

**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION
 USE ON REVIEW REPORT**

▶ **FILE #:** 4-I-18-UR

AGENDA ITEM #: 68

AGENDA DATE: 4/12/2018

▶ **APPLICANT:** **BLOUNT EXCAVATING, INC.**

OWNER(S): Martin Mill Partnership, LLC

TAX ID NUMBER: 136 058, 028, 028.01, 028.02 & 028.03

[View map on KGIS](#)

JURISDICTION: County Commission District 9

STREET ADDRESS: 6121 Martin Mill Pike

▶ **LOCATION:** **Northwest side W. Martin Mill Pike, north of Ridgewood Dr.**

▶ **APPX. SIZE OF TRACT:** **52 acres**

SECTOR PLAN: South County

GROWTH POLICY PLAN: Rural Area

ACCESSIBILITY: Access is via W. Martin Mill Pike, a minor arterial street with a 22' of pavement width within a 50' right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Knob Creek

▶ **ZONING:** **A (Agricultural)**

▶ **EXISTING LAND USE:** **Vacant land & Single Family Residential**

▶ **PROPOSED USE:** **Construction/Demolition Waste Site**

HISTORY OF ZONING: None noted.

SURROUNDING LAND USE AND ZONING: North: Rural residential / A (Agricultural)

South: Vacant, forested land / A (Agricultural)

East: Rural residential, Martin Mill Pike, & Vacant, forested land / A (Agricultural)

West: Single family residential, Agricultural / A (Agricultural)

NEIGHBORHOOD CONTEXT: This property is located within an Agricultural/Forested and Rural residential area zoned A.

STAFF RECOMMENDATION:

▶ **POSTPONE** until the May 10, 2018 MPC meeting as requested by the applicant.

COMMENTS:

This is proposal is for a "construction/demolition waste site" with the intent to accept concrete and asphalt demolition debris, and soil that suitable for structural fill or similar materials. The Knox County Zoning Ordinance does not have a use classification that meets this exactly but does have a more broad use called "demolition landfill", which this application will be processed under. The type of materials that the applicant

intends to accept requires a Tennessee Multi-Sector Permit (Sector AF permit) from TDEC. In order to accept other materials allowed by a demolition landfill, a Class III (Construction/Demolition) permit must be approved by the state Division of Solid Waste Management (DSWM). The applicant does not intend to apply for a Class III permit from DSWM.

Fill has been actively brought to this site since 2014 by the applicant. In 2015 a Notice of Violation was issued for grading without a permit. The fill was stated as coming from a single TDOT project. TDEC was consulted to determine if the site qualified as landfill at that time but it was determined to be just a fill site. A grading permit was issued in 2015 requiring appreciate erosion controls to be installed. Blount Excavating now wants to accept fill from multiple sites and expand the amount of fill that can be accepted on the site. TDEC has since determined that Blount Excavating needs a Tennessee Multi-Sector Permit (Sector AF permit) which is what triggered the need for use-on-review approval by MPC to become a demolition landfill in Knox County.

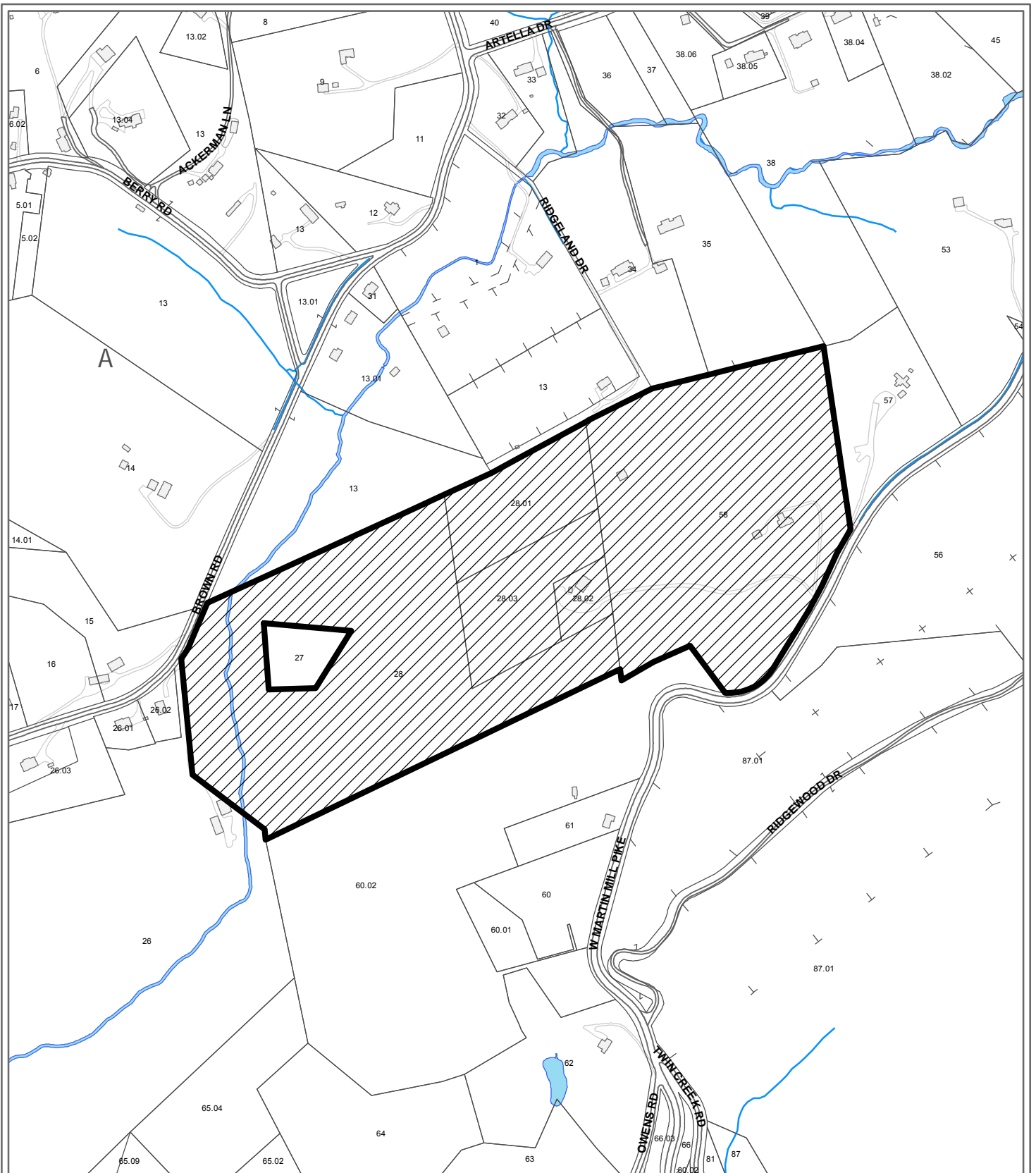
The applicant's engineer estimates that the proposed volume of fill for the site is approximately 600,000 yards, which amounts to approximately 60,000 truck loads. This amount includes the fill that has already been dumped on the site since 2014. It's estimated that approximately half of the proposed fill volume has already been dumped on the site and there are approximately 30-40,000 truck loads of fill remaining if the proposal is approved.

The applicant is requesting postponement of the application for one month to allow time to complete the environmental review required by the Knox County Zoning Ordinance, Article 4, Section 4.80.01.B. (Demolition landfills).

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

MPC's approval or denial of this request is final, unless the action is appealed to the Knox County Board of Zoning Appeals. The date of the Knox County Board of Zoning Appeals hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal an MPC decision in the County.



**4-I-18-UR
USE ON REVIEW**



Construction/Demolition Waste Site in A (Agricultural)

Original Print Date: 3/20/2018
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

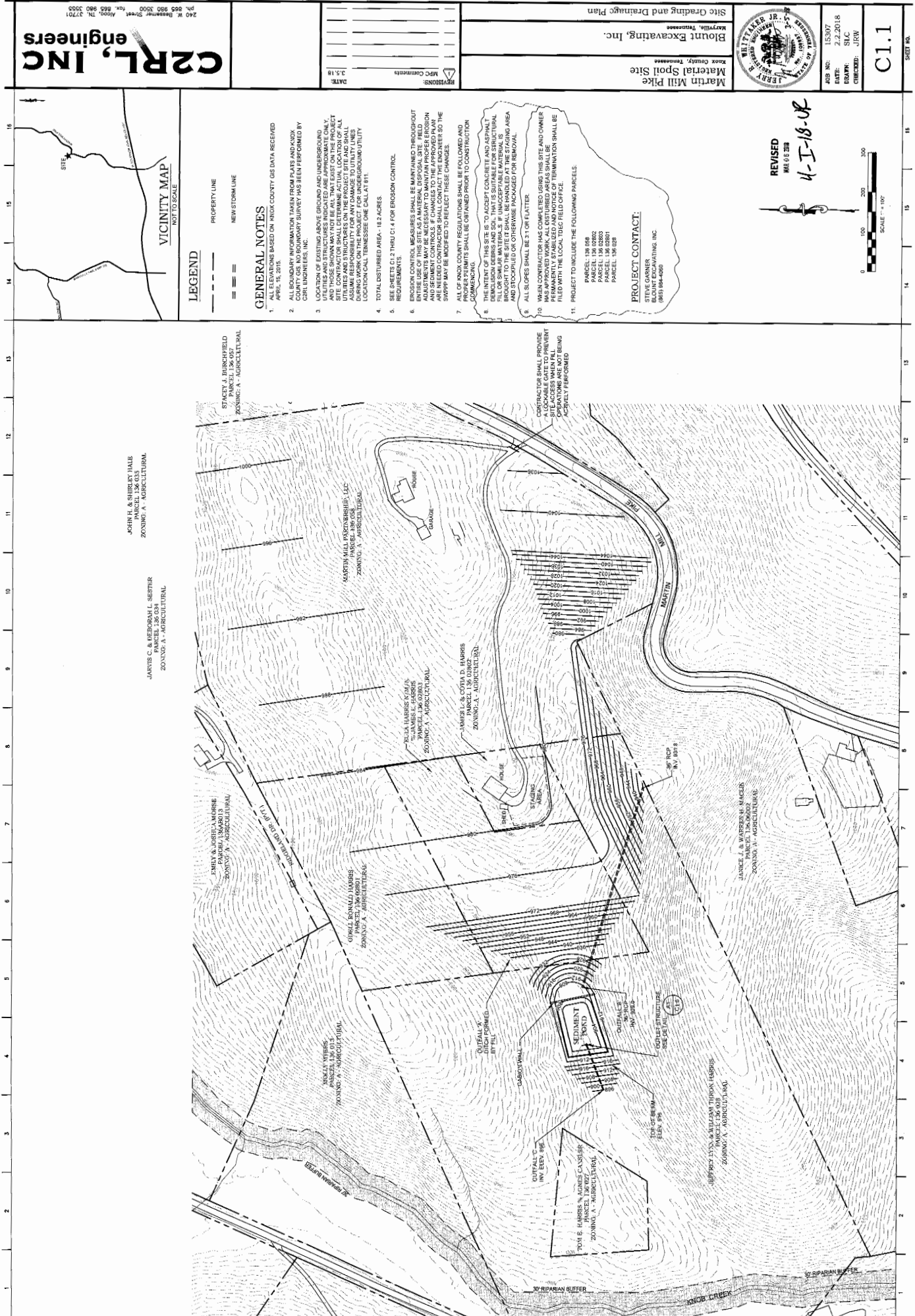
Revised:

Petitioner: Blount Excavating, Inc.

Map No: 136

Jurisdiction: County





C2RL, INC
engineers
240 W. Beamer Street, Knoxville, TN 37701
Ph: 865 980 3000 Fax: 865 980 3005

Blount Excavating, Inc.
Knox County, Tennessee
Martin Mill Pike
Material Spoil Site

Site Grading and Drainage Plan
Blount Excavating, Inc.
Knox County, Tennessee
Martin Mill Pike
Material Spoil Site

REVISIONS:
MPC Comments
DATE: 3.5.18

Blount County, Tennessee
Martin Mill Pike
Material Spoil Site
STEVE GARNER
BLOUNT EXCAVATING, INC.
(865) 984-0065

Blount County, Tennessee
Martin Mill Pike
Material Spoil Site
STEVE GARNER
BLOUNT EXCAVATING, INC.
(865) 984-0065

REVISED
4-1-18-08

SCALE: 1" = 100'

0 100 200 300

Blount County, Tennessee
Martin Mill Pike
Material Spoil Site
STEVE GARNER
BLOUNT EXCAVATING, INC.
(865) 984-0065

C1.1

4-I-18-UR-PP-4-12-18

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
FAX • 215 • 2088
www.knoxmpc.org

Request to Postpone • Table • Withdraw

Name of Applicant: Blount Excavating

AS IT APPEARS ON THE CURRENT MPC AGENDA

Original File Number(s): 4-1-18-UR

Date Scheduled for MPC Review: April 12, 2018

Date Request Filed: 4/20/2018

Request Accepted by: Mike Reynolds



REQUEST

Postpone
Please postpone the above application(s) until:
May 10, 2018
DATE OF FUTURE MPC PUBLIC MEETING

Table
Please table the above application(s).

Withdraw
Please withdraw the above application(s).

State reason for request:
Need more time for environmental review
MPC requested postponement for public info

Eligible for Fee Refund? Yes No
Amount: _____
Approved by: _____
Date: _____

APPLICATION AUTHORIZATION

I hereby certify that I am the property owner, applicant, or applicant's authorized representative.

Signature: Ron Whittaker

PLEASE PRINT
Name: Ron Whittaker (CZRL Engineers, Inc.)
Address: 240 W Bessemer St
City: Alcoa State: TN Zip: 37701
Telephone: (865) 980-3500
Fax: (865) 980-3555
E-mail: rwhittaker@czrl.com

PLEASE NOTE

Consistent with the guidelines set forth in MPC's
Administrative Rules and Procedures:

POSTPONEMENTS
Any first time (new) MPC application is eligible for one automatic postponement. This request is for 30 days only and does not require MPC approval if received by MPC no later than 3:30 p.m. on the Monday prior to the MPC meeting. All other postponement requests must be acted upon by MPC before they can be officially postponed to a future MPC public meeting.

TABLINGS
Any item requested for tabling must be acted upon by MPC before it can be officially tabled.

WITHDRAWALS
Any MPC item is eligible for automatic withdrawal. A request for withdrawal must be received by MPC no later than 3:30 p.m. on the Monday prior to the MPC meeting. Withdrawal requests that do not meet these guidelines must be acted upon by MPC before they can be officially withdrawn.

Any new item withdrawn may be eligible for a fee refund according to the following:
Application withdrawal with fee refund will be permitted only if a written request is received by MPC prior to public notice. This request must be approved by either the Executive Director, or the Development Services Manager. Applications may be withdrawn after this time, but without fee refund.

Use on Review **Development Plan**

Name of Applicant: Blount Excavating, Inc.

Date Filed: 2/26/18

Meeting Date: April 12, 2018

Application Accepted by: [Signature]

Fee Amount: _____ File Number: Development Plan

Fee Amount: 1200⁰⁰ File Number: Use on Review 4-I-18-UR



PROPERTY INFORMATION

Address: 6121 Martin Mill Pike

General Location: Half way between John Sevier Hwy and Neubert Springs Road

Tract Size: 21.6 ac 52 No. of Units: N/A

Zoning District: D9

Existing Land Use: Construction/ Demolition Waste Area

Planning Sector: South County

Sector Plan Proposed Land Use Classification: AG

Growth Policy Plan Designation: Rural Area

Census Tract: 56.04

Traffic Zone: 121 136028 136028-01

Parcel ID Number(s): 136 058, 136 02802, 136 02803

Jurisdiction: City Council _____ District
 County Commission 9th District

PROPERTY OWNER/OPTION HOLDER

PLEASE PRINT

Name: Martin Mill Partnership, LLC

Company: _____

Address: 3700 Garner Circle

City: Maryville State: TN Zip: 37803

Telephone: (865) 984-4060

Fax: _____

E-mail: sgarner@blountexcavating.com

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT

Name: Ron Whittaker

Company: C2RL Engineers, Inc.

Address: 240 W Bessemer Street

City: Alcoa State: TN Zip: 37701

Telephone: (865) 980-3500

Fax: (865) 980-3555

E-mail: rwhittaker@c2rl.com

APPROVAL REQUESTED

Development Plan: Residential Non-Residential

Home Occupation (Specify Occupation)

Other (Be Specific)

Construction/ Demolition Waste Site

APPLICATION AUTHORIZATION

I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, whose signatures are included on the back of this form.

Signature: [Signature]

PLEASE PRINT

Name: Steve Garner

Company: Martin Mill Partnership, LLC

Address: 3700 Garner Circle

City: Maryville State: TN Zip: 37803

Telephone: (865) 984-4060

E-mail: sgarner@blountexcavating.com

REQUIRED SIGN POSTING AGREEMENT FORM

For all rezoning, plan amendment, concept plan, use on review, BZA variance, right-of-way closure, and street name change applications, a sign must be posted on the subject property, consistent with the adopted MPC/BZA Administrative Rules and Procedures. When applicable, MPC staff will provide the sign(s) to post on the subject property at the time of application.

The sign(s) must be posted in a location that is clearly visible from the nearest adjacent street. If the property has more than one street frontage, then the sign(s) should be placed along the higher classified street. MPC staff may recommend a preferred location for the sign(s) to be posted at the time of application.

The sign(s) must be posted no later than two weeks prior to the scheduled MPC/BZA hearing and must remain in place until after the meeting. The applicant is responsible for ensuring that the signs remain posted throughout the two-week period prior to the public hearing. Failure to maintain the signs during this time period may be cause for postponement of the application until the next scheduled meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted no later than two weeks prior to the next MPC/BZA meeting.

MPC staff will provide the first sign(s) for no additional charge as part of the application fees. If the sign(s) are lost or stolen and need to be replaced, then the applicant will be responsible for picking up a new sign from the MPC offices. The applicant will be charged a replacement fee for additional sign(s) consistent with the agency's cost of purchasing each sign.

I hereby agree to post the sign(s) provided on the subject property on or before March 28, consistent with the guidelines provided above; and remove the sign(s) within one week after the MPC/BZA public hearing.

Signature: Sharon Karnes
Printed name: Sharon Karnes
Date: 2/26/18
MPC/BZA File #: 4-I-18-UR