



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning & Development
D. M. Sugimura, Director

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

Application Number: 2504799
Applicant Name: Chris Trujillo for Soleil LLC
Address of Proposal: 734 26th Avenue S.

SUMMARY OF PROPOSED ACTION

Master Use Permit to subdivide one parcel of land into three unit lots. 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 construction of a townhouse and a single family residence has been approved under project #2501909.

The following approval is required:

Short Subdivision - To divide one parcel of land into three unit lots.
(Seattle Municipal Code Chapter 23.24)

SEPA DETERMINATION: Exempt DNS MDNS EIS
 DNS with conditions
 DNS involving non-exempt grading, or demolition, or another agency with jurisdiction.

BACKGROUND DATA

Site Description

The proposal site is approximately 4,995.4 square feet and is located in a Multi-Family Lowrise-Duplex-Triplex (LDT) zone on the corner of 26th Avenue S. and S. Dearborn St. approximately a block west from M L King Jr Wy S. The lot has approximately 119.74-feet of street frontage on S. Dearborn St. and approximately 41.71-feet of street frontage on 26th Avenue S. Vehicular access to Unit Lot A will be from 26th Avenue S. and Vehicle access to Unit Lots B & C will be from S. Dearborn St. Both S. Dearborn St. and 26th Av. S. are two-lane paved streets with sidewalks, curbs and gutters on both sides. Site vegetation includes grass, shrubs and trees.

Area Development

Zoning in the vicinity is mixed between single-family, multi-family and neighborhood commercial. The subject site and surrounding area is zoned Lowrise-Duplex-Triplex (LDT).

Zoning to the northwest is Lowrise-One (L-1), to the northeast of the site the zoning is Single-family (SF5000) and to the southeast the zoning is Neighborhood Commercial (NC2-40'). Industrial Buffer (IB U/85'). The immediate and surrounding areas are predominately single-family and multi-family use.

Proposal Description

The applicant proposes to subdivide one parcel of land into three unit lots. Proposed unit lot sizes are: A) 2,582.1 square feet, B) 873.5 square feet, and C) 1,539.8 square feet. Vehicular access to Unit Lot A is from 26th Avenue S. Vehicle access to Unit Lots B & C is from S. Dearborn St. There is a 10 foot curbcut on 26th Avenue S., proposed for access, to the garage for Unit Lot A and there is a 20 foot curbcut on S. Dearborn St., proposed for access, to both garages for Unit Lots B & C.

Public Comments

The public comment period for the proposed project ended on July 20, 2005 and no comment letters were received.

ANALYSIS - SHORT SUBDIVISION

Pursuant to SMC 23.24.040, no short subdivision shall be approved unless all of the following facts and conditions are found to exist. The findings which follow are based upon information provided by the applicant; review of access, drainage and zoning within the Department of Planning and Development (DPD), review from Seattle Public Utilities, Seattle Fire Department and Seattle City Light, and review by the Land Use Planner.

1. Conformance to the applicable Land Use Code provisions;

A construction permit that dealt with all development standards for townhouses in the LDT zone, Project Number 2501909, was issued for the parent lot. The unit lots proposed by this subdivision conform to the standards for unit lot subdivisions (SMC 23.24.045) and other code provisions applicable to unit lot subdivisions. Any new development must conform to code requirements for the parent lot at the time of application.

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

Vehicular access to Unit Lot A is from 26th Avenue S. Vehicle access to Unit Lots B & C is from S. Dearborn St. There is a 10 foot curbcut on 26th Avenue S., proposed for access, to the garage for Unit Lot A and there is a 20 foot curbcut on S. Dearborn St., proposed for access, to both garages for Unit Lots B & C.

Pedestrian access to the unit lots would be obtained from the 26th Avenue S. A pedestrian access easement of approximately 6-feet in width is proposed across Unit Lots A, B & C for pedestrian access to Unit Lots B and C.

In order to insure that the use and maintenance responsibilities associated with the common areas are clear, the applicant/responsible party will be required to record an easement maintenance agreement with the final short plat.

The Seattle Fire Department has reviewed the proposed lot configuration with regard to fire protection and emergency vehicle access and has no objection. No improvements were requested by the Fire Department.

Seattle City Light requires an overhead/underground power easement over the south 5.72 feet of Unit Lots A, B & C.z

As conditioned, this short plat provides for adequate access for vehicles, utilities, and fire protection.

3. Adequacy of water supply, sanitary sewage disposal, and drainage;

Sanitary Sewer: The existing house located upon the proposed Short Plat is connected by means of a single sidesewer to a 18-inch public sanitary sewer (PSS) located in S. Dearborn St. There is also an 18-inch PSS in 26th Ave. S. Both of these mainlines were constructed as combined sewers, and as such, there are likely to be downspouts and area drains still discharging to what is now considered, for purposes of redevelopment, a sanitary sewer.

Drainage: As noted above, this area has been separated with the construction of a near side 30-inch public storm drain (PSD) in 26th Ave. S. & a 36-inch PSD in S. Dearborn St. These PSD discharge to a Designated Receiving Water.

Seattle Public Utilities reviewed the unit lot subdivision application and approved a Water Availability Certificate, **No. 05-1046 on July 13, 2005**. All conditions on the certificate must be met prior to receiving water service.

4. Whether the public use and interests are served by permitting the proposed division of land;

The proposed unit lot subdivision meets the minimum provisions of the Seattle Land Use Code. The proposal meets all applicable criteria for approval of a short plat as discussed in this analysis and decision. 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;

The site is not mapped as an Environmentally Critical Area.

6. Is designed to maximize the retention of existing trees;

Not applicable, as the development of the subject site is permitted by approval of the associated building permit. No trees are expected to be removed as a result of this short subdivision.

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 townhouses, cottage housing, clustered housing, or single-family housing.

Section 23.24.045 of the Seattle Municipal Code provides that under certain circumstances some types of parcels may be created that do not individually meet the zoning requirements for lot size, setbacks, density, and structure width and depth. These are called unit lot subdivisions and may be permitted as long as the development as a whole meets development standards. However, as a result of this subdivision, development on the individual lots may be non-conforming. To assure that future owners have constructive notice that additional development may be limited due to non-conformities; the following statement shall be required to be included as a note on the final short subdivision: "The unit lots shown on this

site 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 pursuant to applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code.”

DECISION - SHORT SUBDIVISION

The proposed Short Subdivision is **CONDITIONALLY GRANTED**.

CONDITIONS - SHORT SUBDIVISION

Prior to Recording

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

1. Provide final recording forms and fees. Have the final recording documents prepared by or under the supervision of a Washington State licensed land surveyor. Each lot, parcel or tract created by the short subdivision shall be surveyed in the field and all property corners set in conformance with appropriate state statute. The property corners set shall be identified on the plat and encroachments such as side yard easements, fences or structures shall be shown, as well as all structures and distances from them to the proposed property lines. All existing structures, principal and accessory, shall be shown on the face of the plat and their distances to the proposed property lines dimensioned. A licensed surveyor shall stamp the short plat drawings.
2. Insert the following on the face of the plat: “The unit lots shown on this site 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 pursuant to applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code.”
3. Provide a joint maintenance and responsibility agreement for maintenance and use of shared walls on property lines and all ingress, egress and utility easements.
4. Please show on the plat the proposed curbcuts and dimensions, for vehicle access, from both S. Dearborn St. and 26th Av. S., prior to recording.
5. Please Label the 6 foot Access on the Plat as Pedestrian Access prior to recording.

Signature: (signature on file) Date: October 13, 2005
Joan S. Carson, Land Use Planner II
Department of Planning and Development
Land Use Services