



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: 3023949
Applicant Name: Thomas Woldenorp, Site Surveying
Address of Proposal: 3812 Whitman Avenue North

SUMMARY OF PROPOSED ACTION

Land Use Application to subdivide one development site into three unit lots. The construction of residential units has been approved under Building Permit Project #6473320. 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 three unit lots.
(Chapter 23.24. Seattle Municipal Code)

BACKGROUND INFORMATION

Site Characteristics: The site contains two story multifamily structure and a rooftop deck and is relatively flat in the center, with slopes along the eastern and western portions abutting Bridge Way N and 18-foot wide alley to the east.

Environmentally Critical Areas (ECAs): The existing lot is mapped as an Environmentally Critical Area (ECA) 40% Steep Slope, along the eastern portion of the lot. Environmental Review (SEPA) was completed under Master Use Permit (MUP) #3020873.

The applicant applied for and received Steep Slope Exemption under Permit #6473320, as follows:

Environmentally Critical Areas (ECAs) review is required for building permit applications. Based on a review of the submitted information and the City GIS system, Seattle DCI concludes that the project site contains steep slope areas and the proposed development and steep slope

areas appear to qualify for the criteria established in the Critical Areas Regulations, SMC 25.09.180.B2c. Specifically, the City GIS system and the submitted information for the exemption application demonstrated that steep slope areas at the site appear to be less than 20 feet in height and are 30 feet or more from other steep slope areas. Further, the geotechnical report by Geotech Consultants, Inc., dated July 29, 2015, inferred that granting a steep slope exemption will not result in adverse impacts on this site and adjacent properties. For these reasons, Seattle DCI will waive the required ECA Steep Slope Variance associated with Seattle DCI Application No. 6473320. This approval is conditioned upon the approval of subsequent building permit applications for a design that demonstrates that the proposed development will be completely stabilized in accordance with provisions of the ECA Code and Grading Code. All other ECA Submittal, General, and Landslide-Hazard, and development standards still apply for this development

SITE AND VICINITY

This 4,756 square feet lot is located in Multifamily Lowrise 3 (LR-3) within an Urban Village and Frequent Transit Service Area. The proposal site is located at the corner intersection of Whitman Avenue N to the west and Bridge Way N and portion of the existing 18-foot alley to the east. On both sides of Whitman Avenue N within the site location, development is predominantly two to three story multifamily residential structures.

The LR-3 zone abuts C1-40 half block to the west, and east and abuts LR-2 zone to the north and south.



Public Comment: The public comment period ended in March 27, 2016. No comments were received.

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 or provide an access easement from the proposed new lot or lots to the alley that meets access standards for the zone in which the property is located.*

Based on information provided by the applicant, referral comments from the Seattle Department of Construction and Inspections (SDCI) and other City Departments, and review and analysis by the Land Use Planner, the above criteria have been met. The unit lot subdivision meets all minimum standards or applicable exceptions set forth in the Land Use Code. This unit lot subdivision will provide pedestrian and vehicular access (including emergency vehicles), and public and private utilities. Proper posting of all unit addresses and easements have been provided. 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. Unit lot Subdivisions are not subject to SMC

25.09.240. Tree and other landscaping requirements were considered under the building permit review. The public use and interest are served by the proposal since all applicable criteria as conditioned are met and the proposal creates the potential for additional owner-occupied housing opportunities in the City.

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, townhouses, 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 facts 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 **GRANTED with conditions.**

CONDITIONS

Prior to recording

- 1) Revise the label for the existing property to include the term PARENT LOT. It is currently only labelled as Parent Parcel.
- 2) Accurate surveys are required. Please remove the portion of General Note 2 on sheet 1 that reads: "...and can only be considered as indicating the general conditions existing at that time."

Christopher Ndifon, Land Use Planner II
Seattle Department of Construction and Inspections

Date: September 15, 2016

CN:bg

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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.