

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
FAX • 215 • 2068
www.knoxmpc.org

File Number: 8-N-08-UR **Related File Number:**
Application Filed: 7/14/2008 **Date of Revision:**
Applicant: T-MOBILE SOUTH, LLC.

PROPERTY INFORMATION

General Location: Southeast side of W. Blount Ave., southwest of Saint Paul St.
Other Parcel Info.:
Tax ID Number: 109 A A 004 **Jurisdiction:** City
Size of Tract: 0.104 acres
Accessibility: Access is via W. Blount Ave., a major collector street with a 27' pavement width within a 40' right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land
Surrounding Land Use:
Proposed Use: 100' COW (Cellular-on-wheels) monopole telecommunications tower **Density:**
Sector Plan: South City **Sector Plan Designation:** SWMUD-1
Growth Policy Plan: Urban Growth Area
Neighborhood Context: The site is located in an area between the Baptist Hospital medical complex and the Norfolk Southern Railroad that has a mix of commercial and industrial uses.

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

Street:
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: SW-6 (Henley Gateway)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: Property rezoned to SW-6 (Henley Gateway) on February 27, 2007.

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 100' COW (Cellular-on-wheels) monopole telecommunications tower in the SW-6 zoning district, subject to the following 5 conditions:

Staff Recomm. (Full):

1. The 100' maximum height COW will only be allowed to be located on the site for one, 100-day period per year for a maximum of five years (from the date of the Planning Commission approval). During that five year period, an annual renewal approval is required from the South Waterfront Administrator. The Administrator may forward the annual renewal request to the Planning Commission for consideration.
2. Submitting a revised site plan showing that the COW trailer will be located within the lease area and identifying the type and height of security fencing around the facility.
3. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
4. Meeting all applicable requirements of the Knoxville Department of Engineering.
5. Since the FAA does not require any lighting for this facility, there shall be no lighting on the tower.

Comments: This is a request for a 100' COW (cellular-on-wheels) monopole telecommunications tower to be located on a 4015 square foot parcel located on the southeast side of W. Blount Ave., just east of the Norfolk Southern Railroad, and west of the Baptist Hospital medical complex. The temporary tower that is located on a trailer (see attachment) has a maximum height of 100'. The trailer will be moved onto the site at the beginning of the University of Tennessee football season and will remain on site in the extended position until the end of the season.

The subject property is zoned SW-6 (Henley Gateway). Telecommunication towers are not specifically addressed in the Knoxville South Waterfront (SW) Form Based Development Code. The three review processes identified in the Form Based Code include the Zoning Clearance Review (SW Administrator decision); Development Plan Review (SW Administrator decision with review by the Administrative Review Committee (ARC)); and the Alternative Compliance Review (Metropolitan Planning Commission review and decision). Since telecommunication towers are only permitted through the use-on-review process in other zoning districts, the decision was made that the proposed telecommunication tower should be considered through the Alternative Compliance Review process.

This temporary tower site is to help relieve other permanent sites within the immediate area with the high volume of cellular calls made before, during and after the University of Tennessee football games during the fall season. FAA does not require any lighting for the tower. Due to the size of the tower and the fact that it will only be in use for a 100-day period, the tower does not have a capability of supporting any other telecommunication carrier antenna arrays. T-Mobile South, LLC will be the principal client for the tower (see attached letter from Lannie Greene).

As proposed, the tower is approximately 380' from the nearest residential structure which is located southwest of the tower and on the other side of the Norfolk Southern Railroad's 200' right-of-way. The residences in that area are within the SW-4 (City View, Campus Cove & Quay Village) District.

Attached to the staff report are several support documents, including a report from MP3's tower consultant, Mr. Larry E. Perry. Mr. Perry's report describes the proposal and highlights his findings. Mr. Perry concludes that the 100' COW tower is technically justified by the materials submitted by the applicant.

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 available to serve this development.
2. The proposed tower site is located in an area with a mix of commercial and industrial uses on the east side of the Norfolk Southern Railroad. There is a wooded area within the railroad right-of-way with

an average depth of 65' that will help screen the tower from the residences located to the southwest.

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

1. The proposed temporary telecommunications tower at this location meets the standards for development within the SW-6 (Henley Gateway) District and all other relevant requirements of the Zoning Ordinance.
2. The proposed temporary telecommunications 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 Sector Plan. The use is in harmony with the general purpose and intent of the Zoning Ordinance. The use is compatible with the character of the neighborhood where it is proposed. The use will not significantly injure the value of adjacent property. The use will not draw additional traffic through residential areas. Since the use is temporary, the impact on adjacent property will be minimal.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The South City Sector Plan identifies this property as being within a light industrial area. The One Year Plan identifies this area as South Waterfront Mixed Use District. The proposed temporary development is consistent with the Sector and One Year Plans.
2. The Wireless Communication Facilities Plan identifies the proposed 100' monopole as a "moderate" monopole. Under the Guidelines for Tower Placement section of the Wireless Communication Facilities Plan there are three categories for evaluating tower placement. This proposed tower falls within the "Sensitive Areas" category since the tower is within 500' of a residence. The Plan takes a neutral position for moderate towers within 500' of a residence. As previously stated, the railroad and wooded area will reduce the impact on the residences to the southwest.

MPC Action: Approved as Modified **MPC Meeting Date:** 8/14/2008

- Details of MPC action:**
1. The 100' maximum height COW will only be allowed to be located on the site during the University of Tennessee football season, for a maximum of five years (from the date of the Planning Commission approval). The tower may only be extended for use on the Wednesday prior to a home game through the Sunday after the game at which time it must be retracted. During that five year period, an annual renewal approval is required from the South Waterfront Administrator. The Administrator may forward the annual renewal request to the Planning Commission for consideration. (As modified by MPC)
 2. Submitting a revised site plan showing that the COW trailer will be located within the lease area and identifying the type and height of security fencing around the facility.
 3. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
 4. Meeting all applicable requirements of the Knoxville Department of Engineering.
 5. Since the FAA does not require any lighting for this facility, there shall be no lighting on the tower.

Summary of MPC action: APPROVE the request for a 100' COW (Cellular-on-wheels) monopole telecommunications tower in the SW-6 zoning district, subject to the following 5 conditions:

Date of MPC Approval: 8/14/2008 **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:**