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**

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| **Application Number:** | 3006027 |
| **Applicant Name:** | Meredith Wirsching |
| **Address of Proposal:** | 7219 Greenwood Avenue North |

## SUMMARY OF PROPOSED ACTION

Land Use Application to allow a 364 square foot expansion of an existing grocery store, change the use of a 5,601 square foot portion of existing retail building to grocery store (1st floor), and add a 2,640 square foot second story for offices. Six additional parking spaces to be provided at 7301 Greenwood Avenue North.

The following approval is required:

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

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

[X] DNS with conditions

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

## BACKGROUND DATA

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| Zoning: | NC2-40, NC2P-40, SF 5000 |
| Date of Site Visit: | April 18, 2008 |
| Uses on Site: | Commercial (retail & grocery store), residential |

Substantive Site Characteristics:
This 15,149 square foot (0.35 acres) subject site is located at 7219 Greenwood Avenue North. The site has street frontage on Greenwood Avenue North to the east and North 73rd Street to the north. Greenwood Avenue is classified as a minor arterial with one vehicle travel lane in each direction, a bike lane in each direction, a center left turn lane, parallel parking on both sides, and sidewalks on both sides. Greenwood Avenue is used by multiple King County Metro bus routes. There is a stoplight and crosswalk on Greenwood Avenue at North 73rd Street. North 73rd Street is a local access road. At the site frontage, North 73rd Street has two vehicle travel lanes, two parallel parking lanes, and sidewalks on both sides. The two parking spaces on the south side of North 73rd Street are designated for loading/unloading only.

The site is currently occupied by a commercial building that contains several businesses, and a single-family home. The commercial building contains a 5,600 square foot grocery store, and three retail businesses that combine to total 5,601 square feet. There is an existing shared surface parking lot at the northwest corner of the intersection of Greenwood and North 73rd Street. Parking for the proposed use will be located in this lot.

The site is zoned Neighborhood Commercial 2 with a 40-foot height limit (NC2-40). A portion of the site is also located within a Pedestrian overlay zone (NC2P-40). A small portion of the site along the western property line is zoned Single-family Residential 5,000 (SF 5000).

The site is not located in any mapped Environmentally Critical Areas.

Proposal Description:
The applicant proposes to expand the existing 5,600 square foot grocery store into the 5,601 square feet of adjacent retail space, construct a 364 square foot addition on the ground floor for grocery store use, and construct a 2,640 square foot partial second story to be used for offices that will be accessory to the grocery store. Six parking spaces including one accessible space will be reserved within the existing surface parking lot north of the site for use by store customers and employees. One bicycle parking space will be provided. Street trees will be provided as required for new construction. No work is proposed for the existing single-family residence or on the portion of the lot zoned SF 5000.

Public Comment:
The comment period for this proposal ended on May 21, 2008. There was a high volume of public comment received regarding this project.

During the comment period, a petition containing the signatures of over 50 citizens was submitted that requested a public meeting. As provided in Seattle Municipal Code (SMC) 23.76.015.A.3, this request for a public meeting was granted. The public meeting was held June 2, 2008 at North Seattle Community College. Approximately 25 people attended the meeting. Everyone in attendance was given the opportunity to speak. Notes were taken and a typed summary was placed in the project file.

Some of the issues raised at the public meeting were:

- Traffic, in particular, cut-through traffic on North73rd Street
- Demand for parking in area of limited parking availability
- Truck loading and unloading
- Landscaping, street trees, and screening of parking
- Mechanical noise
- Solid waste and recycling

SMC 23.47A contains standards regulating development in commercial zones.

Landscaping and screening requirements are contained in SMC 23.47A.016. Street trees are required for new construction per SMC 23.47A.016.B.1. Two new street trees will be provided along Greenwood Avenue North. A five-foot deep landscaped area is required along the length of a blank façade per Chart C of SMC 23.47A.016. The blank façade that exists on North 73rd Street is an existing non-conforming condition that will not be increased. Therefore, no landscaping is provided. Standards for landscaping and screening of surface parking areas is found in SMC 23.47A.016.D.1. The proposed surface parking area will contain less than 15 spaces, therefore landscaping is not required. One tree is required for every ten spaces. The existing parking lot has three trees, which meets this requirement. Screening of surface parking areas is required along street lot lines. The existing parking area does not have such screening. This is an existing non-conforming condition that will not be increased. Therefore, screening of the parking area along street lot lines is not required. A five-foot deep landscaped area with six-foot high screening is required along abutting residential lot lines. The existing parking area abuts a residential area along its western lot line. There is existing vegetation along this lot line forming a six-foot high screen. There is not a five-foot deep landscaped area. This is an existing non-conforming condition that will not be increased.

Garbage and recycling areas are required to be screened. SMC 23.47A.014.E.8 prohibits garbage and recycling areas to be located within ten feet of any lot line that abuts a residential zone. The existing garbage and recycling area on the site is an existing non-conforming condition that will not be increased.

Mechanical noise is subject to the provisions of the Noise Control ordinance, SMC 25.08.

Existing non-conforming conditions like those cited above are addressed in SMC 23.42.100 and 23.42.112. Existing non-conformity specifically with respect to parking requirements is addressed in SMC 23.42.128. Such existing non-conforming conditions are allowed to continue provided that the non-conformity is not increased.

The issues discussed above will be adequately addressed through the building permit review process. Therefore SEPA conditioning is not warranted regarding these issues.

SMC 23.54 contains standards for required parking and truck loading. Required parking is based on the square footage of the proposed use, with exceptions for existing parking deficits and for uses located in pedestrian overlay zones. This project is required to provide a total of six off-street parking spaces.

Parking, and truck loading, as well as traffic impacts are discussed in further detail below.

## ANALYSIS - SEPA

Environmental review resulting in a Threshold Determination is required pursuant to the State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05). The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated March 27, 2008. The applicant also submitted a Greenhouse Gas Emissions Worksheet, a Ken's Market Building History prepared by Clark Design Group, a Trip Generation report dated May 7, 2008, a Parking Analysis dated July 8, 2008, a Parking Analysis dated July 29, 2008, and Mode Split Survey Results dated August 20, 2008. The trip generation, parking analyses, and mode split survey were prepared by Heffron Transportation, Inc. The information in the checklist, project plans, supplemental reports, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665 D) 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 certain limitations or circumstances (SMC 25.05.665 D 1-7), mitigation can be considered. A more detailed discussion of some of the potential impacts from this proposal follows.

Short-Term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to suspended particulates from building activities and hydrocarbon emissions from construction vehicles and equipment; increased traffic and demand for parking from construction equipment and personnel; increased noise; and consumption of renewable and non-renewable resources.

Several construction-related impacts are mitigated by 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. Compliance with these applicable codes and ordinances will be adequate to achieve sufficient

mitigation for most short-term impacts. Due to the proximity of the proposed project to residential uses, a condition limiting the duration of construction-related noise is warranted (Condition 1).

Long-Term Impacts

Long-term or use-related impacts may include decreased air quality from vehicle emissions and greenhouse gas emissions from a variety of sources; increased energy consumption; increased height, bulk and scale on the site; alteration of potentially historic structures; increased light and glare; increased traffic and mechanical noise; increased demand for parking; increased demand on public services and facilities such as sewers, storm drains, solid waste collection, police and fire protection etc.; and an increase in traffic volumes. These long-term impacts are not considered significant because the impacts are minor in scope.

These long-term impacts are typical of commercial uses such as the proposed grocery store and accessory office and will be mitigated by the City's adopted codes and/or ordinances. Specifically these codes and ordinances include: the Stormwater, Grading, and Drainage Control Code; the Land Use Code; the Building Code; the Noise Ordinance; and the Seattle Energy Code. An analysis of impacts associated with specific SEPA policies follows.

Air Quality

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of construction materials result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project.

Historic and Cultural Preservation

The existing commercial structure on the proposal site is more than 50 years old, and therefore, the structure was reviewed for possible historic building status by the Historic Preservation Officer of the Department of Neighborhoods per SMC 25.05.675.H. The review concluded that the building would be unlikely to meet the standards for designation as an individual landmark due to previous extensive storefront modifications.

Parking

The proposed expansion of the existing grocery store and the construction of accessory office space will increase the demand for parking. The applicant submitted a series of reports that included an analysis of the predicted demand for parking that would result from this project, an analysis of the existing availability of parking in the vicinity of the project, and the results of a survey regarding the modes of transportation (i.e. automobile, pedestrian, bicycle, transit) used by existing customers. These reports were reviewed by the Department of Planning and Development's Senior Transportation Planner.

The existing retail space on site is likely to have approximately the same demand for parking as the proposed use of this space by the grocery store. Therefore, the change of use of 5,601 square feet of retail space to grocery store use will not result in a noticeable change to parking demand at the site. In addition to the change of use of the existing retail space, the grocery store will expand by 3,004 square feet (364 square foot ground floor expansion plus 2,640 second story expansion for accessory offices). Based on Institute of Transportation Engineers data for urban grocery stores, this expansion would result in an additional parking demand for seven vehicles. This number is likely a conservatively high estimate because of the relatively high proportion of Ken's Market customers using modes of transportation other than automobile, as established by the applicant's mode split survey. Parking demand data for Seattle grocery stores was gathered in the late 1990s. Using this data, the 3,004 square foot expansion would result in an additional parking demand for six vehicles. This would likewise represent a conservatively high estimate. Therefore, the proposed grocery store expansion would likely generate an increased parking demand at peak times of no more than six vehicles. The six proposed parking spaces to be located in the adjacent surface parking lot will accommodate this increased parking demand. Although it is possible that some of the additional vehicles will choose to park on the street, this on-street demand is expected to be infrequent and of short duration.

Based on the above, it is unlikely that that this project will result in a significant impact to the availability of on-street parking, provided that the six off-street parking spaces proposed by the applicant are secured through a covenant (Condition 2).

Traffic

The applicant submitted a Trip Generation report dated May 7, 2008 that analyzed the predicted traffic generation likely to result from this proposal. The report was reviewed by DPD's Senior Transportation Planner. The report indicates that there will be an increase of 250 daily trips, including 8 trips in the AM peak hour and 25 trips in the PM peak hour. Of these new trips, 90 daily trips, including 2 in the AM peak hour and 10 in the PM peak hour, would by "pass-by" trips. Pass-by trips are those that are already on the road, (e.g. commuting to or from work) but which would stop at the grocery store. The remaining trips (160 daily trips, including 6 in the AM peak hour, and 15 in the PM peak hour) would be "primary" trips that would represent people on the road specifically to travel to and from the grocery store.

The increase in traffic (15 PM peak hour trips) resulting from the proposed grocery store expansion would represent a relatively small percentage increase compared to traffic already on surrounding roadways. Even if all of this increased traffic were to use one particular local street, such as North 73rd Street, there would only be one additional trip every four minutes. This level of impact is not sufficient to warrant mitigation such as traffic calming. However, most of the new traffic will use Greenwood Avenue North, with only a small amount of the new traffic using any particular local street. Therefore, no SEPA conditioning is warranted to mitigate for traffic impacts that are a direct result of the proposed grocery store expansion.

The applicant submitted information regarding truck loading and unloading. Currently, truck loading and unloading takes place using the two loading/unloading only parking spaces on the south side of North 73rd Street. No change in the location of the loading/unloading area is proposed. The expansion of the grocery store will likely result in larger shipments of goods to the store. However, the number of deliveries will not become more frequent and larger trucks will not be required. Trucks used for deliveries will carry more items and will therefore take longer to unload. Deliveries will continue to occur between 7 am and 4 pm. No SEPA conditioning is warranted to mitigate for impacts associated with truck loading and unloading.

Summary

In conclusion, several adverse effects on the environment are anticipated as a direct impact of the proposed construction. However, specific impacts identified in the foregoing analysis have been mitigated by existing codes and ordinances, per adopted City policies, or have been conditioned to mitigate any adverse effects.

## 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 requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public 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 2c.

[ ] 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 2c.

## CONDITIONS – SEPA

*During Construction:*

1. All construction activities are subject to the limitations of the Noise Ordinance. Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays from 7am to 6pm. Interior work that involves mechanical equipment, including compressors and generators, may be allowed on Saturdays between 9am and 6pm once the shell of the structure is completely enclosed, provided windows and doors remain closed. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition.

Construction activities outside the above-stated restrictions may be authorized by the Land Use Planner when necessitated by unforeseen construction, safety, or street-use related situations. Requests for extended construction hours or weekend days must be submitted to the Land Use Planner at least three (3) days in advance of the requested dates in order to allow DPD to evaluate the request.

*Prior to Building Permit Issuance:*

2. Prior to building permit issuance, submit a signed covenant for off-site accessory parking that ensures that six off-street parking spaces located in the surface parking lot at 7301 Greenwood Avenue North are available to customers or employees of the grocery store.

Signature: (signature on file) Date: October 6, 2008
Geoff Appel, AICP
Land Use Planner
Department of Planning and Development

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