



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 PLANNING AND DEVELOPMENT**

Application Number: 2504835
Applicant Name: Julie Ledoux for Eldorado Development
Address of Proposal: 3814 NE 60th St

SUMMARY OF PROPOSED ACTION

Master Use Permit to subdivide one parcel into two parcels of land. Proposed parcel sizes are: A) 3,746.0 square feet and B) 3,745.8 square feet. The existing structure located on the parent property was demolished prior to this decision. Related project: Construct one single family residence with a detached garage (DPD #2502012 Permit No. 750792).

The following approval is required:

- **Short Subdivision** - to subdivide one existing parcel 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 or
involving another agency with jurisdiction

BACKGROUND DATA

Site & Area Description

The approximately 7,491.8 square foot rectangular shaped site is located in a Single Family residential zone (SF 5000) in the northeast Seattle area. The parcels to be subdivided are located at the northwest corner of the intersection of NE 60th St and 39th Ave NE. Both proposed parcels will have street frontage on 39th Ave NE. Proposed Parcel B is a corner lot and also has frontage on NE 60th St. Both proposed parcels will have pedestrian access to 39th Ave NE. A single family residence is currently being constructed within the proposed parcel A. Vehicle access is from the alley to a detached accessory garage. This structure was reviewed for code compliance under MUP #2502012 Permit No. 750792.

Surrounding properties and blocks are also zoned SF 5000. Development in the area consists of a variety of one, two and three-story single-family houses of varying age and architectural style on a variety of lot sizes.

Proposal

The proposal is to subdivide one parcel of land into two parcels. Proposed lot areas are indicated in the summary above. Proposed parcels A and B will have pedestrian access to 39th Ave NE. Vehicle access for 6005 39th Ave W (Parcel A) is from the abutting alley. Any future building permits for proposed Parcel B (6001 39th Ave W) will be reviewed for code compliance upon submittal.

The subject of this analysis and decision is only the proposed division of land. The proposal is making use of SMC 23.44.010-B.1.b (75/80 rule) and Director's Rule 25-96 in order to request the proposed lot sizes.

Public Comment

During the public comment period which ended September 9th, 2005. DPD received several written comments about the proposed subdivision. The comments were related to density, preserving neighborhood character, parking impacts, noise impacts, tree retention, and allowable development standards. The letters are located in the project file.

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 Zoning Plans Examiner (DPD), Drainage Section (DPD), Ordinance and Structural Reviewer (DPD), the Fire Department, Seattle Public Utilities (City Light and the Water Department), and review by the Land Use Planner (DPD), 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 (5000) or as provided in SMC 23.44.010-B.1.b (75 x 80 rule calculations located in the project file). 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 the 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. As reviewed by the zoning plans examiner, the proposed parcels meet the minimum lot size requirement of the zone and provide adequate buildable area to meet applicable yards, lot coverage requirements, and other Land Use Code development standards. 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 and B will have direct vehicle pedestrian access to and from 39th Ave NE, parcel B will also have access to NE 60th St. Also, proposed parcels will have adequate vehicle access to the abutting rights of way. 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 may 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 August 4th 2005 (WAC ID No. 20051177). As reviewed by the grading and drainage plans examiner, the plat is adequate for drainage and sanitary disposal.

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

One objective of the short subdivision process is to increase opportunities for new housing development in order to ensure that there will be adequate capacity for future housing need. 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.

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. It should be noted that a type A riparian corridor (Yesler Creek) is located on the adjacent block east of the site and 39th Ave NE. Pursuant to SMC, the buffer of the riparian corridor shall not extend beyond an existing public road if the road has an adequate storm water catchment facility. 39th Ave NE has curbs gutters, sidewalks and drainage facilities located within; as a result the riparian corridor does not extend westerly beyond 39th Ave NE and does not impact the proposed short plat.

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

There were two (2) trees located on proposed parcels A and B. These trees were reviewed for compliance with SMC 25.11. The two trees were reviewed and subsequently removed under the active building permit DPD #2502012 Permit No. 750792. The subdivision could not be designed or changed in a way that would retain more trees as there are no trees on the site. Thus, the proposal has been designed to maximize the retention of existing trees on the property. 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

Prior to Recording 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.

Prior to Recording

2. 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.
3. Submit the final recording forms for approval and any necessary fees.
4. Add any required Seattle City Light easements to the plat.

Prior to Construction Applications

5. A copy of this short subdivision shall be attached to all subsequent building permit applications or revisions.

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

Date: November 14, 2005