



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 PLANNING AND DEVELOPMENT**

Application Number: 3006678
Applicant Name: Kelly Byrne for Delbyrne LLC
Address of Proposal: 315 W Galer St

SUMMARY OF PROPOSED ACTION

Land Use Application to subdivide one parcel into three parcels of land. Proposed parcel sizes are: A) 1,371.2 square feet, B) 1,365.6 square feet; and C) 6,168.7 square feet. The related development (six townhomes and two live-work units) is currently being reviewed under Project #3004997 for Land Use approval (Design Review). The building permit numbers will be reviewed under Projects #6085748, #6064078 and #6129667.

The following approval is required:

- **Short Subdivision** - to subdivide one existing parcel into three parcels. (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

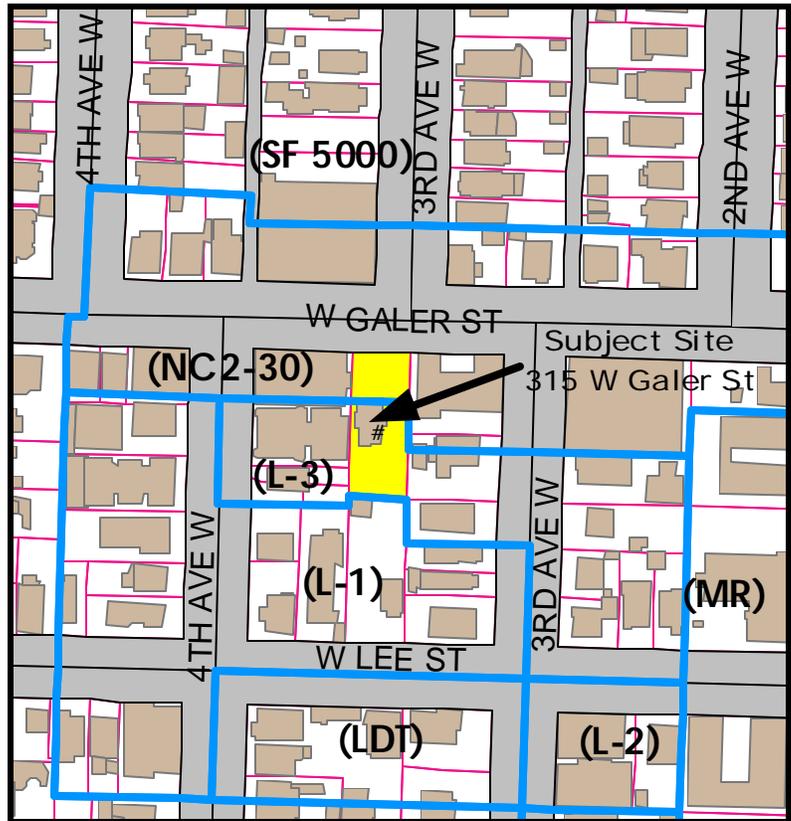
Site & Area Description

The approximately 8,895 square foot rectangular shaped site has two zoning designations, Neighborhood Commercial Two (NC2-30) on the north portion of the property and Lowrise Three (L3) on the southern portion. The parcels to be subdivided are located along W Galer St between 3rd and 4th Avenues W. Proposed parcels A and B will have street frontage on W Galer Street while proposed parcels B and C are provided vehicle and pedestrian access by easement. The existing structure was demolished under Project #6108609, currently the site is vacant. Currently there is no vehicle access to the site.

The abutting two properties to the east and west are also zoned NC2-30 as are properties on the north side of W Galer St. Properties to the south are zoned Lowrise One (L1) with Single Family 5000 located further south. Development in the area consists of a variety of small commercial structures, single family houses, and multifamily structures all consistent with the zoning.

Proposal

The proposal is to subdivide one parcel of land into three. The related building permits will be reviewed for code compliance with all city codes upon submittal. Separate ownership of the two live work units and from the rear townhome site is desired by the applicant. The future separation of the townhouse units into separate unit lots will require a separate land use permit.



The subject of this analysis and decision is only the proposed division of land.

Public Comment

During the public comment period which ended April 4, 2007 DPD received no written comments about the proposed subdivision.

ANALYSIS - SHORT SUBDIVISION

Pursuant to SMC 23.24.040, the Director shall, after conferring with appropriate officials, use the following 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.*
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 (2) or more lots from one (1) lot with more than one (1) existing single-family dwelling unit.*

Based on information provided by the applicant, referral comments or approvals from the Zoning Plans Examiner (DPD), Drainage Section (DPD), Ordinance and Structural Reviewer (DPD), the Fire Department, Seattle Public Utilities (Water Department), Seattle City Light and review by the Land Use Planner (DPD), the following findings are made with respect to the above-cited criteria:

1. *Conformance to the applicable Land Use Code provisions;*

The subject property is split-zoned with Neighborhood Commercial Two with a 30 foot height limit on the north portion (NC2-30) and Lowrise Three (L3) on the south portion. The lots to be created by this short subdivision and are consistent with applicable development standards. The proposed parcels provide adequate buildable area to meet applicable Land Use Code development standards as reviewed by the zoning plans examiner.

2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005;*

Proposed parcels A and B will have direct pedestrian and vehicle access to and from W Galer St. Parcel C is provided vehicle and pedestrian accesses by way of easement. The Seattle Fire Department has no objection to the proposed short plat. All private utilities are available in this area. Seattle City Light provides electrical service to the proposed short plat and an easement may be required. This short plat will provide for adequate, utilities, and fire protection. If required, access for vehicles will meet requirements upon submittal and review of subsequent permits.

3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*

This area is served with domestic water, sanitary sewer, and stormdrain facilities by the City of Seattle. Availability of service is assured subject to standard conditions of utility extension. The short plat application has been reviewed by Seattle Public Utilities and a Water Availability Certificate was issued on March 20th 2007 (WAC ID No. 20070468). As reviewed by the drainage plans examiner, the plat is adequate for drainage and sanitary disposal.

4. *Whether the public use and interests are served by permitting the proposed division of land;*

The proposed subdivision is consistent with the NC1-30 and L3 zoning and Seattle Land Use Code provisions. The proposed subdivision was given preliminary approval from all City of Seattle review locations and a result meets the public use and interest.

5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas;*

This site is not located in any environmentally critical area as defined in SMC 25.09.240. There are no environmentally critical areas mapped or otherwise observed on the site. As a result this criterion is not applicable.

6. *Is designed to maximize the retention of existing trees;*

Considering the demolition of the existing structure on site and the future grading required as a result of the proposed development, all the trees will be removed. The project was reviewed and approved under the Tree Protection Ordinance, SMC 25.11 by the zoning plans examiner. As a result this criterion is satisfied.

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.*

This Short Subdivision is not a unit subdivision. Thus, this section is not applicable to this short plat proposal.

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 (2) or more lots from one (1) lot with more than one (1) existing single-family dwelling unit.*

This Short Subdivision is not a multiple single-family dwelling unit subdivision. Thus, this section is not applicable to this short plat proposal.

DECISION - SHORT SUBDIVISION

The proposed short plat is **CONDITIONALLY GRANTED**.

CONDITIONS - SHORT SUBDIVISION

Prior to Recording

1. Provide on the plat any required Seattle City Light easement.

Prior to Construction Applications

2. A copy of the recorded short subdivision shall be attached to all subsequent building permits for review.

Signature: (signature on file) Date: May 10, 2007

Lucas DeHerrera, Land Use Planner
Department of Planning and Development

LJD:rgc

I:\DeherrL\doc\LucasWrittenDecisions\Short.Plat\3006678.Short.Plat.1-3.Live.Work\WrittenDec.3006678.live.work.doc