

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Karen Thomas, Case Manager
 Joel Lawson, Associate Director Development Review
DATE: September 9, 2014
SUBJECT: BZA Case 18842, 4650 Benning Road, SE. (Expedited)

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the installation of a 195-foot tall monopole at 4650 Benning Road, to facilitate the upgrade of the District's public radio system.

Pursuant to § 3116 of 11 DCMR, OP recommended an expedited hearing to avoid the unnecessary delay of this component of the District's public radio safety system. That request is included in the record.

II. LOCATION AND SITE DESCRIPTION

Address	4650 Benning Road, SE
Legal Description	Square 5344, Lot 0802
Ward	7/ANC 7E
Lot Characteristics	Large lot with variable grades.
Zoning	R-5-A – Low density apartment buildings and detached single-family homes dwellings.
Existing Development	Vacant and dilapidated former school building, permitted in this zone. The site is also a former cemetery.
Adjacent Properties	The subject property occupies the majority of the square, with frontage on C Street to the north, 49 th Street to the east and Benning Road to the west. The Woodlawn Cemetery is across Benning road to the west. The subject lot's southern property line abuts a surface parking lot for residential apartment buildings, which front on F Street.
Surrounding Neighborhood Character	The surrounding neighborhood is a mix of zones, including C-2-A, R-2, R-3, with structures and uses typical of the zone districts. The residential development known as Eastgate is located south of the subject square. That development consists of semi-detached row homes in the R-5-A District.

III. APPLICATION IN BRIEF

Proposal	The Government of the District of Columbia is requesting special exception relief to construct a 195-foot monopole as a radio tower, including installation of associated equipment to facilitate upgrade of the public safety radio system.
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IV. ZONING REQUIREMENTS and RELIEF REQUESTED

The site is zoned R-5-A. Installation of a monopole in a residential district requires special exception approval by the Board pursuant to Section 2713 of the Regulations.

V. OFFICE OF PLANNING ANALYSIS

Special Exception Relief pursuant to § 2713 Antenna Towers and Monopoles

A monopole in a residence district shall be permitted if approved by the Board of Zoning Adjustment in accordance with § 3104 of this title, subject to the provisions specified in § 2713.5 through § 2713.13.

- i. Special conditions associated with the specific special exception review, includes the following:

2713.5 The location, height, and other characteristics of an antenna tower or monopole shall be:

(a) Consistent with the purpose of this chapter;

The Zoning Regulations regulate the size, height construction, design and location of antenna installations, including towers and monopoles to mitigate the potential adverse impacts on the health, safety, welfare of the population and neighborhood quality. According to OP's records, the District's P25 installation has been at this location since 2003 and was first upgraded around 2007 for the purpose of facilitating the District's emergency communication. Relocating the installation on a new monopole on the property remains consistent with the purpose of the chapter as the monopole's height, design and location would have minimal effect on the neighborhood's quality and would benefit the safety and welfare of District residents, particularly in the SE quadrant of the District.

(b) Designed and available for collocation by other service providers;

The monopole's proposed height (195 ft.) would be able to accommodate collocation of other service providers, if necessary. OP was informed by the Office of Unified Communication staff (OUC) that collocation by other carriers would not be discouraged.

(c) Located so the visual impacts are minimized to the greatest practical extent, from neighboring property and adjacent public space, or appropriately screened by landscaping or other techniques to minimize the visibility of the antenna tower or monopole; and

The proposed monopole would be located on the property where large trees and vegetation line the southeast property line, which should minimize the view of the monopole from residences across St Louis Street.

(d) Designed and constructed to preserve existing trees to the greatest practical extent.

The applicant indicated to OP that no trees would be removed to facilitate the installation of the monopole.

2713.6 *If an applicant is unable to meet the requirements of § 3104, the Board of Zoning Adjustment may nevertheless grant the application if the applicant demonstrates that:*

(a) There is a significant gap in wireless service;

As currently installed on the former Fletcher Johnson school building, there is a significant coverage gap in the P25 emergency system that is necessary for its proper functioning.

(b) The proposed antenna tower or monopole will fill this gap;

The proposed height of the new monopole (195 feet) is intended to address the system's significant coverage gap and provide for redundancy of the St. Elizabeth's east campus installation. The current installation which is at a height of approximately 40 feet is inadequate.

(c) No other mounting options are available;

Due to the deteriorating and vandalized condition of the building, no other mounting options are currently available on this building or on other facilities in the immediate area to service the coverage gap.

(d) The site is the only location from which the gap can be filled or, if other sites are available, the antenna tower or monopole at the proposed location will generate the least adverse impacts;

As a government-owned site, the proposed location would generate the least adverse impacts on the surrounding neighborhood as there are no other locations within the area where it can be reasonably located to provide the required service.

(e) That the height and other physical design characteristics of the proposed antenna tower or monopole do not exceed those which are minimally necessary to fill the gap in wireless service;

The emergency communications system needs to be elevated to provide the required coverage, and positioned such that it clears terrain and other structures. The height of the monopole is designed to accommodate additional carriers at the least height possible.

(f) That it is using the least intrusive means to provide wireless service necessary to fill the gap in such service; and

This installation at this location, which is owned by the District government, is the least intrusive means to provide for the District's communication needs. The surrounding area consists primarily of residential homes where installation of emergency facilities would not be appropriate.

(g) That the proposed antenna tower and monopole, even when supporting all possible collocators, will be in full compliance with Federal Communication Commission cumulative and individual RF emission levels.

The proposed monopole could accommodate existing antennas that already operate from the subject property and it is anticipated that any additional collocators would satisfy the FCC requirements for RF emissions. This is verified at the building permit stage.

2713.7 Any antenna tower or monopole with a proposed height in excess of that permitted by the Act of June 1, 1910 (36 Stat. 452), as amended, shall not be permitted, unless the height is approved by the Mayor or his or her designee.

The applicant has received the Waiver of Height Act dated July 14, 2014, issued by the Mayor's designee. This is included in the record to the Board.

2713.8 An antenna tower or monopole shall be set back a minimum horizontal distance equal to its total height as measured from the ground, from any residentially developed or zoned property.

The monopole is set back to satisfy this requirement. The subject property is separated by a street right of way from the nearest residential property to the east of the site.

2713.9 Each part of an antenna tower or monopole shall be removed from each lot line the greater of the following:

(a) Twenty feet (20 ft.); or

(b) A distance of at least one-third (1/3) of the total constructed height.

The monopole is setback from the east property line by at least 75 feet, which is greater than required under §2713.9 (b).

2713.10 The Board of Zoning Adjustment shall submit the application to the D.C. Office of Planning for review and report.

The application was submitted to the Office of Planning. An expedited request was submitted to the record by OP on August 25, 2014.

2713.11 The applicant shall provide written and/or graphic documentation of the following:

(a) The area to be served by the proposed new antenna tower or monopole;

The new Fletcher Johnson public safety radio tower will provide in-building emergency responder radio coverage within a radius of approximately two (2) miles of the site. The new Fletcher Johnson radio tower will also provide redundancy and coverage to the greater southeast areas of the District of Columbia in the event of an outage of the existing St. Elizabeth's site.

(b) The area being inadequately served;

The current roof mounted Fletcher Johnson site does not provide the required redundant and overlap coverage to the St. Elizabeth's site and does not meet the in-building penetration requirements within Ward 7.

(c) A map indicating the location of any other antenna or related facility sites providing service by the applicant within a two mile radius, including public space, of the proposed site;

The closest location of another OUC facility is located at 2720 Martin Luther King Ave at the OUC headquarters on the St. Elizabeth's East campus which is about seven (7) miles from this location.

(d) Other towers or monopoles within a two-mile radius of the proposed site with identified heights above grade;

There are no other monopoles within a two-mile radius of the proposed site with an above grade height sufficient to meet the needs of the District of Columbia public safety radio system.

The closet towers are located west of the Anacostia River at 3300 Benning Road (owned by Pepco) and another privately owned tower at 3621 Benning Road. Both towers support commercial wireless carriers.

(e) An explanation of why the applicant cannot collocate on an existing tower or monopole;

There are no underutilized towers or monopoles within the coverage area to support collocation of the existing whip antennas currently on the subject property and none within a two-mile radius of the proposed site with an above grade height sufficient to meet the needs of the District of Columbia public safety radio system.

(f) A written statement agreeing to permit the collocation by other service providers on a commercial basis on an antenna tower;

The District of Columbia agrees to permit collocation by other service providers provided that such collocation and operation does not interfere with the District of Columbia public safety radio system.

(g) A written statement agreeing to design a proposed monopole for at least three (3) antenna arrays and to make the array space available on a commercial basis for collocation by any telecommunications service provider whenever unused by the initial telecommunications service provider(s);

The design of the Fletcher Johnson public safety radio site will accommodate 50% additional loading. The District of Columbia will make the additional space available on a commercial basis to other telecommunications service providers provided that such implementation and operation does not interfere with the District of Columbia public safety radio system and subject to the completion of a structural analysis of the additional proposed loading.

(h) The topographic conditions of the area to be served;

The area is steeply sloped in several areas in the vicinity, as well as within the two mile radius to be served.

(i) The relative height of the antenna tower or monopole to the tops of surrounding trees within one-quarter mile radius of the proposed site as they presently exist;

The proposed height of the monopole at 195 feet would be slightly above the exiting tree line, in order to allow OUC's whip antennas to receive unimpeded transmission from mobile and portable communication devices.

(j) The proposed appearance of the antenna tower or monopole, including exterior finish;

The monopole would be a fabricated gray galvanized steel pole, approximately 30 inches in diameter at its base.

(k) A maintenance plan explaining how the property manager will control ice build-up, falling ice, and potential falling debris; the plan should also address how inoperative antennas will be removed; and

The OUC maintains a radio shop comprised of engineers and technicians responsible for the maintenance and up keep of all District of Columbia radio system infrastructure. The OUC maintains procedures for the inspection and maintenance of all radio sites. The radio shop is additionally responsible for removal of inoperative antennas.

A 24-inches wide ice bridge is included in the design of the monopole. Ice bridges are sections of metal that are installed above cables to protect them from falling ice. The monopole would be located within an 85' x 50' compound surround by a 6' high chain link fence secured by two (2), 12-foot wide double gates for maintenance access. The impact of falling ice or debris would be limited to the secured compound area, which would only be accessible by maintenance personnel.

(l) Other information as may be necessary for impact assessment of the antenna tower or monopole.

OP does not require additional information for impact assessment of the proposed monopole.

2713.12 In addition to any other conditions deemed necessary to mitigate potential adverse impacts, the Board of Zoning Adjustment may impose conditions relating to operation, location, screening, collocation, or other requirements as it shall deem necessary to protect adjacent and nearby property, neighborhood character, and the image of the city as the nation's capital, consistent with the general purpose and intent of this chapter and may require the removal of any on-site inoperable or unauthorized antenna as a condition to the approval.

OP does not recommend any other screening requirements to protect nearby property.

2713.13 No signs of any kind, including advertisements, may be placed on an antenna tower or monopole, its equipment cabinet, or its equipment shelter, unless necessary for the safety of the public.

No signage will be placed on the monopole or its related equipment.

ii. Is the proposal in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps?

OUC is responsible for improvement of the District's emergency communications system used exclusively by District and federal public safety and emergency preparedness personnel. The current system is in need of an upgrade to facilitate coordination among emergency personnel. The new Fletcher Johnson monopole would be able to support antennas with increased capacity for communication and the antennas will be removed from the vandalized building to a secure compound.

The installation of the new system complies with the Zoning Regulations, which encourage co-location on structures to diminish the adverse visual impact of antennas and their support structures. The height of the tower has received mayoral approval, as previously indicated. The establishment of an improved telecommunications facility is beneficial to the public good as improved facilities increase the capacity for communication among emergency personnel, thereby reducing the response times in crises.

iii. Would the proposal appear to tend to affect adversely, the use of neighboring property?

The use of neighboring property should not be affected. In this instance, the communication facility has been in operation for some time on the subject property and OP has no record of complaints due to its operation and function in the community. Upon installation of the new facility, the only traffic generated by the facility to the site will be for maintenance, which by the experience may amount to 1 to 2 visits per month or for emergency repairs. There will be no offensive odors emitted by equipment or antennas or other harmful emissions or noise from the equipment. The new tower and its proposed location would represent an improvement for enhanced communications for the immediate neighborhood and the District.

VI. COMMENTS OF OTHER DISTRICT AGENCIES

No comments from other District agencies were received to the record at the time of the writing of this report.

VII. COMMUNITY COMMENTS

The neighborhood, through the ANC7E agreed to support the communication installation, as stated in its original ANC letter dated March 30, 2012. According to the applicant, the ANC has agreed to provide an updated correspondence related to this installation.

No other neighbor comments were submitted to the record.

VIII. CONCLUSION

The special exception may be granted without substantially impairing the intent, purpose and integrity of the zone plan.

Attachment: Location Map

Proposed location of Monopole

