



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: 3006070
Applicant Name: David Hoff for Glover Homes, Inc.
Address of Proposal: 612 North 49th Street

SUMMARY OF PROPOSED ACTION

Land Use Application to subdivide one parcel into three unit lots (unit lot subdivision). The construction of one, two unit townhouse structure and a single family residence have been approved under Project #6111219/6112155. This subdivision of property is only for the purpose of allowing sale or lease of the unit lots. Development standards will be applied to the original parcel and not to each of the new unit lots.

The following approval is required:

Short Subdivision - to subdivide one existing parcel into three unit lots.
(Chapter 23.24, Seattle Municipal Code)

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

BACKGROUND DATA

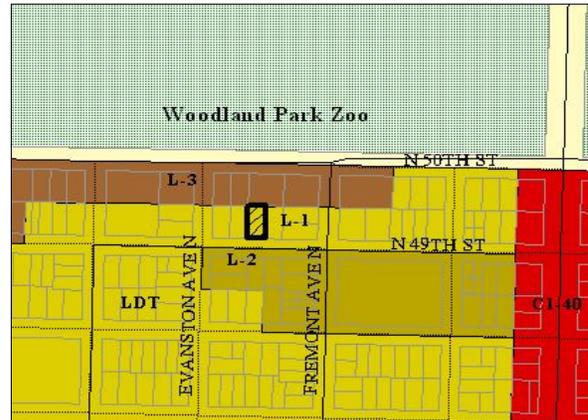
Zoning: Lowrise 1 (L-1).
Uses on Site: One single family residence.

Substantive Site Characteristics:

This 5,000 square foot subject site (the “parent lot”) is a rectangular lot located mid-block along North 49th Street between Fremont Avenue North to the east, and Evanston Avenue North to the west. The Woodland Park Zoo south entrance is one block north of the subject site.

The site is flat and abuts a fully improved right of way with curb, gutter, and sidewalks: North 49th Street. Development on the site currently consists of a single family residence scheduled for demolition. The site is not located in any mapped or observed environmentally critical areas, and exhibits no unusual conditions as per the Pre-Application Site Visit Field Assessment (PASV), dated September 1, 2006.

The subject property is zoned Lowrise 1 (L-1), though a mixture of zones surround the site. Directly to the north of the site the zoning changes to Lowrise 3 (L-3); to the immediate south the zoning is Lowrise 2 (L-2); further east the zoning changes to Commercial 1 with a 40 foot height limit (C1-40). Surrounding development primarily consists of single and multi-family residences.



Proposal Description

The applicant proposes to subdivide one 5,000 square foot parcel (the “parent lot”) into three unit lots with the following lot areas: Unit Lot A) 2,066 square feet; Unit Lot B) 1,469 square feet; and Unit Lot C) 1,467 square feet in an L-1 zone. The subject site fronts on North 49th Street, a dedicated street. Vehicular access to Unit Lots A, B, and C will be provided via an ingress, egress easement from North 49th Street.

A Master Use Permit for the demolition of an existing single family residence has been reviewed and approved (Master Use Permit #6112159). The subject of this analysis and decision is limited to the subdivision of land.

Public Comments

The extended public comment period for this proposal ended on December 6, 2006. During the public comment period, DPD received two written comment letters. The following issues were raised: concern that the development will change the overall character of the neighborhood; concern that the development will lead to an overly dense environment.

ANALYSIS – UNIT LOT SUBDIVISION

Pursuant to SMC 23.24.040, the Director shall, after conferring with appropriate officials, use the following (applicable) criteria to determine whether to grant, condition or deny a short plat:

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.*

7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, 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, clustered housing, or single family housing, and*
8. *Conformance to the provisions of Section 23.24.046, Multiple single-family dwelling units on a single-family lot, when the short subdivision is for the purpose of creating two or more lots from one lot with more than one existing single-family dwelling unit.*

Summary - Short Subdivision

Based on information provided by the applicant, referral comments from DPD, Water (SWD), Fire Departments (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. Detailed discussion of Criterion # 7 follows below.

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. As conditioned, this short subdivision can be provided with vehicular access, public and private utilities and access (including emergency vehicles). 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 utility extensions. The proposal site is not located in an environmentally critical area; therefore SMC 25.09.240 is not applicable. The proposed plat maximizes the retention of existing trees. The public use and interest are served by the proposal since all applicable criteria are met and the proposal creates the potential for additional housing opportunities in the City.

ANALYSIS –UNIT LOT SUBDIVISION (CRITERION #7)

Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, 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, clustered housing, or single-family housing.

- 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 Department 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 subdivision would conform to applicable standards of SMC 23.24.045 subject to the conditions imposed at the end of this decision. The proposed development is for one, two-unit townhouse structure and a single family residence. The structures, as reviewed under their separate building permits, conform to the development standards of the time the permit application was vested. To assure that future owners have constructive notice that additional development may be limited the applicant will be required to add a note to the face of the plat that reads as follows: *“The lots created by unit subdivision are not separate building lots. Additional development on any individual lot in this unit 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.”* A joint use and maintenance agreement will be required as conditioned at the end of this decision.

DECISION – UNIT LOT SUBDIVISION

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

CONDITIONS – UNIT LOT SUBDIVISION

Conditions of Approval Prior to Recording

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

1. 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 subdivision shall be surveyed in accordance 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. Lot areas shall be shown on the plat. All existing structures, principal and accessory, shall be shown on the face of the plat, and their distances to the proposed property lines dimensioned.
2. Submit the final recording forms for approval and any necessary fees.

