



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
Diane Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 2402467
Applicant Name: David Kehle, Architect, for Bartell’s Drug Store
Address of Proposal: 2345 Rainier Avenue South

SUMMARY OF PROPOSED ACTION

Master Use Permit for future construction of a 1-story, 17,213 sq. ft. general retail sales building (Bartell's Drugs) and an 800 sq. ft. general retail sales building. Surface parking for 54 vehicles to be provided. Project includes future demolition of existing structures.

The following approvals are required:

- **Design Review and Development Standard Departures**, pursuant to Chapter 23.41 Seattle Municipal Code.
- **SEPA - Environmental Determination**, pursuant to SMC Chapter 25.05.

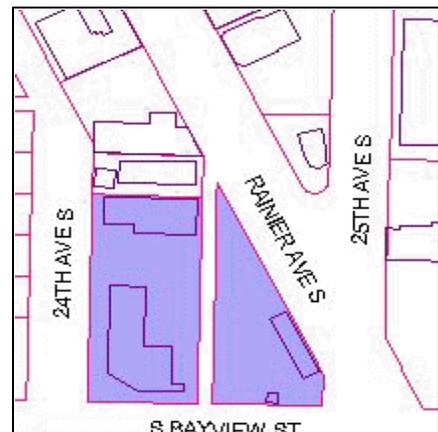
SEPA DETERMINATION: [] Exempt [] DNS [] MDNS [] EIS
[X] DNS with conditions
[] DNS involving non-exempt grading or demolition or involving another agency with jurisdiction

BACKGROUND

Site and Vicinity

The site, located on the west side of Rainier Avenue South, between South Bayview Street and South College Street, is zoned Commercial 1-65 with a 65-foot height limit (C1-65). Currently the proposed site is developed with several commercial buildings. The applicant is proposing a single-story retail building (Bartell’s Drug Store). Surface parking for approximately 60 vehicles is proposed.

The site is a 48,227 square foot site with approximately 255-



The alley above was vacated per ordinance 119408.

feet of street frontage on Rainier Avenue South, 256-feet of street frontage on South Bayview Street and 300-feet of street frontage on 24th Avenue South. The sites to the south are zoned Neighborhood Commercial 3-65 (NC3-65). The sites to the north along Rainier Avenue South are zoned Commercial 1-65 (C1-65). However, the area west of the subject site is zoned Single Family 5000 (SF 5000).

The properties along Rainier Avenue South are developed mainly with 1-story commercial buildings. Across 24th Avenue South to the west, properties are zoned Single Family 5000 (SF5000) residential and are developed with one and two story single family residences.

Public Comments

Public notice of the Master Use Permit application was published on July 7, 2005 and mailed to neighboring properties within 300 feet of the project site. The public comment period ended on July 20, 2005. Approximately 3 different people either sent in a letter or commented during the two public meetings leading up to this decision. Below is a summary of the comments received:

- *Access-* The neighbor preferred a design which had access off of South Bayview Street in addition to Rainier Avenue South. South Bayview Street does not have as much traffic and would be a much safer access point when Rainier Avenue South becomes congested.
- *Drive-Thru-* One neighbor was unsure as to why Bartell's was paying so much attention to the location of the drive-thru. The neighbor felt that the drive-thru could and should be located in the rear of the building to provide more design flexibility.

ANALYSIS – DESIGN REVIEW

EARLY DESIGN GUIDANCE SUMMARY: JULY 13, 2004 MEETING.

The following design guidance was given during the Early Design Guidance meeting held on July 13, 2004. After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the siting and design guidance described below and identified by letter and number those siting and design guidelines found in the City of Seattle's "*Design Review: Guidelines for Multifamily and Commercial Buildings*" of highest priority to this project.

DESIGN GUIDELINES

A Site Planning

A-1 **Responding to Site Characteristics**

The siting of buildings should respond to specific site conditions and opportunities.

A-3 **Entrances Visible from the Street**

Entries should be clearly identifiable and visible from the street.

A-4 **Human Activity**

New development should be sited and designed to encourage human activity on the street.

A-5 Respect for Adjacent sites

Buildings should respect adjacent properties by being located on their site to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings.

A-8 Parking and Vehicle Access

Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties and pedestrian safety.

A-9 Location of Parking on Commercial Street Fronts

Parking on a commercial street front should be minimized and where possible should be located behind a building.

A-10 Corner Lots

Buildings on corner lots should be oriented to the corner and public street fronts. Parking and automobile access should be located away from corners.

- Bring the proposed building up to the street (Rainier Avenue South) at the corner of South Bayview Street to create a sense of prominence along the streetscape. Option B of the Early Design Guidance packet was a preferred option by the Board as it creates a better relationship to Rainier Avenue South.
- A pedestrian entry to the building should be placed in a manner so that it is both visible from Rainier Avenue South and easily accessible by pedestrians.
- The impact of automobiles should be minimized. Attractive, lighted and landscaped areas to enhance the pedestrian environment along the street should be developed. Parking between the proposed building and Rainier Avenue South is discouraged.

B Height, Bulk and Scale

B-1 Height, Bulk and Scale

Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less-intensive zones.

- To diminish the scale even further, the Board recommended using a variation of material to create a stronger base to the building, i.e. brick.

C Architectural Elements and Materials

C-1 Architectural Context

New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complements the architectural character and siting pattern of neighboring buildings.

C-2 Architectural Concept and Consistency

Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept.

Buildings should exhibit form and features identifying the functions within the building.

In general, the roofline or top of the structure should be clearly distinguished from its façade walls

C-3 Human Scale

The design of new buildings should incorporate architectural features, elements and detail to achieve a good human scale.

C-4 Exterior Finish Materials

Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

- The designer should develop and present concept(s) for the building/façade which incorporates the surrounding architectural vernacular and/or materials of human scale. Architectural concept, materials, scale and details should be integrated to create a building appropriate for the site, its surroundings and uses. The architect should present this next iteration of the design at the recommendation meeting. Several Board members felt the Bartell's store located in University Village was a good model to work from given the exterior finish materials (brick).

D Pedestrian Environment

D-1 Pedestrian Open Spaces and Entrances

Provide convenient, attractive and protected pedestrian entries.

D-2 Blank Walls

Buildings should avoid large blank walls facing the street, especially near sidewalks. Where blank walls are unavoidable, they should receive design treatment to increase pedestrian comfort and interest.

D-6 Screening of Dumpsters, Utilities and Services Areas

Building sites should locate service elements like trash dumpsters, loading docks and mechanical equipment away from the street front where possible.

D-7 Pedestrian Safety

Project design should consider opportunities for enhancing personal safety and security in the environment under review.

- The designer should locate trash dumpsters behind the building and within a trash enclosure so that it is both screened from view from Rainier Avenue South and South Bayview Street.
- Use stamped and/or colored paving within the proposed surface parking lot to provide a distinct walkway where there may be a conflict between pedestrians and vehicles.

- Employ the use of transparency, texture, colors, and/or material to break up the wall surface which is facing the street.
- Decrease the possibility of dark, hidden places by designing adequate low-level lighting within the site.

E **Landscaping**

E-2 Landscaping to Enhance the Building and/or Site

Landscaping including living plant material, special pavements, trellises, screen walls, planters, site furniture and similar features should be appropriately incorporated into the design to enhance the project.

E-3 Landscape Design to Address Special Site Conditions

The landscape design should take advantage of special on-site conditions such as high-bank front yards, steep slopes, view corridors, or existing significant trees and off-site conditions such as greenbelts, ravines, natural areas, and boulevards.

- Provide landscaping along the west property line abutting 24th Avenue South to create a softer transition to the single family neighborhood and to eventually screen the retaining wall below.
- Use landscaping to screen the surface parking area along Rainier Avenue South and South Bayview Street.

DESIGN REVIEW RECOMMENDATION MEETING SUMMARY: JUNE 28, 2005 MEETING

On June 28, 2005, the Board met again and considered the design response to the guidance provided at the previous EDG meeting.

The architect presented a topographic survey, a site plan outlining street improvements, landscaping plan, color elevations and a materials board. Materials proposed include brick at the base and top, split-faced CMU between, with a stucco entry facing Rainier Avenue South. As a bit of background, the architect explained the intricacies of designing access to the site given the steep topography along the west side of the site (drops 20-feet). Thus, explaining that the proposed design had to be modified to address existing site conditions while still meeting the intent of the guidance. The architect also showed a streetscape elevation from Rainier Avenue South to demonstrate the enhancements to the pedestrian environment (landscaping, screening, building at the corner and informal seating near the bus stop).

Departure from Development Standards:

No departures have been requested by the applicant.

SUMMARY OF RECOMMENDATION

After re-considering the site and context, hearing public comment, reconsidering the previously identified design priorities, and reviewing the revised plans and renderings, the Design Review Board members recommended **approval** of the proposed design, noting the following comments and recommending the following **recommended conditions**. All recommendations were “consensus” recommendations, unless otherwise indicated. In addition the authority for the recommended condition is provided by the Design Review guideline(s).

DIRECTOR’S ANALYSIS - DESIGN REVIEW

The Director has reviewed the Citywide Design Guidelines and finds that the Board neither exceeded its authority nor applied the guidelines inconsistently in the approval of this design. The Director also concurs with the conclusions of the Board that the project does meet the Citywide design guidelines. The Board members made the following recommendations:

- Propose and construct a building at the corner of Rainier Avenue South and South Bayview Street which employs a scale and design technique that will anchor the corner.
- Provide a trellis with landscaping or other similar screening device along the proposed retaining wall along the 24th Avenue South side of the site to break up the large blank mass as viewed from Rainier Avenue South.
- Enhance the south façade of the Bartell’s building by applying a vertical detail between the main entry and the drive-thru area.

DECISION - DESIGN REVIEW

The Director accepts the Board’s recommendations to approve the project design. Conditions listed at the end of this report are provided to ensure that the design details approved with this project are implemented through the construction process.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant and dated March 22, 2004, and annotated by this Department. This information in the checklist, supplemental information provided by the applicant (plans, including landscape plans), comments from members of the community, 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) establishes the relationship between codes, policies, and environmental review. Specific policies for specific elements 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/circumstances (SMC 25.05.665 D 1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Short-term Impacts

Demolition and construction activities could result in the following temporary or construction-related adverse impacts:

- construction dust and storm water runoff;
- erosion;
- increased traffic and demand for parking from construction equipment and personnel;
- increased noise levels;
- occasional disruption of adjacent vehicular and pedestrian traffic;
- decreased air quality due to suspended particulates from building activities and hydrocarbon emissions from construction vehicles and equipment;
- increased noise; and
- consumption of renewable and non-renewable resources.

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts: The Noise Ordinance, the Stormwater Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code. The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction. The Street Use Ordinance requires debris to be removed from the street right-of-way, and regulates obstruction of the pedestrian right-of-way. Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general. Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the City. Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment.

Noise

In addition to the Noise Ordinance requirements in SMC 25.08, to reduce the noise impact of construction on nearby residential zones, all construction activities shall be limited to non-holiday weekdays between 7:30 a.m. and 6:00 p.m. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby residences, only low noise impact work such as that listed below, shall be permitted on Saturdays and Sundays from 9:00 a.m. to 6:00 p.m.:

1. Surveying and layout;
2. Other ancillary tasks to construction activities will include site security, surveillance, monitoring, and maintenance of weather protecting, water dams and heating equipment.

After each floor of the building is enclosed with exterior walls and windows, interior construction on the individual enclosed floors can be done at other times in accordance with the Noise Ordinance. Such construction activities will have a minimal impact on adjacent uses. Restricting the ability to conduct these tasks would extend the construction schedule, thus the duration of associated noise impacts. DPD recognizes that there may be occasions when critical construction activities could be performed in the evenings and on weekends, which are of an emergency nature or related to issues of safety, or which could substantially shorten the total construction time frame if conducted during these hours.

Therefore, the hours may be extended and/or specific types of construction activities may be permitted on a case-by-case basis by approval of the Land Use Planner prior to each occurrence. As a condition of this decision, the applicant will be required to submit a noise mitigation plan to DPD for review and approval before a change in allowable construction hours may occur. Periodic monitoring of work activity and noise levels may be conducted by DPD Construction Inspections.

As conditioned, noise impacts to nearby residential uses are considered adequately mitigated.

Grading

Approximately 3,700 cubic yards of grading is proposed for the construction of the two commercial structures and the accessory surface parking area. The applicant has noted that cut will exceed fill, so any fill that is necessary will already be available onsite. If material is transported to or from the site, City code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of "freeboard" (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed enroute to or from a site. No conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

Construction Parking

Construction of the project is proposed to last for approximately 12 months. On-street parking in the vicinity is limited, and the demand for parking by construction workers during construction could exacerbate the demand for on-street parking and result in an adverse impact on surrounding properties.

Accordingly, the owner and/or responsible party shall assure that construction vehicles and equipment are parked on the subject site for the term of construction whenever possible. It is expected that all workers will be able to park on-site once the parking garage phase is completed and for the remaining duration of construction activity. To further facilitate this effort, the owner and/or responsible party shall submit a construction phase transportation plan. The plan shall identify approximate phases and duration of construction activities, haul routes to and from the site, address ingress/egress of trucks/personnel/equipment and construction worker parking. In addition, since the subject site abuts upon residential zoning, haul routes shall be restricted to using South Bayview Street and Rainier Avenue South. Thus, the construction phase transportation plan will be a condition of this decision. The authority to impose this condition is found in Section 25.05.675B2g of the Seattle SEPA ordinance.

Long-term Impacts

Long-term or use-related impacts are also anticipated from the proposal and include: potentially decreased water quality in surrounding watersheds; increased bulk and scale on the site; increased ambient noise due to increased human activity; increased demand on public services and utilities; increased light and glare; increased energy consumption, increased on-street parking demand. These long-term impacts are not considered significant because the impacts are minor in scope.

Parking

With this proposal, parking for 54 vehicles will be provided on-site for both the drug store building and the smaller retail building. After referencing the Institute of Transportation Engineers (ITE) Manual, it was determined that there would be little to no potential for parking spill-over during peak demand. With this in mind, the proposal will not adversely impact on-street parking during the hours of peak parking demand. Therefore, no mitigation is warranted under SEPA.

Height, Bulk & Scale

Since the Design Review Board and the Director have considered the potential height, bulk and scale impacts and acted to limit those impacts, the Director concludes that the negative impacts of height, bulk and scale have been adequately mitigated and no additional SEPA height, bulk and scale mitigation is warranted.

Other Impacts

Several adopted Codes and Ordinances and other Agencies will appropriately mitigate the other use-related adverse impacts created by the proposal. Specifically, these are the Puget Sound Clean Air Agency (increased airborne emissions); and the Seattle Energy Code (long-term energy consumption). The other impacts not noted here as mitigated by codes, ordinances, or conditions (increased ambient noise; increased pedestrian traffic, increased demand on public services and utilities) are not sufficiently adverse to warrant further mitigation by conditions.

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 43.21.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. An EIS is required under RCW 43.21C.030(2)(C).

CONDITIONS - DESIGN REVIEW

Non-Appealable Conditions

1. Any proposed changes to the exterior of the building or the site must be submitted to DPD for review and approval by the Land Use Planner (Bryan Stevens, 684-5045). Any proposed changes to the improvements in the public right-of-way must be submitted to DPD and SDOT for review and for final approval by SDOT.
2. Compliance with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials, landscaping and ROW improvements) shall be verified by the DPD planner assigned to this project (Bryan Stevens, 684-5045), or by the Design Review Manager. An appointment with the assigned Land Use Planner must be made at least (3) working days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved.
3. Embed all of these conditions and colored elevation drawings in the cover sheet for the MUP permit and for all subsequent permits including updated MUP plans, and all building permit drawings.
4. All changes to the exterior facades of the building and landscaping on site and in the ROW must be reviewed by the Land Use Planner prior to proceeding with any proposed changes.

Prior to Issuance of the Master Use Permit

5. Update the MUP plans to show a building at the corner of Rainier Avenue South and South Bayview Street which employs a scale and design technique that will anchor the corner.
6. Provide a trellis with landscaping or other similar screening device along the proposed retaining wall along the 24th Avenue South side of the site to break up the large blank mass as viewed from Rainier Avenue South.
7. Enhance the south façade of the Bartell's building by applying a vertical detail between the main entry and the drive-thru area.

Prior to Issuance of a Certificate of Occupancy:

8. Compliance with the approved design features and elements, including exterior materials, roof pitches, facade colors, landscaping and ROW improvements, shall be verified by the DPD Planner assigned to this project. Inspection appointments with the Planner (Bryan Stevens, ph.206-684-5045) must be made at least 3 working days in advance of the inspection.

CONDITIONS - SEPA

Prior to issuance of any Construction or Grading Permits

9. The owner(s) and/or responsible party(s) shall secure DPD Land Use Planner or SDOT approval of construction phase transportation and pedestrian circulation plans. Appropriate SDOT and King County METRO participation in development of the plans shall be documented prior to approval. The plans shall address the following:
- Ingress/egress and parking of construction equipment and trucks;
 - Truck access routes, to and from the site, for the excavation and construction phases (with access only from South Bayview Street and Rainier Avenue South);
 - Street and sidewalk closures;
 - Potential temporary displacement/relocation of any nearby bus stops.

During construction:

10. The owner(s) and/or responsible party(s) shall comply with the construction phase parking plan. A copy of that plan must be kept on-site.
11. All construction activities shall be limited to non-holiday weekdays between 7:30 a.m. and 6:00 p.m. In addition to the Noise Ordinance requirements, to reduce the noise impact of construction on nearby residences, only low noise impact work such as that listed below, shall be permitted on Saturdays and Sundays from 9:00 a.m. to 6:00 p.m.:
- Surveying and layout;
 - Other ancillary tasks to construction activities will include site security, surveillance, monitoring, and maintenance of weather protecting, water dams and heating equipment.

After each floor of the building is enclosed with exterior walls and windows, interior construction on the individual enclosed floors can be done at other times in accordance with the Noise Ordinance. These hours may be extended and/or specific types of construction activities may be permitted on a case-by-case basis by approval of the Land Use Planner prior to each occurrence. The applicant will be required to submit a noise mitigation plan to DPD for review before a change in construction hours may occur. Periodic monitoring of work activity and noise levels may be conducted by DPD Construction Inspections.

Signature: (signature on file) Date: August 4, 2005
Bryan Stevens, Land Use Planner
Department of Planning and Development