



City of Seattle

Gregory J. Nickels, Mayor

Department of Planning and Development

Diane M. Sugimura, Director

**CITY OF SEATTLE
DETERMINATION OF NON-SIGNIFICANCE BY
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 3009242
Applicant Name: Justin Bloch
Address of Proposal: 1310 Lakeview Boulevard East

SUMMARY OF PROPOSED ACTION

Land Use Application to subdivide one parcel into five unit lots. The construction of residential units has been approved under Project #6079587. This subdivision of property is only for the purpose of allowing sale or lease of the unit lots. Development standards will be applied to the original parcel and not to each of the new unit lots.

The following approval is required:

Short Subdivision - to create unit lots. (SMC Chapter 23.24).

SEPA DETERMINATION: EXEMPT DNS MDNS EIS
 DNS with conditions
 DNS involving non-exempt grading or demolition involving another agency with jurisdiction.

BACKGROUND DATA

Site Location: East Capitol Hill Neighborhood above Interstate 5 and Eastlake, below St. Marks Cathedral. SEPA review under DPD Project No. 3004561.
Zoning: Lowrise 2; ECA steep slope and potential slide designations.
Parcel Size: 7,970 square feet.

Existing Use: Single family residence.

Proposal Description: Construct two, 2-unit (duplex) townhouse structures and one single family detached unit (total five units) in an environmentally critical area. The existing single family residence will be removed.

Public Comment: Two comments, one expressing concerns about parking, access, and impacts on private views. The other expressed concern about emergency services access, traffic and parking on East Highland Drive, and about the deteriorated condition of the street.

ANALYSIS – SHORT SUBDIVISION - Pursuant to SMC 23.24.040

1. *Conformance to the applicable Land Use Code provisions;*
2. *Adequacy of access for pedestrians, vehicles, utilities and fire protection, as provided in Section 23.53.005, Access to Lots, and Section 23.53.006, pedestrian access and circulation;*
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 if applicable;*
6. *Is designed to maximize the retention of existing trees;*
7. *Conformance with unit lot subdivision criteria if applicable; and*
8. *Conformance with provisions relating to subdivision of single-family zoned lots with multiple dwelling units, if applicable.*

Summary

Based on information provided by the applicant, referral comments as received from DPD, Water (SPU), 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. Conditions ensure compliance with Seattle City Light (SCL) requirements. As conditioned, the lots to be created by this short subdivision will meet all minimum standards or applicable exceptions as 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). The issues of adequacy of fire access, parking and street improvements have been addressed under the ruling building permit(s). Adequate provisions for drainage control, water supply and sanitary sewage disposal have been or will be provided for each lot and service is assured, subject to standard conditions governing utility extensions. The proposal site is located in a mapped environmentally critical area and has been conditioned accordingly. The proposed plat, laid over an approved development plan, 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. Criterion #8 is not applicable.

ANALYSIS –UNIT LOT SUBDIVISION (CRITERION #7)

Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.

- A. *The unit subdivision provisions of SMC Section 23.24.045 apply exclusively to the unit subdivision of land for townhouses, cottage housing developments, residential cluster developments, and single-family residences in zones where such uses are permitted.*
- B. *Sites developed or proposed to be developed with dwelling units listed in subsection A above, may be subdivided into individual unit lots. The development as a whole shall meet development standards applicable at the time the permit application is vested. As a result of the subdivision, development on individual unit lots may be nonconforming as to some or all of the development standards based on analysis of the individual unit lot, except that any private, usable open space for each dwelling unit shall be provided on the same lot as the dwelling unit it serves.*
- C. *Subsequent platting actions, additions or modifications to the structure(s) may not create or increase any nonconformity of the parent lot.*
- D. *Access easements and joint use and maintenance agreements shall be executed for use of common garage or parking areas, common open space (such as common courtyard space for cottage housing), and other similar features, as recorded with the Director of the King County Department of Records and Elections.*
- E. *Within the parent lot, required parking for a dwelling unit may be provided on a different unit lot than the lot with the dwelling unit, as long as the right to use that parking is formalized by an easement on the plat, as recorded with the Director of King County Department of Records and Elections.*
- F. *The fact that the unit lot is not a separate buildable lot, and that additional development of the individual unit lots may be limited as a result of the application of development standards to the parent lot shall be noted on the plat, as recorded with the Director of the King County Department of Records and Elections.*

Summary - Unit Lot Subdivision

Review of this application shows that the proposed short subdivision would conform to applicable standards of SMC 23.24.045 subject to the conditions imposed at the end of this decision. Additional development on any individual lot in this unit subdivision may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code.” A joint use and maintenance agreement has been provided on the plat. Provisions for addressing must be provided per condition.

