



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:** 2504078  
**Applicant Name:** Eric A. Landerholm  
**Address of Proposal:** 2704 E. Thomas St

**SUMMARY OF PROPOSED ACTION**

Master Use Permit to subdivide one parcel into five lots (unit subdivision). Proposed lot sizes are: A) 1,993 square feet, B) 1,704 square feet, C) 1,187 square feet, D) 609 square feet; and E) 2,395 square feet. Development standards will be applied to the original parcel and not to each of the new unit lots. Related projects: construct three-unit addition to an existing two-unit residence to create a five-unit townhouse and occupy per plans, under Project No. 2409509.

**Short Subdivision** - to subdivide one existing parcel into five 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

The 7,888 square foot property is located at the southeast corner of E. Thomas Street and 27<sup>th</sup> Avenue E. Pedestrian access is direct to proposed Unit Lot A and proposed Unit Lot C off 27<sup>th</sup> Avenue E. Access to proposed Unit Lot E is directly off E. Thomas Street. Access to proposed Unit Lot D is off 27<sup>th</sup> Avenue E. by means of a four-foot pedestrian easement across proposed Unit Lot C. Access to Unit Lot B and to Unit Lot A off E. Thomas Street is by means of a three-foot pedestrian easement

across proposed Unit Lot E. Parking for two vehicles is proposed on the parent lot. One parking space is provided by means of an easement on proposed Unit Lot B and another parking space is provided by means of easements on both proposed Unit Lots B and E. Vehicle ingress and egress easements for the two parking spaces are provided on proposed Unit Lots B and E. The two streets adjacent the property are paved and improved with curbs and gutters. Three townhouse units have been, or are in the process of being constructed as an addition to an existing duplex on site. The parcel is located in a mapped Environmentally Critical Area (ECA) (potential landslide), but was exempted from ECA requirements because the designation appeared to be due to a mapping error (Exemption 2406438, August 20, 2004).

The subject property and lots to the west across 27<sup>th</sup> Avenue E. are zoned lowrise multifamily residential (L-2). Directly to the east, on the other half block, the zoning is Single Family (SF-5000). Across E. Thomas Street and to the south properties are zoned multifamily residential, but to a lesser density (L-1).

#### Proposal Description

The proposal is to subdivide one parcel into five unit lots with vehicle access provided from E. Thomas Street to the south. Three townhouse residential structures already have been, or are in the process of being constructed as additions to the existing duplex on the site. Parking for two of the units will be provided on grade within an easement running parallel to E. Thomas Street. Proposed lot sizes are as indicated in the summary above. Each of the proposed lots has pedestrian access to either E. Thomas Street or 27<sup>th</sup> Avenue E.

The construction of the additional three townhouse units has been reviewed for consistency with the applicable provisions of the Seattle Municipal Code under separate project (2409509) and permit (752813) numbers. The subject of this analysis and decision is only the proposed division of land.

#### Public Comments

The comment period for this proposal ended on June 29, 2005. During the public comment period, DPD received no comments related to this subdivision of land from the public.

#### **ANALYSIS - SHORT SUBDIVISION**

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

Based on information provided by the applicant, referral comments from the Land Use Plans Examiner, the Drainage Section, the Fire Department, Seattle Public Utilities (City Light and the Water Department), and review by the Land Use Planner, the following findings are made with respect to the above-cited criteria:

1. The subject property is zoned lowrise multifamily (L-2). The residential units comply with the density limits for residential uses in the L-2 zone. The proposed parcels provide for the applicable open space requirements, setback requirements, lot-coverage requirements, and other Land Use Code development standards.
2. The proposed two parking spaces are accessed by means of an ingress, egress and utility easement connecting to E. Thomas Street. 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 requires an easement to provide for electrical facilities and service to the proposed lots in addition to the utility easement identified on the proposed short plat, which must be included on the final plat. This short plat provides for adequate access for vehicles, utilities, and fire protection.
3. 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. The short plat application has been reviewed by Seattle Public Utilities and a Water Availability Certificate No. 20061100 was issued on June 13, 2006. Individual water meters are to be installed following approval of this platting action and approval of addresses for each townhouse unit. Each of the structures on the site is connected via a side sewer to a public sanitary sewer (PSS). Plan review requirements for the appropriate point for stormwater discharge from the development were made at the time of building permit application.
4. The proposed development has adequate access for vehicles, utilities and fire protection, and has adequate drainage, water supply and sanitary sewage disposal. Provisions shall be made so that addresses for each of the individual units are clearly visible from either E. Thomas Street or 27<sup>th</sup> Avenue E. The proposal will meet all applicable criteria for approval of a short plat upon completion of the conditions in this analysis and decision. Therefore, the public use and interests

are served by permitting the proposed subdivision of land while also maintaining the mixed character of the neighborhood.

5. This site is not located in any environmentally critical area as defined in SMC 25.09.240. The mapped environmentally critical area (landslide-prone) has been determined to have been a mapping error (ECA exemption #2406438, August 20, 2004). Development on site is regulated by the Seattle Building Code and the Stormwater, Grading and Drainage Control Code.
6. The site has undergone substantial redevelopment, including replanting under landscape plans approved under construction application #2409509. The subdivision of land was anticipated under that application and the new plantings undertaken in conformance to that landscape plans will not be disturbed by this action. Thus the provision requiring that the subdivision be designed to maximize the retention of existing trees will be met.
7. The subject site has been, or is in the process of being improved with three townhouse residential structures as an addition to the existing residential duplex... Pursuant to SMC 23.24.045(B), sites developed or proposed to be developed with townhouses, cottage housing, clustered housing, or single-family housing may be subdivided into individual nonconforming unit parcels if development as a whole on the parent lot meets applicable Land Use Code development standards. To assure that future owners have constructive notice that additional development may be limited due to nonconformities, the following statement shall be required to be included as a note on the final short subdivision: *The unit lots shown on this site are not separate buildable lots, and the dwelling units constructed on this site constitute non-conforming structures pursuant to SMC 23.42.112. Additional development on any individual unit lot in this 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, Chapter 23 of the Seattle Municipal Code.*

The conformance of the proposed development as a whole with the applicable Land Use Code Provisions has been reviewed under Construction Permit No. 2409509. These provisions include, but are not limited to, setback, lot coverage, building height, usable open space, landscaping, and parking requirements. Consistent with Section 23.24.045(C), additional development of the proposed lots shall be limited. Subsequent platting actions, or additions or modifications to the structure(s) may not create or increase any nonconformity of the parent lot. Subsequent actions that would create any nonconformity of proposed Lots A, B and C, D, E, F, G and H are also not permitted. Consistent with Section 23.24.045(D), access easements and joint use and maintenance agreements shall be executed for parking areas and driveway and emergency egress easements as necessary. Therefore, the proposed short subdivision conforms to the provisions of Section 23.24.045 for Unit Lot Subdivisions.

## **SUMMARY - SHORT SUBDIVISION**



Senior Land Use Planner

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