



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: 3008977
Applicant Name: Debora Goodman
Address of Proposal: 4068 Letitia Ave S

SUMMARY OF PROPOSED ACTION

Land Use Application to subdivide one parcel into five unit lots. The construction of residential units is being reviewed under Project #6149297. 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:

Unit Lot Subdivision - To create five unit lots. (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

Zoning: L2

Substantive Site Characteristics:

The 6,000 square-foot subject site is rectangular and fronts Letitia Ave S to the west. The site is located within an area zoned Lowrise 2 (L-2). The area immediately to the east of the site, across a gravel-paved alley and facing onto Rainier Avenue S. is zoned Neighborhood Commercial with a

40-foot height limit (NC2-40). The area to the north, south and west of the site is zoned L-2. One half blocks to the west is an area zoned single-family (SF 5000). The site lies midway between S. Lilac Street to the north and S. Adams Street to the south. It has an east-west dimension of approximately 100 feet with a north-south dimension of 60 feet. The site slopes downwards approximately 10 feet from west to east. Although Land Use maps designate the site to lie within an Environmentally Critical Area (Liquefaction), the Department's geotechnical engineers have determined that the area has been mapped in error.

Public Comment

Notice of application was issued on April 24, 2008. An extended public comment period ran through May 21, 2008. During this period ten comment letters were received, with eight neighbor signatories to one of the letters. The letters echoed three common themes: 1) the lack of street parking in the area and the impact the development would have on available parking; 2) the impact of increased traffic and the lack of the capacity of S. Letitia Street; 3) the loss on site of a venerable older single-family structure to make way for the development.

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.*

Summary - Short Subdivision

Based on information provided by the applicant, referral comments from DPD, 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 unit lot 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. As conditioned, this unit lot subdivision can be provided with vehicular access, public and private utilities and access (including emergency vehicles). 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 nor were any environmentally critical areas observed on site; therefore SMC 25.09.240 is not applicable. 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 housing opportunities in the City.

ANALYSIS –UNIT LOT SUBDIVISION

Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the unit lot 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 lot 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 should 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 Department of Records and Elections.*
- G. *The fact that the unit lot is not a separate build-able 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 unit lot subdivision would conform to applicable standards of SMC 23.24.045 subject to any conditions imposed at the end of this decision. The proposed developments are townhouses. The structures, as reviewed under their separate building permits, conform to the development standards for the time the permit application was vested. To assure that future owners have constructive notice that additional development may be limited; the applicant will be required to add a note to the face of the plat that reads as follows: Include the following on the face of the plat: *“The lots created by unit subdivision are not separate buildable 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.”

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. 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. Lot areas shall be shown on the plat. The lot areas of each parcel shall be shown on the recording documents.
2. Show and include the language for the two access easements from Letitia Ave S. and include the dimensions and calculations for open spaces as approved in revision #6204514 to Building Application #6149297 in the final recording documents.
3. A Joint Use and Maintenance Agreement shall be provided which includes the common side sewer and storm drains that will serve the unit lots.
4. Include the following on the face of the plat: “The unit lots created by unit lot subdivision are not separate buildable lots. Additional development on any individual unit lot in this unit lot 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.”
5. 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 ___.”
6. Submit the recording fee and final recording forms for approval.

Conditions for the Life of the Project

7. The owner(s) and/or responsible party(s) shall 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: July 16, 2009
Michael Dorcy, Senior Land Use Planner
Department of Planning and Development

Md:bg

H:dorcym/my documents/Decision 3008977(ULotSubd).doc