

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: 8-I-12-UR Related File Number:
Application Filed: 7/2/2012 Date of Revision:
Applicant: U. S. CELLULAR CORPORATION

PROPERTY INFORMATION

General Location: West side of Façade Ln., south of E. Copeland Dr.
Other Parcel Info.:
Tax ID Number: 47 026 Jurisdiction: County
Size of Tract: 8.24 acres
Accessibility: Access is via Façade Ln., a local street with a 20' pavement width within a required 50' right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Church
Surrounding Land Use:
Proposed Use: 250' Lattice Telecommunications Tower Density:
Sector Plan: North County Sector Plan Designation: LDR / HP
Growth Policy Plan: Planned Growth Area
Neighborhood Context: The site is located in a transition area between the more urban development to the south at the I-75/Emory Rd. exit and the rural/agricultural area to the north.

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

Street: 8015 Façade 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:

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 250' lattice telecommunications tower in the A zoning district and a waiver of the landscaping requirements around the tower enclosure, subject to 6 conditions.

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knox County Zoning Ordinance.
2. The access drive and turnaround area at the tower site shall meet the utility access driveway standards of the Knox County Fire Prevention Bureau.
3. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
4. Providing lighting on the tower in compliance with FAA standards.
5. Tower construction within the 50' setback from the sinkhole located in the northwest corner of this property may be permitted if a geotechnical study prepared by a registered engineer states that the tower construction within the 50' sinkhole setback area is acceptable and the study is approved by the Knox County Department of Engineering and Public Works.
6. 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 250 foot lattice telecommunications tower to be located within a 10,000 square foot lease area located on a portion of a 8.24 acre tract. The subject property is zoned A (Agricultural) and telecommunication towers are considered as a use on review in this district.

The proposed tower site will have access to Façade Ln., a dead-end local street that parallels the western side of I-75, by a new 16' wide paved driveway that will meet utility access driveway standards of the Knox County Fire Prevention Bureau.

The proposed tower is required to be located 275 feet (110% of the tower height) from the nearest residence. The proposed tower far exceeds that minimum standard since the nearest residence is approximately 690' from the proposed tower. The applicant is proposing a 6' high security fence topped with three strands of barbed wire around the tower and equipment area. Due to the height of the tower, FAA does require lighting for the tower.

In the area of the proposed tower site there is a small sinkhole/closed contour area. The proposed tower will be located within the 50' setback area for the sinkhole. Construction may be permitted within the setback area if a geotechnical study prepared by a registered engineer states that the tower construction within the 50' sinkhole setback area is acceptable and the study is approved by the Knox County Department of Engineering and Public Works.

The applicant is requesting a waiver of the landscaping requirements around the tower enclosure since the enclosure will not be visible due to existing vegetation on the site. Staff is recommending approval of the waiver.

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. U. S. Cellular Corporation will be the principal user for the tower. An agreement has been submitted stating that U. S. Cellular Corporation 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 proposed tower is technically justified by the materials submitted by the

applicant (see attached report). He also recommends that the applicant design the tower to hold an additional antenna array for a total of 5 antenna arrays.

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 the required utilities are available to serve this site.
2. The tower site, being located in an area made up of primarily large tracts along the interstate should have minimal impact on nearby residences.

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 A (Agricultural) 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, North 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 site is in a rural 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 North County Sector Plan proposes low density residential uses on this property. With the minimal site alteration required for the proposed tower and the proposed location back in a wooded area, the proposed development is consistent with this land designation.
2. Under the guidelines for tower placement in the Wireless Communications Facility Plan, this proposed tower falls within the "Sensitive Area" since the proposed tower site is located on a hill below a ridgeline. The Plan takes a neutral position on lattice towers located on a hill below a ridgeline.
3. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

Action: Approved **Meeting Date:** 8/9/2012

Details of Action:

Summary of Action: APPROVE the request for a 250' lattice telecommunications tower in the A zoning district and a waiver of the landscaping requirements around the tower enclosure, subject to 6 conditions.

Date of Approval: 8/9/2012 **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:**