



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: 3003563
Applicant Name: Bob Winters
Address of Proposal: 12235 9th Avenue Northwest

SUMMARY OF PROPOSED ACTION

Land Use Application to subdivide three parcels into five parcels of land. Proposed parcel sizes range from 7,222 square feet to 7,951 square feet. Existing structures on proposed parcels V and Z to remain.

The following approval is required:

Short Subdivision - To subdivide three existing parcels into five parcels.
(Seattle Municipal Code Chapter 23.24)

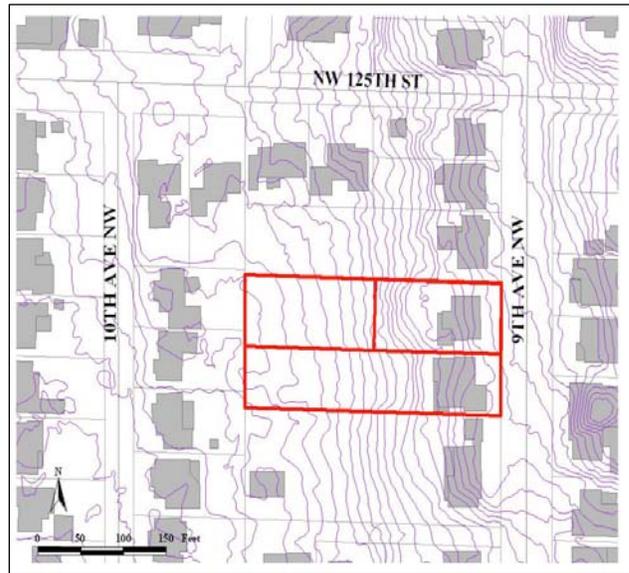
SEPA DETERMINATION: Exempt DNS MDNS EIS
 DNS with conditions
 DNS involving non-exempt grading or demolition or
involving another agency with jurisdiction.

BACKGROUND DATA

Zoning: Single Family (SF 7200).
Date of Site Visit: November 9, 2006.
Uses on Site: Two single family residences; one located at 12235 9th Avenue Northwest,
one located at 12233 9th Avenue Northwest.

Site Area and Description:

The three parcels are located mid-block along 9th Avenue Northwest between Northwest 122nd Street and Northwest 125th Street. Approximately 130 feet of street frontage exists between the two parcels at 12235 9th Avenue Northwest and 12233 9th Avenue Northwest. Ninth Avenue Northwest is a paved, non-arterial street with no sidewalk, curb, or gutter, and is approximately 20 feet wide (60 foot right-of-way width). On-street parking exists in the form of gravel and dirt shoulders available primarily on the east side of 9th Avenue Northwest. The three existing parcels are zoned Residential Single-Family with a minimum lot size of 7,200 square feet (SF 7200). Surrounding properties, in all directions, are also zoned SF 7200. The combined square footage of the three lots comprises approximately 39,000 square feet. Two of the three parcels are developed with single family residences, which will remain on-site. Development in the area consists of single-family residences of varying age and architectural styles.



The general terrain of the three parcels slopes westward and dips in elevation from 300 feet to 260 feet above sea level, representing a drop of 38 feet with a slope of approximately 13 percent. The site is not located within any mapped or observed Environmentally Critical Area (ECA).

Proposal:

The applicant proposes to subdivide three parcels of land into five parcels of land. Proposed parcel sizes are as follows:

- V – 7,910 square feet
- W – 7,222 square feet
- X – 7,341 square feet
- Y – 8,577 square feet
- Z – 7,951 square feet

The proposed parcels will take access from 9th Avenue Northwest. 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:

Notice of application ended November 22, 2006. Several comment letters were received and a number of concerns expressed, including the following general issues:

- drainage and potential flooding;
- possibility of the property being a potential wetlands area;
- development on a steep slope;
- wastewater management;
- access for emergency response vehicles;
- traffic generation;
- available parking.

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;*
7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing;*
8. *Conformance to the provisions of Section 23.24.046, multiple single-family dwelling units on a single-family lot, when the short subdivision is for the purpose of creating two (2) or more lots from one (1) lot with more than one (1) existing single-family dwelling unit.*

1. *Conformance to the applicable Land Use Code provisions;*

The subject property's zoning classification is intended for single-family residential uses with a minimum lot size of 7,200 square feet (SF 7200). The lots created by this proposed division of land would conform to all applicable development standards of the SF 7200 zoning district. The proposed parcels would provide adequate buildable area to meet applicable yards, lot coverage requirements, and other applicable Land Use Code development standards.

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

Parcels V and Z maintain street frontage and direct vehicular access from 9th Avenue Northwest. Parcels W, X, and Y will have vehicular access from 9th Avenue Northwest via proposed ingress/egress easements. The Seattle Fire Department has reviewed and conditionally approved the proposed short plat for emergency vehicle access, subject to conditions as described at the end of this decision.

All private utilities are available in this area. Seattle City Light has reviewed and approved the proposal, subject to conditions as described at the end of this decision.

3. Adequacy of drainage, water supply, and sanitary sewage disposal;

Seattle Public Utilities reviewed the short plat application, and Water Availability Certificate #20062060 was issued on October 26, 2006.

Sanitary Sewer: The existing houses currently discharge their sanitary waste to the public sanitary-only sewer (PSS) along 9th Avenue Northwest. New construction may use these side sewers for sanitary discharge if verified to be in good condition (see below).

Drainage: There are no formal public drainage systems immediately available to the site. The nearest ditch and culvert system is across 9th Avenue Northwest, uphill from the site, and discharges to Pipers Creek. The nearest downhill drainage system is in 10th Avenue Northwest. Because the offsite drainage systems discharge to Pipers Creek, detention with controlled release, sized for the 100-year Seattle storm event, is required for all new Stormwater control if discharge is proposed to a ditch and culvert system. Pump systems are likely and pump failure may cause damage to downhill, abutting properties.

Seattle DPD has examined the proposal for compliance with drainage and sanitary sewer provisions. Prior to issuance of building permit, the applicant shall provide DPD with an all-site sanitary sewer and comprehensive permanent drainage control plan, stamped and signed by a civil engineer.

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

An objective of the short subdivision process is to increase opportunities for new housing development to ensure adequate capacity for future housing needs. The proposed short subdivision would meet applicable Land Use Code provisions: the proposal has adequate access for vehicles, utilities and fire protection, and has adequate drainage, water supply and sanitary sewage disposal.

The public use and interest would be served by this proposal because additional opportunities would be provided within the City limits as a result of this subdivision. Furthermore, upon completion of the conditions in this decision, the proposal would meet all applicable criteria for approval of a short plat.

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

The site is not located in any mapped or observed environmentally critical area as defined in SMC Chapter 25.09. Therefore, this section is not applicable to this short plat application.

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

The survey indicates that the site contains several deciduous and evergreen trees located throughout proposed parcels W, X, and Y. There are no proposed building pads at this time that would necessitate removal of any existing trees. Additionally, the proposed division of land does not include the removal of any trees; therefore, the action maximizes the retention of existing trees.

7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*

No unit lots are being proposed; therefore this section is not applicable to this short plat application.

8. *Conformance to the provisions of Section 23.24.046, multiple single-family dwelling units on a single-family lot, when the short subdivision is for the purpose of creating two (2) or more lots from one (1) lot with more than one (1) existing single-family dwelling unit.*

This Short Subdivision is not a multiple single-family dwelling unit subdivision. Thus, this section is not applicable to this short plat application.

DECISION - SHORT SUBDIVISION

The proposed Short Subdivision is **CONDITIONALLY GRANTED**.

CONDITIONS - SHORT SUBDIVISION

Non-Appealable Zoning Requirement

1. The owner(s) and/or responsible party(s) shall meet all requirements of the outstanding zoning correction notice, and resolve to the satisfaction of the zoning reviewer any other issues that arise.

Prior to Recording

The owner(s) and/or responsible party(s) shall:

2. Revise the final plat documents to reflect the corrections from the zoning review, dated November 2, 2006.
3. Provide a joint maintenance and responsibility agreement for maintenance and use of the ingress, egress, utility (including the common side sewer and storm drainage system) that will serve the proposed parcels.
4. A no-protest agreement for future improvements to 9th Avenue Northwest shall be signed and recorded with the King County Department of Records and Elections.

5. Add a statement on the front of the plat that satisfies Seattle Fire Code requirements for approved alternative means of fire protection in accordance with exceptions to Section 503.1.1 of the Seattle Fire Code.
6. 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. Add the conditions of approval to the face of the plat.
7. Provide on the plat the required Seattle City Light easement.
8. Submit the final recording forms for approval and remit any applicable fees.
9. Add all conditions of approval applicable after recording to the face of the plat.

Prior to Issuance of any Building Permit

10. Provide DPD with an all-site sanitary sewer and comprehensive permanent drainage control plan, stamped and signed by a civil engineer.
11. Attach a copy of the recorded short subdivision to any sets of building permit application plans, if applicable.

Prior to Final Approval or Certificate of Occupancy

None.

Signature: _____ (signature on file)
Catherine McCoy, Land Use Planner
Department of Planning and Development

Date: March 19, 2007