

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

City Council concept approval and)	Clerk File 313665
modification of certain development)	
standards to allow the replacement of a City)	FINDINGS, CONCLUSIONS,
of Seattle Department of Information)	AND DECISION
Technology radio transmitter building)	
located at 8526 Roosevelt Way NE (DPD)	
Project No. 3016073, Type V))	

Background

The proposed project is an on-site replacement of an existing, one-story, 420 square foot radio transmitter building located at 8526 Roosevelt Way NE. The building, which is operated and maintained by the City of Seattle’s Department of Information Technology (DoIT), was constructed and has remained in operation since 1962. Located inside the building is equipment that serves DoIT’s radio and fiber optic networks. Those networks are critical to providing rapid and efficient dispatch of City services, including emergency services. The City’s Finance and Administrative Services Department (Applicant) has submitted a land use application to replace the building with a new 713 square foot structure that would accommodate the growing amount of equipment necessary to serve the City’s information technology needs. The Applicant owns the property upon which the existing building is located. Construction of the new, proposed building would require modification of the front yard, rear yard, and height increase development standards for Single Family zones. City Council concept approval is required to replace and expand the existing radio transmitter building, which is a City facility. City Council approval is also required to modify the development standards that apply on the site.

The Department of Planning and Development (DPD) reviewed the proposed project and issued a Revised Analysis and Recommendation of the Director on April 28, 2014. DPD recommends the project be approved. Pursuant to Seattle Municipal Code (SMC) Section 25.05.800, DPD determined the proposed project was categorically exempt from environmental review under the State Environmental Policy Act (SEPA).

This matter first came before the City Council’s Planning, Land Use, and Sustainability Committee (Committee) on June 3, 2014. At that meeting, the Committee considered the merits of the proposal and held a public hearing to accept comments on DPD’s recommendation. Also at its June 3, 2014, meeting, the Committee voted to recommend the full City Council approve the project and grant the requested modifications of development standards.

Findings of Fact

The City Council hereby adopts the following Findings of Fact:

1. The project site is a 1,950 square foot parcel located at 8526 Roosevelt Way NE and bordered on three sides by Maple Leaf Reservoir Park. The site is owned by the Applicant and zoned Single Family 5000.
2. Uses surrounding the project site include Maple Leaf Reservoir Park to the north, south, and east and small commercial structures to the west across Roosevelt Way NE. Farther north, larger multi-story residential and commercial buildings are located along Roosevelt Way NE. The project site is also proximate to several blocks of single family residential development.
3. Roosevelt Way NE is a designated arterial with curbs, sidewalks, and street trees.
4. Maple Leaf Reservoir Park contains a mapped steep slope Environmental Critical Area (ECA); however, the project site is fairly flat and all proposed development would be outside the ECA and required buffer area.
5. Existing development on the project site includes a 420 square foot radio transmitter building and an adjacent 180 foot monopole radio tower.
6. The existing radio transmitter building does not meet current building or seismic codes, has a leaking roof, and is at least partially comprised of materials that contain, or are assumed to contain, asbestos.
7. The Applicant has submitted a land use application to replace and expand the existing radio transmitter building located on the site. The monopole would remain at its current location.
8. The proposed new radio transmitter building, which would replace the existing radio transmitter building located on the project site, would include the following features:
 - One-story, 713 square foot structure;
 - Located in approximately the same location on the project site as the existing building;
 - Connected to the existing 180 foot monopole located on the site;
 - Surrounded by a new iron fence, consistent with the fencing at adjacent Maple Leaf Reservoir Park; and
 - Additional landscaping installed between the new building and the sidewalk along Roosevelt Way NE.

9. City facilities, including utility service uses, may be permitted in Single Family zones as a Council conditional use pursuant to SMC 23.44.036 and 23.51A.002. SMC 23.76.036 and 23.76.064 provide that the Council may waive or modify development standards for City facilities.

10. The following modifications of Single Family development standards are being sought:

Development Standard	Requirement	Proposed	Modification Amount
Front yards in Single Family zones SMC 23.44.022.K.2 and SMC 23.44.014.A.1	Minimum front yard of 20 feet	Front yard of 4 feet 3 inches	15 feet 9 inches
Rear yards in Single Family zones SMC 23.44.022.K.2 and SMC 23.44.014.B	Minimum rear yard of 10 feet	Rear yard of 2 feet 8 inches	7 feet 4 inches
Principal structures in Single Family zones that are nonconforming to front and/or rear yard requirements SMC 23.42.112.A.1	Height increase within yards limited to 5 feet	Height increase of 7 feet 8 inches	2 feet 8 inches

11. The project site is 30 feet in depth; thus, conforming to the minimum front yard (20 feet) and rear yard (10 feet) requirements for Single Family zones would prohibit any development on the lot. The proposed 23 foot depth of the new radio transmitter building is necessary to accommodate the equipment and wall construction needed to support the technical functions on the site.

12. The proposed 7 foot 8 inch height increase over the existing radio transmitter building is requested to accommodate mechanical systems that would be housed within the new structure.

13. During construction of the proposed new radio transmitter building, a 240 square foot portable unit would be temporarily installed near the project site to house equipment from the existing building that must remain operational in order to maintain necessary City services. A separate permit, not subject to City Council approval, would be required to locate the portable unit on City property.

14. Construction of the new radio transmitter building is expected to take about four months.

15. The Seattle Design Commission elected not to review the proposed project.

16. Pursuant to SMC 25.05.800, DPD determined the proposed project was categorically exempt from SEPA review.

17. SMC Section 23.76.050 requires that the DPD Director evaluate the proposed project based on the standards and criteria for the approval sought, and consistency with applicable City policies.
18. On April 28, 2014, DPD issued the Revised Analysis and Recommendation Director on the proposed project. The DPD Director found the proposal met the relevant criteria for approval of a City facility and for the modification of development standards in a Single Family zone. The DPD Director also recommended the Council approve the proposed modifications of development standards and grant the concept approval for the project.
19. No comments were submitted by affected City departments and/or other governmental agencies that have an interest in the proposed project. No comments were submitted during DPD's public comment period on the proposed project. **[Insert #]** comments were submitted at the Committee's June 3, 2014, public hearing on the proposed project.

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. City facilities, including utility service uses, may be permitted in Single Family zones as a Council conditional use pursuant to SMC 23.44.036 and 23.51A.002.
3. The City Council also has authority to waive or modify development standards for a City facility under SMC 23.76.036 and 23.76.064.
4. The existence of a radio transmitter building on the project site is a public necessity: The existing transmitter building serves critical radio and fiber optic networks that support first responders, 911 communications, and the rapid and efficient dispatch of other City services that are essential to the protection of public safety and property. Additionally, the subject site contains an existing 180 foot monopole that serves the radio transmission devices in the existing building. The presence of the monopole necessitates that the new radio transmitter building be constructed on the same site as the existing radio transmitter building.
5. The requested modifications of development standards are necessary to accommodate the equipment and services the new radio transmitter building will support.

Decision

The City Council hereby approves in concept the proposed radio transmitter building described in Clerk File 313665 and GRANTS the following modifications of development standards for the project:

Modifications of Development Standards

Code Section	Code Standard	Modification Allowed
SMC 23.44.022.K.2 and SMC 23.44.014.A.1 Front yards in Single Family zones	Minimum front yard of 20 feet	Front yard of 4 feet 3 inches
SMC 23.44.022.K.2 and SMC 23.44.014.B Rear yards in Single Family zones	Minimum rear yard of 10 feet	Rear yard of 2 feet 8 inches
SMC 23.42.112.A.1 Principal structures in Single Family zones that are nonconforming to front and/or rear yard requirements	Height increase within yards limited to 5 feet	Height increase of 7 feet 8 inches

Dated this _____ day of June, 2014.

City Council President