



PLAN AMENDMENT/ REZONING REPORT

► **FILE #:** 7-K-22-RZ

AGENDA ITEM #: 7

7-E-22-SP

AGENDA DATE: 8/11/2022

POSTPONEMENT(S): 7/14/2022

► **APPLICANT:** RANDY GUIGNARD

OWNER(S): Paul and Bobbie Rush

TAX ID NUMBER: 21 159

[View map on KGIS](#)

JURISDICTION: Commission District 8

STREET ADDRESS: 7600 Ridgeview Rd.

► **LOCATION:** East of Ridgeview Rd., north of Booher Rd.

► **TRACT INFORMATION:** 15.03 acres.

SECTOR PLAN: Northeast County

GROWTH POLICY PLAN: Rural Area

ACCESSIBILITY: Access is via Ridgeview Road, a minor arterial with a pavement width of 16-ft within a right-of-way width of 70-ft. Access is also off another segment of Ridgeview Road that is classified as a minor collector with a pavement width of 16-ft within a right-of-way width of 60-ft.

UTILITIES: Water Source: Hallsdale-Powell Utility District

Sewer Source: Hallsdale-Powell Utility District

WATERSHED: Roseberry Creek

► **PRESENT PLAN DESIGNATION/ZONING:** AG (Agricultural) & HP (Hillside Protection) / A (Agricultural)

► **PROPOSED PLAN DESIGNATION/ZONING:** RR (Rural Residential) & HP (Hillside Protection) / PR (Planned Residential)

► **EXISTING LAND USE:** Agriculture/forestry/vacant

► **DENSITY PROPOSED:** 2 du/ac

EXTENSION OF PLAN DESIGNATION/ZONING: No

HISTORY OF ZONING REQUESTS: None noted.

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING North: Rural residential - A (Agricultural) & HP (Hillside Protection) - A (Agricultural)

South: Single family residential, Agriculture/forestry/vacant - A (Agricultural) & HP (Hillside Protection) - A (Agricultural)

East: Rural residential - A (Agricultural) & HP (Hillside Protection) - A (Agricultural)

West: Single family residential - LDR (Low Density Residential) & HP

NEIGHBORHOOD CONTEXT: This area is primarily a mix of large agricultural lots and rural residential lots with some forested steep slopes and pasture land.

STAFF RECOMMENDATION:

- ▶ **Approve the sector plan amendment to RR (Rural Residential) and HP (Hillside Protection) because it is consistent with the development in the area.**

- ▶ **Approve the PR (Planned Residential) zone up to 2 du/ac because it is consistent with the surrounding area.**

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. A new middle school within a mile of the subject property opened in 2018.
2. Residential growth has been occurring in this area for the last 15 years, particularly since the establishment of the newer Gibbs schools.
3. Rezoning within the last 5 years to accommodate additional residential are particularly notable in areas within a mile of the new schools.

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

1. Within the nearby Harbison Crossroads Mixed Use Special district road improvements have occurred in the last decade around Emory Road and Tazewell Pike.
2. This area is served by the Hallsdale-Powell and Northeast Knox Utility Districts and is adjacent to the Planned Growth Area.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. There isn't an obvious or significant error or omission in the plan.

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

1. Residential development is increasing in this area around the new Gibbs schools.
2. There has been a trend of rezoning land within a half mile of the Harbison Crossroads Mixed Use Special District, where the majority of commercial activity is for the Gibbs Community and where road improvements have occurred.

PURSUANT TO THE KNOX COUNTY ZONING ORDINANCE, ARTICLE 6.30.01, THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS (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. This area has continued to see residential growth, particularly with the establishment of new schools in the Gibbs Community.
2. Road improvements in the community have also occurred, particularly within the Harbinson Crossroads Mixed Use Special District, as noted in the Northeast County Sector Plan.

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

1. The PR zone is intended to provide for optional methods of land development that encourage more imaginative solutions to environmental design problems. This property is bisected by a high voltage electrical utility easement and the site is mostly forested and there are some closed depressions on the site that may indicate the presence of sinkholes.

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. The PR zone district will require review of development plan to help alleviate potential impacts that could arise from additional residential development in this area.

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 proposed amendment is consistent with the recommended RR (Rural Residential) sector plan amendment.

ESTIMATED TRAFFIC IMPACT: 343 (average daily vehicle trips)

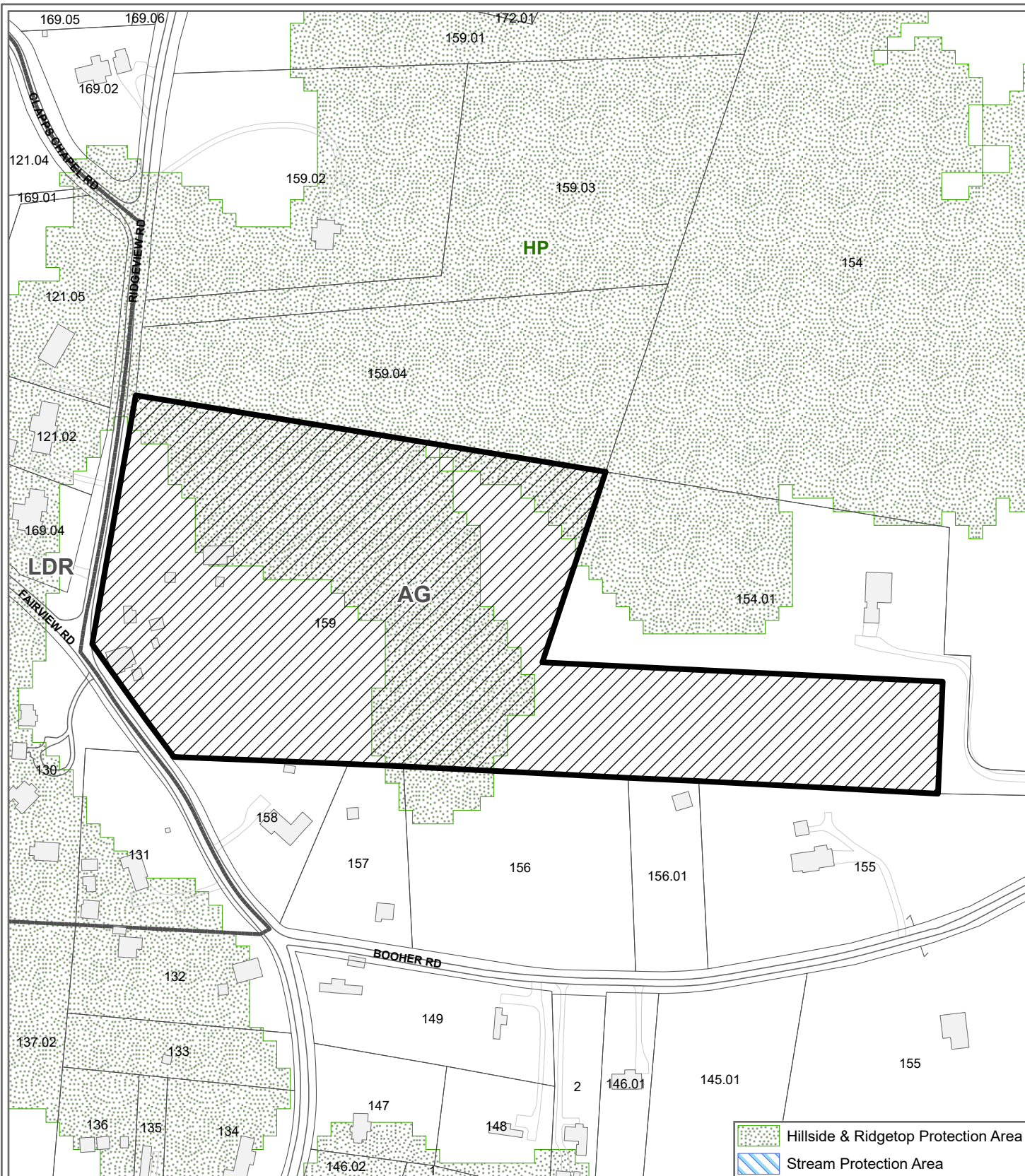
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate during a 24-hour day (Monday through Friday), with a "trip" counted each time a vehicle enters or exits a proposed development.

ESTIMATED STUDENT YIELD: 13 (public school children, grades K-12)

Schools affected by this proposal: Gibbs Elementary, Gibbs Middle, and Gibbs High.

- Potential new school population is estimated using locally-derived data on public school student yield generated by new housing.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Students may request transfers to different zones, and zone boundaries are subject to change.
- Estimates presume full build-out of the proposed development. Build-out is subject to market forces, and timing varies widely from proposal to proposal.
- Student yields from new development do not reflect a net addition of children in schools. Additions occur incrementally over the build-out period. New students may replace current population that ages through the system or moves from the attendance zone.

If approved, this item will be forwarded to Knox County Commission for action on 9/26/2022. 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.

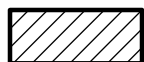


 Hillside & Ridgetop Protection Area
 Stream Protection Area

7-E-22-SP / 7-K-22-RZ
NORTHEAST COUNTY SECTOR PLAN AMENDMENT

From: AG (Agricultural) & HP (Hillside Protection)

To: RR (Rural Residential) & HP (Hillside Protection)



Petitioner: Guignard, Randy

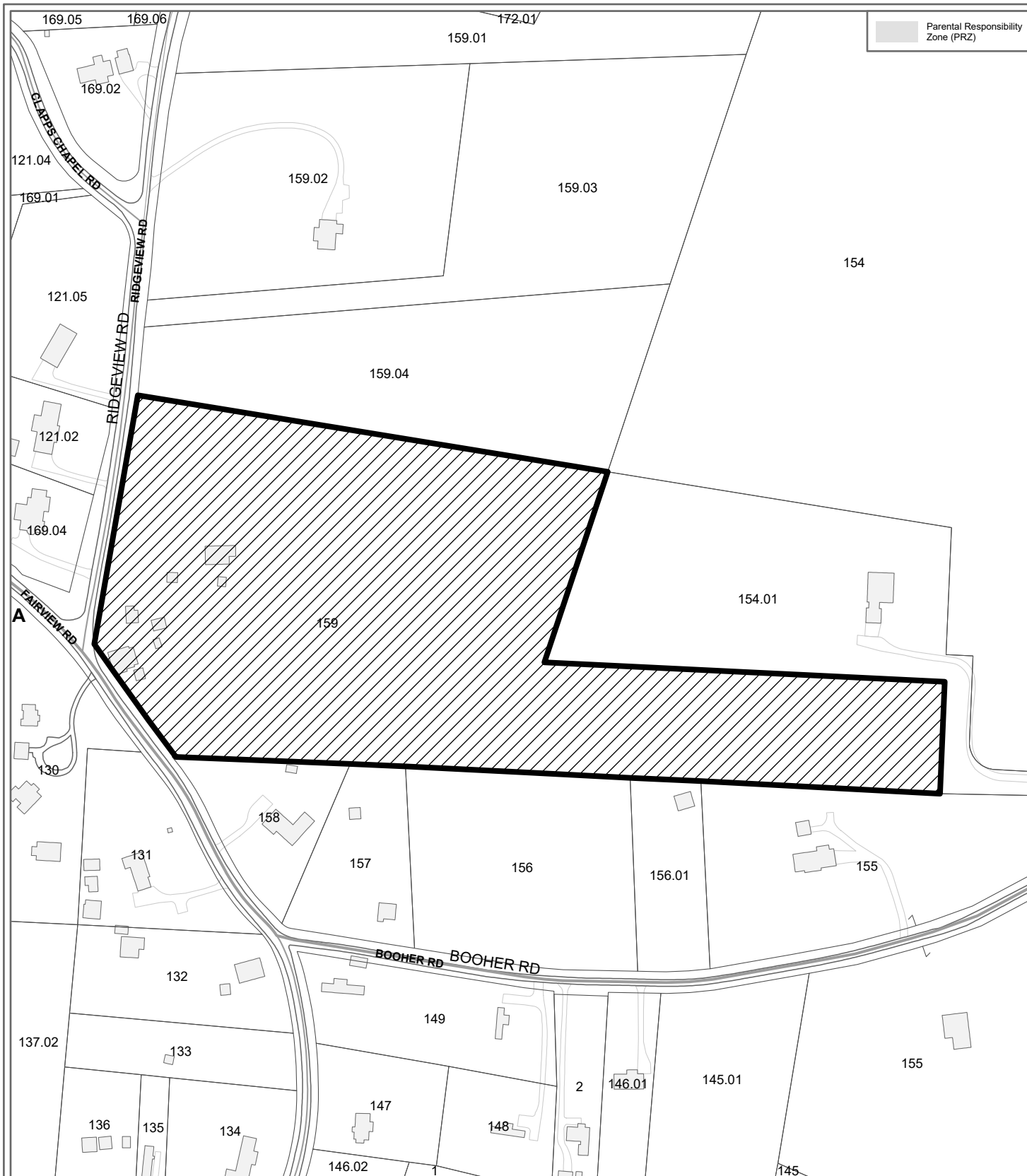
Map No: 21

Jurisdiction: County

0 250
 Feet



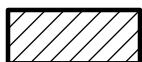
Original Print Date: 6/23/2022 Revised:
 Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902



7-K-22-RZ REZONING

From: A (Agricultural)

To: PR (Planned Residential)



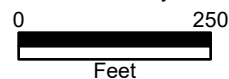
Original Print Date: 6/8/2022
 Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Revised:

Petitioner: Guignard, Randy

Map No: 21

Jurisdiction: County



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

WHEREAS, the Knoxville-Knox County 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 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 Planning Commission has prepared the Knox County Future Land Use Map, a portion of which is contained within the Northeast 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, Randy Guignard has submitted an application for an amendment to the Northeast County Sector Plan for property described in the application; and

WHEREAS, the Planning Commission recommends approval of an amendment to the Sector Plan from Agricultural to Rural Residential 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 Planning Commission, at its regularly scheduled public hearing on August 11, 2022, 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 PLANNING COMMISSION:

SECTION 1: The Planning Commission hereby adopts the revised amendment to the Northeast County Sector Plan, with its accompanying staff report and map, file #7-E-22-SP.

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

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

Date

Chairman

Secretary

Exhibit A. 7-E-22-SP_7-K-22-RZ Contextual Images

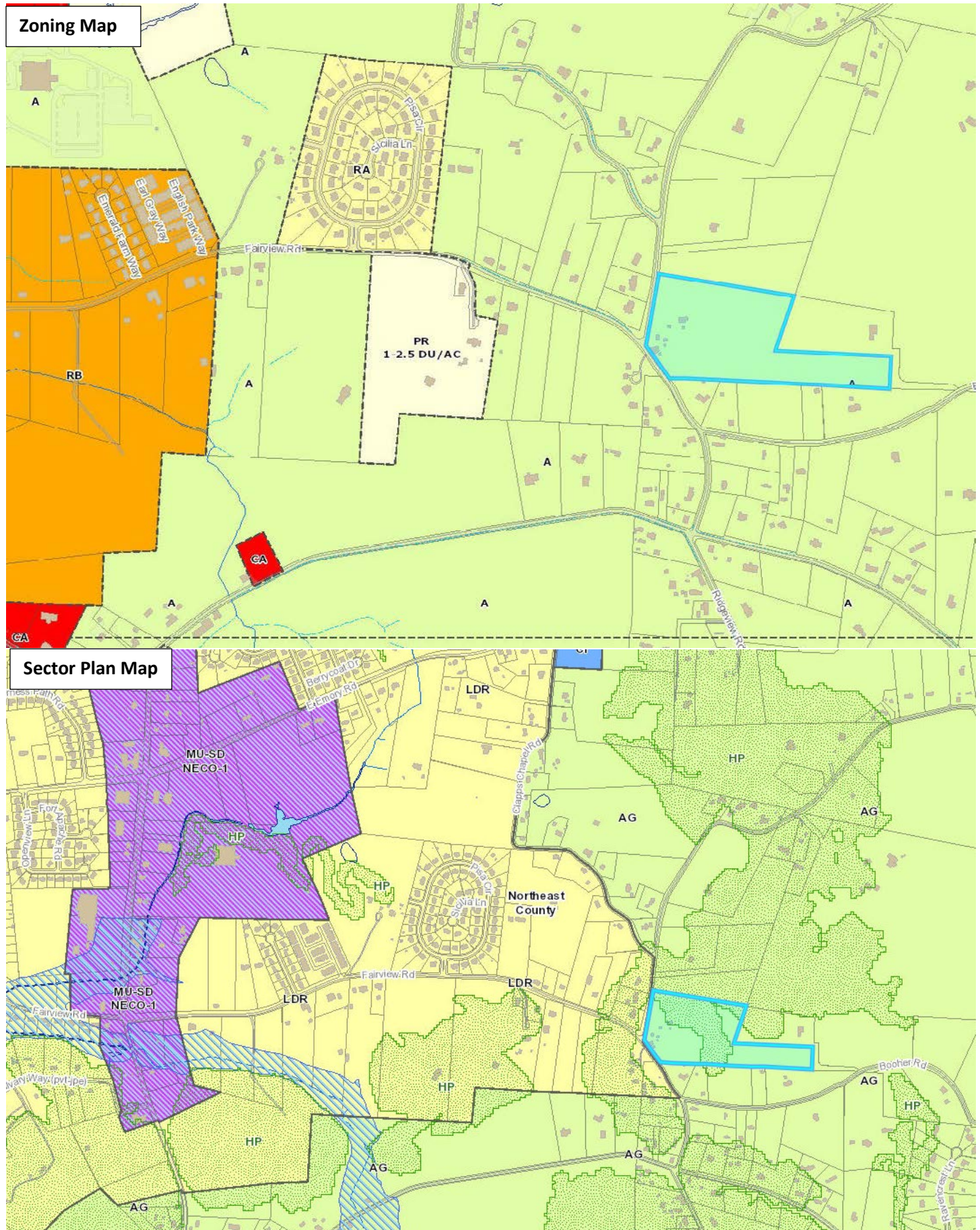
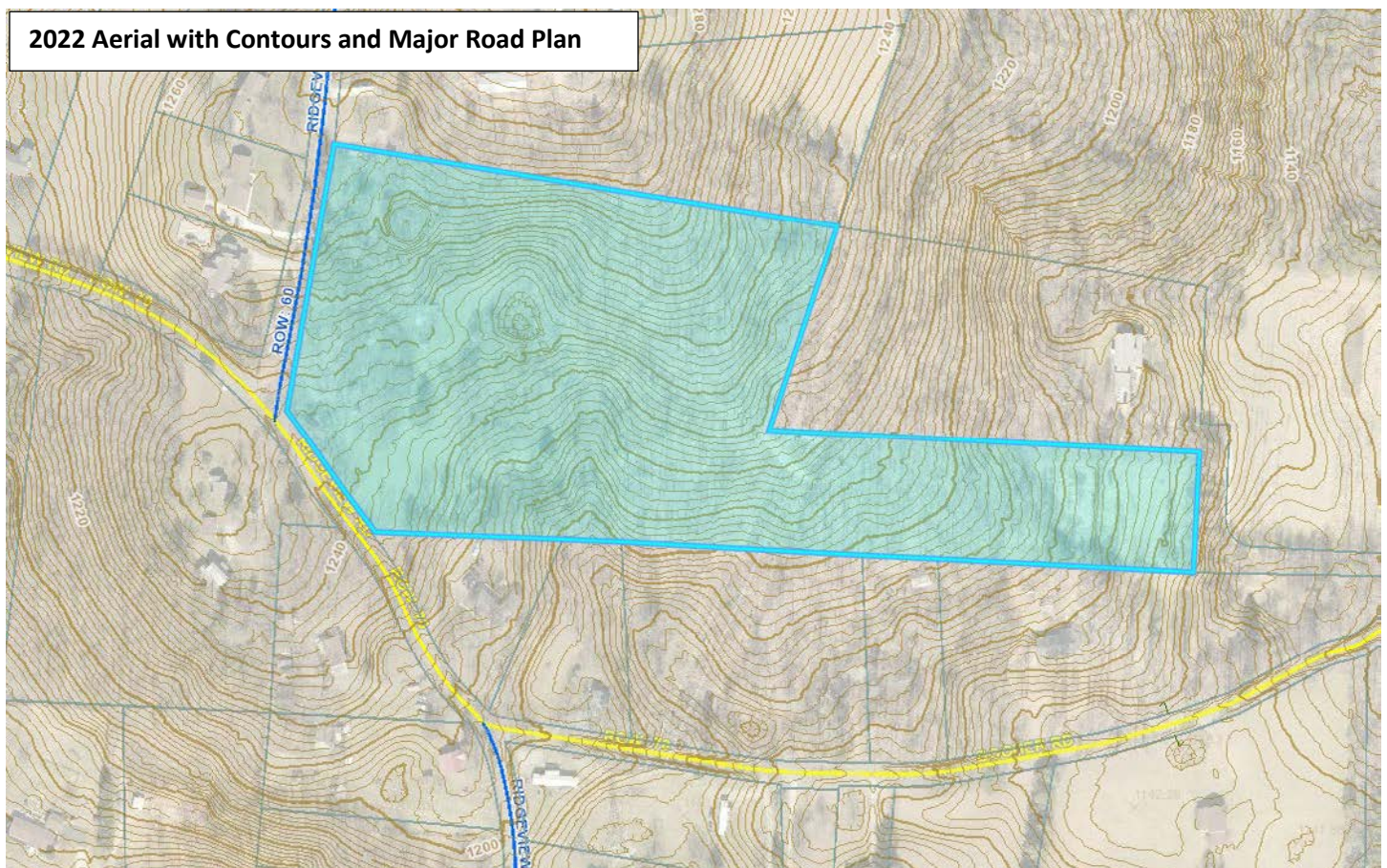


Exhibit A. 7-E-22-SP_7-K-22-RZ Contextual Images





Request to Postpone • Table • Withdraw

Randy Guignard June 24, 2022
Applicant Name (as it appears on the current Planning Commission agenda) Date of Request

July 14, 2022
Scheduled Meeting Date

7-E-22-SP 7-K-22-RZ
File Number(s)

POSTPONE

☒ **POSTPONE:** All applications are eligible for postponement if the request is received in writing and paid for by noon on Thursday the week prior to the Planning Commission meeting. All requests must be acted upon by the Planning Commission, except new applications which are eligible for one 30-day automatic postponement. If payment is not received by the deadline, the item will be tabled.

SELECT ONE: ☒ 30 days ☐ 60 days ☐ 90 days

Postpone the above application(s) until the August 11, 2022 Planning Commission Meeting.

WITHDRAW

☐ **WITHDRAW:** Applications may be withdrawn automatically if the request is received in writing no later than noon on Thursday the week prior to the Planning Commission meeting. Requests made after this deadline must be acted on by the Planning Commission. Applicants are eligible for a refund only if a written request for withdrawal is received prior to public notice and the request is approved by the Executive Director or Planning Services Manager. **The refund check will be mailed to the original payee.*

TABLE

☐ **TABLE:** Any item requested for tabling must be acted upon by the Planning Commission before it can be officially tabled. There is no fee to table or untable an item.

AUTHORIZATION

By signing below, I certify I am the property owner, and/or the owners authorized representative.

[Signature]
Applicant Signature

Randy Guignard
Please Print

865-244-8050
Phone Number

randy@zenithhomes.net
Email

STAFF ONLY

Jessie Hillman
Staff Signature

Jessie Hillman
Please Print

☐ No Fee
Date Paid

Eligible for Fee Refund? ☐ Yes ☐ No

Amount:

Approved by:

Date:

Payee Name

Payee Phone

Payee Address



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Applicant Signature

Randy Guignard
Please Print

865-244-8050
Phone Number

randy@zenithhomes.net
Email

STAFF ONLY

Jessie Hillman
Staff Signature

Jessie Hillman
Please Print

☐ No Fee
Date Paid

Eligible for Fee Refund? ☐ Yes ☐ No

Amount:

Approved by:

Date:

Payee Name

Payee Phone

Payee Address

R2



Development Request

DEVELOPMENT

- ☐ Development Plan
☐ Planned Development
☐ Use on Review / Special Use
☐ Hillside Protection COA

SUBDIVISION

- ☐ Concept Plan
☐ Final Plat

ZONING

- ☒ Plan Amendment
☒ SP ☐ OYP
☒ Rezoning

Randy Guignard
Applicant Name

Contractor / Developer
Affiliation

5/27/2022
Date Filed

Meeting Date (if applicable)

July 14, 2022

File Number(s)

7-K-22-RZ
7-E-22-SP

CORRESPONDENCE

All correspondence related to this application should be directed to the approved contact listed below.

- ☐ Applicant ☐ Property Owner ☒ Option Holder ☐ Project Surveyor ☐ Engineer ☐ Architect/Landscape Architect

Randy Guignard
Name

Cafe International LLC
Company

5408 Fountain Gate Rd Knoxville TN 37918
Address City State ZIP

865-244-8050
Phone

randy@zenithhomes.net
Email

CURRENT PROPERTY INFO

Paul & Bobbie Rush
Property Owner Name (if different)

7912 Ridgerview
Property Owner Address

Property Owner Phone

7600 Ridgerview Rd
Property Address

Parcel ID 021 159

Hallsdale Powell
Sewer Provider

North East Knox
Water Provider

Septic (Y/N)

STAFF USE ONLY

East of Ridgerview Rd, north of Booher Rd
General Location

15.03
Tract Size

☐ City ☒ County
 District 8th

A
Zoning District

Ag/Fur/Vac
Existing Land Use

Northeast Co
Planning Sector

Ag & HP
Sector Plan Land Use Classification

Rural Area
Growth Policy Plan Designation

DEVELOPMENT REQUEST

☐ Development Plan ☐ Use on Review / Special Use ☐ Hillside Protection COA

Related City Permit Number(s)

☐ Residential ☐ Non-Residential

Home Occupation (specify)

Other (specify)

SUBDIVISION REQUEST

Related Rezoning File Number

Proposed Subdivision Name

Unit / Phase Number

☐ Combine Parcels ☐ Divide Parcel

Total Number of Lots Created

☐ Other (specify)

☐ Attachments / Additional Requirements

ZONING REQUEST

Pending Plat File Number

☒ Zoning Change

Proposed Zoning

PR

☒ Plan Amendment Change

Proposed Plan Designation(s)

RR / HP

Proposed Density (units/acre)

2.25

Previous Rezoning Requests

☐ Other (specify)

STAFF USE ONLY**PLAT TYPE**

☐ Staff Review ☐ Planning Commission

ATTACHMENTS

☐ Property Owners / Option Holders ☐ Variance Request

ADDITIONAL REQUIREMENTS

☐ Design Plan Certification (Final Plat)
☐ Use on Review / Special Use (Concept Plan)
☐ Traffic Impact Study
☐ COA Checklist (Hillside Protection)

Fee 1

0325

\$1,350

Total

Fee 2

0527

\$800

\$2,150.00

Fee 3

AUTHORIZATION

Applicant Signature

Please Print

Date

Phone Number

Email

Property Owner Signature

Please Print

Date

Randy Guisnard

5/24/20

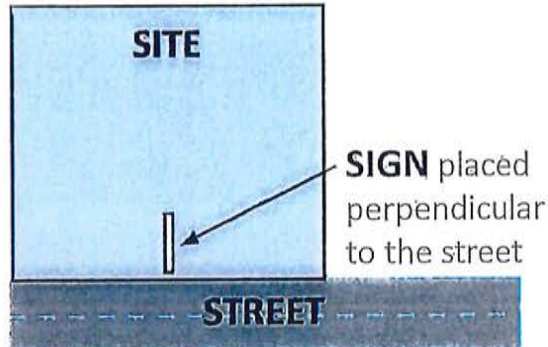
865-244-8050

randy@zenithhomes.net

JH

Subs Contract encbno

The Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission require a sign to be posted on the property for each application subject to consideration by the Planning Commission, including the following applications: rezoning, plan amendment, concept plan, use on review/special use, planned development, right-of-way closure, and name change.



The required public notice sign(s) will be provided by Planning to the applicant when an application is submitted. If an application is submitted electronically, Planning staff will post the required sign. If a replacement sign(s) is needed, the applicant is responsible for picking up the new sign(s) from Planning and will be charged \$10 for each replacement.

LOCATION AND VISIBILITY

The sign must be posted on the nearest adjacent/frontage street and in a location clearly visible to vehicles traveling in either direction. If the property has more than one street frontage, the sign should be placed along the street that carries more traffic. Planning staff may recommend a preferred location for the sign to be posted at the time of application.

TIMING

The sign(s) must be posted **not less than 12 days prior to the scheduled Planning Commission public hearing** and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted not less than 12 days prior to the next Planning Commission meeting. The applicant is responsible for removing the sign after the application has been acted upon by the Planning Commission.

The individual below is responsible for posting and removing the sign(s) provided consistent with the above guidelines and between the dates of:

June 29, 2022 and July 15, 2022
(applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Randy Guignard

Date: 5/27/2022

File Number: 5-K-22R2/5-D-22SP

☐ Sign posted by Staff

☒ Sign posted by Applicant