



City of Seattle
Edward B. Murray, Mayor

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: 3021247
Applicant Name: James Cary
Address of Proposal: 3642 33rd Ave S

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a new minor communication utility consisting of one low-power FM Radio antenna to an existing building (The Dakota).

The following approvals are required:

Administrative Conditional Use – to allow a minor communication utility FM Radio antenna above the height limit in a Commercial -2/65' zone (SMC 23.57.012B2).

BACKGROUND DATA

Site and Vicinity Description

The site, located on the roof of an apartment building, is located in a Commercial 2 with 65' height limit (C2-65') zone as is the adjacent parcel to the north. Properties to the east across 34th Ave S are zoned Commercial 2/40' height and Lowrise 2/RC, and properties to the west across 33rd Ave S are zoned Commercial 2/65'. Properties to the south, across S Charlestown Street, are NC2/65' and C2/65'. The site is a transition area between the commercial node to the south around 33rd Ave S & S Charlestown Street and the residential area to the east with a mix of larger multifamily buildings intermixed with and single family residences.

Proposal:

The proposal on approval will allow the location of a new Low Power FM Radio antenna to the top of an existing building (The Dakota). The antenna will extend twenty feet (20') above the

top of the existing mechanical penthouse. The antenna consists of a single 3" diameter galvanized iron pipe with a low power radio antenna installed 2' from its top. The top of the pipe is at 144.47' and the top of the penthouse is 124.47'. The roof deck of the Dakota is at 110.47', approximately 65' above grade.

Public Comments

No comment letter was received during the comment period which ended on November 1, 2015.

ADMINISTRATIVE CONDITIONAL USE - ANALYSIS

In Neighborhood Commercial, Commercial, and Seattle Mixed zones, an administrative conditional use shall be required ... for minor communication utilities and accessory communication devices that exceed the height limit of the underlying zone as modified by subsection 23.57.012.C. (SMC 23.57.012B) Approval shall be pursuant to the following criteria, as applicable:

1. *The proposal does not result in a significant change in the pedestrian or retail character of the commercial area.*

The proposal is to install antennas and supporting equipment on the roof of an existing 4 story mixed-use apartment building. This facility will be visually painted to match the appearance of a mechanical penthouse that is part of the building, similar to an existing mechanical penthouse on the roof. On the sidewalks close to the host building, the telecommunications facility will not be visible. From farther away, it will look like part of the apartment building. The facility is not expected to generate noise. Any noise anticipated from the cooling fan in the storage room where it is located will meet allowable daytime noise levels during testing. After installation of this telecom facility, there should be no significant change to the pedestrian or retail character of the area.

2. *If the minor communication utility is proposed to exceed the zone height limit as modified by subsection 23.57.012.C, the applicant shall demonstrate that the requested height is the minimum necessary for the effective functioning of the minor communication utility.*

The applicant has provided a statement from their Senior RF (radiofrequency) Engineer (Julian Adamaitis) that the height of the proposed facility is the minimum needed for the effective functioning of the minor communication facility.

ADMINISTRATIVE CONDITIONAL USE - DECISION

The applicant has demonstrated that the administrative conditional use criterion of 23.57.012B has been satisfied. Therefore, the Administrative Conditional Use Permit is **GRANTED**.

ADMINISTRATIVE CONDITIONAL USE - CONDITIONS

None.

Onum Esonu, Land Use Planner
Department of Planning and Development

Date: December 3, 2015

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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 or to our message line at 206-684-8467.