



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:** 3008635  
**Applicant Name:** Jeff Donahue for Antonia Koenig  
**Address of Proposal:** 9115 7<sup>th</sup> Avenue South

**SUMMARY OF PROPOSED ACTION**

Land Use Application to subdivide one parcel into four parcels of land. Proposed parcel sizes are: A) 5,348 sq. ft., B) 5,453 sq. ft., C) 5,438 sq. ft., and D) 5,452 sq. ft. The existing residential structure will remain.

The following approval is required:

**Short Subdivision** - to subdivide one existing parcel into four 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 21,781 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 development site is rectangular in shape, with street frontage along the east property line. The site is currently developed with one single family home, slated to be retained. The site is essentially level with modest landscaping to visually obscure on-site activities.

Vehicle access to the development site is limited, with Seventh Avenue South offset to the north and south of South Director Street. The subject lot is located to the south of South Director on Seventh Avenue South that terminates at the south end of the block, approximately 1,800 feet north of 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 site containing single family residential uses.



Proposal

The proposal is to subdivide one parcel of land into four 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 1, 2008.  
Date End of Comment Period: May 14, 2008.  
Number of Letters: 0

Issues: No comment letters were received during the public comment period that on May 14, 2008.

**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 and C", the front yards will be along the east 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. With some minor modifications the existing house (addressed, 9115 7<sup>th</sup> Avenue South) will allow proposed parcels to conform to all yard standards after approval of this proposal. The proposed two land locked Parcels "B and D" 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 7<sup>th</sup> Avenue South through private driveways (Parcels fronting 7<sup>th</sup> 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: 6/17/08). 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 (#2008-0530) was approved and issued on May 1, 2008. 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.

The existing house is located on proposed Parcel A and is connected by means of a single sidesewer to an 8-inch public sanitary sewer (PSS) located in 7<sup>th</sup> Avenue South. There is an existing drainage course running from the south to the north along the westerly property line. It is anticipated that any proposed units will have adequate sewer and drainage service.

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 commencing in late 2008. Construction activity associated with the newly created parcels is expected after improvements in the right-of-way have been completed.

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 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 (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 7<sup>th</sup> 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 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 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 “B and D.”
3. Submit a completed, signed and notarized original No Protest Agreement per SMC 23.53.015D2b.
4. Submit verification that accessory parking has been established on proposed Parcel “A,” this parking space must be established by a Subject to Field Inspection (STFI) permit. Please update the final survey by removing the word "proposed" and replacing it with parking space "established under STFI permit #XXXXXXX."
5. Comply with the requirements outlined in the Water Availability Certificate (WAC #20080530).
6. Provide a copy of a Building Grade sheet to confirm the required elevation height of 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 A”) shall be shown on the face of the plat.
9. Submit the final recording forms and fee.

