



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.:

**PLANNING COMMISSION ACTION AND DISPOSITION**

Planner In Charge:

Mike Reynolds

Staff Recomm. (Abbr.):

APPROVE the asphalt plant with maximum capacity of 200 tons per hour, as shown on the development plan, subject to 7 conditions.

Staff Recomm. (Full):

1. Meeting all applicable requirements of the Knox County Health Department.
2. Meeting all applicable requirements of the Tennessee Department of Health.
3. Meeting all applicable requirements of the Knox County Department Public Works and Engineering.
4. Meeting all applicable requirements of the Knox County Zoning Ordinance, including but not limited to Article 4, Section 4.10 of the Knox County Zoning Ordinance (Performance Standards for Commercial and Industrial Uses).
5. Maintaining a 300' setback from any portion of the asphalt plant equipment to any public park, school, church, hospital, sanitarium, residential zone, or subdivided land restricted to residential uses, as required by Article 5, Section 5.61.03 of the Knox County Zoning Ordinance (Uses Permitted on Review of the Industrial Zone).
6. Installing a Type 'B' landscape screen (see Exhibit A) located on Lot 2, either along the north side of the "plant access and employee parking" located on Lot 2 (approximately 600 feet in length based on the site plan) or adjacent to the A (Agricultural) zoned property along the northwest property line. Existing trees can be utilized as part of the screening if it meets the intent of the Type 'B' landscape screen. A landscape plan must be submitted for review and approval by Planning Commission staff.
7. The landscaping must be installed within six months of the issuance of an occupancy permit for this project, or posting a bond with the Knox County Department of Engineering and Public Works to guarantee such installation.

With the conditions noted above, this request meets all requirements for approval in the I (Industrial) zone district, as well as other criteria for approval of a use on review.

Comments:

The proposed asphalt plant is located within the Forks of the River Industrial Park on a property zoned I (Industrial). The general description for the Industrial states "the principal use of land is for manufacturing, assembling, fabrication, and for warehousing and other uses which have heavy impacts and adverse effects on surrounding property... Such uses are not properly associated with, nor compatible with residential, institutional and retail commercial uses." While this industrial park is largely zoned Industrial with various manufacturing and industrial uses, there are still several residential properties and two church located along or near Asbury Rd. near the subject property. Immediately to the east is the large quarry property owned by Aggregates USA. The quarry is no longer actively mined but is still used as a storage and loading area for the quarry that is located on the east side of E. Governor John Sevier Hwy.

Asphalt plants are a "use permitted on review" in the Industrial zone and must be a minimum of 300' feet from any public park, school, church, hospital, sanitarium, residential zone, or subdivided land restricted to residential uses. Staff has interpreted that this measurement is taken from the closest portion of the asphalt plant equipment to the nearest lot line of a listed use. The 300' setback is a requirement for all uses permitted on review in the Industrial zone, not just asphalt plants. The site plan shows the 300' setback line on the north side of the proposed equipment. The setback resulted in the removal of one of the "future silos" but did not impact the three silos that are currently planned for installation.

The silos will be approximately 72' tall, including the equipment on top of the silos. The silos alone are 52' tall. There are several other smaller pieces of equipment that are located on the site plan. The driving surface around the asphalt plant is proposed to be compacted gravel. The maximum capacity of the asphalt plant is dependent on the capacity of the mixing drum. The proposed drum has a capacity of 200 tons per hour, which is smallest capacity that this particular manufacturer (ASTECC, Inc. / Dillman) makes for relocatable asphalt plants. For this type of plant, the manufacturer makes

equipment with capacities from 200 - 600 tons per hour. If the facility owner wants to increase the capacity of the facility in the future, a new use on review approval will be required by the Planning Commission.

The recommended condition for landscape screening is a requirement of Article 4, Section 4.10.11.B.2 (Performance Standards for Commercial and Industrial Uses -- Landscape Screening). This landscaping will help visually screen the tall equipment in the asphalt plan. The evergreen trees should be a species that can obtain mature height of 40-50 feet.

**EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTY AND THE COMMUNITY AS A WHOLE**

1. The proposed asphalt plant will have minimal impact on local services since all utilities are in place to serve this development.
2. The proposed use is compatible with the industrial uses found in the area, however, is not compatible with the residential lots and church to the north that are a little over 300 feet from the closest portion of the asphalt plant equipment (the future silos). Staff is recommending a Type 'B' landscape screen be installed on Lot 2, either on the north side of the plant access and employee parking area or adjacent to the Agriculture zoned properties along the northwest property line. This will help visually screen the facility and contain dust.
3. The proposed use is required to meet the performance standards within the Knox County Zoning Ordinance (Article 4, Section 4.10).

**CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOX COUNTY ZONING ORDINANCE**

1. The proposed asphalt plant meets the standards for development within the I (Industrial) zone and all other requirements of the Zoning Ordinance.
2. With the recommended conditions, the proposed asphalt plant facility 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 Sector Plan. The use is in harmony with the general purpose and intent of the Zoning Ordinance. The use is compatible with the character of the neighborhood where it is proposed. 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 East County Sector Plan identifies this property for LI (Light Industrial) uses, such as manufacturing as assembly of electronic goods and packaging of beverage or food products. The HI (Heavy Industrial) land use recommends uses that are more intense in nature and clearly not compatible with areas designated for residential, institutional, office and retail uses. The asphalt plant use is more compatible with the HI or HIM land use classification, but there is very little land in the Knox County with that land use classification. Most Industrial zoned property has the LI land use classification. Staff is recommending approval of the asphalt plant because it meets the 300' setback requirement of the zoning ordinance and the size of the asphalt plant is relatively small.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

**Action:** Approved **Meeting Date:** 3/14/2019

**Details of Action:**

**Summary of Action:** APPROVE the asphalt plant with maximum capacity of 200 tons per hour, as shown on the development plan, subject to 7 conditions.

**Date of Approval:** 3/14/2019 **Date of Denial:** **Postponements:**

**Date of Withdrawal:** **Withdrawn prior to publication?:**  **Action Appealed?:**

**LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:** Knox County Board of Zoning Appeals

**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:**

**Date of Legislative Appeal:**

**Amendments:**

**Effective Date of Ordinance:**