



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: 3007273
Applicant Name: David Tully for Tully Homes, Inc.
Address of Proposal: 9349 7th Avenue South

SUMMARY OF PROPOSED ACTION

Land Use Application to subdivide two parcels into seven parcels of land. Proposed parcel sizes are: A) 5,463 sq. ft., B) 5,445 sq. ft., C) 5,462 sq. ft., D) 5,534 sq. ft., E) 5,550 sq. ft., F) 5,542 sq. ft.; and G) 5,543 sq. ft. The existing residential structure will be removed under separate permit.

The following approval is required:

Short Subdivision - to subdivide two existing parcels into seven parcels.
(Chapter 23.24, Seattle Municipal Code).

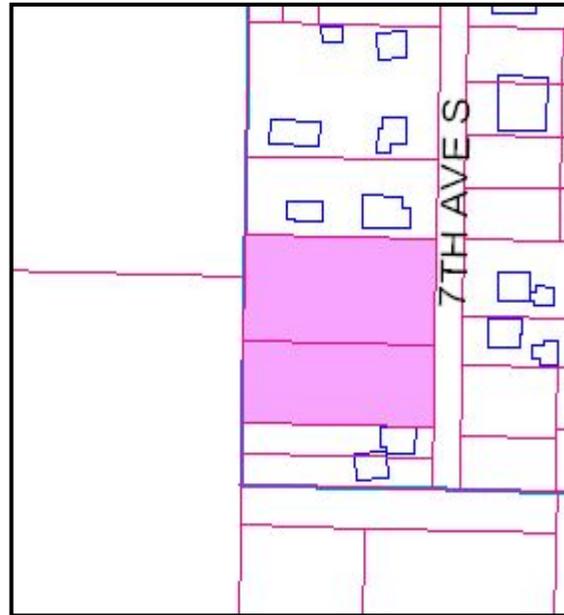
SEPA DETERMINATION: Exempt DNS MDNS EIS
 DNS with conditions
 DNS involving non-exempt grading or demolition or
involving another agency with jurisdiction

BACKGROUND DATA

Site 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 38,539 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 east property line. The site is currently developed with one single family home, and accessory structures slated 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 intersecting, 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, 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 site containing single family residential uses.



Proposal

The proposal is to subdivide two parcels of land into seven (7) 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: December 20, 2007
Date End of Comment Period: January 2, 2007
Number of Letters: 0

Issues: No comment letters were received during the public comment period that on January 2, 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, which ever is less. Minimum side yard setbacks are five feet. Minimum rear yard setback is twenty-five (25) feet or 20% of 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", the front yards will be along the east property line adjacent to the 7th Avenue South frontage, which will require a twenty (20) foot setback from the property boundary line, if front yard averaging is not employed. The existing house (addressed, 9349 7th Avenue South) will be removed to allow proposed parcels to conform to all yard standards after approval of this proposal. The proposed four land locked Parcels "D, E, F, & G, are able to choose the location of there 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 7th Avenue South through private driveways (Parcels fronting 7th Avenue) and shared vehicle access easements, consistent with the provisions of the Code. The Seattle Fire Department (SFD) has conditionally approved the proposed short plat (dated: 2/7/08). 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 (#2007-2221) was approved and issued on December 21, 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 7th Avenue South to support future development.

Currently there is a no public infrastructure to convey stormwater runoff in the near vicinity of the proposed Short Plat. 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 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 7th Avenue right-of-way and new surface roadway. Work within 7th Avenue is expected to last four months and will commencing 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 23.53.015.D, 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 7th Avenue, to accommodate future right-of-way improvements. Since (year) 2000, new single family development along 7th Avenue has seen dramatic increases which have significantly impacted traffic flow.

After consulting with Seattle Department of Transportation (SDOT), 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 the 7th Avenue, a pedestrian pathway will be required adjacent to the right –of-way, meeting SDOT pedestrian pathway standards, 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 7th 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 Areas therefore, this section does not apply.

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

No trees were found at the development site; therefore this section does not apply.

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.

DECISION - SHORT SUBDIVISION

Conditionally Approved

CONDITIONS – 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 structures 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 visually accessible address sign at the development site abutting Seventh Avenue South for the benefit of Parcels “D through G.”
3. Update plat to identify newly created lots as Parcels “A through G,” as opposed to Lots. The graphic depiction of the plat shall be revised to be more graphically legible (i.e., line weights, building outline. etc.)
4. Comply with the requirements outlined in the Water Availability Certificate (WAC #20072221).
5. 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) 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.
6. Submit verification that Fire Department will not require additional vehicle access widening to serve land locked Parcels “D through G.”
7. Provide a copy of a Building Grade sheet to confirm the required elevation height of driveway at the property line abutting Seventh Avenue South.
8. 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).

9. 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 A") shall be shown on the face of the plat.
10. Submit the final recording forms and fee.

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

11. Remove all structures legally.

After Recording and Prior to Issuance of a Building Permit

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

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

After Recording and Prior to final approval of a Building Permit

15. Install a pedestrian pathway within the five (5) foot setback area for all Parcels abutting 7th Avenue South, reviewed and approved by DPD, in consultation with SDOT. The pathway shall meet SDOT pedestrian pathway development standards.
16. Execute pedestrian access easement with SDOT within the five foot setback area.
17. Submit a copy of an approved Driveway Access Permit from SDOT for all proposed Parcels associated with this short plat (#3007273) to DPD Land Use Plan reviewer assigned to building permit review.

Signature: _____ (signature on file) Date: March 13, 2008
Bradley Wilburn, Land Use Planner
Department of Planning and Development

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