



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: 3009046
Applicant Name: Cathy Funtanilla
Address of Proposal: 10 Boston Street

SUMMARY OF PROPOSED ACTION

Land Use Application to expand a minor communication utility to add one panel antenna and replace existing canister on the roof of existing structure (T-Mobile). Existing minor communication utility to remain.

The following approval is required:

SEPA - Environmental Determination – SMC Chapter 25.05

- 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 proposal site is situated on the northeasterly corner of the intersection of Queen Anne Avenue North and Boston Street, in the upper Queen Anne area of Seattle. The property contains a total area of approximately 10,800 sf. The parcel and the existing



buildings are within a Neighborhood Commercial (NC2-40') zone with a Pedestrian overlay (P). Development on the site consists of a two story mixed use building with a basement and a newer four story mixed use retail/apartment building with a below grade garage. The antenna will be added to the newer four-story building while the associated equipment will be located in the basement of the older two story building.

Currently wireless carriers including TMobile have minor communication facilities in this and the adjacent building. Surrounding property is zoned as NC2-40 to the south, north, east and west of the property with single family zoning to the northeast. Existing development in the vicinity of the proposal is predominantly commercial with single family residential uses to the northeast.

Proposal Description

The proposed project consists of the modification to an existing TMobile minor communication facility to replace an existing 18 inch diameter shroud with a 24 inch one to accommodate an additional antenna. The proposed shroud will be similar in appearance to the one it replaces and will be painted black. New coaxial cables will be run to the existing equipment cabinets in an existing enclosure in the basement.

Public Comment

The comment period ended on July 2, 2008 and no comments were received.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist dated June 2, 2008. 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 replacement of the shroud, installation of the additional antenna, and routing of additional coaxial cables to the telecommunications equipment in the basement is expected to cause very minor temporary construction impacts. These include decreased air quality due to suspended particulates from hydrocarbon emissions from construction and delivery

vehicles; increased noise; and consumption of renewable and non-renewable resources. These impacts are expected to be very minor in scope and of very short duration considering that during the installation process most work will be accomplished with hand tools. 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 associated equipment will generate some noise; however it will be contained within the basement of the building adjacent to the existing equipment enclosure. Due to the location of the equipment no adverse noise impacts during operation are expected and the Noise Ordinance will adequately regulate any noise impacts associated with the proposal.

The long term visual impact of the change is expected to be very minor. The 6 inch increase in diameter of the shroud located on the roof of the building should not be apparent to most observers. Most other buildings in the vicinity are lower in height and so do not have a clear view of the rooftop. Provided that the proposal is constructed according to approved plans, no further mitigation pursuant to SEPA is warranted.



The additional antenna should not require any ongoing maintenance visits in excess of those required for the existing installation; therefore no increase in vehicular trips associated with the project is expected.

Adverse impacts may be mitigated only if the decisionmaker finds that the applicable federal, state and regional regulations did not anticipate or are inadequate to address the particular impacts of a project. No unusual circumstances exist which warrant additional mitigation, pursuant to the SEPA Overview Policy.

DECISION

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 43.21.030(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).

CONDITIONS - SEPA

None.

Signature: _____ (signature on file) Date: July 24, 2008
Nora Gierloff, Land Use Planner
Department of Planning and Development

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