



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: 3015120

Applicant Name: Steve Nielsen

Address of Proposal: 6115 32nd Ave NW

SUMMARY OF PROPOSED ACTION

Land Use Application to subdivide one parcel into two parcels of land. Proposed parcel sizes are: A) 5,009 sq. ft. and B) 3,753 sq. ft. Existing single family residence to remain. Garage to be removed.

The following approvals are required:

Short Subdivision - to create two parcels of land.
(Chapter 23.24, Seattle Municipal Code).

Special Exception – to allow a new lot without alley access (Chapter 23.24, Seattle Municipal Code).

BACKGROUND INFORMATION

Zoning: Single Family 5000 (SF5000)

Public Comment: The first notice of application was published on May 2, 2013 and the comment period ended on May 15, 2013. No comment letters were received. The project was revised and renoticed to include the special exception on June 20, 2013 with the comment period ending July 3, 2013. No comments were received.

ANALYSIS – SUBDIVISION

General short subdivision standards: 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 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 Section 25.09.240, Short subdivisions 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 townhouse, rowhouse, and cottage housing developments as permitted in Single-Family, Residential Small Lot, and Lowrise zones and for single-family dwelling units in Lowrise zones, or any combination of the above types of residential development, as permitted in the applicable zones; 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 or more lots from one lot with more than one existing single-family dwelling unit.*
9. *Every lot except unit lots and lots proposed to be platted for individual live-work units in zones where live-work units are permitted, shall conform to the following standards for lot configuration, unless a special exception is authorized under subsection 23.24.040.B:*
 - a. *If a lot is proposed with street frontage, then one lot line shall abut the street for at least 10 feet; and*
 - b. *No lot shall be less than 10 feet wide for a distance of more than 10 feet as measured at any point; and*
 - c. *No proposed lot shall have more than six separate lot lines. The lot lines shall be straight lines, unless the irregularly shaped lot line is caused by an existing right-of-way or an existing lot line; and*
 - d. *If the property proposed for subdivision is adjacent to an alley, and the adjacent alley is either improved or required to be improved according to the standards of Section 23.53.030, then no new lot shall be proposed that does not provide alley access, except that access from a street to an existing use or structure is not required to be changed to alley access. Proposed new lots shall have sufficient frontage on the alley to meet access standards for the zone in which the property is located.*

Conclusion

Based on information provided by the applicant, referral comments from DPD and other City Departments, the Special Exception (see below), and review and analysis by the Land Use Planner, the above criteria have been met. The short subdivision meets all minimum standards or applicable exceptions set forth in the Land Use Code. This short subdivision will provide pedestrian and vehicular access (including emergency vehicles), and public and private utilities. Adequate provisions for drainage control, water supply and sanitary sewage disposal will be provided for each lot and service is assured, subject to standard conditions governing utility extensions.

The proposed location of the lot lines maximizes retention of trees of most of the trees.

The applicant has requested approval of a Special Exception under SMC23.24.040.B in order to allow proposed Parcel A to be created without alley access, which would be otherwise required by 23.24.040.A9d.

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.

ANALYSIS - SPECIAL EXCEPTION

- B. Special Exception. The Director may modify the standards of subsection 23.24.040.A.9, as a Type II special exception decision, if the applicant demonstrates that the proposed plat meets the following criteria:
1. *The property has one of the following conditions not created by the applicant:*
 - a. *Natural topographic features or natural obstructions prevent the platting of one or more lots according to the standards of subsection 23.24.040.A.9;*
 - b. *Location of existing principal structures that are retained on lots existing prior to the proposed platting require a platting configuration of one or more lots that cannot reasonably meet the standards of subsection 23.24.040.A.9;*
 - c. *Location of existing easements or feasibility of access to portions of the property prevents the configuration of proposed plat lines that meet the standards of subsection 23.24.040.A.9.*
 2. *Modification of the standards of subsection 23.24.040.A.9 shall be the minimum necessary to allow platting of lots that each contain a building area for development meeting the development standards of the zone in which the proposed plat is located.*
 3. *Lots created under the special exception standards of this subsection 23.24.040.B shall not have a configuration that requires a variance from setbacks and yard requirements of the Land Use Code or a variance or exception from the Regulations for Environmentally Critical Areas for any development that may be proposed on the lots.*

SMC 23.24.040.A9.d requires that both Parcel A and B have alley access, unless a special exception is approved. As noted above, alley access would not be available to proposed Parcel A as a result of the short plat. The applicable Special Exception criterion is 1.b *“(l)ocation of existing principal structures that are retained on lots existing prior to the proposed platting require a platting configuration of one or more lots that cannot reasonably meet the standards of subsection 23.24.040.A.9”*. The existing single family house on Parcel A would be retained, and would have access from both of the adjacent streets (32nd Ave NW and NW 62nd St.). The location of the house would result in an awkward, and potentially unuseable access from the alley to a parking space on Parcel A. If a parking space were to be located on the south side of the house, an easement across the west side of Parcel B would then require a difficult sharp turn into the parking spot. Similarly, access from the alley to a parking location on the north side of the existing house would result in a long driveway along most of the western 10 feet of the property, approximately 110 feet in length, and another sharp turn to the parking space.

The difficulty is also in part due to the limitations of the lot areas required to meet minimum lot size in this SF5000 zone – Parcel B is 3,753 sq. ft. which meets the minimum lot area exception of 23.44.010 of 3,750 sq. ft. and Parcel A is 5,009 sq. ft. The location of the existing house limits the flexibility of alternate lot configurations. The proposed special exception is the minimum necessary to allow platting that meets applicable development standards of the SF5000 zone and other short plat criteria.

DECISION –SHORT SUBDIVISION

The proposed Short Subdivision is **GRANTED**.

DECISION – SPECIAL EXCEPTION to 23.24.040.A.9

The Special Exception is **GRANTED**.

Signature: _____ (signature on file) Date: September 5, 2013
Cheryl Waldman, Supervising Senior Land Use Planner
Department of Planning and Development

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