

KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION USE ON REVIEW REPORT

► FILE #: 3-B-14-UR AGENDA ITEM #: 46

AGENDA DATE: 3/13/2014

► APPLICANT: AT&T WIRELESS

OWNER(S): Terry & Linda Hicks

TAX ID NUMBER: 60 13111

JURISDICTION: County Commission District 8

STREET ADDRESS: 0 Rutledge Pike

► LOCATION: Northwest side of Rutledge Pike, west of Rosewood Rd.

► APPX. SIZE OF TRACT: 1.81 acres

SECTOR PLAN: Northeast County

GROWTH POLICY PLAN: Urban Growth Area (Outside City Limits)

ACCESSIBILITY: Access is via Rutledge Pike, a major arterial street with a four lane / divided

median section within a right-of-way with a width of over 200'.

UTILITIES: Water Source: Northeast Knox Utility District

Sewer Source: Knoxville Utilities Board

WATERSHED: Woods Creek

ZONING: CB (Business and Manufacturing)

EXISTING LAND USE: Vacant land

► PROPOSED USE: 141' monopole commercial telecommunications tower

HISTORY OF ZONING: None noted

SURROUNDING LAND North: Vacant land / A (Agricultural)

USE AND ZONING: South: Vacant land / A (Agricultural) & A-1 (General Agricultural)

East: Residence and vacant land / A (Agricultural)

West: Mixed businesses and residences / CB (Business and

Manufacturing)

NEIGHBORHOOD CONTEXT: The site is located in an area along Rutledge Pike that includes a mix of

commercial and residential development.

STAFF RECOMMENDATION:

- ► APPROVE the request for a 141' monopole commercial telecommunications tower in the CB (Business and Manufacturing) zoning district subject to 6 conditions.
 - 1. Meeting all applicable requirements of the Knox County Zoning Ordinance.
 - 2. Meeting the Utility Access Driveway standards and all other applicable requirements of the Knox County Fire Prevention Bureau.
 - 3. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
 - 4. Installing the evergreen landscaping screen along the fenced enclosure, as identified on the tree planting plan, within six months of the tower becoming operational.
 - 5. Since the FAA does not require any lighting for this facility, there shall be no lighting on the tower.

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6. 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 CB zoning district.

COMMENTS:

This is a request for a new 141' monopole commercial telecommunications tower to be located within a 10,000 square foot lease area located on a portion of a 1.81 acre tract. The subject property is zoned CB (Business and Manufacturing) and telecommunication towers are considered as a use on review in this district. Access to the site is by an easement off of Rutledge Pike, a major arterial street. The driveway is required to meet the Utility Access Driveway standards of the Knox County Fire Prevention Bureau which requires a 16' wide paved access driveway.

The proposed tower is required to be located 155.1 feet (110% of the tower height) from the nearest residence. The proposed tower exceeds that minimum standard since the nearest residence is approximately 312' from the base of the tower. The applicant is proposing an 8' high security fence around the tower and equipment area. The FAA does not require any lighting for a tower of this height.

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 4 telecommunication carrier antenna arrays on this tower. AT&T will be the principal client for the tower. A letter has been submitted stating that American Towers LLC 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 141' monopole 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 utilities are available to serve this site.
- 2. The tower site, being located on the north side of a major arterial street in an area made up of a mix of commercial uses and primarily large residential tracts, should have minimal impact on nearby residences.

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 CB (Business and Manufacturing) 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, Northeast County 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 mixed use area, 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 Northeast County Sector Plan proposes commercial uses on this property.
- 2. Under the guidelines for tower placement in the Wireless Communications Facility Plan this proposed tower falls within the "Opportunity Area" and "Sensitive Area". The proposed tower site is located in an office/commercial corridor which the Plan considers to be an "Opportunity Area" for the location of telecommunication towers. The Plan takes a neutral position on moderate monopole towers located in an office/commercial corridor. The proposed tower site is also located within 500' of a residence which the Plan considers to be a "Sensitive Area" for the location of telecommunication towers. The Plan takes a neutral position on moderate monopole towers located in this area.
- 3. The site is located within the Urban Growth Area on the Knoxville-Knox County-Farragut Growth Policy Planmap.

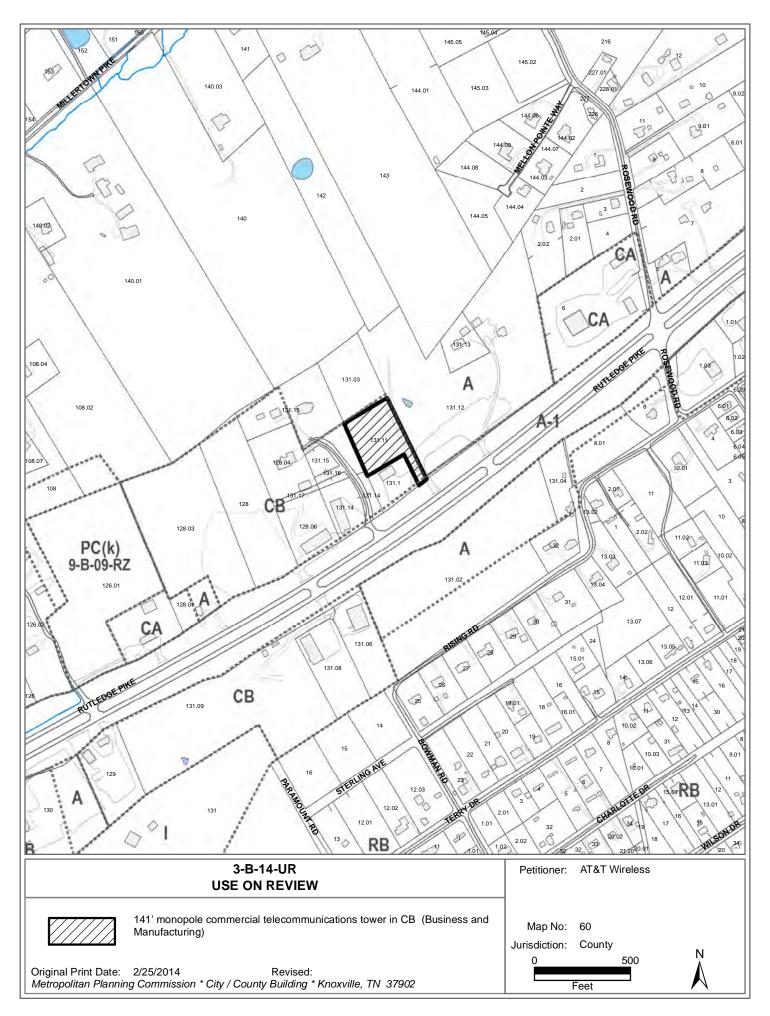
ESTIMATED TRAFFIC IMPACT: Not required.

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ESTIMATED STUDENT YIELD: Not applicable.

MPC's approval or denial of this request is final, unless the action is appealed to the Knox County Board of Zoning Appeals. The date of the Knox County Board of Zoning Appeals hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal an MPC decision in the County.

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ATT WIRELESS

Telecommunications Tower Site Review

USE ON REVIEW APPLICATION # 3-B-14-UR

CONSULTANT'S SUMMARY

MILLERTOWN

Knox County

Location: 6415 Rutledge Pike between Rosewood Road and woods creek in Knox County.

Proposed Tower Height: 146 foot monopole

Address: 6415 Rutledge Pike Knoxville, Tennessee

Knoxville, Tennessee

District: # 8 County Parcel ID#: 0660 13111

Use: Telecommunications antenna support structure

Zoning: CB (Commercial Business)

Land Planning Area: Commercial

Variances and waivers: None

Need: The applicant is AT&T Wireless a licensed cellular carrier by the Federal Communications Commission and possibly other users. The applicant has proven a need for the site for its coverage requirements for its 4G service.

Instant Proposal: Construct a 146 foot monopole type support structure.

300

Consultant's Recommendation: The site and application meets the requirements of the Ordinance.

REPORT TO

METROPOLITAN PLANNING COMMISSION

for

Proposed Telecommunications Tower Site Located at 6415 Rutledge Pike Knoxville County, TN known as

MILLERTOWN

ATT WIRELESS

3-B-14-UR

COMPLIANCE WITH

THE MPC TELECOMMUNICATIONS FACILITY ORDINANCE 2/23/2014

The proposed site for the applicant is a 146 foot monopole antenna support structure (including antennas and lightning rod) to be located northwest of Rutledge Pike, near Rosewood Road in Knox County. The supporting material from applicant has been reviewed for technical and Federal/State legal compliance As well as with the Knoxville Wireless Communication Facilities Plan from 2002. This is a new telecommunications site. This site is a new site. This means that there is little or no coverage at the site at the present.

REQUESTED

1. Location. The location is within the County of Knox in District 8

Parcel ID#: C60- 13111

- 2. **Zoning.** CB (Commercial Business) (surrounded by A zoned property)
- 3. Growth Policy Plan Designation: Commercial
- 4. Proposed Tower Height: 146 foot monopole
- 5. **Address:** 6415 Rutledge Pike Knoxville, Tennessee
- 6. Tower height. The requested height is 146 feet above ground level

should support up to 3 additional telecommunications carrier antennas for a total of 4 users. Lighting will **not** be required on this structure.

- 7. **Variances**. The set back requirements in Article 4.92.02(4)(b) of the Ordinance for Knox County for "A" sites requires that the structure be set back a minimum distance of 110% of the structure height or in this case 161 feet from the nearest dwelling unit (residence). The proposed site meets that requirement and no variances are required as the nearest dwelling is more than 300 feet from the base of the tower (west). Also the setback from Rutledge Pike is more than 100 feet and meets the Ordinance requirements. No variances are requested nor required.
- 8. **Site**. This application is for the construction of a new monopole type antenna support structure to be located in a field with woods on the north and west and northwest of the nearest residential house.
- 9. **Use**. This antenna support structure will be used for telecommunications with the present state of the art communications technology using (Personal Communication Service) PCS and cellular communication sources. The applicant is ATT Wireless and there are 3 possible additional telecommunications users for the facility according to the application.
- 10. **Setbacks**. The setback requirements are that the facility must be 110% height of the tower from any dwelling unit (161 feet in this case) and 50 feet from the centerline a roadway right of way. The applicant meets that requirement and no variances are required.
- 11. **Height**. The proposed structure is for 146 feet with no lighting required.

EVALUATION

The following is a list of items reviewed:

Zoning Ordinance for Knoxville Tennessee by Metropolitan Planning Commission---Telecommunication Facilities Section (as amended thru October 1, 2004)

Knoxville Wireless Communications Facilities Plan dated 2002.

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.

Check for Antenna Support Structure stress analysis for co-location users' equipment support.

Review support structure drawings and specifications with

applicant

Review FAA lighting and marking requirements and proposals

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 for compliance with Wireless Communication Facility Plan

Check proximity to other structures and district boundaries

Check nature of surrounding land uses

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.

The site elevation at this location is about 1028 feet. It is located in the corner of a field northwest of Rutledge Pike behind a commercial business and east of the nearest residential house.

The request is for a 146 foot monopole of which ATT will use the top 15 feet and the additional usable lower area is for other carriers' expansion.

This a new site. By that is meant that there is little coverage or no coverage in this area, and that the signal level of the present coverage is not sufficient to allow for the use of the new 4G technology this is used with handheld devices that are so popular. The use of 4G technology reduces the signal coverage area somewhat while increasing the speed of the data that is transmitted, thus the requirement for this additional site.

The applicant proposed to design the tower for 3 additional users for a total of 4. There are 7 carriers in the local area (of a total of 13 licensed by the FCC) and as the 4G technology becomes more popular, the other

carriers are going to need similar coverage in the area and thus the recommendation for the added design capability of the monopole.

The proposed structure should not affect adjacent property as it is on a parcel of land that is zoned Commercial Business but is located in a wooded area surrounded on two sides by woods and is fairly isolated.

EMS access to the site would be via Rutledge Pike on fairly steep access road...approximately 15% grade in one section. Others will have to determine the Utility Access Driveway requirement in section 503.1.4 of the Ordinance as to EMS access and turnaround requirement. It should be noted that this site is unmanned and visited by technician only a few times area for preventive maintenance.

Using the MPC's Wireless Facilities Matrix the site qualifies as an NEUTRAL AREA site in that it is less than 150 feet in height and located in an planned residential area within 500 feet of a residence and backed by a heavily wooded area on three sides. It is NEUTRAL with regard to land use

-but in a SENSITIVE area. (See attached Exhibit 7 Chart)

There are no other antenna support structures within 1 mile of this site.

There is no water required or needed at the unmanned site that will be visited about 3 times a year by a technician.

DISCUSSION RE FACILITIES PLAN

The Facilities plan is a guideline adopted by the MPC in 2002 for the placement and appearance of wireless communications facilities. The following discussion is based on this application and how it relates to the Plan. The plan is an advisory plan and not a legal requirement.

- (1) **View Protection**--The structure (146 feet) coupled with no lighting requirements and even though located in the woods behind a commercial business off Rutledge Pike and being a monopole should have little impact on the view aesthetics of the area.
- (2) Land Use Compatibility---The site will be unmanned and will have no impact on noise, traffic or air pollution.
- (3) **Design Compatibility**---The new structure will be a monopole type structure less than 146 feet and which is one of the least obtrusive type antenna support structures from a visibility viewpoint.
- (A) **Neutral**---This location is in a SENSITIVE AREA and is NEUTRAL land use by the Matrix due to its height.

SUMMARY

(1) The proposed antenna support structure is a 146 foot monopole including antennas. Lighting will NOT be required for this structure by the FAA due to its proposed height.

- (2) A review of the structure stress analysis on the proposed structure and specifications support the use of the monopole by three other potential users in the future, but the recommendation here is for four other users in the initial design of the structure.
- (3) The structure design meets or exceeds FCC and EIA requirements.
- (4) The area surrounding the site is zoned Planned Residential CB. There is a residence within 500 feet of the structure...approximately 275 feet west, but there are light trees between the proposed site and the residential structure.
- (5) There is no general use technology (such as satellite communications) that is available at the present time nor in the immediate future that would negate the need for the structure. However, should such a technology become available and the structure of no further use, the Ordinance at Article 4.92 requires it to be removed.
- (6) The proposed equipment housing facility is an equipment shelter and will have no impact on the aesthetics of the adjacent land uses. The landscape plan indicates that the compound will be enclosed with a safety chain link fence with landscaping.
- (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 minimal impact on the community when considering the service it will provide for the immediate area in the use of handheld devices using the 4 LTG technology.
- (9) There are no other antenna support structures within 1 mile of the proposed site that are usable for the coverage required.
- (10) There is no waiver required or requested.
- (11) The proposed site and structure will have no environmental impact within the federal guidelines.
- (12) Assuming that there are 4 carriers operating cellular or PCS transmitters/receivers at this site and all are operating at the same time, the radiation produced by the combination of all the users at the same time using the standards and protocols proposed and used by the carriers today, will be considerably below that established by the Federal Communications Commission and the EPA as creating any danger to humans or animals.

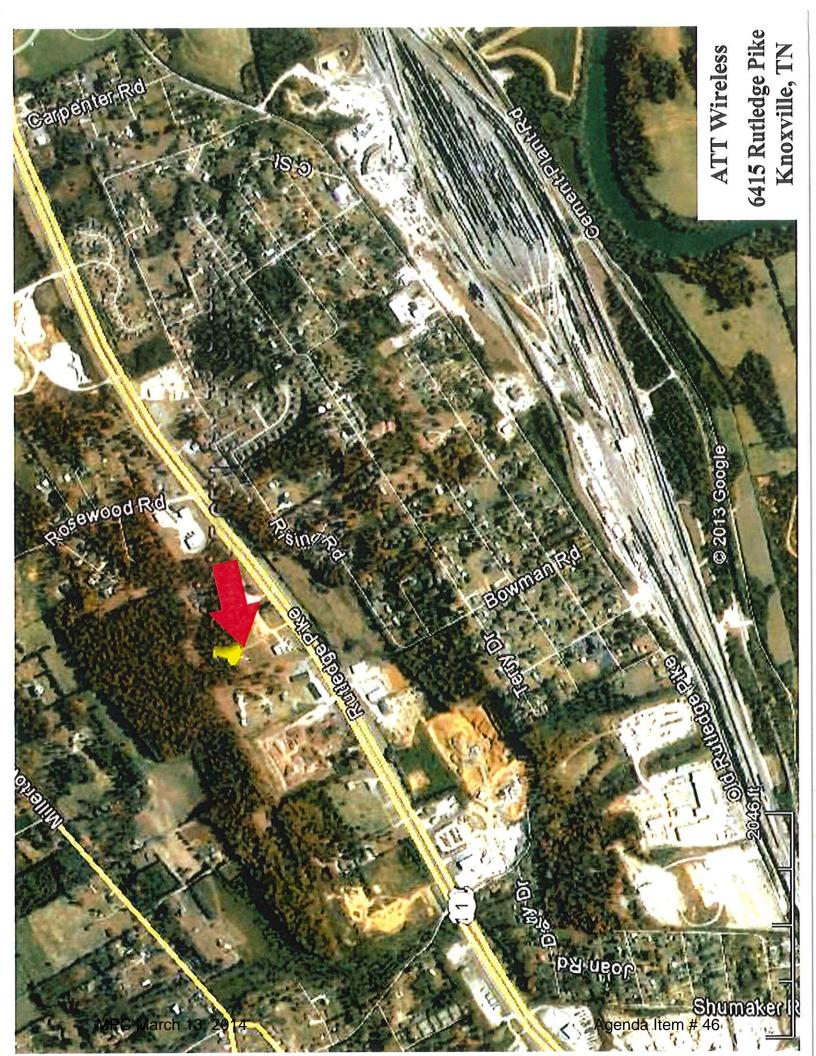
- (13) There is a need for the structure in this area to provide for the 4G wide spectrum wireless data service and for other wireless voice and data services to be provided under government regulation by the various proposed carriers who plan to use the site.
- (14) Access road for emergency personnel will be via Rutledge Pike Road. However, the site is an unmanned site. Access road is fairly steep in one section and EMS and others should determine the safe accessibility to the site that will be unmanned.

RECOMMENDATION

In light of the analysis and review of documents, it is my professional opinion that the applicant meets all requirements of the Ordinance and the federal requirements.

Respectfully submitted,

Consultant to MPC

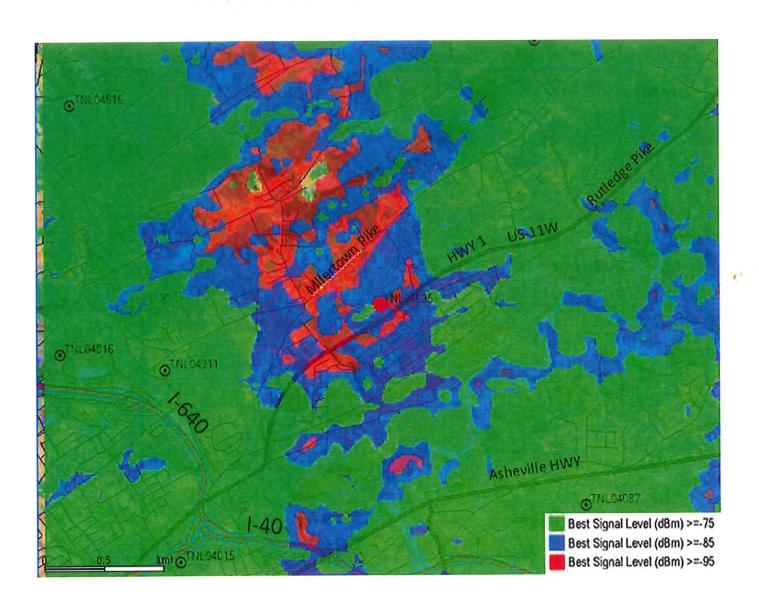




	LAND USE/WIRELESS FACILITIES MATRIX	Co-Location	Stealth Structure	Low Monopole Below 90′	Moderate Monopole 90′ - 150′	Tall Monopole 150'- 199'	Lattice Tower	Guyed Tower
MP(Industrial/Business Park							
S' C M	Industrial Use							
arc 8EA	Pre-approved Government-owned Property	- ##						
۷ λ. h 13	Urban Expressway Corridor	-		Notice of the				
LIN(3, 2	Rural/Heavily Wooded		11					
า <u>ม</u> 014	Pasture							
Odd	Central Business District		1					
10	Office/Commercial Corridor				\bigvee			
	Shopping Center							
SA	Within 500' of a Residence				\bigvee			
ARE	Rural Residential					THE PARTY OF	TO VIEW	THE RES
IVE	Non-residential Property in Residential Area (church, cemetery, library, etc.)			F 1		of the state of	10)	
TISN	Multi-family Residential					Consistence of the	War and the	
SEI	On Hill below Ridgeline			7				
	Conservation Open Space					All of the same		
St	Scenic Highway							
/BE/	Public Park					handhall be	100	
CE b	Ridgetop/Ridgeline							
NA(Scenic Vista							
gen	Historic District/Site			1000				
Λ¥	Single-family Residential							
lten	Vacant Residential Lot						4	
n # 46		Encouraged			Neutral		3-B-14-UR Discour	$\sim U \mathcal{R}$ Discouraged
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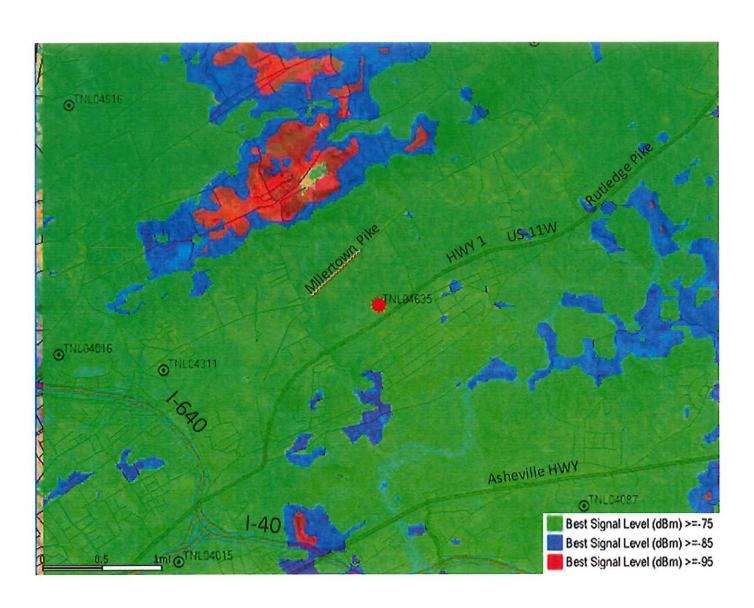


Millertown Before





Millertown After



LETTER OF OWNER AUTHORIZATION APPLICATIONS FOR ZONING/LAND USE/BUILDING PERMITS

TO (Jurisdiction): Knexville - Knox County Metropolitan Planning Commission RE (Prop.address, tax map #, project desc): ORutledge Pike / New Communications Knoxville, TN Tower Build I/We, the owner(s) of the above described real property, authorize Jacobs to act as an agent on my/our behalf for the purpose of performing all and every act that is required, necessary or appropriate to prepare, sign, submit, file and present on my/our behalf building, permitting, zoning and/or land use applications to obtain land use changes, special exceptions, zoning variances, zoning permits, conditional use permits, special use permits, administrative permits,
construction permits, operation permits, building permits, and other approvals or permits
related to the above described real property.
The undersigned hereby certifies to being the fee owner(s) of the real property described above and that to the best of my/our knowledge the information contained within this authorization is true and correct.
Linda S. Hicks (Print name)
ACKNOWLEDGEMENT
State of TN County of KNOX
personally appeared Linda 5. According to the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity, and that by his/her/their signature on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.
Signature Akm Canels (Seal) Ny Commission Expires: 3/3 A RUBLIC

LETTER OF OWNER AUTHORIZATION APPLICATIONS FOR ZONING/LAND USE/BUILDING PERMITS

TO (Jurisdiction): Knoxville - Knox Courty
Metropo litan Planning Commission RE (Prop. address, tax map #, project desc):
O Rustledge Pike / New Communications
RE (Prop.address, tax map #, project desc): O Rettedge Pike / New Communications Knoxville, TN / Tower Build
37924
37924 / I/We, the owner(s) of the above described real property, authorize Jacobs to act as an agent of
my/our behalf for the purpose of performing all and every act that is required, necessary or
appropriate to prepare, sign, submit, file and present on my/our behalf building, permitting,
zoning and/or land use applications to obtain land use changes, special exceptions, zoning
variances, zoning permits, conditional use permits, special use permits, administrative permits,
construction permits, operation permits, building permits, and other approvals or permits
related to the above described real property.
related to the above described real property.
The undersigned hereby certifies to being the fee owner(s) of the real property described above and
that to the best of my/our knowledge the information contained within this authorization is true and
correct.
1
12/12/13
12/17/12
(Signature) (Date)
Tenns L. Hicks
(Print name)
ACKNOWLEDGEMENT
To!
State of //
County of RNOX
On Dec 13, 2013 before me, Karen A. Daniels
personally appeared Terry L. Hicks who proved to me on the basis of satisfactory evidence to be
the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity, and that by his/her/their signature
on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the
instrument.
WINDEN A. DANING
WITNESS my hand and official seal.
OF OF OF
Signature Rayen (Seal NOTARY
My Commission Expires: 3/29 Mylic:
The state of the s



Knox MPC 400 Main Street, Suite 403 Knoxville, TN 37902 Attn: Tom Brechko

> Application of American Towers LLC to construct a new Wireless Telecommunications Tower for the following site:

American Tower Site Name: Millertown TN Site Address: 6419 Rutledge Pike, Knoxville, Tennessee, 37924

AMERICAN TOWERS LLC

American Towers LLC ("AT") is one of the leading independent owners and operators of shared wireless infrastructure. The core business of American Towers LLC involves the engineering, deployment, marketing, ownership, operation and leasing of shared wireless communications sites. The sharing of infrastructure among multiple services lies at the heart of American Tower's business philosophy. Our portfolio of wireless communication sites, including existing towers and rooftops, enables our customers to serve their markets more efficiently and with sensitivity to local planning and zoning jurisdictions. American Towers LLC designs all of our facilities for multiple collocation opportunities for our customers. We endeavor to assist communities in reducing the number of towers in a given jurisdiction by supplying our customers with locations that are ready for them "Just in Time" for their coverage design and wireless performance needs. As one of the largest tower companies in the world, American Towers LLC has master lease agreements, negotiated at arms-length, with all major wireless carriers licensed to operate in Tennessee. In negotiating the rental rates of these master lease agreements, American Towers LLC considers the competitive environment of its business and the presence of other major tower companies such as Crown Castle and SBA. This ensures that American Towers LLC charges only reasonable rates to service providers.

Collocation Certification

American Towers LLC agrees to comply with the Zoning Ordinance for Knox County, Tennessee or the Zoning Ordinance for the City of Knoxville, as applicable, and is willing to permit other user(s) to attach communication equipment which do not interfere with the primary purpose of the tower, provided that such other users agree to negotiate a reasonable compensation to the owner from such liability as may result from such attachment.

American Towers LLC

Michael S. Queenan

Zoning Attorney

RF Affidavit



December 18, 2013

Re: Millertown Cell Site

AT&T has determined that a new Wireless Communications Facility is required in Knox County, TN. A property candidate at 6419 Rutledge Pike, Knoxville, TN 37924 has been accepted by RF Engineering. The primary focus of this facility is to cover Rutledge Pike, Millertown Pike, and Asheville Pike, as well as the surrounding roads and neighborhoods. These roads and highways are important thoroughfares for those traveling in Knox County.

RF Propagation plots are attached showing predicted before and after coverage levels. The attached maps show the pre and post coverage for the area affected for the spectrum bands that will be improved.

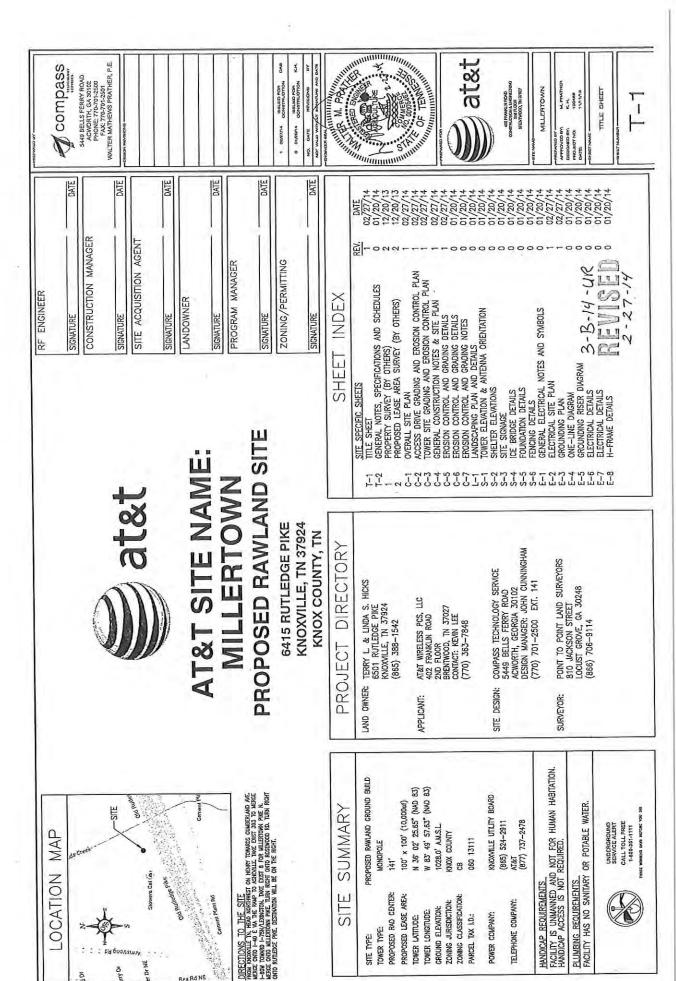
The proposed site meets <u>AT&T</u>'s radio frequency and network design requirements for improving its coverage and capacity needs at 195 ft. AGL. There are no facilities that exist to provide the needed coverage of the area. AT&T is collocated on all the adjacent sites.

The closest existing AT&T sites that would hand off to this proposed site are, on average, 2.6 miles away from the needed coverage zone.

AT&T certifies that all of its equipment will be installed and operated in keeping with applicable FAA and FCC rules and regulations, as well as appropriate industry standards. The construction of this facility, including AT&T's installation of transmitter/Receiver equipment, will not interfere with the usual and customary transmission or reception of radio, television, and general public use communications equipment.

Submitted by:

Gerald M. Winters Jr. – RAN Design Engineer – AT&T Mobility



SITE

PROPOSED RAD CENTER: PROPOSED LEASE AREA:

TOWER TYPE:

TOWER LATITUDE:

ZONING CLASSIFICATION:

PARCEL TAX I.D.:

ZONING JURISDICTION: GROUND ELEVATION: TOWER LONGITUDE:

Er Dr NE

Cernent Plant Rd

TELEPHONE COMPANY;

POWER COMPANY:

HANDICAP REQUIREMENTS

