



City of Seattle

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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:** 3009311  
**Applicant Name:** Kevin Broderick for Naked City Brewing, LLC  
**Address of Proposal:** 8564 Greenwood Ave N.

**SUMMARY OF PROPOSED ACTION**

Land Use Application to install brew tanks in 459 sq. ft. of existing tenant space and change the use of an existing restaurant to a drinking establishment (“Naked City Taphouse”), involving 2,614 sq. ft. of an existing commercial building.

The following approval is required:

- **Administrative Conditional Use** - To allow a drinking establishment in a Neighborhood Commercial Two (NC2P-65) zone.  
(Chapter 23.47A.006, 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 and Vicinity Description

The subject property is located on the east block face of Greenwood Ave N between N. 85<sup>th</sup> Street and N. 87<sup>th</sup> Street, in a Neighborhood Commercial 2 (NC2P-65) zone with a Pedestrian overlay, a 65 ft. height limit and an Urban Village Overlay. The 8,000 sq. ft. lot has approximately 73 ft. of street frontage on Greenwood Ave N and is situated in the northern portion of a neighborhood commercial zone that continues on to the south of N. 85<sup>th</sup> Street and transitions to a more intense

commercial (C-1) zone 2 blocks north of the subject site. The zoning also transitions to a C-1 zone to the west of the subject site and includes retail that serves several surrounding neighborhoods. Multi-Family (L-3) and Single Family (SF 5000) zoning abuts both the NC and C-1 zones in all directions.

A Neighborhood Commercial zone is intended to allow for “household retail sales and services” that serve the immediate area. There are several other restaurants, two cafes and an existing bar on the block along with a variety of retail and offices including; a general mercantile and specialty foods store; a bookstore, a gift shop, a game arcade, two bank offices and a dental office.

The two story building in which the tenant space for the proposed drinking establishment is located is typical of others built in the 1930’s, located on both sides of the block, between N. 85th and N. 87<sup>th</sup> Street. These buildings contain a mix of restaurants, office or residential uses on the second level. Three (3) apartment buildings and three (3) “mixed use” buildings (with retail at ground level and residential use above) are located in the immediate area of the subject site.

Most buildings that share the same block face as the subject site are constructed lot line to lot line and were not required to provide onsite parking, however some sites within the block and across the street, that redeveloped in the 1950’s (or later), reflect a more auto oriented land use pattern with drive thru businesses’ or parking stalls surrounding a building.

### Proposal Description

The ground level tenant space for the existing restaurant occupies approximately 2,155 sq. ft. and has 30 ft. of street frontage. The applicant proposes interior alterations to establish brew tanks in an additional portion (approximately 459 sq. ft.) of existing commercial space in the same building (to the rear of the restaurant) and a change of use from restaurant to a drinking establishment (Naked City Taphouse). Food service will continue during all hours of operation and minors’ entry will be restricted after 10 p.m. Existing restaurant and proposed Taphouse hours of operations are; Monday -Thursday 4:00 p.m. – 11:00 p.m., Friday 4:00 p.m. – 1:00 a.m., Saturday 11:00 a.m. – 1:00 a.m. and Sunday 11:00 a.m. – 11:00 p.m.

The proposed drinking establishment space shares the ground floor of a building with two other tenant spaces. A coffee shop occupies the southern portion of the building and the intervening tenant space is currently vacant. Use of the ground floor restrooms is shared between the building tenants. Ingress and egress is available to the east and west of the subject tenant space and the only windows are at the storefront facade. No changes are proposed. The north (side) façade abuts a parking lot which is reserved for the customers of a restaurant at the corner of Greenwood and N 87<sup>th</sup> Street, three lots north of the subject site.

### Public Comment

Several comment letters were received during the public comment period, between July 17th, and August 14<sup>th</sup>, 2008. A two week extension to the initial two week comment period was requested and granted. All of the comments expressed concerns about the cumulative effect of adding another drinking establishment on the block. Specific concerns cited include: yelling, fighting, graffiti, litter and the need for police intervention with intoxicated patrons. Cumulative impacts are not part of the decision criteria for an Administrative Conditional Use.

**ANALYSIS - ADMINISTRATIVE CONDITIONAL USE (SMC 23.47A.006)**

**SMC 23.47A.006 Conditional uses.**

A. *All conditional uses are subject to the procedures described in Chapter 23.76, Master Use Permits and Council Land Use Decisions, and must not be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located. In authorizing a conditional use, the Director or City Council may require that adverse impacts be mitigated by imposing any conditions to protect other properties in the zone or vicinity, to compensate for impacts, and to protect the public interest. The Director shall deny or recommend denial of a conditional use if the Director determines that adverse impacts cannot be mitigated satisfactorily.*

With regard to Noise, the project proponent reports: *“Naked City will not be hosting events that will require security, such as concerts, ect.”* and *“The above listed hours will not change with the addition of the brewhouse.”*

With regard to Odor, The project proponent reports: *“The brew system we have and plan to install recirculates the steam from the boil.... Nothing from the process will be vented outside.”*

With regard to patrons conduct and business practices, the project proponent reports: *“With our business model we attract the craft beer aficionado who is willing to pay more for a high quality product. This is about beer appreciation and not over consumption. Our staff has been instructed to not only cut someone off when they appear to have had too much to drink, but also to not admit anyone who appears to be intoxicated.”* With mitigation, as described below, the proposed use is not expected to be materially detrimental to the public welfare or property in the zone or vicinity.

Given the high number of residential units in the immediate area, signage that includes expectations for patrons and contact information for area residents if there is a problem (such as excessive noise), should be posted in a location that is visible to patrons and to area residents.

B. *The following uses, where identified as administrative conditional uses on Chart A of Section 23.47A.004, or other features of development identified in this Section, may be permitted by the Director when the provisions of subsection A are met, subject to the further provisions below in this subsection:*

1. *Drinking Establishment. Drinking Establishments in an NC1 or NC2 zone may be permitted as a conditional use subject to the following conditions or criteria:*
  - a. *The size of the Drinking Establishment, design of the structure, signing and illumination shall be compatible with the character of the commercial area and other structures in the vicinity, particularly in areas where a distinct and definite pattern or style has been established.*

The building envelope will not be altered by the proposal. The 459 sq. ft. of additional tenant space for the brew tanks will be inside the existing commercial building. Along Greenwood Ave. N there is a pattern of small businesses in older one to two story structures similar to the subject site. The

existing concrete block and cement hardboard exterior front facade will remain the same, as will lighting, signage, entry and exit points and window openings. A new sign face will be placed in an existing fixture on the parapet above the tenant space, along Greenwood Ave. N. Existing exterior lighting under the canopy along the facade and street lights on the sidewalk will illuminate the business entry. All windows front on the arterial, Greenwood Ave. N. The size of the tenant space (2614 sq. ft.), the signage, and illumination will be compatible with the existing character of the neighborhood commercial development immediately adjacent to the proposed Taphouse.

*b. The location, access and design of parking shall be compatible with adjacent residential zones.*

The existing building was constructed in 1937 with no onsite parking which is similar to other buildings in the immediate area and (as noted above) some more recent development on adjacent sites provides large parking lots.

While residential *uses* are permitted and exist in this neighborhood commercial zone the nearest residential *zones* (multi-family and single family) begin approximately one block to the northeast and northwest. There are no residential zones directly abutting the subject site or the block containing the site of the proposed Taphouse.

No changes to the location, access or design of parking are proposed or required.

*c. Special consideration shall be given to the location and design of the doors and windows of Drinking Establishments to ensure that noise standards will not be exceeded. The Director may require additional setbacks and/or restrict openings on lots which abut residential zones.*

The main entry and all of the windows for this tenant space are located off of the arterial Greenwood Av N. An existing exit door on the east façade currently faces a parking area that is also zoned neighborhood commercial. There are no changes proposed.

There are a number of residential units in the immediate vicinity including a new mixed use building (built in 2000) across the street with 70 units and two residential buildings (34 units) behind the Taphouse site. As descended above, signage regarding noise which includes contact information will be required as a condition of approval.

*d. Drinking Establishments shall not generate traffic which creates traffic congestion or further aggravates spillover parking on residential streets.*

The trip generation for drinking establishments is less than for restaurants. According to Trip Generation, “7<sup>th</sup> Edition,” ITE (Institute for Transportation Engineers), a PM peak hour trip generation for a “Drinking Place” is 15.49 trips generated per 1,000 square feet of gross floor area. For restaurants the peak trip generation rate is 19.4 trips.

It should be noted that the peak number of trips that happen for restaurants and drinking establishments are later than PM Peak Hour Commute Trips. During commute peak times (4pm to 6pm) the Trip Generation Manual reports an average rate of 30 trips expected for the drinking establishment.

It should be noted that the ITE cited Trip Generation samples above were taken in more suburban settings where pedestrian access and community transit are minimal and vehicle travel is more prevalent. The subject proposal is located near a major bus line and an arterial street while also being located in a neighborhood commercial zone with residential units and residential zoning nearby. As a result the traffic and parking impacts will most likely be less than the averages given above.

An on-street parking availability survey was conducted by the applicant along Greenwood Ave N, between N 85<sup>th</sup> and N. 87<sup>th</sup> Street. The mid-week, evening parking survey identified 75 on street parking spaces available within 400 ft. of the subject site. The survey found 36% of the spaces used over the two night tally. While these times and days do not reflect anticipated peak hours for the use (as noted above) the existing development pattern in the immediate area provides several parking lots (100 + parking spaces) that are associated with uses (i.e. State Dept. of Licensing and bank offices) that are operated during daytime hours. It should also be noted that the existing restaurant is not required to provide any parking.

Based on the proposed size of the drinking establishment, the submitted parking utilization study, the off-set of commute traffic times and peak trip times for the proposed use, location near a major arterial (N 85th Street) with bus service, proximity to potential patrons and the development pattern established in the immediate area, the proposed change of use to drinking establishment is not expected to “further aggravate spillover parking”.

### **DECISION-CONDITIONAL USE**

The conditional use application is **CONDITIONALLY APPROVED.**

### **ACU CONDITIONS:**

#### *Prior to issuance of Master Use Permit and Building Permit*

1. Signs shall be placed in a highly visible external location near the main entry and both inside and outside at the rear door, which state:

*“Please be courteous to our surrounding neighbors by keeping noise levels down while smoking or leaving the premises.”*

This signage shall include contact information for an on duty manager or business owner.

2. A detail of the proposed exterior business signage, showing design, the location and dimensions shall be added to the MUP plan sets and added to any related building permit plan set.

For the life of the permit

3. A sign shall be placed in a highly visible external location near the main entry and both inside and outside at the rear door, which state:

*“Please be courteous to our surrounding neighbors by keeping noise levels down while smoking or leaving the premises.”*

This signage shall include contact information for an on duty manager or business owner.

Signature: \_\_\_\_\_ (signature on file) Date: January 08, 2009  
Justina Guyott, Land Use Planner  
Department of Planning and Development

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