



City of Seattle

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: 3011002
Applicant Name: Jennifer Kelly for Arbor Heights Community Church
Address of Proposal: 10213 41st Avenue Southwest

SUMMARY OF PROPOSED ACTION

Land Use Application to subdivide one parcel into two parcels of land. Proposed parcel sizes are: A) 15,280 square foot and B) 5,737square foot. Existing structures to remain.

The following approval is required:

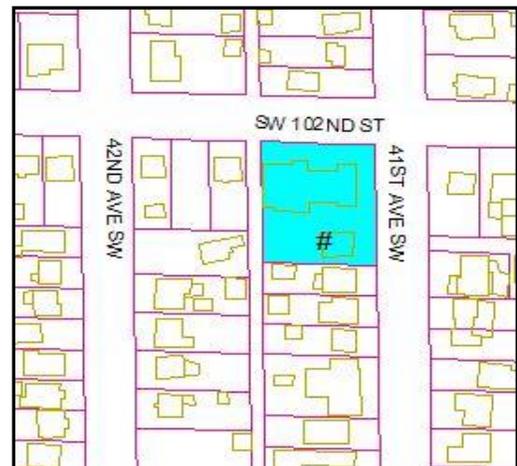
Short Subdivision - to subdivide one existing parcel into two parcels.
(Chapter 23.24, Seattle Municipal Code)

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 a corner lot that fronts Southwest 102nd Street to the north and 41st Avenue Southwest to the east, in the Arbor Heights neighborhood in West Seattle. The development site is nearly square in shape (133.31 ft. by 157.81 ft.), comprising a land area approximately 21,017 square feet located in a Single Family zone with a minimum lot size of 5,000 square feet (SF 5000). The site is currently developed with a church and single family residential use, landscaped with ground cover, shrubs and small trees. The site is modestly sloped from



east to west, approximately four feet over a distance of 133 feet. Both the streets and abutting alley are partially improved rights-of way with gravel and asphalt surfaces. The 16 foot wide alley's surface is made of gravel, while the street rights-of-way is 60 feet wide with an asphalt paved road surface with a mix of gravel and asphalt shoulders.

Vehicle access to the development site is obtained through either a 10 foot wide driveway adjacent to 41st Avenue Southwest, and alley abutting the development site to the west, accessed from Southwest 102nd Street.

The immediate vicinity is zoned for single family residential development in an expansive SF 5000 zone surrounded by lower density single family residential zones (SF 7200 & SF 9600). The area is primarily developed with single, two-story single family residences in a mix of architectural styles. This moderately dense populated neighborhood appears to be well established. The area is open to the sky with a number of trees to provide shade from the sun. The block frontage has a visually suburban residential feel with its wide streets and proximity of residential structures. The general area sits upon a hillside that slopes downward to the east and west.

Proposal

The proposal is to subdivide one parcel of land into two parcels. Proposed parcel areas are indicated in the summary above. Proposed Parcel "A" will have vehicle access off 41st Avenue Southwest while proposed Parcel "B" will have access off the alley.

Public comment:

Date of Notice of Application: March 18, 2010.
Date End of Comment Period: March 31, 2010
Number of Letters: 0

Issues: No public comments were received for this proposal.

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 subject site has two uses allowed in a single family zone; one is single family dwelling and the other is a religious institution (Arbor Heights Community Church), which is allowed

subject to an Administrative Conditional Use (ACU) approval. Maximum lot coverage is 35 percent. Front setbacks are an average of the neighboring adjacent lots, or 20 feet, whichever is less. Minimum side yard setbacks are five feet. Minimum rear yard setback is 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 creation of proposed Parcels "A and B", the front yards which will require a 20 foot setback from the property boundary line adjacent to Southwest 102nd Street and 41st Avenue Southwest, respectively. 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 Parcel A will have direct vehicular access to 41st Avenue Southwest through private driveway consistent with the provisions of the Code. Proposed Parcel B will have direct access from the abutting alley along the east property line. The Seattle Fire Department (SFD) has approved the proposed short plat (dated: 3/22/10). Seattle City Light provides electrical service to the proposed short plat development site. 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. Due to the unimproved status of the abutting rights-of-way (alley, SW 102nd St. & 41st Ave. SW), DPD will require a No Protest Agreement in anticipation of future right-of way improvements.

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 (#2010-0058) was approved and issued on February 01, 2010. The development site, proposed for short plat, has adequate water service, including an 8-inch public sanitary sewer (PSS) in 41st Avenue SW, and water main located in Southwest 102nd Street to support future development. The existing church and single family structure currently share a common side sewer which discharges to the public sanitary-only sewer in 41st Avenue SW. The owner will be required to complete, sign and notarize a City of Seattle Easement, Connection, Hold Harmless, and Indemnification Agreement, which shall be added to the recording number for each of the new Legal descriptions.

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.

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 meeting minimum threshold requirements 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. 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.
3. Submit a completed, signed and notarized original No Protest Agreement per SMC 23.53.015D2b.
4. Comply with the requirements outlined in the Water Availability Certificate (WAC #20100058).
5. Submit a completed, signed and notarized original City of Seattle easement, Connection, Hold Harmless, and Indemnification Agreement. Add the recording number to each of the new Legal description.

6. 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).

7. Submit the final recording forms and fee.

After Recording and Prior to Issuance of a Building Permit

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

8. Attach a copy of the recorded short plat to all building permit plan sets.

Signature: _____ (signature on file) Date: June 7, 2010
Bradley Wilburn, Land Use Planner
Department of Planning and Development

BW:lc

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