

REZONING REPORT

▶ **FILE #:** 1-N-24-RZ

AGENDA ITEM #: 31

AGENDA DATE: 1/11/2024

▶ **APPLICANT:** THUNDER MOUNTAIN PROPERTIES

OWNER(S): B. Chris Arnold Thunder Mountain Properties

TAX ID NUMBER: 150 B C 001 (PART OF)

[View map on KGIS](#)

JURISDICTION: County Commission District 9

STREET ADDRESS: 0 CHAPMAN HWY

▶ **LOCATION:** Southwest side of Chapman Hwy, south of Highland View Dr

▶ **APPX. SIZE OF TRACT:** 8.7 acres

SECTOR PLAN: South County

GROWTH POLICY PLAN: Rural Area, Planned Growth Area

ACCESSIBILITY: Access is via Highland View Circle, a local street with a pavement width of 26 ft within a 50-ft right-of-way; and W. Simpson Rd, a local street with a pavement width of 15-16 ft within a 50 to 60-ft right-of-way.

UTILITIES: Water Source: Knox-Chapman Utility District

Sewer Source: Knox-Chapman Utility District

WATERSHED: Hinds Creek

▶ **PRESENT ZONING:** RA (Low Density Residential)

▶ **ZONING REQUESTED:** PR (Planned Residential)

▶ **EXISTING LAND USE:** Agriculture/Forestry/Vacant Land

▶ **DENSITY PROPOSED:** up to 5 du/ac

EXTENSION OF ZONE: No, this is not an extension.

HISTORY OF ZONING: None noted

SURROUNDING LAND USE AND ZONING: North: Agriculture/forestry/vacant land - RA (Low Density Residential), CA (General Business)

South: Single family residential - A (Agricultural), RA (Low Density Residential)

East: Single family residential - A (Agricultural)

West: Single family residential - RA (Low Density Residential)

NEIGHBORHOOD CONTEXT: This is a transitional area between the commercial zoning along Chapman Hwy and the single family residential uses to the north, south, and west. The uses along Chapman Hwy consists of a small commercial strip center, golf driving range, cemetery, and baseball fields. Residential uses are primarily located on side streets, away from Chapman Hwy.

STAFF RECOMMENDATION:

▶ **Approve the PR (Planned Residential) zone up to 5 du/ac because it is consistent with the sector plan and surrounding development.**

COMMENTS:

This request is to rezone 8.7 acres of the western portion of this 27-acre property from RA (Low Density Residential) to PR (Planned Residential) up to 5 du/ac. The remaining portion of the property zoned RA to the northeast is proposed to be rezoned to CA (General Business) (1-M-24-RZ / 1-H-24-SP).

The existing houses to the northwest and south are the three phases (units) of the Highlands subdivision, which used to be part of this subject property and include four right-of-way stub-outs to the subject property. The first two phases were platted in 1964 and 1965 before the current zoning regulations were adopted. These lots are zoned A (Agricultural) and access Highland View Drive and W. Simpson Road, both of which pre-existed this subdivision. These lot sizes are approximately one-half acre, which is consistent with the RA (Low Density Residential) zone for lots with a septic system. The Agricultural zone prior to 1967 had a minimum lot size of one-half acre for houses and duplexes. The current A zone requires a minimum lot size of 1 acre for houses.

The third phase was platted in 1970, which includes the creation of Highland Circle and the house lots that front this street. These lots were developed under the current RA zone.

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 COUNTY GENERALLY:

1. In 2022, the Tennessee Department of Transportation (TDOT) widened Chapman Highway to include a middle turn lane from the county line to the Highland View Drive intersection. These improvements included realigning the W. Simpson Rd intersection and installing an eastbound deceleration lane at this intersection.
2. According to the TDOT website for the Chapman Hwy improvements, as of October 3, 2023, work on a new water line has moved to Simpson Road and is progressing north. A new gas line has been installed to Simpson Road.
3. Recent development plan and rezoning approvals in the area include a 117-lot townhouse development (9.46 du/ac) along Chapman Hwy to the southeast (11-SD-21-C / 11-C-21-UR) and rezoning 64 acres to PR up to 2.8 du/ac on the east side of Sevierville Pike (11-F-21-RZ / 11-B-21-SP). The Highland Ridge Subdivision to the west on Highland View Dr is a 125-acre property zoned PR up to 1.47 du/ac. The lots are concentrated in the southeast portion of the property with a typical lot size of 5,500 sqft (0.13 acres).
4. Considering the ongoing demand for a range of housing options, the proposed rezoning from the RA (Low Density Residential) zone to PR (Planned Residential) zone up to 5 du/ac presents an opportunity to meet this demand by allowing additional options for types of housing types.

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

1. The PR zone (Planned Residential) is intended to provide options for residential development compatible with the surrounding or adjacent zones. The proposed density would present a transition from the commercial zoning to the north to the half-acre lots to the south.
2. The surrounding development consists of detached single-family residential homes on lots ranging from 0.8 to 0.43 acres (1.25 to 2.3 du/ac), which is consistent with the LDR (Low Density Residential) land use classification of 1-5 du/ac. The requested PR zone at 5 du/ac is consistent with the adjacent LDR uses.
3. This portion of the property is not within the HP (Hillside Protection), but it does have consistent slopes near and exceeding 15 percent, with the north side of the property having a higher elevation. Also, there is a regional natural gas pipeline that runs near the southern boundary of the property.
4. 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 is 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. This portion of the subject property has two right-of-way stub-outs for access, one to the north (Highland View Circle) and one to the south (W. Simpson Road). The property could also have access through the remaining portion of the property that is being considered for rezoning to CA (General Business) (1-M-24-RZ / 1-H-24-SP). The multiple options for access could allow for vehicle traffic to be distributed rather than concentrated and for general connectivity.
2. If a future development proposal includes a connection to W. Simpson Road, the developer must design the road to meet the requirements of the natural gas provider where it crosses the pipeline.

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 Growth Policy Plan has split designations on the property; approximately 6 acres is Planned Growth Area, and 2.7 acres is Rural Area. The boundary split is on the south side of the regional natural gas pipeline easement, which is about 50 ft from the rear of the lots that front on W. Simpson Road, according to the plat for the Highlands, Unit 2. The subject property has been zoned RA (Low Density Residential) since at least the 1980s, if not since 1967 when the current zoning ordinance was adopted. It appears to have been an oversight that the boundary does not follow the lot lines rather than pipeline easement when drawing the boundary since the RA zone is not a permitted zone in the Rural Area.
2. The property is designated with the LDR (Low Density Residential) land use classification in the South County Sector Plan, which allows consideration of the PR zone up to 5 du/ac.
3. The requested rezoning is consistent with the General Plan's development policy 9.3, to ensure that the context of new development, including scale and compatibility, does not impact existing neighborhoods and communities; and development policy 10.11, to allow higher densities, smaller yards, and narrower lots for portions of planned developments where deeper setbacks, wider lots, or landscape buffers are provided adjacent to lower-density housing. The scale, compatibility, and buffers are considered during the development plan review.

ESTIMATED TRAFFIC IMPACT: 333 (average daily vehicle trips)

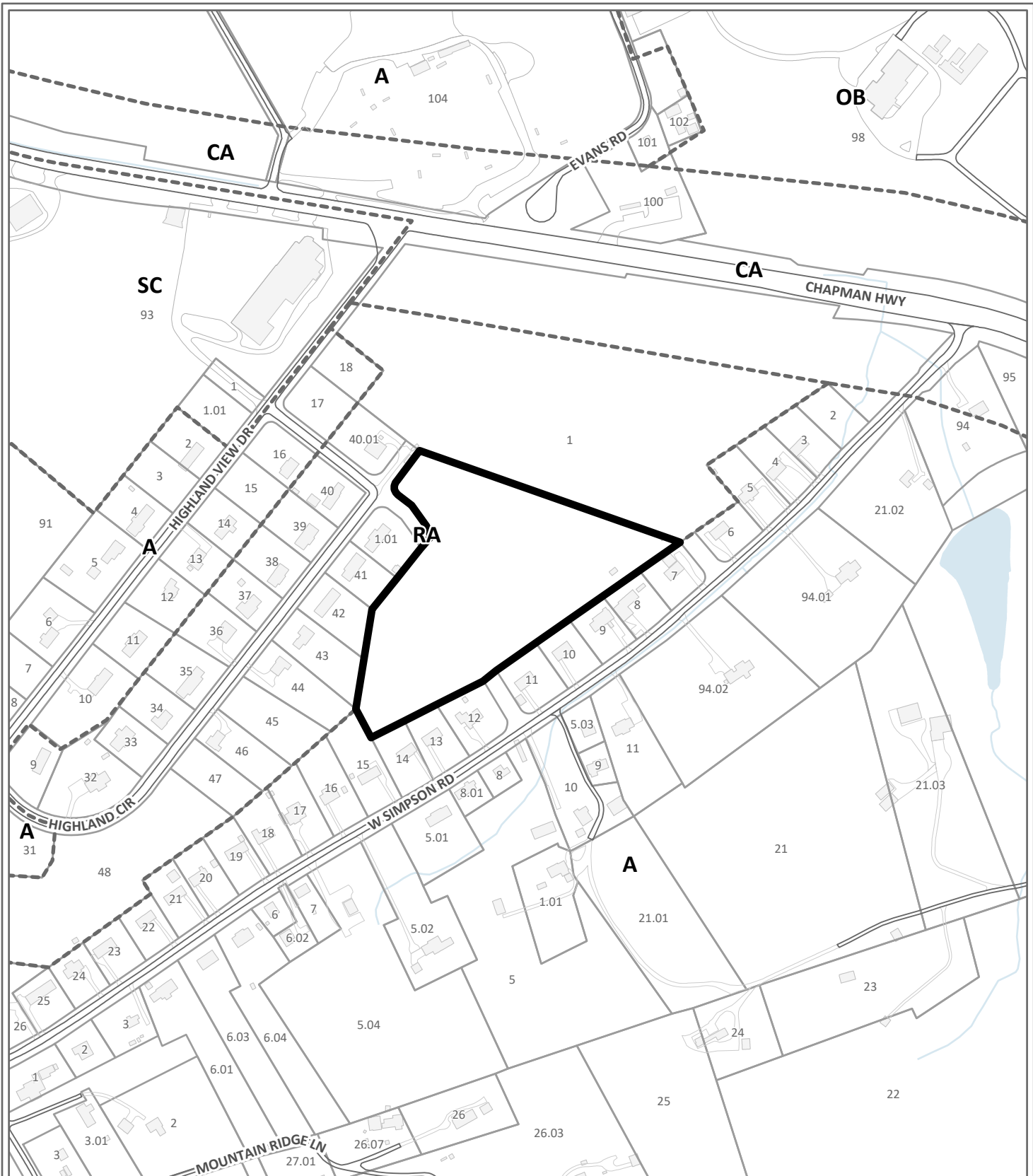
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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: 7 (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 2/26/2024. 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.



REZONING

1-N-24-RZ

Petitioner: Thunder Mountain Properties



From: RA (Low Density Residential)

To: PR (Planned Residential)

Map No: 150

Jurisdiction: County

Original Print Date: 12/20/2023

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

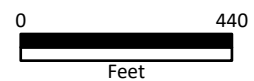
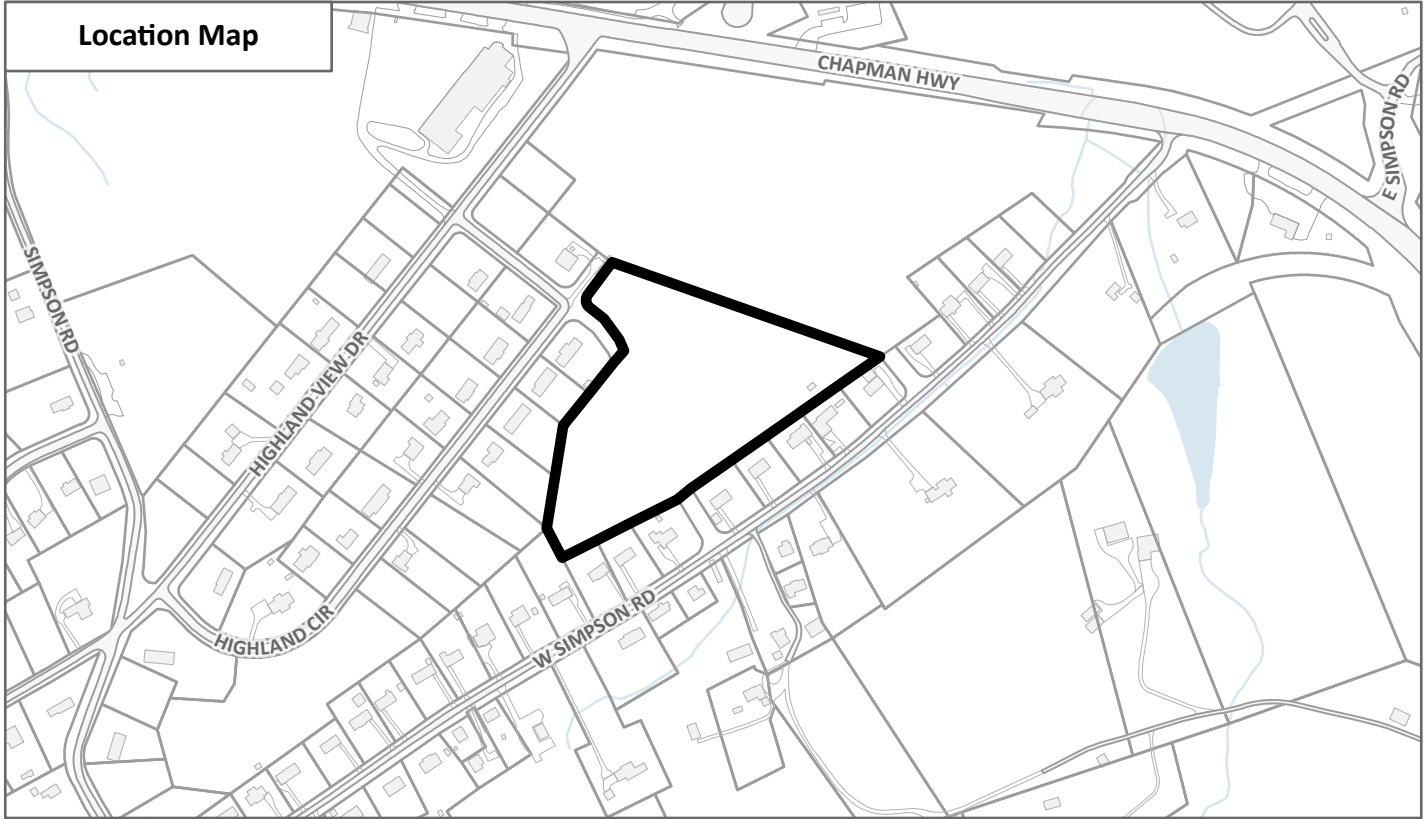


Exhibit A. Contextual Images

Location Map



Aerial Map

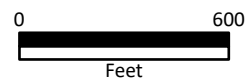


CONTEXTUAL MAPS 1

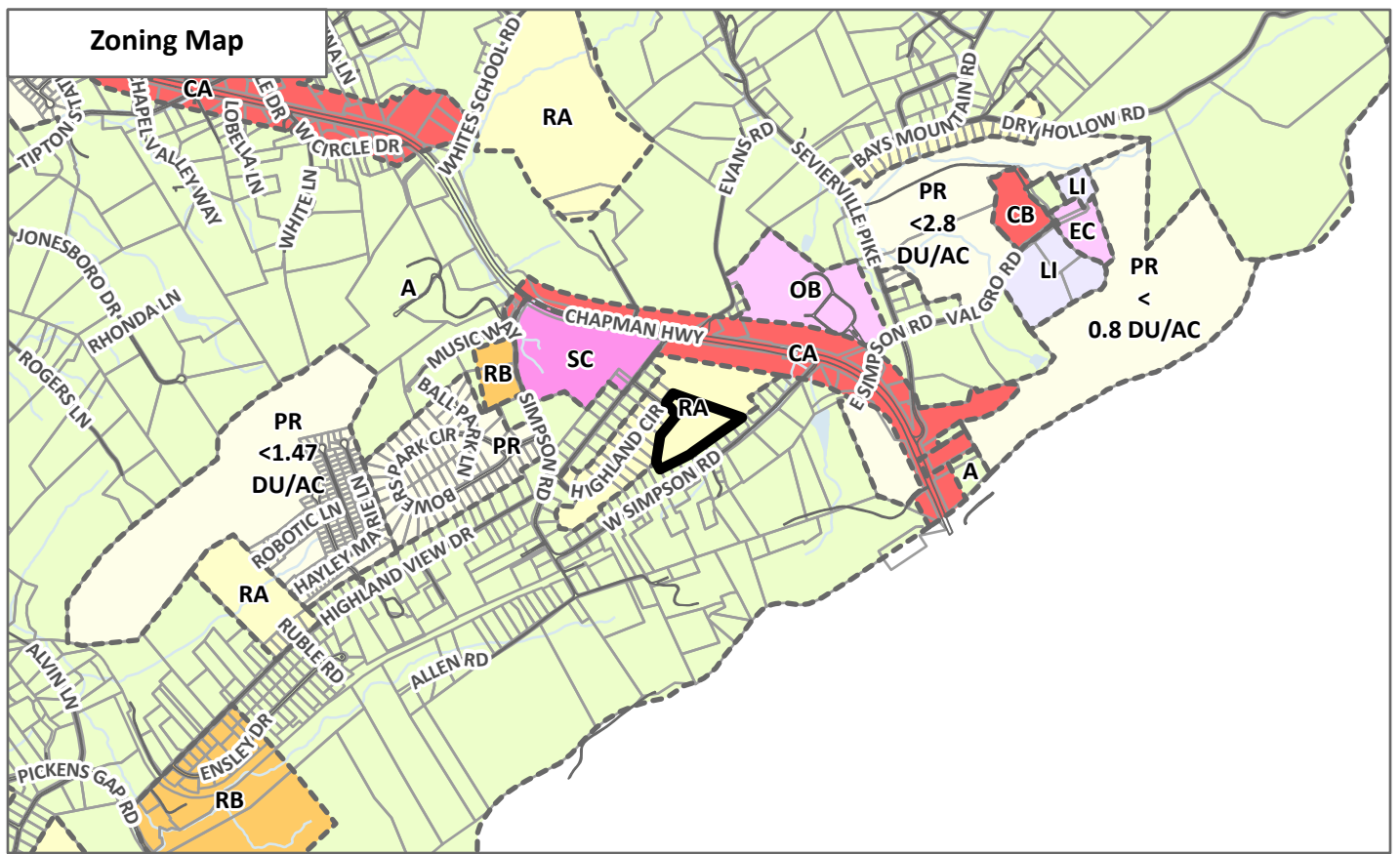
1-N-24-RZ



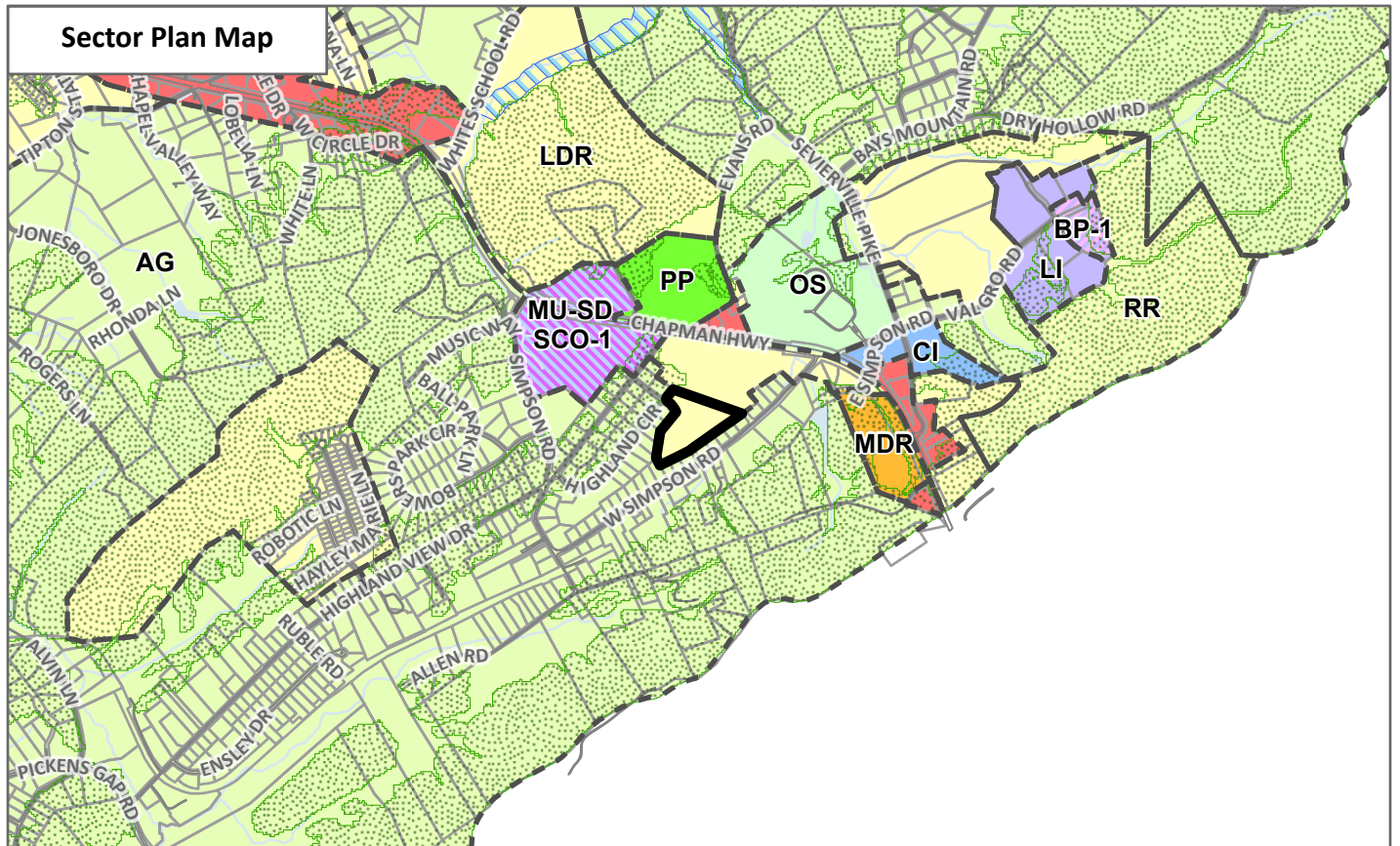
Case boundary



Zoning Map



Sector Plan Map



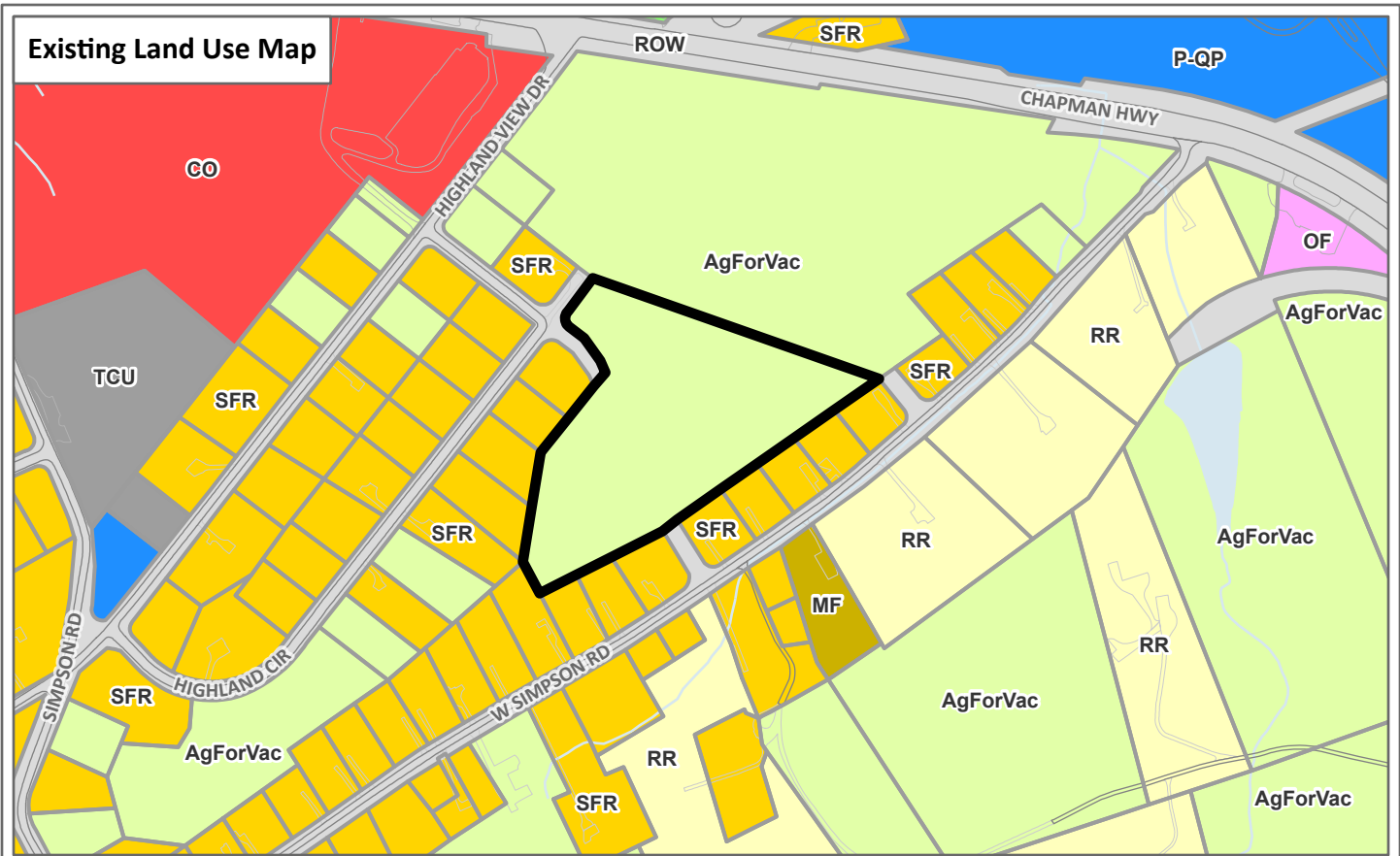
CONTEXTUAL MAPS 2

1-N-24-RZ



Case boundary





CONTEXTUAL MAPS 3

1-N-24-RZ



Case boundary

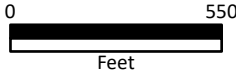
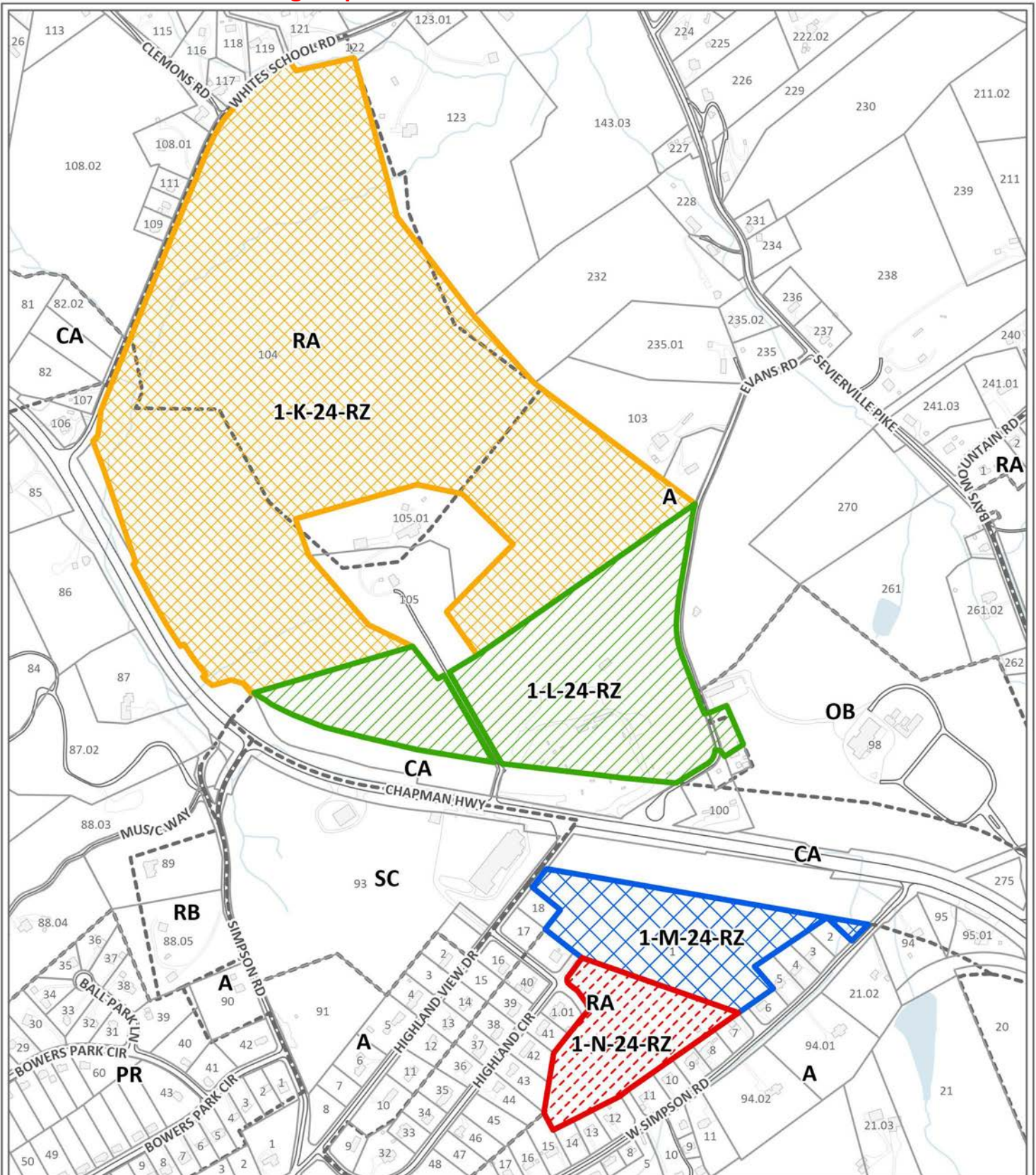


Exhibit B. Related Rezoning Requests



REZONING

- From A to CA
- From RA, A to CA
- From RA to PR
- From RA, A to PR

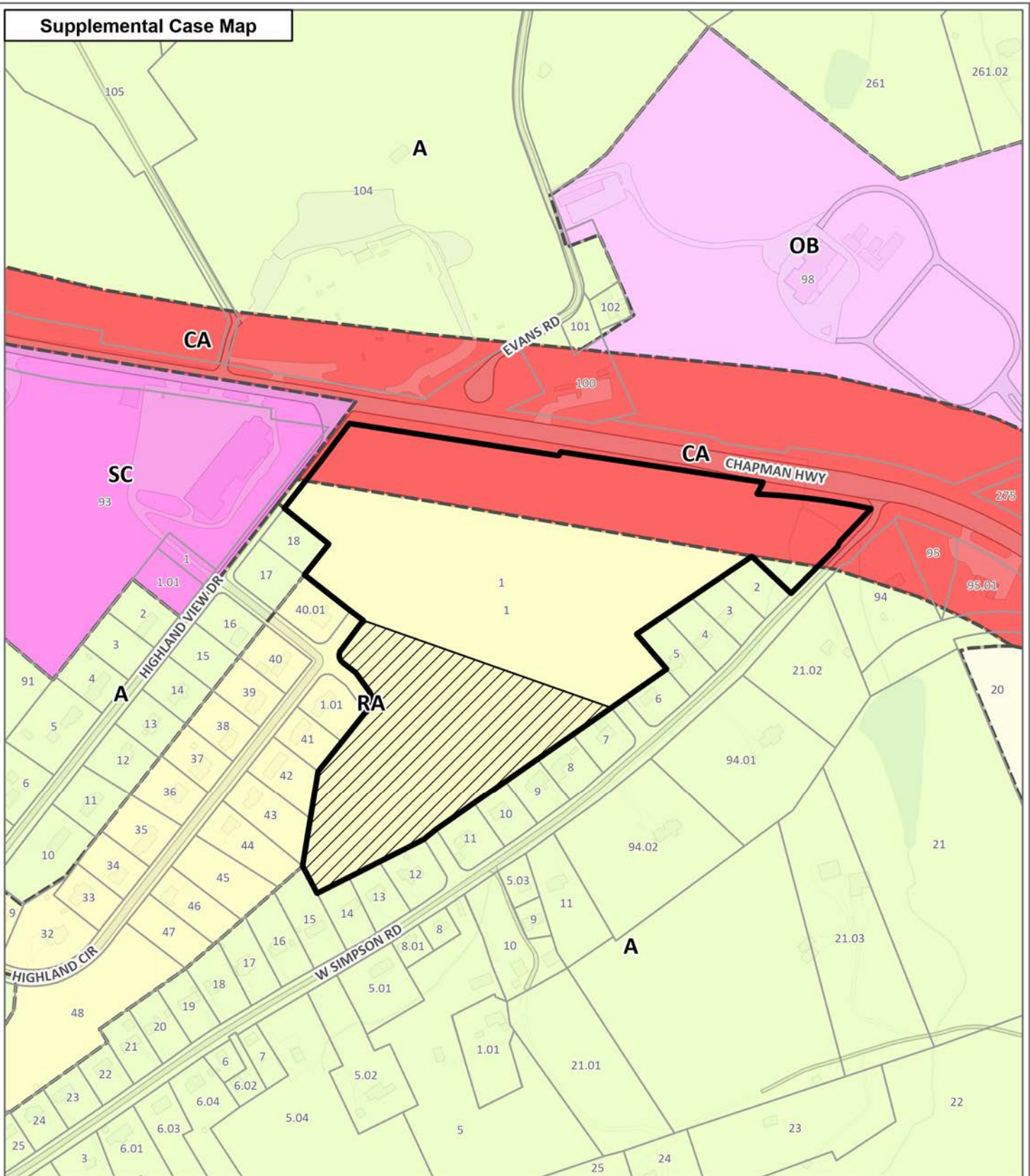
Original Print Date: 12/21/2023
 Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Thunder Mountain Properties

Map No: 138 and 150
Jurisdiction: County



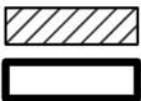
Supplemental Case Map



REZONING

1-N-24-RZ

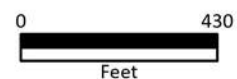
Petitioner: Thunder Mountain Properties



Area requested for rezoning within parcel

Boundary for parcel 150BC001

Map No: 150
Jurisdiction: County



Original Print Date: 1/3/2024

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

Memorandum

Date: 1/10/2024

To: Knox Planning Staff

From: Steve Elliott Director of Development Services 

Subject: 1-N-24-RZ

Per Section 1 (7.1) of the Growth Policy plan the zoning administrator for Knox County must determine which classification prevails when the Planned Growth Boundary splits a parcel and in the case of the subject property the largest percentage of the property is in the Planned Growth Area therefore the entire parcel shall be classified as within the Planned Growth Area.



Development Request

DEVELOPMENT

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

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Plan Amendment
 - Sector Plan
 - One Year Plan
- Rezoning

Thunder Mountain Properties

Applicant Name		Affiliation
11/28/2023	1/11/2024	1-N-24-RZ
Date Filed	Meeting Date (if applicable)	File Number(s)

CORRESPONDENCE

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

Robert G. Campbell, PE Robert G. Campbell and Associates

Name / Company

7523 Taggart Ln. Ln. Knoxville TN 37938

Address

865-947-5996 / rcampbell@rgc-a.com

Phone / Email

CURRENT PROPERTY INFO

B. Chris Arnold Thunder Mountain Prop	8744 Chapman Hwy Knoxville TN 37920	423-871-3430 / bcarnold1@outl
Owner Name (if different)	Owner Address	Owner Phone / Email

0 CHAPMAN HWY

Property Address

150 B C 001 (part of)

Parcel ID

Part of Parcel (Y/N)?

6 acres

Tract Size

Knox-Chapman Utility District

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

Southwest side of Chapman Hwy, south of Highland View Dr

General Location

<input type="checkbox"/> City	Commission District 9	RA (Low Density Residential)	Agriculture/Forestry/Vacant Land
<input checked="" type="checkbox"/> County	District	Zoning District	Existing Land Use

South County	LDR (Low Density Residential), HP (Hillside Protection)	Rural Area, Planned Growth Area
Planning Sector	Sector Plan Land Use Classification	Growth Policy Plan Designation

DEVELOPMENT REQUEST

<input type="checkbox"/> Development Plan <input type="checkbox"/> Planned Development <input type="checkbox"/> Use on Review / Special Use	Related City Permit Number(s)
<input type="checkbox"/> Hillside Protection COA <input type="checkbox"/> Residential <input type="checkbox"/> Non-residential	
Home Occupation (specify) _____	
Other (specify) _____	

SUBDIVISION REQUEST

Proposed Subdivision Name	Related Rezoning File Number
Unit / Phase Number	
Additional Information _____	
<input type="checkbox"/> Attachments / Additional Requirements	

ZONING REQUEST

<input checked="" type="checkbox"/> Zoning Change PR (Planned Residential)	Pending Plat File Number
Proposed Zoning	
<input type="checkbox"/> Plan Amendment	Proposed Plan Designation(s)

up to 5 du/ac

Proposed Density (units/acre)	Previous Zoning Requests
Additional Information _____	

STAFF USE ONLY

PLAT TYPE

Staff Review Planning Commission

ATTACHMENTS

Property Owners / Option Holders Variance Request

ADDITIONAL REQUIREMENTS

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

Fee 1	Total
\$950.00	
Fee 2	
Fee 3	

AUTHORIZATION

I declare under penalty of perjury the foregoing is true and correct: 1) He/she/it is the owner of the property, AND 2) the application and all associated materials are being submitted with his/her/its consent.

Applicant Signature	Thunder Mountain Properties	11/28/2023
	Please Print	Date

Phone / Email

Property Owner Signature	B. Chris Arnold Thunder Mountain Properties	11/28/2023
	Please Print	Date



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

Applicant Name

Affiliation

File Number(s)

Date Filed

Meeting Date (if applicable)

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

Robert G. Campbell

RGC&A

Name

Company

7523 Taggart Lane

Knoxville

TN

37938

Address

City

State

ZIP

865-947-5996

rcampbell@rgc-a.com

Phone

Email

CURRENT PROPERTY INFO

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

0 Chapman Highway

150BC001

Property Address

Parcel ID

Knox Chapman

Knox Chapman

N

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

General Location

Tract Size

- City
- County

District

Zoning District

Existing Land Use

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

DEVELOPMENT REQUEST

- Development Plan Use on Review / Special Use Hillside Protection COA
- Residential Non-Residential

Related City Permit Number(s)

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

Zoning Change **PR (a portion shown on the attached map)**
 Proposed Zoning _____

Pending Plat File Number

Plan Amendment Change Proposed Plan Designation(s) _____

5 du/ac

Proposed Density (units/acre) _____ 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	Total
Fee 2	
Fee 3	


AUTHORIZATION

I declare under penalty of perjury the foregoing is true and correct:
 1) He/she/it is the owner of the property AND 2) The application and all associated materials are being submitted with his/her/its consent


 Applicant Signature

Thunder Mountain Properties

Please Print


 Date

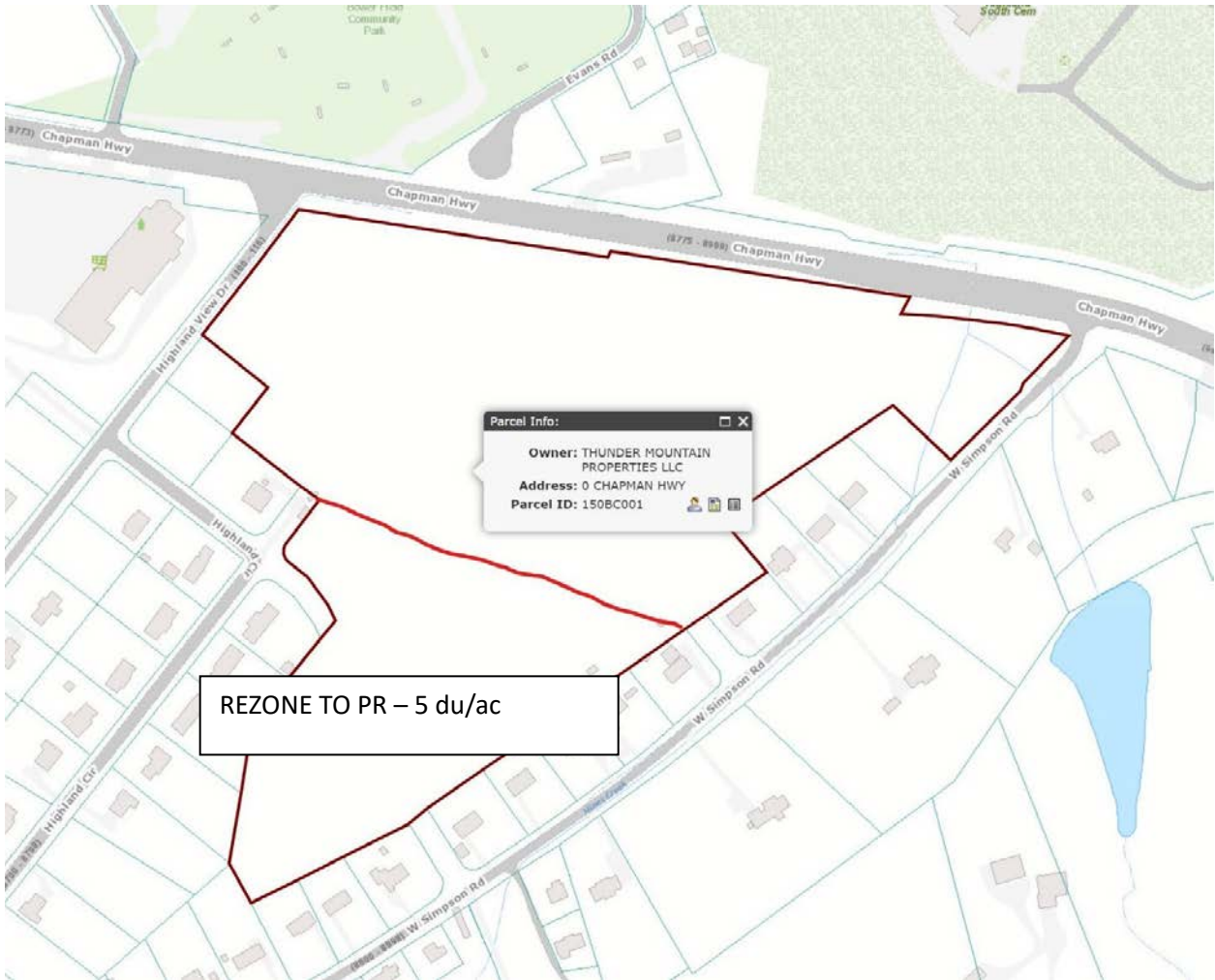
423-871-3430
 Phone Number

bearnold1@outlook.com
 Email


 Property Owner Signature

B. Chris Arnold
 Please Print

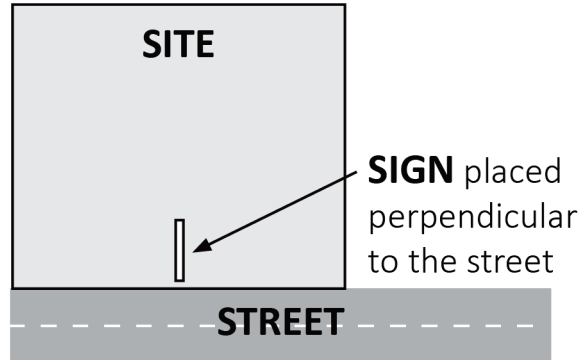
Date Paid



Parcel Info:
Owner: THUNDER MOUNTAIN PROPERTIES LLC
Address: 0 CHAPMAN HWY
Parcel ID: 150BC001

REZONE TO PR - 5 du/ac

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:

_____ and _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Thunder Mountain Prop. LLC

Date: 11/29/2023

File Number: 1-N-24-RZ

- Sign posted by Staff
- Sign posted by Applicant