



City of Seattle

Gregory J. Nickels, Mayor
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: 3003101
Applicant Name: David Sucher for Flexspace Development, LLC
Address of Proposal: 1115 North 140th Street

SUMMARY OF PROPOSED ACTION

Land Use Application to subdivide one parcel into two parcels of land. Proposed parcel sizes are: A) 3,212 sq. ft. and B) 3,230 sq. ft. The construction of two office buildings has been approved under Project #2403095/750671.*

*Note: The project description has been revised from the original notice of application.

The following approval is required:

Short Subdivision - to subdivide one existing parcel into two parcels.
(Chapter 23.24, Seattle Municipal Code (SMC)).

SEPA Threshold Determination (Chapter 25.05 SMC)

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

BACKGROUND DATA

Site & Area Description

This 6,442 square foot (sq. ft.) rectangular project site is located in a Commercial 2 zone with a maximum height of 65' (C2-65'), in the Bitter Lake Village Hub Urban Village of the City of Seattle. The parcel is a corner lot located on the southwest side at the intersection of North 140th Street and Midvale Avenue North. The site is currently vacant. A DPD Building Permit (#750671) has recently been issued to allow the construction of two administrative office buildings with accessory parking at grade at the subject site.

North 140th Street is an unimproved street with paved roadway and no gutters, curbs or sidewalks. Midvale Avenue North is an unimproved street with paved roadway and no gutters, curbs or sidewalks adjacent to the subject site. Both streets are classified as non-arterial streets, pursuant to SMC Chapter 23.53.

The topography of the site is relatively flat. The parcel is not within any identified designated Environmentally Critical Areas.

Surrounding properties to the west, north and south are also zoned C2-65. The additional properties to the north of the subject site are zoned Lowrise 1 (L-1) and Lowrise 2 (L-2) just east of the subject parcel. Development to the west, north and south is predominantly a variety of commercial establishments. Development north and east of the subject property consists of a variety of houses and multi-unit residential buildings of varying age and architectural style on a variety of lot sizes, consistent with the zoning designations.

Proposal

The proposal is to subdivide one parcel of land into two lots. Proposed lot areas are indicated in the summary above. Proposed Parcel 1A will have direct access to both North 140th Street and Midvale Avenue North. Proposed Parcel 1B will have direct access from North 140th Street. Proposed vehicular access to both parcels would be provided via a shared ingress, egress and utility easement via North 140th Street.

Master Use Permit for the construction of 2, two-story administrative office buildings with at grade accessory parking has been reviewed and approved (Master Use Permit #750671). The subject of this analysis and decision is restricted to the proposed division of land.

Public Comment

The comment period for this proposal ended on September 28, 2005. During the public comment period, DPD received no written comments related to this project.

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

Based on information provided by the applicant, referral comments from the Building Plans Examiner, the Drainage Section, the Fire Department, Seattle Public Utilities (City Light and the Water Department), and review by the Land Use Planner, the following findings are made with respect to the above-cited criteria:

1. *Conformance to the applicable Land Use Code provisions;*

The subject property is zoned Commercial 2 with a 65' height limit (C2-65'). The lots to be created by this short subdivision will meet all minimum standards or applicable exceptions prescribed in the Land Use Code, and are consistent with applicable development standards. The proposed parcels provide adequate buildable area to meet applicable setbacks, lot coverage requirements, and other Land Use Code development standards.

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

The proposed lots will have direct vehicular access to North 140th Street, consistent with the provisions of the Code. The Seattle Fire Department has no objection to the proposed short plat. All private utilities are available in this area. Seattle City Light provides electrical service to the proposed short plat. City Light has reviewed the proposal and does require an easement to provide for electrical facilities and service to the proposed lots. This short plat provides for adequate access for vehicles, utilities, and fire protection.

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. The short plat application has been reviewed by Seattle Public Utilities and a Water Availability Certificate issued on June 26, 2006 (WAC ID No. 2006-1174).

The previous structure which was demolished was connected by means of a single sidesewer to an 8" public sanitary sewer (PSS) located in North 140th Street.

There is an intermittent ditch and culvert on the far side of North 140th Street. This area is part of the Densmore drainage basin. Stormwater detention, with controlled release to the ditch and culvert to the north, is likely to be required for construction in excess of 2000 sq. ft. of developmental coverage. Drainage plan review requirements will be made at the time of building permit application in accordance with any applicable stormwater ordinances in effect at that time. If the project is greater than 5,000 sq. ft. of new or replaced impervious surface, a comprehensive drainage control plan, prepared in accordance with SMC 22.802.015D and 22.808.020, may be required.

4. *Whether the public use and interests are served by permitting the proposed division of land;*

The Commercial Policies of the Seattle Comprehensive Plan encourage business creation and expansion by permitting flexibility of business activity which is compatible with the neighborhood-serving character of business districts and with the residential character of surrounding residential neighborhoods. The subdivision of this commercial site into two lots will not be out of character with the development pattern, lot sizes, or streetscape pattern in the vicinity and will provide additional lots for commercial development. The public uses and interests are served by permitting the proposed subdivision of land. The proposal meets all applicable criteria for approval of a short plat as discussed in this analysis.

5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas;*

This site is not located in any environmentally critical area as defined in SMC 25.09.240. There are no environmentally critical areas mapped or otherwise observed on the site.

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

The proposed lot line does not impact the proposed landscaping (which includes trees and vegetation) reviewed and approved under DPD Building permit #750671. Thus, the subdivision has been designed to maximize the retention of trees.

DECISION - SHORT SUBDIVISION

The proposed short plat is **CONDITIONALLY GRANTED**.

CONDITIONS - SHORT SUBDIVISION

Prior to Recording

1. 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. All existing structures, principal and accessory, shall be shown on the face of the plat, and their distances to the proposed property lines dimensioned.
2. Submit the final recording forms for approval and any necessary fees.
3. Include an easement to provide for electrical facilities and service to the proposed lots as required by Seattle City Light (as described in Exhibit "A," P.M. #260419-1-018B) on the final short subdivision.
4. Provide a joint maintenance and responsibility agreement for maintenance and use of the ingress, egress, utility (including the common sewer and storm drainage system) that will serve the proposed parcels.

After Recording and Prior to Issuance of a Building Permit

1. Attach a copy of the recorded subdivision to all future building permit application plans.

Signature: _____ (signature on file) Date: July 20, 2006
Tamara Garrett, Land Use Planner
Department of Planning and Development

TG: bg

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