

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-J-08-UR **Related File Number:**
Application Filed: 7/7/2008 **Date of Revision:**
Applicant: T-MOBILE SOUTH / US CELLULAR

PROPERTY INFORMATION

General Location: Southeast side of Schaad Rd., northeast of Tecoy Ln.
Other Parcel Info.:
Tax ID Number: 79 G B 012.04 **Jurisdiction:** County
Size of Tract: 6.12 acres
Accessibility: Access is via Schaad Rd., a minor arterial street with a 19' pavement width within a 50' right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Residence and vacant
Surrounding Land Use:
Proposed Use: Telecommunication tower extension (150' to 195') **Density:**
Sector Plan: Northwest City **Sector Plan Designation:** LDR & SLPA
Growth Policy Plan: Urban Growth Area
Neighborhood Context: The site is located in an area with a mix of rural to medium density residential development.

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

Street: 13902 Schaad 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: In 2003, US Cellular was approved for a 150' telecommunications tower on this site (6-I-03-UR).

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:

Staff Recomm. (Abbr.):

APPROVE the development plan for a 45' extension on an existing 150' foot monopole telecommunications tower at this location, subject to 7 conditions:

Staff Recomm. (Full):

1. Maintaining the existing landscaping as shown on the previously approved landscape plan within six months of the tower becoming operational.
2. Since the FAA does not require any lighting for this facility, there shall be no lighting on the tower.
3. Installing a 6' high security fence around the tower and equipment area prior to the tower becoming operational.
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.
5. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
6. Meeting all applicable requirements of the Knox County Zoning Ordinance.
7. Obtaining a setback variance from the Knox County Board of Zoning Appeals prior to development plan approval (215' to 207') or reducing the height of the proposed tower extension to 188'.

With the conditions noted above, this request meets all requirements for approval of a use on review.

Comments:

This is a request for a 45' extension on an existing 50' monopole telecommunications tower to be located on a wooded, 15 acre tract located on the south side of Schaad Rd., approximately 0.5 miles northeast of Oak Ridge Highway. Access to the property is via Schaad Rd. The property is zoned A (Agricultural), and telecommunication towers are considered as a use on review in this district. According to the Knox County Zoning Ordinance as it relates to the modification of existing towers, it states that a tower may be modified or rebuilt to a taller height and not require an additional use-on-review as long as it does not exceed 30' over the tower's existing height (Art. 4 Sec. 4.92, 3). Since the applicant's are proposing to extend the tower 45', they are required to obtain an additional use on review.

The current proposal provides for a 207' setback between the existing tower and the nearest residence, which is located on the 15 acre tract. According to the setback requirements of the Knox County Zoning Ordinance, the tower must be setback from the nearest residence by 110% of the height of the tower which is 165' for a 150' tower and 215' for the 195' tower. Since the tower encroaches into the required setback, the applicant will be required to obtain a variance from the Knox County Board of Zoning Appeals prior to development plan approval. It should be noted that the impact on this residence will be minimal since this is an existing tower and the owner of the residence leased this area to U.S. Cellular/T-Mobile.

The visual impact on nearby residences will be minimal due to the fact that the site is heavily wooded and it has been in operation since 2003. The existing vegetation will provide a natural buffer between the tower and adjacent residences. The applicant will be required to reinstall a 6' high security fence and any landscaping that may be compromised during reconstruction. FAA does not require any lighting for the tower. The tower will support four telecommunications carrier antenna arrays. T-Mobile and U.S. Cellular will be the principal clients for the tower.

According to a statement submitted by the applicant, there are no other existing or acceptable structures within this area and that the proposed extension will improve cellular service in the area for both T-Mobile and U.S. Cellular customers (see attached letter from Lannie Greene).

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 T-Mobile / U. S. Cellular Corporation's tower proposal and highlights his findings. Mr. Perry concludes that the 45' extension 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 all utilities are in place to serve this development.
2. The tower, being located within a low density residential area, is required to be heavily screened. Since this 15 acre parcel is heavily wooded and provides a natural vegetative buffer between the existing lease area and nearby properties, the impact on nearby residences will be minimal. The impact on nearby properties will also be minimal since this is an existing telecommunication tower site and neighboring property owners are accustomed to a tower at this location.

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

1. With exception to the required setback variance, the proposed commercial telecommunications tower at this location meets the standards required in the A (Agricultural) zoning district.
2. The proposed commercial telecommunications 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 Sector Plan. The use is in harmony with the general purpose and intent of the Zoning Ordinance. The use is compatible with the character of the neighborhood where it is proposed. Since this is a proposed extension on an existing tower, 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 Northwest City Sector Plan proposes low density residential uses and slope protection on this property. The proposed development is consistent with the Sector Plan.
2. The Wireless Communication Facilities Plan identifies the existing 150' and the proposed 195' monopole as "tall" monopoles. Under the guidelines for tower placement section of the Facility Plan, the proposed tower extension falls within the "Sensitive Area" category since it is proposed within 500' of a residence. However, the Plan takes a neutral position on tall monopoles located in rural/heavily wooded areas (see attached matrix). As previously stated, the tower will be setback approximately 207' from the nearest residential structure.

MPC Action: Approved

MPC Meeting Date: 8/14/2008

Details of MPC action:

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Summary of MPC action:

APPROVE the development plan for a 45' extension on an existing 150' foot monopole telecommunications tower at this location, subject to 7 conditions:

Date of MPC Approval: 8/14/2008

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:

