



City of Seattle

Gregory J. Nickels, Mayor

Department of Planning and Development

D. M. Sugimura, Director

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

Application Number: 3008344
Applicant Name: Brittani Ard, Ard Consulting
Address of Proposal: 10726 17th Avenue NE

SUMMARY OF PROPOSED ACTION

Land Use Application to subdivide one parcel into two parcels in a SF 7200 zone. The proposed parcel sizes are: A) 7,211 sq. ft. and B) 7,777 sq. ft. The existing single family residence on parcel A will remain and the garage on parcel B will be removed.

The following approval is required:

Short Subdivision – to subdivide one parcel into two parcels. (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.

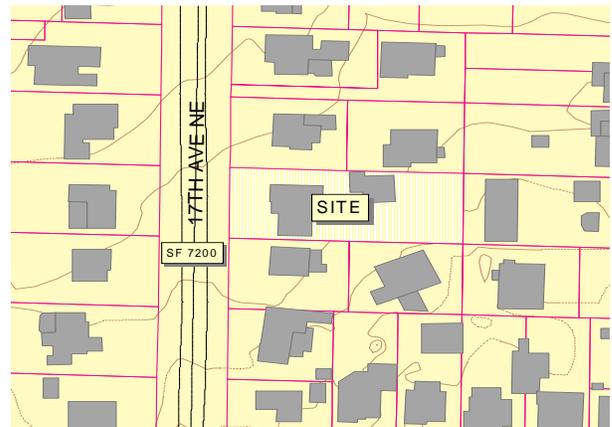
BACKGROUND DATA

Zoning: Single Family 7200

Uses on Site: One single family house to remain

Substantive Site Characteristics:

The subject parcel is 14,988 square feet and measures approximately 75 feet wide along 17th Avenue NE, by approximately 200 feet deep. It is located mid-block between NE 107th Street and NE Northgate Way in the Victory Heights



neighborhood. Access is from 17th Avenue NE, a 60 foot wide platted street that is paved, though not fully improved, lacking curbs, gutters, and sidewalks. On-street parking exists in the form of gravel and dirt shoulders.

The site has a very gradual slope to the east and is developed with a single family residence with attached garage, a decrepit shed in the rear portion of the lot, and a paved driveway located along the south property line. The lot is landscaped with eight large trees, shrubs and ground cover.

The surrounding area is also zoned SF for several blocks in all directions. The lots to the north and south of the site have been subdivided and developed with additional houses. The site is not located in any mapped critical areas.

Proposal Description:

The applicant proposes to divide the subject property into two parcels of land. Parcel A would be 7,211 square feet and would front on 17th Avenue NE and contain the existing house. Parcel B would be 7,777 square feet and would occupy the rear portion of the property with a 10' wide "panhandle" along the northern property line but no street frontage. A 1 foot wide easement along 17th would be granted by Parcel A to Parcel B for ingress, egress and utilities. Each lot would have more than the 7,200 square feet of minimum lot area required in the zone.

The existing curb cut will be retained and an additional one will be created along the north property line for the rear lot. There are eight existing trees on the lot.

Note that any proposed structures will be reviewed for consistency with the applicable provisions of the Seattle Municipal Code under a separate application. The subject of this analysis and decision is only the proposed division of land.

Public Comment:

The comment period for this proposal ended on January 16, 2008. During this period no comment letters related to this project were received.

ANALYSIS

The Director shall, after conferring with appropriate officials, use the criteria at SMC 23.24.040 to determine whether to grant, condition, or deny a short plat. The applicable criteria are listed below in italics. Based on information provided by the applicant, referral comments from the Drainage Section, the Fire Department, Seattle Public Utilities (City Light and the Water Department), and review by the Land Use Planner, the following findings are made with respect to the criteria.

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

The subject property is zoned for single family residential use with a minimum lot size of 7,200 square feet (SF7200). The allowed use in a single family zone is one dwelling unit per lot, with accessory dwellings permitted within the principal structure in accordance with SMC 23.44.041.

The proposed parcels meet the minimum lot size requirement of the zone and provide adequate buildable area to meet applicable yards, lot coverage requirements, and other Land Use Code development standards.

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

Parcels A and B will take direct vehicular access from 17th Avenue NE at the north and south sides of the existing lot. Parcel B will be accessed via a 10 foot wide driveway and 1' easement over Parcel A. 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. Any easements required by Seattle City Light must be recorded prior to issuance as described at the end of this decision. A "No-Protest" agreement for future construction of street improvements has been recorded by the property owner.

3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*

The adequacy of the provisions for drainage control, water supply, and sanitary sewage disposal for each lot have been reviewed and approved by appropriate City staff. The existing property has water and sewer service and additional connections will be made for the additional house during the building permit process. Water Availability Certificate number 20072272 was issued for the project on January 4, 2008. New construction with discharge to the sanitary sewer requires a side sewer permit. Storm drainage is also available to the property and plan review requirements regarding stormwater will be made at the time of building permit application.

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

The SF7200 zone is intended for single family development at a density of one house per 7,200 square feet of lot area. This project will result in two lots that are slightly larger than the minimum size in the zone. This project would increase the number of single family houses on the site from one to two and it is likely that they would be owner-occupied. The proposal meets the platting criteria and will provide for additional housing opportunities; thus, the public use and interest are served.

5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions in environmentally critical areas;*

The site is not located in an environmentally critical area; therefore SMC 25.09.240 is not applicable.

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

Future construction will be subject to the provisions of SMC 23.44.008 and SMC 25.11 which set forth tree planting requirements and tree preservation regulations on single family lots. The

new house will be required to plant or preserve 2 caliper inches of tree per 1000 square feet of lot area, for a total of approximately 16 caliper inches of tree per lot. There are eight existing trees with a total of 157 caliper inches on the lot, six of which will be retained.

ID	Caliper	Species	Status	Outcome
1	26.6"	Western Red Cedar	Healthy	Retained on Parcel A
2	8.5"	Holly	Healthy	Removed for driveway
3	28"	Western Red Cedar	Healthy	Removed for driveway
4	32"	Western Red Cedar	Healthy	Retained on Parcel A
5	22"	Western Red Cedar	Healthy	Retained on Parcel B
6	18"	Apple	Healthy	Retained on Parcel B
7	10"	Apple	Healthy	Retained on Parcel B
8	12"	Apple	Healthy	Retained on Parcel B

CONCLUSIONS

The lots to be created by this short subdivision are consistent with applicable development standards set forth in the Land Use Code. As conditioned, this short subdivision can be provided with vehicular access (including emergency vehicles), public and private utilities. 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 public use and interest are served by the proposal since the zoning use and density standards will be met and the proposal creates the potential for an additional single family housing opportunity in the City.

Based on information provided by the applicant, referral comments from DPD, Water (SWD), Fire Department (SFD), the Building Plans Examiner, the Drainage Section of DPD, and review by the Land Use Planner, the short subdivision decision criteria have been met subject to the conditions imposed at the end of this decision.

DECISION

The proposed short subdivision is **CONDITIONALLY GRANTED**.

CONDITIONS

Conditions of Approval Prior to Recording

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

1. Include any required easement description provided by Seattle City Light on the face of the final plat and in the legal descriptions of the affected Unit Lots.
2. 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. The lot areas of each parcel shall be shown on the recording documents.

3. Correct the legal description for the south property line of proposed parcel B by substituting "89.11" for "89.10".
4. Amend Note 3 on sheet 1 to add "prior to sale and/or transfer of ownership" to the end of the sentence.
5. Add the following note to the face of the plat:

All facilities, buildings or portions of buildings hereafter constructed or moved onto proposed parcel B must comply with the then current Seattle Fire Code Chapter 5 and referenced appendices. Depending on location of future structures on the lots, these provisions may require approved fire department vehicle access roads, turnarounds, water supplies for fire protection, and other possible fire protection related items.

6. Amend the drawings to include a joint use and maintenance agreement for the side sewer and storm drainage system, if they are to be shared between parcels A and B. A "Side Sewer Easement, Connection, Hold Harmless and Indemnification Agreement" is required if the facilities will be shared.
7. Submit the recording fee and final recording forms for approval.

For the Life of the Project

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

8. Attach a copy of the recorded short subdivision to all permit application plans for any application for a permit to construct, demolish, or change use.

Signature: _____ (signature on file) Date: April 7, 2008
Nora Gierloff, Land Use Planner
Department of Planning and Development

NG:bg

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