



## City of Seattle

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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:** 3015849  
**Applicant Name:** Aileen Zavales of Lynx Consulting (for Verizon)  
**Address of Proposal:** 403 Terry Avenue (Terry Terrace Apts.)

#### **SUMMARY OF PROPOSED ACTION**

Land Use Application to allow an expansion of a minor communication utility from nine panel antennas to 12 panel antennas on the rooftop of an existing apartment building (Verizon Wireless).

The following approval is required:

**Administrative Conditional Use Review** – to allow expansion of 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 the Terry Terrace Apartments at the NW corner of the intersection of Terry Ave and Terrace Street. The existing three-story building has three areas on the roof, each containing a three antenna array that is mostly screened from view as a faux penthouse. Approximately the top 1/3 of each antenna extends above the screening panels per MUP 2105039 approved in 2003. The immediate area is zoned Midrise (MR) with properties further west zoned Highrise (HR). The adjacent properties on all sides but the northeast side of the site are also mapped as being within the Harborview Major Institution Overlay which allows buildings up to 125 or 250 feet tall.

Public Comment

The public comment period for this project ended September 25, 2013. One comment letter was received concerned about electromagnetic radiation and the effect on human sleep.

**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 three-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. 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. The existing screening will be replaced with slightly taller panels so that the top section of the existing antennas, as well as the proposed additional antennas, will now be fully screened from view. There will be very little perceptible change to the site once the project is completed compared to the existing condition although the facility will arguably be slightly less intrusive after the installation since the existing antennas will no longer be visible.

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

The proposal will include an improvement to the existing condition with a result of improved screening that will be more architecturally consistent with the design of the building than the existing screening. This will mitigate visual impacts to the greatest extent practicable.

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.*

While this proposal is near, and a small portion of the site appears to be in, a Major Institution Overlay District, the subject site is not owned, controlled or occupied by a major institution. 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 be located below the height limit for the Midrise zone.

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 needed and beneficial wireless communications service to the area.

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.

## **DECISION - ADMINISTRATIVE CONDITIONAL USE**

The Conditional Use application is **GRANTED**.

## **ADMINISTRATIVE CONDITIONAL USE CONDITIONS**

None.

Signature: \_\_\_\_\_ (signature on file) Date: January 16, 2014  
Jerry Suder, Land Use Planner Supervisor  
Department of Planning and Development

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