



**City of Seattle**  
Edward B. Murray, Mayor

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**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:** 3019417  
**Applicant Name:** James Cary for Seattle University  
**Address of Proposal:** 914 E Jefferson Street

**SUMMARY OF PROPOSED ACTION**

Land Use Application to allow a minor communication utility; consisting of one Low Power FM antenna to be located on the rooftop of an existing building (Campion Tower Residence Hall).

The following approvals are required:

**Administrative Conditional Use Review** – To allow a minor communication utility in a MIO-105-MR residential zone (SMC 23.57.011).

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

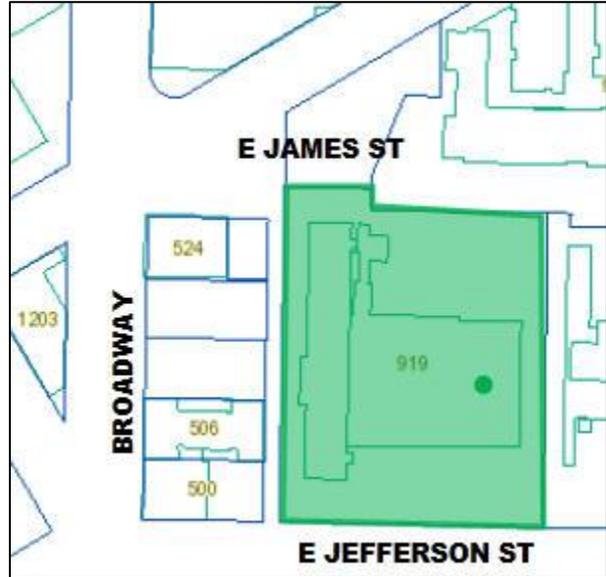
**BACKGROUND DATA**

**Site Location and Description**

The subject property, which is developed with a large college campus (Seattle University), is located just east of the First Hill Northgate neighborhood, roughly bounded by East Madison to the north, 15<sup>th</sup> Avenue to the east, East Jefferson Street to the south, and Broadway to the west. The underlying zoning for this southeast section of the campus is Midrise (MR) with other portions of the section having neighborhood commercial (NC) and a less dense multifamily (LR) zoning designations. A Major Institution Overlay zone (MIO) covers the campus with heights varying from 37 feet along portions of the east and south ends of campus, 65 feet on the easterly portion of the campus from 12<sup>th</sup> Avenue to the east boundary line, and up to 105 feet on the west

part of campus, at the location of the proposed facility. Much of the property to the west sits on a slope with a significant elevation change of approximately 60 feet over a distance of 500 feet.

Campion Hall, the site of the proposed development sits near the top of east slope on First Hill. The bulk of the building is somewhat obscured to the north, west and south due in part to the building's design, presence of other buildings, mature trees and topography. The building's upper level mass has a north/south orientation (253 feet width and 40 feet depth) which dominates the streetscape from the east. As viewed from the west along Broadway, the existing building fits within the context of existing and proposed structures. Campion is a visual beacon, establishing a landmark to navigate through the neighbor from the downhill slope to the east.



### Public Comment

The public comment period for this project ended February 2, 2015. No comments were received during the comment period.

### 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 by a Major Institute within a Major Institution Overlay District 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 proposal is to establish a new Low Power FM Broadcast (radio) Station requiring an antenna to reach its target audience within a 3.5 mile radius from the campus. The proposed establishment of one antenna for the minor communication utility will be installed on the rooftop of an existing 130-foot tall structure (Campion Hall) occupied by dormitories in an MIO-105-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 proposed single 3-inch (low luster) pole supporting the antenna will rise approximately 10 feet above mechanical penthouse, in conjunction with its low visibility from surrounding properties and structures; is anticipated to render the proposed antenna to be visually un-obtrusive. The proposed antenna will be located near the center of the upper level roof, attached to a mechanical penthouse, approximately 160 feet from the north and south property lines. The proposed antenna will be approximately 50 feet from more intensive zoned (MIO-90-NC3-85) lots to the west. As viewed from the closet street (12<sup>th</sup> Avenue) to the east, approximately 725 feet away, renders the proposed antenna visually un-obtrusive. Screening devices to encase the antenna is not preferable in this case; it would draw undesired attention, affectively making the proposed antenna slightly more intrusive. As proposed, there will be very little perceptible change to the site once the project is completed compared to the existing rooftop condition after the installation of the proposed antenna will be slightly visible. Therefore, the proposed facility is the least intrusive facility.

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

According to the plans submitted, the proposed antenna will be visually unobtrusive and be inconspicuous due to the proposed location of the 3-inch low luster pole near the middle of rooftop, attached the a mechanical penthouse while establishing a functionally effective service coverage area for the proposed Low Power FM Broadcast (radio) Station. Therefore, the proposal complies with this criterion.

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.*

The proposed site is located within a Major Institution Overlay District (MIO-105) and is a specific proposal of a Major Institution (Seattle University) to establish an accessory minor communication utility use. The proposal is located at least 100 feet from the MIO boundary and the one antenna attached to a 3-inch support pole is substantially screened due in part to its small size when contrasted against the existing building (Campion Hall) and distance to property boundary lines. Therefore, the proposal complies with this criterion.

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 proposal is to install one antenna mid-height on a pole extending 10 feet above the rooftop so that the maximum height of the antenna and support pole will not exceed 10 feet above the existing rooftop. The Radio Frequency Engineer for this project has documented the proposed height is the minimum required for the effective functioning of the minor communication utility. The Radio Frequency Engineer base their analysis from parameters set forth in a permit (BNPL-20131024AJB) issued to Seattle University by FCC authorizing the establishment of a Low Power FM Broadcast Station on the campus

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.

### **DECISION - ADMINISTRATIVE CONDITIONAL USE**

The Conditional Use application is **GRANTED**.

### **ADMINISTRATIVE CONDITIONAL USE CONDITIONS**

None

Signature: \_\_\_\_\_ Denise R. Minnerly for \_\_\_\_\_ Date: March 16, 2015  
Bradley Wilburn, Land Use Planner  
Department of Planning and Development

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**IMPORTANT INFORMATION FOR ISSUANCE OF YOUR MASTER USE PERMIT**

Master Use Permit Expiration and Issuance

The appealable land use decision on your Master Use Permit (MUP) application has now been published. At the conclusion of the appeal period, your permit will be considered “approved for issuance”. (If your decision is appealed, your permit will be considered “approved for issuance” on the fourth day following the City Hearing Examiner’s decision.) Projects requiring a Council land use action shall be considered “approved for issuance” following the Council’s decision.

The “approved for issuance” date marks the beginning of the **three year life** of the MUP approval, whether or not there are outstanding corrections to be made or pre-issuance conditions to be met. The permit must be issued by DPD within that three years or it will expire and be cancelled. (SMC 23-76-028) (Projects with a shoreline component have a **two year life**. Additional information regarding the effective date of shoreline permits may be found at 23.60.074.)

All outstanding corrections must be made, any pre-issuance conditions met and all outstanding fees paid before the permit is issued. You will be notified when your permit has issued.

Questions regarding the issuance and expiration of your permit may be addressed to the Public Resource Center at [prc@seattle.gov](mailto:prc@seattle.gov) or to our message line at 206-684-8467.