



City of Seattle

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: 3012897
Applicant Name: Tom Eanes of Seattle Housing Authority
Address of Proposal: 1105 East Fir Street

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a six-story building containing 94 residential units and three townhouse buildings containing nine residential units (103 residential units total). Parking for 51 vehicles to be provided below grade. Existing structure to be demolished. Addendum to EIS prepared by Seattle Housing Authority.

The following approvals are required:

Design Review Departures (SMC Chapter 23.41)

Development Standard Departure to allow a building width of more than 150'.
(SMC 23.45.528.A)

Development Standard Departure to allow more than 75% structure depth. (SMC
23.45.528.B.1)

Development Standard Departure to allow garage doors larger than 75 square feet.
(SMC 23.45.536.D.3.a)

Development Standard Departure to allow garage doors less than 15' from the
street facing lot line (setback). (SMC 23.45.536.D.3.b)

Development Standard Departure to allow more than 15% driveway slope. (SMC
23.54.030.D.3)

Development Standard Departure to allow a reduced sight triangle at the northeast
corner of the property. (SMC 23.54.030.G.1)

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.

*This project includes an Addendum to the Yesler Terrace Redevelopment Final EIS dated April 2011, which is adopted with this recommendation.

Current Development:

40 apartments for transitional housing.

Access:

Existing surface parking is located adjacent to the paved street surface on E. Fir Street.

Surrounding Development:

Single family residences are located to the east and north. Vacant parcels are also located to the east and north. Multi-family apartments are located to the north, west, and southwest. A restaurant is located to the south across E. Yesler Way. Horihuchi Park is located across E. Fir Street, to the north.



Neighborhood Character:

The site is located near the future streetcar line on E. Yesler Way and Boren Avenue. Boren Avenue is a fast-moving busy arterial. E. Yesler Way is a lower traffic arterial. E. Fir Street dead-ends at Boren Ave and is a quiet residential street. The 12th Avenue corridor is located one block to the east, with growing commercial development. Bailey Gatzert Elementary school is located on block to the south.

The building typology in this area is varied, with a combination of low to mid-rise apartments of varying ages, older single family structure, older single story commercial development, and medical and office uses. Architectural character is varied. The applicant provided some examples of nearby context in the EDG packet.

Yesler Terrace is located to the west across Boren Ave. The Yesler Terrace development is in a Master Planned Community designation, covering 30 acres with the potential for 5,000 apartments, 900,000 square feet of office space, 65,000 square feet of neighborhood services, 88,000 square feet of retail, 15.9 acres of open space, and 5,100 parking spaces. The Master Planned Community was approved by City Council in 2012. Build out could occur over a period of 15-20 years. The plan indicates 6-story multi-family buildings facing Boren Avenue, across from this site.

EARLY DESIGN GUIDANCE MEETING: February 15, 2012

The packet includes materials presented at the meeting, and is available online by entering the project number at this website:

http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp.

or contacting the Public Resource Center at DPD:

Address: Public Resource Center
700 Fifth Ave., Suite 2000
Seattle, WA 98124

Email: PRC@seattle.gov

PUBLIC COMMENT

Approximately 12 members of the public attended this Early Design Review meeting. The following comments, issues and concerns were raised:

- The 12th Avenue Urban Village is located nearby, with a focus on increasing commercial development along 12th Avenue. The proposed development should provide a strong pedestrian design on E. Fir Street, since people will use that street to access 12th Avenue from Boren Avenue.
- Enhance the pedestrian connection between Boren Avenue and E. Fir Street. It will be heavily used by people getting off the bus on Boren Ave. Will the connection have stairs to address the grade change?
 - Response: yes, there will be stairs. Currently it's an informal steep dirt path.
- Enhance privacy for the residents at grade on Boren Ave and the northwest corner adjacent to the pedestrian connection to E. Fir St.
- Appreciation for recessing the common space and setting it back from the noise of Boren Ave.
- Is 11th Ave vacated under this site?
 - Response: yes, it was vacated in the 1940's.
- Visually break up the building mass on E. Fir St
- Appreciation for the design concept.
- Provide more parking in the building, concerns about traffic
 - Response: please contact the Land Use Planner directly with those comments.

FINAL RECOMMENDATION MEETING: June 13, 2012

The packet includes materials presented at the Recommendation meeting, and is available online by entering the project number at this website:

http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp.

or contacting the Public Resource Center at DPD:

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At the Recommendation meeting, the applicant noted that the corners have been eroded in response to the EDG, and the revised design also provides diagonal alignment of the entry through the lobby to the courtyard.

The garage entry is located on the northeast corner with ramping on the east property line. A second curb cut provides access to an ADA van space. A departure is proposed for the size of the ADA van space garage door to accommodate an ADA van. Another departure is requested to bring the garage door closer to the street front to reduce blind corners. A decorative art panel is proposed over this garage door. Parallel parking will be maintained on E. Fir St.

The applicant noted that SDOT has been supportive of the curvilinear sidewalks on Boren Ave and very supportive of the pedestrian path across the northwest corner of the site.

The landscape plan is based on a 'streams and eddies' concept, with curvilinear paths and nodes with seating areas. Larger open areas include a play area and a 'passive meadow' with edible landscaping. Cascading landscape planters would be planted with low landscaping for clear sight lines at the north façade. A green roof would be located on the primary residential entry canopy, with benches at the entry. Two green roofs open spaces are proposed at the ends of the taller building. Mature and exceptional trees would be retained at the west and north sides of the site. The townhouses at the south edge would include low walls and landscaping to provide a psychological barrier but maintain a visual connection with the street frontage.

Materials include cementitious siding, with a white color used at the greatest recesses in the façade, yellow panels in some protrusions, and green 8" lap siding at other protrusions. Accent colors of red and blue would be used for front doors, with a slightly lighter tone for the porch soffit and underside of the eaves. Artistic metal or translucent patterned resin panel concepts were shown as possibilities for the sliding ADA van door.

Departures related to the ADA van space, a sight triangle at the northeast corner to preserve the existing tree at that corner, and structure width.

The structure width departure is for a wider building width on the north at E. Fir St, with less than maximum building width on the east, west, and south façades. A combination of modulation, articulation, and colors/material textures would be used to reduce the appearance of width at the north façade.

PUBLIC COMMENT

The following comments, issues and concerns were raised:

- 12th Ave will become the area's primary commercial street and pedestrian destination, so the E. Fir St frontage should provide a pedestrian friendly design between Boren Ave and 12th Ave.
- Question whether human scale façade treatments are employed at the street level
- Appreciates the potential view from the sidewalk through the entry to the courtyard and it should be enhanced to create a sense of arrival
- Appreciates the ability to walk through the site from the townhouses to Fir St.

PRIORITIES & BOARD RECOMMENDATIONS

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 following siting and design guidance.

EARLY DESIGN GUIDANCE (FEBRUARY 15, 2012):

1. The Board approved of the preferred massing scheme.
 - a. The setbacks and landscaping at the street are less urban in nature, but seem to be a good response to the challenge of the noise and movement of the busy arterial at Boren Ave.
 - b. The south edge with the smaller buildings, interesting roof forms, and pedestrian connection is a positive aspect of the design.
 - c. The ability for residents to walk at grade from E. Fir St through the building across to the south corner and to the bus stop on Boren Ave is a positive aspect of the proposal.
 - d. Enhance the proposed design approach to grade changes, with low retaining walls and landscaping to allow visual connection into the site from the Boren Ave sidewalk.
 - e. The building mass and vehicular access at the north edge is a challenge.

2. North edge (E. Fir St):
 - a. The north edge will need design modification to reduce the appearance of mass and enhance the pedestrian experience at the street level.
 - b. Use large voids and large modulation changes to reduce the scale. Avoid building extrusions that increase the sense of bulk and scale at the north façade.
 - c. Rearrange upper building mass to reduce shadow impacts and reduce the scale on the north edge.
 - d. Two curb cuts flanking the main pedestrian entry at E. Fir St are problematic. Combine curb cuts if possible, and minimize the appearance of the garage entries and the interruption of the pedestrian environment on E. Fir St. This relates to the proposed departures.
 - e. The design of the streetscape and north façade at E. Fir Street should include a strong emphasis on enhancing the pedestrian connection from Boren Ave to 12th Ave. Use human scaled façade treatments at the street level.
 - f. It's unclear if the parking levels would be visible above grade. Avoid blank walls at the street level.

3. Entry:
 - a. The primary pedestrian entry to the site is at E. Fir St. Emphasize the visual and physical connection from E. Fir St to the interior courtyard.
 - b. Use the building entry design to reduce the appearance of scale on the north façade.
 - c. The entry should be designed to convey a 'sense of arrival' to the site, even though this is the quietest street adjacent to the site.
 - d. Consider locating the entry and a visual break in the north façade to respond to the intersection of 11th Avenue.

4. Architectural concept:
 - a. Design the large building with large scalar moves to reduce the appearance of building mass, at both the north edge and the facades facing the interior courtyard.
 - b. Design the smaller buildings with bold design emphasis, such as the interesting roof forms shown in the packet, in order to relate to the scale of the large buildings.
 - c. The examples shown on page 22 of the packet demonstrate this EDG direction.
 - d. The proposed development should include quality materials with a long life span.

At the Recommendation meeting, the applicant should provide graphics and text to demonstrate the response to the Early Design Guidance. The Board specifically requested the following additional information at the Recommendation meeting:

1. Demonstrate how the parking levels will relate to the pedestrian streetscape. Include sections, plans, elevations, landscape plans, perspectives, and any other information needed to demonstrate this response.
2. Provide floor plans and sections demonstrating the proposed parking levels in relation to the street, courtyard, and interior building spaces.
3. Provide street level elevations and perspectives with particular focus on E. Fir St.

RECOMMENDATIONS (JUNE 13, 2012):

Defensible space

1. Parking access area needs to be designed for personal safety, per the recommended condition described below – clear sight lines, lighting, eyes on the area, etc. (A-1, A-2, A-7, D-5, D-7)
2. The applicant indicated that the ADA van space has been revised to address the slope, but the Board noted some concern with the lack of clear information and recommended a condition to demonstrate adequate sight lines and design for personal safety. (A-8, D-7)
3. The open space for the townhouses at E. Yesler Way need clear separation from the street. (D-12)
 - a. This may include further setback from the E. Yesler Way property line, additional wall or fence height, additional landscaping, trees to buffer the yards from E. Yesler Way, etc.

Departures (Height, Bulk, Scale and Human Scale, materials)

1. The concepts of midrise shown on page 12 include large moves and fine grain interiors. (B-1, C-2, C-3, C-4)
 - a. The Board appreciated the large modulation gesture and use of color to enhance the design concept.
 - b. The details such as reglets, location of through wall flashing, corner boards, finish details may achieve the fine grain needed within the different colors/strategies.
 - c. The differences in the material textures don't seem significant enough to give the fine grain concept shown on page 12.

- d. Larger windows or varied window sizes should be used to emphasize the fine grain within the larger scale moves.
 - e. The simple design concept and treatment is good, but the finishing details need to be finely detailed to give a sophisticated and finished appearance.
 - f. The midrise building photos on page 12 show the purposeful moves of fine grain, fine scale.
 - g. Photo 2 of townhouses is the best example of the details that are needed with corner board strategies, window hierarchies, etc.
 - h. The Board recommended a condition related to refining the fine grain design of the facades.
2. The departures are acceptable, subject to the recommended conditions.

Entry

1. The Board recommended a condition to revise the entry design. (A-3, D-12)
 - a. The entry feels utilitarian and minimal for the scale of the façade.
 - b. The design of the steel canopy with round columns should be revised to feel more welcoming for residents returning home, with clear open spaces and appropriate lighting.
 - c. The entry needs to be strongly expressed in the vertical mass to make it visible from Boren Ave. This can also be used to improve the design concept of the north façade and reduce the bulk and scale at E. Fir St.
2. The Board strong supported emphasizing the visual connection through to the courtyard. (A-4, A-7, C-2, D-12)

Landscape: The Board noted that the landscape plan is well thought out and will enhance the building design, with the exception of the moss on the roof canopy. (E-2 and E-3)

The DPD Planner consulted with the Board Chair after the design response to conditions was received from the applicant, ensuring that the response met the intent of the Board's recommended conditions.

DESIGN REVIEW GUIDELINES

The Board identified the following Citywide Design Guidelines of highest priority for this project.

- A-1 Responding to Site Characteristics. The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.
- A-2 Streetscape Compatibility. The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.
- 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-7 Residential Open Space. Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.
- 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.
- B-1 Height, Bulk, and Scale Compatibility. 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. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk, and scale between anticipated development potential of the adjacent zones.
- 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 facade walls.
- C-3 Human Scale. The design of new buildings should incorporate architectural features, elements, and details 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.
- D-1 Pedestrian Open Spaces and Entrances. Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.
- D-5 Visual Impacts of Parking Structures. The visibility of all at-grade parking structures or accessory parking garages should be minimized. The parking portion of a structure should be architecturally compatible with the rest of the structure and streetscape. Open parking spaces and carports should be screened from the street and adjacent properties.
- D-7 Personal Safety and Security. Project design should consider opportunities for enhancing personal safety and security in the environment under review.
- D-12 Residential Entries and Transitions. For residential projects in commercial zones, the space between the residential entry and the sidewalk should provide security and privacy for residents and a visually interesting street front for pedestrians. Residential buildings should enhance the character of the streetscape with small gardens, stoops and other elements that work to create a transition between the public sidewalk and private entry.
- 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.

DEVELOPMENT STANDARD DEPARTURES

The Board's recommendation on the requested departures is based upon the departure's potential to help the project better meet these design guideline priorities and achieve a better overall design than could be achieved without the departures.

1. **Structure Width Limits (23.45.528.A):** The Code requires maximum building width of 150 feet. The applicant proposes a 215'5" foot building width at the north property line.

This departure would provide an overall design that would better meet the intent of Design Review Guidelines A-1, A-7, and B-1 by responding to the triangular shape of the lot, modulating and articulating the north façade, and providing additional usable space at the interior of the site.

The Board unanimously recommended that DPD grant the departure, subject to the conditions listed below.

2. **Structure Width and Depth Limits (23.45.528.B.1):** The Code requires maximum structure depth of 75% of the lot depth. The applicant proposes a structure depth of 79% of the lot depth.

This departure would provide an overall design that would better meet the intent of Design Review Guidelines A-1, A-7, and B-1 by responding to the triangular shape of the lot, modulating and articulating the north façade, and providing additional usable space at the interior of the site.

The Board unanimously recommended that DPD grant the departure, subject to the conditions listed below.

3. **Garage Doors – maximum area (23.45.536.D.3.a):** The Code requires that garage doors are limited to a maximum of 75 square feet each. The applicant proposes a 90 square foot garage door at one curb cut and two 90 square foot garage doors at the other curb cut. This is in response to the need for van accessibility into the garage, and sufficient garage door width at the two-way driveway.

This departure would provide an overall design that would better meet the intent of Design Review Guidelines A-2 and A-8 by minimizing the continuous width of garage doors at the E. Fir St façade, and by providing a visually interesting material on the garage door visible from E. Fir St.

The Board unanimously recommended that DPD grant the departure, subject to the conditions listed below.

4. **Garage Doors - setback (23.45.536.D.3.b):** The Code requires that garage doors are set back at least 15' from the street facing lot line. The applicant proposes to locate the ADA van garage door at 12'10-1/2" from the E. Fir St property line, flush with the building facade.

This departure would provide an overall design that would better meet the intent of Design Review Guidelines A-8 and D-7 by enhancing clear sight lines, and by providing a visually interesting material on the garage door visible from E. Fir St.

The Board unanimously recommended that DPD grant the departure, subject to the conditions listed below.

5. Driveway slope (23.54.030.D.3): The Code requires a maximum driveway slope of 15%. The applicant proposes a 20% driveway slope at the east driveway providing a short one-way access to enter the garage.

This departure would provide an overall design that would better meet the intent of Design Review Guidelines A-2 and A-8 by minimizing the continuous width of garage doors at the E. Fir St façade, and would be consistent with SDOT requirements.

The Board unanimously recommended that DPD grant the departure, subject to the conditions listed below.

6. Sight triangles (23.54.030.G.1): The Code requires sight triangles on either side of a 2-way driveway. The applicant proposes to retain a tree located in the sight triangle at the east edge of the property.

This departure would provide an overall design that would better meet the intent of Design Review Guidelines A-5 and E-3 by retaining an existing mature tree on site and maintaining screening for adjacent neighbors from the driveway.

The Board unanimously recommended that DPD grant the departure, subject to the conditions listed below.

BOARD RECOMMENDATION

The recommendation summarized below was based on the design review packet dated June 13, 2012 and the materials shown and verbally described by the applicant at the June 13, 2012 Design Recommendation meeting. After considering the site and context, hearing public comment, reconsidering the previously identified design priorities and initial recommendation conditions, and reviewing the plans and renderings, the five Design Review Board members recommended APPROVAL of the subject design and the requested development standard departure from the requirements of the Land Use Code (listed above). The Board recommended the following CONDITIONS (Authority referred in the letter and number in parenthesis):

1. Demonstrate that the garage entry, the ADA van garage entry, and northeast corner is designed for safety using techniques such as clear sight lines, adequate lighting, mirrors, etc. The departure to save the tree is warranted, but the vehicular entry needs to be designed for personal safety. (A-8, D-7)
2. Demonstrate graphically that the south end of the property is designed to provide defensible spaces for residents. (D-12)
3. Demonstrate how the finishing details (such as corner boards, through wall flashing, upper level canopies, townhouse porch columns) are finely detailed to give a sophisticated and finished appearance. (B-1, C-2, C-3, C-4)
4. Revise the entry to give a true sense of arrival, revise the canopy/lighting/detail to emphasize quality and richness, and the entry shall be vertically expressed and consistent with the building scale on the north façade (A-3, D-12)
5. Provide a lighting plan and demonstrate that the light fixtures are consistent with the architectural design and the lighting plan provides safety and security for residents through site. (A-7, D-1)

Response to Design Review Board Recommended Conditions:

1. The applicant has provide graphics demonstrating that the northeast corner will be designed for pedestrian and driver safety, as shown on the MUP plan sets. This condition is satisfied.
2. The applicant has provide graphics demonstrating that the south edge of the site will be designed to provide defensible spaces for the townhouse residents at that edge, as shown on the MUP plan sets. This condition is satisfied.
3. The applicant has provide graphics demonstrating that the finishing details will be detailed to meet the recommended design review condition, as shown on the MUP plan sets. This condition is satisfied.
4. The applicant has modified the building entry at E. Fir Street, as shown on the MUP plan sets. This condition is satisfied.
5. The applicant has provided a lighting plan and information about the lighting fixture designs. This condition is satisfied.

DECISION – DESIGN REVIEW

The proposed design and Development Standard Departures are **CONDITIONALLY GRANTED**, subject to the conditions listed below.

ANALYSIS - SEPA

Environmental review is required pursuant to the Washington Administrative Code 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05). The SEPA Overview Policy (SMC 25.05.665) 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 such limitations/circumstances (SMC 25.05.665) mitigation can be considered.

A Final Environmental Impact Statement (FEIS) was published for the Yesler Terrace Redevelopment Final Environmental Impact Statement in 2011. The FEIS identified and evaluated the probable significant environmental impacts that could result from the redevelopment of the larger Yesler Terrace area. That analysis evaluated the direct, indirect and cumulative impacts of the Preferred Alternative and other alternatives.

The subject site is within the geographic area that was analyzed in the FEIS and the proposed development is within the range of actions and impacts that were evaluated in the various alternatives. The site is located within the East of Boren sector described in the EIS. DPD determined that it is appropriate to adopt the FEIS and prepare an EIS Addendum to add more detailed, project-specific information related to the proposed development.

DPD adopts the FEIS. DPD relies on SMC 25.05.600, allowing the use of existing environmental documents as part of its SEPA responsibilities with this project. DPD has determined that the proposed impacts for this Master Use Permit are identified and analyzed in the referenced FEIS; however additional analysis is warranted as permitted pursuant to SMC 25.05.625-630, through an Addendum to the FEIS.

The EIS Addendum and related documents addressed the following areas of environmental impact:

- Land Use
- Earth
- Transportation
- Historic Resources
- Plants and Animals
- Public Views
- Construction

An Addendum analyzing these areas of environmental impact was prepared and the Notice of Adoption and Availability of Addendum (“Addendum to the Yesler Terrace Redevelopment Final EIS”) was published in the City’s Land Use Information Bulletin on December 6, 2012. A copy of the Addendum was sent to parties of record that commented on the EIS. In addition, a copy of the notice was sent to parties of record for this project.

ENVIRONMENTAL IMPACTS

The following is a discussion of the impacts identified in each element of the environment, along with indication of any required mitigation for the impacts disclosed. The impacts detailed below were identified and analyzed in the FEIS with more specific project-related discussion in the 2011 Addendum and related documents.

A. Short Term Impacts Identified in the FEIS

Construction

SMC 25.05.675.C provides policies to minimize or prevent temporary adverse impacts associated with construction activities. To that end, the Director may require an assessment of noise, drainage, erosion, water quality degradation, habitat disruption, pedestrian circulation and transportation, and mud and dust impacts likely to result from the construction phase.

The FEIS identified potential mitigation for construction noise at the site. Construction mitigation for the proposed development was discussed on pages 17-18 of the December 2012 Addendum to the Yesler Terrace Redevelopment EIS, and included the following:

1. Best management practices (BMPs) shall be implemented to reduce construction-related emissions. Such practices shall include measures for reducing exhaust emissions and fugitive dust, as follows:
 - a. Require that contractors use ultra-low sulfur diesel, bio-diesel, compressed natural gas, or compressed propane. If equipment uses diesel, it shall have been retrofitted with diesel control technology before use at Yesler Terrace.
 - b. Require that contractors install emission reduction retrofit equipment for on-road and off-road equipment consistent with the Puget Sound Clean Air Agency’s Diesel Solutions program.
 - c. Use Commute Trip Reduction (CTR) and other Transportation Demand Management (TDM) programs for construction workers.
 - d. Implement restrictions on construction truck and other vehicle idling, limiting idling time to a maximum of two minutes.

- e. Spray exposed soil with water or other suppressant to reduce emissions and deposition of particulate matter (PM).
 - f. Pave or use gravel on staging areas and access roadways that will be exposed and subject to erosion for longer than a month.
 - g. Cover all trucks transporting materials, wet or dry, or provide adequate freeboard (space from the top of the material to the top of the truck bed), to reduce PM emissions and deposition during transport.
 - h. Provide wheel washers to remove PM that would otherwise be carried off site by vehicles to decrease deposition of PM on area roadways.
 - i. Cover dirt, gravel, and debris piles to reduce dust and windblown debris.
 - j. Stage construction to reduce transportation system congestion and delays, in order to reduce local emissions during construction.
2. When underground steam pipes associated with the steam plant are uncovered during grading or excavation activities, they shall be evaluated for the presence of hazardous materials such as asbestos-containing materials. Any hazardous conditions that are identified shall be remediated.
 3. If groundwater or soil contamination is found exceeding the Department of Ecology's Model Toxics Control Act (MTCA) Method A cleanup levels, then evaluation, remediation and/or monitoring shall be conducted in accordance with MTCA cleanup standards.
 - a. The applicant shall submit a construction noise mitigation plan, subject to review and approval by DPD. This plan will include steps to limit decibel levels and duration of construction-related noise, as well as procedures for advanced notice to surrounding properties. All construction activities are limited to non-holiday weekdays between 7:00 A.M. and 6:00 P.M., except that quieter activities approved through a mitigation plan are allowed during the following hours:
 - i. Non-holiday weekdays between 6:00 P.M. and 8:00 P.M.;
 - ii. Saturdays between 9:00 A.M. and 6:00 P.M.; and
 - iii. Emergencies or work that must be done to coincide with street closures, utility interruptions or other similar necessary events.
 - b. At a minimum, the plan shall require that all construction activities include the following noise reduction measures:
 - iv. Contractors shall use properly sized and maintained mufflers, engine intake silencers, engine enclosures, and turn off idle equipment.
 - v. Mufflers shall be in good working order. Engine enclosures shall be used on equipment when the engine is the dominant source of noise.
 - vi. Stationary equipment shall be located as far away from sensitive receiving locations as possible. Where noise impacts are still significant, portable noise barriers shall be placed around the equipment with the opening directed away from noise-sensitive receiving locations.

- vii. To the extent feasible, hydraulic or electric models shall be substituted for impact tools such as jack hammers, rock drills and pavement breakers to reduce construction and demolition noise. Electric pumps shall be specified if pumps are required.
 - viii. To the extent feasible, contractors shall use broad-band or ambient sensing vehicle back-up alarms.
 - ix. Construction staging areas expected to be in use for more than two weeks shall be located away from sensitive receivers, particularly occupied residential units.
 - x. Contractors shall use temporary noise barriers to shield sensitive uses, and orient work areas to minimize noise transmission to sensitive off-site locations.
- c. Contractors shall follow the noise mitigation plan required above.

In order to mitigate construction impacts from the proposed development, the construction mitigation listed on pages 17-18 of the Addendum shall apply to the proposed development.

B. Long Term Impacts Identified in the FEIS

The following is a discussion of the impacts identified in each element of the environment, along with indication of any required mitigation for the impacts disclosed. The impacts detailed below were identified and analyzed in the FEIS.

Land Use

SMC 25.05.675.J establishes policies to ensure that proposed uses in development projects are reasonably compatible with surrounding uses and are consistent with applicable City land use regulations and the goals and policies set forth in the land use element of the Seattle Comprehensive Plan. Subject to the Overview Policy set forth in SMC Section 25.05.665, the decision maker may condition or deny any project to mitigate adverse land use impacts resulting from a proposed project. Density-related impacts of development are addressed under the policies set forth in SMC 25.05.675 G (height, bulk and scale), M (parking), R (traffic) and O (public services and facilities) and are not addressed under this policy.

The FEIS included an analysis of how the alternatives were consistent with land use policies based on impacts disclosed in the FEIS. The Addendum analyzed applicable development standards in the Land Use Code and the zoning for the site and the surrounding area. Therefore, the department concludes that no adverse land use impacts will occur as a result of the proposal.

Earth

The EIS included consideration of impacts to nearby below grade structures and designated steep slopes. The subject property is not located in the immediate vicinity of any of these structures or slopes.

The environmental review of this proposal and the Addendum also included specific analysis of soil samples on site, with no need for mitigation beyond the Seattle Grading and Drainage Codes. Therefore, the department concludes that no adverse earth impacts will occur as a result of the proposal.

Transportation

SMC 25.05.675R requires that the Director assess the extent of adverse impacts of traffic and transportation and the need for mitigation. The FEIS analysis considered the direct, indirect and cumulative impacts of that proposal and alternatives as they relate to the overall transportation system. The subject site is within the area analyzed in the EIS and the proposed development is within the range of actions and impacts evaluated in the EIS.

The traffic analysis associated with the proposed development (“Technical Memorandum, February 23, 2012”) referenced in the Addendum found that the proposed development would result in approximately 250 daily trips, 18 AM peak hour trips, and 19 PM peak hour trips. This is less than the amount of potential trips analyzed in the FEIS.

The study examined two intersections in the project vicinity and found that during the peak hour, all of the signalized study intersections are anticipated to operate at Level of Service (“LOS”) C or better by 2013 either with or without the project. The proposed access to the driveway would operate at LOS A or better.

Net increase of transit trips and non-motorized trips are also expected to be minimal and less than the impacts analyzed in the EIS.

All the PM peak hour trips are below the thresholds for mitigation listed in the FEIS.

The parking analysis indicated that the amount of proposed parking meets or exceeds the typical parking demand for Seattle Housing Authority developments, so no overflow parking impacts are expected.

DPD’s Transportation Planner has reviewed the Traffic and Parking Analysis and determined that the additional peak hour trips do not contribute significant adverse impacts requiring mitigation. Accordingly, no mitigation of impacts disclosed in this section is required.

Historic Preservation

SMC 25.05.675.H requires that the Director assess the extent of adverse impacts on historic resources and the need for mitigation. Four of the five buildings on the site are more than 50 years old.

The entirety of the Yesler Terrace site and all its buildings, including this site and the buildings on this site, were nominated by the Seattle Housing Authority to the Seattle Landmarks Preservation Board in March 2010. In October 2012, the Board declined to designate this site or the buildings on this site as landmarks. Accordingly, no mitigation of impacts is warranted pursuant to the applicable SEPA policies.

Plants and Animals

SMC 25.05.675.N provides policies to minimize or prevent adverse impacts to plants and animals. There are 12 trees on the site, 8 of which will be preserved with the new development. Tree survey and landscape plans are included in the MUP 3012897 plan set and this material was reviewed through Design Review.

The EIS identified one exceptional tree at the northwest corner of the site (Tree Tag No. 376, Survey No. 1059, Red Oak (*Quercus rubra*). This tree, together with one smaller tree whose roots and crown are intertwined with the exceptional tree, will be preserved and are incorporated into the design of the surrounding open spaces.

The tree retention and removal is consistent with the analysis in the Yesler Terrace Redevelopment EIS. Accordingly, no mitigation of impacts is warranted pursuant to the applicable SEPA policies.

Public Views

SMC 25.05.675.P provides policies to minimize impacts to designated public views listed in this section. East Yesler Way is a SEPA Scenic Route (per SMC 25.09.675.P).

The building proposed for this site, adjacent to E Yesler Way, is three stories as measured from E. Yesler Way, whereas buildings of six stores were evaluated in the EIS. Consequently the impact to the Scenic Route is less than identified in the EIS.

DECISION - STATE ENVIRONMENTAL POLICY ACT

The proposed action is **APPROVED WITH CONDITIONS.**

SEPA - CONDITIONS OF APPROVAL

Prior to Issuance of a Building Permit

1. A Construction Noise Management Plan shall be required, subject to review and approval by DPD. The Plan shall address the mitigation requirements listed on pages 17-18 of the December 2012 Addendum to the Yesler Terrace Redevelopment EIS.
2. The applicant shall provide DPD with a signed statement from the contractor, indicating they will comply with the construction mitigation identified on pages 17-18 of the December 2012 Addendum to the Yesler Terrace Redevelopment EIS.

During Construction

3. The construction mitigation described in pages 17-18 of the December 2012 Addendum to the Yesler Terrace Redevelopment EIS shall apply.

DESIGN REVIEW - CONDITIONS OF APPROVAL

Prior to Certificate of Occupancy

4. The Land Use Planner shall inspect materials, colors, and design of the constructed project. All items shall be constructed and finished as shown at the design recommendation meeting and the subsequently updated Master Use Plan set. Any change to the proposed design, materials, or colors shall require prior approval by the Land Use Planner (Shelley Bolser 206-733-9067 or shelley.bolser@seattle.gov).
5. The applicant shall provide a landscape certificate from Director's Rule 10-2011, indicating that all vegetation has been installed per approved landscape plans. Any change to the landscape plans approved with this Master Use Permit shall be approved by the DPD Land Use Planner (Shelley Bolser (206) 733-9067 or shelley.bolser@seattle.gov).

For the Life of the Project

6. The building and landscape design shall be substantially consistent with the materials represented at the Recommendation meeting and in the materials submitted after the Recommendation meeting, before the MUP issuance. Any change to the proposed design, including materials or colors, shall require prior approval by DPD (contact the Land Use Planner Shelley Bolser 206-733-9067 or shelley.bolser@seattle.gov).

Signature: (signature on file)
Shelley Bolser, AICP, LEED AP
Senior Land Use Planner
Department of Planning and Development

Date: January 14, 2013