



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: 2106982
Applicant Name: Mark Goodwin
Address of Proposal: 903 North 102nd Street

SUMMARY OF PROPOSED ACTION

Master Use Permit to subdivide one parcel into two parcels of land. Proposed parcel sizes are: A) 3,919 sq. ft. and B) 3,767 sq. ft. Existing detached accessory structure and detached garage to be removed.

*Note: The project description has been revised from the original notice of application to reflect an adjustment to the proposed parcel sizes.

The following approval is required:

Short Subdivision - to subdivide one existing parcel into two parcels.
(Chapter 23.24, Seattle Municipal Code)

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

This 7,686 square foot project site is located in a single family residential zone with a minimum lot size of 5,000 square feet (SF 5000), located in the northern area of the City of Seattle. The parcel is a corner lot located on the southeast side at the intersection of North 102nd Street and Linden Avenue North. An existing single family residence, detached accessory structure and detached garage/workshop resides on the site. The subject lot gradually slopes downward from North 102nd Street in a southerly direction towards an existing 12' wide unpaved alley. Both North 102nd Street and Linden Avenue North are paved roadways with no gutters, sidewalks and

curbs. Both streets are classified as Non-arterial Streets pursuant to SMC Chapter 23.53. The subject site is not located within any identified or designated Environmentally Critical Areas. Surrounding properties and blocks are also zoned SF 5000. Development in the area consists of a variety one and two-story single-family houses of varying age and architectural style on a variety of lot sizes, consistent with the zoning designations.

Proposal

The proposal is to subdivide one parcel of land into two lots. Proposed lot areas are indicated in the summary above. The proposed parcels will have direct access to both North 102nd Street and Linden Avenue North. The existing single family residence will remain. The existing detached accessory structure and detached garage/workshop are to be removed. Vehicular access via the existing alley and future access easement to an onsite surface parking area is proposed.

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 public comment period for this project originally ended June 18, 2003 and was later renoticed which resulted in an additional public comment period ending July 2, 2003. During the public comment period, DPD received seven written comments regarding this proposal. The neighbors voiced concerns related to the creation of substandard sized lots; construction of multifamily structures; and negative impacts associated with increased traffic, future pedestrian safety and vehicular access via the alley.

Additional Information

The submitted plat indicates three (3) points of access to an existing “T-shaped” alley:

- Access from North 102nd Street between Aurora Avenue North and Linden Avenue North;
- Access from North 101st Street between Aurora Avenue North and Linden Avenue North; and
- Access from Linden Avenue North between North 101st Street and North 102nd Street.

In 1989, DPD issued and finalized a building permit to construct a garage/workshop accessory to the existing single family residence on the subject property whose vehicular access is from the alley. This permit established onsite parking required per the Land Use Code.

It was observed by the assigned Land Use Planner during an initial visit to the subject site that the alley entrance orientated between North 102nd Street and North 101st Street is currently barricaded by concrete blocks. Per written comments submitted by a neighbor, this alley entrance was purposely barricaded by a City agency (in the year of 2000) at the request of a petition signed by nearby residents because of illegal activity and property damage caused by drivers not familiar with the alley’s unpaved terrain.

After further review of the applicant's materials and subsequent visits to the subject site by the DPD Land Use Planner, it has been determined by DPD that vehicular access to the existing onsite parking has not been compromised and future access to onsite parking via the alley is still possible-even with restricted access from one (1) entrance point in place.

ANALYSIS - SHORT SUBDIVISION

Pursuant to SMC 23.24.040, the Director shall, after conferring with appropriate officials, use the following criteria to determine whether to grant, condition or deny a short plat:

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.*

Based on information provided by the applicant, referral comments from the Building Plans Examiner, 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. *Conformance to the applicable Land Use Code provisions;*

The subject property is zoned for single-family residential with a minimum lot size of 5,000 square feet. The allowed use in a single family zone is one dwelling unit per lot, with accessory dwelling units meeting the provisions of SMC 23.44.041 notwithstanding. Maximum lot coverage is 35%. Front setbacks are an average of the neighboring adjacent lots, or twenty (20) feet, whichever is less. The minimum side yard setbacks are five (5) feet. Minimum rear yard setbacks are twenty-five (25) feet or if lot depth is less than one-hundred twenty five feet (125'), 20% of lot depth.

This short subdivision was submitted on the basis of application of the 75% - 80% rule pursuant to SMC 23.44.010.B.1.b. By subdivision, lots in a single family zone may be created which are "[a]t least seventy-five (75) percent of the minimum required lot area and [are] at least eighty (80) percent of the mean lot area of the lots on the same block face within which the lot will be located and within the same zone". Seventy-five (75) percent of the minimum lot size of the SF 5000 zone is 3,750 square feet. Eighty (80) percent of the mean lot size of the lot on the subject block face between Linden Avenue North and that portion of the block face west of the centerline of alley just east of Aurora Avenue North, exclusive of the subject lot, is 3,375.50 square feet, according to information submitted in the application. The proposed lot areas of Lots A and B, 3,919 and 3,767 square feet respectively, are greater than eighty percent of the mean lot area of the lot on the same block face (3,375.50 sq. ft.) and greater than seventy-five (75) percent of the minimum required lot area (3,750 sq. ft.). Thus, the proposed lot configuration meets the exception to the minimum lot area as contained in SMC 23.44.010.B.1.b.

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

2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005;*

The Parcels will have direct vehicular access to both North 102nd Street and Linden Avenue North. Based on the location of the existing detached garage and concrete driveway, access to onsite parking on Parcel A will be via the existing alley and future ingress and egress easement from Parcel B. Even though a portion of Parcel B will front on Linden Avenue North, direct vehicular access to this Parcel will be via North 102nd Street due to existing topography. 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 will 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. *Adequacy of drainage, water supply, and sanitary sewage disposal;*

This area is served with domestic water, sanitary sewer, and storm drain facilities by the City of Seattle. Availability of service is assured subject to standard conditions of utility extension. The short plat application has been reviewed by Seattle Public Utilities and a Water Availability Certificate was issued on February 6, 2007 (WAC ID No. 2007-0203).

The existing single family residence located on proposed Parcel A currently discharges its sanitary sewage to the public sanitary-only sewer (PSS) in North 102nd Street. New construction on proposed Parcel B may also use this sidesewer for sanitary discharge.

We have no record of the discharge point for stormwater runoff from the existing house. New construction on proposed Parcel B will be required to discharge to a street ditch and culvert system, if available, or provide for on-site infiltration. A standard drainage control plan will be required prior to issuance of any related building permits.

4. *Whether the public use and interests are served by permitting the proposed division of land;*

The proposed short subdivision will meet all the applicable Land Use Code provisions. The proposed development has adequate access for vehicles, utilities and fire protection, and has adequate drainage, water supply and sanitary sewage disposal. The public use and interest will be served with this proposal because additional opportunities for housing would be provided within the City limits as a result of this subdivision. The proposal will meet all applicable criteria for approval of a short plat upon completion of the conditions in this analysis and decision.

5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas;*

This site is not located in any environmentally critical area as defined in SMC 25.09.240. There are no environmentally critical areas mapped or otherwise observed on the site.

6. *Is designed to maximize the retention of existing trees;*

There are three (3) trees located on the site. Two (2) of the three (3) trees can be preserved, depending upon the location of any future construction, the extent of the root systems and the overall health of the trees. Future construction will be subject to the provisions of SMC 23.44.008, 25.11.050 and 25.11.060 which sets forth tree planting and exceptional tree protection requirements on single family lots.

DECISION - SHORT SUBDIVISION

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

CONDITIONS - SHORT SUBDIVISION

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.
2. Submit the final recording forms for approval and any necessary fees.
3. Insert the following on the face of the plat; "Tree preservation and planting options and landscaping requirements of Seattle Municipal Code 23.44.008 require trees for new single family development."
4. Specify the location, description and removal of all trees at least 6" in diameter measured 4.5' above the ground, with correct species on the face of the plat.
5. A no-protest agreement for future improvements to North 102nd Street and Linden Avenue North shall be signed and recorded with the King County Department of Records and Elections.

