



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: 3004290
Applicant Name : Axel Iverson
Address of Proposal: 5041 35th Avenue South

SUMMARY OF PROPOSED ACTION

Land Use Application to subdivide one parcel into two parcels of land. Proposed parcel sizes are: A) 5,315 sq. ft. and B) 4,754 sq. ft.

The following approval is required:

Short Subdivision – To create two lots.
(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

Zoning: Residential, Single-family 5000 (SF 5000) and Residential, Multifamily, Lowrise
4/Residential-Commercial (L-4 RC)

Uses on Site: Vacant lot

Substantive Site Characteristics:

This 10,069 square foot subject site (the “parent lot”) fronts on Martin Luther King Jr Way S to the west and 35th Avenue S to the east. The site is split zoned, with the western portion zoned Multifamily Lowrise 4/Residential-Commercial (L-4 RC) zones and the eastern portion zoned Residential, Single-family 5000 (SF 5000). The Residential, Single-family 5000 (SF 5000) zone continues to the north, south, and east of the subject site. The Residential, Multifamily, Lowrise 4/Residential-Commercial Zone (L-4 RC) continues to the north and south of the western half of the subject site. Across the Martin Luther King Jr Way South to the west the area is zoned Commercial 1 (C1-40). The site slopes downward to the east. The site is not located in any mapped critical areas.

Proposal Description:

The applicant proposes to subdivide one parcel with a total area of 10,069 square feet, the “parent lot,” into two parcels. The proposed parcel sizes are: A) 5,315 sq. ft. and B) 4,754 sq. ft. Parcel A will be created on the western portion of the original lot and parcel B will be created on the eastern portion of the original lot. Parcel A will have vehicular and pedestrian access via Martin Luther King Jr Way South. Parcel B will have vehicular and pedestrian access via 35th Avenue South.

Public Comment:

The comment period for this proposal ended on June 7, 2006. During this period, no comment letters were received.

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; and*

Summary - Short Subdivision

Based on information provided by the applicant, referral comments from DPD, Water (SWD), Fire Departments (SFD), Seattle City Light, the Building Plans Examiner, the Drainage Section of DPD, and review by the Land Use Planner, the above cited criteria have been met subject to the conditions imposed at the end of this decision.

The lots to be created by this short subdivision will meet all minimum standards or applicable exceptions set forth in the Land Use Code and are consistent with applicable development standards. As conditioned, this short subdivision can be provided with vehicular access, public and private utilities and access (including emergency vehicles). Adequate provisions for drainage control, water supply, and sanitary sewage disposal have been provided for each lot and service is assured, subject to standard conditions governing utility extensions. The proposal site is not located in an environmentally critical area; therefore SMC 25.09.240 is not applicable. The proposed plat maximizes the retention of existing trees. The public use and interest are served by the proposal since all applicable criteria are met and the proposal creates the potential for additional housing opportunities in the City.

DECISION –SHORT SUBDIVISION

The proposed Short Subdivision is **CONDITIONALLY GRANTED**.

CONDITIONS – SHORT SUBDIVISION

Conditions of Approval Prior to Recording

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

1. Include the required utility easement on the final plans to meet the requirements for drainage and sewer utilities: “Due to Sound Transit takings, proposed Parcel A will not have access to the utilities in M L King Jr Wy S. For this reason, utility easements to the benefit of proposed Parcel A, across from proposed Parcel B should be included as part of the Plat documents.”
2. Include any required easement description provided by Seattle City Light on the face of the final plat and in the legal descriptions of the affected lots.
3. Add the conditions of approval after recording on the face of the plat or on a separate page. If the conditions are on a separate page, insert on the plat “For conditions of approval after recording see page ___ of ___.”
4. 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. The lot areas of each parcel shall be shown on the recording documents.

5. Submit the recording fee and final recording forms for approval.
6. Label all structures "to be removed" on the final plat.

Prior to Issuance of any Building Permit

7. The owner(s) and/or responsible party(s) shall attach a copy of the recorded short subdivision to all permit application plans for any application for a permit to construct, demolish, or change use.

Signature: _____ (signature on file) _____ Date: September 4, 2006
Janet Hyde-Wright, Land Use Planner
Department of Planning and Development

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