

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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File Number: 1-L-14-UR
Application Filed: 11/26/2013
Applicant: AT&T WIRELESS

Related File Number:
Date of Revision:

PROPERTY INFORMATION

General Location: Southeast side of Babelay Rd., east of Harris Rd.
Other Parcel Info.:
Tax ID Number: 50 17101 **Jurisdiction:** County
Size of Tract: 38.19 acres
Accessibility: Access is via Babelay Rd., a minor collector street with a 20' pavement width within a 40' right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Residences and vacant land
Surrounding Land Use:
Proposed Use: 195' monopole commercial telecommunications tower **Density:**
Sector Plan: Northeast County **Sector Plan Designation:** AG/RR and HP/SLPA
Growth Policy Plan: Rural Area
Neighborhood Context: The site is located in an area of agricultural and rural residential use that has developed under A (Agricultural) zoning.

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

Street: 6514 Babelay Rd
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: A (Agricultural)
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 195' monopole commercial telecommunications tower in the A (Agricultural) zoning district subject to 8 conditions .

Staff Recomm. (Full):

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. Designing the tower and equipment area to support up to 5 telecommunication carrier antenna arrays (presently designed for 4).
5. Installing the evergreen landscaping screen along the fenced enclosure, as identified on the tree planting plan, within six months of the tower becoming operational.
6. Contacting the Tennessee Valley Authority regarding the proposed driveway crossing (and associated grading) of utility easement for the overhead powerline.
7. Since the FAA does not require any lighting for this facility, there shall be no lighting on the tower.
8. 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 A zoning district.

Comments: This is a request for a new 195' monopole commercial telecommunications tower to be located within a 10,000 square foot lease area located on a portion of a 38.19 acre tract. The subject property is zoned A (Agricultural) and telecommunication towers are considered as a use on review in this district. Access to the site is by an easement off of Babelay Rd., a minor collector 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 214.5 feet (110% of the tower height) from the nearest residence. The proposed tower exceeds that minimum standard since the nearest residence is over 1000' 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 4G 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 recommends that the applicant design the tower to hold up to 5 sets of antenna arrays and feedlines. Mr. Perry concludes that the 195' 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 in an area made up of primarily large 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 A (Agricultural) 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, 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 rural 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 agricultural uses on this property and hillside protection.
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 a pasture area which the Plan considers to be an "Opportunity Area" for the location of telecommunication towers. The Plan takes a neutral position on tall monopole towers located in a pasture area. The proposed tower site is also located on a hill below a ridgeline which the Plan considers to be a "Sensitive Area" for the location of telecommunication towers. The Plan takes a neutral position on tall monopole towers located in this area.
3. The site is located within the Rural Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

Action: Approved **Meeting Date:** 2/13/2014

Details of Action:

Summary of Action: APPROVE the request for a 195' monopole commercial telecommunications tower in the A (Agricultural) zoning district subject to 8 conditions .

Date of Approval: 2/13/2014 **Date of Denial:** **Postponements:** 1/9/2014

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": **If "Other":**

Amendments: **Amendments:**

Date of Legislative Appeal: **Effective Date of Ordinance:**