

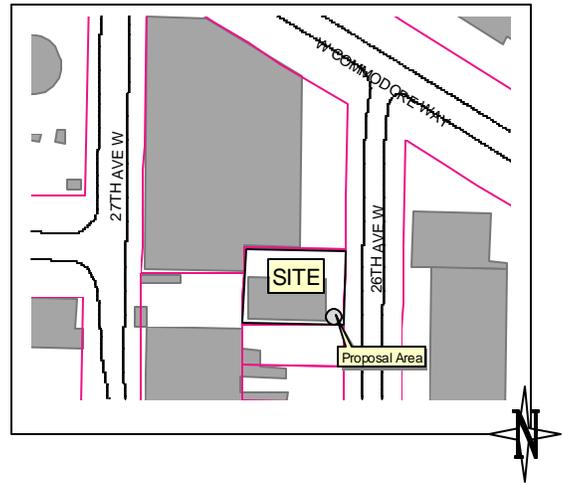


City of Seattle

Gregory J. Nickels, 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:** 3003551  
**Applicant Name:** Gary Abrahams on behalf of Voicestream  
**Service Provider:** T-Mobile  
**Address of Proposal:** 4459 26<sup>th</sup> Avenue West



**SUMMARY OF PROPOSED ACTION**

Master Use Permit to establish use for construction of a 110-foot tall monopole minor communication utility with three equipment cabinets located near the base of the monopole. The monopole will be disguised as a flagpole and all associated antennas will be concealed within the monopole. The lease area on the subject site contains 178 square foot, enclosed within a fence and is located towards the southeast corner of the site.

The following approvals are required:

**SEPA - Environmental Determination - Chapter 25.05, Seattle Municipal Code (“SMC”)**

**SEPA DETERMINATION:** [ ] EXEMPT [X] DNS [ ] EIS

[ ] DNS with conditions

[ ] DNS involving non-exempt grading or demolition involving another agency with jurisdiction

\*\*Early Notice DNS published December 29, 2005

## **BACKGROUND DATA**

### **Site Description**

The subject site is a rectangular shaped lot with an approximate lot area of 7,875 square feet. An existing building is located towards the southerly portion of the site and is being occupied as a machine shop for maritime equipment. The site gradually slopes down from west to east and is zoned General Industrial 2 U/65 (IG2 U/65). The site is also located within the Ballard Interbay Northend Manufacturing/Industrial area. 26<sup>th</sup> Avenue West Abuts to the east and is a hard surfaced road with no curbs, gutters or sidewalks.

### **Surrounding Area Description**

The surrounding properties are primarily industrial related uses. The surrounding stretch of area bounded within W Commodore Way to the north and Gilman PL W to the south is zoned IG2-U/65. The areas further to the north of W Commodore Way are zoned General Industrial 1 U/45 (IG1-U/45) and the areas to the south of Gilman PL W are zoned Industrial Buffer U/45 (IB-U/45).

### **Public Comments**

The application was deemed to be complete on November 23, 2005 and notice of application was sent on December 29, 2005. The 14 day public comment period ended on January 11, 2006. No public comments were received through the public notice process.

## **SEPA ANALYSIS**

Environmental review resulting in a Threshold Determination is required pursuant to the State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist prepared by Gary Abrahams, dated November 10, 2005, and reviewed by the Department. The information in the checklist, public comment, and the experience of the lead agency with review of similar projects forms the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665 D) 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 225.05.665 D1-7) mitigation can be considered.

### **Short-Term Impacts**

The following temporary construction-related impacts are expected: 1) decreased air quality due to increased 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; and 6) 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); 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) 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 monthly 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.

#### Aesthetics

The Land Use Code (SMC 23.57.016.J) requires that the proposed freestanding transmission towers (including monopoles) shall minimize external projections from the support structure to reduce visual impacts and to the extent feasible shall integrate antennas in a screening structure with the same dimensions as external dimensions of the support structure, or shall mount antennas with as little projection from the structure as feasible. The antennas will be located within the white painted monopole which is designed to appear and perform as a flagpole. The property owner will have discretion on the type of flag to be flown. The proposal includes installing three equipment cabinets on a 96 square foot concrete slab within a short radius from the monopole. The applicant has proposed a chain-link fence with privacy slats to secure and protect the monopole and accessory equipment cabinets from public view and access. Based upon the design of the monopole and the privacy fence, the visual impacts will be minimal. To further mitigate additional visual impacts, any painted (graffiti) defacement of the monopole, security fence or other visible areas of the subject site by the general public will be conditioned to be removed for the life of the proposal.

#### Height

The proposed monopole will have a height of 110 feet with the antennas located within the monopole. The height of the subject monopole structure is the minimum necessary to overcome the tree heights along Gilman Avenue West and the surrounding topography while also providing a line of sight transmission to the edge of the proposed service area. No adverse impacts associated with the proposed monopole height, which is within the height limit of the zone, have been identified.

#### Noise

Per a report dated November 9, 2005 (located in file 3003551), it was found the sound pressure level produced by the proposed VoiceStream Equipment at the south property line is 68 dBA,

which meets the 70 dBA WAC limit. The report also contains data on the existing and predicted noise environments, impact criteria, and an evaluation of the predicted sound levels as they relate to the criteria.

#### Electro-magnetic Radiation (EMR)

After reviewing the “Applicant’s Statement of FCC Compliance” letter dated November 1, 2005 (located in file 3003551), 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). Warning signs at every point of access to the transmitting antenna shall be posted with information of the existence of radiofrequency radiation.

The above-cited ordinance (Ordinance 116057, January 1992) was adopted specifically to ensure that the health and safety of the general public was protected from the adverse impact of electro-magnetic radiofrequency radiation and to establish performance standards to minimize health risks to the general public. The ordinance comprehensively covers all sources of radio frequency radiation and specifies radio frequency standards, measurement methods and permit requirements.

The City’s SEPA policy on Environmental Health is subject to the Overview Policy which states that when existing ordinances provide adequate protection, there is no basis for additional mitigation. At this time, no significant adverse health impacts to the general population are expected. The Department concludes that no further mitigation for EMR impacts, beyond the requirements of the Telecommunications Ordinance and Land Use Code are warranted pursuant to SEPA policies.

Additionally, the FCC has pre-empted State and local governments from regulating personal wireless service facilities on the basis of environmental effects of radio frequency emissions.

#### Summary

In conclusion, several effects on the environment would result from the proposed development. The conditions imposed at the end of this report are intended to mitigate specific impacts identified in the foregoing analysis, to control impacts not adequately regulated by codes or ordinances, per adopted City policies.

#### **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 not to have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21.030(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).

Land Use Code Requirement (Non-Appealable) Prior to Issuance of a Master Use Permit

The owner(s) and/or responsible party(s) shall:

1. Provide an integrated color scheme that includes the monopole, equipment cabinets, and screening wall. This shall be to the satisfaction of the Land Use Planner.

During the Life of the Proposal

The owner(s) and/or responsible party(s) shall:

2. Any defacement (including graffiti) of the proposal area shall be removed.

Signature: \_\_\_\_\_ (signature on file) Date: March 16, 2006

Mark Taylor, Land Use Planner  
Department of Planning and Development  
Land Use Services

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