



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

**Application Number:** 3006818  
**Applicant Name:** Mark Plog for Judith Malmgren  
**Address of Proposal:** 12025 9th Ave NW

**SUMMARY OF PROPOSED ACTION**

Land Use Application to subdivide one parcels into two lots. The existing single family residential unit will remain.

The following approval is required:

**Short Subdivision** - to create two lots. (SMC 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 (SF7200).  
Uses on Site: One single family structure.

**Site and Vicinity Characteristics**

The 14,994 square foot site is located on the west side of 9<sup>th</sup> Av NW between NW 120<sup>th</sup> Street to the south and NW 122<sup>th</sup> Street to the north in the Broadview neighborhood. The parcel is zoned Single Family zone (SF 7200) as is the surrounding area. There is an existing single family structure on the site, built in 1955, that will remain. The right-of-way, 9<sup>th</sup> Av NW is improved with curb, gutter and sidewalk. In addition there is a private easement, established in 1990, over the southern 12 feet of the lot and a 10 foot portion of the rear (or western) portion of the lot that provides access to the two undeveloped lots to the east of the subject site. The terrain slopes down to the south west and up to the south east and there are wooded ravines and streams to the south of NW 120<sup>th</sup> Street.

Proposal

The proposal is to short subdivide one platted lot into two lots. Each lot would have the 1,497 square feet. Vehicular access to both new lots would be directly off 9<sup>th</sup> Av NW.

Public Comment

Three public comment letters were received during the comment period, which was extended an additional two weeks upon request and ended December 16th 2009. Concerns were expressed about the impact to off-site conditions if development occurs on the subject site, about storm water and sewer line capacity in the area and about retaining the existing drainage easement on the subject site.

The existing lot includes a 40 foot wide easement to collect and allow for infiltration of stormwater from the access easement and lots A and B. The new lot as proposed will include a portion of the existing easement. General drainage considerations were reviewed by the City's Civil Engineer and will be discussed in the analysis section of this Decision.

**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 pedestrians, vehicles, utilities and fire protection as provided in Section 23.53.005, Access to lots, and Section 23.53.006, Pedestrian access and circulation;*
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; and*
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.*

Summary - Short Subdivision

Based on information provided by the applicant, referral comments from DPD, Seattle Public Utilities (SPU), Fire Department (SFD), and 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. Specifically, with regards to emergency vehicle access and the proposed access for the new lot the Fire Marshall made the following finding. "If portions of buildings hereafter constructed on Parcel [Y], 12023 9th Avenue NW, exceed a distance of 150 feet by an approved foot route from 9th Avenue NW, the following [conditions] apply: Applicant will provide an approved fire department vehicle access road meeting the provisions noted below or shall obtain an authorization from the fire official to increase the distance allowed to the nearest fire department vehicle access road as per the exception in Section 503.1.1."

With regards to the drainage concerns, the City's Civil Engineer who reviewed the project found that the public sanitary sewer (PSS) serving the subject site does not discharge into the PSS serving 12<sup>th</sup> Av NW and new development at the site will not discharge stormwater to the PSS. The new Drainage Code requires infiltration on site to the maximum extent feasible. Requirements to meet the Drainage Code standards will be applied if plans are submitted for construction on the new site and a determination would be made at that time about whether the existing drainage easement or a different method for providing stormwater drainage will be utilized.

The lots created by this short subdivision will meet all minimum standards or applicable exceptions of the set forth in the Land Use Code, and are consistent with applicable development standards. As conditioned, the lots created by this short subdivision can be provided with vehicular and pedestrian 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 mapped as an environmentally critical area and a SEPA review under SMC 25.09.240 does not apply. There are two exceptional or significant trees on the site which will be labeled as such on the final Plat documents and code requirements for new trees (SMC 23.44.008.I) will be considered under any subsequent building permit review. The purpose of this platting action does not involve the creation of a new lot where two separate principal single family structures have occupied a single lot. 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 plat is **CONDITIONALLY GRANTED.**

