



City of Seattle

Department of Planning and Development

Diane M. Sugimura, Director

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

Application Number: 3015590
Applicant Name: Tiffany McClurg of PTS (for SIRIUS)
Address of Proposal: 1407 2nd Avenue West

SUMMARY OF PROPOSED ACTION

Land Use Application to expand a minor communication utility by adding one satellite dish antenna and one panel antenna on the roof of an existing structure (Sirius XM Radio). Project includes replacing one panel antenna and the equipment cabinet.

The following approval is required:

Administrative Conditional Use Review – to expand a minor communication utility in a Midrise zone (SMC 23.57.011 B).

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

BACKGROUND DATA

Site Location and Description

The subject property is developed with apartments at the NW corner of the intersection of 2nd Ave W and W Lee St near the top of the south slope of Queen Anne hill. The existing SIRIUS XM Radio facility on the roof of this six-story building includes antennas and equipment that is generally not hidden behind screened enclosures. The immediate area to the south and east is zoned Midrise (MR) with properties adjacent to the west and southwest zoned LowRise2 (LR2) and LowRise1 (LR1) with Single Family residential (SF5000) beyond. There is an area zoned NC2 just north of adjacent properties with mapped height limits of 30 and 40 feet. The allowed

height of the subject MR zoned height, since it is in an urban village, is 85 feet although the existing building rooftop is lower at about 60 feet above grade with the an existing penthouse about 17 feet higher than the roof.

Public Comment

The public comment period for this project ended January 2, 2014. One comment letter was received.

ADMINISTRATIVE CONDITIONAL USE

Seattle Municipal Code (SMC) 23.57.011B provides that a minor communication utility, as regulated pursuant to SMC 23.57.002, may be permitted in a Midrise zone as an Administrative Conditional Use when it meets the development standards of SMC 23.57.011C and the following criteria, as applicable.

- 1. The project shall not be substantially detrimental to the residential character of nearby residentially zoned areas, and the facility and the location proposed shall be the least intrusive facility at the least intrusive location consistent with effectively providing service. In considering detrimental impacts and the degree of intrusiveness, the impacts considered shall include but not be limited to visual, noise, compatibility with uses allowed in the zone, traffic, and the displacement of residential dwelling units.*

The proposed additional antennas for the minor communication utility will be installed on the rooftop of an existing six-story apartment building in an MR zone. No additional noise impacts are anticipated and all equipment must operationally meet the requirements of the Noise Ordinance. The existing equipment cabinet will be replaced with a larger equipment cabinet that will be relocated on the rooftop of the apartment building. An acoustic report predicts that sound levels from the facility will fall below maximum allowable noise levels. No parking spaces or dwelling units will be removed. After a brief construction period, there are no additional traffic impacts anticipated.

The design, size, and height of existing antennas, in conjunction with their low visibility from the surrounding properties and structures, render the existing antennas to be visually unobtrusive. There will be very little perceptible change to the site once the project is completed. Since this is a modification of an existing facility, the end result should be less intrusive than adding an additional facility onto another site in the area. Therefore, this is the least intrusive location.

The proposed project will not require the expansion of public facilities and services for its construction, operation and maintenance. Once installation of additional antennas and equipment to the facility has been completed, occasional visits would occur for routine maintenance at a similar frequency as does the existing facility. No additional long-term traffic is anticipated.

- 2. The visual impacts that are addressed in section 23.57.016 shall be mitigated to the greatest extent practicable.*

The new satellite antenna will be fully screened per SMC 23.57.016. Additional smaller antennas will be mounted on the sides of the penthouse similar to existing antennas. Both new and existing antennas will be painted a color that is less contrasting with the background color of the penthouse which should result in a less intrusive facility than the existing condition.

3. *Within a Major Institution Overlay District, a Major Institution may locate a minor communication utility or an accessory communication device, either of which may be larger than permitted by the underlying zone, when:*
 - a.) *the antenna is at least one hundred feet (100') from a MIO boundary, and*
 - b.) *the antenna is substantially screened from the surrounding neighborhood's view.*

This proposal is not in or near a Major Institution Overlay District. Therefore, this criterion does not apply to the subject proposal.

4. *If the minor communication utility is proposed to exceed the zone height limit, the applicant shall demonstrate that the requested height is the minimum necessary for the effective functioning of the minor communication utility.*

The proposed antennas will not be located above the height limit.

5. *If the proposed minor communication utility is proposed to be a new freestanding transmission tower, the applicant shall demonstrate that it is not technically feasible for the proposed facility to be on another existing transmission tower or on an existing building in a manner that meets the applicable development standards. The location of a facility on a building on an alternative site or sites, including construction of a network that consists of a greater number of smaller less obtrusive utilities, shall be considered.*

The proposed minor communication utility will not be a new freestanding transmission tower. Therefore, this criterion does not apply to the subject proposal.

SUMMARY

The proposed project is consistent with the Administrative Conditional Use criteria of the City of Seattle Municipal Code as it applies to wireless communication utilities. The facility is minor in nature and will not be detrimental to the surrounding area while providing beneficial wireless communications service to the area.

DECISION - ADMINISTRATIVE CONDITIONAL USE

The Conditional Use application is **GRANTED**.

ADMINISTRATIVE CONDITIONAL USE CONDITIONS

None.

Signature: _____ (signature on file) Date: September 4, 2014
Jerry Suder, Land Use Planner Supervisor
Department of Planning and Development

JS:bg

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