

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: 5-A-06-UR **Related File Number:**
Application Filed: 4/7/2006 **Date of Revision:**
Applicant: SPRINT PCS C/O LANNIE GREENE
Owner:

PROPERTY INFORMATION

General Location: North side of Vandeventer Ave., west of Emmett St. and south of Sutherland Ave.
Other Parcel Info.:
Tax ID Number: 108 A G 009 **Jurisdiction:** City
Size of Tract: 0.76 acres
Accessibility: Access is via Sutherland, a minor arterial street with a 70' right of way and a 28' pavement width, and Vandeventer Avenue, a local street with a 45' right of way and a 22' pavement width.

GENERAL LAND USE INFORMATION

Existing Land Use: Loading site for industrial distribution center
Surrounding Land Use:
Proposed Use: 120' monopole telecommunications tower **Density:**
Sector Plan: Central City **Sector Plan Designation:** LI (Light Industrial)
Growth Policy Plan: Urban Growth Area
Neighborhood Context: This neighborhood has developed with primarily industrial and commercial uses. Despite the I-2 zoning designation, there are existing single family dwellings near the proposed site.

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

Street: 2538 Sutherland Ave
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: I-2 (Restricted Manufacturing and Warehousing)
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:

Surveyor:

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 120' monopole telecommunications tower in the I-2 zoning district, subject to the following 6 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. Since the FAA does not require any lighting for this facility, there shall be no lighting on the tower.
4. In addition to a 8' wooden privacy fence around the tower and equipment area, the perimeter of the fenced area will be landscaped with Leyland Cypress on 8' centers.
5. Installing the proposed landscaping as shown on the landscape plan within six months of the tower becoming operational.
6. 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 120' monopole telecommunications tower to be located within a 1,800 square foot lease area located south of Sutherland Avenue, along Vandeventer Avenue. The proposed tower will be located behind an existing industrial site. The subject property is zoned I-2 (Restricted Manufacturing and Warehousing District) and telecommunication towers are considered as a use on review in this district.

The proposed site is immediately adjacent to a residential area. This area, however, is zoned I-2. According to the Knoxville-Knox County Wireless Communications Facility Plan, industrial zones are considered "Opportunity Areas" for telecommunication towers. Since the proposed site is located within 500' of a residence it is also considered a "Sensitive Area". Due to the height of the proposed tower, (120') and the fact that the property is zoned I-2, the Facility Plan identifies this as an acceptable site for a telecommunication tower. The required side yard setback in the I-2 zoning district is 10 feet. The current proposal provides for a 26' setback between the tower and the neighboring residential property line.

In order to reduce the visual impact on nearby residences, the proposed tower and equipment area will be surrounded by an 8' high wooden security fence, and the perimeter of the fenced area will be landscaped with Leyland Cypress on 8' centers. This new vegetation must be installed within 30 days of tower installation. 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 carrier antenna arrays. Sprint PCS will be the principal client for the tower.

According to the applicant there are no existing or acceptable structures within this area along Sutherland Avenue. The proposed site is to relieve capacity of existing or nearby sites. Co-location is not an option. All towers, including TVA transmission towers were tested for possible collocation possibilities. No other structure exists within the area needed to provide coverage. The applicant had attempted to obtain approval for use of the Parks and Recreation Department about the possibility of leasing land from the City of Knoxville for the communications facility at Tyson Park. The Parks and Recreation Department decided not to pursue the proposal (see the attached letter from Value Concepts, Inc.).

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 120' tower is technically justified by the materials submitted by the applicant.

An agreement has been submitted stating that Sprint Communications agrees to make all of its facilities available to other wireless providers (see attached letter from Karl Wagon).

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 all utilities are in place to serve this development.
2. The tower, being located adjacent to residential uses, is required to be heavily screened. The applicant will be required to install an 8' tall wooden fence and provide landscaping around the perimeter of the fence. The base of the tower and the tower enclosure will be well screened. This will reduce the impact of the proposed tower on existing residential property.

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

1. The proposed commercial telecommunications tower at this location meets the standards required in the I-2 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 and One Year Plan. The use is in harmony with the general purpose and intent of the Zoning Ordinance. By requiring extensive screening, 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 Central City Sector Plan identifies this property as being Light Industrial. The proposed development is consistent with this land designation.
2. The Wireless Communications Facility Plan identifies the proposed 120' monopole as a "moderate" monopole. Under the guidelines for Tower Placement section of the Facility Plan, the proposed tower falls within the "Sensitive Area" category. Under the "Sensitive Area" category, the Plan takes a neutral position on moderate monopoles located in residential areas (see attached matrix). As previously stated, the tower will be setback 26' from any residential property line.

MPC Action:

Approved

MPC Meeting Date: 5/11/2006

Details of MPC action:

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Summary of MPC action:

APPROVE the request for a 120' monopole telecommunications tower in the I-2 zoning district, subject to the following 6 conditions:

Date of MPC Approval:

5/11/2006

Date of Denial:

Postponements:

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: