



# PLAN AMENDMENT/ REZONING REPORT

► <b>FILE #:</b>	<b>11-F-21-RZ</b>	<b>(REVISED)</b>	<b>AGENDA ITEM #:</b>	<b>8</b>
	<b>11-B-21-SP</b>	<b>(REVISED)</b>	<b>AGENDA DATE:</b>	<b>12/9/2021</b>
	POSTPONEMENT(S):	11/10/2021		
► <b>APPLICANT:</b>	<b>THUNDER MOUNTAIN PROPERTIES, LLC</b>			
	OWNER(S):	Thunder Mountain Properties, LLC		
	TAX ID NUMBER:	138 274 AND (PART OF) 270	<a href="#">View map on KGIS</a>	
	JURISDICTION:	Commission District 9		
	STREET ADDRESS:	8802 Sevierville Pike and 0 Dry Hollow Rd.		
► <b>LOCATION:</b>	<b>East of Chapman Highway, north of the Sevier County line, south of Bays Mountain Road</b>			
► <b>TRACT INFORMATION:</b>	<b>158.64 acres.</b>			
	SECTOR PLAN:	South County		
	GROWTH POLICY PLAN:	Rural Area		
	ACCESSIBILITY:	Access is via Sevierville Pike, a minor collector with a pavement width of 18-ft within a right-of-way width of 60-ft. Access is also via Dry Hollow Road, a local street with a pavement width of 15-ft within a right-of-way width of 50-ft.		
	UTILITIES:	Water Source:	Knox-Chapman Utility District	
		Sewer Source:	Knox-Chapman Utility District	
	WATERSHED:	Hinds Creek		
► <b>PRESENT PLAN DESIGNATION/ZONING:</b>	<b>AG (Agricultural) &amp; HP (Hillside Protection) / A (Agricultural), CA (General Business), CB (Business and Manufacturing), &amp; RA (Low Density Residential)</b>			
► <b>PROPOSED PLAN DESIGNATION/ZONING:</b>	<b>LDR (Low Density Residential) &amp; HP (Hillside Protection) / PR (Planned Residential)</b>			
► <b>EXISTING LAND USE:</b>	<b>Agriculture/forestry/vacant</b>			
► <b>DENSITY PROPOSED:</b>	<b>up to 4 du/ac</b>			
	EXTENSION OF PLAN DESIGNATION/ZONING:	No, LDR is not adjacent. Yes, PR is adjacent.		
	HISTORY OF ZONING REQUESTS:	None noted.		
	SURROUNDING LAND USE, PLAN DESIGNATION, ZONING	North:	Single family residential / AG (Agriculture) & HP (Hillside Protection) / RA (Low Density Residential), A (Agriculture)	
		South:	Single family residential, Public/quasi-public, Agricultural/forestry/vacant, Industrial / LI (Light Industrial), AG (Agriculture), RR (Rural Residential), OS (Open Space) & HP (Hillside Protection) / CB (General Business), LI (Light Industrial), A	

East: Agriculture/forestry/vacant / AG (Agriculture), LI (Light Industrial) & HP (Hillside Protection) / A (Agriculture), CB (General Business), LI (Light Industrial)

West: Rural residential, Agriculture/forestry/vacant, Public/quasi-public / OS (Open Space), AG (Agriculture) & HP (Hillside Protection) / A (Agriculture), PR (Planned Residential)

NEIGHBORHOOD CONTEXT: This area is a mix of industrial uses, a single family residential neighborhood and large, vacant, steep sloped agricultural zoned land.

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#### STAFF RECOMMENDATION:

- ▶ **Approve the South County Sector Plan amendment to LDR (Low Density Residential) & HP (Hillside Protection) for approximately 64 acres of parcel 138 270 and a portion of parcel 138 274 on the east side of Sevierville Pike because of the access and safety improvements of a major arterial, Chapman Highway, near the subject property. Approve the Sector Plan amendment to RR (Rural Residential) & HP (Hillside Protection) for approximately 95 acres of a portion of parcel 138 274 because it is consistent with the slope analysis for this area. (See Exhibit A).**
- ▶ **Approve PR (Planned Residential) zoning up to 3 du/ac for approximately 64 acres of parcel 138 270 and a portion of parcel 138 274 on the east side of Sevierville Pike because of the access and safety improvements of a major arterial, Chapman Highway. Approve PR (Planned Residential) zoning up to 1 du/ac for approximately 95 acres of a portion of parcel 138 274 because it is consistent with the slope analysis for this area. (See Exhibit A).**

#### COMMENTS:

This application was originally scheduled for the November 10, 2021 Planning Commission meeting with an original acreage of approximately 64 acres with a requested rezoning to PR (Planned Residential) up to 4 du/ac. The applicant requested to postpone the request to the December 9, 2021 Planning Commission meeting and revised the application on November 5, 2021 to include an additional 95 acres of property for a total of 158 acres to be rezoned to PR up to 3 du/ac.

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

#### CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

1. This area is within a 1/4 mile of the recent intersection improvements at Chapman Highway and Sevierville Pike.

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

1. The improvements on Chapman Highway at the intersection with Sevierville Pike have increased safety and access from the site to a major arterial.

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

1. Water and sewer are available in this area and there has been a gradual expansion of commercial and industrial zoning at this location since 2001. Most recently, in 2019 a rezoning to LI (Light Industrial) occurred along Valgro Road.

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

1. Given the access to water and sewer and the additional rezonings to accommodate non-residential uses, the area is transitioning from a more rural area to a more suburban form for the less slope constrained portion of the property to the north of Valgro Road. However, the area within the along Bays Mountain ridge system remains without access to utilities, very slope constrained and remains rural in character.

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.

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. The subject property is near the recent improvements at Sevierville Pike and Chapman Highway, which have increased access and safety to a major arterial.

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

1. The PR (Planned Residential) district 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.

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 proposed rezoning requires site plan review and approval by the Planning Commission to ensure a high quality of design and mitigate potential impacts to adjacent properties.
2. The site plan review process will also allow the Planning Commission to consider any potential impacts.
3. A Traffic Impact Letter has been submitted on behalf of the applicant for the rezoning and any future development of the site generating 750 ADT (Average Daily Traffic) or more, will also require a more intensive transportation impact study for this area.
4. The slope analyses for the revised application includes an additional area with 44+ acres of land with slopes greater than 40 percent as part of the Bays Mountain ridge system. Because of the large acreage of land with very steep slopes, staff is recommending PR (Planned Residential) up to 1 du/ac for the additional 95 acres of property in the revised application, consistent with the slope analysis for the revised area. Staff recommends PR (Planned Residential) up to 3 du/ac for the original 64+ acres that is less slope constrained (See attached slope analyses and Exhibit A).

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 recommended PR zone district is in compliance with the recommended South County Sector Plan amendment to LDR (Low Density Residential) & HP (Hillside Protection) and RR (Rural Residential) & HP (Hillside Protection)
2. The amendment is in compliance with all other adopted plans.

ESTIMATED TRAFFIC IMPACT: 4369 (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: 104 (public school children, grades K-12)

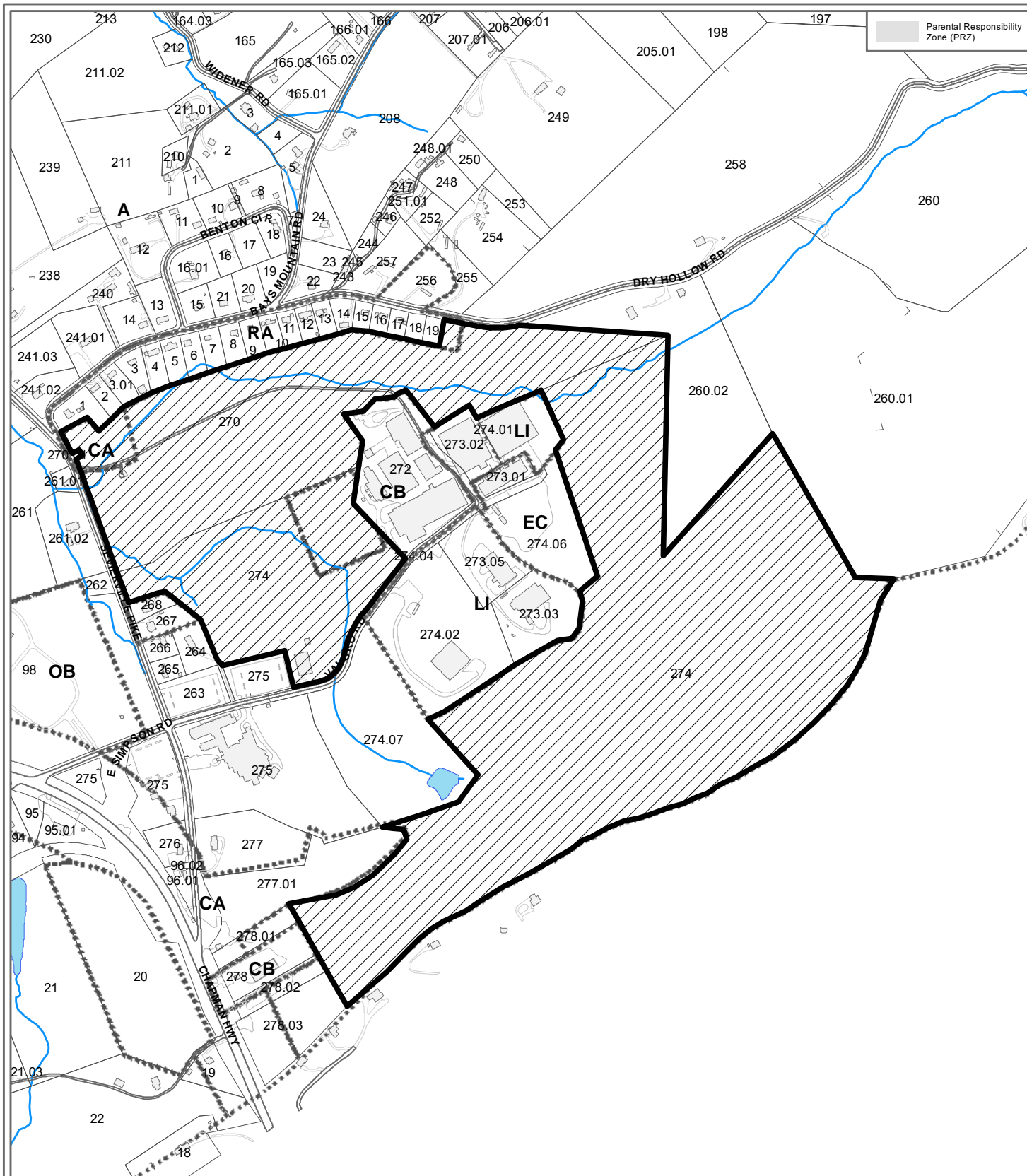
Schools affected by this proposal: New Hopewell Elementary, South Doyle Middle, and South Doyle High.

- 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 1/24/2022. 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.

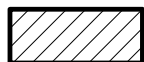






# **11-F-21-RZ REZONING**

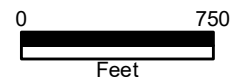
From: A (Agricultural), CA (General Business), CB (Business and Manufacturing), & RA (Low Density Residential)  
To: PR (Planned Residential)



Petitioner: Thunder Mountain Properties, LLC

Map No: 138

Jurisdiction: County



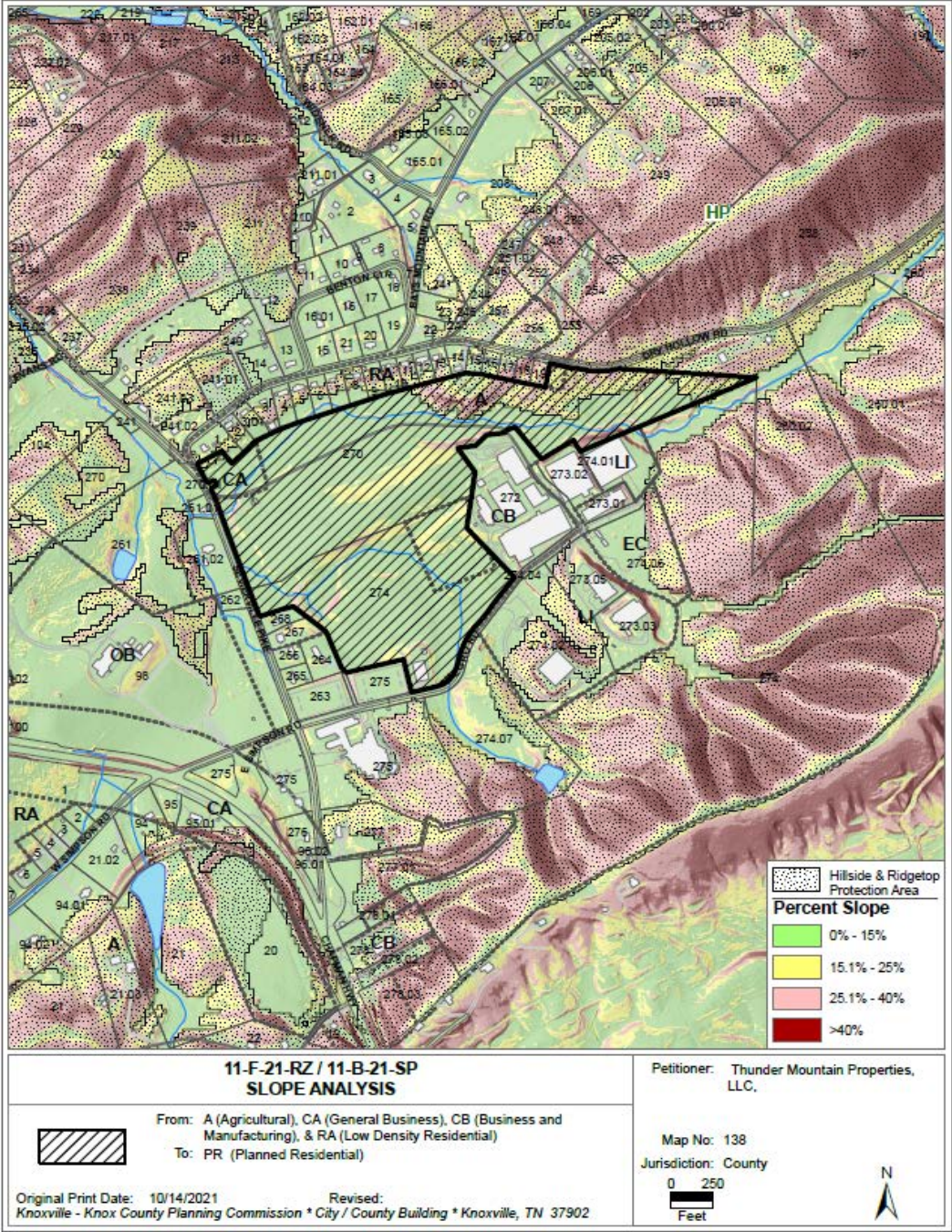
Original Print Date: 10/13/2021

Revised: 11/10/2021

Knoxville - Knox County Planning Commission \* City / County Building \* Knoxville, TN 37902

CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
Non-Hillside	55.98	100%	56.0
0-15% Slope	1.06	100%	1.1
15-25% Slope	3.86	50%	1.9
25-40% Slope	2.25	20%	0.5
Greater than 40% Slope	0.37	10%	0.0
Ridgetops	0		
Subtotal: Sloped Land	7.54	Recommended disturbance budget within Hillside Protection Area (acres)	3.5
Total Acreage	63.52		59.5

CATEGORY	ACRES	RECOMMENDED DENSITY (Dwelling Units / Acre)	NUMBER OF UNITS
Non-Hillside	55.98	3.00	167.9
0-15% Slope	1.06	3.00	3.2
15-25% Slope	3.86	2.00	7.7
25-40% Slope	2.25	0.50	1.1
Greater than 40% Slope	0.37	0.20	0.1
Ridgetops	0	3.00	0.0
Subtotal: Sloped Land	7.54		12.1
Maximum Density Guideline (Hillside & Ridgetop Protection Plan)	63.52	2.83	180.0
Proposed Density (Applicant)	63.52	4.00	254.1

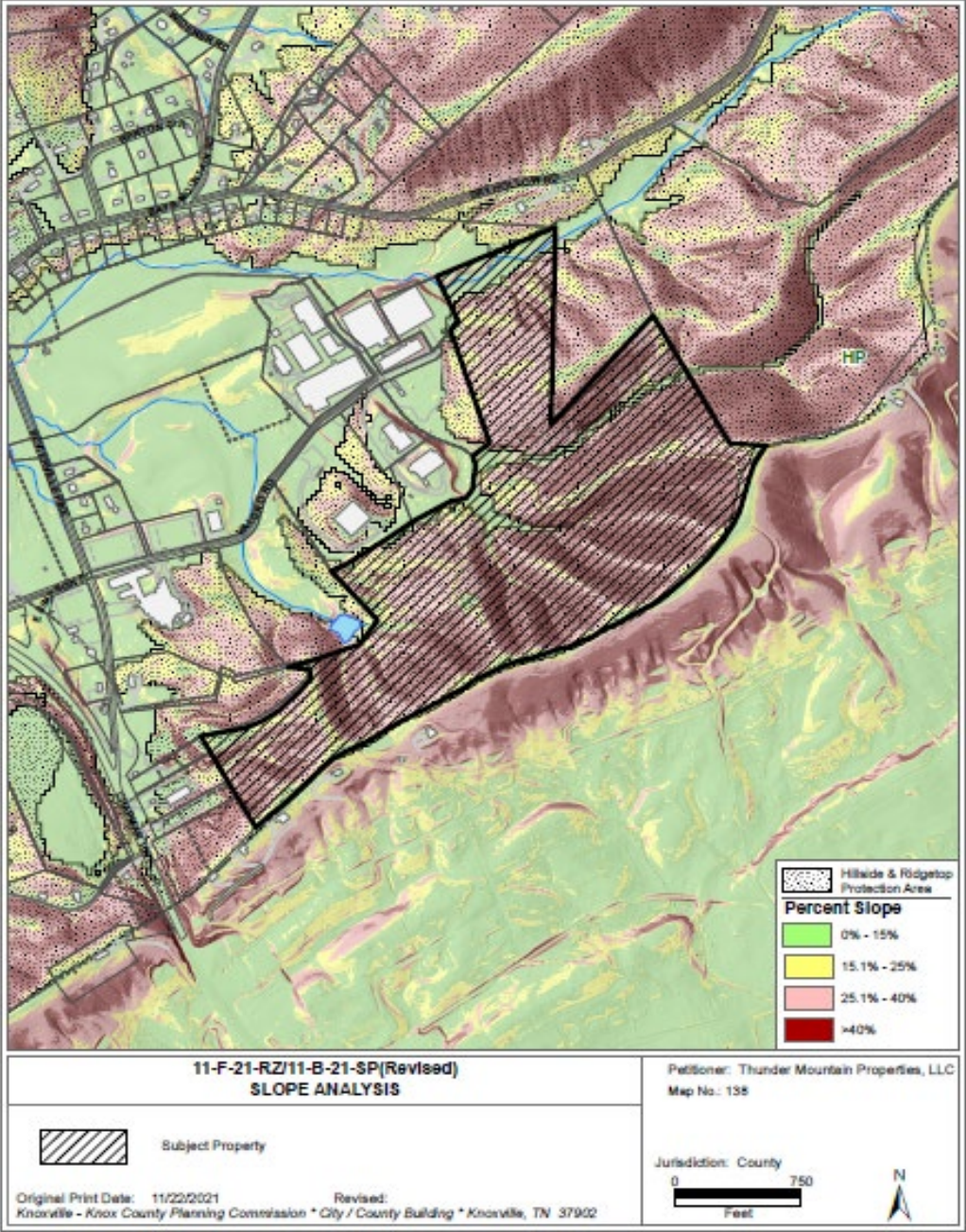




Staff - Slope Analysis  
Case: 11-F-21-RZ (Revised, additional acreage)

CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
Non-Hillside	6.47	100%	6.5
0-15% Slope	4.24	100%	4.2
15-25% Slope	10.89	50%	5.4
25-40% Slope	28.93	20%	5.8
Greater than 40% Slope	44.62	10%	4.5
Ridgetops	0		
Subtotal: Sloped Land	88.7	Recommended disturbance budget within Hillside Protection Area (acres) 19.9	
Total Acreage	95.15		26.4

CATEGORY	ACRES	RECOMMENDED DENSITY (Dwelling Units / Acre)	NUMBER OF UNITS
Non-Hillside	6.47	3.00	19.4
0-15% Slope	4.24	3.00	12.7
15-25% Slope	10.89	2.00	21.8
25-40% Slope	28.93	0.50	14.5
Greater than 40% Slope	44.62	0.20	8.9
Ridgetops	0	3.00	0.0
Subtotal: Sloped Land	88.68		57.9
Maximum Density Guideline (Hillside & Ridgetop Protection Plan)	95.2	0.81	77.3
Proposed Density (Applicant)	95.15	4.00	380.6





**KNOXVILLE-KNOX COUNTY PLANNING COMMISSION  
A RESOLUTION AMENDING THE SOUTH 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 South 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**, Thunder Mountain Properties, LLC has submitted an application for an amendment to the South County Sector Plan for property described in the application; and

**WHEREAS**, the Planning Commission recommends approval of an amendment to the Sector Plan for parcel 138 270 and a portion of parcel 138 274 from Agricultural and Hillside Protection Overlay to Low Density Residential and Hillside Protection Overlay and an amendment to the Sector Plan for a portion of parcel 138 274 from Agricultural and Hillside Protection Overlay to Rural Residential and Hillside Protection Overlay 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 December 9, 2021, 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 South County Sector Plan, with its accompanying staff report and map, file #11-B-21-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.*

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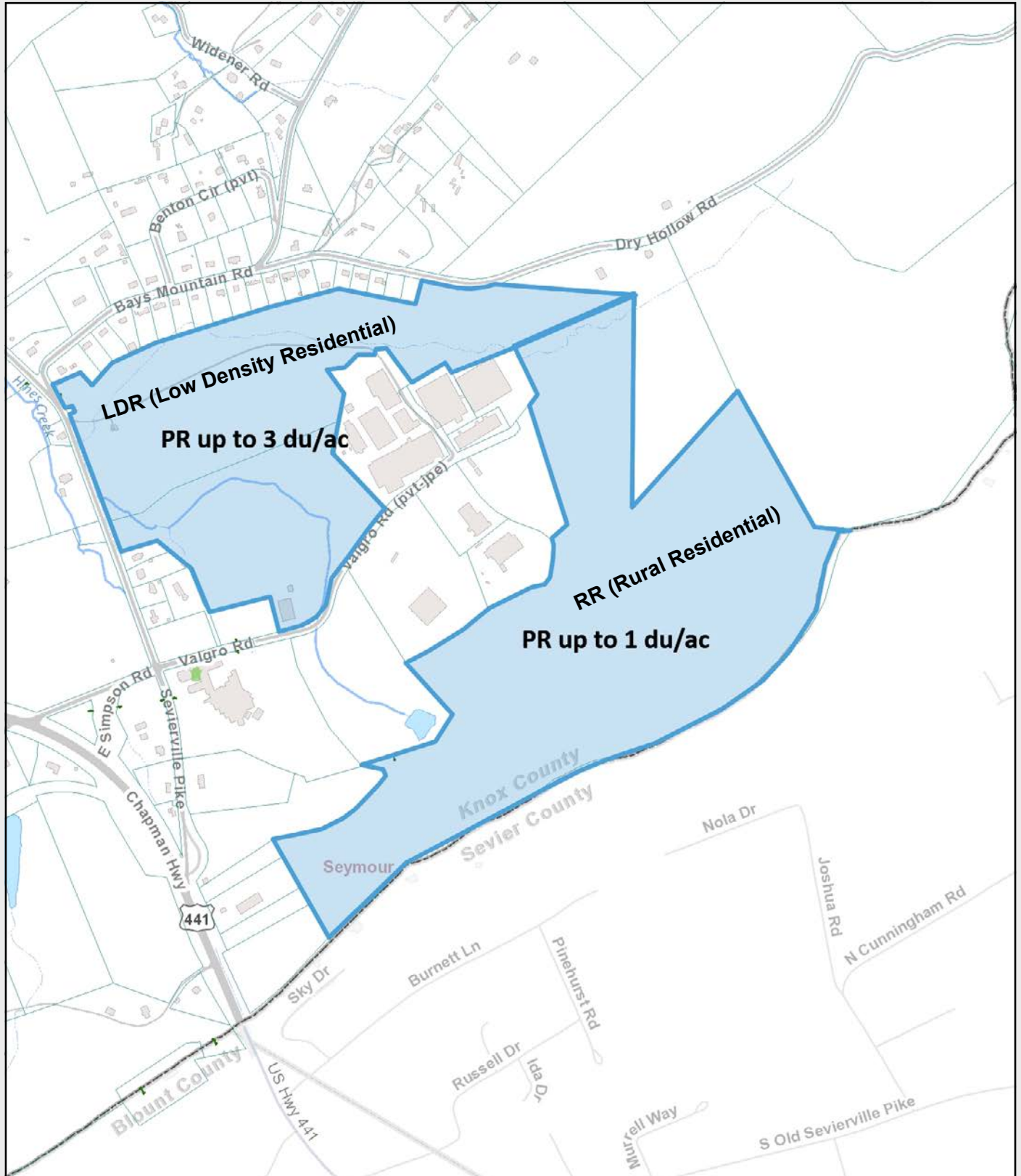
Date

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Chairman

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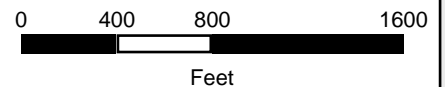
Secretary



### Staff Recommendation

PR up to 3 du/ac ~ 63ac. & PR up to 1 du/ac ~95ac.

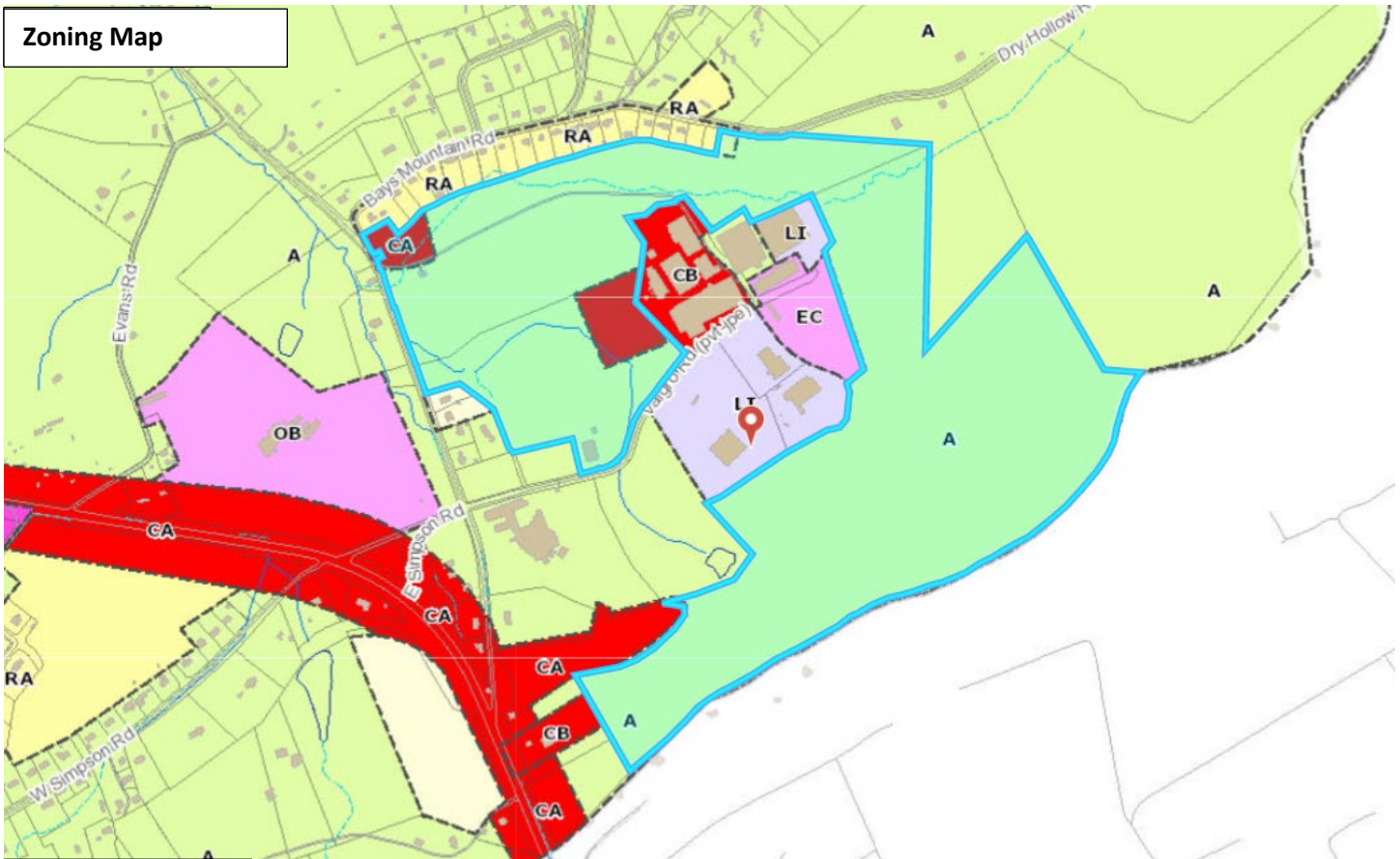
Rezoning for 11-F-21-RZ



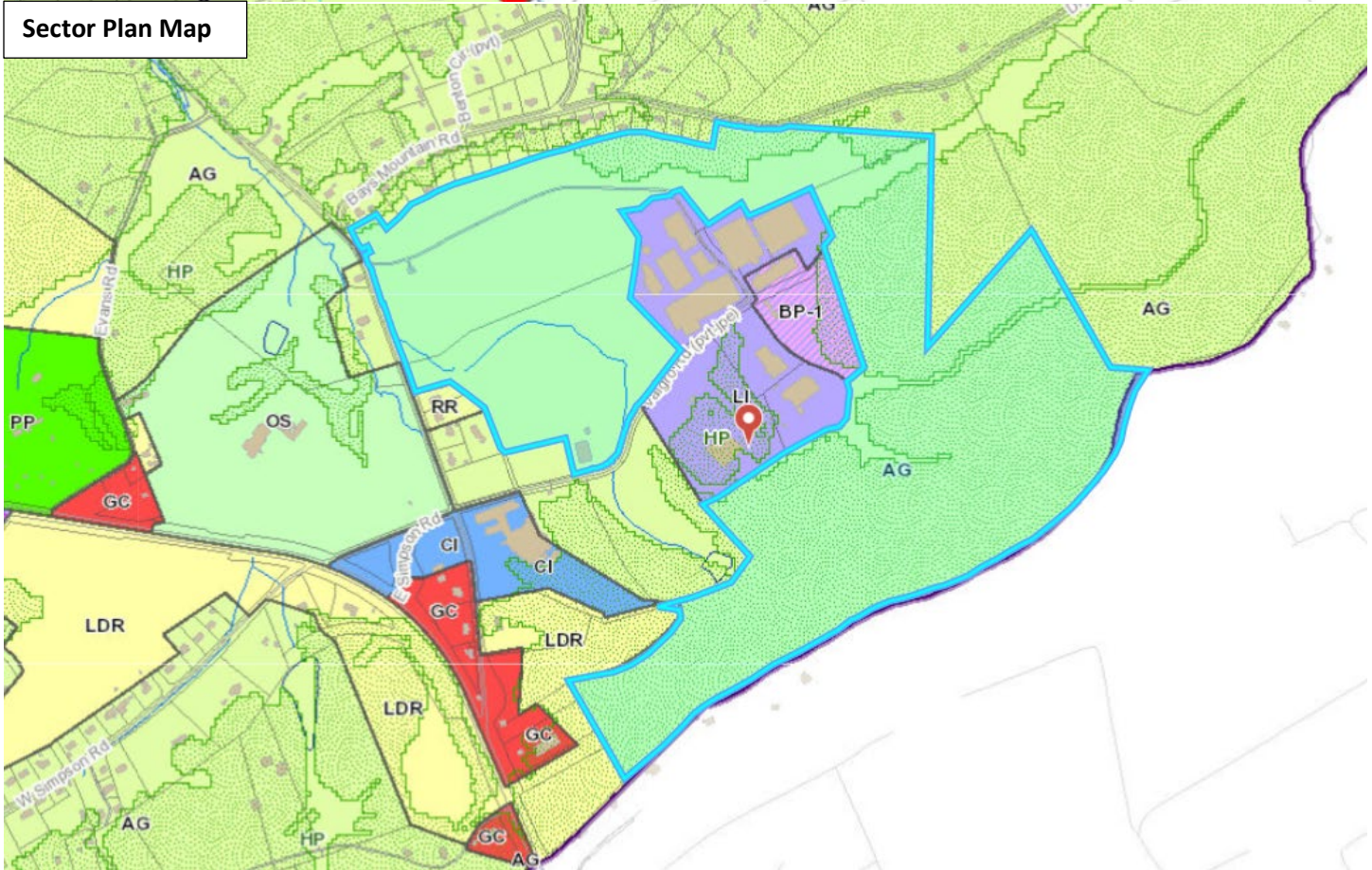


## Exhibit B. 11-F-21-RZ / 11-B-21-SP Contextual Images

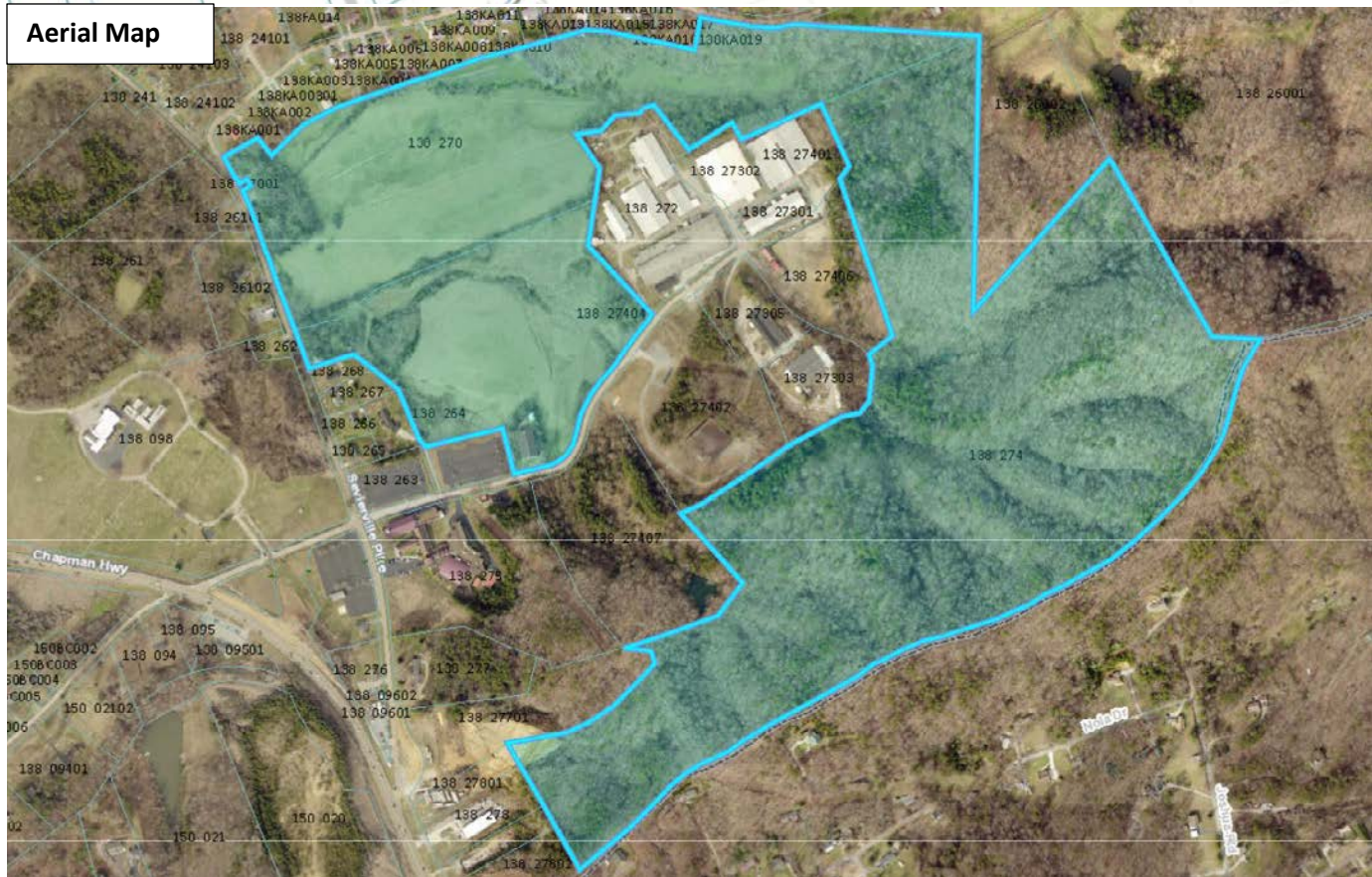
Zoning Map



Sector Plan Map







REVISED on 11/05/2021



# 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

Thunder Mountain Properties, LLC

Owner

Applicant Name

Affiliation

September 27, 2021

December 9, 2021  
~~November 10, 2021~~

File Number(s)

Date Filed

Meeting Date (if applicable)

**11-F-21-RZ / 11-B-21-SP**

## CORRESPONDENCE

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

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

Robert G. Campbell

Robert G. Campbell and Associates, LP

Name

Company

7523 Taggart Lane

Knoxville

TN

37938

Address

City

State

ZIP

865-947-5996

rcampbell@rgc-a.com

Phone

Email

## CURRENT PROPERTY INFO

Thunder Mountain Properties

PO Box 117 LaFollette, TN 37766

423-871-3430

Owner Name (if different)

Owner Address

Owner Phone

8802 Sevierville Pike, 0 Dry Hollow

Part of 138/274 and 138/270

Property Address

Parcel ID

Knox Chapman

Knox Chapman

n

Sewer Provider

Water Provider

Septic (Y/N)

## STAFF USE ONLY

East of Chapman Highway, north of the Sevier County line, south of Bays Mountain and Dry Hollow Roads

158.64 ac

General Location

Tract Size

☐ City ☒ County

9th

A, CA, CB, RA

Ag/For/Vac

District

Zoning District

Existing Land Use

South County

AG (Agriculture) & HP (Hillside Protection)

Rural Area

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

December 2020



**DEVELOPMENT REQUEST**
☐ Development Plan   ☐ Use on Review / Special Use   ☐ Hillside Protection COA

☐ Residential   ☐ Non-Residential

Home Occupation (specify) \_\_\_\_\_

Other (specify) \_\_\_\_\_

Related City Permit Number(s)

**SUBDIVISION REQUEST**

Proposed Subdivision Name \_\_\_\_\_

Unit / Phase Number \_\_\_\_\_

☐ Combine Parcels☐ Divide Parcel

Total Number of Lots Created \_\_\_\_\_

☐ Other (specify) \_\_\_\_\_☐ Attachments / Additional Requirements

Related Rezoning File Number

**ZONING REQUEST**☒ Zoning Change**Planned Residential (PR)**Proposed Zoning (Low Density Residential) & HP (Hillside Protection)  
LDR☒ Plan Amendment Change

Proposed Plan Designation(s)

4 du/ac3 du / acLDR

Proposed Density (units/acre)

Previous Rezoning Requests

☐ Other (specify) \_\_\_\_\_

Pending Plat File Number

**STAFF USE ONLY****PLAT TYPE**☐ Staff Review☐ Planning Commission

pd 9/27/21

**ATTACHMENTS**☐ Property Owners / Option Holders☐ Variance Request

pd 9/27/21

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

pd 11/5/2021

Fee 1

0325

\$3,780.00

Fee 2

0527

\$800.00

Fee 3

0325

\$420.00

Total

\$5,000.00

**AUTHORIZATION**

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

Michael S. Malicote

Applicant Signature

LMC

Thunder Mountain Properties, LLC

Please Print

9-27-21

Date

865-567-1725

Phone Number

mike@dixieroofinginc.com

Email

Ely Albertson

Staff Signature

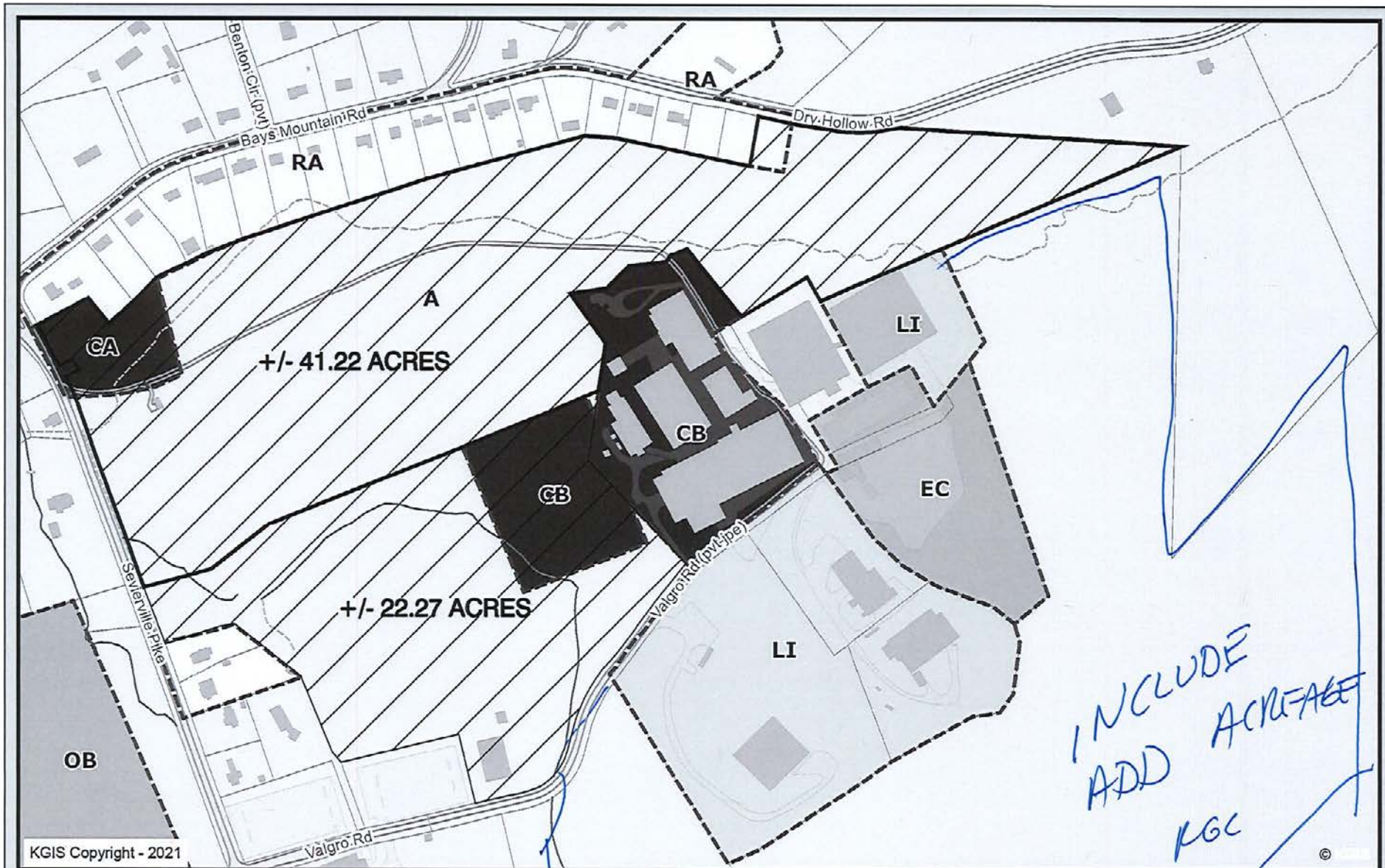
liz.albertson@knoxplanning.org

Please Print

11/5/2021

Date





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