



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: 3009633
Applicant Name: Chris Pickering
Address of Proposal: 12744 15th Avenue Northeast

SUMMARY OF PROPOSED ACTION

Land Use Application to subdivide one 16,354 square foot parcel of land into two parcels of land. Proposed parcel sizes are: X) 9,154 square feet and Y) 7,200 square feet. The existing single family house is to be removed.

The following approval is required:

Short Subdivision - To create two parcels of land from one parcel (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 (SF 7200)

Date of Site Visit: November 3, 2008

Substantive Site Characteristics:

The subject parcel is located in Seattle’s Olympic Hills neighborhood on the east side of 15th Avenue Northeast, between Northeast 127th Street and Northeast 130th Street. The parcel to be subdivided is 16,354 square feet in area and is directly accessed from 15th Avenue Northeast.



The parcel is zoned single family with a minimum lot area of 7,200 square feet (SF 7200), as are parcels immediately surrounding the subject site. The zoning designation changes to multifamily and commercial south of the site (L3 to NC3 40). Area landmarks include St. Matthews Catholic elementary school immediately across 15th Avenue Northeast, west of the subject site. There is no alley adjacent to the site.

The parcel is currently developed with a single family structure built in 1995. The sight is vegetated with several mature trees both native and nonnative to Washington State, including a 35 inches in diameter (DBH) Maple (*Acer macrophyllum*), and a native 36" DBH Pacific Silver Fir (*Abies amabilis*).



Proposal:

The applicant proposes to divide one parcel into two parcels of land. The proposed lot sizes are as follows:

- Parcel X: 7,200 square feet
- Parcel Y: 9,154 square feet

Parcels X and Y will take direct pedestrian and vehicular access from 15th Avenue Northeast via a 20 foot wide ingress, egress, and utility easement. The existing single family residence is to be demolished.

Public Comment:

The extended comment period ended November 26, 2008. DPD received three comment letters during the comment period. Public comments included the following:

- Request for extension of the public comment period
- General objections to townhouse development on the parcels

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 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;*
 6. *Is designed to maximize the retention of existing trees;*
1. *Conformance to the applicable Land Use Code provisions;*

The subject property is zoned 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.

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

The proposed lots will have pedestrian and vehicular access from 15th Avenue Northeast via a shared 20 foot wide ingress, egress, and utility easement, consistent with the provisions of the Code. 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 (SCL) provides electric facilities to the surrounding community, including the proposed short plat. Seattle City Light has reviewed the proposal and requires an easement to provide service to the proposed lots. This short plat will be conditioned to include the required SCL easement on the final plat prior to recording.

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 20081189 was issued on November 3, 2008.

Sanitary Sewer: The existing property is connected with a side sewer to an 8-inch public sanitary sewer main located in 15th Avenue Northeast. The applicant shall contact DPD Side Sewer and Drainage Counter, 684-5362, for Side Sewer Permit requirements. If the proposed side sewer will be shared with another property, a "Side Sewer Easement, Connection, Hold Harmless & Indemnification Agreement" shall be required prior to permitting additional units to be connected.

Drainage: The existing property is served by a public storm drainage system in 15th Avenue Northeast. Plan review requirements will be made at time of building permit application in accordance with any applicable stormwater ordinances in effect at that time.

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;*

The site is vegetated with several mature trees both native and nonnative to Washington State, including a native 35 inches in diameter (DBH) Bigleaf Maple (*Acer macrophyllum*) and a native 36" DBH Pacific Silver Fir (*Abies amabilis*).

At 35" DBH, the Maple does not reach the level of significance of "exceptional" per DPD Director's Rule 6-2001, "Clarification of State Environmental Policy Act (SEPA) Plants and Animals Policy Concerning Outstanding Trees, and Designation of Exceptional Trees, under the Tree Protection Chapter (25.11) of the Seattle Municipal Code". The largest Bigleaf Maple, as recorded in Champion Trees of Washington State, may be found in Hamilton, Washington, and is measured at approximately 127" DBH (Van Pelt, 1996). Additionally, the Silver Fir does not attain the significance of "exceptional", based on Director's Rule 6-2001. One of Washington State's largest Silver Fir trees is measured at approximately 94" DBH, and is located on the coastal plain of the Olympic Peninsula at 250 feet above sea level (Van Pelt, 1996).

The trees appear to be in good health and can be preserved depending upon the location of any future construction and the extent of the root system. There are no proposed building pads or construction plans at this time on Parcels X or Y 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 (SCL), and review by the undersigned 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 design of 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

Conditions of Approval Prior to Recording

The owner(s) and/or responsible party 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. 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.
2. Provide on the plat the Seattle City Light electrical service easement for services to the proposed lots.
3. Submit the final recording forms for approval and remit any applicable fees.
4. Add all conditions of approval to the face of the plat.

Prior to Issuance of any Building Permit

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

Signature: _____ (signature on file) Date: February 02, 2009
Catherine McCoy, Land Use Planner
Department of Planning and Development

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