



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 OF PLANNING AND DEVELOPMENT**

**Application Number:** 3008221  
**Applicant Name:** Brittani Ard  
**Address of Proposal:** 2110 South State Street

**SUMMARY OF PROPOSED ACTION**

Land Use Application to subdivide one parcel into nine unit lots. The construction of residential units has been approved under Project #6091176. This subdivision of property is only for the purpose of allowing sale or lease of the unit lots. Development standards will be applied to the original parcel and not to each of the new unit lots.

The following approval is required:

**Short Subdivision** - To subdivide one parcel into nine unit lots.  
(SMC 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**

Zoning: L-2  
Uses on Site: Townhouses

**Substantive Site Characteristics:**

This proposal is two sites located at 2113 S. Massachusetts St. and 2110 (2210) S. State St. The sites are between 21<sup>st</sup> Avenue S. and 22<sup>nd</sup> Avenue S. in the South Seattle Neighborhood. A panhandle of 100' length adjoins these two sites into one parcel.

These two sites are Parcel Z (Parent Lot) created through City of Seattle Lot Boundary Adjustment Number MUP 3005291. Within Parent Parcel Z is Parcel A and Parcel B. Parcel A is approximately a square site of 46' by 49' for an area of 2242.16 square feet. Parcel A is proposed for Unit Lot I to contain Building C, which will be accessed from South Massachusetts Street. Parcel B is approximately a rectangle size of 85' by 101' for an area of 8535 square feet. Parcel B is proposed for Unit Lots A through H, which will be accessed from South State Street.

The project site is zoned LowriseTwo (L-2) and is located in a predominately single-family and multi-family neighborhood. The density for Lowrise-Two zone is one dwelling unit per each 1,200 sq. ft. of lot area. Both Massachusetts and State Streets are two lane paved streets with sidewalks, curbs and gutters on both sides

The issuance of building permit 6091176 on 8-13-2007 was to establish use and construct three buildings A and B (two fourplex townhouses -the south buildings) and Building C (one ground related dwelling unit- the north building) with enclosed parking, per plans

Public Comment:

Notice was posted on November 29<sup>th</sup>, 2007 and the public comment period extends to December 12, 2007. Two neighbors provide comment addressing the density of the development and its impact on the quality of the neighborhood.

**ANALYSIS – SHORT SUBDIVISION**

Pursuant to SMC 23.24.040, no short plat shall be approved unless all of the following applicable 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.*

Summary

Based on information provided by the applicant, referral comments as appropriate from DPD, Water (SPU), Seattle City Light, 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 as 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. A Determination of Non-Significance was published for the SEPA MUP 3005136-3004071. 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.

**ANALYSIS –UNIT LOT SUBDIVISION (CRITERION #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.

- A. *The unit subdivision provisions of SMC Section 23.24.045 apply exclusively to the unit subdivision of land for townhouses, cottage housing developments, residential cluster developments, and single-family residences in zones where such uses are permitted.*
- B. *Sites developed or proposed to be developed with dwelling units listed in subsection A above, may be subdivided into individual unit lots. The development as a whole shall meet development standards applicable at the time the permit application is vested. As a result of the subdivision, development on individual unit lots may be nonconforming as to some or all of the development standards based on analysis of the individual unit lot, except that any private, usable open space for each dwelling unit shall be provided on the same lot as the dwelling unit it serves.*
- C. *Subsequent platting actions, additions or modifications to the structure(s) may not create or increase any nonconformity of the parent lot.*
- D. *Access easements and joint use and maintenance agreements shall be executed for use of common garage or parking areas, common open space (such as common courtyard space for cottage housing), and other similar features, as recorded with the Director of the King County Department of Records and Elections.*
- E. *Within the parent lot, required parking for a dwelling unit may be provided on a different unit lot than the lot with the dwelling unit, as long as the right to use that parking is formalized by an easement on the plat, as recorded with the Director of King County Department of Records and Elections.*
- F. *The facts that the unit lot is not a separate buildable lot, and that additional development of the individual unit lots may be limited as a result of the application of development standards to the parent lot shall be noted on the plat, as recorded with the Director of the King County Department of Records and Elections.*

**Summary - Unit Lot Subdivision**

Review of this application shows that the proposed unit lot short subdivision of Parcel C would conform to applicable standards of SMC 23.24.045 subject to the conditions imposed at the end of this decision. The proposed development on Parcel Z is two fourplex townhouses and one ground related townhouse. The structures, as reviewed under its separate Building Permit No. 6091176, conforms to the development standards of the time the permit application was vested. To assure that future owners have constructive notice that additional development may be

limited; the applicant will be required to maintain a note to the face of the plat that reads as follows: “The lots created by unit subdivision are not separate building lots. Additional development on any individual lot in this unit subdivision may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code.” A joint use and maintenance agreement on the plat must also be maintained.

### **DECISION - SHORT (UNIT LOT) SUBDIVISION**

The proposed Short (Unit Lot) Subdivision is **CONDITIONALLY GRANTED**.

### **CONDITIONS – UNIT LOT SHORT SUBDIVISION**

Prior to Recording

1. Meet the requirements of Seattle City Light.

City Light has reviewed the short plat and will provide the required easement for electrical facilities to provide power to the proposed lots. The easement document is identified as Exhibit “A” and is to be attached to and become a part of the short plat. The following statement is provided for use on the face of the plat to reference said document:

*An easement is granted to Seattle City Light as shown on page \_\_\_\_.*

**If this short plat is revised in any manner, the attached easement will not be valid. Any revisions must be submitted to Seattle City Light for additional review.**

After the final short plat has been recorded, a copy should be mailed by DPD to City Light, Real Estate Service, Room 3012, Mail Stop 07-28-22 (Renee T. Brooks 7-26-07).

2. The owner(s) and/or responsible party(s) shall comply with all applicable standard recording requirements and instructions.
3. Maintain the following note on the face of the plat: *“The unit lots within the parent lot created by this subdivision are not separate buildable lots. Additional development on these unit lots in this unit subdivision may be limited as a result of the application of development standards to their parent lot (Parcel C) pursuant to applicable provisions of the Seattle Land Use Code.”*
4. Maintain the joint maintenance and responsibility agreement for maintenance and use of shared walls on property lines and all ingress, egress, and utility easements.
5. Add a covenant easement or other agreement to the final plat which allows for proper posting of unit lot addresses visible from the street.
6. Include in the plans the required easement provided by Seattle City Light.
7. Per SMC 23.24.045 F reference the Parent Lot as Parcel “Z”.

*Prior to Issuance of any future Building Permit*

8. 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: January 3, 2008  
Carreen N. Rubenkonig, Land Use Planner  
Department of Planning and Development

CNR:bg

I: /Rubenkonig/Documents/Decisions/3008221 South State Street (and S.Massachusetts) Unit Lot Short Plat