

# 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-N-01-UR                      **Related File Number:**  
**Application Filed:** 9/10/2001              **Date of Revision:**  
**Applicant:** HEMPHILL CORPORATION & TRITEL COMMUNICATIONS, INC.  
**Owner:**

## PROPERTY INFORMATION

**General Location:** North side of Ginn Dr., East of Alcoa Hwy.  
**Other Parcel Info.:**  
**Tax ID Number:** 135 B A 021                      **Jurisdiction:** County  
**Size of Tract:** 4.1 acres  
**Accessibility:** Proposed access is via Ginn Dr., a local street with a 16' pavement width within a 45' right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Vacant land  
**Surrounding Land Use:**  
**Proposed Use:** 180 foot monopole telecommunications tower                      **Density:**  
**Sector Plan:** South County                      **Sector Plan Designation:**  
**Growth Policy Plan:** Urban Growth Area (Outside City Limits)  
**Neighborhood Context:** The proposed site is located in an area that includes a mix of residential and commercial uses.

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

**Street:** 3225 Ginn Dr  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** RA (Low Density Residential)  
**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:

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: TPB

Staff Recomm. (Abbr.): APPROVE the development plan for a 180 foot telecommunications tower subject to 7 conditions.

Staff Recomm. (Full):  
1) The applicant obtain access to Alcoa Highway by an access easement across Tax Parcel 135BA028, a commercial property, in lieu of access to Ginn Dr.  
2) Installing the proposed landscaping as shown on the landscape plan, within six months of the tower becoming operational, or posting a bond with the Knox County Department of Engineering and Public Works to guarantee such installation.  
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 Zoning Ordinance.  
6) Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.  
7) A revised site plan, reflecting the conditions of approval must be submitted to MPC staff prior to issuance of any building permits for the project.

With the conditions noted, the request meets all requirements for approval of a use-on-review.

Comments: This is a request for a new, 180 foot monopole telecommunications tower that will support up to seven telecommunications carrier antenna arrays. This application is for an alternative site to the request that has been before the Planning Commission (5-M-01-UR) at 2900 Alcoa Highway near the Martha Washington Heights Subdivision. It is one of the alternative sites recommended by the attorney for the Martha Washington Heights Property Owners Association. The tower will be located on a 4.1 acre tract that has access to Ginn Dr., a local street. The applicant, Hemphill Corporation is proposing to purchase the entire site. While the property has direct frontage to Ginn Dr., a residential street, Staff is recommending that the applicant obtain access to Alcoa Highway by an access easement across Tax Parcel 135BA028 which is a commercial property. That property is owned by the same individual that is selling them the tower site. Tritel Communications, Inc. has submitted a letter of intent to locate on the tower. The required setback within the RA (Low Density Residential) District for a 180' tower is 73.3'. The tower will be located approximately 80' from the nearest property line, and will be approximately 230' from the nearest residence.

There are no other towers within a one mile radius of this site that will permit the signal coverage that is required. There are no electric transmission or other potential structures in the area that would support the proposed antennas. The proposed tower and equipment area will be surrounded by a 7' high security fence. The perimeter of the fenced area will be landscaped as identified on the attached landscape plan. The site is located in a wooded area and a buffer of trees will remain between the tower site and any adjoining residences. This tree buffer should help to buffer the visual impact of the tower. The applicant has not requested any lighting for the tower, and the FAA does not require any.

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 Hemphill Corporation's tower proposal and highlights his findings. Mr. Perry finds that the 180' tower has been technically justified by both his direct measurements and by the application materials submitted to the Planning Commission.

MPC Action: Approved as Modified MPC Meeting Date: 10/11/2001

Details of MPC action:  
1) Access limited to Alcoa Highway during construction.  
2) Installing the proposed landscaping as shown on the landscape plan, within six months of the tower becoming operational, or posting a bond with the Knox County Department of Engineering and Public Works to guarantee such installation.

- 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 Zoning Ordinance.
- 6) Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
- 7) A revised site plan, reflecting the conditions of approval must be submitted to MPC staff prior to issuance of any building permits for the project.

With the conditions noted, the request meets all requirements for approval of a use-on-review.

**Summary of MPC action:** APPROVE the development plan for a 180 foot telecommunications tower subject to 7 conditions.

**Date of MPC Approval:** 10/11/2001

**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:**

**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:**