



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: 3010573
Applicant Name: Ronald Meckler
Address of Proposal: 2201 N. 56th Street

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a minor communications utility (Clearwire) consisting of three panel antennas, one microwave dish, and one equipment cabinet all to be mounted on the rooftop of an existing building.

The following approval is required:

SEPA – Environmental Determination - (Chapter 25.05 SMC).

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

BACKGROUND DATA

Site and Vicinity Description

The Greelake-area property, which is developed with a four-story apartment building, is zoned NC1-30. There is existing minor communications utility equipment on the building operated by another entity.

Proposal Description

The applicant proposes to construct and operate a minor communications utility on the roof of an existing four-story mixed use building within an 8' x 10' x 15' (high) penthouse-like structure. The radio equipment, including power and communication interfaces, will be housed in a single outdoor equipment cabinet on the roof.

Public Comments

None.

SEPA ANALYSIS

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant. The information in the checklist 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 25.05.554D) 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 D1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Short-term Impacts

The following temporary construction-related impacts are expected: 1) decreased air quality due to the increase dust and other suspended particulates from building activities; 2) increased noise and vibration from construction operations and equipment; 3) increased traffic and parking demand from construction personnel; 4) blockage of streets by construction vehicles/activities; 5) conflict with normal pedestrian movement adjacent to the site; and 6) consumption of renewable and non-renewable resources. Although not significant, the impacts are adverse and certain mitigation measures are appropriate as specified below.

City codes and/or ordinances apply to the proposal and will provide mitigation for some of the identified impacts. Specifically, these are: 1) Street Use Ordinance (watering streets to suppress dust, obstruction of the pedestrian right-of-way during construction, construction along the street right-of-way, and sidewalk repair); and 2) Building Code (construction measures in general). Compliance with these applicable codes and ordinances will be adequate to achieve sufficient mitigation and further mitigation by imposing specific conditions is not necessary for these impacts. The other short-term impacts not noted here as mitigated by codes, ordinances or conditions (e.g., increased traffic during construction, additional parking demand generated by construction personnel and equipment, increased use of energy and natural resources) are not sufficiently adverse to warrant further mitigation or discussion.

Greenhouse Gas

205 metric tons of carbon dioxide will be emitted (MTCO_{2e}) over lifespan.

Long-term Impacts

Long-term or use-related impacts are also anticipated, as a result of approval of this proposal including: increased traffic in the area and increased demand for parking due to maintenance of the facility; and increased demand for public services and utilities. These impacts are minor in scope and do not warrant additional conditioning pursuant to SEPA policies.

Height, Bulk and Scale

The proposed screening shroud is extremely bulky in relation to the relatively small pieces of equipment they would screen, as shown in the north and south elevations. However, the photo-simulation of how the development would appear when finished does show that the design is well-integrated with the rest of the structure – it appears like a massive chimney. Because of the scale of the building, and because the surrounding area is also developed with buildings of large scale, the massive chimney is not likely to present adverse impacts with respect to height, bulk or scale. However, it is crucial that the design be implemented as proposed. Hence, project approval is conditioned upon building the shroud so that it looks from all sides like the one shown in View #1: Proposed on the photo-sim dated 11 September 2009. Plans shall be revised to provide all details for such a shroud.

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 an “Evaluation of Compliance with Guidelines for Human Exposure to Radio Frequency Radiation” report and engineering 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 of Seattle, in conjunction with Seattle King County Department of Public Health, has determined that Personal Communication Systems (PCS) operate at frequencies far below the Maximum Permissible Exposure standards established by the Federal Communications Commission (FCC) and therefore, does not warrant any conditioning to mitigate for adverse impacts.

Summary

In conclusion, several effects on the environment would result from the proposed development. The conditions imposed at the end of this report are intended to mitigate specific impacts identified in the foregoing analysis, to control impacts not adequately regulated by codes or ordinances, per adopted City policies.

