



Gregory J. Nickels, Mayor  
**Department of Planning and Development**  
D. M. Sugimura, Director

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

**Application Number:** 3007405  
**Applicant Name:** Mark Knoll  
**Address of Proposal:** 6017 Roosevelt Way Northeast

**SUMMARY OF PROPOSED ACTIONS**

Land Use Application to subdivide two parcels into 10 parcels of land (Full Subdivision). Parcels range in size from 739 square feet to 2,159 square feet. Related to projects 3004435 and 6108603.

The following approvals are required:

**Full Subdivision** – Chapter [23.22](#) Seattle Municipal Code.

**SEPA – Environmental Determination** Chapter [25.05](#) SMC.

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

**RELATED PROJECTS**

Master Use Permit 3004435 included design review and SEPA for the construction of 10 live-work units (14,557 square feet total) and 11 parking spaces in a Neighborhood Commercial zone. MUP 3004435 was issued on May 14, 2007, granting approval for design review (no departures) and a Determination of Non-Significance for environmental review of the structures and parking.

Construction permit 6108603 permitted construction of the 10 live-work units and nine parking spaces. Construction permit 6108603 was issued on May 14, 2007.

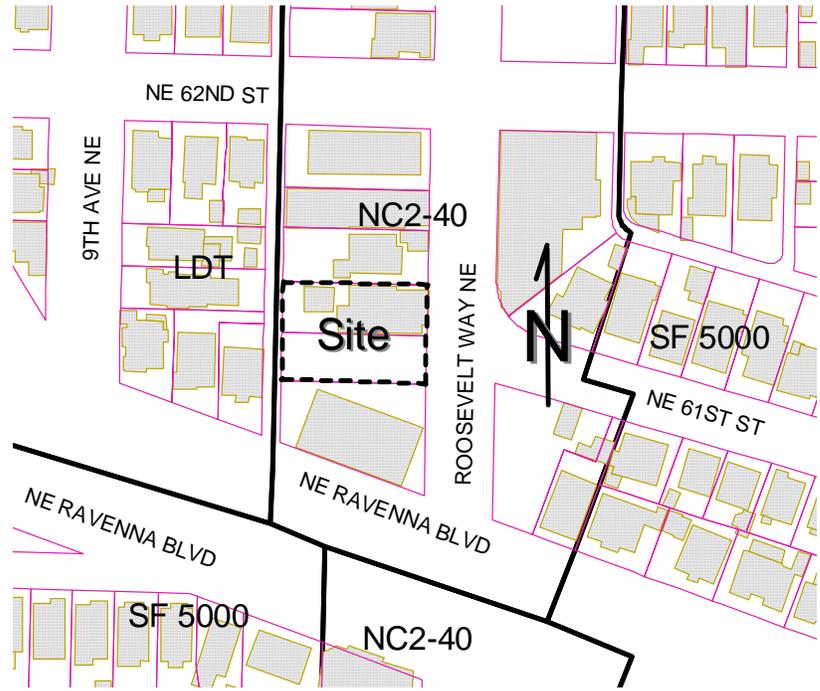
**PROJECT DESCRIPTION**

The applicant proposes to subdivide two existing parcels into ten (10) lots. The two existing parcel numbers are 9221400850 and 0825049054.

Site and Vicinity

The project site is located in the Roosevelt neighborhood on Roosevelt Way NE between NE Ravenna Blvd and NE 62<sup>nd</sup> St. The site is currently under construction for the 10 live work units.

The site is zoned Neighborhood Commercial 2 with a 40 foot height limit (NC2-40). This zoning continues to the north and south. Nearby zoning includes Lowrise Duplex Triplex (LDT) to the west and Single Family Residential (SF 5000) to the east and southwest. The area includes a mix of commercial and residential development, mostly reflective of the underlying zoning.



*For illustrative purposes only*

All surrounding streets are fully improved with curb, gutter and sidewalk. The site is adjacent to a 16’ wide concrete alley to the west. There was little existing vegetation on site and no known trees, even prior to the construction that is currently underway.

Public Comment

Notice of the proposed subdivision was issued on August 2<sup>nd</sup>, 2007. The public comment period ended August 15<sup>th</sup>, 2007. One comment letter was received, with general complaints about the timing of the public notice and the possibility of townhouse construction.

**PROCEDURES FOR PRELIMINARY PLAT APPROVAL**

*Director’s Analysis and Recommendation* - The Land Use Code (Section 23.76.023) requires the Director of DPD to prepare a written report for a proposed preliminary plat. *The Code calls for the Director’s report to include the following:*

1. *The written recommendations or comments of any affected City departments and other governmental agencies having an interest in the application;*
2. *Responses to written comments submitted by interested citizens;*
3. *An evaluation of the proposal based on the standards and criteria for the approval sought and consistency with the applicable goals and objectives of Seattle’s Land Use and other applicable policies;*
4. *An environmental determination/decision; and*

5. *The Director's recommendation.*

The Director's report is submitted to the Hearing Examiner and made available for public inspection for at least thirty (30) days prior to the Hearing Examiner's public hearing.

Hearing Examiner Findings and Conclusions - The Land Use Code Section (23.76.024) requires the Hearing Examiner to conduct a public hearing on the subdivision application (including the proposed subdivision). The Hearing Examiner can approve the proposal if it is determined that the proposed plat makes appropriate provision for the public health; safety and general welfare; open spaces; drainage ways; streets, alleys, other public ways; water supplies; sanitary waste disposal; fire protection; parks; playgrounds; sites for schools and school grounds; and that the public use and interest will be served by the platting of the subdivision. If the Hearing Examiner determines that the proposed plat does not provide the appropriate elements or that the public use and interest will not be served, the proposed plat may be denied. After the hearing, the Hearing Examiner will make her/his decision which is final on the preliminary subdivision.

Council Action - The Council review process changed in March, 1996 in response to regulatory reform legislation and made the approval of preliminary plats or subdivisions a Hearing Examiner decision. A formal action to approve the final plat is still the responsibility of the City Council as provided by RCW 58.17. However, the Council does not hold a public meeting for the purpose of accepting testimony. After the Hearing Examiner approves the preliminary plat, the Council reviews the plat for final approval.

## **DIRECTOR'S ANALYSIS – SUBDIVISION**

### **1. Recommendations and comments by City departments and other government agencies having an interest in the application.**

The following represent a summary of the comments received from each City Agency indicated. Information and documentation from each review agency is available in the DPD project file.

#### **▪ King County Public Health**

Lee Dorigan, Special Projects Supervisor for the Environmental Health Division, noted that trees are an important contributor to public health, by reducing urban heat islands and improving pedestrian environments. Stormwater drainage was also a concern because of the risk of West Nile Virus opportunities in standing water. Storm water drainage was also a concern because of potential pollution to the Ravenna Drainage basin into Union Bay.

DPD response: Trees and vegetation proposed for this site and the adjacent right of way at Roosevelt Way NE were reviewed with MUP 3004435 and construction permit 6108603. SPU has reviewed the proposal for storm water retention and collection and determined that no additional conditions are required at this time.

#### **▪ Seattle City Light (SCL)**

SCL requires an easement for this subdivision. SCL will need an easement to provide power to the buildings on the new lots from the right-of-way. Michael Kretsch, Project Reviewer for SCL, determined that a blanket overhead and underground easement is required for all lots, as described on Sheets 4 and 5 of the plat drawings. The easement will

need to be shown on the final plat drawings. Subject to this arrangement, SCL approves this subdivision.

▪ **Seattle Public Utilities Department (SPU)**

SPU issued Water Availability Certificate (WAC) #20071154 approving this project with requirements. The WAC indicated that the project site and structures can be served by the 8" diameter cast iron water main on Roosevelt Way NE. Utility access easements will be required for underground water service access from Roosevelt Way NE to any lots that do not front on this public right of way (Lots B through I). Payments for needed service changes and connections will be due per the typical requirements of Seattle City Light for new water service.

SPU noted that the existing drainage and sanitary sewer is collected in a combined 15" sewer main in Roosevelt Way NE adjacent to the property. Storm water detention will be required per the Storm Water and Drainage Code. SPU recommended no additional conditions for water, storm water, or sanitary sewer at this time.

▪ **Fire Department**

The Fire Chief has reviewed the subdivision and approved the proposal using the Building Permit review sheet, which is subject to ordinance and field inspections of Fire. The Fire reviewer approved associated building permit 6108603 on September 28, 2006. No additional Fire conditions are required for this subdivision.

▪ **Seattle Department of Transportation (SDOT)**

SDOT requires an easement for this subdivision. SDOT will require a 3.1' to 3.11' wide public access pedestrian walkway easement over the eastern portion of the site between the structure and the sidewalk. This area was required on MUP 3004435 as a setback for future ROW improvements. The easement will need to be shown on the final plat drawings. Subject to this arrangement, SDOT approves this subdivision.

▪ **Seattle Department of Planning and Development Structural / Ordinance Review**

A Declaration of Development Restrictions was recorded with King County (King County Recording Number 20080205000926). This Declaration effectively binds the site together for the purposes of development, similar to a Unit Lot Subdivision for residential projects. It also legally binds together any structures crossing property lines for the purposes of building code evaluation. The Declaration is in effect for the life of the structures and development project. Given this Declaration, Structural and Ordinance Review approves this subdivision.

▪ **Seattle Parks and Recreation Department, Seattle Office of Housing, and King County Metro**

Each entity reviewed the proposed subdivision and did not have any comments or conditions.

## **2. Comments of interested citizens.**

The one comment received raised a concern about the timing of the notice (after construction of the associated structures) and the probability of the structures consisting of more townhouses.

The proposed subdivision does not create any new dwelling units, parking demand, or traffic; it allows only for the division of the land underlying the previously approved ten (10) live-work units.

The review and approval of the ten live-work units was conducted under MUP 3004435 and construction permit 6108603 outlined in "Related Projects" above. The project does not consist of townhouses, but instead includes live-work units. The MUP review included design review and SEPA review of the live-work structures and site development.

Public notice of the design review meetings was listed in the Land Use Information Bulletin, mailed to neighbors, and posted on site on 4/20/06 and 8/17/06. Public notice of the application was listed in the Land Use Information Bulletin, posted on site, and mailed on 7/20/06 and 8/10/06. On 3/15/07, notice of the decision was listed in the Land Use Information Bulletin and sent to people who had submitted public comments.

## **3. Evaluation of the proposal pursuant to applicable codes.**

### Land Use Code

The site is located in a Neighborhood Commercial (NC2-40) zone, in which live-work uses are permitted outright.

SMC 23.22 provides requirements for subdivisions.

The NC2 zone allows mixed-use commercial/residential development. The proposed lot size and design of the subdivision is relatively consistent with the development pattern in the surrounding multifamily neighborhood with similar type of townhouse developments and meets all of the criteria for the underlying neighborhood commercial zoning.

### Public Use and Interest

Pursuant to SMC 23.22.054, the decision maker must consider all relevant facts to determine whether the public use and interest will be served by the proposed full subdivision. Additionally, the proposed plat must make appropriate provision for the public health, safety and general welfare by providing for open spaces, drainage ways, streets, alleys, other public ways, water supplies, sanitary waste disposal, fire protection, parks, playgrounds, and safe access to and sites for schools.

Subdivision allows for the division of commercial lots. The common wall structures crossing the proposed property lines have been conditionally allowed with the Declaration of Development Restrictions document (King County Recording Number 20080205000926). Live-work structures are allowed outright in the NC2-40 zone.

This process therefore makes possible separate ownership of individual units in one structure that otherwise would be owned by one party and consequently some or all units would be available on a rental basis only.

The construction of the units was reviewed under the City's Design Review process, and consequently incorporates numerous features desired by neighbors who commented on this project and recommended by the Design Review Board, as well as the prescriptive requirements of the land use and building codes. (See Master Use Permit 3004435 for Design Review requirements and SEPA conditions.) The subdivision does not alter these requirements, recommendations, and conditions.

The public use and interests are thereby served by permitting the proposed division of land.

**4. All environmental documentation, including any checklist, EIS or DNS**

Environmental Review was conducted under Land Use Application #3004435, which established the use and development of 10 live-work units (14,557 square feet total) and 11 parking spaces. DPD conditioned the project based on the impacts disclosed in the environmental documents, and issued a Determination of Non significance.

An environmental checklist has been provided for the proposed subdivision. The analysis of this information is provided below.

**5. The Director's recommendation to approve, approve with conditions, or denies the application**

As presented in plan sheet set dated June 20, 2007 (revised January 14, 2008), as submitted to DPD, the Director of DPD **recommends approval** of the Preliminary Plat pursuant to SMC 23.22.028, with the conditions referenced below.

**ANALYSIS – SEPA**

The applicant provided the initial disclosure of this development's potential impacts in an environmental checklist submitted June 20, 2007. This information and the experience of the lead agency, DPD, with similar applications form the basis for this analysis and decision. Considering that the proposal would simply establish boundaries for the purpose of sale of individual live-work units, virtually no impacts are anticipated.

**Short-term impacts**

There are no short term impacts identified with this proposed subdivision of land. Short term impacts associated with the construction of the units were analyzed and conditions imposed under MUP 3004435.

**Long-term impacts**

There are no long term impacts identified with the subdivision of this project. Long term impacts associated with the addition of these live-work units to the existing neighborhood (Height, Bulk and Scale; Parking; Traffic) were analyzed and conditioned under MUP 3004435.

**DECISION – SEPA**

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- Determination of Non-Significance. DPD has determined that this proposal does not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(C).
- Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030(2)(C).

**RECOMMENDED CONDITIONS – SUBDIVISION**

*Conditions of Approval Prior to Recording of the Final Subdivision Plat:*

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

1. Remove all references to “unit lot subdivision” from the plat documents.
2. Note on the plat all the conditions listed in this recommendation, as may be modified by the Hearing Examiner.
3. SCL requires an easement for this subdivision. The final plat must include the required City Light easement and be reviewed by City Light; Real Estate Services prior to recording in order to ensure the proper easements are part of the plat.
4. SDOT requires a 3.1’ to 3.11’ wide public access pedestrian walkway easement over the eastern portion of the site between the structure and the sidewalk. This area was shown as the required setback from the public Right of Way in the MUP drawings for 3004435.
5. Provide an easement, covenant, or other legal agreement to allow for the proper display of address signage visible from the street.

**CONDITIONS – SEPA**

None.

Signature: \_\_\_\_\_ (signature on file) Date: March 27, 2008  
Shelley Bolser AICP, Land Use Planner  
Department of Planning and Development

SB:lc