



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 2505447
Applicant Name: Debra Harvey
Address of Proposal: 7341 Seward Park Ave South

SUMMARY OF PROPOSED ACTION

Master Use Permit to subdivide one parcel into three parcels of land. Proposed parcel sizes are: Parcel A) 26,857 sq. ft., Parcel B) 9,760 sq. ft.; and Parcel C) 6,000 sq. ft. Existing structures on Proposed Parcel A to remain.

The following approval is required:

Short Subdivision – to create three parcels of land.
(SMC Chapter 23.24).

SEPA DETERMINATION: Exempt DNS MDNS EIS
 DNS with conditions
 DNS involving non-exempt grading, or demolition, or
another agency with jurisdiction.

BACKGROUND DATA

Zoning: SF 5000 / SF 9600
Date of Site Visit: December 14, 2005
Uses on Site: Single-Family Residence and detached garage.

Site and Vicinity Characteristics: The subject site is located on the west side of Seward Park Avenue South between South Othello Street and South Fontanelle Place. The largely level lot contains a house

and large garage on proposed Parcel A. There are a number of large trees throughout the parent lot, with approximately 14 trees in the area of the proposed new parcels. There is a 60 inch Bay Laurel tree at the southeast corner of proposed Parcel C that is likely an *Exceptional* tree, as defined and regulated by SMC 25.11, Tree Protection. There are no known or mapped Environmentally Critical Areas (ECA's). Current vehicle and pedestrian access is from a driveway connecting to Seward Park Avenue South.

Proposed Parcel A is substantially within the SF 9600 zone, with an approximately five-foot north to south portion in the SF 5000 zone. Proposed Parcel B is substantially within the SF 5000 zone (approximately 7,200 sq. ft.), with the remainder in the SF 9600 zone. Proposed Parcel C would be entirely within the SF 5000 zone.

The abutting parcels are zoned single-family. Across Seward Park Avenue South and south of South Fontanelle Place is a small area zoned Lowrise 3. To the west beyond a line of Single-Family zoned lots and facing Rainier Avenue South the zoning is Lowrise 3. The immediately surrounding parcels have a variety of lot and house sizes.

Public Comment

One comment letter was received during the comment period that ended November 9, 2005. The author commented on the potential danger the Bay Laurel could pose if its roots were damaged or undermined during construction, and that the tree is a "noted tree of Seattle" and should be protected.

ANALYSIS - SHORT SUBDIVISION

Pursuant to SMC 23.24.040, no short plat shall be approved unless all of the following applicable facts and conditions are found to exist.

1. *Conformance to the applicable Land Use Code provisions;*
2. *Adequacy of access for vehicles, utilities and fire protection, as provided in Section 23.53.005;*
3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*
5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions in environmentally critical areas;*
6. *Is designed to maximize the retention of existing trees;*

Summary - Short Subdivision

Based on information provided by the applicant, referral comments from the drainage section of DPD, Seattle Public Utilities (SPU) for water availability, Fire Department (SFD), Seattle City Light (SCL), and review by the Land Use Planner, the above cited criteria have been met subject to the conditions imposed at the end of this decision.

The lots to be created by this short subdivision will meet all minimum standards and applicable exceptions set forth in the Land Use Code, and are consistent with applicable development standards. Proposed parcel sizes are: Parcel A) 23,857 square feet, Parcel B) 9,760 square feet, and Parcel C) 6,000 square feet.

This short subdivision provides access for vehicles and public and private utilities. Adequate access for emergency personal and vehicles will be provided. Proposed Parcel A will maintain its existing driveway with direct street access to Seward Park Avenue South. Proposed Parcels B and C will have street access by easement across proposed Parcel A. A "leg" of proposed Parcel B will provide the 12-foot access road / driveway width required by the Fire Code for access to lots further than 150 feet from the approved fire access road, Seward Park Avenue South. However, because an approved fire access road is not provided within 150 feet of the furthest corners of any likely new structures on proposed Parcels B and C, the Fire Code requires any new structure on these lots to have approved sprinkler systems. Consequently,

- The final plat shall contain a note on each of proposed Parcels B and C stating this requirement.

The submitted plat indicate the presence of an existing chain-link fence within the required 12-foot emergency access easement and Land Use Code required 22 foot by 22 foot vehicle turnaround, thereby functionally reducing their respective widths below the required dimensions.

- If retention of the fence is intended, the easement and turnarounds areas must be increased to provide the required 12 foot and 22 foot vehicle maneuvering areas. However, if the fence will not be retained, it must be removed prior to the issuance of any building permits for structures on proposed Parcels B and / or C.

A Seattle City Light (SCL) utility pole is located and centered approximately on the east to west property boundary between the parent parcel and the parcel to the north and extended into the right of way (ROW). SCL requires a 5-foot distance between an easement / driveway and its pole. Consequently, the proposed 12-foot vehicle access easement on proposed Parcels B and A has been widened to 17 feet to meet the ROW on the property side of the existing sidewalk and provide this clearance.

- The final plat shall indicate the location of the allowed 10 foot curb cut at the property line and the 5-foot separation between the driveway within the ROW / planting strip and the SCL pole. The location of the SCL pole shall also be included on the face of the plat.

Access for utilities on proposed Parcel A will continue to be directly from Seward Park Avenue South. Utility access for proposed Parcel B will be through the ingress, egress and utility easement across proposed Parcel A and, for proposed Parcel C, through an easement across both proposed Parcels A and B. The easement locations have been approved by Seattle City Light and Seattle Public Utilities.

Proposed Parcels B and C do not have street frontage, therefore a location and accompanying easement rights for address signage for both proposed parcels visible from Seward Park Avenue South is necessary. If the required address signage is located with the sight triangle areas (the five-foot by 10-foot triangle on the north side of the proposed access easements of Parcels A and B and the 10 foot triangle to the south of the access easement and on the northeast corner of proposed Parcel A) it may not be within the elevations of 32 and 82 inches above grade (SMC 23.54.030.G).

- The above address sign location and delineation of the sight triangles shall be shown on the final plat and included in the easement language, as needed. The clear elevation area required shall be indicated on the face of the plat in the location of the easements.

Adequate provisions for drainage control, water supply and sanitary sewage disposal have been provided for each lot and service is assured, subject to standard conditions governing storm water control, utility extensions, and the provision of required easements.

- City Light requires an overhead / underground utility access easement on the portion of the property shown as the "Ingress / Egress / Utility Easement". This shall be included on the face of the plat in the legal description.

The public use and interest are served by this proposal. The additional parcels created by this short plat create buildable lots for the future construction of additional housing in the City.

This site is not located in an environmentally critical area; therefore SMC 25.09.240 is not applicable.

The parent site contains numerous large and mature trees. Approximately 14 trees are located on proposed Parcels B and C. The plat has been configured to not require the removal of the 11 trees along and roughly paralleling the west property boundaries on these proposed parcels. The 18-inch Black Walnut on proposed Parcel A, but close to its proposed boundary with proposed Parcel B, has been protected by the relocation of the proposed vehicle access easement for proposed Parcel C outside of the inner root zone / drip line of this tree. The 60-inch Bay Laurel at the southeast corner of proposed Parcel C will be protected from future construction disturbance by the establishment and noting on the plat of a "No Disturbance Zone".

- To assure notification of the Bay Laurel tree protection measure, the "No Disturbance Zone" shall be noted on all future building permit applications for structures on proposed Parcel C.

Based on the proposed parcel configurations and the provided tree protection measures, the proposed *Short Plat* has been configured to maximize the retention of existing trees.

DECISION - SHORT SUBDIVISION

The proposed Short Subdivision is **CONDITIONALLY GRANTED**.

CONDITIONS - SHORT SUBDIVISION

Conditions of Approval Prior to Recording

1. Submit the final recording forms for approval along with any required fees
2. The final plat shall contain a note on each of proposed Parcels B and C stating the requirement for Fire Department approved sprinkler systems to be installed in any new residential structures on these parcels.
3. If retention of the fence encroaching in the provided 12-foot vehicle easement road surface and 22 by 22 foot vehicle turnaround is intended, the easement and turnarounds areas must be increased to provide the full 12 foot and 22 foot vehicle maneuvering areas.
4. The final plat shall indicate the location of the allowed 10 foot curb cut at the property line and the 5-foot separation between the driveway within the ROW / planting strip and the SCL pole. The location of the SCL pole shall also be included on the face of the plat.
5. The address sign location and delineation of the sight triangles shall be shown on the final plat and included in the easement language, as needed. The clear elevation area required shall be indicated on the face of the plat in the location of the easements.

After Recording and Prior to Issuance of Any Building Permits

The owner(s) and/or responsible party(s) shall:

6. Attach a copy of recorded short subdivision to all copies of future building permit application plans.
7. If the fence within the provided vehicle easement roadway and turnaround will be removed, it must be removed prior to the issuance of any building permits for structures on proposed Parcels B and / or C.
8. The "No Disturbance Zone" for the Bay Laurel shall be noted on all future building permit applications for structures on proposed Parcel C.

Signature: _____ (signature on file) _____ Date: February 15, 2007
Art Pederson, Land Use Planner

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