

# 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:** 10-A-09-UR                      **Related File Number:**  
**Application Filed:** 8/24/2009              **Date of Revision:**  
**Applicant:** AT&T MOBILITY (NEW CINGULAR WIRELESS PCS, LLC)

## PROPERTY INFORMATION

**General Location:** North of Middlebrook Pike, east of Chert Pit Rd. at the northern terminus of Amburn Ln.  
**Other Parcel Info.:**  
**Tax ID Number:** 105 154 & 155                      **Jurisdiction:** County  
**Size of Tract:** 7.9 acres  
**Accessibility:** Access is via Amburn Ln., a local street off of Middlebrook Pike with a 14' pavement width.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Residence and vacant land  
**Surrounding Land Use:**  
**Proposed Use:** 150' monopole telecommunications tower                      **Density:**  
**Sector Plan:** Northwest County              **Sector Plan Designation:** LDR  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** The site is located in an area on the north side of Middlebrook Pike that is primarily in residential use with some institutional and mixed commercial uses along Middlebrook Pike.

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

**Street:** 1344 Amburn Ln  
**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 development plan for a 150 foot monopole telecommunications tower in an A (Agricultural) zoning district subject to 8 conditions:

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knox County Zoning Ordinance.
2. The access drive shall be paved to "minimum duty" road construction standard with a width of 16 feet and shall be provided with a turnaround area meeting the requirements of the Knox County Department of Engineering and Public Works and the Knox County Fire Marshal's Office.
3. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
4. Since the FAA does not require any lighting for this facility, there shall be no lighting on the tower.
5. Clearing of the site shall be limited to the lease area and driveway and utility access area.
6. Revised development plans showing the changes to the access drive, turnaround area, utilities and landscape screening (as required by the Zoning Ordinance) shall be submitted to Planning Commission Staff for approval prior to the issuance of any grading permit.
7. Installing the proposed landscaping as shown on the revised development plan in compliance with the requirements of the Knox County Zoning Ordinance.
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 above conditions, this request meets all requirements for approval of a use on review in the A zone.

Comments:

This is a request for a new 150 foot monopole telecommunications tower to be located within a 10,000 square foot lease area on a 7.9 acre tract (two tax parcels) at the northern terminus of Amburn Ln. The lease area is located on Tax Parcel 154 in the northeast corner of the site. The subject property is zoned A (Agricultural) and telecommunication towers are considered as a use on review in this district.

The lease area is proposed in a wooded area of the site, and with the condition that clearing be limited to the lease area and access drive, a natural wooded buffer will remain around the tower site. At Staff's request, the access drive is being relocated from the eastern side of Parcel 154 to the end of Amburn Ln. (See Attachment B) This change reduces the amount of site grading and the impact to the adjoining property owner. The access drive shall be paved to "minimum duty" road construction standard with a width of 16 feet and shall be provided with a turnaround area meeting the requirements of the Knox County Department of Engineering and Public Works and the Knox County Fire Marshal's Office.

The proposed tower is required to be located 165 feet (110% of the tower height) from the nearest residence. The proposed tower will be located approximately 225 feet from the nearest residence which is southeast of the tower on the adjoining parcel. The nearest residence in Springwood Subdivision located to the northwest is approximately 310 feet.

The visual impact on nearby residences will be reduced due to the existing tree coverage around the lease area. The applicant will be installing a 6 foot high security fence surrounding the tower and equipment area. Staff is recommending a condition that a landscaped evergreen screen be added around the fenced tower and equipment area.

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. AT&T will be the principal client for the tower. A letter has been submitted stating that AT&T 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 150' 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. In addition to the existing tree coverage, a landscaped screen will be required around the tower site which should reduce the impact on nearby residences.

#### 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 A 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, Northwest 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 wooded area, the use will not significantly injure the value of adjacent property. The use will not draw any significant 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 150' monopole as a "moderate" monopole. Under the guidelines for Tower Placement section of the Facility Plan, the proposed tower falls within the "Sensitive" category which takes a neutral position on moderate monopoles located within 500' of a residence.
3. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

**Action:** Approved **Meeting Date:** 10/8/2009

- Details of Action:**
1. Meeting all applicable requirements of the Knox County Zoning Ordinance.
  2. The access drive shall be paved to "minimum duty" road construction standard with a width of 16 feet and shall be provided with a turnaround area meeting the requirements of the Knox County Department of Engineering and Public Works and the Knox County Fire Marshal's Office.
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  7. Installing the proposed landscaping as shown on the revised development plan in compliance with the requirements of the Knox County Zoning Ordinance.
  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 above conditions, this request meets all requirements for approval of a use on review in the A zone.

**Summary of Action:** APPROVE the development plan for a 150 foot monopole telecommunications tower in an A (Agricultural) zoning district subject to 8 conditions:

**Date of Approval:** 10/8/2009 **Date of Denial:** **Postponements:**  
**Date of Withdrawal:** **Withdrawn prior to publication?:**  **Action Appealed?:**

### LEGISLATIVE ACTION AND DISPOSITION

**Legislative Body:**

**Date of Legislative Action:** **Date of Legislative Action, Second Reading:**

**Ordinance Number:**

**Disposition of Case:**

**If "Other":**

**Amendments:**

**Date of Legislative Appeal:**

**Other Ordinance Number References:**

**Disposition of Case, Second Reading:**

**If "Other":**

**Amendments:**

**Effective Date of Ordinance:**