



City of Seattle

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Gregory J. Nickels, Mayor  
**Department of Planning & Development**  
D. M. Sugimura, Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR  
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Application Number:** 3006720  
**Applicant Name:** Bob Winters for Robinson Homes, Inc.  
**Address of Proposal:** 9148 7<sup>th</sup> Avenue South

**SUMMARY OF PROPOSED ACTION**

Land Use Application to subdivide two parcels into five parcels of land. Proposed parcel sizes are: A) 6,748 sq. ft., B) 5,760 sq. ft., C) 5,488 sq. ft., D) 5,488 sq. ft.; and E) 5,487 sq. ft. Existing single family residences to remain.

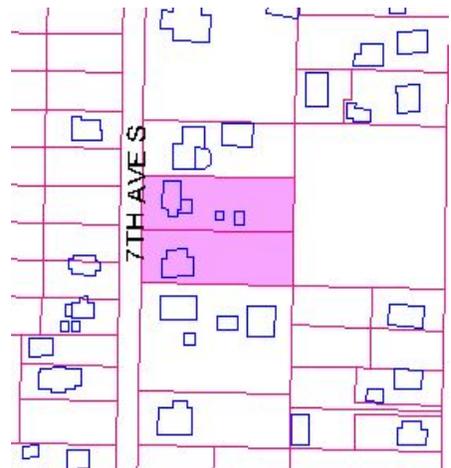
The following approval is required:

**Short Subdivision** - to create five parcels of land.  
(SMC Chapter 23.24)

**BACKGROUND DATA**

Site and Area Description

The subject site is located on a tract of land that fronts Seventh Avenue South, just south of South Director Street near the southern extreme of the City limits of Seattle. The existing parcel size is approximately 28,971 square feet located in a Single Family zone with a minimum lot size of 5,000 square feet (SF 5000). The site is also located within the South Park Residential Urban Village District. The combined development site is nearly square in shape, with street frontage along the west property line. The site is currently developed with two single family residences which will remain and two sheds which are proposed for removal. The site is essentially level with modest landscaping to visually obscure on-site activities.



Vehicle access to the development site is limited through South Director Street intersection, with Seventh Avenue South to the north of the subject site. Seventh Avenue South terminates at the end of the block, approximately 450 feet south of the subject site, the City limits. The street right-of-way is 30 feet wide with an asphalt paved road surface with grass and gravel shoulders. The site is located within a moderately sized SF 5000 zone to the north and east. Seattle Public's South Park Concord Elementary School is located approximately two blocks to the north. To the west and south of the subject site the land is located within King County, and is supporting industrial activities. The block has recently undergone a transformation from large expansive tracts of land supporting single family uses to smaller sites containing single family residential uses.

Proposal

The proposal is to subdivide two parcels of land into five (5) parcels. Proposed Parcel areas are indicated in the summary above. Proposed parcels will have direct and indirect access to Seventh Avenue South.

Public comment:

Date of Notice of Application: May 3, 2007  
Date End of Comment Period: May 16, 2007  
#Letters: None

Issues: No comment letters were received during the public comment period that ended on May 16, 2007.

**ANALYSIS-SHORT SUBDIVISION**

Pursuant to SMC 23.24.040, no short subdivision shall be approved unless all of the following facts and conditions are found to exist. The findings which follow are based on information provided by the applicant, referral comments from the Land Use Plans Examiner, the Drainage Section, the Fire Department, Seattle Public Utilities (City Light and the Water Department), and review by the Land Use Planner. The following findings are made with respect to the above-cited criteria:

Pursuant to SMC 23.24.040, no short plat shall be approved unless all of the following facts and conditions are found to exist:

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

The subject property is zoned single-family residential with a minimum lot size of 5,000 square feet. The allowed use in a single family zone is one dwelling unit per lot. Maximum lot coverage is 35 percent. Front setbacks are an average of the neighboring adjacent lots, or twenty (20) feet, whichever is less. Minimum side yard setbacks are five feet. The minimum rear yard setback is twenty-five (25) feet or 20% of the lot depth. The proposed parcel configurations created by this proposed division of land will conform to all development standards of the SF 5000 zoning district. With the creation of proposed Parcels "A, B, C, D, & E" the front yards will be along the west property line adjacent to the 7<sup>th</sup> Avenue South

frontage, which will require a twenty (20) foot setback from the property boundary line, if front yard averaging is not employed. The two existing houses (addressed, 9148 & 9160 7<sup>th</sup> Avenue South) will remain conforming to all yard standards after approval of this proposal. The proposed three land locked parcels "C, D, & E" are able to choose the location of their front and rear yards. Any future development must conform to Land Use Code requirements at the time of application.

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

The proposed parcels will have direct and indirect vehicular access to 7<sup>th</sup> Avenue South through private driveways (Parcels fronting 7<sup>th</sup> Avenue) and a shared vehicle access easement, consistent with the provisions of the Code. The Seattle Fire Department (SFD) has no objections to the proposed short plat. Seattle City Light provides electrical service to the proposed short plat. City Light has reviewed the proposal and will require an easement to provide for electrical facilities and service to the proposed parcels. This short plat provides for adequate access for vehicles, utilities, and fire protection.

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

This area is served with domestic water and sanitary sewer 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 (SPU) and a Water Availability Certificate (#20070786) was approved and issued on May 3, 2007. The development site, proposed for short plat, has adequate water service, including an 8-inch public sanitary sewer (PSS), and water main located in 7<sup>th</sup> Avenue South to support future development.

Currently there is no public infrastructure, combined sewers, separated storm drains or intermittent ditch and culverts to convey stormwater runoff from the short plat in the near vicinity of the proposed short plat. Pursuant to SMC 23.24.040(A)3, utilities are not adequate for stormwater conveyance. The proposed improvements including; hard surfaces for ingress, egress and utilities easements and structures on each of the proposed Parcels will be in excess of 5000 square feet of combined new and replaced impervious surface. In accordance with SMC 22.802.020(B)2, a Comprehensive Drainage Control Plan shall be prepared for review and approval with this application. This plan shall show proposed stormwater treatment (if there will be in excess of 5,000 square feet of area subject to vehicular traffic) and flow control mitigation measures. This plan will be recorded with the King County Assessor's office and a copy of the drainage plan shall accompany all future building permits as a condition of the short plat.

Additionally, Seattle Public Utilities is nearing the final design stage of the Fourth and Trenton Storm Drain Project. The project includes installation of a drainage system within the 7<sup>th</sup> Avenue right-of-way and new surface roadway. Work within 7<sup>th</sup> Avenue is expected to last four months and will commence in late 2008. Construction activity associated with the newly created parcels is expected to be completed prior to the improvements in the right-of-way.

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

One objective of the short subdivision process is to increase opportunities for new housing development in order to ensure that there will be adequate capacity for future housing needs. An equally important objective is to ensure that new development is compatible with neighborhood character. The proposed development has adequate access for vehicles, utilities, and fire protection, and has adequate drainage, water supply and sanitary sewage disposal. However, the potential exists for conflicts between pedestrians and vehicles within the right-of-way, due in part to its 30 foot width and lack of sidewalks. The minimum right-of-way width for existing non-arterial streets in single family zones is 40 feet. Pursuant to SMC 23.53.015D, the owner will need to provide a setback that equals half the difference between the current right-of-way and the minimum required width for all parcels fronting 7<sup>th</sup> Avenue, to accommodate future right-of-way improvements. Since (year) 2000, new single family development along 7<sup>th</sup> Avenue has seen dramatic increases which have significantly impacted traffic flow.

After consulting with Seattle Department of Transportation and SPU, the Director has determined additional measures are warranted to ensure the public interest is served. In order to protect public safety and assure adequate protection for pedestrians along 7<sup>th</sup> Avenue, a pedestrian pathway will be required adjacent to the right-of-way, on private property within the five (5) foot setback area. The pedestrian pathway will be reviewed and approved by DPD in consultation with SDOT. To allow pedestrians access along the pathway, an easement will be required in the 5 foot setback area fronting 7<sup>th</sup> Avenue.

Public use and interest will be served with this proposal because additional opportunities for housing would be provided, and pedestrian safety will be ensured within the City limits as a result of this subdivision. The proposal will meet all applicable criteria for approval of a short plat upon completion of the conditions in this analysis and decision.

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

The development site is not within an identified Environmentally Critical Area, therefore, this section does not apply.

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

There are approximately eleven (11) trees located on the development site, of which half will be removed to allow for construction activity. Four of the eleven trees targeted for removal are fruit bearing trees (cherry, pear, and apple). All but one of the trees are slated to be protected and preserved, depending upon the location of any future construction, the extent of the root systems and the overall health of the trees. Seven (7) of the eleven trees that are being protected are mature conifers. Future construction will be subject to the provisions of SMC 23.44.008 which sets forth tree planting requirements on single family lots. As part of approval for this application a tree preservation plan will be reviewed and approved prior to recording. The tree preservation plan will accompany all future building permits as a condition of the short plat, thus, satisfying this section of the short plat proposal.

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 lot subdivision. Thus, this section is not applicable to this short plat proposal.

### **DECISION – SHORT SUBDIVISION**

Conditionally Approved

### **CONDITIONS OF SHORT PLAT:**

#### **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 structure shall be shown. All existing structures shall be shown on the face of the plat, and their distances to the property lines dimensioned. Lot areas shall be shown on the plat. The short plat drawing shall be stamped by a licensed surveyor.
2. Provide an easement or covenant to allow for the placement of a visually accessible address sign at the development site abutting Seventh Avenue south for the benefit of Parcels C, D, and E.
3. Comply with the requirements outlined in the Water Availability Certificate (WAC #20070786).
4. Prepare and submit a Comprehensive Drainage Control Plan in accordance with SMC 22.802.020(B)2. This plan shall document stormwater treatment (if there will be more than 5,000 square feet of development and impervious coverage for the combined parcels subject to vehicular traffic), and flow control mitigation measures. This plan will be recorded with the King County Assessor's office and a copy of the drainage plan shall accompany all future building permits.
5. Submit a copy of the tree preservation plan for final approval.
6. Provide a copy of a Building Grade sheet to confirm the required elevation height of the driveway at the property line abutting Seventh Avenue South.
7. Add the conditions of approval to the face of the plat, or on an additional page if needed. If the conditions are on a separate page, insert on the plat: "*For conditions of approval after recording, see Page \_\_\_ of \_\_\_.*" (If necessary, renumber the pages).
8. Outline on the face of the short plat: the legal existing utility lines on the face of the plat; all ingress and egress and utilities easements. If a utility easement is required by Seattle City Light, then the easement in its entirety (typically referred to as "Easement AS") shall be shown on the face of the plat.
9. Submit the final recording forms and fee.

After Recording and Prior to Sale or Transfer of Ownership of Property

10. Remove all detached accessory structures legally.

After Recording and Prior to Issuance of a Building Permit

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

11. Attach a copy of the recorded short plat to all building permit plan sets.
12. Attach a copy of the approved tree preservation plan to all building permit plan sets.
13. Submit a copy of the approved comprehensive drainage control plan for DPD review.

After Recording and Prior to final approval of a Building Permit

14. Install a pedestrian pathway within the five (5) foot setback area for all Parcels abutting 7<sup>th</sup> Avenue South, reviewed and approved by DPD, in consultation with SDOT.
15. Execute a pedestrian access easement with SDOT within the five foot setback area.
16. Submit a copy of an approved Driveway Access Permit from SDOT for all proposed Parcels associated with this short plat (#3006720) to the DPD Land Use Plan reviewer assigned to the building permit review.

Signature: \_\_\_\_\_ (signature on file) Date: December 6, 2007

Malli Anderson, Land Use Planner  
Department of Planning and Development

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