



City of Seattle

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

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

Application Number: 2501189
Applicant Name: Chris Trujillo, for Fran Morgan LLC
Address of Proposal: 308 20th Av S

SUMMARY OF PROPOSED ACTION

Master Use Permit to subdivide one parcel into eight (8) lots (unit subdivision). Proposed lot sizes are: A) 1,244.1 square feet; B) 953.6 square feet; C) 980.1 square feet; D) 920.1 square feet; E) 1,159.9 square feet; F) 1,159.5 square feet; G) 1,124.9 square feet; and H) 1,713.0 square feet. Development standards will be applied to the original parcel and not to each of the new unit lots. Related projects: construct four two two-unit townhouses and occupy per plans, under Project No. 2405734.

Short Subdivision - to subdivide one existing parcel into eight unit lots.
(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 & Area Description

The 18,155 square foot property is located at the southeast corner of South Main Street and 20th Avenue South. Pedestrian access is direct to four of the units off South Main Street and to two units off 20th Avenue South. Pedestrian access to the two remaining units is by means of a 7.93-foot pedestrian access easement off 20th Avenue South and across proposed Unit Lot G. Vehicle access to the site is off the alley directly to the south of the site and parking for each of the units is provided on a 19.95-foot ingress, egress and utility easement, parallel to the alley and running across proposed Unit Lots H, F and

E. The two streets adjacent the property are paved and improved with curbs and gutters. Four two-unit townhouses have been, or are in the process of being constructed on site. The parcel is not located in any designated or identified Environmentally Critical Area.

The subject property and lots to the east and north across South Main Street are zoned lowrise multifamily residential (L-3). Directly to the south, across the alley, and across 20th Avenue South to the west, the zoning is commercial (C1-40).

Proposal Description

The proposal is to subdivide one parcel into eight (8) unit lots with vehicle access provided from the alley to the south. Four two-unit residential structures already have been, or are in the process of being constructed on the site. Parking for each of the units will be provided on grade within an easement running parallel to, and access from the alley. Proposed lot sizes are as indicated in the summary above. Each of the proposed lots has pedestrian access to either South Main Street or 20th Avenue South or by means of a pedestrian easement connecting to 20th Avenue S.

The construction of the four two-unit residential townhouse structures has been reviewed for consistency with the applicable provisions of the Seattle Municipal Code under separate project (2405734 and permit (746737) numbers. The subject of this analysis and decision is only the proposed division of land.

Public Comments

The comment period for this proposal ended on July 20, 2005. During the public comment period, DPD received no comments related to this subdivision of land from the public.

ANALYSIS - SHORT SUBDIVISION

Pursuant to SMC 23.24.040, no short plat shall be approved unless all of the following facts and conditions are found to exist:

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;*

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.*

Based on information provided by the applicant, referral comments from the Land Use Plans Examiner, the Drainage Section, the Fire Department, Seattle Public Utilities (City Light and the Water Department), and review by the Land Use Planner, the following findings are made with respect to the above-cited criteria:

1. The subject property is zoned lowrise multifamily (L-3). The residential units comply with the density limits for residential uses in the L-3 zone. The proposed parcels provide for the applicable open space requirements, setback requirements, lot-coverage requirements, and other Land Use Code development standards.
2. Each of the proposed eight lots has vehicular access and parking provided by means of an ingress, egress and utility easement connecting to the public alley. The Seattle Fire Department has no objection to the proposed short plat. All private utilities are available in this area. Seattle City Light provides electrical service to the proposed short plat. City Light has reviewed the proposal and requires an easement to provide for electrical facilities and service to the proposed lots in addition to the utility easement identified on the proposed short plat, which must be included on the final plat. This short plat provides for adequate access for vehicles, utilities, and fire protection.
3. This area is served with domestic water, sanitary sewer, and storm-drain facilities by the City of Seattle. Availability of service is assured subject to standard conditions of utility extension. The short plat application has been reviewed by Seattle Public Utilities and a Water Availability Certificate No. 20050465 was issued on March 30, 2005. Individual water meters are to be installed following approval of this platting action and approval of addresses for each townhouse unit. Each of the structures on the site are connected via a side sewer to a public sanitary sewer (PSS). Plan review requirements for the appropriate point for stormwater discharge from the development were made at the time of building permit application.
4. The proposed development has adequate access for vehicles, utilities and fire protection, and has adequate drainage, water supply and sanitary sewage disposal. Provisions shall be made so that addresses for each of the individual units are clearly visible from either South Main Street or 20th Avenue S. The proposal will meet all applicable criteria for approval of a short plat upon completion of the conditions in this analysis and decision. Therefore, the public use and interests are served by permitting the proposed subdivision of land while also maintaining the mixed character of the neighborhood.
5. This site is not located in any environmentally critical area as defined in SMC 25.09.240. There are no environmentally critical areas mapped or otherwise observed on the site.

6. The site has undergone substantial redevelopment, including replanting under landscape plans approved under construction application #2405734. The subdivision of land was anticipated under that application and the new plantings undertaken in conformance to that landscape plans will not be disturbed by this action. Thus the provision requiring that the subdivision be designed to maximize the retention of existing trees will be met.

7. The subject site has been, or is in the process of being improved with four two-unit townhouse residential structures. Pursuant to SMC 23.24.045(B), sites developed or proposed to be developed with townhouses, cottage housing, clustered housing, or single-family housing may be subdivided into individual nonconforming unit parcels if development as a whole on the parent lot meets applicable Land Use Code development standards. To assure that future owners have constructive notice that additional development may be limited due to nonconformities, 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, and the dwelling units constructed on this site constitute non-conforming structures pursuant to SMC 23.42.112. 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.*

The conformance of the proposed development as a whole with the applicable Land Use Code Provisions has been reviewed under Construction Permit No. 2405734. These provisions include, but are not limited to, setback, lot coverage, building height, usable open space, landscaping, and parking requirements. Consistent with Section 23.24.045(C), additional development of the proposed lots shall be limited. Subsequent platting actions, or additions or modifications to the structure(s) may not create or increase any nonconformity of the parent lot. Subsequent actions that would create any nonconformity of proposed Lots A, B and C, D, E, F, G and H are also not permitted. Consistent with Section 23.24.045(D), access easements and joint use and maintenance agreements shall be executed for parking areas and driveway and emergency egress easements as necessary. Therefore, the proposed short subdivision conforms with the provisions of Section 23.24.045 for Unit Lot Subdivisions.

SUMMARY - SHORT SUBDIVISION

The lots to be created by this unit subdivision may not individually meet all of the zoning requirements for the L-3 zone. The development when considered as a whole, however, does meet all standards as set forth in the Land Use Code. This unit subdivision is provided with vehicular access, and public and private utilities and access, including emergency vehicles. Adequate provisions for water supply and sanitary sewage disposal have been provided for each lot and service is assured, subject to standard conditions governing utility extensions. Adequate provisions for drainage control have also been provided.

