

CASE SUMMARY

APPLICATION TYPE: REZONING

NORTH COUNTY SECTOR PLAN AMENDMENT

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: 10-A-15-RZ **Related File Number:** 10-A-15-SP
Application Filed: 8/10/2015 **Date of Revision:**
Applicant: AGGREGATES USA (I-75 QUARRY). LLC

PROPERTY INFORMATION

General Location: Northwest side E. Raccoon Valley Dr., northeast of I-75
Other Parcel Info.:
Tax ID Number: 17 038 & 03903 **Jurisdiction:** County
Size of Tract: 33.32 acres
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land
Surrounding Land Use:
Proposed Use: Stone quarry **Density:**
Sector Plan: North County **Sector Plan Designation:** Ag and MU-SD (NCo5)
Growth Policy Plan: Planned Growth Area and Rural Area
Neighborhood Context:

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

Street:
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: OB (Office, Medical, and Related Services), RB (General Residential) and A (Agricultural)
Former Zoning:
Requested Zoning: I (Industrial)
Previous Requests: None noted
Extension of Zone:
History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category: MU-SD (Mixed Use Special District) (MU-Co5) and Agricultural
Requested Plan Category: HIM (Mining)

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:

Mike Reynolds

Staff Recomm. (Abbr.):

RECOMMEND that County Commission APPROVE I (Industrial) zoning for parcel 017-03903 only, as shown in the attached staff recommendation map. RECOMMEND that MPC DENY I (Industrial) zoning for parcel 017-038.

Staff Recomm. (Full):

The requested I (Industrial) zoning is consistent with the HIM (Mining) sector plan designation (if approved as recommended by staff for the western parcel), and compatible with surrounding development and zoning on the north side of E. Raccoon Valley Dr. All mining operations are required to receive approval of a conditional use permit by both the Planning Commission and County Commission through the use-on-review process to ensure compliance with the 'Standards Governing Surface Mining and Mineral Extraction' of the zoning ordinance (Article 4.50.02).

Comments:

REZONING REQUIREMENTS FROM ZONING ORDINANCES (must meet all of these):

THE PROPOSED AMENDMENT SHALL BE NECESSARY BECAUSE OF SUBSTANTIALLY CHANGED OR CHANGING CONDITIONS IN THE AREA AND DISTRICTS AFFECTED, OR IN THE CITY/COUNTY GENERALLY:

1. I (Industrial) is appropriate for this site because it will allow the expansion of the adjacent mining operation and is compatible with the proposed land use plan for the area the recommends light industrial, warehouse/distribution, and agricultural uses.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE ZONING ORDINANCE:

1. I (Industrial) zoning provides areas in which the principal use of land is for manufacturing, assembling, fabrication, warehousing and for other uses which have heavy impacts and adverse effects on surrounding property. These uses do not depend primarily on frequent personal visits of customers or clients, but usually require good accessibility to major rail, air, or street transportation routes. Such uses are not properly associated with, nor compatible with residential, institutional and retail commercial uses.

2. All mining operations (new and expansions of existing) are considered a "use permitted on review" and must be approved on use-on-review by both the Planning Commission and County Commission.

3. Surface mining operations are subject the 'Standards Governing Surface Mining and Mineral Extraction' (Article 4.50.02) of the zoning ordinance.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE COUNTY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT:

1. I (Industrial) zoning will allow the expansion of the existing stone quarry and will not adversely affect the surrounding area, which the sector plan recommends for light industrial, warehouse/distribution, and agricultural uses.

2. Before any mining facility can begin operating, a conditional use permit must be approved by the Planning Commission and County Commission, which is a separate approval process if this rezoning request is approved.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The General Plan recommends protecting residential neighborhoods from encroachment of industrial (and commercial) uses. There is a small residential neighborhood directly across E. Raccoon Valley Dr., however, the majority of the area requesting I (Industrial) zoning will be buffered from the neighborhood and Raccoon Valley Dr. by properties that are currently zoned CA (General Business).

2. The Hillside and Ridgetop Protection Plan (HRPP) recommends that commercial and industrial development locate on slopes less than 15 percent, however, it does not specifically address mining operations such as a stone quarry.

3. The North County Sector Plan recommends warehouse/distribution and light industrial uses in this area, however, this was intended to encourage such uses on the flat portions of property and did not anticipate the expansion of the quarry. If the sector plan is amended as recommended to the HIM (Mining) land use classification, the Industrial (I) zoning can be considered for the subject property.

Upon final approval of the rezoning, the mining company will be required to submit an application for a conditional use permit that must be approved by MPC and County Commission. An operating plan is required to demonstrate conformance with the 'Standards Governing Surface Mining and Mineral Extraction' in the Knox County Zoning Ordinance as part of this application. Grading and drainage plans may also be required at this stage, if deemed necessary by Knox County Engineering and MPC staff.

Action: Approved as Modified

Meeting Date: 10/8/2015

Details of Action:

Summary of Action: RECOMMEND the Knox County Commission approve I (Industrial) zoning for parcel 017-03903 only and deny Industrial zoning for parcel 017-038.

Date of Approval: 10/8/2015

Date of Denial:

Postponements:

Date of Withdrawal:

Withdrawn prior to publication?: **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knox County Commission

Date of Legislative Action: 11/16/2015

Date of Legislative Action, Second Reading:

Ordinance Number:

Other Ordinance Number References:

Disposition of Case: Approved

Disposition of Case, Second Reading:

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: