

CASE SUMMARY

APPLICATION TYPE: REZONING



File Number: 1-K-24-RZ **Related File Number:**
Application Filed: 11/28/2023 **Date of Revision:**
Applicant: THUNDER MOUNTAIN PROPERTIES

PROPERTY INFORMATION

General Location: Northeast side of Chapman Hwy, south side of Whites School Rd
Other Parcel Info.:
Tax ID Number: 138 104 (PART OF) **Jurisdiction:** County
Size of Tract: 103 acres
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.

GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture/Forestry/Vacant Land
Surrounding Land Use:
Proposed Use: **Density:** up to 3 du/ac
Planning Sector: South County **Plan Designation:** LDR (Low Density Residential), HP (Hillside Protection), SP
Growth Policy Plan: Planned Growth Area
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.

ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

Street: 8744 CHAPMAN HWY
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: RA (Low Density Residential), A (Agricultural)
Former Zoning:
Requested Zoning: PR (Planned Residential)
Previous Requests:
Extension of Zone: No, this is not an extension.
History of Zoning: None noted

PLAN INFORMATION (where applicable)

Current Plan Category: LDR (Low Density Residential), HP (Hillside Protection), SP (Stream Protection)

Requested Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

No. of Lots Proposed: **No. of Lots Approved:** 0

Variances Requested:

S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge: Mike Reynolds

Staff Recomm. (Abbr.): 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.

Staff Recomm. (Full): 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.

Action: Approved with Conditions **Meeting Date:** 6/13/2024

Details of Action: Approve the PR (Planned Residential) zone with up to 3 du/ac because it is consistent with the Knox County Comprehensive Plan and surrounding development, subject to the 2 conditions noted in the staff recommendation.

Summary of Action: Approve the PR (Planned Residential) zone with up to 3 du/ac because it is consistent with the Knox County Comprehensive Plan and surrounding development, subject to the 2 conditions noted in the staff recommendation.

Date of Approval: 6/13/2024 **Date of Denial:** **Postponements:**

Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knox County Commission

Date of Legislative Action: 7/15/2024

Date of Legislative Action, Second Reading:

Ordinance Number:

Other Ordinance Number References:

Disposition of Case:

Disposition of Case, Second Reading:

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: