

CASE SUMMARY

APPLICATION TYPE: REZONING



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

PROPERTY INFORMATION

General Location: Southwest side of Chapman Hwy, south of Highland View Dr
Other Parcel Info.:
Tax ID Number: 150 B C 001 (PART OF) **Jurisdiction:** County
Size of Tract: 8.7 acres
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 with of 15-16 ft within a 50 to 60-ft right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture/Forestry/Vacant Land
Surrounding Land Use:
Proposed Use: **Density:** up to 5 du/ac
Sector Plan: South County **Sector Plan Designation:** LDR (Low Density Residential), HP (Hillside Protec
Growth Policy Plan: Rural Area, Planned Growth Area
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.

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

Street: 0 CHAPMAN HWY
Location:
Proposed Street Name:
Department-Utility Report:
Reason:

ZONING INFORMATION (where applicable)

Current Zoning: RA (Low Density Residential)
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)

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 up to 5 du/ac because it is consistent with the sector plan and surrounding development.

Staff Recomm. (Full):

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.

Action: Approved

Meeting Date: 1/11/2024

Details of Action:

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

Date of Approval: 1/11/2024

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: 2/26/2024

Date of Legislative Action, Second Reading:

Ordinance Number:

Other Ordinance Number References:

Disposition of Case: Approved as Modified

Disposition of Case, Second Reading:

If "Other":

If "Other":

Amendments:

Amendments:

Approve PR (Planned Residential) up to 5 du/ac subject to one condition: Type B landscape screen along boundaries adjacent to existing residential properties.

Date of Legislative Appeal:

Effective Date of Ordinance: