



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:** 3008688  
**Applicant Name:** Michelle Barnett, Cramer NW  
**Address of Proposal:** 1249 NE 88<sup>th</sup> Street

**SUMMARY OF PROPOSED ACTION**

Land Use Application to subdivide two parcels into three parcels of land. Proposed parcel sizes are: A) 6,678.7 sq. ft. B) 4,426.6 sq. ft. and C) 4,766.3 sq. ft. Existing structure on proposed Parcel A to remain, existing structures on proposed Parcel B to be demolished.

The following approval is required:

**Short Subdivision** – to subdivide two parcels into three parcels.  
(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.

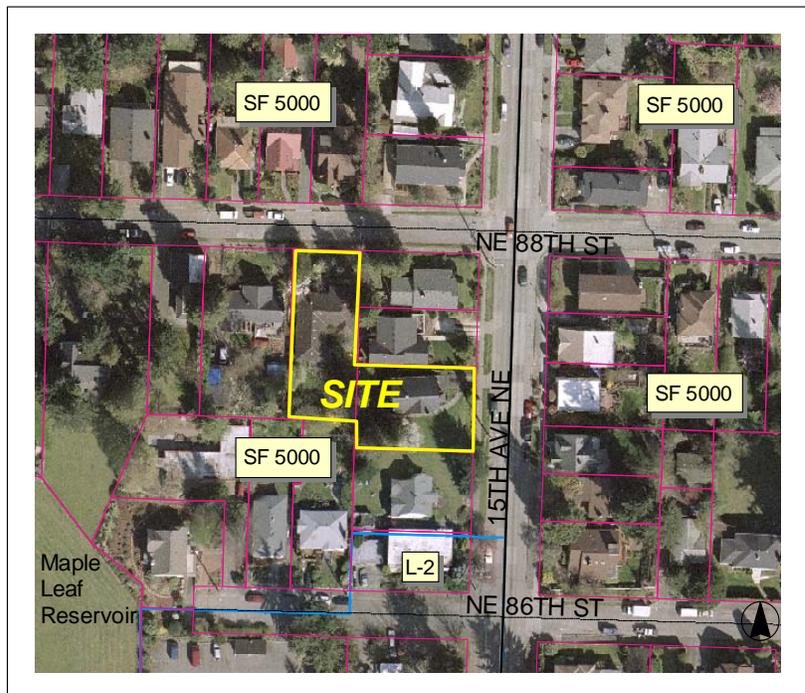
**BACKGROUND DATA**

Zoning:

Single Family 5000.

Prior Uses on Site:

Two single family houses.



Substantive Site Characteristics:

This 15,870.6 square foot subject site is composed of two existing lots that will be reconfigured to create a third building site. Tax lot 1060 is a narrow rectangular lot that fronts on NE 88<sup>th</sup> Street to the north while tax lot 1080 is a wide lot that fronts on 15<sup>th</sup> Avenue NE. The two lots that form the southwest corner of NE 88<sup>th</sup> St/15<sup>th</sup> Ave NE are not part of this proposal. All lots adjacent and across the streets have the same SF 5000 zoning. The site slopes gently down to the southeast and is not located in any mapped critical areas. Both 88<sup>th</sup> and 15<sup>th</sup> are fully improved with paving, curbs, gutters, and sidewalks.

Proposal Description:

The applicant proposes to subdivide the 15,870.6 square foot site into three parcels with the following lot areas:

- Parcel A – 6,678.7 square feet.
- Parcel B – 4,426.6 square feet.
- Parcel C – 4,766.3 square feet.

The existing house on Parcel A will remain while the house that straddles the new Parcels B and C will be demolished. Each new parcel will have direct access to a public street.

Public Comment:

The comment period for this proposal ended on April 23, 2008. During this period, four written comment letters related to this project were received. The concerns expressed included:

- That the new lots would be developed with “mega” houses that could be a maximum of 26 feet wide and therefore out of character with the existing neighborhood development pattern.
- Use of the 75/80 rule to create lots smaller than the zoned minimum lot size.
- Allegations that the property owner has created an accessory dwelling unit without permits in the house to remain (1249 NE 88<sup>th</sup> St).
- Confusion about whether the house on Parcel B was to be demolished (*it will be*).
- Concern that the proposed interlocking lot lines would put the new houses in the backyard of the existing house.

**ANALYSIS - SHORT SUBDIVISION**

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 5,000 square feet (SF5000). 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. Each proposed lot will vary in size and shape. Proposed parcel A meets the minimum lot size requirement of the zone. Parcels B and C are less than 5,000 square feet but are permitted under SMC 23.44.010 B 1b. (75/80 Rule). Each lot will 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;*

Each lot will be provided with vehicular access (including emergency vehicles), pedestrian access, and public and private utilities through adjacency to the right-of-way. The Seattle Fire Department has no objection to the proposed short plat. Seattle City Light provides electrical service to the proposed short plat and will not require any additional easements to provide for electrical facilities and service to the proposed lots.

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 20080348 has been issued for the project. New construction with discharge to the sanitary sewer requires a side sewer permit. Storm drainage is also available in both NE 88<sup>th</sup> Street and 15<sup>th</sup> Avenue NE for the new houses with detention required if the area of impervious surface is greater than 2,000 sq. ft. 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;*

An objective of the short subdivision process is to increase opportunities for new housing development to ensure adequate capacity for future housing needs. The public interest is expressed by the zoning designation of the site and compliance by the application with applicable development regulations. The SF5000 zone is intended for single family development at a density of one house per 5,000 square feet of lot area, with the 75/80 rule exception. This project would increase the number of single family houses on the site from two to three. 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. Each new house will be required to plant or preserve two caliper inches of tree per 1,000 square feet of lot area, for a total of approximately 8 to 12 caliper inches of tree per lot. The applicant has indicated that they intend to preserve all but one of the existing trees to meet this requirement.

Proposed Lot	Trees Preserved	Trees Removed	Total Caliper Inches Preserved
A	T1	-	6"
B	T2, T3, T4	-	34"
C	T5, T6, T7, T9, T10	T8	78"

Removal of T8, a 38" cedar, will trigger tree canopy replacement per SMC 25.11.090 because it is larger than 24" in diameter.

**CONCLUSIONS - SHORT SUBDIVISION**

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, 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 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 additional single family housing opportunities 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 – SHORT SUBDIVISION**

The proposed Short Subdivision is **CONDITIONALLY GRANTED.**

**CONDITIONS**

*Conditions of Approval Prior to Recording*

The owner(s) and/or responsible party(s) 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. The lot areas of each parcel shall be shown on the recording documents.

