

CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW



File Number: 3-G-08-UR Related File Number:
Application Filed: 2/4/2008 Date of Revision:
Applicant: T-MOBILE SOUTH LLC LANNIE GREENE

PROPERTY INFORMATION

General Location: North of Ward Rd., south of E. Beaver Creek Dr.
Other Parcel Info.:
Tax ID Number: 57 135 Jurisdiction: County
Size of Tract: 10000 square feet
Accessibility: Access is via a 20' wide easement from Ward Rd., a local street with an 14' to 15' pavement width within a 40' right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land
Surrounding Land Use:
Proposed Use: 300' Telecommunications Lattice Tower - Revision Density:
Sector Plan: North County Sector Plan Designation: PI & SLPA
Growth Policy Plan: Urban Growth Area (Outside City Limits)
Neighborhood Context: The site is located in a primarily wooded hillside surrounded by a mix of vacant land, residential and institutional development.

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

Street: 6909 Ward 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.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge:

Tom Brechko

Staff Recomm. (Abbr.):

APPROVE the request for a 300' telecommunications lattice tower in the A zoning district subject to 4 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. Meeting FAA requirements for required lighting for 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.

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

Comments:

REVISED TOWER PROPOSAL:

The applicant has submitted a revised proposal for a telecommunications tower at this 21.14 acre site located north of Dante Rd., off of Ward Rd. The original proposal was for a 180' monopole located at the top of the ridge on property owned by the Loyal Order of the Moose Lodge. Due to design problems in gaining access to the ridge top the applicant has submitted a revised plan for a 300' lattice tower that will be located approximately 150' below the top of the ridge and closer to the parking lot for the Moose Lodge. At the new location, the top of the proposed lattice tower will be approximately 30' lower than the top of the proposed 180' monopole.

The proposed access to the site is via an access easement with a 12' wide gravel driveway approximately 200' in length with a driveway grade of approximately 19%. (The previous tower proposal had driveway grades up to 35.6%.)

The proposed tower will be located over 700' from any existing residence. The Knox County Zoning Ordinance requires the tower to be located at least 330' (110% of the towers height) from any residence. The proposed tower far exceeds that minimum standard. The proposed tower will be approximately 180' from the Loyal Order of the Moose Lodge (owner of the property being leased).

The applicant is proposing an 8' high security fence around the tower and equipment area. Due to the height of the tower, FAA does require lighting for the tower.

The applicant states that there are no existing structures in the area that can be used for antenna placement to obtain the required coverage. The tower will support up to 4 telecommunication carrier antenna arrays. T-Mobile will be the principal client for the tower. An agreement has been submitted stating that T-Mobile agrees to make all of its facilities available to other wireless providers.

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 300' tower is technically justified by the materials submitted by the applicant, however.

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 required utilities are available to serve this development.
2. Since this site is located in a heavily wooded area which provides a natural vegetative buffer between the proposed lease area and nearby properties.

CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOXVILLE ZONING ORDINANCE

1. The proposed tower site is consistent with the standards for a commercial telecommunications tower located within the A (Agricultural) district, and with the general standards for uses permitted on review.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The North County Sector Plan proposes public institutional uses and slope protection on this property. With the revised design, the impact to the slopes along the ridge will be minimized.
2. Under the guidelines for tower placement in the Wireless Communications Facility Plan this proposed tower falls within both an "Opportunity Area" and "Sensitive Area". The site is considered to be in an "Opportunity Area" because the tower would be located in a rural/heavily wooded area. The Plan takes a neutral position on lattice towers located under that category in the "Opportunity Area". The site is also considered to be in a "Sensitive Area" since the tower will be located on a hill below the ridge top/ridge line. The plan also takes a neutral position for lattice towers in this category. The previous proposal which was for a tall monopole tower located on a ridge top/ridge line, was considered to be in an "Avoidance Area" which is discouraged by the Plan.

Action: Approved **Meeting Date:** 6/12/2008

- Details of 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.
 3. Meeting FAA requirements for required lighting for 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.

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

Summary of Action: APPROVE the request for a 300' telecommunications lattice tower in the A zoning district subject to 4 conditions .

Date of Approval: 6/12/2008 **Date of Denial:** **Postponements:** 3/13/2008-5/8/2008

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:**