



City of Seattle

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: 3009821
Applicant Name: Meharry Habte
Address of Proposal: 3537 South Morgan Street

SUMMARY OF PROPOSED ACTION

Land Use Application to subdivide one parcel into three parcels of land. Proposed parcel sizes are: Parcel A) 7,128 sq. ft., Parcel B) 6,536 sq. ft. and Parcel C) 6,438 sq.ft. The existing single family residence on proposed Parcel A will 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.

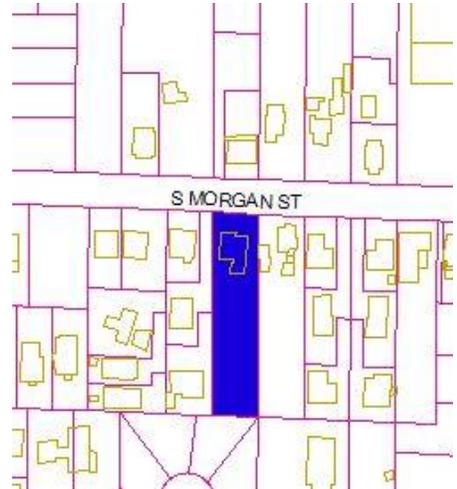
BACKGROUND DATA

Zoning: SF 5000.
Date of Site Visit: December 24, 2009.
Uses on Site: Single-Family Residence.

Site and Vicinity Characteristics:

The 20,102 square foot site is located on the south side of South Morgan Street west of the intersection of Martin Luther King Jr. Way South (MLK Jr. Way S) and 38th Avenue South. The existing residence fronts on South Morgan Street and has vehicular and pedestrian access from that street. The site is rectangular and approximately 298 feet in depth north to south and 67 feet in width east to west.

The surrounding zoning is also Single Family 5000 (SF 5000). To the east and along MLK Jr. Way S the zoning is Commercial 1 with a 40 foot height limit (C1-40). The surrounding uses in the SF 5000 zone are a variety of ages and sizes of residential structures. Along MLK Jr. Way S there are a variety of predominately commercial uses.



Proposal Description

The applicant proposes to subdivide one parcel with a total area of 20,102 square feet into three parcels as follows: Parcel A) 7,128 sq. ft., Parcel B) 6,536 sq. ft. and Parcel C) 6,438 sq.ft. Parcel A will contain the existing single-family structure, which will remain. Parcel C will be at the southern portion of the parent parcel. Pedestrian and vehicular access for proposed Parcel A will remain from South Morgan Street. Pedestrian and vehicular access for proposed Parcels B and C will also be from South Morgan Street across an easement on proposed Parcel A and as described below.

Public Comment

No comments were received during or after the comment period that ended January 3, 2010.

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, as modified by this chapter;*
- 2. Adequacy of access for pedestrians, vehicles, utilities and fire protection as provided in Section 23.53.005, Access to lots, and Section 23.53.006, Pedestrian access and circulation;*
- 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 Section 25.09.240, Short subdivisions and subdivisions, in environmentally critical areas;*
- 6. Whether the proposed division of land is designed to maximize the retention of existing trees.*

Summary - Short Subdivision

Based on information provided by the applicant, referral comments from DPD, Water (SPU), Fire Department, Seattle City Light, the Building Plans Examiner, the Drainage Section of DPD, and review by the Land Use Planner, the above cited criteria have been met subject to any conditions imposed at the end of this decision.

The lots to be created by this short subdivision will meet all minimum standards or applicable exceptions set forth in the Land Use Code and are consistent with applicable development standards.

Vehicle and pedestrian access for Proposed Parcels B and C will be provided by easement across an eastern portion of Parcel A, and for proposed Parcel C, across an eastern portion of proposed Parcel B.

Utility access will be assured through the above vehicle easement.

Adequate provisions for drainage control, water supply, and sanitary sewage disposal can be provided for each lot and service is assured, subject to standard conditions governing utility extensions. A connection to the sanitary sewer main in South Morgan Street is available through the provided easement. For storm water, all new development is required to provide Green Stormwater Infrastructure to the maximum extent feasible. Any overflow discharge can be connected to the public storm drain in South Morgan Street.

According to City mapping, the site has been characterized as having a *Steep Slope Environmentally Critical Area* and is in a *Peat Settlement-Prone Area*. However after review by DPD's geo-technical staff it was determined that the site contains no *Steep Slope* areas or their buffers. The proximity of a *Peat Settlement-Prone Area* has no affect on the proposed platting. Conformance with SMC 25.09.110 will, however, be required during review of the expected future construction applications for single-family residences.

The parent site contains numerous trees throughout, particularly along its eastern edge in the area proposed for the joint access easement. Some of these trees are of a variety that are eligible for *Exceptional* status if they meet certain criteria. These are Bitter Cherry and Orchard Apple. A site visit to examine the subject trees for general health, size and conformance with *Exceptional* status criteria determined that the number of Bitter Cherry do not reach the quantity threshold to constitute a *grove*, which is a criteria for classification as *Exceptional*. Examination of the Orchard Apple determined that its extremely poor condition does not warrant its retention.

Regardless of the failure to meet the *Exceptional* criteria, the proposed plat was examined to determine the feasibility of relocating the proposed access easement to avoid the group of Bitter Cherry trees. Due to the slope along the site's western property boundary and the retaining wall in that area that supports neighboring properties driveway access and the related excavation that would need to occur for this plats driveway easement and the excavation for the expected future single-family residences it was determined that location of the proposed easement location along the site's eastern property boundary was optimal. Consequently, the plat as proposed meets this criterion.

Based on the above determinations regarding the applicable criteria, the public use and interest (the creation of additional building sites within the City) are served by the proposal to create additional lots.

DECISION - SHORT SUBDIVISION

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

