



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:** 3015496  
**Applicant Name:** JULIAN WEBER  
**Address of Proposal:** 11035 23<sup>rd</sup> Avenue NE

**SUMMARY OF PROPOSED ACTION**

Land Use Application to subdivide one parcel into two parcels of land. Proposed parcel sizes are: A) 7,496 sq. ft. and B) 7,496 sq. ft.

The following approval is required:

**Short Subdivision** – to subdivide one existing parcel of land into two 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 14,992 square feet and is located in Single Family 7200 (SF-7200) zone. The existing Single Family residence and garage are proposed to be removed.

Proposal Description:

The new lots will have vehicular access from 23<sup>rd</sup> Avenue NE. Parking will be provided for each new developed lot, as required by code.

Public Comment: DPD received three comment letters during the comment period for this proposal that ended on August 28, 2013. Concerns were expressed about the impact of storm water run-off and flooding and impacts of additional houses being built without adequate onsite parking.

### 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 Departments (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:

There are 25 trees located on the subject site. The trees were the subject of a report by Tony Shoffner June 7, 2013) affirming that some of the trees are exceptional. According to Tony Shoffner's report and the City Arbotrist confirmation there are five non-exceptional trees, four exceptional trees (#6, 7, 8 and 10) and the two trees which meet the size threshold to be classified as exceptional found to be in poor condition (#5 and 17) are proposed to be removed for a total of 11 trees proposed to be removed. Four of the healthy, exceptional trees (1, 4, 23 and 24) and ten healthy non-exceptional trees are proposed to be retained for a total of 14 retained trees.

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, on the face of the plat must 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. Approval of this short plat does not authorize or endorse removal of any trees. Tree removal on undeveloped lots is prohibited unless done in conformance with an issued building permit. Future building permit applications will be reviewed for compliance with the City of Seattle Tree Protection Ordinance. Removal of any exceptional trees or trees over two (2) feet in diameter (measured four and one-half (4 1/2) feet above the ground) for future construction must comply with criteria under SMC 25.11.060.

### **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. Approval of this short plat does not authorize or endorse removal of any trees. Tree removal on undeveloped lots is prohibited unless done in conformance with an issued building permit. Future building permit applications will be reviewed for compliance with the City of Seattle Tree Protection Ordinance. Removal of any exceptional trees or trees over two (2) feet in diameter (measured four and one-half (4 1/2) feet above the ground) for future construction must comply with criteria under SMC 25.11.060.
3. All recommendations of the report shall be stated on the face of the plat.
4. 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**

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 four exceptional and ten healthy non exceptional trees on the property 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.

Signature: (signature on file) Date: September 26, 2013  
Onum Esonu, Land Use Planner  
Department of Planning and Development