

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
F A X • 215 • 2068
www.knoxmpc.org

File Number: 1-K-08-UR **Related File Number:**
Application Filed: 12/3/2007 **Date of Revision:**
Applicant: U. S. CELLULAR CORP.

PROPERTY INFORMATION

General Location: North side of McKamey Rd., west of Cain Rd.
Other Parcel Info.:
Tax ID Number: 92 F C 007 **Jurisdiction:** City
Size of Tract: 5625 square feet
Accessibility: Access is via McKamey Rd. a major collector street with a 18' pavement width within a 40' to 60' right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Church and vacant land
Surrounding Land Use:
Proposed Use: 190' monopole telecommunications tower **Density:**
Sector Plan: Northwest County **Sector Plan Designation:** LDR & SLPA
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: The site is located near the center of a 29 acre tract that includes an existing church and vacant land surrounded by low density residential subdivisions.

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

Street: 4739 McKamey Rd
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: RP-1 (Planned Residential)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: None noted

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 190' monopole telecommunications tower in the RP-1 zoning district, subject to the following 7 conditions:

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
2. Obtaining all Federal, State and local approvals for the proposed tower.
3. Relocation of the access drive/easement for the tower lease parcel to the existing access drive for the church.
4. Installation of landscaping as shown on the development plan within six months of the tower becoming operational.
5. Meeting all applicable requirements of the Knoxville Engineering Division.
6. Since the FAA does not require any lighting for this facility, there shall be no lighting on the tower.
7. 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 RP-1 zoning district.

Comments:

This is a request for a new 190' monopole telecommunications tower to be located within a 5,625 square foot lease area located on a 29.08 acre parcel owned by Harvest Community Church. Over half of the site is wooded with major power lines crossing the property. The tower will be located along the northern edge of the wooded area on the south side of the property and on the west side of the powerline easement. The tower will be approximately 500' north of McKamey Rd.

The proposed tower site will have access to McKamey Rd. by a 30' wide access easement. The proposed driveway is located along the west side of the powerline easement. Staff is recommending denial of the proposed access drive due to the steep grade off of McKamey Rd. and very limited sight distance due to the curves in McKamey Rd. and existing vegetation. Staff is recommending a condition that the tower approval is subject to the relocation of the access drive for the tower to the existing access drive for the church (west side of church building).

The subject property is zoned RP-1 (Planned Residential) and telecommunication towers are considered as a use on review in this district. The proposed tower is required to be located 209' (110% of the tower height) from the nearest residence. The nearest residence is located approximately 300' to the southeast of the proposed tower.

According to the Knoxville-Knox County Wireless Communications Facility Plan, pasture and rural/heavily wooded areas are considered "Opportunity Areas" for telecommunication towers. Since the proposed site is located within 500' of a residence it is also considered to be within a "Sensitive Area". At a proposed height of 190', the Plan discourages tall towers near residences. Since the adoption of the Facility Plan, the Knox County Zoning Ordinance has been amended to increase setback from residences to 110% of the towers height. The proposed telecommunication tower far exceeds that requirement.

The visual impact on nearby residences will be minimal due to the fact that the proposed site is heavily wooded. This vegetation will provide a natural buffer between the tower and adjacent residences. The applicant will be required to install a 6' high security fence prior to the tower becoming operational. A landscape screen is also being provided around the site.

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. The tower will support up to 4 telecommunication carrier antenna arrays. U. S. Cellular Corporation will be the principal client for the tower. A letter has been

submitted stating that U. S. Cellular Corporation agrees to make this facility available to other wireless providers for co-location. There are no other towers within one mile of the proposed tower that could provide the coverage needed by the applicant.

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 190' 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, being located within a low density residential area, is required to be screened. Since this 29.08 acre parcel is heavily wooded and a landscaped screen will be provided around the tower site, the impact on nearby residences will be minimal.

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

1. The proposed commercial telecommunications tower at this location meets the standards required in the RP-1 zoning district.
2. The proposed tower with the recommended conditions 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 Northwest County Sector Plan. The use is in harmony with the general purpose and intent of the Zoning Ordinance. Since this is a heavily wooded 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 Northwest County Sector Plan proposes low density residential uses for this area. The proposed development is consistent with this land designation.
2. The Wireless Communications Facility Plan identifies the proposed 190' monopole as a "tall" monopole. Under the guidelines in the Tower Placement section of the Facility Plan, the proposed tower falls within both the "Opportunity Area" and "Sensitive Area" categories. The Plan takes a neutral position on tall monopoles located in "Opportunity Areas" While tall towers are discouraged in residential areas, the required setbacks reduce the impact to nearby residences. (see attached matrix).

MPC Action:

Approved

MPC Meeting Date: 1/10/2008

Details of MPC action:

1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
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Summary of MPC action:

APPROVE the request for a 190' monopole telecommunications tower in the RP-1 zoning district, subject to the following 7 conditions:

Date of MPC Approval:

1/10/2008

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:

If "Other":

Amendments:

Date of Legislative Appeal:

Disposition of Case, Second Reading:

If "Other":

Amendments:

Effective Date of Ordinance: