



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: 3007134

Applicant Name: Hing Leung

Address of Proposal: 3331 S Graham Street

**SUMMARY OF PROPOSED ACTION**

Land Use Application to subdivide one parcel into two parcels of land in an environmentally critical area. Proposed parcel sizes are: A) 7,201 sq. ft. and B) 7,401 sq. ft. Existing single-family residence on Parcel A to remain.

The following approval is required:

**Short Subdivision** – To subdivide one parcel into two lots.  
(Chapter 23.24, Seattle Municipal Code)

**SEPA – Environmental Determination** –Chapter 25.05 Seattle Municipal Code.

**SEPA DETERMINATION:** [ ] Exempt [X] DNS [ ] MDNS [ ] EIS

[ ] DNS with conditions

[ ] DNS involving non-exempt grading or demolition,  
or involving another agency with jurisdiction.

**BACKGROUND DATA**

Site visit: September 27, 2007.

Zoning: Single Family Residential 5000.

Uses on Site: One single-family residence.

Substantive Site Characteristics:

This 14,602 square foot subject site (the “parent lot”) is a rectangular lot that fronts on S Graham Street to the south. The site is located within an area that is zoned Single Family Residential 5000 (SF 5000), which extends in all directions. The site slopes from the north up to the south, with an initial grade of approximately 30% and steeper slopes of 40% or greater in the southwestern portion of the site and in the southeastern corner. There is approximately a 48 feet change in elevation from the northern boundary up to the southern boundary. The site is located in a mapped critical area for its steep slopes. There are sidewalks present on both sides of S Graham Street. An exemption to steep slope standards was granted by DPD.

Area Development:

Development in the vicinity consists primarily of single-family residences on lots of varying shapes and sizes.

Proposal Description:

The applicant proposes to subdivide one parcel with a total area of 14,602 square foot, the “parent lot,” into two parcels of A) 7,201 sq. ft. and B) 7,401 sq. ft. Parcel A will be created on the northern portion of the original lot adjacent to S Graham Street. The existing single family residence will be retained and will be located on Parcel A. Parcel B will be created on the southern portion of the original lot.

Public Comment:

The comment period for this proposal ended on September 19, 2007. During this period, there were no comment letters received.

**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;*

The lots created by the proposed subdivision will conform to all development standards for areas zoned Residential, Single-Family 5000 (SF5000). The lot configurations provide adequate buildable area to meet applicable density, setbacks, lot coverage requirements and other land use code development standards.

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

Each of the proposed parcels will have adequate access for vehicles, utilities and fire protection. Vehicular access to both parcels will be provided by a shared driveway which runs south off of street frontage on S Graham Street.

The Seattle Fire Department has reviewed and approved this short subdivision application with respect to access for emergency vehicles.

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

Seattle Public Utilities reviewed the short subdivision application and approved a Water Availability Certificate. All conditions on the certificate must be met prior to receiving water service. The stormwater drainage for this site has been reviewed and approved. Any future construction plans will be reviewed for compliance with code regulations for stormwater drainage and sewer prior to the issuance of a building permit.

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

The public use and interests are served by permitting the proposed division of land which will provide additional housing opportunities in the City.

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

This subject site is located in a mapped environmentally critical area due to the presence of steep slopes. A geotechnical report by Soil and Environmental Engineers, Inc (S&EE) dated February 24, 2007 with an addendum dated March 29, 2007 was submitted with this short subdivision application. An exemption has been granted for steep slope development standards on June 27, 2007.

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

There are numerous Big Leaf Maple trees located in the southern portion of the lot, which range in size from 12-16" diameter at breast height (dbh). There appeared to be recent removal of several mature trees on the eastern boundary, however, the existing trees are proposed to be retained.

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; and*

Not applicable.

8. *Conformance to the provisions of Section 23.24.046, Multiple single-family dwelling units on a single-family lot, when the short subdivision is for the purpose of creating two (2) or more lots from one (1) lot with more than one (1) existing single-family dwelling unit.*

Not applicable.

**Summary - Short Subdivision**

Based on information provided by the applicant, referral comments from DPD, Water (SWD), Fire Department (SFD), Seattle City Light, the Building Plans Examiner, the Drainage Section of DPD, 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.

The lots to be created by this short subdivision will meet all minimum standards or applicable exceptions set forth in the Land Use Code 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 an environmentally critical area; therefore SMC 25.09.240 is 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.

### **DECISION –SHORT SUBDIVISION**

The proposed Short Subdivision is **CONDITIONALLY GRANTED**.

### **ANALYSIS – SEPA**

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant on August 20, 2007 and annotated by the Land Use Planner. The information in the checklist, the supplemental information submitted by the applicant and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states, in part, “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 some limitations. Under such limitations/circumstances (SMC 25.05.665) mitigation can be considered. A more detailed discussion of the potential impacts from this short plat follows.

### **Short-Term Impacts**

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion of steep slopes, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, and a small increase in traffic and parking impacts due to construction workers’ vehicles. Several construction-related impacts are mitigated by existing City codes and ordinances applicable to the project such as: the Noise Ordinance, the Critical Areas Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code. Following is an analysis of the air, water quality, streets, parking, and construction-related noise impacts as well as mitigation.

The Street Use Ordinance includes regulations which mitigate dust, mud, and circulation. Temporary closure of sidewalks and/or traffic lane(s) is adequately controlled with a street use permit through the Engineering Department, and no further SEPA conditioning is needed.

The demand for parking by construction workers during construction could reduce the supply of parking in the vicinity. Parking utilization along streets in the vicinity is moderate, and although the scale of the project is moderate in size, the duration of construction is expected to extend for several months. However, the temporary demand on the on-street parking in the vicinity due to construction workers' vehicles is not expected to be significant and there is transit service available within one-half mile of the site on S. Graham Street, Beacon Avenue S, and Martin Luther King Way Jr.

The SEPA Noise Policy (Section 25.05.675B SMC) lists mitigation measures for construction noise impacts. It is the department's conclusion that limiting hours of construction beyond the requirements of the Noise Ordinance is not necessary to mitigate impacts that would result from the proposal on surrounding properties, because the existing City ordinance adequately mitigates noise impacts.

Construction is expected to temporarily add particulates to the air and will result in a slight increase in auto-generated air contaminants from construction worker vehicles; however, this increase is not anticipated to be significant. Federal auto emission controls are the primary means of mitigating air quality impacts from motor vehicles as stated in the Air Quality Policy (Section 25.05.675 A SMC). No unusual circumstances exist which warrant additional mitigating, per the SEPA Overview Policy.

There is the potential for erosion during construction. However, temporary erosion control is regulated through Director's Rule 26-2000 regarding Best Management Practices for Construction Erosion and Sedimentation Control Plans and is sufficient to mitigate any short-term construction impacts to the earth. Thus, no mitigation pursuant to SEPA is warranted.

### Long-Term Impacts

Long-term or use-related impacts are also anticipated from the proposal: increased surface water runoff from greater site coverage by impervious surfaces; increased bulk and scale on the site; increased demand on public services and utilities; increased light and glare; loss of vegetation; and increased energy consumption. These long-term impacts are not considered significant because the impacts are minor in scope.

The long-term impacts are typical of single family residences and will be mitigated by the City's adopted codes and/or ordinances. Specifically these are: Stormwater, Grading and Drainage Control Code (stormwater runoff from additional site coverage by impervious surface); Land Use Code (minimum lot area, vehicle access to parking); and the Seattle Energy Code (long-term energy consumption). Earth-related impacts may result in the long-term and are mitigated by the Critical Areas Ordinance. An analysis of impacts associated with specific SEPA policies follows.

### Earth

A geotechnical report dated February 24, 2007 was submitted with this application, along with an addendum dated March 29, 2007. The report notes that the site is located on a north-facing slope, with the slope approximately 30% in the southern portion of the lot and approximately 40% in the southern portion of the lot. There is approximately a 48 feet change in elevation from the northern boundary up to the southern boundary. The site is located in a mapped critical area for its steep slopes.

The report made recommendations regarding: erosion control, site preparation and grading, temporary and permanent cut slopes, structural fill, building setbacks, foundations, seismic evaluation, retaining walls, and drainage.

An exemption to Environmentally Critical Area (ECA) Steep Slope Development Standards was granted on June 27, 2007 because the Steep Slope Critical Area was determined to have been created by legal grading activities.

### Plants and Animals

There are trees and vegetation throughout the site, which provide a habitat for birds and urban wildlife such as raccoons, squirrels, and other rodents. Most of the vegetation is located on the southern portion of the lot, the site of proposed Parcel B. There are numerous Big Leaf Maple trees located in the southern portion of the lot, which range in size from 12-16" diameter at breast height (dbh). There appeared to be recent removal of several mature trees on the eastern boundary, however, the existing trees are proposed to be retained.

Many of the trees are located in the western and southern portions of proposed Parcel B. and therefore are likely to be retained when there is future development. Therefore, it is expected that most of the existing bird and wildlife habitat would be preserved on this site and that no mitigation of plant and animal impacts will be required.

### Parking and Traffic

The Land Use Code requires each house to have one offstreet parking space so the minimum number of parking spaces will be provided. The builders and homeowners have the option to provide more parking spaces. The Institute of Transportation Engineers (ITE) Manual estimates that a single-family residence generates approximately ten vehicle trips per day. The 10 trips per day that will be generated by the proposed single family residence will not be a significant increase to the total number of vehicle trips along S Graham Street. For these reasons, no mitigation of parking or traffic impacts is warranted.

### Summary

In conclusion, several adverse effects on the environment are anticipated from the proposal. However, specific impacts identified in the foregoing analysis have been mitigated by existing codes and ordinances, per adopted City policies. Therefore, no additional SEPA conditions have been imposed on this short plat.

