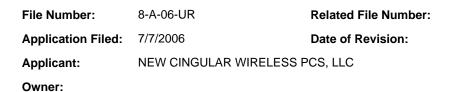
# CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW





Suite 403 • City County Building 4 0 0 M a i n S t r e e t Knoxville, Tennessee 37902 8 6 5 • 2 1 5 • 2 5 0 0 F A X • 2 1 5 • 2 0 6 8 w w w • k n o x m p c • o r g

# PROPERTY INFORMATION

General Location:	Southwest side of Western Ave., southeast side of Short Rd.			
Other Parcel Info .:				
Tax ID Number:	79 N C 013	Jurisdiction:	City	
Size of Tract:	1.3 acres			
Accessibility:	Access is via Western Ave., a major arterial street with a pavement width of 22' in an 88' right-of-way.			

# GENERAL LAND USE INFORMATION

Existing Land Use:	Vacant			
Surrounding Land Use:				
Proposed Use:	195' Monopole Telecommunication Tower			Density:
Sector Plan:	Northwest County	Sector Plan Designation:	GC	
Growth Policy Plan:	Urban Growth Area			
Neighborhood Context:	The proposed telecommunications tower site is located in an area with a mix of commercial and residential developments.			

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

C-4 (Highway and Arterial Commercial)

Western Ave

Street: Location:

**Proposed Street Name:** 

**Department-Utility Report:** 

Reason:

#### ZONING INFORMATION (where applicable)

Current Zoning:

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.):	WITHDRAW as requested by the applicant.				
Staff Recomm. (Full):					
Comments:	This is a request for a new 195' monopole telecommunications tower to be located within a 10,000 square foot lease area located on the south side of Western Ave. The subject property is zoned C-4 (Highway & Arterial Commercial), and telecommunication towers are considered as a use on review in this district.				
	The proposed site is immediately adjacent to a residential area to the north and south of the site. According to the Knoxville-Knox County Wireless Communications Facility Plan, commercial corridors 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". According to the Knoxville Zoning Ordinance, all towers shall be setback from all properties zoned R-1 and R-1A a minimum distance equal to 110% of the height of the tower. The proposed tower is required to be at least 215 feet away from the nearest residentially zoned property line, and it is currently 105' away from the nearest residential property. The applicant has applied for a setback variance from the Knoxville Board of Zoning Appeals in order to bring the 195' tower into compliance with the zoning regulations. Regardless of whether or not the applicant receives the variance, staff would not support a 195' tower due to the potential negative impact on nearby residences.				
	According to the Zoning Ordinance, in order to reduce the visual impact on nearby residences, all telecommunication towers have to be screened with fencing and landscaping. The applicant has been notified that a landscape plan is required as part of their application. 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 three telecommunication carrier antenna arrays. New Cingular Wireless will be the principal client for the tower.				
	According to the applicant there are no existing or acceptable structures within this area along Western Ave. The proposed site is to relieve capacity of existing or nearby sites. Co-location is not an option. No other structure exists within the area needed to provide coverage (see the attached letter from Stephen Parker, General Dynamics).				
	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 recommended 195' tower is technically justified by the materials submitted by the applicant, however, in order to meet the Zoning Ordinance requirements, setback variances will need to be granted.				
	An agreement has been submitted stating that New Cingular Wireless PCS agrees to make all of its facilities available to other wireless providers (see attached letter from Michelle Ward).				
	<ul> <li>EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTY AND THE COMMUNITY AS A WHOLE</li> <li>1. The proposed development will have minimal impact on local services since all utilities are in place to serve this development.</li> <li>2. The proposed tower will impact surrounding residences as it adjoins residential property to the north and south. The proposed site is zoned commercial but is not located in an extensive commercial area.</li> </ul>				

	ORDINANCE 1. The proposed constandards required in applicant will be required 2. The proposed tow proposed development and south. The use of 3. The use is consist	HE PROPOSAL TO CRITERIA ESTABL nmercial telecommunications tower at thi the C-4 zoning district because it encroa- ired to receive a setback variance from the er is not consistent with many of standar nt is incompatible with the residential cha could significantly impact and injure the v tent with the adopted plans and policies of raw additional traffic through residential a	s location does not me aches into the required ne Knoxville Board of Z ds for uses permitted o aracter of adjoining pro alue of nearby resident of the General Plan and	eet all of the setbacks. The Zoning Appeals. on review: The perties to the north tial property.	
	<ul> <li>CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS</li> <li>1. The Northwest County Sector Plan identifies this property as being General Commercial. The proposed development is consistent with this land designation.</li> <li>2. Under the guidelines for Tower Placement section of the Wireless Communications Facility Plan, the proposed 195' tower falls within the "Sensitive Area" category. Under the "Sensitive Area" category, the Plan discourages moderate monopoles located within 500' of a residential area (see attached matrix). As previously stated, the tower will be setback 105' from any residential property line.</li> </ul>				
MPC Action:	Denied (Withdrawn)		MPC Meeting Date: 9	9/14/2006	
Details of MPC action:					
Summary of MPC action:	WITHDRAW as requested by the applicant.				
Date of MPC Approval:		Date of Denial:	Postponements: 8	3/10/2006	
Date of Withdrawal:	9/14/2006	Withdrawn prior to publication?:	Action Appealed?:		
	LEGISLAT	TIVE ACTION AND DISPOSIT	ION		
Legislative Body:	Knoxville City Counci	il			
Date of Legislative Action:		Date of Legislative Action	on, Second Reading:		
Ordinance Number:	Other Ordinance Number References:				
Disposition of Case:		Disposition of Case, Se	cond Reading:		

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance:

If "Other": Amendments: