their Conditional Use Permit. This parcel had a single family home existing on it when the applicant purchased it. This parcel should be excluded from any rezone consideration.
    - Parcel 265550-0132 was speculatively purchased by the applicant on November 21, 2016 and is not included in their Conditional Use Permit. Furthermore, this parcel currently has a single-family home on it. Renderings presented by the applicant of a potential new facility shows the single-family residence remaining. Based on that, and the fact that this parcel is not included in the CUP, this parcel should be excluded from any rezone consideration.

1. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.
2. Again, the proposed rezone is not tied to a specific project or use and the applicant refers to the current use of the land to justify rezoning. Rezoning this property to commercial office does not provide a public benefit, making it an illegal site-specific rezone.

Criteria 5. The proposed reclassification must be compatible with surrounding zones and land uses.

Commercial Office zoning is not compatible with the single-family residential zoning that borders the property on three sides.

1. The property is bound on three sides by residential zones, and one side by commercial office. Rezoning this parcel would create a pocket of commercially zoned parcels surrounded on three sides by single family zoning.
2. Additionally, parcels 265550-0166, 265550-0168, and 265550-0165 to the west of the applicant's property, which are single family zoned properties, would end up surrounded by Commercial zoning to the north and east, and Public Institution zoning to the West.

3. The zoning map in the application is not current.
4. Rezoning of this property would create a choppy patchwork of zoning with no logical transition between zones.
5. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 6. The proposed reclassification must not adversely affect public health, safety and welfare.

Rezoning this property to Commercial Office would adversely affect public health, safety and welfare for the following reasons.

1. The existing building is 88,362 square feet (per King County Assessor). Rezoning the property to Commercial Office would allow a 402,261 square foot building to be built on the property. This is a **355% increase** in building area and is in addition to the existing 31,815 SF FASPS Building.
2. The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.

1. The proposed rezone will increase traffic congestion and reduce pedestrian safety, as evidenced by the following.

    - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.
    - The Trip Generation Memo does not account for trips associated with FASPS, which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips. Commercial Office Rezone would be even more impactful than presented by the applicant.
    - The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections

around the property. Without the Traffic Impact Analysis, it is impossible to confirm compliance with Criteria 6.

Mercer Island is first and foremost a residential community, and residential zoning should be protected for the residents and families of Mercer Island.

Molly McGuire

From: Terry Azose <tlazose@gmail.com>
Sent: Tuesday, August 4, 2026 7:44 PM
To: Planning Commission
Subject: In support of the proposed zoning designation from single-family to commercial,

I am in support of the proposed zoning designation from single-family to commercial, I firmly believe that this change is necessary and beneficial.

Reflecting on the history of the JCC, I recall its opening in the 1960s as a magnificent state-of-the-art building. As a high school student at the time, I was deeply impressed by its grandeur. Today, I am proud to say that my children and grandchildren have embarked on their preschool education at the JCC. It has been a nurturing, well-run, and inclusive program that has created cherished memories for my family.

As a 70-something member, I value the safety, welcoming atmosphere, the new friendships and renewed connections that have become integral to my daily activities at the JCC. From swimming to classes, the supportive staff consistently bring joy and encouragement to all members.

However, the building itself is in need of renovation. Despite the staff's efforts to patch up the broken structure, it remains outdated and in need of significant improvements. The zoning change would facilitate better traffic patterns and provide more opportunities for both young and old members of the community.

In conclusion, I strongly advocate for the zoning change to the commercial designation. It will undoubtedly enhance the JCC's functionality and ensure its continued relevance and support for the community.

Sincerely,
Terry Azose
(206) 450-0995 cell

Molly McGuire

From: Tony Frego <tony.frego@gmail.com>
Sent: Tuesday, August 4, 2026 5:04 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: JCC Rezoning

Hello - I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. My son took swimming lessons for several years at the J. The J has been serving the Mercer Island community – as a community center – for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years. I do not understand how high the change would allow the JCC to go, so I would want to request caution to not allow it to be oversized. From reading the city code, being close to an arterial, the JCC could be zoned to 7 stories. That doesn't feel right. Allowing the JCC to build to 2 or 3 stories seems appropriate for the space.

Tony Frego

Molly McGuire

From: Winky Lai <winkylai@gmail.com>
Sent: Tuesday, August 4, 2026 11:08 AM
To: Planning Commission
Cc: Council; Deb Estrada; Alison Van Gorp
Subject: Public Comment RE CPA25-002, RZN25-002, SEP25-021

Public Comment RE CPA25-002, RZN25-002, SEP25-021

Comprehensive Plan Amendment

Criteria 1 MICC 19.15.230.F

F. 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 decisions criteria.

The applicant has not met the burden of demonstrating the proposed amendment complies with the applicable regulations and decision criteria.

Criteria 1. The amendment is not consistent with the Growth Management Act, the countywide planning policies, or the other provisions of the comprehensive plan and city policies based on the following:

1. Each and every response by the applicant to these criteria regarding compliance with the comp plan, GMA and city policies are based on the current use of the property as a community center, and the current building size and intensity of use - the applicant relies on the operator, not the designation. However, the proposed comprehensive plan amendment is not tied to the existing use, it is not tied to a specific project, it is not tied to a proposed use, and it does not guarantee that the current use will continue after an amendment. The proposal does not limit future development to the square footage that currently exists. It is simply an application to change the zoning from residential to commercial office, which would result in increased density and intensity of use of the property, regardless if that use is an office building or a community center.
2. Comprehensive plan land use designation attaches to the land, not an owner or a program. Nothing in the CO designation requires an early childhood school, scholarships, a community garden, swim lessons, or any cultural programming. Nothing prevents the sale of the property and a future owner implementing different programming. The applicant's amendment secures none of the benefits offered as the basis for finding it consistent.
3. The applicant does not offer to enter a Development Agreement under RCW 36.70B.170-.210, which they could do concurrently with the rezone, and would

run with the land and bind successors. A Development Agreement can restrict permitted uses to community-facility uses, cap gross floor area, fix access locations, and require specific transportation mitigation. If the applicant's representation is that "no change of use is proposed," a development agreement cost the applicant nothing it has claimed to want. By declining to enter a development agreement, the applicant brings into question their intended future use.

4. The applicant does not establish consistence with the Transportation Element. RCW 36.70A.070 requires an internally consistent plan: RCW 36.70A.070(6)(a)(i)(C) requires the transportation element to rest on land use assumptions. The Land Use Map is the input to the travel forecast. Redesignating this site from Single-Family Residential to Commercial Office – on the applicant's own consultant's figures, from 94,723 gsf to 402,261 gsf buildout capacity – changes the assumption. Nothing in the application shows that the Transportation Element's forecasts, LOS standards, or capital facilities program were checked against the amended map. The Staff report does not address this internal inconsistency.
5. Land Use Goal 7.1 – "Preserve the neighborhood character in residential zones. For the purpose of implementing this element, neighborhood character only refers to form, bulk, scale and intensity of the built environment." The applicant does not address what Goal 7.1 actually askes, which is what happens to form, bulk, scale, and intensity under the Commercial Office designation. A 4.25X increase in buildout capacity is, by the comprehensive plan's own definition, a neighborhood-character question that the application does not comply with.

6. Transportation Goal 9.2 – "Address parking overflow impacts on neighbors cause by major traffic generators such as schools, businesses, parks…" The applicant does not address how the redesignation would address the neighbors' concerns, including parking overflowing onto East Mercer Way that blocks the bike lane and forces bikes and pedestrians into the traffic lane; cars from user of the property parking on SE 40th, cars from users of the property blocking driveways on adjacent streets. Goal 9.2 asks for a plan to address the impact, but the applicant does not cite any specifics in how the redesignation will do that. In fact, the redesignation would allow for 4.25X building area, which would result in even more traffic and overflow parking.

7. "Commercial Office and PBZ zones must serve the needs of the local populations while remaining compatible with the overall residential character of the community." The applicant asserts compatibility will "increase" and that "anything that is built will conform to CO standards." That is an assertion about code compliance, not about compatibility, and it is unsupported by any analysis of way CO buildout looks like against the neighboring Single-Family Residential land. Additionally, the applicants current membership is made up primarily of non-residents of Mercer Island, thus they are not serving the local population.

8. The applicant does not include any analysis of whether PBZ, a Public Institution designation, or tailored community-facility designation would fit the situation better than CO. It is the applicant's burden to show the proposed designation is consistent, the absence of any alternative analysis demonstrates the applicant has not met the burden.

Criteria 1A – The applicant concedes there is not a technical error, thus this criterion cannot be used to allow for the applicant's amendment.

Criteria 1B – Changed Circumstances of the City as a Whole – This criterion requires a change in circumstances of the city as a whole, not of the property, not of the applicant, not of a single institution. Washington reclassification cases look for changed conditions in the area, not merely a changed circumstance of the proponent. See Parkridge v Seattle, 90Wn.2d454(1987).

1. The staff report rejects that there has been a change in circumstance of the City as a Whole "The City disagrees with the applicant's assertion as to the 2017 development standards. The changes to the residential development standards that occurred in 2017 were policy decisions made by the then seated City Council, and are not 'changing circumstances of the city as a whole." Additionally, the staff report found that the applicant's factual premise incorrect – that the MICC 19.01.050(D)(3) does in fact permit exterior alteration or enlargement of nonconforming non-single-family structures, subject to the 50-percent-of-assessed-value threshold.

2. The Staff report theorizes that the changed circumstances are "more accurately described as an increased demand of a facility that is at the end of its useful life and which demand cannot be accommodated under" MICC 19.01.050(D)(3).

a. MICC 19.15.230(F) places the burden of demonstration on the applicant. When the reviewing body rejects the applicant's theory, finds its factual premise incorrect, that should result in denial of the application. The city staff cannot construct a substitute rationale, by doing so the burden has effectively been carried by staff rather than by the applicant.

b. The staff's substitute theory is unsupported by anything in the application or the staff report and relies on two assertions without providing any evidence.

i. "Increased demand" – The applicant has refused to provide any membership trend data, enrollment figures, waitlists, utilization studies, or demographic demand analysis. The applicant offers only that Mercer Island's population "has grown over 20% since the JCC was built in 1969." A 20% increase in the cities population does not justify an over 400% increase in allowed building area for the site.

ii. The applicant asserts that the facility that is at the end of its useful life, however no condition assessment, structural evaluation, systems assessment, or cost-to-cure estimate has been provided.

iii. A single facility reaching the end of its useful life is a circumstance of that property, not of the city as a whole.

3. The applicant argues that the 2017 GFA and impervious surface limits, combined with the variance interpretation, apply across most of the Island's zoning and have stranded "many other vital community organizations on MI." If that is true, the correct response to a city-wide regulatory gap affecting a class of institutions is a code amendment or community-facility overlay applicable to that class, not a parcel-specific change for one member of it. Comprehensive Plan Land Use Goal 7.4 says exactly this: The City may consider measures within the land use code to address the maintenance, updating, and renovation of these facilities." The applicant quotes Goal 7.4 and then argues for the one remedy the goal does not contemplate.

Criterion 2(a) – MICC 19.15.230(F)(2)(a): Compatibility with Adjacent Land Use and Development Pattern. – "Development pattern" is not a synonym for "surrounding uses," rather it refers to the geometry and logic of the map, the coherence of district boundaries, and how the amendment fits the City's overall land use structure. Both adjacent land use and development patterns must be satisfied.

1. The Staff report misinterprets this requirement, stating "adjacent land use and development patterns include both single-family residences and commercial buildings… which all align with the existing facilities on the SJCC properties." That finding is about the compatibility of the existing facilitates, not the proposed amendment. The proposed amendment is not tied to the current use. A 402,261 gsf building, over four times larger than the existing building, is not compatible with single-family residential zoning on three sides.

2. The applicant differs to future review of any proposed development for compliance with the CO code in an attempt to justify compliance with this criteria, however this does not address the compatibility questions, including trip generation, hours of operation, parking demand, or cumulative intensity.

3. Development Pattern: The amendment would leave (i) a narrow strip of residentially designated property to the west, sandwiched between Public Institution and Commercial Office designations, and (ii) an isolated pocket of residential parcels in the southeast corner of the block sharing a property line with the subject site. The staff report does not provide any analysis of the resulting boundary or development pattern, whether the amended boundary is orderly, whether the remnant residential areas remain viable as designated, or whether the city would ever draw this line on its own.

4. Irregular boundaries drawn to follow one owner's parcel assembly are precisely the evidentiary pattern Washington courts look to in spot-zoning analysis as indicating private rather than public benefit. See Anderson v Island County, 81Wn.2d312(1972); Save Our rural Env't, 99Wn.2d363(1983).

Criteria 2(b) – MICC 19.15.230(F)(2)(b): Suitability for Development in Conformance with the Standards Under the Potential Zoning.

1. The Staff report disputes the applicants compliance with this criteria, stating “at least one parcel would not be suitable for development in conformance with the standards under the potential zoning as it currently exists” in reference to parcel 2655500132, which when applying CO zoning setbacks would result in abuilding envelope of six inches by eight feet. Parcel 2655500137 is similarly cannot practically be developed under the CO zoning setbacks, resulting in a building envelope of 35’ by 105’. The staff report does not calculate the larger parcels.

2. Parcels 2655500132 & 2655500136 both have access to the residential street, SE 40th St. Rezoning these parcels to CO would direct commercial traffic directly onto a residential street.

3. Parcel 2655500132 is omitted from the staff reports list currently observed conditions: “Tax Parcels 2655500137, 2655500115, and 2655500136 all appear to be integrated in their daily operations as the Stroum Jewish Community Center site.” – Parcel 2655500132 has not been used for recreational or community-facility purpose. It is a single-family home, in a single-family neighborhood, on a single-family street, that happens to have been speculatively acquired by an institutional neighbor in 2016.

1. Parcel 265550-0136 was speculatively purchased by the applicant on October 30th, 2012 and is not included in their Conditional Use Permit. This parcel had a single family home existing on it when the applicant purchased it. This parcel should be excluded from any rezone consideration.

Criteria 2(c) – MICC 19.15.230(F)(2)(c): Benefit to the Community as a Whole; No Adverse Effect on Community Facilities or Public Health, Safety, and General Welfare.

The amendment must benefit the community as a whole and must not adversely affect community facilities or the public health, safety, and general welfare. The second cannot be satisfied by showing the benefit outweighs the harm.

1. The applicant again rests their argument of benefit to the community as a whole on the operator rather than the Commercial Office designation. As discussed, the application must be reviewed based on the Commercial Office Designation – not the current owner, current programming, or current operator of the property – which this application has failed to do. Additionally, the applicant does not provide services to all Mercer Island Residents, they do not offer discounts to Mercer Island residents, and their membership is primarily made-up of non-residents.

2. This criterion also requires No Adverse Effect, however the applicant does not address this criterion in their application and neither does the Staff Report. This application would, in fact, adversely affect public health, safety, and general welfare as follows:

a. The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property.

These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.

b. The proposed rezone will increase traffic congestion and reduce pedestrian safety, as evidenced by the following.

● The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.

● The Trip Generation Memo does not account for trips associated with French American School of Puget Sound (FASPS), which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips. Commercial Office Rezone would be even more impactful than presented by the applicant.

c. The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections around the property.

3. Based on the proximity to I-90, Washington State DOT should be reviewing the amendment and its impacts on I90.

4. A Traffic Impact Analysis must include the school that is currently under construction across East Mercer from the applicants property.

Rezon Criteria:

Criteria 1. The proposed reclassification must be consistent with the policies and provisions of the Mercer Island Comprehensive Plan:

The proposed reclassification is not consistent with the comprehensive plan for the following reasons:

1. The applicant tries to justify compliance with the comprehensive plan based on the current use of the property as a community center, and the current building size and intensity of use. However, the proposed rezone is not tied to the existing use, it is not tied to a specific project, it is not tied to a proposed use, and it does not guarantee that the current use will continue after a rezone. The proposal does not limit future development to the square footage that currently exists. It is simply an application to change the zoning from residential to commercial office, which would result in increased density and intensity of use of the property, regardless if that use is an office building or a community center.
2. The applicant has stated that they want to continue to use the property as it has been used for 55 years, however that is untrue. Since the original Conditional Use Permit was granted, the applicant has significantly grown their building footprint, and purchased multiple additional parcels.
3. The existing building is 88,362 square feet (per King County Assessor). Rezoning the property to Commercial Office would allow a 402,261 square foot building to be built on the property. This is a **355% increase** in building area and is in addition to the existing 31,815 SF FASPS Building.
4. Commercial Office in this location is not compatible with the comprehensive plan. The justifications presented in the application are irrelevant without a project being tied to the application. The applicant only focuses on the current use of the property (including the current building size), not what is actually being applied for, which is Commercial Office zoning recalcification.
5. There is currently a total of 637,818 SF of office space existing on Mercer Island. The largest existing office building is the Riot Games building in the town center at 155,599 SF. This rezone application would allow for 402,261 SF on this site alone, making it larger than the total size of the seven largest existing office buildings combined. Rezoning this property could result in a **60% increase** in total office space across all of Mercer Island, and place that significant growth in a location surrounded by residential zoning.
6. The Washington State Growth Management Act (GMA) requires the City of Mercer Island to prioritize housing in the comprehensive plan. This application does the exact opposite; it converts single family zoned property to Commercial Office. It does not meet the criteria of the Mercer Island Comprehensive Plan or the WA State GMA.
7. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 2. The proposed reclassification must be consistent with Mercer Island development code as set for in MICC 19.01.010;

The proposal does not comply with these criteria for the following reasons:

1. This criteria includes provisions to avoid traffic congestion. The proposed rezone will increase traffic congestion, as evidenced by the following:

● The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.

● The Trip Generation Memo does not account for trips associated with FASPS, which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips to/from the shared driveway. Commercial Office Rezone would be even more impactful than presented by the applicant.

● The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections serving the property. A Traffic Impact Analysis would further confirm that this application does not comply with Criteria 2.

● The applicant indicates on their own documentation that they intend to increase parking counts, which means they intend to increase traffic to the property.

● The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.

1. This criteria includes provisions to protect the natural beauty and other natural resources. The proposal does the opposite, by increasing density and the intensity of the approved land use.
2. This criteria includes provisions to prevent overcrowding. The proposal does the opposite, by increasing density and the intensity of the approved land use.
3. The applicant again refers to the current use of the land to justify rezoning, however those responses are irrelevant as the proposal is not tied to a specific use, the proposal is to rezone the property to Commercial Office, which is not compatible with this criteria of the comprehensive plan.
4. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone

will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning, because that is what is being applied for.

Criteria 3. The proposed reclassification must be an extension of an existing zone, or a logical transition between zones.

The proposed rezone is not the extension of an existing zone or a logical transition between zones, it is actually the opposite.

1. The property is bound on three sides by residential zones, rezoning this parcel would create a pocket of commercially zoned parcels surrounded on three sides by single-family residential zoning.
2. Additionally, parcels 265550-0166, 265550-0168, and 265550-0165 to the west of the applicant's property, which are single-family zoned properties, would end up surrounded by Commercial zoning to the north and east, and Public Institution zoning to the West. See below map.

1. The zoning map in the application is not current.
2. Rezoning of this property would create a choppy patchwork of zoning with no logical transition between zones.

1. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 4. The proposed reclassification must not constitute an illegal Site-Specific Rezone.

The proposal does create an illegal site-specific rezone, solely for the benefit of a single property.

1. While the applicant has chosen to pursue non-profit status for tax purposes, and they do not pay property taxes on Mercer Island, they are still business that will see financial gain from the rezone.
2. With the applicant’s tax status, they rely on Mercer Island residents and taxpayers to fund public safety and maintenance of city infrastructure serving their property, while they indicate on their website that they serve the "general community of the greater Seattle area" and the majority of their members or not

Island residents. This is in contrast to other clubs and CUP properties on Mercer Island that primarily cater to Island residents and abide by strict membership limits. The burden on Mercer Island taxpayers will be exacerbated if the land were to be rezoned to commercial and land use becomes more intense with no limits on programming or membership.

3. The applicant chose to build a building for the French American School of Puget Sound (FASPS) on the commercially zoned portion of their property in order to generate revenue through a lease for their own financial gain. If the applicant desired additional square footage to operate their center, they could have used that commercially zoned parcel and should not have leased the land to FASPS. A rezone cannot legally be granted for the private gain of one owner or a group of owners to the detriment of their neighbors. The FASPS lease demonstrates that the rezone application is for the financial gain of the applicant.
4. The applicant recently and speculatively purchased additional parcels that were not included in their original conditional use permit, and they are now seeking to rezone those parcels for their own gain.

● Parcel 265550-0136 was speculatively purchased by the applicant on October 30th, 2012 and is not included in their Conditional Use Permit. This parcel had a single family home existing on it when the applicant purchased it. This parcel should be excluded from any rezone consideration.

● Parcel 265550-0132 was speculatively purchased by the applicant on November 21, 2016 and is not included in their Conditional Use Permit. Furthermore, this parcel currently has a single-family home on it. Renderings presented by the applicant of a potential new facility shows the single-family residence remaining. Based on that, and the fact that this parcel is not included in the CUP, this parcel should be excluded from any rezone consideration.

1. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.
2. Again, the proposed rezone is not tied to a specific project or use and the applicant refers to the current use of the land to justify rezoning. Rezoning this property to commercial office does not provide a public benefit, making it an illegal site-specific rezone.

Criteria 5. The proposed reclassification must be compatible with surrounding zones and land uses.

Commercial Office zoning is not compatible with the single-family residential zoning that borders the property on three sides.

1. The property is bound on three sides by residential zones, and one side by commercial office. Rezoning this parcel would create a pocket of commercially zoned parcels surrounded on three sides by single family zoning.
2. Additionally, parcels 265550-0166, 265550-0168, and 265550-0165 to the west of the applicant's property, which are single family zoned properties, would end up surrounded by Commercial zoning to the north and east, and Public Institution zoning to the West.
3. The zoning map in the application is not current.
4. Rezoning of this property would create a choppy patchwork of zoning with no logical transition between zones.
5. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 6. The proposed reclassification must not adversely affect public health, safety and welfare.

Rezoning this property to Commercial Office would adversely affect public health, safety and welfare for the following reasons.

1. The existing building is 88,362 square feet (per King County Assessor). Rezoning the property to Commercial Office would allow a 402,261 square foot building to be built on the property. This is a **355% increase** in building area and is in addition to the existing 31,815 SF FASPS Building.

2. The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.

1. The proposed rezone will increase traffic congestion and reduce pedestrian safety, as evidenced by the following.

● The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.

● The Trip Generation Memo does not account for trips associated with FASPS, which shares a driveway with the property proposed for a Rezone. It is impossible to know which

observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips. Commercial Office Rezone would be even more impactful than presented by the applicant.

- The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections around the property. Without the Traffic Impact Analysis, it is impossible to confirm compliance with Criteria 6.

Mercer Island is first and foremost a residential community, and residential zoning should be protected for the residents and families of Mercer Island.

Molly McGuire

From: Ammie Matalka <agracematalka@gmail.com>
Sent: Wednesday, August 5, 2026 9:49 AM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Comments to Oppose SJCC Comprehensive Plan

I am writing to oppose the amendment of the Comprehensive Plan to change the designation of the SJCC property. As someone who has a young family living in the neighborhood and on Mercerwood Dr., these changes will only worsen congestion and divert traffic onto surrounding streets, one of wish is Mercerwood Dr. Currently, our neighborhood has had its fair share of speeding cars and traffic already within the last few years, and this new rezoning would only increase those issues. We have pedestrians, our own vehicles coming in and out of the driveways of own homes, along with wildlife that frequent the area. Pushing additional vehicle traffic will only create dangerous and congested traffic conditions for those of us who need to navigate in and out of our own neighborhood, for pedestrians, and wildlife. I urge you to please reconsider this amendment to rezone the JCC, as to support this plan is to tell us residents in the surrounding area you do not care to be a good neighbor.

Thank you for your time.

Ammie Matalka

Molly McGuire

From: Andrea Lott <andrea.lott@gmail.com>
Sent: Wednesday, August 5, 2026 7:07 AM
To: Alison Van Gorp
Cc: Council; Planning Commission; Deb Estrada
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

[State why you value the J, and your relationship with the J. For example: I've been coming to the J since…; My kids have attended the J….; My family has used the J….]

The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Sent from my iPhone

Molly McGuire

From: Cindy Masin <cindy.masin@gmail.com>
Sent: Wednesday, August 5, 2026 11:10 AM
To: Deb Estrada; Alison Van Gorp; Council; Planning Commission
Subject: Comprehensive Plan Amendment

Members of the Planning Commission of Mercer Island,

I am writing to urge your support in amending the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. The J has been serving the entire Mercer Island community (NOT ONLY THE JEWISH COMMUNITY BUT THE ENTIRE MERCER ISLAND COMMUNITY) — as a community center — for over 55 years. My husband and I have been Mercer Island residents and members for nearly all of those 55 years and we use it regularly. My husband attends Rock Steady Boxing there every Monday, Wednesday and Friday. It is a community wide fitness program for people with Parkinson's Disease...not just Jewish people or SJCC members. Anyone can participate! Our kids and grandchildren have all matriculated through the SJCC Early Childhood Program alongside a very diverse group of kids. And, even now, they return to the "J" for various volunteer and cultural opportunities that are not limited to the J's members. My hope is that the J will be here for at least another 55 years. I am definitely not a land-use expert, but I know for certain the J has always served the community as a gathering space, an activity center, a school, and as a place for reflection and community — **it has never been in single family use.** As such, the city should align the comprehensive plan and land use maps with the longstanding use of this property. More importantly, it will allow the J to continue to serve the Mercer Island community without hindrance.

I recommend and urge your approval of this comprehensive plan amendment.

Thank you so much!

Cindy Masin

7208 North Mercer Way

Mercer Island, WA. 98040

Molly McGuire

From: Jody Bardacke <jodybardacke@gmail.com>
Sent: Wednesday, August 5, 2026 11:51 AM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

My family has been a part of the SJCC since our children were small and their experiences in J Camp have been an essential component of their lives. The community offered through the SJCC is a historically significant part of Mercer Island and the surrounding areas for many years and deserves protecting especially in this time of hideous and unmitigated slander and violence against the Jewish community here and around the world. Mercer Island has always been seen as a safe haven for this community and it is paramount that this safety remains through institutions like the SJCC.

The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Jody E. Bardacke
Bardacke Notary Services & Property Management | Hello Group LLC King, Pierce & Snohomish Counties
(206) 486-6044

Molly McGuire

From: Linda Morgan <mlindamorgan@comcast.net>
Sent: Wednesday, August 5, 2026 10:37 AM
To: Planning Commission; Deb Estrada; Council
Subject: City of Mercer Island Comprehensive Plan amendment

Members of the Planning Commission:

-

I am writing to urge your support in amending the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. The J has been serving the entire Mercer Island community (NOT ONLY THE JEWISH COMMUNITY BUT THE ENTIRE MERCER ISLAND COMMUNITY) — as a community center — for over 55 years. My entire family have been Mercer Island residents and members for all of those 55 years (My husband, attorney Mike Morgan, served as president) and we use it regularly. Not only did my kids and grandchildren take part in all the activities, they served as instructors, counselors and more. Was a journalist, I have spoken there and held book signings. My friends - NOT Jewish, also sent their children there.

We feel strongly that the city should align the comprehensive plan and land use maps with the longstanding use of this property. More importantly, it will allow the J to continue to serve the Mercer Island community without hindrance.

- I Recommend and urge your approval of this comprehensive plan amendment.

Thank you,
Linda Morgan
206-321-3374

Item 18.

Molly McGuire

From: Sarah Fletcher <fletchsa1@gmail.com>
Sent: Wednesday, August 5, 2026 8:46 AM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Cc: Jeff Thomas
Subject: Re: JCC - Totally against the rezoning of the JCC, it is not compatible with single family residential neighborhoods

And I want people to realize the size and scale of this proposed development. As a comparison, the current Community Center on the island is **42,755 sq ft**. It says that the JCC could accommodate **134,087 sq ft** building footprint. See below. Do you not realize that this proposed building is too big to be in a single family residential zone? It is tmore than three times the size of the community center. Please just think about what they are proposing. It is not fair for the neighbors nor is it good for the health and wellbeing of the neighbors.

"Existing - The existing use is the Stroum Jewish Community Center (SJCC) totaling 94,723 gross square feet (gsf). ITE's Recreational Community Center (495) was assumed for the existing use based on review of the land use description as well as validation through existing driveway counts. The detailed trip generation for the existing use is provided in Attachment A. Allowed use in the CO zone2 – In the CO zone, the site could accommodate a 134,087 sf building footprint (35%) with 3 stories for a total of 402,261 gsf. The trip generation of the allowable uses in the CO zone for that size of development were evaluated . This included consideration of the following ITE land uses: • Government Office Building (730) • Research and Development Center (760) • General Office Building (710) • Church (560) • Medical-Dental Office Building - Stand-Alone (720) • Hospital (610)i

On Wed, Aug 5, 2026 at 7:03 AM Sarah Fletcher <fletchsa1@gmail.com> wrote:

> Hello, I am reading through the Staff Reports, and I have never heard of Linnear Park and being at the address which they mention below so is this a comprehensive plan amendment to create a new linear park next door? Where can one find the legal description for Linear Park? And what is a public facility which is mentioned in the Zoning? The JCC? Is that going to be deemed a "public facility?" And just out of interest, is the Community Center on Mercer Island a public facility or is it in a single family residential zone or a commercial office zone? And if the JCC is going to be Commercial Office, then does that mean the Community Center is to have their zone changed to be compatible with the JCC?

16. Adjacent Zoning and Comprehensive Plan Designations:

Direction and Current	Zoning	Comprehensive Plan

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Development		Designation
North; SE 36th St and E Mercer Way	Public Institution (PI)	Linear Park (I-90)
East; Single-Family Residences and E Mercer Way	Single-Family Residential R-9.6	Single-Family Residential
South; SE 40th St and Single-Family Residences	Single-Family Residential R-8.4	Single-Family Residential
West; Commercial Buildings and Single-Family Residences (City of Mercer Island City Hall	Commercial Office (C-O), Single-Family Residential R-8.4, Public Institution (PI)	Commercial Office, Single-Family Residential, Public Facility

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And the JCC are stating: " The change to the CO zone allows SJCC to remain on the island in an appropriate designation/zone." Are they trying to tell everyone that if they are not allowed to have the zone changed, then they will move? Personally, I find that ridiculous.

And in the next segment, it has "prioritize housing" except isn't the JCC buying up houses that surround the current JCC so that they can demolish those and build a campus? So how does this project prioritize housing exactly?:
"DP-2: **Prioritize housing** and employment growth in cities and centers within the UGA, where residents have higher access to opportunity and high-capacity transit. ..the **UGA** will include a mix of uses that are convenient to and support public transportation to reduce reliance on SOV travel for most daily activities. The SJCC is the fifth largest August 5, 2026 CPA25-002 Staff Report and Recommendation Page 10 of 19 employer on Mercer Island. The designation will ensure that this employment continues on the Island. In addition, the SJCC is extremely well-served by bike/trail infrastructure for alternative commuting methods. "

And City staff should have corrected the applicant and explained to them that Mercer Island is not an "Urban Growth Area". Wherever it refers to "**Urban Growth Area**", they need to remove all those sections as it is a waste of time referring to Mercer Island as "Urban Growth Area."
Even AI has it that we are **not** an urban growth area, so any reference to Urban Growth Area is a waste of time and not applicable. This is what AI has:
Mercer Island is **not classified as a traditional "urban growth community"** in the sense of being a rapidly expanding, low-density suburban sprawl. Instead, it is a **small, affluent, and relatively stable city** with a long-term growth plan that is currently under state review.
And if you look at the PSRC 2050 Vision, they have deemed us a "**High Capacity Transit Community,**" not an "Urban Growth Area" or UGA and the JCC is nowhere near the Light Rail Transit Centers, they don't even have a bus that goes from the JCC to the Light Rail Stations unless the JCC puts on a shuttle which I have not seen any mention of them doing and like I said it is not applicable:
"DP-2: Prioritize housing and employment growth in cities and centers within the **UGA**, where residents have higher access to opportunity and high-capacity transit. ..the UGA will include a mix of uses that are convenient to and support public transportation to reduce reliance on SOV travel for most daily activities."

DP-4 should not be applicable as again, we are not an UGA and it refers to UGA in that it has:
"DP-4: Develop and use...commercial land efficiently in the **UGA** to create healthy, vibrant, and equitable urban communities with a full range of urban services, by...b) encouraging compact and infill development with a mix of compatible residential, commercial, and community activities... "
And what concerns me is that they are talking about encouraging a mix of "residential"... what exactly are they planning on building on that campus?
DP-6, they already have physical activity and social connectivity, so why change the zone when physical activity and social connectivity is available?
It has: "The redesignation allows the SJCC to remain and offer a variety of opportunities for daily physical activity and social connectivity for people of all ages, in a high opportunity area."
DP8 - the JCC already provides those things, so why do they need to change the zone? It doesn't make sense.
EC2, is the JCC telling the City that if they don't get their CO designation they will move? It has: "The designation to CO protects hundreds of jobs that will be able to remain on the island." The current zone already offers protection of hundreds of jobs, so no need to amend the zone.

And again, we are not an Urban Growth Area so this next section should not apply, it is a waste of time:
"PF-19: Locate schools, institutions, and other community facilities and services that primarily serve urban populations within the **Urban Growth Area**, where they are accessible to the communities they serve, except as provided in Appendix 5 (March 31, 2012 School Siting Task Force Report). If possible, locate these facilities in places that are well served by transit and pedestrian and bicycle networks. The SJCC includes the Island's largest early childhood school and is extremely accessible to the families it serves. It also includes other child-related care and services including after-school care that includes transportation directly from schools, J Camp, teen programs, and a wide variety of other classes and activities that are geared toward education and children. The site is well served by alternative means of transportation as well as traditional means of transportation. The designation to CO is the more appropriate designation for the existing and proposed use, and allows the SJCC to remain in this location, which is specifically called for by the CPP."
And it specifically states: "Preserve the neighborhood character" EXCEPT what the JCC is planning will certainly NOT preserve the neighborhood character. They are delusional if they think building a campus would "preserve the neighborhood, preserve the neighborhood character," it would do neither if the campus was built and the zone was changed.
Goal 7.1 Preserve the neighborhood character in residential zones. For the purpose of implementing this element, neighborhood character only refers to the form, bulk, scale, and intensity of the built environment. (Comp Plan, Land Use Goals). The proposal is consistent with this goal. The SJCC is a use that requires a gym and a pool, the larger scale of which is inconsistent with the desired scale identified in a single family zoning designation. Therefore, the designation should be changed, so that the SJCC can remain in this location. In addition, the designation to CO will require compliance with CO zoning, which includes significant protections of neighboring residential zones in terms of form, bulk, scale, light, and noise standards.

If the JCC does move because the City doesn't approve the zone change, that will be their choice it can go back to having single family homes which is not terrible. I am sure the neighbors would be very happy as they have been completely ignored. And next time, point out to the JCC that Mercer Island is not an Urban Growth Area, so any reference to us being an Urban Growth Area is inconsequential.

And I like the current JCC and I have fond memories of going to the JCC, going to watch the Jewish films there. If they change it, I will not support their new campus.

Sarah Fletcher

On Mon, Jul 27, 2026 at 8:42 PM Sarah Fletcher <fletchsa1@gmail.com> wrote:

> Hello, I received an email urging me to support the Comprehensive Plan to change the designation, see below. The JCC have no right to amend the Comprehensive Plan to change the designation from single family zone to commercial. I want you to all understand the implications should you allow the zone change. I want you to specifically ask the following questions:
> 1) if you allow the JCC to change their zoning, will the other clubs on the island all be allowed to change their zone?
> 2) Commercial Office allows a retirement home, would the JCC and all the other clubs, should the zone change, be allowed to have a retirement home on their property in a single family residential area?
> And are each and every one aware of what is allowed in Commercial Offices????
> These are the examples of what you are permitting, because I don't want to hear that you allowed the JCC to rezone and the next minute, they are providing "Care services, special employee dormitories, service

stations in connection with authorized motor pool facilities and similar uses, special needs group ho[illegible] special service transitional housing;
3) And I would like to know, are the things I mentioned above, would those things be allowed in a single family residential zone?
4) And with regards to the theater which was remodeled in 2014 as state of the art, why would they want to demolish it and build another theater? I love the theater and have special memories of going to watch the films with my mum or to attend the Jewish film festivals there.
5) And are they not supposed to build a playfield, but in the designs, I don't see any playfield. Currently, there is a garden for the preschoolers. What is going to happen to that garden? Is it going to be paved over?
6) And what the JCC is trying to build is a campus, it is not compatible with a residential zone.
7) And please ask how the JCC has been a good neighbor? Please ask them to list all the examples of how they have accommodated the neighbors to date.
This is what the Commercial Offices zone offers so you need to make it very clear to the JCC that not only if the City allows them to rezone, but they are making it that the Beach Club, the Shore Club, the Yeshiva, the Country Club, will then all be able to have the same permitted uses as the JCC and if you think that is not the case, please explain why that is not the case.

19.04.020 - Commercial offices.

A.

Uses permitted.

1.

Government services.

2.

Professional, scientific, and technical services.

3.

Office uses.

4.

Places of worship.

5.

Civic and social organizations.

6.

Mortuary services.

7.

Healthcare services.

8.

Care services.

9.

Auxiliary uses directly related to the principal use, such as residences of watchmen or employees in training, special employee dormitories, employee cafeterias, auditoriums, service stations in connection with authorized motor pool facilities and similar uses.

10.

Wireless communications facilities subject to the conditions set out in MICC 19.06.040.

11.

Special needs group housing as provided in MICC 19.06.080.

12.

Social service transitional housing as provided in MICC 19.06.080.

13.

Public and private schools accredited or approved by the state for compulsory school attendance, subject to design commission review and the following conditions:

a.

A one-fourth acre or larger playfield, play surface or open space shall be provided in one usable unit abutting or adjacent to the site.

8) There is a conflict of interest with Dave Rosenbaum, Ted Weinberg, Daniel Becker, and Julie Hsieh should remove themselves from voting on this because there is a conflict of interest in that they all have interests and/or connections to the JCC/Jewish Community.
This is what Amy Lavin is telling members to write to the Planning Commission just in case you were not aware of what she is telling members to email:

- "I am here to urge your support in amending the Comprehensive Plan to change the designation of the SJCC property from single family to commercial." The J has been serving the Mercer Island community — as a community center — for over 55 years. My hope is it will be here for another 55. I am not a land-use expert, but I know for certain the J has always served the community as a gathering space, an activity center, a school, and as a place for reflection and community — it has

never been in single family use. As such, the city should align the comprehens plan and land use maps with the longstanding use of this property. More importantly, it will allow the J to continue to serve the Mercer Island community without hindrance.

- Recommend approval of this comprehensive plan amendment.

Molly McGuire

From: Shirley Chen <shirlingchen@gmail.com>
Sent: Wednesday, August 5, 2026 9:53 AM
To: Planning Commission
Cc: Council; Deb Estrada; Alison Van Gorp
Subject: Public Comment RE CPA25-002, RZN25-002, SEP25-021

Hello,

I chose to make Mercer Island my home even though I could have lived in Bellevue, Seattle, or many other nearby communities.

I chose Mercer Island because of its beautiful residential neighborhoods, strong sense of community, excellent schools, and thoughtful planning that has preserved its unique character over the years.

These qualities are what make Mercer Island such a wonderful place to live, and I hope they will be carefully protected for current and future residents.

I respectfully ask the Planning Commission to consider the long-term impact of this proposal and the concerns outlined below. Thank you for your time and thoughtful consideration.

Public Comment RE CPA25-002, RZN25-002, SEP25-021

Comprehensive Plan Amendment

Criteria 1 MICC 19.15.230.F

F. 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 decisions criteria.

The applicant has not met the burden of demonstrating the proposed amendment complies with the applicable regulations and decision criteria.

Criteria 1. The amendment is not consistent with the Growth Management Act, the countywide planning policies, or the other provisions of the comprehensive plan and city policies based on the following:

1. Each and every response by the applicant to these criteria regarding compliance with the comp plan, GMA and city policies are based on the current use of the property as a community center, and the current building size and intensity of use - the applicant relies on the operator, not the designation. However, the proposed comprehensive plan amendment is not tied to the existing use, it is not tied to a specific project, it is not tied to a proposed use, and it does not

guarantee that the current use will continue after an amendment. The proposal does not future development to the square footage that currently exists. It is simply an application to change the zoning from residential to commercial office, which would result in increased density and intensity of use of the property, regardless if that use is an office building or a community center.

2. Comprehensive plan land use designation attaches to the land, not an owner or a program. Nothing in the CO designation requires an early childhood school, scholarships, a community garden, swim lessons, or any cultural programming. Nothing prevents the sale of the property and a future owner implementing different programming. The applicant's amendment secures none of the benefits offered as the basis for finding it consistent.

3. The applicant does not offer to enter a Development Agreement under RCW 36.70B.170-.210, which they could do concurrently with the rezone, and would run with the land and bind successors. A Development Agreement can restrict permitted uses to community-facility uses, cap gross floor area, fix access locations, and require specific transportation mitigation. If the applicant's representation is that "no change of use is proposed," a development agreement cost the applicant nothing it has claimed to want. By declining to enter a development agreement, the applicant brings into question their intended future use.

4. The applicant does not establish consistence with the Transportation Element. RCW 36.70A.070 requires an internally consistent plan: RCW 36.70A.070(6)(a)(i)(C) requires the transportation element to rest on land use assumptions. The Land Use Map is the input to the travel forecast. Redesignating this site from Single-Family Residential to Commercial Office – on the applicant's own consultant's figures, from 94,723 gsf to 402,261 gsf buildout capacity – changes the assumption. Nothing in the application shows that the Transportation Element's forecasts, LOS standards, or capital facilities program were checked against the amended map. The Staff report does not address this internal inconsistency.

5. Land Use Goal 7.1 – "Preserve the neighborhood character in residential zones. For the purpose of implementing this element, neighborhood character only refers to form, bulk, scale and intensity of the built environment." The applicant does not address what Goal 7.1 actually askes, which is what happens to form, bulk, scale, and intensity under the Commercial Office designation. A 4.25X increase in buildout capacity is, by the comprehensive plan's own definition, a neighborhood-character question that the application does not comply with.

6. Transportation Goal 9.2 – "Address parking overflow impacts on neighbors cause by major traffic generators such as schools, businesses, parks…" The applicant does not address how the redesignation would address the neighbors' concerns, including parking overflowing onto East Mercer Way that blocks the bike lane and forces bikes and pedestrians into the traffic lane; cars from user of the property parking on SE 40th, cars from users of the property blocking driveways on adjacent streets. Goal 9.2 asks for a plan to address the impact, but the applicant does not cite any specifics in how the redesignation will do that. In fact, the redesignation would allow for 4.25X building area, which would result in even more traffic and overflow parking.

7. "Commercial Office and PBZ zones must serve the needs of the local populations while remaining compatible with the overall residential character of the community." The applicant asserts compatibility will "increase" and that "anything that is built will conform to CO standards." That is an assertion about code compliance, not about compatibility, and it is unsupported by any analysis of way CO buildout looks like against the neighboring Single-Family Residential land. Additionally, the applicants current membership is made up primarily of non-residents of Mercer Island, thus they are not serving the local population.

8. The applicant does not include any analysis of whether PBZ, a Public Institution designation, or tailored community-facility designation would fit the situation better than CO. It is the applicant's burden to show the proposed designation is consistent, the absence of any alternative analysis demonstrates the applicant has not met the burden.

Criteria 1A – The applicant concedes there is not a technical error, thus this criterion cannot be used to allow for the applicant's amendment.

Criteria 1B – Changed Circumstances of the City as a Whole – This criterion requires a change in circumstances of the city as a whole, not of the property, not of the applicant, not of a single institution. Washington reclassification cases look for changed conditions in the area, not merely a changed circumstance of the proponent. See Parkridge v Seattle, 90Wn.2d454(1987).

1. The staff report rejects that there has been a change in circumstance of the City as a Whole "The City disagrees with the applicant's assertion as to the 2017 development standards. The changes to the residential development standards that occurred in 2017 were policy decisions made by the then seated City Council, and are not 'changing circumstances of the city as a whole." Additionally, the staff report found that the applicant's factual premise incorrect – that the MICC 19.01.050(D)(3) does in fact permit exterior alteration or enlargement of nonconforming non-single-family structures, subject to the 50-percent-of-assessed-value threshold.
2. The Staff report theorizes that the changed circumstances are "more accurately described as an increased demand of a facility that is at the end of its useful life and which demand cannot be accommodated under" MICC 19.01.050(D)(3).
    a. MICC 19.15.230(F) places the burden of demonstration on the applicant. When the reviewing body rejects the applicant's theory, finds its factual premise incorrect, that should result in denial of the application. The city staff cannot construct a substitute rationale, by doing so the burden has effectively been carried by staff rather than by the applicant.
    b. The staff's substitute theory is unsupported by anything in the application or the staff report and relies on two assertions without providing any evidence.
        i. "Increased demand" – The applicant has refused to provide any membership trend data, enrollment figures, waitlists, utilization studies, or demographic demand analysis. The applicant offers only that Mercer Island's population "has grown over 20% since the JCC was built in 1969." A 20% increase in the cities population does not justify an over 400% increase in allowed building area for the site.
        ii. The applicant asserts that the facility that is at the end of its useful life, however no condition assessment, structural evaluation, systems assessment, or cost-to-cure estimate has been provided.
        iii. A single facility reaching the end of its useful life is a circumstance of that property, not of the city as a whole.
3. The applicant argues that the 2017 GFA and impervious surface limits, combined with the variance interpretation, apply across most of the Island's zoning and have stranded "many other vital community organizations on MI." If that is true, the correct response to a city-wide regulatory gap affecting a class of institutions is a code amendment or community-facility overlay applicable to that class, not a parcel-specific change for one member of it. Comprehensive Plan Land Use Goal 7.4 says exactly this: The City may consider measures within the land use code to address the maintenance, updating, and renovation of these

facilities." The applicant quotes Goal 7.4 and then argues for the one remedy the goal do contemplate.

Criterion 2(a) – MICC 19.15.230(F)(2)(a): Compatibility with Adjacent Land Use and Development Pattern. – "Development pattern" is not a synonym for "surrounding uses," rather it refers to the geometry and logic of the map, the coherence of district boundaries, and how the amendment fits the City's overall land use structure. Both adjacent land use and development patterns must be satisfied.

1. The Staff report misinterprets this requirement, stating "adjacent land use and development patterns include both single-family residences and commercial buildings… which all align with the existing facilities on the SJCC properties." That finding is about the compatibility of the existing facilitates, not the proposed amendment. The proposed amendment is not tied to the current use. A 402,261 gsf building, over four times larger than the existing building, is not compatible with single-family residential zoning on three sides.
2. The applicant differs to future review of any proposed development for compliance with the CO code in an attempt to justify compliance with this criteria, however this does not address the compatibility questions, including trip generation, hours of operation, parking demand, or cumulative intensity.
3. Development Pattern: The amendment would leave (i) a narrow strip of residentially designated property to the west, sandwiched between Public Institution and Commercial Office designations, and (ii) an isolated pocket of residential parcels in the southeast corner of the block sharing a property line with the subject site. The staff report does not provide any analysis of the resulting boundary or development pattern, whether the amended boundary is orderly, whether the remnant residential areas remain viable as designated, or whether the city would ever draw this line on its own.
4. Irregular boundaries drawn to follow one owner's parcel assembly are precisely the evidentiary pattern Washington courts look to in spot-zoning analysis as indicating private rather than public benefit. See Anderson v Island County, 81Wn.2d312(1972); Save Our rural Env't, 99Wn.2d363(1983).

Criteria 2(b) – MICC 19.15.230(F)(2)(b): Suitability for Development in Conformance with the Standards Under the Potential Zoning.

1. The Staff report disputes the applicants compliance with this criteria, stating "at least one parcel would not be suitable for development in conformance with the standards under the potential zoning as it currently exists" in reference to parcel 2655500132, which when applying CO zoning setbacks would result in abuilding envelope of six inches by eight feet. Parcel 2655500137 is similarly cannot practically be developed under the CO zoning setbacks, resulting in a building envelope of 35' by 105'. The staff report does not calculate the larger parcels.
2. Parcels 2655500132 & 2655500136 both have access to the residential street, SE 40th St. Rezoning these parcels to CO would direct commercial traffic directly onto a residential street.
3. Parcel 2655500132 is omitted from the staff reports list currently observed conditions: "Tax Parcels 2655500137, 2655500115, and 2655500136 all appear to be integrated in their daily operations as the Stroum Jewish Community Center site." – Parcel 2655500132 has not been used for recreational or community-facility purpose. It is a single-family home, in a single-family neighborhood, on a single-family street, that happens to have been speculatively acquired by an institutional neighbor in 2016.

1. Parcel 265550-0136 was speculatively purchased by the applicant on October 30th, 2012 is not included in their Conditional Use Permit. This parcel had a single family home existing on it when the applicant purchased it. This parcel should be excluded from any rezone consideration.

Criteria 2(c) – MICC 19.15.230(F)(2)(c): Benefit to the Community as a Whole; No Adverse Effect on Community Facilities or Public Health, Safety, and General Welfare.

The amendment must benefit the community as a whole and must not adversely affect community facilities or the public health, safety, and general welfare. The second cannot be satisfied by showing the benefit outweighs the harm.

1. The applicant again rests their argument of benefit to the community as a whole on the operator rather than the Commercial Office designation. As discussed, the application must be reviewed based on the Commercial Office Designation – not the current owner, current programming, or current operator of the property – which this application has failed to do. Additionally, the applicant does not provide services to all Mercer Island Residents, they do not offer discounts to Mercer Island residents, and their membership is primarily made-up of non-residents.
2. This criterion also requires No Adverse Effect, however the applicant does not address this criterion in their application and neither does the Staff Report. This application would, in fact, adversely affect public health, safety, and general welfare as follows:
    a. The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.
    b. The proposed rezone will increase traffic congestion and reduce pedestrian safety, as evidenced by the following.

        - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.

        - The Trip Generation Memo does not account for trips associated with French American School of Puget Sound (FASPS), which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips. Commercial Office Rezone would be even more impactful than presented by the applicant.

    c. The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with

respect to sight distance and other applicable standards, and a level of services analysis of intersections around the property.

3. Based on the proximity to I-90, Washington State DOT should be reviewing the amendment and its impacts on I90.
4. A Traffic Impact Analysis must include the school that is currently under construction across East Mercer from the applicants property.

Rezon Criteria:

Criteria 1. The proposed reclassification must be consistent with the policies and provisions of the Mercer Island Comprehensive Plan:

The proposed reclassification is not consistent with the comprehensive plan for the following reasons:

1. The applicant tries to justify compliance with the comprehensive plan based on the current use of the property as a community center, and the current building size and intensity of use. However, the proposed rezone is not tied to the existing use, it is not tied to a specific project, it is not tied to a proposed use, and it does not guarantee that the current use will continue after a rezone. The proposal does not limit future development to the square footage that currently exists. It is simply an application to change the zoning from residential to commercial office, which would result in increased density and intensity of use of the property, regardless if that use is an office building or a community center.
2. The applicant has stated that they want to continue to use the property as it has been used for 55 years, however that is untrue. Since the original Conditional Use Permit was granted, the applicant has significantly grown their building footprint, and purchased multiple additional parcels.
3. The existing building is 88,362 square feet (per King County Assessor). Rezoning the property to Commercial Office would allow a 402,261 square foot building to be built on the property. This is a **355% increase** in building area and is in addition to the existing 31,815 SF FASPS Building.
4. Commercial Office in this location is not compatible with the comprehensive plan. The justifications presented in the application are irrelevant without a project being tied to the application. The applicant only focuses on the current use of the property (including the current building size), not what is actually being applied for, which is Commercial Office zoning recalcification.
5. There is currently a total of 637,818 SF of office space existing on Mercer Island. The largest existing office building is the Riot Games building in the town center at 155,599 SF. This rezone application would allow for 402,261 SF on this site alone, making it larger than the total size of the seven largest existing office buildings combined. Rezoning this property could result in a **60% increase** in total office space across all of Mercer Island, and place that significant growth in a location surrounded by residential zoning.
6. The Washington State Growth Management Act (GMA) requires the City of Mercer Island to prioritize housing in the comprehensive plan. This application does the exact opposite; it

converts single family zoned property to Commercial Office. It does not meet the criteria in the Mercer Island Comprehensive Plan or the WA State GMA.

7. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 2. The proposed reclassification must be consistent with Mercer Island development code as set for in MICC 19.01.010;

The proposal does not comply with these criteria for the following reasons:

1. This criteria includes provisions to avoid traffic congestion. The proposed rezone will increase traffic congestion, as evidenced by the following:

    - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.

    - The Trip Generation Memo does not account for trips associated with FASPS, which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips to/from the shared driveway. Commercial Office Rezone would be even more impactful than presented by the applicant.

    - The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections serving the property. A Traffic Impact Analysis would further confirm that this application does not comply with Criteria 2.

    - The applicant indicates on their own documentation that they intend to increase parking counts, which means they intend to increase traffic to the property.

    - The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.

1. This criteria includes provisions to protect the natural beauty and other natural resources. The proposal does the opposite, by increasing density and the intensity of the approved land use.
2. This criteria includes provisions to prevent overcrowding. The proposal does the opposite, by increasing density and the intensity of the approved land use.

3. The applicant again refers to the current use of the land to justify rezoning, however those responses are irrelevant as the proposal is not tied to a specific use, the proposal is to rezone the property to Commercial Office, which is not compatible with this criteria of the comprehensive plan.
4. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning, because that is what is being applied for.

Criteria 3. The proposed reclassification must be an extension of an existing zone, or a logical transition between zones.

The proposed rezone is not the extension of an existing zone or a logical transition between zones, it is actually the opposite.

1. The property is bound on three sides by residential zones, rezoning this parcel would create a pocket of commercially zoned parcels surrounded on three sides by single-family residential zoning.
2. Additionally, parcels 265550-0166, 265550-0168, and 265550-0165 to the west of the applicant's property, which are single-family zoned properties, would end up surrounded by Commercial zoning to the north and east, and Public Institution zoning to the West. See below map.

1. The zoning map in the application is not current.
2. Rezoning of this property would create a choppy patchwork of zoning with no logical transition between zones.

1. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 4. The proposed reclassification must not constitute an illegal Site-Specific Rezone.

The proposal does create an illegal site-specific rezone, solely for the benefit of a single property.

1. While the applicant has chosen to pursue non-profit status for tax purposes, and they do not pay property taxes on Mercer Island, they are still business that will see financial gain from the rezone.
2. With the applicant’s tax status, they rely on Mercer Island residents and taxpayers to fund public safety and maintenance of city infrastructure serving their property, while they indicate on their website that they serve the "general community of the greater Seattle area" and the majority of their members or not Island residents. This is in contrast to other clubs and CUP properties on Mercer Island that primarily cater to Island residents and abide by strict membership limits. The burden on Mercer Island taxpayers will be exacerbated if the land were

to be rezoned to commercial and land use becomes more intense with no limits on programming or membership.

3. The applicant chose to build a building for the French American School of Puget Sound (FASPS) on the commercially zoned portion of their property in order to generate revenue through a lease for their own financial gain. If the applicant desired additional square footage to operate their center, they could have used that commercially zoned parcel and should not have leased the land to FASPS. A rezone cannot legally be granted for the private gain of one owner or a group of owners to the detriment of their neighbors. The FASPS lease demonstrates that the rezone application is for the financial gain of the applicant.
4. The applicant recently and speculatively purchased additional parcels that were not included in their original conditional use permit, and they are now seeking to rezone those parcels for their own gain.

    - Parcel 265550-0136 was speculatively purchased by the applicant on October 30th, 2012 and is not included in their Conditional Use Permit. This parcel had a single family home existing on it when the applicant purchased it. This parcel should be excluded from any rezone consideration.

    - Parcel 265550-0132 was speculatively purchased by the applicant on November 21, 2016 and is not included in their Conditional Use Permit. Furthermore, this parcel currently has a single-family home on it. Renderings presented by the applicant of a potential new facility shows the single-family residence remaining. Based on that, and the fact that this parcel is not included in the CUP, this parcel should be excluded from any rezone consideration.

1. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.
2. Again, the proposed rezone is not tied to a specific project or use and the applicant refers to the current use of the land to justify rezoning. Rezoning this property to commercial office does not provide a public benefit, making it an illegal site-specific rezone.

Criteria 5. The proposed reclassification must be compatible with surrounding zones and land uses.

Commercial Office zoning is not compatible with the single-family residential zoning that borders the property on three sides.

1. The property is bound on three sides by residential zones, and one side by commercial office. Rezoning this parcel would create a pocket of commercially zoned parcels surrounded on three sides by single family zoning.
2. Additionally, parcels 265550-0166, 265550-0168, and 265550-0165 to the west of the applicant's property, which are single family zoned properties, would end up surrounded by Commercial zoning to the north and east, and Public Institution zoning to the West.
3. The zoning map in the application is not current.
4. Rezoning of this property would create a choppy patchwork of zoning with no logical transition between zones.

5. The application states "There is no current development proposal being submitted to the [illegible] for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 6. The proposed reclassification must not adversely affect public health, safety and welfare.

Rezoning this property to Commercial Office would adversely affect public health, safety and welfare for the following reasons.

1. The existing building is 88,362 square feet (per King County Assessor). Rezoning the property to Commercial Office would allow a 402,261 square foot building to be built on the property. This is a **355% increase** in building area and is in addition to the existing 31,815 SF FASPS Building.

2. The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.

1. The proposed rezone will increase traffic congestion and reduce pedestrian safety, as evidenced by the following.

    - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.

    - The Trip Generation Memo does not account for trips associated with FASPS, which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips. Commercial Office Rezone would be even more impactful than presented by the applicant.

    - The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections around the property. Without the Traffic Impact Analysis, it is impossible to confirm compliance with Criteria 6.

Mercer Island is first and foremost a residential community, and residential zoning should be protected for the residents and families of Mercer Island.

Sincerely,

Shirley

Molly McGuire

From: Stuart Sulman <ssulman@kellersupply.com>
Sent: Wednesday, August 5, 2026 9:53 AM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

- I am writing to urge your support in amending the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. The J has been serving the entire Mercer Island community (NOT ONLY THE JEWISH COMMUNITY BUT THE ENTIRE MERCER ISLAND COMMUNITY) — as a community center — for over 55 years. My wife and I have been Mercer Island residents and members for all of those 55 years and we use it regularly. Now my Children and Grandchildren us it regularly. My hope is it will be here for another 55. I am not a land-use expert, but I know for certain the J has always served the community as a gathering space, an activity center, a school, and as a place for reflection and community — it has never been in single family use. As such, the city should align the comprehensive plan and land use maps with the longstanding use of this property. More importantly, it will allow the J to continue to serve the Mercer Island community without hindrance.
- I Recommend and urge your approval of this comprehensive plan amendment.

Disclaimer

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Molly McGuire

From: Taryn Jones <tarynwags@gmail.com>
Sent: Wednesday, August 5, 2026 8:44 AM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council; City Clerk
Subject: Public Comment RE CPA25-002, RZN25-002, SEP25-021

City of Mercer Island Planning Commission and City Council,

As a resident of Mercer Island, I oppose the rezoning of the property located at 3801 East Mercer Way. The rezone application must be denied.

Mercer Island is first and foremost a residential community, and residential zoning must be protected for the residents, taxpayers, and families of Mercer Island.

Public Comment RE CPA25-002, RZN25-002, SEP25-021
Comprehensive Plan Amendment

Criterial 1 MICC 19.15.230.F

F. 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 decisions criteria.

The applicant has not met the burden of demonstrating the proposed amendment complies with the applicable regulations and decision criteria.

Criteria 1. The amendment is not consistent with the Growth Management Act, the countywide planning policies, or the other provisions of the comprehensive plan and city policies based on the following:

1. Each and every response by the applicant to these criteria regarding compliance with the comp plan, GMA and city policies are based on the current use of the property as a community center, and the current building size and intensity of use - the applicant relies on the operator, not the designation. However, the proposed comprehensive plan amendment is not tied to the existing use, it is not tied to a specific project, it is not tied to a proposed use, and it does not guarantee that the current use will continue after an amendment. The proposal does not limit future development to the square footage that currently exists. It is simply an application to change the zoning from residential to commercial office, which would result in increased density and intensity of use of the property, regardless if that use is an office building or a community center.
2. Comprehensive plan land use designation attaches to the land, not an owner or a program. Nothing in the CO designation requires an early childhood school, scholarships, a community garden, swim lessons, or any cultural programming. Nothing prevents the sale of the property and a future owner implementing different programming. The applicant's amendment secures none of the benefits offered as the basis for finding it consistent.
3. The applicant does not offer to enter a Development Agreement under RCW 36.70B.170-.210, which they could do concurrently with the rezone, and would run with the land and bind successors. A

Development Agreement can restrict permitted uses to community-facility uses, cap gross floor a
fix access locations, and require specific transportation mitigation. If the applicant's representation is that "no change of use is proposed," a development agreement cost the applicant nothing it has claimed to want. By declining to enter a development agreement, the applicant brings into question their intended future use.

4. The applicant does not establish consistency with the Transportation Element. RCW 36.70A.070 requires an internally consistent plan: RCW 36.70A.070(6)(a)(i)(C) requires the transportation element to rest on land use assumptions. The Land Use Map is the input to the travel forecast. Redesignating this site from Single-Family Residential to Commercial Office – on the applicant's own consultant's figures, from 94,723 gsf to 402,261 gsf buildout capacity – changes the assumption. Nothing in the application shows that the Transportation Element's forecasts, LOS standards, or capital facilities program were checked against the amended map. The Staff report does not address this internal inconsistency.

5. Land Use Goal 7.1 – "Preserve the neighborhood character in residential zones. For the purpose of implementing this element, neighborhood character only refers to form, bulk, scale and intensity of the built environment." The applicant does not address what Goal 7.1 actually askes, which is what happens to form, bulk, scale, and intensity under the Commercial Office designation. A 4.25X increase in buildout capacity is, by the comprehensive plan's own definition, a neighborhood-character question that the application does not comply with.

6. Transportation Goal 9.2 – "Address parking overflow impacts on neighbors cause by major traffic generators such as schools, businesses, parks…" The applicant does not address how the redesignation would address the neighbors' concerns, including parking overflowing onto East Mercer Way that blocks the bike lane and forces bikes and pedestrians into the traffic lane; cars from user of the property parking on SE 40th, cars from users of the property blocking driveways on adjacent streets. Goal 9.2 asks for a plan to address the impact, but the applicant does not cite any specifics in how the redesignation will do that. In fact, the redesignation would allow for 4.25X building area, which would result in even more traffic and overflow parking.

7. "Commercial Office and PBZ zones must serve the needs of the local populations while remaining compatible with the overall residential character of the community." The applicant asserts compatibility will "increase" and that "anything that is built will conform to CO standards." That is an assertion about code compliance, not about compatibility, and it is unsupported by any analysis of way CO buildout looks like against the neighboring Single-Family Residential land. Additionally, the applicant's current membership is made up primarily of non-residents of Mercer Island, thus they are not serving the local population.

8. The applicant does not include any analysis of whether PBZ, a Public Institution designation, or tailored community-facility designation would fit the situation better than CO. It is the applicant's burden to show the proposed designation is consistent, the absence of any alternative analysis demonstrates the applicant has not met the burden.

Criteria 1A – The applicant concedes there is not a technical error, thus this criterion cannot be used to allow for the applicant's amendment.

Criteria 1B – Changed Circumstances of the City as a Whole – This criterion requires a change in circumstances of the city as a whole, not of the property, not of the applicant, not of a single institution.

Washington reclassification cases look for changed conditions in the area, not merely a changed circumstance of the proponent. See Parkridge v Seattle, 90Wn.2d454(1987).

1. The staff report rejects that there has been a change in circumstance of the City as a Whole "The City disagrees with the applicant's assertion as to the 2017 development standards. The changes to the residential development standards that occurred in 2017 were policy decisions made by the then seated City Council, and are not 'changing circumstances of the city as a whole." Additionally, the staff report found that the applicant's factual premise incorrect – that the MICC 19.01.050(D)(3) does in fact permit exterior alteration or enlargement of nonconforming non-single-family structures, subject to the 50-percent-of-assessed-value threshold.
2. The Staff report theorizes that the changed circumstances are "more accurately described as an increased demand of a facility that is at the end of its useful life and which demand cannot be accommodated under" MICC 19.01.050(D)(3).
    a. MICC 19.15.230(F) places the burden of demonstration on the applicant. When the reviewing body rejects the applicant's theory, finds its factual premise incorrect, that should result in denial of the application. The city staff cannot construct a substitute rationale, by doing so the burden has effectively been carried by staff rather than by the applicant.
    b. The staff's substitute theory is unsupported by anything in the application or the staff report and relies on two assertions without providing any evidence.
        i. "Increased demand" – The applicant has refused to provide any membership trend data, enrollment figures, waitlists, utilization studies, or demographic demand analysis. The applicant offers only that Mercer Island's population "has grown over 20% since the JCC was built in 1969." A 20% increase in the cities population does not justify an over 400% increase in allowed building area for the site.
        ii. The applicant asserts that the facility that is at the end of its useful life, however no condition assessment, structural evaluation, systems assessment, or cost-to-cure estimate has been provided.
        iii. A single facility reaching the end of its useful life is a circumstance of that property, not of the city as a whole.
3. The applicant argues that the 2017 GFA and impervious surface limits, combined with the variance interpretation, apply across most of the Island's zoning and have stranded "many other vital community organizations on MI." If that is true, the correct response to a city-wide regulatory gap affecting a class of institutions is a code amendment or community-facility overlay applicable to that class, not a parcel-specific change for one member of it. Comprehensive Plan Land Use Goal 7.4 says exactly this: The City may consider measures within the land use code to address the maintenance, updating, and renovation of these facilities." The applicant quotes Goal 7.4 and then argues for the one remedy the goal does not contemplate.

Criterion 2(a) – MICC 19.15.230(F)(2)(a): Compatibility with Adjacent Land Use and Development Pattern. – "Development pattern" is not a synonym for "surrounding uses," rather it refers to the geometry and logic of the map, the coherence of district boundaries, and how the amendment fits the City's overall land use structure. Both adjacent land use and development patterns must be satisfied.

1. The Staff report misinterprets this requirement, stating "adjacent land use and development patterns include both single-family residences and commercial buildings… which all align with the existing facilities on the SJCC properties." That finding is about the compatibility of the existing facilities, not the proposed amendment. The proposed amendment is not tied to the current use. A

402,261 gsf building, over four times larger than the existing building, is not compatible with single family residential zoning on three sides.

2. The applicant defers to future review of any proposed development for compliance with the CO code in an attempt to justify compliance with this criterion, however this does not address the compatibility questions, including trip generation, hours of operation, parking demand, or cumulative intensity.

3. Development Pattern: The amendment would leave (i) a narrow strip of residentially designated property to the west, sandwiched between Public Institution and Commercial Office designations, and (ii) an isolated pocket of residential parcels in the southeast corner of the block sharing a property line with the subject site. The staff report does not provide any analysis of the resulting boundary or development pattern, whether the amended boundary is orderly, whether the remnant residential areas remain viable as designated, or whether the city would ever draw this line on its own.

4. Irregular boundaries drawn to follow one owner's parcel assembly are precisely the evidentiary pattern Washington courts look to in spot-zoning analysis as indicating private rather than public benefit. See Anderson v Island County, 81Wn.2d312(1972); Save Our rural Env't, 99Wn.2d363(1983).

Criteria 2(b) – MICC 19.15.230(F)(2)(b): Suitability for Development in Conformance with the Standards Under the Potential Zoning.

1. The Staff report disputes the applicant's compliance with this criterion, stating "at least one parcel would not be suitable for development in conformance with the standards under the potential zoning as it currently exists" in reference to parcel 2655500132, which when applying CO zoning setbacks would result in a building envelope of six inches by eight feet. Parcel 2655500137 similarly cannot practically be developed under the CO zoning setbacks, resulting in a building envelope of 35' by 105'. The staff report does not calculate the larger parcels.

2. Parcels 2655500132 & 2655500136 both have access to the residential street, SE 40th St. Rezoning these parcels to CO would direct commercial traffic directly onto a residential street.

3. Parcel 2655500132 is omitted from the staff reports list currently observed conditions: "Tax Parcels 2655500137, 2655500115, and 2655500136 all appear to be integrated in their daily operations as the Stroum Jewish Community Center site." – Parcel 2655500132 has not been used for recreational or community-facility purposes. It is a single-family home, in a single-family neighborhood, on a single-family street, that happens to have been speculatively acquired by an institutional neighbor in 2016.

4. Parcel 265550-0136 was speculatively purchased by the applicant on October 30th, 2012 and is not included in their Conditional Use Permit. This parcel had a single family home existing on it when the applicant purchased it. This parcel should be excluded from any rezone consideration.

Criteria 2(c) – MICC 19.15.230(F)(2)(c): Benefit to the Community as a Whole; No Adverse Effect on Community Facilities or Public Health, Safety, and General Welfare.

The amendment must benefit the community as a whole and must not adversely affect community facilities or the public health, safety, and general welfare. The second cannot be satisfied by showing the benefit outweighs the harm.

1. The applicant again rests their argument of benefit to the community as a whole on the operator rather than the Commercial Office designation. As discussed, the application must be reviewed based on the Commercial Office Designation – not the current owner, current programming, or current operator of the property – which this application has failed to do. Additionally, the applicant does not

provide services to all Mercer Island Residents, they do not offer discounts to Mercer Island resid and their membership is primarily made-up of non-residents.

2. This criterion also requires No Adverse Effect; however, the applicant does not address this criterion in their application and neither does the Staff Report. This application would, in fact, adversely affect public health, safety, and general welfare as follows:

a. The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. (See Exhibit B). This access point was not discussed in the Trip Generation memo submitted by the applicant.

b. The proposed rezone will increase traffic congestion and reduce pedestrian safety, as evidenced by the following.

- The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.

- The Trip Generation Memo does not account for trips associated with French American School of Puget Sound (FASPS), which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips. Commercial Office Rezone would be even more impactful than presented by the applicant.

c. The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections around the property.

3. Based on the proximity to I-90, Washington State DOT should be reviewing the amendment and its impacts on I90.

4. A Traffic Impact Analysis must include the school that is currently under construction across East Mercer from the applicant's property.

Rezone Criteria:

Criteria 1. The proposed reclassification must be consistent with the policies and provisions of the Mercer Island Comprehensive Plan:

The proposed reclassification is not consistent with the comprehensive plan for the following reasons:

1. The applicant tries to justify compliance with the comprehensive plan based on the current use of the property as a community center, and the current building size and intensity of use. However, the proposed rezone is not tied to the existing use, it is not tied to a specific project, it is not tied to a proposed use, and it does not guarantee that the current use will continue after a rezone. The proposal does not limit future development to the square footage that currently exists. It is simply an application to change the zoning from residential to commercial office, which would result in increased density and intensity of use of the property, regardless if that use is an office building or a community center.
2. The applicant has stated that they want to continue to use the property as it has been used for 55 years, however that is untrue. Since the original Conditional Use Permit was granted, the applicant has significantly grown their building footprint, and purchased multiple additional parcels. (See Exhibit D)
3. The existing building is 88,362 square feet (per King County Assessor). Rezoning the property to Commercial Office would allow a 402,261 square foot building to be built on the property. This is a **355% increase** in building area and is in addition to the existing 31,815 SF FASPS Building.
4. Commercial Office in this location is not compatible with the comprehensive plan. The justifications presented in the application are irrelevant without a project being tied to the application. The applicant only focuses on the current use of the property (including the current building size), not what is actually being applied for, which is Commercial Office zoning recalcification.
5. There is currently a total of 637,818 SF of office space existing on Mercer Island. The largest existing office building is the Riot Games building in the town center at 155,599 SF. This rezone application would allow for 402,261 SF on this site alone, making it larger than the total size of the seven largest existing office buildings combined. Rezoning this property could result in a **60% increase** in total office space across all of Mercer Island, and place that significant growth in a location surrounded by residential zoning.
6. The Washington State Growth Management Act (GMA) requires the City of Mercer Island to prioritize housing in the comprehensive plan. This application does the exact opposite; it converts single family zoned property to Commercial Office. It does not meet the criteria of the Mercer Island Comprehensive Plan or the WA State GMA.
7. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 2. The proposed reclassification must be consistent with Mercer Island development code as set for in MICC 19.01.010;

The proposal does not comply with these criteria for the following reasons:

1. This criterion includes provisions to avoid traffic congestion. The proposed rezone will increase traffic congestion, as evidenced by the following:

    - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to

spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.

- The Trip Generation Memo does not account for trips associated with FASPS, which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips to/from the shared driveway. Commercial Office Rezone would be even more impactful than presented by the applicant.

- The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections serving the property. A Traffic Impact Analysis would further confirm that this application does not comply with Criteria 2.

- The applicant indicates on their own documentation that they intend to increase parking counts, which means they intend to increase traffic to the property.

- The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. (See Exhibit B). This access point was not discussed in the Trip Generation memo submitted by the applicant.

2. This criterion includes provisions to protect the natural beauty and other natural resources. The proposal does the opposite, by increasing density and the intensity of the approved land use.
3. This criterion includes provisions to prevent overcrowding. The proposal does the opposite, by increasing density and the intensity of the approved land use.
4. The applicant again refers to the current use of the land to justify rezoning; however, those responses are irrelevant as the proposal is not tied to a specific use, the proposal is to rezone the property to Commercial Office, which is not compatible with this criterion of the comprehensive plan.
5. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning, because that is what is being applied for.

Criterial 3. The proposed reclassification must be an extension of an existing zone, or a logical transition between zones.

The proposed rezone is not the extension of an existing zone or a logical transition between zones; it is actually the opposite.

1. The property is bound on three sides by residential zones, rezoning this parcel would create a pocket of commercially zoned parcels surrounded on three sides by single-family residential zoning.

2. Additionally, parcels 265550-0166, 265550-0168, and 265550-0165 to the west of the applicant's property, which are single-family zoned properties, would end up surrounded by Commercial zoning to the north and east, and Public Institution zoning to the West. See below map. (See Exhibit A). (See Exhibit A)

3. The zoning map in the application is not current.

4. Rezoning of this property would create a choppy patchwork of zoning with no logical transition between zones. (See Exhibit A)

5. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 4. The proposed reclassification must not constitute an illegal Site-Specific Rezone.

The proposal does create an illegal site-specific rezone, solely for the benefit of a single property.

1. While the applicant has chosen to pursue non-profit status for tax purposes, and they do not pay property taxes on Mercer Island, they are still business that will see financial gain from the rezone.

2. With the applicant's tax status, they rely on Mercer Island residents and taxpayers to fund public safety and maintenance of city infrastructure serving their property, while they indicate on their website that they serve the "general community of the greater Seattle area" and the majority of their members or not Island residents. This is in contrast to other clubs and CUP properties on Mercer Island that primarily cater to Island residents and abide by strict membership limits. The burden on Mercer Island taxpayers will be exacerbated if the land were to be rezoned to commercial and land use becomes more intense with no limits on programming or membership.

3. The applicant chose to build a building for the French American School of Puget Sound (FASPS) on the commercially zoned portion of their property in order to generate revenue through a lease for their own financial gain. If the applicant desired additional square footage to operate their center, they could have used that commercially zoned parcel and should not have leased the land to FASPS. A rezone cannot legally be granted for the private gain of one owner or a group of owners to the detriment of their neighbors. The FASPS lease demonstrates that the rezone application is for the financial gain of the applicant.

4. The applicant recently and speculatively purchased additional parcels that were not included in their original conditional use permit, and they are now seeking to rezone those parcels for their own gain.

    - Parcel 265550-0136 was speculatively purchased by the applicant on October 30th, 2012 and is not included in their Conditional Use Permit. This parcel had a single family home existing on it when the applicant purchased it. This parcel should be excluded from any rezone consideration.

    - Parcel 265550-0132 was speculatively purchased by the applicant on November 21, 2016 and is not included in their Conditional Use Permit. Furthermore, this parcel currently has a

single-family home on it. Renderings presented by the applicant of a potential new facility shows the single-family residence remaining. Based on that, and the fact that this parcel is not included in the CUP, this parcel should be excluded from any rezone consideration.

5. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.
6. Again, the proposed rezone is not tied to a specific project or use and the applicant refers to the current use of the land to justify rezoning. Rezoning this property to Commercial Office does not provide a public benefit, making it an illegal site-specific rezone.

Criterial 5. The proposed reclassification must be compatible with surrounding zones and land uses.

Commercial Office zoning is not compatible with the single-family residential zoning that borders the property on three sides.

1. The property is bounded on three sides by residential zones, and one side by commercial office. Rezoning this parcel would create a pocket of commercially zoned parcels surrounded on three sides by single family zoning.
2. Additionally, parcels 265550-0166, 265550-0168, and 265550-0165 to the west of the applicant's property, which are single family zoned properties, would end up surrounded by Commercial zoning to the north and east, and Public Institution zoning to the West. (See Exhibit A)
3. The zoning map in the application is not current.
4. Rezoning of this property would create a choppy patchwork of zoning with no logical transition between zones.
5. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 6. The proposed reclassification must not adversely affect public health, safety and welfare.

Rezoning this property to Commercial Office would adversely affect public health, safety and welfare for the following reasons.

1. The existing building is 88,362 square feet (per King County Assessor). Rezoning the property to Commercial Office would allow a 402,261 square foot building to be built on the property. This is a **355% increase** in building area and is in addition to the existing 31,815 SF FASPS Building.

2. The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. (See Exhibit B). This access point was not discussed in the Trip Generation memo submitted by the applicant.

6. The proposed rezone will increase traffic congestion and reduce pedestrian safety, as evidenced following.

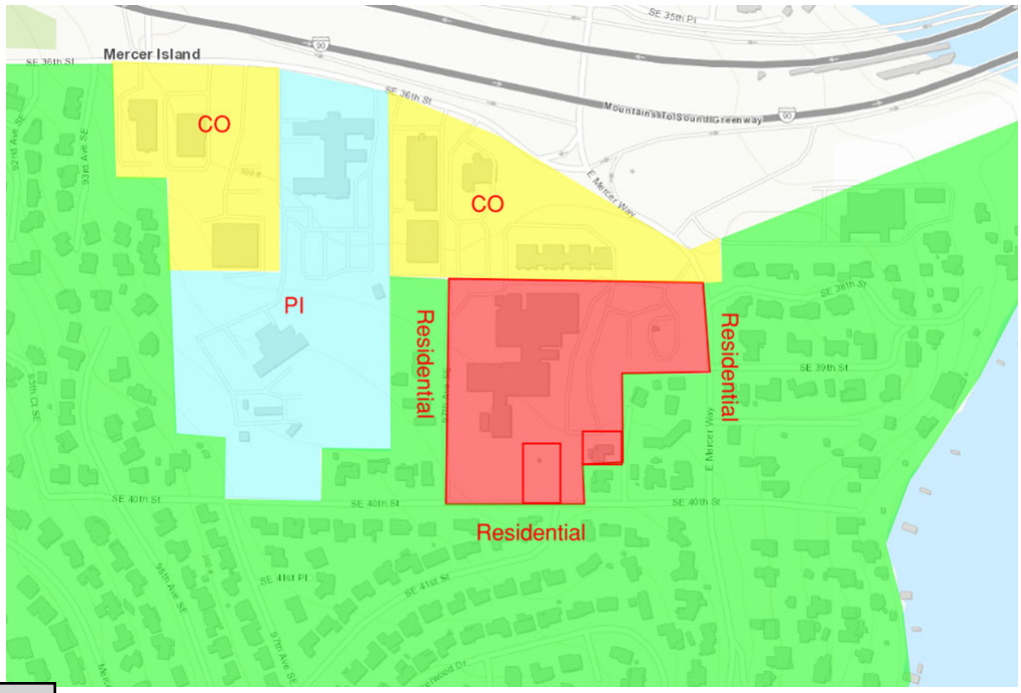
   - The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.

   - The Trip Generation Memo does not account for trips associated with FASPS, which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips. Commercial Office Rezone would be even more impactful than presented by the applicant.

   - The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections around the property. Without the Traffic Impact Analysis, it is impossible to confirm compliance with Criteria 6.

Mercer Island is first and foremost a residential community, and residential zoning should be protected for the residents and families of Mercer Island.

Exhibit A - Proposed Zoning Map



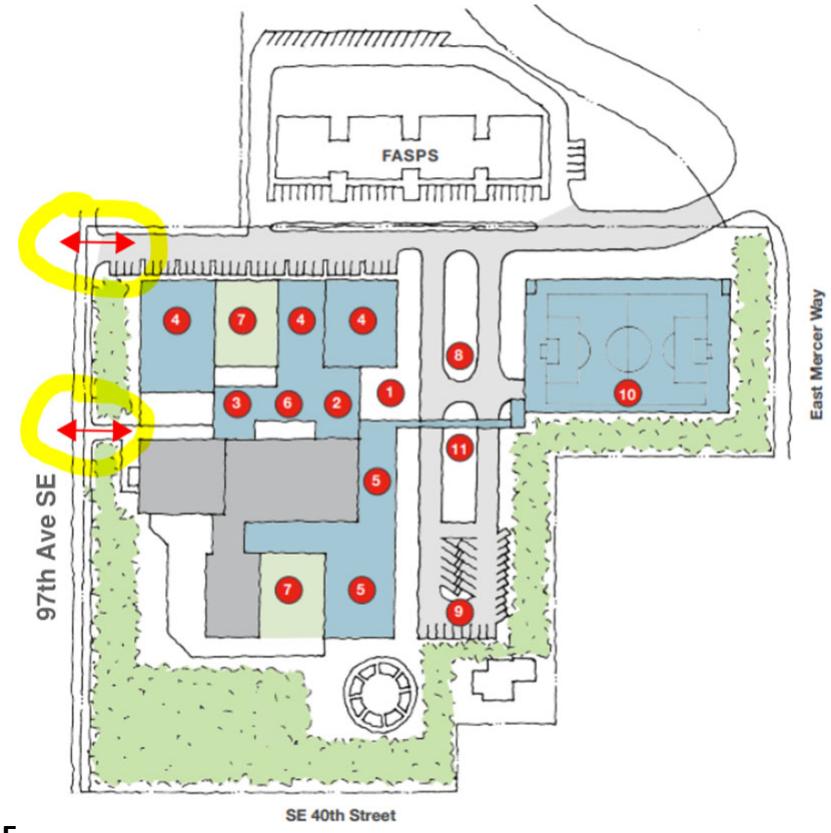


Exhibit B - Proposed Curb Cuts to 97th Ave SE

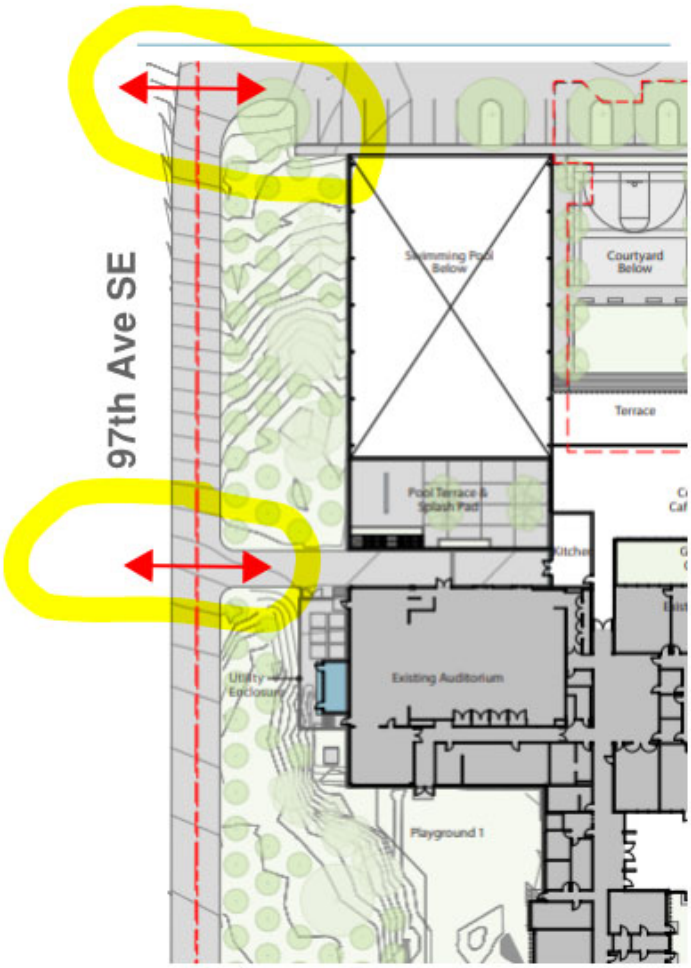


Exhibit B - Proposed Curb Cuts to 97th Ave SE

Exhibit B - Proposed extension of 97th Ave SE to applicants' property

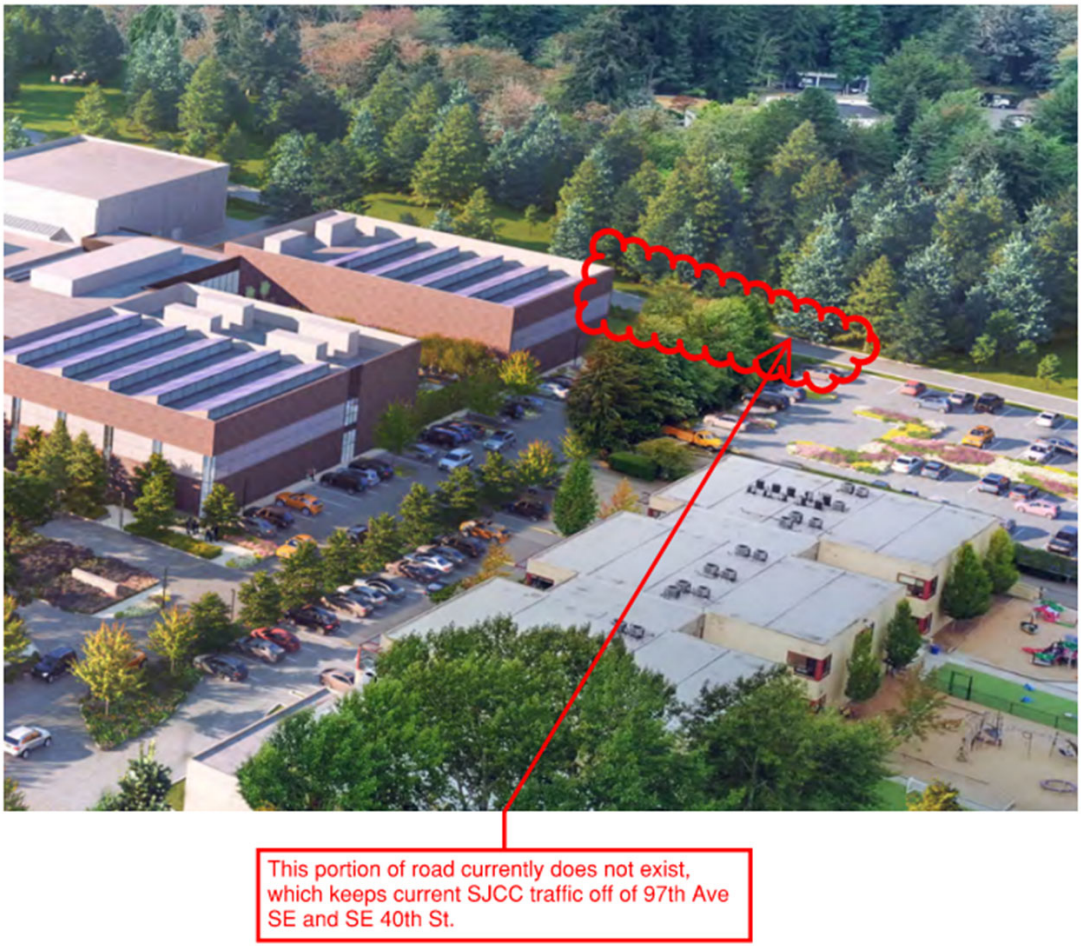
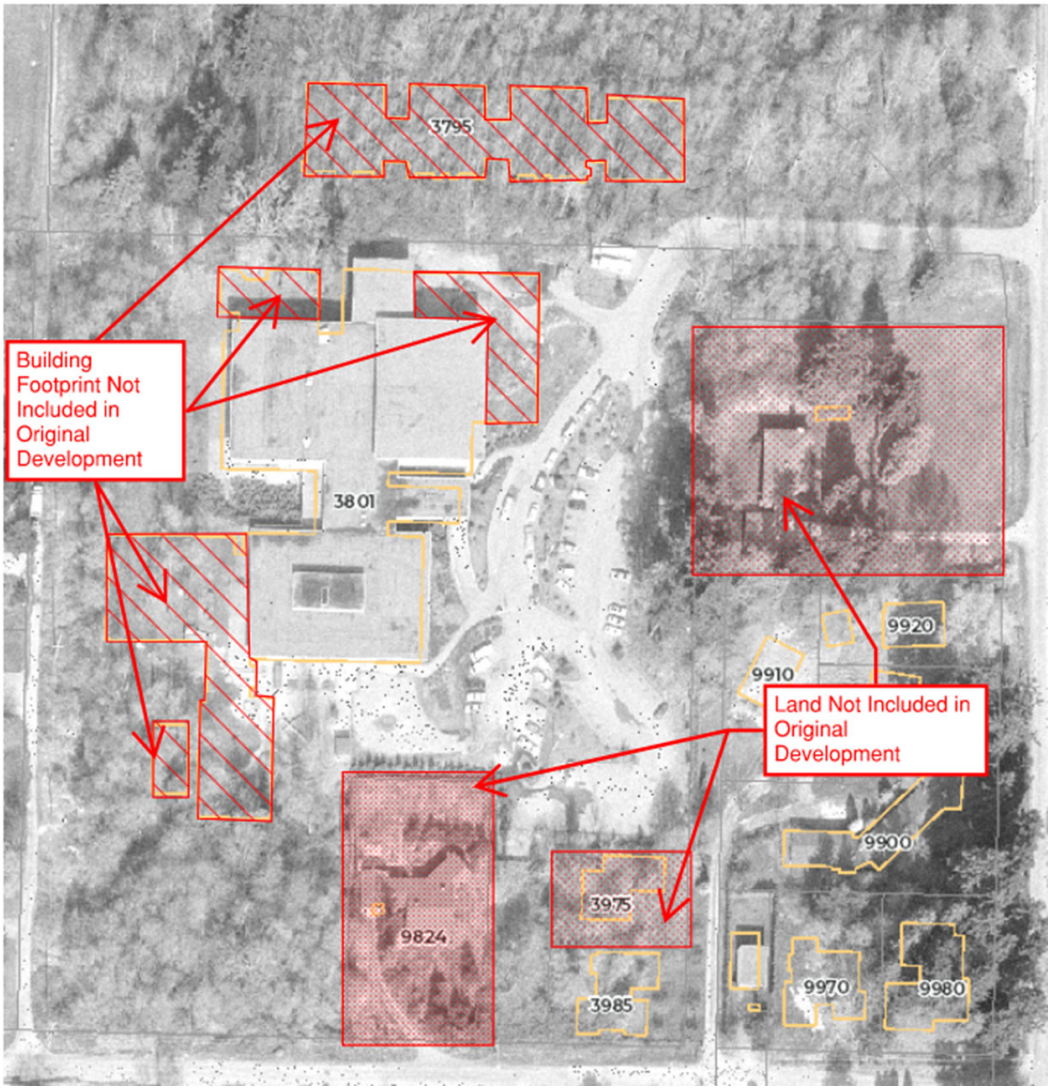


Exhibit D - 1978 Aerial Of Site, Additional development since is hatched.


3795
Building Footprint Not Included in Original Development
3801
9920
9910
Land Not Included in Original Development
9900
3975
9824
9970
9980
3985

Molly McGuire

From: flowery.deniers-21@icloud.com
Sent: Wednesday, August 5, 2026 7:12 AM
To: Planning Commission
Subject: Public Comment RE CPA25-002, RZN25-002, SEP25-021

Public Comment RE CPA25-002, Comprehensive Plan Amendment

I live very close to the JCC and am quite concerned about the impacts to the neighborhood this rezone could have.

Tyler

Criteria 1 MICC 19.15.230.F

F. 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 decisions criteria.

The applicant has not met the burden of demonstrating the proposed amendment complies with the applicable regulations and decision criteria.

Criteria 1. The amendment is not consistent with the Growth Management Act, the countywide planning policies, or the other provisions of the comprehensive plan and city policies based on the following:

1. Each and every response by the applicant to these criteria regarding compliance with the comp plan, GMA and city policies are based on the current use of the property as a community center, and the current building size and intensity of use - the applicant relies on the operator, not the designation. However, the proposed comprehensive plan amendment is not tied to the existing use, it is not tied to a specific project, it is not tied to a proposed use, and it does not guarantee that the current use will continue after an amendment. The proposal does not limit future development to the square footage that currently exists. It is simply an application to change the zoning from residential to commercial office, which would result in increased density and intensity of use of the property, regardless if that use is an office building or a community center.
2. Comprehensive plan land use designation attaches to the land, not an owner or a program. Nothing in the CO designation requires an early childhood school, scholarships, a community garden, swim lessons, or any cultural programming. Nothing prevents the sale of the property and a future owner implementing different

programming. The applicant's amendment secures none of the benefits offered as the basis for finding it consistent.

3. The applicant does not offer to enter a Development Agreement under RCW 36.70B.170-.210, which they could do concurrently with the rezone, and would run with the land and bind successors. A Development Agreement can restrict permitted uses to community-facility uses, cap gross floor area, fix access locations, and require specific transportation mitigation. If the applicant's representation is that "no change of use is proposed," a development agreement cost the applicant nothing it has claimed to want. By declining to enter a development agreement, the applicant brings into question their intended future use.
4. The applicant does not establish consistence with the Transportation Element. RCW 36.70A.070 requires an internally consistent plan: RCW 36.70A.070(6)(a)(i)(C) requires the transportation element to rest on land use assumptions. The Land Use Map is the input to the travel forecast. Redesignating this site from Single-Family Residential to Commercial Office – on the applicant's own consultant's figures, from 94,723 gsf to 402,261 gsf buildout capacity – changes the assumption. Nothing in the application shows that the Transportation Element's forecasts, LOS standards, or capital facilities program were checked against the amended map. The Staff report does not address this internal inconsistency.
5. Land Use Goal 7.1 – "Preserve the neighborhood character in residential zones. For the purpose of implementing this element, neighborhood character only refers to form, bulk, scale and intensity of the built environment." The applicant does not address what Goal 7.1 actually askes, which is what happens to form, bulk, scale, and intensity under the Commercial Office designation. A 4.25X increase in buildout capacity is, by the comprehensive plan's own definition, a neighborhood-character question that the application does not comply with.

6. Transportation Goal 9.2 – "Address parking overflow impacts on neighbors cause by major traffic generators such as schools, businesses, parks…" The applicant does not address how the redesignation would address the neighbors' concerns, including parking overflowing onto East Mercer Way that blocks the bike lane and forces bikes and pedestrians into the traffic lane; cars from user of the property parking on SE 40th, cars from users of the property blocking driveways on adjacent streets. Goal 9.2 asks for a plan to address the impact, but the applicant does not cite any specifics in how the redesignation will do that. In fact, the redesignation would allow for 4.25X building area, which would result in even more traffic and overflow parking.

7. "Commercial Office and PBZ zones must serve the needs of the local populations while remaining compatible with the overall residential character of the community." The applicant asserts compatibility will "increase" and that "anything that is built will conform to CO standards." That is an assertion about code compliance, not about compatibility, and it is unsupported by any analysis of way CO buildout looks like against the neighboring Single-Family Residential land. Additionally, the applicants current membership is made up primarily of non-residents of Mercer Island, thus they are not serving the local population.

8. The applicant does not include any analysis of whether PBZ, a Public Institution designation, or tailored community-facility designation would fit the situation better than CO. It is the applicant's burden to show the proposed designation is consistent, the absence of any alternative analysis demonstrates the applicant has not met the burden.

Criteria 1A – The applicant concedes there is not a technical error, thus this criterion cannot be used to allow for the applicant's amendment.

Criteria 1B – Changed Circumstances of the City as a Whole – This criterion requires a change in circumstances of the city as a whole, not of the property, not of the applicant, not of a single institution. Washington reclassification cases look for changed conditions in the area, not merely a changed circumstance of the proponent. See Parkridge v Seattle, 90Wn.2d454(1987).

1. The staff report rejects that there has been a change in circumstance of the City as a Whole "The City disagrees with the applicant's assertion as to the 2017 development standards. The changes to the residential development standards that occurred in 2017 were policy decisions made by the then seated City Council, and are not 'changing circumstances of the city as a whole." Additionally, the staff report found that the applicant's factual premise incorrect – that the MICC 19.01.050(D)(3) does in fact permit exterior alteration or enlargement of nonconforming non-single-family structures, subject to the 50-percent-of-assessed-value threshold.

2. The Staff report theorizes that the changed circumstances are "more accurately described as an increased demand of a facility that is at the end of its useful life and which demand cannot be accommodated under" MICC 19.01.050(D)(3).

a. MICC 19.15.230(F) places the burden of demonstration on the applicant. When the reviewing body rejects the applicant's theory, finds its factual premise incorrect, that should result in denial of the application. The city staff cannot construct a substitute rationale, by doing so the burden has effectively been carried by staff rather than by the applicant.

b. The staff's substitute theory is unsupported by anything in the application or the staff report and relies on two assertions without providing any evidence.

i. "Increased demand" – The applicant has refused to provide any membership trend data, enrollment figures, waitlists, utilization studies, or demographic demand analysis. The applicant offers only that Mercer Island's population "has grown over 20% since the JCC was built in 1969." A 20% increase in the cities population does not justify an over 400% increase in allowed building area for the site.

ii. The applicant asserts that the facility that is at the end of its useful life, however no condition assessment, structural evaluation, systems assessment, or cost-to-cure estimate has been provided.

iii. A single facility reaching the end of its useful life is a circumstance of that property, not of the city as a whole.

3. The applicant argues that the 2017 GFA and impervious surface limits, combined with the variance interpretation, apply across most of the Island's zoning and have stranded "many other vital community organizations on MI." If that is true, the correct response to a city-wide regulatory gap affecting a class of institutions is a code amendment or community-facility overlay applicable to that class, not a parcel-specific change for one member of it. Comprehensive Plan Land Use Goal 7.4 says exactly this: The City may consider measures within the land use code to address the maintenance, updating, and renovation of these facilities." The applicant quotes Goal 7.4 and then argues for the one remedy the goal does not contemplate.

Criterion 2(a) – MICC 19.15.230(F)(2)(a): Compatibility with Adjacent Land Use and Development Pattern. – "Development pattern" is not a synonym for "surrounding uses," rather it refers to the geometry and logic of the map, the coherence of district boundaries, and how the amendment fits the City's overall land use structure. Both adjacent land use and development patterns must be satisfied.

1. The Staff report misinterprets this requirement, stating "adjacent land use and development patterns include both single-family residences and commercial buildings… which all align with the existing facilities on the SJCC properties." That finding is about the compatibility of the existing facilitates, not the proposed amendment. The proposed amendment is not tied to the current use. A 402,261 gsf building, over four times larger than the existing building, is not compatible with single-family residential zoning on three sides.

2. The applicant differs to future review of any proposed development for compliance with the CO code in an attempt to justify compliance with this criteria, however this does not address the compatibility questions, including trip generation, hours of operation, parking demand, or cumulative intensity.

3. Development Pattern: The amendment would leave (i) a narrow strip of residentially designated property to the west, sandwiched between Public Institution and Commercial Office designations, and (ii) an isolated pocket of residential parcels in the southeast corner of the block sharing a property line with the subject site. The staff report does not provide any analysis of the resulting boundary or development pattern, whether the amended boundary is orderly, whether the remnant residential areas remain viable as designated, or whether the city would ever draw this line on its own.

4. Irregular boundaries drawn to follow one owner's parcel assembly are precisely the evidentiary pattern Washington courts look to in spot-zoning analysis as indicating private

rather than public benefit. See Anderson v Island County, 81Wn.2d312(1972); Save Our rural Env't, 99Wn.2d363(1983).

Criteria 2(b) – MICC 19.15.230(F)(2)(b): Suitability for Development in Conformance with the Standards Under the Potential Zoning.

1. The Staff report disputes the applicants compliance with this criteria, stating "at least one parcel would not be suitable for development in conformance with the standards under the potential zoning as it currently exists" in reference to parcel 2655500132, which when applying CO zoning setbacks would result in abuilding envelope of six inches by eight feet. Parcel 2655500137 is similarly cannot practically be developed under the CO zoning setbacks, resulting in a building envelope of 35' by 105'. The staff report does not calculate the larger parcels.

2. Parcels 2655500132 & 2655500136 both have access to the residential street, SE 40th St. Rezoning these parcels to CO would direct commercial traffic directly onto a residential street.

3. Parcel 2655500132 is omitted from the staff reports list currently observed conditions: "Tax Parcels 2655500137, 2655500115, and 2655500136 all appear to be integrated in their daily operations as the Stroum Jewish Community Center site." – Parcel 2655500132 has not been used for recreational or community-facility purpose. It is a single-family home, in a single-family neighborhood, on a single-family street, that happens to have been speculatively acquired by an institutional neighbor in 2016.

1. Parcel 265550-0136 was speculatively purchased by the applicant on October 30th, 2012 and is not included in their Conditional Use Permit. This parcel had a single family home existing on it when the applicant purchased it. This parcel should be excluded from any rezone consideration.

Criteria 2(c) – MICC 19.15.230(F)(2)(c): Benefit to the Community as a Whole; No Adverse Effect on Community Facilities or Public Health, Safety, and General Welfare.

The amendment must benefit the community as a whole and must not adversely affect community facilities or the public health, safety, and general welfare. The second cannot be satisfied by showing the benefit outweighs the harm.

1. The applicant again rests their argument of benefit to the community as a whole on the operator rather than the Commercial Office designation. As discussed, the application must be reviewed based on the Commercial Office Designation – not the current owner, current programming, or current operator of the property – which this application has failed to do. Additionally, the applicant does not provide services to all Mercer Island Residents, they do not offer discounts to Mercer Island residents, and their membership is primarily made-up of non-residents.

2. This criterion also requires No Adverse Effect, however the applicant does not address this criterion in their application and neither does the Staff Report. This application would, in fact, adversely affect public health, safety, and general welfare as follows:

a. The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.

b. The proposed rezone will increase traffic congestion and reduce pedestrian safety, as evidenced by the following.

- The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.

- The Trip Generation Memo does not account for trips associated with French American School of Puget Sound (FASPS), which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips. Commercial Office Rezone would be even more impactful than presented by the applicant.

c. The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections around the property.

3. Based on the proximity to I-90, Washington State DOT should be reviewing the amendment and its impacts on I90.

4. A Traffic Impact Analysis must include the school that is currently under construction across East Mercer from the applicants property.

Rezone Criteria:

Criteria 1. The proposed reclassification must be consistent with the policies and provisions of the Mercer Island Comprehensive Plan:

The proposed reclassification is not consistent with the comprehensive plan for the following reasons:

1. The applicant tries to justify compliance with the comprehensive plan based on the current use of the property as a community center, and the current building size and intensity of use. However, the proposed rezone is not tied to the existing use, it is not tied to a specific project, it is not tied to a proposed use, and it does not guarantee that the current use will continue after a rezone. The proposal does not limit future development to the square footage that currently exists. It is simply an application to change the zoning from residential to commercial office, which would result in increased density and intensity of use of the property, regardless if that use is an office building or a community center.
2. The applicant has stated that they want to continue to use the property as it has been used for 55 years, however that is untrue. Since the original Conditional Use Permit was granted, the applicant has significantly grown their building footprint, and purchased multiple additional parcels.
3. The existing building is 88,362 square feet (per King County Assessor). Rezoning the property to Commercial Office would allow a 402,261 square foot building to be built on the property. This is a **355% increase** in building area and is in addition to the existing 31,815 SF FASPS Building.
4. Commercial Office in this location is not compatible with the comprehensive plan. The justifications presented in the application are irrelevant without a project being tied to the application. The applicant only focuses on the current use of the property (including the current building size), not what is actually being applied for, which is Commercial Office zoning recalcification.
5. There is currently a total of 637,818 SF of office space existing on Mercer Island. The largest existing office building is the Riot Games building in the town center at 155,599 SF. This rezone application would allow for 402,261 SF on this site alone, making it larger than the total size of the seven largest existing office buildings combined. Rezoning this property could result in a **60% increase** in total office space across all of Mercer Island, and place that significant growth in a location surrounded by residential zoning.
6. The Washington State Growth Management Act (GMA) requires the City of Mercer Island to prioritize housing in the comprehensive plan. This application does the exact opposite; it converts single family zoned property to Commercial Office. It does not meet the criteria of the Mercer Island Comprehensive Plan or the WA State GMA.
7. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 2. The proposed reclassification must be consistent with Mercer Island development code as set for in MICC 19.01.010;

The proposal does not comply with these criteria for the following reasons:

1. This criteria includes provisions to avoid traffic congestion. The proposed rezone will increase traffic congestion, as evidenced by the following:

● The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.

● The Trip Generation Memo does not account for trips associated with FASPS, which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips to/from the shared driveway. Commercial Office Rezone would be even more impactful than presented by the applicant.

● The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections serving the property. A Traffic Impact Analysis would further confirm that this application does not comply with Criteria 2.

● The applicant indicates on their own documentation that they intend to increase parking counts, which means they intend to increase traffic to the property.

● The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.

1. This criteria includes provisions to protect the natural beauty and other natural resources. The proposal does the opposite, by increasing density and the intensity of the approved land use.
2. This criteria includes provisions to prevent overcrowding. The proposal does the opposite, by increasing density and the intensity of the approved land use.

3. The applicant again refers to the current use of the land to justify rezoning, however those responses are irrelevant as the proposal is not tied to a specific use, the proposal is to rezone the property to Commercial Office, which is not compatible with this criteria of the comprehensive plan.
4. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning, because that is what is being applied for.

Criteria 3. The proposed reclassification must be an extension of an existing zone, or a logical transition between zones.

The proposed rezone is not the extension of an existing zone or a logical transition between zones, it is actually the opposite.

1. The property is bound on three sides by residential zones, rezoning this parcel would create a pocket of commercially zoned parcels surrounded on three sides by single-family residential zoning.
2. Additionally, parcels 265550-0166, 265550-0168, and 265550-0165 to the west of the applicant's property, which are single-family zoned properties, would end up surrounded by Commercial zoning to the north and east, and Public Institution zoning to the West. See below map.

1. The zoning map in the application is not current.
2. Rezoning of this property would create a choppy patchwork of zoning with no logical transition between zones.

1. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 4. The proposed reclassification must not constitute an illegal Site-Specific Rezone.

The proposal does create an illegal site-specific rezone, solely for the benefit of a single property.

1. While the applicant has chosen to pursue non-profit status for tax purposes, and they do not pay property taxes on Mercer Island, they are still business that will see financial gain from the rezone.
2. With the applicant's tax status, they rely on Mercer Island residents and taxpayers to fund public safety and maintenance of city infrastructure serving their property, while they indicate on their website that they serve the "general community of the greater Seattle area" and the majority of their members or not Island residents. This is in contrast to other clubs and CUP properties on Mercer Island that primarily cater to Island residents and abide by strict membership limits. The burden on Mercer Island taxpayers will be exacerbated if the land were to be rezoned to commercial and land use becomes more intense with no limits on programming or membership.
3. The applicant chose to build a building for the French American School of Puget Sound (FASPS) on the commercially zoned portion of their property in order to generate revenue through a lease for their own financial gain. If the applicant desired additional square footage to operate their center, they could have used that commercially zoned parcel and should not have leased the land to FASPS. A rezone cannot legally be granted for the private gain of one owner or a group of owners to the detriment of their neighbors. The FASPS lease demonstrates that the rezone application is for the financial gain of the applicant.
4. The applicant recently and speculatively purchased additional parcels that were not included in their original conditional use permit, and they are now seeking to rezone those parcels for their own gain.

● Parcel 265550-0136 was speculatively purchased by the applicant on October 30th, 2012 and is not included in their Conditional Use Permit. This parcel had a single family home existing on it when the applicant purchased it. This parcel should be excluded from any rezone consideration.

● Parcel 265550-0132 was speculatively purchased by the applicant on November 21, 2016 and is not included in their Conditional Use Permit. Furthermore, this parcel currently has a single-family home on it. Renderings presented by the applicant of a potential new facility shows the single-family residence remaining. Based on that, and the fact that this parcel is not included in the CUP, this parcel should be excluded from any rezone consideration.

1. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.
2. Again, the proposed rezone is not tied to a specific project or use and the applicant refers to the current use of the land to justify rezoning. Rezoning this property to commercial office does not provide a public benefit, making it an illegal site-specific rezone.

Criteria 5. The proposed reclassification must be compatible with surrounding zones and land uses.

Commercial Office zoning is not compatible with the single-family residential zoning that borders the property on three sides.

1. The property is bound on three sides by residential zones, and one side by commercial office. Rezoning this parcel would create a pocket of commercially zoned parcels surrounded on three sides by single family zoning.
2. Additionally, parcels 265550-0166, 265550-0168, and 265550-0165 to the west of the applicant's property, which are single family zoned properties, would end up surrounded by Commercial zoning to the north and east, and Public Institution zoning to the West.
3. The zoning map in the application is not current.
4. Rezoning of this property would create a choppy patchwork of zoning with no logical transition between zones.
5. The application states "There is no current development proposal being submitted to the city for simultaneous review with the redesignation and rezone proposal." The planning commission and city council must assume that a rezone will result in the applicant (or future owner) utilizing the maximum density allowed under the Commercial Office zoning.

Criteria 6. The proposed reclassification must not adversely affect public health, safety and welfare.

Rezoning this property to Commercial Office would adversely affect public health, safety and welfare for the following reasons.

1. The existing building is 88,362 square feet (per King County Assessor). Rezoning the property to Commercial Office would allow a 402,261 square foot building to be built on the property. This is a **355% increase** in building area and is in addition to the existing 31,815 SF FASPS Building.

2. The applicant presented a rendering of a potential new facility. On that rendering it shows two curb cuts to the residential street 97th Ave SE. This demonstrates that the applicant intends to utilize 97th Ave SE & SE 40th St. for ingress/egress to their property. These are both local residential streets that cannot accommodate commercial traffic and would adversely affect public safety. This access point was not discussed in the Trip Generation memo submitted by the applicant.

1. The proposed rezone will increase traffic congestion and reduce pedestrian safety, as evidenced by the following.

● The Trip Generation Memo submitted by the applicant indicates that rezoning the property could result in an over **460% increase** total trips to/from the property. (From 245/hour to 1,376/hour per Transpo Group memorandum dated 2/10/2026). Rezoning the

property would create traffic beyond what the residential area can support, would cause traffic and parking to spillover onto adjacent residential streets, and would endanger the safety of residents and children who use those streets.

- The Trip Generation Memo does not account for trips associated with FASPS, which shares a driveway with the property proposed for a Rezone. It is impossible to know which observed trips were to/from FASPS vs to/from SJCC, which means the report overstates observed trips. The report also understates future trips by excluding FASPS from the calculation of future trips. Commercial Office Rezone would be even more impactful than presented by the applicant.

- The city required a Traffic Impact Analysis, but the applicant only provided a Trip Generation Memo, which is distinctly different and does not provide the information and analysis required. A Traffic Impact Analysis would include, among other things, a forecast of future traffic volumes with and without the rezone, an analysis of crash history including trends and serious injury or fatal crashes, a review site access with respect to sight distance and other applicable standards, and a level of services analysis of intersections around the property. Without the Traffic Impact Analysis, it is impossible to confirm compliance with Criteria 6.

Mercer Island is first and foremost a residential community, and residential zoning should be protected for the residents and families of Mercer Island.

Molly McGuire

From: Dina Holan <dinafes@hotmail.com>
Sent: Tuesday, August 4, 2026 2:38 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support for Rezoning of the JCC to Commercial Use

Dear Mercer Island Planning Commission and City Council Members,

As a resident of Mercer Island and a member of the JCC, I enthusiastically support the rezoning of the JCC property to Commercial. The J facility has never been in single family use in its 55+ years of existence on Mercer Island. The city should align the comprehensive plan and land use maps with the longstanding use of this property.

Through supporting those living on Mercer Island, the JCC supports Mercer Island's stated goal of being a premier residential community. Such support includes providing parents with high-quality childcare and camps, thus enabling families to be able to afford living on MI. The J beautifully serves our MI intergenerational population - teaching our youngest Islanders, and engaging our eldest through thoughtful programming, aquatics classes, and programs like Rock Steady Boxing for people with Parkinson's.

The JCC enriches our lives as Islanders through art exhibits, live performances, and the annual Seattle Jewish Film Festival, while also serving as a third space for us to meet and socialize.

The JCC welcomes all, and likewise WE should welcome its rejuvenation and its ability to make needed repairs and improvements thus enabling it to continue to serve OUR community for the next 55+ years.

Personally, my children attended early childhood school and afterschool care and learned to swim at the J. We have attended cultural events and amazing performances, having a night out all on MI. I want for these resources to be available to current and future MI residents.

With warm regards,
Dina Holan
6121 85th Pl SE

Molly McGuire

From: Steph Xie <ystephxie@gmail.com>
Sent: Tuesday, August 4, 2026 2:07 PM
Subject: JCC on MI

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. And a member of the DJ since moving to Mercer Island, and my kids love going there for camps as well as after-school activity. It is an incredible asset to the community! . The J has been serving the Mercer Island community – as a community center – for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

steph foley

Molly McGuire

From: Doug Rosen <drosen@alascop.com>
Sent: Wednesday, August 5, 2026 12:48 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Comprehensive Plan Amendment being discussed tonight.

I am writing to ask for your support in amending the Comprehensive Plan to change the designation of the SJCC property from single family residential to commercial. The SJCC has never been used as a residential facility and has been in place and serving the entire Mercer Island community for 55 years. It only makes sense to have the zoning match the reality on the ground. The City should align the comprehensive plan and land use maps with the longstanding use of this property.

My family and I have used this facility for ourselves, our children and our grandchildren. We have lived on Mercer Island for 47 years and the SJCC was one of the major reasons to move here, for pre-school, basketball, swimming, theater arts, films, community events and camps.

It is time for the zoning of this facility to be appropriate to its use. I recommend and urge your approval of the comprehensive plan amendment.

Sincerely,

Douglas C. Rosen
President
Alaskan Copper & Brass Company
206-972-3175

Molly McGuire

From: Ed Bridge <edwardlbridge@gmail.com>
Sent: Wednesday, August 5, 2026 12:11 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Changing SJCC designation property to commercial

To the Members of the Planning Commission,

We are writing to strongly support changing the Comprehensive Plan for the SJCC property from single family to commercial. We are sorry we are unable to attend tonight's planning commission meeting in person. Please accept this email as indicative of our overwhelming support of this amendment to the comprehensive plan.

We have called MI home for the last 30 years (and Ed grew up on the Island for the first 18 years of his life before that, making him a resident for 48 years!). We raised our children here. One of the reasons we moved to the island was the JCC. Both our children attended pre-school there. It is a huge community asset. A place for community members of all ages. It is a draw for our community.

Quite honestly, we were surprised to learn that the area where the J is located was zoned as single family. It makes sense to align the comprehensive plan to reflect the use of this property with the long term asset that the SJCC has been and will continue to be.

Thank you for supporting this amendment.

Ed & Pam Bridge
206-321-3773

Molly McGuire

From: Garrett Hyman <garretthyman@yahoo.com>
Sent: Wednesday, August 5, 2026 2:06 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support Proposed Zoning Change for the SJCC -- 2026 08 05

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

My family have been members of the SJCC since 2003. My children attended the pre-school. We routinely attend community events there. We work out there regularly.

Nonetheless the SJCC is a very important place for our family (and for many of our friends).

The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Sincerely yours,

Garrett and Rachel Hyman
6924 SE Allen St
Mercer Island, WA 98040
206 852 8898

Molly McGuire

From: Jason Koehler <jason@rkkconstruction.com>
Sent: Wednesday, August 5, 2026 1:42 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: SJCC Rezone

To the Members of the Planning Commission:

I am writing to urge your support in amending the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. The J has been serving the entire Mercer Island community (NOT ONLY THE JEWISH COMMUNITY BUT THE ENTIRE MERCER ISLAND COMMUNITY) — as a community center — for over 55 years. My wife and I have been Mercer Island residents and members for most of those years and we use it regularly. Now my children use it regularly. My hope is it will be here for another 55. I am not a land-use expert, but I know for certain the J has always served the community as a gathering space, an activity center, a school, and as a place for reflection and community — **it has never been in single family use.** As such, the city should align the comprehensive plan and land use maps with the longstanding use of this property. More importantly, it will allow the J to continue to serve the Mercer Island community without hindrance.

I Recommend and urge your approval of this comprehensive plan amendment.

Thank you,

Jason Koehler

Molly McGuire

From: Jeffery Weisman <jeffery.weisman@gmail.com>
Sent: Wednesday, August 5, 2026 5:47 PM
To: Planning Commission
Cc: Alison Van Gorp; Deb Estrada; Council
Subject: SJCC Rezone - Oppose - Will Set Damaging Island-Wide Precedent

Dear Planning Commission:

I support the JCC as an organization and recognize its importance to the community. However, I strongly oppose the proposed rezone. Supporting the JCC should not require the City to disregard the potential consequences for neighboring residents, users of East Mercer Way and SE 36th Street, or the broader Mercer Island community.

The proposed rezone should be rejected because it: (1) establishes a damaging precedent; (2) fails to satisfy key requirements applicable to a spot-specific rezone; (3) is not justified by the arguments and statements offered in support of it; and (4) is not tied to any specific project design, development features, or even a commitment that the property will not be sold.

1. The rezone would establish a damaging island-wide precedent.

The property currently operates in a residential zone under a conditional use permit. If the City allows this property to be rezoned to C-O, it will create a precedent for other clubs, community centers, facilities with community gyms or pools, and churches to seek similar rezones.

Northwest Yeshiva High School is located in an R-8.4 zone. Mercer Island Presbyterian Church is zoned R-9.6. The Church of Jesus Christ LDS is zoned R-9.6. St. Monica's Church, together with its school and gym, is zoned R-9.6. Emmanuel Episcopal Church, Mercer Island United Congregational Church, and Shevet Achim Congregation are also located in R-9.6 zones.

These institutions, like the SJCC in its current bulk and scale, are compatible with the overall residential character of the community. Rezoning the SJCC parcels would create a precedent for rezoning these other religious and community institutions. The Mercer Island Community and Events Center, Mercer Island Beach Club, Mercer Island Country Club, and Mercerwood Shore Club are likewise located in residential zones.

Separately, Mayor Salim Nice personally initiated the procedural linking of the SJCC rezone docket proposal with the Mercer Island Country Club's docket proposal, yet that history does not appear to be addressed in the current materials.

At the December 5, 2023 City Council meeting, the Council considered whether to place the SJCC's Proposed Amendment No. 18 on the 2024 docket. Mayor Nice moved to amend the proposal under MICC 19.15.230(H) by adding the properties generally known as the Mercer Island Country Club and finding that those properties were sufficiently similarly situated to expand the amendment's geographic scope.

The amendment passed 5–1, with Councilmember Reynolds opposed and Councilmember Weinbe recused. The meeting minutes are available here:

https://mccmeetings.blob.core.usgovcloudapi.net/mercerwa-pubu/MEET-Minutes-682d59f17cfb46c5bc35a0c2fed5b25c.pdf

Is the Country Club's docket proposal still attached to the SJCC proposal? If it is not, what happened to that portion of the docket amendment?

2. The rezone would confer a significant private financial benefit.

Rezoning the property from Residential to C-O would permit many additional uses and significantly increase the value of the land. That increase would convey a financial benefit to the SJCC and therefore does not satisfy the criterion that a spot-specific rezone not provide a benefit to a person or group of property owners.

The intensity of development could also increase to as much as four times the size of the current SJCC facility, according to the SJCC's own transportation consultant.

3. The arguments offered in support of the rezone are not persuasive.

The argument that the property should be rezoned because of how it has historically been used carries little weight. The SJCC has operated beyond the capacity authorized by its CUP, including maintaining a larger membership than originally agreed upon.

A use conducted in violation of existing zoning does not justify changing the zoning. I could operate a car dealership in my yard in complete violation of residential zoning, but that would not justify rezoning my property.

The JCC also cites its future planned use as a reason to approve the rezone. By that reasoning, if I planned to construct a 50-story apartment building on my property, that plan alone would justify rezoning my residential lot.

The proposal also includes a parcel that is currently used as a single-family residence. The outline of that residence continues to appear on the JCC's proposed plans from 2023. Why, then, is that parcel included in the requested rezone?

The current-use argument cannot apply to that parcel. The justification must therefore be based on a planned future use. A reasonable conclusion is that the published proposal does not reflect what will ultimately move forward. The JCC suggests that the use will remain generally similar and has presented a proposal to the community, but it is asking the City to approve a rezone without legally tying that rezone to the proposal that has been shown.

4. The appropriate process is a CUP, not a rezone.

The materials previously presented by the JCC imply that the organization intends to pursue a modest and attractive design if the rezone is approved. That proposal appears to involve seeking relief from certain zoning design constraints in exchange for presenting a detailed building proposal.

That is essentially the purpose of a conditional use permit.

The project should proceed through the CUP process, and the City should support redevelopment through a CUP, plain and simple. Redevelopment through a rezone: (1) creates a dangerous precedent; (2) provides substantial value to a private organization; (3) is not justified merely by reference to the current or planned use; and (4) is not tied to a specific development proposal, even though a proposal has been shown to the community that does not appear to require rezoning all of the identified parcels.

A reasonable person could therefore conclude that the development ultimately constructed may be substantially larger than what has been publicly rendered.

We can support the JCC while also protecting the interests of the entire Mercer Island community. The City should help the JCC update and revitalize its facilities in accordance with existing City laws, without creating a harmful island-wide precedent.

The Planning Commission should reject the rezone proposal and remand the JCC to work with the City on a CUP-able design that includes reasonable updates and can serve Mercer Islanders for the next 55 years.

-JW

Molly McGuire

From: Alison Van Gorp
Sent: Wednesday, August 5, 2026 3:31 PM
To: Molly McGuire
Subject: FW: Comprehensive plan

-----Original Message-----
From: Lee <leatricesk@yahoo.com>
Sent: Wednesday, August 5, 2026 3:04 PM
To: Alison Van Gorp <alison.vangorp@mercergov.org>
Subject: Comprehensive plan

Asking you to vote for the comprehensive plan to change the SJCC's status to a commercial one. The center serves the whole Mercer Island community & deserves this designation.
Thank you,
Lee Keller
Sent from my iPhone

Molly McGuire

From: Deb Estrada
Sent: Wednesday, August 5, 2026 3:59 PM
To: Lynn Lewicki
Subject: RE: Public Comment for SJCC Rezone Request CPA23-002

Staff recognizes and appreciates your public comment on the SJCC's Comprehensive Plan Amendment application. Your comment has been saved in the project record, and you are now a Party of Record.

If you would like to know more about the Stroum Jewish Community Center Comprehensive Plan Map Amendment and Rezone Project, please see the Project Website (https://letstalk.mercergov.org/sjcc-cpa-rezone-project) for more information and supporting documents.

Best,

Deb

Deborah Estrada, MMC
Administrative Coordinator/Deputy City Clerk
City of Mercer Island - Community Planning & Development
206-275-7791 | www.mercerisland.gov

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

From: Lynn Lewicki <lynnml42@gmail.com>
Sent: Wednesday, August 5, 2026 12:01 PM
To: City Clerk <cityclerk@mercerisland.gov>
Subject: Public Comment for SJCC Rezone Request CPA23-002

I support the Strohm Jewish Community Center's (SJCC) request for redesignating its parcels of land on Mercer Island from Single-Family to Commercial Office (C-O). The rezone would allow the SJCC, a highly valuable Mercer Island asset, to address the critical need to update its facilities.

Lynn Lewicki
Mercer Island resident for 55 years (coincident with founding of SJCC on Mercer Island)
SJCC Member

Item 18.

Molly McGuire

From: Comcast <kidamon@comcast.net>
Sent: Wednesday, August 5, 2026 12:55 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Fwd: SJCC - City of Mercer Island Comprehensive Plan amendment

Sent from my iPhone

Begin forwarded message:

From: Stuart Sulman <ssulman@kellersupply.com>
Date: August 5, 2026 at 10:27:19 AM PDT
To: Stuart Sulman <ssulman@kellersupply.com>
Subject: SJCC - City of Mercer Island Comprehensive Plan amendment

To the Members of the Planning Commission:

- I am writing to urge your support in amending the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. The J has been serving the entire Mercer Island community (NOT ONLY THE JEWISH COMMUNITY BUT THE ENTIRE MERCER ISLAND COMMUNITY) — as a community center — for over 55 years. My wife and I have been Mercer Island residents and members for all of those 55 years and we use it regularly. Now my Children and Grandchildren use it regularly. My hope is it will be here for another 55. I am not a land-use expert, but I know for certain the J has always served the community as a gathering space, an activity center, a school, and as a place for reflection and community — **it has never been in single family use.** As such, the city should align the comprehensive plan and land use maps with the longstanding use of this property. More importantly, it will allow the J to continue to serve the Mercer Island community without hindrance.

- I Recommend and urge your approval of this comprehensive plan amendment.

Thank you. Marsha and Bruce Krivosha

914

Molly McGuire

From: Michael Sandler <mike.s@sandlaw.com>
Sent: Wednesday, August 5, 2026 3:14 PM
To: Planning Commission
Cc: Alison Van Gorp; Deb Estrada; Council
Subject: SJCC and Comprehensive Plan

Dear Members of the Planning Commission,

Please vote for amending the Comprehensive Plan to change the designation of the Stroum Jewish Community Center (SJCC) property from single family to commercial. The SJCC has been serving the **entire** Mercer Island community, not just the Jewish community, for more than a half century. Citizens of all backgrounds use the community center and send their children to the SJCC's early education school and summer programs. In short, the SJCC has always served the entire community as a gathering space, an activity center, and school — **it has never been in single family use.** The zoning should align the comprehensive plan and land use maps with the actual use of this property and its service to the entire Mercer Island community

I have been a Mercer Island resident for more than 40 years and, in that time, I and my wife, children and grandchildren have joined with others in benefiting from this community resource that is the SJCC. I urge you to preserve this resource for generations to come by changing its designation from single family to commercial.

Michael Sandler

Michael Sandler
8430 SE 72nd Place
Mercer Island, WA 98040
(206) 650-3473
mike.s@sandlaw.com
www.sandlerpoetry.com

Molly McGuire

From: naaman heyman <naaman.hey@gmail.com>
Sent: Wednesday, August 5, 2026 12:41 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

The J has been an invaluable part of our lives and community since we moved the Mercer Island. We were members at the J and our kids have and are attending various programs there. We would love to see it revitalized and able to support the needs of our community for decades to come.

The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Kind regards,
Naaman

Molly McGuire

From: Phoebe O'Rourke <phoebeporourke@gmail.com>
Sent: Wednesday, August 5, 2026 4:51 PM
To: Planning Commission; Alison Van Gorp; Council; Deb Estrada; Molly McGuire
Subject: Public Comment RE CPA25-002, RZN25-002, SEP25-021

Hello,

My name is Phoebe O'Rourke, and I am a lifelong resident of Mercer Island.

I grew up here, on 97th Ave. I learned to ride my bike here, went on long family walks up and down these streets, picked blackberries that grow along 40th Street in the summertime. I have been lucky enough to witness families of deer emerge from the greenbelt on 40th year after year. My neighborhood has seen block parties, 4th of July celebrations in the cul-de-sac, joyful trick-or-treating, and quiet mornings, afternoons, and evenings. This neighborhood has seen my childhood and the formative years of so many other children.

I am 20, now, and I see my neighborhood changing before my eyes. There seems to be more traffic on the road every year since I first learned to drive here. I see less wildlife in the summers. Now, the proposed Comprehensive Plan Amendment and rezone promises significant change in my neighborhood, change that I see to be detrimental.

As I read through the staff report for project CPA25-002, which outlines the alignment of this proposed amendment to the CCP, I noted Goal 7.1. This goal states that projects preserve the neighborhood character in residential zones in terms of form, bulk, scale, and intensity of the built environment. The applicant's response was "the SJCC requires a gym and a pool, the larger scale of which is inconsistent with the desired scale identified in a single family zoning designation. Therefore, the designation should be changed, so that the SJCC can remain in this location."

The lack of concern for the character of my neighborhood as it is deeply concerns me. The character is one that is residential and filled with wildlife and green space, not commercial activity, intensity, and pollution from increased traffic. I love my neighborhood, and I want it to be a place that is as formative for future generations as it has been for me and my family. I want other kids, maybe one day my kids, to learn to ride their bikes on these streets, to pick blackberries, to have a peaceful place to grow up.

I support the mission and the wonderful service to the community that the J has provided. I hope the work continues for generations to come, to support as many Islanders as possible, in land already zoned for such a use. As such, I request that you, the Mercer Island Planning Commission and City Council, deny this amendment and future rezone.

Thank you in advance for your thoughtful consideration of this matter, and please confirm receipt of my comment.

Phoebe O'Rourke

From: Sarah Fletcher
To: Molly McGuire; Planning Commission; Jeff Thomas; Alison Van Gorp
Subject: Re: JCC - Totally against the rezoning of the JCC, it is not compatible with single family residential neighborhoods
Date: Wednesday, August 5, 2026 5:05:43 PM

Hello Molly, thank you for getting me the information so quickly.
To the Planning Commission et al. I was just told that the Community Center is zoned single family residential R-15. So if the Community Center is zoned single family residential R-15, why does the JCC not want to have the same zone as the Community Center considering they offer the same services? Why do they want to be zoned Commercial Office when the community center which offers the same things isn't CO and the City I don't believe wants to amend the zone to CO otherwise, they would have put a request in to have it rezoned. 19.02.010 versus 19.04.020.

What can the JCC have under CO that is not under single family residential zone R-15?
Did Amy Lavin tell you why she didn't want the JCC to be deemed single family residential R-15 like the Community Center?

If someone has an answer, could they please let everyone know tonight at the meeting?

Thank you.

On Wed, Jul 29, 2026 at 5:27 PM Molly McGuire <molly.mcguire@mercerisland.gov> wrote:

> Hi Sarah,
>
> Thank you for providing public comment on the SJCC's Comprehensive Plan Amendment application. Your comment has been saved in the project record, and you are now a Party of Record.
>
> Sincerely,
>
> **Molly McGuire**
> Senior Planner
> City of Mercer Island – Community Planning & Development
> 206-275-7712 | www.mercerisland.gov
>
> *Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW).*
>
> *The City of Mercer Island utilizes a hybrid working environment. Please see the City's Facility and Program Information page for City service hours of operation.*

From: Sarah Fletcher <fletchsa1@gmail.com>
Sent: Monday, July 27, 2026 8:42 PM
To: Planning Commission <Planning.Commission@mercergov.org>; Alison Van Gorp <alison.vangorp@mercergov.org>; Deb Estrada <Deborah.Estrada@mercerisland.gov>; Council <council@mercergov.org>; Jessi Bon <jessi.bon@mercergov.org>
Subject: JCC - Totally against the rezoning of the JCC, it is not compatible with single family residential neighborhoods

Hello, I received an email urging me to support the Comprehensive Plan to change the designation, see below. The JCC have no right to amend the Comprehensive Plan to change the designation from single family zone to commercial. I want you to all understand the implications should you allow the zone change. I want you to specifically ask the following questions:

1) if you allow the JCC to change their zoning, will the other clubs on the island all be allowed to change their zone?

2) Commercial Office allows a retirement home, would the JCC and all the other clubs, should the zone change, be allowed to have a retirement home on their property in a single family residential area?

And are each and every one aware of what is allowed in Commercial Offices????

These are the examples of what you are permitting, because I don't want to hear that you allowed the JCC to rezone and the next minute, they are providing "Care services, special employee dormitories, service stations in connection with authorized motor pool facilities and similar uses, special needs group housing, special service transitional housing;
3) And I would like to know, are the things I mentioned above, would those things be allowed in a single family residential zone?
4) And with regards to the theater which was remodeled in 2014 as state of the art, why would they want to demolish it and build another theater? I love the theater and have special memories of going to watch the films with my mum or to attend the Jewish film festivals there.
5) And are they not supposed to build a playfield, but in the designs, I don't see any playfield. Currently, there is a garden for the preschoolers. What is going to happen to that garden? Is it going to be paved over?
6) And what the JCC is trying to build is a campus, it is not compatible with a residential zone.
7) And please ask how the JCC has been a good neighbor? Please ask them to list all the examples of how they have accommodated the neighbors to date.
This is what the Commercial Offices zone offers so you need to make it very clear to the JCC that not only if the City allows them to rezone, but they are making it that the Beach Club, the Shore Club, the Yeshiva, the Country Club, will then all be able to have the same permitted uses as the JCC and if you think that is not the case, please explain why that is not the case.

19.04.020 - Commercial offices.

A.

Uses permitted.

1. Government services.
2. Professional, scientific, and technical services.
3. Office uses.
4. Places of worship.
5. Civic and social organizations.
6. Mortuary services.
7. Healthcare services.
8. Care services.
9. Auxiliary uses directly related to the principal use, such as residences of watchmen or employees in training, special employee dormitories, employee cafeterias, auditoriums, service stations in connection with authorized motor pool facilities and similar uses.
10. Wireless communications facilities subject to the conditions set out in MICC 19.06.040.
11. Special needs group housing as provided in MICC 19.06.080.
12. Social service transitional housing as provided in MICC 19.06.080.
13. Public and private schools accredited or approved by the state for compulsory school attendance, subject to design commission review and the following conditions:

a. A one-fourth acre or larger playfield, play surface or open space shall be provided in one usable unit abutting or adjacent to the site.

8) There is a conflict of interest with Dave Rosenbaum, Ted Weinberg, Daniel Becker, and Julie Hsieh should remove themselves from voting on this because there is a conflict of interest in that they all have interests and/or connections to the JCC/Jewish Community.

This is what Amy Lavin is telling members to write to the Planning Commission just in case you were not aware of what she is telling members to email:

- "I am here to urge your support in amending the Comprehensive Plan to change the designation of the SJCC property from single family to commercial." The J has been serving the Mercer Island community — as a community center — for over 55 years. My hope is it will be here for another 55. I am not a land-use expert, but I know for certain the J has always served the community as a gathering space, an activity center, a school, and as a place for reflection and community — it has never been in single family use. As such, the city should align the comprehensive plan and land use maps with the longstanding use of this property. More importantly, it will allow the J to continue to serve the Mercer Island community without hindrance.

- Recommend approval of this comprehensive plan amendment.

Item 18.

Molly McGuire

From: Sean Morris <sean.morris@mifc.org>
Sent: Wednesday, August 5, 2026 4:29 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Mercer Island FC - Statement of Support for the JCC Rezone Proposal

Good Afternoon, Mayor and Councilmembers,

My name is Sean Morris, and I serve as the Director of Soccer & Community for Mercer Island FC. Through my role, I have the privilege of working with hundreds of young athletes and families across Mercer Island every year.

While I am not Jewish myself, I have had the opportunity to see firsthand the important role the Stroum Jewish Community Center plays within our community. Many of the children and families we work with at Mercer Island FC are also involved with programs at the JCC. Together, our organizations are helping provide young people with opportunities to be active, build friendships, develop confidence, and find a sense of belonging.

I'm here today to urge your support in amending the Comprehensive Plan to change the designation of the SJCC property from single-family residential to commercial.

From my perspective as someone who works every day to create positive experiences for young people, this proposal is about much more than land use. It's about ensuring Mercer Island continues to invest in places where children and families can connect, learn, and thrive.

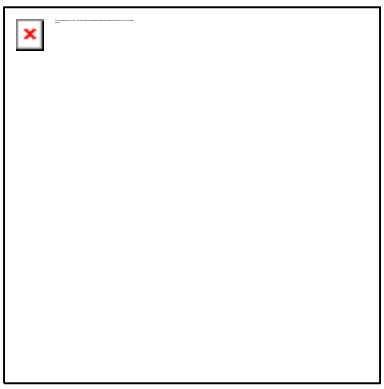
The JCC has served Mercer Island as a community center for more than 55 years. It has long been a gathering place, a hub for recreation and education, and a welcoming space where people can celebrate their culture, strengthen community ties, and support one another. It has never functioned as a single-family property, and updating the Comprehensive Plan simply aligns the designation with the longstanding reality of how the site serves our community.

As a youth sports leader, I believe we need more places where children can participate in healthy activities, build meaningful relationships, and feel connected to a community that reflects and celebrates who they are. Every child deserves access to safe spaces where they can grow, whether that's through sport, education, cultural programs, or community events.

Mercer Island is strongest when we support organizations that bring people together. While our missions may be different, Mercer Island FC and the JCC share a common goal: helping young people lead healthy, active, and connected lives while strengthening the fabric of our community.

For those reasons, I respectfully encourage you to approve this Comprehensive Plan amendment and help ensure the JCC can continue serving Mercer Island families for generations to come.

Thank you for your time and consideration.



Sean Morris
Mercer Island FC Director of Soccer & Community
Eastside FC West Director of Coaching
Bellevue FC Director of Soccer

(425) 286-0532 | www.mifc.org

sean.morris@mifc.org

Molly McGuire

From: tomacker1@comcast.net
Sent: Wednesday, August 5, 2026 2:46 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: JCC Planning Meeting

I'm writing to share my support for the JCC remodel. As a 50+ year resident of Mercer Island, both myself and my family, have used the facilities off and on throughout the years both as members and as benefactors of their services including the Special Need Adaptive Swimming Programs.

While there have been many concerns raised over the years, the latest plans I've seen seemed to address all the concerns that have been raised over the years including security, lighting, tree plantings, parking, etc. The only remaining concerns are what the final designs look like, will there be an impact on the adjacent neighborhoods, AND whether or not there is an impact to drivers visiting/departing from Mercer Island. The concerns on nextdoor pointed out there are only three ways to leave the island heading eastbound and one is an HOV only onramp which begs the question as to whether or not there will be traffic impacts around the EMW onramp.

If the city processes work as intended (Design Reviews/Planning Commission Reviews), I'm confident these concerns as well as any further questions and concerns will be resolved. This is based on my understanding there are no plans to materially change the use of the JCC or the number of people who would be visiting the JCC. For example, the JCC will not create a "convention center" that would increase the number of people coming to, and departing from, the facility.

In addition, there are other changes that are naturally reducing the traffic impacts. These include the departure of the French American School and the completion of the i-90 East Channel Bridge Rebar Replacement Project.

In summary, the JCC has been, and continues to be, a valuable part of the community that serves the needs of many. And, quite honestly, this remodel has been needed to happen for over 20 years.

Thank you for your consideration.

Tom Acker

Molly McGuire

From: Deborah Levinger <dlevinger99@hotmail.com>
Sent: Tuesday, August 4, 2026 12:18 PM
To: Planning Commission; Alison Van Gorp; Deb Estrada; Council
Subject: Support Proposed Zoning Change for the SJCC

To the Members of the Planning Commission:

I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial.

[State why you value the J, and your relationship with the J. For example: I've been coming to the J since…; My kids have attended the J….; My family has used the J….]

The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.

Applicant JCC Response to Comments Received through 7/28/26

Thank you for the opportunity to respond to public comments received regarding our application to redesignate the JCC property to CO to align its land use/zoning with its actual use, which will facilitate remodeling/reconfiguration of the JCC, so that it can remain a Mercer Island institution for the next 50 years.

The majority of the comments were supportive of the change, recognizing the special place the JCC holds in the community, and recognizing the fact that this is a technical zoning change needed to allow the J to meaningfully remodel its building, and in doing so, address existing parking and traffic issues.

The rest of the comments include a variation of the following themes:

- Concern that this application sets a precedent that somehow undermines the residential nature of Mercer Island
- Concern that this application changes the property to commercial use
- Concern about traffic/parking/neighborhood impact issues
- Concern about lack of information on a "future plan," which may have impacts
- Accusation that the JCC is out of compliance with its current permit requirements
- Statement that JCC is receiving "special treatment" and should be subject to a CUP that includes binding conditions
- Objection to holding public hearing during summer, when people are out of town

The following is a brief response to concerns raised.

Comment: Concern that this application sets a precedent that somehow undermines the residential nature of Mercer Island

Response: This cannot be the case, it is not the way land use law works. This application only covers the JCC-owned property. Anyone who would want to change the designation of their property would need to submit an application to the City that must be docketed for consideration on the City's work plan, and then considered by the City Council under the City's approval criteria. Redesignations/rezones do not have precedential effect under the law. Further, this specific land has been used as a community facility for the last 55 years. Changing the underlying zoning to reflect actual use has zero impact on the residential nature of Mercer Island.

Comment: Concern that this application changes the use of the property to include more commercial uses

Response: No. The JCC has been here since 1969 and its use will not change. The only reason we are asking for a zoning change is due to the changes the City itself made to the single family zoning code in 2017. That change strictly limits the amount of square footage that can be built on single family zoned properties. In addition, in 2022, the City issued an interpretation to the JCC that even as an existing nonconforming property, no variances could be sought from that strict limitation. The City's nonconforming rules do not allow the JCC to complete the remodels necessary (which will improve the traffic and parking issues that exist), without conforming to the current single family code. This would mean that under the current single family code the JCC could only build a 5,000 s.f. community center (the current center is approximately 90,000 s.f.). The City has not evidenced a willingness to change this strict square footage limitations as applied to community centers. The JCC is left with no other choice but to redesignate its property to CO, which does not have such strict square footage limitations, which includes setbacks and other standards that are properly protective of surrounding neighbors, and would allow the reconfiguration and remodel for a new JCC that would be roughly the same square footage as today.

Comment: Concern about existing traffic/parking/neighborhood impact issues.

Response: To the extent that traffic and parking issues are existing, they cannot be solved if the JCC remains zoned single family, due to the fact that the site is nonconforming and any proposed changes could not conform to the single family zoning standards. In order to address these neighborhood impact concerns, the property needs to be rezoned to CO. Otherwise, the JCC is unable to realign its building footprint to minimize its impact, address parking, and address safety and ADA needs.

Comment: Concern about lack of information on a "future plan," which may have impacts

The current rezoning proposal was reviewed for potential impacts under the State Environmental Policy Act ("SEPA") as a nonproject action, given the fact that nothing is actually being built—this is simply a map change. Any future plan that includes a building proposal will be reviewed as a "project action" under SEPA—and the more specific issues related to trip generation, turning movements, parking counts, pedestrian safety, noise, or any other impact. SEPA includes substantive mitigation authority, meaning that the City can place conditions of approval on the future project that must be followed in perpetuity.

Comment: Accusation that the JCC is out of compliance with its current permit requirements. This is false. The J is in compliance with all of these requirements and there is no open code complaint on the JCC for noncompliance with CUP permit conditions. It's unfortunate that a few people are spreading misinformation.

Comment: Statement that the JCC is receiving "special treatment" and should be subject to a CUP that includes binding conditions.

Response: The JCC is not receiving special treatment. In fact, the JCC has been attempting to update its facilities for 10 years and has encountered difficulty at every turn. As stated above, the ability to remodel and reconfigure in a single family zone was taken from the JCC as an option by the City when it changed its zoning in 2017 and issued interpretations in 2022 removing the variance option. A CUP in a single family zone is no more protective than are SEPA conditions placed in a CO zoned property—and we do anticipate there will be required conditions of approval, particularly related to traffic and pedestrian safety. SEPA conditions are binding for the life of a project, just like the CUP.

Comment: Objection to holding the public hearing during summer, when people are out of town.

Response: This hearing was rescheduled from July, and has had public notice issued since June. In addition, this specific proposal has been public, with multiple public notices published as part of the docketing process, for the last 2 years. Given the volume of comments received (approximately 80 to date), it does not appear as though the public is having an issue with receiving public notice or submitting their comments for consideration. Finally, there are several subsequent public comment/hearing opportunities regarding this proposal before the City Council and the Hearing Examiner.

Comments received/individual responses

Commenter	Email Address	Date Received	Content of Comment	Response
Anthony Bastone	abastone@gmail.com	7/14/2026	As a resident of Mercer Island, I am writing to formally object to the proposed rezoning of the JCC property to Commercial Office. I believe this change sets a concerning precedent that deviates from Mercer Island's stated goal of maintaining its character as a premier residential community. I also wish to express my objection to the timing of the hearing. Scheduling this discussion during the summer, when many residents are on vacation or preparing for the upcoming school year, limits the	Thank you for your comment. The JCC parcel has not been in single family use since 1969. The change does nothing to change the character of the island. No uses on the site will be changed.

			community's ability to participate effectively in the process. Thank you for considering my concerns.	Further, this hearing was rescheduled from July, and the issue was docketed two years ago, giving the community plenty of time to comment. There are additional opportunities to comment later in this process.
Art & Pat McGougan	ampm38@comcast.net	7/17/2026	We have lived on the Island for over 50 years. This is residential area and not for Commercial purposes. It could add more traffic, that we already have too much of. Also the hearing should be at a time when people will be home from vacations not during the summer months.	Thank you for your comment. The JCC parcel has not been in single family use since 1969. The change does nothing to change the character of the island. No uses on the site will be changed. Further, this hearing was rescheduled from July, and the issue was docketed two years ago, giving the community plenty of time to comment. There are additional opportunities to comment later in this process.
Blake Zhang	bzblake347@gmail.com	7/9/2026	I got a letter in the mail about the public hearing for this project at Stroum Jewish Community	Thank you for your comment. These studies

			Center. It doesn't say in the letter but has this been fully approved? I live right across the street from JCC so this has the biggest impact on me. Thanks. I would want to understand whether these have been conducted / considered: traffic study, event parking plan, no overflow parking on nearby residential streets, lighting directed away from homes, strong landscape screening on E Mercer Way, limits on outdoor amplified sound, and disclosure of max building height facing E Mercer Way.	will be conducted as part of any building-specific review, and we look forward to engaging with you during that process. In terms of parking and traffic issues that exist, one of the reasons the rezone is necessary is to allow the JCC to reconfigure to fix these pre-existing issues.
Brooke Pariser	brookepariser@gmail.com	7/17/2026	I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial. I attended preschool and summer camp at the JCC and both of my children have done the same. My entire family grew up at the JCC and nothing has changed at all in that time and it desperately needs a lot of improvements to be able to sustain the future generations as the current building is falling apart. The J has been serving the Mercer Island community - as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.	Thank you for your comment, we look forward to another 60+ years on the Island.
Deb Arnold	debarnold01@gmail.com	7/17/2026	I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. As a	Thank you for your comment, we look forward to another 60+

			member of the greater Seattle Jewish community, I have attended countless cultural events at the J over the years, including yearly attendance at the Seattle Jewish Film Festival. The J has been one of the vital organs of our community for over 55 years. We need it to survive and thrive. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years. Thank you for your attention in this matter.	years on the Island.
Erin K Randall	erin.randall.v2@gmail.com	7/16/2026	As a resident of Mercer Island, I object to rezoning the JCC property to Commercial Office. This sets a terrible precedent and moves Mercer Island away from its stated goal of being a premier residential community. I further object to the hearing to consider the proposal being during a time when residents are on summer vacation and preparing for back to school.	Thank you for your comment. The JCC parcel has not been in single family use since 1969. The change does nothing to change the character of the island. No uses on the site will be changed. Further, this hearing was rescheduled from July, and the issue was docketed two years ago, giving the community plenty of time to comment. There are additional opportunities to comment later in this process.

Henry & Magdalen Hwang	magdalenhwang@yahoo.com	7/17/2026	We object to the proposal to rezone the JCC property to Commercial Office. Our home is one of the closest residences to the JCC, and its existing operations have already had a significant impact on our daily lives. These impacts include increased traffic, noise from the summer camp, and congestion during special events. On those occasions, visitors often park wherever they can, including along the shoulder of East Mercer Way, creating safety hazards for pedestrians and cyclists. We also object to holding the public hearing during the summer, when many residents are away on vacation or occupied with preparations for the upcoming school year. Scheduling the hearing at this time limmits meaningful public participation in a decision that will have a lasting impact on the surrounding neighborhood. Thank you for your consideration.	Thank you for your comment. It appears that your home is across 40th Street from the JCC property. Additional setbacks are required in the CO zone. In terms of parking and traffic issues that exist, one of the reasons the rezone is necessary is to allow the JCC to reconfigure to fix these pre-existing issues. In addition, any future project on the site will be subject to review under the State Environmental Policy Act (SEPA), which will require noise, traffic, parking, and other neighborhood impact studies.
Jessica Prince	jgprince@hotmail.com	7/14/2026	Finally…the hearing for the JCC rezone -- so long overdue! Thank you for finally scheduling the hearing for August 5. So many residents are eager for this to pass to improve both the JCC AND traffic around the area. It's going to be awesome once the J can make their improvements that will benefit the entire community and local residents and their members. And have the	Thank you for your comment.

			building zoned properly for what it is.	
John & Kathleen O'Rourke	johnsorourke@gmail.com	7/6/2026	My wife and I have lived on Mercer Island since 2007 in the Mercerwood neighborhood near the SJCC. We raised our daughter here, taught her to ride a bike on the low-traffic neighborhood roads, and appreciate the deer and other wildlife that live in the forest in the ravine bordering the SJCC and north of SE 40th Street. We've created an intentional community with our neighbors hosting National Night Out events, holiday gatherings, and supporting our kids with Girl Scout cookie sales, impromptu games of baseball in the cul-de-sac, and walk and talks with nearby families. We are writing as a concerned neighbor regarding CPA25-002 - the Comprehensive Plan Amendment. We support the SJCC and recognize its value to Mercer Island. However, our concern, and reason for this note, is not with the SJCC itself but with the permanent zoning and Comprehensive Plan changes being requested. There is already a lot of change that has happened near the SJCC since we first moved here, and more is currently underway. Traffic during the day for the SJCC combined with peak school hours for the French American School of Puget Sound has gotten to a point where its dangerous to cars, bicycles, and pedestrians as harried parents rush to pickup or dropoff their kids and patrons come in and out of the JCC. During holidays and events at the Temple, parking along East Mercer Way and up SE 40th	Thank you for your comment. In terms of parking and traffic issues that exist, one of the reasons the rezone is necessary is to allow the JCC to reconfigure to fix these pre-existing issues. The use of the JCC property is not being changed—the zoning is simply being aligned to the use that has been in place since 1969. We would also direct you to the SEPA determination that has been made by the City regarding this nonproject action that included environmental study at the appropriate level of detail for this type of land use application. We look forward to engaging with you and working with you as this process continues—there will be several

			Street is such that cars line both sides of the street, and since there are no sidewalks, pedestrians dangerously walk into the lanes of oncoming traffic. The infrastructure in this area is simply not ready for increased traffic, tenants, etc. It is a primarily residential area, and should remain that way. As we read through the documents available at [Mercer Island Permit Bulletin], this application is being presented as a way to align the zoning with the SJCC's existing use. However, the City of Mercer Island (the "City" henceforth) is not being asked to approve the site as it exists today. The City is being asked to change the property from residential to Commercial Office zoning, creating new development rights that would remain with the property long into the future. What concerns us most is that no specific redevelopment proposal is being reviewed at this time. The application repeatedly states that there will be little or no impact because this is a "nonproject" action. Yet without a project proposal, neither the City nor neighboring residents can fully evaluate future traffic, parking, noise, lighting, building scale, or other impacts that could result from the broader Commerical Office zoning being requested. Mercer Island's Comprehensive Plan emphasizes protected neighborhood character while balancing the needs of community institutions. We do not believe the record currently demonstrates that this balance has been achieved. The fact that the existing zoning may	additional opportunities to make comment and engage with decisionmakers throughout this process, including the design process, which requires a public hearing.

			make future redevelopment difficult is not, by itself, a sufficient reason to redesignate residential land to a commerical classification. Before making a permanent change to the Comprehensive Plan and zoning map, the City should require a clearer understanding of the future impacts that could result and demonstrate that the proposal is fully consistent with the City's long-standing commitment to protecting residential neighborhoods. These findings should be proactively distributed with ample time for review, conversation and discussion, and not scheduled near a major holiday or over the summer when so many travel. For these reasons and so many more, we respectfully request that the City deny the application as currently proposed, and require substantially more analysis, community, and availability of specific plans for development before amending the Comprehensive Plan. Thank you for your consideration.	
Michele Murburg	mmurburg@comcast.net	7/16/2026	As the 40 plus year owner of a home on Shoreclub Drive, and the mother of two offspring who attended preschool and after school and summer camps at the JCC, I am very supportive of the organization overall. However, this proposed rezoning of the JCC to commercial/office is a terrible idea. First of all, traffic is already extremely bad in that area, particularly when the JCC and/or French School are ending their school, camp or daycare days or having special events. I recently sat for nearly 10 minutes in traffic, trying to get off of	Thank you for your comment. To be clear, the use of the property is not changing—this is a zoning change that is required due to new constraints in the single family code. No additional commercial uses will be on the property—just the JCC. Simply

			westbound I90 because of the traffic going into and out of the JCC. This intolerable traffic situation would worsen even further if rezoning is allowed. Furthermore, due to the JCC preschool, and the French school, there are many children crossing East Mercer Way in front of the JCC at multiple times during each day, even into dark hours in winter. These kids would be further endangered by a situation that could engender even more traffic than is already present. Sadly, not everyone drives carefully or attentively and I have personally witnessed near misses when kids moved unexpectedly while trying to cross. Commerical use areas are not needed in this part of Mercer Island, more office space is most certainly not needed in our region overall, and commercial zoning would detract from the residential quality of life for property owners in this area of Mercer Island. Who would compensate the residents of this area of town for the likely loss of peace and quiet; increased traffic, noise, air pollution, and pedestrian hazards, and overall lessened quality of life there is the zoning of the JCC to commercial/office is approved? Would the JCC be willing to provide such compensation? I suspect not, and even if they were, money could not adequately compensate for the loss of quality of life. The very idea of rezoning to commercial/office seems quite unnecessary and most undesirable. There is in fact already plenty of underutilized	put, to remodel the JCC and reconfigure parking and access, we need a new zoning code.

			commercial space in downtown near Mercer Island and in the south end, where commercial zoning is already permitted, and there is already massive underutilization of both retail and office space in both Bellevue and Seattle. There is absolutely no need to extend commercial/office zoning to the JCC based on any sort of reasonable community needs. There isn't even a bus stop near the JCC any longer, much less a train stop, to justify even a coffee kiosk. Exactly whose interests would be served here by approving a zoning change? It is certainly not good for either the children who attend the JCC, or for the residential neighbors who live around the JCC who already have to battle annoying and often dangerous traffic and attendant air pollution and noise caused by the already existing activities at the JCC. Commercial rezoning extension anywhere on the island is certainly not good for the purpose of maintaining the near pristine environment of Mercer Island, an ecologically vulnerable area which, if well managed, can withstand being a primarily residential community but not a center of commerce. The community's commercially zoned areas already in existence provide for the needs of Mercer Island more than adequately. Moreover, the hearing on this proposal should be held at a time when citizens of Mercer Island are likely to be on island, available, and able to voice their opinions on this matter. It appears highly manipulative on someone's part to schedule such	

			an important and impactful meeting at times when the community cannot participate to a maximum degree. I don't know with whom this bad idea originated, but I am firmly opposed to it. Thank you for what I hope will be a careful and thoughtful decision to deny this change in zoning.	
Mike Adler	madler1988@gmail.com	7/17/2026	I am writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. My family moved to the Seattle area in 2006 and have been JCC members since then for 20 and have benefitted from the excellent programs and services made available to the community there. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.	Thank you for your comment.
Mike Post	mpost23@outlook.com	7/16/2026	I have questions about the rezoning petition for the JCC. What is it that they want to do, that they can't do under the current zoning? I don't want to wake up one morning to see new commercial offices or a bigger school being built on the current site. The JCC is great, I have no problem with the JCC. I am not as happy with the French American School. Isn't that operated on JCC property with JCC cooperation? It's the traffic that is the problem. I live at 9974 SE 39th St just off East Mercer Way and only a couple blocks from the entrance to the JCC and the school. In the mornings and afternoons, I am afraid to walk north along East	Thank you for your comment. The use of the JCC is not changing, no additional commercial uses are being added. The zoning change is needed because the single family zoning code was changed to include an 8,000 s.f. limit on the property that our building cannot conform to! In order to

			Mercer at the JCC entrance because of the high traffic volume. People are coming from both north and south and equal numbers are exiting. I've seen many near misses between through traffic and exiting traffic. It doesn't really get better in the summer because of summer camps. Anyway, I agree with the folks who say that the public hearing should be in October when more island residents are home. And I think more people on the south end of the island that use East Mercer Way need to be made aware of potential traffic impacts. And as of this minute I don't believe the rezoning should go forward without a lot more detail about the plans that would need a rezone.	address existing parking and traffic issues, we need to reconfigure, and in order to do that we need a new zone.
Narita Ghumman	narita.ghumman@gmail.com	7/16/2026	As a resident of Mercer Island, I object to rezoning the JCC property to Commercial Office. This sets a terrible precedent and moves Mercer Island away from its stated goal of being a premier residential community. I further object to the hearing to consider the proposal being during a time when residents are on summer vacation and preparing for back to school. How do I get more information about the proposed changes and how will that impact my community?	Thank you for your comment. The JCC parcel has not been in single family use since 1969. The change does nothing to change the character of the island. No uses on the site will be changed. Further, this hearing was rescheduled from July, and the issue was docketed two years ago, giving the community plenty of time to comment.

				There are additional opportunities to comment later in this process.
Rick Tydings	rtydings@comcast.net	7/1/2026	As a former homeowner that lived next to the JCC for 22 years and was forced out by the congestion, I'm totally opposed to their efforts of any zoning changes. Please keep me posted on the hearings.	Thank you for your comment. In order to address existing parking and traffic issues, we need to reconfigure, and in order to do that we need a new zone.
Rosanne Fleischmann Lapan	rflapan@gmail.com	7/17/2026	I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial. [State why you value the J, and your relationship with the J. For example: I've been coming to the J since...; My kids have attended the J...; My family has used the J....] The J has been serving the Mercer Island community -- as a community center for all -- for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years. I am a longtime Mercer Island homeowner.	Thank you for your comment.
Shang Xinli	shangxinli@hotmail.com	7/13/2026	As a resident of Mercer Island, I object to rezoning the JCC property to Commercial Office. This sets a terrible precedent and moves Mercer Island away from its stated goal of being a premier residential community. I further object to the hearing to consider the proposal being during a time when residents are on summer	Thank you for your comment. The JCC parcel has not been in single family use since 1969. The change does nothing to change the character of the

			vacation and preparing for back to school.	island. No uses on the site will be changed. Further, this hearing was rescheduled from July, and the issue was docketed two years ago, giving the community plenty of time to comment. There are additional opportunities to comment later in this process.
SJCC Facilities	facilities@sjcc.org	7/17/2026	I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial. The J has been serving the Mercer Island community -- as a community center for all -- for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.	Thank you for your comment.
Stephanie Castle	stephaniejb354@hotmail.com	7/17/2026	I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. My children both attended the Early Childhood School for preschool and now attend J Camp in the summers. We are not Jewish but have so loved and appreciated the warm, caring and inclusive community of staff and members who have welcomed us. The J has been serving the Mercer Island community in this way -- as a	Thank you for your comment.

			community center school -- for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to bless our community and thrive on Mercer Island for the next 55 years and beyond.	
Sven Kratz	svenkratz@fastmail.com	7/16/2026	As a resident of Mercer Island, I am writing to object to the proposed rezone of the JCC property (CPA25-002) from residential to Commercial Office. A change of this kind sets a troubling precedent and moves the Island away from its stated goal of remaining a premier residential community. My concern is heightened by the fact that the JCC appears to have unresolved code compliance issues on the two residential lots it purchased last year -- including summer camp activities and overheight fencing that fall outside what residential zoning permits. It seems premature to expand the property's allowed uses through a rezone while existing residential conditions are not being met. Full compliance with the current zoning and the original Conditional Use Permit should be established before any rezone is even considered. I also object to scheduling the hearing in the middle of summer, when many residents are travelling or preparing for the start of the school year and are far less able to follow or participate. Please reschedule this matter for a time when the community can meaningfully weigh in. Thank you for your consideration.	Thank you for your comment. The JCC parcel has not been in single family use since 1969. The change does nothing to change the character of the island. No uses on the site will be changed. Further, this hearing was rescheduled from July, and the issue was docketed two years ago, giving the community plenty of time to comment. There are additional opportunities to comment later in this process.
Sydney Tomlinson	sydneyraetomlinson@gmail.com	7/14/2026	As a resident of Mercer Island, I object to rezoning the JCC property to commercial office.	Thank you for your comment.

			This sets a terrible precedent and moves Mercer island away from its stated goal of being a premier residential community, we did not move her to live in a commercial setting or downtown. This is a residential area and we have already been affected by the lack of planning by the JCC. I further object to the hearing to consider the proposal being during a time when residents are on summer vacation and preparing for back to school this seems like a very calculated move on the JCC's part.	The JCC parcel has not been in single family use since 1969. The change does nothing to change the character of the island. No uses on the site will be changed. Further, this hearing was rescheduled from July, and the issue was docketed two years ago, giving the community plenty of time to comment. There are additional opportunities to comment later in this process.
Teresa & Wally Hall	teresajkhall@gmail.com	7/6/2026	Having lived on Mercer Island for more than forty years in the Mercerwood neighborhood near the SJCC, we have watched our community evolve while retaining the residential character that makes it such a special place to live. It is in that spirit that we are writing regarding CPA25-002. First, we want to emphasize that we value the SJCC and the many ways it serves island residents. The issue before the City is not whether the SJCC is an important community asset. It clearly is. Our concern is with the long-term implications of the zoning and Comprehensive Plan changes being requested. After reviewing the application materials	Thank you for your comment. In terms of parking and traffic issues that exist, one of the reasons the rezone is necessary is to allow the JCC to reconfigure to fix these pre-existing issues. The use of the JCC property is not being changed—the zoning is simply being aligned to the use that has been in place

			available through the City's permit bulletin, it appears that the request is being framed as simply bringing the property's zoning into alignment with its current use. However, the decision before the City goes much further than recognizing what exists today. It would permanently redesignate residentially designated property to Commercial Office, creating future development opportunities and rights that would remain in place indefinitely. What gives us pause is that there is no actual redevelopment proposal for the City or neighboring residents to review. We are being asked to evaluate a permanent change in land use policy without knowing what a future project might look like or how it might affect the surrounding neighborhood. Questions about traffic, parking, building scale, noise, lighting, and neighborhood compatibility are largely being deferred to some future date. Once the zoning change is approved, however, the community will no longer have the opportunity to weigh in on whether that broader land use designation is appropriate for this location. The Mercer Island Comprehensive Plan has long recognized the importance of both community institutions and stable residential neighborhoods. In our view, this application has not yet demonstrated how those competing interests are being balanced. The fact that existing zoning may constrain future redevelopment does not necessarily mean that residentially designated land	since 1969. We would also direct you to the SEPA determination that has been made by the City regarding this nonproject action that included environmental study at the appropriate level of detail for this type of land use application. We look forward to engaging with you and working with you as this process continues—there will be several additional opportunities to make comment and engage with decisionmakers throughout this process, including the design process, which requires a public hearing.

			should be converted to a commercial designation. For that reason, we believe the City should proceed carefully and require a much clearer understanding of the practical impacts and long-term consequences of this proposal before making a permanent amendment to the Comprehensive Plan and zoning map. We respectfully ask that the City deny the application as currently proposed, or alternatively require additional analysis and community review before taking further action. Thank you for your time and consideration. Please reply to this mail so that we know you have recieved this and our comments are registered.	
Tyler	46_oat_parkway@icloud.com	7/14/2026	As a resident who lives very near the JCC, I oppose the proposed rezone to commercial office. I much prefer the area to stay residential like it is when my wife and I moved here 6 years ago. I also support rescheduling the hearing to the autumn when residents are more able to attend. Thanks!	Thank you for your comment. The use of the JCC is not changing. No additional commercial uses will be added. In addition, the hearing was rescheduled from July, the issue has been in front of the City for two years, and there will be many additional opportunities in this process for the public to comment. Given the volume of comments received by the City, it is clear

				that there is no issue related to notice of the project.
Zivit Shechter-Nissim	zivit_s@hotmail.com	7/17/2026	I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial. I first got to know the SJCC when we moved to the US and were looking for a preschool for our daughter. We found an amazing preschool but we also found a family at the J - where all our kids grew up (after school activities, summer camps, swim lessons etc), where we attend events and cultural gatherings, and where we all regularly exercise and swim. The J has been serving the Mercer Island community -- as a community center for all -- for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.	Thank you for your comment.
A.M.	degree.album_5l@icloud.com	7/20/2026	As a resident of Mercer Island, I strongly object to rezoning the JCC property to Commercial Office. This sets a terrible precedent and moves Mercer Island away from its stated goal of being a premier residential community. This will lead to near by French American school to do the same and the current already busy traffic will be even more that itself will affect the property owners in this neighborhood not ideal place to live if it passed. Therefore, I object to the hearing to consider the proposal being during a time when residents are in summer vacation and	Thank you for your comment. The use of the JCC is not changing. No additional commercial uses will be added. In addition, the hearing was rescheduled from July, the issue has been in front of the City for two years, and there will be many additional

			preparing for back to school. All the concerning neighbors must get a fair and reasonable date to attend for the healing.	opportunities in this process for the public to comment. Given the volume of comments received by the City, it is clear that there is no issue related to notice of the project.
Albert Angel	aangels@aol.com	7/20/2026	Please allow the sjcc to grow and thrive and zone as they request I grew up at the J. My 4 children grew up at the J And now my grandchildren at the J Invaluable resource for children adults and now as I am experiencing seniors Thank you	Thank you for your comment.
Alexis Odell	alexis.odell@gmail.com	7/17/2026	As a long time member of the JCC, I urge you to help our Mercer Island community thrive by allowing the rezoning of the JCC property. My family has used the JCC daily for the last 17 years. My kids were in preschool there. We work out there and now my eldest son is a camp counselor for their summer camp. This institution is an important third place for many Mercer Island residents. We would like to see it evolve to meet the needs of current and future Mercer Island residents. We believe the rezone will allow this evolution to occur responsibly. And it is critical to support necessary building and facility updates and remodeling. Please do your part to help ensure the safety of our JCC community.	Thank you for your comment.
Andrew Iwano	andycolleen12@gmail.com	7/21/2026	As a resident of the neighborhood near the JCC, I am concerned about the consideration of the rezoning of the JCC property from residential	Thank you for your comment. The use of the JCC is not changing. No

			to commercial. There is enough pressure on neighborhood traffic patterns under current zoning. Adding additional vehicle traffic under the rezone would create access and safety issues for all Island residents using the East Mercer Way ramp to I-90. At the very least, the scheduled hearing on July 31 should be postponed to a date later in the year to encourage input from the MI community. What is the purpose of the rezone? Mercer Island is essentially a residential community, not a commercial hub. We should recognize this and not open up additional land to commercial development.	additional commercial uses will be added. In addition, the hearing was rescheduled from July, the issue has been in front of the City for two years, and there will be many additional opportunities in this process for the public to comment. Given the volume of comments received by the City, it is clear that there is no issue related to notice of the project.
Anne Woodley	a.woodley@comcast.net	7/20/2026	Rezonging As a resident of Mercer Island, I object to rezoning the JCC property to Commercial Office. We have a traffic problem at our current use. The new school being built will add to that. This sets a terrible precedent a…	Thank you for your comment. The rezone is necessary to retain the JCC in this location and to be able to address any existing parking/ traffic issues.
Carla Greenbaum	cjtobis@gmail.com	7/20/2026	I will be unable to attend the upcoming Planning Commission meeting in person, yet I am passionate about the need to modify the Comprehensive plan and land use maps to address the erroneous designation of the JCC as a single family property. My name is Carla Greenbaum. I've been a Mercer Island resident for more than 30 years and a member of the Jewish Community Center for the same	Thank you for your comment.

			length of time. My four children, who are now adults with their own families and all of whom live on Mercer Island, all attended JCC pre-school and camps, participated in sports through the JCC and developed lasting relationships. My five Mercer Island grandchildren are now also active at the JCC. In addition, is my own personnel connection. I regularly use the pool to swim laps, I attend exercise classes, and interact with others at events such as celebration of holidays, movies, education. The JCC has been an essential part of my family's life for decades and has been a key attraction of living on Mercer Island all these years. The current designation of the SJCC as a single family property is patently incorrect. The JCC has been a community center - serving the Mercer Island community for more than 50 years. I'm therefore writing to urge your support to amend the Comprehensive Plan - and align the zoning with the reality that the property is a commercial and not-single family residence. This change in the comprehensive plan and land use maps will allow the JCC to continue to add value to Mercer Island residents for the future.	
Cathy & Jim Ford	fordjc@comcast.net	7/20/2026	I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial. My husband and I joined the "J" several years ago. Now that we are spending more time on Mercer Island while at the J, we find that we have been doing more of our shopping on Mercer	Thank you for your comment.

			Island. Supporting local businesses (or their branches) such as Island Books, Able Acupuncture, Metropolitan Market, QFC, Mercer Island Farmer's Market, Barrels Wine Shop, True Value Hardware (so much better than Home Depot), Shell station, Mercer Island Pilates, Bank of America (Mercer Island branch). Allowing the J to better serve the community with an improved facility serves everyone. The J has been serving the Mercer Island community -- as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.	
Cindy Paborsky	dcpaborsky@yahoo.com	7/21/2026	I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial. I have been a member of the J for more than 15 years. I have met and built a community of people thru the J. I am an active user of the fitness center, pool, regularly play pickleball during rainy season and attend community events, comedians, author talks, and movie festivals. It is a huge asset to living on Mercer Island. The J has been serving the Mercer Island community -- as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.	Thank you for your comment.

Cynthia Moller	cindmo724@gmail.com	7/20/2026	All should be held to the same regulations. Problems that would occur, if no restrictions were in place, would not be able to be resolved. No special allowances for anyone. Please schedule hearing during a time all can attend. Not Summer vacation or beginning of school year.	Thank you for your comment. The JCC will be held to the CO regulations, which are restrictive in terms of protections for neighboring properties. This is not a special allowance. In addition, the hearing was rescheduled from July and the issue has been before the City for 2 years. There are additional opportunities for public comment and given the volume of comments received regarding the matter, it is clear there is no public notice or scheduling issue.
David Paborsky	dmp@igpequity.com	7/20/2026	I am writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial. I have been a member of the J for more than 15 years. I have met and know 100's of people thru the J. I am an active user of the fitness center, pool, regularly play pickleball during rainy season and attend community events, comedians, author talks, and movie festivals. It is a huge asset	Thank you for your comment.

			to living on Mercer Island. The J has been serving the Mercer Island community - as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.	
Denise Joffe	densiejoffe@mac.com	7/22/2026	I'm writing to urge your support for amending the Comprehensive Plan to change the designation of the SJCC property from single-family residential to commercial, allowing the Jewish Community Center to move forward with plans to replace its aging facility. I'm here as a passionate member of the Mercer Island community and as someone who regularly uses the JCC. I visit several times a week for fitness and classes, and I have come to appreciate the J as much more than a Jewish institution. It is a community resource that welcomes people of all backgrounds and serves Islanders at every stage of life -- from preschoolers and families to adults and seniors. The JCC is an important part of the fabric of Mercer Island. It provides opportunities for fitness, education, recreation, childcare, and community connection. It also makes an effort to ensure that cost is not a barrier for those who cannot afford membership. In that sense, the J's mission extends well beyond its membership. It contributes to the health, well-being, and vitality of our entire island community. But the current facility is aging, outdated, and no longer able to meet the needs of	Thank you for your comment.

			the community it serves. It is not simply a matter of wanting a newer or larger building. The existing structure presents significant challenges related to safety, accessibility, infrastructure, and security. At a time when antisemitism is on the rise and security concerns are very real, the limitations of the current facility are particularly troubling. It is difficult to accept that armed officers must stand outside in the rain and cold to protect the building and the people inside it. A modern facility would provide the opportunity to address these concerns in a way that the existing building simply cannot. I understand that some Islanders have concerns about the proposed project, including traffic, membership growth, the scale of the new building, and whether rezoning would provide the JCC with an unfair advantage. These concerns deserve to be considered carefully, but I also beleive they need to be evaluated in the context of what this project means for Mercer Island as a whole. The proposed redevelopment is not an effort to fundamentally change the character of the East Mercer Way community. It is an opportunity to replace an aging facility with a modern, safe, and functional community resource. I also believe the proposed rezoning should be viewed in the context of the property's history and existing use. The JCC has long served as a community institution, and the current zoning designation does not fully reflect the property's established role or the services it provides.	

			Changing the designation would allow the land use designation to better align with the reality of how this property has functioned for years. This decision is ultimately about more than one building or one organization. It is about what kind of community we want Mercer Island to be. Do we want to preserve an aging facility that is increasingly difficult to secure, maintain, and adapt? Or do we want to support the creation of a modern community center that can safely and effectively serve Islanders for decades to come? I believe Mercer Island is stronger when we invest in institutions that bring people together, support families, promote health and wellness, care for children and seniors, and provide a place where people from different backgrounds can connect. The JCC is one of those institutions. I urge you to support the requested Comprehensive Plan amendment and rezoning. The JCC cannot simply remodel its way out of the limitations of the existing building. It is time for a thoughtful tear-down and rebuild. The JCC is asking for the opportunity to build a modern facility that can continue serving Mercer Island -- safely, inclusively, and for generations to come. I believe that is an investment that benefits the entire island. Thank you for your time and consideration.	
Elaine Kraft	ejk9151@gmail.com	7/21/2026	I was on hand when the SJCC was officially opened in 1969. It was a gem for the island. Since then, my grandmother, great aunt, parents, husband and I, brothers, children and grandchildren have	Thank you for your comment.

			used it in so many ways. Sports, culture, day care, preschool, after school, camps and I came backyard later to learn bridge -- meeting a whole new group of Island residents. It is a remarkable place. It must continue to serve that purpose. But today the building desperately needs your help. It has no HVAC, no elevator and is held together with duct tape! It may be in a residential area but it and has been for almost 60 years a commercial facility serving hundreds of thousands of people. It should be zoned as such, consistent with its decades old use. Over the years of discussion, J leaders have heard the neighbors and addressed their concerns. No showy building is planned. Buffers, traffic, etc. have all been carefully considered. A revitalized J is needed, and it would be as much a part of the neighborhood as the current J has been. And it would be there for everyone with open doors. From someone born and raised on the island, to you who are now stewards of the island, I urge you to support the proposed rezone for the SJCC. Thank you for your consideration.	
Fredric Tobis	fredtobis@gmail.com	7/20/2026	I am writing to urge you to amend the land use maps and Comprehensive Plan to change the erroneous designation of the JCC from single family property to its real use - a community center that benefits a significant proportion of Mercer Island residents. I have been a Mercer Island resident for more than 30 years. We've raised 4 children who currently are all Mercer Island residents. They all	Thank you for your comment.

			attended JCC preschool, camps, sports, and holiday activities. They made lasting friendships. It truly has been a community center for them. The next generation is now also embedded with the JCC - the 5 grandkids enjoy the preschool and facilities. In addition, I make regular use of the JCC classes, gym, and cultural activities. It is time to correct an obvious mischaracterization - the JCC has been a commercial property and community center for more than 50 years. Please amend the Comprehensive plan to reflect reality and allow this facility to continue to serve Mercer Island residents and families in the years ahead. I'm writing to you, because I'm unable to attend the planning meeting in person. Yet, this issue is incredibly important to me, my family, and to the greater Mercer Island community Jews and non-Jews alike. It is a place to be with neighbors, it is a place that creates the environment that Mercer Island residents come here for.	
Gina Gonchar	ginagonchar@gmail.com	7/20/2026	I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. The J is what drew my family to live within easy access to Mercer Island. I sent my kids to the preschool there, we participated in basketball and swimming, the gym, evening classes, lectures and the library. My kids had their first jobs as camp counselors and lifeguards at the J. We come to the J for community events and holiday events. We met our first and lasting friends at the J. It's	Thank you for your comment.

			the heartbeat of Mercer Island and unequivocally deserves your support! The J has been serving the Mercer Island community -- as a community center -- for over 55 years. Enough of the bureaucratic runaround. Please align the comprehensive plan and land use maps to reflect the reality of the J as a commerical entity that is integral to the success of Mercer Island.	
Janet Matzke	janet.matzke@gmail.com	7/24/2026	As a resident of Mercer Island I don't agree with the proposed rezone of JCC to commercial property. The traffic is horrendous as it is, there are commercial centers already established on the island nearby and unless this fills the coffers of the local government I don't understand why this is being proposed.	Thank you for your comment. The use of the property is not changing—the JCC will remain with no additional commercial uses. This is a technical zoning change required due to changes to the city's single family zoning. The change will allow the JCC to address existing traffic and parking issues.
Jason McCune	mccune_jason@yahoo.com	7/22/2026	I am a resident of Mercer Island and I live off East Mercer Way, mid island. I oppose the re-zoning of the JCCto a commercial property. I believe this will have many consequences that will negatively impact the quality of life of my family. Further, this decision opens a can of worms as it sets a precedent for future re-zoning. At the least, push back the hearing to the fall when residents are around. Scheduling during the summer for such a consequential decision is	Thank you for your comment. The use of the property is not changing—the JCC will remain with no additional commercial uses. This is a technical zoning change required due to changes to the city's single family

			inconsiderate to the citizens of our city.	zoning. The change will allow the JCC to address existing traffic and parking issues. In addition, the public hearing has been rescheduled from July and the issue has been before the City for 2 years. There are many additional opportunities for public comment in this lengthy process.
Jean Dunbanin	jeanfdunbabin@outlook.com	7/20/2026	I have been a member of the J since my husband and I first moved to Mercer Island over 40 years ago. Our son. David attended	Thank you for your comment.
Jean F Dunbabin	jeanfdunbabin@outlook.com	7/20/2026	My husband and I moved to Mercer island over 40 years ago from Kirkland. We built our home here and raised our son here and joined the Jcc and still belong. Now as a senior Citizen It still is an important part of my life. I attend the pool exercises during the week and use the gym. It is an amazing organization that serves everyone. Our Grandson also attended classes as a preschooler and fought against racism at Whitman college which he attends presently. We are not Jewish but the fact that it serves everyone is extremely important.	Thank you for your comment.
Jim Horgdal	jimhorgdal@gmail.com	7/21/2026	As a resident of Mercer Island, specifically on E Mercer Way, I object to rezoning the JCC property to Commercial Office. This sets a terrible precedent and	Thank you for your comment. The use of the property is not changing—the

			moves Mercer Island further away from its stated goal of being a premier residential community. I further object to the hearing to consider the proposal being during a time when residents are on summer vacation and preparing for back to school. Please reschedule the meeting for October when more residents will be available to attend and state their position on the matter.	JCC will remain with no additional commercial uses. This is a technical zoning change required due to changes to the city's single family zoning. The change will allow the JCC to address existing traffic and parking issues. In addition, the public hearing has been rescheduled from July and the issue has been before the City for 2 years. There are many additional opportunities for public comment in this lengthy process.
Joanne Kinsman	joaniekinsman@gmaill.com	7/20/2026	I am a 37 year resident of homeowner of Mercer Island. I vehemently oppose the rezoning of the JCC property to commercial. It does not benefit the Mercer Island community.	Thank you for your comment. The use of the JCC is not changing, this is a technical zoning change needed to be able to remodel the facility. There is a significant benefit to the community in retaining the JCC in its current location.

Joshua Levin	joshualevin@gmail.com	7/20/2026	I am writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. My wife, three children ages 10, 7, and 6, and I reside in Newcastle. Over the years, we have exercised, attended musical concerts, youth services and events, and enriched our own and our children's lives at the J. My kids took swimming lessons at the SJCC, and two attended preschool there. At no point is the building serving as a single family home and there is no logical reason it should be designated as such. The J has been serving the Mercer Island community -- as a community center -- for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.	Thank you for your comment.
Karen Roberts	kroberts@live.com	7/22/2026	My name is Karen Roberts, and I live at 7007 SE Maker Street in Mercer Island. I have owned my home since 2004, and my sons went to school in Mercer Island. I retired in 2023 and have chosen to remain in Mercer Island. Our community here in Mercer Island offers so much that I appreciate, but truly, one of the main reasons I remain here is the easy accessibility to the Stroum Jewish Community Centers (SJCC), located at 3801 East Mercer Way, Mercer Island. This institution is such a gift to all of us here in the area! While the SJCC is an entity founded to foster and promote Jewish connections in the community, it is so much more	Thank you for your comment.

			than that. It is a supportive, inclusive, and welcoming gathering place for ALL people regardless of religion, race, age, and domicile. It is a gym facility, a school, an activity center, and gathering space for our Mercer Island community. And it is where I personally spend countless hours every week exercising and finding connections with other people. Were it not for the SJCC, I would be lonely and disconnected from a community that supports and cares for me in countless ways. It is an extremely important resource to me and so many others, serving needs that are not met elsewhere in the Mercer Island community or the greater King County region. I am writing to request your support in amending the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. I understand that the current zoning of the property is that of single-family usage, and this must be changed to properly reflect the actual usage AND allow the SJCC to update its facilities to provide even more benefits and support to our community. I strongly urge the Planning Commission to support the revision of Mercer Island comprehensive plan and land use maps with the longstanding actual use of this property, removing any barriers due to zoning designation. This will allow the SJCC to continue to serve the Mercer Island community without the obstacles its current zoning designation represents. Thank you.	

Kayla Locke	kaylalocke17@gmail.com	7/21/2026	Please support the designation of the SJCC property from single family to commercial. I've lived on Mercer island my whole life and now raising my children on Mercer island. They both graduated from the SJCC preschool and now attend J camps. It's a cornerstone of the Mercer island community and so many families rely on the JCC for child care and camps. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.	Thank you for your comment.
Kristi & Chad Robins	kristirobins@icloud.com	7/20/2026	I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial. Our family has been coming to the J for over 17 years and both my grown daughters attended the J for pre school. The J has been serving the Mercer Island community -- as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.	Thank you for your comment.
Linda Bookey	linda@bookeygroup.com	7/20/2026	As a long time member of the JCC, I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. In 1962, my family moved to Shorewood Apartments from Butte, MT. We belonged to the J in Seattle before the MI facility even opened. Having a brand-new	Thank you for your comment.

			building 55 years ago was exciting, and the community has changed significantly since then. I learned to swim at the J, went to classes there, attended day camp, and then became a daycamp counselor. My children went to daycare, camps and learned to swim there. Now as a senior, I take fitness classes there. I love how the J serves the entire MI and West Bellevue community. The J has been serving the Mercer Island community -- as a community center -- for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years. As a West Bellevue resident, when I come to the J, I do my food, book and gift shopping on the Island. The J matters to me and many others as a place for fitness, connection, and community.	
Lisa Dembo	ljdem@comcast.net	7/20/2026	I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial. The SJCC has been part of my life since moving to the Seattle area 28 years ago this July. My first group of friends were found there as a single person, my moms group as a mother, day care for our first child, and the day camps that gave both of our children an impactful childhood/young adulthood and subsequent employment. I have lived on Mercer Island plus lived in Seattle and Bellevue over the years and this is the community that an expansive contribution to the	Thank you for your comment.

			Puget Sound area. The J has been serving the Mercer Island community -- as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.	
Lisa Kranseler	lisak@wsjhs.org	7/22/2026	As the long-time director of the Washington State Jewish Historical Society (WSJHS, 20+ years), I want to write in support of amending the designation of the SJCC property from single family to commercial. Historically speaking, the SJCC is a significant center of Jewish life in for our community as well as for the entire Mercer Island and surrounding communities. The sense of comradery and community that is lived within its walls on a daily basis cannot be understated. It is time to step up for the next generation to ensure that this building get the renovation it so badly needs to continue to serve the community at large for the next 50 years. We also have the oral history interview of Samuel Stroum [linked]. On page 83, of the 99 page transcript, Sam Stroum stated that" everyone had to feel a part of saving the JCC, even if they gave a dollar." He truly meant that everyone matters, a community effort, and at this point it is your vote will make a difference. Being the Director of the WSJHS, has taught me that there are certain times that history calls for courage and commitment. This is that time. Please make this happen now so that the SJCC can thrive with the	Thank you for your comment.

			facility that is long past due to improvement. The WSJHS also had its offices at the SJCC for 5 years (2018-2023) and we were able to personally witness that values that were promoted amongst staff, volunteers, members and the next generation of our community's leaders -- our youth! Please feel free to use this email at the hearing, that I am sorry not to be able to attend. I would also be available for any questions or comments.	
Liz Friedman	lizfriedman@outlook.com	7/24/2026	I am writing to express my strong support for amending the Comprehensive Plan to redesignate the SJCC property from single-family to commercial. This change is not only appropriate; it is long overdue. I have been involved with the J for more than 20 years: as a member, supporter, committee member, board member, President of the Board, and now as a past president. Over these decades, I have watched the organization work tirelessly to be a responsible, thoughtful steward of its property and its mission. I have also watched it face obstacle after obstacle - procedural, structural, and political - despite its clear and consistent commitment to serving Mercer Island. The J has been a community anchor for over 55 years. It has welcomed generations of Islanders and beyond, provided essential programs for families and seniors, supported cultural and educational enrichment, and served as a gathering place for all. Its role in the community is undeniable. Yet the land use	Thank you for your comment.

			designation applied to its property does not reflect that reality, nor does it support the organization's ability to evolve and meet the needs of the next generation. For years, the J has attempted to establish the right, logical conditions to responsibly redevelop its property, conditions that would allow it to modernize facilities, expand community services, and continue contributing meaningfully to Mercer Island. Instead, it has been met with delays, shifting requirements, and a lack of alignment between its actual use and the City's planning framework. This mismatch has hindered progress and places an unnecessary burden on an institution that has done nothing but serve this community with integrity. We are well past the point of asking whether the J's property should be designated as commercial. The question now is: why hasn't this already happened? What are we waiting for? The Comprehensive Plan and land use maps should reflect the truth of the J's role and presence of Mercer Island and support - and in fact, accelerate - its ability to thrive for the next 55 years, just as it has for the last 55. I urge you to adopt this amendment and bring the City's planning documents into alignment with the lived reality of our community. It is time to remove the barriers that have held the J back and allow it to move forward responsibly, sustainably, and in partnership with Mercer Island. Thank you for your consideration.	

Lori Kraft	lkraft7142@gmail.com	7/20/2026	I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial. As a member of the Jewish Community, my family has used the SJCC for as long as it has existed and find it to be a valuable and vital part of not only the Jewish Community but the community at large. The J has been serving the Mercer Island community -- as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.	Thank you for your comment.
Margie Starnes	mbstarnes@comcast.net	7/20/2026	I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial. I moved here in 2006 & my family has enjoyed the SJCC through the years, back to when my daughter attended preschool and all the many activities and events there - too many to list here, but I do attend regularly for fitness classes as well as other activities. The J has been serving the Mercer Island community -- as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years. Thank you for your consideration to this important issue.	
Marion & George Mohler	mgmarion@msn.com	7/20/2026	As residents of Mercer Island, we object to rezoning the JCC	Thank you for your comment.

			property to Commercial Office. This sets a terrible precedent and moves Mercer Island away from its stated goal of being a premier residential community, We further object to the hearing to consider the proposal being during a time when residents are on summer vacation and preparing for back to school. Thank you.	The use of the property is not changing—the JCC will remain with no additional commercial uses. This is a technical zoning change required due to changes to the city's single family zoning. The change will allow the JCC to address existing traffic and parking issues. In addition, the public hearing has been rescheduled from July and the issue has been before the City for 2 years. There are many additional opportunities for public comment in this lengthy process.
Mark Meyer	<3dotstudio.com@gmail.com	7/17/2026	As a long-time Mercer Island homeowner & resident, I am very concerned about the proposed rezoning of the JCC from residential to commercial. Doing so may set a precedent that can affect MI neighborhoods in general. For this reason, whether one is pro or con, the proposed upcoming meeting will be especially important for MI residents. Like many, I would like the opportunity to attend and deliberate the proposal, but the	Thank you for your comment. The use of the property is not changing—the JCC will remain with no additional commercial uses. This is a technical zoning change required due to changes to the city's

			timing for this summer is not convenient for many, including myself. Please consider postponing the meeting date to October to give everyone the chance to participate.	single family zoning. The change will allow the JCC to address existing traffic and parking issues. In addition, the public hearing has been rescheduled from July and the issue has been before the City for 2 years. There are many additional opportunities for public comment in this lengthy process.
Martin Nelson	martynelson@hotmail.com	7/17/2026	Good morning. I have been a resident of Mercer Island for 26 years. I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. Both of my daughters went to preschool at the SJCC and had fantastic experiences, like countless other lucky children. The SJCC has been serving the Mercer Island community as a community center for over 55 years. It is one of our island's true gems. Please align the comprehensive plan and land use maps to reflect the reality of it serving as a community center so it can continue to enhance the quality of life on Mercer Island for many decades more. Thank you.	Thank you for your comment.
Maureen Leyser	maureen.leyser@gmail.com	7/20/2026	I'm writing to urge your support to amend the Comprehensive Plan to change the designation of	Thank you for your comment.

			the SJCC property from single family to commercial. [State your relationship with the J and why you value the J]. The J has been serving the Mercer Island community -- as a community center -- for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55	
Michael, Nicole, Finn, & Nash Searing	searing.michael@gmail.com	7/21/2026	Seeing all the commentary about the zoning change to the JCC made me want to write in with a safety request. Our two toddlers attend the daycare at the JCC, and we prefer, when possible, to walk to daycare. From our house on the north end of the island, the only way on foot to the JCC is down Gallagher Hill (not safe) or down 40th, accessing it from the neighborhoods directly to the south. The problem is that from these neighborhoods, you have to walk breifly on East Mercer Way. There is no sidewalk along this portion, and the shoulder is almost always blocked by parked cars, forcing us onto the street. (And even the shoulder is not that safe, being along a blind curve.) We believe that there is a safer way. 97th Ave used to provide safe access to the J, the parking lot behind the pediatrician's office, and the other commerical buildings along 36th St. This access was blocked by the installation of a fence in the last year. 36th St has a sidewalk providing safe access to all these institutions, and there seem to be a couple of easy locations where a short pedestrian trail could be added	Thank you for your comment! This zoning change is necessary so we can address exactly pre-existing issues such as these. We look forward to engaging with you on the remodeling and reimagining process as we move ahead.

			to restore access. About 25% of the island would be within a safe 30-minute walk of this area if access were restored between 40th St and 36th St. There is city property, namely the City Shop behind City Hall, providing a connection (the blue line in the attached). There is also JCC property which could provide access (the pink line in the attached). Both of these options would only involve building a trail 50 yards long through relatively flat forest. This exact route behind the City Shop was already mostly cleared of brush in the last year. Our family would be grateful for anything the city can do to facilitate safe pedestrian access to this community and childcare center. This will be all the more important as more cars access the J, making travel to the J by alternate transportation methods more beneficial to the entire community.	
Michelle Price Kavesh	mpiercekavesh@gmail.com	7/22/2026	Just writing to support the JCC rezone scheduled for the August city council meeting agenda. There appears to be an opposition group in favor of changes and moving this item to a later time. This has been an ongoing project for a very long time, there are no surprises in here, and the fact that this opposition group has just popped up recently expressing concerns about I90 access and the reality that the JCC is already a commercial enterprise operating on mixed zoned land, is a little late and disingenuous. The JCC's operations are not going to materially change, but they need the flexibility to replace and rebuild the property to modern	Thank you for your comment.

			needs, including an entirely new pool to replace one that is currently leaking and near the end of its life.	
Mike Dacosta	michel.david@gmail.com	7/24/2026	I just heard that the SJCC property is zoned as a single home. That makes no sense, because I have a subscription and use their facilities regularly. Nothing looks like a single home to me. Can we please fix the zoning issue?	Thank you for your comment.
Mindy Stern	mindyellenstern@gmail.com	7/20/2026	Please lend your support to amending the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial. I've lived on the island for 30 years, and the presence of the J is a big part of why I moved here. It's a vital part of this community and needs to continue to serve in a capacity that meets modern needs.	Thank you for your comment.
Moss Patashnik	mossnpeg@aol.com	7/24/2026	I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial. I have been a board member of the SJCC for over ten years. Members of my family, friends and relatives, and members of the community at large have been using the facilities, resources, and programs for the SJCC for decades -- all of these having been of inestimable value to the both the Jewish and non-Jewish members of the community. The J has been serving the Mercer Island community -- as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive	Thank you for your support.

			on Mercer Island for the next 55 years. Thank you in advance for your support in amending the Comprehensive Plan.	
Paulo	paulo@fassina.me	7/20/2026	As a resident of Mercer Island, I object to rezoning the JCC property to Commercial Office. This sets a terrible precedent and moves Mercer Island away from its stated goal of being a premier residential community. I further object to the hearing to consider the proposal being during a time when residents are on summer vacation and preparing for back to school.	Thank you for your comment. The use of the property is not changing—the JCC will remain with no additional commercial uses. This is a technical zoning change required due to changes to the city's single family zoning. The change will allow the JCC to address existing traffic and parking issues. In addition, the public hearing has been rescheduled from July and the issue has been before the City for 2 years. There are many additional opportunities for public comment in this lengthy process.
Randy Kessler	randy.kessler@comcast.net	7/21/2026	Our family has been living in Mercer Island since 2007 and I have been a lifelong member of the Stroum Jewish Community Center. As a child, I went to summer day camp there, and for the past 34 years, I have used the facility for personal fitness as well	Thank you for your support.

			as for community events. It's a huge part of why we-- and so many other Island residents - love living here. I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial, so that the facility can serve my family and others for decades to come. Please align the comprehensive plan and land use maps to give the JCC the flexibility to grow. This will ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.	
Richard Fruchter	richardfruchter@comcast.net	7/20/2026	My name is Richard Fruchter and I've lived on Mercer Island for 20 years. My wife and I are members of the SJCC and our grandchild attended its preschool. I was the CEO of the Jewish Federation of Greater Seattle (now retired), the umbrella agency for the Jewish community. The SJCC brings the Jewish and non Jewish community together in a way no other institution can. Whether through its exercise facilities, pool, preschool, cultural events, family activities, summer camps, sports camps, basketball leagues, garden, film festival, speaker series, the SJCC offers a place for families and individuals to feel a part of a giving and supportive community. It is truly a jewel in the crown of Mercer Island. I urge your support in amending the Comprehensive Plan to change the designation fo the SJCC property fron single family to commerical, more in keeping with its historical use as a community center. Please align	Thank you for your support.

			the the comprehensive plan with the longstanding and future use of this facility and property. I know the SjCC is embarking on a needed upgrade of their facility and the designation as a commercial property will allow them to continue to serve the community for an additional 55 years. Please approve this plan amendment.	
Robin Farrish	robin@gallagherco.net	7/17/2026	I'm writing to support the rezone for the SJCC. The code change would reflect the actual function of the space and allow the improvements needed to fully support the community needs. Thank you for your consideration.	Thank you for your support.
Sarah Joshi	sarah.a.joshi@outlook.com	7/17/2026	I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. We are members of the J and our son attends SJCC. It's so important that the Jewish community has a place in Seattle to be safe and thrive - there's no other places like it left. The J has been serving the Mercer Island community -- as a community center -- for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.	Thank you for your support.
Sayce William Falk	sayce.w.falk@gmail.com	7/24/2026	Hi, just wanted to say I'm in favor of the JCC rezone and think it’s the right decision for that part of our community.	Thank you for your support.
Stacey J Parson	stacey.j.parson@icloud.com	7/20/2026	As a newer resident of Mercer Island I support the rezoning of the JCC property to a commercial zone. Reading through numerous e-mails and reviewing the JCC's website it appears that the JCC	Thank you for your support.

			offers numerous enrichment programs. For Mercer Island to be a premier residential community the Island needs organizations like the JCC to attract and support families. A conditional use permit is not intended for long-term use. The JCC has existed for decades so it makes logical sense to convert the property so the City can enforce applicable regulations instead of this perpetual grey area the JCC exists in now. Residents who express concern that the JCC is acquiring additional residential properties for club use would actually benefit from the re-zoning. The CUP provides precedence for using residential properties for commercial purposes. Rezoning would pull it out of the grey and provide clear direction that residential for residential purposes only and commercial for commercial purposes only. Rezoning would allow the City to provide clear guidance and enforcement on lighting, parking, ADA requirements, and operating hours. Please do not reschedule the hearing. Delaying it further will not change the circumstances. It has been nine years since the 2017 proposal; the City of Mercer Island needs to either rezone the property or enforce the CUP. Seeing as nothing has changed in nine years continuing the CUP likely will provide the same results as the prior years where no one is happy. Now is the time for momentum, not delaying until October. Change is always hard, but it should not be avoided.	

Susan Szafir	susanoszafir@gmail.com	7/20/2026	I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. My family and I have been residents of Mercer Island for over 18 years and we've been members of the SJCC for almost the entire time we've lived on the island. The SJCC has been so important to my family over the years. When we first moved to the Island from Austin, Texas in 2008, it is where we enrolled our daughters in pre-school, and it is where our family made lasting, foundational friendships that have provided us with tremendous joy and community throughout our time on Mercer Island. As an empty nester, I now take Line Dancing lessons weekly, which I love and have at times relied on Aquafit classes when I've been unable to do weight bearing exercises. My husband and I will occasionally attend social or educational events or speakers which consistently enrich our lives. It is always nice to connect and see people we know when we visit the J. It is so familiar, that when we walk through the doors, it feels like a home away from home. We feel so fortunate to live in a community which has a vibrant and active JCC. The J has been serving the Mercer Island community - as a community center - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.	Thank you for your support.

Thuy & Mark Seafort	tseafort@gmail.com	7/20/2026	Hello, I recently learned about the JCC seeking to rezone their property to a commercial office. I am a resident of Mercer Island and have owned several homes on the island. I currently own and reside in a home on Shoreclub Drivr with my family. Our home is located near the JCC, and on a daily basis we drive, walk or bike near the JCC and East Mercer multiple times a day. In the past couple of years, we've experienced increased traffic, congestion and potential safety hazards with cars darting in and out of the JCC facilities and onto East Mercer Way. This is made worse with the nearly blind curve on that road and multiple streets converging into that area. We've also been experiencing various nuisance, inconvenience, and safety concerns with the ongoing construction as JCC expands its property and facilities. We are deeply concerned about ongoing safety, traffic, congestion, nuisance, aesthetic, property values, and the overall well-being of our residential community. To be sure, we do support the JCC and its offerings on the island, and also encourage more downtown commercial development with respect to retail, restaurants, etc. to enhance our neighborhood and avoid having to drive off island for more retail and restaurant choices. However, we want to ensure that such commercially zoned areas remain in a central main corridor vs. expanding into residential zones with limited land and many families residing in a densely populated area, such as the area surrounding the JCC.	Thank you for your comment. The use of the property is not changing—the JCC will remain with no additional commercial uses. This is a technical zoning change required due to changes to the city's single family zoning. The change will allow the JCC to address existing traffic and parking issues. In addition, the public hearing has been rescheduled from July and the issue has been before the City for 2 years. There are many additional opportunities for public comment in this lengthy process.

			It's already congested enough with the East Mercer Way I-90 ramp and on several occasions I've personally witnessed near accidents with cars and families/children crossing the stop sign near the JCC. Commercial expansion will only exacerbate this issue and I'm deeply concerned that we're not holding more public forums and assessments to determine the impact of such a commercial re-zoning request on our community. Safety and the well being of our community should be paramount and as such, any hearing reagrding the rezoning should be noticed well in advance to the community and certainly not rushed within the next couple months. As part of this, MI should communicate more public notice of such hearing(s), invite more analysis and fact gathering on the impact of the request, and ensure this is completed in a manner where all information is readily available to the community before any decisions are made that significantly impact MI residents. Thank you for your time and consideration.	
Tracy Sigmon	tracy.sigmon@comcast.net	7/17/2026	I have been a part of the SJCC community for over 50 years. I attended preschool and day camps, had my first job as a junior counselor at their day camps, then sent my own children to preschool there. They continued participating in activities like Dinky Dunkers and others and now, as adults, still come play pick-up basketball at the J. My husband and I use the facilities on a weekly basis to this day. The J has been serving as a	Thank you for your support.

			community hub for the entirety of my life (55+ years). While it's officially the "Jewish" community center, it serves all communities. I hear a multitude of languages as I walk down the halls. It's an critically important community space housed in a building that has outlasted its best self. Please support the plan to amend the designation of the property from single family to commercial use. It's always been used as a commercial space and the zoning should reflect that so that this property can continue serving the greater Mercer Island and Seattle areas.	
Yunhan Huang	yunhan.huang94@gmail.com	7/22/2026	I am writing as a Mercer Island resident to oppose the proposed rezoning of the JCC property from residential to commercial (CPA25-002 / RZN25-002). This is a permanent change, and I don't believe the community has had a fair opportunity to weigh in, scheduling a consequential land-use hearing during summer vacation and the first weeks of school makes it hard for most families to participate. I'm also concerned about traffic. The JCC sits at our east side I-90 access point, and congestion already spills off the property during busy periods. Commercial zoning removes any regulatory limit on membership, events, or vehicle trips, leaving the city no mechanism to require mitifation. That's a real impact on everyday life for residents on this side of the island. I support the JCC and the role it plays in our community. But I believe a Conditional Use Permit with enforceable conditions is the right framework for the JCC and	Thank you for your comment. The use of the property is not changing—the JCC will remain with no additional commercial uses. This is a technical zoning change required due to changes to the city's single family zoning. The change will allow the JCC to address existing traffic and parking issues. The new CO zone includes many setback requirements that are more protective of the community, and any impact issues such as

			for every organization on Mercer Island. I urge the city to require full CUP compliance before any rezone discussion moves forward, and to reschedule the hearing to no sooner than October, when residents are home and able to engage. Thank you for considering my comments.	noise, traffic, parking will be reviewed and the new project conditioned, with enforceable conditions, to mitigate any significant adverse impacts of the future project. In addition, the public hearing has been rescheduled from July and the issue has been before the City for 2 years. There are many additional opportunities for public comment in this lengthy process.
A. Teng	Del8com.yahoo.co	7/27/26	To Whom it may concern: As a resident of Mercer Island, living VERY near JCC, I would like to express my objection to rezoning of the JCC property to Commercial Office. I also would like to kindly request any hearing on rezoning of JCC be rescheduled till after October 1, 2026 when residents are less likely to be gone on vacation and can participate in this discussion/hearing.	Thank you for your comment. The use of the property is not changing—the JCC will remain with no additional commercial uses. This is a technical zoning change required due to changes to the city's single family zoning. The change will allow the JCC to address existing traffic and parking issues.

				The new CO zone includes many setback requirements that are more protective of the community, and any impact issues such as noise, traffic, parking will be reviewed and the new project conditioned, with enforceable conditions, to mitigate any significant adverse impacts of the future project. In addition, the public hearing has been rescheduled from July and the issue has been before the City for 2 years. There are many additional opportunities for public comment in this lengthy process.
Anastasia Mironova	Ak_orca@yahoo.com	7/24/26	As a resident of Mercer Island, I object to rezoning the JCC property to commercial use. This sets a terrible precedent and moves Mercer Island away from its stated goal of being a primarily residential community. I further object to the hearing to consider the proposal being during a time when residents are on summer vacation and preparing back to school. I	Thank you for your comment. The use of the property is not changing—the JCC will remain with no additional commercial uses. This is a technical zoning change required

			strongly object to rezoning of JCC property adjacent to my house.	due to changes to the city's single family zoning. The change will allow the JCC to address existing traffic and parking issues. The new CO zone includes many setback requirements that are more protective of the community, and any impact issues such as noise, traffic, parking will be reviewed and the new project conditioned, with enforceable conditions, to mitigate any significant adverse impacts of the future project. In addition, the public hearing has been rescheduled from July and the issue has been before the City for 2 years. There are many additional opportunities for public comment in this lengthy process.
Ben Pariser	pariser@bpsqd.com	7/27/26	I'm writing to urge your support to amend the Comprehensive Plan to change the designation of	Thank you for your support.

			the SJCC property from single family to commercial. I am a Mercer Island resident and the JCC has been an integral part of my life since 1982. This institution has been there at every stage of my life. And the JCC has provided a safe community space for my family and children since they were infants through their present teenage years. The J has been serving the Mercer Island community – as a community center – for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.	
Beth Lippman	b.lippman@icloud.com	7/24/26	I am a member of the JCC and find it a welcoming ming and busy place for people of all ethnicities We need to expand to serve the people Please allow the expansion	Thank you for your support.
Carol Shafer	Aloha4now@gmail.com	7/27/26	I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial. I am a resident of Mercer Island. I attend classes at the J five days a week. I have developed close friendships here. I credit the J with improving my physical strength as well as my mobility. The J definitely needs modernization. I look forward to seeing the J renovated so it can better serve its patrons and the community at large. The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect	Thank you for your support.

			that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.	
Charles Flake	crflake@outlook.com	7/23/26	I reside at 4130 100th Ave SE and am one of the citizens having to contend daily, morning and afternoon, with the traffic snarl from drop off and pick up of students at the French American School. And now I see construction of the Seattle Jewish Day School directly across East Mercer Way. The city Traffic Engineers have failed to acknowledge and resolve this issue. More than one year ago, in conversation with Ms. Corigliano's predecessor I was reassured that the problem was temporary since the FAS was relocating. It has not. I mention this issue since an application has been made to rezone the JCC to Commercial Office. Good for them. If I owned the property, I would want the same. However, it is my understanding that the JCC has not been in compliance with all the provisions of their conditional use permit. Maybe this is hearsay. The council should know if the city has been assiduously enforcing the CUP. I am asking that the city fulfil its obligation to correct the current traffic mess and do a thorough traffic study of foreseeable impacts on EMW before any serious consideration of the request for rezoning.	Thank you for your comment. The use of the property is not changing—the JCC will remain with no additional commercial uses. This is a technical zoning change required due to changes to the city's single family zoning. The change will allow the JCC to address existing traffic and parking issues. The new CO zone includes many setback requirements that are more protective of the community, and any impact issues such as noise, traffic, parking will be reviewed and the new project conditioned, with enforceable conditions, to mitigate any significant adverse impacts of the future project.

David and Patrick White	Surjin907@yahoo.com	7/27/26	This email is in complete support of a Comprehensive Plan to change the designation of the SJCC property from single family to commercial. I am a member who uses the J for exercise and classes for my medical issues. The J is a critical member of the MI community for those of us that cannot afford other expensive facilities nor can easily commute to outside of MI. Please allow this change so we can update the facilities.	Thank you for your support.
Elaine Kavalok	No email address listed, 5908 E Mercer Way address	7/24/26	With a precedent setting agenda item next week about rezoning a residential area to commercial, I strongly suggest that agenda item be bumped to October in order for the broader impacted community to be in town to comment. Otherwise, this looks like the planning commission and potentially city council have already been heavily influenced by the JCC, made their decision and prefer to do this "under the radar" to zone JCC area for the benefit of the JCC.	Thank you for your comment. There is no precedent being set by this proposed change; the City is required to look at the merits of a proposal individually. This is required by state law. In addition, the public hearing has been rescheduled from July and the issue has been before the City for 2 years. There are many additional opportunities for public comment in this lengthy process.
Ellen Lynn	Ellenlynn215@hotmail.com	7/27/26	I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial. The J	Thank you for your support.

			welcomed me and my family as newcomers to the Seattle area in 1994. Many friendships were formed from preschool and day camp experiences for us, through community and cultural events, as well as various classes over the years. Most recently I have been attending water aerobic classes, where I have been forming new friendships (and getting much-needed exercise) in a supportive and friendly environment. Those of us with physical limitations would really appreciate an updated, more easily accessible pool and restrooms. The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.	
Emmi Kearns	kearnsemmi@gmail.com	7/27/26	I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single-family to commercial. I attend the SJCC several times weekly to use the fitness facilities and attend other events such as classes and lectures. My daughter teaches in the preschool. The current building is inadequate to serve the widespread use of the facility. The building is used extensively by Mercer Island residents and folks throughout the Seattle metropolitan area. It is a jewel for the entire city to utilize. The parking area is frequently filled to capacity. As a former Mercer Island resident and MIHS graduate and now Bellevue	Thank you for your support.

			resident, please comply with updating the property status so we all can continue to use our Community Center and give it the facelift it deserves. The J has been serving the Mercer Island community – as a community center for all - for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.	
Hayley Duitch	hayleyduitch@gmail.com	7/27/26	I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. The J has been part of my family for generations. My husband and I both attended preschool there, as did our children. I worked at the J as a teenager, and today both of my kids work there as well, and also attend youth group meetings each week. Over the years I've taken classes and attended lectures at the J, my husband played in the basketball and baseball leagues, and my parents made some of their closest, lifelong friends through the community there, friendships that helped shape my own childhood. Three generations of my family have called the J home, and it has never once functioned as a single-family residence. It has always been exactly what it is today: a school, a gathering space, an activity center, and a cornerstone of community life on Mercer Island. The J has been serving the Mercer Island community, as a community center, for over 55 years. Please align the comprehensive plan	

			and land use maps to reflect that reality, and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.	
Heidi Behrens-Benedict	hbbenedict@aol.com	7/27/26	• Dear Friends on the Mercer Island City Council ~ • • I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. • • Why is this important to me? I've been attending Aqua Fit classes five days a week since I joined the J. When friends ask me why I've so happy about my membership, I tell them about how it feels to walk out of the dressing room onto the pool deck and have a dozen+ women turn and smile. • • What a great way to start the day. • • The J has been serving the Mercer Island community – as a community center – for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.	Thank you for your support.
Jeff Bean	olyhardware@hotmail.com	7/27/26	Dear Council Members, I am reaching out to ask that you approve The JCC rezone or their remodel. I use the gym at this facility at least twice a week. It is a critical part of my health regimen. I implore you to make it possible for the JCC to remodel and update their aging facilities. Jeff Bean Age 78	Thank you for your support.
Jeff Davis	jeffd@davisdoor.com	7/27/26	As a resident of Mercer Island for over 66 years, I object to rezoning the JCC property to Commercial Office. The traffic caused by their out of compliance operations blocks	Thank you for your comment. We are unsure what you mean by "out of compliance

			East Mercer Way onto the I-90 overpass for multiple stoplight changes at times now. This sets a terrible precedent and moves Mercer Island away from its stated goal of being a premier residential community. I further object to the hearing to consider the proposal being during a time when residents are on summer vacation and preparing for back to school. Please consider moving it to a date in September or October so it can be attended by more residents of Mercer Island.	operations." If you are looking for existing traffic issues to be modified, then the rezone should be supported, as it will stay as it is without a rezone. In addition, no change of use is being contemplated; there are no commercial uses being proposed, just the JCC. Finally, this issue has been before the City for 2 years, and there are additional opportunities for public comment on this specific proposal. The amount of public comments received regarding this matter shows there is no issue with public notice or comment.
Kate Robertson	Robertson.katie@gmail.com	7/26/26	As a resident of Mercer Island, I object to rezoning the JCC property to Commercial O ice. This sets a terrible precedent and moves Mercer Island away from its stated goal of being a premier residential community. I further object to the hearing to consider	Thank you for your comment. The use of the property is not changing—the JCC will remain with no additional

			the proposal being during a time when residents are on summer vacation and preparing for back to school.	commercial uses. This is a technical zoning change required due to changes to the city's single family zoning. This is not a precedent, as each proposal made needs to be reviewed as an individual proposal, per state law. The change will allow the JCC to address existing traffic and parking issues. The new CO zone includes many setback requirements that are more protective of the community, and any impact issues such as noise, traffic, parking will be reviewed and the new project conditioned, with enforceable conditions, to mitigate any significant adverse impacts of the future project. In addition, the public hearing has been rescheduled from July and the issue has

				been before the City for 2 years. There are many additional opportunities for public comment in this lengthy process.
Kunal Patel	drpatelk@gmail.com	7/25/26	As a resident of Mercer Island, I am writing to formally object the proposed rezoning of the JCC property to Commercial Office. This change sets an unfavorable precedent and deviates from Mercer Island's established goal of remaining a premier residential community. Furthermore, I object to scheduling the hearing for this proposal during the summer, a time when many residents are away on vacation or preparing for the upcoming school year, thereby limiting community participation.	Thank you for your comment. The use of the property is not changing—the JCC will remain with no additional commercial uses. This is a technical zoning change required due to changes to the city's single family zoning. This is not a precedent, as each proposal made needs to be reviewed as an individual proposal, per state law. The change will allow the JCC to address existing traffic and parking issues. The new CO zone includes many setback requirements that are more protective of the community, and any impact issues such as noise, traffic, parking will be reviewed and

				the new project conditioned, with enforceable conditions, to mitigate any significant adverse impacts of the future project.
Laura Senft	Laura_senft@hotmail.com	7/24/26	As a community member who benefits greatly from the JCC, I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. The J has been serving the Mercer Island community – as a community center – for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years. These improvements will not only benefit current residents, but future as well, as people from all ages and demographics use the JCC. I am a Bellevue resident. It's worth noting that when I come to MI, I often shop or eat on MI. The only reason I am on MI is the JCC. Not improving the JCC would discourage membership and also have a deleterious effect on the community as a whole. I would imagine that others patronize local businesses as well when they come over to work out or drop off a child at camp. While I know some congestion is not desirable, it also results in increased revenue and positive activity on the Island. The JCC an organization that encourages community and productive	Thank you for your support.

			activity for people of all ages. At a time when people need connection more than ever, making places like the JCC as functional, safe, and accessible as possible should be the priority of any group looking to improve and sustain their community.	
Urmil Shah	urmilshah@comcast.net	7/26/26	I'm writing to urge your support to amend the Comprehensive Plan to change the designation of the SJCC property from single family to commercial. I'm a member at J for15 years. We moved from Minnesota and new to town. Originally we are from India and JCC accepted us and we have made so many friends now. They accepted us without asking any questions and welcomed us. We attend so many classes and water aerobics that has improved our life. The J has been serving the Mercer Island community – as a community center – for over 55 years. Please align the comprehensive plan and land use maps to reflect that reality and ensure the J can continue to serve our community and thrive on Mercer Island for the next 55 years.	Thank you for your support.
Patty Willner	Pattywillner623@gmail.com	7/26/26	Please approve the zoning change to comport with longstanding use of the facility as a multi purpose facility for combatting, athletics, aquafit and lap swim. It has never been a single family facility.	Thank you for your support.
Pavel Sterba	psterba@parpacific.com	7/24/26	Please I am out of town during august 5. Most of my neighbors are as well. Why do we have a hearing during a time when most neighbors cant comment? Can we please reschedule for sometime in the fall when everyone is back?	This issue has been before the city for 2 years, and there are several additional opportunities for public comment on

				this proposal in the future. The volume of comments received regarding this matter shows there is no issues regarding public notice.
Peter Jacobs	pjacobs@comcast.net	7/26/26	As a resident of Mercer Island, I passionately object to rezoning the JCC property to commercial o ice zoning. What is the City Council thinking?? This sets a terrible precedent and moves Mercer Island away from its stated goal of being a premier residential community. I regularly travel from the north end of the island to mid island along East Mercer Way. The tra ic around JCC is horrendous as it is. If the acquiring neighboring properties, which I have heard, for unknown reasons, that raises a lot of red flags. I further object to the hearing to consider the proposal being during a time when residents are on summer vacation and preparing for back to school. The current non-compliance with established rules and regulations should have the JCC under investigation and violations mitigated. I am pro-JCC, just not pro commercial, do whatever you want, JCC.	Thank you for your comment. The use of the property is not changing—the JCC will remain with no additional commercial uses. This is a technical zoning change required due to changes to the city's single family zoning. This is not a precedent, as each proposal made needs to be reviewed as an individual proposal, per state law. The change will allow the JCC to address existing traffic and parking issues. The new CO zone includes many setback requirements that are more protective of the community, and any impact issues such as noise, traffic,

				parking will be reviewed and the new project conditioned, with enforceable conditions, to mitigate any significant adverse impacts of the future project. If you are pro-JCC and would like traffic issues to be remedied, then the property must be rezoned.
Sandy Samuel	sandysamuel@icloud.com	7/27/26	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 have lived on Mercer Island since 1984. During this period I have used the JCC 1 for preschool, swim lessons for my kids, sports leagues, cultural events, camp, physical fitness and for 15 years water aerobics which has basically satisfied critical health issues, allowed me to develop relationships with the greater Mercer Island community, and has satisfied numerous social needs. It's time for a substantive, accessible, and	Thank you for your support.

			sustainable redevelopment, yet the current residential zoning makes this nearly impossible. A rezone to Commercial Office property would significantly facilitate this remodel while honoring the neighborhood integrity and specific interests of the proximate neighbors. For over 54 years, the SJCC has operated as a vital community asset. It would be a loss for the broad Mercer Island community to not support the modernization of this facility. 2 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.	
Tanming Fong	tmfong@yahoo.com	7/24/26	I am writing to formally oppose the proposed rezoning of the JCC property to Commercial Office. As a resident of Mercer Island, I believe this change would set a troubling precedent and move our community away from its stated vision of remaining a premier residential community. The traffic impacts alone are reason for rejection. The JCC sits at Mercer Island's east side I-90 access point, and traffic already backs well off the property during peak times, sometimes extending to the I-90 off-ramps and limiting east side residents' timely access to and from their homes. Commercial zoning removes all regulatory limits on membership, events, and vehicle trips, leaving the city with no mechanism to require mitigation. This would permanently worsen an already critical choke point. I further urge the Council to	Thank you for your comment. The use of the property is not changing—the JCC will remain with no additional commercial uses. This is a technical zoning change required due to changes to the city's single family zoning. This is not a precedent, as each proposal made needs to be reviewed as an individual proposal, per state law. The change will allow the JCC to address existing

			reconsider the hearing schedule. Holding this review during summer vacation—when residents are traveling and managing back-to-school logistics—severely limits meaningful community participation. A proposal of this significance deserves a hearing scheduled when the community can fully engage. I respectfully ask that the council reject this rezoning proposal and reschedule the hearing to a date that allows for broader community engagement. Thank you for your time and for your service to Mercer Island.	traffic and parking issues. The new CO zone includes many setback requirements that are more protective of the community, and any impact issues such as noise, traffic, parking will be reviewed and the new project conditioned, with enforceable conditions, to mitigate any significant adverse impacts of the future project.
Trea Diament	treadiament@gmail.com	7/27/26	I am writing in support of the SJCC rezone request. I am a neighbor of the SJCC (13 El Dorado Beach Club Drive, Mercer Island) and a member. The SJCC is a beloved MI institution. For too long (maybe a decade?) the SJCC rebuild has been mired in permitting issues. The result is a building that doesn't meet the standards of the community. Without complete and timely support from the Mercer Island City Council, this institution will no longer be able to provide the services that MI loves - summer camp, swim lessons, pre-school, etc. Please do not force our non profits off the Island. Without explicit support from the council, we will lose what makes MI a community.	Thank you for your support.
Winky Lai	winkylai@gmail.com	7/27/26	HI - my name is Winky Lai and my family of 3 lives at 3716 E Mercer	Thank you for your comment.

Suresh Krishnamoorthy Ashwin Krishnamoorthy			Way right across from JCC and I am writing to represent myself, my husband and my son to as the city to and also to (1) reschedule the hearing to at least to October 2026 after residents settle back in from their summer travels & adjusting to new school year schedules. I feel that with the current agenda, it does not allow for a reasonable amount of time for residents to do their research to give the appropriate input to the project. I would also like to the city to halt / deny the rezoning request as is. I feel that the application should require a full CUP compliance before any rezoning discussion should be considered.	The issue has been before the City for 2 years and there are several additional opportunities for public comment in this matter. The volume of comments received shows there is no issue with public notice or comment. We are unsure what you mean by full CUP compliance; the project is in compliance with its existing CUP. There is a lot of misinformation being spread about the JCC unfortunately.

CITY OF MERCER ISLAND

COMMUNITY PLANNING & DEVELOPMENT
9611 SE 36TH STREET | MERCER ISLAND, WA 98040
PHONE: (206) 275-7605 | www.mercerisland.gov

CITY USE ONLY		
PROJECT NO.	**RECEIPT NO.**	**FEE**
Date Received:		
Received By:		

SEPA REVIEW

The State Environmental Policy Act (SEPA), chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

REVIEW PROCESS – TYPE III LAND USE REVIEW

Type III reviews require the exercise of discretion about nontechnical issues. Type III reviews require a pre-application meeting, letter of complete application, notice of application mailing and posting, a 30-day public comment period, notice of decision, and the decision is made by the Code Official. Type III reviews do not require a public hearing.

SEPA reviews are also subject to the environmental procedures outlined in MICC 19.21. When the city is the lead agency for a proposal, the responsible official shall supervise compliance with the threshold determination requirements and, if an EIS is necessary, shall supervise preparation of the EIS.

Upon the receipt of an application for a proposal, the receiving city department shall, and for city proposals, the initiating city department shall, determine whether the proposal is an action potentially subject to SEPA and, if so, whether it is categorically exempt. This determination shall be made based on the definition of action (WAC 197-11-704), and the process for determining categorical exemption (WAC 197-11-305). As required, city departments shall ensure that the total proposal is considered. If there is any question whether or not a proposal is exempt, then the responsible official shall be consulted.

PRE-APPLICATION MEETING

A Pre-Application Meeting is used to determine whether a land use project is ready for review, to review the land use application process, and to provide an opportunity for initial feedback on a proposed application. Some land use applications require a pre-application meeting – in particular: short and long subdivisions, lot line revisions, shoreline permits, variances, and critical area determinations. The City strongly recommends that all land use applications use the pre-application process to allow for feedback by City staff.

For more information on the Pre-Application Meeting process, please refer to the Pre-Application Meeting Request Form.

FEES

Fees applicable to this project:

- SEPA Review
- Environmental Impact Statement

Refer to the City of Mercer Island Fee Schedule for current permit fees.

PROPERTY INFORMATION

Property Address: 3801 East Mercer Way

Parcel Number(s): • 2655500137 • 2655500136 • 2655500132 • small portion of 2655500115

Gross Lot Area(s): 405,242 s.f.

Net Lot Area(s):

Zone: R-8.4, R-9.6

Shoreline Environment Designation (if located within 200 feet of Lake Washington):

- ☐ Urban Residential
- ☐ Urban Park

CRITICAL AREAS ON PROPERTY

GEOLOGICALLY HAZARDOUS AREAS	WATERCOURSES	WETLANDS
☒ Potential Landslide Hazard	☐ Type F	☐ Category I
☐ Erosion Hazard	☐ Type Np	☐ Category II
☒ Seismic Hazard	☐ Type Ns	☐ Category III
☐ Steep Slope	☐ Piped	☐ Category IV
☐ None	☐ Unknown	☐ Unknown

SUBMITTAL CHECKLIST

In addition to the items listed below, the code official may require the submission of any documentation reasonably necessary for review and approval of the land use application. An applicant for a land use approval and/or development proposal shall demonstrate that the proposed development complies with the applicable regulations and decision criteria.

1. ☒ **Development Application Form.** Provide a completed and signed Development Application Form.
2. ☒ **Pre-Application Meeting.** Pre-Application Meetings are required for Type III & IV Land Use Permit Applications.
3. ☒ **Project Narrative.** The project narrative should describe the proposed development, including any anticipated phases.
4. ☒ **Title Report.** Less than 30 days old.
5. ☐ **Affidavit of Ownership.** An Affidavit of Ownership, signed before a notary.
6. ☐ **Affidavit of Agent Authority.** An Affidavit of Agent Authority, signed before a notary, if applicable.
7. ☐ **Development Plan Set.** Refer to the Land Use Application Plan Set Guide for preparing plans.
8. ☐ **Concurrent Review Form.** Provide a completed Concurrent Review Form if the applicant wishes to request consolidated review for two or more land use applications. Refer to MICC 19.15.030(F) for land use application reviews that may be consolidated.
9. ☒ **SEPA Checklist.**
10. ☐ **Fees.** Payment of required fees.

I HEREBY CERTIFY THAT I HAVE READ THIS APPLICATION AND SUBMITTAL CHECKLIST AND ALL REQUIRED APPLICATION MATERIALS ARE INCLUDED IN MY APPLICATION SUBMITTAL, UNLESS WAIVED BY THE CODE OFFICIAL. ALL INFORMATION SUBMITTED IS TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE. I ACKNOWLEDGE THAT WILLFUL MISREPRESENTATION OF INFORMATION WILL TERMINATE THIS APPLICATION. I UNDERSTAND THAT MY SUBMITTAL WILL BE REVIEWED FOR COMPLETENESS AND, IF FOUND TO BE COMPLETE, WILL BE PROCESSED PURSUANT TO THE PROVISIONS OF CHAPTER 19.15 MICC.

Signature: Amy Lavin Digitally signed by Amy Lavin Date: 2026.02.10 17:57:27 -08'00'

Date: 2/10/2026

INSTRUCTIONS FOR APPLICANTS

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later. Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you. The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

USE OF CHECKLIST FOR NONPROJECT PROPOSALS

For nonproject proposals complete this checklist and the supplemental sheet for nonproject actions (Part D). The lead agency may exclude any question for the environmental elements (Part B) which they determine do not contribute meaningfully to the analysis of the proposal. For nonproject actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

A. BACKGROUND

1. Name of proposed project, if applicable:

   ~~Stroum Jewish Community Center Comprehensive Plan Amendment and Rezone~~

2. Name of applicant:

   3801 East Mercer Way

3. Address and phone number of applicant and contact person:

   ~~Amy Lavin, SJCC, 3801 E. Mercer Way, Mercer Island, WA 98040 206-232-7115~~

4. Date checklist prepared:

   November 20, 2025

5. Agency requesting checklist:

   ~~City of Mercer Island~~

6. Proposed timing or schedule (including phasing, if applicable):

   ~~The proposal was docketed in 2023. The desired timing of passage of the comprehensive plan amendment and rezone is as soon as possible in 2026.~~

7. Do you have any plans for future additions, expansions, or further activity related to or connected with this proposal? If yes, explain:

This is a non project action. The proposal would ultimately allow for a rebuild/remodel of the SJCC on the property. A project-level application has not yet been prepared.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal:

SEPA DNS for Mercer Island Comprehensive Plan update, 2025

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain:

None known.

10. List any government approvals or permits that will be needed for your proposal, if known:

Comprehensive Plan amendment approval, Rezone approval.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

The SEPA checklist fulfills SEPA review for two separate proposals--the first proposal would redesignate the Comprehensive Plan FLUM from Single Family Residential to Commercial Office. The second proposal would change the City's Official Zoning Map from Single Family (R)/8.4 (R)/9.6 to Commercial Office ("CO").

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The proposal is located generally at 3801 East Mercer Way, on the following parcels: 2655500137 • 2655500136 • 2655500132 • small portion of 2655500115

B. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site (check one):

Flat ☐ Rolling ☐ Hilly ☐ Steep slopes ☐ Mountainous ☐ Other ☐

b. What is the steepest slope on the site (approximate percent slope)?

~~Rolling--the steepest slope is 58%, this is a man made slope created with the construction if the existing building. Per City of MI the overall slope of the site is 9.35%.~~

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

~~Soils are typical of Mercer Island with some glacial till in places.~~

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

~~None known.~~

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

~~N/A, nothing associated with nonproject action.~~

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

~~No, not as part of nonproject action.~~

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

~~N/A, nothing associated with nonproject action.~~

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

~~N/A, no impacts.~~

2. Air

a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, and industrial wood smoke) during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

~~N/A; none--nonproject action.~~

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

~~No, this is a map change.~~

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

~~N/A, no impacts.~~

3. Water

a. Surface:

i. Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

~~No.~~

ii. Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

~~N/A, non project action, and not adjacent to water.~~

iii. Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

~~N/A, nonproject action~~

iv. Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

~~N/A, nonproject action~~

v. Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

~~No.~~

vi. Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

~~N/A, no, nonproject action.~~

b. Ground

i. Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well? Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

~~N/A, no, nonproject action.~~

ii. Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, [containing the following chemicals…]; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

~~N/A., none, nonproject action.~~

c. Water runoff (including stormwater):

i. Describe the source of runoff (including stormwater) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

~~The current stormwater from the site runs into the combined system.~~

ii. Could waste materials enter ground or surface waters? If so, generally describe.

~~N/A., none, nonproject action~~

d. Proposed measures to reduce or control surface, ground, runoff water, and drainage pattern impacts, if any:

~~N/A, no impacts.~~

4. Plants

a. Check types of vegetation found on the site

- ▣ Deciduous tree: Alder, Maple, Aspen, other
- ☑ Evergreen tree: Fir, Cedar, Pine, other
- ▣ Shrubs
- ▣ Grass

- ☐ Pasture
- ☐ Crop or grain
- ☐ Wet soil plants: Cattail, buttercup, bulrush, skunk cabbage, other
- ☐ Water plants: Water lily, eelgrass, milfoil, other
- ☐ Other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

~~N/A, none, nonproject action~~

c. List threatened or endangered species known to be on or near the site.

~~Bald Eagles frequent Mercer Island, though Bald Eagles are no longer listed as threatened or endangered species as of 2007. Salmonoids are known to live in Lake Washington.~~

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

~~N/A., none, nonproject action~~

e. List all noxious weeds and invasive species known to be on or near the site.

~~None.~~

5. Animals

a. State any birds and animals which have been observed on or near the site or are known to be on or near the site. Examples include:

Birds: hawk, heron, eagle, songbirds, other:
Mammals: deer, bear, elk, beaver, other:
Fish: bass, salmon, trout, herring, shellfish, other:

~~Hawks, eagle, songbirds, crows, deer, raccoons, rats, squirrels, and other typical urban species for Mercer Island.~~

b. List any threatened or endangered species known to be on or near the site.

~~Salmonoids are in Lake Washington.~~

c. Is the site part of a migration route? If so, explain.

~~The entire Puget Sound basin is part of the Great Pacific Flyway for bird migration.~~

d. Proposed measure to preserve or enhance wildlife, if any:

~~N/A, none, nonproject action.~~

e. List any invasive animal species known to be on or near the site.

None.

6. Energy and natural resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

N/A., non project action.

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

N/A, non project action. The height limit of the proposed CO zone is 36 feet and require setbacks from property lines. Adjacent single family zones are allowed to be built up to 30 feet in height.

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

N/A. non project action.

7. Environmental health

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? If so, describe.

No, nonproject action.

i. Describe any known or possible contamination at the site from present or past uses.

None known.

ii. Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

None known.

iii. Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

N/A, none known. The only hazardous chemical currently on site is chlorine for the pool.

iv. Describe special emergency services that might be required.

N/A. non project action

v. Proposed measures to reduce or control environmental health hazards, if any:

N/A, no impacts.

b. Noise

i. What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

No noise would impact the nonproject action. Noise sources include I-90 and East Mercer Way.

ii. What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

N/A, no impacts from a nonproject action.

iii. Proposed measures to reduce or control noise impacts, if any:

N/A, no impacts.

8. Land and shoreline use

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

The current use of the site is the Stroum Jewish Community Center which includes an early childhood school, pool, gym, performing arts center and other community uses. The adjacent uses include public institution, synagogue, school, the current/new site for the Mercer Island City Hall and city shops, and single family residences. The non-project action has no impact on uses on nearby or adjacent properties.

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

No.

c. Describe any structures on the site.

The SJCC exists on the site.

d. Will any structures be demolished? If so, what?

No, nonproject action.

e. What is the current zoning classification of the site?

R-8.4 and R-9.6.

f. What is the current comprehensive plan designation of the site?

Single Family Residential.

g. If applicable, what is the current shoreline master program designation of the site?

N/A.

h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

There is a small steep slope area mapped in the area between the upper parking lot and the lower parking lot, based on LIDAR maps. Most of the Island is designated as a seismic environmentally sensitive area.

i. Approximately how many people would reside or work in the completed project?

N/A, nonproject action. The proposal would not change the amount of people working or visiting the site.

j. Approximately how many people would the completed project displace?

N/A, none nonproject action.

k. Proposed measures to avoid or reduce displacement impacts, if any:

N/A, no impacts as a nonproject action, and no displacement would occur.

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

The proposal is consistent with the CPPs, the MI comprehensive plan, and code provisions related to redesignations and rezones. The redesignation designates land that has not been used as residential for over 55 years to a designation more appropriate with its use.

9. Housing

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

N/A, none.

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

~~N/A, none.~~

c. Proposed measures to reduce or control housing impacts, if any:

~~N/A, none.~~

10. Aesthetics

a. What is the tallest height of any proposed structure(s), not including antennas? What is the principal exterior material(s) proposed?

~~N/A, no structure is proposed. The height limit of the CO zone is 36 feet.~~

b. What views in the immediate vicinity would be altered or obstructed?

~~N/A, none, no structure is proposed.~~

c. Proposed measures to reduce or control aesthetics impacts, if any:

~~N/A, none.~~

11. Light and glare

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

~~N/A, none, nonproject action.~~

b. Could light or glare from the finished project be a safety hazard or interfere with views?

~~N/A no, nonproject action.~~

c. What existing off-site sources of light or glare may affect your proposal?

~~N/A, none, nonproject action.~~

d. Proposed measures to reduce or control light and glare impacts, if any:

~~N/A. none, nonproject action.~~

12. Recreation

a. What designated and informal recreational opportunities are in the immediate vicinity?

The SJCC offers numerous recreational opportunities for people of all ages and life stages. The boat launch is also across the street.

b. Would the proposed project displace any existing recreational uses? If so, describe.

N/A., no

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

N/A. no impacts from nonproject action

13. Historic and cultural preservation

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.

The SJCC is older than 45 years old and is not eligible for listing.

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

None known.

c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

N/A, nonproject action without site disturbance.

d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

N/A, nonproject action without site disturbance.

14. Transportation

a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

East Mercer Way, I-90. The property accesses East Mercer Way from a driveway. No changes are proposed from the non project action.

b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

~~There are no transit stops in the vicinity currently. The site is accessible by the I-90 trail to light rail when it opens.~~

c. How many additional parking spaces would the completed project or nonproject proposal have? How many would the project or proposal eliminate?

The nonproject proposal does not change the current parking count.

d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

~~The non project action will not change anything transportation related.~~

e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

~~The non project action will not change anything transportation related.~~

f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and non-passenger vehicles). What data or transportation models were used to make these estimates?

The change to CO would not change the number of trips generated by the existing building. Please see the attached memorandum from the Transpo Group regarding the number of trips that could be generated from an office use on the property, which is a permitted use under the CO zone. While there is absolutely no plan or intent to build an office building on this property, the City requested a trip generation memorandum to analyze the extreme worst case and highly unlikely/improbable scenario of an office built on this property.

g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

~~No, nonproject action.~~

h. Proposed measures to reduce or control transportation impacts, if any:

N/A, no impacts as a nonproject action. Any future proposal would be required to comply with any and all applicable codes, and would require a concurrency analysis at the "net new trips" are generated per MICC 19.20.030.

15. Public services

a. Would the project result in an increased need for public services (for example; fire protection, police protection, health care, schools, other)? If so, generally describe.

~~N/A, no as a nonproject action.~~

b. Proposed measures to reduce or control direct impacts on public services, if any.

N/A, nonproject action.

16. Utilities

a. Check utilities currently available at the site:

Electricity ☒	Natural Gas ☒	Water ☒	Refuse Service ☒
Telephone ☒	Sanitary sewer ☒	Septic system ☐	Other ☒

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

No changes to utilities or construction is proposed as part of the nonproject action.

C. SIGNATURE

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the answers to the attached SEPA Checklist are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: Amy Lavin Digitally signed by Amy Lavin Date: 2026.02.10 17:58:17 -08'00'

Date Submitted:

SEPA RULES

SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(do not use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; productions, storage, or release of toxic or hazardous substances; or production of noise?

It would be unlikely to create an increase; no increases would be created. The uses permitted in the CO include the SJCC, and typical commercial/services uses. The redesignation is not proposing to change the use of the property, which will remain as the SJCC.

Proposed measures to avoid or reduce increases are:

While no increases are anticipated, all future development would require compliance with then-existing codes, which are much more stringent than the codes under which the existing SJCC was developed. Existing noise and zoning ordinances that govern the CO zone prevent and mitigate impacts.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

The proposal would not impact plants, animals, fish or marine life. The redesignation is not changing the use of the property, which will remain as the SJCC.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

While no increases are anticipated, all future development would require compliance with then-existing codes, which are much more stringent than the codes under which the existing SJCC was developed. The site is not within a shoreline zone and will have no impacts to marine life or fish. No impacts to protect species will occur, as they are not present on the site. The redesignation would require compliance with existing tree codes and zoning ordinances, which intend to mitigate any impacts.

3. How would the proposal be likely to deplete energy or natural resources?

The proposal would not deplete energy or natural resources. The list of allowed uses in the CO zone does not include a use that would deplete energy or natural resources. The redesignation is not changing the use of the property, which will remain as the SJCC.

Proposed measures to protect or conserve energy and natural resources are:

While no increases are anticipated, all future development would require compliance with then-existing codes, which are much more stringent than the codes under which the existing SJCC was developed. The redesignation requires compliance with current energy codes, which are applicable throughout Mercer Island.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

There is a very small steep slope area on the site. No other protected habitat or critical areas are present on the site. No anticipated impact to this area that would be harmful in nature is anticipated. No other government-protected areas would be used or impacted.

Proposed measures to protect such resources or to avoid or reduce impacts are:

All steep slope areas on the Island are regulated by the City's critical areas ordinance and geotechnical codes.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

The proposal changes the designation of the property but it does not change the actual use of the property. Therefore, there are no impacts to compatibility. The use of the land remains as compatible as it always has been with adjacent uses in the area. In addition, the area already includes several areas designated/zoned CO, which have remained compatible with surrounding uses and plans. The proposal is consistent with the MI comprehensive plan, as well as the MICC, as stated in our application.

Proposed measures to avoid or reduce shoreline and land use impacts are:

There are no land use impacts. The proposal complies with the comprehensive plan and the MICC. The CO zone restricts the allowed uses in the CO zone to those that are compatible with the existing comprehensive plan and surrounding uses, and the development standards of the CO zone, as well as the MICC in general, maintain compatibility with surrounding uses and existing plans.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

Very unlikely, particularly because there is no proposed change to the existing use of the property. Please see the attached memorandum from the Transpo Group, which outlines the worst case scenario in terms of traffic trip generation. This outcome is highly unlikely to occur, as the stated current and proposed use of the property is the SJCC. No additional increase to demand on public services or utilities could occur as a result of the change to CO.

Proposed measures to reduce or respond to such demand(s) are:

Any development proposal proposed under the redesignation would be required to obtain concurrency review when it proposes net new trips, and would be required to review impacts to public services, utilities, and transportation under SEPA. Compliance with the MICC and applicable codes mitigates potential impacts.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

~~The proposal does not conflict with any such local, state, or federal laws or requirements regarding environmental protection.~~

[Statutory Authority: RCW 43.21C.110. WSR 16-13-012 (Order 15-09), § 197-11-960, filed 6/2/16, effective 7/3/16. Statutory Authority: RCW 43.21C.110 and 43.21C.100 [43.21C.170]. WSR 14-09-026 (Order 13-01), § 197-11-960, filed 4/9/14, effective 5/10/14. Statutory Authority: RCW 43.21C.110. WSR 13-02-065 (Order 12-01), § 197-11-960, filed 12/28/12, effective 1/28/13; WSR 84-05-020 (Order DE 83-39), § 197-11-960, filed 2/10/84, effective 4/4/84.]

COMMUNITY PLANNING & DEVELOP

206.275.7605
www.mercerisland.gov/cpd

SEPA THRESHOLD DETERMINATION OF NON-SIGNIFICANCE (DNS)

NOTICE IS HEREBY GIVEN that a determination has been issued for the application described below:

File No. SEP25-021

Permit Type: Type III – Non-Project Action

Description of Request: Review under the State Environmental Policy Act (SEPA) for a non-project action amending the 2024 Comprehensive Plan Land Use Map (Comprehensive Plan Amendment CPA25-002) and the City of Mercer Island Zoning Map in Appendix D (Reclassification of Property RZN25-002) to redesignate King County Parcel Nos. 2655500137, 2655500136, 2655500132, and a portion of 2655500115 from Single-Family Residential R-8.4 and R-9.6 to Commercial Office (C-O).

Applicant/Owner: Amy Lavin (Stroum Jewish Community Center) / Stroum Jewish Community Center

Location: 3801 E Mercer Way, 9824 SE 40th St, 3975 99th Ave SE, and 3795 E Mercer Way, Mercer Island, WA 98040; identified by King County Assessor's Parcel Numbers: 2655500137, 2655500136, 2655500132, and 2655500115

Lead Agency: City of Mercer Island, Department of Community Planning & Development

Project Documents: https://mieplan.mercergov.org/public/SEP25-021

Use the camera on your smartphone to scan the QR code to easily access the project documents.

Environmental Documents: Copies of all studies and/or environmental documents are available through the above project documents link.

Application Process Information:

Date of Application:	December 11, 2025
Determination of Complete Application:	January 6, 2026

The lead agency determined that the proposed development will not have a probably significant adverse impact on the environment. An environmental impact statement (EIS) is not required pursuant to RCW 43.21C.031(2). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

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

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☒	This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date below. Comments must be submitted by July 6, 2026 at 5:00 PM.

Responsible Official: Molly McGuire, Senior Planner | molly.mcguire@mercerisland.gov | (206) 275-7712

Issued Date: June 22, 2026 **Signature: /s/ Molly McGuire, Senior Planner**

APPEAL INFORMATION

This decision to issue a Determination of Non-significance (DNS) rather than to require an EIS may be appealed pursuant to Section 19.21 of the Mercer Island Unified Land Development Code, Environmental procedures.

☒	Any party of record may appeal this determination to the City Clerk at 9611 SE 36th Street, Mercer Island, WA 98040 no later than **5pm on July 6, 2026** by filing a timely and complete appeal application and paying the appeal fee. You should be prepared to make specific factual objections. Contact the City Clerk to read or ask about the procedures for SEPA appeals. To reverse, modify, or remand this decision, the appeal hearing body must find that there has been substantial error, the proceedings were materially affected by irregularities in procedure, the decision was unsupported by material and substantial evidence in view of the entire record, or the decision is in conflict with the city's applicable decision criteria.
☐	There is no agency appeal.
☐	Any person aggrieved by the issuance of this decision may seek review from the **Shorelines Hearings Board** by filing a petition for review within twenty-one days from the date of filing of the decision as defined in RCW 90.58.140(6). Within seven days of the filing of any petition for review with the Board, the petitioner shall serve copies of the petition on the Washington State Department of Ecology, the Office of the Attorney General, and the City of Mercer Island. More information on this process can be found on the Shoreline Hearing Board's website: http://www.eho.wa.gov/ or by calling (360) 664-9160.

BUSINESS OF THE CITY COUNCIL
CITY OF MERCER ISLAND

AB 6963
September 1, 2026
Regular Business

AGENDA BILL INFORMATION

TITLE:	AB 6963: Water Supply Pipeline Project – Mini-MACC 2 and Near-Term Funding Authorization	☐ Discussion Only ☒ Action Needed: ☒ Motion ☐ Ordinance ☐ Resolution
RECOMMENDED ACTION:	Authorize the City Manager to execute Mini-MACC 2 with Scarsella Brothers, Inc., a Washington-based Corporation, in an amount not to exceed $10,535,100, for construction of the new 24-inch water supply pipeline and associated water-system improvements; appropriate $6,142,200 from the Water Fund available fund balance to the Water Supply Pipeline Project (90.40.0032); and authorize the City Manager to execute any related documents necessary to complete this work.	

DEPARTMENT:	Public Works
STAFF:	Jason Kintner, Chief of Operations Clint Morris, Interim Public Works Director Kellye Hilde, Public Works Deputy Director Allen Hunter, Senior Utilities Program Manager Ian Powell, Street Engineer
COUNCIL LIAISON:	n/a
EXHIBITS:	1. Overview of SPU Supply Map 2. Project Location Map 3. SPU Letter of Intent to Transfer Mercer Island Pipeline Segment 4. Postcard to Residents 5. Declaration of Intent to Seek Reimbursement
CITY COUNCIL PRIORITY:	3. Make once-in-a-generation investments to update and modernize aging infrastructure, capital facilities, and parks.

AMOUNT OF EXPENDITURE	$ 10,535,100
REMAINING AUTHORIZED BUDGET	$4,393,100
APPROPRIATION REQUIRED	$6,142,000

EXECUTIVE SUMMARY

The purpose of this agenda item is to update the City Council on the Water Supply Pipeline Project (90.40.0032), authorize Mini-Maximum Allowable Construction Cost (Mini-MACC) 2 for construction of the new 24-inch water supply pipeline and related water system improvements, and authorize near-term funding required to proceed with this phase of work.

- In April 2024, a leak was discovered on the Seattle Public Utilities (SPU) 24-inch diameter water supply pipeline on Mercer Island. The leak severely limited the Island's water supply until repairs to SPU's pipeline were completed in August 2024.
- In response to the water supply emergency, the City initiated an evaluation of alternatives to replace the aging SPU pipeline, built in 1956, with a more resilient, earthquake-resistant water supply pipeline in a new alignment.
- In October 2024, the City Council authorized staff to include design and construction of a new water supply pipeline in the 2025-2030 Capital Improvement Plan (AB 6530).
- In May 2025, the City Council approved Scarsella Brothers, Inc. ("Scarsella"), as the Heavy Civil General Contractor/Construction Manager (GC/CM) for the project (AB 6690). The GC/CM method of project delivery is described in detail in the background section of this agenda bill.
- The overall project includes installing more than 5,000 linear feet of new, City-owned 24-inch earthquake-resistant ductile iron water supply pipeline in a new alignment, replacing an aging asbestos cement water main on Gallagher Hill Road, and completing associated roadway and pedestrian improvements along SE 36th Street, Gallagher Hill Road, and a portion of SE 40th Street.
- On October 21, 2025, staff provided a project update summarizing preliminary design work and next steps (AB 6795).
- On January 20, 2026, the City Council approved a second professional services contract with RH2 Engineering, Inc. to develop Phase 2 design and permitting documents for the project (AB 6837).
- The GC/CM process allows the City to authorize defined construction packages before the overall construction cost is finalized through limited Maximum Allowable Construction Cost amendments, referred to as Mini-MACCs. Each Mini-MACC establishes a maximum not-to-exceed cost and authorizes Scarsella to proceed with the specified work.
- On April 21, 2026, the City Council authorized construction of the 10-inch water main by Kar-Vel Construction as a subcontractor to Scarsella (AB 6904). Following Council authorization, the work was incorporated into the GC/CM contract as Mini-MACC 1.
- The current total project budget is estimated at $22,440,200, including construction, design and engineering, permitting, construction management and inspection, materials testing, public outreach, utility coordination, and other project-support costs.
- This Agenda Bill requests a $10,535,100 budget authorization for Mini-MACC 2, the second limited construction package. The Mini-MACC 2 consists of the new 24-inch water supply pipeline and associated water-system improvements, but does not authorize the remaining roadway resurfacing, pedestrian improvements, or other restoration work. This remaining scope of work will be addressed in a final authorization presented to the City Council in Q1 2027.
- At 2025 year-end, the Water Fund had $8,312,800 available fund balance. This resource remains available to water utility related capital improvements. Staff recommends the City Council appropriate $6,142,000 of this available fund balance to the Water Supply Pipeline Project (90.40.0032) Mini-MACC 2. Additional information on the remaining debt issuance is described in the Next Steps Section.
- Construction of the 10-inch water main is anticipated to begin in September 2026. Construction of the 24-inch water supply pipeline is anticipated to begin in late October 2026. Substantial completion of the entire project is anticipated by the end of 2027.

BACKGROUND

EXISTING WATER SUPPLY PIPELINE

Seattle Public Utilities (SPU) is the sole provider of potable water to Mercer Island (Exhibit 1). The SPU 24-inch water supply pipeline was constructed in 1956. A portion of the pipeline is located in the SE 40th Street public right-of-way and has required several leak repairs over the decades. In April 2023 (AB 6281) and April 2024, the City was notified of major system failures on the SPU water supply pipeline. Although circumstances for each event were different, both events resulted in major water emergencies impacting the Mercer Island community.

The City and Shorewood Apartments are the two wholesale customers served by SPU's water supply pipeline. The City is responsible for 97.2% of the total costs associated with operating and replacing this water supply pipeline; the balance is the responsibility of Shorewood Apartments, as a direct customer of SPU. Given the City's responsibility for most of the pipeline's replacement costs and the importance of maintaining a reliable water supply, the City began evaluating alternatives to replace the aging SPU pipeline with a more resilient, earthquake-resistant pipeline in a new alignment.

APRIL 2024 EVENT

On April 3, 2024, the City learned that the SPU 24-inch water supply pipeline to Mercer Island was leaking in the steep sloped area in the SE 40th Street public right-of-way, just north of where Mercerwood Drive meets SE 40th Street. Consequently, SPU crews significantly reduced and then shut off flow to the pipeline, eliminating its use as the primary water supply pipeline. Mercer Island received water through a smaller backup pipeline beginning on April 4, 2024, and implemented emergency conservation actions due to the constrained water supply.

SPU and its contractors, in coordination and collaboration with the City, completed repairs and testing and restored flow through the SPU water supply pipeline on August 1, 2024. The repaired section was slip-lined with approximately 1,300 feet of structural liner, reducing its internal diameter from 24-inches to 17.4-inches.

In October 2024, the City Council authorized staff to include design and construction of a new water supply pipeline in the 2025-2030 Capital Improvement Plan (AB 6530). Although the primary driver for construction includes the installation of a new water supply pipeline, the project scope also includes replacement of an existing asbestos-cement water main (previously scheduled for 2025) and roadway and pedestrian improvements which were already included within the City's Six-Year Transportation Improvement Program (TIP).

ALTERNATIVE PROJECT DELIVERY METHOD

The City is delivering the Water Supply Pipeline Project using the Heavy Civil General Contractor/Construction Manager (GC/CM) alternative public works contracting method. Unlike traditional project delivery, in which the contractor is selected after design is complete, GC/CM allows the contractor to join the project team during design. The Washington State Project Review Committee approved the City's use of this delivery method in December 2024, and the City Council approved Scarsella Brothers, Inc. ("Scarsella") as the project's GC/CM in May 2025 (AB 6690).

During preconstruction, Scarsella worked collaboratively with the City and its design consultant to evaluate constructability, develop cost estimates and construction sequencing, identify value-engineering

opportunities, prepare the project schedule, and develop subcontractor work packages. This early involvement helped the City identify potential construction issues, refine project costs, and plan the work before construction begins.

The GC/CM process allows the City to authorize defined construction packages through limited Maximum Allowable Construction Cost amendments, referred to as Mini-MACCs, before the overall construction cost is finalized. Each Mini-MACC establishes a maximum not-to-exceed cost and authorizes a specific scope of work to be performed. This allows critical phases of construction to proceed while design, procurement, cost negotiations, and funding for the remaining work continues.

The final contractual step under this form of project delivery is the Guaranteed Maximum Price Amendment. The amendment incorporates the work previously authorized through the Mini-MACCs into the overall Maximum Allowable Construction Cost, establishes the Total Contract Cost, and authorizes the remaining construction work. As illustrated in Figure 1, the Total Contract Cost consists of the overall Maximum Allowable Construction Cost, specified general conditions, and the GC/CM percent fee. The Maximum Allowable Construction Cost includes the construction work, project-specific support costs, risk contingency, allowances, and other approved construction costs.

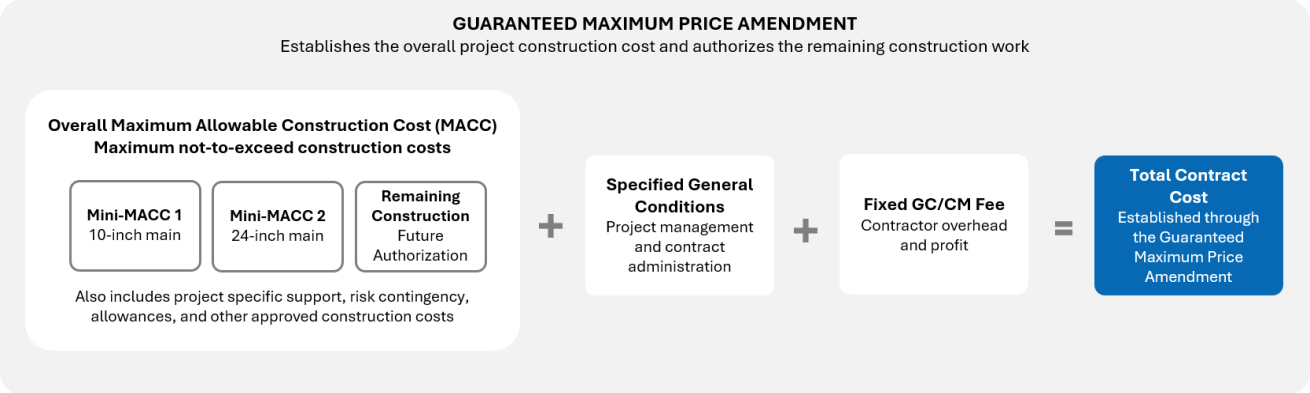


Figure 1. Water Supply Pipeline Project GC/CM Contract Cost Structure

For the Water Supply Pipeline Project, construction is being authorized in the following stages:

- **Mini-MACC 1:** Construction of the 10-inch water main by Kar-Vel Construction as a subcontractor to Scarsella. Kar-Vel submitted the lowest responsive bid and was approved by the City Council on April 21, 2026 (AB 6904). Following Council authorization, the approved work was incorporated into the GC/CM contract as Mini-MACC 1.
- **Mini-MACC 2:** Construction of the new 24-inch water supply pipeline, connections to the SPU system, new water connections and master meters serving Shorewood Apartments, and other improvements necessary to test and place the new pipeline into service. Scarsella will perform this work as negotiated self-performed work. Authorization of Mini-MACC 2 is the subject of this Agenda Bill.
- **Guaranteed Maximum Price Amendment:** Authorization of the remaining construction packages, including concrete work, asphalt paving, pavement markings, and illumination. Staff will return to the City Council in Q1 2027 for authorization of the Guaranteed Maximum Price Amendment.

Under the Heavy Civil GC/CM requirements, Scarsella may perform up to 50 percent of the project's construction value at prices negotiated with the City and may compete for up to an additional 20 percent. At least 30 percent of the construction value must be performed by subcontractors.

PROJECT DESIGN AND CONSTRUCTION PHASING

The City retained RH2 Engineering as the design consultant for the project in January 2025. Staff provided a project update to the City Council on October 21, 2025, when design was approaching the 60 percent stage (AB 6795). On January 20, 2026, the City Council approved a second professional services contract with RH2 Engineering to complete Phase 2 design and permitting for the project (AB 6837).

Since the October 2025 update, the project team has advanced the design, evaluated constructability, refined construction sequencing, performed value engineering, and completed the design and cost negotiations necessary to establish Mini-MACC 2. Design, subcontractor procurement, and cost development for the remaining construction work will continue in preparation for the Guaranteed Maximum Price Amendment. The overall Maximum Allowable Construction Cost and Total Contract Cost have not yet been finalized and will be presented to the City Council as part of the future Guaranteed Maximum Price Amendment.

Construction is sequenced so that the underground water system improvements are completed before the roadway resurfacing, pedestrian improvements, drainage, illumination, and other final restoration work. The underground water system improvements are scheduled to begin in September 2026 and are anticipated to take approximately eight to ten months to complete. Roadway and associated surface improvements will follow, beginning in spring 2027, and are anticipated to take approximately eight months. Substantial completion of the entire project is expected by the end of 2027.

ASBESTOS CEMENT (AC) WATER MAIN REPLACEMENT

Replacement of an existing AC water main within Gallagher Hill Road is included in this project (Exhibit 2). In recent years, the City has prioritized removal of AC pipe from the water system, with a goal of having all AC water mains replaced by 2030. AC pipe was widely used from the 1940's through early 1980's; however, as this material reaches its later stages of useful life, it becomes increasingly prone to failure. There are approximately four miles of AC pipe remaining in the City's water distribution system. This project will replace 1,500 feet of existing AC pipe with a new 10-inch ductile iron water main, along with a Pressure Reducing Valve at the bottom of SE Gallagher Hill Road.

Because the existing AC water main conflicts with a substantial portion of the new 24-inch supply pipeline alignment, the 10-inch water main must be installed first. Once the new 10-inch main is completed and the AC main is removed from service, construction of the 24-inch supply pipeline will begin.

The 10-inch water main construction package was separated from the larger supply pipeline and roadway improvements so it could be competitively bid. This work package was authorized by Council on April, 21 2026, (AB 6904) and has been incorporated into the GC/CM contract as Mini-MACC 1.

NEW WATER SUPPLY PIPELINE

The project includes constructing an earthquake-resistant 24-inch diameter water supply pipeline along a new alignment (Exhibit 2). The new pipeline will replace a significant segment of the existing SPU 24-inch diameter concrete cylinder water pipeline, which is not seismically resilient.

The planned alignment begins at the SPU water supply pipeline near the Mercer Island Boat Launch area, then continues north on East Mercer Way, west on SE 36th Street, southwest along SE Gallagher Hill Road to SE 40th Street, and east on SE 40th to 92nd Avenue SE (see Exhibit 1).

The SPU owned master water meter, which measures the total volume of water delivered to the City, will be relocated near the Boat Launch roadway vicinity. In addition, a short section of 12-inch pipe near an existing SPU meter behind the reservoir at 89th Avenue and SE 43rd Street will be upsized to 24 inches to improve overall flow, and the existing meter will be removed.

This work package has been negotiated as Scarsella's self-performed work under Mini-MACC 2.

ROADWAY IMPROVEMENTS

Roadway improvements will be constructed following the installation, testing, and startup of the water system improvements. The scope of these improvements includes:

- **SE 36th Street - Gallagher Hill Road to East Mercer Way (90.40.0032):** Restore roadway and sidewalks removed for pipeline construction; upgrade sidewalk ramps to meet current ADA standards; grind and repave the roadway with a full-width hot-mix asphalt (HMA) overlay; raise utilities to grade; and install new pavement markings.
- **Gallagher Hill Road Sidewalk Improvements- SE 36th Street to SE 40th Street (90.20.0009):** Construct new curb and sidewalk along the east side of the roadway (downhill lane); provide a paved shoulder suitable for bicycle use on the west side (uphill lane); install a full-width HMA overlay; raise utilities to grade; install new pavement markings; and install street lighting to accompany the new sidewalk.
- **SE 40th Street Sidewalk Improvements- Gallagher Hill Road to 93rd Avenue SE (90.20.0006):** Construct new curbs, sidewalks, and bike lanes on both sides of the road; install a full-width HMA overlay; raise utilities to grade; install new pavement markings; and upgrade the existing street lighting.

Together, these improvements include approximately one mile of repaved arterial roadway. The HMA paving is funded through the Water Supply Pipeline Project to restore roadways heavily impacted by water-main trenching. The pedestrian improvements, including sidewalks, ADA-compliant curb ramps, and street lighting, are identified in the City's Six-Year TIP for construction in 2027 and are funded by the Street Fund. This work package will be brought back to Council in early 2027 as part of the Guaranteed Maximum Price Amendment.

SHOREWOOD APARTMENTS

Shorewood Apartments is currently a direct wholesale customer of SPU and is served through a connection along SE 40th Street. When the new water supply pipeline is placed into service, the existing SPU pipeline along SE 40th Street will be decommissioned, requiring a new water connection for Shorewood Apartments. The project includes two new connections and master meters extending from SE 36th Street at 88th and 90th Avenues SE. The two connections will create a looped system, improving water quality and providing additional operational flexibility. Following completion of the connections, Shorewood Apartments will become a City of Mercer Island water customer.

SPU and City staff have notified Shorewood Apartments of the upcoming service changes. City staff are meeting monthly with Shorewood property management to discuss the new connections. The work will

require temporary construction easements and permanent easements allowing the City to access and maintain its metering infrastructure on Shorewood property. The proposed easement boundaries have been shared with Shorewood management, and the City is drafting the necessary easement documents. Monthly coordination meetings are anticipated to continue throughout construction.

COORDINATION WITH OTHER AGENCIES

Staff continue to coordinate with multiple agencies, including the Washington State Department of Transportation, Seattle Public Utilities, the Washington State Department of Health, the Washington State Department of Commerce, and the City's Community Planning and Development Department to complete permitting, utility coordination, regulatory approvals, grant requirements, and implementation of the new water supply system.

- **Washington State Department of Transportation**
  A portion of the water supply pipeline alignment will be located within WSDOT right-of-way near the intersection of East Mercer Way and SE 36th Street. City staff and RH2 Engineering have submitted the required application and plans for a Utility Accommodation Variance, which remain under WSDOT review. Coordination with WSDOT will continue throughout design and construction.

- **Seattle Public Utilities (SPU)**
  In April 2026, SPU formally notified the City Manager of its intent to transfer a segment of the SPU-owned Mercer Island Pipeline to the City (Exhibit 3). Following the transfer, the City will own the water distribution system on Mercer Island downstream of the SPU master meter near the Mercer Island Boat Launch. The transfer will allow the City to formally decommission and abandon the existing SPU pipeline and transition water service to the new City-owned supply pipeline.

  SPU and the City plan to enter into an agreement documenting the transfer of the water infrastructure and associated financial responsibilities, the transfer of Shorewood Apartments from a SPU customer to a City customer, and the City's potential purchase of a small SPU-owned land parcel. The agreement will require approval from both the Seattle and Mercer Island City Councils, which is anticipated during the first half of 2027. The City also provided SPU with design documents in May 2026 and is working to address SPU's comments.

- **Washington State Department of Health**
  The Water Supply Pipeline Project will require approval from the Washington State Department of Health (Department of Health) as part of the City's Water System Plan update.

  The Waster System Plan update was delayed while the City completed Growth Management Act compliance work that increased the City's planned housing capacity and required corresponding updates to the water-demand model and planning assumptions.

  Staff anticipate completing the draft Water System Plan by the end of 2026. The draft plan will be presented to the Utility Board and the City Council in Q1 2027, with adoption anticipated in Q2 2027. The City provided the project's design documents to the Department of Health for informal review in June 2026. The Department of Health will formally review the project and the addition of Shorewood Apartments as a City water customer through its review of the Water System Plan. The new water supply pipeline will not be placed into service until the Department of Health approves the Water System Plan update.

- **Washington State Department of Commerce**
  The City has secured a $1.2 million grant for the Water Supply Pipeline Project through the Washington State Department of Commerce as part of the 2025-2027 State Capital Budget. In accordance with the grant requirements, the Department of Commerce will retain 3 percent, or $36,000, for administrative costs, resulting in approximately $1.164 million available for eligible project expenditures. Staff submitted the required application materials in early July 2026 and are awaiting further direction regarding the grant process.

COMMUNITY ENGAGEMENT

City staff launched a comprehensive communication plan in March 2026. Engagement activities include updates through the Let's Talk platform, direct-mail notifications to affected neighborhoods (Exhibit 4), coordination with the Mercer Island School District regarding potential bus-route impacts, and targeted outreach to the French American School, the Jewish Community Center, and other stakeholders along the project corridor. Additional outreach will communicate the project schedule, anticipated construction impacts, and the long-term benefits of the water system and roadway improvements. The City's Customer Service Team is also being briefed and will support the Public Works Department in responding to public inquiries during construction.

ISSUE/DISCUSSION

PROJECT STATUS AND CURRENT COUNCIL ACTION

The project team has advanced the design and completed the cost negotiations necessary to establish Mini-MACC 2, which includes:

- Construction of the new 24-inch water supply pipeline.
- Connections to the Seattle Public Utilities system.
- New water connections and master meters serving Shorewood Apartments.
- Other improvements necessary to test and place the new pipeline into service.

Under the Heavy Civil GC/CM contract, the City and Scarsella negotiated the scope and cost of this work, which Scarsella will complete using its own crews.

Staff recommends that City Council authorize Mini-MACC 2 and appropriate the near-term funding required to proceed with this construction package. Approval of Mini-MACC 2 does not establish the overall Maximum Allowable Construction Cost or Total Contract Cost and does not authorize the remaining roadway resurfacing, pedestrian improvements, drainage, illumination, or other restoration work – that final scope of work will come to the City Council for approval in 2027.

Design, subcontractor procurement, and cost development for the remaining construction packages will continue. Staff anticipate returning to the City Council in Q1 2027 to request authorization for the City Manager to execute the Guaranteed Maximum Price Amendment. The amendment will incorporate Mini-MACC 1 and Mini-MACC 2, and the remaining construction work into the overall Maximum Allowable Construction Cost; establish the Total Contract Cost, consisting of the overall Maximum Allowable Construction Cost, specified general conditions, and the GC/CM percent fee; and authorize the remaining construction work.

MINI-MACC 2

Mini-MACC 2 establishes a maximum not-to-exceed amount for construction of the new 24-inch water supply pipeline, connections to the Seattle Public Utilities system, new water connections and master meters serving Shorewood Apartments, and other improvements necessary to test and place the pipeline into service. Table 1 summarizes the proposed authorization.

Table 1: Mini-MACC 2 Cost Breakdown
Water Supply Pipeline and Related Improvements (90.40.0032)

Construction	$ 7,656,300
Contractor Fees	423,500
General Conditions	658,500
Negotiated Site Services	490,000
Mini-MACC 2 - Contingency @ 3.5%	323,000
WA Sales Tax @ 10.3%	983,800
Total Mini-MACC 2 Expenditures	**$ 10,535,100**

OVERALL PROJECT BUDGET

Water-related project costs are funded through a combination of water utility rate revenues, available Water Fund resources, state grant funding, and bond proceeds. Pedestrian improvements are funded separately through the Street Fund and are included in the City's 2027–2032 Transportation Improvement Program, adopted May 5, 2026 (AB 6919). These improvements include the SE 40th Street Sidewalk Improvements (90.20.0006) and Gallagher Hill Road Sidewalk Improvements (90.20.0009), with a combined total of $1,762,000 identified in the City's Six-Year TIP for construction in 2027 and are funded by the Street Fund.

The current total project budget is estimated at $22,440,200 (see Table 2). This amount includes the construction contract as well as engineering design, environmental review and permitting, construction management and inspection, materials testing, public outreach, utility coordination, and other project-support costs.

The current estimate is approximately $3.7 million higher than the $18,773,000 planning-level estimate presented to the City Council in October 2024 (AB 6530). The increase is primarily due to the addition of roadway and pedestrian improvements that were previously planned as separate projects. The 2024 estimate addressed the core water system improvements, including design and construction of the new supply pipeline, connection to the regional water system, and replacement of the aging water main on Gallagher Hill Road.

Adding the roadway and pedestrian improvements to the Water Supply Pipeline project allows the City to restore roadways affected by water main construction while also completing planned paving, sidewalk, accessibility, and street lighting improvements along the project corridor. Combining this work reduces the need for separate future construction projects and avoids reopening recently restored streets.

The total project budget will continue to be refined as design and procurement for the remaining construction packages are completed. The overall Maximum Allowable Construction Cost and Total Contract Cost will be established through the future Guaranteed Maximum Price (GMP) Amendment and presented to the City Council in Q1 2027.

Table 2: Total Project Budget Water Supply Pipeline and Related Improvements (90.40.0032)			
Design and Delivery Costs	**Water Fund**	**Street Fund**	**Total**
Design and Engineering—Phase 1	$ 594,000	$ -	$ 594,000
Design and Engineering—Phase 2	869,000	-	869,000
Engineering Services During Construction	550,000	100,000	650,000
Advisory Services for GC/CM	531,800	-	531,800
Audit Services	49,100	-	49,100
Special Inspection Services	30,300	15,000	45,300
Project Management, Inspections, Administration	425,000	75,000	500,000
WSDOT Coordination	20,000	-	20,000
DOH/SPU Coordination	20,000	-	20,000
Design and Delivery Subtotal	**$ 3,089,200**	**$ 190,000**	**$ 3,279,200**
Construction Costs			
GC/CM Preconstruction Services	$ 469,300	$ -	$ 469,300
Mini-MACC 1: 10-Inch Water Main Construction	1,748,900	-	1,748,900
Mini-MACC 2: 24-Inch Water Supply Pipeline Construction	10,535,100	-	10,535,100
Estimated Future GMP Amendment	4,645,700	1,762,000	6,407,700
Construction Subtotal	**$17,399,000**	**$1,762,000**	**$19,161,000**
Estimated Total Project Budget *(as of 09/01/2026)*	**$20,488,200**	**$1,952,000**	**$22,440,200**

NEAR-TERM FUNDING

The adopted 2025–2026 Capital Improvement Program includes $5,748,380 for the Water Supply Pipeline Project (90.40.0032). Of this amount, $3,229,100 remains available. An additional appropriation of approximately $6,142,000 is required for the estimated $10,535,100 in Mini-MACC 2 expenditures (see Table 3).

At 2025 year-end, the Water Fund had $8,312,800 available fund balance. This resource remains available to water utility related capital improvements. Staff recommends the City Council appropriate $6,142,000 of this available fund balance to the Water Supply Pipeline Project (90.40.0032) Mini-MACC 2.

This appropriation is limited to providing adequate resources to complete the Mini-MACC 2. It does not authorize the future Guaranteed Maximum Price Amendment or establish final project expenditure authority. Additional appropriation requirements to complete the remaining Water Supply Pipeline Project construction will be presented to the City Council with the Guaranteed Maximum Price Amendment in Q1 2027.

Table 3: Mini-MACC 2 Funding and Budget Appropriation		
Mini-MACC 2 - Total Funding Required	**$**	**10,535,100**
Authorized Funding in 2025-2026 Biennial Budget		
Remaining Budget - Water Supply Pipeline (90.40.0032)		3,229,100
Department of Commerce Grant		1,164,000
Subtotal - Authorized Available Funding		**4,393,100**
Water Fund (410) Available Fund Balance		8,312,800
Total Additional Appropriation from Water Fund	**$**	**6,142,000**

LONG-TERM FUNDING

In October 2024, the City issued $26.6 million in limited tax general obligation (LTGO) bonds to support major investments in the City's water distribution system (AB 6538). As of August 2026, the City has invested all the proceeds from that bond issuance in qualifying water capital projects. Additional financing is required to complete the Water Supply Pipeline Project and other planned water-system improvements in the 2027-2028 biennium.

In September 2026, the City Manager will execute a Declaration of Intent (Exhibit 5) documenting the City's intent to reimburse the Water Fund for qualifying expenditures from future bond proceeds. The declaration effectively "starts the clock" for the City to use funds from, for example, a January 2027 bond issuance to pay for hard costs incurred on qualifying water capital projects dating back to July 2026.

Per Resolution No. 1652 adopted by the City Council in November 2023 (AB 6377), a declaration to seek reimbursement is an administrative action and does not authorize the future bond issuance, which requires City Council approval.

Staff anticipate returning to the City Council later in 2026 to request authorization to issue approximately $15 million to $20 million in limited tax general obligation bonds in Q1 2027. The final amount will be based on updated capital project estimates in the proposed 2027–2032 Capital Improvement Program and the Water Utility's broader operational needs in the 2027-2028 biennium. Until the LTGO bonds are issued in Q1 2027, the City will use available Water Fund resources to pay eligible project costs.

Long-term financing for major water-system improvements helps spread the cost of significant capital improvements over the useful life of the new infrastructure. This approach reduces near-term pressure on increasing water rates and allows future customers who will benefit from the improvements to share in their cost.

As part of the City's long-range rate modeling efforts, staff estimate the bond issuance in Q1 2027 will be the final significant issuance for outside financing to support generational reinvestments in the water distribution system. Once major system upgrades are completed, capital reinvestment in the water utility will transition to ongoing routine maintenance beginning in the 2029-2030 biennium.

NEXT STEPS

Following City Council approval, the City Manager will execute Mini-MACC 2 with Scarsella Brothers, Inc., authorizing construction of the new 24-inch water supply pipeline, associated connections, and related water-system improvements.

Construction is anticipated to begin in September 2026 with installation of the 10-inch water main by Kar-Vel Construction under Mini-MACC 1 and mobilization of Scarsella's crews, equipment, and materials. Construction of the new 24-inch water supply pipeline and associated water system improvements authorized under Mini-MACC 2 is anticipated to begin in late October 2026.

After the new pipeline is installed, tested, approved, and placed into service, construction will transition to the remaining roadway resurfacing, pedestrian improvements, drainage, illumination, and other restoration work. Staff will continue design, subcontractor procurement, and cost development for these remaining construction packages and return to the City Council in Q1 2027 for authorization of the Guaranteed Maximum Price Amendment. Substantial completion of the entire project is anticipated by the end of 2027.

Staff will also advance the project's financing strategy through the 2027–2028 biennial budget process and return to the City Council for authorization of the anticipated 2027 bond issuance.

Staff recognizes that the neighborhoods surrounding the project area have experienced significant construction impacts from other major projects in recent years. Although construction impacts cannot be eliminated, the City is committed to minimizing them through active monitoring, coordination, and communication throughout the project. Staff will coordinate construction sequencing, traffic control, staging, detour routes, work hours, and public communications with the contractor and affected agencies and stakeholders, including the Mercer Island School District.

The project management and Customer Service teams will remain in regular contact with residents, businesses, schools, and the traveling public; monitor concerns and changing conditions; and work with the contractor to refine construction activities and reduce impacts where feasible. This may include evaluating limited night work when appropriate. The City will also provide advance construction notifications, regular project updates, stakeholder outreach, and ongoing communication through the City's Let's Talk project webpage and other public-information channels.

Staff will continue coordinating with the Washington State Department of Transportation, Seattle Public Utilities, Washington State Department of Health, Washington State Department of Commerce, the City's Community Planning and Development Department, and Shorewood Apartments regarding permitting, regulatory approvals, utility coordination, and the transition of Shorewood Apartments to the City's water system. The new water supply pipeline is anticipated to be placed into service in spring 2027, when seasonal water demand is lower.

RECOMMENDED ACTION

Authorize the City Manager to execute Mini-MACC 2 with Scarsella Brothers, Inc., a Washington-based Corporation, in an amount not to exceed $10,535,100, for construction of the new 24-inch water supply pipeline and associated water-system improvements; appropriate $6,142,000 from the Water Fund available fund balance to the Water Supply Pipeline Project (90.40.0032); and authorize the City Manager to execute any related documents necessary to complete this work.

OVERVIEW OF SPU SUPPLY LINE

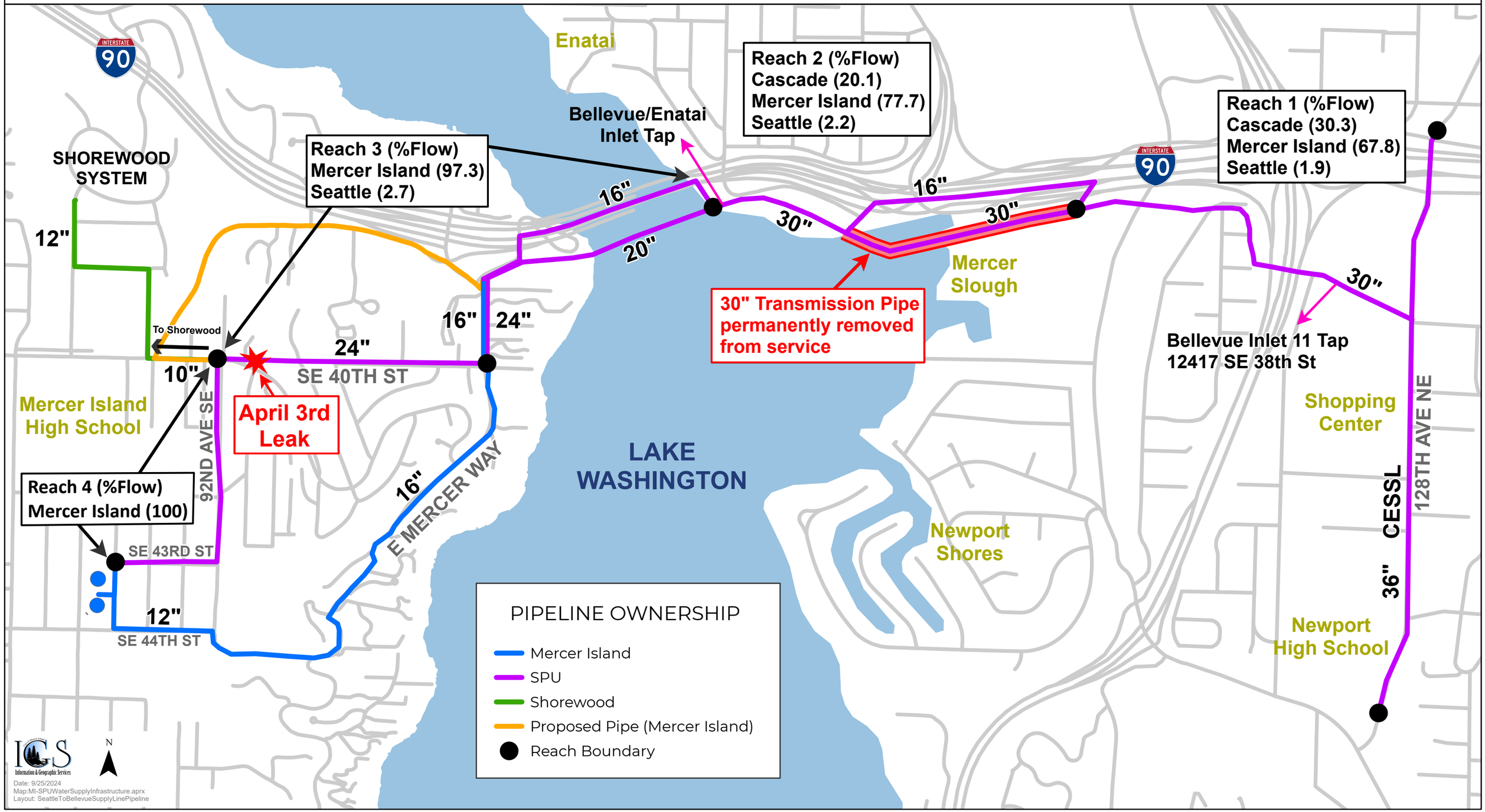
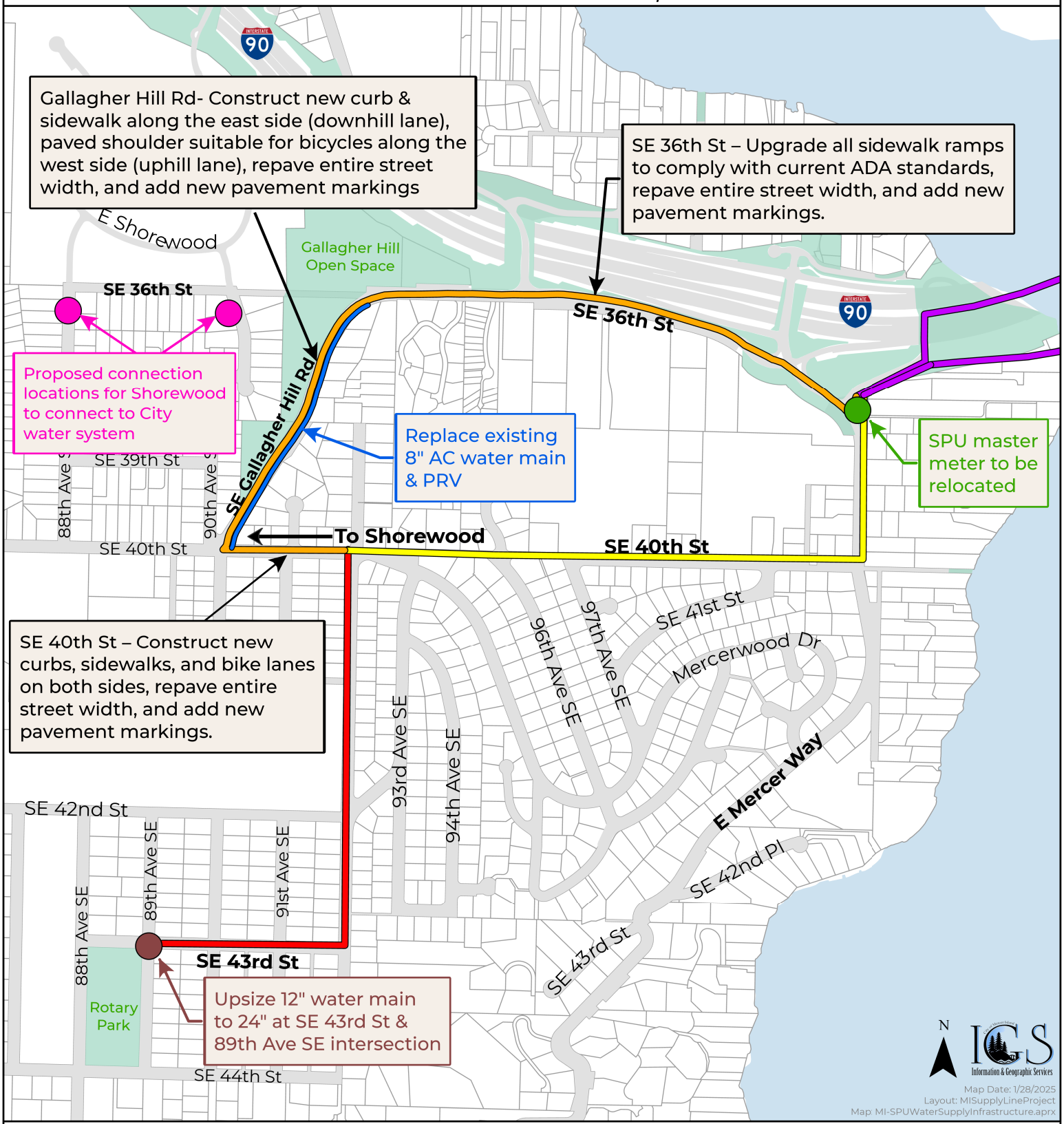


EXHIBIT 1

1030

WATER SUPPLY LINE PROJECT

Mercer Island, WA



- Proposed new Mercer Island supply line
- Existing SPU line to be taken out of service
- Existing Mercer Island 8" AC line to be replaced
- Existing SPU line – Proposed transfer to Mercer Island ownership
- Existing SPU line to remain in service

Seattle Public Utilities

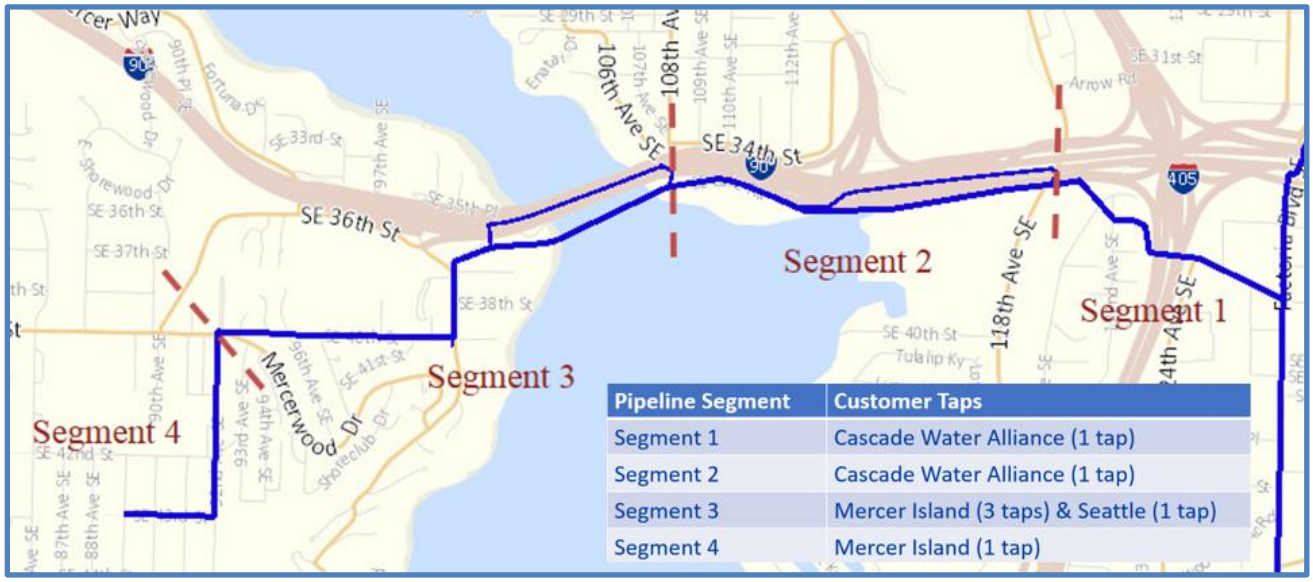
April 23, 2026

Jessi Bon, City Manager
City of Mercer Island
9611 SE 36th St
Mercer Island, WA 98040
(Emailed to citymanager@mercerisland.gov)

Dear Ms. Bon,

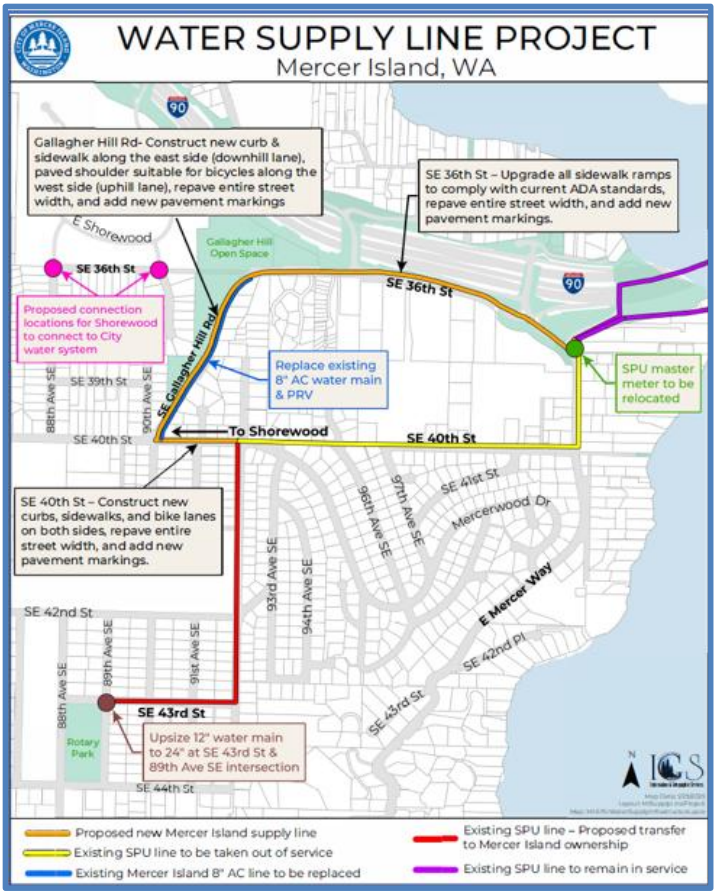
This letter is to communicate the intent of Seattle Public Utilities (SPU), a department of the City of Seattle, to transfer a portion of the SPU-owned Mercer Island Pipeline (MIPL) to the City of Mercer Island (Mercer Island), due to Mercer Island building its own transmission pipeline on the island.

The MIPL is shown in the figure below. It runs from SPU's Cedar Eastside Supply Line in Bellevue, west across Interstate 90 onto the island, and terminates in Rotary Park at Mercer Island's storage tanks, which is the beginning of Mercer Island's distribution system. The MIPL is divided into four segments for cost allocation purposes based on the location of wholesale customer taps.



Pipeline Segment	Customer Taps
Segment 1	Cascade Water Alliance (1 tap)
Segment 2	Cascade Water Alliance (1 tap)
Segment 3	Mercer Island (3 taps) & Seattle (1 tap)
Segment 4	Mercer Island (1 tap)

The route of Mercer Island's new transmission pipeline is shown in the figure below. (Note that the figure was developed last year and is slightly outdated in that the connection to the MIPL will be a little further East and the yellow-colored portion of the MIPL will also be transferred to Mercer Island.) Mercer Island's new transmission pipeline will connect to the MIPL just west of where the MIPL lands on the island, head west and then south, and then connect to the MIPL again at the beginning of Segment 4. A new meter will be installed at the beginning of Mercer Island's new transmission pipeline. Given this route, it makes sense for SPU to transfer the portion of our MIPL downstream of the new meter to Mercer Island for several reasons. First, Mercer Island needs to utilize Segment 4. Second, it would not make sense to pass water through a SPU transmission line (part of Segment 3), to a Mercer Island transmission line, and back to a SPU transmission line (Segment 4). Third, with Mercer Island owning Segment 4, SPU would have no use for the part of Segment 3 downstream of the new meter, while Mercer Island might find use in terms of redundancy.



SPU and Mercer Island plan to sign an agreement that will document various aspects of this project related to the infrastructure, the financial implications, converting the Shorewood Apartments from a SPU retail customer to a Mercer Island retail customer, and Mercer Island likely purchasing a small SPU-owned parcel on the island.

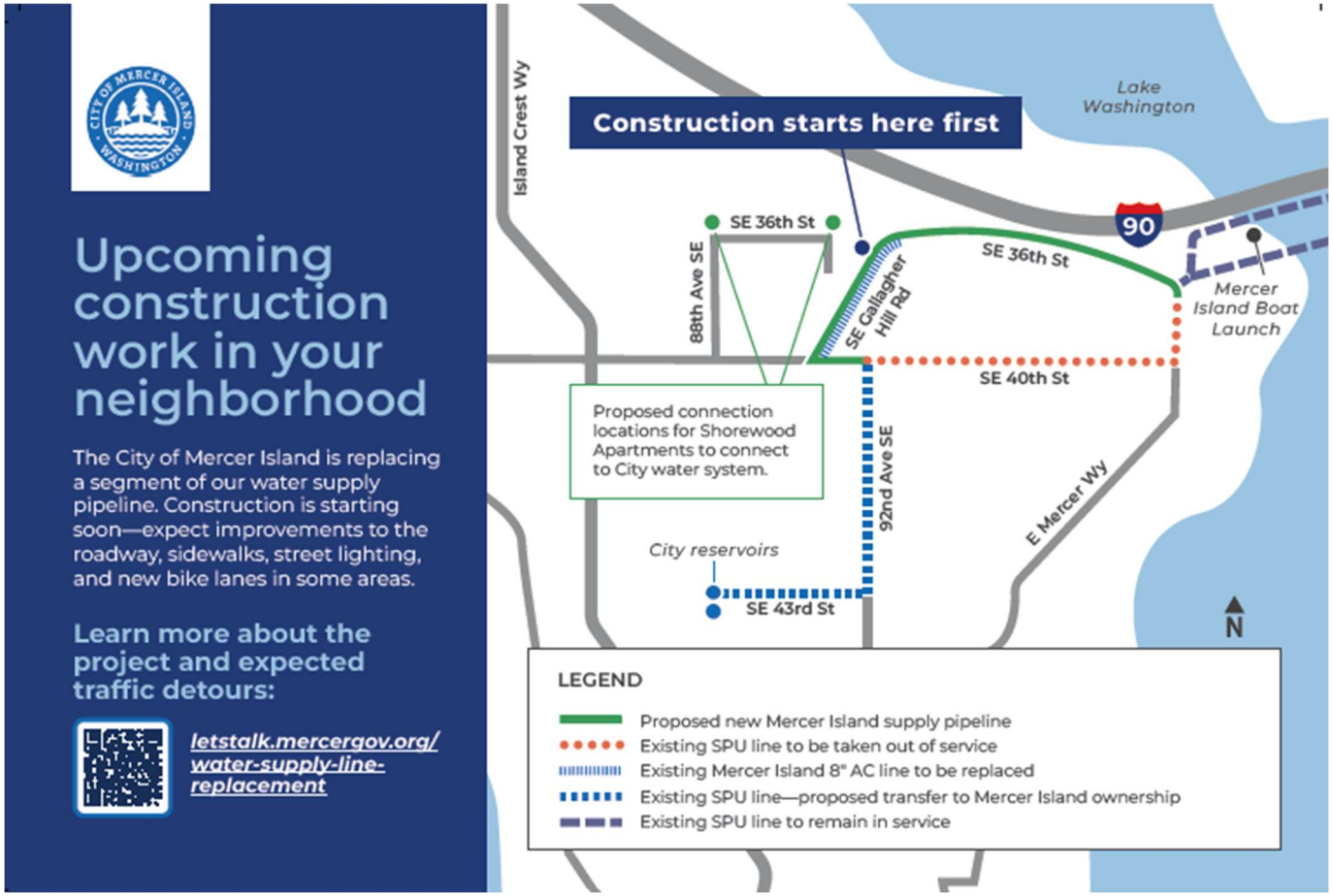
The agreement will be in place by the time the Mercer Island transmission pipeline project is completed, which currently is scheduled for October 2027. Our goal is to provide a draft agreement for Mercer Island's review in late summer of this year. This letter is a precursor to the eventual agreement in order to communicate now our intent to transfer that portion of the MIPL to Mercer Island. The official authority to approve that transfer lies with the Seattle City Council ("Council"), and therefore the City of Seattle and SPU will not be obligated until this transfer is approved by the Council and an agreement for such transfer has been executed. Our goal is to engage the Council early next year and hopefully have a fully executed agreement by the second quarter of 2027.

Sincerely,

Andrew Lee, General Manager and Chief Executive Officer
Seattle Public Utilities

Cc (emailed):

- Jason Kintner, City of Mercer Island, Chief of Operations, jason.kintner@mercerisland.gov
- Carson Hornsby, City of Mercer Island, Management Analyst, carson.hornsby@mercerisland.gov
- Alex Chen, Seattle Public Utilities, Drinking Water and Utility O&M Chief Operating Officer, alex.chen@seattle.gov
- Julie Crittenden, Seattle Public Utilities, Water Planning & Program Management Division Director, julie.crittenden@seattle.gov
- Kelly O'Rourke, Seattle Public Utilities, Wholesale Water Contracts Manager, kelly.orourke@seattle.gov


Upcoming construction work in your neighborhood
The City of Mercer Island is replacing a segment of our water supply pipeline. Construction is starting soon—expect improvements to the roadway, sidewalks, street lighting, and new bike lanes in some areas.
Learn more about the project and expected traffic detours:
letstalk.mercergov.org/water-supply-line-replacement
Construction starts here first
Island Crest Way
Lake Washington
SE 36th St
88th Ave SE
SE Gallagher Hill Rd
SE 36th St
90
Mercer Island Boat Launch
SE 40th St
Proposed connection locations for Shorewood Apartments to connect to City water system.
92nd Ave SE
E Mercer Wy
City reservoirs
SE 43rd St
N
LEGEND
Proposed new Mercer Island supply pipeline
Existing SPU line to be taken out of service
Existing Mercer Island 8" AC line to be replaced
Existing SPU line—proposed transfer to Mercer Island ownership
Existing SPU line to remain in service

FORM OF OFFICIAL INTENT CERTIFICATE

Pursuant to Resolution No. 1652 of the City Council of the City of Mercer Island, Washington (the "City"), the undersigned, City Manager of the City hereby states as follows:

Section 1. The City reasonably expects to reimburse the expenditures described herein with the proceeds of debt to be incurred by the City (the "Reimbursement Bonds").

Section 2. The maximum principal amount of Reimbursement Bonds expected to be issued is $20,000,000.

Section 3. The expenditures with respect to which the City reasonably expects to be reimbursed from the proceeds of Reimbursement Bonds will be made from the City's Water Fund (410) for project costs related to acquiring, designing, constructing, developing, improving, and equipping the city's water distribution system.

Dated this _____ day of _____, 20__.

_____

_____, City Manager

2026 PLANNING SCHEDULE

Please email the City Manager & City Clerk when an agenda item is added, moved, or removed.

Items are not listed in any particular order. Agenda items & meeting dates are subject to change.

SEPTEMBER 15, 2026 ABSENCES:		DD 9/2	FN 9/3	CA 9/3	Clerk 9/4	CM 9/4
ITEM TYPE | TIME | TOPIC				**STAFF**		
STUDY SESSION						
60	AB xxxx: Updating City Animal Control Code			Robbie Cunningham Adams/Bio Park/Mike Seifert		
CONSENT AGENDA						
--	AB xxxx: Certification of Claims August 16-31, 2026			LaJuan Tuttle/Ashley Olson		
--	AB xxxx: Peace Day on Mercer Island, Proclamation No. xxx			Mayor Rosenbaum/Andrea Larson		
	AB xxxx: Fire Apparatus Acquisition and Financing (Second Reading, Ord. No. 26-12)			Matt Mornick/Jeromy Hicks/ Carson Hornsby		
	AB xxxx: Resolution Authorizing a Grant Application to be Submitted for the Land and Water Conservation Fund Legacy Program for Deane's Children's Park			Jason Kintner/Kellye Hilde/ Shelby Perrault		
	AB 6986: West Mercer Way Culvert Replacements & Sub-Basin 18C Drainage Improvement Bid Award			Jason Kintner/Christopher Marks/Zechariah Rodino		
REGULAR BUSINESS						
10	AB 6991: Ezee Fiber Franchise Agreement (First Reading, Ord. No. 26-14)			Jason Kintner/Christopher Marks/Rebecca Corigliano		
30	AB xxxx: 2027-2028 Financial Forecast through the Second Quarter 2026			Matt Mornick/Ben Schumacher		
30	AB 6990: Present and Discuss Scope of Work for the 2028 PROS Plan Update			Jason Kintner/Kellye Hilde/ Shelby Perrault		
30	AB xxxx: Electric Vehicle Charging Infrastructure Plan Update			Jason Kintner/Alanna DeRogatis		
30	AB xxxx: Fleet Budget Appropriation			Jason Kintner/Alanna DeRogatis/		
EXECUTIVE SESSION						

OCTOBER 6, 2026 ABSENCES:		DD 9/24	FN 9/25	CA 9/25	Clerk 9/28	CM 9/28
ITEM TYPE | TIME | TOPIC				**STAFF**		
STUDY SESSION						
SPECIAL BUSINESS						
CONSENT AGENDA						
--	AB xxxx: September 10, 2026 Payroll Certification			Ali Spietz/Nicole Vannatter		
--	AB xxxx: September 25, 2026 Payroll Certification			Ali Spietz/Nicole Vannatter		
--	AB xxxx: Certification of Claims September 1-15, 2026			LaJuan Tuttle/Ashley Olson		

--	AB xxxx: Domestic Violence Action Month, Proclamation No. xxx	Mayor Rosenbaum/Der Franklin
--	AB xxxx: Arbor Day, Proclamation No. xxx	Mayor Rosenbaum/Andrew Prince
--	AB xxxx: Indigenous Peoples' Day, Proclamation No. xxx	Mayor Rosenbaum/Andrea Larson
	AB xxxx: 2025 AC Main Replacement Project Bid Award	Jason Kintner/Christopher Marks/Lauren Kumle
	AB xxxx: Sewer SCADA System Replacement Project Closeout	Jason Kintner/Chris Marks
--	AB xxxx: Ezee Fiber Franchise Agreement (Second Reading, Ord. No. 26-14)	Jason Kintner/Christopher Marks/Rebecca Corigliano
REGULAR BUSINESS		
30	AB xxxx: 2027-2028 Biennial Budget Workshop: Introduction to the Preliminary Budget and overview of the six-year Capital Improvement Program	Matt Mornick/ Jason Kintner
EXECUTIVE SESSION		

OCTOBER 20, 2026 ABSENCES:	**DD 10/8**	**FN 10/9**	**CA 10/9**	**Clerk 10/12**	**CM 10/12**
ITEM TYPE | TIME | TOPIC			**STAFF**		
STUDY SESSION					
SPECIAL BUSINESS					
CONSENT AGENDA					
--	AB xxxx: October 9, 2026 Payroll Certification		Ali Spietz/Nicole Vannatter		
--	AB xxxx: Certification of Claims September 16-30, 2026		LaJuan Tuttle/Ashley Olson		
REGULAR BUSINESS					
30	AB xxxx: 2027-2028 Biennial Budget Workshop: Overview of the 2027-2028 Work Plan and Operating Budget.		Matt Mornick/ Ali Spietz		
EXECUTIVE SESSION					

NOVEMBER 3, 2026 ABSENCES:	**DD 10/22**	**FN 10/23**	**CA 10/23**	**Clerk 10/26**	**CM 10/26**

ITEM TYPE | TIME | TOPIC		STAFF
STUDY SESSION		
SPECIAL BUSINESS		
CONSENT AGENDA		
--	AB xxxx: October 23, 2026 Payroll Certification	Ali Spietz/Nicole Vannatter
--	AB xxxx: Certification of Claims October 1-15, 2026	LaJuan Tuttle/Ashley Olson
--	AB xxxx: Shop Small Month, Proclamation No. xxx	Mayor Rosenbaum/Andrea Larson
--	AB xxxx: Diwali, Proclamation No. xxxx	Mayor Rosenbaum/Andrea Larson
	AB xxxx: Sewer Pump Station Generator Replacement Project Closeout	Jason Kintner/Chris Marks
REGULAR BUSINESS		
60	AB xxxx: Draft 2027 State and Regional Legislative Priorities Review	Jessi Bon/Robbie Cunningham Adams
EXECUTIVE SESSION		

NOVEMBER 17, 2026 – PACKET TO PUBLISH TUESDAY 11/10 ABSENCES:	**DD 11/4**	**FN 11/5**	**CA 11/5**	**Clerk 11/6**	**CM 11/6**

ITEM TYPE | TIME | TOPIC		STAFF
STUDY SESSION		
SPECIAL BUSINESS		
CONSENT AGENDA		
--	AB xxxx: November 10, 2026 Payroll Certification	Ali Spietz/Nicole Vannatter
--	AB xxxx: Certification of Claims October 16-31, 2026	LaJuan Tuttle/Ashley Olson
--	AB xxxx: Adoption of 2027 State and Regional Legislative Priorities	Jessi Bon/Robbie Cunningham Adams
--	AB xxxx: 2027 Fee Schedule Adoption	Ali Spietz/Matt Mornick
REGULAR BUSINESS		
30	AB xxxx: Public Hearing 2027-2028 Biennial Budget, Receive Q3 2026 Financial Status Update and Budget Amending Ordinance (Ord. No. 26-xx), Adopt the 2027 Property Tax Ordinances (Ord. Nos. 26-xx and 26-xx), and Adopt the 2027 NORCOM Budget (Resolution No. xxxx)	Matt Mornick/ LaJuan Tuttle/ Ben Schumacher

15	AB xxxx: Public Hearing to Renew Interim Regulations Related to Middle Housing and ADU's (HB 1110 / HB 1337) (First Reading, Ord. No. 26-xx)	Jeff Thomas/Molly McGuire
15	AB xxxx: Public Hearing to Renew Interim Regulations Related to Unit Lot Subdivisions (SB5258) (First Reading, Ord. No 26-xx)	Jeff Thomas/Molly McGuire
15	AB xxxx: MICC Title 19 Zoning Map Amendment (First Reading, Ord. No. 26C-xx)	Jeff Thomas/Molly McGuire
15	AB xxxx: Set the 2026 Annual Docket (Resolution No. xxxx)	Jeff Thomas/Madelyn Nelson
EXECUTIVE SESSION		

DECEMBER 1, 2026 ABSENCES:		**DD** **11/19**	**FN** **11/20**	**CA** **11/20**	**Clerk** **11/23**	**CM** **11/23**
ITEM TYPE | TIME | TOPIC				**STAFF**		
STUDY SESSION						
SPECIAL BUSINESS						
CONSENT AGENDA						
--	AB xxxx: November 25, 2026 Payroll Certification			Ali Spietz/Nicole Vannatter		
--	AB xxxx: Certification of Claims November 1-15, 2026			LaJuan Tuttle/Ashley Olson		
--	AB xxxx: Comprehensive Plan Land Use Map Amendment (Second Reading, Ord. No. 26-13)			Jeff Thomas/Molly McGuire		
--	AB xxxx: Renew Interim Regulations related to Middle Housing and ADU's (HB 1110 / HB 1337) (Second Reading, Ord. No. 26-xx)			Jeff Thomas/Molly McGuire		
--	AB xxxx: Renew Interim Regulations related to Unit Lot Subdivisions (SB 5258) (Second Reading, Ord. No. 26-xx)			Jeff Thomas/Molly McGuire		
--	AB xxxx: MICC Title 19 Zoning Map Amendment (Second Reading, Ord. No. 26C-xx)			Jeff Thomas/Molly McGuire		
REGULAR BUSINESS						
15	AB xxxx: 2027-2028 Biennial Budget Adoption (Ord. No. 26-xx)			Matt Mornick/LaJuan Tuttle/Ben Schumacher/Lindsey Mitchell		
EXECUTIVE SESSION						