

ORDINANCE No.

115845

COUNCIL BILL No.

108763

AN ORDINANCE accepting a deed for street purposes in Blocks 4, 7 and 10, Minor's Addition to the City of Seattle and portion of Tract A, 1989 Replat of the Seattle Tide Lands and laying off West Marina Place (R.W. 90068).

COMPTROLLER FILE No.

Introduced: 9-16-91	By: Benorm
Referred: 9-16-91	To: Transportation
Referred:	To:
Referred:	To:
Reported: SEP 23 1991	Second Reading: SEP 23 1991
Third Reading: SEP 23 1991	Signed: SEP 23 1991
Presented to Mayor: SEP 24 1991	Approved: SEP 30 1991
Returned to City Clerk: SEP 30 1991	Published:
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

US5047

## The City of Seattle--Le

## REPORT OF C

Honorable President:

Your Committee on

to which was referred the within Council Bill No. \_\_\_\_\_  
report that we have considered the same and respectfully

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9.17.  
Full Council vote 9-0

Committee

# The City of Seattle--Legislative Department

Date Reported  
and Adopted

## REPORT OF COMMITTEE

Honorable President:

Your Committee on

*trans portation*  
*108763*

to which was referred the within Council Bill No. \_\_\_\_\_  
report that we have considered the same and respectfully recommend that the same:

*DO PASS*  
*(3-0)*  
*9.17.91*

*Full Council vote 9-0*

*[Signature]*  
Committee Chair

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## ORDINANCE

115845

AN ORDINANCE accepting a deed for street purposes in Blocks 4, 7, and 10, Minor's Addition to the City of Seattle and portion of Tract A, 1989 Replat of the Seattle Tide Lands and laying off West Marina Place (RW 90068).

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That the deed for street purposes executed by Elliott Bay Marina, Inc. signed on May 3, 1991 (King County Recording No. 9105210407) conveying to the City of Seattle real property situated in King County, Washington described as follows:

Portion of Blocks 4, 7, and 10, Minor's Addition to the City of Seattle, as per plat recorded in Volume 2 of Plats, page 12, Records of King County, Washington, and portion of the 1989 Replat of Seattle Tide Lands, as per plat recorded in Volume 150 of Plats, page 5, Records of King County, Washington (Showing the Replat of Blocks 105 Thru 113 Including the Platted Streets Adjacent Thereto, Seattle Tide Lands), and of Blocks 113 and 117, Seattle Tide Lands, together with portions of vacated streets adjoining, all in Section 26, Township 25 North, Range 3 East, W.M., King County, Washington, described as follows:

Beginning at the intersection of the Inner Harbor Line with the west line of Tract A, 1989 Replat of Seattle Tide Lands;

thence North 00°08'22" West 1179.34 feet;

thence North 89°51'38" East 6.18 feet;

thence North 00°51'47" West, 170.23 feet to the toe of the existing rip rap and the True Point of Beginning;

thence North 74°49'48" East along said toe 258.19 feet;

thence North 89°00'00" East continuing along said toe 230.00 feet;

thence South 01°00'00" East 45.00 feet;

thence South 89°00'00" West 204.05 feet;

thence South 00°08'22" East 10.76 feet to a point on the arc of a 390.00 foot radius curve to the left the center which bears South 02°26'11" East;

thence southwesterly along said curve to the left through a central angle of 12°43'29" an arc distance of 86.61 feet;

thence South 74°50'20" West 119.27 feet;

thence North 15°09'40" West 20.00 feet;

thence South 74°50'20" West 61.83 feet;

thence South 81°12'04" West 235.20 feet;

thence South 08°47'56" East 24.00 feet;

thence South 81°12'04" West 154.00 feet;

thence South 67°14'07" West 124.30 feet;

thence South 81°12'04" West 269.25 feet;

thence North 84°03'30" West 873.64 feet;

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1 thence North 00°00'00" East 62.33 feet;  
2 thence North 05°56'30" East 53.00 feet;  
3 thence South 84°03'30" East 136.00 feet;  
4 thence South 05°56'30" West 16.00 feet;  
5 thence South 84°03'30" East 301.34 feet to the west line of  
6 Lot 11, said Block 4, Minor's Addition to the City of  
7 Seattle;  
8 thence South 00°51'47" East 0.57 feet to the southwest  
9 corner of said Lot 11;  
10 thence North 89°08'13" East along the south line of said Lot  
11 a distance of 4.81 feet;  
12 thence South 84°03'30" East 95.86 feet to the west margin of  
13 28th Avenue West;  
14 thence South 00°51'47" East along said west margin 78.56  
15 feet to the northerly line of said Tract A, 1989 Replat of  
16 Seattle Tide Lands;  
17 thence South 80°54'42" East along said northerly line of  
18 said Tract A 67.01 feet to the east margin of 28th Avenue  
19 West and the west line of said Block 7, Minor's Addition to  
20 the City of Seattle;  
21 thence North 00°51'47" West along said east margin 82.27  
22 feet;  
23 thence South 84°03'30" East 284.63 feet;  
24 thence northeasterly along a 479.00 foot radius curve to  
25 the left through a central angle of 27°33'44" an arc  
26 distance of 230.42 feet;  
27 thence North 68°22'46" East 97.17 feet to the west margin of  
28 26th Avenue West;  
thence South 00°51'47" East along the last described west  
margin 57.73 feet to the northerly line of said Tract A,  
1989 Replat of Seattle Tide Lands;  
thence North 81°12'04" East along said northerly line of  
said Tract A 66.64 feet to the east margin of 26th Avenue  
West;  
thence North 00°51'47" West along the last described east  
margin 71.38 feet to a point on the arc of a 512.25 foot  
radius curve to the right whose center bears South 16°31'31"  
East;  
thence easterly along said curve to the right through a  
central angle of 19°51'22" an arc distance of 177.52 feet to  
a point of reverse curve;  
thence northeasterly along a 429.00 foot radius curve to  
the left through a central angle of 18°29'31" an arc  
distance of 138.46 feet;  
thence North 74°50'20" East 38.10 feet to the southwest  
corner of the U.S. Navy property shown on U.S. Navy West  
Div. Drawing No. C-101135 dated 19 November 1981;  
thence South 00°51'47" East 31.22 feet to the True Point of  
Beginning.

is hereby accepted for street purposes and placed under the  
jurisdiction of the Seattle Engineering Department.

Section 2. That West Marina Place is hereby laid off,  
opened, widened, extended established, over, through, access  
and upon the portion of land described in Section 1 herein.

(To be used for all Ordinances except Emergency.)

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Section 3. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 23<sup>rd</sup> day of September, 1991,  
and signed by me in open session in authentication of its passage this 23<sup>rd</sup> day of  
September, 1991.  
President of the City Council.

Approved by me this 30<sup>th</sup> day of September, 1991.  
Mayor.

Filed by me this 30<sup>th</sup> day of September, 1991.

Attest: Norward J. Brooks  
City Comptroller and City Clerk.

(SEAL)

Published

By Margaret Carter  
Deputy Clerk.

**FINDINGS AND RECOMMENDATION  
OF THE HEARING EXAMINER FOR THE CITY OF SEATTLE**

In the Matter of the Application of

**KEMP HIATT**

for a subdivision approval  
pursuant to Chapter 23.22,  
Seattle Municipal Code

**C.F. 297350  
DCLU File: 8805639**

**Introduction**

Kemp Hiatt seeks approval of the subdivision of one parcel into three parcels of land (adding two parcels to a 1986 short subdivision, bringing the total number of parcels created to 11).

The hearing before the Hearing Examiner was held on April 3, 1991. The record was left open to provide for the Hearing Examiner's site visit and for additional information and clarification of its recommendation to be submitted by DCLU. The hearing was reconvened on July 11, 1991. The record remained open through July 24, 1991 to allow DCLU and the applicant to submit additional information to the Hearing Examiner.

Represented at the proceedings was the applicant, Kemp Hiatt, and the Director by Malli Anderson, land use specialist.

After due consideration of the information presented by applicant, by DCLU, the testimony received during hearing, and the personal inspection of the subject property and the surrounding neighborhood, the following shall constitute the findings of fact, conclusions and recommendation of the Hearing Examiner on this application.

For purposes of this recommendation, all section numbers refer to the Seattle Municipal Code unless otherwise indicated.

**Findings of Fact**

**Background**

1. The subject property, approximately 24,296 sq. ft., addressed as 8877 G Paisley Drive N.E., is proposed to be divided into three parcels. The property is located in a

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Single Family zone with a 7,200 sq. ft. minimum lot size requirement (SF 7200), in the Inverness area overlooking Lake Washington.

2. The existing parcel was created as Lot "G" in a short plat of 2.14 acres into 9 lots, that was applied for in 1986 and recorded in 1988 (MUP 8600546: Lot A = 11,358 sq. ft.; Lot "B" = 11,213 sq. ft.; Lot "C" = 11,369 sq. ft.; Lot "D" = 8,988 sq. ft.; Lot "E" = 9,068 sq. ft.; Lot "F" 10,782 sq. ft.; Lot "G" 24,296 sq. ft.; Lot "H" 17,285 sq. ft.; Lot "I" = 12,822 sq. ft.) At the same time in 1986, the 1.28 acres immediately adjacent to the northeast was proposed to be subdivided into three lots via another short plat (MUP 8600547: Lot 1 = 15,872 sq. ft.; Lot 2 = 23,566 sq. ft.; Lot 3 = 16,757 sq. ft.). One of those three lots has been subsequently divided into two lots and the short plat of another of those lots into two lots, is currently pending in DCLU. The two 1986 short plat applications were submitted at the same time, handled by the same agent, share an easement for vehicle access, and were recorded on the same day at the request of Mr. Hiatt. Mr. Hiatt was listed as the owner on the 9-lot short plat and Terri Jordan as the owner of the 3-lot short plat.

3. With this subject subdivision of Lot "G" into three lots, the total lots created would be eleven. If the adjacent lots are considered, there would be 16 lots where there had been one in 1986.

4. The Director's report, submitted by the Department of Construction and Land Use (DCLU), as required by SMC 23.76.050, recommended that the subdivision be approved with conditions.

#### Vicinity

5. Development in the vicinity consists of single family residences, including the Inverness Park subdivision. Many homes are relatively new and large. The lots vary greatly in size and shape and many are, or originally were, steep slopes. Generally the area slopes toward Lake Washington and many of the residences have views in that direction.

#### Description of Proposed Subdivision

6. The irregularly shaped site is located downslope from Inverness Drive N.E. and at the end of a private easement roadway (called "Paisley Place N.E." or "Paisley Court") which was created in 1986 to serve Lots "A" through "G" of the nine lot short plat and Lot 3 of the other short plat, and

7. Except for a relatively small portion of the property in the southwesterly part of the site, the topography is quite steep, rising 75 ft. up to Inverness Drive N.E. The applicant's agent indicated that the site is steeper than it appears on the plat. Much of the slope is 1:1; from Inverness Drive the drop of the "slope" appears to be near vertical.

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8. Extension of Inverness Drive N.E. with a turnaround (cul de sac) would be provided by the proponent for vehicle access to two of the proposed lots. The third proposed lot has a generally more moderate slope (with the southeastern corner being steep) and would have vehicle access and be addressed from the private easement roadway.

9. The original plat submitted to DCLU (dated June 15, 1990), shows water and sewer line extensions to serve the proposed lots. The water line to the two lots accessed from Inverness Drive, would be served from an extension of an existing 8 inch line in the street. The third lot would have water service extended from the existing line in the private easement. Sewer connections for all three lots would extend to the sewer in the private easement. The plat also shows drainage easements and catch basins in the three proposed lots and from the proposed Inverness Drive cul-de-sac, which would drain to the private easement.

10. The June 15, 1990 plat also shows proposed and existing contours of the property and two proposed rockeries, one upslope and the other downslope of the proposed cul-de-sac at the end of Inverness Drive.

#### Environmental Determination and Impacts

11. On May 3, 1990, after review of the plans, environmental checklist, the applicant's soils report (Exhibit 12A) and other available information, DCLU issued a Determination of Significance (DS), finding the probability of significant adverse impacts and requiring an environmental impact statement (EIS) be prepared. The concerns mentioned in the DS were: soils and drainage, land use, relationship to plans and policies, and cumulative effects. Alternatives to be covered in the EIS were to be: "1. No action," and "2. Fewer lots and/or an alternative lot layout, or other mitigation measures that would reduce adverse impacts." (Exhibit 3)

12. After DCLU issued the DS, the applicant submitted a revised plat (June 15, 1990) and a "Soils and Foundation Investigation" (June 14, 1990) prepared by Neil H. Twelker, consulting soils engineer. Both the revised plat (Exhibit 20) and the soils report (Exhibit 12B) indicate the engineer's recommendation that the site be totally regraded to eliminate the existing slopes and to produce a uniform, slope of 1 vertical to 2 horizontal (50% slope). The revision also eliminated the rockeries and added a retaining wall along the entire Inverness Drive frontage (approximately 225 ft. long, 5 to 15 ft. in height), to be anchored under the right-of-way and tied into the slope. Other "secondary" retaining walls are proposed at two other locations. The depth of the cut for the retaining wall reach 12 to 15 feet at its greatest depth. Cuts of 5 to 10 ft. common and some, according to the applicant's engineer, would reach 15 ft. Fill would be of similar magnitudes. Temporary excavations may be cut near-vertical to heights of 5 to 6 feet. Cuts greater than 6 feet in height would be sloped 1 vertical to 1 horizontal. The houses to be built on the lots accessed from Inverness Drive would be

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built on a "hanging grade beam" system which envisions beams put down on the newly created grade, upon which the houses would rest. No other substantial changes were indicated from the original plat.

13. The development of the three lots could increase storm water runoff, contribute to erosion, and possibly soil instability. The applicant's geotechnical engineer addressed the potential impacts with a drainage pipe proposed along the retaining wall to pick up water and direct surface water from the neighbor's lot into the storm drainage system on the site. The drainage for the retaining wall and the footing drains for the future house foundations would capture the storm water runoff and discharge it to the storm sewer.

14. Commenting on the revised plat and soils report, the DCLU geotechnical engineer indicated that, "The proposed revision appears to be much better than before" and to "Require erosion control and compaction criteria on a stamped plan prior to construction permit submittal." The soils report was indicated as adequate to proceed with SEPA and adequate to meet Director's Rule 2-87. (Exhibit 10) The February 14, 1991, Director's Analysis and Recommendation states that the applicant's soils report "was reviewed by DCLU's Geotechnical Engineer who determined that the soil analysis is adequate for this development request." Individual construction plans for the houses will be subject to subsequent environmental review and potential mitigation measures. (Exhibit 1)

15. On January 31, 1991, DCLU issued a notice of Revised Project and DCLU Director's Recommendation. With that notice, DCLU withdrew the previous DS and announced the issuance of a Mitigated Determination of Nonsignificance (MDNS). The notice indicates that, "Since the application date, the following revisions have been added as part of the proposal: detailed topographic survey, engineered drainage control and sewer plans, street improvement plans, a geotechnical report and grading the site to a declivity of 1 vertical to 2 horizontal." (Exhibit 8)

16. On February 14, 1991, the Director's Analysis and Recommendation (Exhibit 1) for approval of the subdivision with conditions was issued, including a SEPA analysis regarding the MDNS. Short term impacts included: temporary construction-related impacts of soil erosion, increased dust and other particulates, increased noise and vibration, increased traffic and parking, tracking mud and dust onto streets, and potential for construction vehicles to block the easement roadway. Mitigation for some of the impacts was anticipated due to the operation of existing codes and ordinances.

17. Long term impacts mentioned in the Director's Analysis and Recommendation include the removal of existing natural vegetation. Because site vegetation is not unique or exceptional plant or wildlife habitat, its loss was not considered significantly adverse. It was incorrectly stated in the Analysis and Recommendation that the natural vegetation on the steep portions of the site would be maintained. The grading indicated

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in the revised plat, dated August 9, 1991 (Exhibit 20), would necessitate the removal of all vegetation from the entire site. Based upon "the grading plan prepared by Neil Twelker and Associates," approximately 2,131 cubic yards of material would be excavated and approximately 2,165 cubic yards would be filled.

18. The steep site has a history of soil instability and the applicant's engineer indicates "Normal erosion control measures" would be required. Two SEPA conditions to mitigate erosion impacts have been recommended by DCLU that were not in the soils report: requiring an erosion control plan addressing compaction criteria on a plan stamped by a licensed geotechnical engineer and requiring all vegetated areas disturbed during construction to be replanted after site work is completed.

19. DCLU did not recommend that regrading be done during the dry season, although construction on other projects in the Inverness area have been limited to the dry season only.

20. The traffic and parking impacts from the three houses built on the proposed lots in future, together with the impacts of other houses to be constructed in the Inverness area, were not anticipated by DCLU to create significant adverse cumulative impacts.

21. In a June 13, 1991 letter to the Hearing Examiner, the DCLU representative modified and clarified a number of points made in the Director's Analysis and Recommendation. Specifically,

The Declaration of Significance (DS) discussed several areas of concern which could cause significant adverse environmental impacts. Those concerns were: soils and drainage, land use, relationships to plans and policies, and cumulative effects. A Mitigated DNS was published because the following information was provided. A revised soils report was submitted with more detailed geological information and recommendations. An engineered plan was submitted showing the location of storm sewers, sanitary sewers, watermains, and street improvements. There is a topographic relief of approximately 75 feet. The geotechnical engineer recommended that the declivity of the site be regraded to 1 vertical to 2 horizontal.

The soils issues originally of concern in the DS have been addressed in the June 14, 1990 report. A concept plan for drainage has been approved by the Seattle Engineering Department. Drainage for the street will be provided by tightlining the discharge through an easement across private property to the existing storm sewer main.

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This subdivision would create some short-term detriment to the surrounding properties from the substantial soils work that will be done

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and the removal of natural vegetation and habitat for birds, raccoons, and small rodents that live in the wooded areas nearby. However, the proposal to subdivide the existing parcel into three parcels is in the public interest in terms of providing more housing inside the city, providing street improvements with a cul-de-sac turnaround on Inverness Drive N.E. in front of the site, providing sanitary sewers, restoring the vegetation on the slope of the site, stabilizing the site through the construction methods described in the soils report, reducing erosion on the site, and collecting stormwater runoff from this site and adjoining sites (which is currently not collected) and directing it into the drainage system installed on this site for discharge into the storm sewer. The concerns about soils stability and drainage on the site discussed in the Declaration of Significance have been addressed in the soils report and proposed drainage system.

22. The section of the Director's Analysis and Recommendation entitled "Evaluation of the Proposal" states: "The proposal must meet the provisions of Chapter 23.22.050 through 23.22.056 of the Land Use Code. The steep topography and surface water are hazardous site conditions which must be addressed. Protective improvements will be constructed consistent with the recommendations of the geotechnical report and requirements of DCLU's geotechnical engineer..." (Exhibit 1)

23. SMC 23.22.050 "Topographical and surface hazards - Protective improvements" states as follows;

*Land having topographical or subsurface conditions hazardous to the health, safety or general welfare of persons and property in or near a proposed subdivision shall not be subdivided unless the construction of protective improvements will eliminate the hazards or unless land subject to the hazard is restricted to uses which will not expose persons or property to the hazard...*

24. SMC 23.22.028A "Effect of preliminary plat approval" states as follows:

Approval of the preliminary plat shall constitute authorization for the subdivider to develop the subdivision facilities and improvements as required in the approved preliminary plat upon issuance of the final plat...

25. The proponent's consulting soils engineer testified that the slope is in a steady state of downhill motion and that, in his opinion, without the regrading indicated in the soils report, the steeper portion of the property would be "for all practical purposes," unbuildable.

26. DCLU's geotechnical engineer, testified that maintaining buffers between

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structures and using "active protection" such as debris barriers, which could stop sliding soil so that it did not reach the houses and would have to be actively attended to (i.e., maintained), could allow for development of three houses without the proposed regrading. While allowing that such an approach would be less stable than the 2:1 slope proposed by the applicant's engineer, it could be designed so that structures would not be at hazard. More cost would be involved for the "active protection" approach but no information as to relative cost difference was presented.

27. At the reconvened hearing the Director's representative submitted two additional recommended conditions to those conditions recommended in the Analysis and Recommendation. One added condition is that future building permit applications be required to show "stabilization design in conformance with the Critical Areas Ordinance or its successors in law." (Exhibit 21) The other added recommended condition would require that the proponent submit plans for and redevelop the private easement roadway to the standards of a public street and to dedicate it as a public right-of-way. (Exhibit 22)

#### Comments

28. DCLU referred the proposed plat to various City agencies for comment and recommendation. The Seattle-King County Public Health Department, Seattle City Light, Seattle Fire Department, Parks and Recreation Department, and METRO had no objections. The Water Department indicated that installation and maintenance of the water line to reach the main in N.E. 85th Street was required. The Department of Community Development recommends conditions be attached to minimize runoff and drainage impacts, and to limit the number of driveway curbcuts on Inverness Drive N.E.

29. The Seattle Engineering Department recommended approval of the subdivision subject to the following requirements:

Construct a cul-de-sac at the end of Inverness Drive N.E.

Connect to sanitary and storm sewers prior to final inspection

Provide tightline across the property to the existing storm sewer main for drainage from the street.

30. The City's practice is to not to give addresses on private roadways, but instead to address where the private roadway joins a public right-of-way. Thus, the subject property has the address "8877 G Paisley Drive N.E." and the property next to it is "8877 H Paisley Drive N.E.," etc.). During consideration of the subdivision by the Hearing Examiner, the Fire Department, Police Department, and the United States

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Postal Service submitted comments (Exhibit 13) objecting to the manner in which the nine existing lots are addressed because of potential service delivery problems and recommending that the addresses be changed to the standard format used on public streets. The Fire and Police Departments had not mentioned this concern in their comments to DCLU.

31. No comments were received by DCLU from the public. During the pendency of the matter before the Hearing Examiner, half a dozen comment letters from neighbors in the vicinity were received. The president of the Inverness Community Club expressed concern about the steepness of the slope, drainage and soils problems, and the need for appropriate planting after construction. The neighbors immediately below the steepest portion of the site, observed that soils in the area do not absorb water well and that the water build-up produces potential for slides which could endanger their home. The residents of Lots "A" through "E" and "H" and "I" submitted a joint letter expressing concern over the adverse impact the future development will have on wildlife, existing runoff greater than can be handled by storm sewers, slide potential, and that the type of construction of the houses on the steep hillside will be incompatible with their existing houses. Other neighbors also voiced similar concerns. No comment was received in favor of the subdivision. (Exhibit 14)

32. The owner of the property on Inverness Drive adjacent to the steepest part of the subject property, appeared at the hearing and presented written comments (Exhibit 15). This neighbor expressed concern that the regrading would remove all vegetation and could cause instability to his property. After the hearing, this neighbor wrote another letter indicating that conversations with the applicant's soils engineer had convinced him that the regrading was essential to the stabilization of both the subject property and his property. He urged the approval for the project "as soon as possible" and asked that the second comment letter supersede his previous comments.

#### Conclusions

1. The Hearing Examiner has jurisdiction over this matter pursuant to Section 23.76.052, Seattle Municipal Code. The Hearing Examiner is to hold a public hearing regarding the Director's report, establish the record, and make recommendation to the City Council.

2. To be approved, the subdivision must serve the public health, safety, and general welfare and make appropriate provision for open space, drainage ways, streets, alleys, and other public ways, water supply, sanitary wastes, fire protection, parks, playgrounds, and schools. SMC 23.22.054

3. Divisions of land up to nine lots within five years, are allowed by use of the short plat procedure; beyond nine lots, a full subdivision process is required. Because the current proposal for three lots would bring the total lots to eleven, the proposal is considered as a subdivision.

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4. It is difficult to understand why the 1986 submittal for concurrent short plats totalling 12 lots on adjacent land with a shared easement, was not considered by DCLU to be a full subdivision. That different ownership was noted in the two applications would not seem sufficient to overcome the clear indicia of timing, common agents (engineer, surveyor, geologist), and impacts, leading to the certain outcome that there would be the creation of more than nine lots. The manner in which this matter was handled has meant foregone opportunities in terms of full street improvements, standard addressing, and comprehensive review and mitigation of environmental impacts.

5. The Director has assessed that because the proposed subdivision was applied for on May 3, 1989, prior to the passage of the Interim Critical Areas Ordinance, that it is not subject to the restrictions and development standards of that ordinance (effective October 25, 1990), but that subsequent applications for permits to do the grading and other construction would be subject to that ordinance. The Director's representatives have further asserted that the nature and extent of grading depicted in the revised plat would not be permissible under the Interim Critical Areas Ordinance and could only occur if the proponent requested and was granted a "reasonable use exception" from the standards of the ordinance. The Director argues that the Interim Critical Areas Ordinance would be applicable to the grading because the subdivision did not include of an application for a grading permit nor was grading mentioned in the project description.

This position does not comport with the Department's analysis and recommendation or with its course of conduct in dealing with this subdivision application. The revised plat showing extensive grading and the retaining walls, was prepared to satisfy DCLU and DCLU found it sufficiently satisfactory for Director's Rule 2-87 and to withdraw the requirement that an EIS be prepared. The regrading is a major element of the soils report recommendations which the Director's analysis refers to as "protective improvements" that "will be constructed." In a July 19, 1991 letter to the Hearing Examiner, the Director's representative states of the soils report, "...it did demonstrate to the satisfaction of this Department's geotechnical engineer that the proposed three lots could be developed without soils hazard..." It is inconsistent that the same approach that convinced DCLU to recommend that the subdivision be approved, would be expressly disallowed in future processing of a grading permit application.

6. Site preparation is not necessarily a part of subdivision infrastructure and improvements so that an approval of a subdivision is the equivalent to pre-approval for future site work (grading, etc.) However, in this case, after all the focus that was placed by DCLU upon soils and topography, and with the satisfactory, approving reception given to the revised plat and second soils report which clearly evidenced the regrading of the entire site, it is not persuasive for DCLU now to assert that the same grading should not be considered a fundamental element of this subdivision. In this

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case, DCLU's positive recommendation and the withdrawal of requirement for an EIS was dependent on the revised approach to site grading and drainage and the use of retaining walls. These recommended "protective improvements" are referred to approvingly in the Director's Analysis and Recommendation as the means through which "hazardous site conditions" will be addressed in order to meet the provisions of SMC 23.22.050 through 23.22.056.

7. There is reason to believe that total regrading is not the only way available to provide "protective improvements" that would avoid exposing persons or property to hazard. DCLU's geotechnical engineer provided credible testimony in this regard. However, only regrading has been explored and it has not been disputed that it would stabilize the site. Had there been an EIS prepared, alternative protective improvements could have been realistically examined and compared, and the potential for fewer lots and/or other lot configurations could have been scrutinized. However, this opportunity was foreclosed when the EIS requirement was withdrawn (based upon the second plat and soils report), leaving regrading as fundamental to the proposed "protective improvements." As such, in compliance with SMC 23.22.050, it appears it is a prerequisite to approving subdivision.

8. The undersigned believes that to regrade the entire site as the proponent indicates, is a radical approach from an environmental perspective. It could however, according to the geotechnical experts relied upon, stabilize the site and thus eliminate the hazard. The applicant proposed this method in the plat and DCLU, after reviewing the proposal, recommended approval of the subdivision. What remains is to attach conditions to the subdivision approval to ensure that the regrading is done properly and that the liability for any inadequate performance rests with the subdivider who has advocated this approach.

9. The DCLU recommendation for improvement and dedication of the private easement roadway is not appropriate. The time to get such improvement and dedication was in 1986-88 when the easement and the lots it serves were established. This could have been done via the short plat process, or as part of a subdivision process had the action been recognized for what it was. The subject subdivision of Lot "G" into three lots, does not add or change anything regarding the private roadway. No additional lots are to be served from those established in the previous platting. Likewise, approval of the subdivision does nothing to aggravate the confusing manner in which residences are addressed on the private roadway. While this situation begs correction, this subdivision application is not the appropriate forum for that correction.

#### Recommendation

The Hearing Examiner recommends that the City Council APPROVE the proposed subdivision with the following conditions:

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Prior to Any Construction Activity

1. With the submittal of any construction permit application (including grading) the owner(s) and/or responsible party(s) shall submit to DCLU for its approval, a satisfactory construction control erosion plan stamped by a licensed geotechnical engineer and addressing compaction criteria, erosion, and drainage. No permits for site work shall issue until the erosion control plan the plan has been found satisfactory and approved by DCLU.
2. The owner(s) and/or responsible party(s) shall ensure that all work, including grading and any and all construction activities, are conducted in strict compliance with the erosion control plan so that erosion and runoff from the site is minimized, the slope stabilized, and adverse impacts to neighboring properties are avoided.
3. To ensure the stability of the site and the safety of persons and property on-site and in the vicinity, the owner(s) and/or responsible party(s) shall, prior to the issuance of any construction permits for grading or other construction provide a surety bond and/or a cash deposit and/or an instrument of credit to the satisfaction of DCLU, in an amount determined by the Director to be adequate to ensure restoration and stabilization of the site and any surrounding area disturbed or damaged by slides or work associated with grading and/or construction activities, and to provide for completion of the necessary work to ensure that the site achieves a safe condition. Specific terms of exoneration of the bond shall be determined by the Director but shall not be less than one year following the completion of all construction activities and the stabilization of the site to the satisfaction of DCLU.
4. Prior to the issuance of any construction permits, including grading, the owner(s) and/or responsible party(s) shall provide evidence to DCLU that the owner has appropriate liability insurance, naming the City as an additional insured and the owner(s) and/or responsible party(s) shall require and ensure that contractors working on the project are likewise insured so as to meet the guidelines of Director's Rule 2-87.
5. Prior to the issuance of any construction permits, including grading, the owner(s) and/or responsible party(s) shall provide to the satisfaction of DCLU and the Law Department, an instrument indemnifying the City against liability arising from damage caused on-site or to neighboring properties by earth slides, soil movement, and all related occurrences pertaining to the regrading, slope stabilization, drainage, erosion, construction activities (including street improvements and utility installations) during and after construction.

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During Construction

6. To minimize the potential for adverse impacts due to soil instability and erosion, construction activities related to grading, foundations, structural elements, utility installation, etc. (everything except interior finish work) shall be limited to the "dry season" months of May through September.

7. Immediately upon completion of site regrading, and again prior to final inspection of any new residence(s) constructed on site, all areas disturbed shall be hydroseeded, replanted, and all slopes fully stabilized to the satisfaction of DCLU.

Prior to Final Inspection of Residences

8. Prior to final inspection of any residence(s) the owner(s) and/or responsible party(s) shall provide connections to the sanitary sewer and storm sewer available in the existing streets in accord with plans prepared by a licensed civil engineer and approved by the Seattle Engineering Department.

Prior to Recording

9. The owner(s) and/or responsible party(s) shall construct street improvements as shown on the plat map (August 9, 1991) to the satisfaction of the Seattle Engineering Department in conformance with design standards for public streets.

10. The owner(s) and/or responsible party(s) shall submit detailed storm water drainage and sewer plans by a licensed civil engineer to the Plan Review Section of the Seattle Engineering Department for approval prior to recording of the subdivision.

11. The owner(s) and/or responsible party(s) shall submit the recording fee and final recording forms for approval. See changes suggested by the Land Use Technician and reconcile the changes to the Technician's satisfaction.

12. Add the Conditions of Approval After Recording on the face of the plat or on a separate page. If the conditions are on a separate page, insert on the plat "For conditions of approval after recording see page --". (If necessary, renumber the pages.)

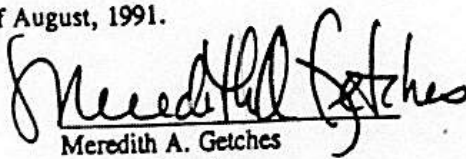
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13. Have final recording documents prepared by or under the supervision of a Washington State licensed land surveyor. Each lot, parcel or tract created by the subdivision shall be surveyed in the field and all property corners set in conformance with appropriate State statutes. The property corners set shall be identified on the plat and encroachments such as side yard easements, fences, or structures shall be shown.

14. At the time of application for building permits for house construction the owner(s) and/or responsible party(s) shall attach a copy of the recorded plat to the construction permit plans.

Entered this 5<sup>th</sup> day of August, 1991.

  
Meredith A. Getches  
Hearing Examiner

#### NOTICE OF RIGHT TO PETITION FOR FURTHER CONSIDERATION

Pursuant to Seattle Municipal Code Section 23.76.054, as amended, any person substantially affected by a recommendation of the Hearing Examiner may submit a petition in writing to the City Council requesting further consideration. The petition must be submitted within fifteen days after the date of mailing the recommendation of the Hearing Examiner. A request for further consideration should be addressed to: City Council Land Use Committee, Municipal Building, Seattle, Washington 98104. The request for further review reconsideration shall clearly identify specific objections to the Hearing Examiner's recommendation, facts missing from the record, and the relief sought.

Pursuant to Seattle Municipal Code Section 23.76.054(D), if there is no request for further consideration Council action shall be based on the record established by the Hearing Examiner.

The City Council Land Use Committee Should be consulted for further information on the Council review Process.

Your  
Seattle  
Board of Public Works

Barbara K. Taber, Executive Director  
Norman B. Rice, Mayor

RECEIVED OMB  
SEP 10 1991



August 23, 1991

The Honorable George Benson, Chair  
Transportation Committee of the City Council  
1100 Municipal Building  
600 Fourth Avenue  
Seattle, Washington 98104

VIA: Mayor Rice

ATTENTION: Office of Management and Budget

SUBJECT: Council Bill accepting a new street  
dedication and establishing the name as West  
Marina Place

Honorable Members:

Attached is a Council Bill accepting a new street at the base of Magnolia Bluff serving the Elliott Bay Marina. The owner of the Marina has requested that the new street be named West Marina Place.

The Elliott Bay Marina project commenced several years ago. A major component of this project was to vacate the submerged street below Magnolia Bluff. This street was vacated through a State of Washington replatting process. The City recommended that a street be dedicated along the base of the bluff as a condition to the vacation. This new street has now been designed and constructed.

At the Board's meeting of August 16, 1991, discussion revolved around City policy for street names. The Board was informed of the street naming policies being developed by the inter-departmental Address Standards Working Group (ASWG),

Board of Public Works Department, Arctic Building, Suite 700, 700 Third Avenue, Seattle, Washington 98104 - 1809. (206) 684-0430  
Board of Public Works: Gary Zarker, Chairman, Dir. of Engineering; Ken Nakatsu, Acting Dir. of Administrative Services;  
Robert P. Groncznack, Supt. of Water; Randall Hardy, Supt. of City Light; Holly Miller, Supt. of Parks and Recreation  
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Honorable George Benson, Chair  
Transportation Committee of the City Council  
Page 2

which supports the street name grid system now in place in the City. As a spokesperson from the Police Department explained, emergency response units (City-County 911 system) must be able to locate addresses within the City in the shortest possible time. In some instances emergency response units are drawn from other communities and are not familiar with the area. Consistency of the street name grid system is seen as vitally important to the City-County 911 system by the Police and Fire Departments.

Under the grid system, the new roadway would be named West Lee Street. The policies, however, are flexible enough to allow deviations in street names in certain circumstances, providing that a perceived improvement in locating property is achieved. The proposed reasons for deviating from the Seattle Street Grid System include: (1) to acknowledge a local or national figure of historic importance; (2) to celebrate the City's cultural diversity; (3) to denote a significant natural or built landmark; or (4) to help change negative perceptions associated with certain areas.

At the August 16th meeting, the marina owner clarified its intent that the street be named "West Marina Place". The Police Department indicated the 911 computer system could operate with an exception to the grid system concept. It was felt that the street name of "West Marina Place" could be associated with the Elliott Bay Marina location on a broad basis.

The Board, following additional discussion on the matter, felt that the marina project met the criteria as a significant built landmark, and that the lack of contiguity between this isolated section of roadway and other portions of West Lee Street also worked in favor of granting the street name requested by the marina owners. The Board recommended the street name "West Marina Place" be approved.

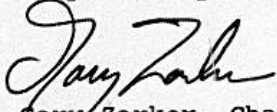
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Honorable George Benson, Chair  
Transportation Committee of the City Council  
Page 3

As an additional matter, the Police Department requested that the Board give its conceptual approval to the name 23rd Place West for the proposed north-south street, also providing access to the marina. This portion of the new roadway will be dedicated to the City by the Port of Seattle. The Board gave conceptual approval of this street and requested that the Engineering Department work closely with the Port to facilitate dedication of the roadway in a timely fashion.

Respectfully submitted,



Gary Zarker, Chairman  
Board of Public Works

GZ/LAK:

Enclosures

cc: Gary Lawrence, OLP	Miriam Reed, Law Dept.
Dennis McLerran, DCLU	Chief Harris, Fire Dept.
John Braden, DCD	Larry Knutson, SED
Gary Farr, City Light	Ken Nakatsu, DAS
Lanny Shuman, OMB	Peter McLellan, Police Dept.
Carla Swanson with Foster, Pepper and Shefelman -	
Attorney for Petitioner	

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# Seattle Police Department

Patrick S. Fitzsimons, Chief of Police  
Norman B. Rice, Mayor

August 21, 1991



Honorable Members  
Board of Public Works  
Arctic Building, Suite 700  
700 3rd Avenue  
Seattle, Washington 98104

Subject: Elliott Bay Marina - Street Name Request

Honorable Members:

The Seattle Police Department has reviewed the subject proposal following the previous Board meeting of August 16, 1991. We are swayed to concur with the argument presented by the Elliott Bay Marina Group to rename the east-west portion of their new roadway from West Lee Street to West Marina Place. However, we urgently request the Board to concurrently rename that portion of the north-south portion of the new access road from 21st Street West to 23rd Place West to link the new roadway on West Marina Place to the new access ramps on the Magnolia Bridge (West Garfield Street).

It is our understanding that the east-west portion of the new roadway is being dedicated to the City by the Elliott Bay Marina Group and that the north-south portion of the new roadway is being dedicated to the City by the Port of Seattle (including the east-west ramps area of the roadway on West Garfield Street. Following opening of the new roadway, 21st Ave. W, which runs north-south from Thorndyke Ave. W. to Smith Cove Park, will be closed by the Port of Seattle. Access to points south of the Garfield Street Bridge will be by the new roadway constructed by the Elliott Bay Marina Group.

It is important that the new north-south portion of the new roadway be renamed concurrently with the east-west portion. The new 23rd Place West will carry a new street address for Smith Cove Park and two residences (known as the Admiral's Quarters) administered by the Housing Director, Naval Station Puget Sound.

The Board of Public Works and the Engineering Department currently recognize only those roadways legally dedicated to the City. The City's utilities, Fire, Police, and emergency medical services must work with the entire City. The Department of Construction and Land Use is caught in between, accepting plats and short plats that may or may not carry a name for roadways within their boundaries.

By way of a relevant example, the Police Department recently recommended (2-21-91) to the Office of Hearing Examiner that an "unnamed private road be named and provided with a range of addresses in such a manner as to expedite unhampered access to emergency police services." We were

Board of Public Works  
August 21, 1991  
Page two

subsequently advised by the Hearing Examiner (8-14-91) that "A particular subdivision application, especially one that seeks neither to establish nor expand this odd manner of addressing property on private roadways, is not the proper means to affect a change in the City's current practice regarding such addresses." (Enclosure)


We believe that the Board of Public Works is the logical place to affect change in this "odd manner of addressing property" in the City of Seattle. This will insure that all street naming and addressing problems are resolved consistently throughout the City. Additionally, the Police and Fire Computer Aided Dispatching Systems will be updated in the most economical and timely manner possible.

For the reason given by example above, and the issue currently at hand, to provide a complete and accurate coverage of the City with recognized names and addresses for all roadways, places, and buildings, we urge the Board to adopt policies that will provide complete and accurate street names and addresses for the entire City. Specifically, we are requesting the Board to rename the legally dedicated east-west street (W. Marina Pl.) and the currently private north-south street (23rd Place W.) concurrently. By so doing you will be providing the means to address Smith Cove Park and two heretofore unaddressed residences. This seems to us to be a logical course of action that will allow for the immediate needs of public safety in the City of Seattle.

We hope that these comments will be helpful. If additional information or further clarification is required, please contact Peter McLellan, Inspectional Services Division, telephone 684-5760.

Very truly yours,

PATRICK S. FITZSIMONS  
Chief of Police

  
Major J. C. Deschane  
Inspectional Services Division

Enclosure: Letter from Meredith A. Getches, Hearing Examiner to R. B. Tibbs, Communications Division, dated August 14, 1991 regarding 8877G Paisley Drive NE (with enclosures).

JCD:PM:lh

cc: Hillary Hamilton, SED Acting Mrg., Property and Court Services  
R. B. Tibbs, SPD Director of Communications  
I. L. Schick, SFD Director of Communications

(Ref. PM LJ08211)

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City of Seattle  
Office of Hearing Examiner

Meredith A. Getches, Hearing Examiner  
Ruperta Alexis, Deputy Hearing Examiner  
Guy E. Fletcher, Deputy Hearing Examiner



August 14, 1991

R. B. Tibbs, Director  
Communications Division  
City of Seattle, Police Department  
610 Third Avenue  
Seattle, Washington 98104-1886

Dear Mr. Tibbs:

You submitted a comment (copy enclosed) regarding a proposed subdivision of property addressed as 8877 G Paisley Drive N.E. The hearing on this matter has been held and a recommendation sent to City Council.

A copy of the recommendation is enclosed for your information. As you will note, I have recommended to the Council that this subdivision is not the appropriate forum for changing the form of addressing that currently exists. The proposed subdivision does not add or change the number or location of lots addressed in the manner objected to.

A particular subdivision application, especially one that seeks neither to establish nor expand this odd manner of addressing property on private roadways, is not the proper means to affect a change in the City's current practice regarding such addresses. Perhaps the agencies concerned about addressing could reach consensus and satisfactorily modify the current practice administratively.

Also, I suggest that you stop using "Gentlemen" as a general salutation, it inappropriately and incorrectly presumes that all the recipients must be male.

Sincerely,

Meredith A. Getches  
Hearing Examiner

MG:mdh

Enclosures

Room 1320 Alaska Building, 618 Second Avenue, Seattle, Washington 98104 (206) 684-0521

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# Seattle Police Department

Patrick S. Fitzsimons, Chief of Police  
Norman B. Rice, Mayor

February 21, 1991

1007  
FEB 22 1991

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107  
107



Office of Hearing Examiner  
1320 Alaska Building  
618 Second Avenue  
Seattle, Washington 98104

Gentlemen:

Reference: 8877 G Paisley Drive NE

We wish to recommend that prior to final approval being given during the hearing on April 2, 1991, for the subject subdivision that the unnamed private road be named and provided with a range of address in such a manner as to expedite unhampered access to emergency police services.

The use of alpha suffix letters with the numerical house number impedes rapid access generally and in particular during times of darkness and inclement weather.

Very truly yours,

PATRICK S. FITZSIMONS  
Chief of Police

*Dir. R. B. Tibbs*

R. Tibbs, Director  
Communications Division

RT:PM:gt

(Ref. C61 LJ02211)

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Garv Zarker, Director  
Norman B. Rice, Mayor

August 21, 1991

Honorable Members  
Board of Public Works  
Arctic Building, Suite 700  
700 Third Avenue  
Seattle, Washington 98104

SUBJECT: Elliott Bay Marina -- Street Name Request

Honorable Members:

The Engineering Department has reviewed its recommendation for the naming of a new street adjoining the Elliott Bay Marina, Inc. development at the foot of Magnolia Bluff and now recommends approval of the name West Marina Place as requested by the owner of the marina.

The original recommendation for denial of the requested name was based largely upon the comments of the Police and Fire Departments during interdepartmental review. These departments, as well, as the Office of Long Range Planning stressed the importance of maintaining the existing street grid naming system to facilitate emergency response. In addition, the name presented for interdepartmental review, characterized at that time as West Marine Place, did not seem unique enough to fit the criteria for guideline exemption for significant natural or built landmarks, as the Board recognized in its initial discussion of the proposed name.

The Police Department has now withdrawn its objections to the name West Marina Place, and as the marina owner has clarified its intent regarding the word "marina" in place of "marine", the Engineering Department hereby recommends that the street be named West Marina Place.

At the request of the Police Department, we also request that the Board give its conceptual approval to the name 23rd Place West to that portion of the north-south access road linking West Marina Place with the new access ramps on the Magnolia Bridge. This

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Seattle Engineering Department, Room 910, Seattle Municipal Building, 600 Fourth Avenue, Seattle, WA 98104-1879 (206) 684-5000



Hon. Board of Public Works  
August 21, 1991  
Page 2

portion of the new roadway will be dedicated to the City by the Port of Seattle. The Engineering Department will work closely with the Port to facilitate dedication of the roadway in a timely fashion.

Sincerely,

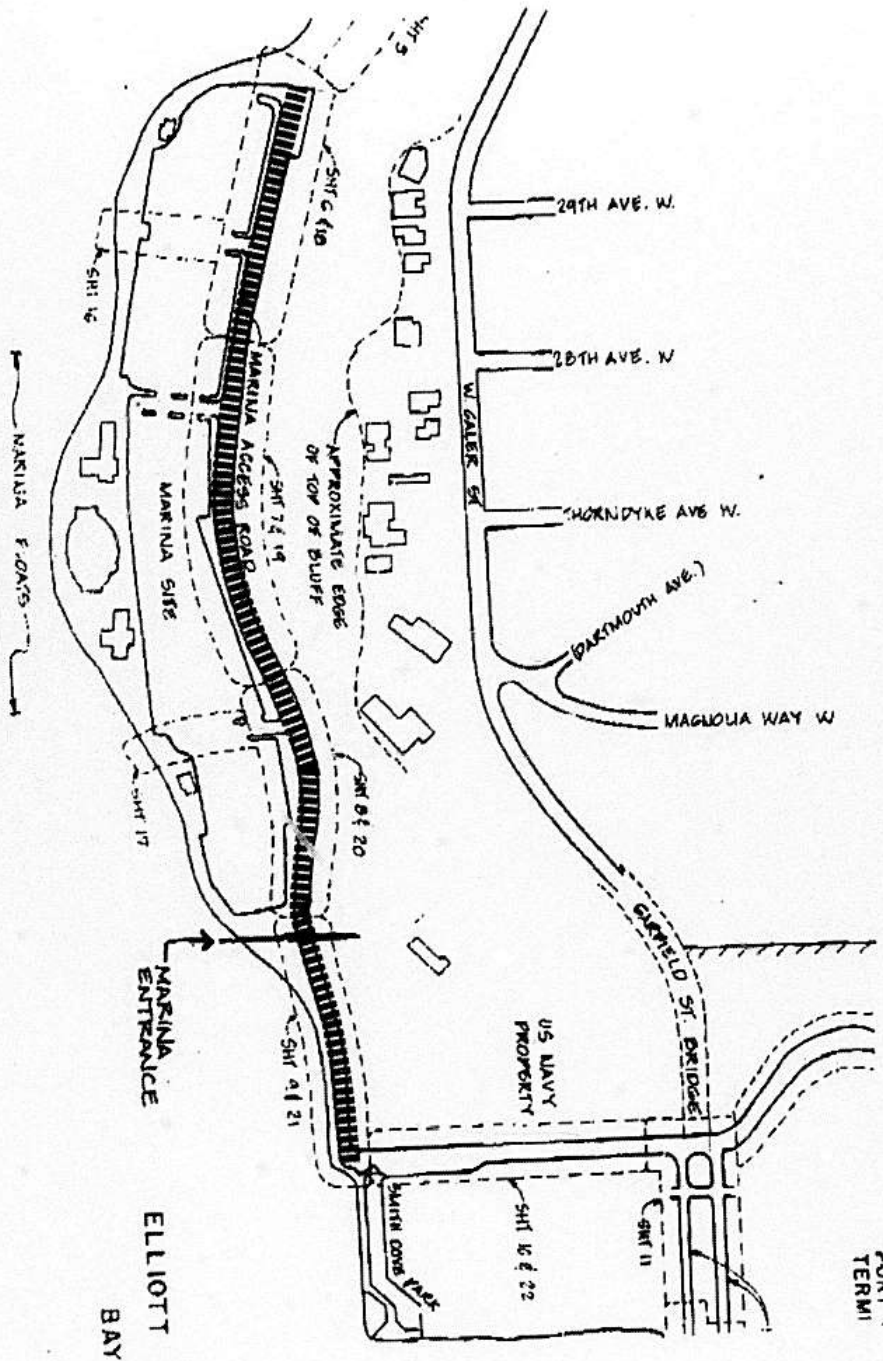
  
Gary Zarker, Director  
Seattle Engineering Department

GZ/HJH:hh

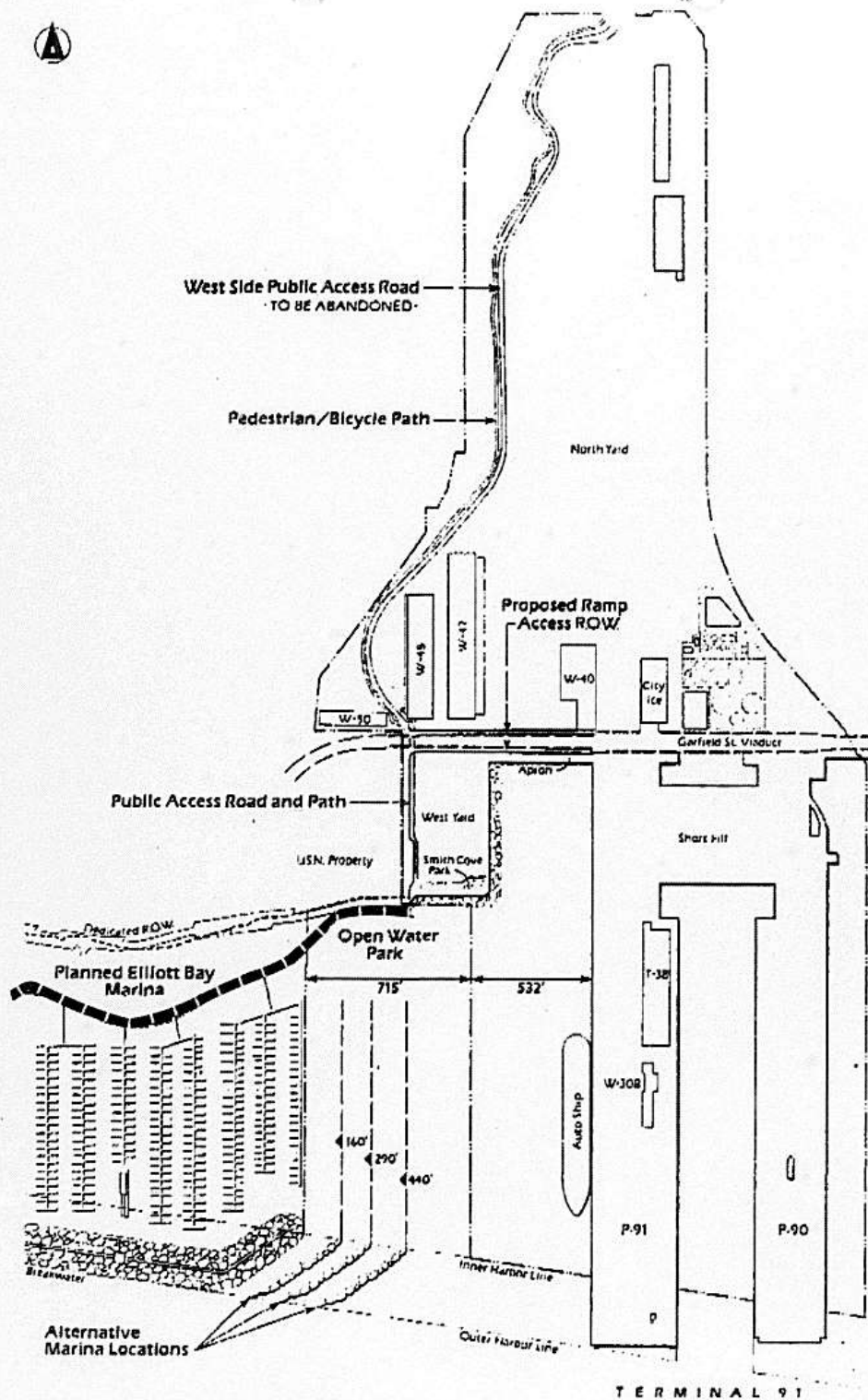
cc: Board of Public Works Members  
Gary Zarker, Chair, SED  
Bob Gronznack, Water  
Randall Hardy, City Light  
Ken Nakatsu, DAS  
Holly Miller, Parks and Recreation  
Dennis McLerran, DCLU  
Chief Harris, Fire Dept.  
Larry Knutson, SED  
Roger Neill, City Light  
Peter McLellan, Police  
Carla Swanson (Foster, Pepper and Shefelman) - Petitioner

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**PLOT PLAN**  
SCALE 1" = 200'



NOT TO SCALE

Figure 1

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# Seattle Police Department

Patrick S. Fitzsimons, Chief of Police  
Norman B. Rice, Mayor

August 21, 1991

RECEIVED  
AUG 21 PM 12:40  
DIRECTOR  
WORKS



## MEMORANDUM

To: Gary Zarker, Director  
Seattle Engineering Department

From: Major J. C. Deschane  
Inspectional Services Division

Subject: Council Bill naming access to the Elliott Bay Marina

The Seattle Police department has researched the problem concerning access to the Elliott Bay Marina, Smith Cove Park (Port of Seattle), and the Admiral's Quarters (U.S. Navy, two separate residences). We have conferred with the following individuals, and others, in an effort to document the facts: Jerry Suder, DCLU, Permit Technician; James Rice, Port of Seattle, Senior Property Manager; Carla Swanson, Attorney for the Elliott Bay Marina Group; and Jerry Van Fossen, Housing Director, Naval Station Puget Sound.

The existing access roadway, 21st Ave. W., which runs north-south from Thorndyke Ave. W. to Smith Cove Park will be closed by the Port of Seattle. Access to points south of the Garfield Street Bridge will be by the new roadway constructed by the Elliott Bay Marina Group. For purposes of alignment with the existing Seattle Street Grid and logical addressing, it has been agreed that the north-south portion of the new access roadway should be named 23rd Place West and the east-west portion of the new roadway should be named West Marina Place. The two residences and the South Cove Park will be addressed off of 23rd Place W.

The two new names to be associated with the newly constructed roadway, which will be dedicated to the City, should be presented to the Board of Public Works on Friday, August 23, 1991 for inclusion in the enabling ordinance.

JCD:PM:lp

cc: Barbara Taber, Executive Director, Board of Public Works  
Hillary Hamilton, SED Acting Mgr. Property and Court Services  
R. B. Tibbs, SPD Director of Communications  
I. L. Schick, SFD Director of Communications

(Ref. PM MJ08201)

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April 30, 1991

Mr. Larry Knutson  
Department of Engineering  
650 Dexter Horton Building  
710 Second Avenue  
Seattle, WA 98104-1709

Dear Mr. Knutson:

Elliott Bay Marina, Inc. ("EBM") is currently in the process of constructing an access road to the Elliott Bay Marina project. The road will be dedicated to the City of Seattle by the Port of Seattle (the north-south portion) and EBM (the east-west portion).

As part of the dedication process, the street will be named by the City. EBM respectfully requests that the street name for the east-west portion be designated "Marina Boulevard". We believe this is a descriptive name that will work to identify both the street's and the Marina's location. Since the east-west portion of the street falls between two named portions of the City street grid (Oakes Street and Lee Street), the proposed name will not be inconsistent with the City's grid system. Moreover, the new street will serve only the Marina. There are not other property owners affected by this change. Finally, since the Marina has not yet opened and the street not yet named, there will be no conversion costs associated with the new name.

We would like to have this request considered by the City Council at the time it accepts the street dedication. Please keep us informed as to the necessary procedures and notify us if you need any additional information. Thank you for your assistance.

Very Truly Yours,  
ELLIOTT BAY MARINA, INC.

John M. Kaiser  
President

IMK/kac

ELLIOTT BAY MARINA INC  
2500 WESTLAKE AVENUE NORTH  
SEATTLE, WASHINGTON 98109  
(206) 285 4817 FAX (206) 282 0428

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5/17/91 Larry will have portion of road at Olympic St. turned into a parking lot. City of Seattle will have portion of road at Olympic St. turned into a parking lot. City of Seattle will have portion of road at Olympic St. turned into a parking lot.

Also look at you? I should do? VAX 7564

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TELECOPIER (503) 221-1510

August 12, 1991

Board of Public Works  
700 Arctic Building  
700 Third Avenue  
Seattle, Washington 98104

Attention: Ms. Barbara K. Taber

Dear Board Members:

Elliott Bay Marina - Street Name Request

We represent Elliott Bay Marina, Inc. (EBM) in connection with its construction of a 1200-slip marina in Elliott Bay south of the Magnolia bluffs. The marina is currently nearing completion. EBM's proposal to name a portion of the new marina access roadway will be before the Board on Friday, August 16, 1991. EBM requests that the Board recommend that the name of the east-west portion of the new road be "West Marina Place".

BACKGROUND

As part of the marina project, the City approved the construction of a new access road from the Magnolia (Garfield Street) Bridge. The new roadway is to be dedicated to the City pursuant to the development permit for the project. The attached sketch shows that the north-south portion of the road is on Port of Seattle property. The Port has agreed to dedicate that portion to the City and is currently processing the dedication resolution (but is not required to dedicate it until the road has been completed). We agree with staff that this portion of the street should be named 23rd Place West.

The east-west portion, which dead-ends into the marina, is primarily on EBM property. That portion will be dedicated to the City as part of the street naming process. An executed deed

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Ms. Barbara K. Taber  
August 12, 1991  
Page 2

for the east-west portion has already been deposited with the City.

#### PROPOSAL

1. "West Marina Place" Is Consistent With The City's Policies. EBM believes that the proposed street name meets the City's objectives and policies for street names. We understand that the City desires to promote quick and easy identification of street locations, both for emergency and general circulation purposes. "West Marina Place" will accomplish this. It is descriptive of its location (at the marina and near the waterfront) and describes the address sector in which it is located (West). "Place" is a further indicator of the nature of the street (a non-through street).

Moreover, the east-west portion serves the marina almost exclusively, and ends within the marina development. The proposed name is therefore more descriptive of the destination than the grid system equivalent (West Lee Street).

2. Strict Adherence To The Grid System Could Make The Street Harder To Locate. Strict adherence to the grid system in this case will not necessarily accomplish the City's goal of making the street easily locatable. In fact, because of the unique nature of this new street, application of the grid system could create confusion.

Unlike most new roadways, in this case the east-west portion of the road will cross new land created for the marina by the placement of fill material. Therefore, not only is a new street being created, but entirely new land is being added to the City. Before the addition of this new land, the southernmost street in Magnolia up to this time was West Galer Street. West Lee Street has never existed on Magnolia. Consequently, people familiar with Seattle streets know that there is no West Lee Street on Magnolia. Rather, they know West Lee Street as being on Queen Anne Hill. The use of a familiar street name in a historically unfamiliar location will likely be confusing to many people. People have no such existing notions about "West Marina Place."

In addition, "West Lee Street" is not descriptive of its destination, while "West Marina Place" is. As a result, drivers exiting the Magnolia Bridge may be more likely to expect West Lee Street to be a through street rather than a dead end into

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Ms. Barbara K. Taber  
August 12, 1991  
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the marina, thereby causing more confusion. Thus, there is no apparent advantage, and there are several possible disadvantages, to applying the grid system in this case.

3. "West Marina Place" Denotes A New City Landmark. According to the City's policies, one of the grounds for departure from the grid system policy is where the street denotes a significant natural or built landmark. An example of a built landmark is the Convention Center, where the street passing under it was named "Convention Place." Similarly, the Elliott Bay Marina will be a significant new landmark for the City. It will be visible from all around Elliott Bay and from south Magnolia and Queen Anne. Like the Shilshole Marina, its location will be (and probably already is) familiar to most greater Seattle residents as well as visitors. "West Marina Place" will identify and highlight the marina as a city landmark, which is an appropriate basis for a departure from the grid system in this case.

4. It Is Inappropriate To Rely On The ASWG Recommendation. We note that the comments from the Police Department and DCLU on this proposal refer to the March 12, 1991 meeting of the Address Standards Working Group (ASWG). It is important to note that the EBM proposal was not submitted until some time after the March 12 meeting. The ASWG did not have this proposal before it at that meeting and in fact was not even asked to consider the EBM proposal as one of the three options it reviewed. As we understand it, the purpose of the discussion at the ASWG meeting was to review the City's addressing policies, using the new marina access road as an example only.

Two of the options considered at the ASWG meeting involved giving the entire roadway (north-south and east-west) a single name. The third was to name the portions separately as 23rd Place West and West Lee Street. While the ASWG favored the third option, it was not asked to compare the third alternative to the EBM proposal. We believe it is therefore inappropriate to rely on the ASWG recommendation since it did not have the opportunity to review the EBM West Marina Place proposal.

We also note that, with a few exceptions (two of which referred to the ASWG recommendation), there was little objection to the proposal in the comments received from the various City departments that reviewed the request.

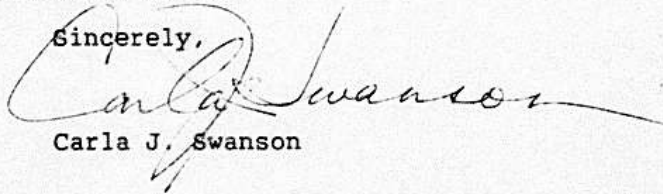
EBM believes it is providing Seattle with a necessary and attractive new facility that will meet a critical need for additional moorage space. The entry road should be named appropriately to ensure that the marina is easily locatable for both emergency vehicles and visitors, and to reflect the fact

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that the marina will be a new waterfront landmark for the City. "West Marina Place" accomplishes these purposes. We therefore request that the Board recommend that the east-west portion of the new road be named "West Marina Place".

Sincerely,

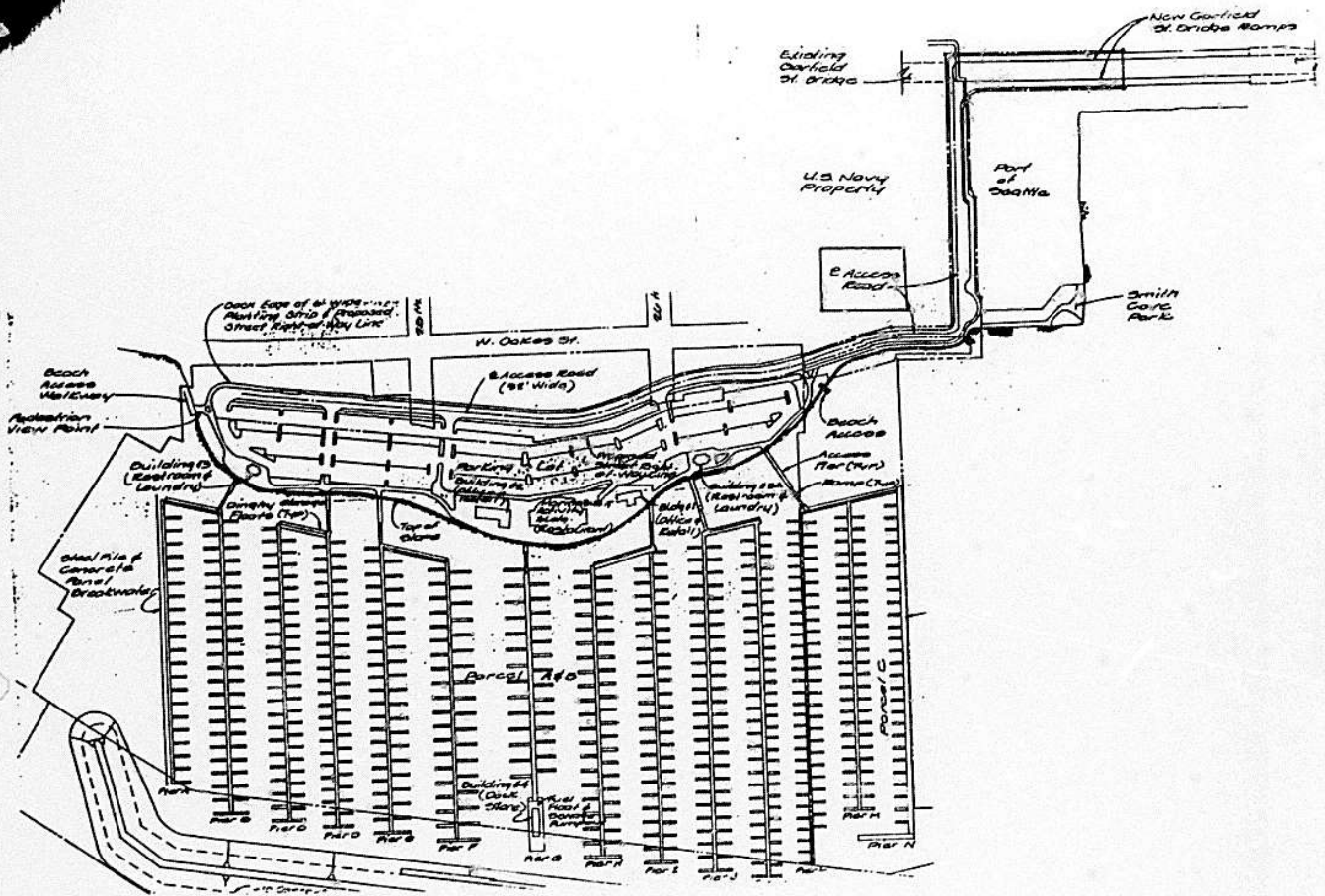


Carla J. Swanson

CJS:mh  
cc: Mr. Martin Harder  
Mr. John Kaiser  
Mr. Gary Zarker  
Mr. Larry Knutson  
CJS-364

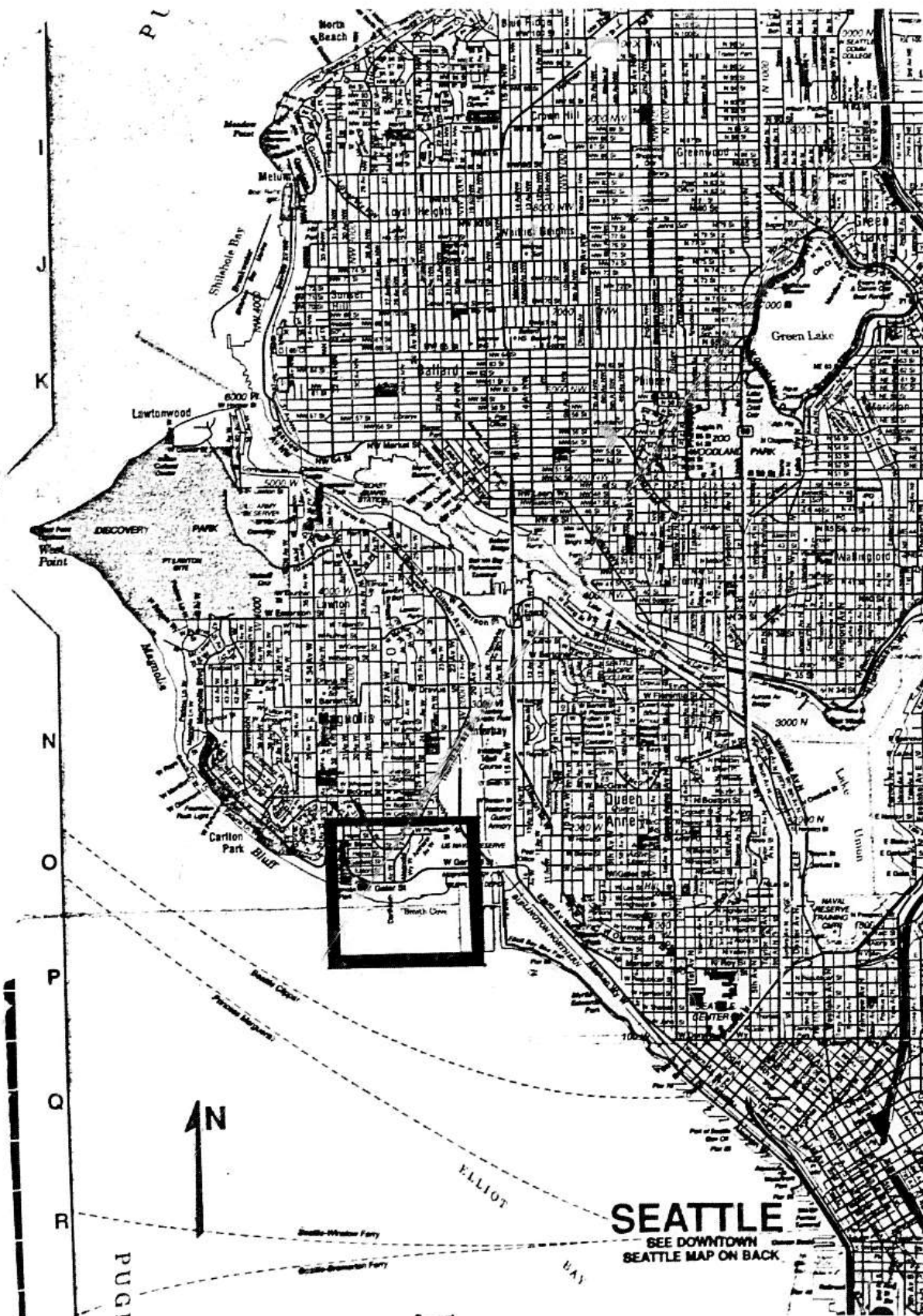
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# City of Seattle

Executive Department-Office of Management and Budget

Andrew J. Lofton, Director  
Norman B. Rice, Mayor

COPY RECEIVED  
91 SEP 10 AM 11:16  
SEATTLE CITY ATTORNEY



September 10, 1991

The Honorable Mark Sidran  
City Attorney  
City of Seattle

Dear Mr Sidran:

The Mayor is proposing to the City Council that the enclosed legislation be adopted.

REQUESTING  
DEPARTMENT: Board of Public Works

SUBJECT: AN ORDINANCE accepting a deed for street purposes in Blocks 4, 7, and 10, Minor's Addition to the City of Seattle and portion of Tract A, 1989 Replat of the Seattle Tide Lands and laying off West Marina Place (R. W. 90068)..

Pursuant to the City Council's S.O.P. 100-014, the Executive Department is forwarding this request for legislation to your office for review and redrafting.

After reviewing this request and any necessary redrafting of the enclosed legislation, please return the legislation to OMB. Any specific questions regarding the legislation can be directed to Barbara Taber at 684-0388.

Sincerely,

Norman B. Rice  
Mayor

by *Lanny Shuman*

ANDREW J. LOFTON  
Budget Director

AL/lsls

Enclosure

OK  
9-12-91  
*[Handwritten signature]*

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# STATE OF WASHINGTON - KING COUNTY

9835

City of Seattle  
City of Seattle

—SS.

No.

## TITLE-ONLY PUBLICATION

The full text of the following ordinances, passed by the City Council on September 23, 1991, and published here by title only, will be mailed, at no cost, upon request for two months after this publication. For further information, contact the Seattle City Clerk at 684-8354.

### ORDINANCE NO. 115844

Relating to and providing for the implementation of the Seattle Center and Community Center levy; conditionally abandoning certain projects; authorizing the issuance of obligations to finance implementation; establishing certain funds, subfunds and accounts; accepting state supplemental funding; authorizing interfund and similar loans; approving a revised master plan; establishing certain positions in the Parks and Recreation and Seattle Center Departments; authorizing certain projects by the Seattle Center Department; establishing an Oversight Committee; increasing certain expenditure allowances in the 1991 Budgets of said Departments; and making appropriations therefor.

### ORDINANCE NO. 115845

Accepting a deed for street purposes in Blocks 4, 7, and 10, Minor's Addition to the City of Seattle and portion of Tract A, 1988 Replat of the Seattle Tide Lands and laying off West Marina Place (RW 90068).

### ORDINANCE NO. 115846

Relating to the Engineering Department; authorizing a revision to the "Seattle Comprehensive Transportation Program" (SCTP) Street Classification Maps.

### ORDINANCE NO. 115847

Making an appropriation from the Judgment Claims Fund for payment to Dee Smiley, Charging Party, in settlement of a discrimination complaint.

### ORDINANCE NO. 115848

Making an appropriation from the Judgment Claims Fund for payment to Dana Backiel, Charging Party, in settlement of a discrimination complaint.

Publication ordered by NORWARD J. BROOKS, Comptroller & City Clerk.

## Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

T/O 115844-115848

was published on

10/07/91

The amount of the fee charged for the foregoing publication is the sum of \$ \_\_\_\_\_, which amount has been paid in full.

C. Trent

Subscribed and sworn to before me on

10/07/91

Jennifer A. Nicholson  
Notary Public for the State of Washington,  
residing in Seattle

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Affidavit of Publication