



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:** 2501129  
**Applicant Name:** Brittani Ard  
**Address of Proposal:** 7359 24<sup>th</sup> Avenue Northwest

**SUMMARY OF PROPOSED ACTION**

Master Use Permit to subdivide one parcel into 2 unit lots. 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 lots. The construction of a single family house is being reviewed under Project No. 2407371.

The following approval is required:

**Short Subdivision** - To create 2 unit lots.  
(SMC Chapter 23.24)

**BACKGROUND DATA**

Zoning: L1

Date of Site Visit: N/A

Uses on Site: Application for single family residence is being reviewed.

Substantive Site Characteristics: SW corner lot of intersection of NW 75<sup>th</sup> Street and 24<sup>th</sup> Avenue NW. (24<sup>th</sup> is an arterial.) The south side of NW 75<sup>th</sup> Street constitutes a two-parcel L1 zone, with an L3 strip prevailing to the north, and otherwise surrounded by SF5000. The street is fully improved. The plat indicates that there is an existing duplex on the site; however, King County Assessor and City permit records show that the property is developed with a triplex. A single family residence is proposed to its west, with access and parking for both (1 space for the existing structure) to the west of the proposed house. A second parking space for the existing structure is shown south of that structure. There is a mixture of multifamily and single family residences in the immediate area.

Public Comment

Two comment letters were received. Both indicated that there is an existing triplex on the site. One expressed concerns about adequacy of proposed parking and impacts to circulation and on-street parking on NW 75<sup>th</sup> Street, and about whether a variance for lot size was being proposed.

**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.*

Summary

Based on information provided by the applicant, referral comments as appropriate from DPD, Fire Departments (SFD), 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. Seattle City Light has not yet commented, but any comment they make would be satisfied by compliance with the pertinent condition below. 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, the unit count issue will be resolved, and 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 a mapped environmentally critical area nor were any environmentally critical areas observed on site; 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 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, pending unit count resolution, 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 single family residence. The structures, as reviewed under their separate building permit, conform 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: 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 on the plat must also be maintained.

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

The proposed Short Subdivision is **CONDITIONALLY GRANTED**. Applicant must meet all standard recording requirements and conditions and/or requirements as attached to approval cover letter. (Please do not show conditions of approval prior to recording on the plat to be recorded.)

