

KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION USE ON REVIEW REPORT

▶ FILE #: 9-O-06-UR AGENDA ITEM #: 99

POSTPONEMENT(S): 9/14/2006 **AGENDA DATE: 10/12/2006**

► APPLICANT: NEW CINGULAR WIRELESS PSC, LLC.

OWNER(S): RONALD DUNCAN

GARY LEGATE

TAX ID NUMBER: 108 D B 002

JURISDICTION: City Council District 1

LOCATION: Southeast side of W. Blount Ave., southwest side of Donaldson St.

► APPX. SIZE OF TRACT: 1.35 acres

SECTOR PLAN: South City

GROWTH POLICY PLAN: Urban Growth Area

ACCESSIBILITY: Access is via Donaldson St., a local street with a 30' right of way and a 22'

pavement width.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

► ZONING: I-3 (General Industrial)

► EXISTING LAND USE: Warehouse

PROPOSED USE: 80' monopole telecommunications tower to remain in service for 90

days

HISTORY OF ZONING: 12-A-05 (South Waterfront Mixed Use Development Designation)

SURROUNDING LAND North: Future Marina / C-2 (Central Business)

USE AND ZONING: South: Residences / R-2 (General Residential)

East: Residential / I-3 (General Industrial)

West: Warehouse / I-3 (General Industrial) & I-4 (Heavy Industrial)

NEIGHBORHOOD CONTEXT: The site is located in an area along the South Knoxville waterfront that

includes a mix of industrial and residential uses.

STAFF RECOMMENDATION:

- ► 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:
 - 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:

AGENDA ITEM #: 99 FILE #: 9-0-06-UR 10/5/2006 11:40 AM KELLEY SCHLITZ PAGE #: 99-1

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.

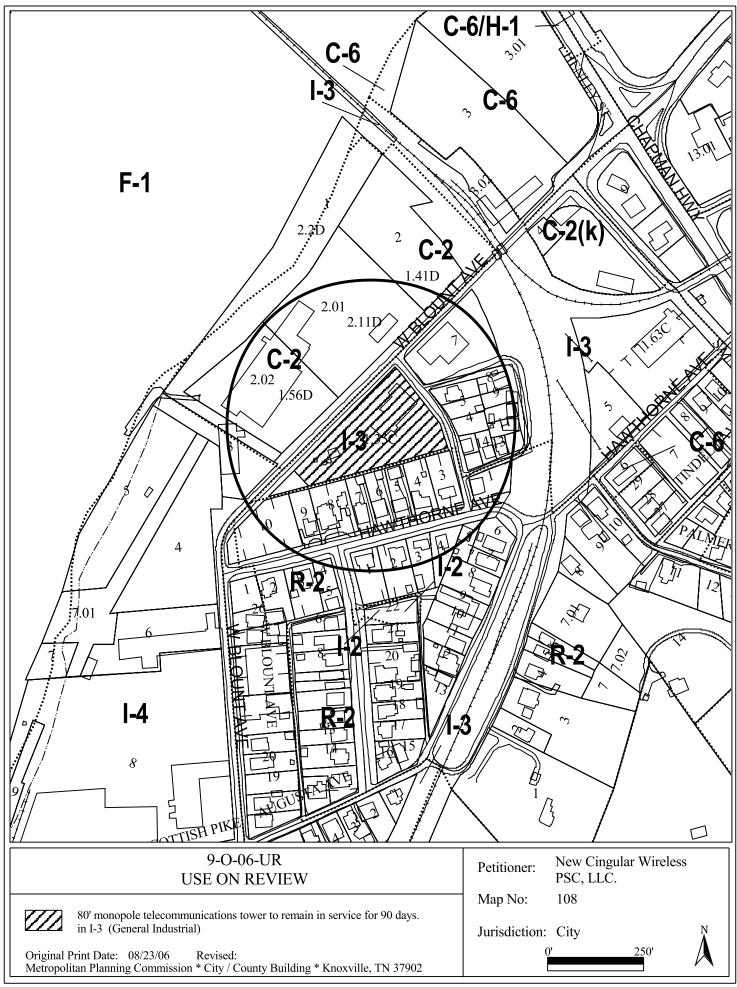
CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

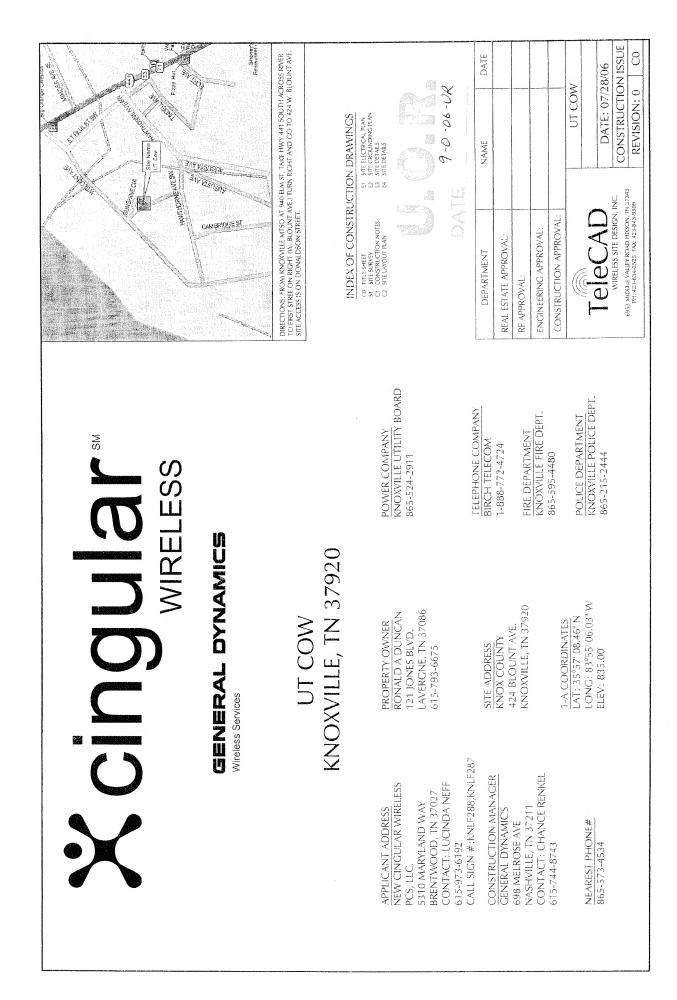
- 1. The South Sector Plan identifies this property as being in the South Waterfront Mixed Use Development Plan. It is unclear whether or not the proposed development is consistent with this land designation. Since the proposed development is temporary, it is consistent with this land designation.
- 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.

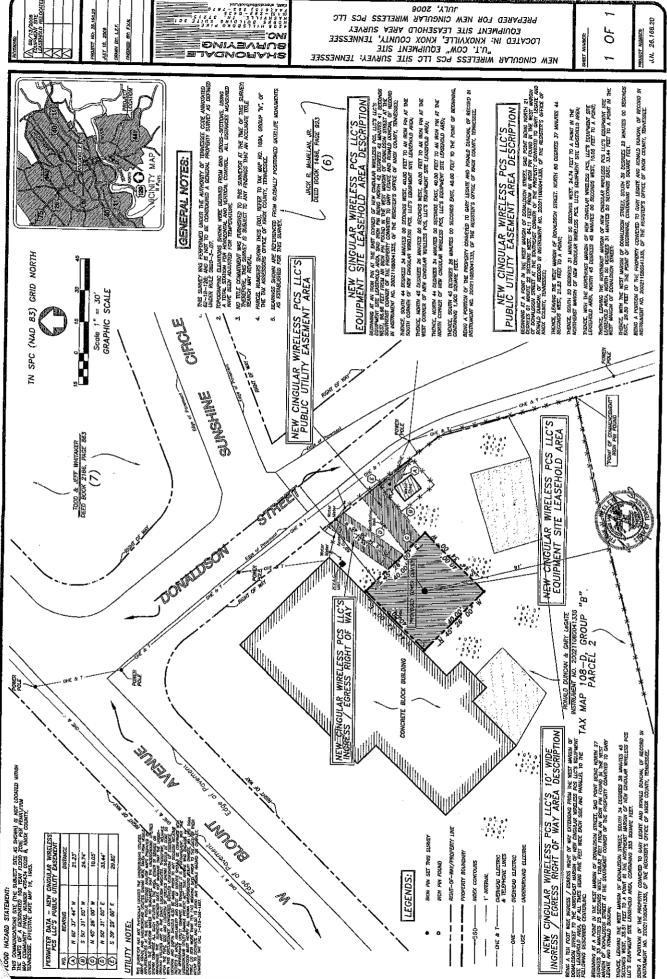
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MPC's approval or denial of this request is final, unless the action is appealed to the Knoxville City Council. The date of the Knoxville City Council hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.

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9-0-06-UR



11464 Saga Lane • Knoxville, TN 37931-2819
Telephone (865) 927-8474 Fax (865) 927-4912 Email: larryperry@worldnet att net

August 31, 2006

Kelly Schlitz/Tom Brechko MPC 400 Main Street Suite 403 Knoxville. TN 37902

VIA FED EX

RE: 9-P-06-UR and 9-0-06-RU---VERIZON AND CINGULAR WIRELESS

Dear Kelly:

Here are the reports and the original filings of the applications for antenna support structures on Sutherland Avenue and on Donaldson Streets.

The site on Donaldson is for a temporary site to be used by Cingular during UT events for overload capacity on a seasonal basis. The tower is a crank up telescoping type tower and will be dropped down to about 10 feet when not in use.

The Verizon site on Sutherland is also a capacity site, meaning that the cell site that presently services that area is overloaded such that there are numerious calls that are dropped. It is in a largely industrial and commercial area and the permanent type structure proposed there is only 90 feet and should present no impact to the area.

Should you have any questions, please don't hesiate to call me. I plan to be at the MPC meeting on the 14th if possible. Will the other site on Western Avenue from last month that was postponed also be on the same agenda?

Kindest regards,

LP/eb

CINGULAR WIRELESS PCS, LLC.

USE ON REVIEW APPLICATION # 9-0-06-UR

CONSULTANT'S SUMMARY

2111 DONALDSON STREET SITE REQUEST

Location: 2111 Donaldson Street (City of Knoxville)

Proposed Tower Height: Variable but 100 feet maximum temporary telescoping

Monopole

Address: 2111 Donaldson Street

Knoxville, Tennessee

District: 1st Councilmanic Dist Map Number: 108D Parcel 2.00

Use: Temporary telecommunications antenna support structure

Zoning: I-3 District

Variances and waivers: None required

Need: The applicant is a communications carrier that provides communication service to area citizens. The applicant in this case is Cingular Wireless PCS, a licensed PCS carrier by the Federal Communications Commission. The carrier has justified a need for service in the area.

Instant Proposal: Construct a 100 foot (maximum) Temporary monopole type support structure.

Consultant's Recommendation: The applicant proves adequate justification for the site using a temporary telescoping structure to be used seasonally during University of Tennessee activities requiring additional communications capacity for the events.

REPORT TO

METROPOLITAN PLANNING COMMISSION

for

Proposed Telecommunications Tower Site located at 2111 Donaldson Street Knoxville, TN

CINGULAR WIRELESS PCS LLC

UOR 9-0-06-UR

COMPLIANCE WITH

THE MPC TELECOMMUNICATIONS FACILITY ORDINANCE

8/28/2006

The proposed site for the applicant is a short temporary antenna support structure (including antennas and lightning rod) to be located at 2111 Donaldson Street in the City of Knoxville. The supporting material from applicant has been reviewed for technical and Federal/State legal compliance. This is a new temporary telecommunications site to be used only during local UT events.

REQUESTED

- 1. **Location.** The location is within the **City** of Knoxville limits in **Councilmanic Dist 1** and is located on **Tax Map Number** 108 Group B **Parcel** 2.00.
 - 2. Zoning. I-3---Industrial District
- 3. **Tower height.** The requested height is less than 100 feet above ground level. Lighting will not be required on this structure. This is a very short temporary structure to provide added capacity during the University ball games.
- 4. **Variances**. The set back requirements in Article 5 Section 20 of the Ordinance for the City of Knoxville are met with this structure.
- 5. **Site**. This application is for the construction of a temporary monopole type antenna support structure to be located on a vacant lot on Donaldson Street behind Garron oil distributors in their rear parking lot. The proposed site is immediately adjacent to a residential area (R-2) zone to the south separated by a tree line.
- 6. **Use**. This antenna support structure will be used for telecommunications with the present state of the art communications technology using PCS and cellular communication sources.

- 7. **Setbacks**. The setback requirements in Article 4 Section 10 for I-3 construction is a minimum 50 feet from any property line. (Art. 4 Section 10(E)(2-4) see also Article 5 Section 20 (B)(2). In addition the Ordinance requires a setback from the rear property line in this case of 110 feet (110 % of the tower height) as the rear property line adjoins an R-2 zoned property. The applicant proposes 110+ feet. A variance is not required.
- 8. **Height**. The proposed monopole structure will be up to 100 feet (maximum)overall height. However, this is necessary to meet line of site clearance requirements and a clear shot to Neyland Stadium and the University area. (Art.5, Section 20 of the Ordinance.)
- 9. **Alternatives:** There are no alternative antenna support structures anywhere in the area. Since this is a temporary and seasonal structure that will be moved to other event locations in the off seasons there should be no requirement for other users on this structure.
- area (I-3). There are low density residential houses located near the proposed facility and but more than 150 feet away from the proposed site. However, the area as a meets the Sensitive area in that it is located within 500 feet of low density residential areas were the residential homes zoned R, which is the case here. The proposed site is located on Donaldson Street on a vacant parking lot land site with trees and vegetation on a line between the proposed site and the R-2 area. This would place the site as neutral. Since the structure is a temporary one and very short, there should be no impact on the surrounding area.

EVALUATION

The following is a list of items reviewed:

Zoning Ordinance for Knox Tennessee by Metropolitan Planning Commission---Telecommunication Facilities Section (as amended thru July 1, 2006)

The MPC Wireless Facilities Plan dated 2004.

Check for other existing towers capable of supporting the load and elevation clearance requested by the applicant herein and within 1 mile radius of site.

Review support structure drawings and specifications with applicant

Review FAA lighting and marking requirements and proposals

Review FCC requirements regarding signal coverage, towers and

Review FCC requirements regarding signal coverage, towers and lighting

Review applicant's justification for site in compliance with the FCC's requirements for telecommunication company providers compliance with required coverage for the use of the general public.

Review Site plan by applicant

Check Zoning

Check setbacks for building and antenna support structure

Check landscape plan

Check proximity to other structures and district boundaries

Check nature of surrounding land uses

Check surrounding foliage and tree coverage

Check design of tower for esthetic changes

Check height requirements necessary for coverage

Check separation from other towers

Check frequencies proposed for possible interference to TV and radio reception in the immediate vicinity of the structure.

DISCUSSION

I visited the proposed tower site that is a part of this review. Further, I reviewed their specifications and requirements.

The applicant has proposed a site that is located on Donaldson Street just off W Blount Avenue in a parking lot parcel of land immediately behind the Garron Oil distributor. There are no other support structures within a 1 mile radius of this site.

The location is an area zoned I-3 (industrial). It should be noted that there are residential homes immediately adjacent to the proposed site on the south, but are shielded in large part by trees and vegetation. The area would be characterized as a Sensitive area since it is within 500 feet of low density residential homes and thus would be considered a neutral category based upon the Land Use/Wireless Facilities Matrix.

Lighting for the structure will not be required.

The new support structure will be located near the edge of the parking lot.

There is a need for the added signal coverage as proposed by the carrier, Cingular Wireless PCS, in the University area on a temporary basis.

SUMMARY

- (1) The proposed antenna support structure is a 100 foot (maximum) temporary telescoping monopole including antennas. There are no lighting required by the FAA.
 - (2) The structure design meets or exceeds FCC and EIA requirements.
- (3) The area of the proposed site is zoned I-3. There is a residence immediately to the south of the proposed site from the site that is about 175+ feet feet from the proposed tower location on Hawthorne Ave in an area zoned R-2, but this home is shielded by a tree line.
- (4) There is tree coverage in the area, but the structure will have no impact on the trees.
- (6) The proposed equipment housing facility is an outdoor cabinet and will have no impact on the aesthetics of the adjacent land uses. The landscape plan indicates that the fenced area will be surrounded by vegetation as coverage for the location. Further the short structure should have no impact on the aesthetics of the area.
- (7) The applicant has received authorization from the various governmental agencies, including the Federal Communications Commission, to provide communication service to the citizens of Knoxville, Tennessee.
- (8) The requested site will have little impact on the community involved when compared with the benefits to be derived from the advanced service offered by the applicant and it is only temporary and seasonal.
- (9) There are no other antenna support structures within 1 mile of the proposed site that are usable for the coverage required.
 - (10) There are no variances required for setbacks for the proposed site.
- (11) The proposed site and structure will have no environmental impact within the federal guidelines.
- (12)The nature of the development in the surrounding area is not such as to pose a potential hazard to the proposed tower or to create an undesirable environment for the proposed tower.
- (13) The proposed frequencies to be used by the various applicants who plan to use the site should present no problem nor any interference to area reception of commercial television or radio signals.

(14) There is a need for the structure in this area to provide for the visitors to Neyland Stadium and University of Tennessee both at the stadium and on the water just outside the stadium.

SUMMARY

In light of the analysis and review of documents, it is my professional opinion that the applicant **has made a showing of justification** for the site at 2111 Donaldson Street due to the large over-capacity of existing site usage during sporting and other events at the University.

Respectfully submitted,

Consultant to MPC





August 17, 2006

Metropolitan Planning Commission City County Building Knoxville, TN 37902

To Whom It May Concern:

The temporary Cell on Wheels (COW) being placed at 2111 Donaldson St. will not be able to accommodate more than one antenna array, due to its small size. This COW is owned by Cingular Wireless and will only be used by Cingular Wireless during the UT Football Season.

Sincerely,

Diana Marsh Network Engineer

9-0-06-WR



AUG 1 6 2006

Erika Helle RF Design Engineer East Tennessee 3585 Workman Road Knoxville, TN 37921 (865) 824-2231

August 14, 2006

Re: Statement of Need: 232P0997 - UI COW1

Dear Sit or Madam:

This letter is to state the need of the proposed Cingular Wireless Cell-On-Wheels (COW) site called UT COW1 to be located in Knox County, TN The UT COW1 site will add traffic capacity to the UI Campus, Neyland Stadium, and along the river front area, during the UT home games. The lack of capacity in the area during the UT home games causes numerous block calls, or lack of access for the customers. With the addition of this COW, the customers in the area will experience improved accessibility and improved access to emergency 911 services on home game days.

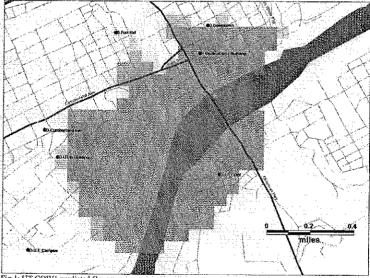


Fig.1: UT COW1 predicted Coverage.

Euka Helle Erika Helle RF Design Engineer East Tennessee Market

Cingular Wireless 3585 Workman Road • Knoxville, TN 37921

9-0-06-WR



Erika Helle RF Design Engineer East Tennessee 3585 Workman Road Knoxville, TN 37921 (865) 824-2231

August 14, 2006

Re: Co-Location Information: UI COW1 site

Dear Sir or Madam:

There were no existing structures located within or near the UI COW1 search area to examine in order to determine development potential for the UT COW1 project

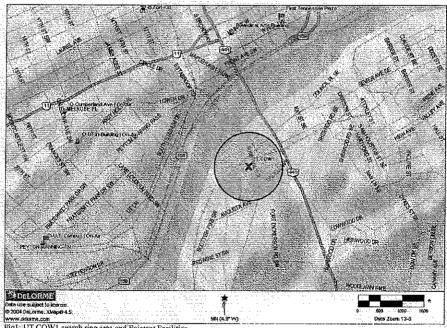


Fig1: UT COW1 search ring area and Existent Facilities.

RF Design Engineer East Tennessee Market

Cingular Wireless 3585 Workman Road + Knoxville TN 37921

EXH AN	EXHIBIT 7. LAND USE/WIRELESS FACILITIES MATRIX	Co- Location	Stealth Structure	Low Monopole Below 90'	Moderate Monopole 90'-150'	Tall Monopole	Lattice Tower	Guyed Tower
	Industrial/Business Park							
Ş	Industrial Use							
reas	Pre-approved Government-owned Property							
Αγ	Urban Expressway Corridor							
ļļur	Rural/Heavily Wooded							
ijio	Pasture			7 L				
ddC	Central Business District							
)	Office/Commercial Corridor		121					
	Shopping Center							
	Within 500' of a realidence							
92	Within 500 of a residence							
J.∟	Rural Residential							
tive /	Non-residential Properties In a Residential Area (church, cemetery, library, etc.)					8 2 2		
sue	Multi-family Residential							
S	On Hill Below Ridgeline							
								Cont. Contract the State
	Conservation Open Space							
st	Scenic Highway							
Are	Public Park							
eo '	Ridge Top/Ridge Line					4		
qsu	Scenic Vista							
iov/	Historic District/Site							
1	Single-family Residential							
	Vacant Residential Lot							
			Encouraged		Neutral			Discouraged