

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-M-14-UR

Related File Number:

Application Filed: 11/26/2013

Date of Revision:

Applicant: AT&T WIRELESS

PROPERTY INFORMATION

General Location: East side of Cash Rd., north side of Asheville Hwy.

Other Parcel Info.:

Tax ID Number: 62 163

Jurisdiction: County

Size of Tract: 19.9 acres

Accessibility: Access is via Cash Rd., a local street with an 18' pavement width within a 40' right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Residence and vacant land

Surrounding Land Use:

Proposed Use: 230' lattice commercial telecommunications tower

Density:

Sector Plan: East County

Sector Plan Designation: LDR

Growth Policy Plan: Urban Growth Area

Neighborhood Context: The site is located in an area of agricultural and low density residential use that has developed under A (Agricultural) zoning on the north side of the Asheville Hwy. corridor.

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

Street: 120 Cash 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.): BEING DRAFTED

Staff Recomm. (Full):

APPROVE the request for a 230' lattice commercial telecommunications tower in the A (Agricultural) zoning district subject to 6 conditions .

1. Meeting all applicable requirements of the Knox County Zoning Ordinance.
2. Meeting the Utility Access Driveway standards 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. The tower lights shall be dual hazard warning lights (White strobe in daytime and red lights at night) and shall meet all applicable FAA requirements.
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 A zoning district.

Comments:

This is a request for a new 230' lattice commercial telecommunications tower to be located within a 10,000 square foot lease area located on a portion of a 19.9 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 Cash Rd., a local street. The driveway is required to meet the Utility Access Driveway standards of the Knox County Fire Prevention Bureau.

The proposed tower is required to be located 297 feet (110% of the tower height) from the nearest residence. The proposed tower exceeds that minimum standard since the nearest residence, which is the residence of the property owner is 395' from the proposed tower. The nearest residence off-site is 735' from the tower. The applicant is proposing an 7' high security fence around the tower and equipment area. Due to the height of the tower, FAA does require lighting for the tower. Staff is recommending a condition that dual hazard warning lights (White strobe in daytime and red lights at night) be used.

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 tower will support up to 5 telecommunication carrier antenna arrays. AT&T will be the principal client for the tower. An agreement has been submitted stating that Optima Towers 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. While not suggested as a required condition, Mr. Perry recommends that the applicant design the tower to hold 7 sets of antenna arrays and feedlines. Mr. Perry concludes that the 270' lattice 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 North County Sector Plan proposes agricultural uses on this property and hillside protection. 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 falls within the "Opportunity Area" and "Sensitive Area". The proposed tower site is located in a rural/heavily wooded area. The plan considers a rural/heavily wooded area to be an "Opportunity Areas" for the location of telecommunication towers. The Plan takes a neutral position on lattice towers located in a rural/heavily wooded area. The proposed tower site is also located on a hill below any ridgeline. The plan considers a site on a hill below a ridgeline to be a "Sensitive Area" for the location of telecommunication towers. The Plan takes a neutral position on lattice towers located in this area. While located within 500' of a residence which is classified as a "Sensitive Area", and discouraged as a site for lattice towers, the only residence within that distance is the residence of the property owner. The nearest residence off-site is 735' from the tower.
3. The site is located within the Rural Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

Action: Postponed

Meeting Date: 2/13/2014

Details of Action:

Summary of Action:

Date of Approval:

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: