

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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Knoxville, Tennessee 37902
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www.knoxmpc.org

File Number: 9-B-10-UR **Related File Number:**
Application Filed: 7/26/2010 **Date of Revision:**
Applicant: EXCELL COMMUNICATIONS, INC.

PROPERTY INFORMATION

General Location: Northwest side of Old Valley View Dr., west of Fairway Rd.
Other Parcel Info.:
Tax ID Number: 70 A B 001 **Jurisdiction:** City
Size of Tract: 5.2 acres
Accessibility: Access is via Old Valley View Dr., a local street with a 16' pavement width within a 40' right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Church
Surrounding Land Use:
Proposed Use: Approval of a 240' lattice telecommunications tower **Density:** NA
Sector Plan: East City **Sector Plan Designation:** MDR
Growth Policy Plan: Urban Growth Area (Inside City Limits)
Neighborhood Context: This site is located in an area along Valley View Dr. that has a mix of both single and multiple dwelling structures.

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

Street: 3521 Old Valley View Dr
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: RP-1 (Planned 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 240' lattice telecommunications tower in the RP-1 zoning district, subject to the following 6 conditions:

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
2. Submitting a revised plan for the access drive and turnaround area meeting the requirements of the Knoxville Fire Marshal and the Knoxville Department of Engineering.
3. Meeting all applicable requirements of the Knoxville Department of Engineering.
4. Providing lighting on the tower as required by the FAA.
5. Installing an evergreen landscaping screen around the fenced enclosure, as required by the Zoning Ordinance, within six months of the tower becoming operational.
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 above conditions, this request meets all requirements for approval of a use on review in the RP-1 zone.

Comments:

The applicant received a use on review approval on November 13, 2008 for a 240' monopole telecommunication tower located within a 6400 square foot lease area on the northwest side of Old Valley View Dr., west of Fairway Rd. behind the Valley View Baptist Church. The tower will be located behind the church complex in the wooded slope on the south side of Sharps Ridge approximately 480' horizontally from the ridge line for Sharps Ridge and approximately 106' below the average ridge line elevation on the property. The subject property is zoned RP-1 (Planned Residential) and telecommunication towers are considered as a use on review in this district. Proposed access to the lease area will be from a 20' easement utilizing the existing paved driveway to a point that is 175' from the tower site. The access drive must meet the requirements of the Knoxville Fire Marshal's Office for driveway width and design of the turnaround.

The applicant is requesting a revision to the previous approval to allow a change in the tower design from a monopole structure to a lattice tower. The tower will still have a height of 240'. Attached to the staff report are photo simulation views from four different locations that show a monopole tower as originally approved and the proposed lattice tower. The base of the proposed lattice tower has a width of 25' for each of the three faces. While lattice towers are much larger structures, the openness of the lattice design allows the background (trees and sky) to show through which helps to reduce the visual impact of the tower. The approved 240' monopole is a solid structure that has a base diameter of approximately 5.5'. The Knoxville-Knox County Wireless Communications Facility Plan's Land Use/Wireless Facilities Matrix does not list monopole towers exceeding 199' (Tall Monopole 150'-199') but it does list lattice towers.

This property, along with other properties to the east and west are zoned RP-1. According to the Knoxville Zoning Ordinance, all towers shall be setback from all properties zoned residential, 110% of the height of the tower (264'). The proposed tower is located 70' from the property line to the west and 140' from the property line to the east. The applicant obtained setback variances from the Knoxville Board of Zoning Appeals on December 18, 2008. The approved variances still apply to this request.

FAA does require lighting for the tower since it exceeds 200' in height. The tower will support up to 4 telecommunication carrier antenna arrays. T-Mobile will be the principal client for the tower.

When the proposed telecommunications tower was approved in 2008, MPC's tower consultant, Mr. Larry E. Perry concluded that the 240' tower was technically justified by the materials submitted by the applicant. A copy of that report is attached.

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 adjacent to residential property, is required to be heavily screened. The existing woods around the site meets that requirement and will reduce the impact of the proposed tower on existing residential property.

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

1. With the stated conditions, the proposed commercial telecommunications tower at this location meets the standards for development within a RP-1 (Planned Residential) Zone and all other requirements of the 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 of the General Plan and One Year Plan. The use is in harmony with the general purpose and intent of the Zoning Ordinance. The use will not draw additional traffic through residential areas.

CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS

1. The East City Sector Plan identifies this property as medium density residential with a slope protection area on the northern third of the site. The Knoxville One Year Plan identifies the property as medium density residential with an open space designation on the northern third of the site. The site is located in the Urban Growth Area of the Growth Policy Plan.
2. The Knoxville-Knox County Wireless Communications Facility Plan does not address monopole towers exceeding 199'. Under the guidelines for tower placement section of the Facility Plan, the proposed lattice tower falls within the "Sensitive Area" category because the tower is within 500' of a residence, it is on non-residential property (church site) within a residential area and is on a hillside below a ridgeline (see attached matrix). The Plan discourages lattice towers and tall monopoles within 500' of a residence and on non-residential property (church site) within a residential area. At the proposed location there is only one residence within 500' (approximately 340' from the tower) of the tower and the area between the tower and residence is heavily wooded. The tower is also located behind the church complex in a wooded area. The Plan takes a neutral position on lattice towers that are located on hillsides below the ridgeline. As stated above, the tower is located at an elevation on the hillside that is approximately 106' below the ridgeline.

Action: Approved **Meeting Date:** 9/9/2010

- Details of Action:**
1. Meeting all applicable requirements of the Knoxville Zoning Ordinance.
 2. Submitting a revised plan for the access drive and turnaround area meeting the requirements of the Knoxville Fire Marshal and the Knoxville Department of Engineering.
 3. Meeting all applicable requirements of the Knoxville Department of Engineering.
 4. Providing lighting on the tower as required by the FAA.
 5. Installing an evergreen landscaping screen around the fenced enclosure, as required by the Zoning Ordinance, within six months of the tower becoming operational.
 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 above conditions, this request meets all requirements for approval of a use on review in the RP-1 zone.

Summary of Action: APPROVE the request for a 240' lattice telecommunications tower in the RP-1 zoning district, subject to the following 6 conditions:

Date of Approval: 9/9/2010 **Date of Denial:** **Postponements:**
Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council	
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: