



City of Seattle

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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:** 3008649  
**Applicant Name:** Johann Wassermann  
**Address of Proposal:** 1000 S Henderson St

**SUMMARY OF PROPOSED ACTION**

Land Use Application to subdivide one parcel into nine parcels of land. Proposed parcel sizes are: R) 76,555 sq. ft, S) 3,190 sq. ft, T) 3,190 sq. ft, U) 3,190 sq. ft, V) 3,190 sq. ft, W) 3,190 sq. ft, X) 3,190 sq. ft, Y) 9,581 sq. ft; and Z) 12,686 sq. ft.

The following approval is required:

**Short Subdivision** - to subdivide one existing parcel into nine parcels of land.  
(Seattle Municipal Code (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**

Site & Area Description

The approximately 117,954 square foot parcel (approximately 2.7 acres) is zoned LDT and located in the South Park neighborhood. The site is approximately the western one-half of a one square block property owned by Sea Mar Community Health Centers (Sea Mar) and which is bounded on four sides by South Trenton Street and partial undeveloped right of way (ROW) to the north, South Henderson Street to the south, 10<sup>th</sup> Avenue South to the west, and 12<sup>th</sup> Avenue

South to the east. Sea Mar owns and operates a health care facility on the adjacent parcel, which is zoned Lowrise 3 (L3).

The surrounding neighborhood is zoned Single-Family 5000 (SF 5000) with a variety of ages and styles of single-family structures. Some lots are undeveloped.

The entire site and surrounding area are within the South Park Residential Urban Village.

### Proposal

The proposal is to subdivide one parcel into nine parcels of land. This will divide the lots in conformance with Property Use and Development Agreement (PUDA) resulting from the re-zone application and approval under MUP 2309015. The PUDA approved a rezone of this site from SF 5000 to LDT for the purpose of allowing the construction of no-more than 25 multi-family units (in duplex and triplex structures) on the interior of the parcel and to no more than 13 single-family structures along the exterior of the parcel and adjacent to the public rights of way (10<sup>th</sup> Avenue South and South Trenton Street). The proposed plat will divide the larger LDT zoned parcel into eight (8) parcels along 10<sup>th</sup> Avenue South and South Trenton Street for the future construction of the single-family structures and one (1) parcel behind these and abutting the Sea Mar facility site to the east for the future construction of the multi-family structures. To achieve the allowed number of single-family structures and lots, the future short subdivision of proposed Parcels "Y" and "Z" is anticipated, pursuant to SMC 23.24.060.

### Public Comment

The two-week public comment period ending April 9, 2008 was extended by two weeks per public request. One letter was received during the extended comment period from a property owner to the north across South Trenton Street and expressed concerns about losing property access from the expected street improvements along S Trenton Street due to the proximity of this person's house to the street ROW.

A response was sent out by the project Land Use Planner clarifying that future street improvements would be designed to not prevent reasonable access to his property or others.

(Both letters are in the project file.)

### **ANALYSIS - SHORT SUBDIVISION**

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 Policies and 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.*

Summary - Short Subdivision

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

The nine 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. However, previously submitted conceptual building footprints (building sizes and location) shown in the rezone and [now cancelled] subdivision applications for the subject site are not approved by this plat as they may be non-conforming to current or future Codes and should not be included on the face of the plat. Conformance to Code requirements will be determined at the time of building permit review.

The LDT zone allows one dwelling unit per each 2,000 square feet. Each lot provides more than the minimum area required for each dwelling unit in this zone and also authorized by the associated PUDA agreement.

Vehicle access to the lots for the single family structures will be directly from their respective street frontages; 10<sup>th</sup> Avenue South and South Trenton Street. Vehicle access to the multi-family dwellings will be from South Henderson Street via an internal circulation road. Per Fire Department requirements, a secondary emergency access point to South Trenton Street will be included. However, this access point will not allow tenant vehicle access and will be blocked with (Fire Department) removable bollards.

Full street improvements will be provided pursuant to the PUDA approval of 13 new structures and / or lots. The final design of the required street improvements will be reviewed and approved by SDOT to ensure the improvements do not prevent access to adjacent properties containing existing structures with little or no front yards (build almost to the ROW).

Parking for the multi-family units will be provided per Land Use Code requirements for proposed Parcel "R". Parking for the single-family structures will also be provided on their respective single-family lots and accessed directly from the ROW. To assure the retention of the maximum number of on-street parking spaces (one function of the public right of way for the public use and in the public interest) the plat will be **Conditioned** to require a minimum number of on street parking spaces along each respective street frontage (see Conditions at end of document).

Relevant City utilities have reviewed the proposed plat and approve it for accessibility of utilities, subject to standard conditions governing utility extensions.

The public use and interest is served by approval of the proposed plat because it will allow the creation of additional lots and dwelling units in the City, a stated goal of the City's Comprehensive Plan for LDT lots and lots within a *Residential Urban Village*. The proposed plat configuration conforms to the conceptual lot layout proposed by the associated re-zone and approved by the City Council, subject to the PUDA Conditions.

The proposal site contains small areas of *Environmentally Critical Area (ECA)*, *Steep Slope* at the intersection of 10<sup>th</sup> Avenue South and South Henderson Street, on proposed Parcel "R", and along a portion of the east boundary of proposed Parcel "R" (which extends onto the adjacent Sea Mar L-3 site). However, DPD's geotechnical engineer has determined that the *Steep Slopes* located on this property appeared to be created through previous grading activities, are less than 20 feet high, and are not part of a larger *Steep Slope* system. Pursuant to SMC 25.09.180, therefore a *Limited Steep Slope Exemption* has been granted. Additionally, the submitted geotechnical report by Geotech Consultants, Inc. dated October 4, 2004, demonstrated that granting this *exemption* will not result in adverse impacts on this site and adjacent sites. However, for future construction of the PUDA conforming structures, the ECA Submittal, General, and Landslide-Hazard, and applicable development standards still apply for this development.

The site contains numerous trees, as indicated on the submitted survey. None of these trees are of a size or species that require consideration for designation as Exceptional, pursuant to SMC 25.11, the Tree Protection Ordinance, and Director's Rule 6-2001. These trees are not proposed for removal at this time, but some may be removed for the construction of the future PUDA conforming development. Retention of some trees is a project goal, as noted in the Tree Report (dated 11/9/04) submitted with the related Rezone application, and replacement of trees is a Land Use Code requirement (number and minimum diameter) and a Tree Protection Code requirement (replacement of similar canopy cover at maturity of *exceptional* and over 2-foot diameter trees for new construction).

Off-site and primarily in the South Trenton Street ROW, there are a number of trees. The location of most of these is in conflict with the future street improvements to accompany the proposed PUDA development and will likely be removed. One tree, a 20" Pacific Dogwood (*Cornus Nuttallii*) is on the Director's Rule 6-2001 list for trees "sometimes to be designated" as *exceptional* when greater than 6" in diameter.

This Pacific Dogwood is located in the extension of the proposed Parcel R frontage (for emergency access) on South Trenton Street. SDOT gave extensive consideration to the retention of this tree by the use of an on-site "hammer head" emergency vehicle turn around. But based on DPD, City Fire Marshal, and SDOT review of the multi-family housing project's building permit, fire code and site design constraints will required Fire Department exiting onto South Trenton Street, rather than using an on-site hammerhead turnaround. Consequently, this safety requirement necessitates the removal of the Pacific Dogwood. The SDOT Arborist and SDOT reviewer approved the removal of this tree and a replacement plan that is included with the building permit application for the multi-family structures on proposed Parcel "R".

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 affordable housing opportunities in the City.

### **DECISION - SHORT SUBDIVISION**

Pursuant to the analysis and conditions above, the proposed Short Subdivision meets the Platting Criteria of 23.24.040 as **CONDITIONALLY GRANTED.**

### **CONDITIONS - SHORT SUBDIVISION**

#### *Prior to Recording*

1. Have final recording documents prepared by or under the supervision of a Washington State licensed land surveyor. Each, parcel 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 fences or structures shall be shown. Lot areas shall be shown on the plat.
2. Re-label and re-dimension each proposed parcel according to the Addressing Correction Notice of 2/28/2008.
3. 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 face of the plat "For conditions of approval after recording, see page \_\_\_ of \_\_\_".
4. Do not include conceptual building footprints on the plat. (Previous conceptual building sizes and lay-outs shown in the rezone and [now cancelled] subdivision applications for the subject site are not approved by this plat as they may be non-conforming to current or future Codes. Conformance to Code requirements will be determined at the time of building permit review.)
5. Provide final recording forms and fees.

#### *Prior to the Final Approval of Construction Permits for any Structures on Parcels "S" through "Z"*

6. The owner shall apply and make a deposit for review of construction of the required 10th Avenue and South Trenton Street full street improvements before the issuance of associated building permits for Phase II structures on each respective street. Required street improvements must be in place for each street facing structure (at a minimum) and approved by SDOT before DPD will grant final approval to occupy each respective street facing single family structure.

7. Future development of the single-family structures fronting on 10<sup>th</sup> Avenue South and South Trenton Street will be configured to ensure the driveway / curb cut locations for this development will maximize the availability of on-street parking and at a minimum be arranged to provide eight (8) on street parking spaces on 10<sup>th</sup> Avenue South and four (4) on street parking spaces on South Trenton Street conforming to City requirements for size and setbacks from corners, driveways, fire hydrants and other restrictions. This requirement does not preclude the City from reducing this number of on street parking spaces if necessary for the provision of street related utility or street use requirements.

Signature: \_\_\_\_\_ (signature on file) Date: July 17, 2008  
Art Pederson, Land Use Planner  
Department of Planning and Development

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