



City of Seattle

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: 3007242
Applicant Name: Thomas Woldendorp for Tony Phan
Address of Proposal: 6718 Rainier Avenue South

SUMMARY OF PROPOSED ACTION

Land Use Application to subdivide one parcel into six unit lots (Unit Lot Subdivision). The construction of townhouses has been approved under Department of Planning and Development (DPD) Project No. 6109547. 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:

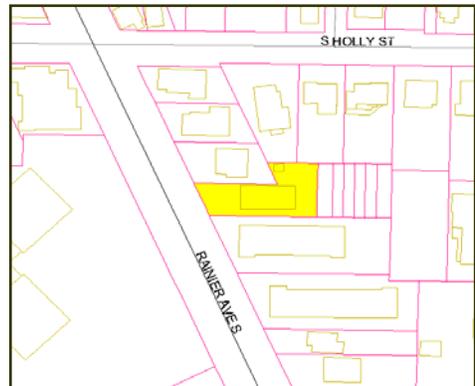
Short Subdivision - to subdivide one existing parcel into six lots as a unit lot subdivision. (Chapter 23.24 Short Plats, Seattle Municipal Code)

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

BACKGROUND DATA

Substantive Site Description

The subject property is 8,863 square feet in size and is zoned primarily Lowrise 3 (L3), with approximately 650 square feet of the northeast portion of the property existing within the Single Family 5000 (SF5000) zone. The areas adjacent to the northeast of the property is



zoned SF5000 while the areas adjacent to the north, south, east and west are zoned L3. The L-shaped subject property has 49.99 feet of street frontage to the west with Rainier Avenue South, which is developed with curbs, gutters, and sidewalks on both sides of the street pavement at this location. There is no mapped or observed City of Seattle designated Environmental Critical Area (ECA) on the property.

Proposal Description

The applicant proposes to short subdivide the subject property into six unit lots. Proposed unit lot sizes are:

- Unit Lot 1: 1,542 sq. ft.
- Unit Lot 2: 1,158 sq. ft.
- Unit Lot 3: 1,410 sq. ft.
- Unit Lot 4: 1,249 sq. ft.
- Unit Lot 5: 1,631 sq. ft.
- Unit Lot 6: 1,673 sq. ft.

Pedestrian access to the six unit lots will be achieved from the Ingress/Egress, Utility, and Parking Easement as identified on the provided short plat. Vehicular access for required parking for all proposed unit lots will also be achieved by this easement, which extends from Rainier Avenue South along the southern property line and north at the easternmost property line to serve the proposed six unit lots. Covered parking for one car per unit is proposed within each building to be constructed on each unit lot. A permit for the establishment of use as residential townhomes and construction of six units, with parking for each below, has been reviewed and approved under Department of Planning and Development (DPD) Project No. 6019547.

Public Comment:

The comment period for this proposal ended on July 4, 2007. During this period, no written comment letters related to this project were received.

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.*

Summary - Short Subdivision

Based on information provided by the applicant, referral comments or review approvals from Zoning (DPD), Addressing (DPD), Building Plans (DPD), Drainage (DPD), Water (SPU), City Light (SCL), Fire Departments (SFD) 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 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 proposed and/or conditioned, this short subdivision will be provided with pedestrian and vehicular access and public and private utilities with right-of-entry. 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 and also is a unit lot subdivision; therefore SMC 25.09.240 is not applicable. Trees (if any) will be removed and installed per the Project No. 6109547 building permit landscaping plan. Any tree removal or replacement is subject to the requirements of the Seattle Municipal Code.

The public use and interest are served by the proposal since all applicable criteria are met and the proposal creates the potential for additional owner-occupied housing opportunities within the City.

ANALYSIS –UNIT LOT SUBDIVISION

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. A joint use and maintenance agreement has been included on the short plat documents and should also be included on the final documents for recording.*
- F. 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.*
- G. 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 two townhouse structures being developed and constructed will collectively contain six dwelling units. The structures, as reviewed under the separate building permit, will conform to the development standards in place at the time that the permit application was vested. To ensure that future owners have sufficient notice that additional development may be limited; the applicant has appropriately added 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 is provided on the plat.

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. Add the conditions of approval after recording on the face of the 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 ___.”*
2. Seattle City Light will require an overhead/underground easement on a portion of the Unit Lot 1: *“Beginning at the NW property corner of the Unit Lot 1, Thence N 89 32’ 10” E 23.59 feet, more or less; Thence S 00 27’ 50” E 45.32 feet; Thence S 89 32’ 10” W 2.48 feet, more or less; Thence N 25 26’ 16” W 49.99 feet to the point of beginning”*. Please add this easement description to the face of the final plat and in the legal description of Unit Lot 1.
3. The existing property is connected by means of a single sidesewer to a 30-inch public sanitary sewer (PSS) located in Rainier Avenue South. This mainline was originally

constructed as a combined sewer and, as such, there are likely to be downspouts and area drains still connected to what is now considered to be, for the purposes of new construction, a sanitary only sewer. This area has been “separated” with the construction of a 42-inch public storm drain (PSD) on the far side of Rainier Avenue South. This mainline discharges to a designated receiving water. The Joint Use/Maintenance Agreement should be revised to include the common sidesewer and storm drainage system that will serve the proposed unit lots.

4. 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 shall be identified on the plat and encroachments such as side yard easements, fences, or structures shall be shown. Please make sure that the lot areas of each parcel are included on the recording documents.
5. Submit the recording fee and final recording forms for approval.
6. The proposed unit lots are identified on the submitted short plat plan set as Unit Lots 1-6. Please note that DPD Addressing has assigned the following addresses to the corresponding unit lots:
 - Unit Lot 1 – 6718A Rainier Avenue South
 - Unit Lot 2 – 6718B Rainier Avenue South
 - Unit Lot 3 – 6720A Rainier Avenue South
 - Unit Lot 4 – 6720B Rainier Avenue South
 - Unit Lot 5 – 6720C Rainier Avenue South
 - Unit Lot 6 – 6720D Rainier Avenue South

For the Life of the Project

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

7. Attach a copy of the recorded short subdivision to all permit application plans for any application for a permit to construct, demolish, or change use.

Signature: _____ (signature on file) Date: August 20, 2007
Mike Reid, Land Use Planner
Department of Planning and Development

MR:bg

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