



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 OF PLANNING AND DEVELOPMENT**

**Application Number:** 3007277

**Applicant Name:** Brittani Ard for Granger Construction, Inc.

**Address of Proposal:** 554 Northeast 103<sup>rd</sup> Street

**SUMMARY OF PROPOSED ACTION**

Land Use Application to subdivide one parcel into two parcels of land. Proposed parcel sizes are: A) 4,637.2 sq. ft. and B) 5,300.2 sq. ft. Approximately 60 square feet of the existing structure on Parcel B, a roof overhang, is to be removed.

The following approval is required:

**Short Subdivision** - To subdivide one existing parcel into two parcels of land.  
(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 and Vicinity Description:**

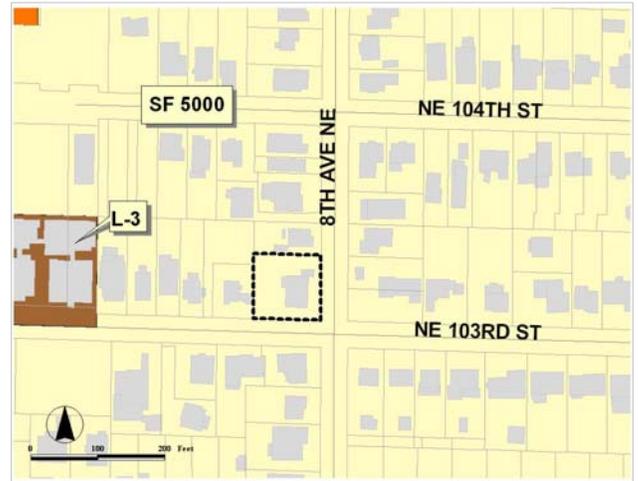
The subject site is a 9,937 square foot lot located in Seattle's Maple Leaf neighborhood. The property is located on the northwest corner of the intersection of 8<sup>th</sup> Avenue Northeast and Northeast 103<sup>rd</sup> Street. Development on the site consists of a 1,855 square foot single family residential structure, including a 160 square foot wood deck off the rear of the structure. There are several retaining structures on site, including



a 4 foot tall keystone block wall along the west property line, and rock and concrete retaining walls along the eastern property line. An asphalt driveway extends onto the site from Northeast 103<sup>rd</sup> Street.

The site is bounded on the south and east by two residential access streets, Northeast 103<sup>rd</sup> Street and 8<sup>th</sup> Avenue Northeast respectively. Both access streets are 40 foot wide rights-of-way with no sidewalks, curbs, or gutters. There is no alley located adjacent to the site.

There are a number of large, mature trees on-site including a 40 inch Bigleaf Maple (*Acer macrophyllum*), and a 32 inch Horsechestnut (*Aesculus hippocastanum*). The trees are healthy and provide habitat diversity for plants and animals in the area. The trees do not meet the criteria for “Exceptional” standing pursuant to Director’s Rule 6-2001.



The surrounding vicinity consists primarily of single and multifamily development. Northwest of the site is the Northgate Urban Center area, and the south branch of the Thornton stream. The site is not located within any mapped or observed Environmentally Critical Area (ECA).

Proposal:

The proposal is to divide the subject property into two parcels of land. Proposed lot sizes are: Parcel A) 4,637.2 sq. ft. and Parcel B) 5,300.2 sq. ft. The existing house on Parcel B is to remain, however a 60 square foot section of the roof overhang along the west façade is to be legally removed prior to separate sale and/or transfer of ownership. Access to Parcel A will be from Northeast 103<sup>rd</sup> Street, and access to Parcel B will be from 8<sup>th</sup> Avenue Northeast.

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.

Public Comment:

The public comment period for this land use application ended December 12, 2007. DPD received one comment letter and one phone call related to this land use application. Neither respondent expressed opposition to this subdivision of land. Comment letters, application documents, and associated materials may be found in the Land Use Application file, which is available for review at DPD’s Public Resource Center (PRC), 700 Fifth Ave, Suite 2000 (<http://www.seattle.gov/dpd/PRC/LocationHours/default.asp>).

**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;*

*1. Conformance to the applicable Land Use Code provisions;*

The subject property is zoned for single-family residential uses with a minimum lot size of 5,000 square feet (SF 5000). This short subdivision was submitted on the basis of application of the 75%-85% rule pursuant to SMC 23.44.010.B.1.b. By subdivision, lots in a single family zone may be created which are “at least seventy-five (75) percent of the minimum required lot area and are at least eighty (80) percent of the mean lot area of the lots on the same block face within which the lot will be located and within the same zone”. Seventy-five (75) percent of the minimum lot size of the SF 5000 zone is 3,750 square feet. Eighty (80) percent of the mean lot size of the lots on the subject block face between Northeast 103<sup>rd</sup> Street and Northeast 104<sup>th</sup> Street is 3,641 square feet, according to information submitted in the application. On the NE 103<sup>rd</sup> block face, 80% of the mean lot size of the single family zoned lots is 4,536 square feet.

The proposed lot areas of Parcels A and B, 4,637.2 and 5,300.2 square feet, respectively, are greater than 80 percent of the mean lot area of the lot on the same block face and greater than 75 percent of the minimum required lot area (3,750 square feet). Thus, the proposed lot configuration meets the exception to the minimum lot area as contained in SMC 23.44.010.B.1.b.

The lots created by this proposed division of land would conform to all applicable development standards of the SF 5000 zoning district. 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;*

Vehicular access to Parcel A will be from Northeast 103<sup>rd</sup> Street; access to Parcel B will be from 8<sup>th</sup> Avenue Northeast. Pursuant to SMC 23.53.015, a No-Protest Agreement to future street improvements shall be required, as authorized by RCW Chapter 35.43. The agreement shall be recorded with the King County Department of Records and Elections.

The Seattle Fire Department has reviewed and approved the proposed short plat for emergency vehicle access, subject to future development meeting Seattle Fire Code Requirements.

Seattle City Light provides electrical service to the proposed short plat. City Light may require an electrical service easement for services to the proposed lots. If Seattle City Light requires an easement, it shall be included on the final plat prior to recording. 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, sanitary sewer, and storm drain facilities by the City of Seattle. Availability of service is assured subject to standard conditions of utility extension. Seattle Public Utilities reviewed the short plat application, and Water Availability Certificate #20071020 was issued on June 8, 2007.

**Sanitary Sewer** The existing house currently discharges its sanitary waste to the public sanitary-only sewer (PSS) in 8<sup>th</sup> Avenue Northeast. New construction may use this sidesewer for sanitary discharge, or connect to the PSS in Northeast 103<sup>rd</sup> Street.

**Drainage** There is no record of the current method of stormwater discharge. New construction shall be required to provide detention with controlled release with discharge to the ditch and culvert system in 8<sup>th</sup> Avenue Northeast. The applicant may contact DPD's Sidesewer and Drainage Counter for Sidesewer permit requirements.

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

An objective of the short subdivision process is to increase opportunities for new housing development. The proposed short subdivision would meet applicable Land Use Code provisions; the proposal has adequate access for vehicles, utilities and fire protection; and has adequate drainage, water supply and sanitary sewage disposal.

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;*

The site contains several large, mature trees ranging in size from 20 to 41 inches in diameter, including a 40 inch Bigleaf Maple (*Acer macrophyllum*), and a 32 inch Horse Chestnut (*Aesculus hippocastanum*). These trees can be preserved, depending upon the location of any future construction, the extent of the root systems, and the overall health of the trees. There are no proposed building pads or construction at this time on Parcels A or B that would necessitate removal of any existing trees. Future construction will be subject to the provisions of SMC 23.44.008, 25.11.050, and 25.11.060, which sets forth tree planting requirements on single family lots.

Summary - Short Subdivision

Based on information provided by the applicant, referral comments from DPD, Water (SPU), 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 an environmentally critical area; therefore SMC 25.09.240 is not applicable. The proposed plat maximizes the retention of existing trees. 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 shall:

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. Add the conditions of approval to the face of the plat.
2. Pursuant to SMC 23.53.015, a No-Protest Agreement to future street improvements shall be required, as authorized by RCW Chapter 35.43. The agreement shall be recorded with the King County Department of Records and Elections.
3. Provide on the plat the (any) required Seattle City Light easement.
4. Submit the final recording forms for approval and remit any applicable fees.
5. Add all conditions of approval to the face of the plat.

Prior to Issuance of any Building Permit

6. Attach a copy of the recorded short subdivision to any sets of building permit application plans, if applicable.

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

Date: December 31, 2007