

▶ **FILE #:** 9-J-17-RZ

AGENDA ITEM #: 50

AGENDA DATE: 9/14/2017

▶ **APPLICANT:** BENCHMARK ASSOCIATES, INC.

OWNER(S): Bill Weigel

TAX ID NUMBER: 67 A B PART OF 001 MAP ON FILE AT MPC [View map on KGIS](#)

JURISDICTION: County Commission District 7

STREET ADDRESS: 3100 Weigel Ln

▶ **LOCATION:** Northeast side Staffordshire Blvd., northwest of W. Emory Rd.

▶ **APPX. SIZE OF TRACT:** 3 acres

SECTOR PLAN: North County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Weigel Ln., a local street with 30-35' of right-of-way, that turns into a private drive leading back to the subject property.

UTILITIES: Water Source: Hallsdale-Powell Utility District

Sewer Source: Hallsdale-Powell Utility District

WATERSHED: Beaver Creek

▶ **PRESENT ZONING:** CB (Business and Manufacturing)

▶ **ZONING REQUESTED:** A (Agricultural)

▶ **EXISTING LAND USE:** Vacant land

▶ **PROPOSED USE:** Residential

EXTENSION OF ZONE: No

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Residential subdivision / RA (Low Density Residential)

South: Weigel's processing facilities / CB (Business & Manufacturing)

East: Vacant land / CB (Business & Manufacturing)

West: Residential subdivision / RB (General Residential)

NEIGHBORHOOD CONTEXT: This site is located within the large processing facility owned by Weigel's on W. Emory Rd, zoned CB. Low density residential development is located on all three sides of the subject property, zoned A, RA and RB.

STAFF RECOMMENDATION:

▶ **RECOMMEND that County Commission APPROVE A (Agricultural) zoning.**

A downzoning to the Agricultural zone will bring the existing dwellings on site into conformance with zoning and allow additional housing, consistent with the regulations of the Agricultural zoning district. The sector plan proposes agricultural uses for the site, consistent with the proposed zoning.

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. Agricultural zoning much less intense than the current CB zoning, so will not have any negative impact on surrounding properties.
2. Most of the surrounding area is zoned for residential uses, under A, RA and RB zoning.
3. The proposed Agricultural zoning is consistent with the North County Sector Plan proposal for the site.

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

1. Agricultural zoning allows for farming, agriculture and horticulture, including the keeping of livestock. It also allows residential development on one-acre minimum lot sizes.
2. Based on the above description, this site is appropriate for Agricultural zoning.

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. Public water and sewer utilities are available to serve the property.
2. The potential impact to the street system is lessened with the proposed rezoning to Agricultural zoning.
3. The proposed zoning is compatible with surrounding development, and the impact should be minimal.

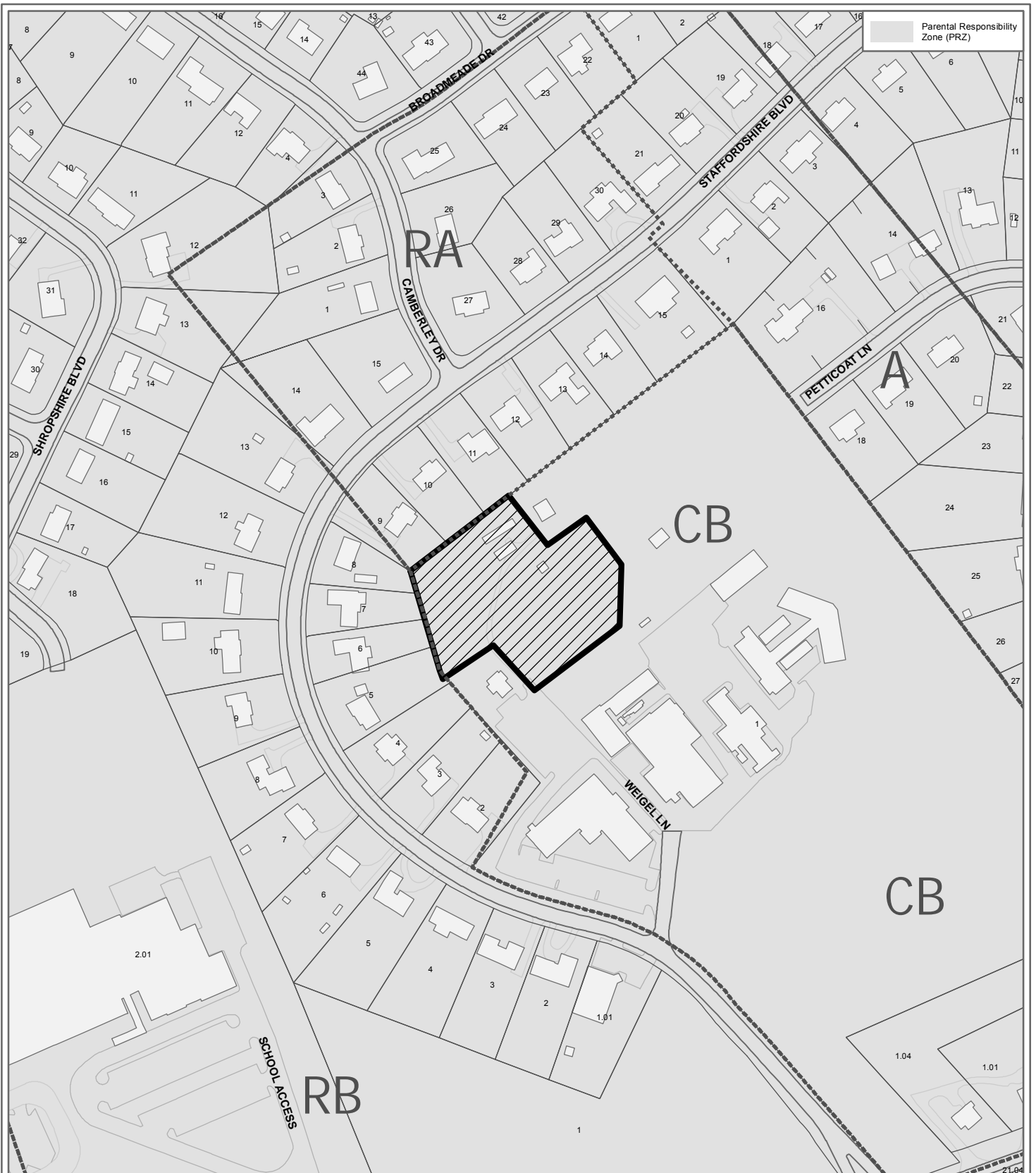
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The North County Sector Plan proposes agricultural uses for the site, consistent with the requested A zoning. The sector plan actually proposes agricultural uses for the property, which is not consistent with its current CB zoning.
2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.
3. Staff has not identified any conflicts with other adopted plans.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 10/23/2017. 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.



**9-J-17-RZ
REZONING**

From: CB (Business and Manufacturing)
To: A (Agricultural)



Petitioner: Benchmark Associates, Inc.

Map No: 67

Jurisdiction: County

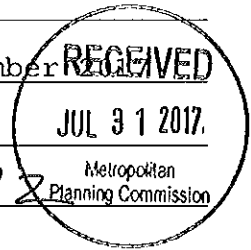


Original Print Date: 8/15/2017 Revised:
Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

KNOXVILLE-KNOX COUNTY
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 METROPOLITAN
 PLANNING
 COMMISSION
 TENNESSEE
 Suite 403 • City County Building
 400 Main Street
 Knoxville, Tennessee 37902
 865 • 215 • 2500
 FAX • 215 • 2068
 www.knoxmpc.org

REZONING **PLAN AMENDMENT**

Name of Applicant: Benchmark Associates, Inc.
 Date Filed: 31 July 2017 Meeting Date: 14 September
 Application Accepted by: Thomas Brechko
 Fee Amount: \$500.00 File Number: Rezoning 9-J-17-RZ
 Fee Amount: _____ File Number: Plan Amendment _____



PROPERTY INFORMATION
 Address: 3100 Weigel's Lane (portion)
 General Location: N. of W. Emory Road & E. & S. of Staffordshire Blvd.
 Parcel ID Number(s): CLT Map 067, Insert A, Group B, Parcel 001 (portion)
 Tract Size: 2.0 Acres
 Existing Land Use: Vacant
 Planning Sector: North County
 Growth Policy Plan: Planned Growth
 Census Tract: 61.03
 Traffic Zone: 197
 Jurisdiction: City Council _____ District
 County Commission 7th District

Requested Change
REZONING
 FROM: CB
 TO: A
PLAN AMENDMENT
 One Year Plan _____ Sector Plan
 FROM: _____
 TO: _____

PROPOSED USE OF PROPERTY
Residential Dwelling
 Density Proposed 1 Units/Acre
 Previous Rezoning Requests: _____

PROPERTY OWNER **OPTION HOLDER**
 PLEASE PRINT
 Name: Bill Weigel
 Company: W & L Properties, LLC
 Address: 3100 Weigel Lane
 City: Powell State: TN Zip: 37849
 Telephone: 865-938-2042
 Fax: _____
 E-mail: _____

APPLICATION CORRESPONDENCE
 All correspondence relating to this application should be sent to:
 PLEASE PRINT
 Name: Benjamin J. Moorman
 Company: Benchmark Associates, Inc.
 Address: PO Box 23892
 City: Knoxville State: TN Zip: 37933
 Telephone: 865-692-4090
 Fax: 865-692-4091
 E-mail: bmoorman@benchmark-assoc.com

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: Benjamin J. Moorman
 PLEASE PRINT
 Name: Benjamin J. Moorman
 Company: Benchmark Associates, Inc.
 Address: PO Box 23892
 City: Knoxville State: TN Zip: 37933
 Telephone: 865-692-4090
 E-mail: bmoorman@benchmark-assoc.com