

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

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File Number: 4-J-08-UR **Related File Number:**
Application Filed: 3/10/2008 **Date of Revision:**
Applicant: U.S. CELLULAR CORPORATION

PROPERTY INFORMATION

General Location: Northwest side of Grove Dr., southeast of Rifle Range Dr.
Other Parcel Info.:
Tax ID Number: 48 O C 052 **Jurisdiction:** City
Size of Tract: 6.49 acres
Accessibility: Access is via Grove Dr., a minor collector street with a 16' pavement width within a 50' right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Residences
Surrounding Land Use:
Proposed Use: 90' monopole telecommunications tower **Density:**
Sector Plan: North City **Sector Plan Designation:** LDR
Growth Policy Plan: Urban Growth Area
Neighborhood Context: This area has developed with primarily residential uses under RA zoning to the north of the site and R-1 zoning to the east, west and south of the site.

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

Street: 6242 Grove Dr
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: R-1 (Low Density 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:

Kelley Schlitz

Staff Recomm. (Abbr.):

APPROVE the request for a 90' monopole telecommunications tower in the R-1 zoning district, subject to the following 7 conditions:

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
2. Meeting all applicable requirements of the Knoxville Department of Engineering.
3. In addition to the "stealth" structural design of the proposed tower, there shall be no exterior antennas.
4. Since the FAA does not require any lighting for this facility, there shall be no lighting on the tower.
5. The perimeter of the fenced area shall be landscaped.
6. Installing the proposed landscaping as shown on the landscape plan within six months of the tower becoming operational.
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.

Comments:

This is a request for a new 90' monopole telecommunications tower to be located within a 2,500 square foot lease area located on the north side of Grove Dr. The proposed tower will be located on an existing 6.49 residential lot. The subject property is zoned R-1(Low Density Residential), and telecommunication towers are considered as a use on review in this district. The proposed design of the tower is considered to be "stealth" based on the facts that the antennas will be flush mounted with no extension devices and that the 90' tower will blend in with the surrounding 65'-75' tree-line. Antennas on a typical monopole tower are mounted on the exterior with 3-4 antennas per carrier with potential for multiple carriers.

The proposed site is surrounded by residential properties. According to the Knoxville-Knox County Wireless Communications Facility Plan, stealth structures are encouraged in residential areas. Due to the height of the proposed tower, (90') the Facility Plan identifies this as an "encouraged" site for a telecommunication towers. According to the Knoxville Zoning Ordinance, all towers shall be setback from all properties zoned R-1 a minimum distance equal to 110% of the height of the tower. The required setback for the proposed tower is 99 ft. According to the site plan the nearest residential property line is 110' to the north and 138.5' to the southwest.

The visual impact of the tower on nearby residences will be minimal due to its stealth design along with the fact that the proposed tower and equipment area will be located on a heavily wooded 6.49 acre lot. The tower is also setback from Grove Dr. approximately 300' which will significantly reduce its visibility from the road. The tower is designed so it will collapse upon itself in case of a natural disaster or other failure. FAA does not require any lighting for the tower. The tower will support up to two telecommunication carriers. All antennas are required to be interior to the tower. U.S. Cellular will be the principal client for the tower.

According to the applicant there are no existing or acceptable structures within this area. The proposed tower will be a "fill" site to relieve gaps in the present coverage. Co-location is not an option. All towers were tested for possible collocation possibilities. No other structure exists within the area needed to provide coverage (see the attached letter from Jackson Kramer).

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 90' stealth monopole tower is technically justified by the materials submitted by the applicant based on the following criteria: stealth design; internal antennas; heavily wooded, 6.49 acre lot, setback 300' from Grove Dr.; and that the height of the tower will only exceed the existing tree-line by approximately 15'- 20'.

An agreement has been submitted stating that U.S. Cellular Corporation agrees to make all of its

facilities available to other wireless providers (see attached letter from John Locascio).

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

1. The proposed development will improve overall telephone service, and will have minimal impact on local services since all other utilities are in place to serve this development.
2. The tower, being located adjacent to residential uses, is required to be screened. The applicant will be required to provide landscaping around the perimeter of the fenced area. In addition to the required landscaping, the proposed tower is located in a heavily wooded area (see exhibit 10). This will reduce the impact of the proposed tower on existing residential property.
3. The height of the tower (90') will only exceed the existing tree-line by about 20'. This will make the tower less visible from the surrounding skyline. The proposed tower will also be setback from Grove Dr. approximately 300'. This will make the tower less visible from nearby property owners.

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

1. The proposed commercial telecommunications tower at this location, based on the fact that it will be designed as a stealth structure, meets the criteria required in the R-1 zoning district for approval of a telecommunications tower as a use on review.
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 and One Year Plan. The use is in harmony with the general purpose and intent of the Zoning Ordinance. Due to the short height of the tower and the fact that it will be located on a 6.49 acre heavily wooded lot, 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 North City Sector Plan identifies this property as being low density residential. The proposed development is consistent with this land designation.
2. The Wireless Communications Facility Plan identifies the proposed 90' monopole as a "moderate" monopole. Under the guidelines for Tower Placement section of the Facility Plan, the proposed tower falls within the "Encouraged" category based on the stealth design (see attached matrix). As previously stated, the tower will be setback 110' from any residential property line and approximately 130' from the nearest residence.

MPC Action: Approved **MPC Meeting Date:** 4/10/2008

- Details of MPC action:**
1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
 2. Meeting all applicable requirements of the Knoxville Department of Engineering.
 3. In addition to the "stealth" structural design of the proposed tower, there shall be no exterior antennas.
 4. Since the FAA does not require any lighting for this facility, there shall be no lighting on the tower.
 5. The perimeter of the fenced area shall be landscaped.
 6. Installing the proposed landscaping as shown on the landscape plan within six months of the tower becoming operational.
 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.

Summary of MPC action: APPROVE the request for a 90' monopole telecommunications tower in the R-1 zoning district, subject to the following 7 conditions:

Date of MPC Approval: 4/10/2008 **Date of Denial:** **Postponements:**
Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:** 4/17/2008

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council
Date of Legislative Action: 5/20/2008 **Date of Legislative Action, Second Reading:** 6/3/2008
Ordinance Number: **Other Ordinance Number References:**
Disposition of Case: Postponed **Disposition of Case, Second Reading:** Appeal Denied
If "Other": **If "Other":** Died for lack of motion
Amendments: **Amendments:**
Date of Legislative Appeal: **Effective Date of Ordinance:**