REZONING REPORT

FILE #: 6-I-24-RZ **AGENDA ITEM #: 21**

AGENDA DATE: 6/13/2024

APPLICANT: **JULIE CLONINGER**

OWNER(S): Julie Cloninger

TAX ID NUMBER: 97 100 **View map on KGIS**

JURISDICTION: County Commission District 9

STREET ADDRESS: 5917 THORN GROVE PIKE

LOCATION: **North side of Thorn Grove Pike, west of Kennedy Rd**

APPX. SIZE OF TRACT: **2.12 acres**

GROWTH POLICY PLAN: Rural Area

ACCESSIBILITY: Access is via Thorn Grove Pike, a minor arterial with a pavement width of 18 ft within a right-of-way that varies from 40 ft to 76 ft.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Holston-French Broad

PRESENT ZONING: **A (Agricultural)**

ZONING REQUESTED: **CN (Neighborhood Commercial)**

EXISTING LAND USE: **Rural Residential**

EXTENSION OF ZONE: No, this will not be an extension.

HISTORY OF ZONING: None noted.

SURROUNDING LAND USE AND ZONING:
North: Agriculture/forestry/vacant land - A (Agricultural)
South: Rural residential, single family residential - A (Agricultural)
East: Single family residential - A (Agricultural)
West: Single family residential, commercial - A (Agricultural)

NEIGHBORHOOD CONTEXT: This area along Thorn Grove Pike is mostly comprised of single family residential uses with a few multifamily and commercial uses mixed in. Marbledale Baptist Church is located nearby to east of the subject property.

STAFF RECOMMENDATION:

Deny the CN (Neighborhood Commercial) zone because it does not meet all the conditions of a rezoning.

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. There have not been any substantial changes in the area in recent years which warrants the proposed amendment. The area remains rural in character and is primarily composed of houses on larger than half-acre lots along Thorn Grove Pike, abutting undeveloped forested lands away from the street.
2. On the south side of Thorn Grove Pike, there is a series of CA (General Commercial) zoned properties. However, the majority of these properties have not been developed as commercial uses and KGIS aerial views indicate that no new commercial developments have been added to this area in at least the last ten years.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE ZONING ORDINANCE:
1. The CN zone intends to accommodate limited retail and service uses in a manner convenient to and yet not disruptive to established residential neighborhoods. It is intended to provide for the recurring shopping and personal service needs of nearby residential areas. This zone should generally be placed at street intersections that include either a collector or arterial street, as close to the edge of the neighborhood as possible.
2. The subject property does not meet the location criteria within the intent statement of the district. The property is located neither at an intersection nor at the edge of an established neighborhood. Furthermore, it can be argued that the area does not have enough residential density to warrant the addition of more commercially zoned properties.
3. Rezonings should be based on the entire range of uses allowed within a zone to ensure that any development brought forth at a future time would be compatible with the surrounding land uses.

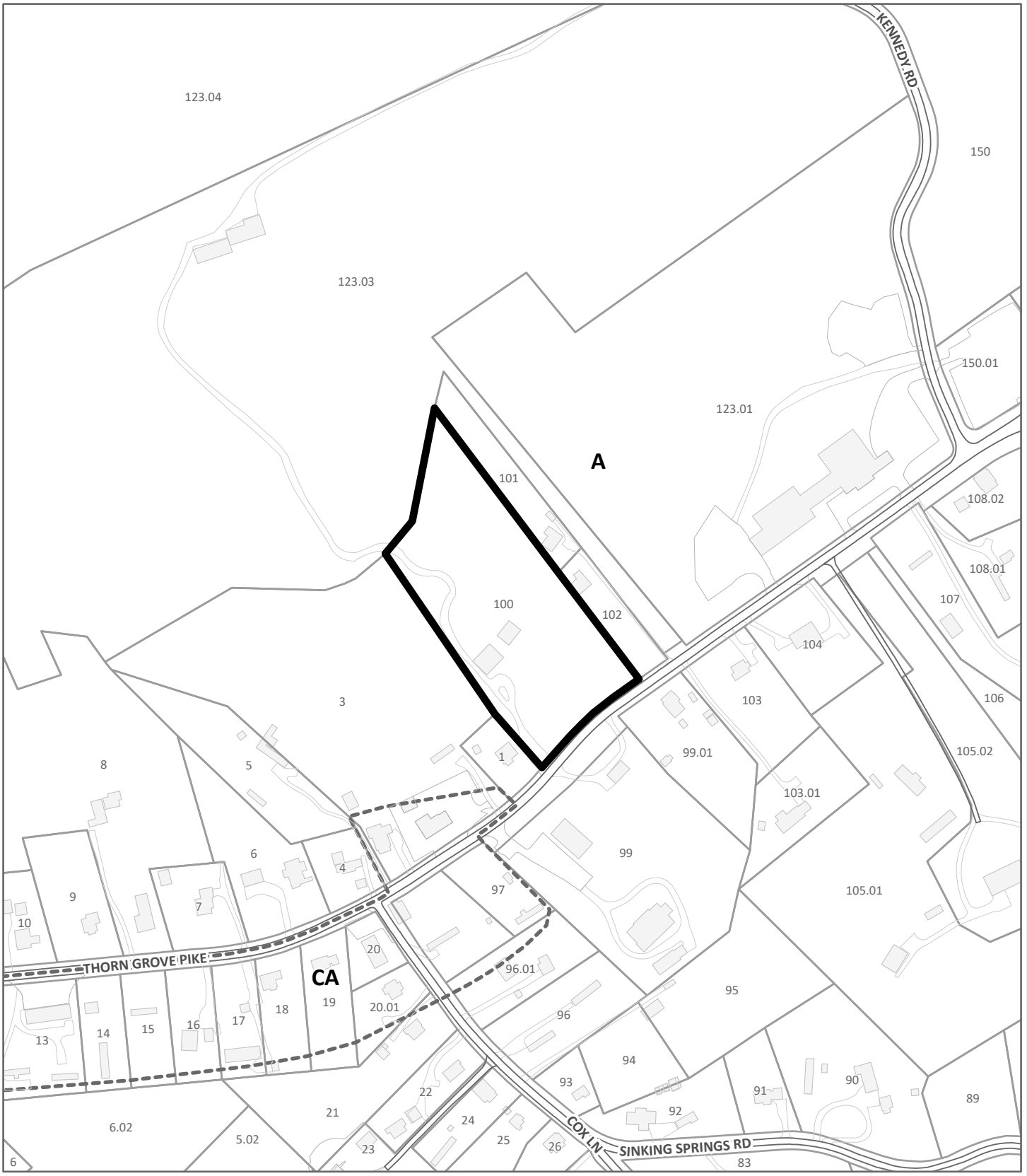
PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE COUNTY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT:
1. The addition of another commercially zoned parcel would constitute encroachment into this rural, residential area.
2. An approximate 1.8-acre portion in the rear of the property has the HP (Hillside Protection) designation with moderate slopes. New developments should be respectful of the topography and existing vegetation of the property.

THE 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 subject property is designated as the SR (Rural Living) place type. The SR place type does list the CN zone as a partially related zone, so it can be considered by the Planning Commission. However, "partially related" just means a zone may be appropriate in some locations within the place types but may not be appropriate in others. Planning believes the CN zone would not be appropriate at this location as the property does not meet the stated criteria of the CN zone description and it would be an encroachment of a residential zone in a rural, residential area.
2. The requested CN zone is consistent with the 2024 Growth Policy Plan, Policy 4.2 pertaining to the Rural Areas, which requires rezonings to be limited to zoning districts that are consistent with one of the rural place types, which includes the property's RL (Rural Living) designation.
3. The property has thick vegetation along Thorn Grove Pike which contributes to the rural character of the area. The East County Community Plan identifies this road as a ‘Rural Corridor’. The plan recommends limiting infrastructure expansion on this corridor to preserve the rural look and feel.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

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.



REZONING **6-I-24-RZ**

Petitioner: Julie Cloninger

From: A (Agricultural)

To: CN (Neighborhood Commercial)

Map No: 97

Jurisdiction: County

0 330

Feet

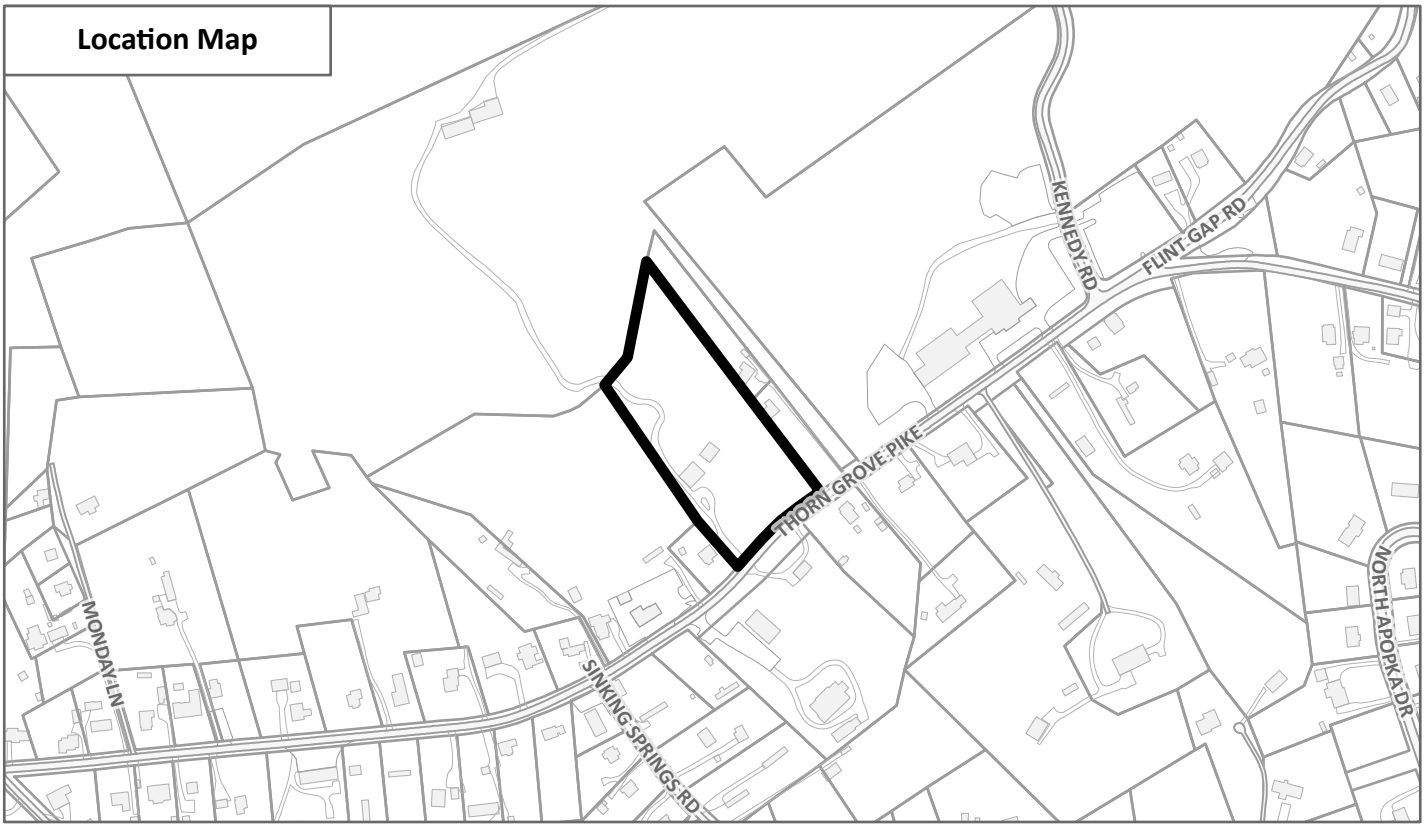
N

Original Print Date: 5/6/2024

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

Exhibit A. Contextual Images

Location Map



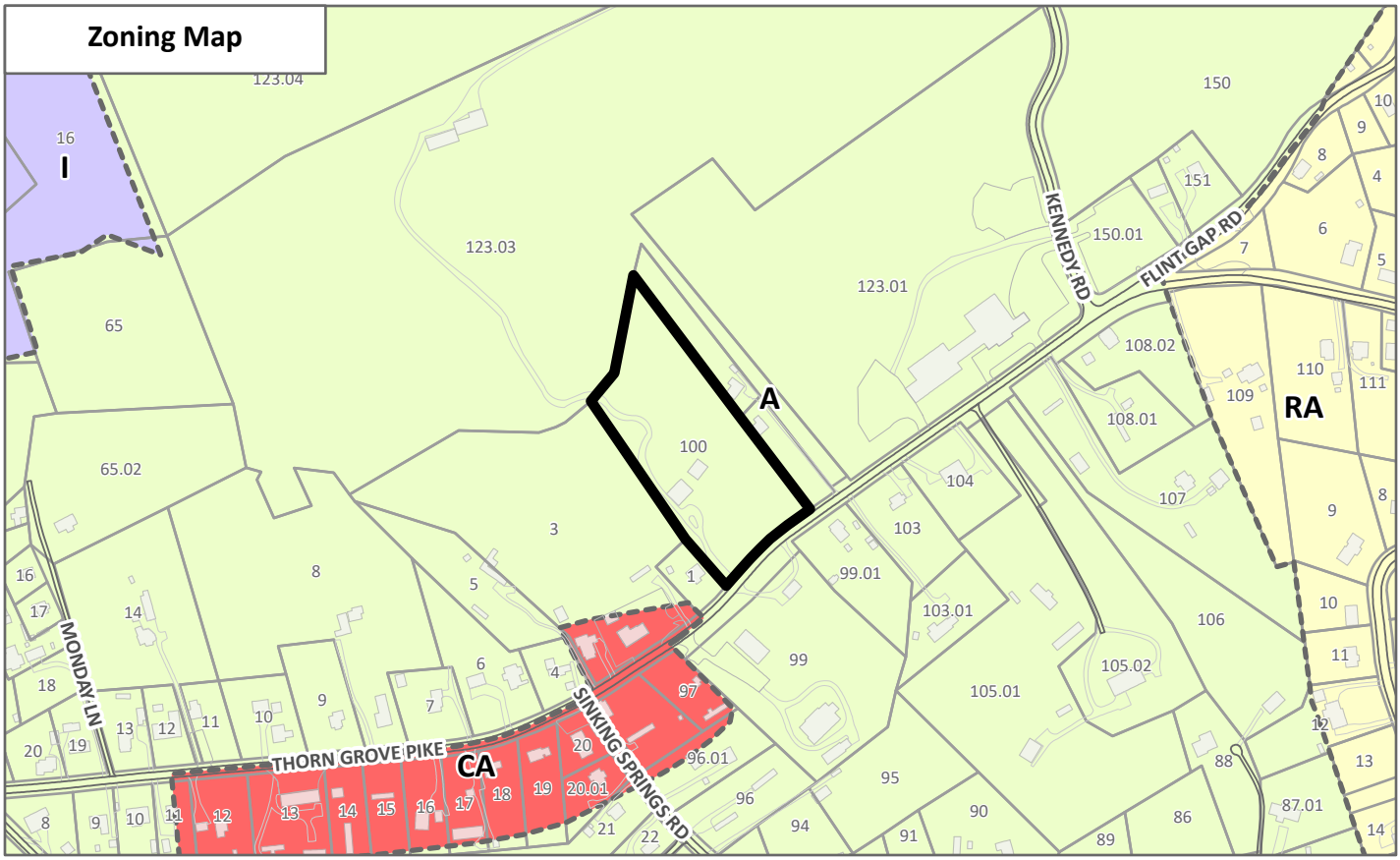
Aerial Map

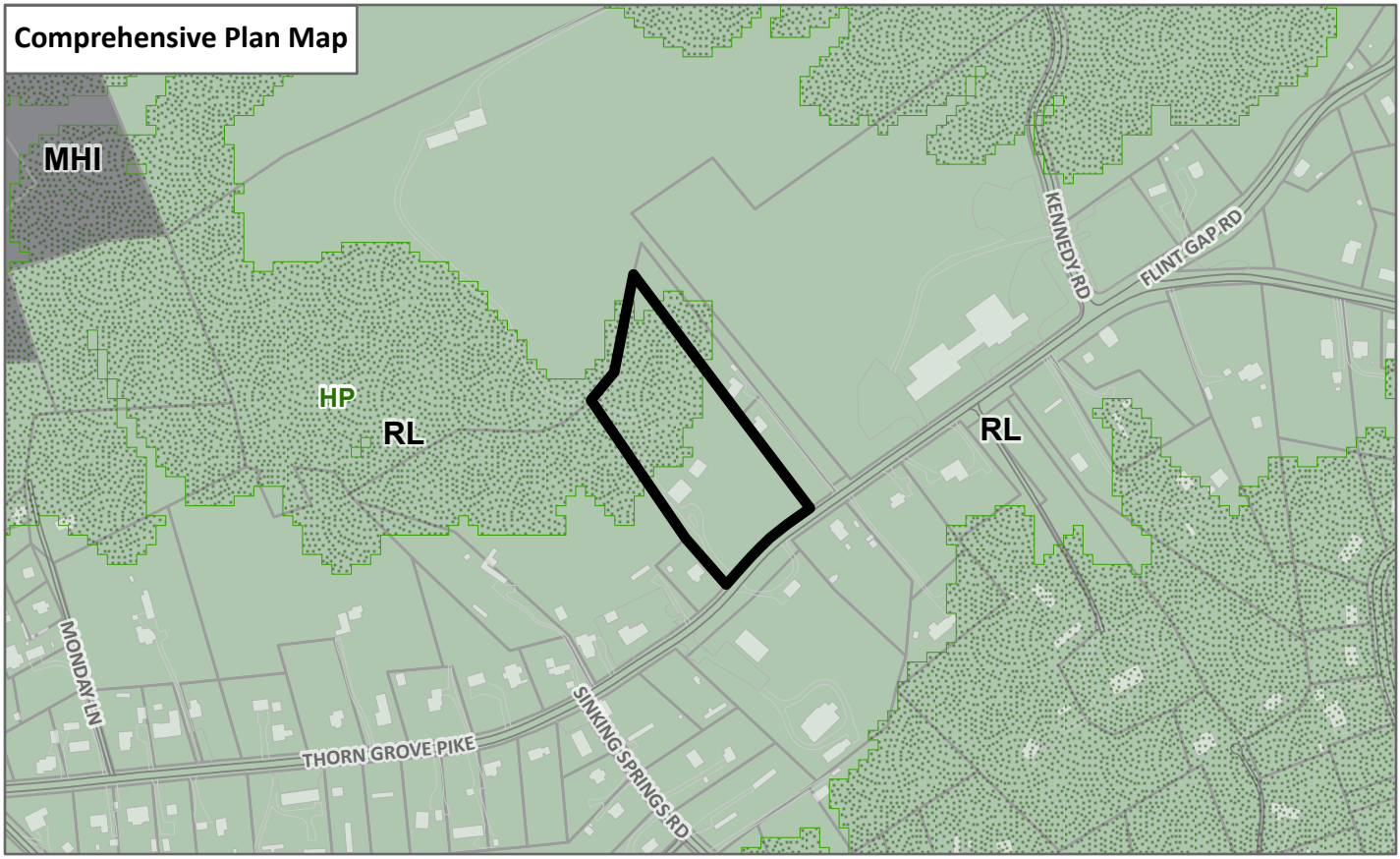
CONTEXTUAL MAPS 1 **6-I-24-RZ**

Case boundary

0 550
Feet

N





CONTEXTUAL MAPS 2

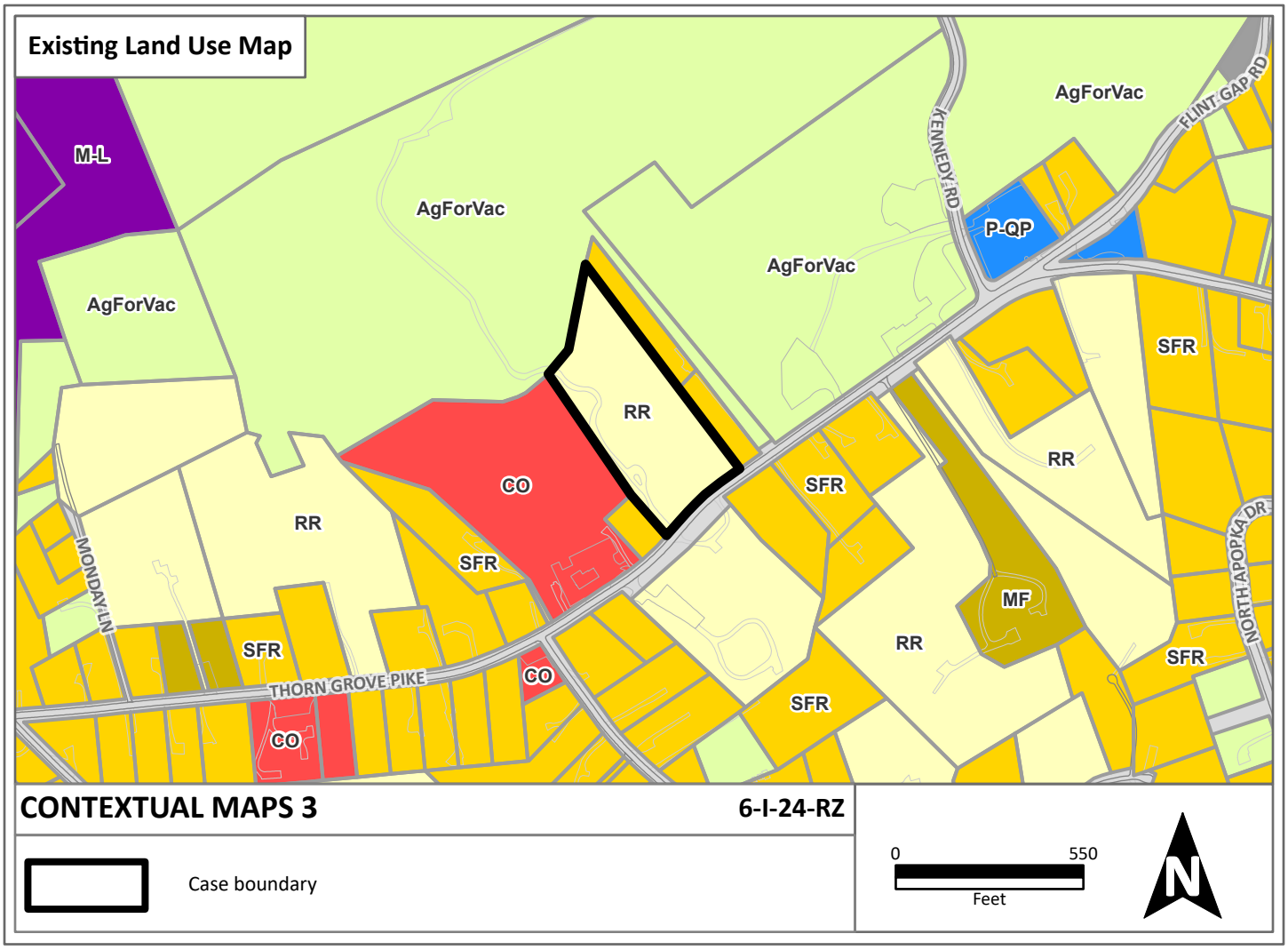
6-I-24-RZ

Case boundary

0 530

Feet

N


Existing Land Use Map
M-L
AgForVac
AgForVac
AgForVac
AgForVac
KENNEDY RD
FLINT GAP RD
P-QP
SFR
RR
CO
RR
SFR
RR
MONDAY LN
SFR
MF
RR
NORTH APOPKA DR
SFR
THORN GROVE PIKE
CO
SFR
CO
CONTEXTUAL MAPS 3
6-I-24-RZ
Case boundary
0
550
Feet
N

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

Julie Cloninger	
Applicant Name	Affiliation

4/26/2024	6/13/2024	6-I-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.

Julie Cloninger
Name / Company

5917 Thorn Grove Pike Knoxville TN 37914
Address

865-679-4001 / cjec460@gmail.com
Phone / Email

CURRENT PROPERTY INFO

Julie Cloninger	5917 Thorn Grove Pike Knoxville TN 37914	865-679-4001 / cjec460@gmail.
Owner Name (if different)	Owner Address	Owner Phone / Email

5917 THORN GROVE PIKE
Property Address

97 100		2.12 acres
Parcel ID	Part of Parcel (Y/N)?	Tract Size

Knoxville Utilities Board	Knoxville Utilities Board	
Sewer Provider	Water Provider	Septic (Y/N)

STAFF USE ONLY

North side of Thorn Grove Pike, west of Kennedy Rd
General Location

☐ City ☑ County	Commission District 9 District	A (Agricultural) Zoning District	Rural Residential Existing Land Use

East County	AG (Agricultural), HP (Hillside Protection)	Rural Area
Planning Sector	Land Use (City)/Place Type (County)	Growth Policy Plan Designation

DEVELOPMENT REQUEST

☐ Development Plan ☐ Planned Development ☐ Use on Review / Special Use

☐ Hillside Protection COA ☐ Residential ☐ Non-residential

Related City Permit Number(s)

Home Occupation (specify)

Other (specify)

SUBDIVSION REQUEST

Related Rezoning File Number

Proposed Subdivision Name

Unit / Phase Number

Total Number of Lots Created

Additional Information

☐ Attachments / Additional Requirements

ZONING REQUEST

☑ Zoning Change **CN (Neighborhood Commercial)**

Proposed Zoning

Pending Plat File Number

☐ Plan Amendment

Proposed Plan Designation(s)

Proposed Density (units/acre)

Previous Rezoning Requests

Additional Information

STAFF USE ONLY

PLAT TYPE

☐ Staff Review ☐ Planning Commission

ATTACHMENTS

☐ Property Owners / Option Holders ☐ Variance Request

☐ Amendment Request (Comprehensive Plan)

ADDITIONAL REQUIREMENTS

☐ Use on Review / Special Use (Concept Plan)

☐ Traffic Impact Study

☐ COA Checklist (Hillside Protection)

Fee 1	Total
$1,000.00	
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.**

	Julie Cloninger	**4/26/2024**
Applicant Signature	Please Print	Date

Phone / Email

	Julie Cloninger	**4/26/2024**
Property Owner Signature	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

Julie Cloninger
Applicant Name

Affiliation

4/26/24
Date Filed

June 13, 2024
Meeting Date (if applicable)

File Number(s): 6-I-24-RZ

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

Julie Cloninger
Name

Company

5917 Thorngrove Pike
Address

Knoxville
City

TN
State

37914
ZIP

8656794001
Phone

cjec460@gmail.com
Email

CURRENT PROPERTY INFO

Julie Cloninger
Property Owner Name (if different)

5917 Thorngrove Pike
Property Owner Address

865-679-4001
Property Owner Phone

5917 Thorngrove Pike
Property Address

Parcel ID

KUB
Sewer Provider

KUB
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

Home Occupation (specify) _____

Other (specify) _____

Related City Permit Number(s)

SUBDIVISION REQUEST

Proposed Subdivision Name

Unit / Phase Number ☐ Combine Parcels ☐ Divide Parcel Total Number of Lots Created

☐ Other (specify) _____

☐ Attachments / Additional Requirements

Related Rezoning File Number

ZONING REQUEST

☑ Zoning Change CN
Proposed Zoning

☐ Plan Amendment Change
Proposed Plan Designation(s)

Proposed Density (units/acre) Previous Rezoning Requests

☐ Other (specify) _____

Pending Plat File Number

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
0803	$1,000.00	
Fee 2		$1,000.00
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*

Julie Clonnger — Julie Clonnger — 4/26/24
Applicant Signature — Please Print — Date

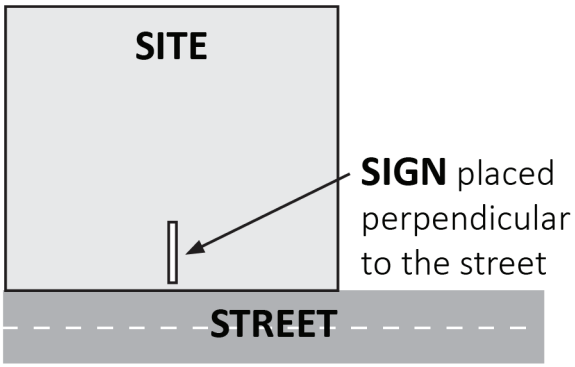
865 679 4001 — cjec460@gmail.com
Phone Number — Email

Julie Clonnger — Julie Clonnger — 04/26/2024, SG
Property Owner Signature — Please Print — Date Paid

Sign Posting & Removal Requirement

Revised April 2021

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:

05/31/2024 and 06/14/2024

(applicant or staff to post sign) **(applicant to remove sign)**

Applicant Name: Julie Cloninger

Date: 04/26/2024

File Number: 6-I-24-RZ

☒ Sign posted by Staff

☐ Sign posted by Applicant