



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:** 3009514  
**Applicant Name:** Kristal Hancock  
**Address of Proposal:** 1026 E. Terrace Street

**SUMMARY OF PROPOSED ACTION**

Land Use Application to subdivide one (1) parcel into four (4) unit lots. The construction of residential units has been approved under Project #6140881 as modified under post-issuance revision #6205009. 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 existing parcel into four unit 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**

Site & Area Description

Zoning: Midrise Residential (MR)  
Uses on Site: One (1) single family residence.

Substantive Site Characteristics:

This 4,822 square foot subject site (the “parent lot”) is a corner lot and rectangular in shape. This corner lot faces south on East Terrace Street and faces east on 11<sup>th</sup> Avenue. Along the west property line is a 16-foot wide alley. East Terrace Street is considered a non-arterial street, improved with sidewalks, curbs and gutters on both sides of the street. Parking consisting of a surface parking pad for one (1) vehicle exists on the site. Construction of a 4-unit townhouse has been previously approved under (permit #6140881). The site is not located in any mapped or environmentally critical area.

The subject property and the properties to the north, south and west are all zoned Midrise Residential (MR). The properties to the northwest are all zoned NC3-65 and NC3-85. The properties to the east are all zoned NC3P-65 and NC3P-40. Development in the immediate area primarily consists of single family residences, multi-family structures, retail and offices uses.

Proposal Description

The applicant proposes to subdivide one 4,822 square foot parcel (the “parent lot”) into four (4) unit lots with the following lot areas: Unit Lot A) 1,426 square feet, Unit Lot B) 1,045 square feet, Unit Lot C) 1,366 square feet and Unit Lot D) 985 square feet in a MR zone. The subject site fronts on E. Terrace Street. Vehicular Driveway access to underground garage is from 11<sup>th</sup> Avenue. Parking for all units is in underground garage. Existing curb cut on East Terrace Street is to be removed and curb restored to SDOT standards.

Public Comments

No written comment letters were received during the comment period that ended on September 24<sup>th</sup>, 2008.

**ANALYSIS – UNIT LOT SUBDIVISION**

Pursuant to SMC 23.24.040, the Director shall, after conferring with appropriate officials, use the following (applicable) criteria to determine whether to grant condition or deny a short plat:

1. *Conformance to the applicable Land Use Code provisions, as modified by this chapter;*
2. *Adequacy of access for pedestrians, vehicles, utilities and fire protection, as provided in Section 23.53.005, Access to lots, and Section 23.53.006, Pedestrian access and circulation;*
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. *Whether the proposed division of land 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, and*

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.*

#### Summary - Short Subdivision

Based on information provided by the applicant, referral comments from DPD, Water (SWD), Fire Departments (SFD), 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. Detailed discussion of Criterion # 7 follows below.

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 (**Water Availability Certificate ID No. 20090092**), 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.

#### **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*
- E. *for cottage housing), and other similar features, as recorded with the Director of the King County Department of Records and Elections.*

- F. *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 Development of Records and Elections.*
- G. *The fact 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 short subdivision would conform to applicable standards of SMC 23.24.045 subject to the conditions imposed at the end of this decision. The proposed development is a 4-unit townhouse. The structure, as reviewed under its separate building permit, 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 add a note to the face of the plat that reads as follows: Include the following on the face of the plat: "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 will be required as conditioned at the end of this decision.

#### **DECISION – UNIT LOT SUBDIVISION**

The proposed Unit Lot Subdivision is **CONDITIONALLY GRANTED.**

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

##### Conditions of Approval Prior to Recording

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

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.
2. Submit the final recording forms for approval and any necessary fees.

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. Add the following note to the face of the plat: "*The lots created by this unit 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 pursuant to applicable provisions of the Seattle Land Use Code.*"
5. Provide a joint maintenance and responsibility agreement for all ingress, egress, and utility easements.
6. Include an easement to provide for electrical facilities and service to the proposed lots as required by Seattle City Light on the final short subdivision.
7. On the face of the plat, provide for an address sign, for the benefit of all Unit Lots, at a location visible from 11<sup>th</sup> Avenue South and provide an easement, covenant, or other legal agreement to ensure that the address signage will be maintained by all unit lots equally.
8. For benefit of Unit Lots A & B, include location of pedestrian access easement Beneficial to this unit lot subdivision.
9. Please revise the dimensions, on the survey, at Unit Lot C it should be 39.46' on 89-59-55 E instead of 39.47' and at Unit Lot D should be 19.79' on N 00-00-05 W instead of 19.97'.

Prior to Issuance of any Building Permit

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

10. 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: July 6, 2009

Joan S. Carson, Land Use Planner II  
Department of Planning and Development