



City of Seattle

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**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:** 3011523

**Applicant Name:** Melody Saucedo, Cramer Northwest, for Kai Lam Chong

**Address of Proposal:** 618 W. Emerson Street

**SUMMARY OF PROPOSED ACTION**

Land Use Application to subdivide one development site into three unit lots. Existing duplex to occupy one unit lot (Unit Lot C). The construction of a 2-unit townhouse has been approved under Project #6225713. The proposed parcel sizes are: Unit Lot A) 1,224 sq. ft., Unit Lot B) 1,083 sq. ft. and Unit Lot C) 2,085 sq. ft. This subdivision of property is only for the purpose of allowing sale or lease of the unit lots. Development standards will be applied to the original parcel and not to each of the new unit lots.

The following approvals are required:

**Unit Lot Subdivision** - To create three unit lots (SMC Chapter 23.24).

**SEPA—Environmental Determination** (SMC Chapter 25.05)

**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: Lowrise 2 (L2).

Substantive Site Characteristics:

The 4,400 square foot mid-block subject site is rectangular in shape and fronts W. Emerson Street on the south and an alley on the north. The site is located within a small area zoned Lowrise 2 (L-2). The area immediately across W. Emerson Street and commencing one lot to the west of the site is zoned L-1. A large area to the north of the site, commencing at the

centerline of the alley is zoned L-3RC. One full lot to the east begins a large area subject to a Major Institution Overlay, that of Seattle Pacific University. The site has an east-west dimension of approximately 40 feet and a north-south dimension of approximately 111 feet. The site varies approximately 11 feet elevation between street and alley; it is located within a designated environmentally critical, potential slide area.

### Public Comment

Notice of application was issued on February 7, 2011. A public comment period ran through March 2, 2011. No comment letters were received during this period.

### **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 - Short Subdivision

Based on information provided by the applicant, referral comments from 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 unit lot 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 unit lot 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, landslide prone, and is in conformance with the applicable provisions of SMC Section 25.09.040. Tree and landscaping requirements were considered under the building permit review. 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.

### **ANALYSIS –UNIT LOT SUBDIVISION**

Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, is required, when the unit lot 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.

- A. *The unit lot subdivision provisions of SMC Section 23.24.045 apply exclusively to the unit subdivision of land for townhouses, cottage housing developments, residential cluster developments, and single-family residences in zones where such uses are permitted.*
- B. *Sites developed or proposed to be developed with dwelling units listed in subsection A above, may be subdivided into individual unit lots. The development as a whole shall meet development standards applicable at the time the permit application is vested. As a result of the subdivision, development on individual unit lots may be nonconforming as to some or all of the development standards based on analysis of the individual unit lot, except that any private, usable open space for each dwelling unit shall be provided on the same lot as the dwelling unit it serves.*
- C. *Subsequent platting actions, additions or modifications to the structure(s) may not create or increase any nonconformity of the parent lot.*
- D. *Access easements and joint use and maintenance agreements shall be executed for use of common garage or parking areas, common open space (such as common courtyard space for cottage housing), and other similar features, as recorded with the Director of the King County Department of Records and Elections.*
- E. *A joint use and maintenance agreement has been included on the short plat documents and should also be included on the final documents for recording.*
- F. *Within the parent lot, required parking for a dwelling unit may be provided on a different unit lot than the lot with the dwelling unit, as long as the right to use that parking is formalized by an easement on the plat, as recorded with the Director of King County Department of Records and Elections.*
- G. *The fact that the unit lot is not a separate build-able lot, and that additional development of the individual unit lots may be limited as a result of the application of development standards to the parent lot shall be noted on the plat, as recorded with the Director of the King County Department of Records and Elections.*

#### Summary - Unit Lot Subdivision

Review of this application shows that the proposed unit lot subdivision would conform to applicable standards of SMC 23.24.045, subject to any conditions imposed at the end of this decision. The proposed development consists of retaining an existing duplex on site and constructing a 2-unit townhouse. The later structure, as reviewed under their separate building permits, conform to the development standards for the time the permit application was vested. To assure that future owners have constructive notice that additional development may be limited; the applicant will be required to add a note to the face of the plat that reads as follows: Include the following on the face of the plat: *“The lots created by unit subdivision are not separate buildable lots. Additional development on any individual lot in this unit subdivision may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code.”*

## **DECISION – UNIT LOT SUBDIVISION**

The proposed Unit Lot Subdivision is **CONDITIONALLY GRANTED.**

(See conditions at end of decision.)

## **ANALYSIS – SEPA**

The applicant provided the initial disclosure of this development's potential impacts in an environmental checklist signed and dated on January 5, 2011. This information and the experience of the lead agency, DPD, with similar applications form the basis for this analysis and decision. Considering that the proposal would simply establish boundaries for fee-simple ownership, no impacts are anticipated.

### **Short-Term Impacts**

There are no short term impacts identified with this proposal. Short term impacts associated with the construction of the residential units, including an increase in greenhouse gas emissions, have already transpired.

### **Long-Term Impacts**

There are no long term impacts identified specifically with the subdivision of land proposed with this application. Long term impacts associated with the addition of these units to the existing neighborhood are primarily increases in greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

## **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 [43.21C](#)), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. DPD has determined that this proposal does 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.

