



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 PLANNING AND DEVELOPMENT**

**Application Number:** 3001801

**Applicant Name:** Brittani Ard for JS & J Builders, Inc.

**Address of Proposal:** 11222 Fremont Avenue North

**SUMMARY OF PROPOSED ACTION**

Land Use application to subdivide three parcels into five parcels of land. Proposed parcel sizes are: A) 5,001 square feet, B) 5,000.7 square feet, C) 5,000.7 square feet, D) 7,570.2 square feet, and E) 5,001 square feet. Existing single family residences to remain. Existing garage and shed on proposed Parcel A to be demolished.

The following approval is required:

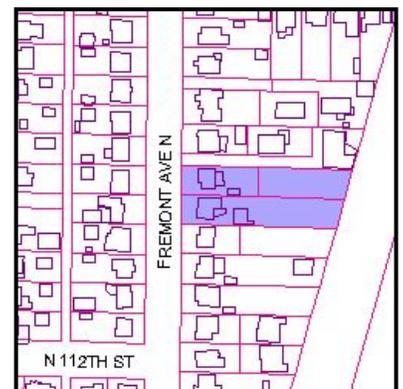
**Short Subdivision** - to subdivide three existing parcels into five parcels.  
(Chapter 23.24, Seattle Municipal Code)

**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**

The approximately 27,573 square foot parent site is located in a Single Family residential zone with a minimum lot size of 5,000 square feet (SF 5000), in the Bitter Lake neighborhood in the North Seattle area. The parcels are currently configured as three lots, two of which are developed with single family residences addressed as 11222 and 11226 Fremont Avenue North, respectively. The property is located on Fremont Avenue North between North 112<sup>th</sup> and North 115<sup>th</sup> Streets. The proposed parcels are adjacent to the Seattle City Light transmission lines directly to the east and the Evergreen-Washelli Cemetery directly east of that.



Proposed parcels A and B will have street frontage on Fremont Avenue North, which is not improved to current standards (no curbs or sidewalks are present). Proposed parcels C, D and E will have vehicle and pedestrian access to Fremont Avenue North by way of recorded easements.

Surrounding properties and blocks are also zoned SF 5000. Development in the area consists of a variety of one- and two-story single-family houses of varying age and architectural style on a variety of lot sizes.

### Proposal

The proposal is to subdivide three parcels of land into five parcels (for a total net gain of two lots). Proposed parcel sizes are: A) 5,001 square feet, B) 5,000.7 square feet, C) 5,000.7 square feet, D) 7,570.2 square feet, and E) 5,001 square feet. Proposed parcels A and B will have frontage on and vehicle and pedestrian access to Fremont Avenue North. Proposed parcels C, D and E will have vehicle and pedestrian access to Fremont Avenue North via recorded easements. The existing residences will remain.

The subject of this analysis and decision is only the proposed division of land.

### Public Comment

During the public comment period which ended April 18, 2007, DPD received one telephone inquiry as to the potential for purchase of the proposed lots.

### **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.*

Based on information provided by the applicant, referral comments from 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 use with a minimum lot size of 5,000 square feet (SF 5000) or as provided in SMC 23.44.010-B1b. The allowed use in a single family zone is one dwelling unit per lot, with accessory dwellings permitted within the principal structure in accordance with SMC 23.44.041. 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 setback is five (5) feet. Minimum required rear yard is 25'. The lots created by this proposed division of land will conform to all development standards of the SF 5000 zoning designation. The proposed parcels meet the minimum lot size requirement of the zone and provide adequate buildable area to meet applicable yards, 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;*

Proposed parcels A and B will have direct vehicle access from Fremont Avenue North. Proposed parcels C, D and E will have vehicular access to Fremont Avenue North via recorded easement. 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 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 and sanitary sewer 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 April 16, 2007 (Water Certificate ID No 20070652).

**SANITARY SEWER:** There is an eight inch diameter sanitary sewer main and a drainage culvert in Fremont Ave. North adjacent to the property.

**DRAINAGE:** Future development of this site will require a drainage control plan with the drainage permit. Onsite infiltration of storm water will be allowed in soil conditions permit. A Side Sewer Easement, Connection, Hold Harmless, and Indemnification Agreement will be required if shared sewer connections are desired.

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

One objective of the short subdivision process is to increase opportunities for new housing development in order to ensure that there will be adequate capacity for future housing need. 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.

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 several mature native and non-native trees located on the subject properties. The proposal has been designed to maximize the retention of existing trees on the property. Future construction will be subject to the provisions of SMC 23.44.008 and SMC 25.11 which sets forth tree planting requirements and tree preservation regulations on single family lots. Based on the applicant's information, there is a significant tree located near the southern boundary of proposed Parcel D. This tree, shown as S29 on the preliminary plat is actually a 31" Grand Fir and is an Exceptional Tree per DR 6-2001. A root protection zone shall be established for this tree where no grading or other construction activity should take place. A chain link fence, measuring 40' X 20' shall be established around this tree prior to any work on the site.

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.*

This Short Subdivision is not a unit subdivision. Thus, this section is not applicable to this short plat proposal.

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 proposal.

