



City of Seattle
Edward B. Murray, Mayor

Department of Construction and Inspections
Nathan Torgelson, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE SEATTLE DEPARTMENT OF CONSTRUCTION AND INSPECTIONS**

Application Number: 3022318
Applicant Name: Andy McAndrews
Address of Proposal: 1520 NW 87th Street

SUMMARY OF PROPOSED ACTION

Land Use Application to subdivide one development site into five parcels of land. Project also includes unit lot subdivision of Parcel A into two unit lots. The construction of live-work units and residential dwelling units has been approved under Project #6395342. This subdivision is for the purpose of allowing sale or lease of the individual live-work units and residential dwellings units. Development standards will be applied to the development site as a whole and not to each of the new lots and unit lots.

The following approval is required:

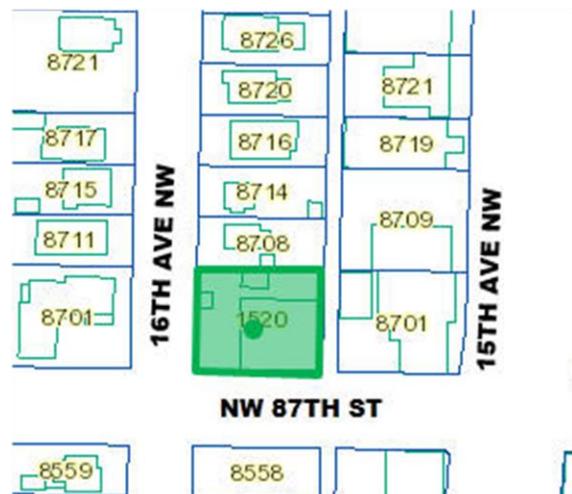
Short Subdivision – to subdivide one existing parcel into five parcels of land (Seattle Municipal Code (SMC) Chapter 23.24)

Unit Lot Subdivision - to create two unit lots. (Chapter 23.24, Seattle Municipal Code).

BACKGROUND INFORMATION

Zoning:

The development site is located within a Commercial One zone with a height limit of 30 feet (C1-30). Surrounding the subject lot to the north, west and south is Single Family 5000 residential zone. To the east, Commercial One with a height limit of 40 feet (C1-40) and a Neighborhood Commercial Three (Pedestrian) zone with a height limit of 40 feet (NC3P-40) are the adjacent zones.



Public Comment:

Public Comment: Notice of Application was published November 19, 2015 and the public comment period ended on December 2, 2015. One comment response was received during comment period.

ANALYSIS – SUBDIVISION

This unit lot subdivision is a type of short subdivision, and is subject both to the general approval criteria for short subdivisions and also specific requirements for unit lot subdivisions.

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.*

Based on information provided by the applicant, referral comments from Seattle DCI 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 have been 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 **CONDITIONALLY GRANTED**.

Unit lot subdivision standards: The unit lot subdivision must conform 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.

- A. *The provisions of this [Section 23.24.045](#) apply exclusively to the unit subdivision of land for single-family dwelling units, townhouse, rowhouse, and cottage housing developments, and existing apartment structures built prior to January 1, 2013, but not individual apartment units, in all zones in which these uses are permitted, or any combination of the above types of residential development as permitted in the applicable zones.*
- B. *Except for any site for which a permit has been issued pursuant to Section 23.44.041 or 23.45.545 for a detached accessory dwelling unit, sites developed or proposed to be developed with dwelling units listed in subsection 23.24.045.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 or private amenity area for each dwelling unit shall be provided on the same unit 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 open space for cottage housing), and other similar features, as recorded with the Director of the King County Department of Records and Elections.*

- E. 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 the King County Department of Records and Elections.*
- F. The fact that the unit lot is not a separate buildable 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.*

The unit lot subdivision conforms to applicable standards of SMC 23.24.045. Structures reviewed under a separate building permit, conform to the development standards at the time the permit application was vested to Code.

DECISION – UNIT LOT SUBDIVISION

The proposed Unit Lot Subdivision is **CONDITIONALLY GRANTED**.

CONDITIONS

Prior to Recording

- 1) On Sheet #1 remove the word “Parent” from the label Parent Parcel to be Subdivided. Alternative language could include Existing Parcel to be Subdivided or just Existing Legal Description. Since all lots were used together to be the development site for the approved building that will cover all lots and unit lots, this same legal description needs to also include the label of “Development Site”.
- 2) Replace Note 3 on Sheet #1 with the following (or alternative language approved by Seattle DCI):

“This subdivision creates lots within the development site, labelled as parcels, one or more of which is designated as a parent lot for additional unit lots. Development standards will be applied to the whole property as one site per executed covenant. Additional development on any parcel, lot or unit lot may be limited as result of application of the development standards to the site for as long as the development physically remains on the site and as noted in the covenant.

Unit lots are not separate buildable lots. Additional development on any individual unit lot in this subdivision may be limited as a result of the application of development standards to the parent lot and, for as long as the development physically remains on the site, to the development site as shown on the covenant.”

- 3) Replace Note #4 on Sheet #1 with the following (or alternative language approved by Seattle DCI):

“This subdivision has parcels and unit lot boundaries which are based on the location of residential and live-work development as proposed on permit application number 6395342 files at the City of Seattle Department of Construction and Inspections. This development may include structures that cross parcel or unit lot lines and may have other development aspects of common interest to owners of parcels and units lots.”

- 4) Revise new legal description of Parcel A on sheet 4 to be Parent Lot to units Y and Z.

Bradley K Wilburn, Land Use Planner III
Seattle Department of Construction and Inspections

Date: June 16, 2016

BW:drm

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IMPORTANT INFORMATION FOR ISSUANCE OF YOUR MASTER USE PERMIT

Master Use Permit Expiration and Issuance

The appealable land use decision on your Master Use Permit (MUP) application has now been published. At the conclusion of the appeal period, your permit will be considered “approved for issuance”. (If your decision is appealed, your permit will be considered “approved for issuance” on the fourth day following the City Hearing Examiner’s decision.) Projects requiring a Council land use action shall be considered “approved for issuance” following the Council’s decision.

The “approved for issuance” date marks the beginning of the **three year life** of the MUP approval, whether or not there are outstanding corrections to be made or pre-issuance conditions to be met. The permit must be issued by Seattle DCI within that three years or it will expire and be cancelled. (SMC 23-76-028) (Projects with a shoreline component have a **two year life**. Additional information regarding the effective date of shoreline permits may be found at 23.60.074.)

All outstanding corrections must be made, any pre-issuance conditions met and all outstanding fees paid before the permit is issued. You will be notified when your permit has issued.

Questions regarding the issuance and expiration of your permit may be addressed to the Public Resource Center at prc@seattle.gov or to our message line at 206-684-8467.