



**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION
PLAN AMENDMENT/REZONING REPORT**

▶ **FILE #:** 10-A-15-RZ
10-A-15-SP

AGENDA ITEM #: 35
AGENDA DATE: 10/8/2015

▶ **APPLICANT:** **AGGREGATES USA (I-75 QUARRY). LLC**
OWNER(S): Aggregates USA (I-75 Quarry), LLC

TAX ID NUMBER: 17 038 & 03903 [View map on KGIS](#)
JURISDICTION: Commission District 7
STREET ADDRESS:

▶ **LOCATION:** **Northwest side E. Raccoon Valley Dr., northeast of I-75**

▶ **TRACT INFORMATION:** **33.32 acres.**

SECTOR PLAN: North County

GROWTH POLICY PLAN: Planned Growth Area and Rural Area

ACCESSIBILITY: Access is via E. Raccoon Valley Rd., a minor arterial street with 36' of pavement width within 100' of right-of-way.

UTILITIES: Water Source: Hallsdale-Powell Utility District

Sewer Source: Hallsdale-Powell Utility District

WATERSHED: Bullrun Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** **MU-SD (Mixed Use Special District) (NCO-5) and AG (Agricultural) / OB (Office, Medical, and Related Services), RB (General Residential) and A (Agricultural)**

▶ **PROPOSED PLAN DESIGNATION/ZONING:** **HIM (Mining) / I (Industrial)**

▶ **EXISTING LAND USE:** **Vacant land**

▶ **PROPOSED USE:** **Stone quarry**

EXTENSION OF PLAN DESIGNATION/ZONING: Yes

HISTORY OF ZONING REQUESTS:

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING

North: Mining / I (Industrial)
South: Commercial, Mobile home park, Rural residential and Vacant land / CA (General Business), RB (General Residential), and I (Industrial)
East: Single family - Rural residential and Vacant land / A (Agricultural) and LI (Light Industrial)
West: Commercial / CA (General Business)

NEIGHBORHOOD CONTEXT: The I-75/Raccoon Valley Drive interchange has a low intensity of development but on the east side where the subject properties are located there is an active rock quarry, truck stop and a restaurant. The sector plan proposes that this area develop with industrial and warehouse/distribution related uses.

STAFF RECOMMENDATION:

- ▶ **ADOPT RESOLUTION #10-A-15-SP, amending the North County Sector Plan to HIM (Mining) for parcel 017-03903 only, and recommend that Knox County Commission also adopt the sector plan amendment. RECOMMEND that MPC DENY HIM (Mining) for parcel 017-038.**

The request includes two large parcels, both of which have frontage along E. Raccoon Valley Drive. The western parcel (017-03903) is entirely within the Planned Growth area of the Growth Policy Plan (Growth Plan) and the NCO-5 (I-75/Raccoon Valley Industrial & Commercial Center) sector plan designation. The eastern parcel (017-038) is entirely within the Rural Area of the Growth Plan, however, has split sector plan designations, with the front portion of the property (between the road and the base of Flint Ridge) being designated NCO-5 and the ridge area being designated AG (Agricultural).

The expansion of HIM (Mining) sector plan designation is appropriate for the western parcel because it is consistent with Growth Plan and is compatible with the existing and proposed land uses in the area. Staff recommends that the sector plan designation for the eastern parcel remain unchanged (AG and NCO-5), which is consistent with the Growth Plan and limits the expansion of the HIM (Mining) sector plan designation. The eastern parcel is currently zoned A (Agricultural), which allows the proposed use of the property (stone quarry) as a use permitted on review.

- ▶ **RECOMMEND that County Commission APPROVE I (Industrial) zoning for parcel 017-03903 only, as shown in the attached staff recommendation map. RECOMMEND that MPC DENY I (Industrial) zoning for parcel 017-038.**

The requested I (Industrial) zoning is consistent with the HIM (Mining) sector plan designation (if approved as recommended by staff for the western parcel), and compatible with surrounding development and zoning on the north side of E. Raccoon Valley Dr. All mining operations are required to receive approval of a conditional use permit by both the Planning Commission and County Commission through the use-on-review process to ensure compliance with the 'Standards Governing Surface Mining and Mineral Extraction' of the zoning ordinance (Article 4.50.02).

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. The expansion of the existing quarry will not significantly change the impact the quarry facility has on the existing roads and utilities, and will not be significantly different than the warehousing/distribution and light industrial land uses proposed by the sector plan. The NCO-5 district recommendations are attached.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. The NCO-5 land use district recommends light industrial and warehousing/distribution uses for the area around the I-75 / Raccoon Valley Drive interchange, including the south side of Flint Ridge within the Planned Growth area. For the areas designated Rural Area by the Growth Policy Plan, the sector plan recommends agricultural uses and zoning.
2. The properties are currently zoned RB (General Residential), OB (Office, Medical, and Related Services), and A (Agricultural), which allow the development of the properties 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, however, it does not address mining operations.
4. The active quarry to the west and north is classified HIM (Mining) by the sector plan. To allow the expansion of the quarry within the Planned Growth area, the subject property must be designated HIM as recommended by staff. The property in the Rural Area is currently zoned Agricultural which allows mining operations as a use permitted on review, therefore the requested sector plan amendment for this portion is not needed.

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. The expansion of the existing quarry was not anticipated when the North County Sector Plan (2012) was last updated, however, it is compatible with the sector plan recommendations for the area of light industrial and warehousing/distribution uses.

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.

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 is compatible with the proposed land use plan for the area the recommends light industrial, warehouse/distribution, and agricultural uses.

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

1. I (Industrial) zoning provides areas in which the principal use of land is for manufacturing, assembling, fabrication, warehousing and for 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 (Industrial) zoning will allow the expansion of the existing stone quarry and will not adversely affect the surrounding area, which the sector plan recommends for light industrial, warehouse/distribution, and agricultural 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. There is a small residential neighborhood directly across E. Raccoon Valley Dr., however, the majority of the area requesting I (Industrial) zoning will be buffered from the neighborhood and Raccoon Valley Dr. by properties that are currently zoned CA (General Business).
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 a 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.

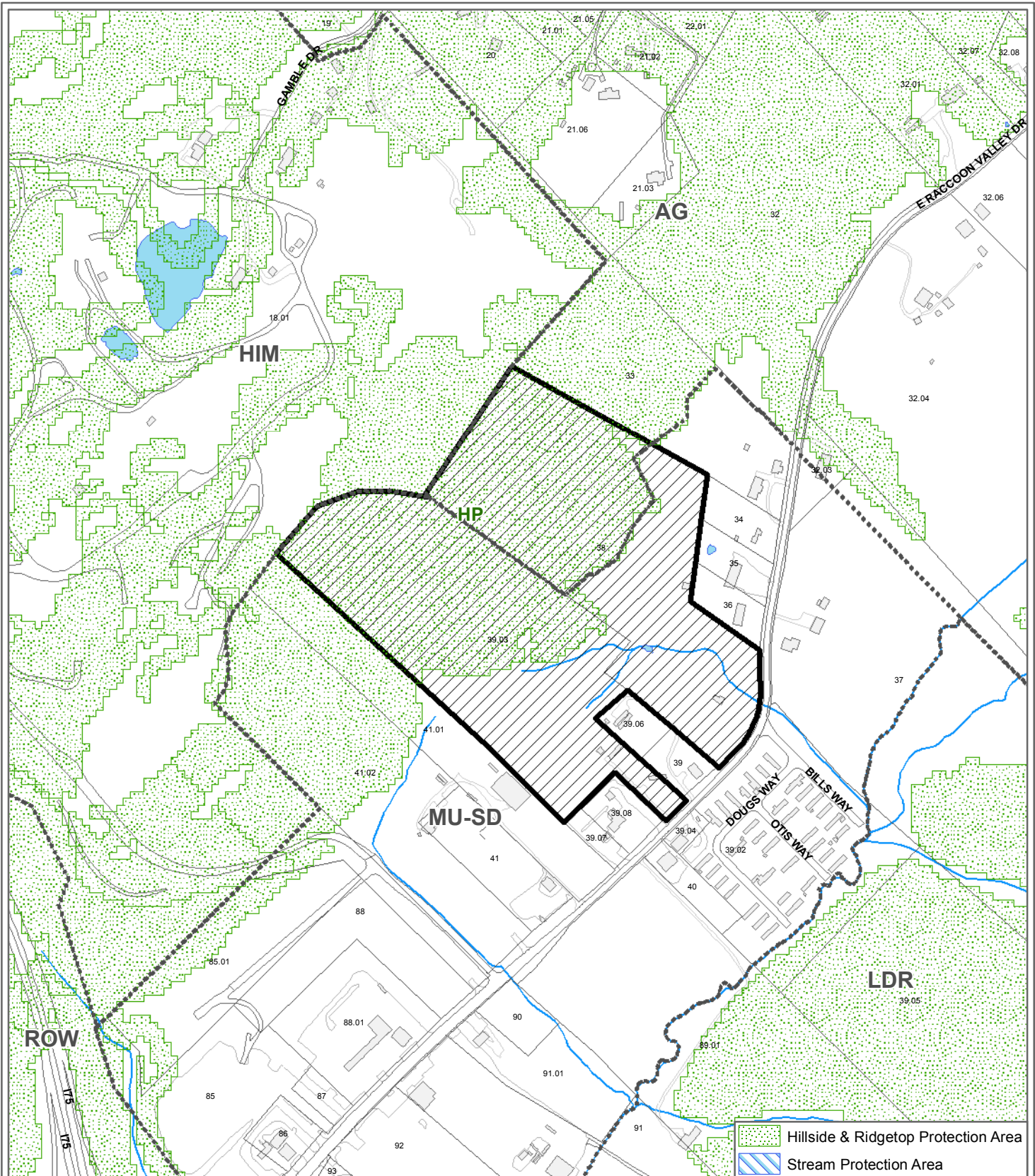
□

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.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 11/16/2015. If denied, MPC's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal an MPC decision in the County.



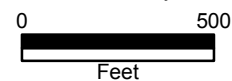
**10-A-15-SP
NORTH COUNTY SECTOR PLAN AMENDMENT**

From: MU-SD (Mixed Use Special District) (MU-Co5) and Agricultural
 To: HIM (Mining)

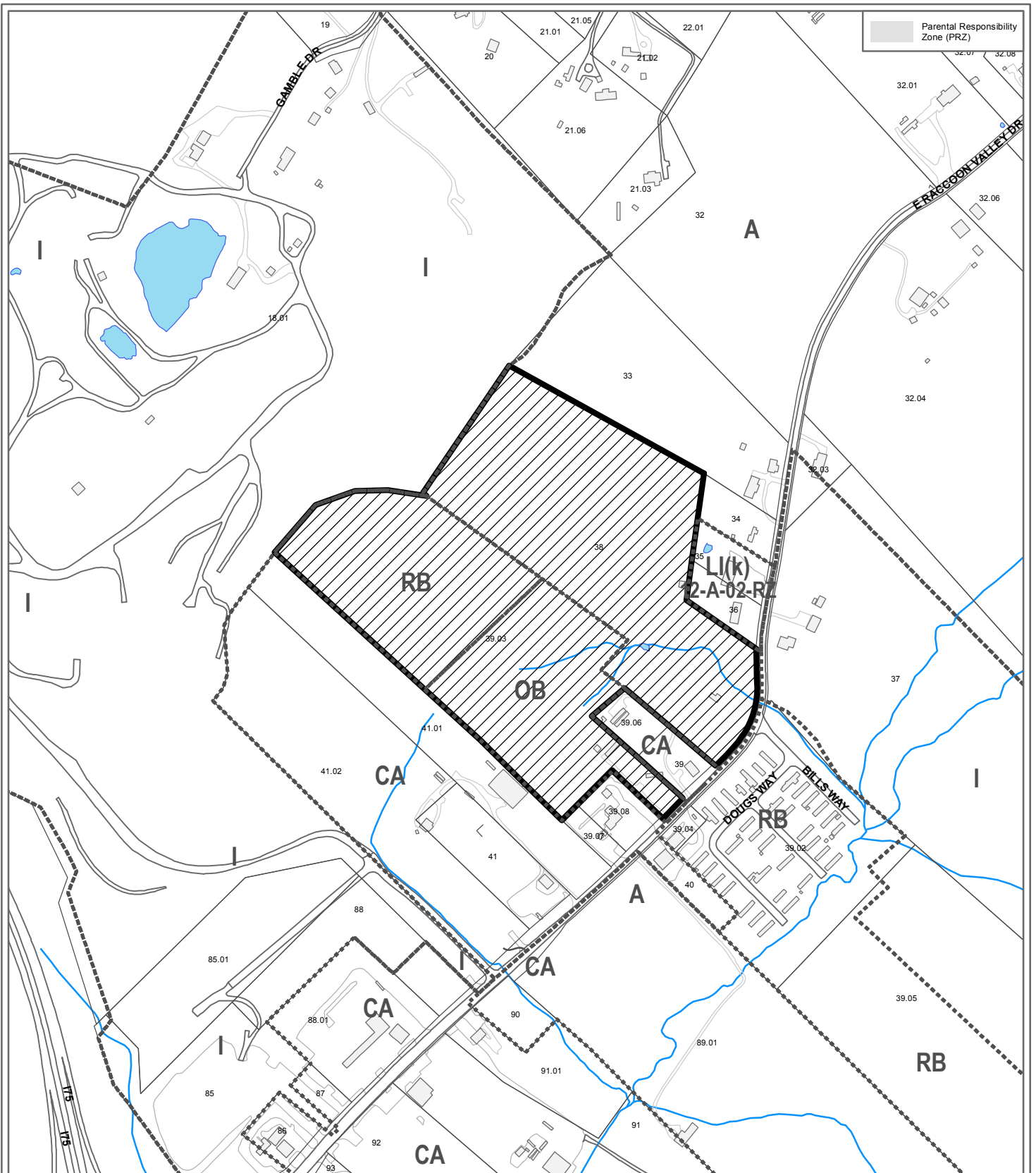


Petitioner: Aggregates USA (I-75 Quarry).
 LLC

Map No: 17
 Jurisdiction: County



Original Print Date: 9/21/2015 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



**10-A-15-RZ
REZONING**

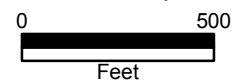
From: OB (Office, Medical, and Related Services), RB (General Residential) and A (Agricultural)
To: I (Industrial)



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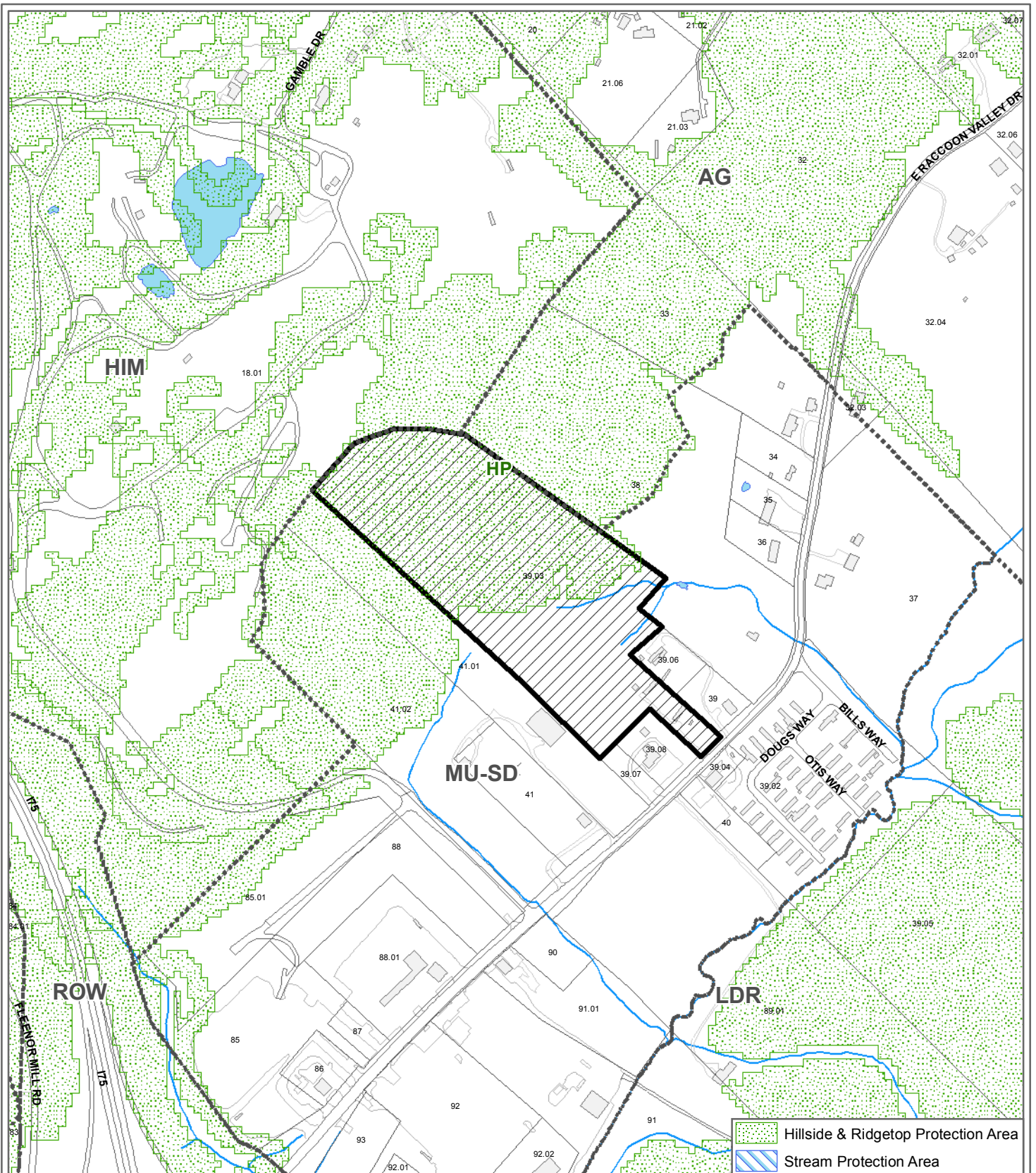
Jurisdiction: County



Original Print Date: 9/21/2015

Revised:

Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



**10-A-15-SP_MPC Staff
NORTH COUNTY SECTOR PLAN AMENDMENT**

From: MU-SD (Mixed Use Special District) (NC0-5) and Agricultural
To: HIM (Mining)

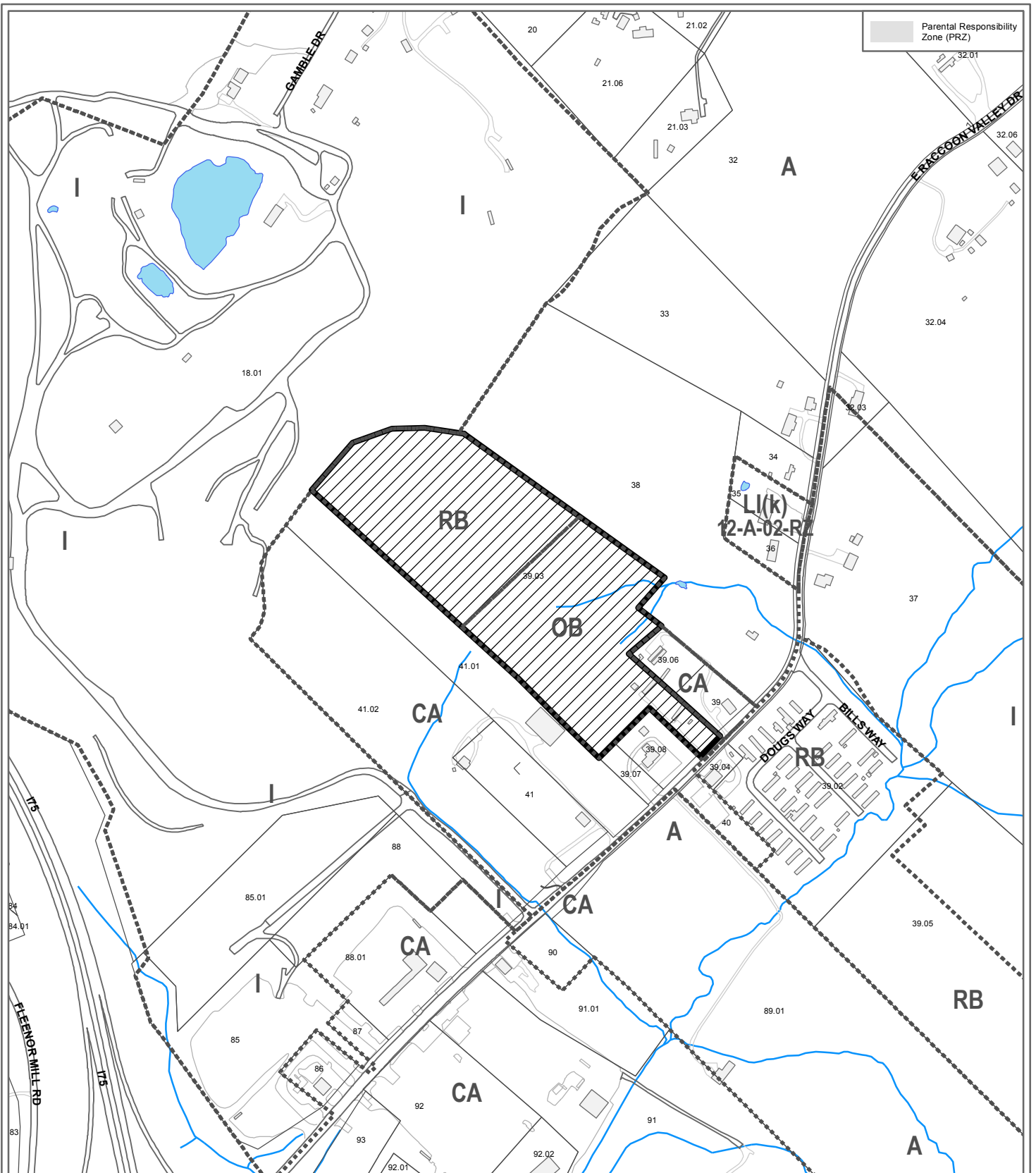


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LLC

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**10-A-15-RZ MPC Staff
REZONING**

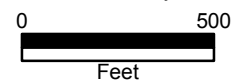
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**KNOXVILLE-KNOX COUNTY
METROPOLITAN PLANNING COMMISSION
A RESOLUTION AMENDING THE NORTH COUNTY SECTOR PLAN**

***WHEREAS**, the Knoxville-Knox County Metropolitan Planning Commission, a regional planning commission established pursuant to state statute, has the duty to make, adopt and amend plans for the physical development of Knoxville and Knox County; and*

***WHEREAS**, the Metropolitan Planning Commission pursuant to state statute has prepared and adopted the Knoxville-Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and*

***WHEREAS**, the Council of the City of Knoxville and the Commission of Knox County have adopted the Knoxville Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and*

***WHEREAS**, the Metropolitan Planning Commission has prepared the Knox County Future Land Use Map, a portion of which is contained within the North County Sector Plan, consistent with the requirements of the General Plan; and*

***WHEREAS**, the Knoxville-Knox County General Plan 2033, provides criteria for periodic updates and amendments of the land use maps contained within plans initiated by the Planning Commission or in response to applications from property owners; and*

***WHEREAS**, Aggregates USA, LLC, has submitted an application to amend the Sector Plan from Mixed Use Special District (NCO-5) and Agricultural (AG) to Mining (HIM), for property described in the application; and*

***WHEREAS**, the Metropolitan Planning Commission staff recommends approval of a revised amendment to the North County Sector Plan, consistent with General Plan requirements that such amendment represents either a logical extension of a development pattern, or is warranted because of changing conditions in the sector as enumerated in the Plan; and*

***WHEREAS**, the Metropolitan Planning Commission, at its regularly scheduled public hearing on October 8, 2015, after consideration of the staff recommendation and testimony from those persons in support and opposed to the plan amendment, approved the amendment for the subject property, as requested, and/or amended.*

NOW, THEREFORE, BE IT RESOLVED BY THE KNOXVILLE-KNOX COUNTY METROPOLITAN PLANNING COMMISSION:

SECTION 1: The Planning Commission hereby adopts the revised amendment to the North County Sector Plan, with its accompanying staff report and map, file #10-A-15-SP.

SECTION 2: This Resolution shall take effect upon its approval.

SECTION 3: The Planning Commission further recommends that The Knox County Commission likewise consider this revised amendment to the General Plan 2033.

Date

Chairman

Secretary

**NCO-2:
Historic Powell Center**

This area will likely experience a significant drop in thru-traffic with the completion of the Powell Drive. However, because it is quite pedestrian-oriented now, the businesses and community can build upon its assets – three schools, historic buildings, and neighbor oriented-commercial uses – in reinforcing historic Powell vitality.

Recommended Uses: The center should be created to include mixed use development, allowing low and medium density residential with respect to the variety of public facilities that exist in the area, namely the three schools, the parks and greenway, pedestrian-oriented commercial uses. A mix of pedestrian-oriented commercial uses and vertical mixed uses should be allowed (for instance, apartments or office space above a shop). The sidewalk and greenway systems should be further developed to connect existing and future neighborhoods to Powell Center, especially along Brickyard Road, Beaver Creek Road, and the remnant sections of Emory Road (with the completion of the new extension).

Recommended Programs: (1) work with area stakeholders to develop a “vision plan” to establish the commercial land use relationships, explore options for “small town,” vertical mixed use and new housing, and expand the bicycle/pedestrian network. Responsibility: a consultant working in conjunction with Knox County, MPC and area residents; and (2) revisions to zoning to realize the Historic Powell concepts.

Zoning Recommendations: In the interim before the programs are developed, the appropriate zoning includes NC, PC and PR (conditioned by the residential development standards of the TC zoning district).



Small commercial shopping centers with a meandering greenway along Emory Road

**NCO-3:
Callahan Road Mixed Use District**

In 2001 a corridor plan was developed for Callahan Drive and Schaad Road. It makes recommendations for land use, road improvements, access control, landscaping, slope protection and other design controls. The only recommendation that was realized from the plan was the land use changes to the sector plan. Many of the recommendations are still applicable and should be pursued.

Recommended Uses: This area currently has low density residential, office, retail, warehousing, light industrial and hotels, but the zoning is predominantly commercial with some light industrial. This plan only makes recommendations for the north side of Callahan Road, but the south side should be updated to align with this plan.

Medium density residential, office and commercial structures built in the Hillside and Ridgetop Protection Area (HRPA) should have building footprints as recommended in the *Knoxville-Knox County Hillside and Ridgetop Protection Plan* (HRPP). Clearing and grading in the HRPA should be limited to slopes less than 25 percent and restoration and reforestation of the cut-and-fill areas should be accomplished according to HRPP policies.

Zoning Recommendations: Planned zones should be used in its development. The appropriate zoning in regard to these concepts is: City: PC-1, O-1, O-3, C-3, C-4, C-6, I-2; County: PC, OA, OB, CA, CB, LI

**NCO-4:
Emory Road/I-75 Mixed Use District**

The greater Emory Road area surrounding the I-75 interchange has experienced a lot of commercial and medical related development over the last decade. This is perceived to continue with the installation of roads and utility infrastructure around the medical center and the development of Powell Drive (the Emory Road realignment through Powell).

Recommended Uses: Northeast of the interchange, the primary use is the Tennova North Knoxville Medical Center. The surrounding uses are medical offices, restaurants, retail and hotels. The medical-related uses will continue to expand as clinics and offices congregate



Large vacant property, located at the I-75/Emory Road interchange, where a majority of the property is within the Beaver Creek floodplain.

near the hospital. This area also appears to be a good location for medium density residential, which could be apartments or senior housing.

West of the interchange, the uses include small convenience stores and offices, banks, a hotel and a warehouse, with a few single family houses. The area is relatively underdeveloped, with room for more intensity. Offices (medical and professional), retail, hotels and medium density residential would be appropriate for this area. On the south side of Emory Road, the Beaver Creek floodplain is a development constraint that needs to be considered during rezoning and development plan review. A planned development district should be used when a property is within the Beaver Creek 100-year floodplain.

Zoning Recommendations: City: RP-1 (up to 12 DU/acre), O-1, O-3, PC-1; County: RA, PR, OB, CA, PC

**NCO-5:
I-75/Raccoon Valley Industrial & Commercial Center**

This area at the far northern edge of Knox County has largely been used for various mining, warehouse/distribution, trucking-related and interstate-oriented commercial uses. Much of the land is zoned for industrial or commercial uses. Several properties are undeveloped or underutilized. For example, the tract to the southeast of the interchange, which was platted and laid out for business purposes about twenty years ago, remains undeveloped.

Recommended Uses: The area, which contains about 400 acres, could be more intensively developed, especially for warehousing/distribution uses and light industrial purposes. While this could happen independently with



Large vacant property at the I-75/Raccoon Valley interchange could be developed for commercial, light industrial or warehousing uses.

the multiple landowners, the Development Corporation of Knox County should evaluate the potential for more unified, intense development. The creation of a master plan for the area should also be considered.

That master plan should address:

- The capacity of the land for various industrial and warehouse distribution uses and the utility needs to support that development (currently not all the land is served by wastewater service)
- Provisions for wastewater and other utility improvements
- Layout of new roads and access points for more intense uses
- Standards for various elements of design and development (for example, lighting, signs, and landscaping).

Zoning Recommendations: A planned zone is recommended so that coordinated site planning can be achieved through review of development plans. Existing commercial and industrial zoning: I, LI, and CA. Appropriate new zoning: EC and PC.



Black Oak Shopping Center is a potential candidate for more intensive use.

**NCO-6:
Halls Mixed Use Districts**

Even before the 2008 economic “slow-down,” the amount of vacant commercial buildings in this area was pronounced. The vacancies include six retail bays with approximately 10,000 square feet of Black Oak Shopping Center and the land that is now available where the 50,000 square-foot Kroger used to be located. The other significant reuse and redevelopment opportunity is Crossroads Shopping Center, the site of old Walmart where there is about 140,000 square feet of vacant space. That includes the former Walmart and five other addresses. In addition to the vacancies, the shopping centers have extensive amounts of parking that could offer additional space for reuse.

In 2012-13, the new intersections of Emory Road, Norris Freeway and Maynardville Highway will be in place, improving traffic flow in this area, placing this general area at an advantageous position for revitalization. While the present zoning is largely for commercial uses, the area is arguably over built and over-zoned for retail purposes.

Finally, some undeveloped commercially zoned sites may be better suited now for mixed use development, particularly with an upturn in the economy and the substantial inventory of underutilized commercial buildings and sites in this sector.

Recommended Program: Rather than concentrating solely on commercial uses, the proposed land use designation would allow a mix of retail, residential, and office uses, including vertical mixed use. Sidewalks should be created with mixed use development.

Zoning Recommendations: Planned zones should be used in its development. The appropriate zoning in regard to these concepts is: OA, PC, PR, and TC.

Table 12. North County Sector Mixed Use District Design Principles

Mixed use districts allow for flexibility in the types of uses that can be developed within a defined area. With this flexibility comes the need to create a harmonious environment where different uses fit comfortably within individual developments and are compatible in design with other buildings in the district. In addition, sensitive environmental resources should be protected against adverse consequences from adjacent development. The following design principles should be considered during development plan review and approval:

Low impact development techniques, as described in the City and County stormwater manuals, should be incorporated into site plans.

Greenway easements along Beaver Creek should be obtained as development is approved.

Signs for shopping centers, or other planned developments, should be developed in accordance with a master sign plan including consolidated sign boards for less visual clutter.

Exterior lighting should be directed away from adjoining properties and all lighting fixtures should be either full cut-off luminaries, or directionally shielded fixtures.

The **architectural design** of structures within a common development should be complimentary in terms of building materials, colors, roofing and window design.

Means to **reduce impervious parking surfaces** should be sought, including shared parking, pervious parking, bio-swales and limiting the number of parking spaces.

Parking lot landscaping should require 1 shade tree for every 10 parking stalls, with trees distributed in islands and planting strips throughout the parking lot.

Front and side yard landscaping should be provided, including a mix of native medium and large maturing trees.