

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Karen Thomas, Case Manager
 Joel Lawson, Associate Director Development Review
DATE: October 14, 2016

SUBJECT: BZA Case 19354 (1500 Eckington Place, N.E.) for special exception approval to allow the relocation of three dish antennas, with mounted heights in excess of 12 feet.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following:

- Special exception pursuant to Subtitle X, § 901.2 from Subtitle C § 1304.2 (12 feet mounted height maximum permitted; 15 feet, 17 feet mounted height proposed).

Subject to the following conditions:

- The one-to-one setback from the edge of the roof is maintained for the proposed installations; and unused antennas would be removed from the roof.

II. LOCATION AND SITE DESCRIPTION

Address	1500 Eckington Place, N.E.
Applicant	Sirius XM
Legal Description	Square 3518, Lots 0029, 0030
Ward / ANC	Ward 5; ANC 5E
Zone	PDR-2 – Intended to permit medium density commercial and PDR activities employing a large workforce and requiring some heavy machinery under controls that minimize any adverse impacts on adjacent, more restrictive zones.
Historic District or Resource	The property is not located within a historic district, nor is the property landmarked.
Lot Characteristics	The 127,548 square feet lot is flat and irregularly shaped, abutting Florida Avenue N.E. to the south, Eckington Place, N.E. to the east and Q Street, N.E. to the north.
Existing Development	The property is developed with a 3-story, brick building, which was a former industrial warehouse.

Adjacent Properties	The adjacent properties are a training center and a two-story building and to the west a former glass production/installation warehouse, which fronts on Florida Avenue. A Fedex facility is located to the east across Eckington Place, N.E.
Surrounding Neighborhood Character	The immediate neighborhood to the north fronting on Quincy Place and to the west, within the subject square is comprised primarily of single-family homes in the RF-1 District. To the south of the square, across Florida Avenue, N.E., properties are within the D-5 District (a high density commercial and mixed-use area). To the east across Eckington Place, the lots are predominantly within the PDR zone districts.
Proposed Development	Sirius XM proposes to upgrade its existing satellite radio service system by replacing and relocating three receiving dish antennas mounted on the roof of the building. This also involves securing the antennas on the roof using steel beams, which would add to the mounted height of the dish antennas on the roof. Two antennas on the side of the building will also be replaced with newer models in the same location as the existing.

III. OFFICE OF PLANNING ANALYSIS

A grant of special exception would allow the roof-mounted height of the proposed replacement antennas to exceed the maximum permitted of 12-feet above the roof (Subtitle C §1304.1 (b)). The special exception request is guided by specific criteria of § 1312.

Special Exception Relief pursuant to § 1312 – Antennas Subject to BZA Approval

i. Special Conditions/Criteria

Section	Criteria	OP Response
§1312.1	<i>An application for special exception approval shall include the following written and graphic documentation:</i>	-
(a)	<i>A map of area to be served by the new antenna;</i>	The antennas do not serve a particular area. They receive satellite data. This requirement is not applicable in this instance.
(b)	<i>A map and explanation of the area being inadequately served that necessitates installation of the proposed antenna</i>	Same as above.
(c)	<i>A map indicating the location of any other antennas and related facility sites providing service by the applicant, and any antenna tower or monopole of any provider, within a two (2) mile radius, including public space, of the</i>	The applicant's installations are provided at this location only. An existing lattice tower is located at 935 V Street NE., (approximately 5,000 feet to the northeast of the site, and is approximately 90 feet in height, well above the height of the subject

Section	Criteria	OP Response
	<i>proposed antenna site, with identified heights above grade</i>	building and its existing and proposed installations.
(d)	<i>A site, and roof plan if applicable, showing all structures and antennas on site;</i>	This has been provided, as shown in Exhibit 10.
(e)	<i>Elevation drawings of the structure and proposed antennas from all four (4) directions</i>	South elevation drawings are provided – Sheets C-2B, C-3B, Exhibit 36B.
(f)	<i>A picture of the proposed antenna</i>	Photos are provided in Exhibit 36D of the record.
(g)	<i>The total mounted height of the antenna relative to the tops of surrounding trees as they presently exist within one-quarter mile (.25 mi.) of the proposed location; and</i>	The subject 3-story building is approximately 50 feet in height, and is taller than existing street trees along the urban landscape of the Florida Avenue corridor, within the 0.25 mile distance/range.
(h)	<i>Other information as may be necessary for impact assessment of the antenna</i>	Antennas have existed at this location since 1999 (OP's recorded information) and are permitted as a matter-of-right in the PDR district. Additional information is not necessary, in this instance since it is a replacement of three existing antennas, with minimal differences to the mounted heights.
1312.2	<i>In addition to any other conditions deemed necessary to mitigate potential adverse impacts, the Board of Zoning Adjustment may impose conditions pertaining to screening, buffering, lighting, or other matter necessary to protect adjacent and nearby property and may require the removal of any on-site non-conforming, inoperable, or unauthorized antenna.</i>	Inoperable antennas would be removed as part of the site's upgrade. Screening is not recommended as homes do not front the south elevation, at Q Street. Currently, the antennas are barely perceptible from public space and would remain so, even with the antennas' proposed increased mounted height of 3 feet. (14 feet to 15 feet and 14 feet to 17 feet).

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

Section 1304.1 states that roof-mounted antennas, except those regulated by Subtitle C § 1306 or exempted by Subtitle C § 1307, must satisfy the following conditions:

(a) Each part of an antenna shall be set back from each edge, excluding party walls, of the roof a minimum distance equal to its total mounted height above the roof;

The proposed antennas would have mounted heights of 15 feet and 17 feet. The setback from the roof's edge would be 15 feet and 22 feet respectively.

(b) An antenna may not exceed a total mounted height of twelve feet (12 ft.) above the roof;

The applicant has requested special exception relief as noted above to increase the mounted height to 15 feet for one antenna and 17 feet for two antennas due to the form of ballast that would be used to secure the antennas on the roof.

(c) Each antenna installation shall be located or screened such that its visibility from public spaces, navigable waterways, historic landmarks, and national monuments is minimized to the greatest practical extent;

The existing and proposed antennas would be minimally visible from public space.

(d) An antenna shall be constructed of materials and colors that blend with the surroundings to the greatest practical extent;

The grey metallic colors of the antennas would be compatible with the surrounding roof structures and would be minimally visible from public space.

(e) Antennas mounted on roofs with outdoor recreation space shall be secured from unauthorized access for a minimum distance of ten feet (10 ft.), by a fence or screen at least five feet (5 ft.) in height; and Subtitle C-94

There is no recreation space on the roof of the subject building.

(f) Any related equipment cabinet or shelter that is not internal to the building or penthouse shall be:

(1) Constructed of materials and colors that blend with the building or penthouses; and

(2) Located to reduce its visibility from public space to the greatest practical extent.

1304.2 A proposed roof-mounted antenna that does not comply with the above requirements may be permitted through the special exception process set forth in Subtitle C § 1312.

As stated in § 1304.1 (b), special exception relief is requested with this application.

Based on the satisfaction of the above criteria and conditions, the proposal to upgrade the dish components of the satellite radio station would be in harmony with the intent and purpose of the Zoning Regulations.

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

The proposal should not adversely affect the use of neighboring property as it is a matter-of-right use permitted in the PDR zones. The radio station use has operated at this location since the late 1990's and the antennas are integral to the station's operations.

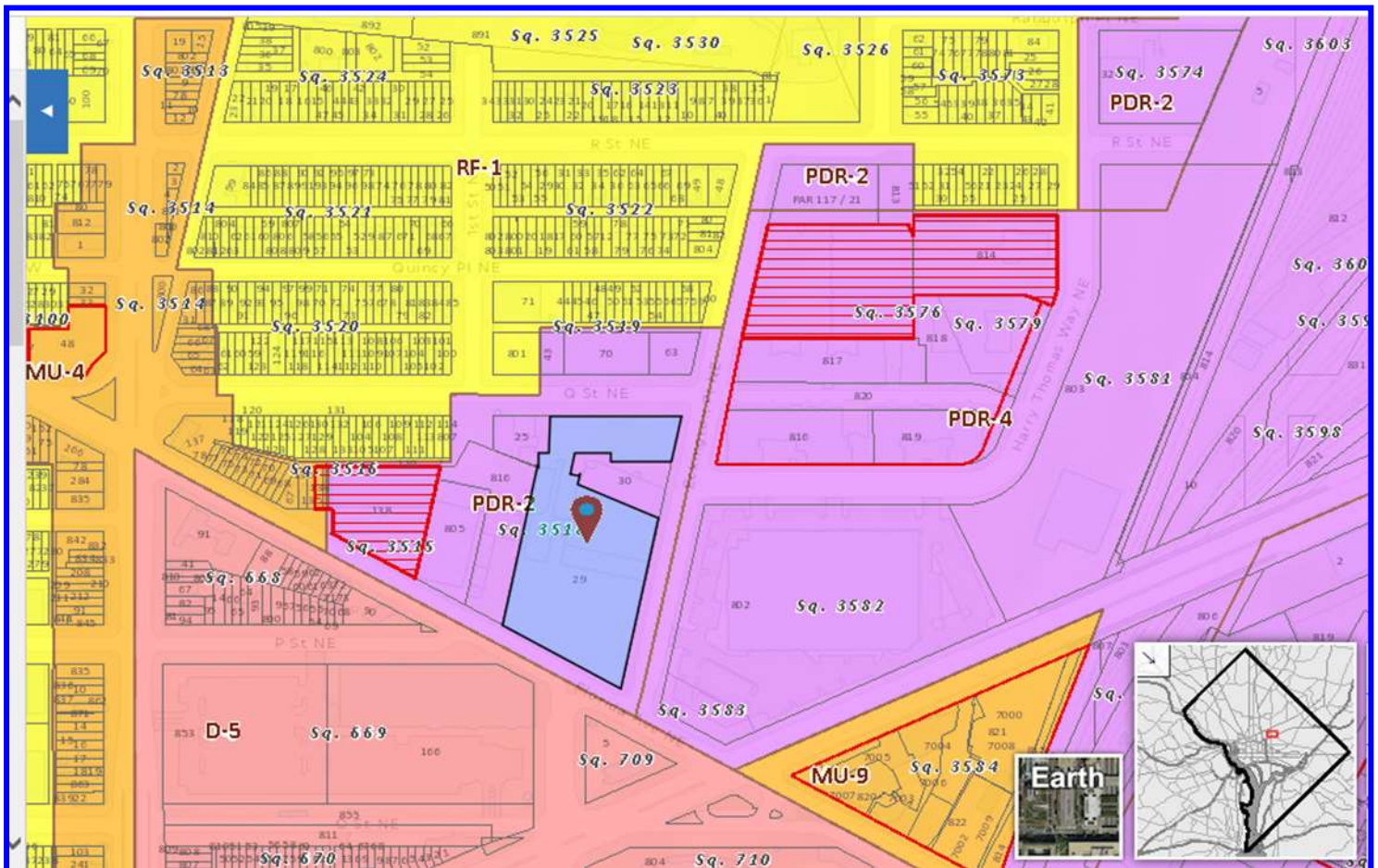
IV. COMMENTS OF OTHER DISTRICT AGENCIES

The District Department of Transportation submitted in its September 30, 2016 report that it has no objection to the approval of the special exception (Exhibit 34).

V. COMMUNITY COMMENTS

The Eckington Civic Association voted in support of the request at its September 12, 2016 meeting. (Exhibit 32)

At the writing of this report, the ANC 5E's comments were not included in the record.



LOCATION AND ZONING MAP