



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: 3005708
Applicant Name: Brittani Ard
Address of Proposal: 825 NE 67th ST

SUMMARY OF PROPOSED ACTION

Land Use Application to subdivide one parcel into two unit lots. Development standards will be applied to the original parcel and not to each of the new lots. This subdivision of property is only for the purpose of allowing sale or lease of the unit lots, and the subject of this analysis and decision is limited to the subdivision of land. The construction of single family dwellings has been approved under Project No. 6102207.

The following approval is required:

Short Subdivision - to create two unit lots pursuant to Seattle Municipal Code (SMC) 23.24.

BACKGROUND DATA

Zoning: Lowrise Duplex/Triplex (LDT)
Date of Site Visit: October 12, 2006
Uses on Site: Existing single family structure

Substantive Site Characteristics:

The site is on Northeast 67th Street midblock between 8th Avenue Northeast to the west and Roosevelt Way Northeast to the east, and is located in Seattle's Roosevelt neighborhood. Zoning in the immediate vicinity is a blend of single family, multifamily, and commercial zoning, the latter of which is closer to the Roosevelt Neighborhood core along Roosevelt Way Northeast and Northeast 65th Street. The site itself is zoned Lowrise Duplex/Triplex (LDT), which runs along the entire blockface. Properties to the south of the site are zoned Lowrise 1 (L1). Immediately north and across Northeast 67th Street is Single Family (SF 5000) zoning, which extends north for several blocks. Densities increase to

Lowrise 3 and Neighborhood Commercial 40' and 65' further east and west of these zones. There is no alley behind the lot, and Northeast 67th Street is fully improved with sidewalks, curbs, gutters, and paving.

Public Comment:

Notice of application was issued on September 28, 2006 and ended October 11, 2006. No public comments were offered during this period.

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;*

Summary - Short Subdivision

Based on information provided by the applicant, referral comments from DPD, Water (SWD), Fire Department (SFD), Seattle City Light, 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 mapped environmentally critical area nor were any environmentally critical areas observed on site; therefore SMC 25.09.240 is not applicable.

Tree and other landscaping requirements were considered under the building permit review. 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.

ANALYSIS –UNIT LOT SUBDIVISION

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.

- A. The unit subdivision provisions of SMC Section 23.24.045 apply exclusively to the unit subdivision of land for townhouses, cottage housing developments, residential cluster developments, and single-family residences in zones where such uses are permitted.*
- B. Sites developed or proposed to be developed with dwelling units listed in subsection A above, may be subdivided into individual unit lots. The development as a whole shall meet development standards applicable at the time the permit application is vested. As a result of the subdivision, development on individual unit lots may be nonconforming as to some or all of the development standards based on analysis of the individual unit lot, except that any private, usable open space for each dwelling unit shall be provided on the same lot as the dwelling unit it serves.*
- C. Subsequent platting actions, additions or modifications to the structure(s) may not create or increase any nonconformity of the parent lot.*
- D. Access easements and joint use and maintenance agreements shall be executed for use of common garage or parking areas, common open space (such as common courtyard space for cottage housing), and other similar features, as recorded with the Director of the King County Department of Records and Elections.*
- E. A joint use and maintenance agreement has been included on the short plat documents and should also be included on the final documents for recording.*
- F. Within the parent lot, required parking for a dwelling unit may be provided on a different unit lot than the lot with the dwelling unit, as long as the right to use that parking is formalized by an easement on the plat, as recorded with the Director of King County Department of Records and Elections.*
- G. The facts that the unit lot is not a separate buildable lot, and that additional development of the individual unit lots may be limited as a result of the application of development standards to the parent lot shall be noted on the plat, as recorded with the Director of the King County Department of Records and Elections.*

Summary - Unit Lot Subdivision

Review of this application shows that the proposed short subdivision would conform to applicable standards of SMC 23.24.045 subject to the conditions imposed at the end of this decision. The proposed developments are single family structures. The structures, as reviewed under their separate building permits, conform to the development standards at the time the permit application was vested.

To assure that future owners have constructive notice that additional development may be limited; the applicant will be required to add a note to the face of the plat that reads as follows: *“The lots created by unit subdivision are not separate building lots. Additional development on any individual lot in this unit subdivision may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code.”* Provisions for addressing must be provided per condition.

DECISION – UNIT LOT SUBDIVISION

The proposed Unit Lot Subdivision is **CONDITIONALLY GRANTED**.

CONDITIONS – UNIT LOT SUBDIVISION

Conditions of Approval Prior to Recording

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

1. Include any required easement provided by Seattle City Light on the final recording documents and in the legal descriptions of the affected unit lots.
2. Provide an easement, covenant, or other legal agreement to allow proper posting of the address signage.
3. 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 ___.”
4. Have the 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.
5. Submit the recording fee and final recording forms for approval.

For the Life of the Project

6. 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: April 23, 2007
Catherine McCoy, Land Use Planner
Department of Planning and Development

Land Use Services

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