

**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/>

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: 701 German School Road Richmond, VA 23235

Date: 04/07/2022

Tax Map #: C00050753036

Fee: _____

Total area of affected site in acres: Less than an acre

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

Zoning

Current Zoning: R-4

Existing Use: Radio Broadcasting Facility and communication:

Proposed Use

(Please include a detailed description of the proposed use in the required applicant's report)

Dish proposes to install panel antennas and radios on existing communication tower without increasing height. Install ground equipment withir

Existing Use: Radio Broadcasting Facility and communications tower

Is this property subject to any previous land use cases?

Yes

No



If Yes, please list the Ordinance Number: 97-370-351

Ordinance only allows for 3 antenna arrays. Dish's installation will total to a 4th antenna array. Request to update SUP lar

Applicant/Contact Person: Justin Nickel

Company: Dewberry on behalf of Dish Wireless

Mailing Address: 2610 Wycliff Road Suite 410

City: Raleigh

State: NC

Zip Code: 27607

Telephone: (919) 746-9585

Fax: ()

Email: jnickel@dewberry.com

Property Owner: WXGI Inc

If Business Entity, name and title of authorized signee: David Gee, President

(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: 1447 Pelican Path

City: The Villages

State: FL

Zip Code: 32165

Telephone: (804) 683-4758

Fax: ()

Email: david@davidgee.org

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)

The purpose of this additional sheet is to provide the complete language from the application as the PDF version does not allow for complete visibility of applicant's submittal language.

Proposed Use:

(please include a detailed description of the proposed use in the required applicant's report)

Dish proposes to install panel antennas and radios on existing communication tower without increasing height. Install ground equipment within existing leased area.

If Yes, Please list the Ordinance Number: 97-370-351

Ordinance only allows for 3 antenna arrays. Dish's installation will total to a 4th antenna array. Request to update SUP language so as if additional antennas were to be added in the future, approval would be granted via Wireless Plan of Development Approval. In accordance with Title 47 USC1455, this installation will not substantially change the physical dimensions of the existing wireless tower.

Hunter Communications Group, LLC
PO Box 240
Neshanic Station, NJ 08853
Site Manager for WXGI, Inc. Tower 701 German School Road, Richmond, VA

Background and Information on the Tower

The WXGI tower is a 480-foot, heavy duty, guyed radio tower with a 20 foot antenna mast at its top. The overall height above ground level is 500 feet. The tower is used for AM and FM radio broadcasting and wireless communications facilities. It provides important services to the Midlothian Turnpike corridor and surrounding areas of the City.

Since the tower was erected and the Special Use Permit was granted by the City of Richmond, the nature of wireless communications has radically changed. At the time of the construction of the tower there were two dominant wireless carriers in the Richmond market. The number of wireless carriers increased to six and through market consolidation and new entrants the number is now four. Three of the four wireless carriers are on, or are proposed to collocate on, the WXGI tower.

Likewise, major changes have occurred in the broadcasting business. The original broadcaster at the site was WXGI on 950 kHz AM. When the new tower was erected an FM station now owned by Urban One (formerly Radio One) was installed at the top. The FM radio station is WKJS 105.7 "Kiss-FM".

The AM antenna is a "skirt" antenna consisting of three wires (one on each leg) supported by insulators. The second portion of the AM antenna is buried ground radials extending underground from the base of the tower. By use of a combining device known as a diplexer a second AM station shares skirt antenna. This station is WLES on 590 kHz which broadcasts a religious format.

AM broadcasting lost market share with the proliferation of FM broadcasters. In an effort to maintain viability of AM broadcasters an opportunity was given by the FCC to AM licensees to add FM translators to rebroadcast their signal. Located on the tower are three FM translators:

W219CX 91.7 MHz licensed to CSN International which rebroadcasts KAWZ in a religious format.

W267CB 101.3 MHz licensed to Radio Richmond which rebroadcasts WREJ 990 in a Black Gospel format.

W249CI 97.7 MHz which rebroadcasts WLES religious format.

The FM translators use antennas located on the legs of the tower and do not increase the physical dimensions of the tower. These antennas are barely visible from street level in front of the site.

The current SUP contemplated as many as twenty whip antennas would be installed on the tower for uses such as radio paging, land mobile radio, mobile data and other purposes. The demand for these types of systems has disappeared over the past decade as the advent of the smartphone occurred. There are none of these antennas mounted on the tower.

Flexibility in the use of existing towers to accommodate present and future wireless trends is needed. Services that had not been imagined in the 1990's are now a part of the global communications infrastructure. Existing and proposed installations on the tower will provide Fifth Generation (5G) wireless broadband services. Wireless carriers periodically replace their antennas on the tower as additional radio frequency spectrum is purchased in FCC auctions. These antennas add capacity to the carrier networks and support the provision of new services. New antennas do not materially increase

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the height or width of the tower, in compliance with Public Law 112-96 Feb 12, 2012 (47 USC 1455) the proposed Dish Wireless installation "...does not substantially change the physical dimensions of such tower or base station."



Applicants to collocate on the tower provide to the site manager technical information on the antennas, mounting devices, transmission lines and tower mounted radio equipment. This information is used by a contract structural engineer to perform an analysis on the ability of the tower to support new and existing loads. A copy of the latest analysis performed on July 5, 2022 accompanies this information. This analysis includes the proposed Dish Wireless installation as well as modifications to the existing Verizon Wireless installation.

For consistency and maintenance of continuity the same engineering firm, Allpro Consulting Group, Inc. of Dallas, Texas, performs all analyses of new or modified installations on the tower. The July 5, 2022 report indicates that the tower is not overloaded.