



City of Seattle

Department of Construction and Inspections

Nathan Torgelson, Director

Re: 9603347 Final Plat – **9736 Lindsay Place S.** - Letter of conformance with preliminary plat and conditions of the Hearing Examiner.

Date: 3/2/2016

To: Tammy Frederick
SDOT Street Use, 700 – 5th Avenue, Suite 2300, **M/S SMT-23-00**

From: Michael Dorcy
Michael.dorcy@seattle.gov (206)615-1393

Per SMC 23.22.070, the Land Use Code requires that the Seattle Department of Construction and Inspections (SDCI), formerly the Department of Planning and Development (DPD), review final plats for conformance with the approved preliminary plat including conditions required by the Hearing Examiner and the standards of RCW 58.17 and SMC 23.22. This is the report to the Director of Transportation regarding such conformance for Subdivision 9603347 located at 9736 Lindsay Place S.

On April 13, 2006, DPD published its "Analysis and Recommendation of the Director of the Department of Planning and Development" on the preliminary plat to the Hearing Examiner. This included review of the Preliminary Plat for compliance with SMC 23.22 and the standards of state law in RCW 58.17.

Among other standards of compliance, DPD found that:

- The public use and interest are served by the development; and
- As a full subdivision, the plat meets the standards of 23.22.062 which allows for access easements and joint use and maintenance agreements.

SMC 23.22, in turn, has been written to follow the standards of state law in RCW 58.17 regarding subdivisions, including 58.17.033 that states the requirements for subdivisions shall be defined by local ordinance.

The preliminary recommendation report of DPD recommended approval of the Preliminary Plat subject to certain conditions to be completed prior to recording of the Final Plat.

The Decision of the Hearing Examiner imposed these conditions, with some clarification and modifications. The conditions have generally been addressed by the final plat. A Water Availability Certificate (no. 20140661) was provided in response to Building Permit application 6411557. The applicant has satisfactorily responded to a Correction Notice to be fully compliant with the Hearing Examiner conditions. Attachment 1 lists the Hearing Examiner conditions, all of which must be completed prior to recording the Final Plat.

In summary, the Final Plat has been reviewed by SDCI and found to be in substantial conformance with the Preliminary Plat and the standards of RCW 58.17 and SMC 23.22.

Please contact me at (206) 615-1393 or michael.dorcy@seattle.gov if you have any questions.

Attachment 1: Conformance with Hearing Examiner Conditions

ATTACHMENT 1

Conformance with Hearing Examiner Conditions of Approval Prior to Recording Final Subdivision Plat

Listed below are the conditions of approval of the Hearing Examiner's Findings and Decision approving the Preliminary Plat (Hearing Examiner File: MUP-06-014 (SD)). Below each condition a statement, in bold italics, documents how these conditions have been met.

Before Recording of the Final Plat:

1. Note on the plat all conditions imposed by this decision.

The Hearing Examiner conditions (25 in all) are listed on Sheet 3 of the plat.

2. File an ECA covenant prior to issuance of any permit for grading or earth disturbance on site.

This condition has been satisfied. The covenant appears on Sheet 3 of the plat.

3. Incorporate the language of the Final ECA Covenant into the final plat.

This condition has been satisfied. The covenant appears on Sheet 3 of the plat.

4. Show the location of the permanent ECA markers and clearly indicate the entire area subject to the covenant on the face of the plat.

The ECA markers are shown in place on sheet 6 of the plat, accompanied by a Legend identifying them as Brass Cap ECA Markers per SMC 25.09.335.

5. Note on the face of the plat that no construction permits for lots 10 through 16 shall be issued, nor shall any development be permitted on lots 10 through 16 until the following conditions of MUP 99106680 have been met:

-removal of all human debris and invasive exotic plants from the wetland and wetland buffer area and verification by DPD;

-completion of the re-vegetation program within the wetland and its buffer areas and verification by DPD;

-to regulate water levels and periodicity, modification or replacement of the existing outlet orifice from the wetland to the City storm-sewer system, and any on-site pre-wetland detention mechanism required by the revised wetlands mitigation plan, and verification by DPD;

-complete construction of an elevated walkway running along the western edge of the wetland, within the wetland buffer, to connect the roadway at 56th Avenue South to the pedestrian path on site, and connecting to the remnant of

Lindsay Place South and Renton Avenue South. The siting, design and proposed construction materials of this elevated walkway must have the prior approval of the Land Use Planner at DPD.

A note indicating restrictions on issuing any construction permits for development of lots 10 through 16 has been placed on sheet 6.

Adjacency review by SDCI for any impacts to the ECA identified wetlands area will be a part of the overall review and approval of development on lots 10 through 16 and will satisfy the components of Condition 5.

6. The final plat shall contain the approved language of an easement for City Light.

The City Light easement language is included on sheet 3 of the plat.

7. Street improvements are required for the public right-of-way of Lindsay Place South between Renton Avenue South and the private road entering and exiting Lindsay Court. Lindsay Place South shall be constructed with a curb on both sides of the street and a curb-to-curb width of 25 feet,

This condition has been satisfied under the Street Improvement Permit #207539, with a vault plan number of 790-268.

8. A dedication shall be made, as noted on the plat, for a turn-around at the improved end of Lindsay Place South.

This condition has been satisfied under recording number 20050920000412 and accepted under Ordinance #122106.

9. Clearly show on the face of the final plat the private access drive and the public easement over it.

Sheet 7 clearly shows the private access drive and the public utility and public access easements over it.

10. Wheelchair ramps are required at all curb-return landings.

This condition has been satisfied under the Street Improvement Permit #207539, with a vault plan number of 790-268.

11. Street lighting is required on Lindsay Place South.

This condition has been satisfied under the Street Improvement Permit #207539, with a vault plan number of 790-268.

12. The plat must show the proposed sidewalk on the east side of Lindsay Place South, connecting to the existing sidewalk of Renton Avenue South.

This condition has been satisfied under the Street Improvement Permit #207539, with a vault plan number of 790-268.

13. Any proposed grading outside the right-of-way requires the approval of the adjacent property owner.

This condition will be enforced on a complaint basis by SDCI.

14. A retaining wall shall be designed, approved and constructed along the west side of Lindsay Place South. The wall shall be designed to City of Seattle specifications. A fence and a guard rail are required as components of the wall.

This condition has been satisfied under the Street Improvement Permit #207539, with a vault plan number of 790-268.

15. The plat shall indicate whether the utilities will be public or private.

The language of Seattle City Light and Public Utility Easement provisions are shown on sheets 3 and 5 of the plat. The Public Utility Easement is graphically mapped on sheet 7 of the plat.

16. All work in the right-of-way shall be constructed per City of Seattle Standard Plans and specifications.

This condition has been satisfied under the Street Improvement Permit #207539, with a vault plan number of 790-268.

17. A water main is required.

This condition has been satisfied under the Street Improvement Permit #207539, with a vault plan number of 790-268.

18. Standard driveway approaches must be installed at the entry to the private drive serving the subdivision and at the SPU access road entrance. The access road entrance must be gated and locked with SPU having control of the lock.

This condition has been satisfied under the Street Improvement Permit #207539, with a vault plan number of 790-268.

19. The project shall extend the City maintained storm and sanitary sewer mains from 54th Avenue South to Lindsay Place South.

This condition has been satisfied under the Street Improvement Permit #207539, with a vault plan number of 790-268.

20. The project shall provide drainage structures in the Lindsay Place South right-of-way and at the terminus of the SPU access road.

This condition has been satisfied under the Street Improvement Permit #207539, with a vault plan number of 790-268.

21. Access road will extend to the terminus of the public utility easement and SPU access road shown on sheets 5 of 7 and 7 of 7 of this plat.

The public utility Easement Provisions are included on sheet 5 of the plat and given graphical presentation on sheets 5 and 7 of the plat.

22. Public utility easements are required for the main extensions and for the access road, and shall be incorporated into the final plot,

The public utility Easement Provisions are included on sheet 5 of the plat and given graphical presentation on sheets 5 and 7 of the plat.

23. Include on the face of the final plat the "easement Provision for Water Facilities" attached to the May 19, 2006 email from Joe Phan of SPU to Debra Goodman.

This condition is no longer applicable. The exhibit 11 referenced could not be found, and the intent of the condition is satisfied with the Public Utility Easement provision on sheet 5.

24. A PRV (Pressure Reducing Valve) is required on private property (the Uniform Plumbing Code requires a PRV when water pressure is 80 psi or greater.

This is a Code requirement that will be enforced at the time of installation.

25. Prior to final plat approval provide to the Land Use Planner in DPD copies of the Articles of Incorporation and By-laws of the Homeowners' nonprofit maintenance corporation, and evidence of conveyance of, or a binding commitment to convey, the common open space in the subdivision to the corporation, all as required by SMC 23.22.052 E.

A draft of the CC&Rs has been prepared and submitted to the City for review. The SDOT correction document provided specific corrections and guidance with respect to this document. Although SDCI/City of Seattle is expressly not approving the specific procedures, terminology or other aspects of the draft CC&Rs, the draft document does appear to substantively meet this condition. The Covenants, Conditions and Restrictions (CC&Rs) will be filed concurrently with the plat. They will be provided to future owners of each lot upon transfer of sale. The CC&Rs will include specific provisions for maintenance and repair of the site, including but not limited to, structures and utilities, and will provide for conveyance of the common open space to the Corporation.