

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

Suite 403 • City County Building
400 Main Street
Knoxville, Tennessee 37902
865 • 215 • 2500
FAX • 215 • 2068
www.knoxmpc.org

File Number: 11-D-08-UR **Related File Number:**
Application Filed: 10/7/2008 **Date of Revision:**
Applicant: T-MOBILE SOUTH, LLC.

PROPERTY INFORMATION

General Location: Southeast side of Papermill Dr., north of I-40, southeast of Coleman Rd.
Other Parcel Info.:
Tax ID Number: 107 F A 002 **Jurisdiction:** City
Size of Tract: 2737 square feet
Accessibility: Access is via Papermill Dr., a minor collector street with a 20' pavement width within a 70' right-of-way. The existing dental office on the subject property is providing T-Mobile a 20' easement to access the lease area site.

GENERAL LAND USE INFORMATION

Existing Land Use: Dental office
Surrounding Land Use:
Proposed Use: 150' monopole telecommunications tower **Density:**
Sector Plan: Northwest City **Sector Plan Designation:** MU
Growth Policy Plan: Urban Growth Area
Neighborhood Context: The property is at the edge of an office park corridor along Papermill Dr. The I-40 right-of-way is to the south of the subject property and a residential subdivision is to the west.

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

Street: 4714 Peppermill Dr
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: O-3 (Office Park)
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: Kelley Schlitz

Staff Recomm. (Abbr.): APPROVE the request for a 150' monopole telecommunications tower in the O-3 zoning district, subject to the following 7 conditions:

- Staff Recomm. (Full):**
1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
 2. Meeting all applicable requirements of the Knoxville Department of Engineering.
 3. Since the FAA does not require any lighting for this facility, there shall be no lighting on the tower.
 4. In addition to an 8' wooden privacy fence around the tower and equipment area, the perimeter of the fenced area will be landscaped with Leyland Cypress on 8' centers.
 5. Installing the proposed landscaping as shown on the landscape plan within six months of the tower becoming operational.
 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.
 7. Revising the access drive to a minimum width of 15' and obtaining approval from the Knoxville Fire Marshal for the access drive and turnaround.
 8. Obtaining a setback variance from the Knox County Board of Zoning Appeals to reduce the tower setback from 165' to 10' (11-L-08-VA).

Comments: This is a request for a new 150' monopole telecommunications tower to be located within a 2,737 square foot lease area located south of Papermill Dr., along the interstate right-of-way. The proposed tower will be located on a portion of a property that currently has a dentist office. Access to the lease area will be from a 20' easement provided by the office (12' gravel road). The subject property is zoned O-3 (Office Park) and telecommunication towers are considered as a use on review in this district.

The proposed site is immediately adjacent to a church and the interstate right-of-way, both of which are zoned R-1. Approximately 200' to the west is the nearest residence. This property, along with other properties to the north and east are zoned O-3. According to the Knoxville Zoning Ordinance, all towers shall be setback from all properties zoned residential, 110% of the height of the tower. The current proposal provides for a 10' setback between the tower and the neighboring residential property line, which is the interstate right-of-way.

According to the Knoxville-Knox County Wireless Communications Facility Plan, office corridors are considered "Opportunity Areas" for telecommunication towers. Since the proposed site is located within 500' of a residence it is also considered a "Sensitive Area". Due to the height of the proposed tower, (150') and the fact that the property is located along the interstate, the Facility Plan identifies this as an acceptable site for a telecommunication tower.

In order to reduce the visual impact on nearby residences, the proposed tower and equipment area will be surrounded by an 8' high wooden security fence, and the perimeter of the fenced area will be landscaped with Leyland Cypress on 8' centers. This new vegetation must be installed within 30 days of tower installation. 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. T-Mobile will be the principal client for the tower.

According to the applicant there are no existing or acceptable structures within this area along Papermill Dr. The proposed site is to relieve capacity of existing or nearby sites. Co-location is not an option. No other structure exists within the area needed to provide coverage (see the attached letter from Lannie Greene.).

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.

An agreement has been submitted stating that T-Mobile agrees to make all of its facilities available to other wireless providers (see attached letter from Lannie Greene).

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 all utilities are in place to serve this development.
2. The tower, being located adjacent to residential uses, is required to be heavily screened. The applicant will be required to install an 8' tall wooden fence and provide landscaping around the perimeter of the fence. The base of the tower and the tower enclosure will be well screened. This will reduce the impact of the proposed tower on existing residential property.

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 O-3 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 and One Year Plan. The use is in harmony with the general purpose and intent of the Zoning Ordinance. By requiring extensive screening, 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 Northwest City Sector Plan identifies this property as being Mixed Use. 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 "Opportunity & Sensitive Area" categories. Under the "Opportunity Area" category, the Plan encourages moderate monopoles located along office corridors and urban expressways (see attached matrix). Under the "Sensitive Area" category, the Plan takes a neutral position on moderate monopoles located nearby residential areas (see attached matrix). As previously stated, the tower will be setback approximately 10' from the nearest residential property line, which is the interstate right-of-way and at least 200' from the nearest residence.

MPC Action:

Approved

MPC Meeting Date: 11/13/2008

Details of MPC action:

1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
2. Meeting all applicable requirements of the Knoxville Department of Engineering.
3. Since the FAA does not require any lighting for this facility, there shall be no lighting on the tower.
4. In addition to an 8' wooden privacy fence around the tower and equipment area, the perimeter of the fenced area will be landscaped with Leyland Cypress on 8' centers.
5. Installing the proposed landscaping as shown on the landscape plan within six months of the tower becoming operational.
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.
7. Revising the access drive to a minimum width of 15' and obtaining approval from the Knoxville Fire Marshal for the access drive and turnaround.
8. Obtaining a setback variance from the Knox County Board of Zoning Appeals to reduce the tower setback from 165' to 10' (11-L-08-VA).

Summary of MPC action:

APPROVE the request for a 150' monopole telecommunications tower in the O-3 zoning district, subject to the following 8 conditions:

Date of MPC Approval:

11/13/2008

Date of Denial:

Postponements:

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:

Date of Legislative Appeal:

Amendments:

Effective Date of Ordinance: