



City of Seattle

Gregory J. Nickels, Mayor

Department of Planning and Development

Diane M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 3005759
Applicant Name: Bonnie Babcock for Robert Tindal
Address of Proposal: 2137 North 128th Street

SUMMARY OF PROPOSED ACTION

Land Use Application to subdivide one parcel into four parcels of land in an environmentally critical area. Proposed parcel sizes are: A) 14,247 square feet; B) 7,219 square feet; C) 7,200 square feet; and D) 7,200 square feet. Existing structure to be removed. Review includes related short plat under project 3005760.

The following approval is required:

Short Subdivision - To subdivide one existing parcel into four parcels pursuant to Seattle Municipal Code Chapter 23.24

SEPA - Environmental Determination (Chapter 25.05 SMC).

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 35,865 square foot site is located on the south side of North 128th Street, between Corliss Avenue North and Meridian Avenue North, just north of Haller Lake. The site has approximately 21.3 feet of street frontage along North 128th St, which has a 60-foot right-of-way with paved roadways approximately 20 feet wide. This street has no curb, gutter, or sidewalk along the site frontage.



The site is zoned Residential, Single-Family 7,200 (SF 7200). The site is developed with a single-family residence and a number of outbuildings which will be removed.

The subject site slopes approximately twelve feet from the northeast to the southwest and ends at the water edge of Haller Lake. The lake edge has been mapped as a Environmentally Critical Area (ECA Wetlands and Riparian Corridor).

Properties to the north, south, east, and west are also zoned SF 7200. Development in the area consists primarily of single-family residences of varying age and architectural styles.

Proposal

The applicant proposes to subdivide one parcel of land into three parcels of land. Proposed parcel sizes are as follows: A) 14,246 square feet (8,853 square feet upland (dry) area and 5,394 square feet wetland); B) 7,219 square feet; C) 7,200 square feet; and D) 7,200 square feet. No development or construction activities are associated with the current proposal; the subject of this analysis and decision is restricted to the proposed division of land.

Public Comment

Public notice of the Land Use Application was given on April 26, 2007. The public comment period was extended to May 23, 2007 at the request of a neighbor. DPD received one written comments during the public comment period. The comment expressed concern about increased traffic to the additional lots which would pass by her home.

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. The findings which follow are based upon information provided by the applicant; review of access, drainage and zoning within the Department of Planning and Development (DPD); review from Seattle Public Utilities, Seattle Fire Department and Seattle City Light; and, review by the Land Use Planner.

1. Conformance to the applicable Land Use Code provisions;

The subject property's zone (SF 7,200) is intended for single-family residential uses with a minimum lot size of 7,200 square feet. The lots created by this proposed division of land would conform to all applicable development standards of the SF 7,200 zoning district. The proposed parcels would provide adequate buildable area to meet applicable yards, lot coverage requirements, and other applicable Land Use Code development standards.

2. Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005;

Proposed Parcel D will have direct vehicular access to North 128th St and Proposed Parcels A, B and C will be accessed by a new shared easement with the property to the west. The existing single easements will be abandoned and restored prior to issuance of building permits.

The Seattle Fire Department has reviewed and approved the proposed short plat for emergency vehicle access.

All private utilities are available in this area. Seattle City Light provides electrical service to the proposed short plat. City Light requires an electrical service easement for services to the proposed lots.

3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*

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.

Seattle Public Utilities reviewed the short plat application, and Water Availability Certificate #20070763 was issued on May 2, 2007.

Sanitary Sewer: The existing property currently discharges its sanitary waste to the public sanitary-only sewer (PSS) near the Haller Lake shoreline. New construction may use this side sewer for sanitary discharge.

Drainage: Seattle Public Utilities has no records of the current method of stormwater control or discharge. There is a 12-inch storm culvert running north to south, a few feet west of the easterly property line, from North 128th to Haller Lake. New construction will be required to provide flow control of stormwater runoff. The discharge point for stormwater runoff might be the 12-inch culvert with discharge to Haller Lake.

4. *Whether the public use and interests are served by permitting the proposed division of land;*

An objective of the short subdivision process is to increase opportunities for new housing development to ensure adequate capacity for future housing needs. The proposed short subdivision would meet applicable Land Use Code provisions: the proposal has adequate access for vehicles, utilities and fire protection, and has adequate drainage, water supply and sanitary sewage disposal.

The public use and interest would be served by this proposal because additional opportunities for owner-occupied housing would be provided within the City limits as a result of this subdivision. Furthermore, upon completion of the conditions in this decision, the proposal would meet all applicable criteria for approval of a short plat.

5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas;*

The site is located in a mapped environmentally critical area as defined in SMC Chapter 25.09. The proposed subdivision abuts Haller Lake and is, therefore, considered to be in a Riparian Corridor. The plat indicates the required 100-foot Riparian Corridor buffer per SMC25.09.020D5.

6. *Is designed to maximize the retention of existing trees;*

There are two (2) trees Western Red Cedar located on proposed parcels A within the 60 foot "no disturbance" Wetland buffer. These trees must remain. Thus, the proposal has been designed to maximize the retention of existing trees on the property. Future construction will

be subject to the provisions of SMC 23.44.008 and SMC 25.11 which sets forth tree planting requirements and tree preservation regulations on single family lots. Based on the applicant's information, there are no other significant trees located on the site.

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.*

This criterion is not applicable to the proposed short subdivision because no unit lots are proposed.

DECISION - SHORT SUBDIVISION

The proposed short plat is **CONDITIONALLY GRANTED.**

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the annotated environmental checklist dated March 12, 2007. A Wetland Delineation dated March 10, 2007 was submitted by John Altmann of Altmann Oliver Associates, LLC. The report was reviewed by the Department's Senior Ecologist and it was determined that the wetland is a category III wetland and requires a 60 foot buffer. This information, along with the experience of the lead agency in similar situations, form the basis for this analysis and decision. Short- and long-term adverse impacts are anticipated from the proposal.

The SEPA Overview Policy (SMC 25.05.665.D) states "where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation," subject to limitations (see below under Long-term Impacts). Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the Stormwater, Grading and Drainage Control Code (grading, site excavation and soil erosion); Street Use Ordinance (watering streets to suppress dust, obstruction of the pedestrian right-of-way during construction, construction along the street right-of-way); Building Code (construction standards); and Noise Ordinance (construction noise). Compliance with these codes and ordinances will be adequate to achieve sufficient mitigation of identified adverse impacts. Under SMC Section 25.05.908 B, the scope of environmental review within critical areas is limited to documenting that the proposal is consistent with ECA regulations, SMC Chapter 25.09, and to evaluating potentially significant impacts on the environmentally critical areas resources not adequately addressed in the ECA Policies or the requirements of Chapter 25.09. The proposal, as conditioned by this decision, is determined to be consistent with ECA regulations. Potentially significant impacts are further discussed below.

Short-term Impacts

The following temporary or construction-related impacts are expected: vegetation removal (including removal of three mature trees); increased soil erosion and sedimentation during general site work and following until vegetation is adequately established on site; increased runoff; and tracking of mud onto adjacent streets by construction vehicles. Due to the temporary nature and limited scope of these impacts, they are not considered significant (SMC Section 25.05.794).

Earth

The wetland identified on site is a Category III wetland and requires a 60-foot buffer. Additionally, Haller Lake is considered a Riparian Watercourse and is subject to the required 100-foot Riparian Corridor buffer. If the requirements of Director's 16-2000 for implementation of Best Management Practices, and Environmentally Critical Areas requirements are complied with, the proposed development can be constructed with minimal risk to the wetland and its associated buffer and no additional mitigation is necessary.

Long-term Impacts

Long-term or use-related impacts are also anticipated from the proposal: increased surface water runoff from greater site coverage by increased impervious surfaces; increased demand on public services and utilities; and loss of vegetation. These long-term impacts are not expected to be significant.

The expected long-term impacts are typical of single family residential development and are expected to be mitigated by the City's adopted codes and/or ordinances. Specifically these applicable codes and ordinances are: Building Code requirements and ECA regulations (to ensure that proposed development will be constructed in a responsible manner); Stormwater, Grading and Drainage Control Code (storm water runoff from additional site coverage by impervious surface); and the Seattle Energy Code (long-term energy consumption).

Other impacts not noted here are not sufficiently adverse to warrant further mitigation by conditioning.

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.

[X] 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 - SHORT SUBDIVISION

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

Prior to Recording

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. Add the conditions of approval to the face of the plat.

2. Show the location of the public sanitary sewer and its easement, which is on or near the proposed parcel line separating proposed parcels A and B.
3. Provide a stormwater control plan, stamped and signed by a civil engineer. The discharge point may be either the 12-inch storm culvert which runs north to south from North 128th to Haller Lake in which case detention with controlled release will be necessary; or on-site infiltration which will require soils analysis and infiltration system design.
4. Show on the final plat the location of the 12-inch culvert noted above.
5. Provide sufficient easement and connection agreements necessary to allow for stormwater discharge to the culvert from both this short plat and the adjacent concurrent short plat to the west (MUP 3005760).
6. Show the 60 foot Wetland buffer on Parcel A and label the buffer "No disturbance area".
7. Show the required 100 foot Riparian Corridor buffer on Parcel A and label accordingly.
8. Submit the final recording forms for approval and remit any applicable fees.

Prior to Issuance of Any Building Permits

9. Attach a copy of the recorded short subdivision to all sets of building permit application plans.
10. Improve the recorded access easement to City standards and restore the adjacent areas with appropriate vegetation.

Signature: _____ (signature on file) Date: November 15, 2007
Marti Stave, Land Use Planner
Department of Planning and Development

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