

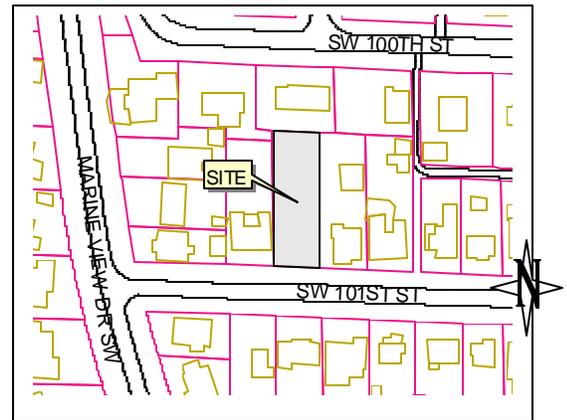


City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
Diane M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 3003122
Applicant Name: April House
Address of Proposal: 4434 SW 101st Street



SUMMARY OF PROPOSED ACTION

Land Use Permit to subdivide one parcel into two parcels of land. Proposed parcel sizes are: A) 5,026.5 sq. ft. and B) 5,026.5 sq. ft. Existing carport to be removed.

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 Description

The subject site is a rectangular shaped lot with a lot area of 10,053 square feet. The site gradually slopes down from south to north and is zoned Single-Family 5000 (SF 5000). An existing home is located towards the southerly portion of the site and will remain on Proposed Parcel "A". Southwest 101st Street abuts to the south and is improved with an asphalt surface.

Surrounding Area Description

The surrounding areas are zoned SF 5000 and primarily developed with a variety of single-family structures.

Public Comments

The application was deemed complete on January 27, 2006 and notice of application was sent on February 16, 2006. The 14 day public comment period ended on March 1, 2006. One public comment was received through the public notice process expressing concern about the density of the neighborhood increasing. Copies of the public comment can be found in the MUP file. In response to the comment concerning the development of the site, future development would be subject to Land Use Code regulations including lot area, lot coverage, building height, setbacks and off-street parking. As part of the City's analysis, we also solicit responses from several City Departments to ensure that adequate provisions can be in place for fire safety, water and electrical service, sewage and drainage. If DPD determines that the short subdivision criteria are met, the new lots may be created and there is little or no discretion to deny a development proposal such as this if the code requirements are met.

City Departments and Government Agencies Comments

Information and documentation from each review agency is available in the DPD project file.

A. *Fire Department*

The Fire Department has approved the proposed subdivision with conditions.

B. *Seattle City Light (SCL)*

Seattle City Light has approved the proposed subdivision and will require an underground/overhead easement.

C. *Seattle Public Utilities Department (SPU)*

SPU issued Water Availability Certificate (WAC) #20060196 on February 3, 2006 approving this project with requirements.

D. *Structural / Ordinance Review*

The Structure/Ordinance Reviewer has approved the proposed subdivision with no conditions.

E. *Sewer and Drainage Review*

The Sewer/Drainage Reviewer has approved the proposed subdivision with conditions.

ANALYSIS – SHORT SUBDIVISION

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;*
2. *Adequacy of access for vehicles, utilities and fire protection, as provided in Section 23.53.005;*

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 SMC Section 25.09.240, short subdivision and subdivisions in environmentally critical areas;*
6. *Is designed to maximize the retention of existing trees.*

Analysis

Based on information provided by the applicant, referral comments as appropriate from DPD, Fire Departments (SFD), and review by the Land Use Planner, the above cited criteria have been met subject to the conditions imposed at the end of this decision. Seattle City Light has reviewed the proposal and require and easement to ensure the proposed parcels will have electrical facilities and service. The lots to be created by this short subdivision will meet all minimum standards or applicable exceptions as set forth in the Land Use Code, and are consistent with applicable development standards. As conditioned, this short subdivision can be provided with vehicular access, public and private utilities and access (including emergency vehicles). 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 proposal site is not located in a mapped environmentally critical area nor were any environmentally critical areas observed on site; therefore SMC 25.09.240 is not applicable. No trees will be removed unnecessarily as a result of the proposed configuration of property lines, thus the short plat has been designed to maximize the retention of tree. 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.

CONDITIONS - SHORT SUBDIVISION

Conditions of Approval Prior to Recording

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

1. Comply with all applicable standard recording requirements and instructions.

Revise Short Plat to show the following:

2. Identify the species of the apple tree located towards the northeasterly portion of the site and add to the "Tree Description" block.
3. Add English Laurel (EL9) to the "Tree Description" block.
4. Make all the corrections outlined in the correction notice from Lindsay King dated March 6, 2006.

Ink the following condition of approval on the face of the plat:

Ink the following to the first sheet of the short plat “**CONDITION(S) OF APPROVAL**”, or on a separate page if needed. If the conditions are on a separate page, insert on the first sheet of the short plat the following, “For conditions of approval after recording, see Page ___ of ___.”

5. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building constructed on Proposed Parcel “B”. The fire apparatus access road shall comply with all requirements and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

Prior to Issuance of any Building Permit

6. The owner(s) and/or responsible party(s) shall attach a copy of the recorded short subdivision to all permit application plans for any application for a permit to construct, demolish, or change use.
7. A Comprehensive Drainage Control Plan shall accompany all future building permits.

Non-Appealable Zoning Requirement

Prior to recording, the owner(s) and/or responsible party(s) shall meet all zoning requirements as determined by the zoning reviewer, and revise legals as requested by DPD’s addressing reviewer.

Signature: (signature on file) Date: May 4, 2006
Mark Taylor, Land Use Planner
Department of Planning and Development