



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: 2407387
Applicant Name: Julie LeDoux
Address of Proposal: 109 29th Avenue East

SUMMARY OF PROPOSED ACTION

Master Use Permit to subdivide one parcel into two parcels of land. Proposed parcel sizes are as follows: Parcel A) 4,286.2 square feet and Parcel B) 4,477.1 square feet. Existing structure to remain.

The following approval is required:

Short Subdivision - To subdivide one existing parcel into two parcels of land.
(Seattle Municipal Code Chapter 23.24)

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 subject site is located on 29th Avenue E in the Central District of Seattle. The existing lot area is approximately 8,763.3 square feet. The site is located in a Single Family 5000 (SF 5000) zone. The site is rectangle in shape and relatively flat. Currently one duplex structure occupies the development site. Existing parking for the site is located off the ally in the rear of the duplex. The site is vegetated with grass. According to GIS maps, the site is designated liquefaction prone, which is a City of Seattle Environmental Critical Area (ECA).

29th Avenue E. is a two-lane street with curbs, gutters and sidewalks on both sides. The site also abuts a 16-foot wide improved alley. Zoning in the vicinity is Single Family 5000 (SF 5000). Development in the area includes both multifamily and single family structures but is characterized largely by the single family structures.

Proposal

The applicant proposes to subdivide one parcel of land into two (2) parcels of land. Proposed parcel sizes are as stated above. Proposed parcels will have vehicular access off of the 16-foot wide alley via a proposed ingress/egress easement. Pedestrian access will be provided off of 29th Avenue E. The existing duplex structure will remain at the development site on proposed Parcel A. These two parking spaces will be established by permit.

No development or construction activities are associated with the current proposal. The subject of this analysis and decision is restricted to the proposed division of land.

Public Comment

The comment period for this proposal ended on November 24, 2004. No comments were received.

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 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's zone (SF 5000) is intended for single-family residential uses with a minimum lot size of 5,000 square feet. Each of the proposed lots is less than this amount however this is permitted because the lots meet an exception from the minimum lot area requirement, commonly referred to as the "75/80 Rule", as stated in Seattle Municipal Code 23.44.010B. The "75/80 Rule" provides lot area exceptions for lots with area at least 75 percent of the zoning requirement and at least 80 percent of the mean area of the building sites on the same block face in the same zone. The proposed parcels meet

these requirements. The lots created by this proposed division of land would conform to all applicable development standards of the SF 5000 zoning district. The proposed parcels would provide adequate buildable area to meet applicable setbacks, lot coverage requirements, and other applicable Land Use Code development standards.

2. The lots are provided vehicular access via the 16 foot wide concrete 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 does require an easement to provide for electrical facilities and service to the proposed lots. This short plat provides for adequate access for vehicles, utilities, and fire protection.
3. This area is served with domestic water, sanitary sewer, and stormdrain facilities by the City of Seattle. Availability of service is assured subject to standard conditions of utility extension.

Seattle Public Utilities reviewed this short plat application, and Water Availability Certificate #20041749 was issued on November 8, 2004.

The existing duplex located on proposed Parcel A is connected by means of a single sidesewer to an 8-inch public sanitary sewer (PSS) located in 29th Avenue East. Stormwater plan review requirements will be made at the time of building permit application(s) in accordance with any applicable stormwater ordinances in effect at that time. If the project results in more than 5,000 square feet of new or replaced impervious surface, a comprehensive drainage control plan prepared in accordance with SMC 22.802.015(D) and 22.802.020, may be required.

4. An objective of the short subdivision process is to increase opportunities for new housing development to ensure adequate capacity for future housing needs. The proposed short subdivision would meet applicable Land Use Code provisions: the proposal has adequate access for vehicles, utilities and fire protection, and has adequate drainage, water supply and sanitary sewage disposal.

The public use and interest would be served by this proposal because additional opportunities for owner-occupied housing would be provided within the City limits as a result of this subdivision. Upon completion of the conditions in this analysis and decision, the proposal would meet all applicable criteria for approval of a short plat.

5. The site is not located in riparian corridor buffers, wetlands, wetland buffers or steep slopes as defined in SMC 25.09.240.
6. This criterion is not application to the proposed short subdivision because there are no trees located on this site.

Future construction is subject to the provisions of SMC 23.44.008, (tree replacement/preservation requirements on single family lots) and SMC 25.11.060 (tree protection requirements for single family lots).

7. This criterion is not applicable to the proposed short subdivision because no unit lots are proposed.

DECISION - SHORT SUBDIVISION

The proposed short plat is **CONDITIONALLY GRANTED.**

CONDITIONS - SHORT SUBDIVISION

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

Prior to Recording

1. Have 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 accordance with appropriate State statutes. The property corners set shall be identified on the plat and encroachments such as side yard easements, fences or structures shall be shown. Lot areas shall be shown on the plat. All existing structures, principal and accessory, shall be shown on the face of the plat, and their distances to the proposed property lines dimensioned. Add the conditions of approval to the face of the plat.
2. Submit the final recording forms for approval and remit any applicable fees.
3. Include an easement to provide for electrical facilities and service to the proposed lots as required by Seattle City Light on the final short subdivision. The legal description and assigned easement number shall be provided on the final short subdivision.
4. Prior to recording, either:
 - a) establish and physically improve required (two) parking spaces on proposed Parcel A, or
 - b) add a note to the face of the plat that prior to issuance of a new construction permit for Parcel B or prior to individual transfer or sale of either parcel A or B, two required parking spaces must be legally establish and physically improved on proposed Parcel A.

After Recording and Prior to Issuance of Any Building Permits

5. Attach a copy of the recorded short subdivision to all sets of building permit application plans.

Signature: (signature on file) Date: April 11, 2005
Darlene Edwards, Senior Land Use Planner
Department of Planning and Development