



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: 3011190
Applicant Name: Chris Austin
Address of Proposal: 11031 38th Ave NE

SUMMARY OF PROPOSED ACTION

Land Use Application to subdivide one parcel into two parcels of land. Proposed parcel sizes are: A) 9,480 sq. ft. and B) 8,040 sq. ft. Existing structures to remain.

The following approval is required:

Short Subdivision - to subdivide one existing parcel into two parcels.
(Seattle Municipal Code 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: SF 7200.
Date of Site Visit: April 30, 2010.
Uses on Site: One existing single family residence.

Substantive Site Characteristics:

The 17,520 square foot site is located on a lot fronting 38th Ave NE, between NE 110th St and NE 115th St. The lot has 60 feet of street frontage along 38th Ave NE.

The site is zoned Single Family Residential with a 7,200 square foot minimum lot size (SF 7200). This zoning continues in all directions from the property. Other nearby zones includes Lowrise Multi-family Residential (L-1 and L-2) and Neighborhood Commercial (NC1-30) approximately a block to the southwest. Nearby development consists primarily of single family residential development.

The subject site slopes approximately 14 feet from east property line down to the west property line. It is not located in any Environmentally Critical Area (ECA).

Public Comment:

Notice of the proposal was issued on April 29, 2010. No comment letters were offered.

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;

The subject property's zone (SF 7200) is intended for single family residential development. The lots created by this proposed division of land would conform to this requirement and all applicable development standards of the SF 7200 zoning district. The proposed parcels (9,480 sq. ft. and 8,040 sq. ft.) would provide adequate buildable area to meet applicable Land Use Code development standards.

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

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.

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 # 20100253 was issued on May 7, 2010.

The applicant may contact DPD Sidesewer and Drainage Counter for sidesewer permit requirements.

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 single family residences 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;*

The site is not located in any mapped or observed environmentally critical area applicable to 25.09.240. Therefore, this section is not applicable to the short plat application.

6. *Is designed to maximize the retention of existing trees;*

The survey indicates that there are several trees on site, located in many of the areas of the site not occupied by the existing house and driveway. The proposed property line would divide the lot with a new north-south property line, so the front yard of the existing residence would remain facing 38th Ave NE and the rear yard would remain facing west. For the new lot to the west, the proposed lot line will create the opportunity for additional tree protection areas in the required yards adjacent to lot lines.

The configuration of the proposed parcels could allow retention of most of the trees on the north and south property lines. The applicant will be required to show tree species and sizes on the final plat documents. If any trees are determined to be exceptional under SMC 25.11 and Director's Rule 16-2008, tree protection plans will be required prior to issuance of any building permits.

An alternative configuration would not necessarily better maximize retention of existing trees. There are no proposed building pads or construction at this time on Parcels A or B that would necessitate removal of any existing trees.

Summary - Short Subdivision

Based on information provided by the applicant, referral comments from DPD, Water (SWD), Fire Department (SFD), Seattle City Light, and Parks and review by the Land Use Planners, 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 of the 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 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.

