

BACKGROUND DATA

Background Information

The proposed amendments would apply to areas in the Northgate Overlay District that are zoned Single-Family and meet the criteria for single-family zoning contained in subsection B of Section 23.34.011. Under existing conditions, only a single block (defined as an area bounded by street lot lines) bordered by 15th Avenue NE, 16th Avenue NE, NE 123rd Street, and NE 125th Street could qualify for a potential rezone. The three single family zoned lots located in the southeast corner of the block meet the requirement that more than 80% of the block is zoned neighborhood commercial and could potentially qualify for a contract rezone. Under existing rezone criteria in Section 23.34.011, areas deemed appropriate for single-family zones include blocks with at least 70% of existing structures in single-family use, but the term “block” for this purpose is defined as two facing block fronts bounded on two sides by alleys or rear property lines and on two sides by the centerline of platted streets. The proposed amendments change the characterization of a “block” to an area bounded by street lot lines for the purpose of the additional exemption only.

The block bordered by 15th Avenue NE, 16th Avenue NE, NE 123rd Street, and NE 125th Street contains an existing Safeway grocery store along with two commercial buildings and the three single family homes. The entirety of the block is owned by Safeway. More than 80% of the block is zoned NC3-40', however, the three lots in the southeast corner of the block are zoned single family. Safeway is interested in redeveloping the block to create a larger store similar in size to other Safeway stores throughout the city. This development would be consistent with the Neighborhood Commercial 3 (NC3) zone that exists on the substantial majority of the block; however, their plans were frustrated by a small portion of the block that remained in single family zoning and did not meet existing rezone criteria. While no development is currently proposed for this block, a previous application for rezone by Safeway Stores included a proposal for future construction of a one-story Safeway Store with mezzanine, and a total floor area of about 47,917 square feet, and including surface parking for 205 vehicles. A development proposal similar to the previous application is likely.

Proposed Action

The proposed Code amendment would allow areas in the Northgate Overlay District that are zoned Single Family and meet the criteria for single-family zoning contained in subsection B of Section 23.34.011 to be rezoned through a contract rezone to a neighborhood commercial zone when the block (defined as an area bounded by street lot lines) is more than 80% zoned neighborhood commercial.

The amendment would also modify subsection B of Section 23.34.072, Designation of Commercial Zones, to update an existing cross-reference to Section 23.34.010. This change is not intended to modify the meaning of Section 23.34.072; rather, it is intended to update the cross-reference to conform to the additional Single Family rezone criteria and to ensure the cross-reference does not inadvertently interfere with the intended meaning of 23.34.010.

Public Comment

Since this SEPA analysis and decision is not subject to the procedural requirements of SMC Chapter 23.76, public notice is not required for the proposal and accordingly there are no public comments.

ANALYSIS - SEPA

This proposal is an adoption of legislation and is defined as a non-project action. This action is not specifically listed as a Categorical Exemption (SMC 25.05.800); therefore it must be analyzed for probable significant adverse environmental impacts. A threshold determination is required for any proposal that meets the definition of “action” and is not categorically exempt.

The disclosure of the potential impacts from this proposal was made in an environmental checklist submitted by the proponent, dated September 7, 2007. The information in the checklist and the experience of the lead agency with review of similar projects forms the basis for this analysis and decision.

This is a substantive change to the Land Use Code, SMC Sections 23.34.010, that would add an additional exemption to the rezone criteria used in the designation of single-family zones. This amendment may result in potential impacts requiring evaluation under SEPA and thus warrants further discussion.

The amendment will affect only one block within the Northgate Overlay District, as previously discussed, as far as is known.

ELEMENTS OF THE ENVIRONMENT

Adoption of the recommended Code amendments would result in no immediate adverse short-term impacts because the adoption would be a non-project action. The discussion below evaluates the potential long-term impacts that might conceivably result from future development.

Natural Environment

Earth, Air, Water, Plants and Animals, Energy, Natural Resources, Environmentally Sensitive Areas, Noise, Releases of Toxic or Hazardous Materials

The proposed changes would result in no direct impacts. By creating additional circumstances under which single family zoned areas may be rezoned to neighborhood commercial, the code amendments might contribute indirectly to additional air emissions, water discharges, production/storage/release of hazardous substances or noise production commonly associated with development in neighborhood commercial zones when rezones occur. The existing regulations and development standards that govern such uses would tend to reduce potential for significant adverse impacts. The proposed amendments would only indirectly and slightly affect plants, animals, fish/marine life and their habitats where rezones allow impacts incidental to uses commonly allowed and located in neighborhood commercial zones. The proposed changes would also only indirectly and slightly affect energy or natural resources where rezones allow impacts incidental to uses commonly located and allowed in neighborhood commercial zones. Subsequent, site-specific development proposals that undergo SEPA review could result in impacts. Such impacts would be addressed as part of the environmental review process associated with the project-specific development.

Land & Shoreline Use, Height/Bulk/Scale

The proposed amendments are likely to result in minor changes in land use by allowing rezones of single family land to neighborhood commercial. These rezones would be limited to the Northgate Overlay District on blocks where the majority of area is in neighborhood commercial zoning, which ensures that potential land use changes will be minor. Under existing conditions, potential rezones would be limited in geographic scope to the single block as previously discussed.

In this limited area, potential rezones could result in a variety of potential new land uses common to neighborhood commercial zones. These land uses could include, among other uses, supermarkets, restaurants, offices, hotels, clothing shops, business support services, and multi-family residences, which have the potential to result in minor increases in parking, traffic and other impacts common to neighborhood commercial zones. As areas potentially qualified for rezoning are likely to be adjacent to other single family zones, these impacts are likely to occur in close proximity to single family zones and would indubitably increase prospects for adverse impacts on the adjacent SF zones. Potential impact to adjacent single family zones are limited, however, by the fact that blocks qualifying for the rezone criteria must be substantially commercial in character. The small areas eligible for rezone are thus unlikely to be desirable for single family use and would provide little buffer between single family and commercial zones. Existing regulations and development standards that govern such uses would also tend to reduce potential for significant adverse impacts.

Transportation, Public Services and Utilities

The proposed changes would result in no direct impacts. Indirect impacts may occur where rezones allow new land uses common to neighborhood commercial zones. Potential new land uses could include, among other uses, supermarkets, restaurants, offices, hotels, clothing shops, business support services, and multi-family residences, which have the potential to result in minor increases in parking, traffic, electricity demand, and other impacts common to neighborhood commercial zones. Existing regulations and development standards that govern such uses would also tend to reduce potential for significant adverse impacts.

Consistency with the Seattle Comprehensive Plan

The proposed amendments balance the goals stated in the Seattle Comprehensive Plan of accommodating commercial development in continuous commercial districts while protecting single family neighborhoods by limiting potential rezones to small areas likely to be undesirable for single family. While the proposal was not considered through a formal “neighborhood planning processes” as is suggested in Seattle Comprehensive Plan policy LU5, it does consider relevant goals and policies in the Northgate neighborhood plan and was developed based on significant community input.

Two Northgate Neighborhood Plan Implementation Guidelines, in particular, deserve discussion. They are below.

