

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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www.knoxmpc.org

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

PROPERTY INFORMATION

General Location: Northwest side of Old Valley View Dr., west of Fairway Rd.
Other Parcel Info.: 6400 square foot lease area
Tax ID Number: 70 A B 001 **Jurisdiction:** City
Size of Tract: 5.4 acres
Accessibility: Access is via Old Valley View Dr., a local street with a 16' pavement width within a 40' right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Church
Surrounding Land Use:
Proposed Use: 240' monopole telecommunications tower on church property **Density:**
Sector Plan: East City **Sector Plan Designation:** MDR/SLPA
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: This site is located in an area along Valley View Dr. that has a mix of both single and multiple dwelling structures.

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

Street: 3521 Old Valley View Dr
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: RP-1 (Planned 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:

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 request for a 240' monopole telecommunications tower in the RP-1 zoning district, subject to the following 6 conditions:

- 1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
- 2. Obtaining the setback variances from the Knox County Board of Zoning Appeals (11-M-08-VA).
- 3. Meeting all applicable requirements of the Knoxville Department of Engineering.
- 4. Providing lighting on the tower as required by the FAA.
- 5. Revising the access drive to a width of at least 15' and obtaining approval from the Knoxville Fire Marshal for the access drive and turnaround.
- 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 above conditions, this request meets all requirements for approval of a use on review in the RP-1 zone.

Comments: This is a request for a new 240' monopole telecommunications tower to be located within a 6400 square foot lease area on the northwest side of Old Valley View Dr., west of Fairway Rd. behind the Valley View Baptist Church. The proposed tower will be located behind the church complex in the wooded slope on the south side of Sharps Ridge approximately 480' horizontally from the ridge line for Sharps Ridge and approximately 106' below the average ridge line elevation on the property. The subject property is zoned RP-1 (Planned Residential) and telecommunication towers are considered as a use on review in this district. Proposed access to the lease area will be from a 20' easement utilizing the existing paved driveway to a point that is 175' from the tower site with the remaining access drive proposed as a 12' gravel drive.

This property, along with other properties to the east and west are zoned RP-1. According to the Knoxville Zoning Ordinance, all towers shall be setback from all properties zoned residential, 110% of the height of the tower (264'). The proposed tower is located 70' from the property line to the west and 140' from the property line to the east. The applicant has requested variances from the setback requirements which will be considered by the Knoxville Board of Zoning Appeals on November 20, 2008.

Since the proposed tower is located in a wooded area behind the church complex, landscaping is not required around the base of the tower and equipment enclosure. The tower is designed so it will collapse upon itself in case of a natural disaster or other failure. FAA does require lighting for the tower since it exceeds 200' in height. 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 that will provide the needed coverage so co-location is not an option. 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).

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 240' tower is 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

- 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 property, is required to be heavily screened. The existing woods around the site meets that requirement and 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. With the stated conditions, the proposed commercial telecommunications tower at this location meets the standards for development within a RP-1 (Planned Residential) Zone and all other requirements of the Zoning Ordinance.
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. The use will not draw additional traffic through residential areas.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The East City Sector Plan identifies this property as medium density residential with a slope protection area on the northern third of the site. The Knoxville One Year Plan identifies the property as medium density residential with an open space designation on the northern third of the site. The site is located in the Urban Growth Area of the Growth Policy Plan.
2. The Knoxville-Knox County Wireless Communications Facility Plan does not address monopole towers exceeding 199'. Monopole towers between 150' and 199' are considered to be "tall monopoles". Under the guidelines for tower placement section of the Facility Plan, the proposed tower falls within the "Sensitive Area" category because the tower is within 500' of a residence, it is on non-residential property (church site) within a residential area and is on a hillside below a ridgeline (see attached matrix). The Plan discourages tall monopoles within 500' of a residence and on non-residential property (church site) within a residential area. At the proposed location there is only one residence within 500' (approximately 340' from the tower) of the tower and the area between the tower and residence is heavily wooded. The tower is also located behind the church complex in a wooded area. The Plan takes a neutral position on towers that are located on hillsides below the ridgeline. As stated above, the tower is located at an elevation on the hillside that is approximately 106' below the ridgeline.

MPC Action: Approved **MPC Meeting Date:** 11/13/2008

- Details of MPC action:**
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With the above conditions, this request meets all requirements for approval of a use on review in the RP-1 zone.

Summary of MPC action: APPROVE the request for a 240' monopole telecommunications tower in the RP-1 zoning district, subject to the following 6 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: Knoxville City Council
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:**