



PLAN AMENDMENT/ REZONING REPORT

▶ **FILE #:** 1-L-24-RZ **AGENDA ITEM #:** 6
 7-I-24-PA (REVISED) **AGENDA DATE:** 7/11/2024

▶ **APPLICANT:** THUNDER MOUNTAIN PROPERTIES
OWNER(S): B. Chris Arnold Thunder Mountain Properties

TAX ID NUMBER: 138 104 (PART OF) [View map on KGIS](#)

JURISDICTION: Commission District 9

STREET ADDRESS: 8744 CHAPMAN HWY

▶ **LOCATION:** Northeast side of Chapman Hwy, east and west sides of Evans Rd, southwest of Sevierville Pike

▶ **TRACT INFORMATION:** 38 acres.

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Chapman Hwy, a four lane major arterial street with a continuous center turn lane with 120-160 ft of right-of-way; and Evans Rd, a local street with pavement width of 16 ft within 30 ft of right-of-way.

UTILITIES: Water Source: Knox-Chapman Utility District

Sewer Source: Knox-Chapman Utility District

WATERSHED: Hinds Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** TN (Traditional Neighborhood), POS (Parks and Open Space), TCMU (Town Center Mixed-Use), HP (Hillside Protection) / A (Agricultural)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** CMU (Corridor Mixed-Use), HP (Hillside Protection) / CA (General Business)

▶ **EXISTING LAND USE:** Public Parks, Agriculture/Forestry/Vacant Land

▶ **EXTENSION OF PLAN DESIGNATION/ZONING:** Yes, from the southeast

HISTORY OF ZONING REQUESTS: There are active applications for other portions of the property to PR < 3 du/ac (1-K-24-RZ) and PR < 5 du/ac (7-W-24-RZ).

SURROUNDING LAND USE, PLAN DESIGNATION, North: Single family residential, rural residential, agriculture/forestry/vacant land - TN (Traditional Neighborhood), RL (Rural Living), HP (Hillside Protection) - A (Agricultural), RA (Low Density Residential)

ZONING South: Commercial, agriculture/forestry/vacant land - TCMU (Town Center Mixed-Use), CMU (Commercial Mixed-Use), HP (Hillside Protection) - SC (Shopping Center), CA (General Business)

East: Public/quasi-public, office, agriculture/forestry/vacant land, single family residential - SR (Suburban Residential), POS (Parks and Open Space), CMU (Commercial Mixed-Use), HP (Hillside Protection) - A (Agricultural), CA (General Business), OB (Office)

West: Rural residential, agriculture/forestry/vacant land - TN (Traditional Neighborhood), HP (Hillside Protection) - A (Agricultural)

NEIGHBORHOOD CONTEXT: This area along Chapman Hwy is on the north side of Bays Mountain from Seymour (Sevier County) and consists of a small commercial strip center, golf driving range, cemetery, and baseball fields (on the subject property). Residential uses are primarily located on side streets, away from Chapman Hwy.

STAFF RECOMMENDATION:

- ▶ **Postpone the plan amendment application to the August 8, 2024 Planning Commission meeting so it can be heard according to the quarterly schedule specified in the Knox County Comprehensive Land Use and Transportation plan.**

- ▶ **Postpone the rezoning application to the August 8, 2024 Planning Commission meeting so the rezoning can be heard with the plan amendment.**

COMMENTS:

When the rezoning application was originally submitted in November 2023, a sector plan amendment to MU-SD, MU-SCO-1 (South Knox County Gateway) was included in the application (1-G-24-SP). That request was tabled at the January 11, 2024 Planning Commission meeting. However, on April 22, 2024, the Knox County Commission approved the Knox County Comprehensive Land Use and Transportation Plan, after which the General Plan and all associated sector plans were no longer applicable in Knox County. With the untabling of the sector plan amendment application, it was revised to a comprehensive plan amendment application. Per the Knox County Comprehensive Plan, Implementation Action I.M.1, plan amendments are to be heard by the Planning Commission quarterly, and the next available meeting is the August 2024 agenda.

The place types on the property are currently TN (Traditional Neighborhood), POS (Parks and Open Space), TCMU (Town Center Mixed-use), and HP (Hillside Protection). The proposed place type for the plan amendment is CMU (Commercial Mixed-use) and HP (Hillside Protection).

The rezoning request from A (Agricultural) to CA (General Business) is for the approximate 31.5 acres in the southeast portion of the property that is not currently zoned CA. Approximately 7 acres of the property is currently zoned CA. If approved, the CA zoning will be on approximately 38.5 acres of the southeast portion of the parcel. Because this request requires a plan amendment in order to prevent creation of a nonconformity, Planning is recommending postponement of this item so it can be heard concurrently with the plan amendment at the August 8, 2024 Planning Commission meeting.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 8/19/2024. 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.



Request to Postpone • Table • Withdraw

Thunder Mountain Properties

6/7/2024

Applicant Name (as it appears on the current Planning Commission agenda)

Date of Request

June 13, 2024

Scheduled Meeting Date

File Number(s)

1-G-24-SP; 1-L-24-RZ

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 July 11, 2024

Planning Commission Meeting.

WITHDRAW

WITHDRAW: Applications may be withdrawn automatically if the request is received in writing no later than 3:30pm 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 no later than close of business 2 business days after the application submittal deadline and the request is approved by the Executive Director or Planning Services Manager.

TABLE

**The refund check will be mailed to the original payee.*

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.

Applicant Signature

Taylor D. Forrester o/b/o Thunder Mountain Properties

Please Print

865-584-4040

tforrester@lrwlaw.com

Phone Number

Email

STAFF ONLY

Staff Signature

Please Print

Date Paid

No Fee

Eligible for Fee Refund? Yes No

Amount:

Approved by:

Date:

Payee Name

Payee Phone

Payee Address



Planning

KNOXVILLE | KNOX COUNTY

Request to Postpone • Table • Withdraw

Thunder Mountain Properties

12/22/2023

Applicant Name (as it appears on the current Planning Commission agenda)

Date of Request

1/11/2024

Scheduled Meeting Date

1-L-24-RZ; 1-G-24-SP

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 _____ Planning Commission Meeting.

WITHDRAW

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AUTHORIZATION

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

Taylor D. Forrester o/b/o Thunder Mountain Properties

Applicant Signature

Please Print

865-584-4040

tforrester@lrwlaw.com

Phone Number

Email

STAFF ONLY

Michael Reynolds

No Fee

Staff Signature

Please Print

Date Paid

Eligible for Fee Refund? Yes No

Amount:

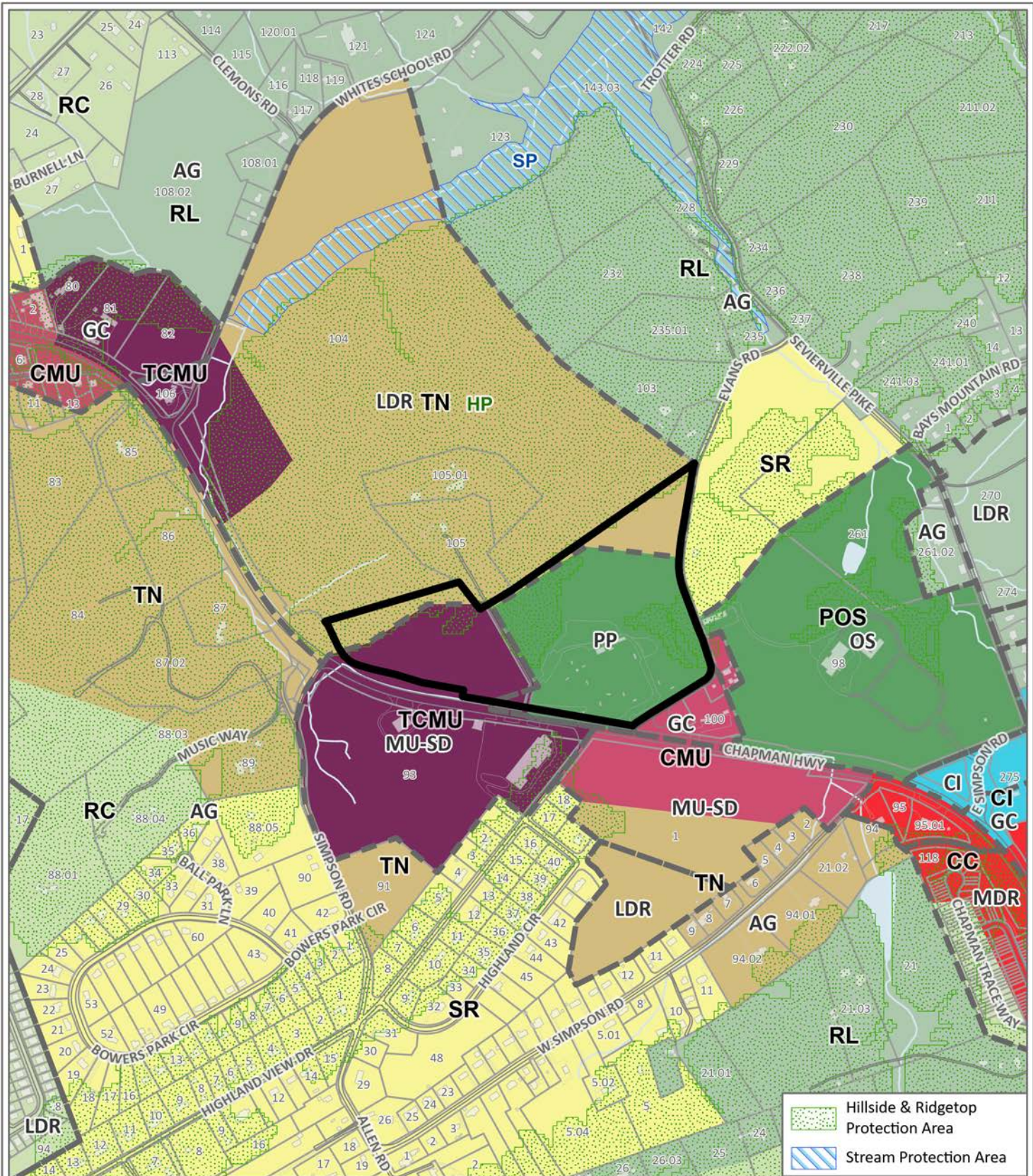
Approved by:

Date:

Payee Name

Payee Phone

Payee Address



**7-I-24-PA
COMPREHENSIVE PLAN MAP**

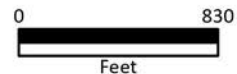


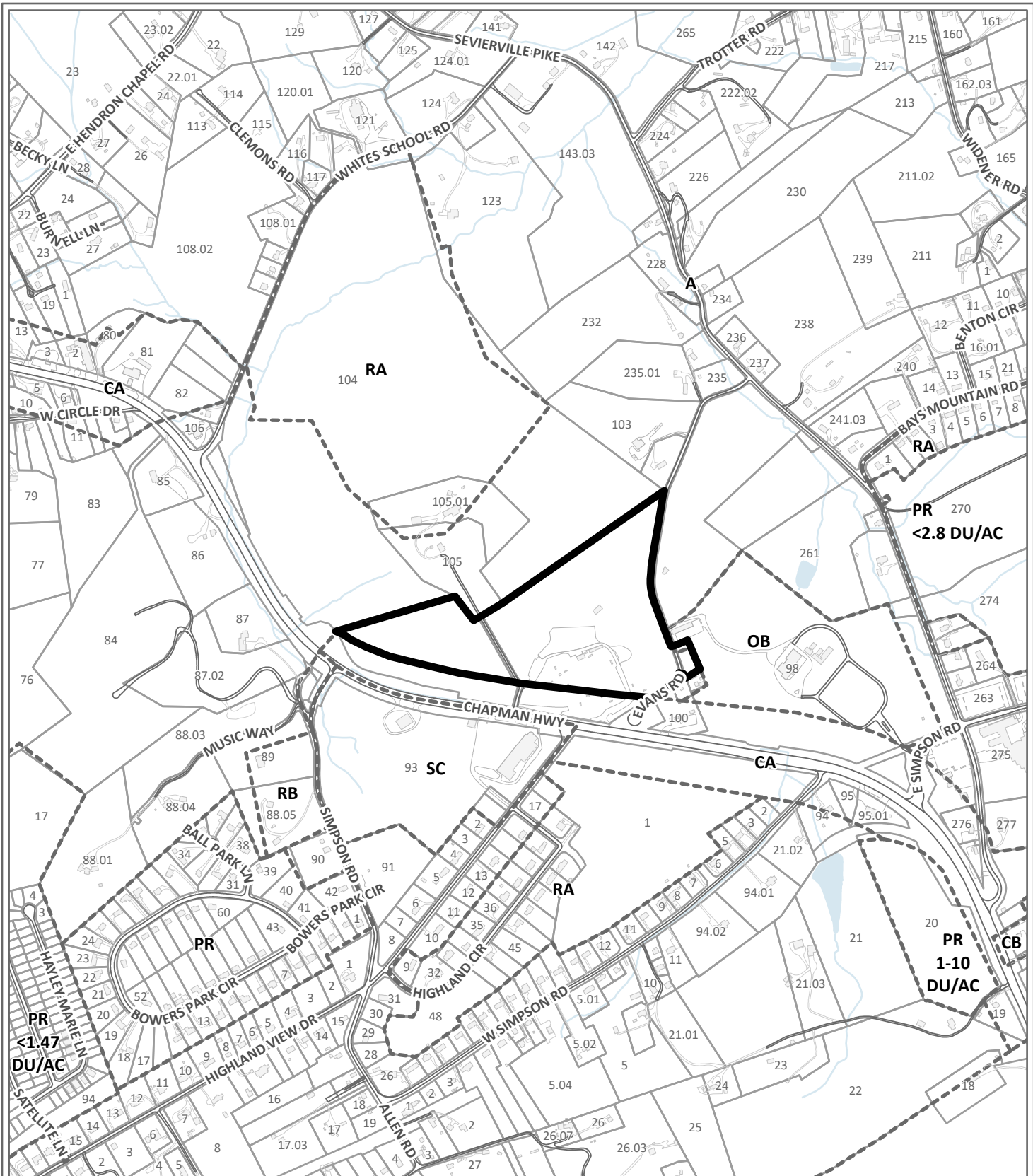
From: TN (Traditional Neighborhood), POS (Parks and Open Space), TCMU (Town Center Mixed-use), HP (Hillside Protection)
To: CMU (Corridor Mixed-use), HP (Hillside Protection)

Original Print Date: 6/20/2024
 Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Thunder Mountain Properties

Map No: 138
Jurisdiction: County





REZONING

1-L-24-RZ

Petitioner: Thunder Mountain Properties



From: A (Agricultural)
To: CA (General Business)

Map No: 138
Jurisdiction: County

Original Print Date: 12/22/2023

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

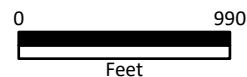
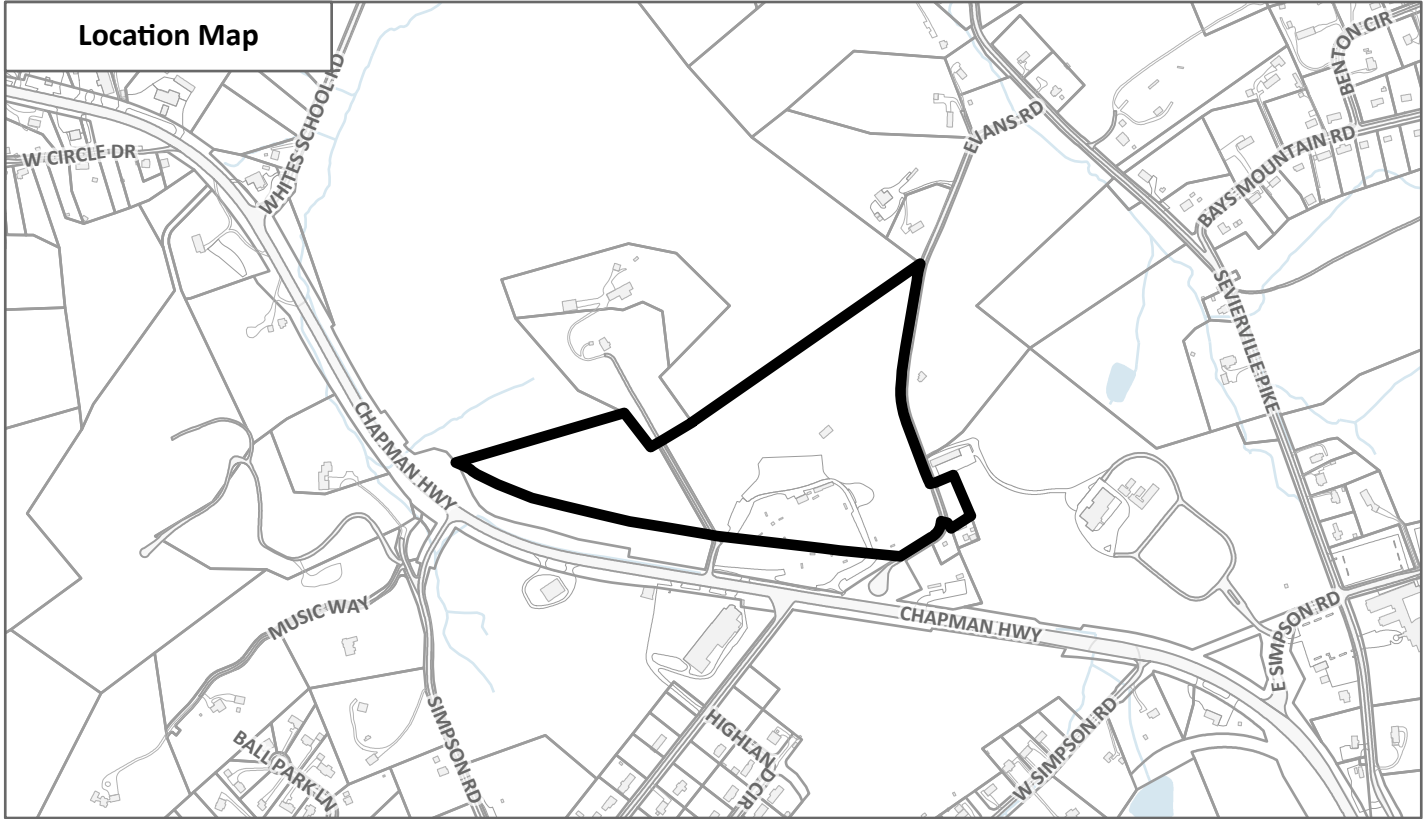


Exhibit A. Contextual Images

Location Map



Aerial Map

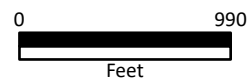


CONTEXTUAL MAPS 1

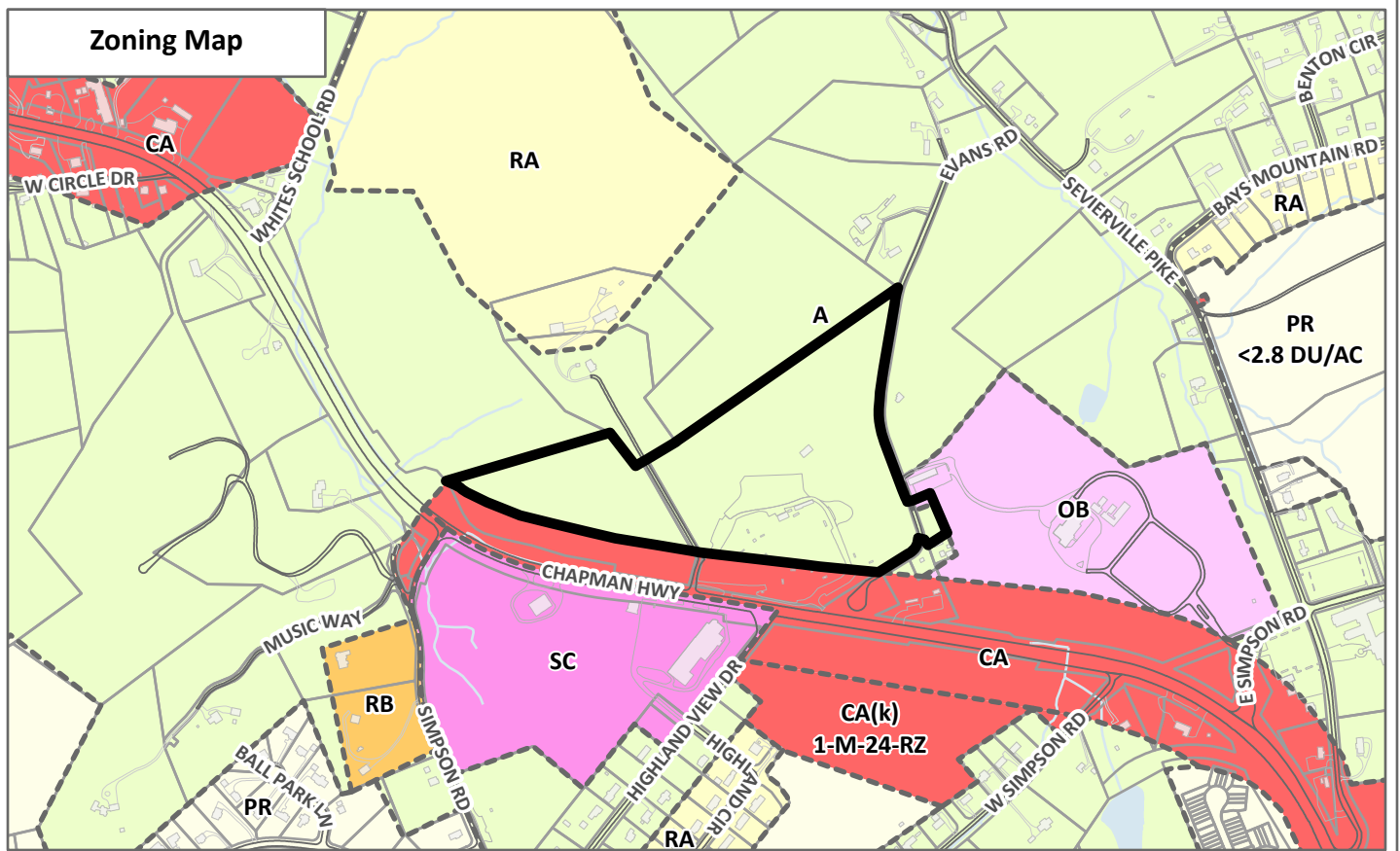
1-L-24-RZ / 7-I-24-PA



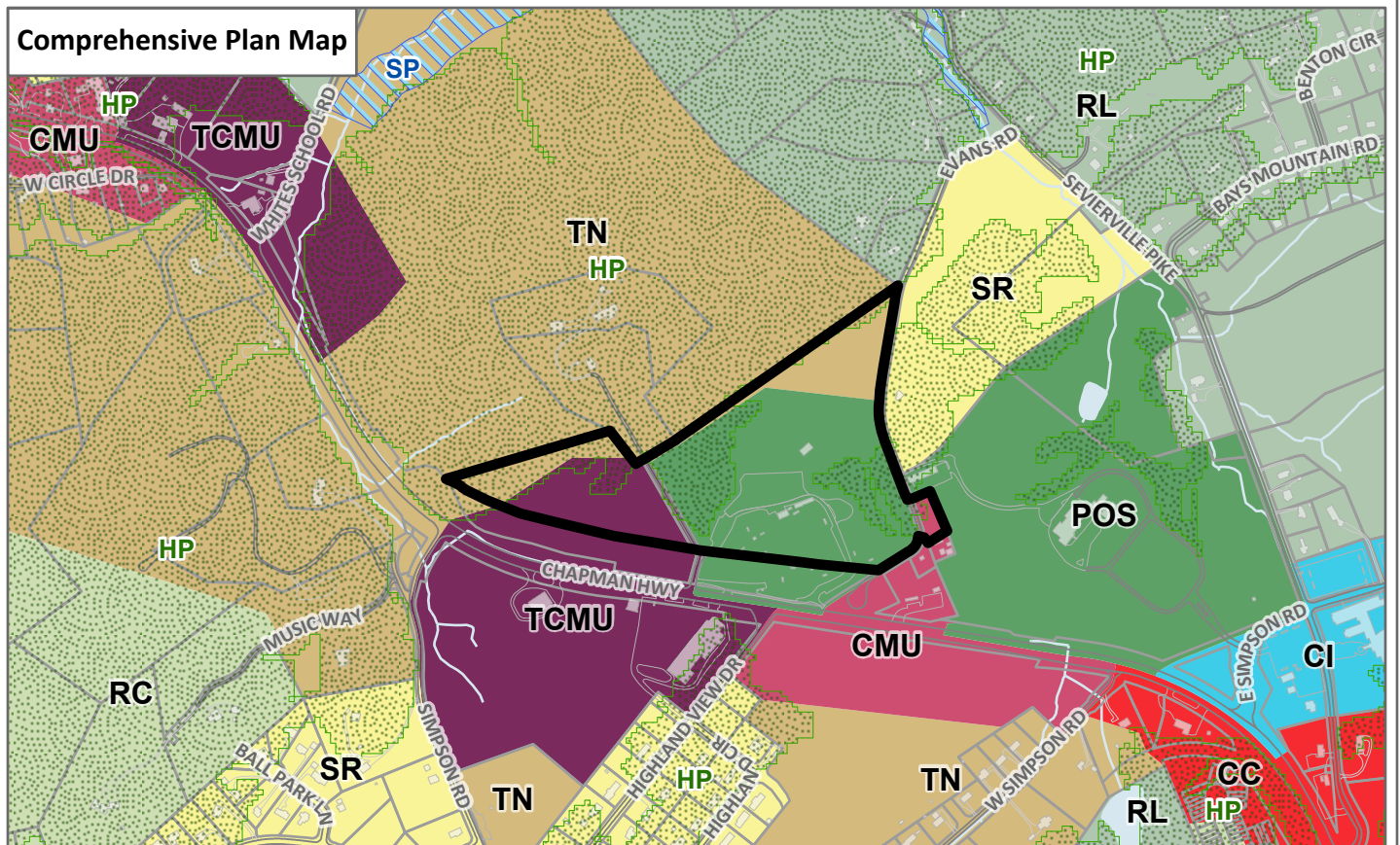
Case boundary



Zoning Map



Comprehensive Plan Map

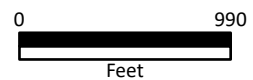


CONTEXTUAL MAPS 2

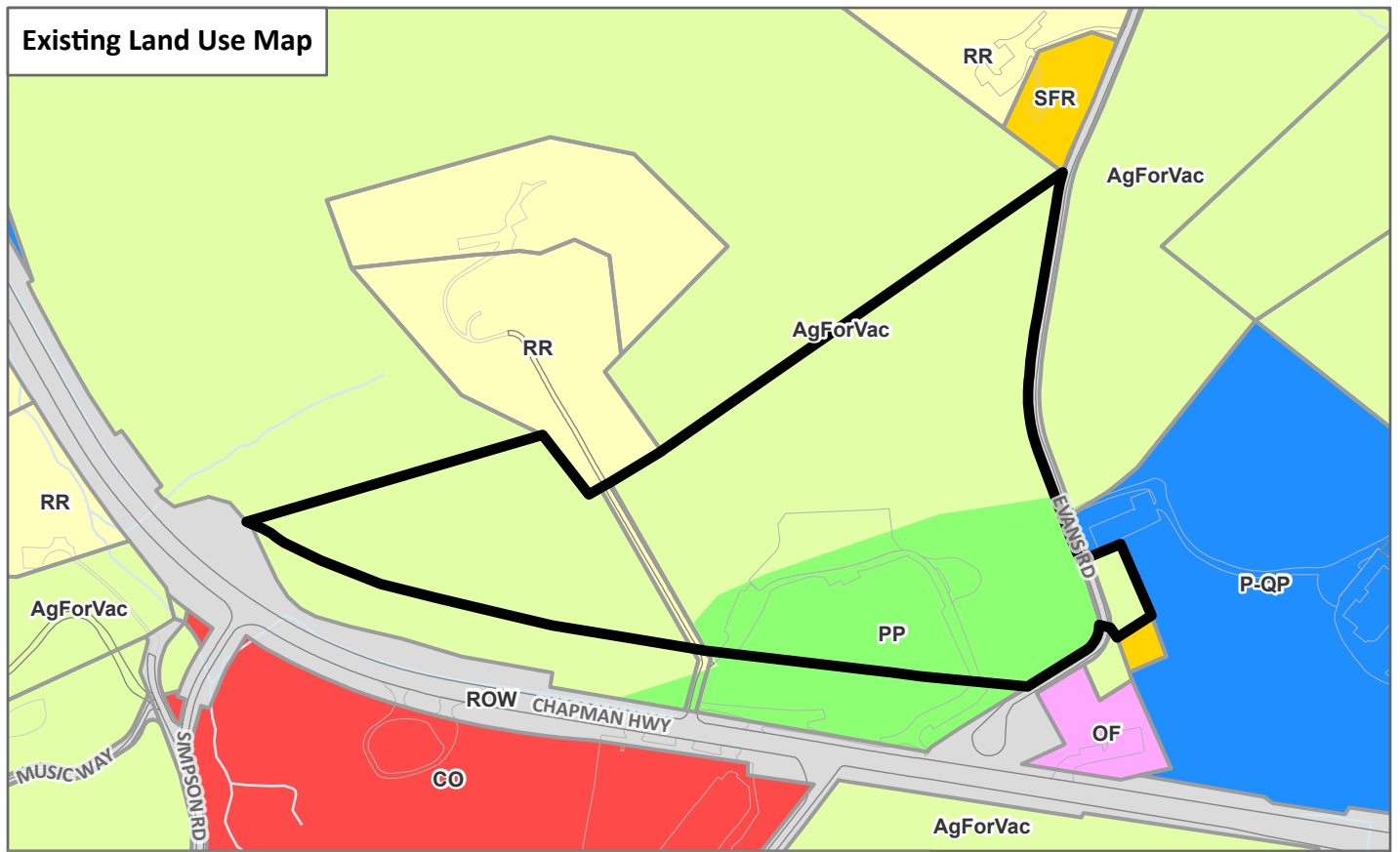
1-L-24-RZ / 7-I-24-PA



Case boundary



Existing Land Use Map



CONTEXTUAL MAPS 3

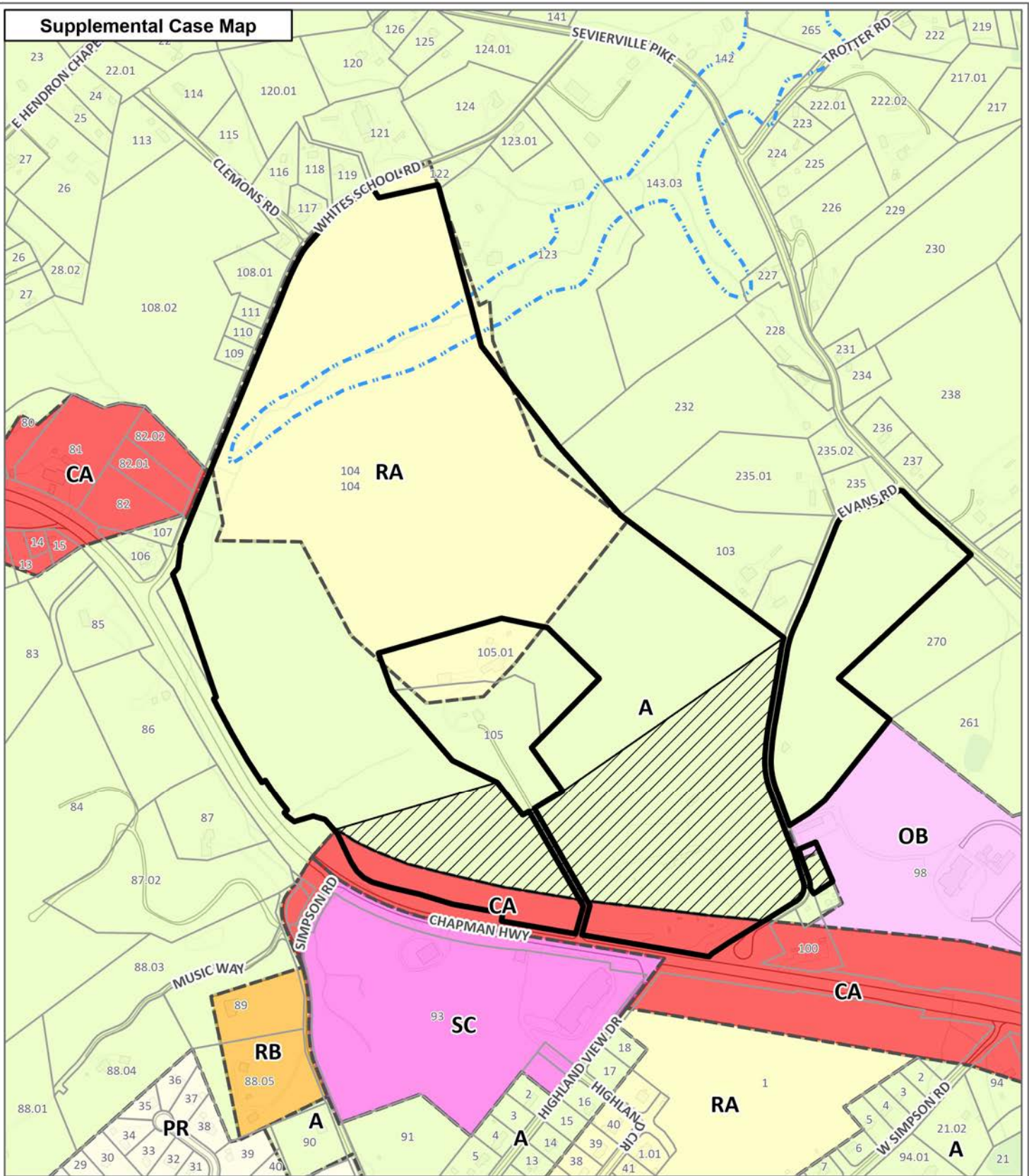
1-L-24-RZ / 7-I-24-PA



Case boundary



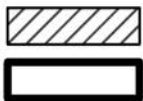
Supplemental Case Map



REZONING

1-L-24-RZ

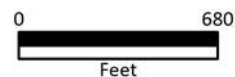
Petitioner: Thunder Mountain Properties



Area requested for rezoning within parcel

Boundary for parcel 138 104

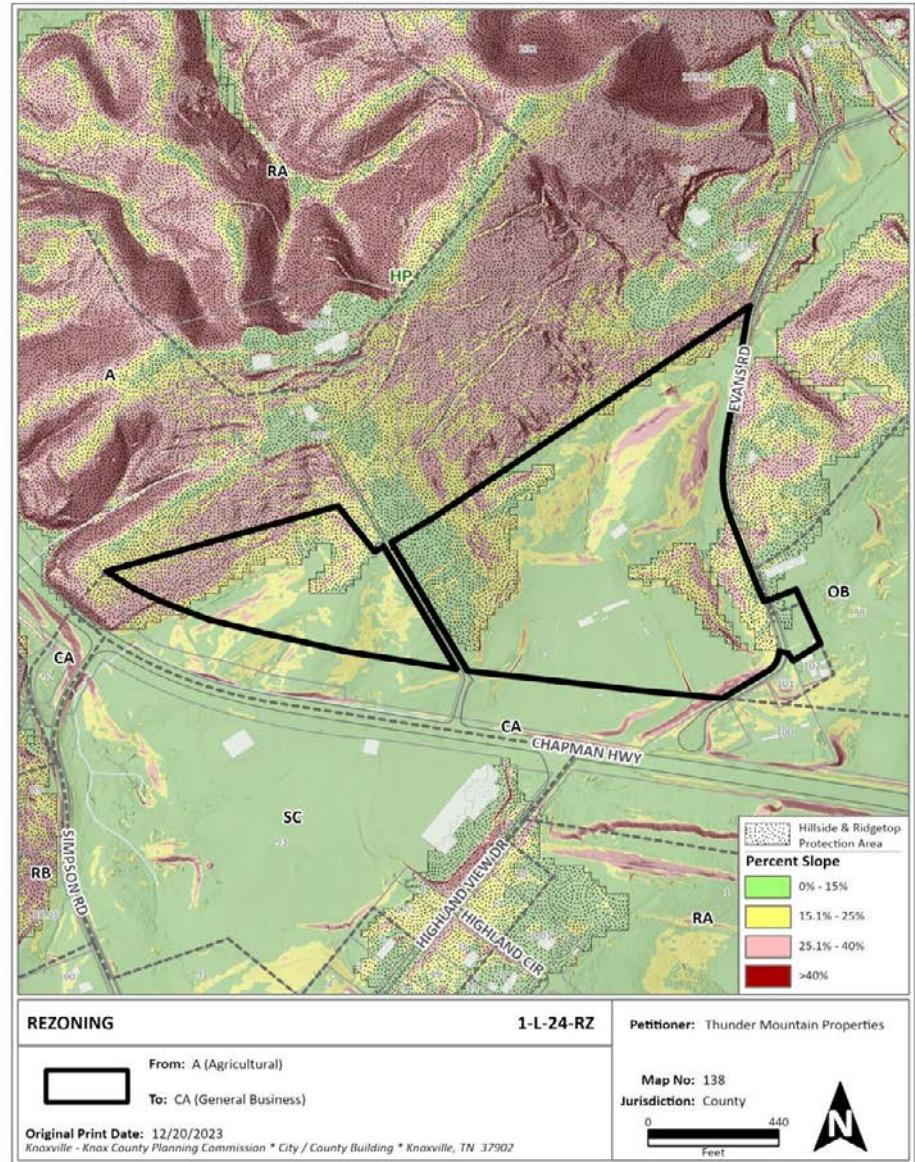
Map No: 138
Jurisdiction: County



Original Print Date: 1/3/2024

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

CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
Total Area of Site	31.2		
Non-Hillside	21.6	N/A	
0-15% Slope	2.6	100%	2.6
15-25% Slope	4.6	50%	2.3
25-40% Slope	2.4	20%	0.5
Greater than 40% Slope	0.1	10%	0.0
Ridgetops			
Hillside Protection (HP) Area	9.6	Recommended disturbance budget within HP Area (acres)	5.3
		Percent of HP Area	55.7%





Development Request

DEVELOPMENT

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

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Rezoning
- Plan Amendment
- Sector Plan
- City OYP / County Comp Plan

Thunder Mountain Properties

Applicant Name		Affiliation
11/28/2023	7/11/2024	7-I-24-PA / 1-L-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

8744 CHAPMAN HWY

Property Address

138 104 (part of)

Parcel ID

Part of Parcel (Y/N)?

38 acres

Tract Size

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

Northeast side of Chapman Hwy, east and west sides of Evans Rd, southwest of Sevierville Pike

General Location

<input type="checkbox"/> City	Commission District 9	A (Agricultural)	
<input checked="" type="checkbox"/> County	District	Zoning District	Existing Land Use
South County	TN (Traditional Neighborhood), POS (Parks and Open Space), TCMU (Town Center Mixed-use), HP (Hillsid		Planned Growth Area
Planning Sector	Land Use (City)/Place Type (County)		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	CA (General Business) Proposed Zoning	Pending Plat File Number
<input checked="" type="checkbox"/> Plan Amendment	CMU (Corridor Mixed-use), HP (Hillside Protection) Proposed Plan Designation(s)	

Proposed Density (units/acre) Previous Rezoning Requests

Additional Information _____

STAFF USE ONLY

PLAT TYPE <input type="checkbox"/> Staff Review <input type="checkbox"/> Planning Commission	Fee 1	Total
ATTACHMENTS <input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request <input type="checkbox"/> Amendment Request (Comprehensive Plan)	Fee 2	
ADDITIONAL REQUIREMENTS <input type="checkbox"/> Use on Review / Special Use (Concept Plan) <input type="checkbox"/> Traffic Impact Study <input type="checkbox"/> COA Checklist (Hillside Protection)	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** Date: **11/28/2023**
Please Print

Phone / Email: _____

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



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	
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.*

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
8744 Chapman Highway	138 104	
Property Address	Parcel ID	
Knox Chapman	Knox Chapman	N
Sewer Provider	Water Provider	Septic (Y/N)

STAFF USE ONLY

General Location	Tract Size	
<input type="checkbox"/> City <input type="checkbox"/> 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 _____

- Combine Parcels Divide Parcel

Unit / Phase Number _____

Total Number of Lots Created _____

Other (specify) _____

Attachments / Additional Requirements _____

ZONING REQUEST

Pending Plat File Number

Zoning Change

CA (a portion of the tract shown in the attachment)

Proposed Zoning _____

Plan Amendment Change

Proposed Plan Designation(s) _____

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

11-27-2023

Phone Number

Email

472-871-3430

bcarnold1@outlook.com

Property Owner Signature

Please Print

Date Paid

B. Chris Arnold

All requests to amend the Knox County Comprehensive Land Use and Transportation Plan must include justification for the changes as part of the application process.

The applicant must provide justification per Implementation Action IM.6, demonstrating:

Either:

- There is an obvious or significant error or omission in the Plan

OR Two or more of the following criteria apply:

- **Conditions Have Changed** Changes of conditions, such as surrounding land uses, zoning, uncontrolled natural forces/disasters, etc.
- **New Utilities / Projects** Introduction of significant new utilities or local/state/federal road projects that were not anticipated in the Plan and make development more feasible
- **New Data** New data regarding trends or projections, population, housing conditions, or traffic growth that warrant reconsideration of the original Plan
- **Proposed Changes Support Plan** The proposed changes support the Policies and Actions, goals, objectives, and criteria of the Plan

Please explain:

See attached Addendum

By signing below, I certify that criteria for a Plan Amendment have been met and that any information to justify such action is specified above.



Taylor D. Forrester, Attorney for property owner

6/27/24

PROPERTY OWNER SIGNATURE

PRINTED NAME

DATE

ADDENDUM TO AMENDMENT REQUEST

Thunder Mountain Properties, LLC (“TMP”) is requesting a land use amendment of CMU (Corridor Mixed Use) for the Subject Property. At the time the new land use plans were designated for properties under the new Comprehensive Land Use and Transportation Plan (“CLUP”), the Subject Property was designated as POS (Parks and Open Space). BFP consists of six baseball/softball fields and a playground. TMP leases the BFP to Knox County pursuant to a Lease Agreement.

There is an obvious or significant error or omission in the Plan. The entire frontage of the Subject Property, consisting of approximately 6.5 acres, has a zoning designation of CA. The present POS (Park and Open Space) land use designation does not recognize the Subject Property’s existing CA zoning. The requested CMU place type is to occur along major corridors, like Chapman Highway.

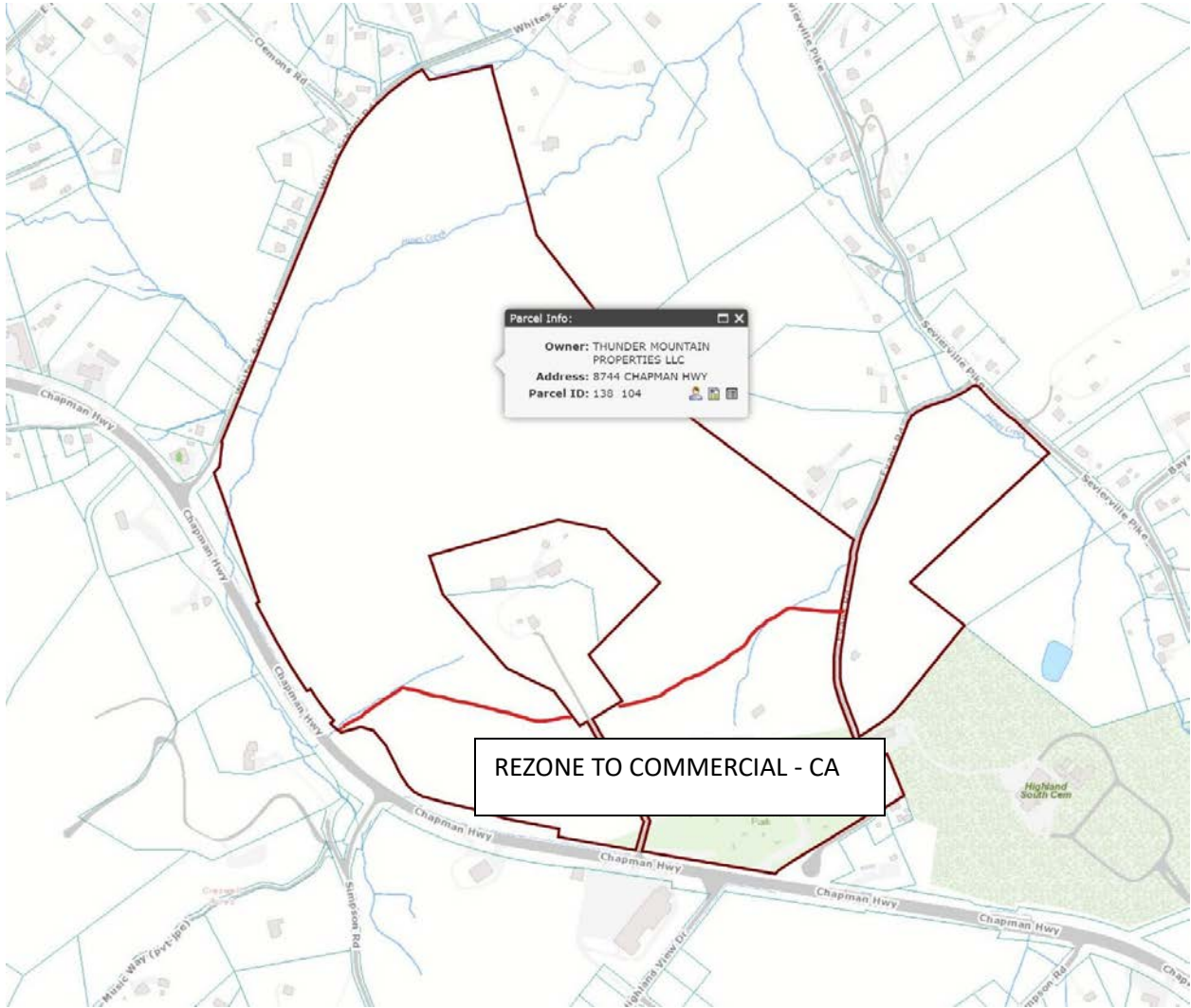
There has also been a change of conditions in the area including recent rezonings and development plan approvals in the area. Recent rezoning to CA (General Commercial) for property consisting of approximately 20.2 acres located at 0 Chapman Highway (Parcel No. 150 B C 001) (part of). Recent rezoning approval to PR (Planned Residential) up to 5 du/ac for property located at 0 Chapman Highway (Parcel No. 150 B C 001) (part of). There have been recent development plan and rezoning approvals in the area including a 117-lot townhouse development (9.46 au/ac) along Chapman Highway. There is a pending rezoning request scheduled to be heard by County Commission in July for property located at 8744 Chapman Highway, which adjoins the northern boundary line of the Subject Property. Planning Commission approved a rezoning recommendation for PR up to 3 du/ac for this property at its June meeting. There is a pending request for property located 8802 Sevierville Pike (part of), 8744 Chapman Highway (part of) for a rezoning to PR (Planned Residential) up to 5 du/ac. The other properties in the area with the CA zone along Chapman Highway have the CMU land designation (previously had the GC (General Commercial) plan classification). Expansion for the Subject Property may have been previously discouraged because of safety concerns with directly accessing Chapman Highway prior to the safety improvements completed by Tennessee Department of Transportation (“TDOT”) in 2022.

There have been recent infrastructure improvements in the area including the safety improvements completed by the TDOT to Chapman Highway and Sevierville Pike. Also, a new gas line is being installed in the area.

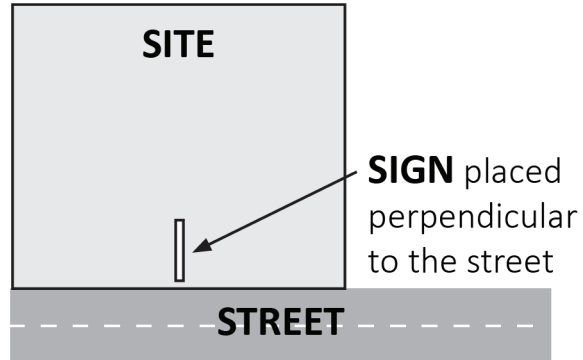
The proposed change to CMU supports the Policies and Actions, goals, objectives, and criteria of the CLUP. The numerous residential rezonings and development plan approvals in the area warrant the need for additional commercial development to further economic growth. The approximate 6.5-acre portion of the Subject Property presently zoned CA is designated along the entire frontage (approximately 1,200 feet) but lacks the necessary depth to accommodate any reasonable commercial development and use. This requested amendment aligns with the visions and goals related to community character and recreation under the CLUP. CMU plan designation aligns the community character component as it contemplates a mixed-use type of development, which is appropriate considering the Subject Property being located on Chapman Highway. The policies in

the CLUP contemplate that park systems should be accessible to and meet the needs of residents. A park located on such a heavily trafficked major thoroughfare is a safety issue.

The CMU land use classification is appropriate because it is a minor extension that is compatible with the surrounding development.



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 Properties LLC

Date: 6/14/2024

File Number: 1-L-24-RZ / 7-I-24-PA

- Sign posted by Staff
- Sign posted by Applicant