

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: 4-A-10-UR **Related File Number:**
Application Filed: 2/19/2010 **Date of Revision:**
Applicant: U. S. CELLULAR CORPORATION

PROPERTY INFORMATION

General Location: Southeast side of Old Rutledge Pike, southwest of Idumea Rd.
Other Parcel Info.:
Tax ID Number: 32 112.07 **Jurisdiction:** County
Size of Tract: 33.28 acres
Accessibility: Access is via Old Rutledge Pike, a minor collector street with a 19' pavement width within a 50' right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Residence and vacant land
Surrounding Land Use:
Proposed Use: 195' Monopole Telecommunications Tower **Density:** NA
Sector Plan: Northeast County **Sector Plan Designation:** LDR & SLPA
Growth Policy Plan: Planned Growth Area
Neighborhood Context: The proposed site is located along the Rutledge Pike / Old Rutledge Pike corridor just south of McAnnally Ridge and House Mountain in an area that is primarily rural residential development.

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

Street: 9840 Old Rutledge Pike
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:

Tom Brechko

Staff Recomm. (Abbr.):

APPROVE the development plan for a 195 foot monopole telecommunications tower in an A (Agricultural) zoning district subject to 5 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 and Public Works.
3. Since the FAA does not require any lighting for this facility, there shall be no lighting on the tower.
4. Installing an evergreen landscaping screen, as required by the Zoning Ordinance, along the northwest side of the fenced enclosure (side that parallels the adjoining property which is Tax Parcel 032-11212 and Old Rutledge Pike) within six months of 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 above conditions, this request meets all requirements for approval of a use on review in the A zone.

Comments:

This is a request for a new 195 foot monopole telecommunications tower to be located within a 3,500 square foot lease area located on a 33.28 acre tract. The subject property is zoned A (Agricultural) and telecommunication towers are considered as a use on review in this district. The property is heavily wooded and is located near the northeast end of a ridge located on the southwest side of Old Rutledge Pike. The proposed tower site will have access to Old Rutledge by a 30 foot wide access easement. Grades for the access drive to the tower site are proposed in some areas at 10% to 15%. The access drive will be a paved driveway with a width of 16'.

The tower was originally proposed as a 250' lattice telecommunications tower to be located on the northwest side of Rutledge Pike along McAnnally Ridge a major ridge line just south of House Mountain. Since the tower is intended to fill a gap in coverage along Rutledge Pike, staff had asked the applicant to look at the lower ridge lines along the southeast side of Rutledge Pike. The applicant withdrew the original application and submitted this new application. The applicant should be commended for working with staff on reducing the impact on one of the major ridge lines in the northeast portion of Knox County.

The proposed tower is required to be located 214.5 feet (110% of the tower height) from the nearest residence. The tower site is located approximately 505 feet from the nearest residence.

The visual impact on nearby residences will be minimal due to the tree coverage on this site. The applicant will be installing a 6 foot high security fence with three strands of barbed wire surrounding the tower and equipment area. Since the site is heavily wooded, the applicant is requesting a waiver on providing an evergreen landscape screen around the fenced enclosure. Since some of the ridgetop can be seen during the winter months staff is recommending that the landscape screen be placed along the northwest side of the enclosure which is the side that parallels the adjoining property and Old Rutledge Pike.

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 5 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. There are no other towers within one mile of the proposed tower that could provide the coverage needed by the applicant.

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 195' 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

1. The proposed development will have minimal impact on local services since utilities are available to serve this site.
2. The tower site, being located within a heavily wooded area should have minimal impact on nearby residences.

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, Northeast County Sector Plan and Wireless Communications Facility Plan. The use is in harmony with the general purpose and intent of the Zoning Ordinance. Since this is a heavily wooded area, 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 low density residential uses and slope protection for this area. With the minimal site alteration required for the proposed tower (access drive will also serve as a driveway for a proposed residence at the top of the ridge), the proposed development is consistent with this land designation.
2. The Wireless Communications Facility Plan identifies the proposed 195' monopole as a "tall" monopole. Under the guidelines for Tower Placement section of the Facility Plan, the proposed tower falls within the "Opportunity Area" and "Avoidance Area" categories. The site is considered to be an "Opportunity Area" since the site is rural/heavily wooded. The plan takes a neutral position on tall monopoles located in this area. The site is also considered to be an "Avoidance Area" since it is located on a ridge line. The plan discourages tall monopoles along ridge lines. As previously mentioned, the tower was originally proposed along McAnnaly Ridge, a major ridge line as a 250' lattice tower. Understanding that U.S. Cellular needs to fill a gap of service in this area, staff can support the smaller monopole on the lower ridge line.
3. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

Action: Approved **Meeting Date:** 4/8/2010

Details of Action:

Summary of Action:

Date of Approval: 4/8/2010 **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:**