

# 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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400 Main Street  
Knoxville, Tennessee 37902  
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w w w • k n o x m p c • o r g

**File Number:** 8-F-15-RZ                      **Related File Number:** 8-B-15-SP  
**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:**

## 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:**

## 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:**  
**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.):** RECOMMEND that County Commission APPROVE I (Industrial) zoning.

**Staff Recomm. (Full):** The recommended I (Industrial) zoning is compatible with surrounding development and zoning, and the surrounding NCO-5 special mixed use district that recommends light industrial and warehouse/distribution uses. In addition, all mining operations are required to receive approval of a conditional use permit by both the Planning Commission and County Commission 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 it is compatible proposed land use plan for the area the recommends light industrial and warehouse/distribution uses.

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

1. I zoning provides areas in which 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. 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 zoning will allow the expansion of the existing quarry and will not adversely effect the surrounding area, which the sector plan recommends for light industrial and warehouse/distribution 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. The proposed quarry expansion does not encroach upon a residential neighborhood.

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 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 **Meeting Date:** 8/13/2015

**Details of Action:**

**Summary of Action:** RECOMMEND the Knox County Commission approve I (Industrial) zoning.

**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:**