

### PLAN AMENDMENT REPORT

► FILE #: 4-H-24-SP AGENDA ITEM #: 38

**AGENDA DATE: 4/11/2024** 

► APPLICANT: RANDY GUIGNARD

OWNER(S): Randy Guignard The Preserves LLC

TAX ID NUMBER: 60 I C 003 <u>View map on KGIS</u>

JURISDICTION: Council District 4

STREET ADDRESS: 1707 LOVES CREEK RD

► LOCATION: West side of Loves Creek Rd, south of Buffat Mill Rd

► APPX. SIZE OF TRACT: 0.73 acres

SECTOR PLAN: Northeast County

GROWTH POLICY PLAN: N/A (Within City Limits)

ACCESSIBILITY: Access is via Loves Creek Road, a major collector street with a 22-ft

pavement width within a 40-ft right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Loves Creek

► PRESENT PLAN AND PP (Public Parks and Refuges) / RN-4 (General Residential

ZONING DESIGNATION: Neighborhood)

► PROPOSED PLAN MDR (Medium Density Residential)

DESIGNATION:

► EXISTING LAND USE: Agriculture/Forestry/Vacant Land

**EXTENSION OF PLAN** 

DESIGNATION:

No, this is not a minor extension.

HISTORY OF REQUESTS: None noted

SURROUNDING LAND USE

AND PLAN DESIGNATION:

North: Rural residential - MDR/O (Mediumn Density Residential/Office)

South: Right-of-way - ROW (Right-of-Way)

East: Public/quasi-public land - PP (Public Parks and Refuges), SP

(Stream Protection)

West: Right-of-way - ROW (Right-of-Way)

NEIGHBORHOOD CONTEXT This property is bordered by right-of-way on three sides, including I-640 to

the west. There are big-box retail properties to the northwest and single-family residential subdivisions to the northeast, southeast and southwest. Loves Creek and Loves Creek Greenway Trail run along the eastern side of the property, leading to Spring Place Park to the southeast. The adjacent property to the north is the site of the historic Alfred Buffat homestead.

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#### STAFF RECOMMENDATION:

▶ Approve the sector plan amendment to the MDR (Medium Density Residential) land use classification because it provides a transition of land use intensity and is supported by local residential amenities.

#### **COMMENTS:**

PURSUANT TO THE GENERAL PLAN, PLANNING FRAMEWORK CHAPTER, THE PLANNING COMMISSION RESERVES THE AUTHORITY TO RECOMMEND LAND USE PLAN CHANGES BASED ON SUBSTANTIALLY CHANGED CONDITIONS. SUBSTANTIALLY CHANGED CONDITIONS INCLUDE (may meet any of these):

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

- 1. This property is located at the edge of the Alice Bell/Springhill neighborhood, in an area that has experienced significant commercial and single-family residential development. Around 2007, a Walmart was expanded to the northwest where there has been substantial commercial infill development as well. The residential subdivisions of Clear Spring Plantation and Highlands at Clear Spring continue to be developed to the northeast, and the Springhill Villas subdivision is being completed to the southwest.
- 2. The subject property is in a more secluded segment of Loves Creek Road that is appropriate for residential development. The wooded Loves Creek Greenway Trail across the Loves Creek Road leads to Spring Place Park southeast of the parcel. The only adjacent property is to the north, and it was recently approved for a sector plan amendment to the MDR/O (Medium Density Residential/Office) classification. That change supports this request for the MDR (Medium Density Residential) classification as a compatible transition of land use intensity.
- 3. Given the surrounding context and development changes to the area, staff recommends a land use amendment in the Northeast County Sector Plan from the PP (Public Parks and Refuges) classification to the MDR classification. The MDR land use reflects the property's location between a large commercial node to the northwest and single-family residential development to the south.

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

- 1. Loves Creek Road is a major collector street, and the property is a short drive from an on-ramp to Interstate 640. The subject property is also less than a quarter-mile from transit, which will remain in service after the implementation of the Reimagine Knoxville Area Transit network plan. This transportation infrastructure can support MDR development on this small parcel.
- 2. This property is in an urbanized area where there is ample utility capacity for more residential development.

#### AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

- 1. The property's close proximity to Spring Place Park may be the reason for its current PP land use classification in the sector plan. However, a future expansion of this park system to the subject property across a busy major collector street is inadvisable.
- 2. MDR could have been considered in the plan as a transition between the GC (General Commercial) O (Office) and MDR/O land use classifications to the northwest and the LDR (Low Density Residential) land uses on all other sides. This property is in an appropriate location for residential development given the recreational amenities of the park and the greenway trail, which is planned to be extended north to the Knoxville Center Mall and New Harvest Park. The property is also walking distance from a major retail hub where there is a bus stop.
- 3. The MDR classification would being the property into alignment with its current RN-4 (General Residential Neighborhood) zoning, which is a mixed medium density residential district

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

1. There have been significant and ongoing residential, commercial and recreational developments over the past 16 years in this area, which warrants consideration of the MDR land use classification on this lot. More residential development is supported by close proximity commercial, recreational and transit amenities.

### CHANGES IN GOVERNMENT POLICY, SUCH AS A DECISION TO CONCENTRATE DEVELOPMENT IN CERTAIN AREAS:

1. There are no changes in government policy that are pertinent to the requested land use change.

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ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

Schools affected by this proposal: Ritta Elementary, Holston Middle, and Fulton 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 Knoxville City Council for action on 5/14/2024 and 5/28/2024. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal a Planning Commission decision in the City.

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### PLAN AMENDMENT REPORT

► FILE #: 4-G-24-PA AGENDA ITEM #: 38

AGENDA DATE: 4/11/2024

► APPLICANT: RANDY GUIGNARD

OWNER(S):

TAX ID NUMBER: 60 I C 003 View map on KGIS

JURISDICTION: Council District 4

STREET ADDRESS: 1707 LOVES CREEK RD

► LOCATION: West side of Loves Creek Rd, south of Buffat Mill Rd

► APPX. SIZE OF TRACT: 0.73 acres

SECTOR PLAN: Northeast County

GROWTH POLICY PLAN: N/A (Within City Limits)

ACCESSIBILITY: Access is via Loves Creek Road, a major collector street with a 22-ft

pavement width within a 40-ft right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Loves Creek

► PRESENT PLAN AND LDR (Low Density Residential) / RN-4 (General Residential

ZONING DESIGNATION: Neighborhood)

► PROPOSED PLAN MDR (Medium Density Residential)

**DESIGNATION:** 

► EXISTING LAND USE: Agriculture/Forestry/Vacant Land

**EXTENSION OF PLAN** 

**DESIGNATION:** 

No, this is not a minor extension.

HISTORY OF REQUESTS: None noted

SURROUNDING LAND USE

AND PLAN DESIGNATION:

North: Rural residential - MDR/O (Mediumn Density Residential/Office)

South: Right-of-way - ROW (Right-of-Way)

East: Public/quasi-public land - PP (Public Parks and Refuges), SP

(Stream Protection)

West: Right-of-way - ROW (Right-of-Way)

NEIGHBORHOOD CONTEXT This triangular property is bordered by right-of-way on two sides, including I-

640 to the west. There are big-box retail properties to the northwest and single-family residential subdivisions to the northeast, southeast and southwest. Loves Creek and Loves Creek Greenway run along the eastern side of the property, leading to Spring Place Park to the southeast. The property to the north is the site of the historic Alfred Buffat homestead.

STAFF RECOMMENDATION:

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► Approve the One Year Plan amendment to the MDR (Medium Density Residential) land use classification because it provides a transition of land use intensity and is supported by local residential amenities.

#### **COMMENTS:**

PURSUANT TO THE CITY OF KNOXVILLE ONE YEAR PLAN, CHAPTER 1, PLAN AMENDMENT, ONE OF THE FOLLOWING CRITERIA MUST BE MET FOR ALL ONE YEAR PLAN AMENDMENTS (may meet any of these):

A SIGNIFICANT CHANGE IN THE DEVELOPMENT PATTERN, OR THE COMPLETION OF A PUBLIC IMPROVEMENT (ROAD, PARK, SEWER), WHICH CHANGES THE BASIS ON WHICH THE PLAN WAS DEVELOPED FOR AN AREA:

- 1. This property is located at the edge of the Alice Bell/Springhill neighborhood, in an area that has experienced significant commercial and single-family residential development. Around 2007, a Walmart was expanded to the northwest where there has been substantial commercial infill development as well. The residential subdivisions of Clear Spring Plantation and Highlands at Clear Spring continue to be developed to the northeast, and the Springhill Villas subdivision is being completed to the southwest.
- 2. The subject property is in a more secluded segment of Loves Creek Road that is appropriate for residential\ development. The wooded Loves Creek Greenway Trail across the Loves Creek Road leads to Spring Place Park southeast of the parcel. The only adjacent property is to the north, and it was recently approved for a sector plan amendment to the MDR/O (Medium Density Residential/Office) classification. That change supports this request for the MDR (Medium Density Residential) classification as a compatible transition of land use intensity.
- 3. Given the surrounding context and development changes to the area, staff recommends a land use amendment in the One Year Plan from the LDR (Low Density Residential) to the MDR classification. The MDR land use reflects the property's location between a large commercial node to the northwest and single-family residential development to the south.

#### AN ERROR IN THE PLAN:

- 1. The LDR (Low Density Residential) land use classification on the site is not necessarily the result of an error in the One Year Plan. However, MDR could be considered here as a logical transition of land use intensity from the GC (General Commercial), O (Office) and MDR/O land use classifications to the northwest and the LDR (Low Density Residential) classification to the south. This property is in an appropriate location for residential development given the recreational amenities of the park and the greenway trail, which is planned to be extended north to the Knoxville Center Mall and New Harvest Park. The property is also walking distance from a major retail hub where there is a bus stop.
- 2. The MDR classification resolves a conflict between the property's current LDR classification and its RN-4 (General Residential Neighborhood) zoning district, which is a mixed medium density residential district.

#### A CHANGE IN PUBLIC POLICY, UNANTICIPATED BY THE PLAN:

1. There are no public policy changes that pertain to the current or requested land use classification for this property.

NEW INFORMATION (INCLUDING NEW PLANS AND STUDIES PRODUCED BY KNOXVILLE-KNOX COUNTY PLANNING) BECOMING AVAILABLE, WHICH REVEALS THE NEED FOR A PLAN AMENDMENT:

1. There is high demand in the City for a variety of housing options, which the MDR classification can help meet. The MDR land use will allow for a wider range of housing forms to be considered on the property through the Special Use review process. This review process by the Planning Commission enables public engagement and input on development plans, and it is designed to ensure that more intensive residential forms like townhouses and low-rise apartments are in harmony with the surrounding area.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

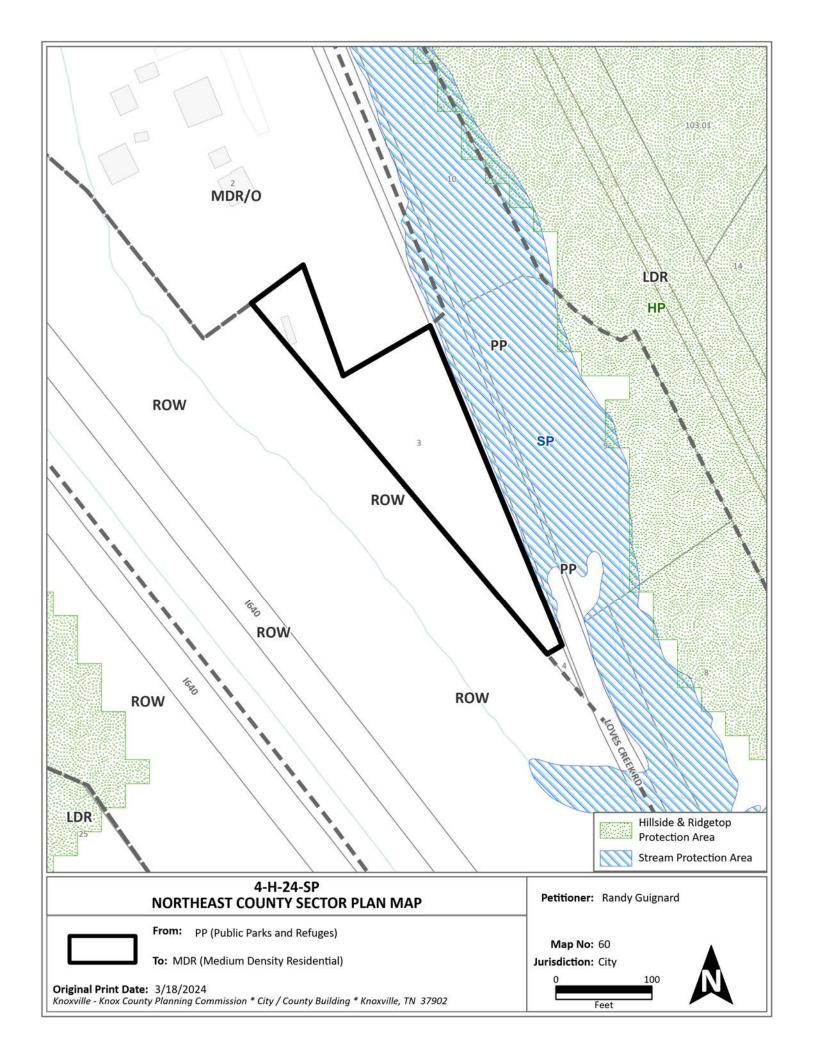
Schools affected by this proposal: Ritta Elementary, Holston Middle, and Fulton High.

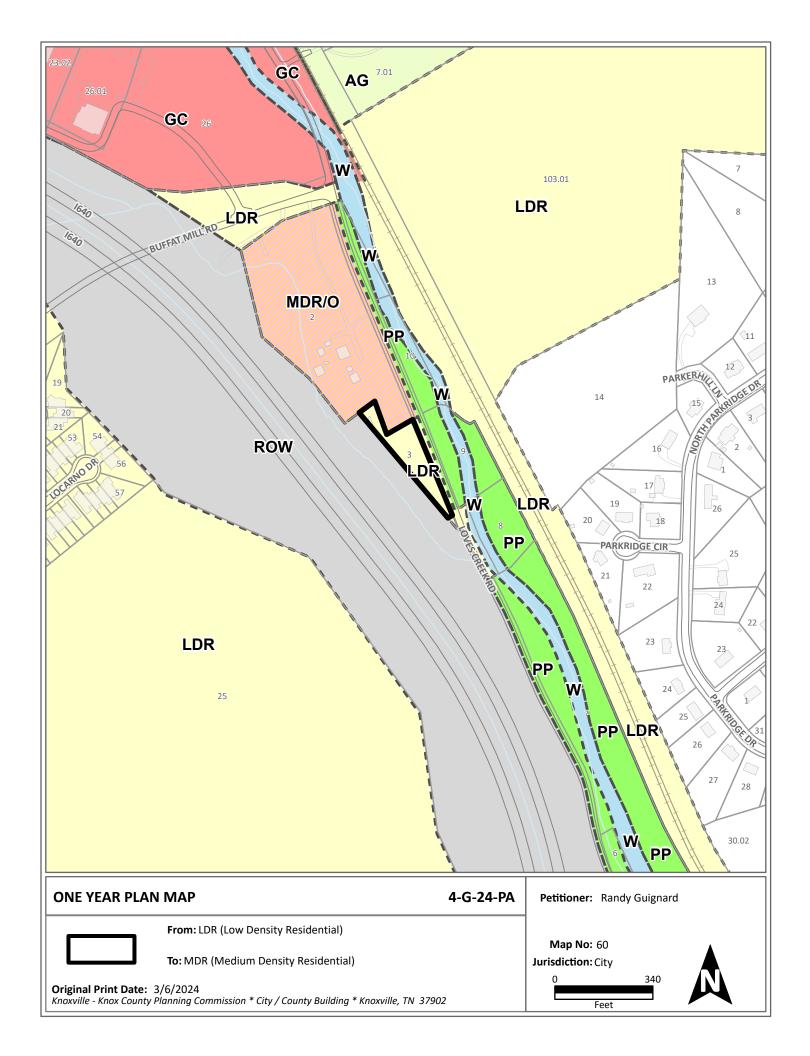
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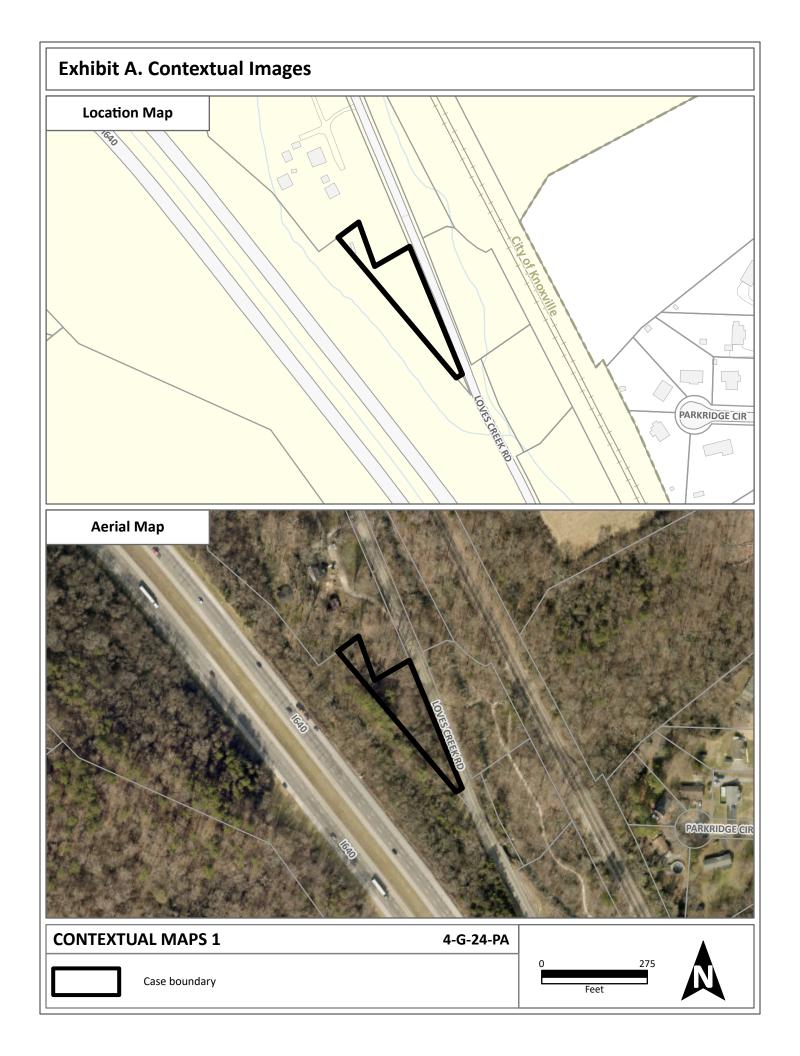
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- Estimates presume full build-out of the proposed development. Build-out is subject to market forces, and timing varies widely from proposal to proposal.
- Student yields from new development do not reflect a net addition of children in schools. Additions occur incrementally over the build-out period. New students may replace current population that ages through the system or moves from the attendance zone.

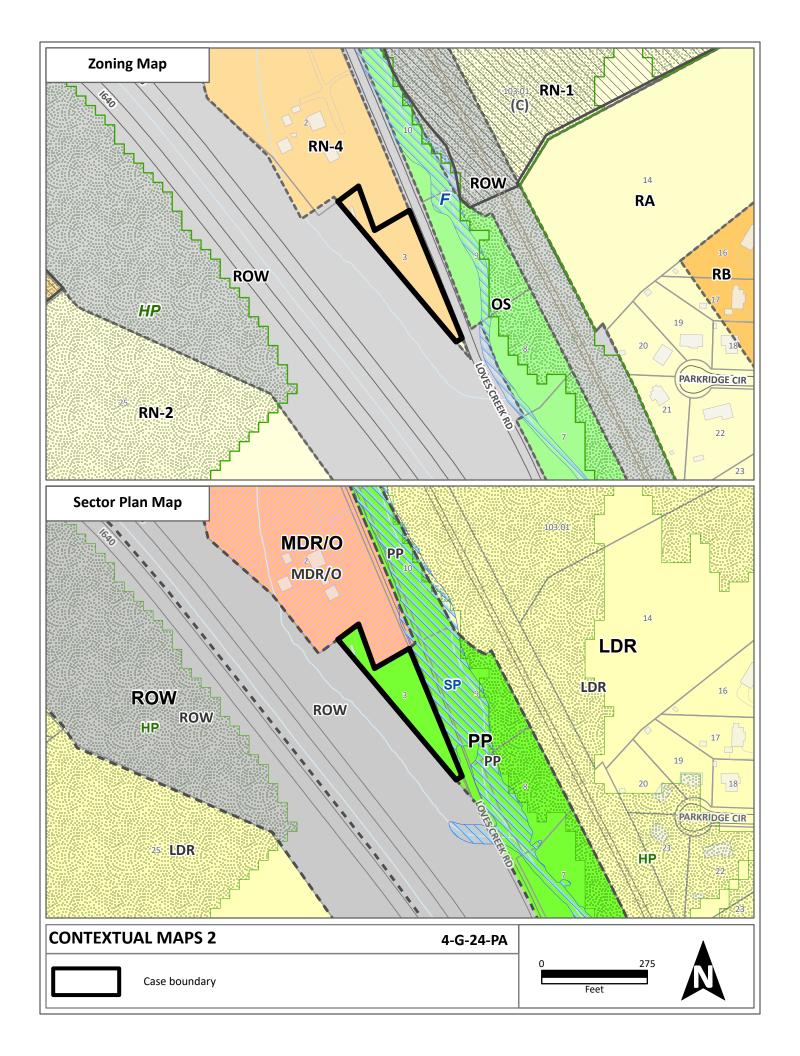
If approved, this item will be forwarded to Knoxville City Council for action on 5/14/2024 and 5/28/2024. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal a Planning Commission decision in the City.

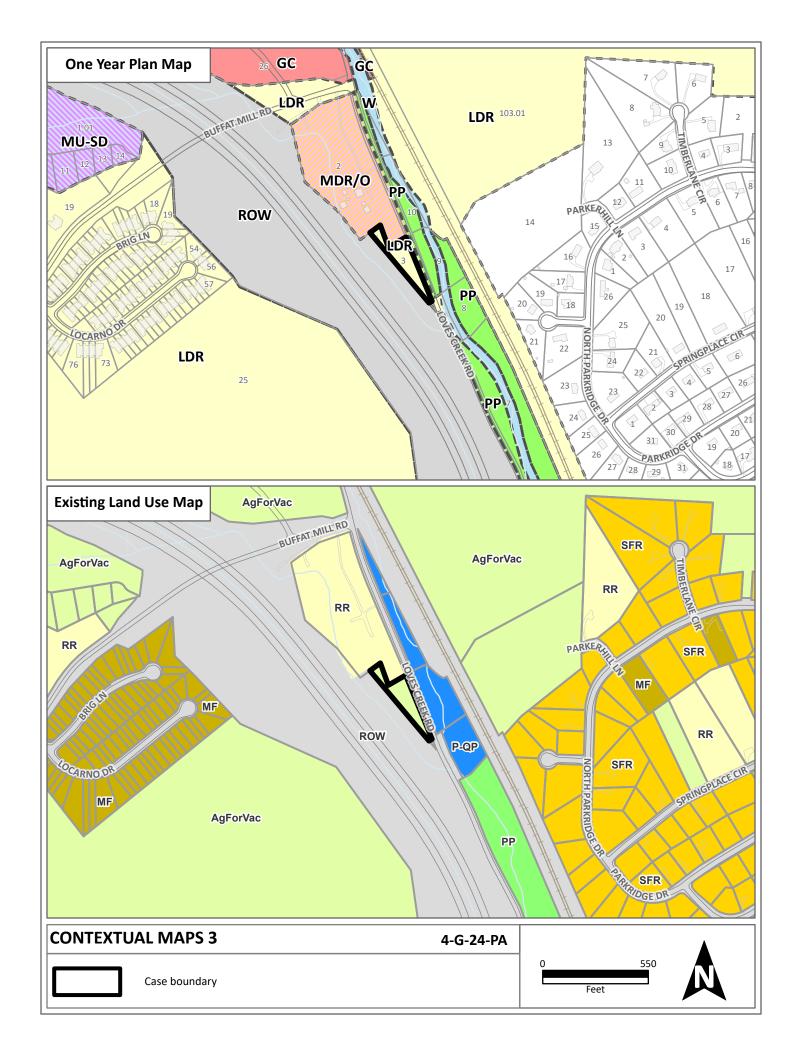
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### KNOXVILLE-KNOX COUNTY PLANNING COMMISSION A RESOLUTION AMENDING THE NORTHEAST COUNTY SECTOR PLAN

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 PP (Public Parks and Refuges) to MDR (Medium Density Residential) which is 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 April 11, 2024 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 #4-H-24-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
 Secretary



## **Development Request**

	DEVELOPMENT	SUBDIVISION	ZONING
Dlannir	☐ Development Plan	☐ Concept Plan	✓ Plan Amendment
Plannii	☐ Planned Development	☐ Final Plat	✓ Sector Plan
KNOXVILLE I KNOX COUNT		<u>.</u>	☐ One Year Plan
	☐ Hillside Protection COA		Rezoning
Randy Guignard			
Applicant Name		Affiliation	
2/21/2024	4/11/2024	4-H-24-SP / 4-G-2	4-PA
Date Filed	Meeting Date (if applicable)	File Number(s)	
CORRESPONDENCE	All correspondence related to this application	should be directed to the ap	proved contact listed below.
Randy Guignard The Presei		,	
Name / Company			
2800 Hoitt Ave Knoxville TI	N 27010		
Address	<b>V</b> 37315		
865-244-8050 / randy@the	anracarvaelle com		
Phone / Email	:preservesiic.com		
CURRENT PROPERTY	INFO		
Randy Guignard The Preser	rves LLC 2800 Hoitt Ave Knoxville TN 37		55-244-8050 / randy@thepres
Owner Name (if different)	Owner Address	O	wner Phone / Email
1707 LOVES CREEK RD			
Property Address			
60 I C 003		0.	73 acres
Parcel ID	Part o	f Parcel (Y/N)? Tr	act Size
Knoxville Utilities Board	Knoxville Utilitie	s Board	
Sewer Provider	Water Provider		Septic (Y/N)
STAFF USE ONLY			
West side of Loves Creek R	d, south of Buffat Mill Rd		
General Location			
✓ City Council District 4	RN-4 (General Residential Neighborhood)	Agricultu	re/Forestry/Vacant Land
County District	Zoning District	Existing l	and Use
Northeast County	PP (Public Parks and Refuges)	N/A (Wit	hin City Limits)
Planning Sector	Sector Plan Land Use Classification		olicy Plan Designation

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DEVELOPMENT REQUEST					
☐ Development Plan ☐ Planne	ned Development 🔲 Use on Review / Special Use			Related City F	Permit Number(s)
☐ Hillside Protection COA		☐ Residential [	Non-residential		
Home Occupation (specify)					
Other (specify)					
SUBDIVSION REQUEST					
				Related Rezo	ning File Number
Proposed Subdivision Name				-	
Unit / Phase Number		Total Nu	mber of Lots Created	<u> </u>	
Additional Information					
Attachments / Additional Requi	rements				
ZONING REQUEST					
☐ Zoning Change				Pending Pl	at File Number
Proposed Zoni	ng			-	
✓ Plan MDR (Mediu	um Density Resident	tial)			
Amendment Proposed Pla	n Designation(s)				
Proposed Density (units/acre) P	revious Zoning Requ	ests			
Additional Information	cvious zorning ricqu	C313			
STAFF USE ONLY					
PLAT TYPE  ☐ Staff Review ☐ Planning	g Commission		Fee 1		Total
ATTACHMENTS			\$1,050.00		
✓ Property Owners / Option Hold	ers 🗌 Variance	Request	Fee 2		
ADDITIONAL REQUIREMENT	гѕ				
COA Checklist (Hillside Protection					
<ul><li>Design Plan Certification (Final I</li><li>Site Plan (Development Reques</li></ul>	•		Fee 3		
☐ Traffic Impact Study	τ,				
Use on Review / Special Use (Co	oncept Plan)				
AUTHORIZATION					
I declare under penalty of perjury     all associated materials are being			it is the owner of the pro	perty, AND 2) th	e application and
	Randy Guign	-			2/21/2024
Applicant Signature	Please Print				Date
Phone / Email					
, <del></del>	Randy Guign	ard The Preserves LLO			2/21/2024
Property Owner Signature	Please Print				Date

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**Planning Sector** 

### Development Request SUBDIVISION ZO ZONING

Planning KNOXVILLE I KNOX COUNTY	<ul> <li>□ Development Plan</li> <li>□ Planned Development</li> <li>□ Use on Review / Special Use</li> <li>□ Hillside Protection COA</li> </ul>		☐ Concept Plan☐ Final Plat	✓ Plan Amendment ✓ SP ✓ OYP □ Rezoning	
Randy Guignard			part	ner	
Applicant Name			Affilia	tion	
2-20-2024	4-11-2024			File Number(s)	
Date Filed	Meeting Date	e (if applicable)			
CORRESPONDENCE All	correspondence relate	d to this application s	hould be directed to the a	pproved contact listed below.	
Applicant Property Owner	☐ Option Holder	☐ Project Surveyor	□ Engineer □ Arch	nitect/Landscape Architect	
Randy Guignard		The P	reservesl LLC		
Name		Compa	ny		
2800 Hoitt Ave.		Knoxy	ville tn	37918	
Address		City	State	ZIP	
865 244 8050	randy@th	epreservesllc.com			
Phone	Email				
CURRENT PROPERTY INFO					
we just purchased this parcel					
Property Owner Name (if different)	Property Owner Address		060IC003	Property Owner Phone	
1707 Loves Creek					
Property Address			Parcel ID		
KUB		кив		N	
Sewer Provider	Water Provider		Septic (Y/N		
STAFF USE ONLY					
General Location			Tract S	iize	
☐ City ☐ County ☐ District	Zoning Distric	t	Existing Land Use		

Sector Plan Land Use Classification

Growth Policy Plan Designation

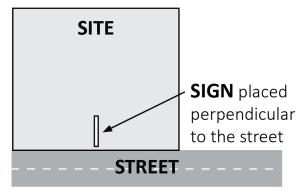
DEVELOPMENT REQUEST			
☐ Development Plan ☐ Use on Review / Special Use ☐ Residential ☐ Non-Residential  Home Occupation (specify)	Related City Permit Number(		
Other (specify)			
SUBDIVISION REQUEST			
		Related Rezoning File Number	
Proposed Subdivision Name			
Unit / Phase Number Combine Parcels Divide	Parcel Total Number of Lots Created		
Other (specify)			
☐ Attachments / Additional Requirements			
ZONING REQUEST			
		Pending Plat File Number	
☐ Zoning Change Proposed Zoning			
■ Plan Amendment Change Sector Plan PP to MI Proposed Plan Designation(	DR and OYPLDR to MDR s)		
Proposed Density (units/acre) Previous Rez	coning Requests		
Other (specify)			
STAFF USE ONLY			
PLAT TYPE	Fee 1	Total	
☐ Staff Review ☐ Planning Commission			
ATTACHMENTS	Fee 2		
☐ Property Owners / Option Holders ☐ Variance Reque	est		
ADDITIONAL REQUIREMENTS  Design Plan Certification (Final Plat)			
☐ Use on Review / Special Use (Concept Plan)	on Review / Special Use (Concept Plan)		
<ul><li>☐ Traffic Impact Study</li><li>☐ COA Checklist (Hillside Protection)</li></ul>	And the second s		
AUTHORIZATION  I declare under penalty of perjury the foregoing is true and co	orrect:		
1) He/she/it is the owner of the property AND 2) The application	on and all associated materials are being sub	bmitted with his/her/its consent	
Ran	<del>&gt;</del> <del>d</del> y Guignard	2-20-2024	
	dy@thepreservesllc.com		
865 24 <u>4</u> 8050 rand	ay & chepi eser veshe.com		
Phone Number Email	/		
Phone Number Email	/	2-20-2024	



# Sign Posting & Removal Requirement

Revised April 2021

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-ofway 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:

March 26, 2024	and	April 12, 2024
(applicant or staff to post sign)	(applicant to remove sign)	
Applicant Name: Randy Guignard		
Date: 2/21/2024		Sign posted by Staff
File Number: 4-G-24-PA_4-H-24-SP		Sign posted by Applicant