



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: 3003732
Applicant Name: Tyler Goodmanson
Address of Proposal: 6503 57th Avenue NE

SUMMARY OF PROPOSED ACTION

Land Use Permit to subdivide one parcel into two parcels of land in an environmentally critical area. Proposed parcel sizes are: A) 5,579.1 sq ft and B) 5,002.5 sq ft. Existing structures to be removed.*

*House relocated to parcel B under Project #6083674.

The following approvals are required:

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

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

The subject site fronts on NE 65th Street, located between 55th Avenue NE and 57th Avenue NE. The existing parcel has a total area of approximately 10,581.6 square feet. The site is located in a Single Family 5000 (SF 5000) zone. The site is rectangular in shape. Currently one single-family structure occupies the development site. Parking is provided within an attached garage.

The parking is currently accessed off of 55th Avenue NE. The site is vegetated with grass, shrubs and approximately 11 trees. The site is mapped with a slope going down from north to south on the south property line. According to GIS maps, the site is mapped as a 40% steep slope, which is a City of Seattle Environmental Critical Area (ECA).

A limited Environmental Critical Area exemption was granted for this site under Project # 3003732. The exemption is based on the fact that the 'steep slopes' at the site are not more than 20 feet in height, are not part of a larger steep slope system, and have been created through previous, legal grading activities. In this respect, the ECA Steep Slope Development Standards are waived. A geotechnical report has been submitted to demonstrate that the site can be safely developed without adverse impacts resulting from this exemption. The ECA Submittal, General, and Landslide-Hazard, and other applicable development standards still apply for future development of the site.

Zoning in the vicinity is Single Family 5000 (SF 5000). Development in the area consists of single family residences and apartment buildings.

Proposal

The proposal is to subdivide one parcel of land into two parcels. Proposed parcel sizes are indicated in the summary above. Proposed parcel A will obtain vehicle access off 55th Avenue NE. Parcel B will obtain access off 57th Avenue NE.

Public Comment:

Date of Notice of Application:	March 2, 2006
Date End of Comment Period:	March 29, 2006
# Comment Letters	6

The following issues and concerns were raised during the comment period, the potential loss of on street parking, required setbacks and height restriction for new development, and the need to retain mature trees existing on site.

ANALYSIS - SHORT SUBDIVISION

Pursuant to SMC 23.24.040, no short plat shall be approved unless all of the following facts and conditions are found to exist:

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;*

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.*

Based on information provided by the applicant, referral comments from the Land Use 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. The subject property is zoned for single-family residential with a minimum lot size of 5,000 square feet. The lots created by this proposed division of land will conform to all development standards of the SF 5000. The proposed parcels provide adequate buildable area to meet applicable setbacks, lot coverage requirements, parking and other Land Use Code development standards.
2. The proposed lots will have vehicular access off 55th Avenue NE for Parcel A and 57th Avenue NE for Parcel B, 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. Thus, this short plat provides for adequate access for vehicles, utilities, and fire protection.
3. This area is served with domestic water, sanitary sewer, and stormdrain 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 (20060433) was issued on March 10, 2006.

Sanitary Sewer: The existing single family residence located upon the proposed short plat currently discharges its sanitary waste to the public sanitary-only sewer (PSS) in 57th Avenue NE. New construction may use this sidesewer for sanitary discharge.

Drainage: The existing house now discharges its stormwater runoff to the PSS in 57th Avenue NE. Future construction will be required to discharge stormwater runoff to the public storm drain in NE 65th Street.

4. The proposed short subdivision will meet all the applicable Land Use Code provisions. The proposed development has adequate access for vehicles, utilities and fire protection, and has adequate drainage, water supply and sanitary sewage disposal. The public use and interest will be served with this proposal because additional opportunities for housing would be provided within the City limits as a result of this subdivision. The proposal will meet all applicable criteria for approval of a short plat upon completion of this analysis and decision.

5. Limited portions of the proposed subdivision are located in an environmentally critical area (Steep Slope Area). A limited Environmental Critical Area exemption was granted for this site under project# 3003732. The exemption is based on the fact that the 'steep slopes' at the site are not more than 20 feet in height, are not part of a larger steep slope system, and have been created through previous, legal grading activities. In this respect, the ECA Steep Slope Development Standards are waived. A geotechnical report has been submitted to demonstrate that the site can be safely developed without adverse impacts resulting from this exemption. The ECA Submittal, General, and Landslide-Hazard, and other applicable development standards still apply for future development of the site.
6. There are eleven (11) trees located on the site. None of the existing trees are considered exceptional. Approximately 9 of those trees will likely be removed with future construction. One large Magnolia and a large maple tree will be maintained on site. The north south dividing lot line is designed to retain trees along the perimeter of the proposed lots. Parcel A contains additional land area, beyond the minimum required by the zone, allowing flexibility in location for future construction. Future construction will be subject to the provisions of SMC 23.44.008 which sets forth tree planting requirements on single family lots.
7. This Short subdivision is not a unit subdivision. Thus, this section is not applicable to this short plat proposal.

DECISION - SHORT SUBDIVISION

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

SEPA DETERMINATION

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated February 21, 2006 and annotated on April 19, 2006. The information in the checklist, a Geotechnical Report prepared by GeoTech Consultants, Inc., dated January 23, 2006 and the experience of the lead agency with review of similar projects form the basis for this analysis and decision. Note that pursuant to SMC 25.05.908.B, the scope of the environmental review of the subject short subdivision is limited to:

1. Documenting whether the proposal is consistent with The City of Seattle Regulations for Environmentally Critical Areas, SMC Chapter 25.09; and

2. Evaluating potentially significant impacts on the environmentally critical area resources not adequately addressed in The City of Seattle Environmentally Critical Areas Policies or the requirements of SMC Chapter 25.09, Regulations for Environmentally Critical Areas, including additional mitigation measures needed to protect the environmentally critical areas in order to achieve consistency with SEPA and other applicable environmental review laws.

The undersigned planner has analyzed the environmental checklist submitted by the project applicant; reviewed the project plans and the additional information in the file; and any comments which may have been received regarding this proposed action have been considered. No significant impacts will result from the application to short plat one parcel into two parcels of land. Codes and development regulations applicable to this proposed project and future development, such as the ECA ordinance, Building Code and Storm Water and Drainage Code, will provide sufficient mitigation and no further conditioning or mitigation is warranted pursuant to the SEPA Overview Policy (SMC 25.05.665).

DECISION

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21.030(2)(C).

CONDITIONS - SEPA

None.

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.

After Recording and Prior to Issuance of a Building Permits

3. A copy of the recorded short subdivision shall be attached to all building permit sets of plans for future construction on the proposed parcels.

Signature: (signature on file)
Lindsay King, Land Use Planner
Department of Planning and Development

Date: May 22, 2006