

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: 3-I-02-UR **Related File Number:**
Application Filed: 2/11/2002 **Date of Revision:**
Applicant: RENFRO CONSTRUCTION CO., INC.
Owner:

PROPERTY INFORMATION

General Location: West side of Diggs Gap Rd., south of E. Raccoon Valley Dr.
Other Parcel Info.:
Tax ID Number: 26 070 **Jurisdiction:** County
Size of Tract: 60 acres
Accessibility: Access is via Diggs Gap Rd., a collector street with a pavement width of 19' within a 40' right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Concrete batch plant
Surrounding Land Use:
Proposed Use: Asphalt mixing plant **Density:**
Sector Plan: North County **Sector Plan Designation:**
Growth Policy Plan: Planned Growth Area
Neighborhood Context: The site is located south of E. Raccoon Valley Dr. Zoning in the area consists of I industrial, CA and CH commercial and A agricultural. Development consists of commercial uses that cater to travelers on Interstate 75 and scattered single family dwellings. The dominant use in the area is a rock quarry operated by American Limestone.

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

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

ZONING INFORMATION (where applicable)

Current Zoning: I (Industrial)
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:

Surveyor:

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: DK

Staff Recomm. (Abbr.): DENY the request because the proposed use does not meet the minimum required setback for a use permitted on review in the Industrial Zone

Staff Recomm. (Full):

Comments: The applicant is requesting consideration of a plan for an asphalt mixing plant to be located on a portion of the site of the existing rock quarry that is operated by American Limestone Co. The proposed asphalt plant site and the rock quarry are zoned I (Industrial). An asphalt mixing plant and rock quarry are allowed in the industrial zone as uses permitted on review. A use on review for the rock quarry was approved by MPC over twenty years ago. The asphalt mixing plant is proposed to be located in the northeast corner of the quarry site. Presently, the intended location is occupied with a concrete batching plant. The applicant intends to remove the concrete batching operation and replace it with equipment needed to mix asphalt.

The concrete batching facility is a permitted use in the Industrial Zone. As such, it only has to meet the standard setbacks of the Industrial Zone. The setbacks required for the asphalt plant are much greater. The Knox County Zoning Ordinance states that any use listed as a use on review in the Industrial Zone must be setback at least 300' from a church or residential zone. The applicant has stated that they will not be able to meet those requirements. A church is located at the corner of Diggs Gap and E. Raccoon Valley Dr. The proposed asphalt plant will adjoin the church property. The equipment used in the asphalt operation will be approximately 225' from the church boundary. The equipment will also be less than 100' from an adjoining property that is zoned A (Agricultural) and developed with a single family dwelling. The Agricultural Zone is not considered to be a residential zone and as such the 300' setback is not required. However, the actual plant would be within 200' of a dwelling. The Knox County Zoning Ordinance has performance standards dealing with uses in industrial zones. These performance standards deal with limitations regarding the generation of noise, dust and odors. If this use were to be approved at this location, it would have to meet those standards.

Staff has recommended denial of this request because the uses that are listed in the Knox County Zoning Ordinance as uses permitted on review in the Industrial Zone are expected to have "heavy impacts and adverse effects on surrounding properties". The setback requirement is the only specific standard listed in the Zoning Ordinance. The total site contains over sixty acres. Staff would encourage the applicant and the quarry operator to look for other locations on the site that will meet the required setback standard.

If MPC decides to approve this request a condition regarding obtaining the necessary setback variances and compliance with the other requirements of the Knox County Zoning Ordinance, including the performance standards in Section 4.10, should be added. Additionally, operations should be limited to the hours between 7:00 AM and 9:00 PM.

MPC Action: Approved

MPC Meeting Date: 3/14/2002

Details of MPC action:

Summary of MPC action: APPROVE development plan subject to obtaining required variances from BZA and operating hours between 6:00 a.m. to 9:00 p.m.

Date of MPC Approval: 3/14/2002

Date of Denial:

Postponements:

Date of Withdrawal:

Withdrawn prior to publication?: Action Appealed?:

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:

Date of Legislative Action:

Ordinance Number:

Disposition of Case:

If "Other":

Amendments:

Date of Legislative Appeal:

Date of Legislative Action, Second Reading:

Other Ordinance Number References:

Disposition of Case, Second Reading:

If "Other":

Amendments:

Effective Date of Ordinance: