



Legislation Details (With Text)

**File #:** 17-0188      **Version:** 1      **Name:** UP17-00005 1605 Aberdeen Rd Comm Tower  
**Type:** Use Permits      **Status:** Passed  
**File created:** 5/22/2017      **In control:** City Council Legislative Session  
**On agenda:** 6/14/2017      **Final action:** 6/14/2017

**Title:** Use Permit Application No. 17-00005 by Parallel Infrastructure to permit a commercial communication tower at 1605 Aberdeen Rd, which is on the west side of Aberdeen Rd, just north of the intersection with W Mercury Blvd LRSN 3003897

**Sponsors:**

**Indexes:** , Information Technology

**Code sections:**

**Attachments:** 1. Application, 2. Narrative, 3. Propagation Maps, 4. Other Tower Proximity Map, 5. Ruled out locations, 6. Photo Simulations, 7. Conditions, 8. Site Plan, 9. Staff Report, 10. Staff Presentation, 11. Signed Letter of Opposition (CC BID), 12. Citizen Opposition Petition, 13. Planning Commission Resolution, 14. Applicant Presentation

Date	Ver.	Action By	Action	Result
6/14/2017	1	City Council Legislative Session	approved	Pass
6/14/2017	1	City Council Legislative Session	denied	Fail

Use Permit Application No. 17-00005 by Parallel Infrastructure to permit a commercial communication tower at 1605 Aberdeen Rd, which is on the west side of Aberdeen Rd, just north of the intersection with W Mercury Blvd LRSN 3003897

**Background Statement:**

Use Permit Application No. 17-0005 is a request by Parallel Infrastructure to permit the operation of a commercial communications tower at 1605 Aberdeen Rd, which is on the west side of Aberdeen Rd just north of its intersection with W Mercury Blvd [LRSN: 3003897]. The subject property contains .32+ acres. The property is currently vacant.

The property is zoned Limited Commercial (C-2), which permits the operation of a commercial communications tower with a use permit.

The Hampton Community Plan, (2006 as amended) encourages the location of new communications towers in preferred sites through the implementation of standards and procedures to be incorporated into the Zoning Ordinance. Zoning Ordinance Section 3-3 (34) regulates the placement and evaluation of commercial communication towers. The provisions of this Ordinance section include site size and setback requirements; provision requiring the applicant to document that the tower will be designed, engineered, and built to comply with industry standards; provisions requiring that the applicant conduct intermodulation testing to ensure that the new tower will not interfere with public safety communications; provisions that require the applicant to provide evidence that there is a lack of available space on other towers or at other sites.

The proposed design of the tower and compound complies with the setback standards and other requirements contained in the Zoning Ordinance. The applicant submitted all required plans, reports,

and other documents required by the Ordinance, which were reviewed and approved by both Planning Staff and the appropriate specialist staff. Additionally, the applicant submitted evidence that made clear, due to factors including the requirements of the technology, lack of any nearby existing towers, and the lack of availability of other properties, 1605 Aberdeen Rd was the best available site that could meet their coverage objectives.

Additionally, the Hampton Community Plan (2006, as amended) recommends mixed use land use for this area, though some single family properties directly to the northwest are recommended to remain low density residential.

Staff recommends attaching several conditions based on the characteristics of the proposed use. The tower and its equipment would be required to be shielded by fencing and landscaping, based on a submitted conceptual plan. The development would also be required to meet other standard permitting, federal and state law compliance, and nullification conditions typically attached to a use permit for communication towers.

The proposed use permit is consistent with the City's goals and policies, as outlined in the Hampton Community Plan (2006, as amended) and other policy documents.

**Recommendations:**

Staff Recommendation:

Approve with 11 conditions

Planning Commission Recommendation:

Approve with 11 conditions