

# CASE SUMMARY

**APPLICATION TYPE: USE ON REVIEW**

KNOXVILLE-KNOX COUNTY

**M P C**  
METROPOLITAN  
P L A N N I N G  
C O M M I S S I O N

T E N N E S S E E

Suite 403 • City County Building  
400 Main Street  
Knoxville, Tennessee 37902  
865 • 215 • 2500  
F A X • 215 • 2068  
www.knoxmpc.org

**File Number:** 3-A-14-UR                      **Related File Number:**  
**Application Filed:** 1/2/2014                      **Date of Revision:**  
**Applicant:** NEW CINGULAR WIRELESS LLC ( FORMERLY AT&T WIRELESS)

## PROPERTY INFORMATION

**General Location:** West side of Beaman Lake Rd., south of Romines Dr.  
**Other Parcel Info.:**  
**Tax ID Number:** 83 H A 01001 AND 010                      **Jurisdiction:** City  
**Size of Tract:** 20.2 acres  
**Accessibility:** Access is via Beaman Lake Rd., a minor collector street with a 19' pavement width within a 50' right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Apartments and vacant land  
**Surrounding Land Use:**  
**Proposed Use:** 125' monopole commercial telecommunications tower                      **Density:**  
**Sector Plan:** East City                      **Sector Plan Designation:** LDR  
**Growth Policy Plan:** Urban Growth Area (Inside City Limits)  
**Neighborhood Context:** The site is located in an area of established residential neighborhoods that have developed within the R-1 (Low Density Residential) zoning district.

## ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

**Street:** 1109 Beaman Lake Rd  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** RP-1 (Planned Residential)  
**Former Zoning:**  
**Requested Zoning:**  
**Previous Requests:**  
**Extension of Zone:**  
**History of Zoning:** None noted

## PLAN INFORMATION (where applicable)

**Current Plan Category:**  
**Requested Plan Category:**

## **SUBDIVISION INFORMATION (where applicable)**

Subdivision Name:

No. of Lots Proposed:

No. of Lots Approved: 0

Variances Requested:

S/D Name Change:

## **OTHER INFORMATION (where applicable)**

Other Bus./Ord. Amend.:

## **MPC ACTION AND DISPOSITION**

**Planner In Charge:** Tom Brechko

**Staff Recomm. (Abbr.):** APPROVE the request for a 125' monopole commercial telecommunications tower in the RP-1 (Planned Residential) zoning district subject to 7 conditions.

**Staff Recomm. (Full):**

1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
2. Meeting all applicable requirements of the Knoxville Fire Prevention Bureau.
3. Providing verification to the Knoxville Department of Engineering that the tower and equipment pads are at least one foot above the Beaman Lake Dam spillway elevation.
4. Meeting all applicable requirements of the Knoxville Department of Engineering.
5. Installing the evergreen landscaping screen along the fenced enclosure, as identified on the tree planting plan, within six months of the tower becoming operational.
6. Since the FAA does not require any lighting for this facility, there shall be no lighting on the tower.
7. At the time of the request for a building permit, posting a bond or other approved financial surety that would ensure the removal of the tower if it is abandoned.

With the conditions noted above, this request meets all criteria for a use-on-review in the RP-1 zoning district.

**Comments:**

This is a request for a new 125' monopole commercial telecommunications tower to be located within a 10,000 square foot lease area located on a portion of a 20.2 acre tract. The subject property is zoned RP-1 (Planned Residential) and telecommunication towers are considered as a use on review in this district. Access to the site is by an easement off of Beaman Lake Rd., a minor collector street. The driveway is required to meet the Utility Access Driveway standards of the Knoxville Fire Prevention Bureau which requires a 16' wide paved access driveway.

The proposed tower is required to be located 137.5 feet (110% of the tower height) from the nearest residentially zoned property. The proposed tower exceeds that minimum standard since the nearest property line is 142.5' from the base of the tower. The nearest residence is approximately 400' from the base of the tower. The applicant is proposing an 8' high security fence around the tower and equipment area. The FAA does not require any lighting for a tower of this height.

The applicant states that there are no existing structures in the area that can be used for antenna placement to obtain the required coverage. The applicant is proposing up to 4 telecommunication carrier antenna arrays on this tower. AT&T will be the principal client for the tower. A letter has been submitted stating that American Towers LLC agrees to make all of its facilities available to other wireless providers.

Attached to the staff report are several support documents, including a report from MPC's tower consultant, Mr. Larry E. Perry. Mr. Perry's report describes the proposal and highlights his findings. Mr. Perry concludes that the proposed monopole tower is technically justified by the materials submitted by the applicant (see attached report).

### **EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTY AND THE COMMUNITY AS A WHOLE**

1. The proposed development will have minimal impact on local services since utilities are available to serve this site.
2. The tower site, being located on a 20.2 acre tract, has been located on the site to maximize the distance from existing residential properties in order to minimize the impact on nearby residences.

### **CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOXVILLE ZONING ORDINANCE**

1. With the recommended conditions, the proposed commercial telecommunications tower at this location meets the standards required in the RP-1 (Planned Residential) zoning district.
2. The proposed tower is consistent with the general standards for uses permitted on review: The proposed development is consistent with the adopted plans and policies of the General Plan, East City Sector Plan and Wireless Communications Facility Plan. The use is in harmony with the general purpose and intent of the Zoning Ordinance. The use will not significantly injure the value of adjacent property. The use will not draw additional traffic through residential areas.

**CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS**

1. The East City Sector Plan proposes low density residential uses on this property.
2. Under the guidelines for tower placement in the Wireless Communications Facility Plan this proposed tower falls within the "Sensitive Areas". The proposed tower site is located on a multi-family residential property and is located within 500' of a residence which the Plan considers to be "Sensitive Areas" for the location of telecommunication towers. The Plan takes a neutral position on moderate monopole towers located in these areas.
3. The site is located within the Urban Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

**Action:** Approved **Meeting Date:** 4/10/2014

- Details of Action:**
1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
  2. Meeting all applicable requirements of the Knoxville Fire Prevention Bureau.
  3. Providing verification to the Knoxville Department of Engineering that the tower and equipment pads are at least one foot above the Beaman Lake Dam spillway elevation.
  4. Meeting all applicable requirements of the Knoxville Department of Engineering.
  5. Installing the evergreen landscaping screen along the fenced enclosure, as identified on the tree planting plan, within six months of the tower becoming operational.
  6. Since the FAA does not require any lighting for this facility, there shall be no lighting on the tower.
  7. At the time of the request for a building permit, posting a bond or other approved financial surety that would ensure the removal of the tower if it is abandoned.

With the conditions noted above, this request meets all criteria for a use-on-review in the RP-1 zoning district.

**Summary of Action:** APPROVE the request for a 125' monopole commercial telecommunications tower in the RP-1 (Planned Residential) zoning district subject to 7 conditions.

**Date of Approval:** 4/10/2014 **Date of Denial:** **Postponements:** 3/13/2014

**Date of Withdrawal:** **Withdrawn prior to publication?:**  **Action Appealed?:**

**LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:** Knoxville City Council

**Date of Legislative Action:** **Date of Legislative Action, Second Reading:**

**Ordinance Number:** **Other Ordinance Number References:**

**Disposition of Case:** **Disposition of Case, Second Reading:**

**If "Other":** **If "Other":**

**Amendments:** **Amendments:**

**Date of Legislative Appeal:** **Effective Date of Ordinance:**