

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

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www.knoxmpc.org

File Number: 1-K-16-UR
Application Filed: 12/3/2015
Applicant: TOWERCOM VI, LLC

Related File Number:
Date of Revision:

PROPERTY INFORMATION

General Location: Southeast end of Fork Station Way, northeast side of Norris Freeway
Other Parcel Info.:
Tax ID Number: 38 C G 00603 **Jurisdiction:** County
Size of Tract: 2.02 acres
Accessibility: Access is via the Joint Permanent Easement that serves the shopping center and provides access out to Norris Freeway, a minor arterial street.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant lot
Surrounding Land Use:
Proposed Use: 149' Commercial Telecommunications Tower **Density:**
Sector Plan: North County **Sector Plan Designation:** Community commercial
Growth Policy Plan: Planned Growth Area
Neighborhood Context: Residential development within RAE, RA and PR zoning districts is the predominant development found to the north and west of the site. Hospice and assisted care uses within an OB zoning district are located to the east on Andersonville Pike. In addition to the approved shopping center, commercial uses are located south of the site along E. Emory Rd. and Norris Freeway.

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

Street: 0 Fork Station Way
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: SC (Shopping Center)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: Property rezoned to SC (Shopping Center) in 2000. The Planning Commission had recommended denial of the request at that time. The rezoning was approved on appeal to the Knox County Commission on November 20, 2000.

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 149' monopole telecommunications tower in the SC (Shopping Center) zoning district, subject to 6 conditions.

- Staff Recomm. (Full):
1. Meeting all applicable requirements of the Knox County Zoning Ordinance.
 2. Obtaining all applicable permits and constructing the tower within 12 months of the final approval of the Use on Review application.
 3. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
 4. Meeting the Utility Access Driveway standards and all other applicable requirements of the Knox County Fire Prevention Bureau.
 5. Since the FAA does not require any lighting for this facility, there shall be no lighting on the tower.
 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 SC zoning district.

Comments: This is a request for a new 149 foot monopole telecommunications tower to be located within an 6,400 square foot lease area located on a vacant lot in the Norris Freeway Commercial Center. The applicant had originally requested approval of a 155 foot monopole tower but revised the request with the submission of the revised site plans on December 31, 2015. The subject property is zoned SC (Shopping Center) and telecommunication towers are considered as a use on review in this district. The proposed tower site will have access from the Joint Permanent Easement that serves the shopping center and provides access out to Norris Freeway, a minor arterial street. While the site has frontage along Norris Freeway, there is no direct access out to Norris Freeway. 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 164 feet (110% of the tower height) from the nearest residence. The proposed tower far exceeds that minimum standard since the nearest residence is over 550' from the proposed tower. The applicant is proposing a 8' high wood security fence topped with three strands of barbed wire around the tower and equipment area. Due to the height of the tower, FAA does not require lighting for the tower.

The applicant states that there are no existing structures in the area that can be used for antenna placement to obtain the required coverage. Verizon will be the principal client for the tower. The applicant is proposing up to 3 telecommunication carrier antenna arrays on this tower. The applicant has letters from 3 cellular providers (Verizon, T-Mobile and New Cingular Wireless PCS) expressing interest on locating on the proposed tower. A document has been submitted stating that TowerCom VI, 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 proposed tower is technically justified by the materials submitted by the applicant (see attached report). Mr. Perry has recommended that the applicant build the tower within 12 months of obtaining an approval.

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 the required utilities are available to serve this site.
2. The proposed tower will not negatively impact surrounding properties since it is located within a shopping center development.
3. The proposed tower with three antenna array locations for cellular providers will help meet a service need that is generated by the number of shoppers and residents in the area that use their cell and smart phones for sharing data and as their home phone in lieu of land line service.

CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOX COUNTY ZONING ORDINANCE

1. With the recommended conditions, the proposed commercial telecommunications tower at this location meets the standards required in the SC (Shopping Center) zoning district and the Commercial Telecommunications Facilities section of the Knox County 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 of the General Plan, North 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 shopping center development, 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 MPC PLANS

1. The North County Sector Plan identifies this property for commercial use. With the minimal site alteration required for the proposed tower, the proposed development is consistent with this land designation.
2. Under the guidelines for tower placement in the Wireless Communications Facility Plan, this proposed tower would be considered a moderate monopole. The tower falls within the "Opportunity Area" of the Land Use/Wireless Facilities Matrix since the proposed tower site is located in a "shopping center". The Plan takes a neutral position on moderate monopoles located in a "shopping center". The proposed tower is also within an "Avoidance Area" since it would be located along a "Scenic Highway". The Plan takes a neutral position on moderate monopoles located along a "Scenic Highway".
3. The site is identified as being within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan.

Action: Approved **Meeting Date:** 1/14/2016

- Details of Action:**
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Summary of Action: APPROVE the request for a 149' monopole telecommunications tower in the SC (Shopping Center) zoning district, subject to 6 conditions.

Date of Approval: 1/14/2016 **Date of Denial:** **Postponements:**

Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knox County Board of Zoning Appeals

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":

Amendments:

Date of Legislative Appeal:

If "Other":

Amendments:

Effective Date of Ordinance: