



**ADMINISTRATIVE DECISION FOR
PRELIMINARY SHORT SUBDIVISION**

CASE: File # 2018-SP-0001

APPLICANT: Lansing Homes II LLC
Phone: 206-491-3762

REQUEST: Subdivide existing parcel into 2 lots for single family home development.

SITE ADDRESS: 18829 33 AVE NE
Lake Forest Park, WA 98155

APPLICATION DATES: Application Submitted: March 7, 2018
Date of Complete Application: June 4, 2018
Posted for 14-day Notice of Application: June 4, 2018
Decision Issued: August 27, 2018

COMPREHENSIVE PLAN: Single Family Residential; High

ZONING: RS 7.2

APPLICABLE REVIEW PROVISIONS:

- Chapter 17.12 LFPMC– Short Subdivisions and Dedications
- Chapter 16.14 LFPMC- Tree Canopy Preservation and Enhancement
- Chapter 16.26 LFPMC- Land Use Decisions and Procedures

**ENVIRONMENTAL
DETERMINATION:** Exempt pursuant to
WAC 197.11.800(6)(d)

ASSIGNED STAFF: Lauren Hoerr
Assistant Planner

Nick Holland
Senior Planner

**PRELIMINARY
DECISION:** Approve with conditions

I. APPLICATION TIMELINES

- On March 7, 2018 the applicant applied for the short subdivision;
- On March 23, 2018; the City's engineering consultant, PACE engineering, provided feedback on the application, citing needed revisions to the stormwater plan;
- On June 4, 2018, the City deemed the application complete, and posted the required notice of application;
- On June 4, 2018; the City's engineering consultant, PACE engineering, provided an updated review on the application, citing needed revisions to the stormwater plan;
- On June 18, 2018, the public comment period for the application ended, with just one public comments provided (the content of which is discussed further in the noticing section of this report);
- On July 12, 2018; the applicant responded to the comments from engineering;
- On July 31, 2018; the City's engineering consultant, PACE engineering, indicated the application met all applicable municipal provisions for the engineering review, and that it would be subject to one condition;

Overall, the application was in review 46 days.

II. SITE DESCRIPTION and CHARACTERISTICS

Site location & access

The subject site is located on the west side of 33 AVE NE, at approximately NE 188 ST. The property is at the end of a cul-de-sac on 33 AVE NE. Access to the lot is directly from 33 AVE NE.

Existing site conditions

The site currently has one single family home. This home will be demolished as a part of this project. 33 AVE NE at this location is not improved to right of way standards, and

exists just as paved travel lanes. Pedestrian access to the site is unimproved, and exists along travel lanes. The site is relatively flat, with grades sloping upward at the west end of the property at approximately 1%.

III. PROJECT DESCRIPTION

- a. Parcels/Tracts: This project is located in the RS 7.2 zone, The proposal is to subdivide the property from 1 parcel into 2, with each lot totaling 7,760 square feet.
- b. Proposed Buildings: The project will consist 2 new single family homes, the designs for which have yet to be finalized. The existing residence will be demolished. The buildings will be limited to 35 percent of coverage on each parcel. Separate permits will be required for each structure.
- c. Access: The site is accessed directly off 33 AVE NE. Each lot will gain access via 33 AVE NE, with the western most lot requiring a 10 foot wide access easement through the southern portion eastern lot. The eastern lot will gain access from a separate driveway, constructed on the northern portion of the lot, located directly off of 33 AVE NE.
- d. Frontage & Street Improvements: Currently there are no pedestrian improvements within the neighborhood, so frontage improvements will not be required. The right of way will be restored and maintained in its existing configuration.
- e. Parking: On-site parking is proposed based on the ratio listed in LFPMC 18.58.030 where 2.0 spaces per single family dwelling unit are required. Each home is anticipated to have a 2 car garage.
- f. Stormwater & Drainage Plan: All drainage for the project will be required to remain on each respective lot. Each parcel will have its own dispersion trench, complete with vegetated flow paths, to carry stormwater to the discharge point. A 10 foot wide drainage easement exists and the systems are designed to discharge to this point, which then travels into the City storm system within the right of way.
- g. Wet and Dry Utilities: All habitable units in the short subdivision shall be connected to a public water system capable of providing water for health and emergency purposes, including adequate fire protection, consistent with the City's comprehensive water system plan. The water provider is the Lake Forest Park

Water District, and the sewer will be provided by the City of Lake Forest Park. Water services for the new lot 2 will be provided by a separate connection for to the existing water main within 33 AVE NE. Lot 1 will utilize the existing water service. A new side sewers will be provided for lot 2, via connection to the existing main in 33 AVE NE; while lot 1 will utilize the existing side sewer from the demolished home.

All habitable units in the short subdivision shall be served by an approved means of wastewater collection and treatment, consistent with the City's comprehensive sewer plan.

Cable, gas, power, and other typical utilities are available to the site via existing services. Alterations to utility services, and specific connections to this project will be evaluated during the permitting process, and construction design. All civil improvements on site are required to be specifically evaluated through the permit application process, and be consistent with the concepts represented in this short subdivision application (condition of approval). Each individual unit will store their own respective trash bins within their specific unit, and transport the bins to the right of way upon trash collection.

- h. On-site vegetation: LFPMC 16.14.070 (A) - Table 2 indicates a tree canopy goal for parcels of this size as 28% of the parcel's area. The site area includes (8) trees of varying sizes, all of which will be removed as a part of this development proposal. The applicant will be required to plant trees on each lot to arrive at the required 28% canopy goal for each parcel. These trees will be contained in a tree conservation easement, an area which will be represented and recorded as a part of this land use action.

IV. SHORT SUBDIVISION REVIEW REQUIREMENTS.

The design standards and criteria for approval of short subdivision are specified in LFPMC Section 17.12.050 (A) through (D). The Applicant is required to demonstrate compliance with those elements listed under subsection (A), through (D). Those requirements, along with staff's findings and conclusions for each requirement, are as follows:

17.12.050 Design Standards.

- A. *The proposed subdivision shall comply with the comprehensive plan and the zoning ordinance.*

Findings: The application as submitted complies with the City's Comprehensive Plan and all related elements, specifically those elements relating to utilities, land use, and housing. Please see below for specific discussion on particular goals and policies in relevant chapters of the City's 2015 Comprehensive Plan:

- Goal LU-1: This project contributes to the City's goal to provide a development pattern that preserves the character of Lake Forest Park while allowing for a variety in new development. The proposed units will fit with the existing character of the neighborhood, and provide for increased tree canopy, in total. The resulting development will be an outcome that preserves the existing character within the City and this area specifically.
- Goal U-2: This project provides for an extension of water, sewer, and storm services for the site itself. Policy UT-2.3 encourages coordination between utility providers during the review process of development projects. Both the water and sewer district for this project have approved the designs for those utilities.
- Goal H-1: This project facilitates infill development by dividing an additional urban parcel. Development of this parcel will contribute to needed additional housing stock, which will support the City's population growth, and target housing needs.

The application has been reviewed by City staff and supporting agencies for compliance with the various zoning code provisions that govern subdivisions. Several exhibits, included in this report and decision, detail the material demonstrating compliance. Staff has reviewed the application specifically for compliance with zoning code provisions for allowable density, utility availability, tree retention and vegetation replacement provisions, stormwater drainage, fire flow, critical area compliance, and allowable uses. Some zoning code provisions such as lot coverage, and impervious surface maximums will be determined at building permit review. Staff finds that the application can be conditioned to meet all applicable zoning code provisions. A condition of this decision will be for the applicant to plant trees needed to achieve the required 28% canopy goal for parcels within this zone. The City's arborist has reviewed the proposed re-planting plans for this project, and has determined that the proposed re-planting scheme meets the intent of the tree regulations.

Conclusion: This specific design standard, as conditioned, has been satisfied.

- B. Curb, gutter, pavement, and storm drainage facilities may be required at the discretion of the administrative official to prevent stormwater erosion and damage.*

Findings: Storm drainage facilities will be installed on each individual parcel. Each facility will drain towards an existing 10 foot wide drainage easement at the southern portion of lot 1, which connects with the City's stormwater system. New pavement for the access easement to lot 2, and lot 1's new driveway will be provided. There is not a requirement for curb, and gutter along the parcel's frontage, and engineering has approved all drainage and pavement designs, as they exists as preliminary.

Conclusion: This specific design standard has been satisfied.

- C. *The proposed subdivisions shall provide necessary utility and drainage easements and the grantees thereof shall agree in writing to restore the easement rights-of-way to their original condition after any installation, maintenance or repair.*

Findings: The design has provided for a 10 foot wide access and utility easement through lot 1, which will accommodate lot 2. An existing 10 foot wide drainage easement is located on the southern portion of lot 1, which will accept water flow from each individual lot's stormwater system. A condition of this decision will be for restoration of the easements, and rights of way to their original condition after any installation, maintenance, or repair that may occur during this project.

Conclusion: As conditioned, this specific design standard has been satisfied.

- D. *The administrative official may require additional information from the applicant to determine whether the project must be reviewed under the provisions of the State of Washington Environmental Protection Act (Chapter 43.21C RCW) and as the same may be amended and supplemented from time to time. Preliminary approval of the subdivision shall not be given until all requirements of the Act are fulfilled. If a stream or natural drainage may exist in the proposed subdivision it shall not be altered until an assessment is made of potential environmental effects.*

Findings: This project is categorically exempt from SEPA, and there are not any environmentally critical areas on-site. There are no streams, or natural drainage ways present on either parcel.

Conclusion: This design standard does not apply.

The fees and approval procedures for short subdivision are specified in LFPMC Section 17.12.060 (A) through (D). The City is required to demonstrate compliance with those elements listed under subsection (A), through (D). Those requirements, along with staff's findings and conclusions for each requirement, are as follows:

- A. *The person proposing to subdivide shall pay a fee as established periodically by city council resolution.*

Findings: The applicant paid the required fees at the time of application. A receipt has been provided for those fees paid.

Conclusion: This approval procedure and fee has been satisfied and paid.

- B. The administrative official, together with the planning commission chairman shall approve or disapprove the short subdivision if the application is in proper form and the short subdivision complies with the foregoing.*

Findings: State law requires short subdivision approval to be administrative. In order to be in compliance with this, the administrative official no longer consults with the Planning Commission Chair permitting issues. Administrative review of the short subdivision application has occurred, and along with the specified conditions, it has been administratively approved. Provisions for public safety, health, and welfare, as well as those provisions for safe walking to area schools, or school transportation facilities, have been analyzed and found to be compliant with standard. Information on the project's utility and improvements have been evaluated as well, and conditioned to comply with applicable municipal provisions.

Conclusion: This approval procedure has been satisfied.

- C. Action will ordinarily be taken on subdivisions of this type within 20 days from the date the application is filed. No construction of structures, utilities, grading or excavation shall be allowed prior to the official approval of the subdivision.*

Findings: This application was deemed complete on June 4th, 2018, and the required notice of application was posted on that day. The comment period lasted 14 days, and staff review of the subdivision application occurred during and beyond this timeline. No structures, site work, utility installations has occurred on the site to this point.

Conclusion: This approval procedure has been satisfied.

- D. If the necessary criteria have not been complied with, the administrative official, together with the planning commission chairman may either disapprove the application or require that the applicant make necessary changes which would cause them to give their approval.*

Findings: During the administrative review process, requests for revisions to the project's design was facilitated by City staff, and the City's consultants. The applicant provided responses to these items, and revised plans which addressed staff's concerns. The end product is a preliminary design that can be conditioned to meet all applicable City ordinances. A condition will be placed on the project for short plat recording to comply with sections LFPMC 17.12.080. Recording shall occur after the required improvements are installed, or, after the City approved design for improvements has been bonded.

Conclusion: This approval procedure has been satisfied.

E. PUBLIC NOTIFICATION AND INPUT

A notice of application was posted on the subject site and in official public places on June 4, 2018. One public comment from an area citizen was received regarding the proposal. The comment indicated the citizen's concern with the site's drainage, construction hours, and tree roots adjacent to their property. This comment is included in Exhibit 2. Staff has considered the comment while drafting the decision and creating the conditions of approval. All of the citizen's concerns can be mitigated through the project as designed, or as it will be conditioned. The notice of decision to approve for this project was published and posted August 27, 2018.

F. PRELIMINARY CONCLUSIONS

Staff has reviewed the proposal for general conformance with city codes and ordinances and the requirements set forth herein, and has provided findings in response to each requirement. Based upon said findings, staff concludes that the short subdivision as described herein conforms to the criteria for short subdivisions as defined in LFPMC Section 17.12.

G. CONDITIONS

In consideration of the above findings of fact and conclusions, the proposed short subdivision is hereby granted preliminary approval, subject to the following conditions:

1. The developer shall apply for all necessary permits to perform work associated with the preliminary approval in this decision.
2. All easements and rights of way altered as a part of this project shall be restored to original condition prior to final occupancy.
3. The applicant shall submit an application for final short plat based on the requirements in LFPMC 17.12.080, after the required improvements are installed or bonded.
4. The applicant may choose to bond in lieu of constructing improvements. Bonding shall follow the provisions within LFPMC 17.08.140.
5. The applicant shall plant trees on each lot, necessary to achieve the required 28% tree canopy goal for each parcel. Any permits necessary for this work must be applied for and issued prior to installation.

XII. ATTACHMENTS

The following documents are attached to or referenced, and made a part of this report:

Attached:

Exhibit 1: Preliminary short plat map/site plan (sheet C1, and sheet 1 of 1) date stamped August 21, 2018.

Exhibit 2: Short subdivision application

Exhibit 3: Public comment email dated June 18, 2018.

Referenced:

- Water availability certificate date stamped March 7, 2018
- Sewer availability certificate date stamped March 7, 2018
- SEPA exemption form signed and dated May 25, 2018
- Soil drainage investigation memorandum dated March 1, 2018 by Duncanson Company
- Title report date stamped March 7, 2018 by the City of Lake Forest Park
- Engineering review letters from PACE engineering dated March 23, 2018; June 4, 2018; and July 31, 2018
- Applicant responses to engineering comments dated July 12, 2018

Staff Signatures:



Name & Title: Nick Holland
 Senior Planner

Issued Date: August 27, 2018

H. REVALUATION: Property owners affected by this decision may request change in valuation for property tax purposes notwithstanding any program of revaluation.

I. APPEALS

This decision may be appealed by the applicant or any party of record under the provisions of LFP MC Section 16.26.190. Appeals must be submitted in writing.