



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: 3005723 & 3005823
Applicant Name: Lo Ping
Address of Proposal: 1150 & 1154 93rd Avenue North

SUMMARY OF PROPOSED ACTION

Land Use Application to subdivide two parcels into four unit lots each. These subdivisions of property are only for the purpose of allowing sale or lease of the unit lots. Development standards will be applied to the original lots and not to each of the new unit lots. The construction of four townhouses on each lot are being reviewed under Project No. 6082186 and 2505851. Single family residences were removed by approved permit.

The following approval is required:

Short Subdivision - to create four unit lots on each of two parcels.
(SMC Chapter 23.24)

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

BACKGROUND DATA

Location: The subject sites are located adjacent to each other at the corner of 93rd Avenue North and Stone Avenue North.

Zoning: Residential, Multi-family, Lowrise 3 (L3).

Uses on site: Residential.

Substantive site characteristics:

Each parent site is 4,716 square feet. There are no mapped Environmentally Critical Areas on either site and both sites are currently vacant. The project site at 1154 North 93rd Street (3005823) is bounded by 93rd Street on the south and Stone Avenue North on the east. The project site at 1150 North 93rd Street (3005723) is directly adjacent to the west and faces North 93rd Street. Both North 93rd Street and Stone Avenue North have been improved with curb, gutter and sidewalks. Both sites will be accessed from the alley off Stone Avenue North on the north side of the parcels.

Area characteristics:

The subject sites are located in Lowrise-3 (L3) zone just east of Aurora Avenue North. The area is extensively developed with newer multifamily apartments and townhouse developments.

Proposal:

The applicant proposes to subdivide each of two one parcel into four unit lots with the following areas:

Project 3005723 - 1150 North 93 rd Street		Project 3005823 – 1154 North 93 rd Street	
Unit Lot A	1237.96 square feet	Unit Lot A	1244.80 square feet
Unit Lot B	1228.81 square feet	Unit Lot B	1235.64 square feet
Unit Lot C	1119.46 square feet	Unit Lot C	1113.04 square feet
Unit Lot D	1128.55 square feet	Unit Lot D	1121.89 square feet

Public Comment:

No public comment letters were received during the comment period which ended on October 12, 2006. One comment was received about each project from the same person regarding the lack of low-income housing.

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, Access to lots;*
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. *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), the Fire Department (SFD) and Seattle City Light; 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 unit lots to be created by this short subdivision would meet all minimum standards or applicable exceptions set forth in the Land Use Code, and would be consistent with applicable development standards. As conditioned, this unit lot short subdivision could be provided with vehicular access and both public and private utilities and access (including emergency vehicles). There is a two-foot dedication for alley widening recorded with the Director of King County Department of Records and Elections under recording numbers 20060614001491 and 20060214000002. Adequate provisions for drainage control, water supply (Water Availability Certificate ID No. 20061910 for 1150 N 93rd Street and 20061878 for 1154 N 93rd Street), and sanitary sewage disposal have been provided for each lot, and service is assured, subject to standard conditions governing utility extensions. The unit lot short plat would not affect tree retention. The public use and interest would be served by the proposal because all applicable criteria are met and the proposal creates the potential for additional housing opportunities in the City.

ANALYSIS –UNIT LOT SUBDIVISION

Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, is required when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing developments, residential cluster developments, or single-family residences. Section 23.24.045 requires the following:

- A. *The unit subdivision provisions of SMC Section 23.24.045 apply exclusively to the unit subdivision of land for townhouses, cottage housing developments, residential cluster developments, and single-family residences in zones where such uses are permitted.*
- B. *Sites developed or proposed to be developed with dwelling units listed in subsection A above, may be subdivided into individual unit lots. The development as a whole shall meet development standards applicable at the time the permit application is vested. As a result of the subdivision, development on individual unit lots may be nonconforming as to some or all of the development standards based on analysis of the individual unit lot, except that any private, usable open space for each dwelling unit shall be provided on the same lot as the dwelling unit it serves.*
- C. *Subsequent platting actions, additions or modifications to the structure(s) may not create or increase any nonconformity of the parent lot.*
- D. *Access easements and joint use and maintenance agreements shall be executed for use of common garage or parking areas, common open space (such as common courtyard space for cottage housing), and other similar features, as recorded with the Director of the King County Department of Records and Elections.*

- E. *Within the parent lot, required parking for a dwelling unit may be provided on a different unit lot than the lot with the dwelling unit, as long as the right to use that parking is formalized by an easement on the plat, as recorded with the Director of King County Development of Records and Elections.*
- F. *The facts that the unit lot is not a separate buildable lot, and that additional development of the individual unit lots may be limited as a result of the application of development standards to the parent lot shall be noted on the plat, as recorded with the Director of the King County Department of Records and Elections.*

Summary - Unit Lot Subdivision

Review of this application shows that the proposed short subdivisions would conform to applicable standards of SMC 23.24.045, subject to the conditions imposed at the end of this decision. The proposed developments would consist of four townhouse units on each of two sites for a total of eight units. The structures, as reviewed and approved under a separate building permit must conform to the development standards at the time the permit application is approved for issuance.

To assure that future owners have constructive notice that additional development may be limited; the applicant has included the following note on Sheet 1 of 4 of each plat: *“The unit lots shown on this site are not separate buildable lots. Additional development on any individual unit lot in this subdivision may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code.”* In addition, joint use/maintenance agreements have been added to the face of the plat, and a Seattle City Light easement will be provided for electric service. Furthermore, open space would be provided on each unit lot. Parking for each unit will be provided under each unit and will be accessed from the alley to the north by access easements across both parent parcels. Finally, the unit lot subdivisions, as conditioned, would provide an easement or covenant for address signage for the proposed unit lots without street frontage.

DECISION – UNIT LOT SUBDIVISION

The proposed Unit Lot Subdivision is **CONDITIONALLY APPROVED**.

CONDITIONS – UNIT LOT SUBDIVISION

Conditions of Approval Prior to Recording

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

1. The street address sign, containing the assigned addresses for Unit Lots C and D located behind Unit Lots on Unit Lot A and B, clearly visible from North 93rd Street, shall be placed near North 93rd Street within the utility easement.

2. As applicable, add the conditions of approval after recording on the face of each 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 ___ of ___."
3. Include an easement on the face of each plat to provide for electrical facilities and service to the proposed lots as required by Seattle City Light on the final Short Subdivision. Easement PM# 260431-4-082 for the property known as 1150 North 93rd Street and PM#260431-4-083 for the property known as 1154 North 93rd Street shall be added to the plat shall with the following statement. "*An easement is granted to Seattle City Light as shown on page __ of __.*"
4. Include an easement to provide for water service as required by Seattle Public Utilities for the Water Availability Certificate dated October 6, 2006, 2006 (WAC ID No. 20061910) for property known as 1150 North 93rd Street. Include an easement to provide for water service as required by Seattle Public Utilities for the Water Availability Certificate dated October 2, 2006, 2006 (WAC ID No. 20061878) for property known as 1154 North 93rd Street.
5. 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 short subdivisions shall be surveyed in accordance with appropriate State statutes. The property corners set shall be identified on each plat and encroachments such as side yard easements, fences or structures shall be shown. Lot areas shall be shown on each plat. All existing structures, principal and accessory, shall be shown on the face of each plat, and their distances to the proposed property lines dimensioned.
6. Submit the final recording forms and any final fees for approval.

Signature: (signature on file)
Marti Stave, Land Use Planner
Department of Planning and Development

Date: December 21, 2006