



# PLAN AMENDMENT/ REZONING REPORT

▶ **FILE #:** 8-N-19-RZ **AGENDA ITEM #:** 40  
 8-B-19-SP **AGENDA DATE:** 8/8/2019

▶ **APPLICANT:** RANDY GUIGNARD  
 OWNER(S): Randy Guignard

TAX ID NUMBER: 39 L A 012.01 & 012.02 [View map on KGIS](#)

JURISDICTION: Commission District 8

STREET ADDRESS: 5809 Hyatt Road & 0 Old Tazewell Pike

▶ **LOCATION:** **These 2 parcels are situated between Old Tazewell Pike and Hyatt Road, east of Tazewell Pike and south of Ridgeview Road.**

▶ **TRACT INFORMATION:** **2.52 acres. Parcel 39 L A 01200 is 1.12 acres. Parcel 39 L A 01201 is 1.40 acres.**

SECTOR PLAN: Northeast County

GROWTH POLICY PLAN: Rural Area

ACCESSIBILITY: Parcel 1201 is accessed from Old Tazewell Pike, which is a local road. It has a pavement width of approximately 60 feet. Parcel 1202 is accessed from Hyatt Road, also a local road, with a pavement width of 15 feet in a right-of-way of 30 feet.

UTILITIES: Water Source: Northeast Knox Utility District  
 Sewer Source: Knoxville Utilities Board

WATERSHED: Whites Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** A (Agricultural) / A (Agricultural)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** RR (Rural Residential) / PR (Planned Residential)

▶ **EXISTING LAND USE:** Rural Residential

▶ **PROPOSED USE:** **3 single-family dwelling units total on both parcels (actual density proposed = 1.19 du/acre)**

**DENSITY PROPOSED:** 2 du/ac

EXTENSION OF PLAN DESIGNATION/ZONING: No

HISTORY OF ZONING REQUESTS: None noted.

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING  
 North: Single Family Residential - Agricultural  
 South: Agricultural/Forestry/Vacant & Single Family Residential - Agricultural  
 East: Single Family Residential & Rural Residential - Agricultural  
 West: Single Family Residential - Agricultural

NEIGHBORHOOD CONTEXT: Along this stretch of both streets are single family homes in a rural setting. This stretch of Old Tazewell Pike contains lots that range in size from approximately 1/2 acre to 1-3/4 acres. This portion of Hyatt Road contains lots that range in size from approximately 1/2 acre to 2-1/2 acres.

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**STAFF RECOMMENDATION:**

- ▶ **Adopt resolution No. 8-B-19-SP amending the Northeast County Sector Plan to RR (Rural Residential) per attached resolution, Exhibit A.**

Adopt resolution No. 8-B-19-SP, amending the Northeast County Sector Plan to Rural Residential per attached resolution, Exhibit A, based on the fact that this area has developed with a density that coincides with that of the applicant's proposal.

- ▶ **Approve PR (Planned Residential) zoning request with up to 2 du/ac.**

Approve PR (Planned Residential) zoning with up to 2 du/ac based on the facts that the proposed density coincides with existing conditions, will not unduly burden County services, and any potential adverse effects will be addressed through the development review process and approved by this Commission.

**COMMENTS:**

SECTOR PLAN AMENDMENT REQUIREMENTS FROM GENERAL PLAN (May meet any one of these):

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

1. There are no recent changes to conditions that would warrant amending the land use plan.

INTRODUCTION OF SIGNIFICANT NEW ROADS OR UTILITIES THAT WERE NOT ANTICIPATED IN THE PLAN AND MAKE DEVELOPMENT MORE FEASIBLE:

1. No new roads or additional utilities have been introduced in this area.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. Many lots in this area are noncompliant in terms of lot size. Upon the next sector plan update, this area should be considered for low density residential land use, which would bring existing properties into compliance while allowing development in kind.

TRENDS IN DEVELOPMENT, POPULATION OR TRAFFIC THAT WARRANT RECONSIDERATION OF THE ORIGINAL PLAN PROPOSAL:

1. This area has developed with single family homes ranging from 1/2 to 1-3/4 acre lots.
2. The densities on these stretches of Old Tazewell Pike and Hyatt Road range from .82 to 1.19 du/ac, respectively. The applicant's proposal would generate a density on those lots of 1.19 du/ac.

State law regarding amendments of the general plan (which includes 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:

- 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.
- 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. There have been no substantially changed conditions in the area rendering this change to be necessary.
2. The applicant's proposal is in character with the surrounding area with similar lot size and density proposed.

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

1. The proposed amendment to PR zoning is intended to provide optional methods of land development which encourage more imaginative solutions to environmental design problems. Residential areas thus established would be characterized by a unified building and site development program, open space for recreation and provision for commercial, religious, educational, and cultural facilities which are integrated with the total project by unified architectural and open space treatment.
2. Each planned unit development shall be compatible with the surrounding or adjacent zones. Such compatibility shall be determined by the planning commission by review of the development plans.
3. Rezoning should be based on the entire range of uses allowed within a zone to ensure that any development brought forth at a future time would be compatible with the surrounding land uses.

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. Both parcels are in the HP (Hillside and Ridgetop Protection Area). Portions of the site have slopes between 25 and 40%. PR zoning would ensure protection of hillsides through the development review process and mitigate any other potential adverse effects.
2. The number of dwelling units proposed (three) will not adversely affect the surrounding area or put undue burdens on County services.

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 property is located in the Rural Area of the Growth Policy Plan. The Agricultural land use designation allows a maximum of 1 du/acre or less. The Rural Residential land use designation recommends 1 du/ac max, but allows up to 3 du/ac. The densities on these stretches of Old Tazewell Pike and Hyatt Road range from 0.82 to 1.19 du/ac, respectively. The applicant's proposal would generate a density on those lots of 1.19 du/ac.
2. The sector plan would require an amendment, but the amendment would meet the sector plan's intent in retaining single family homes in a rural setting in this area.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 9/23/2019. If denied, Knoxville-Knox County Planning Commission'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 a Planning Commission decision in the County.