

## **APPLICATION FOR SPECIAL EXCEPTION**

### **STATEMENT OF THE APPLICANT**

#### **I. Nature of Application**

This is an Application of T-Mobile Northeast LLC (“T-Mobile”), as amended, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under the use permissions of Subtitle C § 1313.2 and Subtitle C § 1313.6, to erect a monopole in the RA-1 Zone at premises 3401 4<sup>th</sup> Street SE (Parcel 243/59). The Applicant has been authorized by the D.C. Department of General Services (DGS) to proceed with this application as set forth in the letter attached hereto as Exhibit C.

#### **II. Background and Description of Proposal**

T-Mobile is a Federal Communications Commission (“FCC”) licensed provider of wireless Personal Communication Services (“PCS”) throughout the Washington, D.C. metropolitan area. T-Mobile is seeking to develop and improve its wireless services in Washington DC and the proposed facility is a necessary component of T-Mobile’s network.

The objective of this site is to provide coverage and capacity in this residential area. This site will also provide continuous coverage between existing sites. This site will also enhance in-building coverage in the surrounding areas and communities. The proposed location for the facility will allow T-Mobile to effectively and efficiently improve emergency and non-emergency wireless services to those who live, work or travel through this portion of Washington, D.C.

When T-Mobile has a need for coverage, it first seeks to co-locate antennas onto or within an existing structure. There were no existing structures within the area surrounding the proposed site that would allow T-Mobile to co-locate antennas in such a way as to meet its coverage

objectives. This site will be replacing T-Mobile's existing site that has recently gone off-air, causing a desperate need for coverage to be fulfilled in the nearby area. The T-Mobile site known as 7WDC114A, located on the roof of the building at 3720 Martin Luther King Jr. Ave, S.E. is currently off air due to continued vandalism at the property. The building is managed by DGS who have requested that T-Mobile remove the rooftop equipment and relocate to the subject property. With this existing site off-air, a gap in coverage has occurred and there is an urgent need to restore reliable coverage in the area.

DGS directed T-Mobile to the property 3401 4<sup>th</sup> Street SE (Parcel 243/59). This property is the location of Frank W. Ballou High School. The monopole is proposed on the northern edge of the existing parking area on the eastern side of the property.

The height of 120' is the minimum height required to achieve the necessary coverage. Each site that T-Mobile constructs is designed specific to the location and needs of the community. Prior to submitting the Special Exception Application, T-Mobile conducts propagation tests. Propagation tests use software to predict height and coverage needs based on information like topography, tree cover, proximity to existing sites, etc. This radio frequency propagation information is evaluated and analyzed, along with other technical data to predict how much coverage will be provided at various proposed heights. T-Mobile's engineers evaluate this data and, in the case of the proposed monopole, the result of the tests showed that a 120' facility would be required to provide the needed amount of coverage.

As shown in the Construction Drawings dated 7/19/2024 and prepared by Morris & Ritchie Associates, INC, T-Mobile proposes to erect a monopole on the northern side of the existing parking lot. T-Mobile will install its equipment within the 10' x 20' compound directly below the monopole. T-Mobile will install its antennas at a centerline height of 115'. Once the monopole

has been constructed by T-Mobile, DGS will own, operate and maintain the structure and equipment compound. An Owner Authorization and Maintenance Plan have been submitted with this application.

### **III. Jurisdiction of the Board**

The Board of Zoning Adjustment (“Board” or “BZA”) has jurisdiction to grant the requested special exception pursuant to D.C. Official Code § 6-641.07(g)(2) (2012 Repl.) and 11- X DCMR § 901.2.

### **IV. The Applicant Meets the Standard for Special Exception Relief**

#### **A. Standard for Review**

Section 1313.2 of the Zoning Regulations allows monopole(s) in the RA-1 zone.

#### **1312 ANTENNAS SUBJECT TO BOARD OF ZONING ADJUSTMENT APPROVAL - GENERAL**

1312.1 An application for special exception approval shall include the following written and graphic documentation:

(a) A map of area to be served by the new antenna;

##### ***T-Mobile's Response: Included as Exhibit D – Propagation Maps.***

(b) A map and explanation of the area being inadequately served that necessitates installation of the proposed antenna;

##### ***T-Mobile's Response: Included as Exhibit D – Propagation Maps.***

(c) 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 proposed antenna site, with identified heights above grade;

##### ***T-Mobile's Response: Included as Exhibit F – 2 Mile Map – A map showing the location of other antennas within a 2-mile radius of the proposed antenna site.***

(d) A site, and roof plan if applicable, showing all structures and antennas on site;

##### ***T-Mobile's Response: Included as Exhibit J – Construction Drawings.***

( e) Elevation drawings of the structure and proposed antennas from all four (4) directions;

**T-Mobile's Response: Included as Exhibit J – Construction Drawings.**

(f) A picture of the proposed antenna;

**T-Mobile's Response: Included as Exhibit G – Photo Simulations showing the proposed tower.**

(g) 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

**T-Mobile's Response: The approximate tree heights in the surrounding area from 40-60feet.**

(h) Other information as may be necessary for impact assessment of the antenna.

**T-Mobile's Response: T-Mobile will submit any additional items upon request.**

1312.2 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.

**T-Mobile's Response: T-Mobile will abide.**

### **1313 ANTENNA TOWERS AND MONOPOLES SUBJECT TO BOARD OF ZONING ADJUSTMENT APPROVAL**

1313.1 A monopole shall be permitted if approved by the Board of Zoning Adjustment in accordance with Subtitle X of this title, subject to the provisions of this section, in the zones specified in Subtitle C § 1313.2.

**T-Mobile's Response: Applicant will comply.**

1313.2 A monopole may be permitted as a special exception use in the R, RF, RA, MU, D and PDR (except PDR-4 and PDR-7, where antenna towers are permitted as a matter-of-right) zones, and the zones of Subtitle K, where monopoles are permitted as a matter of-right subject to Subtitle C § 1309.

**T-Mobile's Response: The Tower will be located in the RA-1 Zone District.**

1313.3 An antenna tower, either alone or in conjunction with a studio, or the erection, alteration, or use of buildings for transmission or reception equipment on the same lot, shall be permitted if approved by the Board of Zoning Adjustment in accordance with Subtitle X of this title and subject to the provisions of this section, in the zone specified in Subtitle C § 1313.4.

**T-Mobile's Response: Applicant will comply.**

1313.4 An antenna tower may be permitted as a special exception in the zones of:

- (a) MU, except MU-3;
- (b) D;
- (c) Those zones listed in Subtitle K; and
- (d) PDR, except PDR-4 and PDR- 7, where antenna towers are permitted as a matter-of-right.

**T-Mobile's Response:** *Property is in RA-1 zone.*

1313.5 The location, height, and other characteristics of an antenna tower or monopole shall be:

(a) Consistent with the purpose of this chapter;

**T-Mobile's Response:** *The tower is being proposed with the provisions of this chapter in mind and is consistent with the existing light standards pre-existing on the property.*

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

**T-Mobile's Response:** *The tower and ground space are designed for and will be available for collocation. DGS, as tower owner, will allow additional tenants on this structure.*

(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

**T-Mobile's Response:** *The proposed tower is located near 2 playing fields on the property, both consisting of light standards that will appear similar to the monopole. The proposed monopole will be consistent with the existing light standard that are located on the adjacent sports fields. The base of the tower will be screened by a fenced compound that will provide additional screening.*

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

**T-Mobile's Response:** *T-Mobile proposes to remove one existing tree to accommodate the monopole and surrounding equipment compound. The removal of this tree allows the existing parking lot and all spaces to remain intact without reducing the number of parking spaces. While there will be one tree removed to accommodate the new monopole, and avoid the removal of any parking spaces on the property, applicant will be preserving all additional trees.*

1313.6 If an applicant is unable to meet the special exception requirements of section, the Board of Zoning Adjustment may nevertheless grant the application if the applicant demonstrates that:

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

**T-Mobile's Response:** *Please see Exhibit D – Propagation Maps.*

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

**T-Mobile's Response:** *Please see Exhibit D – Propagation Maps.*

- (c) No other mounting options are available;

**T-Mobile's Response:** *T-Mobile could not co-locate any existing structures on the property. The existing buildings on this property and surrounding properties were not of sufficient height to meet coverage needs in this area. The existing light standards were considered for collocation or replacement; however, this option was not constructible due to access issues and the challenging existing topography.*

- (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;

**T-Mobile's Response:** *The proposed monopole will be visually consistent with the existing light standards on this property. The location was specifically chosen to replace the off-air site known as 7WDC114A (located at 3720 Martin Luther King Jr. Ave, S.E.) and will restore coverage to the surrounding areas.*

- (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;

**T-Mobile's Response:** *As demonstrated by applicant's coverage maps (Exhibit D – Propagation Maps), T-Mobile is proposing the minimum height required to serve this area and fill the coverage gap.*

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

**T-Mobile's Response:** *The proposed monopole is the least intrusive means to provide service to fill the gap in coverage. The proposed structure will resemble the existing nearby light standards. There will be minimal disturbance to the property and the existing parking area will not be affected by the installation.*

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

**T-Mobile's Response:** *T-Mobile will comply with FCC cumulative and individual emission levels. See non-interference letter attached as Exhibit I – RF Letter.*

1313.7 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.

**T-Mobile's Response: T-Mobile will obtain all necessary approvals.**

1313.8 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.

**T-Mobile's Response: T-Mobile will comply. Please see Exhibit J – Construction Plans for a map showing setbacks from the property line.**

1313.9 Each part of an antenna tower or monopole shall be set back 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.

**T-Mobile's Response: The monopole is set back a minimum distance of at least 135 feet from all lot lines and the total constructed height is anticipated to be 120 feet.**

1313.10 The Board of Zoning Adjustment shall submit the application to the Office of Planning for review and report.

**T-Mobile's Response: Applicant will comply.**

1313.11 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;

**T-Mobile's Response: Included as Exhibit D – Propagation Maps.**

- (b) The area being inadequately served;

**T-Mobile's Response: Included as Exhibit D – Propagation Maps.**

- (c) A map indicating the location of any other antenna or related facility sites providing service by the applicant within a two (2)-mile radius, including public space, of the proposed site;

**T-Mobile's Response: Included as Exhibit F – 2 Mile Map.**

- (d) Other towers or monopoles within a two (2)-mile radius of the proposed site with identified heights above grade;

**T-Mobile's Response: Included as Exhibit F – 2 Mile Map.**

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

**T-Mobile's Response:** *There are currently no existing tower or monopole structures within the coverage-lacking area structurally adequate to accommodate T-Mobile's installation.*

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

**T-Mobile's Response:** *T-Mobile and DGS agree to allow collocation. Written statement is included as Exhibit K – Collocations Permitted.*

(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);

**T-Mobile's Response:** *Written statement is included as Exhibit K – Collocations Permitted.*

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

**T-Mobile's Response:** *Please see Exhibit J – Construction Drawings for a Site Plan.*

(i) The relative height of the antenna tower or monopole to the tops of surrounding trees within one-quarter mile (.25 mi.) radius of the proposed site as they presently exist;

**T-Mobile's Response:** *The approximate tree heights in the surrounding area from 40-60feet.*

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

**T-Mobile's Response:** *Included as Exhibit G – Photo Simulations.*

(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

**T-Mobile's Response:** *The tower owner, DGS, will be responsible for all maintenance and removal of equipment, included as Exhibit H – Maintenance Plan.*

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

**T-Mobile's Response:** *Applicant will comply.*

1313 .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.

**T-Mobile's Response: Applicant will comply.**

1313.13 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.

**T-Mobile's Response: Applicant will comply.**

**VI. Community Outreach**

Pursuant to Subtitle Y § 300.8(l), the Applicant will present the proposal to Advisory Neighborhood Commission (“ANC”) 8C.

**VII. Conclusion**

For all of the above reasons, the Applicant respectfully requests that the Board approve the requested Special Exception to allow a monopole at 3401 4<sup>th</sup> Street SE, as requested in this case.