

# CASE SUMMARY

**APPLICATION TYPE: USE ON REVIEW**



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**File Number:** 5-C-15-UR **Related File Number:**  
**Application Filed:** 3/30/2015 **Date of Revision:**  
**Applicant:** BRANCH TOWERS

## PROPERTY INFORMATION

**General Location:** Southeast side of Bluegrass Rd., northeast side of Garland Rd.  
**Other Parcel Info.:**  
**Tax ID Number:** 154 07503 **Jurisdiction:** County  
**Size of Tract:** 7.24 acres  
**Accessibility:** Access is via Bluegrass Rd., a minor collector street with an 18' pavement width within a 50' right-of-way.

## GENERAL LAND USE INFORMATION

**Existing Land Use:** Residence and vacant land  
**Surrounding Land Use:**  
**Proposed Use:** 194' Monopole Telecommunications Tower **Density:**  
**Sector Plan:** Southwest County **Sector Plan Designation:** LDR & HP  
**Growth Policy Plan:** Planned Growth Area  
**Neighborhood Context:** The proposed site is located in an area of low density residential development.

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

**Street:** 1612 Garland Rd  
**Location:**  
**Proposed Street Name:**  
**Department-Utility Report:**  
**Reason:**

## ZONING INFORMATION (where applicable)

**Current Zoning:** RA (Low Density Residential)  
**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 request for a 194' monopole commercial telecommunications tower in the RA (Low Density Residential) zoning district subject to 9 conditions.

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knox County Zoning Ordinance.
2. Revising the design of the monopole to utilize close/flush mounted antenna arrays instead of the typical basket mount design.
3. Relocating the access driveway off of Bluegrass Rd. approximately 70 feet to the west in order to obtain at least 300 feet of sight distance from the driveway in both directions along Bluegrass Rd. A revised development plan shall be submitted to Planning Commission and Knox County Department of Engineering and Public Works Staff for review and approval.
4. Meeting the Utility Access Driveway standards and all other applicable requirements of the Knox County Fire Prevention Bureau.
5. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
6. Submitting for Planning Commission Staff approval a reforestation/landscape plan for the areas that have been cleared and graded outside of the tower enclosure area and the access and turnaround areas.
7. Installing the evergreen landscaping screen along the fenced enclosure and all the landscaping identified in condition 6 above within six months of the tower becoming operational. The applicant shall be responsible for maintaining all landscaping.
8. Since the FAA does not require any lighting for this facility, there shall be no lighting on the tower.
9. 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 RA zoning district.

Comments:

This is a request for a new 194' monopole commercial telecommunications tower to be located within a 10,000 square foot lease area located on a portion of a 7.24 acre tract. The subject property is zoned RA (Low Density Residential) and telecommunication towers are considered as a use on review in this district. Access to the site is by an easement off of Bluegrass Rd., a minor collector street. The driveway is required to meet the Utility Access Driveway standards of the Knox County Fire Prevention Bureau which requires a 16' wide paved access driveway.

The proposed tower is required to be located 213.4 feet (110% of the tower height) from the nearest residence. The proposed tower exceeds that minimum standard since the nearest residence is approximately 215' from the base of the tower. The applicant is proposing an 8' high security fence around the tower and equipment area. The FAA does not require any lighting for a tower of this height.

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 applicant is proposing up to 4 telecommunication carrier antenna arrays on this tower. T-Mobile will be the principal client for the tower. A letter has been submitted stating that Branch Towers LLC agrees to make all of its facilities available to other wireless providers.

Attached to the staff report are several support documents submitted by the applicant and 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 proposed monopole 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 is located on a 7.24 acre parcel that is heavily wooded on the western half in the location of the proposed tower. The existing vegetation in combination with the recommended landscaping should help to minimize the impact of the proposed facility on nearby residences.
3. Requiring the antenna arrays to be close/flush mounted instead of the typical basket mount design will help to reduce the visual impact of the proposed tower.
4. The proposed tower with four antenna array locations for cellular providers will help meet a service need that is generated by the number of residents in the area that use their cell and smart phones for sharing data and as their home phone in lieu of land line service.

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

1. With the recommended conditions, the proposed commercial telecommunications tower at this location meets the standards required in the Commercial Telecommunications Facilities section of the Knox County Zoning Ordinance.
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 (See comments below regarding the Wireless Communications Facility Plan). The use is in harmony with the general purpose and intent of the Zoning Ordinance. The use should 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 Southwest County Sector Plan proposes low density residential uses on this property.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. Under the guidelines for tower placement in the Wireless Communications Facility Plan this proposed tower falls within the "Sensitive Areas" and "Avoidance Areas". The proposed 194' monopole tower is classified as a tall monopole. The proposed tower site is located within 500' of a residence which the Plan considers to be "Sensitive Areas" for the location of telecommunication towers. The Plan discourages tall monopole towers located in these areas. The proposed tower is also within an "Avoidance Area" since it would be located within a single-family residential neighborhood. The Plan discourages tall monopole towers located within residential neighborhoods.

Since the Plan discourages the use of tall monopole towers in a residential neighborhood and within 500 feet of a residence, it is the responsibility of the applicant to document that they have looked at other options in providing the needed coverage in this area. Based on the documentation provided by the applicant and verified by the review conducted by the Planning Commission's consultant, it has been determined that there are no other alternate sites within a mile that are useable for providing the needed coverage.

It should be noted that the Wireless Communication Facilities Plan was developed in 2002 "as a guide in making decisions on applications for approval of new telecommunications towers." When the Plan was adopted in 2002, cell phones were used primarily for voice service with the greater demands being in business, shopping areas and along road corridors, with less demand in residential neighborhoods. With the introduction of the smart phone and the sharing of data by phone, and with an increasing number of people replacing land line service with cellular service, there is now a greater demand for service in the residential neighborhoods. This change in the use of cell phones has increased the need for finding suitable sites for telecommunication towers in the residential areas.

**Action:** Approved as Modified **Meeting Date:** 7/9/2015

- Details of Action:**
1. Meeting all applicable requirements of the Knox County Zoning Ordinance.
  - (2. Deleted at MPC Mtg 7-9-15 )
  2. Relocating the access driveway off of Bluegrass Rd. approximately 70 feet to the west in order to obtain at least 300 feet of sight distance from the driveway in both directions along Bluegrass Rd. A revised development plan shall be submitted to Planning Commission and Knox County Department of Engineering and Public Works Staff for review and approval.
  3. Meeting the Utility Access Driveway standards and all other applicable requirements of the Knox County Fire Prevention Bureau.
  4. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
  5. Submitting for Planning Commission Staff approval a reforestation/landscape plan for the areas that have been cleared and graded outside of the tower enclosure area and the access and turnaround areas.
  6. Installing the evergreen landscaping screen along the fenced enclosure and all the landscaping identified in condition 6 above within six months of the tower becoming operational. The applicant shall be responsible for maintaining all landscaping.

7. Since the FAA does not require any lighting for this facility, there shall be no lighting on the tower.
8. 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 RA zoning district.

**Summary of Action:**

APPROVE the request for a 194' monopole commercial telecommunications tower in the RA (Low Density Residential) zoning district subject to 8 conditions.

**Date of Approval:**

7/9/2015

**Date of Denial:**

**Postponements:**

5/14/2015-  
6/11/2015

**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:**