City of Seattle
Gregory J. Nickels, Mayor

Department of Planning and Development
Diane Sugimura, Director

CITY OF SEATTLE
ANALYSIS AND RECOMMENDATION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT

Application Number:	3007757
Council File Number:	309169
Applicant Name:	Seattle Department of Fleets and Facilities
Address of Proposal:	1050 NE 50th Street (Fire Station 17)

SUMMARY OF PROPOSED ACTION

Council Land Use Action to allow an 11,000 sq. ft. addition to an existing fire station (#17) with outdoor training area and surface parking for 13 vehicles. Project includes 6,000 cu. yds. of grading. Three existing residential structures to be demolished.

The following approvals are required:

Council Land Use Action –for concept approval and to waive or modify development standards for a City facility - (SMC Chapter 23.76.064)

SEPA - Environmental Determination - (SMC Chapter 25.05)

SEPA DETERMINATION: [ ] Exempt [ ] DNS [ ] EIS

[X] DNS with conditions

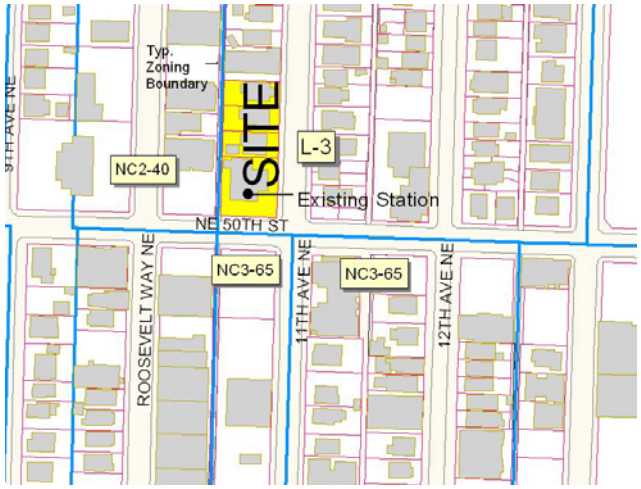
[ ] DNS involving non exempt grading or demolition or involving another agency with jurisdiction.

BACKGROUND DATA

Site and Vicinity Description

The subject site is located at the northwest corner of NE 50th Street and 11th Avenue NE. The City of Seattle purchased three residential structures and parcels north of the existing fire station to facilitate the proposed project. The site has an area of 24,001 square feet and is zoned Lowrise 3. The residential structures provide 10 dwelling units which will be eliminated due to this proposal.

The character of 11th Avenue NE north of NE 50th Street transitions away from the commercial activity of the University district into a more residential feel. Surrounding property to the north and east fronting on 11th Avenue NE is zoned Lowrise 3 and is developed with multifamily housing. Surrounding property to the south across NE 50th Street is zoned Neighborhood Commercial 3 with a height limit of 65 feet (NC3-65) and is developed with a variety of commercial uses and structures, but has a prevalence of parking lots. Surrounding property to the west is zoned Neighborhood Commercial 2 with a height limit of 40 feet and is developed with a variety of commercial uses and structures.



The topography of the site is generally flat, within 1-2 feet; however, a small portion of the site about 30 feet south of the north property line has a 5% slope. The alley side of the site is about 5 foot higher in elevation. There are 9 mature trees on site; Atlas cedar (28 inch diameter), spruce, camellia, Lawson cypress, two cherry, weeping birch, Lombardy poplar and sycamore. All trees are proposed to be removed.

Both streets are fully improved with curb, gutter, and sidewalk; however, there are no street trees.

The existing 3-story station was built in 1929 in the Art Deco/Modern style. The station is a Battalion Headquarters (Battalion 6) station serving the neighborhoods of Northeast Seattle, Eastlake, and Capitol Hill. Currently, the facility houses an engine company, a ladder truck, a Battalion Chief, a reserve aid car, and a reserve Battalion Chief's car.

Proposal Description

Building additions and renovations of the existing station are proposed. The improvements will ideally offer a safer and more efficient work environment for supporting both fire and emergency medical calls. Construction is anticipated to begin in 2008 and finish in 2009.

Improvements will include:

- a structural upgrade to bring the station up to current seismic safety standards
- a 7,598 square foot addition on the north side of the station to support Battalion 6, which will provide additional space for fire fighting equipment and vehicles
- increased space for classroom instruction, physical training, and an outside court for conducting drills
- new firefighter living quarters
- renovated administration area
- improved mechanical and electrical systems
- parking for 13 staff vehicles

The addition will add square footage to the existing station as detailed below:

Level	Existing SF	New SF	Total SF
Basement	3,665	0	3,665
1st Floor	4,516	4,452	8,968
Mezzanine	2,622	665	3,287
2nd Floor	3,183	2,482	5,665
Total	13,987	7,598	21,586
Source: Plan sheet A2.1 issue date 9/12/07			

The existing station includes a 4 bay apparatus garage that takes access from NE 50th Street and a curbcut on 11th Avenue NE which provides access to a basement garage. The 4 bay apparatus garage will remain but the basement garage will be renovated into storage and mechanical space. The curbcut associated with the basement garage will be removed and replaced with sidewalk. The addition includes a new 3 bay apparatus garage and curbcut accessed from 11th Avenue NE. The new apparatus bay will house a ladder truck, engine and tunnel rescue vehicle. The drill court/staff parking area will be accessed from 11th Avenue NE as well. The staff parking area will provide parking for 13 vehicles when drilling is not occurring.

Landmarks Preservation Board

The fire station received landmark designation on June 28, 2005. The landmark features of the building, as agreed upon in the controls and incentives document, consist of the exterior of the building, the poles and pole niches in the apparatus room, and the site (exclusive of changes to landscaping). The applicant applied for a Certificate of Approval for preliminary design on January 4, 2008. The Architectural Review Committee (ARC) received briefings on the project on August 10, 2007 and on March 28, 2008. At the March 2008 briefing, the applicant received positive feedback on the design, and the Committee felt it complemented the Landmark structure. The ARC provided support for the proposed wavier and modifications from the development standards and support for the project in general. Future approval of the Certificate of Approval is expected with this SEPA determination.

Public Comments

No public comments were received during the public comment period which ended on October 31, 2007.

ANALYSIS — COUNCIL LAND USE ACTION

Fire stations in multifamily zones may be permitted outright when they meet the development standards for institutions. Fire stations that do not meet development standards may be permitted by City Council. In this case, the proposed station does not meet development standards related to structure height, curbcut width, side setback and structure width:

SMC 23.76.064 includes provisions for the City Council to grant concept approval and to waive or modify applicable development standards, accessory use requirements, special use requirements or conditional use criteria for City Facilities. SMC 23.76.064 classifies this decision as a legislative action (Type V).

Section 23.45.106 includes criteria that must be satisfied to permit a public facility that does not meet development standards within multifamily zones:

1. *The project provides unique services which are not provided to the community by the private sector, such as police and fire stations; and*

   The project provides a unique service as a fire station.

2. *The proposed location is required to meet specific public service delivery needs; and*

   The project is located so that it can rapidly and adequately respond to emergencies which are an essential public service. The station is a Battalion Headquarters (Battalion 6) station serving the neighborhoods of northeast Seattle, Eastlake, and Capitol Hill.

3. *The waiver or modification to the development standards is necessary to meet specific public service delivery needs; and*

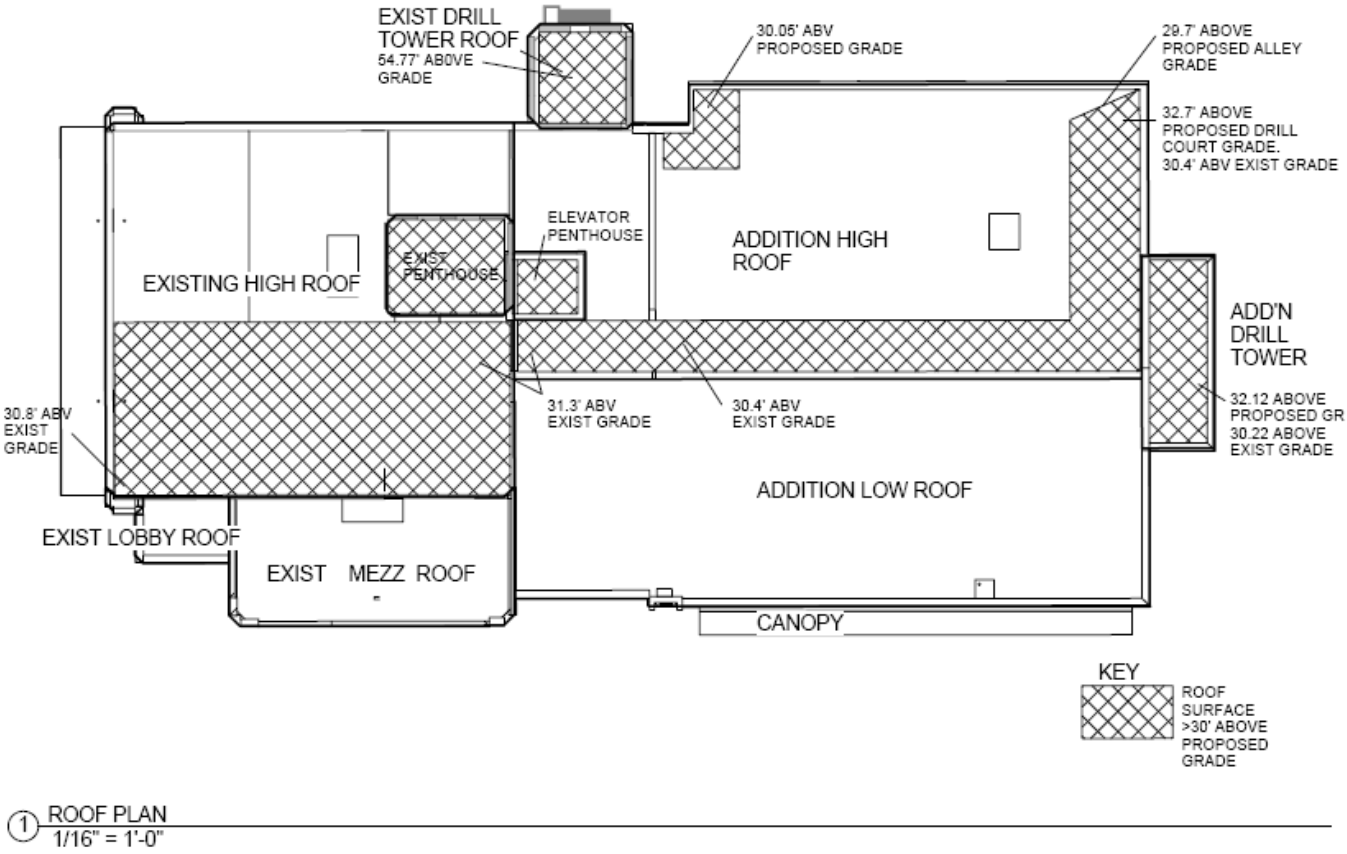
   The table below describes the modification to development standards:

Table A

Development Standard	Required	Proposed	Modification Amount
SMC 23.45.009 Structure Height	30 feet	Varies with highest at 32.7 feet	3 feet in additional height
SMC 23.54.003F Curb Cuts	Maximum curbcut width 30 feet	60 feet -curbcut width for emergency vehicles	30 feet wider than allowed
SMC 23.45.096 Side (alley) Setback	18 feet	7 feet	11 feet less than required
SMC 23.45.094 Structure Width	Width in excess of 60 feet needs modulation	71 feet without code complying modulation	11 feet wider than allowed without modulation

Structure Height

A modification is requested to exceed the base height allowed in the Lowrise 3 zone by up to 3 feet. The proposed design exceeds the 30 foot height limit by less than an inch to 3 feet. The Lowrise 3 zone allows structures with pitched roofs to exceed the base height limit by up to 5 feet. The code also allows height exceptions for elevator and stair penthouses. There are no exceptions for flat roof structures as in this design. The plan below shows where portions of the roof are over the height limit.



The justification for the height modification requests consists of four basic premises:

1. The size of the site precludes a one story building
2. The existing landmark structure influences the height of the addition.
3. The apparatus bay must maintain a prescriptive clearance height
4. The structure must accommodate unique infrastructure and mechanical systems in the ceiling

Site selections for the city's fire stations and efforts to match sites with program requirements are challenging. Of the four types of fire stations (neighborhood I, neighborhood II, neighborhood III and battalion station), the battalion headquarters stations are the largest stations housing 13 on-duty staff, including the Battalion Chief and his vehicles, training classrooms and facilities, along with an engine, ladder and medic units. In this case, a two story addition is necessary to meet the extensive program requirement for a battalion station. To avoid a two story addition, either the site would need to be expanded or program compromised.

The existing structure is a city landmark and is considered non-conforming to current land use code height requirements in that it is over 30 feet tall. Efficient circulation and connections from the existing structure to the new addition are necessary and it is particularly important that there be no

steps or slopes within the living quarters. If designed to meet the code height limit, the addition would need to step down in height thereby creating a need for stairs or slopes within the living quarters. Operationally, steps or sloping ramps are not desirable for fire personnel that are expected to rapidly respond to calls, often late at night or early in the morning. The design strives to provide a clear, smooth and unobstructed path from the bunk rooms to the apparatus bay.

The apparatus bay must have enough clearance to accommodate the height of any rig at any time. Once the vehicles are inside the apparatus bay there must be adequate head room to perform various tasks. The proposed height of the apparatus bay is about 20 feet from the floor to the underside of the steel beams that support the 2nd floor, and provides minimal working clearance to get on top of the ladder and engine trucks to load/unload gear and do cleaning and minor maintenance work. The vehicles will be washed inside the apparatus bays and adequate room for this must be provided. Modern stations have immense mechanical and infrastructure needs that require space in the ceiling area. The ceilings are equipped with a vehicle tailpipe exhaust system, data and electrical outlets to connect to tools and equipment, space heaters, alerting system speakers, paddle fans, light fixtures, electrical conduit, sprinkler pipes, plumbing supply and waste lines.

The floor to floor height of the second floor is 10'3" at the highest point and is dictated by the immense mechanical and infrastructure needs in the ceiling that are necessary for fire stations. The floor to floor height of the apparatus bay together with the 2nd floor creates a structure which is over height by up to 3 feet. Height is measured from existing or finished grade, whichever is lower, so the measured height varies with the grade. Additionally, the roof has some slope for drainage. The living quarters, located on the 2nd floor have standard ceiling heights in that the proposed floor to finished ceiling height in the bunk rooms is 8 feet. The corridors will be designed with no finished ceiling in that there is a lack of space and will have 7'6" of head room.

The modification for height should be approved based on the above factors.

Curbcut Width

A modification is requested to exceed a maximum curbcut width of 30 feet when truck and auto access are combined. The existing station has about a 50 foot wide curbcut on NE 50th Street and an 11 foot curbcut along 11th Avenue NE. The curbcut along NE 50th Street will remain and the 11 foot curbcut along 11th Avenue NE will be removed and replaced with sidewalk. Two curbcuts are proposed along 11th Avenue NE; one curbcut 60 foot wide to access three emergency vehicle apparatus bays, and another 24 foot wide curbcut to access the surface parking and drill court.

The modification to allow a 60 foot wide curbcut along 11th Avenue NE is needed to meet operational needs and alleviate safety concerns. The requested width is the approximate width of the three apparatus bays, and allows the vehicles to pull straight out and exit without maneuvering. If a narrower curbcut was proposed then one rig would block or partially block the path of travel of another. Designing a narrower curbcut could slow response time by creating a need for the large vehicles to maneuver when exiting the bays.

The 24 foot curbcut proposed along 11th Avenue NE meets land use code requirements and will serve the staff parking and drill court. During drills the engine and ladder trucks will be used and must be able to access the drill court area; therefore, the curbcut width cannot be narrowed.

It should be noted that DPD has proposed separate legislation which amends the land use code with respect to curbcut width for fire stations. There would be no maximum width required for curb cuts intended to provide access for official emergency vehicles. The legislation is proposed because every new station needs to have a curbcut wider than allowed by code to provide access to emergency vehicles, and this is integral to providing emergency services.

The curbcut width proposed is necessary to meet specific public service delivery needs and should be approved.

Setback

The required side (alley) setback is 18 feet and the proposed setback is 7 feet; therefore a modification is requested in the amount of 11 feet. The setback is determined by the structure depth and height in that more depth and greater height results in a greater setback. The project requires a 3 foot alley dedication so that the new property line is 3 feet closer to the structure. Without dedication the setback proposed would be 10 feet. The other setbacks for the proposed addition meet the land use code requirements. Most of the existing fire station structure is about 13 feet from the new alley property line except for the old drill tower which will provide no setback to the new property line.

The zoning across the alley to the west is Neighborhood Commercial 2 with a 40 foot height limit (NC2-40). No setback would be required for a new 40 foot tall structure on the Plaid Pantry site. The adjacent NC2-40 sites north of the Plaid Pantry site could be built without setback up to 40 feet in height. However, a more common building type is one that contains residential and non-residential uses, and the land use code requires these structures provide a 15 foot alley setback above 13 feet.

The site is adjacent to more intense zoning on the west and south which mitigates to some extent the need for greater setback. The program needs, specifically the apparatus bay length require the setback encroachment. The setback proposed on the street side is 19 feet so shifting the apparatus bay to the east would shorten the drive apron and likely involve encroachment into the street setback. This option would shift more mass towards the street and L-3 zoned properties and would not be ideal.

The setback modification should be approved.

Structure Width and Modulation

In this case, the land use code requires facades to be modulated when they exceed a width of 60 feet. Width in this case is measured in an east-west direction, parallel to NE 50th Street and the proposed width is 71 feet. There are numerous prescriptive standards for modulation including:

- A minimum depth of modulation of 4 feet
- A minimum height of modulation of 5 feet
- A minimum width of modulation of 14 feet
- Any un-modulated portion of the façade shall not comprise more than 50% of the total façade area

The project does not meet the last bullet in that more than 50% of the façade is un-modulated; the other standards are met. The entire second floor of the addition steps back from the first floor by 30 feet. The portion of the façade which comprises more than 50% of the façade is the apparatus bay along 11th Avenue NE. The apparatus bays must be of a sufficient size to accommodate the emergency vehicles proposed for the space as well as to have the flexibility to accommodate any fire department vehicle, described as "any rig any time". Flexibility and functionality in the fire service is an important consideration and seems to clearly address the public service delivery needs criteria required with this application.

While it is conceivable that the bays could be modulated, it is not feasible at this site because the site is not wide enough to accommodate a staggered bay design. Shortening the drive apron or decreasing the setbacks, i.e. - seeking more modification of the setback in order to achieve or attempt to achieve the modulation requirements does not seem to be a beneficial option. Instead the design proposed meets most of the modulation standards while minimizing encroachments into the setbacks while also meeting the program needs for apparatus bay length and drive apron length. The modulation modification should be approved.

4. *The relationship of the project to the surrounding area has been considered in the design, siting, landscaping, and screening of the facility.*

Adjacent property is zoned for more intense development to the west and south in that the zoning is NC2-40 and NC3-65. Adjacent property to the north and east is zoned the same as the subject site, L-3.

The north side of the development site contains surface parking and drill court so that the mass of the building is about 65 feet away from the north property line. The large setback on the north side creates a transition between the fire station and the apartment building to the north. The apartment to the north will be impacted from noise and activity in the surface parking lot and drill court, but the large setback will mitigate the height, bulk and scale of the structure. It is expected that the drill court will not be used for drills in the early morning or late evening when residents are at rest or trying to sleep. A 5 foot wide landscape buffer and 6 foot high fence will be provided along the north property line which will screen the parking/drill court from the apartment building to the north. The plant material proposed is a mix between deciduous and evergreen trees and shrubs.

The fire station will meet the required 18 foot setback on the 11th Avenue street side so that adjacent property will be more than 75 feet away from the proposed fire station. This includes the street right of way. Again, the large setback will mitigate the height, bulk and scale of the building from adjacent properties.

The fire department is required to use lights and sirens when responding to emergencies to warn other vehicles and persons. Vehicle and siren noise will likely impact surrounding property; however, this impact is unavoidable.

The surrounding area has been considered in the design, siting, landscaping and screening of the facility. The buildings are adequately setback from the abutting property lines and appropriately landscaped and screened from neighboring property.

RECOMMENDATION – COUNCIL APPROVALS

DPD **recommends approval** of the proposed fire station use in Lowrise 3 zone with the requested modification to development standards as described in Table A.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated September 12, 2007 and annotated by the Department. The information in the checklist, supplemental information provided by the applicant, project plans, 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 23.05.665) 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 limitation". The Overview Policy in SMC 23.05.665 D1-7, states that in limited circumstances it may be appropriate to deny or mitigate a project based on adverse environmental impacts.

The policies for specific elements of the environment (SMC 25.05.675) describe the relationship with the Overview Policy and indicate when the Overview Policy is applicable. Not all elements of the environment are subject to the Overview Policy (e.g., Traffic and Transportation, Plants and Animals and Shadows on Open Spaces). A detailed discussion of some of the specific elements of the environment and potential impacts is appropriate.

Short-term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to suspended particulate from building activities and hydrocarbon emissions from construction vehicles and equipment; increased dust caused by construction activities; increased traffic and demand for parking from construction equipment and personnel; conflict with normal pedestrian movement adjacent to the site; increased noise; and consumption of renewable and non-renewable resources.

Several adopted City codes and/or ordinances provide mitigation for some of the identified construction related impacts. Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts, but impacts such as air quality and noise require further discussion and may require SEPA mitigation.

Air Quality

The Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality and will require permits for removal of asbestos (if any) during demolition. The owner and/or responsible party (ies) are required to comply with the PSCAA rules pertaining to demolition of projects with or without asbestos. This will ensure proper handling and disposal of asbestos, as well as demolition of structures without asbestos. No further SEPA conditioning is necessary.

Noise

The project is expected to generate loud noise during demolition, grading and construction. These impacts would be especially adverse in the early morning, in the evening, and on weekends. The Seattle Noise Ordinance permits increases in permissible sound levels associated with construction and equipment between the hours of 7:00 AM and 10:00 PM on weekdays and 9:00 AM and 10:00 PM on weekends. The surrounding properties are developed with housing and will be impacted by construction noise. The limitations stipulated in the Noise Ordinance are not sufficient to mitigate noise impacts; therefore, pursuant to SEPA authority, the applicant shall be required to limit periods of construction activities (including but not limited to grading, deliveries, framing, roofing, and painting) to non-holiday weekdays from 7:00 AM to 6:00 PM.

Long-Term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased height, bulk and scale on the site; increased traffic in the area and increased demand for parking; increased demand for public services and utilities; increased light and glare; and impacts to plants and animals.

Long-term or use related impacts will likely be comparable to those already generated by the existing use. Hence, most long-term impacts are not considered significant because they are minor in scope.

Several adopted City codes and/or ordinances provide mitigation for some of the impacts. Specifically these are: the Seattle Building Code which provides prescriptive construction techniques and standards; and the Land Use Code which controls site coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long term impacts.

Height, Bulk and Scale

The SEPA Height, Bulk and Scale Policy (Section 25.06.675.G., SMC) states that *"the height, bulk and scale of development projects should be reasonably compatible with the general character of development anticipated by the goals and policies set forth in Section B of the land use element of the Seattle Comprehensive Plan regarding Land Use Categories, …and to provide for a reasonable transition between areas of less intensive zoning and more intensive zoning."*

The proposed fire station is expected to be reasonably compatible with the character of development anticipated in the Seattle Comprehensive Plan and provide appropriate transition. The design includes minor modifications to the land use code with respect to height, modulation and setback; however, the modifications proposed are not expected to make the design incompatible with surrounding development. Zoning to the west and south is more intense, and zoning to the north and east is the same. The mass of the building is sited on the southern portion of the site far away from the Lowrise 3 zone to the north. The 11th Avenue street right of way and the proposed 18 foot setback will provide a reasonable transition from the L-3 zoned property to the east. There are not topographical conditions that exacerbate the height, bulk and scale impacts of this proposal on neighboring property. In addition, design details, landscaping and finish materials will contribute towards mitigating the perception of height, bulk and scale in that these elements will break down the overall scale of the building. No further mitigation of height, bulk and scale impacts is warranted pursuant to SEPA policy (SMC 25.06.675.G.).

Traffic and Parking

The existing fire station has 4 parking spaces for emergency vehicles plus a basement space for a reserve vehicle for a total of 5. The proposed station will have 7 parking spaces for emergency vehicles resulting in a net gain of 2 emergency vehicles. The existing basement garage also provides space for 5 staff vehicles. The proposed station will provide 13 parking spaces for staff vehicles. Based on the Planner's site visit, about 10 on-street parking spaces will be lost due to the new curbcuts along 11th Avenue NE. However, the project will provide an additional 8 off street parking spaces for staff which should reduce the parking demand on the street. Additionally, the proposal will be demolishing 10 residential dwelling units that likely contribute to the on-street parking demand. The curbcut accessing the basement garage will be closed so that on-street parking could be restored at that location. A final determination on the amount of on-street parking available after project completion has not yet been determined; however, the impact on street parking is expected to be minimal in that all parking demand for staff is expected to be met on site.

The vehicle trips generated from the project are not expected to have adverse impacts on the street network, and proposed parking is expected to satisfy the parking demand for the project. Thus, no SEPA mitigation is necessary.

Noise

The project is expected to generate operational noise from fire alarms and sirens from emergency response vehicles (fire engines, ladder trucks and aid vehicles) when leaving the site. The site is close to residential uses, and alarms and sirens could be especially adverse in the early morning and in the evening. The Seattle Noise Control Ordinance exempts sounds created by fire alarms and emergency vehicles. Noise associated with sirens and alarms are an essential function of a fire station and are unavoidable. The Seattle Fire Department makes an effort to be good neighbors and uses discretion about when to activate sirens late at night or in the early morning. No conditions pursuant to SEPA authority are warranted.

RECOMMENDED CONDITIONS - SEPA

During Construction

The following condition(s) 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 street right-of-way. If more than one street abuts the site, conditions shall be posted at each street. 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 grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays[1] from 7am to 6pm. Interior work using equipment within a completely enclosed structure, such as but not limited to compressors, portable-powered and pneumatic powered equipment may be allowed on Saturdays between 9am and 6pm, 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 by the Land Use Planner when necessitated by unforeseen construction, safety, or street-use related situations. Requests for extended construction hours or weekend days must be submitted to the Land Use Planner at least three (3) days in advance of the requested dates in order to allow DPD to evaluate the request.

[1] New Year's Day, Martin Luther King Junior's Birthday, President's Day, Memorial Day, July 4, Labor Day, Veterans' Day, Thanksgiving Day and Christmas Day.

Signature: (signature on file) Date: May 22, 2008
Jess Harris, Senior Land Use Planner
Department of Planning and Development

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