

CASE SUMMARY

APPLICATION TYPE: PLAN AMENDMENT

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

Suite 403 • City County Building
400 Main Street
Knoxville, Tennessee 37902
865 • 215 • 2500
F A X • 215 • 2068
www.knoxmpc.org

File Number: 8-B-15-SP **Related File Number:** 8-F-15-RZ
Application Filed: 6/22/2015 **Date of Revision:**
Applicant: HERBERT TOLLIVER, JR.

PROPERTY INFORMATION

General Location: Northwest side E. Raccoon Valley Dr., east of I-75
Other Parcel Info.:
Tax ID Number: 17 PTS OF 04101 & 04102 OTHER: MAP ON FILE AT M **Jurisdiction:** County
Size of Tract: 10 acres
Accessibility: Access is via E. Raccoon Valley Dr., a minor arterial street with 36' of pavement width within 100' of right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land
Surrounding Land Use:
Proposed Use: Stone quarry expansion **Density:**
Sector Plan: North County **Sector Plan Designation:** MU-SD (NCO-5)
Growth Policy Plan: Planned Growth Area
Neighborhood Context: The I-75/Raccoon Valley Drive interchange currently has a low intensity of development but on the east side where the subject property is located there is an active quarry, truck stop and a restaurant. The sector plan proposes that this area develop with industrial and warehouse/distribution related uses.

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

Street: 1957 E Raccoon Valley Dr
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: CA (General Business)
Former Zoning:
Requested Zoning: I (Industrial)
Previous Requests: None noted
Extension of Zone: Yes
History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category: MU-SD (Mixed Use Special District) (MU-CO5)

Requested Plan Category: MU-SD (Mixed Use Special District) (MU-CO5) with Heavy Industrial

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.): ADOPT RESOLUTION #8-B-15-SP, amending the North County Sector Plan to HIM (Mining) and recommend that Knox County Commission also adopt the sector plan amendment. (Applicant requested Mixed Use Special District [NCO-5] with I [Industrial].)

Staff Recomm. (Full): The expansion of HIM (Mining) land use designation is appropriate for the requested portion subject properties and is compatible with the existing and proposed land uses in the area. The staff recommendation is to remove the NCO-5 special mixed use district and replace it with the HIM district, instead of allowing Mining uses within the entire NCO-5 district which is not appropriate nor the intention of the applicant.

Comments: SECTOR PLAN REQUIREMENTS FROM GENERAL PLAN (May meet any one of these):

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

INTRODUCTION OF SIGNIFICANT NEW ROADS OR UTILITIES THAT WERE NOT ANTICIPATED IN THE PLAN AND MAKE DEVELOPMENT MORE FEASIBLE:

- 1. N/A

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

- 1. The NCO-5 mixed use special district recommends the light industrial and warehousing/distribution uses for the area around the I-75 / Raccoon Valley Drive interchange.
- 2. The property is currently zoned CA (General Commercial) which would allow the development of the property without protections for the hillside area.
- 3. The Hillside and Ridgetop Protection Plan (HRPP) recommends that commercial and industrial development locate on slopes less than 15 percent. When such development extends into slopes exceeding 15 percent, slope restoration and reforestation of cut-and-fill areas should be accomplished to minimize the long term impact to water quality and lessen forest canopy loss in the hillside and ridgetop protection area.
- 4. The HRPP recommends against the practice of using hillside area for borrow pits but it does not address mining operations.
- 5. The active quarry to the west and north is classified HIM (Mining) by the sector plan, which is the only land use classification that allows mining operations. To allow the expansion of the quarry, the subject properties must be designated HIM. Rather than amending the NCO-5 mixed use district to allow mining, which would allow the use for the entire district, it is recommended that the subject properties be removed from the NCO-5 district and the HIM expanded.

CHANGES IN GOVERNMENT POLICY, SUCH AS A DECISION TO CONCENTRATE DEVELOPMENT IN CERTAIN AREAS:

- 1. The expansion of existing quarries, when they do not encroach on sensitive uses such as residential neighborhoods, is preferable to the development of new mining operations in another part of the county.

TRENDS IN DEVELOPMENT, POPULATION OR TRAFFIC THAT WARRANT RECONSIDERATION OF THE ORIGINAL PLAN PROPOSAL:

- 1. N/A

State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law now provides for two methods to amend the plan at TCA 13-3-304:

- 1. The Planning Commission may initiate an amendment by adopting a resolution and certifying the amendment to the Legislative Body. Once approved by majority vote of the Legislative Body, the

amendment is operative.

2. The Legislative Body may also initiate an amendment and transmit the amendment to the Planning Commission. Once the Planning Commission has considered the proposed amendment and approved, not approved, or taken no action, the Legislative Body may approve the amendment by majority vote and the amendment is operative.

Action: Approved

Meeting Date: 8/13/2015

Details of Action:

Summary of Action: Adopt Resolution #8-B-15-SP amending the North County Sector Plan to HIM (Mining) and recommend the Knox County Commission also adopt the sector plan amendment.

Date of Approval: 8/13/2015

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: 9/28/2015

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: