



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: Dan Kelly

Staff Recomm. (Abbr.): APPROVE the request for a surface mining and mineral extraction operation at this location as shown on the development plan and described in the plan of operation subject to 9 conditions

Staff Recomm. (Full):

1. The proposed mining operation meeting all of the performance standards as contained in Article 4, Section 4.10 and Section 4.50 of the Knox County Zoning Ordinance.
2. Meeting all other applicable requirements of the Knox County Zoning Ordinance.
3. Obtain the required approval of this request from the Knox County Board of Commissioners.
4. Meeting the required 100' setback for the deposition of overburden or obtain a variance from the Knox County Board of Zoning Appeals to permit the placement of the material in the setback.
5. Meeting all applicable requirements of the Knox County Dept. of Engineering and Public Works.
6. Meeting all applicable requirements and obtaining all required permits dealing with water and air quality from the appropriate governmental agency.
7. All traffic involved in the sales and distribution of the stone produced on this site will be limited to using the existing driveways on the west side on E. Gov. John Sevier Hwy.
8. Posting of the required bond with Knox County or the State of Tennessee.
9. A revised site plan reflecting the conditions of approval must be submitted to MPC staff prior to issuance of grading permits.

Comments: Rinker Materials, South Central, Inc. and its predecessor American Limestone Co. have been operating a "rock quarry" on the north side of the French Broad River in the area of E. Governor John Sevier Hwy since the early 1970's. In 1977, MPC and the Knox County Commission approved a use on review request for mineral extraction for a portion of this site on the east side of E. Governor John Sevier Highway. That approval would permit mining on an approximately 74 acre site. The applicant is now requesting permission to expand the quarry by adding approximately 24 acres to the previously approved site. Over the years, Rinker Materials has obtained additional property around the permitted quarry. The land that has been bought beyond the 1977 boundary will be used primarily as a buffer area around the actual mining pit. Of the 98.5 acre site the applicant has proposed to actively mine approximately 61 acres. A large portion of the remaining land will be used to create a large berm that will almost completely surround the mining pit.

The berm will be constructed of the overburden material that will have to be removed to reveal the limestone that is to be quarried at the site. The applicant has estimated that 41,000,000 cubic feet of overburden material will have to be removed during the mining process. Due to the large amount of overburden to be removed, the applicant is proposing to begin the construction of the berm within 100' of the site boundary. Article 4, Section 4.50 of the Knox County Zoning Ordinance states that none of the overburden can be placed within 100' of the property line. This applicant is requesting relief from that requirement. While the berms will be constructed of overburden material, the applicant has stated that they will be landscaped and will provide an effective sight and sound barrier to what can be a nuisance type use. Staff is generally in agreement with the applicant's rationale for permitting the berms within the required 100' setback. However, the setback is a requirement of the Zoning Ordinance and will have to be adhered to unless the applicant can obtain relief in the form of a variance from the Knox County Board of Zoning Appeals.

In order to minimize the impact on the surrounding properties, Rinker is proposing to quarry the stone at the new site and run it through the primary crusher on the east side of E. Gov. John Sevier Hwy. After the initial crushing, the material will be transported under the highway to the existing site on the west side of the road. At that point the material will be further processed and stored for sale. All sales of materials will be conducted on the west side of the highway. The existing asphalt plant located on the

west side of the highway will remain in its current location. Customer trucks arriving and leaving the site will use the existing driveways on the west side of the highway. The only vehicles that will access the new site will be company vehicles and those of the contractors that are involved in the actual mining process or equipment maintenance. By proposing this circulation pattern, there should be no change in the traffic.

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

1. The proposed mining and mineral extraction operation will have minimal impact on local services since all utilities are in place to serve this development.
2. The proposed use is consistent with the commercial and industrial uses found in the area.

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

1. The proposed quarry development meets the standards for development within the I (Industrial), A (Agricultural) and CB (Business & Manufacturing) Zones and all other requirements of the Zoning Ordinance.
2. The proposed quarrying operation 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 commercial and residential use. A mining operation is a use permitted on review in the industrial, agricultural and commercial zones found on this site. The proposed development is consistent with the Sector Plan.
2. Access will be via the existing driveway from E. Governor John Sevier Highway. The expanded quarry is not expected to generate any additional traffic beyond what is now traveling to and from the site.

**MPC Action:**

Approved

**MPC Meeting Date:** 8/14/2003

**Details of MPC action:**

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2. Meeting all other applicable requirements of the Knox County Zoning Ordinance.
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8. Posting of the required bond with Knox County or the State of Tennessee.
9. A revised site plan reflecting the conditions of approval must be submitted to MPC staff prior to issuance of grading permits.

**Summary of MPC action:**

APPROVE the request for a surface mining and mineral extraction operation at this location as shown on the development plan and described in the plan of operation subject to 9 conditions

**Date of MPC Approval:**

8/14/2003

**Date of Denial:**

**Postponements:**

**Date of Withdrawal:**

**Withdrawn prior to publication?:**  **Action Appealed?:**

**LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:**

County Commission

**Date of Legislative Action:**

8/25/2003

**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:**

**Date of Legislative Appeal:**

**Amendments:**

**Effective Date of Ordinance:**