

▶ **FILE #:** 8-A-11-UR **AGENDA ITEM #** 30

POSTPONEMENT(S): 8/11/2011 **AGENDA DATE:** 9/8/2011

▶ **APPLICANT:** AT&T/NSORO

OWNER(S): Kenneth & Tiffany Rogers

TAX ID NUMBER: 126 177

JURISDICTION: County Commission District 9

▶ **LOCATION:** North side Kimberlin Heights Road, east of Porterfield Road

▶ **APPX. SIZE OF TRACT:** 21.55 acres

SECTOR PLAN: South County

GROWTH POLICY PLAN: Rural Area

ACCESSIBILITY: Access is via Kimberlin Heights Rd., a major collector street with a 19' pavement width within a 40' right-of-way.

UTILITIES: Water Source: Knox-Chapman Utility District

Sewer Source: NA

WATERSHED: Holston and French Broad and Gap Creek

▶ **ZONING:** A (Agricultural)

▶ **EXISTING LAND USE:** Residence and agricultural

▶ **PROPOSED USE:** Approval of a 195 ft. monopole telecommunications tower

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Vacant land / A (Agricultural)

South: Rural residential / A (Agricultural), RA (Low Density Residential) & CA (General Business)

East: Rural residential / A (Agricultural)

West: Vacant land / A (Agricultural)

NEIGHBORHOOD CONTEXT: The proposed site is located in an agricultural/rural residential area of eastern Knox County.

STAFF RECOMMENDATION:

▶ **APPROVE the request for a 195' monopole telecommunications tower in the A (Agricultural) zoning district subject to 6 conditions .**

1. Meeting all applicable requirements of the Knox County Zoning Ordinance.
2. Submitting a revised plan for the paved turnaround area at the tower site that relocates the turnaround area from the southeast corner of the tower enclosure to the area in front of and on the east side of the existing shop building. The revised plan shall be submitted to the Knox County Fire Marshal and the Knox County Department of Engineering and Public Works for review and approval prior to any permits being issued.
3. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
4. Installing the proposed evergreen landscape screen along the fenced enclosure, as designated on the

site plans, within six months of the tower becoming operational.

5. Since the FAA does not require any lighting for this facility, there shall be no lighting on the tower.
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 195 foot monopole telecommunications tower to be located within a 10,000 square foot lease area located on a portion of a 21.55 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 Kimberlin Heights Rd., a major collector street, by a driveway that currently serves a residence and some outbuildings. The existing driveway will be upgraded to a 16' wide concrete drive which meets the utility access driveway standards of the Knox County Fire Prevention Bureau.

Staff is recommending a condition that the applicant submit a revised plan for the paved turnaround area at the tower site. As designed, any emergency vehicle would have to back up with a downhill slope at the edge of pavement. Staff recommends relocating the turnaround area from the southeast corner of the tower enclosure to the area in front of and on the east side of the existing shop building. With this design the vehicles would back up to an uphill slope.

The proposed tower is required to be located 214.5 feet (110% of the tower height) from the nearest residence. The proposed tower far exceeds that minimum standard since the nearest residence is over 500' from the proposed tower. The applicant is proposing a 7' high security fence around the tower and equipment area. The FAA does not require lighting for the tower.

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 3 telecommunication carrier antenna arrays. AT&T will be the principal client for the tower. A letter has been submitted stating that AT&T agrees to make its facilities available to other wireless providers under reasonable terms and conditions for shared use.

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' monopole telecommunications 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 in an area made up of primarily large tracts 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, East 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 South County Sector Plan proposes agricultural and rural residential uses on this property. With the

minimal site alteration required for the proposed tower (access drive also serves as a driveway for existing outbuildings), the proposed development is consistent with this land designation.

2. Under the guidelines for tower placement in the Wireless Communications Facility Plan this proposed monopole tower is considered a "Tall Monopole". The proposed tower site is located on the edge of a rural/heavily wooded area and is adjacent to pasture. The plan considers both rural/heavily wooded areas and pasture areas to be "Opportunity Areas" for the location of telecommunication towers. The Plan takes a neutral position on a tall monopole tower located at this site. The site is also within a "Sensitive Area" since it is located on a small hill below a ridgeline. The Plan also takes a neutral position for the proposed tower under this category.

3. The site is located within the Rural Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

ESTIMATED TRAFFIC IMPACT: Not calculated.

ESTIMATED STUDENT YIELD: Not applicable.

MPC's approval or denial of this request is final, unless the action is appealed to the Knox County Board of Zoning Appeals. The date of the Knox County Board of Zoning Appeals hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal an MPC decision in the County.