



City of Seattle

Department of Planning and Development

D. M. Sugimura, Director

ANALYSIS AND DECISION OF THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT

Application Number: 3014664

Applicant Name: Akasha Whoolery for Playhouse Design

Address of Proposal: 5735 29th Ave NE

SUMMARY OF PROPOSED ACTION

Land Use Application to subdivide one parcel into two parcels of land. Proposed parcel sizes are: A) 3,798 sq. ft. and B) 3,798 sq. ft. Existing structures to be demolished.

The following approval is required:

Short Subdivision - to create two lots. (Chapter 23.24, Seattle Municipal Code).

BACKGROUND INFORMATION

Zoning: Single Family 5000 (SF5000)

Public Comment: Comment letters were received during and after the extended comment period ended on February 27, 2013. The comments reflected concern over the short platting process and the 75/80 rule. Other comments stated concern over what may be developed on the proposed lots and suggested development standards they would like to see used.

Site Description: The 7,596 square foot property is developed with an existing single family residence and garage that will be removed before sale and transfer of ownership. The site slopes approximately 12' from the high point at the northeast corner down to the southwest corner. One existing tree is being preserved. The site does not abut an alley.

There are no mapped or observed Environmentally Critical Areas (ECAs) or ECA buffers on the subject site.

ANALYSIS – SUBDIVISION

General short subdivision standards: 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, as modified by this chapter;*
2. *Adequacy of access for pedestrians, vehicles, utilities and fire protection as provided in Section 23.53.005, Access to lots, and Section 23.53.006, Pedestrian access and circulation;*
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 Section 25.09.240, Short subdivisions and subdivisions, in environmentally critical areas;*
6. *Whether the proposed division of land 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 townhouse, rowhouse, and cottage housing developments as permitted in Single-Family, Residential Small Lot, and Lowrise zones and for single-family dwelling units in Lowrise zones, or any combination of the above types of residential development, as permitted in the applicable zones; and;*
8. *Conformance to the provisions of Section 23.24.046, Multiple single-family dwelling units on a single-family lot, when the short subdivision is for the purpose of creating two or more lots from one lot with more than one existing single-family dwelling unit.*
9. *Every lot except unit lots and lots proposed to be platted for individual live-work units in zones where live-work units are permitted, shall conform to the following standards for lot configuration, unless a special exception is authorized under subsection 23.24.040.B:*
 - a. *If a lot is proposed with street frontage, then one lot line shall abut the street for at least 10 feet; and*
 - b. *No lot shall be less than 10 feet wide for a distance of more than 10 feet as measured at any point; and*
 - c. *No proposed lot shall have more than six separate lot lines. The lot lines shall be straight lines, unless the irregularly shaped lot line is caused by an existing right-of-way or an existing lot line; and*
 - d. *If the property proposed for subdivision is adjacent to an alley, and the adjacent alley is either improved or required to be improved according to the standards of Section 23.53.030, then no new lot shall be proposed that does*

not provide alley access, except that access from a street to an existing use or structure is not required to be changed to alley access. Proposed new lots shall have sufficient frontage on the alley to meet access standards for the zone in which the property is located.

Analysis

The applicant used an exception from minimum lot area known as the “75/80 rule” per SMC23.44.010.B.1.a.2 to propose short platting the lot into two parcels. The applicant submitted a list of properties along the east facing blockface of 29th Ave NW between NE 60th Street and NE 55th Street, listing 25 parcels within the Single Family zone. The subject property is not included in calculating the existing average lot area when using the 75/80 rule for a short plat.

It is the policy of DPD when reviewing a short plat application involving the 75/80 rule to use King County lot area square footage numbers for the parcels along the block face involved. If a signed survey by a licensed Washington state surveyor for parcels in the block face is provided to DPD, the lot area square footage amount listed on that survey may be used. Surveys prepared by a licensed Washington state surveyor are required to be submitted by the applicant for parcels to be short platted.

During review, DPD concluded that the two lots directly to the north of the subject lot, which were created through a Land Use action in 2008 of an LBA, should be counted as one parcel. The existing house on the north parcel has a porch/deck that spans the LBA lot line which would need to be demolished to count the area as two lots. In addition it was brought to the attention of DPD that the lot directly to the south of the subject lot had a survey done in 2008 that was recorded with King County under #20080211900004. The lot area square footage of that survey was used in lieu of the King County number.

Conclusion

In conclusion, 24 parcels were used and the size of the lot to the south was adjusted to reflect the recorded survey, in DPD’s annotation of the applicants calculations of the 75/80 rule. To meet 75% of the SF5000 zone a lot minimum of 3,750 square feet is required. To meet 80% of the average lot size of the blockface a minimum of 3,795.63 square feet is required. The proposed parcels meet both these requirements.

Based on information provided by the applicant, referral comments from DPD and other City Departments, and review and analysis by the Land Use Planner, the above criteria have been met. The short subdivision meets all minimum standards or applicable exceptions set forth in the Land Use Code. This short subdivision will provide pedestrian and vehicular access (including emergency vehicles), and public and private utilities. Adequate provisions for drainage control, water supply and sanitary sewage disposal

will be provided for each lot and service is assured, subject to standard conditions governing utility extensions. 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.

DECISION –SHORT SUBDIVISION

The proposed Short Subdivision is **GRANTED**.

Signature: _____ (signature on file) Date April 15, 2013
Beth Hartwick Senior Land Use Planner
Department of Planning and Development

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