

FINDINGS AND RECOMMENDATION  
OF THE HEARING EXAMINER FOR THE CITY OF SEATTLE

In the Matter of the Petition of

CITY OF SEATTLE, DEPARTMENT OF  
ADMINISTRATIVE SERVICES

FILE NO. CC-81-001  
C.F. NO. 290667

for a council conditional use  
pursuant to Title 24, Seattle  
Municipal Code (Zoning Ordinance  
86300, as amended)

Recommendation:       The petition should be  
                          CONDITIONALLY GRANTED.

Introduction

The applicant proposes to construct a police precinct station with accessory off-street parking and fuel pumping station in the Duplex Residence Medium Density (RD 7200) zone at 10049 College Way North.

For purposes of this recommendation, all section numbers refer to the Zoning Ordinance, Title 24, Seattle Municipal Code, unless otherwise indicated.

The Director's report, submitted by the Department of Construction and Land Use (DCLU), recommended that the petition be conditionally granted.

This matter was heard before the Hearing Examiner on July 21, 1981.

After due consideration of the evidence presented by the petitioner, the information provided by the Director's report, and all evidence elicited during the public hearing, the following findings of fact and conclusions shall constitute the recommendation of the Hearing Examiner on this petition.

Findings of Fact

1. The subject property is located in the Duplex Residence Medium Density (RD 7200) zone at 10049 College Way North. The approximately 125,800 sq. ft. undeveloped lot slopes gently to the north where it is bounded by N. 103rd Street. Wallingford Avenue N. abuts to the west and N. 100th Street to the south. To the east is College Way N., a major north-south arterial. The site is located within an area designated by the Comprehensive Land Use Plan for governmental, educational, and related uses.

2. Properties to the west and south of the subject site are single family zoned and developed as is the western half-block area to the north of the site. A multiple residence zone completes that block as well as the block east of Meridian Avenue. The RMH zoned area is marked by apartments, condominiums, offices and similar development. The property directly across College Way is part of an environmental sanctuary and the North Seattle Community College campus is located south of this sanctuary.

3. On September 20, 1977, Seattle voters passed a general obligation bond authorizing the construction of a new precinct station in the area north of the Lake Washington Ship Canal, the North Precinct. The existing Wallingford precinct would be vacated. In May, 1978, the Council adopted Resolution 25776. That Resolution established a process for identification of potential sites and established a Citizens' Task Force to review and evaluate sites according to criteria included in that Resolution.

Such criteria included the following: at least 50,000 sq. ft. of usable space; capability of adjacent streets to handle precinct-related traffic without further improvements; availability of on-site parking for visitors and official vehicles; and minimal adverse environmental impacts on surrounding neighborhoods. Twenty-one potential sites were eliminated in favor of the subject site and the Densmore/Wallingford site, bounded by Densmore Avenue N., N. 100th Street, Wallingford Avenue N. and N. 103rd Street. After the City Council and Mayor agreed that the subject site most closely met the selection criteria, applicant was directed to seek this conditional use authorization. The police precinct is a localized unit of the Police Department, charged with responding to public safety concerns on a 24-hour, daily basis.

4. Applicant proposes to construct a low-lying, single story structure of approximately 13,300 sq. ft., with a basement level shooting range of approximately 1,380 sq. ft. Resulting lot coverage is approximately 10.6 percent. The highest roof line is approximately 19 ft. above finished grade over the proposed public meeting/roll call room that will be made available for community meetings; the lowest average height from finished grade is roughly 9 ft. along the north elevation. The highest average height from finished grade is approximately 16 ft. The exterior will be of a pre-cut material or stucco in a "warm" color.

5. Applicant proposes an average distance of 200 ft. from the building's west face to the Wallingford Avenue right-of-way. Natural buffering and landscaping along the perimeter, including the west side, is also planned. One witness residing to the west at 10031 Wallingford Avenue N. requested that lower trees or shrubs be employed along the west boundary to minimize blockage of his view to the east. The applicant has agreed to consider this. There are two proposed off-street parking areas, one for visitors (10 vehicles) and another for police personnel vehicles (70 automobile stalls and 10 motorcycle stalls). The police personnel parking area is located to the west of the proposed building in an area depressed below the west adjacent City streets. That area will be enclosed by a security fence masked by landscaping. College Way N. will serve as primary access and N. 103rd for secondary and service vehicle access for the police personnel parking area. Applicant proposes to leave the southern portion of the site in its natural (wooded) state. Neighborhood witnesses requested assurances that that area would be maintained and restricted from vehicular use, which assurances the applicant provided at hearing.

6. The plans include a landscaped public plaza with benches near the public entry on the east side of the precinct building. Visitor parking will also be located along the east side of the building, accessed from College Way and N. 103rd Street.

7. Applicant has designed a continuous earth berm with landscaping for the area along the north boundary. This will function to minimize heat loss and soften the visual impact of the north face of the building.

8. The proposed fueling island will be located away from and west of the building to facilitate adequate ventilation and compliance with fire safety procedures. The proposed dimensions include ground coverage of 470 sq. ft., average height from finished grade 15 ft., and exterior finish of structure and canopy that will be compatible with the precinct building itself.

9. According to applicant, calls for police service are received in the Public Safety Building in downtown Seattle and dispatches are by unassigned patrol units near the sector where service is required; emergency dispatch from the precinct is accordingly "extremely rare". The normal practice is for a detainee to be screened at the precinct then transported immediately to the King County jail within one to two hours.

10. With regard to the action proposed in the petition, an environmental impact statement (EIS) has been prepared pursuant to the State Environmental Policy Act of 1971 (SEPA) and Ordinance 105735, as amended, and is part of the record.

11. The draft EIS analysis figured approximately 138 patrol officers and 38 patrol cars presently assigned to the Wallingford precinct. Depending on the result of considered decentralization of the traffic and detective functions, these numbers could be increased to 154 and 51, respectively.

12. The first patrol watch (shift) is 4:00 a.m. to 12:00 p.m.; the second from 12:00 p.m. to 8:00 p.m.; and the third from 8:00 p.m. to 4:00 a.m. Five day traffic patrol is divided into the two shifts of 7:00 a.m. to 3:00 p.m. and 3:00 p.m. to 11:00 p.m. The detective functions are from 8:00 a.m. to 5:00 p.m. five days per week. Recognizing the increased traffic volumes and pedestrian activity in the area resulting from the proposed precinct, the EIS noted that the period of peak traffic for the precinct would occur during patrol shift changes which do not coincide with either morning or evening rush hour peaks, and further that adjacent streets are below their capacity level during nonpeak hours so that the added traffic generated by the police precinct, including visitors, would have no major effect upon traffic flow. Patrol officer relief is staggered. The first roll call is one-half hour before the scheduled onset of the shift and the second one-half hour after.

13. The Department recommendation for approval of the application was contingent on conditions designed to mitigate construction, noise, and other impacts identified in the EIS. The conditions were also designed to address issues of landscaping and design control.

14. The Engineering Department's Office for Planning had no objection to the proposal "provided that cement concrete curbs, gutters, sidewalks and driveways are provided on the streets surrounding the developed property." A petition of 18 neighbors and a letter in favor of the proposal are included in the record.

#### Conclusions

1. Principal conditional uses permitted by the City Council and allowed in the RD 7200 zone are those "set forth in Section 24.16.030, when authorized by the Council in accordance with Chapter 24.74." Section 24.24.030.

2. Among those principal conditional uses permitted by Council pursuant to Section 24.16.030 are fire stations, libraries, museums and

B. Police precinct stations including accessory holding rooms or cells for detention of suspects for a period not to exceed 24 hours.

3. And the criteria of Chapter 24.74 must be met. Section 24.74.010 imposes standards on the authorization of a conditional use such that the use must be consistent with the spirit and purpose of the zoning ordinance and must not be "materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located." Section 24.72.010. Additional requirements and conditions may be imposed as deemed necessary for the protection of the vicinity properties and the public interest.

4. As conditioned herein, the proposed use will not be "materially detrimental" or injurious to vicinity properties. The low lying building will be located in an area of approximately 125,800 sq. ft. Proposed lot coverage is 10.6 percent. Extensive landscaping and buffering is proposed. Adequate visual and physical separation from adjoining uses also is proposed. For example, single family homes to the west will be separated not only by Wallingford Avenue but also by a security fence and

vegetation screening that will consider the east view of that street's residents. Moreover, the west area of the precinct lot is physically depressed from adjacent streets. Lastly, there will be an average distance of 200 ft. from the west building facade to the Wallingford right-of-way.

5. The southern portion of the subject site, to be used for storm water retention, will remain wooded, operating as a screen and buffer to residences to the south. The applicant has agreed to maintain and secure this area. The visual impact to the north is lessened not only by the planned design of the structure but also by the continuous earth berm (and landscaping) proposed for the north border of the subject site. To the east of the proposed facility is the public plaza and entry. Across the north-south arterial College Way is an environmental sanctuary.

6. Routine dispatch will not be from the precinct, but from the sector where an officer is assigned. The shift changes will be staggered and will not coincide with morning or evening rush hour traffic. The building will be located in an area for governmental uses.

7. Based on the foregoing, the spirit and purpose of the zoning ordinance will be met and the conditional use should be approved as conditioned herein.

#### Recommendation

For each of the above reasons, the recommendation of the Hearing Examiner to the City Council is as follows:

The application should be granted subject to the following conditions:

I. For construction impacts and noise control:

- A. Exposed soil shall be sprinkled or seeded as soon as possible to reduce surface soil erosion and to prevent wind erosion.
- B. A stream of water shall be directed at major sources of dust during construction to reduce air quality impacts from increased particulate levels.
- C. Care shall be taken to prevent mud from impacting City streets by providing for on-site wheel washing during construction and designation of personnel specifically designed to remove mud and debris on the streets on a continual basis.
- D. During construction, run-off water shall be impounded on the site to permit the settling of sediment before entry in the combined sewer system.
- E. Noise-baffling acoustic enclosures or barriers shall be provided around stationary construction equipment.
- F. Idling equipment shall be shut-down whenever practical.
- G. To the extent feasible, noisy operations and equipment shall be scheduled to avoid concurrent operation of high noise sources.
- H. Use of loud equipment such as tractors, impact tools and graders shall be strictly limited to the normal working hours of 8:00 a.m. to 5:00 p.m.

- I. During site preparation and construction truck routes shall be as specified by the Traffic and Transportation Division of the Engineering Department. Truck trips shall be planned to avoid coincidence with peak traffic.
- J. A flagworker shall be on duty during all hours of excavation and construction activities to control traffic to and from the site.

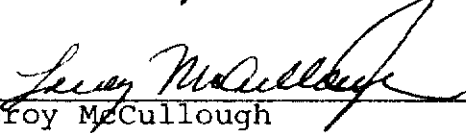
II. For landscaping and design control:

- A. Prior to issuance of use or building permits, a landscaping plan shall be submitted for review and approval by the Department of Construction and Land Use. The landscaping plan shall be designed to further the goals of visually softening the building facade appearance on Wallingford Avenue, N. 103rd Street, and N. 100th Street; visually breaking up the asphalt parking areas, providing substantial buffer between the sites and adjoining properties and preserving the existing large trees on-site to the maximum extent possible. The landscaping shall also include amenity features such as benches and a drinking fountain in the public plaza near the main pedestrian entry.
- B. Lighting of the site shall be shielded and directed away from adjoining properties to minimize light falling on such properties.
- C. Cement concrete curbs, gutters and sidewalks shall be provided on the streets surrounding the proposed site per City Engineering Department requirements.
- D. The landscaping plan shall consider the concerns of Wallingford Avenue residents for view blockage.

III. Maintenance:

- A. The southern portion of the property shall be maintained and secured from vehicular access.

Entered this 4th day of August, 1981.

  
Leroy McCullough  
Hearing Examiner

NOTICE OF RIGHT TO PETITION  
FOR FURTHER CONSIDERATION

Pursuant to 24.72.090, Seattle Municipal Code (Section 27.51 of the Zoning Ordinance 86300, as amended) any party affected by a recommendation of the Hearing Examiner may submit a petition in writing to the City Council requesting further consideration. The petition must be submitted within fourteen days after the date of mailing the recommendation of the Hearing Examiner and must be addressed to: City Council, Urban Development and Housing Committee, Municipal Building, Seattle, Washington 98104.

The petition should state clearly and concisely the reason(s) why further consideration is necessary, and should refer specifically to any errors alleged to exist in the Hearing Examiner's Findings and Conclusions. The City Council's consideration of the petition will be based upon the record of the Hearing Examiner's hearing, and new exhibits or other evidence in support of the petition should not be submitted. The Council, in its discretion, may allow oral or written arguments based on the record when it considers the petition.