



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:** 3008381  
**Applicant Name:** Debora Goodman  
**Address of Proposal:** 5136 S Augusta St

**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) 7,221 sq. ft. and B) 7,250 sq. ft.

The following approval is required:

**Short Subdivision** - To divide one existing parcel into two parcels of land  
(Seattle Municipal Code (SMC) Chapter 23.24)

**SEPA – Environmental Determination**- Chapter 23.05 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**

Site & Area Description

The subject site is located on South of Beacon Avenue South, between 51<sup>st</sup> Ave S and 53<sup>rd</sup> Ave S with approximately 85 feet of frontage on S. Augusta Street. The approximately 16,480 square foot property slopes upward from S. Augusta Street from south to north. The site is designated as an environmentally critical area.

Proposal

The proposed application consists of subdividing one parcel into two parcels of land in an environmentally critical area.

Public Comment:

Date of Notice of Application:	August 27, 2008
Date End of Comment Period:	September 10, 2008
# Letters	2
Issues:	-SPU has a 48" water supply-line in S Augusta St. -Inquiry of why lot size did not meet minimum standard. Responded to Citizen letting them know of the 75/80 Rule.

**ANALYSIS - SHORT SUBDIVISION**

Pursuant to SMC 23.24.040, no short plat shall be approved unless all of the following facts and conditions are found to exist:

1. *Conformance to the applicable Land Use Policies and 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;*
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.*

Summary - Short Subdivision

Based on information provided by the applicant, referral comments from DPD, Water (SWD), Fire Departments (SFD), Seattle City Light, and Parks 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 of the 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 not located in an environmentally critical area; 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.

## **DECISION - SHORT SUBDIVISION**

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

## **CONDITIONS - SHORT SUBDIVISION**

### *Conditions of Approval 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 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. The boundaries shall be adjusted if necessary to meet the requirements of the Land Use Code.
2. Add the conditions of approval after recording on the face of the plat or on a separate page. If the conditions are on a separate page, insert on the face of the plat "For conditions of approval after recording, see page \_\_\_ of \_\_\_".
3. Provide final recording forms and fees.)
4. Place a note on the plat stating: "No removal of vegetation shall be permitted within the steep slope and buffer, except as otherwise permitted by Chapter SMC 25.09.
5. Per SMC 25.09.240 D The environmentally critical areas and buffers shall be designated as a non-disturbance areas on the final plat. A notice that these non-disturbance areas are located on the lots, including the definition of the "non-disturbance area," shall be recorded in the King County Office of Records and Elections along with the final plat in a form approved by the Director. In this case only, permission was received by the King County Recorders office that the ECA covenant may be recorded on the plat. At the same time, a covenant protecting non-disturbance areas shall be recorded as set out in Section 25.09.335.

## **ANALYSIS - SEPA**

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant (dated October 5, 2004) 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.

### Short-term Impacts

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, 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. Existing City codes and ordinances applicable to the project such as: The Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code, would mitigate several construction-related impacts. 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 that mitigate dust, mud, and circulation. Temporary closure of sidewalks and/or traffic lane(s) would be adequately controlled with a street use permit through the Transportation Department, and no further SEPA conditioning would be needed.

Construction of the project is proposed to last for several months. Parking utilization along streets in the vicinity is moderate and the demand for parking by construction workers during construction is not anticipated to reduce the supply of parking in the vicinity. Parking demand for construction personnel can be accommodated at the development site and any spillover can be managed within the South Bozeman or South Chicago Street rights-of-way. Therefore, no further mitigation will be required.

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 SMC). No unusual circumstances exist, which warrant additional mitigation, per the SEPA Overview Policy.

There are no short term impacts identified with the creation of the future (unit lot) full subdivisions. Short term impacts are associated with the construction of the structures and have been analyzed and discussed with no further conditioning 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 multifamily structures and will in part 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 (height; setbacks; parking); and the Seattle Energy Code (long-term energy consumption). Additional land use impacts which may result in the long-term are discussed below.

**CONCLUSION - SEPA**

In conclusion, several adverse effects on the environment are anticipated resulting from the proposal, which are non-significant. No mitigation is warranted.

**DECISION - SEPA**

This decision was made after review by the responsible official on behalf of DPD as the lead agency of the 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 with respect to transportation, circulation, parking. An EIS limited in scope to this specific area of the environment was therefore required under RCW 43.21C.030(2)(C).

**SEPA - CONDITIONS**

None.

Signature: \_\_\_\_\_ (signature on file) Date: December 25, 2008  
Laura Kim, Land Use Planner  
Department of Planning and Development  
Land Use Services

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