



City of Seattle

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

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

Application Number: 3007377
Applicant Name: Bill North of the North Group
Address of Proposal: 3215 NE 143rd Street

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a new minor communication utility (Verizon Wireless) consisting of 12 panel antennas to be located on the roof of an existing apartment building and five equipment cabinets to be located in an equipment shed at the parking level*.

* The location of the equipment cabinets was changed from the roof top subsequent to the original notice.

The following approval is required:

SEPA - Environmental Determination (Chapter 25.05, Seattle Municipal Code).

SEPA DETERMINATION: Exempt DNS EIS

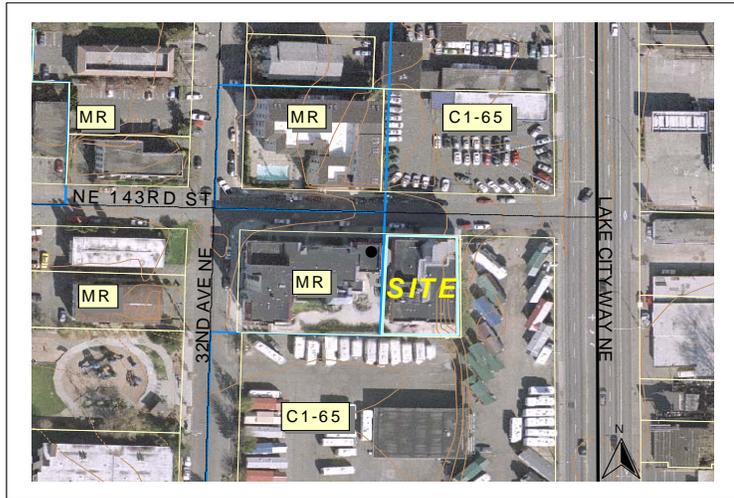
DNS with conditions

DNS involving non-exempt grading or demolition or
involving another agency with jurisdiction

BACKGROUND DATA

Site and Vicinity Description

The proposed site is located between Lake City Way NE and 32nd Avenue NE on the south side of NE 143rd Street. The parcel contains two apartment buildings, the one that is the subject of this application is zoned Commercial 1 with a 65 foot height limit while the other is zoned Midrise. The split-zoning continues on the parcel north of the site across NE 143rd St., but the predominant zoning along Lake City Way NE is Commercial (C1-65 on the west side of the street and C1-40) on the east side. Existing development in the vicinity of the proposal is consistent with the underlying zoning.



Proposal Description

The proposed project consists of the installation of a minor communication facility on the roof of an apartment building with ancillary equipment located in a new “doghouse” shed at parking level one. A Clearwire minor communication facility was approved in 2003 and will remain. The antenna arrays and equipment cabinets are proposed to be screened by walls 5 to 7 feet higher than the building parapet designed to mimic the existing elevator penthouses. The equipment shed will use materials and colors similar to the adjacent portions of the building.

Public Comments

The comment period ended on November 7, 2007. No comments on the application have been received.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist dated August 23, 2007. The information in the checklist, applicant’s statement of Federal Communication Commission Compliance, supplemental information and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision.

Many environmental concerns have been addressed in the City’s codes and regulations. The SEPA Overview Policy (SMC 25.05.665) discusses the relationship between the City’s code/policies and environmental review. 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. It may be appropriate to deny or mitigate a project based on adverse environmental impacts in certain circumstances as discussed in SMC 25.05.665 D1-7. In consideration of these policies, a more detailed discussion of some of the potential impacts is appropriate.

Short - Term Impacts

The following temporary or construction-related impacts are expected; decreased air quality due to suspended particulates from building activities and hydrocarbon emissions from construction vehicles and equipment; increased traffic and demand for parking from construction equipment and personnel; increased noise; consumption of renewable and non-renewable resources. These impacts are expected to be very minor in scope and of very short duration considering the installation process. No conditioning pursuant to SEPA is warranted.

Long - Term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal, namely increases in demand for energy and increased generation of electromagnetic radiation emission. These long-term impacts are not considered significant or of sufficient adversity to warrant mitigation. However, due to the widespread public concerns expressed about electromagnetic radiation, this impact is further discussed below.

The Federal Communications Commission (FCC) has been given exclusive jurisdiction to regulate wireless facilities based on the effects of electromagnetic radiation emissions. The FCC, the City and County have adopted standards addressing maximum permissible exposure (MPE) limits for these facilities to ensure the health and safety of the general public. The Seattle-King County Department of Public Health has reviewed hundreds of these sites and found that the exposures fall well below all the maximum permissible exposure (MPE) limits. The Department of Public Health does not believe these utilities to be a threat to public health.

The City is not aware of interference complaints from the operation of other installations from persons operating electronic equipment, including sensitive medical devices (e.g. - pacemakers). The Land Use Code (SMC 23.57.012C2) requires that warning signs be posted at every point of access to the antennas noting the presence of electromagnetic radiation. In the event that any interference was to result from this proposal in nearby homes and businesses or in clinical medical applications, the FCC has authority to require the facility to cease operation until the issue is resolved.

The information discussed above, review of literature regarding these facilities, and the experience of the Departments of Planning and Development and Public Health with the review of similar projects form the basis for this analysis and decision. The Department concludes that no mitigation for electromagnetic radiation emission impacts pursuant to SEPA policies is warranted.

The roof mounted equipment will generate some noise, however there is only one other five-story building in the vicinity, see below. It is located to the northwest of the site across NE 143rd Street. Due to the location of the equipment, the antenna screen walls and the roof parapet there is no line-of-sight between the equipment and the receiving residential property therefore no noise impacts during operation are expected.



Other long term impacts such as visual impact, height, traffic, and air quality are minor and adequately mitigated by the City's existing codes and ordinances. Provided that the proposal is constructed according to approved plans, no further mitigation pursuant to SEPA is warranted.

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.

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 - SEPA

None.

Signature: _____ (signature on file) Date: June 5, 2008

Nora Gierloff, Land Use Planner
Department of Planning and Development

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