

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: 11-M-07-UR **Related File Number:**
Application Filed: 10/8/2007 **Date of Revision:**
Applicant: T-MOBILE / C/O LANNIE GREENE

PROPERTY INFORMATION

General Location: Terminus of Hayeswood Rd., southwest of Pine Grove Rd.
Other Parcel Info.:
Tax ID Number: 84 011 **Jurisdiction:** County
Size of Tract: 33.09 acres
Accessibility: Access is via Hayeswood Rd., a local street with a 10' pavement width within a 50' right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant
Surrounding Land Use:
Proposed Use: 190' monopole telecommunication tower **Density:**
Sector Plan: East County **Sector Plan Designation:** LDR & SLPA
Growth Policy Plan: Urban Growth Area
Neighborhood Context: This site is located in a rural residential area developed under A (Agricultural) zoning. There is an existing telecommunication tower and water tank located adjacent to the proposed lease area.

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

Street: 1435 Hayeswood Rd
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: Kelley Schlitz

Staff Recomm. (Abbr.): APPROVE the request for a 190' monopole telecommunications tower in the A zoning district, subject to the following 6 conditions:

- Staff Recomm. (Full):
1. Meeting all applicable requirements of the Knox County Zoning Ordinance.
 2. Meeting all applicable requirements of the Knox County Department of Engineering & Public Works.
 3. Lighting the tower as may be required by the FAA.
 4. Installing a 6' high security fence around the tower and equipment area prior to the tower becoming operational.
 5. 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.
 6. The tower will be required to be setback a minimum distance of 209' from any existing or future residential dwelling unit.

With the conditions noted above, this request meets all criteria for a use-on-review in the A zoning district.

Comments: This is a request for a new 190' monopole telecommunications tower to be located within a 5600 square foot lease area located on a 33 acre parcel. The proposed tower will have access to a 30' access easement from the terminus of Hayeswood Rd. The subject property is zoned A (Agricultural), and telecommunication towers are considered as a use on review in this district.

The current proposal provides for an 270' setback between the proposed tower and the nearest residence which is located on the 33 acre site. According to the Knoxville-Knox County Wireless Communications Facility Plan, rural/heavily wooded areas are considered "Neutral 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, (190') and the fact that the property is zoned A, the Facility Plan identifies this as an acceptable site for a telecommunication tower.

The visual impact on nearby residences will be minimal due to the fact that the proposed site is heavily wooded. This vegetation will provide a natural buffer between the tower and adjacent residences. The applicant will be required to install a 6' high security fence prior to the tower becoming operational. 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 3 telecommunication carrier antenna arrays. T-Mobile will be the principal client for the tower.

The proposed tower will be located next to an existing telecommunication tower operated by Bell South and an existing City of Knoxville water tank. According to the applicant the adjacent tower is structurally inadequate to allow for co-location and the water tank does not have sufficient height to accommodate the requested coverage. The applicant states that there are no other existing or acceptable structures within this area and that the proposed site is to relieve capacity of existing or nearby site (see attached letter from Pyramid Network Services, LLC.)

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 190' tower is technically justified by the materials submitted by the applicant (see attached report).

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 within a low density residential area, is required to be heavily screened. Since this 33-acres parcel is heavily wooded and provides a natural vegetative buffer between the proposed lease area and nearby properties, the impact on nearby residences will be minimal. The applicant will be required to install a 6' tall security fence.

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 and Northeast County Sector Plan. The use is in harmony with the general purpose and intent of the Zoning Ordinance. Since this is a heavily wooded area and there is an existing telecommunication tower adjacent to the site, 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 East County Sector Plan proposes low density residential uses and slope protection on this property. The proposed development is consistent with this land designation.
- 2. The Wireless Communications Facility Plan identifies the proposed 190' monopole as a "tall" monopole. Under the guidelines for Tower Placement section of the Facility Plan, the proposed tower falls within the "Sensitive Area" category since it is proposed within 500' of a residence. However, the Plan takes a neutral position on tall monopoles located in rural/heavily wooded areas (see attached matrix). As previously stated, the tower will be setback approximately 270' from any residential structure.

MPC Action:

Approved

MPC Meeting Date: 11/8/2007

Details of MPC action:

- 1. Meeting all applicable requirements of the Knox County Zoning Ordinance.
- 2. Meeting all applicable requirements of the Knox County Department of Engineering & Public Works.
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- 6. The tower will be required to be setback a minimum distance of 209' from any existing or future residential dwelling unit.

With the conditions noted above, this request meets all criteria for a use-on-review in the A zoning district.

Summary of MPC action:

APPROVE the request for a 190' monopole telecommunications tower in the A zoning district, subject to the following 6 conditions:

Date of MPC Approval:

11/8/2007

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:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: