



DESIGN COMMISSION REGULAR MEETING AGENDA

Wednesday, April 25, 2018
Mercer Island City Hall

DESIGN COMMISSIONERS

Colin Brandt, Vice Chair
Richard Erwin, Chair
Susanne Foster
Anthony Perez
Tami Szerlip
Hui Tian
Suzanne Zahr

PHONE: 206-275-7729
WEB: www.mercergov.org

CALL TO ORDER & ROLL CALL

7:00 PM

APPROVAL OF MINUTES

Minutes from April 11, 2018

REGULAR BUSINESS

Agenda Item #1: DSR2017-024 Aviara Landscaping

Design review and decision on a proposal to replace a water feature with a landscape feature in the Town Center.

Staff Contact: Nicole Gaudette, Senior Planner

OTHER BUSINESS

Planning Manager's Report
Planned Absences for Future Meetings
Announcements & Communications
Next Scheduled Meetings: May 9, 2018 at 7:00PM

ADJOURN



DESIGN COMMISSION SPECIAL MEETING MINUTES APRIL 11, 2018

CALL TO ORDER: Chair Richard Erwin called the meeting to order at 7:02 PM in the Council Chambers, 9611 SE 36th Street, Mercer Island, Washington.

ROLL CALL:

Chair Richard Erwin, Commissioners Tami Szerlip, Suzanne Zahr, Susanne Foster and Hui Tian were present. Commissioner Anthony Perez and Vice Chair Colin Brandt were absent.

STAFF PRESENT:

Evan Maxim, Planning Manager; Robin Proebsting, Senior Planner; Andrew Leon, Planner, Andrea Larson, Administrative Assistant, and Bio Park, Assistant City Attorney were present.

MEETING MINUTES APPROVAL:

The Commission reviewed the minutes from the March 5, 2018. Commissioner Szerlip moved to approve the March 5, 2018 minutes. Commissioner Tian seconded the motion. The minutes were approved by a vote of 5-0-0.

REGULAR BUSINESS:

Agenda Item #1: Design Review DSR17-021: Verizon Sign Design Review

Andrew Leon, Planner, provided a brief staff presentation on the revised wall sign and window signage for the Verizon business.

John Menehal, Sign Tech Electric, clarified the sizing on letters on the wall sign. Mr. Menehal answered questions about the signs.

Evan and Bio provided clarification regarding conditioning regarding dimmability and timers.

The Commission instructed staff to request that the applicant incorporate a dimmer into the proposed sign's illumination.

The Design Commission reviewed the design of the sign.

Commissioner Tian moved to approve the project with the recommended motion with all three recommended conditions of approval. The motion was seconded by Commissioner Foster

Move to grant Sign-Tech Electric design approval for signage for a retail tenant location in the Town Center located at 7687 SE 27th St, as shown in Exhibits 1, subject to the following conditions as follows:

1. All aspects of the sign shall be consistent with the detail information submitted with this application (i.e. elevations, perspective drawings, colors, materials, font, size of the lettering and relationship and layout of the approved wording and graphics), as depicted by Exhibit 1.
2. If required, the applicant shall apply for and obtain building permits from the City of Mercer Island prior to installation of the signs.
3. If a building permit is required and the applicant has not submitted a complete application for a building permit within two years from the date of this notice, or within two years from the decision on appeal from the final design review decision, design review approval shall expire. The Code Official may grant an extension for no longer than 12 months, for good cause shown, if a written request is submitted at least 30 days prior to the expiration date.

Vote passed 5-0-0.

Agenda Item #2: Design Review DSR18-004

Robin Proebsting, Senior Planner, provided a brief staff presentation of a proposed office building at 2856 80th Ave SE.

Scott Care, Public47 Architects, architect for the applicant, gave a brief presentation on the proposed application.

Mr. Care passed out a supplemental document regarding the width of the parking garage entrance.

Elizabeth Shoreland, East Seattle Partners, Project manager, answered a question regarding the automated parking system.

The Design Commission reviewed the proposed office building and reviewed the 7 questions posed by the applicant.

1. The Commission stated that the massing of the proposed building meets the intent of the code.
2. Commissioner Tian and Chair Erwin stated the applicant should consider some uniformity on the second story and indicated that the second story cantilever could not extend into the 12-foot setback. The Commission did not reach consensus supporting the proposed cantilever into the 12-foot setback. Chair Erwin indicated that City should be careful not to do anything that could be precedent setting, but that the staff should work with the applicant to find an alternative design solution on the second story.
3. The Commission stated that they find the with an automated parking system acceptable.
4. The Commission stated that they agree that there is no required public parking for this proposal.
5. The Commission stated that the parking space width is acceptable for this proposal.
6. Commissioner Tian indicated that the applicant should consider reducing the size of the proposed parking entrance. Commissioner Szerlip cautioned against reducing the width of the parking entrance. The Commission indicated that the applicant should consider not reducing the width of the driveway to less than what would allow for a delivery to be made by a delivery truck.

PLANNED ABSENCES FOR FUTURE MEETINGS:

Commissioner Foster will be absent for meetings until the end of June.

OTHER BUSINESS:

Evan Maxim gave a brief overview to the Commission on the procedural code amendment that the Planning Commission is reviewing and how it could affect the Design Commission.

ANNOUNCEMENTS AND COMMUNICATIONS:

The next scheduled meeting is for April 25, 2018.

ADJOURNMENT: The meeting was adjourned at 8:44pm



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

**Agenda Item: 1
April 25, 2018**

Project:	DSR17-024 Aviara Landscaping
Description:	A proposal to replace a water feature with a landscape feature in the Town Center.
Applicant:	David McMillan
Site Addresses:	2441 76 th Avenue SE; Identified by King County Tax Parcel # 531510-0525
Zoning District:	Town Center (TC) – (TC-5)
Exhibits:	<ol style="list-style-type: none">1. Mercer Island City Code Chapter 19.11, February 2016 (previous Town Center regulations).2. Findings of Fact and Conclusions of Law, DSR07-004-SEP07-005, BRE Properties Inc. Mixed Use Development (Aviara Building), January 29, 2010.3. Statement about Failed Water Feature by Rich Landscaping, received on May 3, 20174. Photos received on October 19, 20165. Planting Plan (now out of date, but previously reviewed by the Design Commission) by Rich Landscaping, received on December 8, 20176. Email from Alaine Sommargren, Natural Resources Manager for the city of Mercer Island, dated June 6, 20177. Letter from Rich Landscaping, Inc, received on March 7, 20188. Letter from Rich Landscaping, Inc, received on December 8, 20179. Soil Elevation Diagram, received on December 8, 201710. Landscape Estimate by Rich Landscaping, received on December 8, 201711. Statement About Irrigation by Rich Landscaping, received on December 8, 201712. Lighting Specifications by Vista, received on December 8, 201713. Plant Substitution Table prepared by staff.

1. SUMMARY

The applicant has proposed the repurposing of an existing water feature to a landscape feature in the Town Center. The water feature was within the public plaza area in front of the Aviara Building. The subject property is addressed as 2441 76th Avenue SE. The applicant has already converted the water feature to a landscape feature, and is undertaking the design review process to retroactively ensure the site is in compliance with the Town Center regulations of the City Code

The applicant previously brought a proposal to the design commission for a study session on May 24, 2017. The applicant revised their application and is now bringing the revised application forward for

approval at an open record public hearing for formal design review pursuant to Mercer Island City Code (MICC) 19.15.040(F)(2). The current proposal has been modified to comply with recommendations of the design commission. If this proposal is approved, the landscaped area will be modified to implement conditions of this permits approval. The project must meet the criteria listed in MICC Section 19.11, Town Center Development and Design Standards.

2. STAFF ANALYSIS

Pursuant to MICC 19.15.010(E), 19.15.040(F)(1)(b), and 19.15.040(F)(1)(c), minor exterior modifications inside of the Town Center is subject to review by either the code official or the Design Commission. The proposal is to allow a landscape feature in an area previously approved for a water feature.

History

Note: The code section references in this history section refer to the previous Town Center code (Exhibit 1). The referenced code sections are provided in Section 3 of this report.

The Aviara Building is a 5-story mixed use building containing offices and a restaurant on the first floor, apartments on the 2nd through 5th floors, and a parking garage for residents, businesses, and the general public. The previous Town Center code section 19.11.040(B) limited buildings in the Residential Northwest focus area to four stories but not to exceed 52 feet in height. However, if a significant public amenity was provided, the building could be five stories not to exceed 65 feet in height.

The applicant chose to provide a public plaza as a significant public amenity per 19.11.050 (Exhibit 2). The plaza was required to be designed with amenities including seating, lighting, water features, special paving, landscaping, artwork, and special features, as determined by the design commission. At least 25 percent but not more than 60 percent of the open space was supposed to be landscaped with trees, groundcover or other vegetation.

According to 19.11.060, all new construction was required to have at least three minor site features (19.11.060(B)(1)) and one major site feature (19.11.060(B)(2)). However, a development that provided a significant public amenity was exempt from providing a major site feature. Since the Aviara provided a significant public amenity (the public plaza), it was not required to provide a major site feature. The Aviara provided four minor site features, though only three were required by code; special paving at the building entrance and plaza, a water feature in the plaza, pedestrian canopies on 76th Avenue SE, and a garden/courtyard for tenant use. 19.11.100(B)(6) required building façade modulation and setbacks to include features such as a courtyard, fountains or landscaping. In addition, per the design commissions' approval of the project on January 29, 2010, Condition of Approval #6 stated "6. Per MICC 19.11.100(B)(7), the applicant shall increase the proposed landscaping coverage from 1,535 square feet to 1,920 square feet or 1% of the Gross Floor Area." (Exhibit 2).

Current Request

Note: The code section references in this current request section refer to the current Town Center code. The referenced code sections are provided in Section 3 of this report.

The purpose of this design review request is to repurpose the failed water feature into a landscape feature. The applicant has stated that the water feature had been leaking for some time with no

knowledge of why or where the leak was happening (Exhibit 3). The fountain lighting also had ongoing electrical issues that required constant repairs. Current Town Center code section 19.11.010(D)(3) states that “New or redevelopment should include public amenities, such as storefronts with canopies, street trees, greenery, seating, fountains or water features, outdoor cafes, sculpture or other forms of art, and places for gathering and lingering. The use of materials, color, texture, form and massing, proportion, public amenities, mitigation of environmental impacts, landscaping and vegetation, and architectural detail should be incorporated in the design of new or redevelopment with the purpose of supporting a human scale, pedestrian-oriented Town Center...”.

The Aviara building is in the TC-5 zone, previously the Northwest focus area. This zone allows a base building height of 27 feet. The height is allowed an increase to 63 feet and a maximum of 5 stories (19.11.030(A)(1) with the addition of a major site feature (19.11.060(B)). To be allowed a height of 63 feet and/or five stories, at least one major site feature must be included, subject to design commission determination that such choices contribute to a well-balanced mix of features in that subarea. Major site features to be considered are either a through-block connection or public open space (19.11.060(B)(1) and (2), or another feature that is of equal or greater public benefit than a through-block connection or open space (19.11.060(C)(1).

According to 19.11.060(A), all major new construction shall have at least three minor site features including but not limited to decorative landmarks, kiosks, or additional sidewalk setback. As in the previous code, decorative landmarks include special paving, art features, water features, drinking fountains, or creative designs for necessary building features or functions. According to the landscaping standards of the new Town Center code, plant materials must be from a city approved palette of species and minimum size and must be native or adaptive drought-tolerant species (19.11.070(B)(2)(a)). Plant material shall be planted in adequate soil quality, depth and volume (19.11.070(B)(2)(c)), shall be provided irrigation (19.11.070(B)(2)(d)), and shall be maintained (19.11.070(B)(2)(e)).

The applicant has decommissioned an existing fountain without design review approval, and planted vegetation within the fountain structure, thereby converting the water feature to a raised planting bed (Exhibit 4). This proposal is to retroactively review and permit the conversion. The proposed revision does not affect the size or configuration of the public plaza and therefore the requirement for a major site feature is still met ((19.11.060(B)(2)). As for minor site features, the applicant has provided four: special paving at the building entrance and plaza, a water feature in the plaza, pedestrian canopies on 76th Avenue SE, and a garden/courtyard for tenant use. Since only three minor site features are required (19.11.060(A)), it is allowable to eliminate one of those features subject to design commission approval. For this proposal, the applicant is requesting to remove the water feature.

For the previous study session review, the applicant provided a palette of plant materials that had been planted in place of the water feature (Exhibit 5). The design commission instructed staff to ask the parks department to review the plant materials to ensure they meet the standards set forth in (19.11.070(B)(2)(a) and (b)(iii)). MICC 19.11.070(B)(2)(a) states “Suitable Plant Species. Plant materials for required landscape surfaces shall be selected from a city approved palette of species and minimum size at time of planting. Plant materials should be native or adaptive drought-tolerant species.” The review concluded that none of the plants were native, and approximately half of the plants were drought tolerant (Exhibit 6). The applicant has since revised their plant palette to mostly achieve compliance with plant material requirements (Exhibits 7 and 8). Staff is recommending conditions of approval that will bring the project into compliance with the regulations. MICC 19.11.070(B)(2)(b)(iii) states “Ground cover shall be planted to have 100 percent ground cover in two years.” The current planting scheme’s groundcovers have performed satisfactorily accept for one

notable area; the west side of the vertical wall. The applicant has stated that a native groundcover, Kinnikinnick, can be added at a rate of one 4-inch pot at 12-inches on center. This will achieve the requirement of 100 percent ground cover in two years.

As stated above, staff is recommending conditions of approval that will bring the project into compliance with the regulations. One condition will require the vine maple and the rhododendron to be removed and replaced with evergreen huckleberry. Another condition will require Kinnikinnick to be added at a rate of one 4-inch pot at 12-inches on center.

To ensure the proposal meets the soil quality, depth, and volume standards of the code (19.11.070(B)(2)(c)), the applicant has provided a detail as part of their soil elevation diagram (Exhibit 9) that provides this information. MICC 19.11.070(B)(2)(c)(i) requires 3-inches of compost tilled to a minimum depth of 8-inches for planting beds. MICC 19.11.070(B)(2)(c)(iv) requires 2 to 4-inches of arborist wood chip mulch for planting beds. This section also states, "Course bark may be used but has fewer benefits to plants and soil." Exhibit 10 indicates that 12-inches of compost amendment will be placed in the planting bed. The compost amendment will be topped by 2-inches of fine dark mulch. This standard has been met.

The soil elevation diagram (Exhibit 9) also details the irrigation system that has been installed to ensure the survival of the plants (19.11.070(B)(2)(d)). The code states in MICC 19.11.070(B)(2)(d) that "All landscaped areas shall be provided with an approved automatic irrigation system consisting of waterlines, sprinklers designed to provide head to head coverage and to minimize overspray onto structures, walks and windows. Water conserving types of irrigation systems should be used." The sprinkler system used at the site adjusts irrigation based on current evapotranspiration data. The sprinkler heads will be adjusted as plantings grow to minimize overspray (Exhibits 7 and 11). Photos of the system being installed are included in Exhibit 4.

The applicant is aware of the maintenance standard provided by 19.11.070(B)(2)(e) which states "All landscaping shall be maintained in good condition. Maintenance shall include regular watering, mowing, pruning, clearance of debris and weeds, removal and replacement of dead plants and the repair and replacement of irrigation systems." The existing landscaping appears to be maintained in good condition. The landscaped area is not being decreased below what was previously required at the time of development (1,923 square feet), in fact, the landscape area is being increased by 763 square feet for a total landscaped area of 2,928 square feet.

The applicant has proposed the addition of lighting within the planter area (Exhibits 10 and 12). Proposed lighting includes path spread lights and upward facing accent lights. MICC 19.11.090(B)(2) states "Lighting should use LED or similar minimum wattage light sources, which give more "natural" light. Non-color corrected low-pressure sodium and mercury vapor light sources are prohibited. MICC 19.11.090(B)(7) states "All lighting fixtures should be shielded or located to confine light spread within the site boundaries. To the extent possible, especially when adjacent to residential uses." Both light types will use LED lights that are on average 5 watts. The path spread lights have covers that confine light spread. The applicant states that care is taken to find the least obtrusive angle, aiming away from windows and pedestrians. The applicant also states that most of the lights have an adjustable shroud that is adjusted the narrow the width of the beam (Exhibit 7).

3. CRITERIA FOR REVIEW

The applicable sections of the previous version and the current version of the Town Center regulations are provided below.

PREVIOUS TOWN CENTER CODE SECTIONS

MICC 19.11.040(B) Building Height.

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

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

4. Additional Building Height.

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

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

b. Eligibility for Maximum Building Height. Every lot in the Town Center is eligible for the maximum building height described in the above chart by providing a significant public amenity. The intent of this developer incentive is to obtain three significant public plazas in the Town Center, provide a single mid-block pedestrian connection across large city blocks in the Town Center and provide affordable housing in the Town Center. The type of significant public amenity that an applicant must provide is described in Exhibit 3 in MICC 19.11.040 and in MICC 19.11.050(B)(1).

MICC 19.11.050(B) Development and Design Standards.

1. Type of Significant Public Amenity Required.

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

2. Significant Public Plaza.

a. Location and Size. Significant public plazas shall be approximately located in the areas described in Exhibit 3 in MICC as Sites 1, 2 and 3. A single plaza shall be a minimum size equal to three percent of the gross floor area of the development, but not less than 4,000 square feet in area. The plaza should be at

least 20 feet in width. The design commission may allow a development to provide two or more plazas so long as the design commission determines that such multiple plazas will have an equal or greater public benefit and each plaza is at least 2,000 square feet in area. The primary purpose of the plaza shall be as a public gathering place. Other uses, including access to parking areas, lobby entrances, and stairs, must be secondary to the plaza purpose and areas required for such uses shall not be included in calculating the minimum size. Areas devoted to a plaza shall be in addition to any area required as a minor site feature under MICC.

b. *Design Elements.*

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

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

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

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

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

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

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

d. *Public Access. The entire plaza should be open to the public 24 hours per day. Temporary closures will be allowed as necessary for maintenance purposes. Upon city approval, portions of the plaza may be separated, as required by the*

State of Washington Liquor Control Board, in order to allow outdoor seating for restaurant purposes.

MICC 19.11.060(B) Development and Design Standards.

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

- a. *Decorative Landmarks.* Imaginative features that complement the building design and create visual focal points that give identity to an area, such as decorative clocks, special paving in pedestrian areas, art features, water features, drinking fountains, or creative designs for necessary building features or functions. Art should be integrated with the public street improvements. Examples include sculpture, murals, inlays, mosaics, friezes or bas-reliefs. The location of art shall provide for public view but not hinder pedestrian traffic.
- b. *Canopies or All-Weather Features.* Specially designed all-weather features that integrate weather protection systems at the sidewalk level of buildings to mitigate the effects of rain, wind, glare, shadow, reflection and sunlight on the pedestrian environment to make spending time outdoors feasible in all seasons, such as awnings, canopies, trellises, pergolas, or covered arcades.
 - i. Any canopy or awning over a public sidewalk should be a permanent architectural element.
 - ii. Any canopy or awning over a public sidewalk should project out from the building facade a minimum horizontal width of six feet and be between eight to 12 feet above grade.
 - iii. Architectural details should not be concealed by awnings or canopies.
 - iv. Awning shapes should relate to the shape of the facade's architectural elements. The use of traditionally shaped awnings is encouraged.
 - v. Vinyl or plastic awnings or canopies are not allowed.
 - vi. All awnings or canopies must function to protect pedestrians from rain and other weather conditions.
- c. *Kiosks.* Community-oriented kiosks, which may include bulletin boards and newsstands or racks, creatively designed and consolidated and placed in areas where large numbers of people gather, which complements the site design and streetscape and reduces visual clutter.
- d. *Courtyards.* An outdoor covered or uncovered area easily accessible to the public at the same level as the public sidewalk or pedestrian connections which should:
 - i. Be at least 10 feet in width, with a building facade on at least one side;

- ii. *Be covered with trees, groundcover, or other landscaping over at least 50 percent of its area; and*
 - iii. *Include seating, special paving material, pedestrian-scale lighting and other pedestrian furnishings;*
 - iv. *Runoff from courtyard pavement may be managed with low impact development techniques when allowed by the code official;*
 - v. *The courtyard may not be covered by a roof, story or skybridge; provided portions of the courtyard may be covered for weather protection, but not enclosed.*
- e. *Additional Sidewalk Setback. At least five feet of sidewalk width, in addition to the minimum sidewalk setback provided for in MICC 19.11.110(B)(4), may be provided along 78th Avenue SE, along the entire street frontage of the development site. Such additional sidewalk should be designed to provide additional pedestrian access where parking pockets narrow the sidewalk, to accommodate street trees and benches, or to create spaces for more pedestrian-oriented activities such as outdoor dining or seating.*

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

- a. *Pedestrian Connection. Pedestrian connections will qualify as a major site feature upon satisfaction of the design and development standards set forth in MICC 19.11.050(B)(3) except that the minimum width shall be 10 feet.*
- b. *Public Plazas. Public plazas will qualify as a major site feature upon satisfaction of the design and development standards set forth in MICC 19.11.050(B)(2) except the plaza may be located anywhere in the Town Center including the sites identified on Exhibit 3 in MICC 19.11.040 and the minimum size of a single public plaza shall be at least two percent of the gross floor area of the development, but not less than 1,500 square feet in area. The design commission may allow a development to provide two or more plazas so long as the design commission determines that such multiple plazas will have an equal or greater public benefit as the single plaza, the combined square footage of the multiple plazas is at least two percent of the gross floor area of the development and each public plaza is at least 1,500 square feet in area.*
- c. *Water Feature. A water feature shall be accessible and/or visible by pedestrians from an adjacent sidewalk or plaza.*
 - i. *Any water feature should be designed to use water efficiently with low water loss from evaporation and wind.*
 - ii. *In order to qualify as a major site feature, the cost of the water feature shall be equivalent to at least two percent of the construction costs.*
 - iii. *Water features should be located in sunny areas.*

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

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

MICC 19.11.100(B) Landscaping and Outdoor Spaces.

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

CURRENT TOWN CENTER CODE SECTIONS

These are the code sections that are applicable to this proposal.

MICC 19.11.010(D) Design Vision.

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

MICC 19.11.030 Bulk Regulations.

A. The bulk regulations for properties on the Town Center are as follows:

	TC-5	TC-4 TC-4 Plus	TC-3	TCMF-3	TCMF-4
Base Building Height Allowed	27 feet	27 feet	27 feet	27 feet	27 feet
Base Building Stories Allowed	2	2	2	2	2

	TC-5	TC-4 TC-4 Plus	TC-3	TCMF-3	TCMF-4
Maximum Allowable Building Height	63 feet	TC-4: 51 feet TC-4 Plus: 63 feet	39 feet	39 feet	51 feet
	Up to 5 additional feet allowed for parapet and/or sloped roof.				
Maximum Allowable Building Stories	5	TC-4: 4 TC-4 Plus: 5	3	3	4
Ground Floor Height Adjacent to Streets	15 feet minimum, 27 feet maximum			n/a	n/a
Setback from Property Lines	No minimum setback required except where necessary to provide landscaping, facade modulation, through-block connection or an easement for required sidewalk width.				
Required Upper Story Setback (Average Daylight Plane)	All street frontages are subject to the average daylight plane standards described in subsection (A)(7) of this section.				

MICC 19.11.060 Site Design.

A. Minor Site Features. *All major new construction regardless of its height shall have at least three minor site features that contribute to a well-balanced mix of features in that subarea as determined by the design commission. Minor site features may include, but are not limited to, the following:*

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

- 2. Kiosks. Community-oriented kiosks, which may include bulletin boards and newsstands or racks, creatively designed and consolidated and placed in areas*

where large numbers of people gather, and which complement the site design and streetscape and reduces visual clutter.

3. Additional Sidewalk Setback. At least five feet of sidewalk width, in addition to the minimum sidewalk setback provided for in MICC [19.11.030\(A\)\(6\)](#), may be provided along 78th Avenue SE, along the entire street frontage of the development site. Such additional sidewalk should be designed to provide additional pedestrian access where parking pockets narrow the sidewalk, to accommodate street trees and benches, or to create spaces for more pedestrian-oriented activities such as outdoor dining or seating.

4. Impact on Public Open Spaces. Minor site features may not occupy space in a public open space to the extent that doing so reduces the actual space that is usable by the public below the minimum required area.

B. Major Site Features. *Any major new construction in the TC-5, TC-4, TC-4 Plus or TC-3 subarea which exceeds the two-story base height and that includes or abuts a preferred through-block connection location shown on Figure 7 shall include a through-block connection subject to design commission determination that such connection is feasible and achievable. Any major new construction exceeding three stories in height in the TC-5, TC-4 or TC-4 Plus subarea shall include at least one of the following major site features, subject to design commission determination that such choices contribute to a well-balanced mix of features in that subarea:*

1. Through-Block Connection. Through-block pedestrian connections will qualify as a major site feature upon satisfaction of the development and design standards set forth in subsection E of this section. If the on-site area of the through-block connection does not equal or exceed three percent of the gross floor area of the development, then public open space shall also be provided so that the total area of the through-block connection and public open space equals or exceeds three percent of the gross floor area of the development.

2. Public Open Space. Public open spaces will qualify as a major site feature upon satisfaction of the development and design standards set forth in

subsection D of this section.

C. Other Site Features. *The design commission may approve other major or minor site features in place of those listed above consistent with the provisions of this chapter.*

1. Major Site Features. Site features other than listed in subsection B of this section will only be considered as a major site feature if it is of equal or greater public benefit than one or more of the major site features listed in subsection B of this section. Underground or structured parking that supports park and ride use may be considered a major site feature. The amount of park and ride parking qualifying as a major site feature shall be determined by the design commission.

2. Minor Site Features. Examples of other minor site features include contribution to a public art or design project within close proximity to the new construction, such as the city's I-90 Artway; and/or transit-oriented development (TOD) amenities, such as facilities that support bicycle use.

MICC 19.11.070 Greenery and outdoor spaces.

A.Objectives. *Outdoor spaces and landscaping should be designed to achieve the design vision set forth in MICC [19.11.010](#). Development should provide for private open space for employees and residents. Plant materials placed in horizontal beds and on vertical walls/trellises/arbors areas should be used to frame and soften structures, to define site functions, to enhance the quality of the environment, screen undesirable views and create identity sense of place. Trees and landscaping shall be incorporated into the site design in order to soften and screen the visual impact of hard surfaces such as parking lots, service areas, and walls, as well as to enhance a sense of nature along pedestrian walkways, public rights-of-way, sidewalks and outdoor gathering places. Outdoor furniture and fixtures should be compatible with the project architecture and considered as integral elements of the landscape. Whenever possible development should include seating areas and be enhanced by such features as trees and flower displays, fountains, art and open spaces.*

MICC 19.11.070(B) Development and Design Standards.

2. Landscaping Standards.

a. Suitable Plant Species. Plant materials for required landscape surfaces shall be

selected from a city approved palette of species and minimum size at time of planting. Plant materials should be native or adaptive drought-tolerant species.

c. Soil Quality, Depth, and Volume. Applicants for new projects in Town Center must include the relevant provisions in construction details, based on regional best landscaping practices, including:

i. In planting beds: place three inches of compost and till to a minimum depth of eight inches.

ii. In turf areas: place one and three-quarters inches of compost and till to a minimum depth of eight inches.

iii. Scarify (loosen) subsoil four inches below amended layer to produce a minimum soil depth of 12 inches of uncompacted soil.

iv. After planting: apply two to four inches of arborist wood chip mulch to planting beds. Coarse bark mulch may be used but has fewer benefits to plants and soil.

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

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

MICC 19.11.090(B) Lighting.

2. Light Type. *Lighting should be use LED or similar minimum wattage light sources, which give more “natural” light. Non-color corrected low-pressure sodium and mercury vapor light sources are prohibited.*

7. Shielding. *All lighting fixtures should be shielded or located to confine light spread within the site boundaries, to the extent possible, especially when adjacent to residential uses.*

III. RECOMMENDATION

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

Recommended Motion: Move to grant BRE Properties design approval for landscaping for a multi-family dwelling location in the Town Center located at 2441 76th Ave SE, as shown in Exhibit 1, subject to the following conditions.

Alternative Recommended Motion: Move to grant BRE Properties design approval for landscaping for a multi-family location in the Town Center located at 2441 76th Ave SE, as shown in Exhibit 1, subject to the following conditions and further conditioned as follows [specify conditions].

IV. RECOMMENDED CONDITIONS OF APPROVAL

1. The completed project shall be consistent with the detail information submitted with this application (i.e. elevations, perspective drawings, colors, materials,), as depicted by Exhibit 1.
2. The project must be completed within one year of the approval date, or within one year from the decision on appeal from the final design review decision, or the design review approval shall expire. The Code Official may grant an extension for no longer than 12 months, for good cause shown, if a written request is submitted at least 30 days prior to the expiration date.
3. The vine maple and the rhododendron shall be removed and shall be replaced with evergreen huckleberry.
4. Kinnikinnick shall be planted at a rate of one 4-inch pot at 12-inches on center throughout the entire planter as necessary to reach 100 percent ground over in two years from the date of design review approval.

Chapter 19.11

TOWN CENTER DEVELOPMENT AND DESIGN STANDARDS

Sections:

- 19.11.010 General.
- 19.11.020 Town Center development – General.
- 19.11.030 Nonconforming development.
- 19.11.040 Building height.
- 19.11.050 Significant public amenities.
- 19.11.060 Site features.
- 19.11.065 Building facades – Visual interest.
- 19.11.070 Materials and color.
- 19.11.080 Screening.
- 19.11.090 Lighting.
- 19.11.100 Landscaping and outdoor spaces.
- 19.11.110 Vehicular and pedestrian circulation.
- 19.11.120 Signs.
- 19.11.130 Administration.

19.11.010 General.

A. Applicability. This chapter establishes development and design standards for Mercer Island Town Center (TC), the location and boundaries of which are set forth in MICC 19.01.040. The general purpose of this chapter is to implement the land use policies of the Mercer Island comprehensive plan for the area referred to as the central business district. The development and design standards are not intended to slow or restrict development, but rather to add consistency and predictability to the permit review process.

B. General Intent of Design and Development Standards. The Town Center is intended to be a place of diverse land uses within an aesthetically attractive, easily accessible and economically healthy environment. The standards are intended to encourage integration of residential, retail, office, civic, transit and vehicular uses. The standards create a Town Center with an emphasis on the needs of the pedestrian, including the needs of senior citizens, youths and physically challenged persons, but that is also accessible for vehicles. Development should be located to facilitate transit and nonmotorized travel modes. The historical pri-

mary access to the area by vehicle will be maintained. On-site facilities that are convenient and attractive to pedestrians, bicyclists and vehicles are encouraged. The following pedestrian-oriented land uses should develop over time in the Town Center: retail shops, professional offices, restaurants, services, lodging, residential and community/recreational facilities. Commercial uses are intended to be in the core of the Town Center. A range of multifamily residential densities are allowed in the Town Center. Higher density development is allowed around the core with decreasing density toward the single-family residential neighborhoods to the south.

1. Urban Design Vision.

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

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

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oriented Town Center. New development shall be coordinated and consistent with the downtown street plan.

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

d. **Opportunity Sites.** The city has identified several opportunity sites that would accommodate major public improvements such as civic plazas, underground public parking and pedestrian mid-block connections. One such opportunity site is the development of a public space on 78th Avenue SE between 27th Avenue SE and Sunset Highway. Envisioned in this area is a public-private partnership project with street improvements to create a viable civic gathering area that encourages public space amenities on adjacent private property with special pedestrian-oriented features that may accommodate vehicular traffic but could be closed off for community events. It is hoped that this space, combined with the art park, can become a key downtown plaza within the Town Center. Other opportunity sites for three significant public plazas and significant pedestrian connections to break up existing large blocks are shown in Exhibit 3 in MICC 19.11.040 and provide developer incentives of one additional story of building height in exchange for development of either a significant public plaza or significant pedestrian connection.

e. **Design and Development Standards.** The design and development standards that follow are intended to enhance the Town

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

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

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

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

C. Design Review Requirements.

1. **Authority.** Design review shall be conducted by the city's design commission or code official consistent with the process provided in MICC 19.11.130, Town Center administration. The design commission or the code official shall review the applicability of the development and design standards and determine the project's conformance with this chapter. The degree of conformance with all of the development and design standards will vary on a project by project basis. The com-

mission shall review each project on the project's degree of overall conformity with the objectives, standards and the comprehensive plan. The design commission or the code official has the authority to approve, approve with conditions, or deny projects based on the criteria set forth in MICC 19.11.130, Town Center administration.

2. Applicant's Responsibility. It is the responsibility of the applicant to design a project in compliance with the objectives and development and design standards of this chapter.

3. Shall/Should. When a standard uses the word "shall," the standard is mandatory. When a standard uses the word "should," the standard is mandatory unless the applicant can demonstrate, to the satisfaction of the design commission, an equal or better means of satisfying the standard and objective.

4. Development Agreements. An applicant may request modifications to any design and development standards set forth in this chapter by requesting a development agreement consistent with RCW 36.70B.170 through 36.70B.210. All development agreements shall be in form and content acceptable to the city attorney and will be reviewed and either approved or rejected by the city council after a public hearing pursuant to RCW 36.70B.200. (Ord. 11C-04 § 1; Ord. 07C-02 § 2; Ord. 02C-05 § 1; Ord. 02C-04 § 3).

19.11.020 Town Center development – General.

A. Focus Areas. The following specific focus areas have been established in the Town Center to meet the land use objectives of the comprehensive plan (see location map, Exhibit 1).

1. Gateway Focus Area. The purpose of the gateway focus area is to create a focused commercial core, oriented toward pedestrian connections and regional transit access. The broadest mix of land uses is allowed, including retail, office, residential, service, restaurant, entertainment, lodging and community facilities. Buildings are to be oriented toward the street and public spaces.

2. Mixed Use Focus Area. The purpose of the mixed use focus area is to provide mixed retail, office, and residential uses at a level of intensity sufficient to support transit service.

3. Mid-Rise Office Focus Area. The purpose of the mid-rise office focus area is to provide an area for office use with ground floor retail in close proximity to transit and the Interstate 90 corridor.

4. Residential Focus Areas. The purpose of the residential focus areas is to encourage low-rise, high-density housing around the commercial core. A mix of housing types is anticipated including townhouses, condominiums and apartments. Office and retail uses are also allowed. A minimum of 50 percent of the occupiable space above two stories shall be dedicated to residential use. Three residential focus areas (Northwest, Central and South) are established with varied height restrictions for transition to the single-family uses to the south.

5. Auto-Oriented Focus Area. The purpose of the auto-oriented focus area is to provide a location for commercial uses that are dependent on automobile intensive uses.

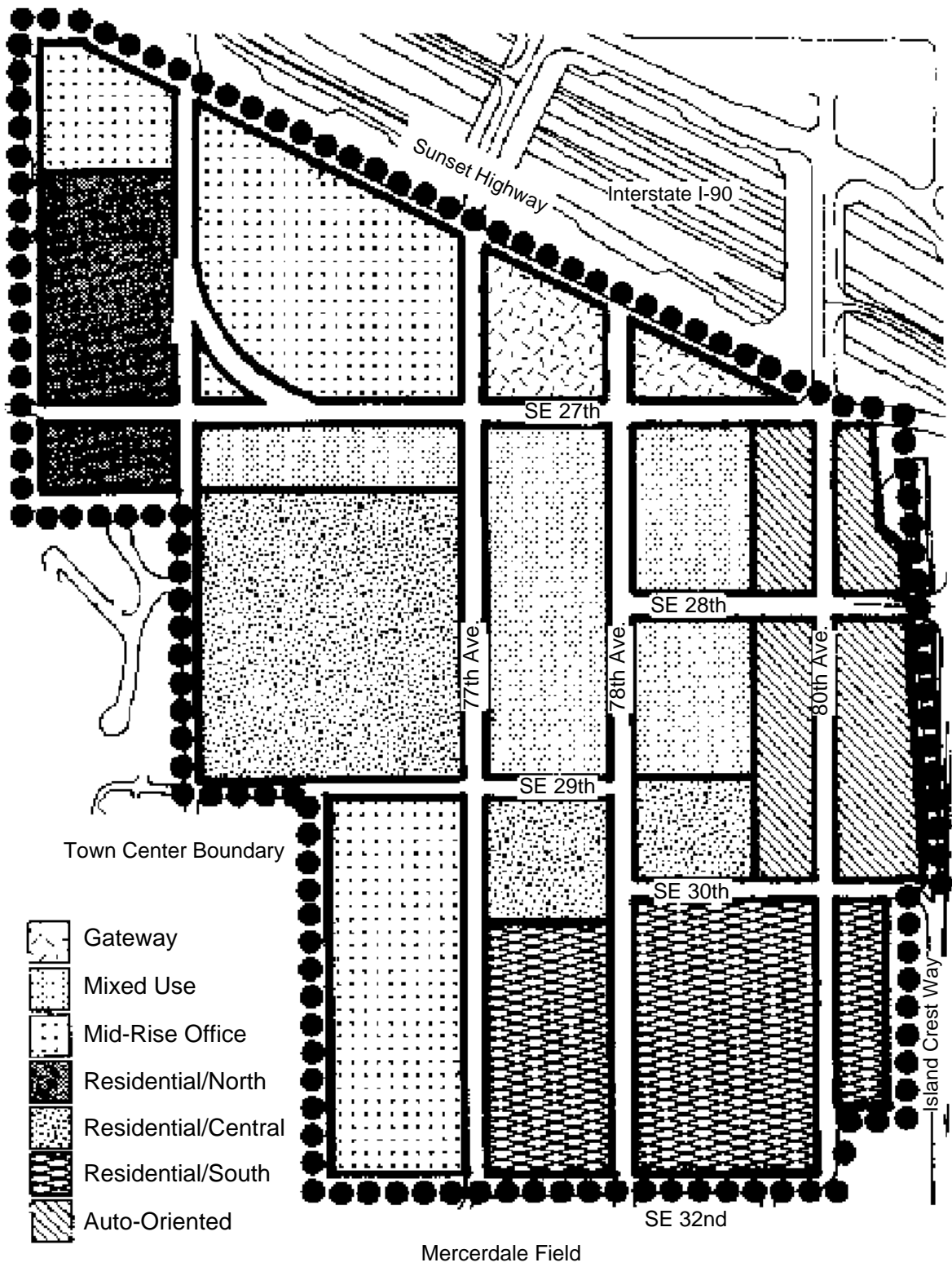


Exhibit 1 – Town Center District with subareas.

B. Permitted Uses.

1. By Focus Area. Permitted uses for each focus area are as follows:

Permitted Use	Gateway	Mixed Use	Mid-Rise Office	Residential			Auto-Oriented
				NW	Central	South	
Adult entertainment	C	N	C	N	N	N	N
Bar	P	P	P	P	P	C	P
Care services	N	P	P	P	P	P	P
Hotel/motel	P	P	P	P	P	C	P
Manufacturing	N	C	C	N	N	N	P
Office	Permitted in all focus areas						
Parking	C	C	P	C	C	C	P
Public facility	Permitted in all focus areas						
Recreation	Permitted in all focus areas						
Residential dwelling	Permitted in all focus areas						
Restaurant	Permitted in all focus areas						
Retail – small scale	Permitted in all focus areas						
Retail – large scale	Conditional use in all focus areas						
Retail – outdoors	N	N	N	N	N	N	C
Rooming houses	Permitted in all focus areas as provided in MICC 19.06.080						
Service	Permitted in all focus areas						
Social service transitional housing	Conditional use in all focus areas as provided in MICC 19.06.080						
Special needs group housing	Permitted in all focus areas as provided in MICC 19.06.080						
Theater	P	P	P	C	C	C	P
*Transportation/utilities	Permitted in all focus areas, except *(see below)						
Warehousing	N	N	N	N	N	N	C

C – CONDITIONAL USE

P – PERMITTED

N – NOT ALLOWED

*Transportation use shall not be allowed on 78th Avenue SE between SE 27th Street and SE 32nd Street, except for bus stops and shelters or other minor facilities that support transit and bicycle use.

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2. North American Industry Classification System. Questions as to the inclusion or exclusion of a particular use shall be determined by the code official based on North American Industry Classification System (NAICS) – United States, published by the U.S. Department of Commerce.

C. Required Ground Floor Uses.

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

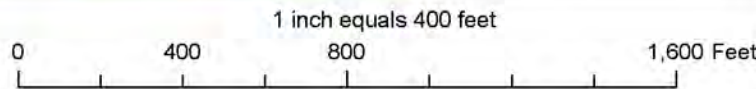
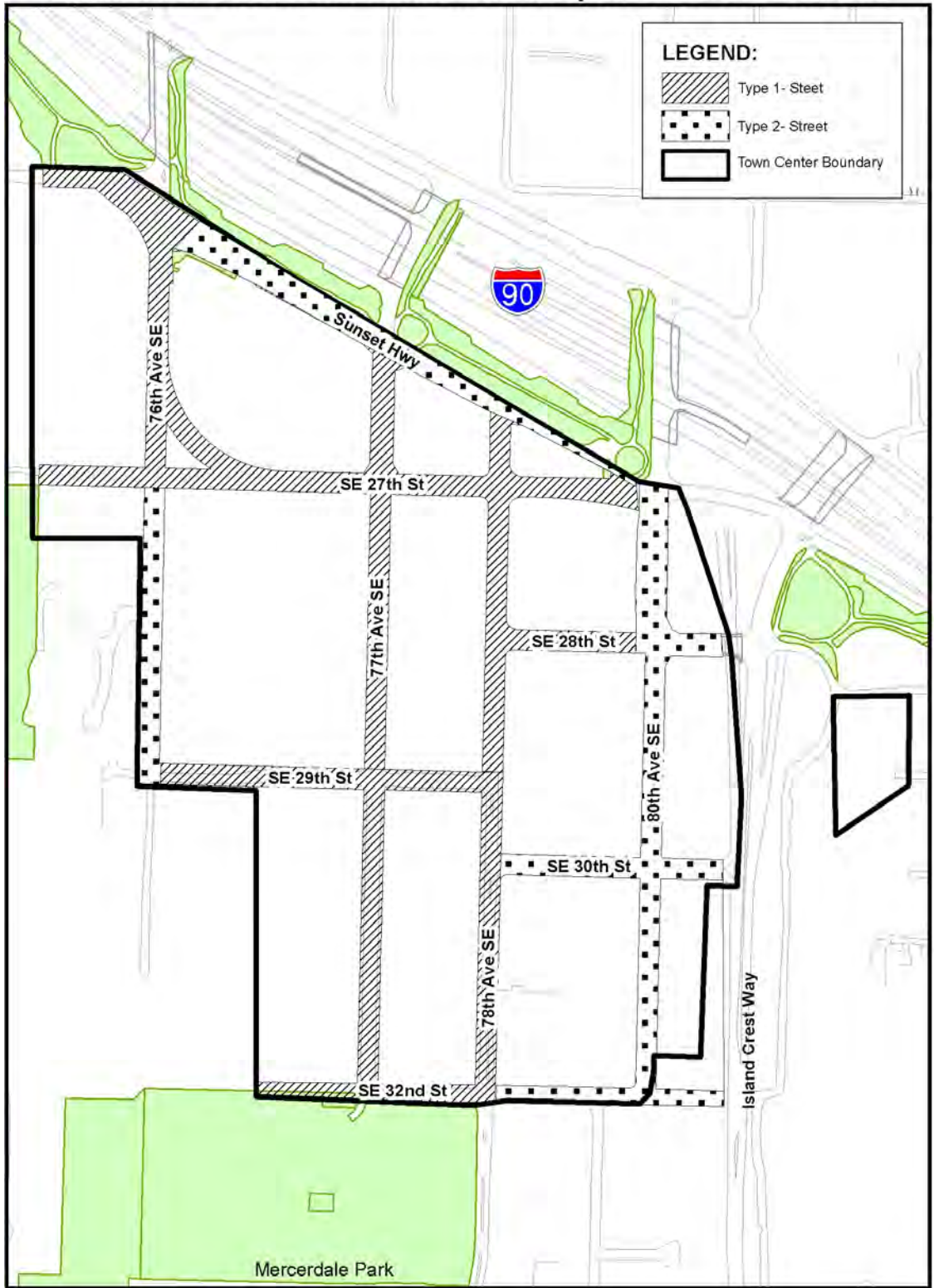
Classification	Location	Ground Floor Use Requirement
Type 1 Street	All of SE 27th St. All of SE 29th St. SE 28th St. west of 80th Ave. SE All of 77th Ave. SE All of 78th Ave. SE 76th Ave. SE north of SE 27th St. SE 32nd St. west of 78th Ave. SE	<ol style="list-style-type: none"> 1. If public parking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

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Classification	Location	Ground Floor Use Requirement
Type 2 Street	All of Sunset Highway 76th Ave. SE south of SE 27th St. All of 80th Ave. SE SE 32nd St. east of 78th Ave. SE All of SE 30th St.	If public parking is not provided pursuant to MICC 19.11.110(B)(6), then there shall be no net loss to the square footage of existing ground floor retail and restaurant, in the aggregate, based upon the maximum retail and restaurant square footage existing during the immediately preceding three years on the site.

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

EXHIBIT 2- Street Classifications-Required for Ground Use



Mercer Island Information & Geographic Services
Map Created 12/08/206

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D. Accessory Uses.

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

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

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

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

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

E. Objectionable or Hazardous Uses. No use shall be allowed which produces excessive odor, dust, smoke, cinders, gas, fumes, noise, vibration, refuse matter or water-carried waste. The standard for "excessive" shall be based on the average or normal production of these items by adjoining uses permitted in the vicinity of the proposed new use. A use is excessive if it unreasonably interferes with the ability of the adjoining property owners to utilize their property for working or living activities or if it unreasonably

interferes with the ability of pedestrians and residents to remain in or enjoy the area.

F. Affordable Housing. Affordable housing units are allowed and encouraged in all areas of the Town Center and permit fees shall be waived consistent with MICC 19.11.050 and 19.11.060. (Ord. 13C-01 § 1; Ord. 07C-02 § 2; Ord. 03C-08 § 8; Ord. 02C-05 § 1; Ord. 02C-04 § 3).

19.11.030 Nonconforming development.

A. Legal Nonconforming Status. Any structure located in the Town Center that was constructed in compliance with all applicable codes in place at the time the structure was constructed, that became nonconforming as a result of the passage of this chapter or subsequent amendments, shall be considered a legal nonconforming structure.

B. Reconstruction, Alteration or Enlargement. Reconstruction, structural alteration or enlargement of a legally nonconforming structure shall be allowed as provided in MICC 19.01.050.

C. Design Review Required. Design review and conformance with the provisions of this chapter shall be required for all minor exterior modifications and all major new construction. Reconstruction undertaken as a result of catastrophic loss, as allowed without loss of legal nonconforming status by MICC 19.01.050(D)(2)(a), shall not require design review. However, if reconstruction is other than allowed without loss of legal nonconforming status by MICC 19.01.050(D)(2)(a), or costs in excess of 75 percent of the structure's current King County assessed value at the time the catastrophic loss occurred, design review and conformance with all applicable current code provisions shall be required.

D. Change of Use – Single Tenant. If any applicant proposes a change of use on a lot used or occupied by a single tenant or use, the applicant shall meet those code provisions determined by the code official to be reasonably related and applicable to the change in use. These provisions shall apply to the entire lot. If the development is nonconforming due to the number of parking spaces provided for the existing use, any change in use, which

requires more parking than the previous use, shall provide additional parking consistent with current code parking requirements.

E. Change of Use – Multi-Tenant. If any applicant proposes a change of use on a portion of a lot occupied by multiple tenants or uses, the applicant shall meet those code provisions determined by the code official to be reasonably related and applicable to the change in use. These provisions shall apply only to that geographic portion of the lot related to the use or tenant space on which the change is proposed. If the multi-tenant lot is nonconforming due to the number of parking spaces provided for the existing uses, any change in use, which requires more parking than the previous use, shall provide additional parking consistent with current code parking requirements. (Ord. 03C-01 § 4; Ord. 02C-05 §§ 1, 2; Ord. 02C-04 § 3).

19.11.040 Building height.

A. Objectives. A pedestrian-scale environment is created through limiting building height. A base building height of two stories is established throughout the Town Center, in order to encourage such pedestrian-scale

designs, respect for views, creation of visual interest and identity and incorporation of important public amenities. In the gateway, mixed use, mid-rise office, residential and auto focus areas, additional stories of building height may be allowed if the applicant complies with the following development and design standards.

B. Development and Design Standards.

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

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

3. Additional Building Height.

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

Focus Area	Building Height with Major Site Feature	Maximum Building Height with Significant Public Amenity
Gateway	Four stories but not to exceed 52 feet	Five stories but not to exceed 65 feet
Mixed Use	Four stories but not to exceed 52 feet	Five stories but not to exceed 65 feet
Mid-Rise Office	Four stories but not to exceed 52 feet	Five stories but not to exceed 65 feet
Residential-NW	Four stories but not to exceed 52 feet	Five stories but not to exceed 65 feet
Residential-Central	Three stories but not to exceed 39 feet	Four stories but not to exceed 52 feet
Residential-South	Three stories but not to exceed 39 feet	Three stories but not to exceed 39 feet
Auto-Oriented	—	Three stories but not to exceed 39 feet

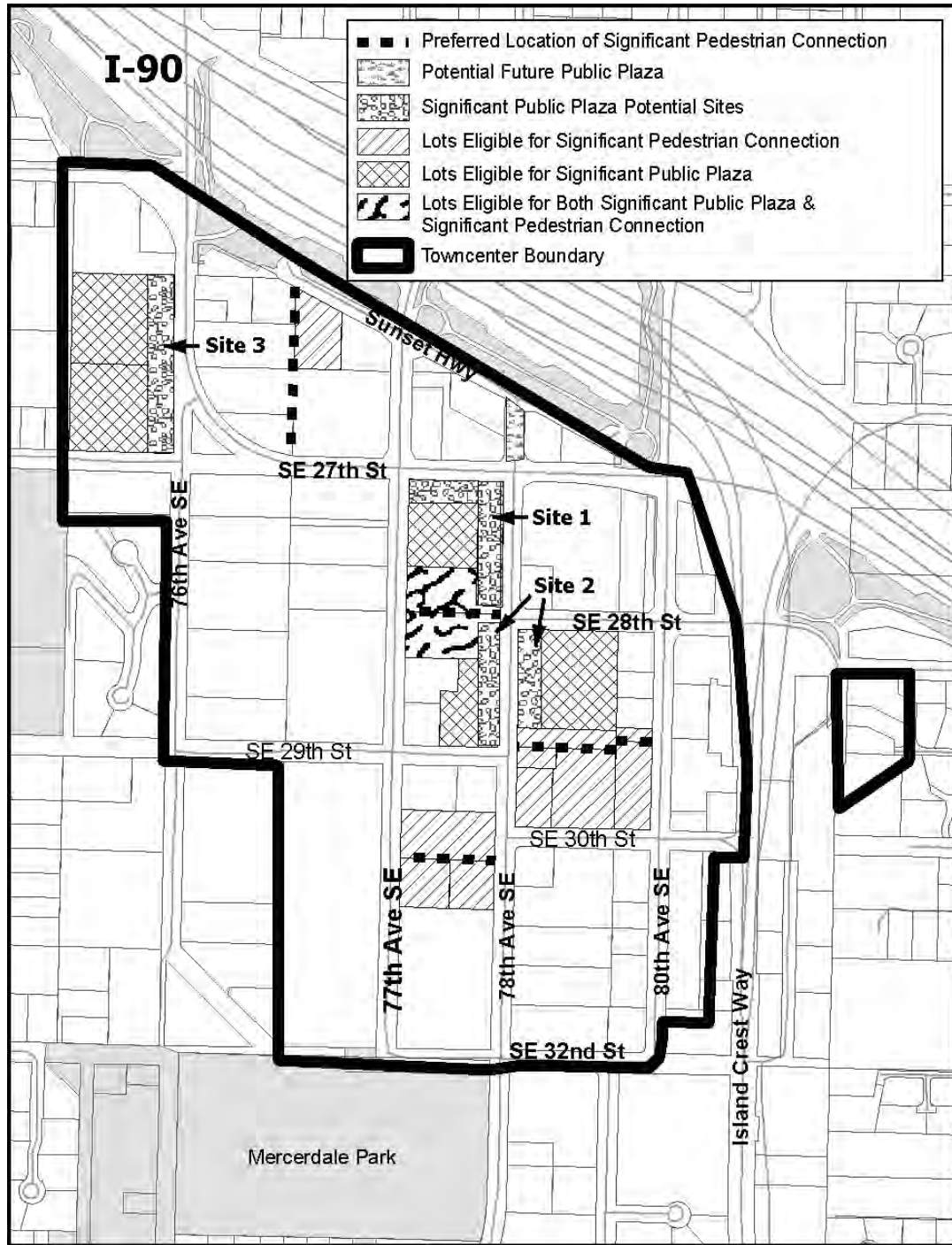
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b. Eligibility for Maximum Building Height. Every lot in the Town Center is eligible for the maximum building height described in the above chart by providing a significant public amenity. The intent of this developer incentive is to obtain three significant public plazas in the Town Center, provide a single mid-block pedestrian connection across large city blocks in the Town Center and provide affordable housing in the Town Center. The type of significant public amenity that an applicant must provide is described in Exhibit 3 in MICC 19.11.040 and in MICC 19.11.050(B)(1).

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

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

b. Wireless Communication Facilities. Wireless communication facilities (WCFs) shall be governed by MICC 19.06.040; provided, they shall be screened as required by subsection (B)(4)(a) of this section.



**Exhibit 3: Lots Eligible For
Significant Public Plazas
Significant Pedestrian Connections**



(Ord. 07C-02 § 2; Ord. 02C-05 § 1; Ord. 02C-04 § 3).

19.11.050 Significant public amenities.

A. Objectives. In order to focus more public amenities in the Town Center, to encourage affordable housing in future Town Center projects, and improve pedestrian circulation through mid-block connections, the city will provide a development bonus of one additional story of building height in exchange for a significant public amenity.

B. Development and Design Standards.

1. Type of Significant Public Amenity Required.

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

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

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

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

2. Significant Public Plaza.

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

b. Design Elements.

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

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

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

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

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

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

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

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

3. Significant Pedestrian Connection.

a. Location and Size. Connections shall be located on the lots eligible for significant public connections as shown on Exhibit 3 in MICC 19.11.040. The actual location of the pedestrian connection on the lot shall be determined by the design commission based upon the following criteria: (i) the connection will connect with existing or future rights-of-way, other pedestrian connections and/or public plazas; (ii) the connection has the effect of dividing a large city block approximately in the middle of such block in approximately the preferred locations shown in Exhibit 3 in MICC 19.11.040; and (iii) it is likely that the remainder of the subject connection will be developed in the future based upon development conditions on surrounding lots. The connection shall be the length necessary to provide access between existing rights-of-way; provided, however, that if an applicant does not own all

property necessary to make the connection, this option will still be available if an easement is provided to the city for the remainder of the connection. If the applicant fails to obtain the easement after using best efforts to obtain the easement, the city may still approve the connection. The connection shall be a minimum of 20 feet wide. The area devoted to a connection shall be in addition to the area devoted to any other minor site feature required pursuant to MICC 19.11.060. The primary purpose of the connection shall be as a means for pedestrian access between rights-of-way and as a public gathering place. Other uses, including access to parking areas, lobby entrances, and stairs must be secondary to and not conflict with the connection purpose and areas required for such uses shall not be included in calculating the minimum size.

b. Design Elements.

i. The connection shall be at the same level as the public sidewalk and incorporate sufficient pedestrian amenities such as seating areas, landscaping, art features, water features, weather protection and pedestrian scale lighting, as determined by the design commission.

ii. The connection should use special paving, such as decorative colored concrete, concrete unit brick or stone pavers and coordinated design features such as uniform treatment of signing, landscaping and lighting over the entire length of the connection.

iii. The connection must provide predominantly continuous pedestrian-oriented frontage, plazas, pedestrian ways, street arcades, landscape features, or plazas along its entire length.

iv. The connection may not be covered by a roof or story; provided portions of the plaza may be covered for weather protection, but not enclosed, and skybridges connecting two buildings are allowed if the skybridge is less than 20 feet wide and less than 14 feet in height.

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

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vi. The connection shall be for exclusive pedestrian use and may not be used by vehicles except as necessary for maintenance purposes.

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

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

4. Legal Agreements Required for Significant Public Plaza and Pedestrian Connection. The owners of property to be devoted to a significant public plaza or pedestrian connection should retain fee ownership of that property but shall execute a legal agreement providing that such property is subject to a right of pedestrian use and access by the public. The agreement shall be in form and substance acceptable to the city attorney and be recorded with the King County division of records and elections and the Mercer Island city clerk. The obligations under the agreement shall run with the land. At the end of 50 years from the date the agreement is signed, the agreement will be reviewed by the city and the agreement shall continue or change in accordance with the then-existing public need for pedestrian use and public access for subsequent 50-year terms. No modifications to either a significant public plaza or pedestrian connection shall be made without approval of the city other than ordinary repairs and maintenance.

5. Significant Affordable Housing.

a. Affordable Housing Ratio. In order to qualify as significant affordable housing and in order to qualify for the development height bonus described in MICC 19.11.040, a

development must provide affordable housing in at least the following ratios: (i) one square foot of affordable housing area in the development for every three additional square feet of market building area provided on the highest story; or (ii) one affordable housing unit in the development for every three additional market residential units provided on the highest story, whichever is greater. In no event shall there be less than two affordable housing units.

b. Design Elements.

i. The affordable housing units shall be intermingled with all other dwelling units in the development and are not required to be located on the top floor or bonus story.

ii. The type of ownership (owner versus rental) of the affordable housing units shall be the same as the type of ownership for the rest of the dwelling units in the development.

iii. The affordable housing units should consist of a range of number of bedrooms or studios that are comparable to units in the overall development.

iv. The affordable housing units shall be available for occupancy in a time frame comparable to the availability of the rest of the dwelling units in the development.

v. The exterior design of the affordable housing units must be compatible and comparable with the rest of the dwelling units in the development.

c. Agreement. An agreement in form and substance acceptable to the city attorney shall be executed providing price restrictions, homebuyer or tenant qualifications and long-term affordability. The agreement shall be recorded with King County department of records and elections and shall constitute a covenant running with the land. Affordable housing units shall remain as affordable housing for a minimum of 30 years from the date of initial owner occupancy for owner affordable units and for the life of the project for rental affordable housing units.

d. Permit Fees. The city shall waive that portion of the building permit and plan review fees and reimburse that portion of the design review fees allocable to the highest story of the development based on the relative

square footage of the highest story compared to the overall square footage of the building. (Ord. 07C-02 § 2).

19.11.060 Site features.

A. Objectives. All major new construction shall be designed to attract people to the Town Center, including the provision of special site features. Pedestrian-scale design elements may include street furniture or other seating surfaces on private property and design amenities scaled to the pedestrian such as awnings, drinking fountains, mid-block connections, arcades, colonnades, plazas, courtyards, water features, kiosks, public or private art and alternative paving materials in areas of pedestrian access.

B. Development and Design Standards.

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

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

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

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

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

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

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

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

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

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

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

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

ii. Be covered with trees, ground-cover, or other landscaping over at least 50 percent of its area; and

iii. Include seating, special paving material, pedestrian-scale lighting and other pedestrian furnishings;

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

e. Additional Sidewalk Setback. At least five feet of sidewalk width, in addition to the minimum sidewalk setback provided for in MICC 19.11.110(B)(4), may be provided along 78th Avenue SE, along the entire street frontage of the development site. Such additional sidewalk should be designed to provide additional pedestrian access where parking

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pockets narrow the sidewalk, to accommodate street trees and benches, or to create spaces for more pedestrian-oriented activities such as outdoor dining or seating.

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

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

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

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

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

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

iii. Water features should be located in sunny areas.

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

i. One square foot of affordable housing area in the development for every four additional square feet of market building area provided on the highest story; or

ii. One affordable housing unit in the development for every four additional market residential units provided on the highest story, whichever is greater.

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

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

b. Other Site Features. Examples of other site features include contribution to a public art or design project within close proximity to the new construction, such as the city's I-90 Artway; transit-oriented development (TOD) amenities, such as underground or structured parking that supports park and ride use or facilities that support bicycle use; or contribution to a public/private partnership, such as street improvements, that result in the development of a community-oriented public gathering place (such as at 78th Avenue SE between SE 27th Street and Sunset Highway). (Ord. 07C-02 § 2; Ord. 02C-05 § 1; Ord. 02C-04 § 3. Formerly 19.11.050).

19.11.065 Building facades – Visual interest.

A. Objectives. Building facades should be designed with a variety of architectural elements that suggest the buildings' use and how it relates to other development in the specific focus area. Buildings should be oriented to the street frontage to enliven the street edge as well as to maximize access from the public

sidewalk. Building facades should provide visual interest to pedestrians. Special care should be given to landscaping, mass and roof forms of buildings to provide visual interest from residential areas located on the hillside surrounding the Town Center as well as from public streets or sidewalks. Street level windows, minimum building setbacks, on-street entrances, landscaping and articulated walls should be encouraged. Building facades should be designed to achieve the purpose of the design and development standards and the urban vision described in MICC 19.11.010. Architectural features and other amenities should be used to highlight buildings, site features and entries and add visual interest. Within the Town Center all development shall provide elements that attract the interest of residents, shoppers and workers.

B. Development and Design Standards.

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

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

2. **Walls.** Blank walls without visual or architectural interest shall not be designed.

Buildings shall provide massing breaks along wall expanses and walls shall include visual or architectural treatments. Walls facing the sidewalk or other pedestrian-accessible space should be architecturally treated with recesses, trellises with climbing vines or landscaping, artwork, windows, seating, recessed secondary entrances, balconies, belt courses, cornices, plinths and other means of breaking up the blank wall surface. Buildings without pedestrian-oriented uses on the ground-floor facade may substitute artwork, fountains, garden type landscape areas and/or display windows.

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

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

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

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

7. **Contiguous Building Facade.** A contiguous building facade (longer than 50 feet) along the street frontage shall have a building

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element, such as an embellished entrance, courtyard, arcade or other architectural element dividing the facade visually.

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

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

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

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

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

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

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

07C-02 § 2; Ord. 02C-05 § 1; Ord. 02C-04 § 3. Formerly 19.11.060).

19.11.070 Materials and color.

A. Objectives. Textured high quality materials and colors should bring a visually interesting experience into the streetscape. Color should be carefully considered in relation to the overall design of the building and surrounding buildings. Color and materials should highlight architectural elements such as doors, windows, fascias, cornices, lintels, and sills. Variations in materials and colors should be generally limited to what is required for contrast or to accentuate architectural features. Piecemeal embellishment and frequent changes in materials are to be avoided. The materials and colors selected should be consistent with the intent, purpose and urban design vision set forth in MICC 19.11.010.

B. Development and Design Standards.

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

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

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

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

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

6. Prohibited Materials. Beveled metal siding, mirrored glass, and vinyl siding should not be used. (Ord. 02C-05 § 1; Ord. 02C-04 § 3).

19.11.080 Screening.

A. Objectives. In order to obtain the urban design vision set forth in MICC 19.11.010, any storage, service and truck loading areas, utility structures, elevator and mechanical equipment on the ground or roof shall be screened from public view in such a manner that they are not visible from public streets, sidewalks or residential areas located on the hillside surrounding the Town Center.

B. Development and Design Standards.

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

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

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

4. Fences. Fences should be made of masonry, ornamental metal or wood, or some combination of the three. The use of chain link, plastic or wire fencing is prohibited. (Ord. 02C-05 § 1; Ord. 02C-04 § 3).

19.11.090 Lighting.

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

B. Development and Design Standards.

1. Pedestrian-Scale Light Fixtures. Pedestrian-scale light fixtures should be incorporated into the site design to give visual variety from one building to the next and should blend with the architectural style.

2. Light Type. Lighting should use minimum wattage metal halide or color corrected sodium light sources, which give more “natural” light. Non-color corrected low-pressure sodium and mercury vapor light sources are prohibited.

3. Building Entrances. All building entrances should be well lit to provide inviting access and safety.

4. Building-Mounted and Display Window Lights. Building-mounted lights and display window lights should contribute to lighting of walkways in pedestrian areas.

5. Parking Areas. Parking area light fixtures should be designed to confine emitted light to the parking area. The height of the light fixtures should not exceed 16 feet.

6. Neon Lighting. Neon lighting may be used as a lighting element; provided, that the tubes are concealed and are an integral part of the building design. Neon tubes used to outline the building are prohibited.

7. Shielding. All lighting fixtures should be shielded or located to confine light spread within the site boundaries, to the extent possible, especially when adjacent to residential uses. (Ord. 02C-05 § 1; Ord. 02C-04 § 3).

19.11.100 Landscaping and outdoor spaces.

A. Objectives. Outdoor spaces and landscaping should be designed to achieve the urban design vision set forth in MICC 19.11.010. Development should provide for private open space for employees and residents. Planted areas should be used to frame and soften structures, to define site functions, to enhance the quality of the environment, to screen undesirable views and to create identity. Trees and landscaping shall be incorporated into the site design in order to soften and screen the visual impact of hard surfaces such as parking lots, service areas, walls, pedestrian walkways, public rights-of-way, sidewalks and gathering places. Outdoor furniture and fixtures should be compatible with the project architecture and should be carefully considered as integral elements of the landscape. Whenever possible development should include seating areas and be enhanced by such features as trees and flower displays, fountains, art and open spaces.

B. Development and Design Standards.

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

2. Trees and Groundcover.

a. Prominent trees should be preserved.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

10. Maintenance. All landscaping shall be maintained in good condition. Maintenance shall include regular watering, mowing, pruning, clearance of debris and weeds, removal and replacement of dead plants and the repair and replacement of irrigation systems. (Ord. 09C-17 § 4; Ord. 02C-05 § 1; Ord. 02C-04 § 3).

19.11.110 Vehicular and pedestrian circulation.

A. Objectives. The Town Center should be accessible for vehicles but have an emphasis toward the needs of the pedestrian. Clear, easy to understand circulation should be designed into all development to allow drivers and pedestrians to move safely on and off the site, and within it, without confusion and without disrupting on-street traffic flow. Development should maintain mobility and maximize opportunities for alternative modes of trans-

portation in the Town Center. Placement of structures, landscaping, circulation patterns and access points should collectively seek to promote an integrated, multi-modal transportation system. The harmonious integration of pedestrian and transit user circulation should be considered in every aspect of site design. Development shall provide adequate parking with safe and convenient pedestrian access. Parking lots shall be located underground or behind buildings. Parking structures should not dominate the street frontage, and must blend with the building’s architectural theme. Creatively designed, clean and functional pedestrian connections are encouraged to provide access through mid-blocks, between properties and/or from the public right-of-way. Parking shall be designed consistent with the urban design vision set forth in MICC 19.11.010 and complement the pedestrian activities.

B. Development and Design Standards.

1. Parking.

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

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

LIBRARIES/MUSEUM PUBLIC BUILDINGS (Stalls per gross square foot)	ASSEMBLY OR MEETING SPACES (Stalls per gross square foot)	OTHER USES – NONSPECIFIED (Stalls per gross square foot)
3 to 5/1,000 Square Feet	1 space for 3 seats up to 1 space for 5 seats, plus 2 spaces for 3 employees	As determined by the code official

b. Determination Within Range. The code official shall have the final authority to require parking within the minimum and max-

imum limits based upon the applicant’s submittal of a completed site plan and traffic impact analysis.

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

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

e. Shared Parking.

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

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

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

g. Surface Parking Lot Location.

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

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

h. Design of Surface Parking and Pedestrian Access.

i. Entrances.

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

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

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

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

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

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

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

i. Design of Structured Parking.

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

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

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

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

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

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

4. Sidewalks.

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

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

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

excluding locations where the curblin is interrupted by parking pockets.

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

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

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

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

19.11.120

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

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

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

e. Public parking under this provision shall not be required for a new mixed use or nonresidential development that is: (i) two stories or less, and (ii) no greater than 10 percent of the total gross floor area of all existing structures on the parcel as of October 30, 2015. (Ord. 15C-18 § 1; Ord. 13C-01 § 2; Ord. 09C-17 § 5; Ord. 02C-05 §§ 1, 6; Ord. 02C-04 § 3).

19.11.120 Signs.

A. Objectives. Signs shall be distinctive, finely crafted and designed to enhance the aesthetics of the Town Center and to improve pedestrian and motorist safety. Signs shall be designed for the purpose of identifying the business in an attractive and functional manner and to help customers find the specific business locations; they should not serve as general advertising. The size of signs shall be in proportion to the size of business store frontage. Signs shall be integrated into the building design, compatible with their surroundings and clearly inform pedestrians and motorists of business names, but should not detract from the architectural quality of individual buildings.

B. Development and Design Standards.

1. Freestanding Ground Signs.

a. Number. A building or complex may not display more than one ground sign on each street frontage.

b. Design. The sign shall be architecturally compatible with the style, materials, colors and details of the building. The sign content should be integrated in one design (in

contrast to displaying two or more separate elements). Use of symbols is encouraged.

c. Size. All signs shall be:

i. Proportionate. Proportionate to the street frontage of the businesses they identify; and

ii. Maximum Size. In no case larger than:

(A) Twenty-five square feet. A maximum of 25 square feet for individual business ground signs, shopping complex identification ground signs and signs within a 10-foot setback from any property line on a street.

(B) Fifty square feet. A maximum of 50 square feet for joint ground signs (identifying more than one business): six square feet for each business included in the complex. When more than five businesses are included in the complex, one additional ground sign may be placed on the street front, if signs are located at least 100 feet apart.

d. Maximum Height. The maximum height of any sign within 10 feet from any property line on a street shall be 42 inches. All other ground signs shall be a maximum of six feet in height.

e. Backs of Signs. Exposed areas of backs of signs should be finished to present an attractive appearance.

2. Wall Signs.

a. Eligibility. A wall sign shall be granted to commercial uses occupying buildings facing the streets and are limited to one sign per business on each street frontage. Commercial uses occupying a building adjacent to a driveway shall not qualify for a second wall sign. However, a commercial use occupying a building whose only exposure is from a driveway or parking lot shall be allowed one wall sign. Businesses that demonstrate that the entry off a driveway or parking lot is used by customers shall be eligible for a wall sign.

b. Size. All signs shall be:

i. Proportionate. Proportionate to the street frontage of the businesses they identify; and

ii. Maximum Size. In no case larger than:

(A) Twenty-five square feet. Twenty-five square feet for individual business signs.

(B) Fifty square feet. Fifty square feet for joint business directory signs identifying the occupants of a commercial building and located next to the entrance.

c. Determination of Size. The sign size is measured as follows:

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i. “Boxed” Displays. “Boxed” display – total area of display including the background and borders.

ii. Individual Letters and Symbols. Individual letters and symbols – total combined area of a rectangle drawn around the outer perimeter of each word and each symbol.

d. Placement. Wall signs may not extend above the building parapet, soffit, the eave line or the roof of the building, or the windowsill of the second story.

e. Signs Above Window Displays. When a commercial complex provides spaces for signs above window displays, these signs should be compatible in shape, scale of letters, size, color, lighting, materials and style.

f. Design Commission Discretion. If an applicant demonstrates to the satisfaction of the design commission that a wall sign is creative, artistic and an integral part of the architecture, the commission may waive the above restrictions.

g. Master Sign Plan. When multiple signs for individual businesses are contemplated for a major construction project, a master sign plan stipulating the location and size of future signs will be required.

3. Projecting Signs.

a. Sidewalk Clearance. Projecting signs should clear the sidewalk by a minimum of eight feet.

b. Maximum Size. Projecting signs shall not be larger than six square feet.

c. Projection from Building. Signs should not project over four feet from the building unless the sign is a part of a permanent marquee or awning over the sidewalk.

d. Awnings. Awnings that incorporate a business sign shall be fabricated of opaque material and shall use reverse channel lettering. The design commission may require that an awning sign be less than the maximum area for wall signs to assure that the awning is in scale with the structure. Back-lit or internally lit awnings are prohibited.

4. Window Signs.

a. Area Limitation. Permanent and temporary window signs are limited to maximum 25 percent of the window area.

b. Integration with Window Display. Every effort should be made to integrate window signs with window display.

5. Parking Lot Signs. Signs within parking lots should be limited to those necessary for safety and identification. Any required signs for individual stalls should be marked on the pavement. Freestanding or wall-mounted signs are not permitted, with the exception of disabled parking signs.

6. Directional Signs.

a. Minimal Number. To avoid a cluttered appearance, only those directional signs necessary to protect the safety of pedestrians and passengers in vehicles will be allowed.

b. Size. These signs shall be no higher than 36 inches and no wider than four square feet.

7. Temporary Signs. Unless prohibited by this chapter, use of temporary signs in the Town Center shall be governed by MICC 19.06.020, Temporary signs.

8. Prohibited Signs.

a. Roof. Signs mounted on the roof are not permitted.

b. Moving Signs. Animated, moving, flashing, blinking, reflecting, revolving, or other similar signs or signs that incorporate these elements are prohibited.

c. Pennants and Inflated Signs. Pennants or inflated signs, balloons and figures are prohibited.

d. Vehicles. Signs attached to or painted on vehicles parked and visible from the public right-of-way are prohibited if, based on the relative amount of time the vehicle is parked rather than being used as a means for actual transportation, the vehicle’s primary purpose is as a stationary sign rather than a means for actual transportation.

e. Phone Numbers. Phone numbers are prohibited from permanent, exterior signs.

9. Lighted Signs. Lighted signs shall be of high quality and durable materials, distinctive in shape, designed to enhance the architectural character of the building and use the minimum wattage necessary to identify the facility or establishment. Channel or punch-through letters are preferred over a sign that

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contains text and/or logo symbols within a single, enclosed cabinet.

10. Street Numbers.

a. Use. City-assigned street numbers should be installed on all buildings.

b. Effect on Permitted Sign Area. Street numbers will not be counted towards permitted sign area. (Ord. 04C-08 § 7; Ord. 02C-05 § 1; Ord. 02C-04 § 3).

19.11.130 Administration.

A. Design Review. Design review procedures are set forth at MICC 19.15.040(F).

B. Conditional Use Permit Review.

1. General.

a. Intent. The intent of the conditional use permit review process is to evaluate the particular characteristics and location of certain uses relative to the design and development standards established in this chapter. The review shall determine if the proposal should be permitted after weighing the public benefit and the need for the use with the potential impacts that the use may cause.

b. Scope. The conditional use permit review process shall apply to all uses identified as requiring a conditional use permit in the chart of permitted uses set forth in MICC 19.11.020(B). No building permit, business license or other permits related to the use of the land shall be issued until final approval of the conditional use permit.

c. Review Authority. The planning commission shall conduct the conditional use permit review process and determine whether the proposed conditional use shall be allowed.

d. Process.

i. Time Frame and Procedure. Conditional use permit review shall be conducted in accordance with the timelines and procedures set forth in MICC 19.15.020, Permit review procedures, except as the notice provisions are modified below.

ii. Notice.

(A) Public notice of any proposal in the Town Center which involves a conditional use shall be posted on the project site and mailed to all property owners within 500 feet of the proposed site.

(B) Legal notice shall be published in the official city newspaper (Chapter 2.10 MICC).

(C) The notice shall identify the general project proposal and the date, time and location of the planning commission open record hearing, and shall be provided a minimum of 10 days prior to the hearing.

iii. Written Decisions. All decisions of the planning commission shall be reduced to writing and shall include findings

of fact and conclusions that support the decisions.

iv. Expiration of Approval. If the activity approved by the conditional use permit has not been exercised within two years from the date of the notice of decision setting forth the conditional use decision, or if a complete application for a building permit has not been submitted within two years from the date of the notice of the conditional use decision, or within two years from the decision on appeal from the conditional use decision, conditional use approval shall expire. The design commission or code official may grant an extension for no longer than 12 months, for good cause shown, if a written request is submitted at least 30 days prior to the expiration date. The applicant is responsible for knowledge of the expiration date.

2. Review Process.

a. Application Submittal. A complete conditional use permit application, on forms provided by the city development services group (DSG), shall be submitted at the same time as the application and materials for design review. The applicant shall provide a written narrative of the proposed conditional use and address in writing how the proposed use complies with the criteria for conditional use permit approval in MICC 19.11.130(B)(2)(e). Depending on the type of conditional use proposed, the code official may require additional information.

b. SEPA Determination. The city environmental official will review the SEPA environmental checklist, the proposal and other information required for a complete application to assess the project's probable environmental impacts and issue a determination pursuant to MICC 19.07.120.

c. Acceptance. DSG staff shall determine if the required materials have been provided for review of the conditional use permit, in conjunction with the applicable design review process. If so, the application will be accepted and the process for determination of completeness and review set forth in MICC 19.15.020 shall commence.

d. Review. The planning commission shall conduct an open record hearing to con-

sider a conditional use permit application. The commission may approve the application, or approve it with conditions, only if the all of the applicable criteria set forth below are met. The commission shall deny the application if it finds that the applicable criteria set forth below have not been met. Conditions may be attached to assure that the use is compatible with other existing and potential uses within the same general area and that the use shall not constitute a nuisance. Conditional use permit application review shall be coordinated with design review as follows:

i. Major New Construction. If the conditional use permit application is part of a major new construction project, design review shall commence in accordance with the time frames and procedures set forth in MICC 19.15.040(F); except as follows: The planning commission shall review the conditional use permit application at an open record hearing after the design commission's preliminary design review at a public meeting. If the planning commission approves the conditional use permit (without or with conditions), then the planning commission will forward the project to the design commission for the final design review.

ii. Change in Use and Minor Exterior Modifications. If the conditional use permit application proposes a change in use but is not part of a major new construction project, or is part of a minor exterior modification, then design review shall proceed administratively in accordance with the provisions in MICC 19.15.040(F), and the planning commission shall review the conditional use permit application at an open record hearing. If the staff determines that the minor exterior modification should be reviewed by the design commission as provided for in MICC 19.15.040(F), then the design commission's review and decision shall be conducted at an open record hearing separate from the planning commission's open record hearing on the conditional use permit application.

e. Criteria for Approval of a Conditional Use Permit. Following the applicable review process above, the planning commission shall approve, approve with conditions or

deny a conditional use permit application based on finding that the following criteria have been met:

i. General Criteria.

(A) The proposed use complies with all the applicable design and development provisions of this chapter.

(B) The proposed use is consistent with the comprehensive plan.

(C) The proposed use is harmonious and appropriate in design, character, and appearance with the existing or intended uses within the surrounding area.

(D) The proposed use will not generate excessive fumes, odor, dust, light, radiation, or refuse that would be injurious to surrounding uses.

(E) The proposed use will not generate levels of noise that adversely impact the health, safety, or general welfare of surrounding uses.

(F) The proposed use will be served by adequate public services, including streets, fire and public safety protection, water, sewer, and storm water control, and will not adversely impact the level of service standards for such facilities.

(G) The proposed location, size, design, and operating characteristics of the proposed use will not be detrimental to the public interest, health, safety, convenience, or welfare of the city.

ii. Additional Criteria for Approval of a Conditional Use for Adult Entertainment.

(A) The point of entry into the structure housing the adult entertainment use shall be located at least 100 feet, measured in a straight line, from the property line of: (1) any R-zoned property; (2) any public institution zoned property; (3) any property containing one or more of the following uses: residential uses including single- or multiple-family dwellings, or residential care facilities; schools including public, private, primary or secondary, preschool, nursery school, day care; recreational uses including publicly owned park or open space, commercial or noncommercial or private recreation facility; religious institu-

tions; public institutions; or uses which cater primarily to minors.

(B) No adult entertainment use shall be located closer than 400 feet to another adult entertainment use. Such distance shall be measured by following a straight line from the nearest point of entry into the proposed adult entertainment to the nearest point of entry into another adult entertainment use.

(C) Point of entry into adult entertainment use shall not be located along 78th Avenue SE.

(D) Signing shall be limited to words and letters only. Window or exterior displays of goods or services that depict, simulate, or are intended for use in connection with specified sexual activities as defined by this chapter are prohibited.

f. Appeal. The planning commission's decision is final unless appealed pursuant to MICC 19.15.020(J).

g. Change After Conditional Use Permit Granted.

i. Change of Ownership. Conditional use permits granted shall continue to be valid upon change of ownership of the site.

ii. Change of Use. Modifications in the operation of a use shall require an amendment to the conditional use permit and are subject to the above review process. (Amended during 3/15 supplement; Ord. 04C-08 § 6; Ord. 02C-05 §§ 1, 4; Ord. 02C-04 § 3).

Chapter 19.12

DESIGN STANDARDS FOR ZONES OUTSIDE TOWN CENTER

Sections:

- 19.12.010 General.
- 19.12.020 Site features and context.
- 19.12.030 Building design and visual interest.
- 19.12.040 Landscape design and outdoor spaces.
- 19.12.050 Vehicular and pedestrian circulation.
- 19.12.060 Screening of service and mechanical areas.
- 19.12.070 Lighting.
- 19.12.080 Signs.

19.12.010 General.

A. Applicability. This chapter establishes design standards for regulated improvements in all zones established by MICC 19.01.040, except Town Center. Design standards for Town Center are set forth in Chapter 19.11 MICC. These standards are in addition to any other standards that may be applicable to development in the zone in which the development occurs. In the PBZ, the terms of the PBZ site plan as set forth in MICC 19.04.010 shall control; provided, to the extent not inconsistent with MICC 19.04.010, the provisions of MICC 19.12.010 [excluding (D)(2)(b) and (c)], 19.12.030, 19.12.060, 19.12.070 and 19.12.080 shall apply. These design standards are not intended to slow or restrict development, but to add consistency and predictability to the permit review process.

B. Design Vision.

1. Site and Context. Non-Town Center areas are largely characterized by residential settings that are heavily vegetated, topographically diverse and enhanced with short and long-range views that are often territorial in nature. The design of new and remodeled structures should respond to this strong environmental context. Site design should maintain the natural character of the island and preserve vegetation concentrations, topography and the view opportunities that make Mercer Island special.

FINDINGS OF FACTS AND CONCLUSIONS OF LAW CITY OF MERCER ISLAND DESIGN COMMISSION



BRE Properties, Inc. Mixed Use Development DSR07-004/SEP07-005

Amended final design approval of a revised proposal to construct a five story mixed use building with structured parking on a site in the Town Center located at 2441 76th Avenue SE. The applicant also received a one-year extension to the original final design approval expiration date. Final design approval will expire on November 14, 2010.

Project:

In 2007, the Design Commission granted final approval for a five story mixed use building with structured parking in the Town Center. Both the approved and amended proposals include 12,264 square feet of retail space and 312 parking stalls. The applicant, BRE Properties, Inc., has received extension to the expiration date and has been granted final design approval for an amended plan.

Criteria for Review:

This application has been reviewed under the standards contained in Mercer Island City Code 19.11 – Town Center Development and Design Standards. The building design must be consistent with the criteria contained in that code section:

- 19.11.010 General.
- 19.11.020 Town Center development – General.
- 19.11.030 Nonconforming development.
- 19.11.040 Building height.
- 19.11.050 Significant public amenities.
- 19.11.060 Site features.
- 19.11.065 Building facades – Visual interest.
- 19.11.070 Materials and color.
- 19.11.080 Screening.
- 19.11.090 Lighting.
- 19.11.100 Landscaping and outdoor spaces.
- 19.11.110 Vehicular and pedestrian circulation.
- 19.11.120 Signs.
- 19.11.130 Administration.

Findings of Fact:

1. The site is zoned Town Center (TC).
2. The current use of the property is a vacant retail establishment.
3. A study session for the project was held in front of the Design Commission on August 9, 2006.

4. A State Environmental Policy Act (SEPA) DNS was issued on May 21, 2007 by Jeff Thomas, Principal Planner, for 162 residential units, 12,400 square feet of commercial space, and 322 parking stalls.
5. The Design Commission voted June 13, 2007 to grant preliminarily approve for the project.
6. A SEPA Addendum to the DNS was issued on October 29, 2007 by Matt Torpey, Planner, for 166 residential units, 12,264 square feet of commercial space, and 312 parking stalls.
7. The Design Commission granted final design review approval was granted on November 14, 2007.
8. The applicant applied for a building permit for the project in December 2008. The permit application is still in review by the Development Services Group and is vested under the regulations in effect at the time of application.
9. On September 11, 2009, the applicant requested an extension to final design review expiration. MICC 19.15.040(F)(1)(d)(iii) allows for the Design Commission to grant an extension for up to 12 months if a written request is submitted at least 30 days prior to the expiration date.
10. An open record public hearing was held on January 13, 2010 to review the revised project for amended final Design Commission approval. A one-year extension to the original final design approval expiration date was granted during the hearing. Additionally, the amended project was unanimously approved by the Design Commission at the hearing.

Conclusions of Law:

1. The Design Commission is authorized to review this proposal under MICC 19.15.040(D).
2. The proposed amended plan complies with the applicable design objectives and principles of Chapter 19.11 – Town Center Development and Design Standards.
3. The project, as proposed and approved, is an allowed as a use in the TC zone.
4. The applicant has provided good cause for an extension.
5. While the amended plan is reducing the total amount of articulation and landscaping slightly, the proposed amended plan complies with the design requirements, subject to the conditions of approval
6. The Design Commission has authority to deviate from the parking standards per MICC 19.11.110(B)(1)(d). The Design Commission finds that if the parking agreement is recorded, the alternative design and 20 general public parking spaces would be advantageous when compared to the previous design.

Decision:

Based upon the design review criteria in MICC Section 19.11 and the findings and conclusions listed above the amended final design review approval for the items clearly itemized as being amended within Exhibit 2 to the staff report to the Design Commission on January 13, 2010 is granted subject to the following conditions of approval being met prior to approval of a building permit.

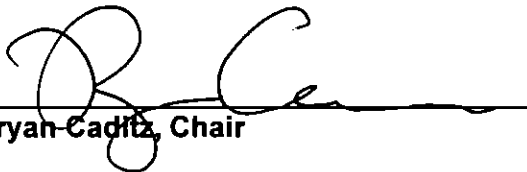
Further, a 12 month extension to final design review approval to DSR07-004 is hereby granted. The design review approval shall now expire on November 14, 2010.

Conditions of Approval:

1. The building height as well as the base elevation shall be verified prior to the final building permit approval, and must include all wall segments as stated in the previous final design review staff finding. The Average Building Elevation must be per MICC 19.11.040(B)(1).

2. The applicant shall provide to the City a set of plans specifying the locations and dimensions of all rooftop appurtenances. Furthermore, the plans shall be scaled and provide the heights of all rooftop appurtenances. Additionally, screening is required for rooftop appurtenances. The plans illustrating the rooftop appurtenances shall provide scaled elevations of the proposed screening.
3. The applicant shall submit to the City plans detailing the proposed screening of water meters, gas meters, electric meters, ground-mounted mechanical units, and all other similar structures. The applicant will be required to screen all meters and ground mounted mechanical units prior to final approval of a building permit.
4. The applicant shall provide to the City information regarding the automatic irrigation system.
5. The applicant shall record and execute a Parking Agreement, in a manner approved by the City Attorney, that designates 20 of the 90 stalls on the P1 parking level for public use.
6. Per MICC 19.11.100(B)(7), the applicant shall increase the proposed landscaping coverage from 1,535 square feet to 1,920 square feet or 1% of the Gross Floor Area.
7. It is recommended that the City Engineer allow for installation of a bench at the existing bus stop on 76th Avenue SE.
8. Per MICC 19.11.100(B)(1), indigenous plant species, as defined by the King County Northwest Native Plant Guide, shall be used in the majority of plantings across the landscaping palette.
9. Pursuant to MICC 19.11.050(B), the current proposed width of the transparent primary entrance connecting the public parking to the sidewalk or public plaza is retained per Exhibit 2.

Approved this 29th day of January 2010.


Bryan Caditz, Chair

Under State law and Mercer Island City Code, you have the right to appeal this decision to the Mercer Island City Council. If you desire to file an appeal, you must submit the appropriate form, available from the Development Services Group, and file it with the City Clerk within fourteen (14) days from the date this decision is signed. Upon receipt of a complete appeal application and fee, a public hearing will be scheduled.



RICH
LANDSCAPING INC.

RICH LANDSCAPING, INC

27901 NE Redmond Fall City Rd., Redmond, WA 98053 Phone (425) 222-9544 Fax (425) 222-6600
Site Planning - Landscape Construction - Landscape Maintenance

April 28, 2017

To: City of Mercer Island review board

Based on what I can ascertain with not much history the fountain at Aviara had been leaking for some time with no knowledge of why or where the leak was happening. It was also stated that the lighting for the fountain had ongoing electrical issues that needed constant repairs.

Sincerely,

Joshua Richards
Rich Landscaping Inc.







NOW LEASING
HADLEY MERCER ISLAND

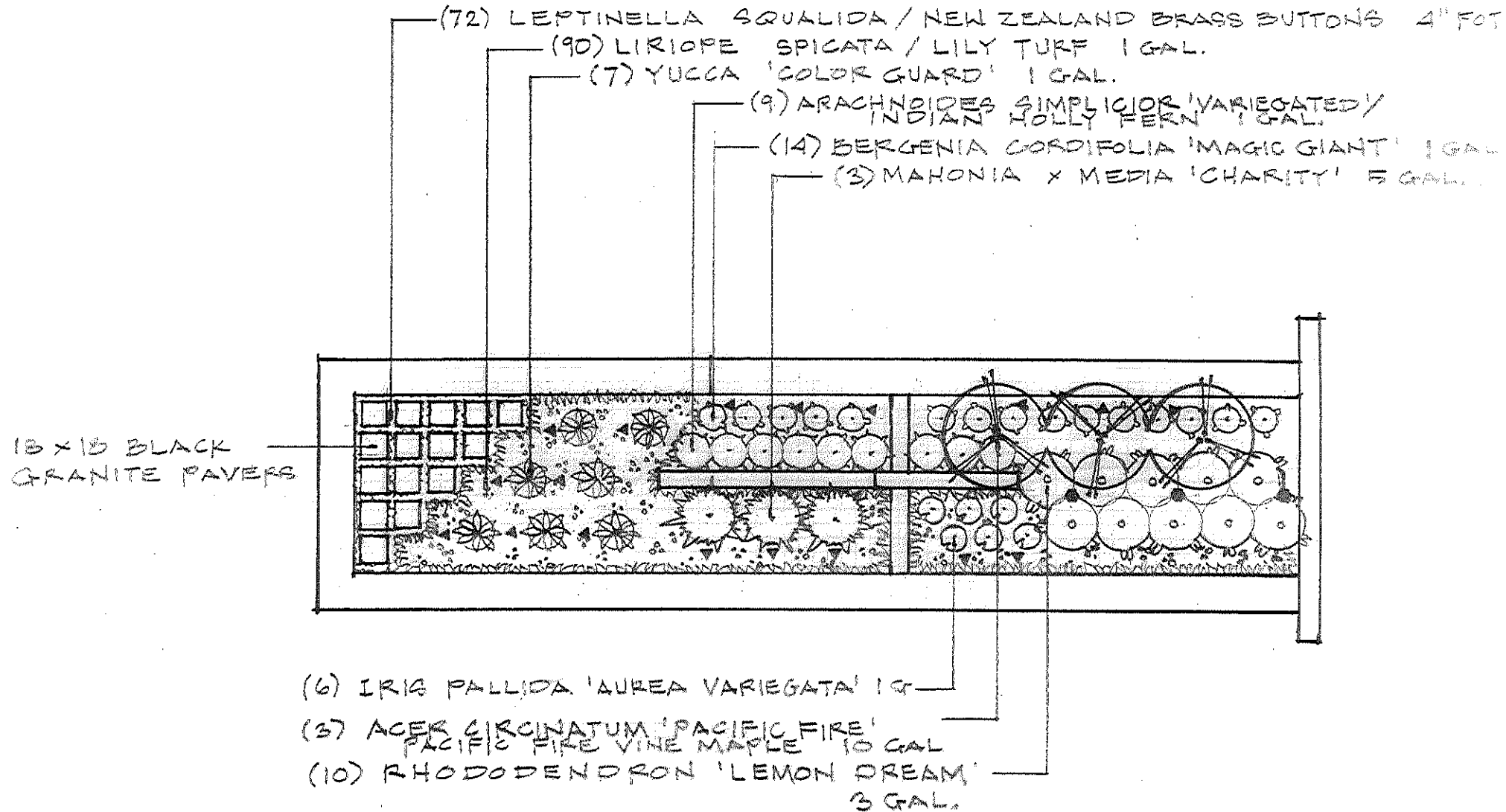
SUZANNE ZHR

STANDBY









LIGHTING LEGEND

- 18 ◀ MINI SPOT LIGHT
- 3 ● DOWN LIGHT

1/8" = 1'-0" 12-11-15

LANDSCAPE PLAN
AVIARA

Nicole Gaudette

From: Alaine Sommargren
Sent: Wednesday, June 7, 2017 8:20 AM
To: Nicole Gaudette
Subject: RE: Aviara Landscaping Review

Hi Nicole –

It looks like the plants they chose are a bit of a mix. There are no native species in their list, and about half of them would qualify as being drought tolerant (once established). Here is my breakdown:

Species	Water needs
Leptinella squalida	Requires occasional watering during particularly hot weather
Liriope spicata	Moderately drought tolerant (in shadier sites)
Yucca 'Color Guard'	Drought tolerant
Arachnoides simplicior 'Variegata'	Requires water in sunny locations
Bergenia cordifolia 'Magic Giant'	Requires regular watering in sunny locations
Mahonia x media 'Charity'	Drought tolerant once established
Iris pallida 'Aureo variegata'	Drought tolerant once established
Acer circinatum 'Pacific Fire'	Requires regular to occasional watering
Rhododendron 'Lemon Dream'	Requires frequent to regular watering

Because the site is surrounded by concrete and receives full sun for a large portion of the day, it is under additional heat stress. I suspect that the planting will require at least occasional (if not regular) watering for the duration in order to keep the plants thriving.

Please let me know if you'd like any other info!

Alaine Sommargren

Natural Resources Manager | City of Mercer Island, Parks & Recreation | Office 206.275.7879 | Cell 206.383.9924

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Please consider the environment before printing this e-mail

From: Nicole Gaudette
Sent: Tuesday, June 06, 2017 4:14 PM
To: Alaine Sommargren <Alaine.Sommargren@mercergov.org>
Subject: Aviara Landscaping Review

Alaine,

Thank you for calling me. You had perfect timing! Here is a link where put before and after photos, the plant list, and other information. <https://mieplan.mercergov.org/public/DSR17-002/> Please let me know if the species used are either native or adaptive drought tolerant species. This project is to replace the water fountain that was at the Aviara building located at 2441 76th Ave SE in Town Center. Please note, they already removed the water feature and installed the plants in this proposal. This is a retroactive review to address their code enforcement case for doing the work without prior approval.

Thank you!

Nicole

Nicole Gaudette, Senior Planner
Development Services Group
City of Mercer Island
9611 SE 36th Street
Mercer Island, WA 98040
(206) 275-7719
nicole.gaudette@mercergov.org



RICH
LANDSCAPING INC.

RICH LANDSCAPING, INC

27901 NE Redmond Fall City Rd., Redmond, WA 98053 Phone (425) 222-9544 Fax (425) 222-6600

Site Planning - Landscape Construction - Landscape Maintenance

RE: Correction Request for File No. DSR17-024

Request for Design Review at 2441 76th Avenue SE, Mercer Island, WA 98040; King County

Tax Parcel #531510-00525

1. MICC 19.11.070(B) (2)(b)

The Acer circinatum 'Pacific Fire' and Rhododendron 'Lemon Dream' are planted outside of the area of the original water feature. The Vine Maples were planted to replace non-native Japanese Maples that were in conflict with the cantilevered portion of the building. Acer circinatum is native to this area; 'Pacific Fire' is the name that distinguishes this naturally occurring "selection" of Acer circinatum for its brilliant colored bark. The Rhododendron 'Lemon Dream' replaced non-native ornamental planting in poor condition. Again, this area has never been part of the water feature conversion and it is not clear why it is under review. If required, we can replace these shrubs with Vaccinium ovatum/ Evergreen Huckleberry.

2. MICC 19.11.070(B)(2)(b)(11)

The planting scheme's groundcovers have performed satisfactorily accept for one notable area, the west side of the vertical wall. A native groundcover, Arctostaphylos uva-ursi/Kinnikinnick, can be added at rate of (1) 4" pot at 12" on center.

3. MICC 19.11.070(B)(2)

The existing irrigation system was expanded to include the areas of new plantings created by converting the water feature. This dictated that we use the same type of application, i.e. spray heads, spaced for head to head coverage. As plants mature, heads will be adjusted to maintain coverage or control overspray; it may require replacing 6" pop-up with 12" or swapping out nozzles to adjust pattern or arc of throw.

4. MICC19.11.090(B)(7)

The spot/up-lights typically have an adjustable shroud. The further the shroud in relation to the bulb, the more narrow the beam. In setting the final position for the lights, care is taken to find the least obtrusive angle, aiming away from windows and pedestrians. We use LED bulbs using on average about 5W.



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27901 NE Redmond Fall City Rd., Redmond, WA 98053 Phone (425) 222-9544 Fax (425) 222-6600
Site Planning - Landscape Construction - Landscape Maintenance

Landscape Estimate

December 7, 2017

Aviara Apartments
2441 76th Ave SE,
Mercer Island, WA 98040

Study session Design commission suggested improvements— After review of the comments for the landscape improvements at Aviara by the City of Mercer Island, we can suggest alternatives to the plant selection by substituting a few of the plants with drought tolerant natives. We suggest substituting the Arachnoides with Blechnum spicant/Deer Fern; in place of Bergenia, use Gaultheria procumbens/Wintergreen. We have not found a suitable native plant to use between the paving stones. We suggest to replace the Leptinella with Herniaria glabra/ Green Carpet. It is bright green throughout most of the year, bronze in winter, tolerates foot traffic and drought.

Materials and labor necessary

- | | |
|---|----------|
| • Prep/Removal | \$290.00 |
| • 4” Herneria ‘green carpet’ – (72) | \$432.00 |
| • 1-gallon Blechnum spicant ‘Deer fern’ – (9) | \$189.00 |
| • 1-gallon Gaultheria Procumbens ‘wintergreen’ – (14) | \$294.00 |

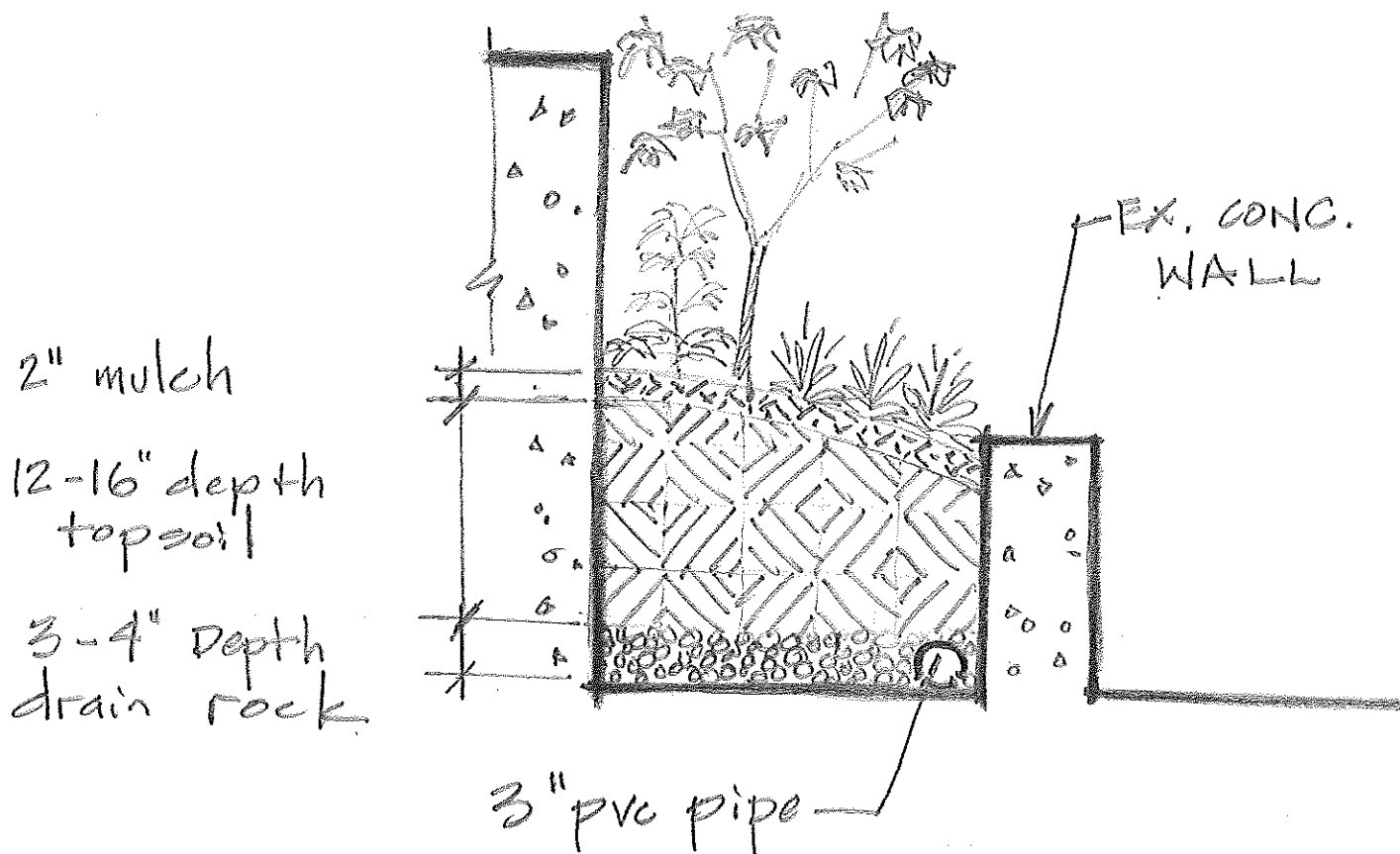
SUBTOTAL: \$1,205.00

SALES TAX: \$120.50

TOTAL: \$1,325.50

GENERAL CONDITIONS:

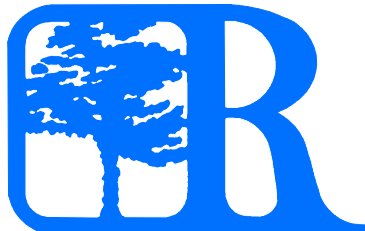
Under Washington law, those who work on or provide materials for the repair, remodel, or alteration of your owner-occupied principal residence and who are not paid, have a right to enforce their claim for payment against your property. This claim is known as a construction lien. The law limits the amount that a lien clamant can claim against your property. Claims may only be made against that portion of the contract you have not yet paid to your prime contractor as of the time you receive the notice. This proposal may be withdrawn by us if not accepted within 30 days. You, the buyer, may cancel this transaction at any time prior to midnight of the third business day after the date of this transaction. Cancellation must be done in writing. All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed as a change order over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control. Owner to carry fire, tornado, and other necessary insurance. Our workers are fully covered by Workman’s Compensation insurance. Guarantee: All material and workmanship is warranted for a period of 1 year against defects.



SECTION

NO SCALE

AVIARA



RICH LANDSCAPING, INC.
27901 NE Redmond Fall City Rd.
Redmond WA 98053-9251
info@richlandscaping.com
(425) 882-2226
(425) 222-6600 fax

Landscape Estimate

December 11, 2015

Aviara
 2441 76th Avenue SE
 Mercer Island, Washington 98040

- **Removals** **\$784.00**
 Remove plant material; haul away and dispose.
- **Drainage** **\$1,720.00**
 Install 3" rigid PVC perforated pipe with clean-outs, imbedded with pea gravel and covered with fabric.
- **Irrigation Allowance** **\$1,360.00**
 Assuming existing system is in good working condition and can accommodate expansion. Add pop up heads as required to cover new planting.
- **Decommission Existing Lighting** **\$560.00**
 Decommission existing submersed lighting in fountain where new plantings are proposed.
- **Lighting** **\$4,385.00**
 Install low-voltage landscape lighting system; install 300w transformer with self-adjusting timer; fixtures with LED bulbs, (18) mini-spot/up lights and (3) path/down lights.
- **Pavers** **\$1,005.00**
 Install (15) 18" x 18" black granite pavers over compacted 5/8" minus crushed rock. Gap in pavers to be planted with groundcover.
- **Plantings** **\$6,490.00**
 Install all plants at size and quantity as indicated on plan; additional budget included to feather material into adjacent planting beds to refresh existing material.

- **Soil and Mulch** **\$2,150.00**

Apply 12” depth compost amendment. Top dress bed areas with 2” depth fine dark mulch.

Subtotal	\$18,454.00
WA State Sales Tax	<u>\$1,753.13</u>
TOTAL	\$20,207.13

GENERAL CONDITIONS:

Under Washington law, those who work on or provide materials for the repair, remodel, or alteration of your owner-occupied principal residence and who are not paid, have a right to enforce their claim for payment against your property. This claim is known as a construction lien. The law limits the amount that a lien clamant can claim against your property. Claims may only be made against that portion of the contract you have not yet paid to your prime contractor as of the time you receive the notice. This proposal may be withdrawn by us if not accepted within 30 days. You, the buyer, may cancel this transaction at any time prior to midnight of the third business day after the date of this transaction. Cancellation must be done in writing. All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed as a change order over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control. Owner to carry fire, tornado, and other necessary insurance. Our workers are fully covered by Workman’s Compensation insurance. Guarantee: All material and workmanship is warranted for a period of 1 year against defects.



RICH LANDSCAPING, INC

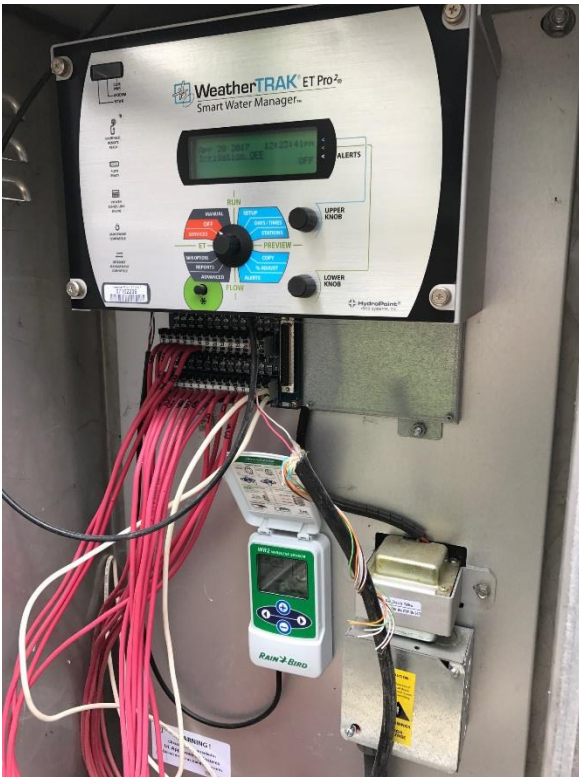
27901 NE Redmond Fall City Rd., Redmond, WA 98053 Phone (425) 222-9544 Fax (425) 222-6600
Site Planning - Landscape Construction - Landscape Maintenance

April 28, 2017

To: City of Mercer Island review board

The irrigation for the new plantings was installed and connected to the existing zone in the adjacent planting bed. The zone operates off of the WeatherTrak ET Pro2 controller. The WeatherTrak ET Pro2 is a smart controller and WeatherTrak is rated #1 for saving water, protecting landscapes, reducing runoff and satisfying customers. The only high-station count system that dynamically adjusts irrigation based on current evapotranspiration (ET) data, received wirelessly each day via the WeatherTrak ET Everywhere® service.

Below is a photo of the WeatherTrak ET Pro2 system and rain sensor at the Aviara Apartments.



Sincerely,

Joshua Richards
Rich Landscaping Inc.



**PROFESSIONAL
OUTDOOR LIGHTING**

SPECIFICATION SHEET

Type:

Model:

Project:

MODEL 4704-LED Landscape Series • Path & Spread Lights

FIXTURE SPECIFICATIONS:

HOUSING:

Die-cast, copper-free aluminum.

STEM:

½" schedule-40 aluminum pipe with ½" NPT.

FINISH:

Polyester powder-coat finish available in Black, Verde, Architectural Brick, Architectural Bronze, Light Bronze, Dark Bronze, Granite, Pewter, Terracotta, Rust, Hunter Green, Mocha, Weathered Bronze, Weathered Iron, and White.

LENS:

Clear, high-impact, polycarbonate lens.

LAMP TYPE:

High Output LED with Vista exclusive smart-driver, powered to operate for 50,000 hours.

ELECTRICAL:

Input voltage range 6–15V AC, regulated to achieve uniform illumination throughout the cable run of fixtures. Integral surge & reverse polarity protection.

MOUNTING:

Bottom of stem threaded with ½" NPT. Fixture may be mounted into threaded hubs in junction boxes, ground stakes, or floor-mounting

canopies. Please see fixture ordering information for mounting selection.

FASTENERS:

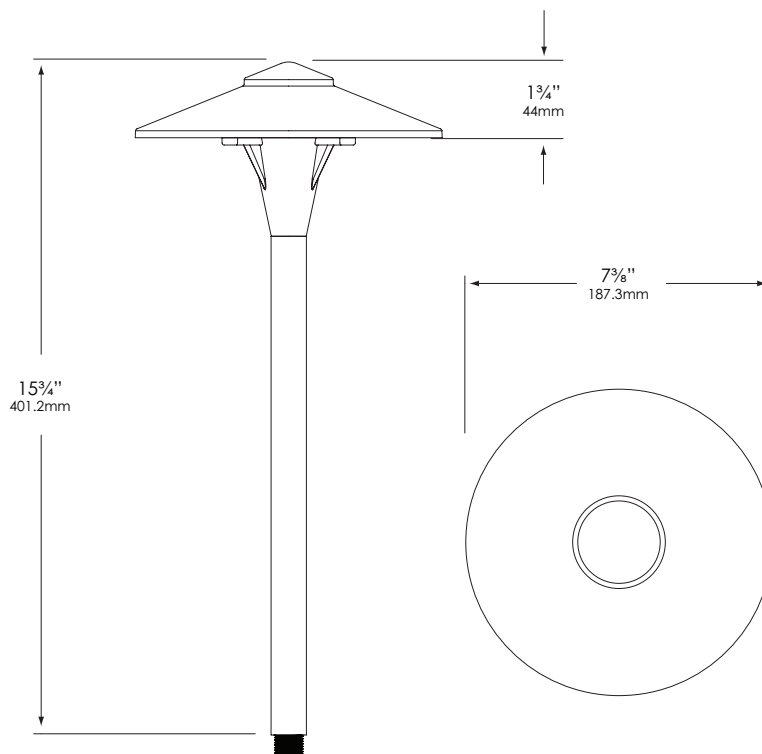
All fasteners are stainless steel.

WIRING:

Prewired with a three-foot pigtail of 18-2 direct-burial cable and underground connectors for a secure connection to supply cable.

All Vista luminaires are [MADE IN U.S.A.](#)

DIMENSIONS:



Vista Professional Outdoor Lighting reserves the right to modify the design and/or construction of the fixture shown without further notification.



SPECIFICATION SHEET

MODEL 4704-LED Landscape Series • Path & Spread Lights

FIXTURE ORDERING INFORMATION

TO ORDER FIXTURE: Select appropriate choice from each column as in the following example.

EXAMPLE: PR-4704-B-W-LB2ND

MOUNTING	MODEL	FINISH	COLOR TEMP	LAMP
PR - ABS ground stake	4704	B - Black G - Verde BR - Architectural Brick Z - Architectural Bronze LZ - Light Bronze DZ - Dark Bronze GT - Granite P - Pewter TC - Terracotta R - Rust HG - Hunter Green M - Mocha WB - Weathered Bronze WI - Weathered Iron W - White	W - Warm N - Neutral C - Cool	LB2ND - 2.5 watt LB5ND - 5 watt LED - Group B Emitter Qty - 1 Temperature - Warm (W), Neutral (N), Cool (C) Operating voltage range - 6 to 15V. <i>(Please see lamp order code column on lamp guide, Vista product catalog.)</i>

Fixtures shipped with standard lamp, unless otherwise specified.
 Fixtures shipped with specified mounting hardware.
 Note: Optional custom length stems available. Consult local distributor.



**PROFESSIONAL
OUTDOOR LIGHTING**

Type:

Model:

Project:

SPECIFICATION SHEET

MODEL 2207-LED Landscape Series • Up & Accent Lights

FIXTURE SPECIFICATIONS:

HOUSING:

Die-cast, copper-free aluminum.

SHROUD:

Die-cast, copper-free aluminum fitted to housing with a silicone O-ring gasket – providing a superior weather-tight seal.

FINISH:

Polyester powder-coat finish available in Black, Architectural Bronze, Dark Bronze, Light Bronze, Verde, Pewter, Architectural Brick, Granite, Terracotta, Rust, Hunter Green, Mocha, Weathered Bronze, Weathered Iron, and White.

LENS:

Clear, tempered, shock and heat-resistant, soda-lime glass lens. Optical effect lenses are available; see accessories column on fixture ordering information chart.

LAMP TYPE:

High Output LED with Vista exclusive smart-driver, powered to operate for 50,000 hours.

ELECTRICAL:

Input voltage range 6–15V AC, regulated to achieve uniform illumination throughout the cable run of fixtures. Integral surge & reverse polarity protection.

MOUNTING:

Injection-molded, glass-reinforced Noryl GTX® composite adjustable knuckle with ½" NPT. Fixture may be mounted into threaded hubs in junction boxes, ground stakes, tree-mount boxes, or mounting canopies. Please see fixture ordering information for mounting selection.

FASTENERS:

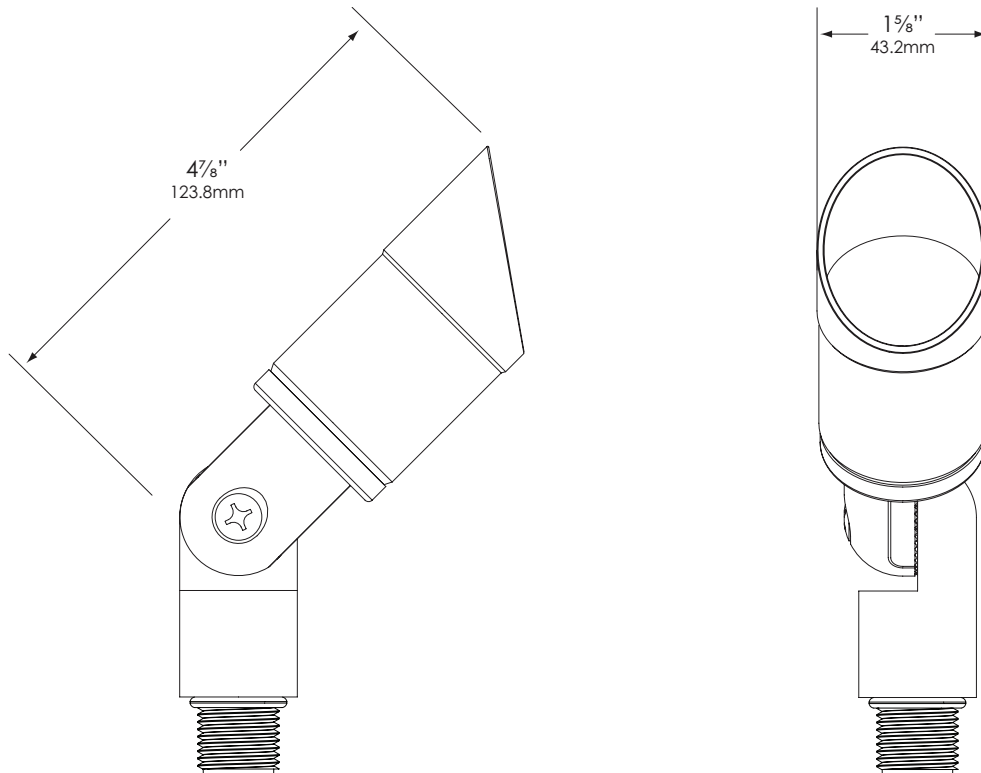
All fasteners are stainless steel.

WIRING:

Prewired with a three-foot pigtail of 18-2 direct-burial cable and underground connectors for a secure connection to supply cable.

All Vista luminaires are [MADE IN U.S.A.](#)

DIMENSIONS:



Vista Professional Outdoor Lighting reserves the right to modify the design and/or construction of the fixture shown without further notification.



SPECIFICATION SHEET

MODEL 2207-LED Landscape Series • Up & Accent Lights

FIXTURE ORDERING INFORMATION

TO ORDER FIXTURE: Select appropriate choice from each column as in the following example.

EXAMPLE: GR-2207-B-W-LB2ND-FR

MOUNTING	MODEL	FINISH	COLOR TEMP	LAMP	ACCESSORIES
GR- ABS ground stake TR - Tree mount J-box WR- Wall mount canopy	2207	B - Black G - Verde BR - Architectural Brick Z - Architectural Bronze LZ - Light Bronze DZ - Dark Bronze GT - Granite P - Pewter TC - Terracotta R - Rust HG - Hunter Green M - Mocha WB - Weathered Bronze WI - Weathered Iron W - White	W - Warm N - Neutral C - Cool	LB2ND - 2.5 watt LB5ND - 5 watt LED - Group B Emitter Qty - 1 Temperature - Warm (W), Neutral (N), Cool (C) Operating voltage range - 6 to 15V. <i>(Please see lamp order code column on lamp guide, Vista product catalog.)</i>	BL – Flat Cool Blue lens SL – Flat Spread lens FR – Flat Frosted lens DBL – Flat Dark Blue lens GL – Flat Dark Green lens RL – Flat Red lens YL – Flat Amber lens HL – Honeycomb louver

Fixtures shipped with standard lamp, unless otherwise specified.
Fixtures shipped with specified mounting hardware.

Plant Substitutions

Remove	Replace With
Acer circinatum 'Pacific Fire" (vine maple)	Vaccinium ovatum/Evergreen Huckleberry
Rhododendron 'Lemon Dream'	Vaccinium ovatum/Evergreen Huckleberry
Arachnoides simplicor 'Variegata'	Blechnum spicant/Deer Fern
Bergenia cordifolia 'Magic Giant'	Gaultheria procumbens/Wintergreen
Leptinella squalida	Herniaria glabra/Green Carpet
	Extra groundcover: Kinnikinnick