



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: 3008132
Applicant Name: Jennifer McCully for K&K Building, LLC
Address of Proposal: 2316 North 128th Street

SUMMARY OF PROPOSED ACTION

Land Use Application to subdivide one parcel of land into four parcels of land. Proposed parcel sizes are: A) 7,357 square feet, B) 7,407 square feet, C) 7,357 square feet and D) 7,407 square feet. The existing single family structure is to be removed.

The following approval is required:

Short Subdivision - To create four parcels of land pursuant to Seattle Municipal Code 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 (SF 7200).

Date of Site Visit: January 17, 2008.

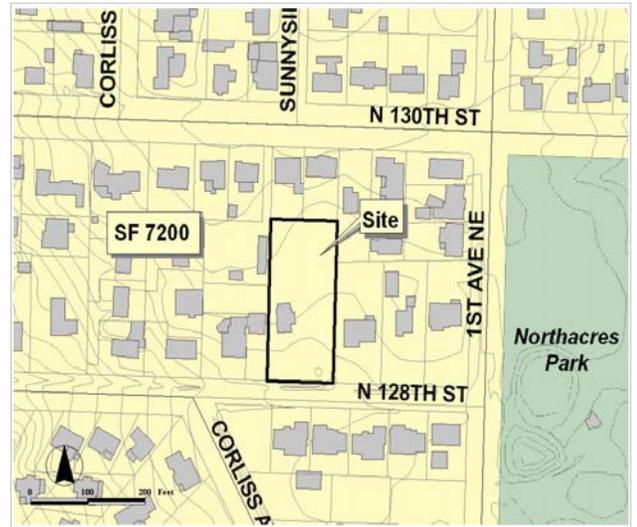
Substantive Site Characteristics:

The subject site is located on North 128th Street, west of Northacres Park in Seattle’s Haller Lake Neighborhood. The site has a total land area of 29,528 square feet, including 115 feet of frontage along North 128th Street.



On-site development consists of one single family residential structure. The site has a gentle rise in elevation from 418 to 424 feet from southeast to northwest. North 128th Street is a 40 foot wide residential access street with no sidewalk, curb, or gutter improvements on either side.

The subject site is zoned Single Family with a minimum lot area of 7,200 square feet (SF 7200). This zone designation is the predominant designation in the vicinity and development in the area reflects the zone insofar as development in all directions consists of single family residential structures of varying age and architectural styles. The site is not located within any mapped or observed Environmentally Critical Area (ECA).



Proposal:

The applicant proposes to divide the subject property into four parcels of land. The proposed lot sizes are as follows:

- Parcel A: 7,357 square feet – southwest parcel
- Parcel B: 7,407 square feet – southeast parcel
- Parcel C: 7,357 square feet – northeast parcel
- Parcel D: 7,407 square feet – northwest parcel

Parcels A and B will take direct access from North 128th Street, while parcels C and D will access North 128th Street via a shared 12 foot wide ingress, egress and utilities easement. The existing single family structure is to be removed.

Public Comment:

Notice of application was provided from November 8, 2007, to November 21, 2007. One comment letter was submitted. 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's zoning classification is intended for single-family residential uses with a minimum lot size of 7,200 square feet (SF 7200). The lots created by this proposed division of land would conform to all applicable development standards of the SF 7200 zone. The proposed parcels would provide adequate buildable area to meet applicable yards, lot coverage requirements, and other applicable Land Use Code development standards.

As a non-appealable condition of this short plat application, the owner shall submit to DPD a no-protest agreement to future street improvements along North 128th Street. The agreement shall be recorded with King County Department of Records and Elections (SMC 23.53.015).

2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005;*

Parcels A and B will take direct access from North 128th Street, while parcels C and D will have access to North 128th Street via a 12 foot wide access and utility easement. 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. All private utilities are available in this area.

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 20072043 was issued on November 16, 2007.

Sanitary Sewer - The existing property is connected with a side sewer to an 8-inch public sanitary sewer main located in North 128th Street. There is 12 foot ingress, egress and utilities easement that serves parcels C & D (SMC 23.53.025).

As a condition of this short plat application, the owners or responsible party(s) shall provide separate easements for both ingress and egress to parcels C and D, *and* utilities beneficial to all lots (A, B, C, and D). In addition, Joint Use and Maintenance Agreements that support the easements shall be provided prior to final approval of the short plat.

Drainage - The existing property is served by a public storm drainage system in North 128th Street. A separate drainage easement that benefits all parcels shall be provided, in addition to a Joint Use and Maintenance agreement supported by parcels A, B, C, and D.

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 to ensure adequate capacity for future housing needs. 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. The public use and interest would be served by this proposal because additional opportunities for housing would be provided within the City limits as a result of this subdivision. Furthermore, upon completion of the conditions in this decision, the proposal would meet all applicable criteria for approval of a short plat.

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 no proposed building pads or construction at this time on Parcels A, B, C, or D, that would necessitate removal of any existing trees. Future construction will be subject to the provisions of SMC Sections 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 (SWD), 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

Non Appealable Conditions of Approval

1. A no-protest agreement for future improvements to North 128th Street shall first be recorded with King County Department of Records and Elections, and then submitted to the undersigned Land Use Planner.

Conditions of Approval Prior to Recording

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

2. Add the following to item 3, sheet 1: "...legally removed prior to sale and/or transfer of ownership".
3. Provide on the plat the Seattle City Light electrical service easement for services to proposed lots, if required.
4. Provide separate easements for both ingress and egress to parcels C and D, *and* utilities beneficial to all lots. In addition, Joint Use and Maintenance Agreements that support the easements shall be provided prior to final approval of the short plat.
5. A separate drainage easement that benefits all parcels shall be provided, in addition to a Joint Use and Maintenance agreement supported by parcels A, B, C, and D.
6. 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.
7. Submit the final recording forms for approval and remit any applicable fees.
8. Add all conditions of approval to the face of the plat.

Prior to Issuance of any Building Permit

9. 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: February 4, 2008