



City of Seattle

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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:** 3004436  
**Applicant Name:** Brittani Ard  
**Address of Proposal:** 6511 37<sup>th</sup> Avenue NE

**SUMMARY OF PROPOSED ACTION**

Land Use Application to subdivide one parcel into two parcels of land. Proposed parcel sizes are: A) 5,086.6 sq. ft. and B) 5,086.2 sq. ft. The existing structures are to be removed.

The following approval is required:

**Short Subdivision** – To subdivide one parcel into two lots.  
(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 visit: 9/10/06  
Zoning: Single Family Residential 5000  
Uses on Site: Single family residence and detached garage

Substantive Site Characteristics:

This 10,172.8 square foot subject site is a rectangular corner lot that fronts on 37<sup>th</sup> Avenue NE to the east and a concrete alley to the west. The existing single-family residence is located on the eastern portion of the lot, with a detached garage to the west of the home. The site slopes down from the northwest corner to the southeast corner, with an approximate 10-12 foot elevation change. There is a rock retaining wall on the eastern boundary of the lot. Vegetation consists of lawn, small shrubs, and a mature cypress tree on the southeast corner of the lot. The surrounding zoning is Single Family Residential 5000. The site is not located in any mapped critical areas.

Proposal Description:

The applicant proposes to subdivide one parcel with a total area of 10,172.8 square foot into two parcels of 5,086.6 sq. ft. and 5,086.2 sq. ft. Parcel A will be created on the northern portion of the original lot and Parcel B will be created on the southern portion of the original lot. Both Parcel A and B will have frontage on 37<sup>th</sup> Avenue NE to the east and the alley to the west.

Public Comment:

The comment period for this proposal ended on September 13, 2006. During this period, there were no comment letters received.

**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; and*

Summary - Short Subdivision

Based on information provided by the applicant, referral comments from DPD, Water (SWD), Fire Departments (SFD), Seattle City Light, the Building Plans Examiner, the Drainage Section of DPD, and review by the Land Use Planner, the above cited criteria have been met subject to the conditions imposed at the end of this decision.

The lots to be created by this short subdivision will meet all minimum standards or applicable exceptions set forth in the Land Use Code and are consistent with applicable development standards. As conditioned, this short subdivision can be provided with vehicular access, public and private utilities and access (including emergency vehicles). Adequate provisions for drainage control, water supply, and sanitary sewage disposal have been provided for each lot and service is assured, subject to standard conditions governing utility extensions. The proposal site

is not located in an environmentally critical area; therefore SMC 25.09.240 is not applicable. The 22-inch caliper Cypress tree is located in the buildable area of proposed Parcel B, however there is adequate space to build a new home and retain the tree. The proposal will be conditioned to retain the tree at least until the lot is sold and/or developed. The public use and interest are served by the proposal since all applicable criteria are met and the proposal creates the potential for additional housing opportunities in the City.

### **DECISION –SHORT SUBDIVISION**

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

### **CONDITIONS – SHORT SUBDIVISION**

#### *Conditions of Approval Prior to Recording*

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

1. Include the easement description if required by Seattle City Light on the face of the final plat and in the legal descriptions of the affected lots.
2. Add the conditions of approval after recording on the face of the plat or on a separate page. If the conditions are on a separate page, insert on the plat “For conditions of approval after recording see page \_\_\_ of \_\_\_.”
3. 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. The lot areas of each parcel shall be shown on the recording documents.
4. Submit the recording fee and final recording forms for approval.
5. Label all structures “to be removed” on the final plat.
6. The following note shall be placed on the plat: “The Cypress tree on Parcel B shall be retained at least until separate sale or final building inspection, whichever is later.”

#### Upon Application for a Building Permit for Parcel B

7. Provide a report or plan from a qualified arborist to protect the Cypress tree. The plan shall include on-site monitoring by the arborist during critical construction activities, if necessary.

*For the life of the project*

8. The owner(s) and/or responsible party(s) shall attach a copy of the recorded short subdivision to all permit application plans for any application for a permit to construct, demolish, or change use.

Signature: \_\_\_\_\_ (signature on file) \_\_\_\_\_ Date: January 8, 2007  
Janet Hyde-Wright, Land Use Planner

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