# **CASE SUMMARY**

# APPLICATION TYPE: USE ON REVIEW

File Number: 11-O-07-UR Related File Number:

**Application Filed:** 10/8/2007 **Date of Revision:** 

Applicant: U.S. CELLULAR CORPORATION



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# PROPERTY INFORMATION

General Location: North side of Ridgeview Rd., southeast of Tazewell Pike

Other Parcel Info.:

Tax ID Number: 39 207 & 20701 Jurisdiction: County

Size of Tract: 2.75 acres

Accessibility: Access is via Ridgeview Rd., a minor arterial street with a 20' pavement width within a 50' right-of-way.

#### GENERAL LAND USE INFORMATION

Existing Land Use: Residence and vacant land

**Surrounding Land Use:** 

Proposed Use: 150' monopole telecommunications tower Density:

Sector Plan: Northeast County Sector Plan Designation: AG/RR

Growth Policy Plan: Rural Area

Neighborhood Context: This site is located in a rural residential area developed under A (Agricultural) zoning. There is an

existing Northeast Knox Utility District water tank located just east of the proposed lease area.

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

Street: 6323 Ridgeview Ln

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:** 

11/16/2007 11:58 AM Page 1 of 3

# SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

No. of Lots Approved: 0 No. of Lots Proposed:

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 150' monopole telecommunications tower in the A zoning district, subject to

the following 5 conditions:

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. Since the FAA does not require any lighting for this facility, there shall be no lighting on the tower.
- 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.

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 150' monopole telecommunications tower to be located within a 10.000

square foot lease area located on a 2.75 acre parcel. The majority of the site is wooded. The proposed tower site will have access to Ridgeview Rd. by a 30' wide access easement. The subject property is zoned A (Agricultural) and telecommunication towers are considered as a use on review in this district.

The proposed tower will be located 165' (110% of the tower height) from the nearest residence which is located on the 2.75 acre tract. The nearest residence off the site is located approximately 250' south of the tower.

According to the Knoxville-Knox County Wireless Communications Facility Plan, rural/heavily wooded areas are considered "Opportunity Areas" for telecommunication towers. Since the proposed site is located within 500' of a residence it is also considered to be within a "Sensitive Area". At a proposed height of 150', the Plan takes a "neutral" position and finds 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 4 telecommunication carrier antenna arrays, U. S. Cellular Corporation will be the principal client for the tower. A letter has been submitted stating that U. S. Cellular Corporation agrees to make this facility available to other wireless providers for co-location.

The proposed tower will be located just to the northwest of an existing Northeast Knox Utility District water tank. According to the applicant the adjacent 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 fill a radio frequency coverage gap in the area.

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 (see attached report).

EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTY AND THE COMMUNITY AS A WHOLE

11/16/2007 11:58 AM Page 2 of 3

Staff Recomm. (Full):

- 1. The proposed development will have minimal impact on local services since utilities are available to serve this site.
- 2. The tower, being located within a low density residential area, is required to be screened. Since this 2.75 acre 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 and will provide supplemental landscaping around the fenced enclosure meeting Knox County Zoning Ordinance requirements.

# 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 Northeast County Sector Plan proposes agricultural and rural residential uses on this property. 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 both the "Opportunity Area" and "Sensitive Area" categories. However, the Plan takes a neutral position on moderate monopoles located in these areas (see attached matrix).

MPC Action: Approved MPC Meeting Date: 11/8/2007

**Details of MPC action:** 

Date of Legislative Appeal:

- 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. Since the FAA does not require any lighting for this facility, there shall be no lighting on the tower.
- 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.

**Effective Date of Ordinance:** 

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 150' monopole telecommunications tower in the A zoning district, subject to

the following 5 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 Appea	als
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:

11/16/2007 11:58 AM Page 3 of 3