

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 an 80' COW (Cell-on-wheels) telecommunications tower for one, 90-day period per year, in the I-3 zoning district, subject to the following 5 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. Installing the proposed opaque security fence prior to the tower becoming operational.
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.

Comments: This is a request for an 80' COW (cell-on-wheels) monopole telecommunications tower. It will be located within a 1,600 square foot leased area located south of W. Blount Ave, along Donaldson St. on an existing industrial site. The proposed tower will remain on the leased area for approximately 90 days during the University of Tennessee Football season. The COW will only be allowed to be located on the site for one, 90-day period per year.

The subject property is zoned I-3 (Restricted Manufacturing and Warehousing District), and telecommunication towers are considered as a use on review in this district. The proposed site is adjacent to a residential area to the east and south. The area to the east is zoned I-3 and the area to the south is zoned R-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 temporary tower, (80') and the fact that the property is zoned I-3, the Facility Plan identifies this as an acceptable site for a telecommunication tower. The current proposal provides for a 91' setback between the tower and the neighboring residential property line to the south, and 80' setback between the tower and the neighboring residential property to the west. In order to reduce the visual impact on nearby residences, the proposed tower and equipment area will be surrounded by a temporary opaque privacy fence.

According to the applicant there are no existing or acceptable structures within this area along Blount Ave. The proposed site is to provide better service to carriers attending the University of Tennessee football games during the fall season. 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. Due to the size of the tower and the fact that it will only be in use for a 90-day period, the tower does not have a capability of supporting any other telecommunication carrier antenna arrays. New Cingular Wireless will be the principal client for the tower (see attached letter from Diana Marsh).

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 80' 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 in place to serve this development.
2. The tower, being located adjacent to residential uses, is required to be setback a minimum distance of 88' (It is currently 91' off that property line). The applicant will be required to install an opaque security fence around the perimeter of the lease area. This will reduce the impact of the proposed tower on existing residential property and prevent vandalism.

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

1. The proposed commercial telecommunications tower at this location will meet the standards required in the I-3 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. 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 Sector Plan identifies this property as being in the South Waterfront Mixed Use Development Plan. It is unclear whether or not the proposed development is consistent with this land designation. Since the proposed development is temporary, it is consistent with this land designation.
2. The Wireless Communications Facility Plan identifies the proposed 80' monopole as a "low" 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 80' from any residence, and 91' from any residential zoned property.

MPC Action: Approved **MPC Meeting Date:** 10/12/2006

- Details of MPC action:**
1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
 2. Meeting all applicable requirements of the Knoxville Department of Engineering.
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 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.

Summary of MPC action: APPROVE the request for an 80' COW (Cell-on-wheels) telecommunications tower for one, 90-day period per year, in the I-3 zoning district, subject to the following 5 conditions:

Date of MPC Approval: 10/12/2006 **Date of Denial:** **Postponements:** 9/14/2006

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:**