

REZONING REPORT

▶ **FILE #:** 1-K-24-RZ

AGENDA ITEM #: 12

AGENDA DATE: 6/13/2024

▶ **APPLICANT:** THUNDER MOUNTAIN PROPERTIES

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

TAX ID NUMBER: 138 104 (PART OF)

[View map on KGIS](#)

JURISDICTION: County Commission District 9

STREET ADDRESS: 8744 CHAPMAN HWY

▶ **LOCATION:** Northeast side of Chapman Hwy, south side of Whites School Rd

▶ **APPX. SIZE OF TRACT:** 103 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 within a 120 to 160-ft right-of-way; Whites School Rd, a local street with pavement width of 16-18 ft within a 30-ft right-of-way; and Evans Rd, a local street with pavement width of 16 ft within a 30-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), A (Agricultural)

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

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

▶ **DENSITY PROPOSED:** up to 3 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, rural residential, single family residential - A (Agricultural)

South: Commercial, agricultural/forestry/vacant land, single family residential - CA (General Business), A (Agricultural), RA (Low Density Residential)

East: Agriculture/forestry/vacant land, rural residential, single family residential - A (Agricultural)

West: Public-quasi public, agricultural/forestry/vacant land, single family residential - A (Agricultural), CA (General Business)

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:

- ▶ **Approve the PR (Planned Residential) zone with up to 2 du/ac because it is consistent with the Knox County Comprehensive Plan and surrounding development, subject to 2 conditions.**

1) No clearing or grading of the site until a development plan is approved by the Planning Commission.
2) Land disturbance within the HP (Hillside Protection) area shall not exceed the recommended disturbance budget of the slope analysis based on the area of development identified during the development plan review, unless approved by the Planning Commission.

COMMENTS:

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. 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 Simpson Road and Sevierville Pike intersections.
2. Construction has begun on the next phase of the Chapman Highway widening project from Hendron Chapel Road to Simpson Road. It is estimated to be completed in 2025.
3. Recent development plan and rezoning approvals in the area includes a 117-lot townhouse development (9.46 du/ac) along Chapman Highway to the southeast (11-SD-21-C / 11-C-21-UR), 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), rezoning 20 acres to CA on the west side of Chapman Highway (1-M-24-RZ / 1-H-24-SP), and 8.7 acres to PR up to 5 du/ac on the north side of W. Simpson Road.

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 optional land development methods that encourage more imaginative solutions to environmental design problems. The 103-acre site has approximately 79 acres in the HP (Hillside Protection) area and 6.2 acres in the SP (Stream Protection) area.
2. Within the HP area, there are 31.9 acres with 25-40 percent slopes and 25.5 acres greater than 40 percent. This is 72.7 percent of the HP area and 44.2 percent of the entire subject site. The slope analysis recommends a maximum density of 1.96 du/ac. The applicant is requesting 3 du/ac.
3. There are approximately 6.2 acres in the SP (Stream Protection) area, which aligns with the FEMA 500-year floodplain for Hines Creek. However, approximately 700 ft of Hines Creek on the site is not within the FEMA study area. Hines Creek is "fully supporting" according to the State of Tennessee 303(d) list of impaired and threatened waters.
4. There are approximately 18 acres between Whites School Road and the centerline of Hines Creek, the portion of the subject site with the least environmental constraints.
5. 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. Two properties are surrounded by and have access through the subject property. The access is through the portion of the property with the associated rezoning application (1-L-24-RZ / 1-G-24-SP). These rezoning requests will not change the access to these sites.
2. This portion of the subject property has frontage on Chapman Highway, Whites School Road, and Evans Road. The frontage on Evans Road is very small, but access could be provided through the remaining portion of the property not part of this rezoning. Whites School Road and Evans Road are approximately 16 feet wide for most of their length and will likely require widening if a development accesses them.
3. The PR (Planned Residential) zone requires development plan approval by the Planning Commission. This will allow consideration of the proposed development's impact on the steep slopes and Hines Creek. Staff is recommending conditions that restrict clearing and grading of the site until a development plan is approved for the site, and that the disturbance in the HP area not exceed the recommended disturbance budget of the slope analysis.

PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE COMPREHENSIVE PLAN OF KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The requested PR density of 3 du/ac is consistent with the subject property's location within the Planned Growth Boundary of the Growth Policy Plan.

2. The requested rezoning is consistent with the Comprehensive Plan's development policy 7, to encourage development practices that conserve and connect natural features and habitat. The requested PR (Planned Residential) zone has flexible development standards that allow clustering development to the least constrained portions of a property, which aligns with policies 7.2 and 7.6 to encourage conservation subdivisions and considering the recommendations of the Hillside and Ridgetop Protection Plan.

3. This application was accepted when the General Plan was still in effect. The subject property was designated as the LDR (Low Density Residential) land use classification in the South County Sector Plan, which allowed consideration of the PR zone with a density of up to 5 du/ac.

ESTIMATED TRAFFIC IMPACT: 2849 (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: 67 (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 7/15/2024. 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

12/22/2023

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

Date of Request

1/11/2024

Scheduled Meeting Date

1-K-24-RZ

File Number(s)

POSTPONE

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

SELECT ONE: 30 days 60 days 90 days

Postpone the above application(s) until the _____ 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

Michael Reynolds

Please Print

Date Paid

No Fee

Eligible for Fee Refund? Yes No

Amount:

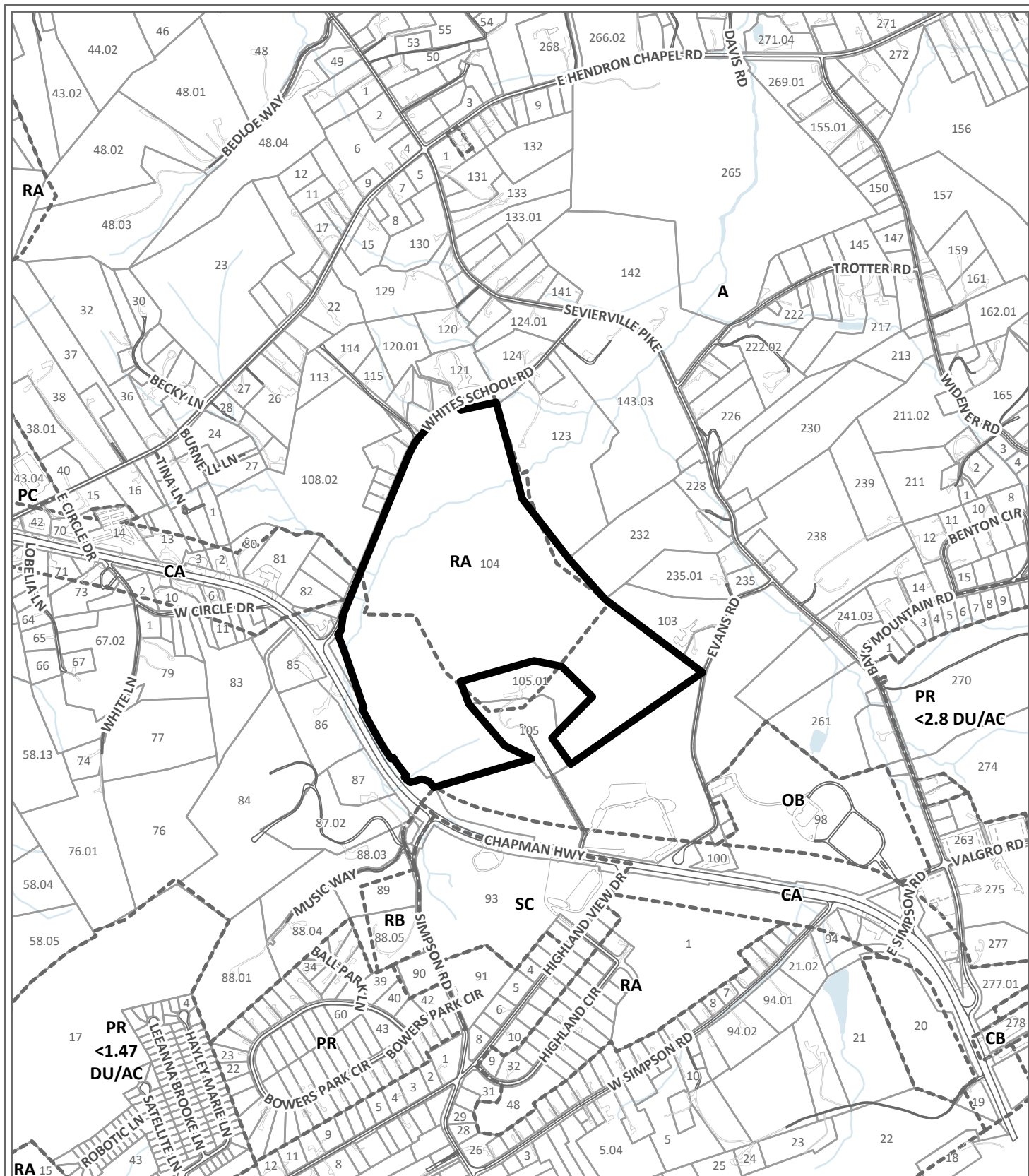
Approved by:

Date:

Payee Name

Payee Phone

Payee Address



REZONING

1-K-24-RZ

Petitioner: Thunder Mountain Properties

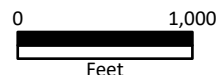


From: RA (Low Density Residential), A (Agricultural)

To: PR (Planned Residential)

Map No: 138

Jurisdiction: County

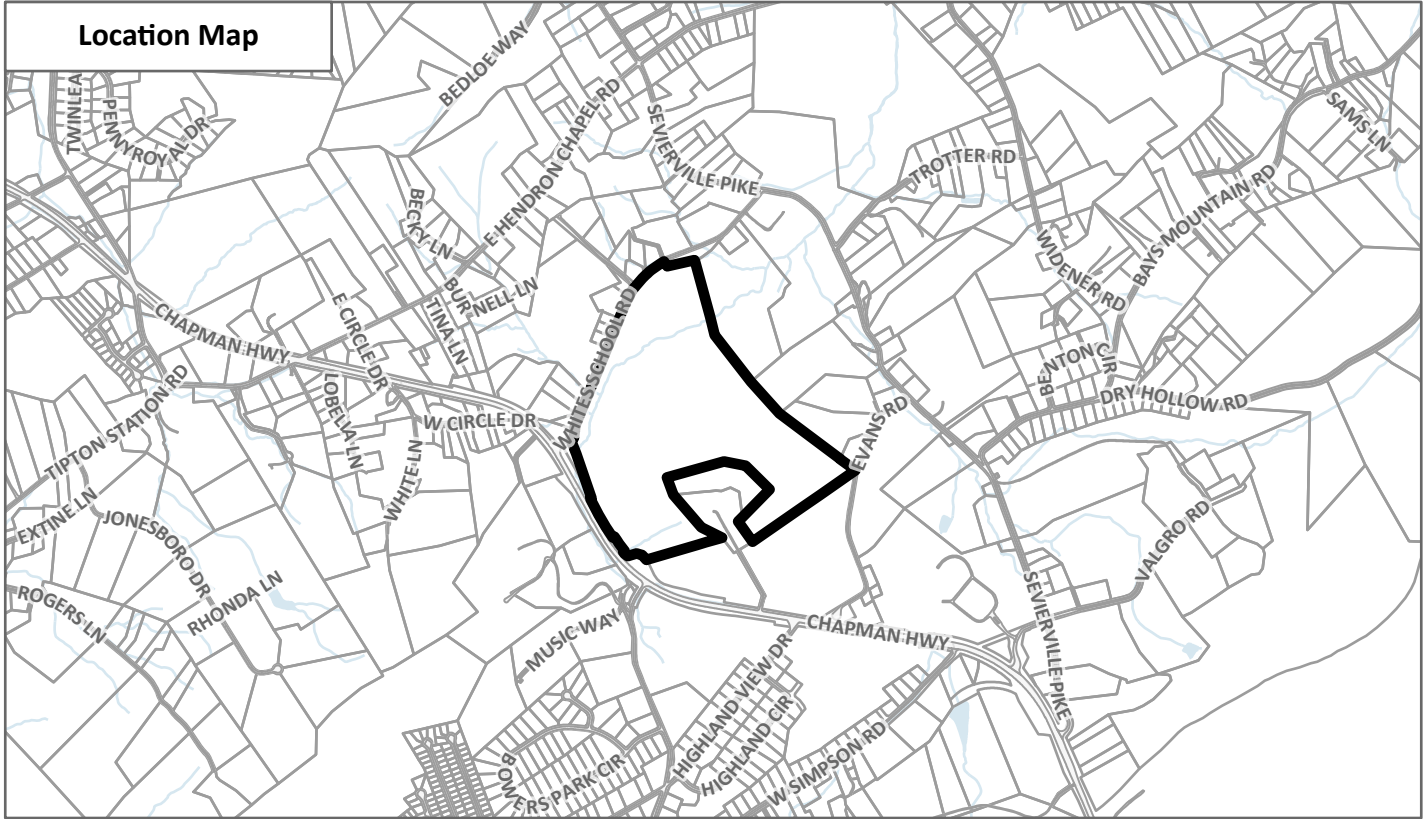


Original Print Date: 12/20/2023

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

Exhibit A. Contextual Images

Location Map



Aerial Map

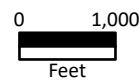


CONTEXTUAL MAPS 1

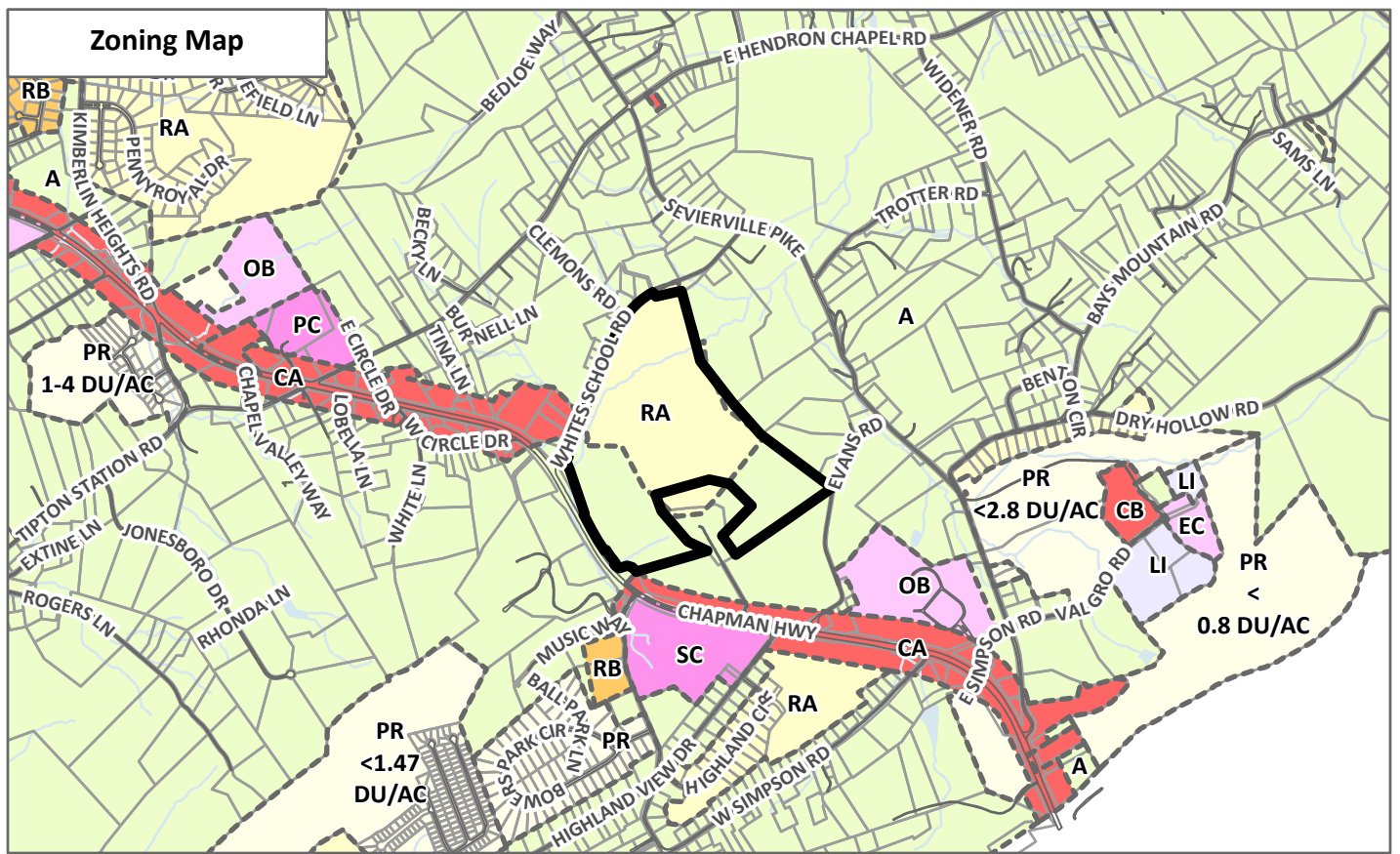
1-K-24-RZ



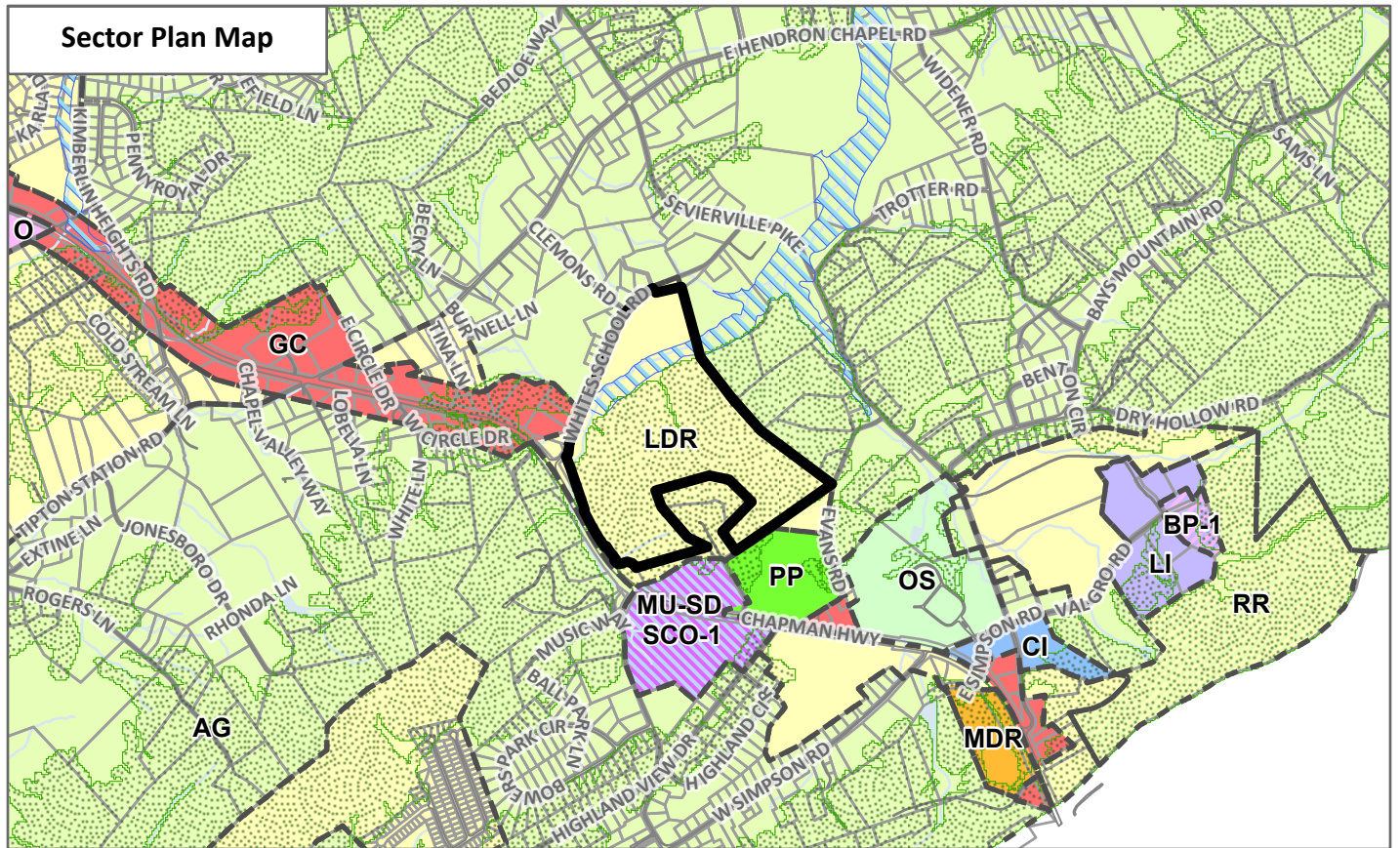
Case boundary



Zoning Map



Sector Plan Map



CONTEXTUAL MAPS 2

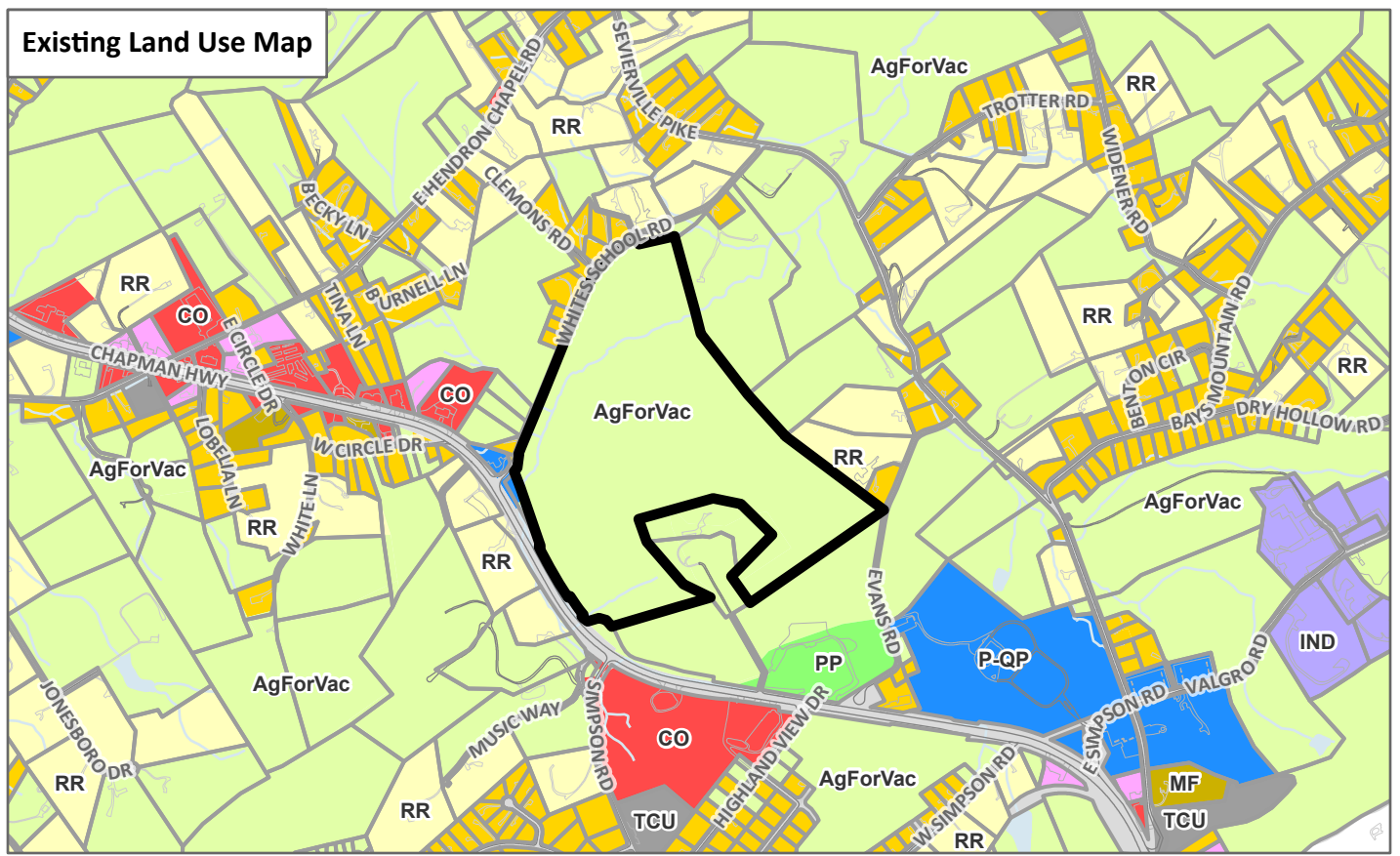
1-K-24-RZ



Case boundary



Existing Land Use Map

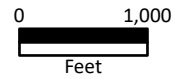


CONTEXTUAL MAPS 3

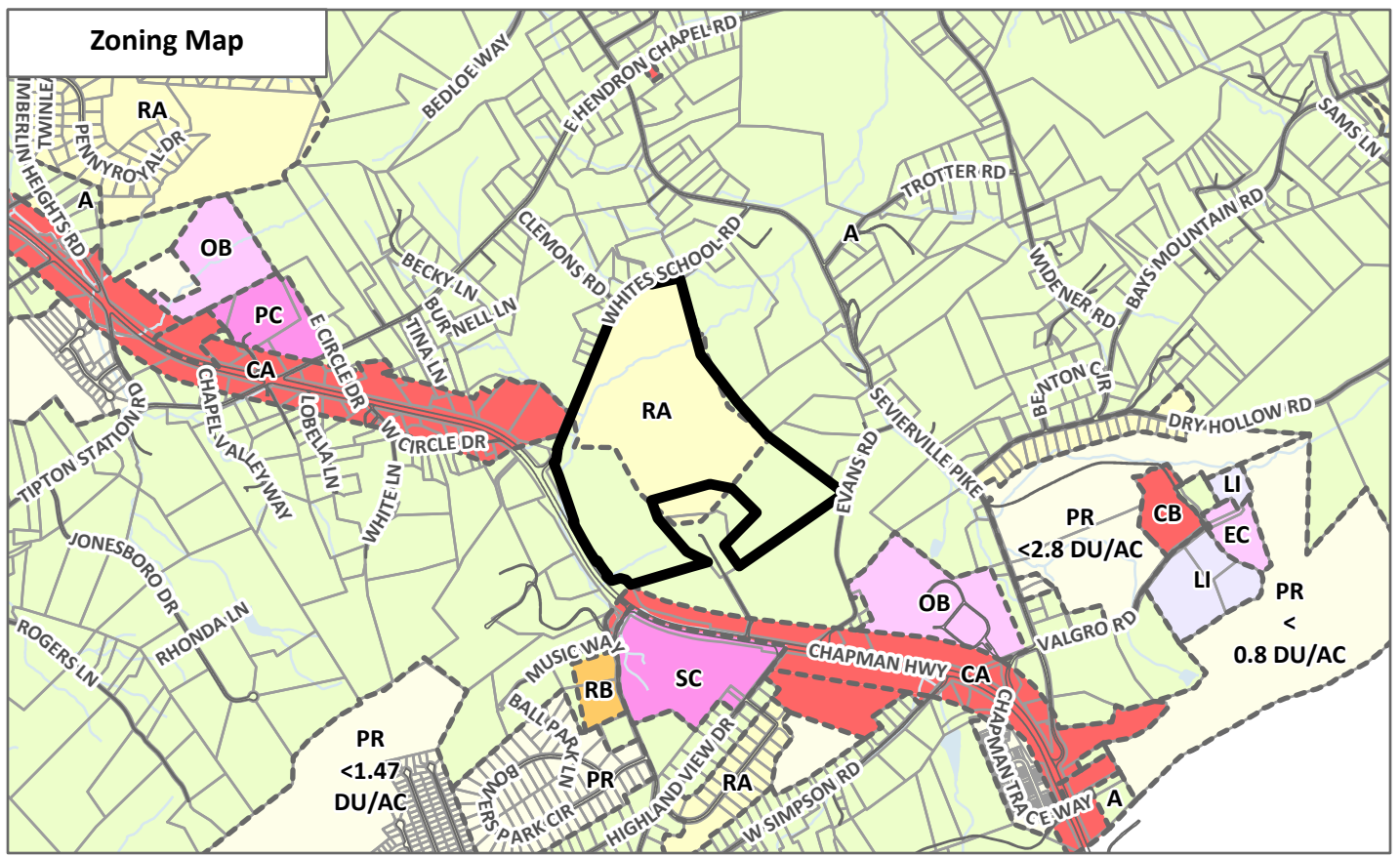
1-K-24-RZ



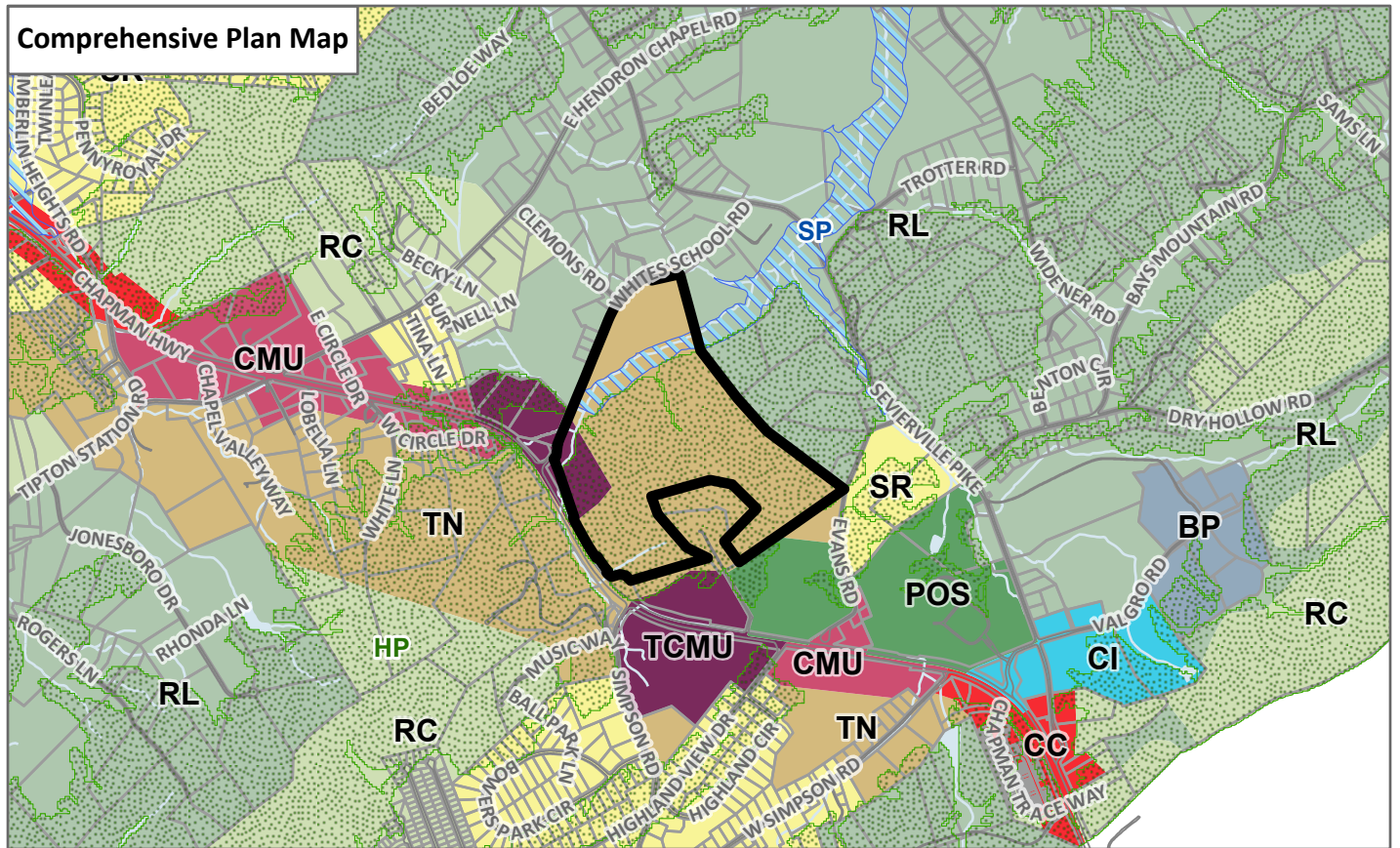
Case boundary



Zoning Map



Comprehensive Plan Map

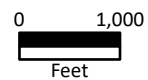


CONTEXTUAL MAPS 2

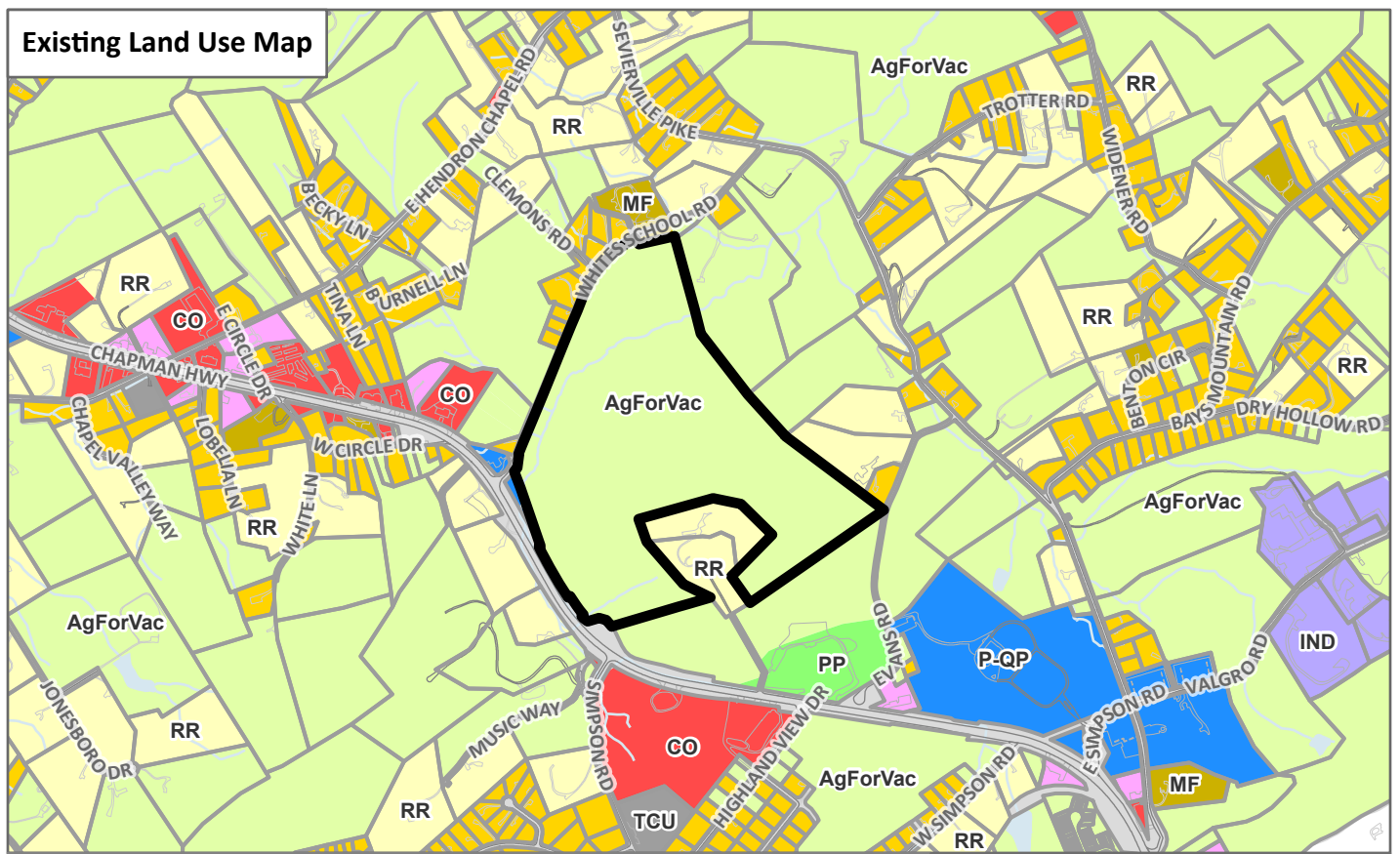
1-K-24-RZ



Case boundary



Existing Land Use Map

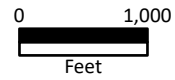


CONTEXTUAL MAPS 3

1-K-24-RZ

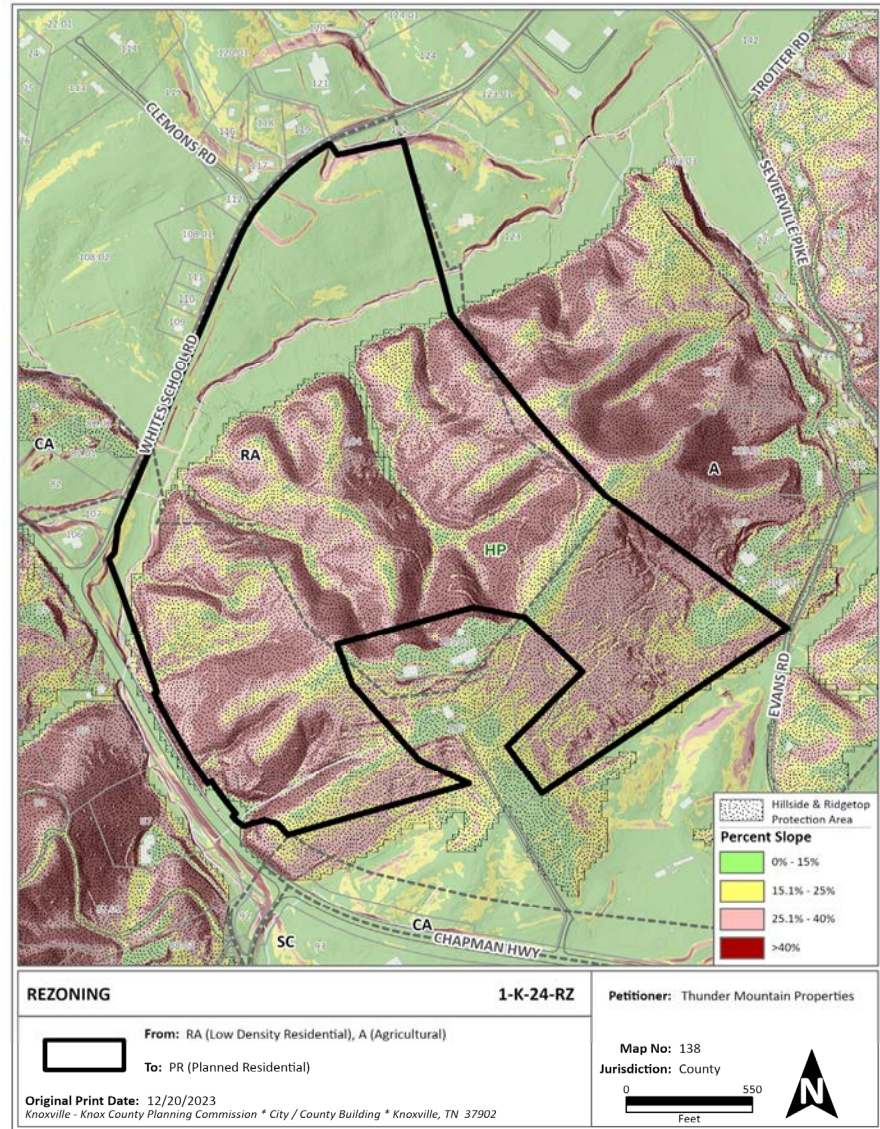


Case boundary



CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
Total Area of Site	103.5		
Non-Hillside	24.5	N/A	
0-15% Slope	5.4	100%	5.4
15-25% Slope	16.3	50%	8.1
25-40% Slope	31.9	20%	6.4
Greater than 40% Slope	25.5	10%	2.5
Ridgetops			
Hillside Protection (HP) Area	79.0	Recommended disturbance budget within HP Area (acres)	22.4
		Percent of HP Area	28.4%

CATEGORY	ACRES	RECOMMENDED DENSITY (Dwelling Units / Acre)	NUMBER OF UNITS
Non-Hillside	24.5	5.00	122.4
0-15% Slope	5.4	5.00	26.9
15-25% Slope	16.3	2.00	32.6
25-40% Slope	31.9	0.50	15.9
Greater than 40% Slope	25.5	0.20	5.1
Ridgetops	0.0	3.00	0.0
Subtotal: Sloped Land	79.0		80.5
Maximum Density Guideline (Hillside & Ridgetop Protection Plan)	103.5	1.96	202.8
Proposed Density (Applicant)	3.0		310.4





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-K-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)?	Tract Size
		110.46 acres

Knox-Chapman Utility District

Sewer Provider	Water Provider	Septic (Y/N)

STAFF USE ONLY

Northeast side of Chapman Hwy, south side of Whites School Rd

General Location

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

South County	LDR (Low Density Residential), HP (Hillside Protection), S	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 3 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
\$5,000.00	
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** Please Print **11/28/2023** Date

Phone / Email: _____

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

PR (portion of the property shown on the attached map)

Proposed Zoning _____

Plan Amendment Change

Proposed Plan Designation(s) _____

3 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

11-27-2023
Date

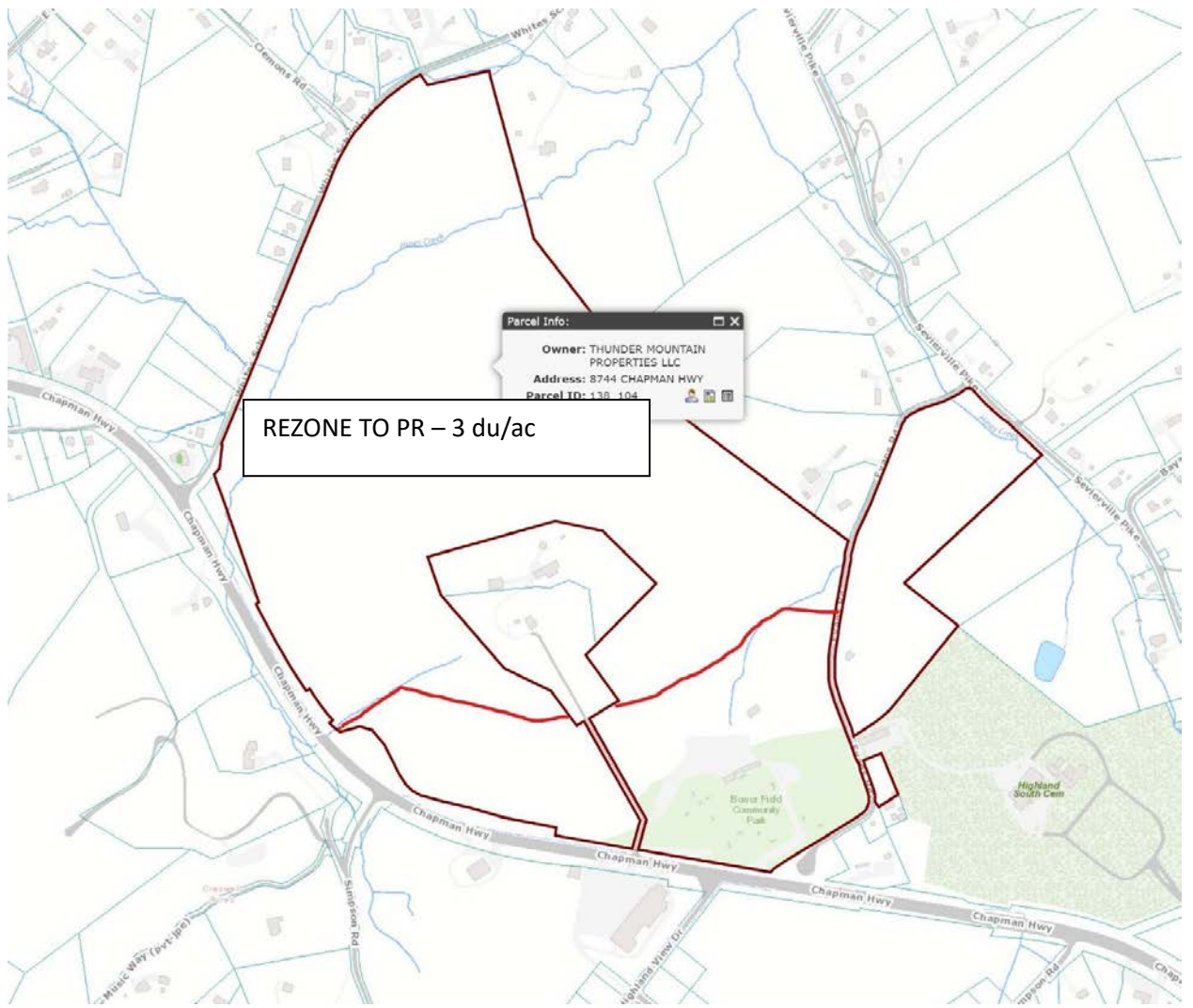
423-871-3430
Phone Number

bcarnold1@outlook.com
Email


Property Owner Signature

B. Chris Arnold
Please Print

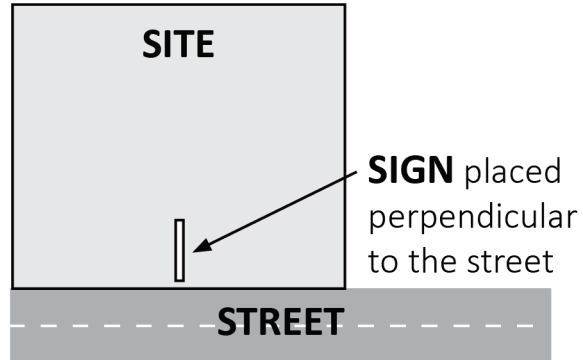
Date Paid



REZONE TO PR - 3 du/ac

Parcel Info:
Owner: THUNDER MOUNTAIN PROPERTIES LLC
Address: 8744 CHAPMAN HWY
Parcel ID: 138_104

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: 11/29/2023

File Number: 1-K-24-RZ

- Sign posted by Staff
- Sign posted by Applicant