



City of Seattle

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: 3010800
Applicant Name: Larry Ives
Address of Proposal: 702 N. 90th Street

SUMMARY OF PROPOSED ACTION

Land Use Application to subdivide one parcel into four parcels of land. Proposed parcel sizes are: Parcel W) 5000.8 sq. ft.; Parcel X) 5000 sq. ft.; Parcel Y) 4,446.8 sq. ft.; and Parcel Z) 4,446.8 sq. ft. The existing home and garage are proposed to be demolished.

The following approval is required:

Short Subdivision – to subdivide one existing parcel of land into four parcels.
(Chapter 23.24, Seattle Municipal Code)

SEPA DETERMINATION: Exempt DNS MDNS EIS
 DNS with conditions
 DNS involving non-exempt grading or demolition

BACKGROUND DATA

Site Description:

The site is approximately 18,893 square feet and is located in Single Family 5000 (SF-5000) zone. The existing Single Family residence and garage are proposed to be removed.

Proposal Description:

The new lots will have vehicular access from N. 90th Street and N. 91st Street. Parking will be provided for each new developed lot, as required by code.

Public Comment: The comment period for this proposal ended on January 24, 2010. Two public comments were received, expressing concerns about reduce attractiveness of available land by compressing more structures onto already congested land. The respondent expressed concerns about the potential disruption of scale and character of the neighborhood engendered by the regular platting patterns in the neighborhood.

ANALYSIS – SHORT SUBDIVISION

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;*
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; and*
8. *Conformance to the provisions of Section 23.24.046, Multiple single-family dwelling units on a single-family lot, when the short subdivision is for the purpose of creating two (2) or more lots from one (1) lot with more than one (1) existing single-family dwelling unit.*

CRITERIA 1-5 of SHORT SUBDIVISION

Based on information provided by the applicant, referral comments as appropriate from DPD, City Light, Water (SPU), Fire Department (SFD), 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. **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). 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 a mapped environmentally critical area nor were any environmentally critical areas observed on site; therefore SMC 25.09.240 is not applicable. The proposed plat has been conditioned to maximize 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.

CRITERIA 6 SHORT SUBDIVISION:

The subject site has row of 23 significant trees and 3 exceptional trees located on the property. The trees were the subject of a report by Ryan Ringe (August 18, 2010) affirming that three of the trees

are exceptional. In the judgment of the City arborist, the trees as a group are healthy enough and valuable enough as habitat to definitely warrant retention pursuant to Criterion #6. To this latter judgment the DPD defers.

The project has been designed to ensure preservation of these trees, and hence must be revised to do so during building permit application. The applicant shall comply with the tree preservation plan which the arborist's submitted specifying what would be required to successfully preserve the trees for the life of the project. At the very least, the plat must be revised to include a statement that the trees will be preserved for the life of the project, unaltered, unless in the judgment of the City arborist, their alteration or removal is warranted; additional provisions will be required based upon recommendations of the required arborist's report. In addition to this statement, the plat must be revised to show code-complying vehicular access for both parcels coming from N. 90th Street and N. 91st Street, at least 20 feet from the root zone of the trees. The root zone shall be documented by exploration per City arborist guidance unless the access is located east of the middle of the property.

The DPD drainage reviewer has indicated that the plat should be conditioned to require a stormwater infiltration system at the time of building permit application. This condition has been stated at the end of the decision.

DECISION - SHORT SUBDIVISION

The proposed Short Subdivision is **CONDITIONALLY GRANTED**. Applicant must meet all standard recording requirements and conditions and/or requirements as attached to approval cover letter. (Please do not show conditions of approval prior to recording on the plat to be recorded).

CONDITIONS – SHORT SUBDIVISION

Conditions of Approval Prior to Recording

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

1. Comply with all applicable standard recording requirements and instructions.
2. Provide a certified arborist's report specifying what would be required to ensure successful preservation of the 23 firs and 3 exception trees for the life of the project. All recommendations of the report shall be stated on the face of the plat.
3. Revise the plat to include a statement that the trees will be preserved for the life of the project, unaltered, unless in the judgment of the City arborist, their alteration or removal is warranted.

Prior to Issuance of any Building Permit

4. The DPD drainage reviewer has indicated that the plat should be conditioned to require a stormwater infiltration system at the time of building permit application.
5. The owner(s) and/or responsible party(s) shall 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.

For the life of the project

6. The twenty six existing trees (26 trees) along the west property line (Fremont Avenue North) shall be preserved unaltered, unless in the judgment of the City arborist, their alteration or removal is warranted. No development activity of any kind, including grading or landscaping within the root zone area, shall be permitted which substantially harms the trees.
7. All recommendations of the arborist regarding preservation of the existing trees for the life of the project shall be observed.
8. Vehicular access shall be maintained per plan.

Signature: _____
Onum Esonu Senior, Land Use Planner
Department of Planning and Development

Date: November 18, 2010