



Seattle City Council

Central Staff - Memorandum

Date: May 11, 2016
To: Seattle City Councilmembers
From: Lish Whitson, Council Central Staff
Subject: Kubota East plat (Council Bill 118673)

The City Council has been asked to grant final approval of the “Kubota East” plat, which is located at 9736 Lindsay Place South, east of Renton Avenue S and Kubota Garden in the Rainier Beach Residential Urban Village. The site is being developed with 22 single family houses.

The Seattle Department of Transportation (SDOT), the Seattle Department of Construction and Inspections (SDCI) and Council Central Staff have confirmed that, with a proposed surety bond, the plat would meet all applicable requirements and recommend that the Council grant final plat approval with amendments to require the bond (this requires a “do pass” vote on Council Bill 118673 and also a vote to “place on file” Clerk File 301342.)

The following is an overview of the subdivision process and a description of the subdivision. The Hearing Examiner’s “Findings and Decision” on the preliminary plat approval are attached and a vicinity map is provided for informational purposes.

Overview of Process

The City’s Land Use Code (SMC 23.22.065.A.2) requires that Council grant final plat approval for subdivisions within thirty days of filing of the final plat by the owner. Generally, the Council grants such approval after the following steps:

1. Issuance of a Master Use Permit and other project approvals;
2. Preliminary plat approval, which is granted by the Hearing Examiner, usually subject to conditions (the Hearing Examiner holds a public hearing prior to issuing a decision);
3. Development of site infrastructure by the property owner (this includes construction of roadways and installation of utilities);
4. Review of the final plat by the Seattle Department of Transportation (SDOT) and the Department of Planning and Development (DPD) to confirm that all of the applicable requirements have been met; and
5. Council determination that applicable requirements have been met, or can be met if a bond is posted.

Final plat approval requires votes on both a Council Bill and a Clerk File. These were both referred directly to full Council because of the Land Use Code's short deadline for approval. When reviewing final plats, SMC 23.22.074.A requires the Council to determine:

1. Whether the final plat is in substantial conformance with the approved preliminary plat;
2. Whether the requirements imposed when the preliminary plat was approved have been met;
3. Whether the bond, if required by the City, is sufficient in its terms to assure completion of improvements; and
4. Whether the applicant has satisfied the requirements of Washington State Law and the Seattle Municipal Code that were in effect at the time of preliminary plat approval.

The Directors of SDOT and DPD have confirmed that the plat meets all of the requirements of the preliminary plat approval, as well as the requirements of State platting law and the Seattle Municipal Code, provided that a bond is required sufficient . SDOT prepared the Council Bill for Council review and action. Central Staff has reviewed the final plat and legislation and **recommends that the Council amend the legislation to require a surety bond and grant final plat approval.** Proposed amendments are included as Attachment 3.

Description of the Final Plat

The "Kubota East" Plat is located at 9736 Lindsay Place S south of the Rainier Beach Residential Urban Village. The plat is located on the east side of Renton Avenue at Lindsay Place S on a block bounded by S Pilgrim Street on the north, South Norfolk Street on the south, 57th Avenue South on the east, and 54th Avenue South on the west. It is located across Renton Avenue S from Kubota Garden.

The site is zoned Single Family 5000 (SF5000). Development in the vicinity consists primarily of single family residences. The legislation would allow for the subdivision of nine parcels into 24 parcels of land, including 22 parcels for single family homes, a parcel dedicated as common open space (25,372 square feet) and a parcel dedicated for "Wetland Preserve and Stormwater Detention" (29,799 square feet).

The Director of DPD recommended approval of the proposed subdivision on June 27, 2002. The Hearing Examiner held a public hearing and on May 31, 2006 granted preliminary approval with numerous conditions (see attached Hearing examiner "Findings and Decision.")

Attachments:

1. Findings and Decision of the Hearing Examiner for the City of Seattle
2. Kubota East Area Map
3. Proposed amendments to require a Bond