

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

Council land use action to allow 216 and 34	)	C.F. 313734
sq. ft. additions to Fire Station No. 29,	)	
located at 2139 Ferry Ave SW (Project No.	)	DPD Application #3017244
3017244, Type V).	)	
	)	FINDINGS, CONCLUSIONS
	)	AND DECISION

**Background**

The Finance and Administrative Services Department (FAS) has applied for a Council Concept Approval to modify development standards to allow 216 and 34 square foot additions to an existing public facility (Fire Station #29) in a single family zoning district. The proposed additions are part of a larger seismic and safety upgrade project.

The site is located on the north side of the three-way intersection of SW Walker Street, 45<sup>th</sup> Avenue SW and Ferry Avenue SW. The 11,325 square foot site is zoned Single Family 5000 (SF5000). The site contains Fire Station 29, a 4,222 square foot station originally built in 1970. The station provides three surface parking spaces accessed from 45<sup>th</sup> Avenue SW. The property shares a lot line with a single family structure to the north.

On July 14, 2014, the Department of Planning and Development (DPD) issued its Analysis and Recommendations and published a Notice of Public Hearing for Council to consider the request for concept approval. DPD recommended approval of the project.

On August 13, 2014, the City Council's Planning, Land Use and Sustainability Committee (PLUS Committee) held a public hearing on DPD's recommendation and received a briefing on the project prior to making its recommendation to the full Council.

**Findings of Fact**

The City Council hereby adopts the following Findings of Fact:

1. Fire Station 29 is located in the Admiral District of West Seattle at the three-way intersection of 45<sup>th</sup> Ave. SW, Ferry Ave. SW, and SW Walker Street.
2. The project site is zoned Single Family 5000 (SF 5000). All properties surrounding the subject lot are developed with single-family houses.
3. FAS owns the site.
4. The project site is generally flat. An exceptional tree is located at the south portion of the site adjacent to the three way intersection. The site does not contain any Environmentally Critical Areas.

5. Due to its small size, the project is exempt from environmental review under the State Environmental Policy Act (SEPA).
6. Public facilities, including fire stations, may be permitted in single family zones as a council conditional use pursuant to Seattle Municipal Code (SMC) section 23.44.036 and 23.51A.002. SMC 23.44 contains development standards for public facilities in single family zones. 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 Type V legislative action. FAS seeks a Council Concept Approval to modify one development standard as shown in Table A.

Table A

Development Standard	Required	Proposed
SMC 23.44.010	Maximum Lot Coverage is limited to 35% total lot area	39.5% lot coverage for a total lot coverage of 4,473 square feet

7. In making a recommendation to Council, SMC 23.76.050 requires that the DPD Director draft an evaluation of the proposal based on the following standards and criteria:
  1. The written recommendations or comments of any affected City departments and other governmental agencies having an interest in the application or request;
  2. Responses to written comments from the public;
  3. An evaluation of the proposal based on the standards and criteria for the approval sought and consistency with applicable City policies;
  4. All environmental documentation, including any checklist, EIS or DNS; and
  5. The Director's recommendation to approve, approve with conditions, or deny a proposal.
8. The following findings were included in the Analysis and Recommendation of the DPD Director concerning the project's compliance with criteria in SMC 23.76.050:
  - a. No written recommendations or comments were received from affected City departments or other governmental agencies having an interest in the application or request.
  - b. No public comments were received during the public comment period, which ended on April 30, 2014.
  - c. SMC 23.51A.002 B includes standards and criteria for the proposed public facility use:

*The proponent of any such use shall demonstrate the existence of a public necessity for the public facility use in a single-family zone. The public facility use shall be developed according to the development standards for institutions (Section 23.44.022), unless the City Council makes a determination to waive or modify applicable development*

*standards according to the provisions of Chapter 23.76, Subchapter III, Council Land Use Decisions, with public projects considered as Type IV quasi-judicial decisions and City facilities considered as type V legislative decisions.*

The fire station structure already exists at this location within a single family zone. While the site is zoned single family, the lot is located at the intersection of three streets, and shares only one property line with an adjacent single family home.

This fire station is home to fire fighters responding to 911 dispatches. The rapid, efficient dispatch of first responders is essential for protecting lives and property within the City of Seattle. The proposed interior construction will seismically update the existing station to be compatible with current standards. The interior alterations and additions are necessary to house apparatus support equipment while also providing living spaces for first responders. The limited scope of work proposed will allow existing building to continue service to the City residents without the need for a new building at a different site. In light of these facts, there is clear public necessity for this fire station within a single family zone.

As noted above the fire station structure requires one modification to development standards for institutions in single family zones pursuant to SMC 23.44.022. A modification to the maximum allowed lot coverage is requested. The proposed structure will have a total lot coverage of 4,472.78 square feet which is 39.5% total lot area, so a modification of 4.5% is requested.

The existing fire station already exceeds maximum allowed lot coverage in a single family zone. The total existing lot coverage is 4,222 square feet or 37.4% total lot area. The proposed building would increase the lot coverage nonconformity by 2.1%. The addition will meet all required setbacks and be located on the south portion of the site. The addition will be located as far as possible from the adjacent neighbor to the north which will minimize any bulk impacts to surrounding properties.

The additions are required to provide the storage, housing and support functions for the operation of the existing fire station.

The proposed addition will minimize impacts to adjacent properties by maintaining the existing exceptional tree on the south portion of the site. The building will be clad in brick to be consistent with the existing building materials.

- d. The proposed facility is categorically exempt from threshold determination and EIS requirements according to SMC 25.05.800 A2c Table B, because the project proposal includes the construction of an addition to an existing service building that already contains more than 4,000 square feet gross floor area in a single family zone.
- e. Based on the analysis provided above, DPD recommends approval of the proposed fire station addition in a single family zone with the requested modification to development standards as described in Table A.

### Conclusions

The City Council hereby adopts the following Conclusions:

1. Fire Station 29 is a City facility as defined in SMC 23.84A.006.
2. Public facilities require Council approval when the use is established in a SF 5000 zone, and when modifications to development standards are required.
3. The adjacent uses and development standards of the zone and the location of the existing exceptional tree have been considered in designing a minor addition to the existing facility, which, when combined with other changes to the interior of the building, will improve the safety and usability of the station.

Accordingly, the City Council now concludes that requested concept approval for modifications to the single family development standards should be granted.

### Decision

The City Council hereby GRANTS in concept the proposed modifications to development standards for the project as shown in Table A, above.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

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



**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 RECOMMENDATION OF THE DIRECTOR  
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Application Number:** 3017244  
**Council File Number:** 313734  
**Applicant Name:** Frank Lawhead for the Finance and Administrative Service Department  
**Address of Proposal:** 2139 Ferry Avenue SW

**SUMMARY OF PROPOSED ACTION**

Council Land Use Action to allow a 216 sq. ft. addition to an existing City facility (Fire Station #29). Project also includes interior alterations. No change is proposed to existing parking.

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 23.51A.002 and 23.44.036)

**SEPA Determination** – Exempt

**BACKGROUND DATA**

**Site and Vicinity Description**

The site is located on the north side of the three-way intersection of SW Walker Street, 45<sup>th</sup> Avenue SW and Ferry Avenue SW. The site area is zoned Single Family 5000 (SF5000) and contains 11,325 square feet of area. The site is developed with Fire Station 29. The station provides two surface parking spaces accessed from 45<sup>th</sup> Avenue SW. The property shares one common lot line with a single family structure to the north. The remainder of the lot lines abut city right-of-way. The building is surrounded by mature landscaping and several large trees in the front, rear and north side setbacks.

Surrounding zoning is Single Family 5000 to the north, south, east and west. All properties surrounding the subject lot area developed with single family homes.

Forty fifth Avenue SW, Ferry Avenue SW and SW Walker Street are all improved with roadway, curb, gutter and sidewalk.

California Avenue SW is located two blocks to the east. Properties along California Avenue SW include a variety of uses and structures including small one-story commercial structures, larger multi-story commercial and multifamily buildings. Single family residential structures prevail to the east and west of the California Avenue north/south arterial corridor.

The site is generally flat. A City of Seattle exceptional tree is located at the south portion of the site adjacent to the three way right-of-way intersection. The site does not contain any Environmentally Critical Areas (ECA).

#### Proposal Description

The proposed project includes the seismic and safety upgrade to the existing fire station. A portion of the fire station will be remodeled to locate apparatus support functions such as: decontamination, bunker gear storage, fitness, EMS storage and maintenance adjacent to the existing apparatus bays. The area vacated by the Battalion Officer will be renovated to accommodate additional apparatus support and administrative functions. A 216 square foot addition is proposed to the north of the existing building. The addition will include space for the kitchen, day room and dining area. A 40 square foot addition to the east will increase the size of the existing watch office to allow for a sleeping area for the officer.

The existing exceptional tree on the south portion of the site will be retained during and after the proposed development.

#### Seattle Design Commission

The Seattle Design Commission has elected to not review the subject proposal.

#### Public Comments

No public comments were received during the public comment period which ended on April 30, 2014.

### **ANALYSIS — COUNCIL CONCEPT APPROVAL**

Public facilities, including fire stations, may be permitted in single family zones as a council conditional use pursuant to Seattle Municipal Code (SMC) sections 23.44.036 and 23.51A.002. Development standards for public facilities in single family zones are found in SMC 23.44. Section 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). The Finance and Administrative Services Department seeks a Council Concept Approval under SMC 23.76.064 to modify one development standards, as follows:

Table A		
Development Standard	Required	Proposed
SMC 23.44.010	Maximum lot coverage is limited to 35% total lot area	39.5% lot coverage for a total lot coverage of 4,472.78 square feet.

SMC 23.76.050 requires the DPD Director to prepare a written report on Type V application, which includes the following analysis and information:

1. *The written recommendations or comments of any affected City departments and other governmental agencies having an interest in the application;*

No written recommendations or comments were received from affected City departments and/or other governmental agencies have an interest in the application.

2. *Responses to written comments submitted by interested citizens;*

No public comments were received during the public comment period which ended on April 30, 2014.

3. *An evaluation of the proposal based on the standards and criteria for the approval sought and consistency with applicable City policies;*

Seattle Municipal Code (SMC) 23.51A.002 B includes standards and criteria for the proposed public facility use.

*The proponent of any such use shall demonstrate the existence of a public necessity for the public facility use in a single-family zone. The public facility use shall be developed according to the development standards for institutions (Section 23.44.022 ~~EE~~), unless the City Council makes a determination to waive or modify applicable development standards according to the provisions of Chapter 23.76, Subchapter III, Council Land Use Decisions, with public projects considered as Type IV quasi-judicial decisions and City facilities considered as type V legislative decisions.*

The fire station structure already exists at this location within a single family zone. While the site is zoned single family, the lot is located at the intersection of three streets, and shares only one property line with an adjacent single family home.

This fire station is home to fire fighters responding to 911 dispatches. The rapid, efficient dispatch of first responders is essential for protecting lives and property within the City of Seattle. The proposed interior construction will seismically update the existing station to be compatible with current standards. The interior alterations and additions are necessary to house apparatus support equipment while also providing living spaces for first responders. The limited scope of work proposed will allow existing building to continue service to the City residents

without the need for a new building at a different site. In light of these facts, there is clear public necessity for this fire station within a single family zone.

As noted above the fire station structure requires one modification to development standards for institutions in single family zones pursuant to SMC 23.44.022. A modification to the maximum allowed lot coverage is requested. The proposed structure will have a total lot coverage of 4,472.78 square feet which is 39.5% total lot area, so a modification of 4.5% is requested.

The existing fire station already exceeds maximum allowed lot coverage in a single family zone. The total existing lot coverage is 4,235 square feet or 37.4% total lot area. The proposed building would increase the lot coverage nonconformity by 2.1%. The addition will meet all required setbacks and be located on the south portion of the site. The addition will be located as far as possible from the adjacent neighbor to the north which will minimize any bulk impacts to surrounding properties.

The additions are required to provide the storage, housing and support functions for the operation of the existing fire station.

The proposed addition will minimize impacts to adjacent properties by maintaining the existing exceptional tree on the south portion of the site. The building will be clad in brick to be consistent with the existing building materials.

**4. All environmental documentation, including any checklist, EIS or DNS;**

The proposed public facility is categorical exempt from threshold determination and EIS requirements according to SMC 25.05.800 A2c Table B, because the project proposal includes the construction of an addition to an existing service building that already contains more than 4,000 square feet gross floor area in a single family zone.

**5. The Director's recommendation to approve, approve with conditions, or deny a proposal.**

Based on the analysis provided, above, DPD recommends approval of the proposed fire station addition in a Single Family zone with the requested modification to development standards as described in Table A.

**RECOMMENDATION – COUNCIL APPROVALS**

DPD **recommends approval** of the proposed fire station in a Single Family zone with the requested modification to development standards as described in Table A.

Signature: \_\_\_\_\_ (signature on file) Date: July 14, 2014  
Lindsay King, Senior Land Use Planner  
Department of Planning and Development

LK:bg





# 3017244 Council Action

2139 FERRY AVE SW  
MAP 124



Feet

0 204



DPD  
700 5th Ave Ste 2000, PO Box 34019  
Seattle, WA 98124-4019  
(206) 684-8600

# LAND USE Application

Report Date 04/09/2014 09:31 AM

Submitted By

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A/P # 3017244 DISCRETIONARY LAND USE ACTION

## Application Information

### Stages

	Date / Time	By		Date / Time	By
Processed	04/09/2014 09:24	STALLWM	Temp COO		
Approved			COO Issued		
Final			Expires		

### Associated Information

Type of Work	FULL C FULL REVIEW (COMPLEX)	# Plans	4	Declared Valuation	1500000.00
Dept of Commerce	CMRCL COMMERCIAL	# Plans	0	Calculated Valuation	0.00
Priority	<input checked="" type="checkbox"/> Auto Reviews	Bill Group		Actual Valuation	0.00

### Description of Work

Council Land Use Action to allow a 216sf addition to an existing public facility (Fire Station #29). Project also includes interior alterations. No change in parking.

### Parent A/P #

Project #	3017244	Project/Phase Name		Phase #	
Size/Area	0.00	Size Description		Subdivision Code	
Proposed Start		Proposed Stop		% Completed	0.00
% Complete Formula					

### Property/Site Information

Address 2139 FERRY AVE SW  
SEATTLE WA

### Location

### Owner/Tenant

Contact ID	AC125344	Name	DAVID JACKSON	Organization	FLEETS AND FACILITIES
Mailing Address	700 5TH AVENUE SUITE 5200	State/Province	WA	Country	<input type="checkbox"/> Foreign
City	SEATTLE	Evening Phone		Mobile #	
ZIP/PC	981244689				
Day Phone	(206)386-4572				
Fax	(206)684-0525				

### A/P Linked Addresses

No Addresses are linked to this Application

### Linked Addresses

No Addresses are linked to this Application

### A/P Addresses

No Other Addresses are associated to this Application

### Linked Parcels

DV0048144

### A/P Linked Parcels

DV0048144

DPD

700 5th Ave Ste 2000, PO Box 34019  
Seattle, WA 98124-4019  
(206) 684-8600

LAND USE Application

Report Date 04/09/2014 09:31 AM

Submitted By

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Applicants/Contacts

Primary N Capacity OWNER Contact ID AC125344  Foreign  
 Effective Expire  
 Name DAVID JACKSON  
 Day Phone (206)386-4572 Eve Phone Organization FLEETS AND FACILITIES  
 Pager PIN # Position  
 Fax (206)684-0525 Mobile Profession  
 E-Mail  
 Address 700 5TH AVENUE SUITE 5200  
 SEATTLE, WA 981244689  
 Comments No Comments  
 Special Inspections

Special Inspection Qualifications

Principal

SI Qualifications SI Category	Suspended	Susp End Dt	Expired	Comments
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There are no items in this list

Primary N Capacity OTHER Other FIN RESP Contact ID AC125344  Foreign  
 Effective Expire  
 Name DAVID JACKSON  
 Day Phone (206)386-4572 Eve Phone Organization FLEETS AND FACILITIES  
 Pager PIN # Position  
 Fax (206)684-0525 Mobile Profession  
 E-Mail  
 Address 700 5TH AVENUE SUITE 5200  
 SEATTLE, WA 981244689  
 Comments No Comments  
 Special Inspections

Special Inspection Qualifications

Principal

SI Qualifications SI Category	Suspended	Susp End Dt	Expired	Comments
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There are no items in this list

Primary Y Capacity APPL Contact ID AC205221  Foreign  
 Effective Expire  
 Name FRANK LAWHEAD  
 Day Phone (425)556-1220 Eve Phone Organization LAWHEAD ARCHITECTS P.S.  
 Pager PIN # Position  
 Fax (425)556-1228 Mobile Profession  
 E-Mail  
 Address 12342 NORTHUP WAY  
 BELLEVUE, WA 98005  
 Comments No Comments

DPD  
 700 5th Ave Ste 2000, PO Box 34019  
 Seattle, WA 98124-4019  
 (206) 684-8600

**LAND USE Application**

Report Date 04/09/2014 09:31 AM

Submitted By

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**Special Inspections**

**Special Inspection Qualifications**

Principal

SI Qualifications SI Category	Suspended	Susp End Dt	Expired	Comments
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There are no items in this list

**Contractors**

Primary	N	Capacity Type	
Effective		Expire	
Contact ID	CI0023	Name	CITY OF SEA F&FD
Phone	(206)684-0424 x	Fax	(206)386-9030
		Address	700 5TH AVE #5200 PO BOX 94689 SEATTLE, WA 98104

Comments  
 David Jackson 206-684-0156

License #	Type	Contact ID	Name
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No Company/Contractor Licenses

**Land Use**

Decision Type  Land Use Components

**Building ID Information**

Project Includes  
 Use N Ground Disturbance  
 TRAO Applies N EDG Required  
 Design Review N Development in ROW

**Incentive Plan**

PASV Req'd This Permit  Done Under Permit Remarks  
 Fee Ordinance Exception NONE (\*)

**Special Flags**

Priority Green

**Building ID Information**  
 Building ID

There are no items in this list

Land Use Components LU Component Comments Added By	Component Detail	Outcome	Component Add Date
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COUNCIL	CNCL OTHER	04/09/2014
To allow a city facility that does not meet development standards in a residential zone. 23.51A.002A. 23.44.036		

STALLWM

DPD

700 5th Ave Ste 2000, PO Box 34019  
Seattle, WA 98124-4019  
(206 ) 684 -8600

# LAND USE Application

Report Date 04/09/2014 09:31 AM

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Land Use Components LU Component Comments Added By	Component Detail	Outcome	Component Add Date
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Template Type A/P #	A/P Type	Status	Stage
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No children exist for this project

Employee Employee ID	Last	First	MI	Comments
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No Employee Entries

Log Action Comments	Description	Entered By	Start	Stop	Hours
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No Log Entries