Application for **SPECIAL USE PERMIT**

Department of Planning and Development Review
Land Use Administration Division
900 E. Broad Street, Room 511
Richmond, Virginia 23219
(804) 646-6304
http://www.richmondgov.com/

SUP- 052541-2019

Application is hereby submitted for: (check one)

- ☑ **special use permit, new**
- ☐ **special use permit, plan amendment**
- ☐ **special use permit, text only amendment**

Project Name/Location

Property Address: 3022 Jefferson Davis Highway Date: _____
Tax Map #: S0080629006 Fee: _____
Total area of affected site in acres: 2500 sq feet

(See ***page 6*** for fee schedule, please make check payable to the "**City of Richmond**")

Zoning

Current Zoning: OS (Office- Service District)

Existing Use: _____

Proposed Use

(Please include a detailed description of the proposed use in the required applicant's report)
Construction of telecommunication tower with associated ground equipment
Existing Use: _____

Is this property subject to any previous land use cases?

Yes ☐ No ☑ If Yes, please list the Ordinance Number: _____

Applicant/Contact Person: H. Karina Fournier
Company: Network Building and Consulting, LLC
Mailing Address: 8521 Six Forks Road Suite 105
City: Raleigh State: _____ Zip Code: _____
Telephone: (860) 796-3988 Fax: (_____) _____
Email: kfournier@nbcllc.com

Property Owner: 3022 Jefferson Davis Highway LLC
If Business Entity, name and title of authorized signee: _____

(The person or persons executing or attesting the execution of this Application on behalf of the Company certifies that he or she has or have been duly authorized and empowered to so execute or attest.)

Mailing Address: 3022 Jefferson Davis Highway
City: Richmond State: VA Zip Code: 23234
Telephone: (_____) _____ Fax: (_____) _____
Email: _____

Property Owner Signature: _____

The names, addresses, telephone numbers and signatures of all owners of the property are required. Please attach additional sheets as needed. If a legal representative signs for a property owner, please attach an executed power of attorney. **Faxed or photocopied signatures will not be accepted.**

NOTE: Please attach the required plans, checklist, and a check for the application fee (see Filing Procedures for special use permits)

Applicant Narrative
Site Name: VA-Richmond-Capital Garage (Richmond)

Proposal

PI Tower Development, LLC (t/a "Parallel" or "Applicant") proposes to construct and operate a 195 foot monopole communications tower for T-Mobile on a 5.46 acre parcel located at 3022 Jefferson Davis Highway ("Property"). T-Mobile is licensed by the Federal Communications Commission to provide wireless communications services throughout the City of Richmond ("City"). As is indicated on the propagation maps submitted with this application, which depict the coverage objective of the proposed tower, T-Mobile currently has a gap of inbuilding coverage between VA11363A 2800 Lamberts Avenue and VA71595A 1850 Commerce Road. The enclosed propagation maps also depict T-Mobile's network of existing antenna sites in this portion of the City. This network of sites is largely based on the use of existing towers and tall structures built by T-Mobile, other carriers and tower companies.

The subject Property is used for various industrial uses. The Applicant is proposing to locate the tower and associated ground equipment within a 50' x 50' lease area/fenced compound located at the rear of the subject Property and next to the railroad tracks. The proposed tower will have an overall structure height of 195 feet (190 foot tower with a 5 foot lightning rod) and it will accommodate at least four (4) users. The tower will be made of galvanized steel, which will match the backdrop of the sky. The facility will be unmanned and will be visited approximately once a month by technicians. The facility will not be lit and will not emit any odor, fumes or glare. The noises emitted from the equipment on the ground will not be any louder than normal residential HVAC equipment. Therefore, the impact on surrounding properties resulting from this passive use will be minimal.

Purpose of Tower

The purpose of the tower is to provide improved voice and data coverage to the surrounding area. Specifically, the proposed tower will achieve the following:

- Enhance the existing wireless network by supporting the latest wireless technologies;
- Provide coverage to the following:
    - Those working in nearby businesses along Jefferson Davis Hwy
    - Those living in the adjacent residential neighborhoods
    - Those travelling on nearby roads
- Provide multiple collocation positions for other wireless carriers to expand their networks.

Zoning Ordinance requirements

The subject property is zoned OS, Office-Service District. In accordance with Division 11, Wireless Telecommunications, wireless communications facilities are permitted uses provided that a plan of development shall be required. The following sections outline the standards applicable to wireless communications facilities.

Sec. 30-692.2, Standards applicable to all facilities and antennas

(1) The applicant's narrative containing the following information:

a. The address and latitude/longitude of the proposed location;

The address of the subject property is 3022 Jefferson Davis Highway and the proposed tower is at a latitude/longitude of 37º28'51.73"N, 77°26'49.50"W.

b. A description of communications/broadcast services which the applicant intends to provide at the site;

T-Mobile Radio Frequency Engineers have determined that there is diminished data capacity in the area due to increased usage, therefore, this tower will be used primarily to improve the data capacity issue. Improving the data capacity issue will support and enhance any activity done on a smartphone that requires access to the Internet. This includes, among other things, streaming video, making FaceTime video calls and reading the news on your phone.

c. The methodology behind the site selection (i.e., describe alternative sites considered in the site selection process and why the proposed site is the most suitable);

In building out its network, T-Mobile first looks to collocate on existing structures within a search ring (telecommunications towers, power transmission towers, rooftops, etc.). T-Mobile places a strong emphasis on collocation for two reasons: 1) it is the desire of most local governments and 2) it is typically much cheaper than building a new site. There are no existing cell towers within the search ring that will meet the coverage objective (and T-Mobile is already collocated on all of the closest towers).

d. A description of any other regulatory review required for the site and the status of that review (Federal Communications Commission, Federal Aviation Administration, NEPA impact report);

As a federal licensee, T-Mobile must comply with all federal requirements, including all National Environmental Policy Act (NEPA), State Historic Preservation Office (SHPO), FAA and FCC rules and regulations.

e. The measures that will be taken to ensure compatibility with surrounding properties;

This site will remain compatible with the surrounding properties for the following reasons:

- *The tower will be located in a rural area at the rear of an OS zoned parcel near existing railroad tracks;*
- *The surrounding area is also zoned Light Industrial and contains commercial uses;*

f. A statement acknowledging removal of antennas upon termination of the use;

T-Mobile agrees to remove its antennas upon termination of the use.

g. A statement indicating compliance with NIER standards;

T-Mobile will operate this facility in compliance with all applicable governmental regulations (including those adopted by the FCC) regarding RF emissions (see attached NIER).

h. A noninterference statement;

T-Mobile will operate this facility in compliance with all applicable governmental regulations (including those adopted by the FCC) regarding interference.

i. A statement indicating willingness to allow and the feasibility of collocation of other users at the site; and

Parallel will construct and own the proposed tower. While T-Mobile is the anchor tenant, Parallel will market the tower to other wireless carriers in an effort to have them collocate on the tower. This tower will have space available for at least four (4) wireless carriers.

j. A statement indicating whether the site will be shared with the city if needed for public safety purposes.

The applicant has no objections to the City sharing the tower for public safety purposes as long as a lease is in place between the City and Parallel to do so.

(2) A map showing the location of the proposed site and the location of existing facilities operated or owned by the applicant within the city and within three miles of the corporate limits, with an accompanying description of each facility (address, latitude/longitude, height of support structure, mounting height of antenna array, and willingness to allow and feasibility of collocation of other users at site).

A vicinity map of the existing site is located on Sheet T-1 of the enclosed site plan. The submitted propagation maps show the anchor tenant's (T-Mobile's) existing towers in the area. T-Mobile is already collocated on all of the closest existing towers, therefore, the proposed tower is needed.

Plans required for applications shall also clearly depict the following:

a. The location of the facility within the overall property, the access point from a public street, the location of other structures within 100 feet.

See Sheet A-0 of the enclosed site plan.

b. A detailed layout plan consisting of a site plan, roof plan, floor plan, as applicable to the specific proposal.

See Sheets A-0 and A-1 of the enclosed site plan.

c. Detailed elevation drawings showing the location and type of antenna array, the structural element to which the array will be affixed, and for mounts using alternative support structures, any architectural device used to incorporate the array into building/structure design, the location and materials of any security fencing where required.

See Sheet A-2 of the enclosed site plan.

d. The location and details of lighting when required.

No lighting is anticipated or proposed with this request. Lighting will not be installed unless required by the FAA or FCC.

e. The location, type of equipment, noise suppression measures and operational procedure for any emergency power supply.

The noises emitted from the equipment on the ground, including the emergency generator, will not be any louder than normal residential HVAC equipment. Furthermore, the tower location is in a rural location next to the railroad tracks. Therefore, the impact on surrounding properties resulting from this passive use will be minimal.

f. The color of antennas, cables, support structure.

The proposed antennas will be white or grey, which is similar to the color of the tower.

g. Landscape plans-minimum evergreen hedge for the base of the support structure and ground-mounted equipment, with additional trees for support structure screening.

Landscaping is part of our proposal and shown on page A-1 of the site plan.

(3) Any antenna, support structure, and/or related electronic equipment which has not been used for the purpose of radio transmission for a continuous period of 12 months shall be deemed to be abandoned and shall be removed from the premises within 90 days of such abandonment.

Any antenna, support structure and/or related electronic equipment proposed herein which has not been used for the purpose of radio transmission for a continuous period of 12 months will be removed from the premises within 90 days of the end of such 12-month period.

(4) Statement regarding the need for a traditional array.

A flush-mount antenna design does not provide the same functionality as a full antenna array. Specifically, with a flush-mount design, only three antennas can be located at each rad center; therefore, each carrier would need two rad centers to fit their antennas. Furthermore, a flush-mount design can limit the ability to tilt antennas and install radio heads, therefore, reducing antenna effectiveness. To achieve T-Mobile's coverage objective in this very populated area, a full antenna array is required and requested (see attached propagation maps showing the coverage provided by a full array).

Sec. 30-692.5. Review criteria for installations utilizing new support structures and for installations on existing support structures.

(a) In addition to the information to be contained in the narrative required by section 30-692.2, the applicant shall thoroughly document the reasons the proposed antennas could not be accommodated on nearby existing buildings or be collocated with other users on nearby existing monopoles or towers and that the new support structure is the only feasible option. (b) All new support structures shall be limited to monopole designs, only, and shall be subject to the following locational standards:

(1) There shall be a setback of 500 feet from any property within an R or RO zoning district.

Since the passing of HB1258 this no longer applies to wireless carriers

(2) There shall be a setback of 1,000 feet from the shoreline of the James River.

The proposed tower will be over 1 mile from the James River.

(3) The maximum height of any monopole and antenna array shall be 199 feet, except that for any monopole and antenna array proposed within 1,000 feet of the right-of-way of an interstate highway, the height shall not exceed 195 feet.

The proposed tower will be over 1,000 feet from I-95 and over 1,000 feet from I-64. However, Parallel is only requesting approval for a 195 foot tower.

(c) For any new monopole proposed to be over 110 feet in height, in addition to the information to be contained in the narrative required by section 30-692.2, the plans and an accompanying engineer's statement shall demonstrate that the proposed monopole is designed to accommodate two additional users (designed with increased height and loadbearing capacity), and it should be stated in the narrative required by section 30-692.2 that the owner will lease to additional users. This requirement for additional design capacity may be waived by the director when the applicant has provided information

from other communications services that the site is not needed and/or when the particular location requires a reduced visual impact and the limited design capacity provides that reduced visual impact due to reduced monopole width and height.

The proposed tower will have space available for at least four (4) wireless carriers.

(d) The antenna array shall be designed to present the least horizontal dimension possible. Where the proposed array is not designed either as a tubular antenna array (unicell) or as cluster-mounted array (panel antennas affixed directly to the side of the monopole), in addition to the information to be contained in the narrative required by section 30-692.2, a statement shall be provided as to why those types of hardware are not technically feasible.

A flush-mount antenna design does not provide the same functionality as a full antenna array. Specifically, with a flush-mount design, only three antennas can be located at each rad center; therefore, each carrier would need two rad centers to fit their antennas. Furthermore, a flush-mount design can limit the ability to tilt antennas and install radio heads, therefore, reducing antenna effectiveness. To achieve T-Mobile's coverage objective in this very populated area, a full antenna array is required and requested (see attached propagation maps showing the coverage provided by a full array).

(e) The support structure and antenna array shall be of a color that is of neutral tone, selected to blend with the natural background (e.g., gray, light blue or silver if in open ground; green if among trees).

The proposed tower will be galvanized steel to match the backdrop of the sky. The antennas will be grey or white in color to match the tower.

(f) There shall be no lighting of the support structure or antenna array unless required by the city or state or federal agency.

No lighting is anticipated or proposed with this request. Lighting will not be installed unless required by the FAA or FCC.

(g) Dish antennas as part of a microwave relay facility shall not exceed ten feet in diameter.

Not applicable; Parallel is not proposing any dish antennas.

(h) When microwave dish antennas are accessory to a wireless communication facility or radio or television broadcast antenna and are to be mounted on the monopole, such dishes shall not exceed six feet in diameter and shall not be mounted so as to extend more than six feet from the monopole.

Not applicable; Parallel is not proposing any dish antennas.

Conclusion

In conclusion, Parallel requests approval of this POD application as it (1) meets the requirements of the City of Richmond Zoning Ordinance and (2) does not adversely affect the character of the surrounding neighborhood, adjoining properties or the environment. This proposal reflects a solution that will allow Parallel and T-Mobile to provide improved service while minimizing adverse impacts to the community.