



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: 3002250
Applicant Name: Brittani Ard
Address of Proposal: 4706 49th Avenue SW

SUMMARY OF PROPOSED ACTION

Land Use Application to subdivide one parcel into three parcels of land. Proposed parcel sizes are: A) 5,000 sq. ft, B) 5,000 sq. ft.; and C) 5,000 sq. ft. Existing structure to remain.

The following approval is required:

Short Subdivision - To subdivide one existing parcel into three 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

Zoning: SF 5000

Date of Site Visit: January 22, 2008

Uses on Site: Existing single family dwelling

Substantive Site Characteristics: The corner lot, the southeast corner of 49th Avenue SW and SW Alaska Street, is relatively flat but slopes gently from east to west towards 49th Avenue SW. The house was built in 1918 and appears to retain original features. The existing curb cut provides access to the site and currently leads to a detached garage. Both 49th Avenue SW and Alaska Street are developed with curb, gutter and sidewalk in good condition. At this intersection appears to be the original survey post for the Spring Hill Villa Tracts. There is a mature Fir tree on the northwest corner of proposed Parcel A.

Surrounding Development: The adjacent southern parcel was subdivided into two lots through MUP#3003347. No alley serves this section of the tract. Remaining development, of the same SF5000 zone, consists of older single family homes of a bungalow style.

Public Comment: No comment was received during the public notice from December 27, 2007 through January 9th, 2008.

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;*

The subject property's zone (SF 5,000) is intended for single-family residential uses with a minimum lot size of 5,000 square feet. The lots created by this proposed division of land would conform to all applicable development standards of the SF 5,000 zoning district. The proposed parcels would provide adequate buildable area to meet applicable yards, lot coverage requirements, and other applicable Land Use Code development standards. *The proposed single uses on each lot would conform to applicable Land Use Code permitted uses, subject to the conditions listed below.*

The issue, of whether the eave of the existing structure of proposed Parcel B extends further than 18" into the 5-foot side yard, requires resolution.

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

The three parcels have the required access for vehicles as all have necessary street frontage. The Seattle Fire Department has reviewed and approved the proposed short plat on December 27, 2007.

Seattle City Light has reviewed and approved the proposed short plat in an e-mail of December 31, 2007. SCL does not need property rights for this short plat.

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

This area is served with domestic water, sanitary sewer, and storm drain facilities by the City of Seattle. Availability of service is assured subject to standard conditions of utility extension.

Seattle Public Utilities reviewed the short plat application, and Water Availability Certificate #20072274 was issued on January 7, 2008.

Per Drainage Review of December 28, 2007 the existing property is connected with a side sewer to a 12-inch public sanitary sewer main located in 49th Avenue SW. The existing property is served by a 36-inch public storm drainage system of 49th Avenue SW. Recommended as a condition for the Short Plat is a revised version shows an easement, Joint Use and Maintenance language for sewer and/or storm drainage.

Addressing has provided the following for Parcel A- 4700 49th Avenue SW; Parcel B- 4706 49th Avenue SW; and Parcel C- 4815 SW Alaska Street in their review of December 21, 2007.

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

An objective of the short subdivision process is to increase opportunities for new housing development to ensure adequate capacity for future housing needs. The proposed short subdivision would meet applicable Land Use Code provisions: the proposal has adequate access for vehicles, utilities and fire protection, and has adequate drainage, water supply and sanitary sewage disposal.

The public use and interest would be served by this proposal because additional opportunities for owner-occupied housing would be provided within the City limits as a result of this subdivision. Furthermore, upon completion of the conditions in this decision

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

The site is not located in any mapped or observed environmentally critical area as defined in SMC Chapter 25.09. Therefore, this section is not applicable to the short plat application.

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

As configured Parcel A appears to maximize the retention of the existing mature Douglas fir. This tree is highly visible to intersection of SW Alaska and 49th Avenue SW. The Fir

is in the southeast corner of the cross streets. There are no proposed building pads at this time that would necessitate removal of any existing trees.

Summary - Short Subdivision

Based on information provided by the applicant, referral comments from DPD, Water (SWD), Fire Department (SFD), 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.

Sewer and Drainage conditionally approved the application on December 29, 2007 because there is no easement, Joint Use and Maintenance language for sewer and/or storm drainage included on the plans. When the plan is revised prior to recording their condition will be met.

Retention of the mature tree of the NW corner of proposed Parcel C has been proposed.

The lots to be created by this short subdivision will meet all minimum standards or applicable exceptions of the 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.

DECISION - SHORT SUBDIVISION

The proposed Short Subdivision is CONDITIONALLY GRANTED.

CONDITIONS - SHORT SUBDIVISION

Conditions of Approval Prior to Recording

1. The owner(s) and/or responsible party(s) shall provide easement, Joint Use and Maintenance language for sewer and/or storm drainage on the plans and/or documents.
2. Resolve eave encroachment into proposed side yard of proposed Parcel B. For existing overhang to remain as shown, provide a side yard easement per SMC 23.44.014Dw (See CAM 221).

3. Have final recording documents prepared by or under the supervision of a land surveyor licensed in Washington State. 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. Add the conditions of approval to the face of the plat.
4. Submit the final recording forms for approval and remit any applicable fees.

Prior to Issuance of any Building Permit

5. Attach a copy of the recorded short subdivision to any sets of building permit application plans, if applicable.

Prior to Final Approval or Certificate of Occupancy

None

Signature: _____ (signature on file) Date: April 17, 2008
Carreen N. Rubenkonig
Land Use Planner
Department of Planning and Development

CNR:bg