



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: 3003974
Applicant Name: Tyler Goodmanson
Address of Proposal: 3701 West Barrett Street

SUMMARY OF PROPOSED ACTION

Land Use Application to subdivide one parcel into three parcels of land in an environmentally critical area. Proposed parcel sizes are: A) 5,087.7 sq. ft., B) 5,087.7 sq. ft.; and C) 7,103.5 sq. ft. Existing structures to be demolished.

The following approvals are required:

Short Subdivision - to divide 1 parcels of land into 3 parcels.
(Seattle Municipal Code (SMC) Chapter 23.24)

SEPA – Environmental Determination – Review of development proposals in areas mapped as Environmentally Critical Areas, Chapter 25.05, 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

Zoning: SF 5000

Date of Site Visit: N/A

Uses on Site: One single-family structure and garage.

Site and Vicinity Descriptions: The project is proposed for a midblock parcel in the middle of an SF5000 zone. The site is by far the largest in the area, most of which are – in addition to being much smaller – developed with single family residences. A tiny portion of the site (center east) has been mapped as having steep slope ECAs, but the limitations on steep slope development have been waived. The adjacent street is improved with sidewalk and curb.

The site has numerous trees exceeding 6 inches caliper, many of which are cypresses lined up along the west property line, with one near the street (12 inches) and a tight mass of smaller trees back from the north half of the property.

Proposal

The proposal is to short subdivide the lot into three; two long, 48-foot wide parcels facing the street, with a larger squarer parcel behind. All three parcels would be accessed by a common easement down the middle of the property. Each of the lots is configured to allow for a construction of standard house. The only trees proposed for preservation are the smaller cypresses along the west property line and the 18-inch apple tree in the westerly portion of Parcel C.

Public Comments

Two comment letters were received during the public comment period, one stating, “My clients feel the steep part of the slope created by fill being dumped there is unstable such the Environmentally Critical Areas review should not be exempted, even though the geotech recommends otherwise.” The other letter identified this same matter as “regulatory overkill.” The second letter also requested that the plat be conditioned to require contribution of pro-rata share of improvement of the intersection at West Barrett Street and 36th Avenue West.

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 (drainage and zoning), Water (SPU) and 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. Drainage conditions in particular have been imposed. When these conditions are met, the lots to be created will meet all minimum standards or applicable exceptions as set forth in the Land Use Code and other applicable codes, 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. The proposal site is located in a mapped environmentally critical area, but the applicable criteria of SMC 25.09.240 are satisfied. The proposed plat maximizes the retention of existing trees (all cypresses along the west property line and the 18 inch apple on proposed Parcel C), eliminating only those in areas required for access, grading, building development, and reasonable separation from the structures. 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.

DECISION - SHORT 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.)

CONDITIONS - SHORT SUBDIVISION

Following SEPA decision and conditions.

ANALYSIS - SEPA

The proposal site contains a steep slope *Environmentally Critical Area*, thus environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05).

SMC 25.05.908 requires that the scope of environmental review of projects within critical areas shall be limited to: 1) documenting whether the proposal is consistent with the City's *Environmentally Critical Areas (ECA)* regulations in SMC 25.09; and 2) evaluating potentially significant impacts on the critical area resources not adequately addressed in the *ECA* regulations. This review includes identifying additional mitigation measures needed to protect the *ECA* in order to achieve consistency with SEPA and other applicable environmental laws.

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant. The information in the checklist, public comment, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision. As indicated in the checklist, this action will not result in adverse impacts to the environment.

The proposed short plat will divide an existing large lot with minor *Environmentally Critical Areas* into three lots. There would be substantial buildable areas on each of the proposed lots outside of the *ECA*. The submitted geotechnical report and evaluation indicate that development is geotechnically viable for the construction of single-family residences. The proposed configuration will divide the lot in such a way that is unlikely to have any adverse impact on the *Environmentally Critical Areas*, therefore no mitigation of this proposal under SEPA is warranted.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030 (2) (C).
- Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 (2) (C).

CONDITIONS - SEPA

None.

CONDITIONS – SHORT SUBDIVISION

Conditions of Approval Prior to Recording

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

1. Comply with all applicable standard recording requirements and instructions.
2. Submit the final recording forms for approval and any necessary fees.
3. Revise the plat to provide a location and easement for address placement on Parcel A or B to serve any residential development on Parcel C.
4. Revise the plat to show all cypresses along the west property line and the 18-inch apple on Parcel C to be preserved for the life of the project.
5. Provide easement as required by Seattle City Light.
6. A. Obtain an easement from the property addressed 3700 W. Fulton Street for the purpose of installing a stormwater service drain to the PSD in that property from all proposed parcels that will not be able to gravity-flow stormwater discharge to the PSD in W. Barrett Street. The easement should be specifically added to the legal description and plat.

B. Secure DPD drainage reviewer approval of stormwater runoff and subsurface drainage from new construction on all proposed parcels to PSD in West Barrett Street via gravity flow.

C. If A and B above are not possible, secure DPD drainage reviewer approval of an all-site permanent drainage control plan.

Prior to Issuance of any Building Permit on either lot

7. 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: _____

Paul Janos, Land Use Planner
Department of Planning and Development