

CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW



File Number: 7-A-20-UR **Related File Number:**
Application Filed: 5/5/2020 **Date of Revision:**
Applicant: BENJAMIN C. MULLINS OBO CRIPPEN GAP, LLC

PROPERTY INFORMATION

General Location: North of Mynatt Rd., west of Maynardville Pk., off Shotsman Ln.
Other Parcel Info.:
Tax ID Number: 48 C A 002 & 00201 **Jurisdiction:** County
Size of Tract: 8.42 acres
Accessibility: Access is via Shotsman Ln, a local street with 20' of pavement width within 40' of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Commercial & Office
Surrounding Land Use:
Proposed Use: Recycling Facility **Density:**
Sector Plan: North County **Sector Plan Designation:** LI (Light Industrial) - pending & Stream Protection
Growth Policy Plan: Urban Growth Area
Neighborhood Context: The area lies between the commercial corridor along Maynardville Pike and single family residential neighborhoods. Industrial and light industrial zoning are also to the commercial corridor.

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

Street: 3700 3702, 3704 & 3815 Shotsman Ln.
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: The portion of the property zoned CA was rezoned to Industrial (I) to match the rest of the property.

PLAN INFORMATION (where applicable)

Current Plan Category:
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 request for a Solid Waste Processing Facility as shown on the development plan, subject to 6 conditions.

- Staff Recomm. (Full):
1. Meeting all applicable requirements of the Knox County Health Department.
 2. Providing a minimum 50' non-disturbance area along the west, south and east property lines to retain the existing vegetation.
 3. Providing a 300' setback from the residentially zoned property along west property line, in accordance with section 5.61.03 (Uses permitted on review) of the I (Industrial) zone, unless a reduction of this setback is approved by the Board of Zoning Appeals or it is determined that the setback is not applicable because of the preexisting use.
 4. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
 5. Meeting all requirements of the Knox County Zoning Ordinance.
 6. The site is not approved for the storage of vehicles for automobile or truck salvage.

With the above conditions, this request meets all requirements for approval of a use on review in the I (Industrial) zoning district.

Comments: This proposal is to formally approve a metal recycling facility that is currently operating on this 8.42 acre site. Similar business uses have existed on this site dating back to the 1960's. A portion of the property was recently rezoned from CA (General Business) to I (Industrial) to allow the facility to be considered for Use Permitted on Review approval by the Planning Commission.

The Knox County Zoning Ordinance requires landscape screening and fencing when adjacent to residential zoning, and a 100' setback from outside property boundaries for the processing of materials (Section 4.95 - Standards for the use-on-review approval of solid waste processing facilities). Because this use will be a continuance of established uses on this site, the 100' setback is only being applied to the west, south and east property boundaries, excluding parcel 048CA002 with the buildings which has historically been zoned I (Industrial) and is internal to the processing facility. Within the 100' setback shown on the development plan, the applicant proposes to retain a minimum of 50' of the existing vegetation/trees as a buffer to the adjacent residential uses to the west and south and the stream to the east. A vegetative buffer with trees is not possible in the TVA powerline easement that runs through the middle of the property but there is an existing fence that will be retained and there is some short vegetation on the hillside that helps visually buffer this area.

The I (Industrial) requires that all uses that are listed as a Use Permitted on Review "may be permitted, provided, that no such use shall be located nearer than three hundred (300) feet to a public park, school, church, hospital, sanitarium, residential zone, or subdivided land restricted to residential uses". This setback is for the actual use and does not include things such as drive aisles. For the proposed metal recycling facility, the areas used for storage of scrap material must remain 300' from the residentially zoned property. Staff is recommending a condition that this setback be provided unless a variance is approved by the Board of Zoning Appeals or it is determined that the use is legally preexisting at the 300' setback does not apply.

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

1. Public water is available to serve the site. Sanitary sewer is not currently available in the area, but could be extended, if necessary, to serve this site.
2. The proposal will have no impact on schools and the traffic impact should be minimal since there are only two other businesses that access Shotsman Lane, one of which is a self-storage facility.
3. The proposed use is consistent with the historic use of the site as a metal scrap yard or salvage yard.
4. The 50' wide vegetative preservation area will visually buffer the proposed use from adjacent

properties and will reduce noise and dust that may cross the property boundary.

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

- 1. The proposed facility with the recommended conditions meets the standards for development within the I (Industrial) zoning district and the standards for the use-on-review approval of solid waste processing facilities, as well as all other requirements of the Zoning Ordinance.
- 2. With the recommended conditions, the proposed development 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 North County Sector Plan proposes LI (Light Industrial) uses for the site which is consistent with the zoning and proposed use.
- 2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

Action: Approved **Meeting Date:** 8/13/2020

Details of Action:

Summary of Action: APPROVE the request for a Solid Waste Processing Facility as shown on the development plan, subject to 6 conditions.

Date of Approval: 8/13/2020 **Date of Denial:** **Postponements:** 7/9/2020

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: **Amendments:**

Date of Legislative Appeal: **Effective Date of Ordinance:**