

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: 8-G-12-UR **Related File Number:**
Application Filed: 7/2/2012 **Date of Revision:**
Applicant: U. S. CELLULAR CORPORATION

PROPERTY INFORMATION

General Location: South side of South Mall Road, east side of Washington Pike.
Other Parcel Info.:
Tax ID Number: 59 K C 009 & 010 **Jurisdiction:** City
Size of Tract: 0.64 acres
Accessibility: Access is via Washington Pike, a minor arterial street with a four lane street section just south of the exit off of I-640 and north of the transition to a two lane section.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant commercial property
Surrounding Land Use:
Proposed Use: 150' Monopole Telecommunications Tower **Density:**
Sector Plan: East City **Sector Plan Designation:** Commercial
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: The site is located within a commercial corridor along I-640 between the Washington Pike and Millertown Rd. exits.

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

Street: 5020 Washington Pike
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: C-1 (Neighborhood Commercial) & C-6 (General Commercial Park)
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 150' monopole telecommunications tower in the C-1 zoning district, subject to 5 conditions.

Staff Recomm. (Full):

1. Modifying the monopole tower design to utilize close mount antenna arrays.
2. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
3. Meeting all applicable requirements of the Knoxville Department of Engineering.
4. Since the FAA does not require any lighting for this facility, there shall be no lighting on the tower.
5. 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 C-1 zoning district.

Comments:

This is a request for a new 150 foot monopole telecommunications tower to be located within a 2,116 square foot lease area on the northeast side of a commercially zoned property that was previously the site of a convenience store. The building is presently vacant. The subject property is zoned C-1 (Neighborhood Commercial) and telecommunication towers are considered as a use on review in this district. The proposed tower site will have access to Washington Pike through the parking lot for the commercial site.

The proposed tower is required to be located 165 feet (110% of the tower height) from the nearest residential zoned property. The proposed tower meets all required setbacks. The nearest residence is over 800' from the proposed tower. The applicant is proposing a 6' high security fence topped with three strands of barbed wire around the tower and equipment area. Due to the height of the tower, FAA does not require lighting for the tower.

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 tower will support up to 3 telecommunication carrier antenna arrays. U. S. Cellular Corporation will be the principal user for the tower. An agreement has been submitted stating that U. S. Cellular Corporation 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 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 the required utilities are available to serve this site.
2. The proposed tower will not negatively impact surrounding properties since it is located within a commercial corridor area.

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 C-1 (Neighborhood Commercial) 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. Since this site is in a commercial corridor, 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 commercial uses on this property. With the minimal site alteration required for the proposed tower adjacent to a commercial parking lot, the proposed development is consistent with this land use designation.
2. Under the guidelines for tower placement in the Wireless Communications Facility Plan, this proposed tower would be considered a moderate monopole. The tower falls within the "Opportunity Area" of the Land Use/Wireless Facilities Matrix since the proposed tower site is located along an "urban expressway corridor" and an "office/commercial corridor". The Plan encourages moderate monopoles located in an "urban expressway corridor". The Plan takes a neutral position on moderate monopoles located in an "office/commercial corridor".
3. The site is located within the Urban Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

Action: Approved **Meeting Date:** 9/13/2012

- Details of Action:**
1. Modifying the monopole tower design to utilize close mount antenna arrays.
 2. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
 3. Meeting all applicable requirements of the Knoxville Department of Engineering.
 4. Since the FAA does not require any lighting for this facility, there shall be no lighting on the tower.
 5. 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 C-1 zoning district.

Summary of Action: APPROVE the request for a 150' monopole telecommunications tower in the C-1 zoning district, subject to 5 conditions.

Date of Approval: 9/13/2012 **Date of Denial:** **Postponements:** 8/9/2012

Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:** 9/27/2012

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council

Date of Legislative Action: 10/30/2012

Date of Legislative Action, Second Reading:

Ordinance Number:

Other Ordinance Number References:

Disposition of Case: Other

Disposition of Case, Second Reading:

If "Other":

If "Other":

Amendments:

Amendments:

Appeal withdrawn -Council amended use on review conditions-See letter with City Actions 10-30-12

Date of Legislative Appeal:

Effective Date of Ordinance: