



City of Seattle

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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 PLANNING AND DEVELOPMENT**

**Application Number:** 2408215  
**Applicant Name:** Julie LeDoux for Soleil Development, LLC  
**Address of Proposal:** 4816 NE Princeton Way

**SUMMARY OF PROPOSED ACTION**

Master Use Permit to subdivide one (1) parcel into three (3) parcels of land. Proposed parcel sizes are: A) 4,763.6 square feet; B) 5,002.4 square feet and C) 5,010.7. The existing single family structure is proposed to be partially demolished and located on proposed parcel B. At the time of this decision there were no building permits related to this subdivision.

The following approval is required:

- **Short Subdivision** - to subdivide one (1) existing parcel into three (3) parcels. (Chapter 23.24, Seattle Municipal Code).

**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 approximately 14,776.7 square foot rectangular shaped site is located in a Single Family residential zone with a minimum lot size of 5,000 square feet (SF 5000), in the Northeast Seattle area. The parcels to be subdivided are located at the southeast corner of the intersection of NE 65<sup>th</sup> St and NE Princeton Way. Proposed parcel A will have street frontage on both NE Princeton Way and NE 65<sup>th</sup> St. Proposed parcel B will have street frontage only on NE Princeton Way. Proposed parcel C will have street frontage on both NE Princeton Way and NE 65<sup>th</sup> St.

Surrounding properties and adjacent blocks in the immediate vicinity are also zoned SF 5000. Development in the area consists of a variety of single-family houses on a variety of lot sizes.

### Proposal

To subdivide one (1) existing parcel into three (3) parcels of land. Proposed lot areas are indicated in the summary above. Proposed parcel A will be accessed from NE 65<sup>th</sup> St. A portion of the existing structure is to remain on proposed parcel B. The existing driveway for the existing single family structure will be moved southward and a vehicle turnaround will be provided on proposed parcel B. Proposed Parcel C will provide vehicle access from the right of way (cul-de-sac) abutting the eastern property line. The subject of this analysis and decision is only the proposed division of land.

### Public Comment

During the public comment period which ended February 16, 2005, DPD received numerous written comments for the proposed subdivision. A public meeting with approximately twenty-six (26) attendees was held on May 23, 2005 pursuant to SMC 23.76.015 as fifty (50) signatures were submitted to the Department requesting the meeting. During the meeting and in the comment letters concerns were expressed about vehicle access, parking, bus stop conflicts, and the application of SMC 23.44.010-B.1.b (75/80 rule).

## **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;*
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.*
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.*

Based on information provided by the applicant, referral comments from the DPD 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 for single family residential use with a minimum lot size of 5,000 square feet (SF 5000) or as provided in SMC 23.44.010-B.1.b. The allowed use in a single family zone is one dwelling unit per lot, with accessory dwellings permitted within the principal structure in accordance with SMC 23.44.041. Maximum lot coverage is 35% or 1,750 sq. ft. whichever is greater. Front setbacks are an average of the neighboring adjacent lots, or twenty (20) feet, whichever is less. The minimum side yard setback is five (5) feet. Minimum required rear yard is 25' or 20% of lot depth, whichever is less. The lots created by this proposed division of land will conform to all development standards of the SF 5000 zoning designation. After review by the zoning plans examiner, it has been determined the proposed parcels meet the minimum lot size requirement of the zone and provide adequate buildable area to meet applicable yard, lot coverage requirements, and other Land Use Code development standards.

Proposed parcel A provides less than the 5,000 sq. ft. generally required in a SF 5000 zone. This is permitted because the lots meet an exception from the minimum lot area pursuant to Seattle Municipal Code 23.44.010-B.1.b. commonly referred to as the "75/80 Rule". The "75/80 Rule" provides lot area exceptions for lots with area at least 75 percent of the zoning requirement and at least 80 percent of the mean area of the building sites on the same block face in the same zone. The proposed parcels meet these requirements, as reviewed by the zoning plans examiner. To assure that future owners have constructive notice regarding the 75/80 calculations for the application, they should be added to the final recording documents.

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

Proposed parcels A, B and C will have adequate vehicle access. Proposed parcel A will be accessed from NE 65<sup>th</sup> St to avoid adding any additional curbcuts along NE Princeton Way, a designated arterial street and bus route. The driveway curbcut will be located west of the existing bus stop landing pad on NE 65<sup>th</sup> St. King County Department of Transportation has reviewed the proposal and proposed driveway for parcel A and found that “passenger safety, access and coach operations would not be compromised with this proposal, pending SDOT approval of the plan.” The owner has agreed to keep Metro apprised of the project and work with Metro to keep the bus stop accessible during construction. Proper conditioning is warranted to ensure compliance with Metro requirements and DPD requests to not allow an additional curbcut along NE Princeton Way.

Proposed parcel B and the remaining portion of the existing single family structure will continue to be accessed from NE Princeton Way. The existing driveway serving the structure will be closed and restored and the new driveway will be moved south. Turnaround space will be provided on proposed parcel B so vehicles will have the opportunity to face forward when exiting the site, improving the current situation of only backing on to the NE Princeton Way. Proper conditioning is warranted to ensure the turnaround on parcel B is shown on the final plat.

Proposed parcel C will be accessed from the right of way and cul-de-sac abutting the eastern property line.

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 not 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 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 was issued on January 1st 2005 (WAC ID No. 20050060). There is an existing eight (8) inch standard water main located NE Princeton which serves the site.

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

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 the proposal meets the criteria for a short subdivision and additional opportunities for housing would be provided within the City limits as a result of this subdivision.

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

No Environmentally Critical Areas exist on the site. As a result this provision is not applicable.

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

Ten (10) trees are located on the proposed site. Four of the trees will likely be removed as they are near or fall within the buildable area of the proposed parcels. Future construction will be subject to the provisions of SMC 23.44.008 and SMC 25.11 which sets forth tree planting requirements and tree preservation regulations on single family lots.

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.*

This short subdivision is not a unit subdivision. Thus, this section is not applicable to this short plat proposal.

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.*

This short subdivision is not a multiple single-family dwelling unit subdivision. Thus, this section is not applicable to this short plat proposal.

## **DECISION - SHORT SUBDIVISION**

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

## **CONDITIONS - SHORT SUBDIVISION**

### Non-Appealable Conditions

1. Add the 75/80 calculations to the final recording documents to show how the proposal meets the requirements for SMC 23.44.010-B.1.b; Exceptions to Minimum Lot Area.

2. Pursuant to SMC 23.54.030-F.6, add a note to the plat regarding the existing curbcut which states that the “existing curb cut to be restored and the curb and any planting strip shall be replaced.”

Prior to Recording

3. Add a note to the face of plat stating that the owner, contractor and or applicant must keep KC Metro apprised of the project and work with KC Metro to keep the bus stop accessible during any construction.
4. Add a note to the plat stating that the “vehicle access to parcel A must be from NE 65<sup>th</sup> St and be west of the bus stop landing pad shown on the sheet 2 of 3 of the plat.”
5. On the sheet 3 of 3, show the proposed on site vehicle turnaround on parcel B as depicted in the submitted drawings received June 1<sup>st</sup> 2005.
6. Add a note to the plat stating that the vehicle access to parcel C must be from the abutting right of way (cul-de-sac) abutting the east property line of the property as depicted in the submitted drawings received June 1<sup>st</sup> 2005.
7. 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.
8. Submit the final recording forms for approval and any necessary fees.

Prior to Construction Applications

9. A copy of this short subdivision shall be attached to all related building permit applications and revisions.

Prior to Transfer of Sale

10. The existing house shall be partially demolished as shown on the proposed plat.

Signature: (signature on file) Date: November 3, 2005  
Lucas DeHerrera, Land Use Planner