



**NOTICE OF LAND USE DECISION
BREWER PRELIMINARY SHORT PLAT
PERMIT NO.: 2024.0090.SP0002**

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| Date: | March 8, 2024 |
| Permit Request: | Preliminary Short Plat |
| File No: | SUP-23-0001 |
| Applicant: | Shane Brewer |
| Property Owner: | Shane Brewer |
| Location: | 31731 W Commercial St, Carnation, WA King County Assessor parcel number 8658303300 |
| Proposal: | Application for Preliminary Short Plat for the division of one 12,500-sqft (0.29 ac) single-family lot into two single-family lots. The proposal includes the retention of an existing 1,480-sqft single-family structure on one proposed 7,502-sqft lot (Lot A) and the addition of one 2,300-sqft single-family structure on the other proposed 5,000-sqft lot (Lot B). The existing garage will be demolished and replaced to meet code prior to final plating. |
| Decision: | Approve with Conditions. |
| SEPA: | This proposal is categorically exempt from SEPA environmental review pursuant to WAC 197-11-800(6)(d). |
| Appeal Procedure: | The applicant for a project permit, owner of property to which a project permit decision is directed, and/or any other person aggrieved or adversely affected by the decision on a Type I or II permit may appeal a final decision by filing an appeal for an open record appeal hearing before the Hearing Examiner. Said appeal must be filed within fourteen (14) calendar days following the date of issuance of said notice of decision. Pursuant to Section 15.11.010 CMC, appeals and the appeal fee, if applicable, shall be delivered to the planner or city clerk by mail or personal delivery before the close of business on the last day of the appeal period. Therefore, any notice of appeal must be filed with the City of Carnation Planning Department at 4621 Tolt Avenue, Carnation, Washington by 5:00 P.M. on March 22, 2024 and must be accompanied by a filing fee of \$750. The statement of appeal shall identify the decision being appealed, the grounds for appeal, and the facts upon which the appeal is based. |

Note: Affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation.

Please direct any question to the city planner at planning@carnationwa.gov.

Attached: Staff Findings, Analysis, Conclusions, and Decision.

STAFF REPORT

BREWER PRELIMINARY SHORT PLAT

Permit No.: 2024.0090.SP0002
March 8, 2024

1. PROJECT INFORMATION

A. Applicant

Shane Brewer (Property Owner) shanebrewerconstruction@msn.com
Heather Tatro (Applicant Agent) htatro@encompasses.net

B. Request

The applicant is applying for a preliminary short plat for the division of one 12,500-sqft (0.29 ac) single-family lot into two single-family lots. The proposal includes the retention of an existing 1,480-sqft single-family structure on one proposed 7,502-sqft lot (Lot A) and the addition of one 2,300-sqft single-family structure on the other proposed 5,000-sqft lot (Lot B). The existing garage will be demolished and replaced to meet code prior to final plating.

C. Location

The subject property is located at 31731 W Commercial St, Carnation, WA on King County Assessor parcel number 8658303300 within the Residential 6 (R6) zoning district.

D. Property Characteristics

The subject property is 12,500-sqft (0.29 ac) and currently developed with a 1,480-sqft single-family structure with an attached garage that will be demolished prior to platting. The site appears to be flat with no existing trees or known critical areas, however, it is within the 500-year flood plain, which is nonregulatory. The existing single family structure faces north fronting W Commercial St, a two-way paved local street with no sidewalks. The garage is accessed at the rear of the single family structure to the south via an unpaved alleyway accessible from Stephens Ave or Stewart Ave.

E. Project History/Background

A preapplication meeting was held on October 17, 2023 where the applicants discussed their proposal with city staff and agencies after which the city provided the applicant with a preapplication summary letter outlining regulations and permitting procedures applicable to the proposal.

The applicant submitted a preliminary short plat permit application on January 10, 2024 that included the following:

1. Assessors Map
2. Certificate of Sewer Availability
3. Certificate of Water Availability
4. Legal Description
5. Master Application Form

6. Preapplication Summary
7. List of Neighboring properties within 300 feet
8. Preliminary Short Plat Map
9. Preliminary Civil Plans
10. Short Plat Application
11. Subdivision Guarantee

The submission was determined complete and a notice of complete application was issued to the applicant on January 22, 2024.

F. Process

The preliminary short plat will be reviewed and processed in accordance with Type II procedures under CMC 15.09.050. Type II permits require the public be notified of the application under CMC 15.09.140 and a public comment period be held for fourteen (14) days. The city planner has review and decision authority for Type II permit procedures and a public hearing is not required. Any decision appeals will follow an open record appeal process.

This proposal is categorically exempt from SEPA environmental review pursuant to WAC 197-11-800(6)(d).

G. Public Notice

A notice of application was issued on February 2, 2024 informing the public of the proposal and the opportunity to comment as required under CMC 15.09.140. The notice of application was mailed to property owners within 300 feet of the proposal site, published in Snoqualmie Valley Record, and posted on-site. Public comments were accepted for a 14-day period beginning February 2, 2024 and ending February 16, 2024 at 3:00 p.m.

H. Public Comments

The city accepted comments over a 14-day comment period running from February 2, 2024 through February 16, 2024 during which time no comments were received.

2. AGENCY/DEPARTMENT COMMENTS

A request for comment was distributed to the city's public works department, city contract engineer, and district fire marshal. Comments and conditions provided by the agencies are listed below:

A. Public Works Department

No comments.

B. Engineering

Civil plans and drainage report comments/redlines are attached as Exhibit A. The engineer's comments are not relevant to preliminary plat approval but will need to be addressed at the civil construction permit and building permit stage.

C. Survey

Comments are attached as Exhibit D and shall be addressed prior to final plat submittal.

D. Eastside Fire District 3

No comments or concerns.

E. Building

Safebuilt, the contract building official for the city, provided the following comments (also attached as Exhibit B) on January 31, 2024:

The design documents submitted for this project have been reviewed for compliance with the locally adopted codes and amendments. The plans and documents that you have submitted for a Pre-Application Review at the above mentioned address, per the 2018 International Building and Uniform Plumbing Codes, have been completed. Here are the noted items:

1. Infiltration field at front of existing property shall not be located in the Overhead Power Easement. Please relocate field out of the easement. (usually 15' in each direction from the pole making the easement 30' in width). Check with the recorded map for this development or the power company for easement parameters.
2. Overhead Telco lines must meet the requirements of the Telco provider. Service drop should be run over the new dwelling.

3. STAFF FINDINGS, ANALYSIS, AND CONCLUSIONS

Review & Approval Criteria

Approval of the proposed preliminary short plat requires consistency with the following sections of the CMC:

- A. 15.09 - Local Project Review
- B. 15.16 Part I. - Short Subdivisions
- C. 15.40 - Permissible Uses
- D. 15.48 - Density and Dimensional Regulations

The following sections (A-E) provide an analysis of proposal consistency with the applicable codes and documents listed above and includes findings and conclusions.

A. 15.09 - Local Project Review

15.09.050 - Project permit application framework

Finding: Section 15.09.050 outlines the review and approval process for each type of permit application.

Preliminary short plat approval is a Type II permit application in which the decision is made by the city planner. This staff report is issued as a notice of decision.

The Type II review process also requires a determination of completeness and a notice of application to be issued. The determination of completeness was issued on January 22, 2024. The notice of application was issued on February 2, 2024 announcing the required 14-day comment period ending on February 16, 2024.

15.09.180 - Posting Requirements; 15.09.190 - Publishing Requirements; and 15.09.200 - Mailing Requirements

Finding: *These sections outline the posting requirements for notice boards located on site by the applicant; the requirements and timing of publication in the city's official newspaper; and the procedures the city must follow for mailing of notices.*

The city and the applicant have met all the requirements for public notice as detailed below:

- *The applicant posted the notice of application board on site on January 31, 2024.*
- *The city publishing the notice of application in the Snoqualmie Valley Record on February 2, 2024.*
- *The city mailed the notice of application and proposed plat map to the list of property owners within 300 feet of the proposal site provided by the applicant on January 31, 2024.*

15.09.230 - SEPA and local project review.

Finding: *The city is required to review all project permit applications unless categorically exempt under the requirements of the State Environmental Policy Act (SEPA). This proposal is categorically exempt from SEPA environmental review pursuant to WAC 197-11-800(6)(d).*

B. 15.16 - Subdivision - Part I. - Short subdivisions.

15.16.020 - Applicability and 15.16.030 - Administration.

Finding: *The proposal is for a two-lot subdivision and is therefore considered a short lot subdivision in which this section applies. The city planner is authorized to develop and adopt administrative rules and regulations for the purpose of implementing and enforcing the provisions of this chapter.*

15.16.040 - General limitations.

Finding: *The subject property is a single parcel, which is considered a lot under the definition in 15.08, that is to be subdivided into two lots and there is no record of a prior short subdivision of the property within recent history, therefore the proposal falls within the applicable limitations of this section.*

15.16.050 - Subdivision design for short plats.

Residential short plats are encouraged to incorporate the following design goals in order to promote livable neighborhoods that are integrated into existing development.

- A. New residential short plats should be designed to integrate with the surrounding neighborhood. Wherever possible, new subdivisions should be designed so that individual separately designed projects work together to create distinct neighborhoods rather than disjointed or isolated enclaves.

Finding: *The proposed short plat site layout is designed to work with the existing surrounding residences to create a cohesive neighborhood.*

- B. Short plats adjacent to planned or existing parks or other public open spaces should maximize visibility and pedestrian access to these areas.

Finding: *The proposed short plat is not adjacent to any planned or existing open space. The proposal does not impact the existing visibility and access to the nearby agricultural lands and Tolt-McDonald to the southwest.*

- C. Wherever feasible, new public streets and sidewalks should be aligned with and connected to those of adjacent developments, in accordance with this chapter and Chapter 15.56 CMC Streets and Sidewalks.

Finding: *The proposal includes street improvements to W Commercial Street. The proposed short plat is aligned to the existing street and alleyway. The alleyway needs to be improved and stormwater infiltration along W Commercial street provided as required by civil engineer comments.*

- D. Wherever feasible, short plats design should provide for pedestrian connectivity with adjacent neighborhoods, nearby schools and parks, and to transit within one-fourth mile of the proposed subdivision. Any required streets and sidewalks should be designed to provide safe and pleasant conditions for pedestrians, the disabled, and cyclists.

Finding: *There are no sidewalks on W Commercial Street. City Engineer agrees that sidewalks are not appropriate at this time as there are currently no plans to improve W Commercial Street. The proposal does not impact the existing pedestrian access.*

- E. To the extent possible, developments should be configured to face streets and not back up to them. Where short plats must back up to existing streets or arterials and a fence is provided, a minimum ten-foot landscape buffer shall be required to screen any tall fences. Landscaping shall follow the requirements of Chapter 15.76 CMC Screening, Landscaping and Trees.

Finding: *The proposed short plat faces W Commercial and includes access from the rear alleyway.*

- F. Single loaded streets (i.e., those with residential development on one side and open space on the other) should be used to provide public access and visibility of natural open spaces, public parks, or schools, as well as buffering homes from parks and schools.

Finding: *The proposed short plat is not located on a single loaded street.*

- G. The use of cul-de-sacs should be avoided wherever possible. If cul-de-sacs are necessary, pedestrian access and/or bikeway should be provided between private parcels to connect with an adjacent cul-de-sac, street, park or open space, if applicable.

Finding: *No cul-de-sacs are proposed.*

- H. Alleys may be provided for garage access. Otherwise, individual lots are encouraged to be wide enough to accommodate garages at the side or rear of the lot, to minimize the appearance of street frontage that is dominated by garages and pavement.

Finding: *The existing garage is being demolished and vehicular access to Lot A is proposed from the rear alleyway located to the south of the property.*

- I. Perimeter buffers, fences and landscaping may be required when these features mitigate the adverse impacts of new subdivisions on adjoining uses that are lower in density.

Finding: *The adjoining properties are also zoned R6 and the existing uses are single family. Given the zoning will not likely be reduced in the near future, the adjoining uses will likely evolve into something more reflective of the zoning district density and therefore will not likely require the same type of buffers, fences, and/or landscaping.*

15.16.060 - Lot averaging and 15.16.070 - Cluster subdivision.

***Finding:** Lot size reduction or variation is not needed; the proposed lot sizes are within the R6 minimum defined in 15.48 and further discussed in section D of this report.*

15.16.080 - Complete application.

***Finding:** The short plat permit application submitted in January 10, 2024 was reviewed against this section and deemed complete January 22, 2024 at which time a notice of complete application was issued. A list of submitted material can be found in section E of this report.*

15.16.110 - Requirements for noticing.

***Finding:** The subject property is within one mile of the municipal boundary and therefore subject to the noticing requirements of this section in addition to the notice mailing requirements of CMC Section 15.09.140. The city emailed the notice of application to King County on February 2, 2024 as required. No comments from King County were received.*

15.16.120 - Preliminary decision.

***Finding:** The preliminary short plat map provides that the proposed subdivision would satisfy the use, density, and dimensional requirements of the R6 zone and would be in conformance with adopted city, county, and state rules and regulations in effect at the time of this permit submittal.*

As conditioned herein the approval of this short subdivision will ensure appropriate provisions for, but not limited to, the public health, safety, and general welfare related to dedication of right-of-way or recreation space, and tracts, easements, or limitations which may be proposed or required for utilities, access, drainage controls, sanitation, and water supply and sidewalks and other planning features that assure safe walking conditions for the general public.

The findings of consistency with the criteria for approval provided herein constitutes a finding that this preliminary short subdivision complies with all applicable provisions of this title and other adopted regulations and administrative rules.

15.16.140 - Preliminary short subdivision time limitation.

***Finding:** The preliminary approval of this short plat application will be valid for a period of three (3) years from the date of preliminary approval. If all conditions have not been completed and a final plat has not been approved and filed within that period of time, the approval will expire and become null and void. No work shall be allowed until all required plans and permits have been approved and a pre-construction meeting between the applicants, their contractors, and city staff has been held. No site disturbing development activities may commence until such time as all permits related thereto have been approved by the City of Carnation.*

15.16.150 - Final short plat to conform to preliminary short plat; 15.16.160 - Final short plat submittal requirements; & 15.16.170 - Recording.

***Finding:** The final short plat shall conform to these sections and once approved be forwarded to King County to be recorded.*

C. 15.40 - Permissible Uses

***Finding:** The proposed short plat includes the retention of an existing single family residence, a permitted use in the R6 zone.*

D. 15.48 - Density and Dimensional Regulations

***Finding:** The proposed short plat meets the applicable R6 zoning district density and dimensional requirements of this chapter as summarized in the table below. In addition to these density and dimensional regulations, the subject site is in the R6 zone and therefore also subject to CMC 15.96.050 – Special Design Standards for the R6 Zone which provides additional related requirements and restrictions that will be reviewed for compliance when submitting for site development/design review and as conditioned.*

| R6 Zone | Required | Proposed |
|----------------------------------|---|---|
| Min. Lot Size | 5,000 sqft | Lot A: 7,500 sqft Lot B: 5,000 sqft |
| Min. Lot Width | 50 ft | Lot A: 75 ft Lot B: 50 ft |
| Max. Impervious Surface Coverage | 60% | Lot A: 32% Lot B: No lot coverage proposed at this time. Max. 3,000 sqft allowable |
| Max. Height | 35 ft | Lot A: <35 ft Lot B: No building proposed at this time |
| Max. Residential Density | 8 du/ac | Lot A: $[0.17 \text{ (area ac)} * 8 \text{ (R6 max. density)} = 1.36]$ 1 du allowable. 1 du proposed. Lot B: No building proposed at this time. <i>(net area calculated as defined under 15.48.020(B))</i> |
| Max. Floor Area ratio (FAR) | 0.40 or 2,000 sqft, whichever is less | Lot A: 0.2 FAR Lot B: No building proposed at this time. 2,000 sq ft max. floor area allowable. |
| Max. Height | 25 ft | Lot A: <25 ft Lot B: No building proposed at this time. |
| Min. Front Yard Setback | 15 ft | Lot A: 15 ft Lot B: No building proposed, compliance feasible. |
| Min. Front Yard Garage Setback | 20 ft | Lot A: NA – garage being demolished. Lot B: No building proposed, compliance feasible. |
| Min. Interior Side Yard Setback | 5 ft or min. average of 7.5 ft | Lot A: 10 and 5 ft, average 7.5 ft Lot B: No building proposed, compliance feasible. |
| Min. Rear Yard Setback | 25 ft or 5 ft for garages with alley access | Lot A: >25 ft after garage demo. Has alley access. Lot B: No building proposed at this time, has alley access and will likely require reduced 5 ft rear setback to meet the other dimensional requirements. |

4. DECISION AND CONDITIONS OF APPROVAL

Following review of the subject preliminary short plat application for conformity with the Carnation Municipal Code and other applicable ordinances, laws, and policies, application no. 2024.0090.SP0002 is approved, subject to the following conditions for final approval:

A. Subdivision

- 1. Subject to minor revisions driven by final engineering details, or the conditions imposed below, the final plat shall be in substantial conformance with the submitted preliminary plat (Exhibit C). The complete plat number and existing (parent) parcel number must appear at the top right corner of the final plat as follows:

FINAL PLAT NO. xxxxxx
 PARCEL NO. 8658303300

- 2. Subsequent approval of the engineering details of the proposed alley and street improvements, storm drainage, sanitary sewer and water systems, and other proposed public facilities by the department and city engineer shall be required prior to approval of the final plat. These improvements shall require a site development permit.
- 3. A site plan with appropriate information was provided and reviewed. A final plat map in conformance with 15.16.160 - Final Short Plat Submittal Requirements is required at final short plat submittal and city staff will review final plat for conformance with local and state requirements prior to providing final signatures.
- 4. Signatures and signature blocks are required on the plat map as specified under CMC 15.16.160.

B. Land Use & Zoning

- 1. Development of all lots within this subdivision shall be in accordance with all of the requirements of CMC 15.48 Density and Dimensions, including front, side, and rear setbacks and limitations on building height and impervious surface, and applicable parking requirements of CMC 15.72.
- 2. At the site plan/design review phase, Lot B of the subject property will be reviewed for compliance with CMC 15.96.050 - Special Design Standards for the R6 Zone in addition to the general R6 density and dimensional regulations.
- 3. The Lot A existing garage shall be demolished prior to final plat submittal. This will require a demolition permit.

C. Public Facilities

- 1. A School Impact Fee as imposed by the Riverview School District for each individual lot shall be assessed at the time of building permit issuance and paid prior to final certificate of occupancy of Lot B.
- 2. A Parks Impact Fee for each individual lot shall be assessed at the time of building permit issuance and paid prior to final certificate of occupancy of Lot B.
- 3. A Transportation Impact Fee for each individual lot shall be assessed at the time of building permit issuance and paid prior to final certificate of occupancy of Lot B.

D. Utilities & Stormwater

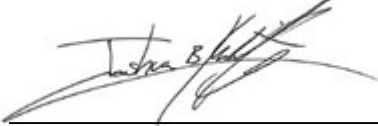
1. Water system improvements shall be consistent with the City's 2017 Combined Water and Sanitary Sewer Utility Technical Standards.
2. The new lot will be served from an existing water main located in Alley C, adjacent to the proposed short plat, between Commercial and Bird Streets. This water main is a eight-inch diameter main that provides the necessary capacity.
3. The proposed building may connect with the installation of a new valve pit to the existing vacuum main in Alley C. [CMC 13.45.030].
4. King County Health Department regulates on-site sewer system in the City of Carnation. The developer shall comply with Public Health – Seattle & King County requirements for the permeant removal of the septic tank and/or drain field if necessary. [CMC 15.60.110]
5. The sanitary sewer improvements shall be installed by the Developer per the City of Carnation's Combined Water and Sanitary Sewer Utility Technical Standards and AirVac's design manual.
6. Street and storm sewer system improvements shall be consistent with the City's 2018 Street and Storm Sewer System Standards, WSDOT Standard Plans and Standards for Road, Bridge, and Municipal Construction and the 2019 DOE Stormwater Manual for Western Washington. All streets shall be crowned at the pavement centerline. [CMC 15.56.100A, CMC 15.56.060, CMC 15.56.090]
7. After utility construction is complete the alley frontage south of the short plat shall be reconstructed within its 16-foot right-of-way and shall consist of a minimum of two-inch asphalt over four-inch depth compacted crushed rock, 12-feet wide. [CMC 15.56.170]
8. Stormwater runoff from impervious surfaces shall not be directed towards City rights-of-way or adjacent properties [CMC 15.64.220].
9. Infiltration systems shall be located a minimum of 10-feet from building foundations and property lines. Downspout infiltration systems may be constructed concurrent with building construction. [DOE Manual]

E. General

10. All permit requests will be reviewed for compliance with applicable codes, ordinances, laws, rules and regulations prior to issuance of approval.
11. Current City of Carnation standard plan general notes, roadway notes, drainage notes, and erosion and sediment control notes shall be shown on the engineering plans submitted for approval.
12. All existing and proposed electric, telephone, cable, and communication lines shall be placed underground from the existing distribution lines to the existing and proposed homes. The utility designs shall include a trench detail and continuous underground warning tapes installed 12-inches above each buried utility line. [CMC 15.60.350].
13. A drainage permit is required for the stormwater management systems. [CMC 15.64.230]
14. The Valve pit and side sewer(s) shall be constructed per City of Carnation Sewer Standards, a side sewer permit is required prior to commencing side sewer construction. [CMC 13.70.040]

15. A right-of-way permit is required for work within the City right-of-way [CMC 15.60.030]. An on-site preconstruction meeting shall be held before commencing work within the right-of-way.
16. An application for Clearing, Filling & Grading is required if the total volume of earth moved including cut, fill, and regrading exceeds 50 cubic yards. A spill prevention and control plan is also required.
17. A Construction Mitigation Plan will be required as part of construction permits such as those required for clearing and grading or civil permits.
18. In accordance with RCW 58.17.280, the project proponent shall obtain from the City a specific address for the new lots and place it on the final plat map.
19. The preliminary approval of this application will be valid for a period of three (3) years from the date of preliminary approval, together with any additional extensions that may be granted by changes to State law or City code. If all conditions have not been completed and a final plat has not been approved and filed within that period of time, the approval will expire and become null and void. No site disturbing development activities may commence until such time as all permits related thereto have been approved by the City of Carnation and a pre-construction meeting between the applicants, their contractors, and city staff has been held.

SIGNED THIS 8th DAY OF March, 2024.



Josh Kubitza, AICP
City of Carnation Contract Planner