

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.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge:

Mike Reynolds

Staff Recomm. (Abbr.):

POSTPONE until the January 12, 2017 MPC meeting as requested by the applicant.

Staff Recomm. (Full):

The applicant is requesting a postponement to allow additional time to work with the community on the design of the telecommunication tower and analyzing alternative sites.

Comments:

This is a request for a new 125' monopole commercial telecommunications tower to be located within a 2,781 square foot lease area located on a portion of a 3.09 acre tract. The subject property is zoned C-3 (General Commercial) and telecommunication towers are considered as a use on review in this district. Access to the site is by an easement off of Holston Dr., a minor collector street. The proposed access is through an existing paved parking lot. The brick security wall has a 25-foot setback from Holston Dr. and MLK Jr. Ave.

This tower is proposed for the Verizon cellular network and considered a capacity site, meaning there is cellular signal coverage in the area presently by the applicant, but due to the traffic in the vicinity there are dropped calls and not sufficient capacity to handle the demands by the public. There are other towers to the southeast and northeast (Knoxville Center Mall area), but the present sites are located near heavily populated areas in which the use of the facilities is at maximum capacity.

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 applicant is proposing up to 3 telecommunication carrier antenna arrays on this tower. Verizon will be the owner of the tower and has submitted a letter stating that they agree to make all of its facilities available to other wireless providers. In addition, the applicant is encouraged to include features that reduce the visual impact of the tower because it is highly visible from the historic Burlington downtown commercial area and nearby residential neighborhoods. The applicant has proposed applying a new reflective film on the arrays that is produced by 3M and is intended to reflect the surrounding color of the sky, which reduces the overall visual impact of the upper portion of the tower.

In the Wireless Communication Facilities Plan, Section 5, Objective 4 states, "Protect revitalization and redevelopment areas, historic districts and other areas of considerable public investment." It further requires compliance with Section 106 of the National Environmental Policy Act, which requires review of telecommunication facilities to prevent degradation of historic or architectural resources. The historic downtown Burlington area is currently being studied and an application developed for consideration of having it designation on the national register of historic places, however, this has not been completed yet and it is currently not recognized as being "eligible" for the national register.

The proposed tower is required to be located 138 feet (110% of the tower height) from the nearest residentially zoned property. The proposed tower exceeds that minimum standard since the nearest property line is 148' from the base of the tower. The nearest residential structure is approximately 200' from the base of the tower. Around the tower and equipment area the applicant is proposing a 9' high brick security wall with barbed wire attached to the top. Staff has recommended a condition that the barbed wire be removed or moved so as to be non-visible from a public road. The FAA does not require any lighting for a tower of this height, so staff is recommending that no lighting be installed on the tower.

The applicant has proposed a landscaping around the outside edge of the brick wall, which will include evergreen plantings of about 8' height at maturity. The landscaping will be irrigated to ensure the health and survival of the plantings. At the September MPC meeting the applicant agreed to meet with the area residents and did. At this meeting the applicant agreed to install a brick wall instead of a wood fence as originally proposed, a sign stating "Welcome to Historic Burlington", and landscape

screening.

Attached to the staff report are several support documents submitted by the applicant and 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 monopole tower is technically justified by the materials submitted by the applicant (see attached report).

EFFECT OF 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 utilities are available to serve this site.
2. The tower site is located on a 3.09 acre parcel with parking lot of an existing retail commercial building. There is no existing vegetation on the property so the telecommunications tower will be highly visible from the nearby residential district and the downtown Burlington area. Staff is recommending that landscaping screening be installed around the outside of the brick wall.
3. The proposed equipment housing facility will be screened by a 9-foot tall brick security wall with barbed wire on top. Staff has recommended a condition that the barbed wire be removed or moved so as to be non-visible from a public road.
4. The proposed tower with three antenna array locations for cellular providers will help meet a service need that is generated by the number of residents and visitors in the 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 Commercial Telecommunications Facilities section of the Knoxville Zoning Ordinance.
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 (See comments below regarding the Wireless Communications Facility Plan). The use is in harmony with the general purpose and intent of the Zoning Ordinance. 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 residential, office and commercial development for this area. In the long-term, the plan recommends replacing the current C-3 (General Commercial) zoning with design-oriented zoning such as a form-based code or corridor overlay district. The concept is to allow mixed-use building forms that are more urban (for example, multiple stories and small front yard setbacks) and designed to enhance the pedestrian experience. While the use is appropriate for the area in general, the location of the tower does not foster the desire to have built environment that enhances the pedestrian experience.
2. The Magnolia Avenue Corridor plan recommends exploring a Downtown Burlington redevelopment program, emphasizing street improvements, reuse of major vacant parcels such as the flea market site and the AMVETS thrift store block and potential reconfiguration of the block system to maximize development opportunities. The development of a tower in the AMVETS thrift store would jeopardize future redevelopment opportunities of this block.
3. The Martin Luther King, Jr. Avenue Corridor Plan recommends developing a zoning design overlay or form-based zone for Downtown Burlington addressing scale, orientation, walkability, and compactness of development.
4. The site is located within the Urban Growth Area (inside city limits) on the Knoxville-Knox County-Farragut Growth Policy Plan map.
5. Under the guidelines for tower placement in the Wireless Communications Facility Plan this proposed tower falls within the "Opportunity Areas" and "Sensitive Areas" for a moderate height monopole structure (90' - 150'). The tower is located in an opportunity area because it is located in an office/commercial corridor, and it is in a sensitive area because the tower is located within 500' of a residence. The Plan takes a neutral position on moderate monopole towers located in these areas. While the downtown Burlington area is not current listed as a national register historic district, the City has contracted with Knox Heritage to develop a nomination application. The subject property would most likely not be included within the historic district boundaries, however, it would be very visible from the district. Historic districts are considered an avoidance area and towers are discouraged from locating in them.

Action: Withdrawn **Meeting Date:** 5/10/2018

Details of Action:

Summary of Action: Withdraw

Date of Approval: **Date of Denial:** **Postponements:** 9/8/2016-10/13/2016

Date of Withdrawal: 5/10/2018 **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: