



City of Seattle

Gregory J. Nickels, Mayor

Department of Planning and Development

Diane M. Sugimura, Director

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

Application Number: 3005519
Applicant Name: Gary Abrahams for T Mobile
Address of Proposal: 611 West Dravus Street

SUMMARY OF PROPOSED ACTION

Land Use Application to install a minor communication utility consisting of four panel antennas within a new 60' monopole (T-mobile). Equipment cabinet will be located in a new 150 sq. ft. structure at grade.

The following approvals are required:

Administrative Conditional Use Review - to allow a new 60' tall freestanding transmission tower for a minor communication utility in a Multi-Family Residential Lowrise 2 (L-2) zone to, pursuant to Seattle Municipal Code (SMC) 23.57.011.B.5.

SEPA - Environmental Determination pursuant to SMC 25.05.

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

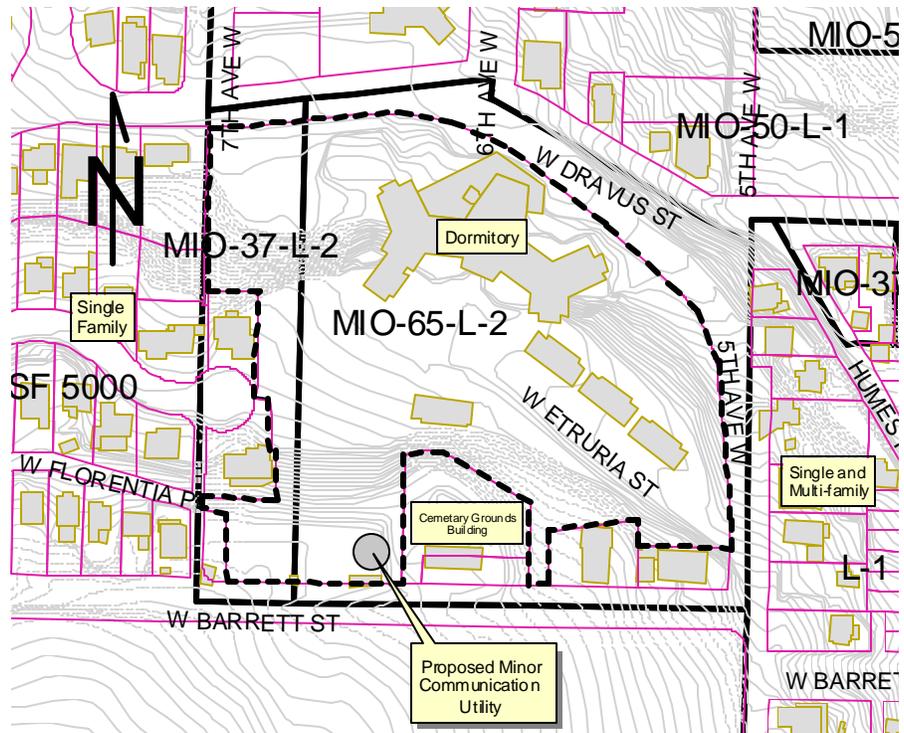
BACKGROUND DATA

Site Location and Description

The proposal site is addressed at 611 W. Dravus St. The proposed location of the transmission tower, antennas, and equipment shelter building would be approximately 25 feet from the south property line on West Barrett St. between 5th Ave W and 8th Ave W. The subject property is within a Lowrise Multi-family (L2) zone. Multi-family Lowrise 1 zoning is located to the north and east. Single Family (SF 5000) zoning is located to the west and south.

Development on the parcel consists of a dormitory building and office buildings for Seattle Pacific University. The lot slopes steeply from the south down to the north. The proposed minor communication utility would be located at the uphill area of the site at W. Barrett St.

Mount Pleasant Cemetery is located to the south across W. Barrett St. Immediately to the east of the proposed minor communication utility is a grounds maintenance building for the cemetery. Single family and multi-family development is located to the north, east, and west of the subject property.



Proposal Description

The proposed project consists of the installation of a minor communication facility for T Mobile, USA, Inc. The facility will consist of a new 60' tall monopole with four (4) antennas mounted at heights of 59'6" and 54'6" on the pole, and a 150 square foot mechanical equipment building at grade. The antennas are each 51.8" tall x 12.5" wide x 3.5" deep. All four antennas will be mounted directly to proposed monopole and shrouded with RF transparent material. The monopole will be painted dark green. The proposed mechanical equipment would be located inside of the proposed mechanical equipment building, which would be faced in lap siding painted a medium brown, with white trim. The monopole and equipment building would be screened from adjacent properties with landscaping buffers and a new six foot high wood fence.

An existing greenhouse and overhead roof structure would be demolished as part of the proposal. The existing soil storage bays and ecology blocks would remain.

Public Comments

Public notice of this proposal was issued on November 2nd, 2006. DPD received four comment letters from three neighbors regarding the proposed work.

ADMINISTRATIVE CONDITIONAL USE

Seattle Municipal Code (SMC) 23.57.011B provides that a minor communication utility and new freestanding transmission tower, as regulated pursuant to SMC 23.57.002, may be permitted in a Lowrise zone as an Administrative Conditional Use when it meets the development standards of SMC 23.57.011C and the following criteria, as applicable.

1. *The project shall not be substantially detrimental to the residential character of nearby residentially zoned areas, and the facility and the location proposed shall be the least intrusive facility at the least intrusive location consistent with effectively providing service. In considering detrimental impacts and the degree of intrusiveness, the impacts considered shall include but not be limited to visual, noise, compatibility with uses allowed in the zone, traffic, and the displacement of residential dwelling units.*

The proposed minor communication utility freestanding transmission tower and mechanical equipment building will be screened from adjacent properties and the street with landscaping and a six foot high wood fence. The transmission tower will be painted dark green to blend with the proposed Leland Cypress trees planted on the south and east sides of the site. The antennas and coaxial cables on the tower will be screened with RF transparent material, also painted dark green. The mechanical equipment building will be faced in brown painted lap siding with a dark colored composition roof. The visual impacts will be sufficiently addressed through the use of vegetation, color, fencing, and existing vegetation and topography. The neighboring property uphill of this location is a cemetery. The nearby residences would be screened by existing and proposed vegetation. The applicant has provided photographic simulations indicating the visual effect of the proposed transmission tower and mechanical building.

The applicant has submitted coverage area maps demonstrating service with and without the proposed facility, as well as a report from an RF Engineer demonstrating that the proposal would be located at the least intrusive facility in the least intrusive location.

The SEPA checklist indicates that the proposal would result in approximately one vehicle trip per month. Any noise produced by the mechanical equipment would be mitigated by its location inside the mechanical equipment shed and would meet City of Seattle noise code requirements. No residential dwelling units would be displaced as a result of this proposal.

2. *The visual impacts that are addressed in section 23.57.016 shall be mitigated to the greatest extent practicable.*

According to the plans submitted, the proposed structures would be screened and visually mitigated as described in the response to criteria #1. The proposal complies with this criterion.

3. *Within a Major Institution Overlay District, a Major Institution may locate a minor communication utility or an accessory communication device, either of which may be larger than permitted by the underlying zone, when:*
 - a.) *the antenna is at least one hundred feet (100') from a MIO boundary, and*
 - b.) *the antenna is substantially screened from the surrounding neighborhood's view.*

The proposed site is located within a Major Institution Overlay District, but the Major Institution is not the proponent of this application. The applicant is T Mobile, who would lease a part of the property from the Major Institution. This criterion is therefore not applicable.

4. *If the minor communication utility is proposed to exceed the zone height limit, the applicant shall demonstrate that the requested height is the minimum necessary for the effective functioning of the minor communication utility.*

The plans indicate that the proposed freestanding transmission tower would be 60 feet tall, the antennas would be mounted at a maximum height of 59'6", and the mechanical equipment shed would be 10 feet tall. The zone height limit for L2 zones is 30 feet. The applicant has submitted coverage area maps, narratives, and a report from an RF Engineer demonstrating that the requested transmission tower and antenna heights are the minimum necessary for the effective functioning of the minor communication utility. The proposal complies with this criterion.

5. *If the proposed minor communication utility is proposed to be a new freestanding transmission tower, the applicant shall demonstrate that it is not technically feasible for the proposed facility to be on another existing transmission tower or on an existing building in a manner that meets the applicable development standards. The location of a facility on a building on an alternative site or sites, including construction of a network that consists of a greater number of smaller less obtrusive utilities, shall be considered.*

The proposed minor communication utility includes a new freestanding transmission tower. The applicant has provided documentation from an RF Engineer demonstrating that alternative sites and a network of smaller less obtrusive utilities would not be technically feasible to achieve the same coverage area. The proposal meets this criterion.

DECISION - ADMINISTRATIVE CONDITIONAL USE

The Conditional Use application is **APPROVED** as noted below.

SEPA ANALYSIS

Environmental review resulting in a Threshold Determination is required pursuant to the State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05).

The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority. The Overview Policy states, in part: "Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation," subject to some limitations. Under such limitations/circumstances (SMC 225.05.665 D1-7) mitigation can be considered.

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant and dated September 29, 2006. The information in the checklist, public comment, and the experience of the lead agency with review of similar projects forms the basis for this analysis and decision.

Short-term Impacts

Construction and Noise Impacts

Codes and development regulations applicable to this proposal will provide sufficient mitigation for most impacts. The initial installation of the transmission tower, antennas, and equipment

may include loud equipment and activities. This construction activity may have an adverse impact on nearby residences. Due to the close proximity of nearby residences, the Department finds that the limitations of the Noise Ordinance are inadequate to appropriately mitigate the adverse noise impacts associated with the proposal. The SEPA Construction Impacts policies, (SMC 25.05.675.B) allow the Director to limit the hours of construction to mitigate adverse noise and other construction-related impacts. Therefore, the proposal is conditioned to limit construction activity to the days and hours listed in the conditions below.

Long-term Impacts

Environmental Elements

The existing site contains Environmentally Critical Areas, including Potential Slide ECA and Steep Slope ECA. DPD geotechnical engineers have reviewed the proposal and granted a partial limited steep slope exemption, with the condition that an orange safety fence is installed and activities are limited to those shown on the site plan in the file, signed by the geotechnical reviewer 9/27/06.

Aesthetics

The proposed freestanding transmission tower would be 60 feet tall and the proposed mechanical equipment building would be 10 feet tall. The aesthetic impact of these items has been addressed through the Administrative Conditional Use Permit review above.

Environmental Health

The Federal Communications Commission (FCC) has pre-empted state and local governments from regulating personal wireless service facilities on the basis of environmental effects of radio frequency emissions. As such, no mitigation measures are warranted pursuant to the SEPA Overview Policy (SMC 25.05.665).

The applicant has submitted a "Statement of Federal Communication Commission Compliance for Personal Wireless Service Facility" and an accompanying "Affidavit of Qualification and Certification" for this proposed facility giving the calculations of radiofrequency power density at roof and ground levels expected from this proposal and attesting to the qualifications of the Professional Engineer who made this assessment. This complies with the Seattle Municipal Code Section 25.10.300 that contains Electromagnetic Radiation standards with which the proposal must conform. The City's experience with review of this type of installation is that the EMR emissions constitute a small fraction of that permitted under both Federal standards and the standards of SMC 25.10.300 and therefore pose no threat to public health.

DECISION

This decision was made after review of a completed environmental checklist and other information on file with the responsible department and by the responsible official on behalf of the lead agency. 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 not to have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21.030(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).

ADMINISTRATIVE CONDITIONAL USE CONDITIONS - None

SEPA CONDITIONS

During Construction

The following condition to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the each street right-of-way and the alley. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other waterproofing material and shall remain posted on-site for the duration of the construction.

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

Construction activities outside the above-stated restrictions may be authorized upon approval of a Construction Noise Management Plan to address mitigation of noise impacts resulting from all construction activities. The Plan shall include a discussion on management of construction related noise, efforts to mitigate noise impacts and community outreach efforts to allow people within the immediate area of the project to have opportunities to contact the site to express concern about noise. Elements of noise mitigation may be incorporated into any Construction Management Plans required to mitigate any short -term transportation impacts that result from the project.

Signature: _____ (signature on file) Date: February 8, 2007
Shelley Bolser, Land Use Planner
Department of Planning and Development

SB:bg