



City of Seattle

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Gregory J. Nickels, Mayor  
**Department of Planning and Development**  
D. M. Sugimura, Director

## SHORT SUBDIVISION – REVIEW CHECK LIST AND DECISION

**Application Number:** 2409331  
**Applicant Name:** Mark Travers  
**Address of Proposal:** 6801 42<sup>nd</sup> Avenue S.

### SUMMARY OF PROPOSED ACTION

Master Use Permit to subdivide two parcels into four parcels of land. Proposed parcel sizes are: A) 5,000 sq. ft., B) 8,778.2 sq. ft., C) 5,000 sq. ft.; and D) 5,000 sq. ft. The existing structures are to remain.

The following approval is required:

**Short Subdivision** - to subdivide one existing parcel into two parcels.  
(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 subject site is located on the west side of 42<sup>nd</sup> Avenue S. between S. Holly St. and S. Willow St. in the South Seattle neighborhood of Seattle. The existing lot area is approximately 23,778.2 square feet. The existing residential structure with a detached garage is to remain on proposed parcel A and there is a second existing residential structure with detached garage that will remain on proposed parcel B.

The zoning for this site is Single-family with a minimum lot size of 5000 (SF5000).

The uses in the vicinity are predominately single-family and Multi-family. However, there is some commercial use to the west along M L King Jr Wy S. 42<sup>nd</sup> Avenue South is a two-lane paved street with sidewalks, curbs and gutters on both sides.

Parcels A and B, together, have approximately 129.7-feet of street frontage along 42<sup>nd</sup> Avenue S. Access to Parcels A and B will be from 42<sup>nd</sup> Avenue S. and access to Parcels C and D will be from a recorded ingress, egress and utility easement, No. 20050204000835, over the adjacent property to the south. Site vegetation includes grass, shrubs and trees.

#### Proposal

The proposal is to subdivide two parcels into four parcels of land. Proposed parcel areas are indicated in the summary above. Parking for the existing houses on Parcels A and B will be located in detached garages. A 10-foot wide Private Driveway Easement along the south 46-feet of Parcel A and adjacent to 39<sup>th</sup> Avenue S. is for Vehicular access to Parcel C.

#### Public Comment:

The public comment period for the proposed project ended on November 3, 2004 and no comment letters were received.

### **PLAN REVIEW – SHORT SUBDIVISION**

#### **SMC [23.24.020](#) Content of application.**

Applications for approval of a short subdivision shall include the following:

- A.  Plat of the proposed short subdivision containing standard survey data;
- B.  Vicinity map on which shall be indicated the property to be subdivided;
- C.  Plot plan, as appropriate, showing the location and dimensions of existing buildings in relation to the proposed short subdivision;
- D.  Legal descriptions of the property to be subdivided and of all proposed lots or divisions;
- E.  Name and address of owner(s) of the tract;
- F.  Location of existing roadways, sanitary sewer, storm drain and water main, if any, together with proposed street improvements; and
- G.  Specific location and description of all trees at least six (6) inches in diameter measured four and one-half (4 ½) feet above the ground, with species indicated.

#### **SMC [23.24.030](#) Content of short subdivision.**

- A. Every short plat of a short subdivision filed for record must contain:
  - 1.  A certificate giving a full correct description of the lands divided as they appear on the short plat, including a statement that the short subdivision has been made with the free consent and in accordance with the desires of the owner or owners.

2.  If the short plat includes a dedication, the certificate or a separate written instrument of dedication shall contain the dedication of all streets and other areas to the public, an individual or individuals, religious society or societies or to any corporation, public or private, as shown on the short plat and a waiver of all claims for damages against any governmental authority which may be occasioned to the adjacent land by the established construction, drainage and maintenance of the road.
  3.  Roads not dedicated to the public must be clearly marked on the face of the short plat.
  4.  All short plats containing a proposed dedication must be accompanied by a title report confirming that the title of the lands as described and shown on the short plat is in the name of the owner signing the certificate or instrument of dedication.
- B.  The certificate and instrument of dedication shall be signed and acknowledged before a notary public by all parties having any ownership interest in the land subdivided and shall be recorded as part of the final plat. Any dedication, donation, or grant as shown on the face of the short plat shall be considered to all intents and purposes as a quitclaim deed to the donee or donees, grantee or grantees for his, her or their use for the purpose intended by the donors or grantors.

**SMC [23.24.035](#) Access.**

- A.  Every short plat shall include adequate provision for dedication of drainage ways, streets, alleys, easements, slope rights, parks and other public open spaces for general purposes as may be required to protect the public health, safety and welfare.
- B.  Protective improvements and easements to maintain the improvements shall be dedicated at the discretion of the City.
- C.  Convenient pedestrian and vehicular access to every lot by way of a dedicated street or permanent appurtenant easement shall be required.
- D.  Access to new lots shall be from a dedicated street, unless the Director determines that the following conditions exist, and permits access by a permanent private easement:
  1.  Access by easement would not compromise the goals of the Land Use Code to provide for adequate light, air and usable open space between structures; and
  2.  The dedication and improvement of a street is not necessary or desirable to facilitate adequate water supply for domestic water purposes or for fire protection, or to facilitate adequate storm drainage; and

- 3.  The dedication and improvement of a street is not necessary or desirable in order to provide on-street parking for overflow conditions; and
- 4.  No potential safety hazards would result from multiple access points between existing and future developments onto a roadway without curbs and with limited sight lines; and
- 5.  There is identifiable access for the public and for emergency vehicles; and
- 6.  There is no potential for extending the street system.
- E.  Dedicated streets and alleys shall meet the requirements of Chapter [23.53](#) and the Street Improvement Manual. Easements shall meet the requirements of Section [23.53.025](#).

**CRITERIA REVIEW – SHORT SUBDIVISION**

- A. 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 (including street improvement requirements);
    - Zoning review approved.
      - Development standards of underlying zone (including Overlays).
      - Chapter [23.53](#) Streets and Alleys
      - Chapter [23.54](#) Parking and Access
    - Zoning review approved with conditions or corrections.
  - 2. Adequacy of access for vehicles, utilities and fire protection, as provided in Section [23.53.005](#);
    - Fire Marshal’s Office approved.
    - Fire Marshal’s Office approved with conditions.
    - Seattle City Light review approved.
    - Seattle City Light requires easement.
  - 3. Adequacy of drainage, water supply, and sanitary sewage disposal;
    - Drainage review approved.
    - Drainage review approved with conditions.
    - Seattle Public Utilities Water Availability Certificate (WAC 2005-0766) approved.
    - Seattle Public Utilities requirements for WAC approval.

**Short Plat must be approved and addresses assigned by DPD prior to ordering meters.**

4. Whether the public use and interests are served by permitting the proposed division of land;
- Department of Parks and Recreation approved.
  - Department of Parks and Recreation approved with conditions.
  - Department of Neighborhoods (landmark sites or Districts) approved.
  - Department of Neighborhoods (landmark sites or Districts) approved with conditions.
  - Building Plans Examiner review and approval.
  - Building Plans Examiner approval with conditions.
  - The proposal meets all applicable criteria for approval of a short plat as discussed in the analysis and decision, therefore meets this criterion.
5. Conformance to the applicable provisions of SMC Section [25.09.240](#) , short subdivision and subdivisions in environmentally critical areas;
- Site not located in a riparian corridor buffer, wetland, wetland buffer or steep slope.
  - Site exempt from ECA Ordinance (SMC [25.09.040](#))
6. Is designed to maximize the retention of existing trees;

Several trees have been shown on the preliminary short subdivision drawings. However, there does not appear to be another lot configuration for this plat that would better maximize retention of trees than the proposed plat configuration.

- Site contains trees at least 6-inches in diameter measured 4-½ feet above the ground.
- Site does not contain Exceptional Trees as defined in Director's Rule [6-2001](#).
- The short subdivision meets the applicable provisions of SMC [25.11](#).
- A tree preservation plan is required.

**SMC 23.24.060 Redivision procedure.**

- Within a five (5) year period following the filing of a short subdivision in accordance with the provisions of Chapter [23.22](#), property within that short subdivision may not be further divided through the short subdivision process if it would result in more than a total of nine (9) lots. However, any revision of the lot lines of an approved short subdivision in which the total number of lots is not increased shall not be considered a further division, and shall be approved or disapproved in the manner prescribed in Chapter [23.28](#).

