CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW



KNOXVILLE-KNOX COUNTY METROPOLITAN PLANNING COMMISSION TENNESSEE Suite 403 • City County Building 4 0 0 Main Street Knoxville, Tennessee 37902

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www•knoxmpc•org

 PROPERTY INFORMATION

 General Location:
 Northeast side of Brickyard Rd., north of Gregory Ln.

 Other Parcel Info.:
 56

 Tax ID Number:
 56
 PART OF 80

 Jurisdiction:
 County

 Size of Tract:
 10000 square feet

 Accessibility:
 Access is via Brickyard Rd., a major collector street with a 19' pavement width within a 50' right-of-way

 GENERAL LAND USE INFORMATION

 Existing Land Use:
 Vacant land

 Surrounding Land Use:
 160' Telecommunications Tower
 Density:

 Proposed Use:
 160' Telecommunications Tower
 Density:

 Sector Plan:
 North County
 Sector Plan Designation:

 Growth Policy Plan:
 Planned Growth Area

 Neighborhood Context:
 The proposed telecommunications tower site is located in an area of predominantly rural residential development.

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

8304 Brickyard Rd

Street: Location:

Proposed Street Name:

Department-Utility Report:

Reason:

ZONING INFORMATION (where applicable)

 Current Zoning:
 A (Agricultural)

 Former Zoning:
 Fequested Zoning:

 Previous Requests:
 Ferevious Requests:

 Extension of Zone:
 Ferevious Requests:

 History of Zoning:
 None noted

PLAN INFORMATION (where applicable)

Current Plan Category:

Requested Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

Surveyor:

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 development plan for a 160 foot monopole commercial telecommunications tower at this location, subject to 7 conditions:	
Staff Recomm. (Full):	 Revising the landscape plan by placing the Leyland Cypress on 10' centers around the fence enclosure with an installed height of 5'. Installing the proposed landscaping as shown on the revised landscape plan within six months of the tower becoming operational. Since the FAA does not require any lighting for this facility, there shall be no lighting on the tower. 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. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works. Meeting all applicable requirements of the Knox County Zoning Ordinance. A revised site plan, reflecting the conditions of approval, must be submitted to MPC staff for certification prior to issuance of any building permits for this project. 	
	With the conditions noted above, this request meets all requirements for approval of a use on review.	
Comments:	This is a request for a new 160' monopole telecommunications tower to be located within a 10,000 square foot lease area on a 20 acre tract located on the northeast side of Brickyard Rd. just south of W. Copeland Dr. The proposed tower will be located adjacent to an existing 64' high "tin can" type water tower. The tower site is located in a pasture that is currently used for cattle grazing.	
	Pursuant to the setback requirements of the Knox County Zoning Ordinance, the tower must be set back from the nearest dwelling unit by 110% of the height of the tower which is 176' for a 160' tower. As proposed, the tower is approximately 187' from the nearest residential structure which is located northwest of the tower site. The tower is over 187' to the residence located to the southwest (residence of property owner that is leasing the tower site). There is an existing tree line located between the two residences and the tower site.	
	There are no towers located within one mile from the proposed tower site that are adequate for providing the needed signal coverage. The tower structures for the powerline that is located to the east will not support the telecommunication antenna equipment without a complete overhaul. The proposed tower and equipment area will be surrounded by a 6' high security fence, and the perimeter of the fenced area will be landscaped. Staff is recommending that the landscape plan be modified by placing the Leyland Cypress on 10' centers with an installed height of 5'. FAA does not require any lighting for the tower. The tower will support three telecommunications carrier antenna arrays.	
	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 Cingular Wireless's tower proposal and highlights his findings. Mr. Perry finds that the 160' tower has been technically justified by the materials submitted by the applicant.	
	EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTY AND THE COMMUNITY AS A WHOLE	
	 The proposed development will have minimal impact on local services since all utilities are in place to serve this development. With the tower being located adjacent to the existing water tower, the water tower will help to screen the base and a large part of the tower from view and therefore reduce the impact of the 	

telecommunications tower on the surrounding area.

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

1. The proposed commercial telecommunications tower at this location meets the standards for development within the A (Agricultural) District and all other relevant requirements of the Zoning Ordinance.

2. The proposed commercial telecommunications 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 and Sector Plan. The use is in harmony with the general purpose and intent of the Zoning Ordinance. The use is compatible with the character of the neighborhood where it is proposed. 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 identifies this property as being within an agricultural/rural residential area. Since the proposed tower will be located adjacent to the water tower in an existing pasture there will be limited impact to the rural character of the area. The proposed development is consistent with the Sector Plan. 2. The Wireless Communication Facilities Plan identifies the proposed 160' monopole as a "tall" monopole. Under the Guidelines for Tower Placement section of the Wireless Communication Facilities Plan there are three categories for evaluating tower placement. This proposed tower falls within all three categories as identified below. 3. Under the "opportunity area" category, the Plan takes a neutral position on a tall monopole that is located in a pasture or rural area. 4. Under the "sensitive area" category, the Plan discourages tall monopoles at locations within 500' of a residence. With the proposed tower being located adjacent to the existing water tower and exceeding the 110% setback requirement the impact on the adjacent residences is reduced. 5. Under the "avoidance area" category, the Plan discourages tall monopoles located on ridge tops/ridge lines. While the tower is proposed at a ridge top, being adjacent to the existing water tower will greatly reduce the visual impact of the tower. With a higher ridge line located north of the site and with the wooded areas near the site and along the area roads the impact at this location is even further reduced. 6. The Plan identifies the locational guidelines as advisory and states that the Planning Commission may approve towers that are inconsistent with the guidelines if the Planning Commission is satisfied that the intent of the Ordinance is met and the proposal is in compliance with the spirit of the guidelines. **MPC** Action: Approved MPC Meeting Date: 11/10/2004 **Details of MPC action:** 1. Revising the landscape plan by placing the Leyland Cypress on 10' centers around the fence enclosure with an installed height of 5'. 2. Installing the proposed landscaping as shown on the revised landscape plan within six months of the tower becoming operational. 3. Since the FAA does not require any lighting for this facility, there shall be no lighting on the tower. 4. 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. 5. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works. 6. Meeting all applicable requirements of the Knox County Zoning Ordinance. 7. A revised site plan, reflecting the conditions of approval, must be submitted to MPC staff for certification prior to issuance of any building permits for this project. With the conditions noted above, this request meets all requirements for approval of a use on review. Summary of MPC action: APPROVE the development plan for a 160 foot monopole commercial telecommunications tower at this location, subject to 7 conditions: Date of MPC Approval: Date of Denial: **Postponements:** 10/14/2004 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:

gislative Action:

Other Ordinance Number References:

Date of Legislative Action, Second Reading:

Disposition of Case:	Disposition of Case, Second Reading:
If "Other":	If "Other":
Amendments:	Amendments:
Date of Legislative Appeal:	Effective Date of Ordinance: