

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

Council concept approval and waiver or
modification of development standards for
replacement of Fire Station 31 at 11302
Meridian Ave N. (Project No. 3038025-
LU/Type V).

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C.F. 314494
Application 3038025

FINDINGS, CONCLUSIONS
AND DECISION

Background

The proposed project is a replacement of Fire Station 31 with a new three-story structure and associated site improvements.

As proposed, the project requires City Council approval under Seattle Municipal Code (SMC) Section 23.76.064, which section also authorizes Council to modify development standards for City facilities. Four modifications from development standards are requested.

The Seattle Department of Construction and Inspections (SDCI) reviewed the proposed project and issued its Report and Recommendation on May 22, 2023. SDCI recommends approval of the project with two State Environmental Policy Act (SEPA) conditions related to protection of archaeological resources, should any be discovered during excavation of the site.

On June 21, 2023, the Council’s Public Assets and Homelessness Committee was briefed on the project, held a public hearing, and made its recommendation to the Council.

Findings of Fact

The City Council hereby adopts the following Findings of Fact:

1. The site for the new Fire Station 31 is located in the Northgate Urban Center at 11302 Meridian Ave N.
2. The site is approximately 30,516 square feet in size and is zoned Lowrise 2 with an M1 Mandatory Housing Affordability suffix (LR2 (M1)).
3. The City of Seattle’s Department of Finance and Administrative Services (FAS) has submitted a land use application to SDCI to replace Fire Station 31 at this new location.
4. In multifamily zones, fire stations that do not meet use and development standards may be permitted by the Council as a Type V land use decision under 23.76.064. In this case, the proposed station does not meet four development standards of the LR2 (M1) zone.

Development Standard	Code Requirement	Proposed Waiver of Modification
SMC 23.45.570.F.3.a SMC 23.45.570.F.3.b North Setback	Minimum side setback is 10' from a side lot line that abuts any other residentially-zoned lot. Additional side setback beyond the 10' minimum is required for portions of the structure where the structure depth extends beyond 65'.	Single story building volume at north side of proposed building will extend to the property line with no setback equating to 1,453 sq. ft. A small portion of level 2 and level 3 (equating to 91 sq. ft. per floor) will also extend into the additional setback required for building depth. This staggered area is graphically represented on the applicant's drawings submitted to SDCI on 2/21/2023 and supplementary material.
SMC 23.45.570.F.3.b South Setback	Additional side setback beyond the 10' minimum is required for portions of the structure where the structure depth extends beyond 65'.	The entire south edge of the proposed structure conforms to the 10' minimum setback requirement, but a portion of the southeast corner of the building (equating to 420 sq. ft. per each three floors) is proposed to depart from the additional setback required based on building depth. This staggered area is graphically represented on the applicant's drawings submitted to SDCI on 2/21/2023 and supplementary material.
SMC 23.45.518.I.8 Retaining Wall at South Property Line	Bulkheads and retaining walls used to raise grade may be placed in each required setback if they are limited to 6' in height, measured above existing grade	Approximately 70' of the eastmost portion of the retaining wall along the public sidewalk on 113th Street will be taller than 6' above existing grade. Height above existing grade varies from 6' to a maximum of approximately 8'-7"
SMC 25.11.040 Tree Protection	Tree removal is prohibited for existing exceptional trees on lots in Lowrise zones.	Remove 3 exceptional trees from the project site.

5. Design of the station was reviewed by the Seattle Design Commission. On July 21, 2022, the Design Commission conditionally approved the design.

6. Public comments were received during the public comment period on the application. One commenter expressed concerns about the loss of exceptional trees on the site. Another expressed support for the project and inquired about associated street improvements.
7. The Duwamish Tribe requested an archaeological investigation of the site and requested notification if any artifacts are discovered during site excavation.
8. In making a recommendation to Council, SMC Section 23.76.050 requires that the SDCI Director evaluate the proposal based on the standards and criteria for the approval sought and consistency with applicable City policies.
9. The SDCI Director's written Analysis and Decision analyzes the proposal's compliance with each Land Use Code approval criterion and provides SEPA analysis. SDCI issued a Determination of Non-significance and recommends two conditions related to protection of archaeological resources.
10. The Director finds that the proposal meets the relevant criteria for approval of a City facility in the LR2 (M1) zone.
11. The Director recommends that the Council grant approval for the project with the requested modifications to development standards.

Conclusions

The City Council hereby adopts the following Conclusions:

1. The proposed facility is a City facility as defined in SMC Section 23.84A.006.
2. The proponent has demonstrated the existence of a public necessity for the use in a LR2 (M1) zone. Specifically, fire stations are essential for protecting lives and property and must be located in specific areas so that fire-fighters can rapidly and adequately respond to emergencies. Thus, there is clear public necessity for fire stations within Lowrise zones.
3. The design of the new fire station is informed by the size, dimension and orientation of the parcel, including its proximity to rights-of-way and neighboring structures.
4. The modifications to development standards are necessary to ensure that Fire Station 31 will be designed to meet fire service for its service area.

Decision

The City Council hereby GRANTS the following modifications of development standards for the project:

Development Standard	Approved Waiver or Modification
SMC 23.45.570.F.3.a SMC 23.45.570.F.3.b North Setback	Single story building volume at north side of proposed building will extend to the property line with no setback equating to 1,453 sq. ft. A small portion of level 2 and level 3 (equating to 91 sq. ft. per floor) will also extend into the additional setback required for building depth. This staggered area is graphically represented on the applicant's drawings submitted to SDCI on 2/21/2023 and supplementary material.
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SMC 25.11.040 Tree Protection	Remove 3 exceptional trees from the project site.

The applicant is required to comply with the following SEPA conditions:

Prior to Issuance of a Master Use Permit

1. The owner and/or responsible parties shall provide SDCI with a statement that the contract documents for their general, excavation, and other subcontractors will include reference to regulations regarding archaeological resources (Chapters 27.34, 27.53, 27.44, 79.01, and 79.90 RCW, and Chapter 25.48 WAC as applicable), the Inadvertent Discovery Plan (IDP) and that construction crews will be required to comply with those regulations.

During Construction

2. If resources of potential archaeological significance are encountered during construction or excavation, the owner and/or responsible parties shall:
 - a. Stop work immediately and notify SDCI (Land Use Planner) and the Washington State Archaeologist at the State Department of Archaeology and Historic

Preservation (DAHP). The procedures outlined in Appendix A of Director's Rule 2-98 and the Inadvertent Discovery Plan (IDP) for assessment and/or protection of potentially significant archeological resources shall be followed.

b. Abide by all regulations pertaining to discovery and excavation of archaeological resources, including but not limited to Chapters 27.34, 27.53, 27.44, 79.01 and 79.90 RCW and Chapter 25.48 WAC, as applicable, or their successors.

Dated this _____ day of _____, 2023.

City Council President