

# 2  
CF 310940

**FINDINGS, CONCLUSIONS AND DECISION  
OF THE CITY COUNCIL OF THE CITY OF SEATTLE**

Council Concept Approval for a new **fire station (Fire Station No. 9)** in an environmentally critical area, located at 3829 Linden Avenue North, and request to modify certain development standards (Project No. 3009024/Type V).

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C.F. 310940  
Application #3009024  
**FINDINGS, CONCLUSIONS  
AND DECISION**

**Background**

The proposed project is an on-site replacement of the existing Fire Station 9 which is included in the list of stations to be replaced under the 2003 Fire Facilities and Emergency Response Levy. The replacement is needed to accommodate modern equipment, apparatus, and crew support functions that cannot be accommodated within the existing fire station. The project is defined as a public facility under Seattle Municipal Code (SMC) Section 23.84A.

As proposed, the project requires City Council concept approval under SMC Section 23.76.064, which section also authorizes Council to modify development standards for public facilities under SMC Sections 23.51A and 23.45.570. Six departures from development standards were requested.

The Department of Planning and Development (DPD) reviewed the proposed project and issued its Report and Recommendation on February 24, 2011. DPD recommends approval of the project, with one condition imposed under the City's environmental review ordinance (SEPA) that would limit construction hours.

On July 27, 2011 the City Council's Committee on the Built Environment (COBE) was briefed on the project and held a public hearing to accept comments on the project and DPD's recommendation. A second meeting to consider the project was held on August 18, 2011, resulting in COBE's vote recommending approval to the full City Council.

**Findings of Fact**

The City Council hereby adopts the following Findings of Fact:

1. Fire Station 9 is located in the Fremont neighborhood at 3829 Linden Ave N.
2. The site is 13,356 square feet in size, and is zoned Lowrise 2 (LR2), a multifamily zone.
3. The City of Seattle's Department of Finance and Administrative Services (FAS) has submitted a land use application to DPD to replace and expand Fire Station 9 at its existing location.

4. In the LR 2 zone, fire stations are public facilities permitted under SMC 23.51A. As public facilities, fire stations may be permitted outright when they meet use and development standards for Institutions in LR zones (SMC 23.45.570). Fire stations that do not meet use and development standards may be permitted by the City Council as a Type V land use decision under 23.76.064. In this case, the proposed station does not meet six development standards<sup>1</sup> of the LR 2 zone, as detailed in the following table:

Development Standard	Required	Proposed	Requested Modification
SMC 23.45.009 Structure Height	25 feet height limit for flat roofs, with an additional 10 feet in height allowed for stair penthouses	28 feet at the top of the flat roof and 39 feet at the top of the stair penthouse.	3 feet additional height to the top of the roof; 4 feet additional height for the stair penthouse
SMC 23.45.009 Height for flag poles	Freestanding flagpoles... are exempt from height controls... provided they are no closer to any lot line than 50 percent of their height above existing grade.	The proposed 45 foot flag pole would need to be 22 ½ feet from any property line.	Allow the proposed 45 foot tall flag pole to be 1 foot 10 inches from the front property line.
SMC 23.45.570D Structure Width	45 feet without modulation or landscape option 75 feet with modulation or landscape option	91 feet 8 inches, meeting modulation option	22%, or 16 feet 8 inches over maximum allowed structure width
SMC 23.45.570E Structure Depth	65% of lot depth, or 72 feet 8 inches	75% of lot depth, or 84 feet 4 inches	10%, or 11 feet 8 inches
SMC 23.45.570F1 Front Setback	19 feet 6 inches	12 feet 5 inches	7 foot 1 inch reduction
SMC 23.45.570F3 Side Setback	No features of an Institution allowed in a side setback	Allow cisterns for rainwater collection in a side setback	Allow cistern in the side setback

5. Numerous public comments on the proposal were received during DPD's review and public comment period. The majority of comments focused on the proposed demolition of the Fire Alarm Building (annex). The proposed demolition of the annex was referred to the City's Historic Preservation office, as required under SMC 25.12. While the building was nominated for designation as a City of Seattle Landmark, it was not designated. Other comments on the proposal focused on to what extent alternative sites were investigated to move the facility to a location closer to Aurora Ave N or another similar arterial, and the environmental impacts of the proposal.

<sup>1</sup> The project is vested to those development standards for Institutions in multifamily zones that were in effect prior to the adoption of Ordinance 123495.

6. For public facilities subject to Council approval, SMC Section 23.76.050 requires that the DPD Director develop a written report to Council, to include an evaluation of the proposal using standards and criteria for public facilities. The report must also include any requested departures from development standards, and an evaluation of environmental impacts under the City's local State Environmental Policy Act (SEPA) ordinance.

The DPD Director's written Analysis and Recommendation (report) , dated February 10, 2011, analyzes the proposal's impacts and compliance with two review criteria: 1) whether the location of the public facility addresses public service needs, and any waiver or departure from development standards or administrative conditional use criteria is necessitated by those public service delivery needs; and 2) if the impact of the public facility on surrounding properties has been addressed in the design, siting, landscaping and screening of the facility.

7. DPD concurred that the proposal meets the two review criteria and recommended that Council approve the new station and the requested departures from development standards.
8. DPD's SEPA analysis found that the project is expected to generate loud noise during demolition, grading and construction. DPD found that these impacts could be adverse to the surrounding residential area when conducted in the early morning, in the evening, and on weekends. Generally, the Seattle Noise Control Ordinance (SMC 25.08) permits increases in permissible sound levels associated with construction and equipment between the hours of 7:00 AM and 7:00 PM on weekdays and 9:00 AM and 7:00 PM on weekends. However, the permissible hours are extended to 10:00 p.m. for public projects. The properties surrounding Fire Station 9 are developed with housing and will be impacted by construction noise.

### Conclusions

The City Council hereby adopts the following Conclusions:

1. The proposed facility is a City facility as defined in SMC § 23.84A.006.
2. As required under SMC 23.51A, and documented in DPD's report, the proponent has demonstrated that:
  - a) The location of the public facility addresses public service needs, and the proposed six departures from development standards are necessitated by those public service delivery needs; and
  - b) The impact of the public facility on surrounding properties has been addressed in the design, siting, landscaping and screening of the facility.
3. In support of Conclusion, #2a, the Council concludes that:
  - a) The existing location is central to the delivery of fire services for Fremont and other neighborhoods, as evidenced in part by its close location to four arterials - N 39<sup>th</sup> Street, Fremont Way N, Fremont Ave N. and Aurora Ave N.;

- b) The existing location serves as a subregional base for fire suppression services including compressed air services;
  - c) The costs associated with finding a new location for Fire Station #9, and retiring the former fire station site, would be burdensome and it is unlikely that this would result in the improved delivery of fire services;
  - d) The design of the new fire station is informed by the size, dimension and orientation of the parcel, including its proximity to the right of way, the surrounding neighboring structures, and the environmentally critical area along the west portion of the property; and
  - e) The departures from development standards are necessary to ensure that the proposed Fire Station 9 will be designed to meet fire service for its service area.
4. In Support of Conclusion #2b, the Council concludes that
- a) The proposed design of the project received extensive review by the City's Design Commission, which included 3 separate review sessions accompanied by comments and recommendations on:
    - the choice of materials
    - the use of historical references from the existing buildings
    - the orientation of and siting of the building
    - the introduction of sustainability measures
  - b) While the project is not subject to the City's Design Review program, DPD adequately analyzed the potential height bulk and scale impacts under SEPA and appropriately determined that no mitigation was warranted
5. As detailed in DPD's analysis, the Council concurs that noise limitations in SMC 25.08 are not sufficient in this case to mitigate noise impacts and supports the proposed SEPA condition limiting work hours.

### Decision

#### **1. LAND USE**

The City Council hereby approves in concept the proposed Fire Station 9 City Facility, described in Clerk File 310940, and GRANTS the following modifications of development standards for the project:

**Modifications of Development Standards**

The following modifications to development standards are approved, with no conditions:

Development Standard	Required	Proposed	Approved Modification
SMC 23.45.009 Structure Height	25 feet height limit for flat roofs, with an additional 10 feet in height allowed for stair penthouses	28 feet at the top of the flat roof and 39 feet at the top of the stair penthouse.	3 feet additional height to the top of the roof; 4 feet additional height for the stair penthouse
SMC 23.45.009 Height for flag pole	Freestanding flagpoles... are exempt from height controls...provided they are no closer to any lot line than 50 percent of their height above existing grade.	The proposed 45 foot flag pole would need to be 22 ½ feet from any property line.	Allow the proposed 45 foot tall flag pole to be 1 foot 10 inches from the front property line.
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SMC 23.45.570F1 Front Setback	19 feet 6 inches	12 feet 5 inches	7 foot 1 inch reduction
SMC 23.45.570F3 Side Setback	No features of an Institution allowed in a side setback	Allow cisterns for rainwater collection in a side setback	Allow cisterns in the side setback

**2. SEPA**

The applicant is required to comply with the following condition, which is to be enforced during construction:

The following condition(s) to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. If more than one street abuts the site, conditions shall be posted at each street.

The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other waterproofing material and shall remain posted on-site for the duration of the construction.

1. All construction activities are subject to the limitations of the City's Noise Ordinance (SMC 25.08). Construction activities (including but not limited to grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays\*\* from 7am to 6pm. Interior work using equipment within a completely enclosed structure, such as but not limited to compressors, portable-powered and pneumatic powered equipment may be allowed on Saturdays between 9am and 6pm, provided windows and doors remain closed. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition.

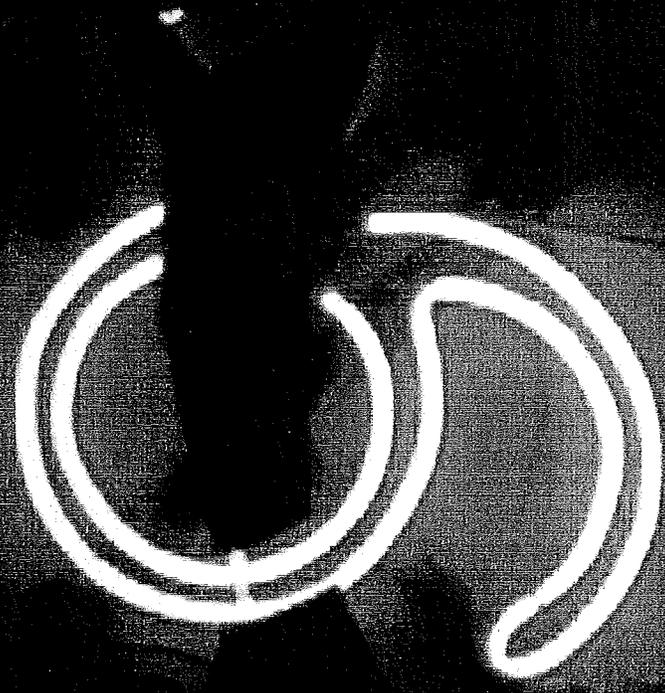
Construction activities outside the above-stated restrictions may be authorized by the Land Use Planner when necessitated by unforeseen construction, safety, or street-use related situations. Requests for extended construction hours or weekend days must be submitted to the Land Use Planner at least three (3) days in advance of the requested dates in order to allow DPD to evaluate the request.

\*\* (Non holiday week weekdays include New Year's Day, Martin Luther King Junior's Birthday, President's Day, Memorial Day, July 4, Labor Day, Veterans' Day, Thanksgiving Day and Christmas Day. )

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
City Council President

ENGINE



EVER READY



City of Seattle Neighborhood Fire Station 9

Committee on Built Environment Review - Construction Documents July 27, 2011

MITHÜN



North



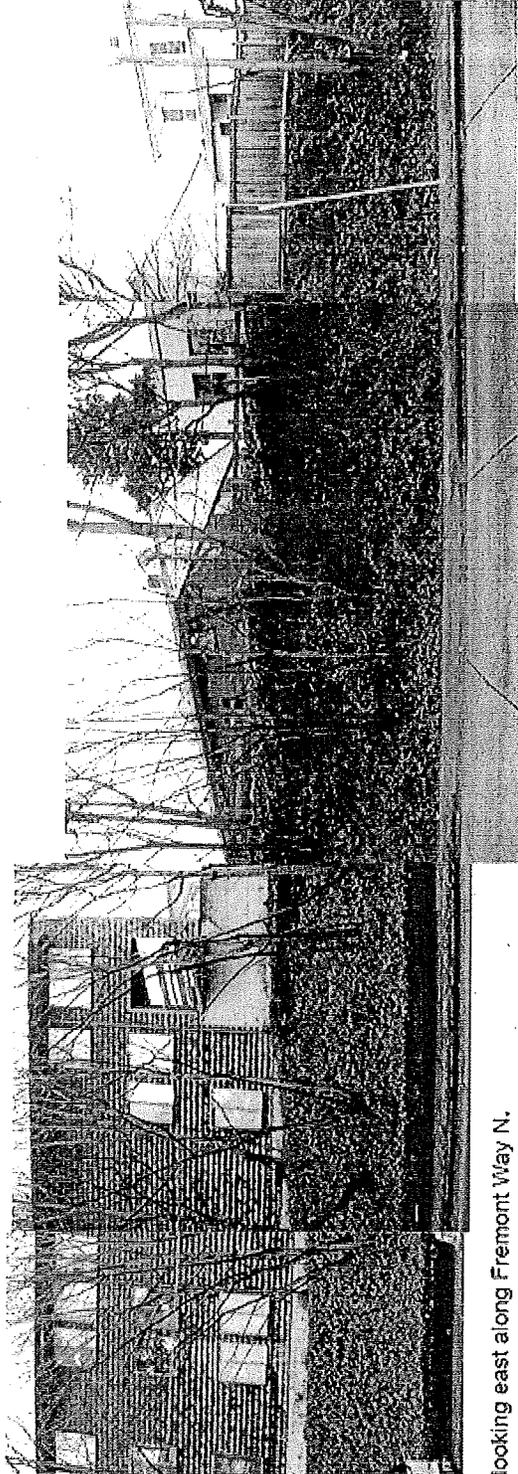
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Site Location

CITY OF SEATTLE FIRE STATION 9  
Committee on Built Environment Review #2  
Construction Documents



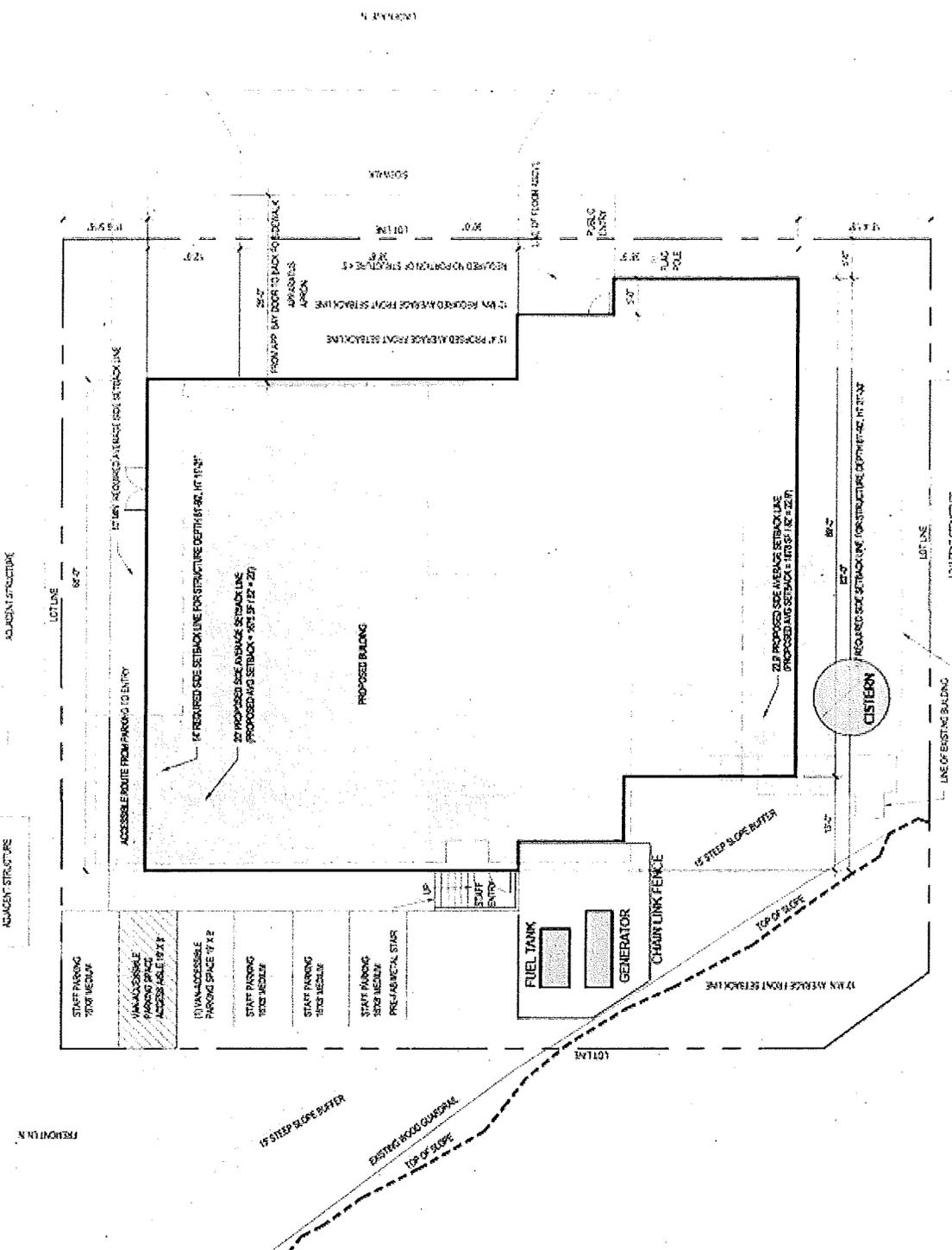
looking west to Fire Station 9 site & adjacent buildings.

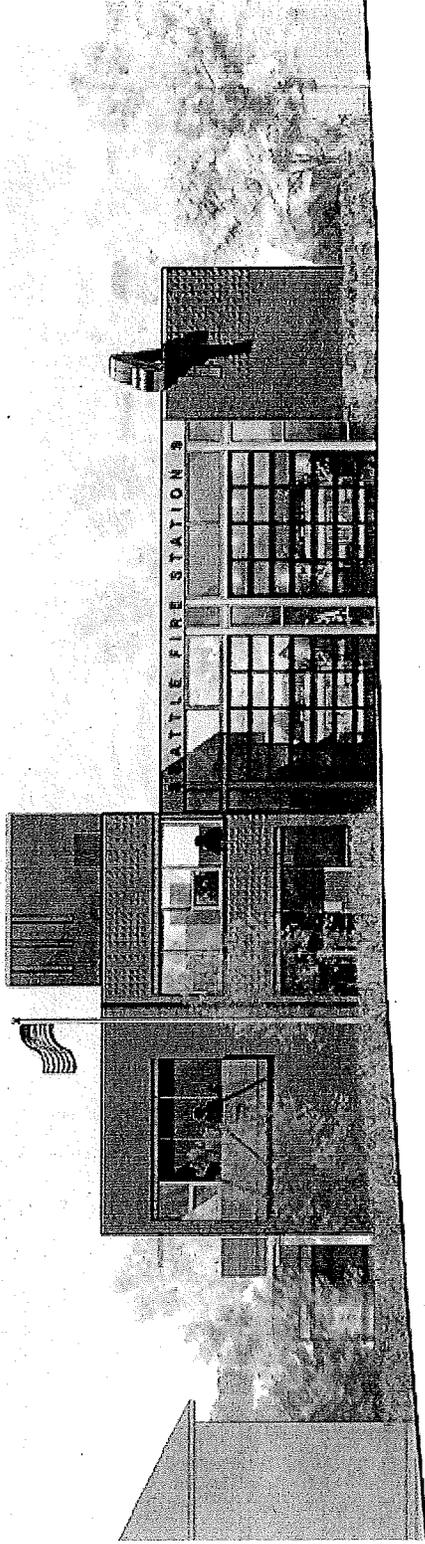


looking east along Fremont Way N.

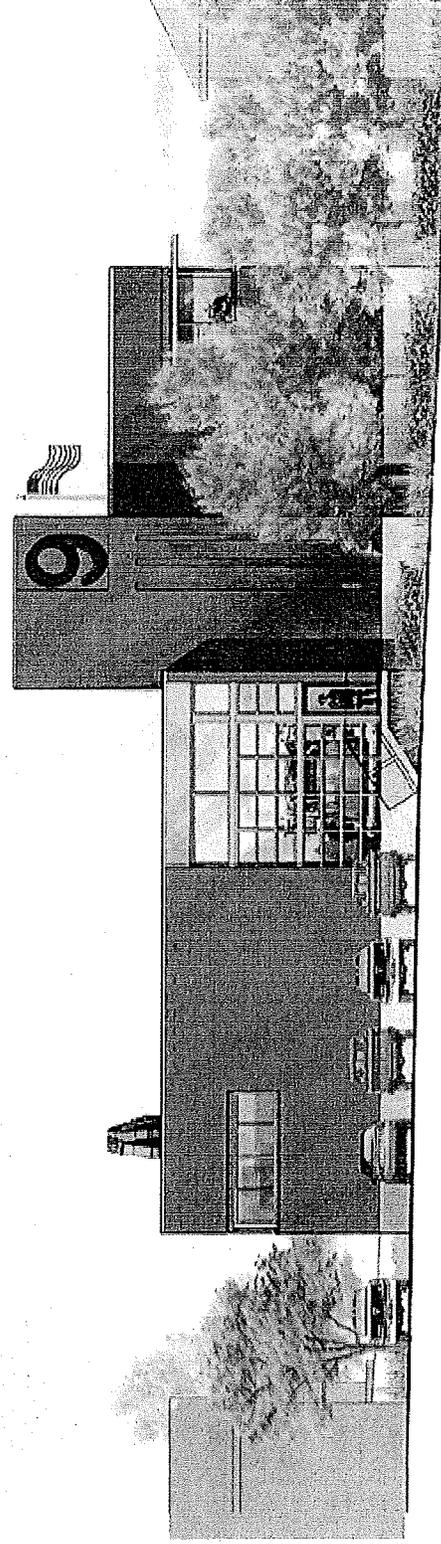


City of Seattle, Department of Public Works



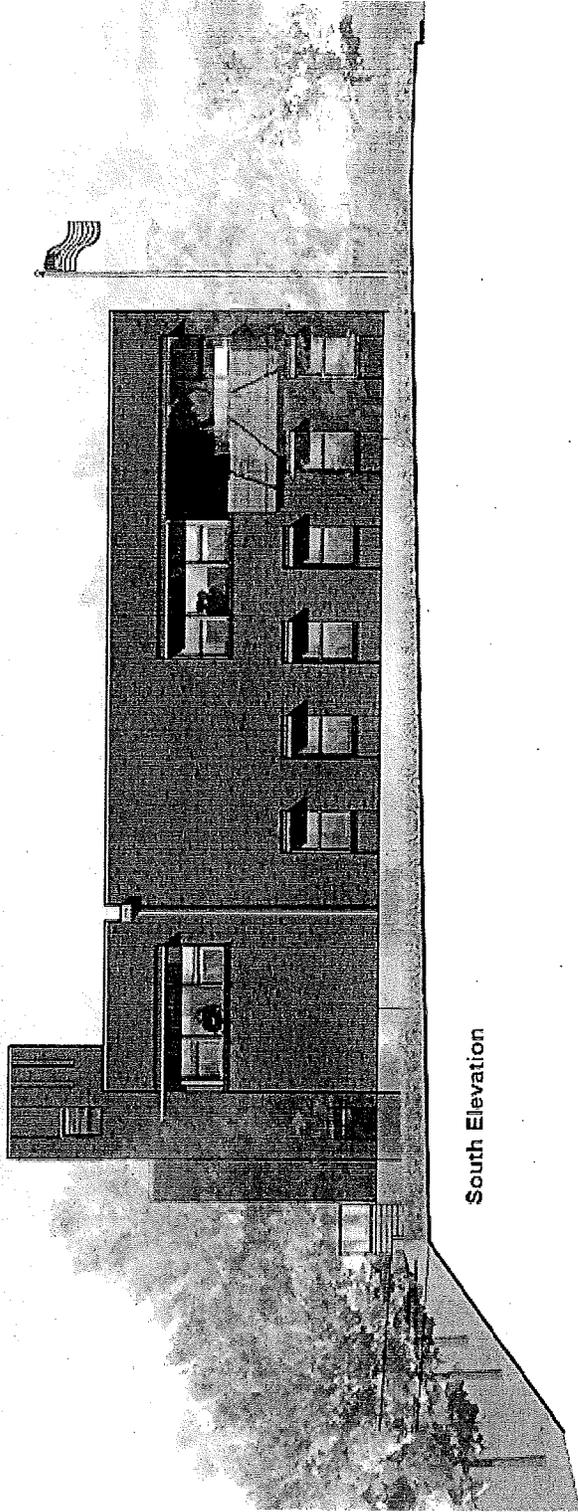


East Elevation

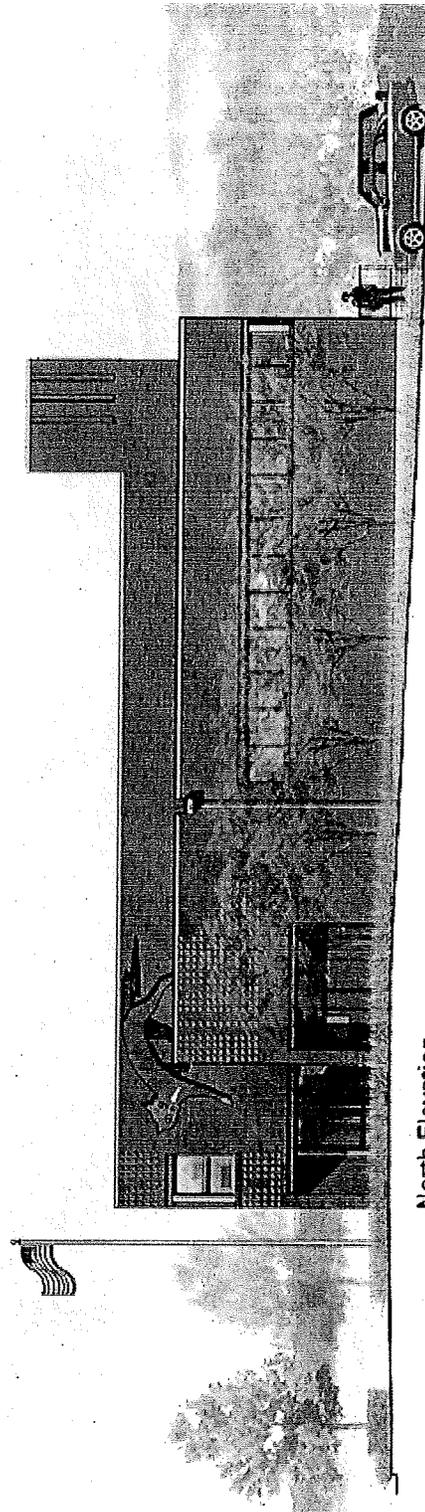


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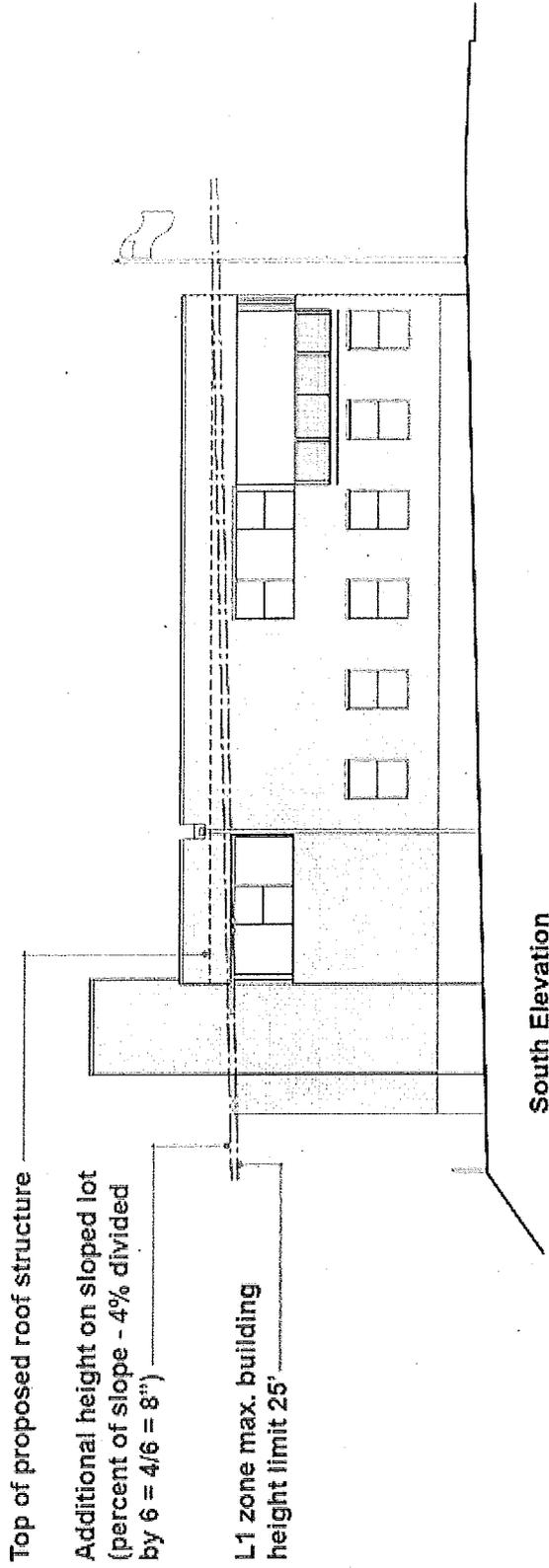


South Elevation

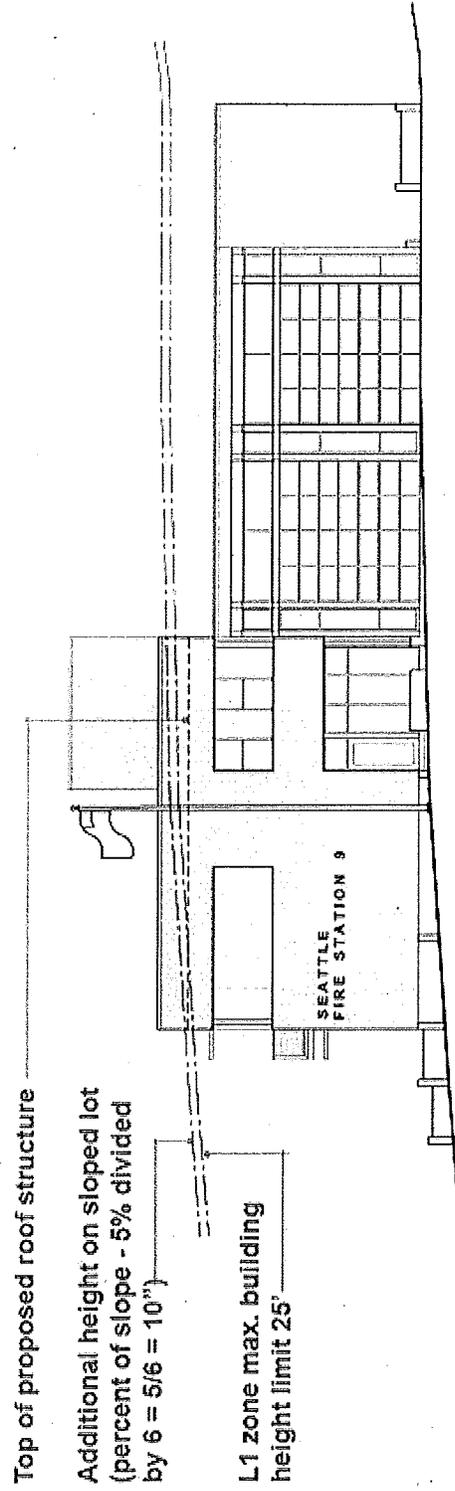


North Elevation

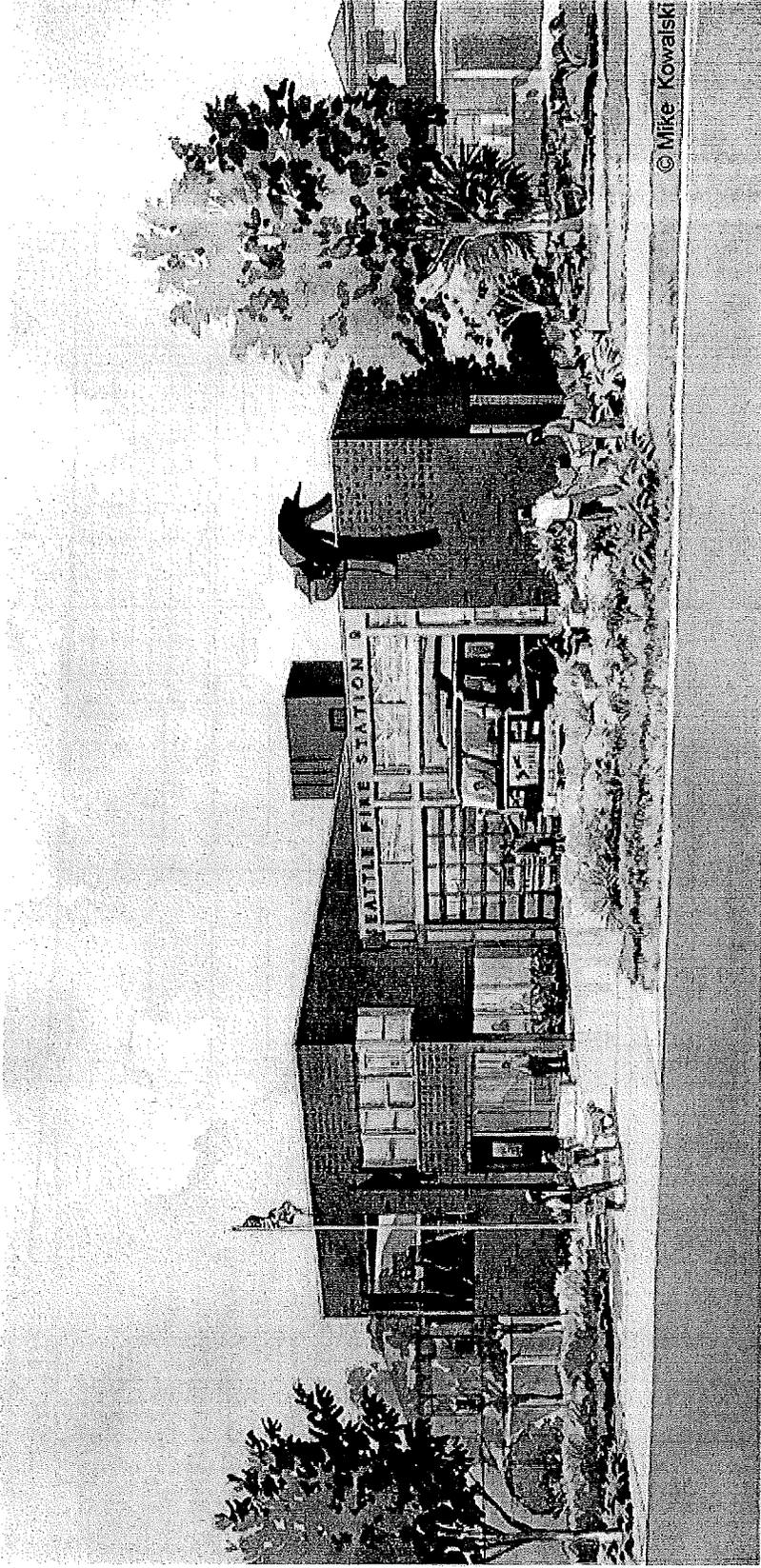




South Elevation



East Elevation



**CITY OF SEATTLE FIRE STATION 9** Artist Rendering

Committee on Built Environment Review #2  
Construction Documents

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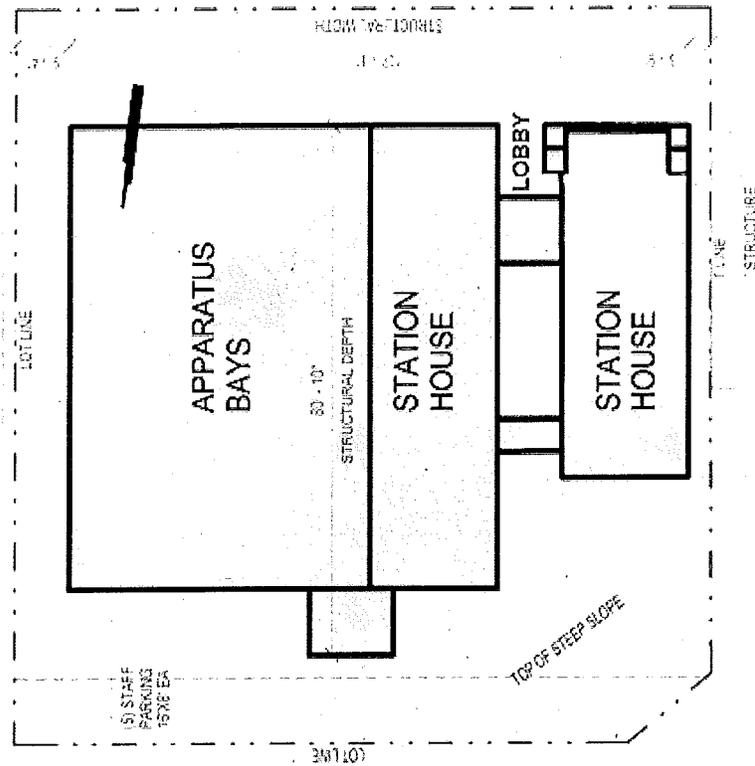


Development Standard	Required	Proposed	Modification
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	Current Plan	Retain Annex	Annex Facade Preservation	Offsite preservation
<b>Fire Station 9 Annex Options</b>				
<b>Operational Impacts</b>	40' drive apron Cistern on south side, good access and visibility	Breezeaway-1a 38' drive apron - loss of street parking on Linden Windowless sleep rooms Lockers compromised Bunk restrooms far from bunks Physical training in windowless basement, far from Restroom. Low ceiling will impact training regimen. Position of stair will add to response time Smaller officer's quarters	Facade Entry Portal-3 40' drive apron Entrance hidden by Annex facade Separated sleep room Physical training compromised by elevator	40' drive apron Separated sleep room Physical training compromised by elevator
<b>Development Waivers</b>	Cistern on south side, good access and visibility Parking Quantity Linden Avenue curbcut Walls in setback - E and/or S Structure width and depth Width 91'-8" Depth 84'-4" 11'4" to north lot line 17' to south lot line Structure height 22' at north neighbor	Yes Yes Yes Yes Width 107'-1" Depth 80'-10" 89" to north lot line 3' to south lot line Structure height 22' at north neighbor Yes Yes Yes (grandfathered in?) Yes (grandfathered in?) More building in ECA buffer	Cistern under back parking, limited access and visibility Yes Yes Yes Yes Width 96'-0" Depth 84'-2" 11'8" to north lot line 12'6" to south lot line Structure height 22' at north neighbor Yes Yes Yes Yes	Cistern on south side, good access and visibility. Yes Yes Yes Yes Width 91'-8" Depth 84'-4" 11'4" to north lot line 17' to south lot line Structure height 22' at north neighbor Yes Yes Yes Yes
<b>Appearance</b>	Modulated facade	Limited facade modulation due to alignment with Annex Less landscaping due to increased building size Closest to north neighbor	Limited facade modulation due to alignment with Annex Less landscaping due to increased building size Most challenging to look good	Modulated facade
<b>Cost</b>	\$3,571 M	\$4,572 M	\$4,631 M	\$163,134 + \$3,571 M
<b>Funding</b>	\$8,804 SF	\$10,435 SF Includes costs for re-design and re-permitting Increased size Seismic upgrade to Annex Unknown construction market inflation More impervious surface, larger more costly cistern	\$9,240 SF Includes costs for re-design and re-permitting Increased size Complexity of moving facade Unknown construction market inflation More impervious surface, larger more costly cistern	\$8,804 SF Offsite installation costs Complexity of moving facade
<b>Schedule</b>	Move in fall 2012	Most Expensive Option \$1,225 M additional funds needed; Potential source: funding of smaller projects such as seismic retrofits (Fire Stations 24, 26 or 29) Move in spring 2014 Redesign, re-permitting, Design Commission	\$1,022 M additional funds needed; Potential source: funding of smaller projects such as seismic retrofits (Fire Stations 24, 26 or 29) Move in spring 2014 Redesign, re-permitting, Design Commission	\$0.463 M additional funds needed Move in fall 2012 Opportunity for community participation to select location

ADJACENT STRUCTURE



**OPTION 1a**  
 BRIEF DESCRIPTION  
 APPARATUS BAY TO THE NORTH, STATION HOUSE TO THE SOUTH. ANNEX RETAINED IN ITS ENTIRETY WITH A PORTION OF THE STATION HOUSE PROGRAM ALLOCATED TO THE RENOVATED BUILDING. NEW BUILDING IS SEPARATED FROM THE OLD BY 'CONNECTORS' ENTRY LOBBY TO THE EAST AND FREEZEWAY TO THE WEST.

**PROS:**  
 -ANNEX SAVED IN ENTIRETY  
 -REDUCED CONSTRUCTION WASTE  
 -UTILITY SPACES LOCATED IN BASEMENT

**CONS:**  
 -INCREASED STRUCTURAL WIDTH  
 -CLOSER TO NORTH LOT LINE  
 -SMALLER OFFICERS QUARTERS  
 -COST OF SEISMIC UPGRADE TO ANNEX  
 -ADDITIONAL ENCROACHMENT INTO ECA BUFFER  
 -CUSTOMER TO BE LOCATED UNDER PARKING AREA

**BUILDING AREAS (GROSS- INCL. EXT. WALLS)**

ANNEX BASEMENT	385
ANNEX 1ST FLOOR	1,165
NEW BUILDING 1ST FLOOR	5,950
NEW BUILDING 2ND FLOOR	1,380
<b>TOTAL</b>	<b>8,880 SF</b>

4.50 WIDE  
 110'-0" STRUCTURAL WIDTH



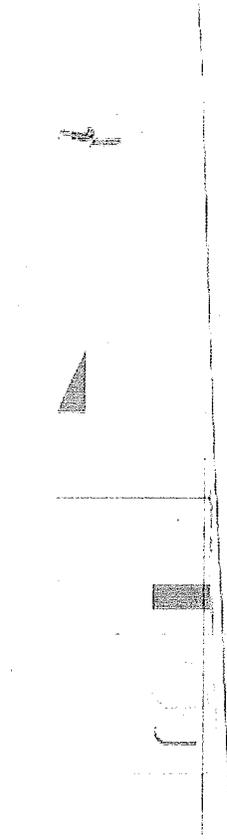
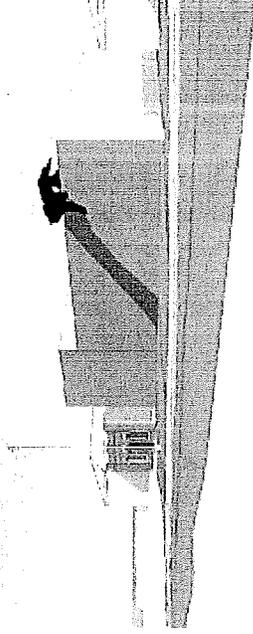
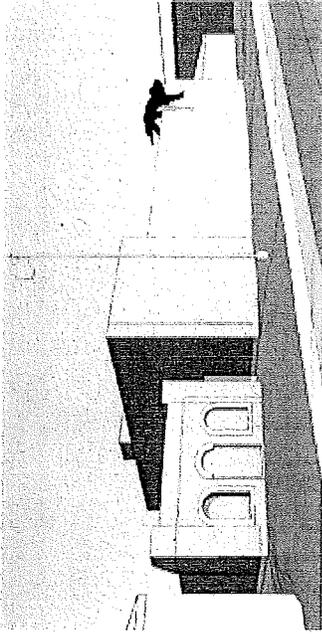
**OPTION 1A**  
**FIRE STATION 9 | MASSING PLAN**

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EAST ELEVATION

FIRE STATION 9 | OPTION 1A  
PERSPECTIVES

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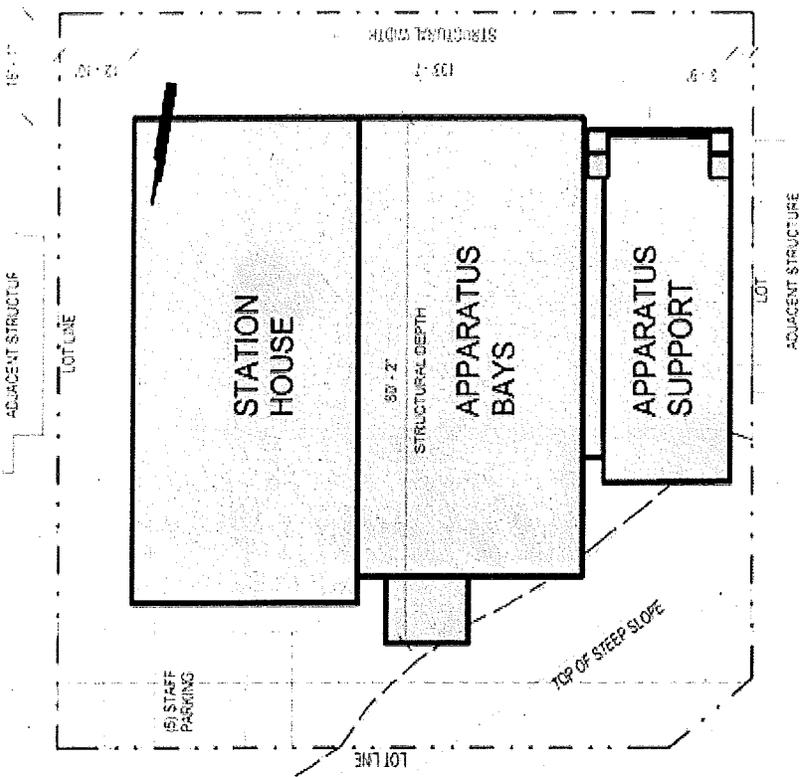
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Committee on Sustainability Review #2  
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KOHN PEDERSEN FOX ASSOCIATES  
KPF  
WSP • FLACK + KURTZ  
KOA  
LD MITHÜN



**OPTION 1b**  
**BRIEF DESCRIPTION**  
 STATION HOUSE TO THE NORTH, APPARATUS BAY TO THE SOUTH, ANNEX RETAINED IN ITS ENTIRETY WITH A PORTION OF THE APPARATUS BAY SUPPORT PROGRAM LOCATED WITHIN THE RENOVATED BUILDING. NEW BUILDING IS AS CLOSE TO THE OLD AS POSSIBLE WITH A SEISMIC JOINT AT THE NORTHEAST CORNER. A LONG, NARROW "GASNET" CONNECTS THE TWO BUILDINGS.

**PROS:**  
 -ANNEX SAVED IN ENTIRETY  
 -REDUCED CONSTRUCTION WASTE  
 -BOXES STORAGE LOCATED IN BASEMENT OF ANNEX- ACCESSED FROM EXTERIOR ONLY

**CONS:**  
 -INCREASED STRUCTURAL WIDTH  
 -CLOSER TO NORTH LOT LINE  
 -COST OF SEISMIC UPGRADE TO ANNEX  
 -ADDITIONAL ENCROACHMENT INTO ECA BUFFER  
 -CISTERN TO BE LOCATED UNDER PARKING AREA

**BUILDING AREAS (GROSS- INCLD. EXT. WALLS)**

ANNEX BASEMENT	595
ANNEX 1ST FLOOR	1,165
NEW BUILDING 1ST FLOOR	5,315
NEW BUILDING 2ND FLOOR	2,510
<b>TOTAL</b>	<b>10,435 SF</b>

OPTION 1b

SEATTLE / POB 06 / 1201 Alaskan Way, #200 / Seattle, WA 98101 / 206-463-3344  
 G. Mithun, Al. 11000 Alameda / Emeryville, CA 94608 / 415-265-0000  
 G. Mithun, Al. 11000 Alameda / Emeryville, CA 94608 / 415-265-0000

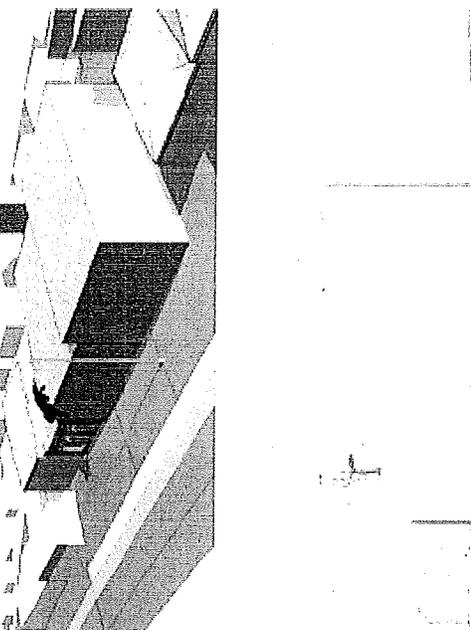
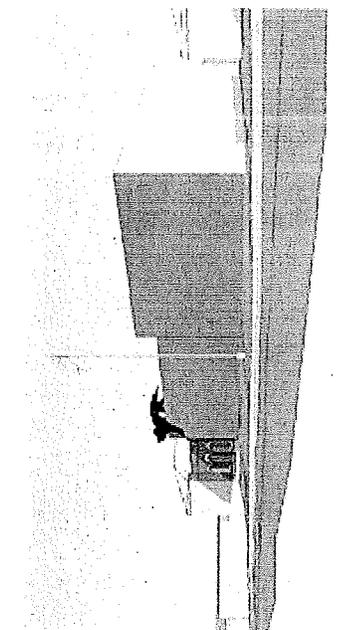
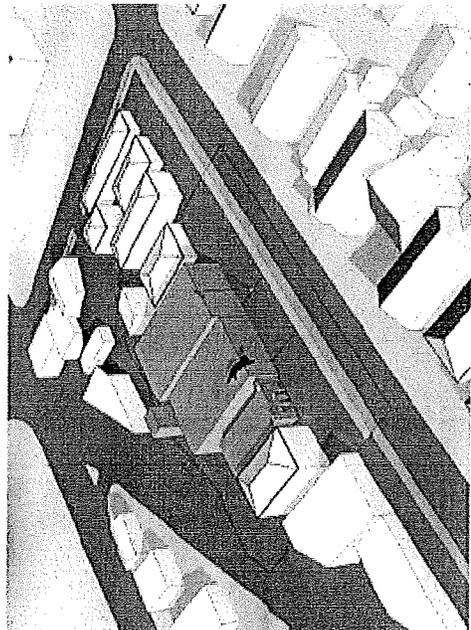


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**OPTION 1B**  
**FIRE STATION 9 | MASSING PLAN**

**MITHUN**





EAST ELEVATION

**MITHÜN**

**FIRE STATION 9 | OPTION 1B**  
PERSPECTIVES



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 2007 San Francisco, CA 94104-1415  
 C. Mithun, 4000 R Street, Berkeley, CA 94704

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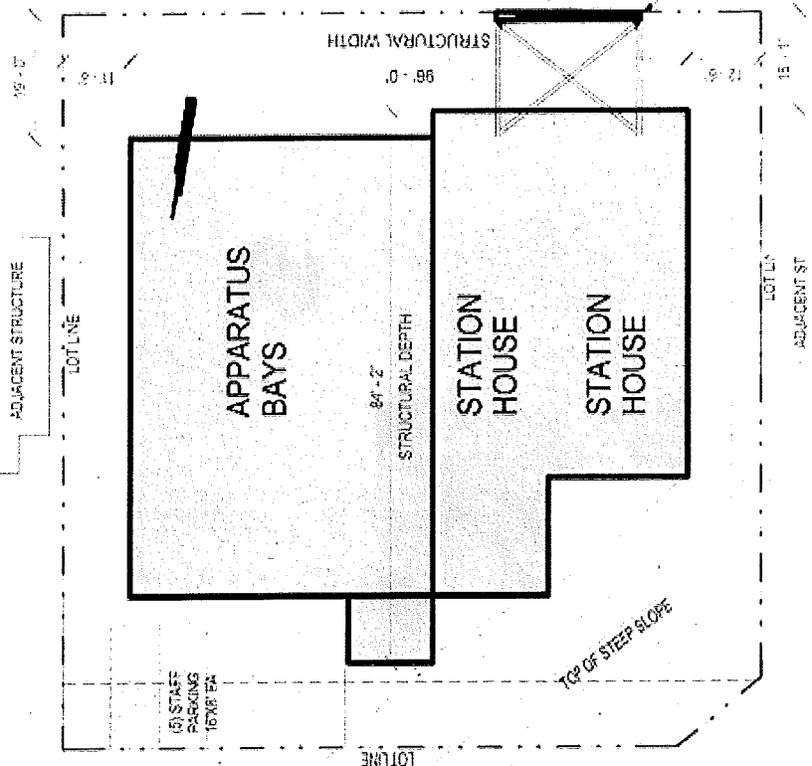
**CITY OF SEATTLE FIRE STATION 9**  
 Committee on Staff Environment Review #2  
 Construction Documents

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**KPIII WSP - FLACK - KURTZ MITHÜN**

OPTION 3 MASSING PLAN



**OPTION 3**  
**BRIEF DESCRIPTION**  
 APPARATUS BAY TO THE NORTH, STATION HOUSE TO THE SOUTH. ANNEX FACADE RETAINED AND RELOCATED TO BECOME ENTRY PORTAL TO NEW FACILITY

**PROS**  
 -ANNEX FACADE SAVED  
 -POTENTIAL TO LOCATE STORMWATER HARVESTING SYSTEM ABOVE GRADE AT SOUTH EFFICIENT STATION HOUSE DESIGN

**CONS**  
 -INCREASED STRUCTURAL WIDTH  
 -CLOSER TO NORTH LOT LINE  
 -CLOSER TO SOUTH LOT LINE  
 -COMPLEXITY OF MOVING FACADE  
 -HOSE TOWER TIGHT TO PARKING  
 -STORMWATER HARVESTING SYSTEM LIKELY LOCATED UNDERGROUND AT PARKING AREA

**BUILDING AREAS (GROSS-INCLO EXT. WALLS)**

NEW BUILDING 1ST FLOOR	5,935
NEW BUILDING 2ND FLOOR	2,265
<b>TOTAL</b>	<b>9,240 SF</b>

WOMEN AVE. N

ANNEX FACADE



04.05.11

**OPTION 3**  
**FIRE STATION 9**  
**MASSING PLAN**

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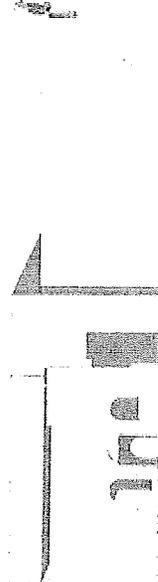
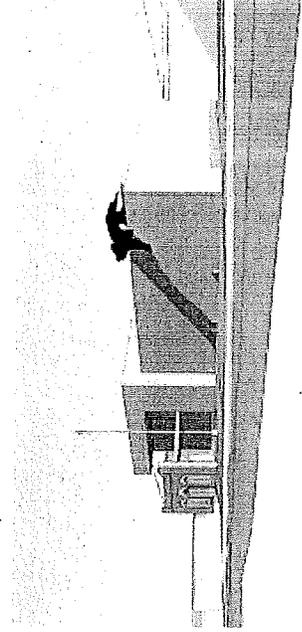
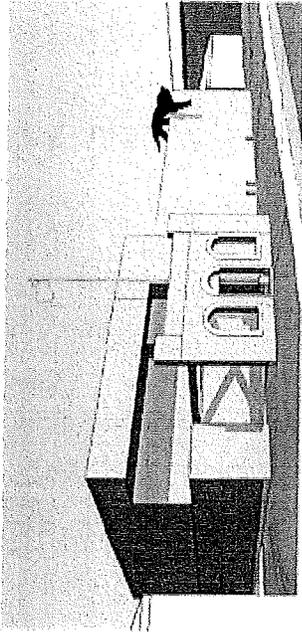
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**CITY OF SEATTLE FIRE STATION 9**  
 Committee on Built Environment Review #2  
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**KOHN PEDERSEN FOX ASSOCIATES**  
**WSP**  
**FLACK-KURTZ**  
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EAST ELEVATION

FIRE STATION 9 | OPTION 3 | PERSPECTIVES

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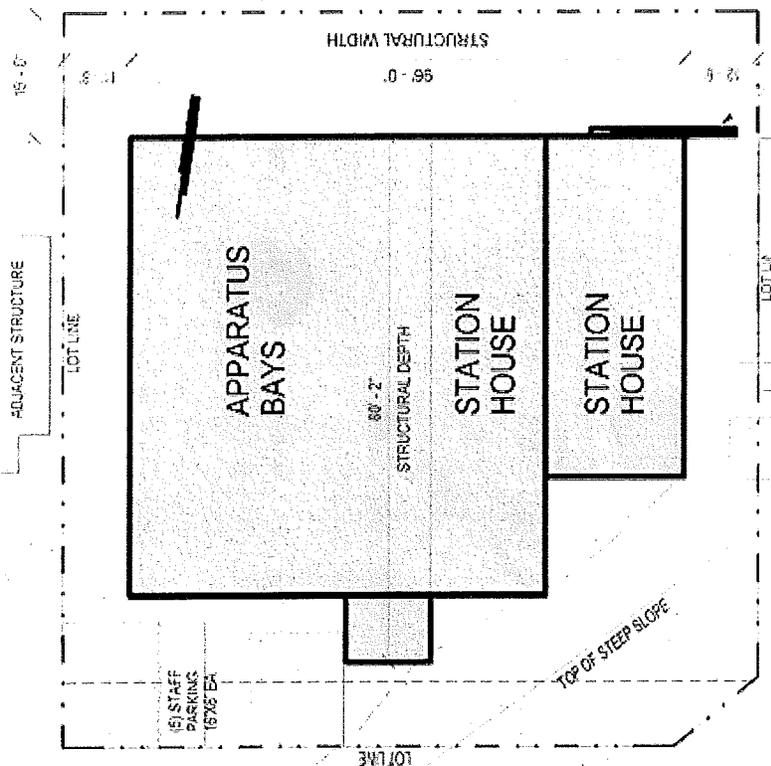
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CITY OF SEATTLE FIRE STATION 9  
 Committee on Built Environment Review #2  
 Construction Documents

9.18.2011 16



EPFL & WSP • FLACK + KURTZ Inc. | LD MITHÜN



**OPTION 4**  
**BRIEF DESCRIPTION**  
 APPARATUS BAY TO THE NORTH, STATION HOUSE TO THE SOUTH, ANNEX FACADE RETAINED AND REMAINS IN CURRENT LOCATION. FACADE IS BRACED TO NEW BUILDING AND INCORPORATED INTO DESIGN.

**PROS**  
 -ANNEX FACADE SAVED  
 -MORE EFFICIENT DESIGN OF SPACE

**CONS**  
 -INCREASED STRUCTURAL WIDTH  
 -CLOSER TO NORTH LOT LINE  
 -CLOSER TO SOUTH LOT LINE  
 -COMPLEXITY OF MOVING FACADE  
 -HOSE TOWER TIGHT TO PARKING  
 -STORMWATER HARVESTING SYSTEM LIKELY LOCATED UNDERGROUND AT PARKING AREA  
 -MOST CHALLENGING TO LOOK GOOD

**BUILDING AREAS (GROSS-INCLO EXT. WALLS)**

NEW BUILDING 1ST FLOOR	2,535
NEW BUILDING 2ND FLOOR	2,565
<b>TOTAL</b>	<b>9,400 SF</b>

**1 ANNEX - MASSING - PLAN - Option 4**  
 1/16" = 1'-0"

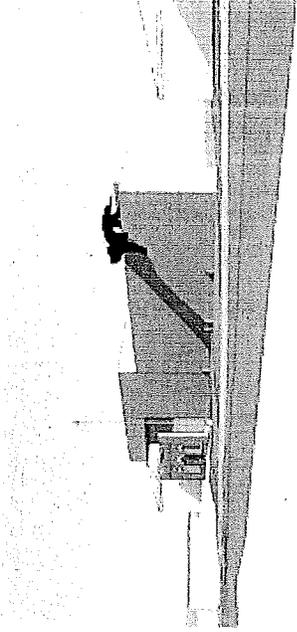
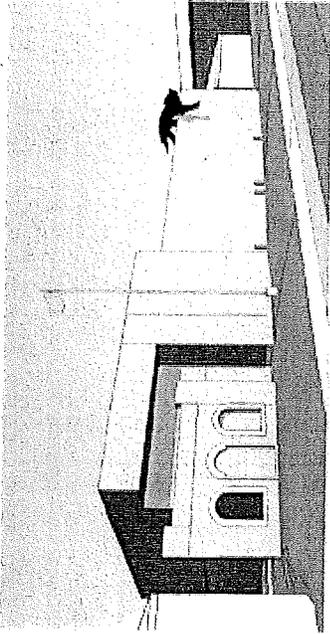


04/09/11

**FIRE STATION 9 | OPTION 4**  
**MASSING PLAN**

**MITHUN**

SEATTLE: PHOENIX, 1201 Jackson Way, #200 / Seattle, WA 98101 / 206.521.3344  
 SAN FRANCISCO: 300 Market Street / San Francisco, CA 94102 / 415.262.0088  
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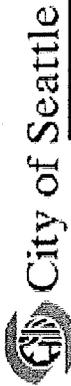
04-0571



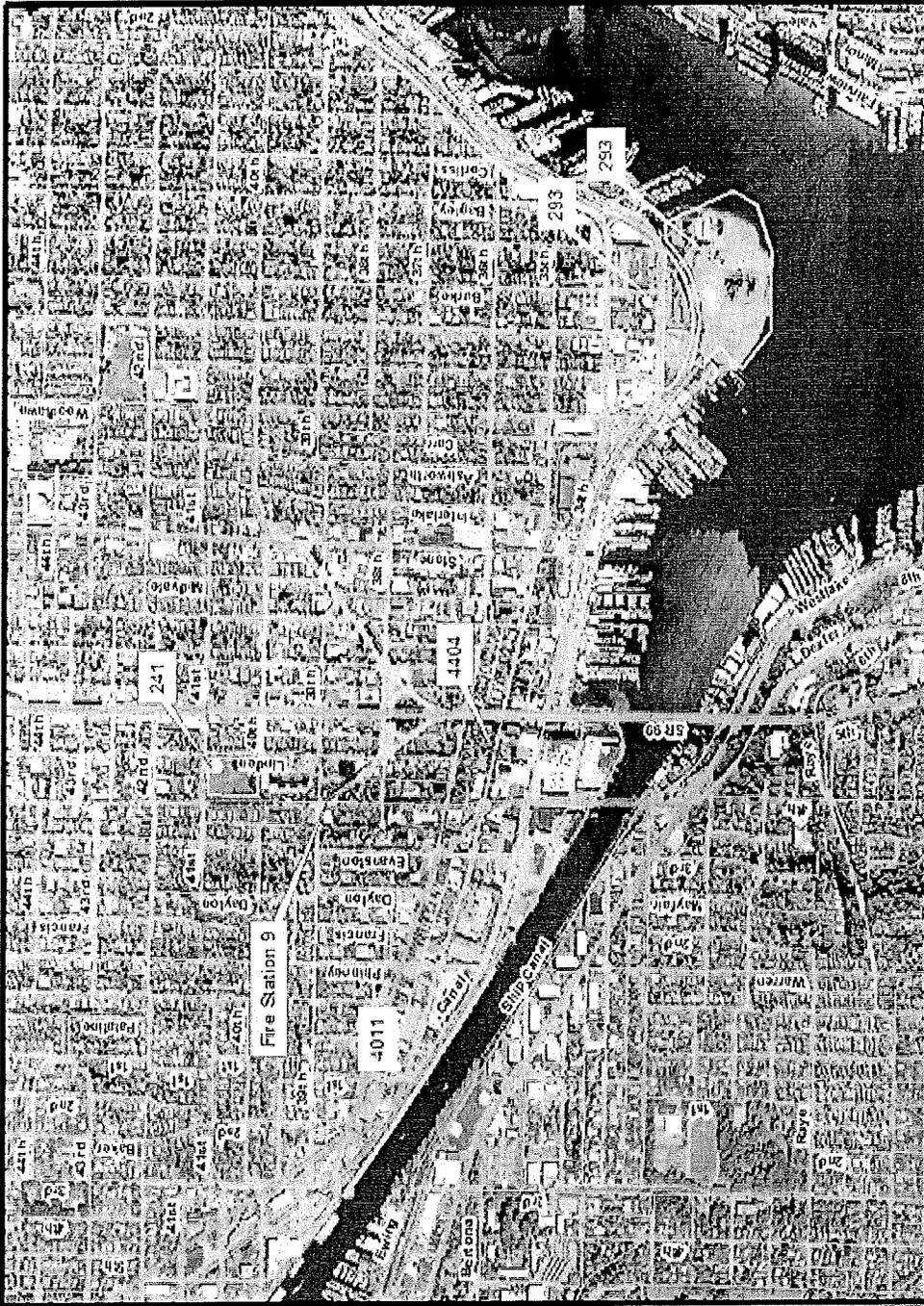
EAST ELEVATION  
 FIRE STATION 9 | OPTION 4  
 PERSPECTIVES  
 MITHUN



8.18.2011 18



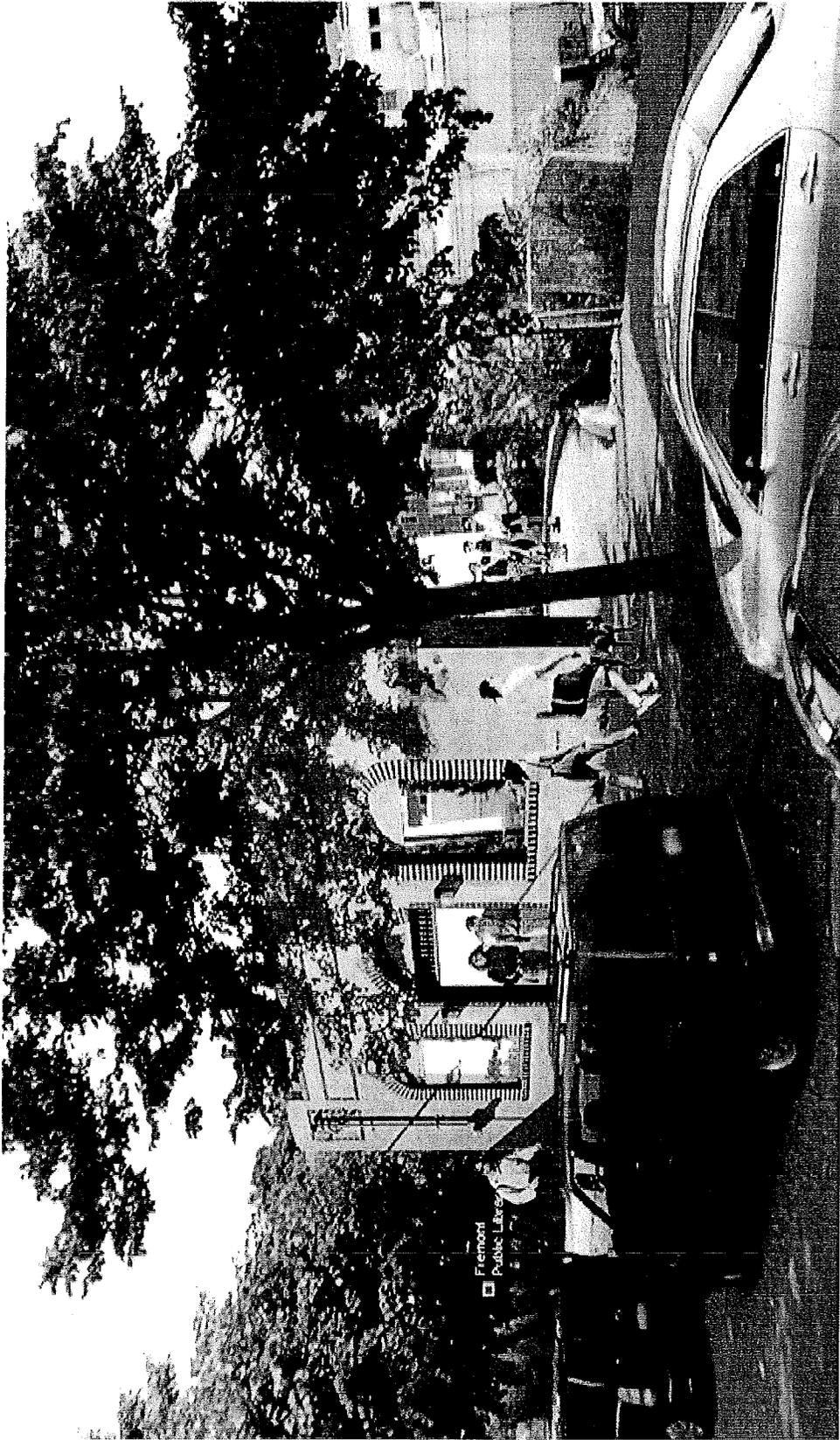
**Fire Station 9  
Annex Facade  
Relocation  
Site Search**



**Legend**  
 City Property - red  
 Fire Station 9 - black

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**OPTION 2 : ANNEX FACADE RELOCATION**



SITE # 4404

**Fire Station 9**  
3829 Linden Avenue N

Located along Linden Ave N. between N. 38th Street and 39th Street, in Fremont

Station type - Neighborhood I (the smallest of all stations)

Replacement station - The existing station is in poor condition due to its age. Replacement would be more cost-effective than remodel.

Station 9 will be rebuilt on the site of existing station and expanded from 5,700 sf to approx. 8,700 sf.

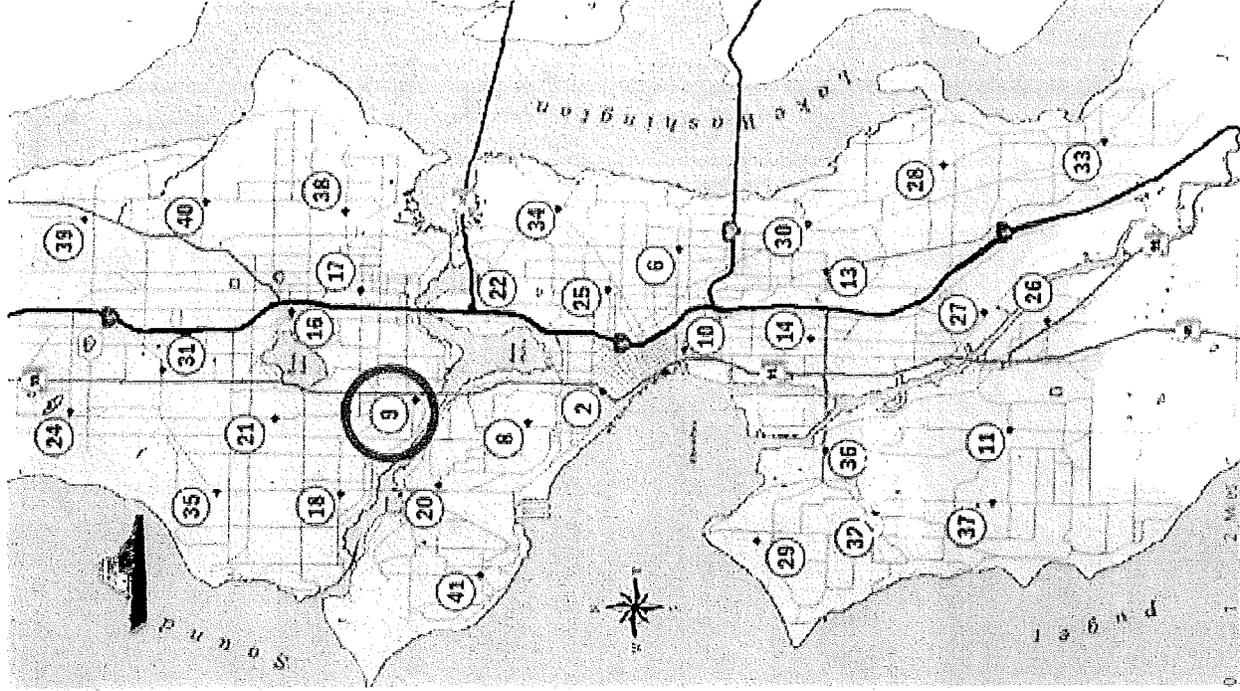
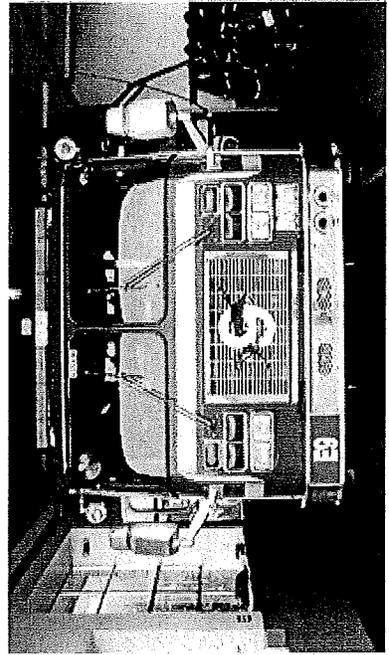
Station 9 will continue to provide compressed air fill service for the North end. It will also continue to house one engine company.

An interim facility will be provided in different location during construction.

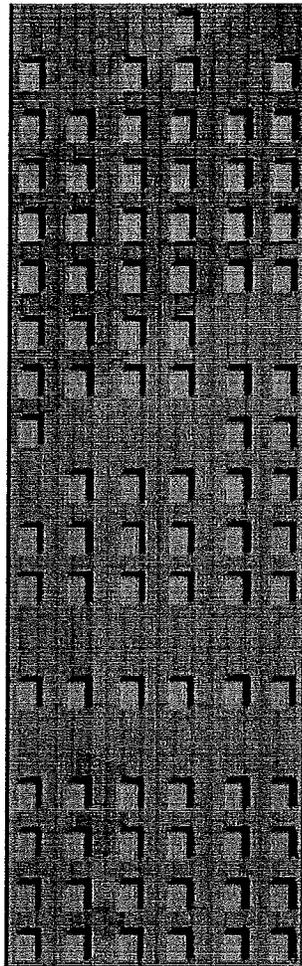
Sustainability goal - LEED silver or higher.

Peter Reiquam is the artist.

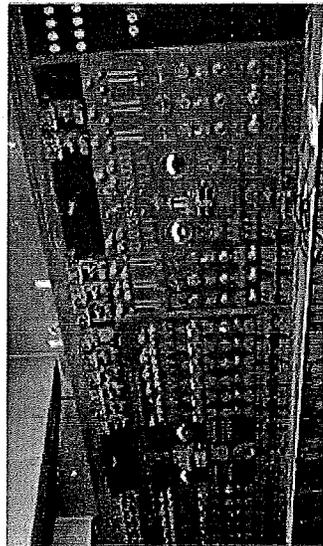
Currently, at Construction Document Phase.



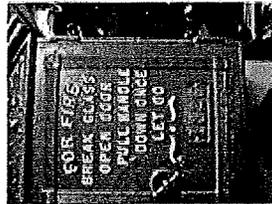
- 4 - 1 - 2 - 8 Fremont Ave N & N 43rd St
- 4 - 1 - 3 - 6 Francis Ave N & N 43rd St
- 4 - 1 - 3 - 7 Phinney Ave N & N 45th St
- 4 - 1 - 3 - 8 Linden Ave N & N 39th St
- 4 - 1 - 5 - 4 6th Ave NW & Leary Way NW
- 4 - 1 - 5 - 5 Leary Way NW & NW 44th St



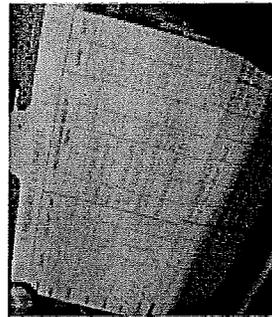
Sample of Brick Detailing with embedded taper code



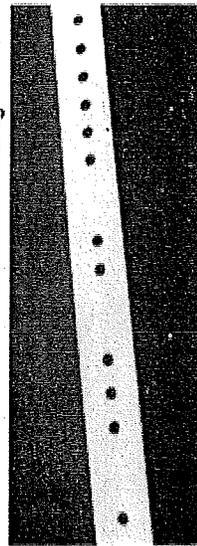
Historic photo of the Alarm Box Circuit Board



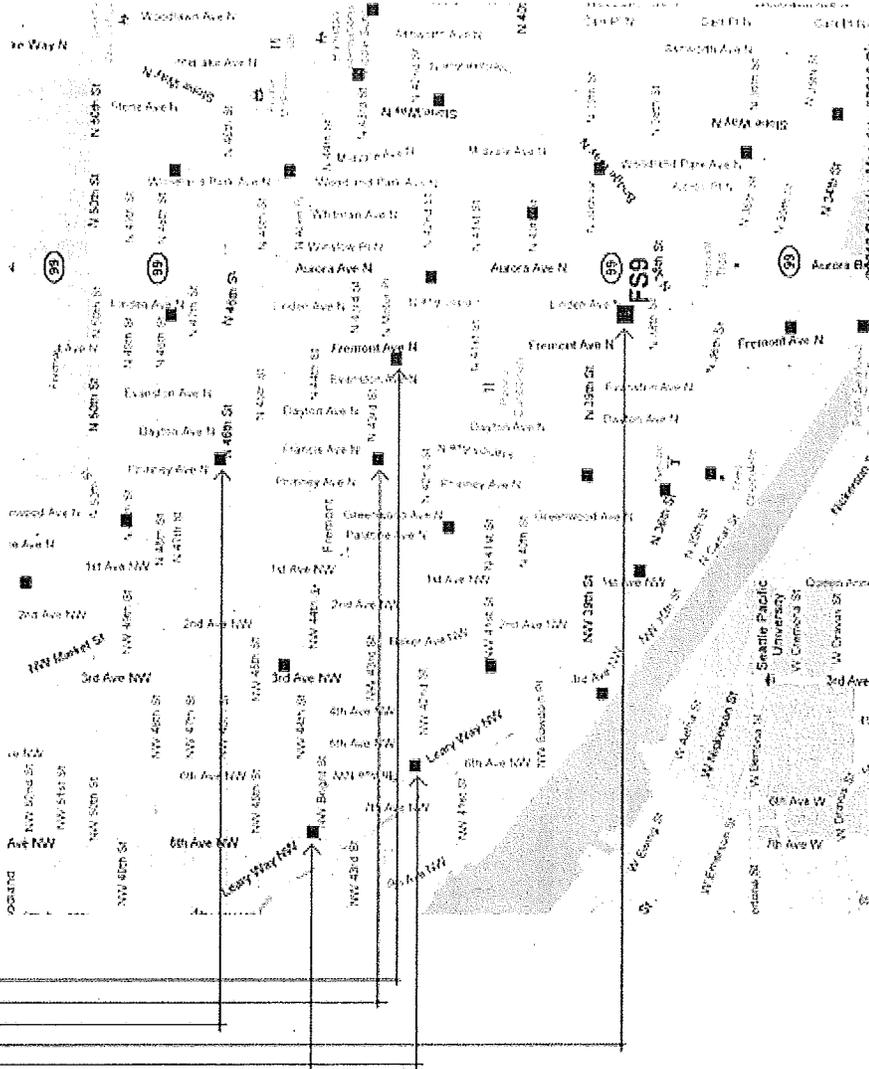
Pull Box



Address card catalog



Tapper Code "1-3-2-6" punched on reel tape



Map of Pull Boxes locations in Fire Station 9 service area





City of Seattle

Department of Planning and Development  
D. M. Sugimura, Director

**CITY OF SEATTLE  
ANALYSIS AND RECOMMENDATION OF THE DIRECTOR OF  
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Application Number:** 3009024  
**Applicant Name:** Seattle Department of Fleets and Facilities  
**Address of Proposal:** 3829 Linden Avenue North (Fire Station 9)

**SUMMARY OF PROPOSED ACTION**

Council Land Use Action to allow a new 9,000 sq. ft., two-story fire station. Surface parking for five vehicles will be provided on the site. The existing fire station structures are to be demolished.

The following approvals are required:

**Council Land Use Action** for concept approval and to waive or modify development standards for a City facility. (SMC Chapter 23.76.064)

**SEPA - Environmental Determination** - (SMC Chapter 25.05).

**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 and Vicinity Description**

The subject site is the current location of Seattle Fire Station No. 9 in the upper Fremont area, near State Highway 99, addressed at 3829 Linden Ave N. The site, zoned L-1 (Lowrise One), is on a street of low scale multi-family dwellings. There is an alley behind the site that is platted at a wide 29.8 feet and paved to its full width behind the existing Station No. 9. In other portions of the block the alley is paved to an approximately 12 foot width.

Fire Station No. 9 is on a moderately sized parcel of land (13,356 sq. ft.) for such a facility. The station has been at this location since 1902, with the older of the two existing buildings having been built in 1921. The station occupies a strategic position in that it can access Aurora Ave. N. (Highway 99) in both the north and south bound directions, can access arterials in the east and west directions towards Ballard and Wallingford, and has a good route to the Green Lake neighborhood along Fremont Ave. N. or Stone Ave. N. The station location provides an unusually high degree of flexibility in both covering its immediate neighborhood and being able to provide backup assistance to stations in the Queen Anne, Ballard, Wallingford and Green Lake neighborhoods.



The alley behind the proposal site is a “dead end” in the southern direction, at a point directly behind the site, due to a steep topographical break. This area of greater than 40% slope has been granted a limited Environmental Critical Areas Exemption by DPD due based upon a finding that it appears to have been artificially steepened through grading of the Fremont Way N. right-of-way immediately to the south.

### **Proposal Description**

The proposed project would demolish both buildings on the site and replace it with a new 8,804 sq. ft, two-story fire station. The new station would be a two apparatus bay structure serving the existing engine company and the Department’s air fill services for the north end. Five staff parking spaces would be accessed from the alley where the garbage and recycling areas and an emergency generator would also be located. A “drop over enclosure” is proposed for the generator which is expected to reduce sound levels from its operation to 72dBA at 23 feet away during its monthly test runs or when used during a power failure condition.

As proposed the new Station No. 9 requires City Council approval of six departures from the Seattle Land Use Code. They are:

**Structure Height.** To allow portions of the proposed structure to exceed the height limits of SMC 23.45.009. Proposed is a height of 28 feet to the top of the roof (25 feet allowed), 30.9 feet to the top of parapet (29 feet allowed), and 39.87 feet to the top of a stair tower (35 feet allowed).

**Structure Width.** To allow the proposed structure to exceed the maximum allowed width SMC 23.45.570.D). Proposed is a structure width of 98 feet 48 inches (75 feet allowed).

**Structure Depth.** To allow the proposed structure to exceed the maximum allowed depth (SMC 45.570.E). Proposed is a structure depth of 84 feet 4 inches (72.8 feet allowed).

**Front Setback.** To allow the proposed structure to provide less than the required front setback (SMC 23.45.570.F.1). Proposed is a front setback of 12.5 feet (19.6 feet required).

Side Setback. To allow the proposed cistern structures to be in the required setback on the south side (SMC 23.45.570.F.3). Proposed are above ground rain cisterns located within 6.5 feet of the south side property line (16 foot setback required).

Flag Pole Setback. To allow a 45 foot tall flag pole with less than required setback from property line (SMC 23.45.009.D.1). The flag pole is proposed to be 1 foot 10 inches feet from the front property line (the required setback is half the height of the pole, 22.5 feet).

### Landmarks Preservation

A historic survey of the existing structures on proposal site was conducted by Susan Boyle at the request of the applicants. The results of the survey indicated that the building known as the Substation/Annex, built in 1921, might meet the criteria for landmark designation in the City of Seattle, but that the other building, the Station House built in 1953, was unlikely to.

Subsequently, the City nominated the Substation/Annex for Landmark Designation. On July 1, 2009 the Seattle Landmarks Preservation Board voted 5 to 4 in favor of designation. Because, under the rules for landmark designation, a majority of the 11 confirmed and appointed members of the board are required for a designation, the designation was denied. A referral of the Station House to staff of the Landmarks Board led to a determination that it was unlikely to meet the criteria for landmark designation.

### Design Commission Review

The proposal was presented to the Seattle Design Commission at three meetings (concept, schematic, and design development), obtaining unanimous support for the current design.

### Public Comments

Two comment letters were received by DPD. One letter, from the Fremont Neighborhood Council, signed by Norma Jones as its president, raises several concerns, the most strident of which requests preservation of the Substation/Annex building do to its perceived historic value. The letter also indicates potential inaccuracies in the SEPA checklist with regard to stormwater control, the stated wildlife present on the site; the proposal's potential to interfere with solar access to neighboring properties, and states that demolition of the Substation/Annex rather than adaptively reusing it would be a waste of significant energy embodied in the building.

A letter, from the Fremont Historical Society, signed by 12 individuals, argues that while the Substation/Annex building failed to obtain the majority of Landmark Board Member votes when nominated, it did receive a majority of those members present at the meeting, that many of the buildings which establish the character of Fremont do not meet the high bar for landmark designation but should nevertheless be preserved, and that Substation/Annex could be adaptively reused to provide space for the proposed cisterns.

Both comment letters were copied to the Mayor and to all Council Members.

### Response to Public Comments.

With regard to the use of SEPA authority to preserve buildings with potential historic significance, the Seattle SEPA Policy for Historic Preservation (SMC 23.05.675.H) states that a project rejected for nomination shall not be conditioned or denied for historical preservation purposed (except for

purposed of review of adjacency to a historic landmark or if the site has the potential to contain archaeological resources). One of the structures proposed to be demolished was rejected for nomination. The other structure proposed for demolition was reviewed for potential to meet designation criteria as a historic landmark and found lacking. Still the City could have chosen to have preserved one or both of the buildings. It is this Department's understanding that structure preservation options were carefully analyzed in the project development stages and it was decided that the necessary program elements could not be provided in the new fire station if either structure were to be preserved.

Comments relating to adequacy of information in the SEPA Checklist relating to stormwater infrastructure, wildlife present on the site, and interference with solar access of nearby properties were assessed during the SEPA review and given full consideration.

### ANALYSIS — COUNCIL LAND USE ACTION

Fire stations in lowrise multifamily zones may be permitted outright when they meet the development standards for institutions. Fire stations that do not meet development standards may be permitted by City Council as a Type V land use decision. In this case, the proposed station does not meet six development standards of the L-1 zone. Those standards and the amount of departure from each are listed in the Proposal Description section above.

SMC 23.76.064 includes provisions for the City Council to grant concept approval and to waive or modify applicable development standards, accessory use requirements, special use requirements or conditional use criteria for City Facilities. SMC 23.76.064 classifies this decision as a legislative action (Type V MUP).

Section 23.47A.004.D.3 includes criteria that must be satisfied to permit a public facility that does not meet development standards of the applicable zone:

*The project provides unique services which are not provided to the community by the private sector, such as police and fire stations; and*

The project provides a unique service as a fire station.

*The proposed location is required to meet specific public service delivery needs; and*

A fire station has been located at the Station 9 site since 1901. The site offers unique access to surrounding areas. As stated in the Project Description section above, the station occupies a strategic position in that it can access Aurora Ave. N. (Highway 99) in both the north and south bound directions, can access arterials in the east and west directions towards Ballard and Wallingford, and has a good route to the Green Lake neighborhood along Fremont Ave. N. or Stone Ave. N. The station location provides an unusually high degree of flexibility in both covering its immediate neighborhood and being able to provide backup assistance to stations in the Queen Anne, Ballard, Wallingford and Green Lake neighborhoods as well as areas further north and south.

*The waiver or modification to the development standards is necessary to meet specific public service delivery needs; and*

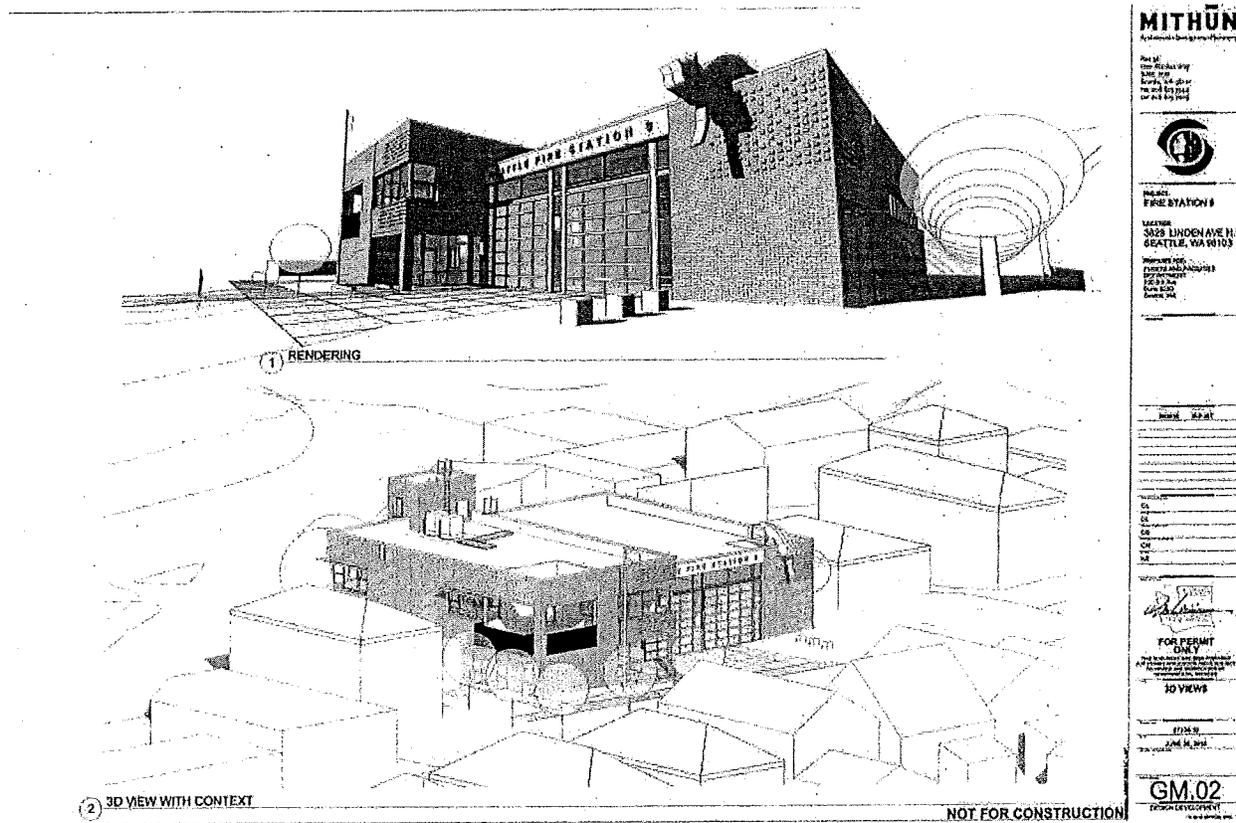
The Station 9 site, while in an excellent location to provide emergency service, is considered to have limited developable area in relation to the preferred size for modern, two bay stations like the one proposed. Critical area steep slopes on and adjacent to the site further reduce the developable area. The Seattle Fire Department does not want to move the Station 9 location from the existing location and lose its unique access and resulting low response times. Nor, does it want to condemn additional residential property adjacent to the site in order to meet more of the development standards for an institution in a lowrise zone.

Three of the requested development standard departures, front setback, side setback, and flag pole setback relate to locating the program elements on the unique site. Three of them, structure height, structure width, and structure depth, relate to the building configuration which a fire station requires and ways in which it does not fit within the lowrise multifamily development standards. All of them are necessary to allow this design for a fire station to be put on this site with the existing L-1 zoning.

Each of the requested departures can be considered independently to see how they allow creation of a new Fire Station Number 9 on the current fire station site in Fremont. Reduction of the required front setback to 12.5 feet allows adequate floor area in the station while still providing an acceptable landscaped setback along the street thereby preserving some compatibility with the multifamily residential neighborhood. Increasing the allowed structure width by approximately 16.7 feet and the structure depth by approximately 11.5 feet similarly allows for floor area sufficient to operate the fire station. Increasing the allowed structure height allows for provision of a hose/stair tower; a typical functional element of a fire station. Allowance of the placement of above ground cisterns 15 feet tall in a required side yard on the south side of the new fire station allows implementation of a green infrastructure element in an economically efficient manner making use of a foundation/floor remnant of the prior buildings on the site for structural support. Modifying the zone requirement that flag poles be set back a distance equal to half their height allows provision of a customary and appreciated feature of public buildings to be incorporated in a prominent manner on what will be a highly developed site.

*The relationship of the project to the surrounding area has been considered in the design, siting, landscaping, and screening of the facility.*

Site context has been an important element of the architectural design of the proposed new Fire Station Number 9. The resulting design expression, with recommended approval from the Seattle Design Commission, is of a civic building which reads as a fire station and which is of a scale to be as compatible as possible with the multifamily residential context in which it would be constructed. Materials chosen are durable and attractive; predominantly brick and glass. The drawing below provides a graphic representation of this relationship.



**MITHUN**  
Architectural Design & Planning

Project:  
Name: FIRE STATION 8  
Location: 3428 LINDEN AVE N.  
SEATTLE, WA 98103

Prepared by:  
Project No. 3009024  
Date: 10/10/10

Scale: 1/8" = 1'-0"

FOR PERMIT ONLY

30 VIEWS

GM.02  
CONSTRUCTION

**RECOMMENDATION – COUNCIL APPROVALS**

DPD recommends approval of the proposed fire station use in the L-1 zone with the requested modification to development standards as described in Project Description section above.

**ANALYSIS - SEPA**

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated June 24, 2010, and annotated by the Department. The information in the checklist, supplemental information provided by the applicant, project plans, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 23.05.665) discusses the relationship between the City’s code/policies and environmental review. 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 limitation.” The Overview Policy in SMC 23.05.665 D1-7, states that in limited circumstances it may be appropriate to deny or mitigate a project based on adverse environmental impacts.

The policies for specific elements of the environment (SMC 25.05.675) describe the relationship with the Overview Policy and indicate when the Overview Policy is applicable. Not all elements of the environment are subject to the Overview Policy (e.g., Traffic and Transportation, Plants and Animals and Shadows on Open Spaces). A detailed discussion of some of the specific elements of the environment and potential impacts is appropriate.

### **Short-term Impacts**

The following temporary or construction-related impacts are expected: decreased air quality due to suspended particulate from building activities and hydrocarbon emissions from construction vehicles and equipment; increased dust caused by construction activities; increased traffic and demand for parking from construction equipment and personnel; conflict with normal pedestrian movement adjacent to the site; increased noise; and consumption of renewable and non-renewable resources.

Several adopted City codes and/or ordinances provide mitigation for some of the identified construction related impacts. Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts, but impacts such as air quality and noise require further discussion and may require SEPA mitigation.

### **Air Quality**

The Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality and will require permits for removal of asbestos (if any) during demolition. The owner and/or responsible party (ies) are required to comply with the PSCAA rules pertaining to demolition of projects with or without asbestos. This will ensure proper handling and disposal of asbestos, as well as demolition of structures without asbestos. No further SEPA conditioning is necessary.

### **Greenhouse Gas**

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project.

### **Noise**

The project is expected to generate loud noise during demolition, grading and construction. These impacts would be especially adverse in the early morning, in the evening, and on weekends. The Seattle Noise Ordinance permits increases in permissible sound levels associated with construction and equipment between the hours of 7:00 AM and 10:00 PM on weekdays and 9:00 AM and 10:00 PM on weekends. The surrounding properties are developed with housing and will be impacted by construction noise. The limitations stipulated in the Noise Ordinance are not sufficient to mitigate noise impacts; therefore, pursuant to SEPA authority, the applicant shall be required to limit periods of construction activities (including but not limited to grading, deliveries, framing, roofing, and painting) to non-holiday weekdays from 7:00 AM to 6:00 PM.

### Long-Term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased height, bulk and scale on the site; increased traffic in the area and increased demand for parking; increased demand for public services and utilities; increased light and glare; and impacts to plants and animals.

Long-term or use related impacts will likely be closely comparable to those already generated by the existing Fire Station Number 9 use. Hence, most long-term impacts are not considered significant because they are minor in scope.

Several adopted City codes and/or ordinances provide mitigation for some of the impacts. Specifically these are: the Seattle Building Code which provides prescriptive construction techniques and standards; and the Land Use Code which controls site coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long term impacts.

### Height, Bulk and Scale

The SEPA Height, Bulk and Scale Policy (Section 25.06.675.G., SMC) states that “the height, bulk and scale of development projects should be reasonably compatible with the general character of development anticipated by the goals and policies set forth in Section B of the land use element of the Seattle Comprehensive Plan regarding Land Use Categories, ...and to provide for a reasonable transition between areas of less intensive zoning and more intensive zoning.”

The proposed fire station, 28 to 40 feet tall, is expected to be reasonably compatible with the character of development anticipated in the Seattle Comprehensive Plan and provide appropriate transition to surrounding properties. While it would be taller than other development allowed in the zone at 30 to 35 feet, it would not be so much greater as to create a large height, bulk and scale inconsistency.

In addition, design details, landscaping and finish materials will contribute towards mitigating the perception of height, bulk and scale in that these elements will break down the overall scale of the building.

No further mitigation of height, bulk and scale impacts is warranted pursuant to SEPA policy (SMC 25.06.675.G.).

### Traffic and Parking

Traffic and parking impacts are expected to be substantially the same as those of the existing station. The path of emergency vehicles in and out of the building would remain unchanged. A single engine truck is expected to be placed at the station for the foreseeable future; just as in the current condition.

The number of vehicle trips, both of emergency and personal vehicles, is expected to remain unchanged from the present condition.

An existing traffic signal allowing emergency vehicle access on to Fremont Way N. would remain as would the signal at N. 39<sup>th</sup> St. and Fremont Ave. N. These two traffic lights provide safe, expeditious access to surrounding arterial streets.

No SEPA based conditioning of traffic and parking impacts is warranted.

### Noise

The project is expected to generate noise very similar to that generated by the current fire station on the site. This would primarily consist of operational noise from fire alarms and from sirens of emergency response vehicles when leaving the site. An emergency generator on the site would be tested periodically and otherwise operate only during power failures. The generator with its enclosure and exhaust muffler is designed and specified to generate 72 dBA of noise at 23 feet distance. This level is close to the expected daytime ambient noise in the area.

The site is close to residential uses, and alarms and sirens could be especially adverse in the early morning and in the evening. The Seattle Noise Control Ordinance exempts sounds created by fire alarms and emergency vehicles. Noise associated with sirens and alarms are an essential function of a fire station and are unavoidable. The Seattle Fire Department makes an effort to be good neighbors and uses discretion about when to activate sirens late at night or in the early morning.

No conditioning pursuant to SEPA authority is warranted.

### Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project and the projects' energy consumption, are expected to result in increases in carbon dioxide which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project.

## **RECOMMENDED CONDITIONS - SEPA**

### During Construction

The following condition(s) to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. If more than one street abuts the site, conditions shall be posted at each street. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other waterproofing material and shall remain posted on-site for the duration of the construction.

1. All construction activities are subject to the limitations of the Noise Ordinance. Construction activities (including but not limited to grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays<sup>1</sup> from 7am to 6pm. Interior work using equipment within a completely enclosed structure, such as but not limited to compressors, portable-

powered and pneumatic powered equipment may be allowed on Saturdays between 9am and 6pm, provided windows and doors remain closed. Non-noisy activities, such as site security, monitoring, weather protection shall not be limited by this condition.

Construction activities outside the above-stated restrictions may be authorized by the Land Use Planner when necessitated by unforeseen construction, safety, or street-use related situations. Requests for extended construction hours or weekend days must be submitted to the Land Use Planner at least three (3) days in advance of the requested dates in order to allow DPD to evaluate the request.

<sup>1</sup>New Year's Day, Martin Luther King Junior's Birthday, President's Day, Memorial Day, July 4, Labor Day, Veterans' Day, Thanksgiving Day and Christmas Day.

Signature: \_\_\_\_\_ (signature on file) Date: February 10, 2011  
Scott Kemp, Senior Land Use Planner  
Department of Planning and Development

SK:bg

H:kemp/doc/309024 Fremont Fire Station 9.doc