



City of Seattle

Gregory J. Nickels, Mayor

Department of Planning and Development

Diane M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT PLANNING AND DEVELOPMENT**

Application Number: 3005853
Applicant Name: Yen Lam for Donald Scott
Address of Proposal: 320 Northeast 97th Street

SUMMARY OF PROPOSED ACTION

Land Use Application to subdivide one parcel into two parcels of land. Proposed parcel sizes are: A) 19,671 square feet and B) 20,133 square feet. The existing two-story office structures are to remain. 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.

The following approval is required:

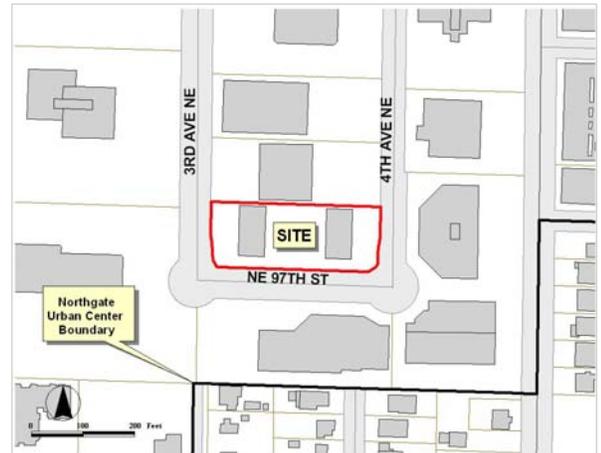
Short Subdivision - to subdivide one existing parcel into two parcels.
(Chapter 23.24, Seattle Municipal Code).

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

BACKGROUND DATA

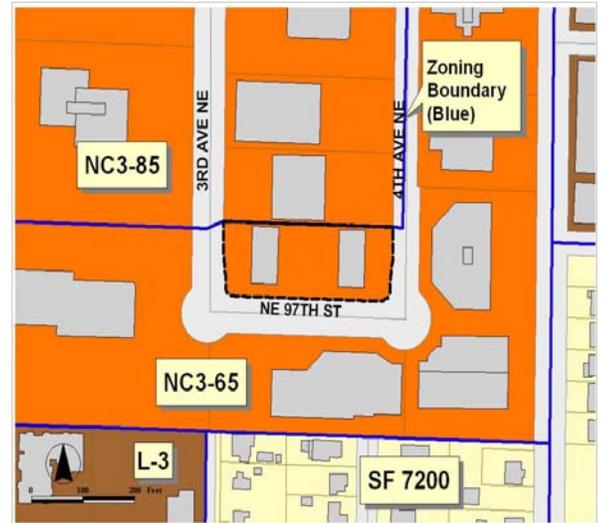
Site & Area Description

The 39,804 square foot rectangular site consists of the entire south side of the block along Northeast 97th Street between 3rd Avenue Northeast and 4th Avenue Northeast. The site is approximately 1300 feet south of the Northgate Mall, and is within the southeastern-most portion of Seattle’s Northgate Urban Center boundary. The parcel to be subdivided maintains 276 feet of frontage along Northeast 97th Street, and is currently developed with two, two-story commercial office buildings.



The site itself is zoned Neighborhood Commercial 3 with a height limit of sixty-five feet (NC3 65). Multiple zones surround the subject site ranging in intensity from Single Family (SF 7200) to Neighborhood Commercial 3 with a height limit of eighty five feet (NC3-85).

Three commercial access streets surround the subject site. Immediately west of the site is 3rd Avenue Northeast, a 60 foot right of way; east of the property is 4th Avenue Northeast, a 50 foot right of way; and Northeast 97th Street, a 60 foot right of way. All are improved with curb, sidewalk and gutter. Access to the commercial buildings can be taken from all three roadways.



Uses surrounding the site consist primarily of commercial uses, including the Seattle Athletic Club, the Northgate Medical/Dental Plaza, and other similar medical/dental/real estate service buildings.

Proposal

The proposal is to subdivide one parcel of land into two parcels. Proposed lot areas for the site are: A) 19,671 square feet, B) 20,133 square feet. Vehicle access will continue to be from Northeast 97th Street, 3rd Avenue Northeast, and 4th Avenue Northeast. The subject of this analysis and decision is only the proposed division of land. There are no minimum lot size requirements in commercial zones.

Public Comment

The two week public comment period ended November 22, 2006. DPD received one written comment letter which expressed concerns related to parking availability in the immediate vicinity. The comment letter, as well as general project information, can be found in the Land Use Application file located at the Public Resource Center (PRC), 700 Fifth Avenue, Suite 2000, <http://www.seattle.gov/dpd/prc/>.

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 subdivisions, 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 DPD, Water (Seattle Public Utilities), Seattle Fire Department, Seattle City Light, and review by the Land Use Planner (DPD), 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 Neighborhood Commercial 3 with a 65 foot height limit (NC3-65). The lots to be created by this short subdivision will meet all minimum lot size requirements and are consistent with applicable development standards. 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;

Both parcels, A and B, will have direct access to Northeast 97th Street. In addition to having direct access to Northeast 97th Street, Parcel A will also have access to 3rd Avenue Northeast, and Parcel B will have access to 4th Avenue Northeast. The Seattle Fire Department has reviewed and approved the proposed short plat for emergency vehicle access, subject to fire flow availability. (The applicant submitted a Hydrant Flow Test, dated May 30, 2007; a copy of which can be found in the in the Land Use Application file located at the Public Resource Center (PRC), 700 Fifth Avenue, Suite 2000, <http://www/seattle.gov/dpd/prc/>).

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 November 16, 2006 (WAC ID No. 20062179).

Sanitary sewer services are currently available and adequate for the existing structures on Parcels A and B. The existing structure on Parcel A currently discharges its sanitary waste to the public sanitary-only sewer (PSS) in 3rd Avenue Northeast; and the existing structure on Parcel B currently discharges its sanitary waste to the PSS in 4th Avenue Northeast.

Per requirements of DPD's Sewer and Drainage section, the applicant will provide on the face of the plat, and will have recorded, an easement from proposed Parcel A to proposed Parcel B for the existing shared service drain. Additionally, the applicant will add to the legal description of both properties a recorded connection agreement for the shared service drain.

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

The proposed subdivision is consistent with the NC3-65 zone and Seattle Land Use Code provisions. The proposed subdivision was given preliminary approval from all City of Seattle review locations and as a result meets the public use and interest.

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. As a result this criterion is met.

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

There are numerous trees located on the subject site. The applicant has identified all trees on the site plan. As there are no proposed building plans at this time that would necessitate removal of any trees, the proposal has been designed to maximize the retention of existing trees on the property.

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 remit any applicable fees.
3. Add all conditions of approval to the face of the plat.

Prior to Building Permit Issuance

4. A copy of this short subdivision shall be attached to all subsequent building permit applications or revisions.

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

Date: August 23, 2007