



City of Seattle

Department of Planning & Development
D. M. Sugimura, Director

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

Application Number: 3010940
Applicant Name: Michael vanDyck
Address of Proposal: 2225 1st Avenue North

SUMMARY OF PROPOSED ACTION

Land Use Application to subdivide one parcel into two parcels of land. The proposed parcel sizes are: A) 3,645 sq. ft. and B) 1,800 sq. ft. The existing structures on Parcels A and B will remain.

The following approval is required:

Short Subdivision - to create two parcels of land.
(SMC Chapter 23.24)

BACKGROUND DATA

Zoning: SF5000.
Uses on Site: Two single family residences.

Substantive Site Characteristics: This 5,445 square foot lot is located in the Queen Anne Neighborhood atop Queen Anne Hill one block north of the Safeway store and one-half block east of the arterial Queen Anne Avenue North between West McGraw and West Boston Streets. Proposed Parcel A will have street frontage on 1st Avenue North. Parcel B will adjoin the 16 foot wide alley and will have a 3 foot wide pedestrian access easement to 1st Avenue North. The site is relatively flat and is developed with two single family residences. There is currently no parking on the site for either of the two residences. A Pacific Willow tree along the north property line will remain and will not be impacted by this short plat. Branches from a Red Cedar tree on the lot to the south overhang the southwest corner of proposed Parcel B. However, the Red Cedar tree will remain and will not be impacted by the proposed short plat.

Public Comment:

One comment letter was received from a resident of the neighborhood during the comment period which ended February 14, 2010. Concerns were expressed about how the Seattle Municipal code can allow creation of a new lot of 1,800 square feet and what the code citation is.

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, as modified by this chapter;*
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 circulations;*
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 Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas;*
6. *Whether the proposed division of land 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.*

Summary - Short Subdivision

Based on information provided by the applicant, referral comments from Department of Planning and Development, (DPD), Water (SWD), Fire Department (SFD), Seattle City Light, and Parks 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. 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 located in an environmentally critical area and the requirements of SMC 25.09.240 have been met. 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.

SMC Section 23.24.046 of the Land Use Code provides for the short subdivision of a lot in a single family zone containing more than one existing single family dwelling unit. Each dwelling unit was legally established by permit and was constructed prior to February 20, 1982. Each resulting lot has one but no more than one existing single family dwelling unit. The short subdivision cannot be configured to provide parking in compliance with Section 23.44.016 but it will not reduce the number of off-street parking spaces existing prior to the short subdivision. Therefore, the parking requirement will be waived. Each resulting lot conforms to all other development standards of the zone. In addition, each single family dwelling unit will be setback at least three (3) feet from each common lot line in the short subdivision and no resulting lot will be smaller than one thousand eight hundred (1,800) square feet in lot area. Therefore, the provisions of Section 23.24.046 have been met.

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(s) shall:

1. Add the conditions of approval after recording on the face of the plat or on a separate page. If the conditions are on a separate page, insert on the plat “For conditions of approval after recording see page ___ of ___.”
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. Submit the recording fee and final recording forms for approval.

Prior to Issuance of any Building Permits for Parcels A and B

4. 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.

Signature: _____ (Signature on file)
Malli Anderson, Land Use Planner
Department of Planning and Development

Date: July 22, 2010