

▶ **FILE #:** 7-C-12-UR

AGENDA ITEM #: 29

AGENDA DATE: 7/12/2012

▶ **APPLICANT:** U. S. CELLULAR CORPORATION

OWNER(S):

TAX ID NUMBER: 6 088

JURISDICTION: County Commission District 8

▶ **LOCATION:** East side of Monday Rd., northeast of Corryton Rd.

▶ **APPX. SIZE OF TRACT:** 95.26 acres

SECTOR PLAN: Northeast County

GROWTH POLICY PLAN: Rural Area

ACCESSIBILITY: Access is via Monday Rd., a local street with a 16' pavement width within a 40' right-of-way.

UTILITIES: Water Source: Luttrell-Blaine-Corryton Utility District

Sewer Source: NA

WATERSHED: Flat Creek

▶ **ZONING:** A (Agricultural)

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** 195' Monopole Telecommunications Tower

HISTORY OF ZONING: None noted

SURROUNDING LAND North: Union County

USE AND ZONING: South: Residences and vacant land / RB (General Residential) & A (Agricultural)

East: Rural residential / A (Agricultural)

West: Rural residential / A (Agricultural)

NEIGHBORHOOD CONTEXT: The proposed site is located in a rural residential area just north of the Corryton community.

STAFF RECOMMENDATION:

▶ **APPROVE the request for a 195' monopole telecommunications tower in the A zoning district and a waiver of the landscaping requirements around the tower enclosure, subject to 6 conditions.**

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. Since the FAA does not require any lighting for this facility, there shall be no lighting on the tower.
5. Submitting revised development plans to Planning Commission staff reflecting the change from a 250' lattice tower to a 195' monopole 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 95.26 acre tract. The applicant had originally requested approval of a 250 foot lattice tower but revised the request on July 11, 2012 (see attached letter from Kramer Rayson LLP). 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 Monday Road 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 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 535' from the proposed tower. The applicant is proposing a 7' high security fence around the tower and equipment area. Due to the height of the tower, FAA does not require lighting for the tower.

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)

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 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 Northeast County Sector Plan proposes agricultural and rural 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 "Opportunity Area" since the proposed tower site is located in a rural/heavily wooded area. The Plan takes a neutral position on tall monopole towers located in rural/heavily wooded areas. The proposed tower also falls within the "Sensitive Area" since the proposed tower site is located on a hill below a ridgeline. While the site is located on a small hill, there is no significant ridgeline running through this area and the site is not located in a slope protection area. The Plan takes a neutral position on tall monopole towers

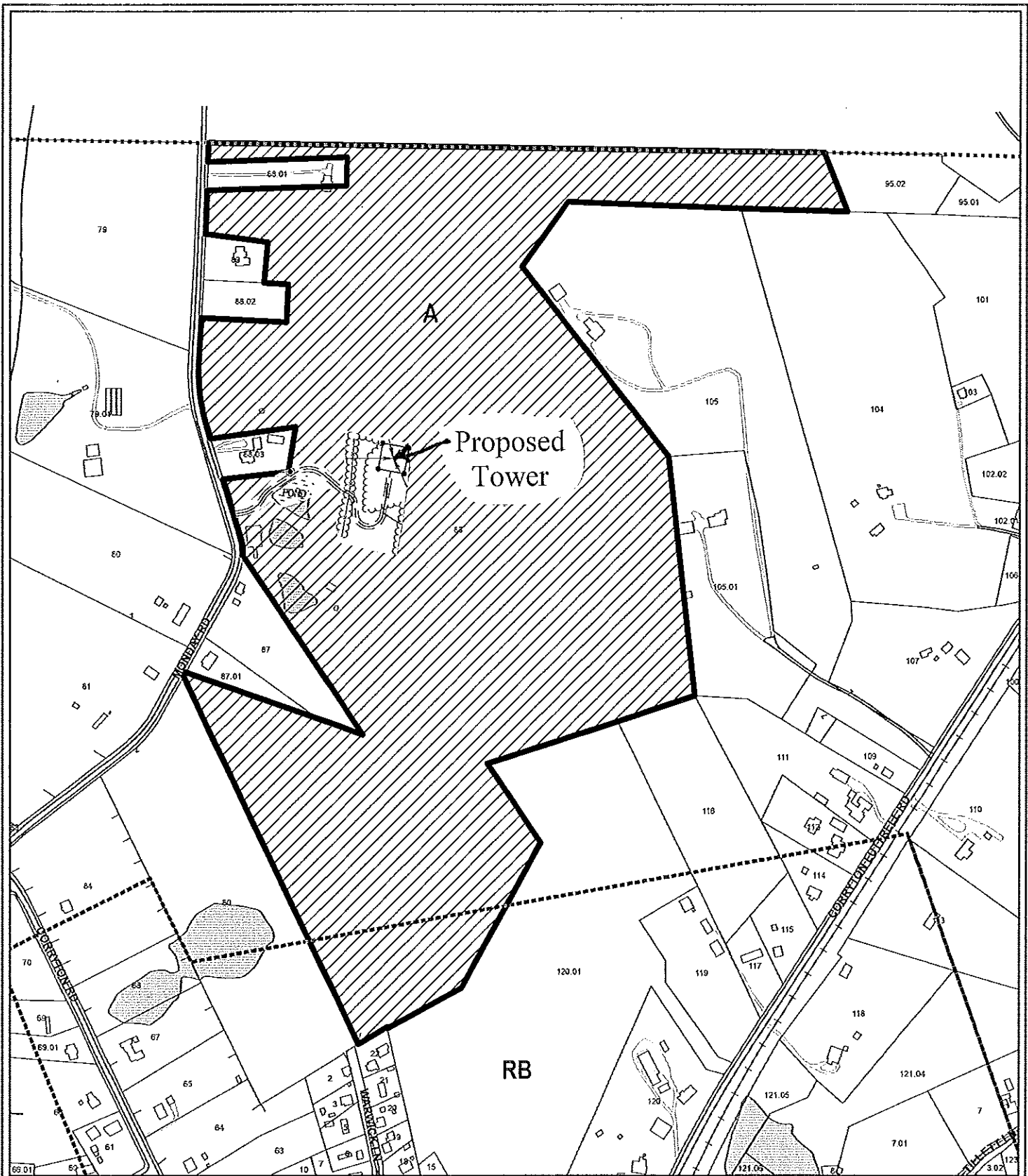
located on a hill below a ridgeline.

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

ESTIMATED TRAFFIC IMPACT: Not calculated.

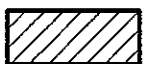
ESTIMATED STUDENT YIELD: Not applicable.

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.



**7-C-12-UR
USE ON REVIEW**

Petitioner: U. S. Cellular Corporation



250' Lattice Telecommunications Tower in A (Agricultural)

Map No: 6

Jurisdiction: County

Original Print Date: 6/27/2012
 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

