



City of Seattle

Gregory J. Nickels, Mayor

Department of Planning and Development

Diane M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 3001482
Applicant Name: Greg Allen
Address of Proposal: 9628 14th Ave NW

SUMMARY OF PROPOSED ACTION

Land Use Permit to subdivide three parcels into four parcels of land. Proposed parcel sizes are: A) 7,217 sq. ft., B) 7,210 sq. ft., C) 7,215 sq. ft.; and D) 7,201 sq. ft. The existing shed and single family residence at 9708 14th Avenue NW to be removed. The single family residence at 9628 14th Avenue NW to remain.

The following approval is required:

Short Subdivision - to subdivide three existing parcels into four parcels.
(Seattle Municipal Code Chapter 23.24)

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 28,843 square foot site is located on the northeast block front between NW 95th St and NW 100th St, along 14th Ave NW. The site has approximately 198 feet of street frontage along 14th Ave NW, which has a 60-foot right-of-way with a paved roadway of approximately 25 feet wide. This street lacks curbs, gutters, and sidewalks along the site frontage.



The site is zoned Residential, Single-Family 7200 (SF 7200). The site is developed with two single-family residences and an accessory structure, the northern single-family residence and accessory structure will be removed under separate permit.

The subject site slope rises three feet from the northwest to the southeast and is not located within any mapped or observed Environmentally Critical Area (ECA).

Properties to the north, south, east, and west are also zoned SF 7200. Development in the area consists primarily of single-family residences of varying age and architectural styles.

Proposal

The applicant proposes to subdivide three parcels of land into four parcels of land. Proposed parcel sizes are: A) 7,217 sq. ft., B) 7,210 sq. ft., C) 7,215 sq. ft.; and D) 7,201 sq. ft. The existing shed and a single family residence at 9708 14th Avenue NW to be removed. The single family residence at 9628 14th Avenue NW will remain. No development or construction activities are associated with the current proposal; the subject of this analysis and decision is restricted to the proposed division of land.

Public Comment

Notice of application was given on March 9, 2006 and the public comment period ended on March 22, 2006. DPD received no written comments from the public related to this application.

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. The findings which follow are based upon information provided by the applicant; review of access, drainage and zoning within the Department of Planning and Development (DPD); review from Seattle Public Utilities, Seattle Fire Department and Seattle City Light; and, review by the Land Use Planner.

1. Conformance to the applicable Land Use Code provisions;

The subject property's zone (SF 7200) is intended for single-family residential uses with a minimum lot size of 7200 square feet. The lots created by this proposed division of land would conform to all applicable development standards of the SF 7200 zoning district. The proposed parcels would provide adequate buildable area to meet applicable yards, lot coverage requirements, and other applicable Land Use Code development standards.

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

All four parcels provide street frontage for direct vehicular access to 14th Ave NW.

The Seattle Fire Department has reviewed and approved the proposed short plat for emergency vehicle access.

All private utilities are available in this area. Seattle City Light provides electrical service to the proposed short plat. City Light does not require an electrical service easement for the proposed lots at this time.

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.

Seattle Public Utilities reviewed the short plat application, and Water Availability Certificate #20060369 was issued on March 3, 2006.

Sanitary Sewer: The existing houses currently discharge their sanitary waste to the public sanitary-only sewer (PSS) in 14th Ave NE. New construction may use these sidesewers for sanitary discharge.

Drainage: DPD has no record of the current method of stormwater control. There is no formal drainage infrastructure of any kind for this short plat. Future construction will need to provide some means of stormwater runoff detention. Plan review requirements will be made at the time of the 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. new or replaced impervious surface, a comprehensive drainage control plan, prepared in accordance with SMC 22.802.015D and SMC 22.802.020, may be required.

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

An objective of the short subdivision process is to increase opportunities for new housing development to ensure adequate capacity for future housing needs. The proposed short subdivision would meet applicable Land Use Code provisions: the proposal has adequate access for vehicles, utilities and fire protection, and has adequate drainage, water supply and sanitary sewage disposal.

The public use and interest would be served by this proposal because additional opportunities for owner-occupied housing would be provided within the City limits as a result of this subdivision. Furthermore, upon completion of the conditions in this decision, the proposal would meet all applicable criteria for approval of a short plat.

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

The site is not located in any mapped or observed environmentally critical area as defined in SMC Chapter 25.09. Therefore, this section is not applicable to the short plat application.

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

The subject site contains several large trees—including Lombardy Poplar’s, a Western Hemlock, and a Western Red Cedar. The survey indicates most of the large Lombardy Poplar’s (30 inch diameters) are located along the western property lines for proposed Parcels A, B, and C, in the required front yards. One large Western Hemlock and one large Western Red Cedar are is located in the northeast corner of proposed Parcel C, in the principal building area.

Maximizing the Retention of Existing Trees During the land use review process it was determined that the Western Hemlock on proposed parcel C is an Exceptional Tree pursuant to Director’s Rule 6-2001 (see item T2, sheet 2 of 3, of the proposed plat). Thus, this tree will shall be protection throughout demolition/construction and DPD will be conditioning the proposed short subdivision as noted in the conditions at the end of this report.

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 criterion is not applicable to the proposed short subdivision because no unit lots are proposed.

DECISION - SHORT SUBDIVISION

The proposed Short Subdivision is **CONDITIONALLY GRANTED**. See the conditions at the end of this report.

CONDITIONS - SHORT SUBDIVISION

The owner(s) and/or responsible party(s) shall:

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. Add the conditions of approval to the face of the plat.
2. Submit the final recording forms for approval and remit any applicable fees.
3. Add all conditions of approval to the plat.

At the time of Building Permit Applicant or no later than the Issuance of Any Building Permits

4. Attach a copy of the recorded short subdivision to all sets of building permit application plans.

Prior to the Transfer or Sale of Lots or Issuance of Building Permits for Parcel C and Parcel D.

5. The existing structure must be legally removed.

Prior to the Issuance of a Building Permit for Parcel C.

6. The applicant shall provide a tree retention/protection plan by a Licensed Arborist for the Western Hemlock located in the northeast corner of proposed parcel, identified as T2 on sheet 2 of 3, of the proposed plat. At a minimum the plan shall address the following:

- Develop a tree protection zone. Erect a physical barrier to keep the root system of the trees in tact. This barrier can be a chain link or other type of fencing.
- Communicate the tree protection plan to everyone involved in the project. That includes architects, landscape architects, builders, contractors, carpenters, plumbers, electricians, and anyone else who will be on site. Reinforce the tree protection intentions by writing damage clauses into any service contract's to provide financial penalties to any contractor who damages the trees.
- Monitor the impacts of construction activities. A Certified Arborist or their appointee shall prevent incursions into the root zone and re-establish the protection zone if necessary. If roots have been cut, make sure they weren't damaged by construction activity. Broken roots should be cut cleanly with a saw. Don't allow contractors to park under the trees and the root zones shall be protected from pollutants that have the potential of contaminating the soil around the trees.
- Correct any damage to the root system. A Certified Arborist or their appointee shall be reasonable for any root cuts, making sure they are cut cleanly with a saw and not ripped with a backhoe. If damage is severe, seek the services of a Certified Arborist to obtain an assessment of the situation.

Signature: (signature on file)
Colin R. Vasquez, Senior Land Use Planner
Department of Planning and Development

Date: June 15, 2006