

STAFF EVALUATION

Case No.: Use Permit No. 22-00023

Planning Commission Date: February 16, 2023 **City Council Date:** March 8, 2023

Prepared By: Davis Pemberton, City Planner 728-2040
Reviewed By: Mike Hayes, Planning and Zoning Division Manager 728-5244
Reviewed By: Bonnie Brown, Deputy City Attorney

General Information

Applicant(s) Crown Castle USA Inc.

Property Owner(s) Gilliam Properties LLC

Site Location 534 E Mercury Blvd [LRSN: 12001708]



Requested Action Use Permit to increase the permitted overall height of a commercial communication tower six (6) feet for a maximum height of one-hundred and thirty-nine (139) feet.

Description of Proposal The applicant is proposing to increase the overall height of the existing communications tower by adding a ten (10) foot tower extension, new antennas, remote radio units (RRUs), and replace the platform mount. The existing Use Permit for this structure (UP 0977) currently prohibits the overall height to not exceed one-

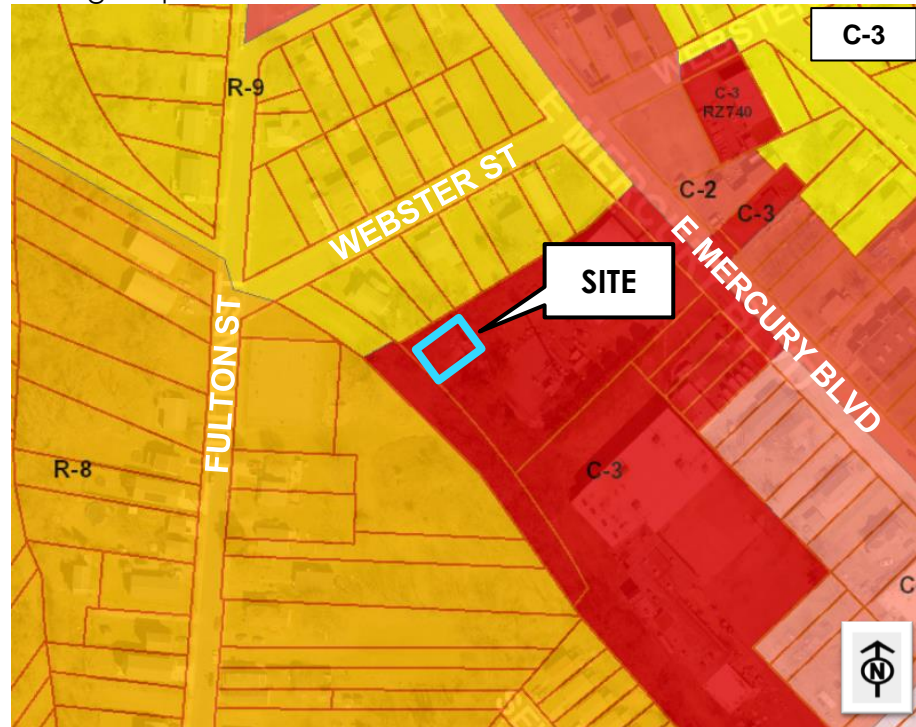
hundred and thirty-three (133) feet. The tower is currently only 129' tall.

Existing Land Use Commercial – Private Communication Tower

Applicable Regulations The C-3 district allows for a private communication tower subject to securing an approved Use Permit from City Council.

Surrounding Land Use and Zoning **North:** Limited Commercial (C-2) District and One-Family Residential (R-9) District; commercial and single family
South: One-Family Residential (R-8) District; residential
East: General Commercial (C-3) District; commercial
West: Limited Commercial (C-2) District and One-Family Residential (R-8) District; residential

Zoning Map:



Public Policy

Hampton Community Plan

The Hampton Community Plan (2006, as amended) provides goals, objectives, and policies for the future of Hampton, which includes recommendations for appropriate land uses. The future land use map recommends high density residential for the subject property.

Listed below are policies related to this request:

LU-CD Policy 4: Evaluate land use proposals from a regional, citywide and neighborhood perspective.

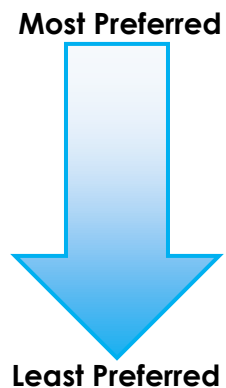
LU-CD Policy 7: Safeguard the integrity of existing residential neighborhoods.

LU-CD Policy 30: Follow a master planning process for districts to identify and address land use and community design issues that are unique to individual districts.

CF Policy 45: Coordinate with service providers and plan for replacement, maintenance, and expansion of local infrastructure.

The Hampton Community Plan details a hierarchy of preferred sites for evaluating proposals for new tower construction. The “placement hierarchy” included in the Plan identifies the areas that will have minimal impact on the community. There are nine levels ranging from most preferred to the least preferred areas.

1. Co-location on existing towers;
2. Tall buildings and structures;
3. Large industrial sites and parks;
4. Approved School Properties;
5. Commercial Areas;
6. High Density Residential Areas;
7. Low/Medium Density Residential;
8. Parks; and
9. Scenic Views; Waterfront.



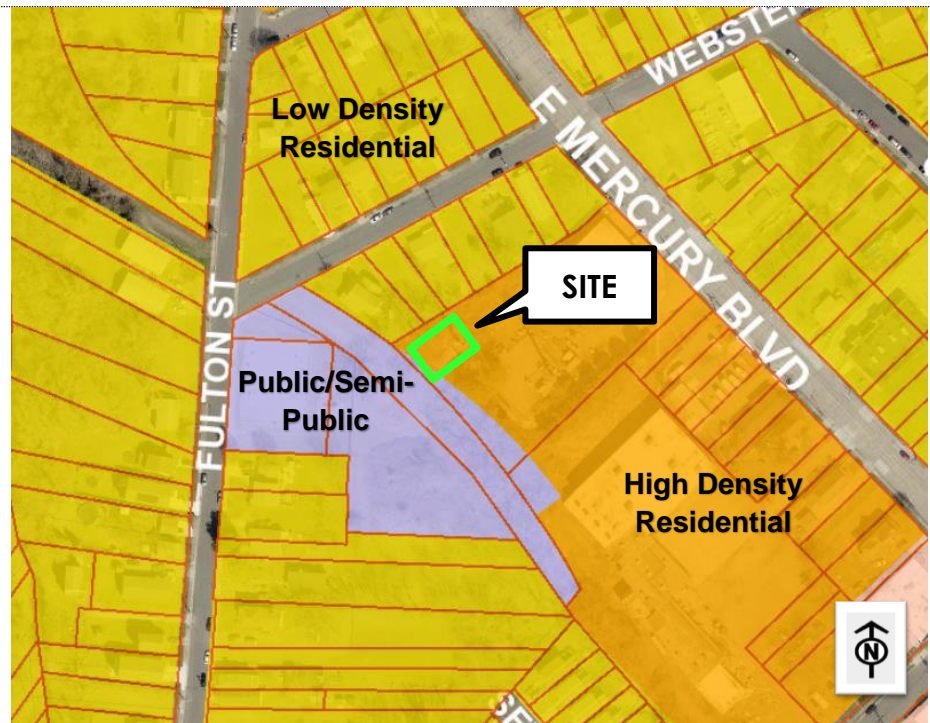
Phoebus Master Plan

The property falls within the boundaries of the Phoebus Master Plan (2013, as amended), which declares that implementation of adopted plans will be accomplished by a variety of public and private sector activities, such as the installation and improvement of infrastructure such as roads and utilities. No specific land use recommendations are made for this location in the Master Plan.

Future Land Use:

The Hampton Community Plan (2006, as amended) designates this area as high density residential surrounded by medium-family residential and public/open space.

See Future Land Use Map on following page

*Parking/ Traffic*

The proposed tower does not include any offices and is unmanned. There are no foreseen negative impacts to traffic.

Environment

Newly created environmental impacts are not anticipated.

Community Meeting

A community meeting has not been scheduled by the applicant(s) at this time.

Analysis

Use Permit Application No. 22-00023 is a request to increase the permitted overall height of a commercial communication tower six (6) feet for a maximum height of one-hundred and thirty-nine (139) feet. The subject property is located at 534 E Mercury Blvd [LRSN: 12001708]. The property is currently zoned General Commercial (C-3). C-3 allows for the use subject to an approved use permit.

Crown Castle USA Inc., representing T-Mobile Northeast LLC, proposes an increase in height to accommodate new communication equipment including a tower extension, 9 new antennas, 6 radios, 1 platform mount, and 12 mount pipes. Additionally, proposed ground infrastructure including a cabinet is featured as part of the application. The general purpose of the equipment is to modernize and improve service in the area.

The tower was originally constructed at 123' tall in 1992, pre-dating the zoning ordinance requirement for a use permit. In 2001, a Use Permit (UP 0977) was approved to allow the overall height of the structure to extend ten (10) feet in height for a maximum height of 133', which also brought the structure into conformance.

The existing tower sits behind Gilliam Welding Inc. and is ±129' in total height, four feet under the permitted maximum height. The monopole that holds all communication

equipment is currently $\pm 125'$ in total height. Per the applicant, there is not enough space above the current equipment to accommodate the proposed equipment and not exceed the 133' in height as set by the previous use permit (UP 0977). The applicant has also explained that the tower extension is necessary for the new equipment, mounts, and mount pipes.

The Hampton Community Plan (2006, as amended) recommends high-density residential use for the property. The Community plan speaks specifically to communications and other technologies. Furthermore, the Community Facilities chapter of the Community Plan calls for coordinating with service providers and plan for replacement, maintenance, and expansion of local infrastructure. The proposed development would be consistent with the recommendations of the Phoebus Master Plan (2007, as amended), which declares that implementation of adopted plans will be accomplished by a variety of public or private sector activities, such as the installation and improvement of infrastructure such as roads and utilities.

Given that the tower is existing, along with the commercial land use and commercial surroundings of the property, the tower addition is appropriate. It is unlikely that the increased height will cause appreciable aesthetic impacts to surrounding businesses or residential properties.

If the use permit is to be granted, staff has identified nine (9) recommended conditions based upon the proposed use's operational and land use characteristics. A few key conditions are highlighted below:

- Only for subject property
- Tower Height
- Site Design
 - Compliance with elevations
 - Compliance with site concept plan
- Public Safety
- Removal of Tower

Staff recommends **APPROVAL** of Rezoning Application No. 22-00023 with nine (9) conditions.