



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: 3024018
Applicant Name: Dave Biddle
Address of Proposal: 5431 California Ave SW

SUMMARY OF PROPOSED ACTION

Land Use Application to subdivide one development site into four parcels of land. Project also includes unit lot subdivision of Parcel D into four unit lots. The construction of live-work units and residential dwelling units has been approved under Project #6474666. This subdivision is for the purpose of allowing sale or lease of the individual live-work 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 approvals are required:

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

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

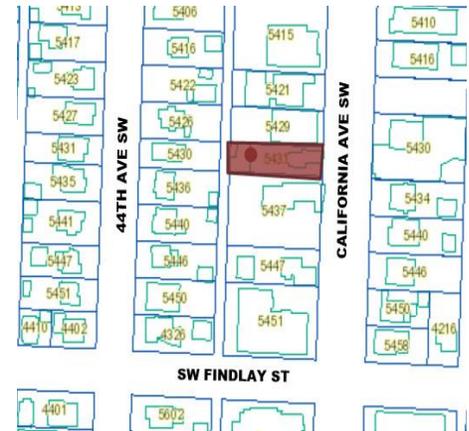
BACKGROUND: Prior to the approval of permit #6474666, the site was mostly vacant with a smaller warehouse building constructed in 1953. This building was demolished in order to provide a parking area for the new development. In addition, prior to permit approval of the residential and live-work units, the applicant removed all of the vegetation on the site. Some of the trees removed as part of this site clearing were identified as exceptional trees. As these trees were removed without permission from the Seattle Department of Construction and Inspection (Seattle DCI), a violation of the tree removal standards set forth in SMC 25.11 (Tree Protection) was identified. The exceptional tree removal violations were addressed by the Seattle DCI arborist and the construction permit was allowed to be approved.

SITE AND VICINITY

Site Zone: Neighborhood Commercial 2-30

PUBLIC COMMENT:

The public comment period ended on April 17, 2016. Comments were received and carefully considered, to the extent that they raised issues within the scope of this review. These areas of public comment related to architectural design, compatibility with the neighborhood, parking and the commercial nature of the live-work units. The majority of the comments were beyond the scope of this review and analysis per SMC 23.24.



I. 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 either 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.*

Conclusion

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 **GRANTED**.

CONDITIONS – SHORT SUBDIVISION

None.

DECISION –UNIT LOT SUBDIVISION

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

CONDITIONS – UNIT LOT SUBDIVISION

None.

Branin Burdette, Land Use Planner
Seattle Department of Construction and Inspections

Date: September 22, 2016

BB: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.