



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: 3011396
Applicant Name: Jennifer Taylor for Clearwire
Address of Proposal: 9417 Roosevelt Way NE

SUMMARY OF PROPOSED ACTION

Land Use Application to expand a minor communication utility (Clearwire) by adding two panel antennas and one microwave dish to an existing monopole. Project also includes an additional equipment cabinet located at grade.

The following approval is required:

SEPA - Environmental Determination - Seattle Municipal Code (SMC) 25.05.

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 existing site is on the west side of Roosevelt midway between NE 94th and 95th Streets. It is zoned L2. Adjacent to the west is a SF-zone. Across the street to the east, the properties are zoned L2/RC. All of the properties in the area are subject to the Northgate Overlay district.

The site is presently used as a minor telecommunications utility. Residential uses prevail on the west side of Roosevelt. A mixture of residential and commercials are located across the street to the east.

Proposal Description

The applicant proposes to add a variety of telecommunications equipment to an existing monopole. An additional equipment cabinet would be installed at the base, within existing fencing.

Public Comments

No comments were received.

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; 6) increased greenhouse gas emissions due to construction-related activities; and 7) 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, increased greenhouse gas emissions) are not sufficiently adverse to warrant further mitigation or discussion.

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.

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 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. Furthermore, the Federal Communications Commission (FCC) has pre-empted state and local governments from regulating personal wireless service facilities of this size on the basis of environmental effects of radio frequency emissions.

Height, Bulk and Scale

The additions to the monopole would be noticeable, but not substantially adverse, if adverse at all. Post-construction, the development would simply appear like a modern transmission facility, much as it does today. This is the type of change to the structure which, after installation, is likely to be overlooked by neighbors and passersby. No mitigation is warranted.

Greenhouse Gas

The applicant has disclosed that there would be 39 MTCO_{2e} emitted over the lifespan of the project. There is no basis for mitigating the disclosed impact.

Noise

The proposal includes an equipment cabinet which is expected to emit some noise when it is in operation. An acoustic report accompanied the application which predicted that during the lower allowable noise levels during the night-time hours, the proposed location of the equipment cabinet could generate sound a few decibels above allowable levels. Since the project proposes to attenuate the sound through a plywood barrier to be added to existing fencing, no mitigation for noise impacts 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.

- [X] 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)
Jerry Suder, Land Use Planner
Department of Planning and Development

Date: January 10, 2011