

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-O-01-UR **Related File Number:**
Application Filed: 10/8/2001 **Date of Revision:**
Applicant: SBA NETWORK SERVICES
Owner:

PROPERTY INFORMATION

General Location: Southwest side of Primus Rd., northwest of Murray Dr.
Other Parcel Info.:
Tax ID Number: 68 085 **Jurisdiction:** County
Size of Tract: 3.6 acres
Accessibility: Access is via Primus Rd., a local street with a 20' pavement width.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land and billboard site.
Surrounding Land Use:
Proposed Use: 195 foot monopole telecommunications tower **Density:**
Sector Plan: Northwest City **Sector Plan Designation:**
Growth Policy Plan: Urban Growth Area (Outside City Limits)
Neighborhood Context: The proposed tower site which is located on the western side of I-75, is on the northern edge of a predominantly residential area.

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

Street: Murray Dr
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: A (Agricultural) & CA (General Business)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning: Rezoning to CA (General Business) approved in 1996. Request to rezone the remaining A (Agricultural) parcel to CA (General Business) denied in 1999.

PLAN INFORMATION (where applicable)

Current Plan Category:
Requested Plan Category:

provided a report (copy attached, dated 11/1/01) on other sites that had been investigated for the proposed tower. The land owner of the recommended site across I-75 is not willing to lease a site for the telecommunications tower. The applicant has also indicated that the owner of the proposed site for the tower is not willing to lease any of the commercial portion of the property for the tower.

During a site visit, Staff identified an additional site that is zoned commercial and is located approximately 600' to the north along the interstate. This is the site of an existing landscape business. The site is higher than the proposed tower site and may allow for a reduced tower height that would not require lighting. Staff is also recommending that the applicant further investigate the use of the Church of Christ Norwood TRS site on the east side of I-75. The applicant may be able to work within the deed restrictions for this property. A tower at this location could be reduced well below 200' and would not require any lighting.

UPDATE SINCE THE DECEMBER 13, 2001 MEETING: The applicant has submitted a revised site plan relocating the tower to the southeastern corner of the property along the Primus Rd. right-of-way. The proposed tower would be 85' from the nearest property line, 90' south of the existing billboard, and approximately 330' to the nearest residence. By moving the tower to this location, the tower height can be reduced from 220' to 195' in order to serve the proposed coverage area. At 195', lighting will no longer be required for the tower. Locating the tower in this area will allow the existing tree coverage in the A (Agricultural) portion of the property to remain.

In response to Staff's suggested alternatives, the applicant contacted the owner of the landscape business located north of the site. The owner of that property was only willing to lease an area at the western end of the site. That location would not give the applicant the elevation needed to reduce the tower below 200' and remove the need for lighting. In addition, that site would not provide coverage of the service area that is needed. The applicant's attorney has further reviewed the deed restrictions for the Church of Christ Norwood TRS site on the east side of I-75, and it is their opinion that the deed restrictions would prohibit the use of the property for a telecommunications tower.

The applicant has responded to all alternative sites suggested by Staff and finds that the relocation to the front of the site is the only alternative that would work. Mr. Perry in his initial report had suggested that the applicant consider moving the tower onto the commercial property. This new location will increase the distance to the nearest residence and further reduce the impact by removing the need for lighting. Establishing a landscape buffer along the southeastern property line, will over time, help to reduce the impact of this commercial site on the residences located along Murray Dr.

MPC Action:

Approved

MPC Meeting Date: 1/10/2002

Details of MPC action:

1. Installing a landscape buffer along the southeast property line in the area that is zoned CA. The landscape buffer shall be comprised of leyland cypress and/or red cedar trees on 10' centers with an installed height of 6'-8'.
2. Installing the proposed landscaping as shown on the landscape plan, and the tree buffer identified above, 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 Department of Engineering and Public Works.
Meeting all applicable requirements of the Knox County Zoning Ordinance.
6. A revised site plan, reflecting the conditions of approval, must be submitted to MPC staff for certification prior to issuance of any building permits for this project.

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

Summary of MPC action:

APPROVE the development plan for a 195 foot monopole commercial telecommunications tower at this location, subject to 6 conditions:

Date of MPC Approval:

1/10/2002

Date of Denial:

Postponements: 11/8/01 - 12/13/01

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":

Amendments:

Date of Legislative Appeal:

If "Other":

Amendments:

Effective Date of Ordinance: