

# REZONING REPORT

► **FILE #:** 11-F-24-RZ

**AGENDA ITEM #:** 13

**AGENDA DATE:** 11/14/2024

► **APPLICANT:** SHARON THURNER (OWNER)

OWNER(S): Treetop Enterprises LLC

TAX ID NUMBER: 84 039

[View map on KGIS](#)

JURISDICTION: City Council District 4

STREET ADDRESS: 7057 PINE GROVE RD

► **LOCATION:** Northeast side of Pine Grove Rd, northwest of Strawberry Plains Pk

► **APPX. SIZE OF TRACT:** 5.37 acres

SECTOR PLAN: East County

GROWTH POLICY PLAN: N/A (Within City Limits)

ACCESSIBILITY: Access is via Pine Grove Road, an unstriped local street with a 17-19 ft pavement width within a 39-44 ft right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

FIRE DISTRICT: Knoxville Fire Department

WATERSHED: Swan Pond Creek

► **PRESENT ZONING:** C-H-1 (Highway Commercial), I-G (General Industrial)

► **ZONING REQUESTED:** C-H-2 (Highway Commercial)

► **EXISTING LAND USE:** Agriculture/Forestry/Vacant Land, Commercial

►  
EXTENSION OF ZONE: No, but there is C-H-2 around 300 feet to the east.

HISTORY OF ZONING: Zoned A-1 (General Agricultural) upon its annexation into the City in 1995 (2-M-95-RZ). The majority of the parcel was rezoned from A-1 to C-3 (General Commercial) in 2006 (1-N-06-RZ).

SURROUNDING LAND  
USE AND ZONING: North: Commercial - I-G (General Industrial)

South: Public/quasi-public land (TN highway patrol), office - C-H-1 (Highway Commercial)

East: Agriculture/forestry/vacant land - C-H-1 (Highway Commercial)

West: Rural residential, single family residential - A (Agricultural)

NEIGHBORHOOD CONTEXT: The parcel is near the commercial node at the interchange of Strawberry Plains Pike and I-40 and is across from the Tennessee Highway Patrol office. Pine Grove Road primarily contains single family residential subdivisions and single family homes on lots of 0.5 acres or less in size.

## STAFF RECOMMENDATION:

► **Approve the C-H-2 (Highway Commercial) district because it is consistent with the sector plan and surrounding development.**

## COMMENTS:

PURSUANT TO THE CITY OF KNOXVILLE ZONING ORDINANCE, SECTION 16.1.E, ALL OF THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS:

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. This area south of I-40 has experienced several developments in the past few years, including the Tennessee Highway Patrol office across the subject parcel and a freight transportation facility east of Strawberry Plains Pike (both of which were constructed in 2021), and the Ambercrest residential subdivision on Pine Grove Road (constructed between 2022 – 2024).

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE ZONING ORDINANCE:

1. The C-H districts are intended to accommodate higher-intensity commercial uses of a predominantly auto-oriented character, including retail, rental, and service establishments of a more intense commercial character including those requiring permanent outdoor service or storage areas. The subject property meets the intent of the C-H-2 district with its location near the commercial node at the interchange of Strawberry Plains Pike and I-40. This area includes a mix of commercial districts, including C-H-1 and C-H-2 in the City and CA (General Business), CB (Business and Manufacturing), and PC (Planned Commercial) in the County.

2. The requested C-H-2 district permits all the same uses as the C-H-1 district but there are a few differences pertaining to the dimensional and design standards. The C-H-2 district allows a higher building height (maximum 90 ft instead of 45 ft) and has some design standards related to building façade, transparency, material, and site design that are absent for the C-H-1 and I-G districts (Article 5.4).

3. 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 would be compatible with the surrounding land uses.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE CITY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT.

1. No significant adverse impacts are anticipated with the C-H-2 district since it allows the same uses as the property's current C-H-1 zoning.

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 proposed rezoning is consistent with the GC (General Commercial) land use classification of the East County Sector Plan and One Year Plan.

2. The C-H-2 district adjacent to the established commercial node 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.

3. The East Knox Community Plan identifies Strawberry Plains Pike as a 'Development Corridor' and its interchange with I-40 as 'Rural Crossroads', both of which are appropriate for a more intense development pattern. The C-H-2 district introduces building design standards and the requirement of safe pedestrian access, which is consistent with the community plan's recommended action to adopt zoning tools that promote walkability and design standards (p. 48).

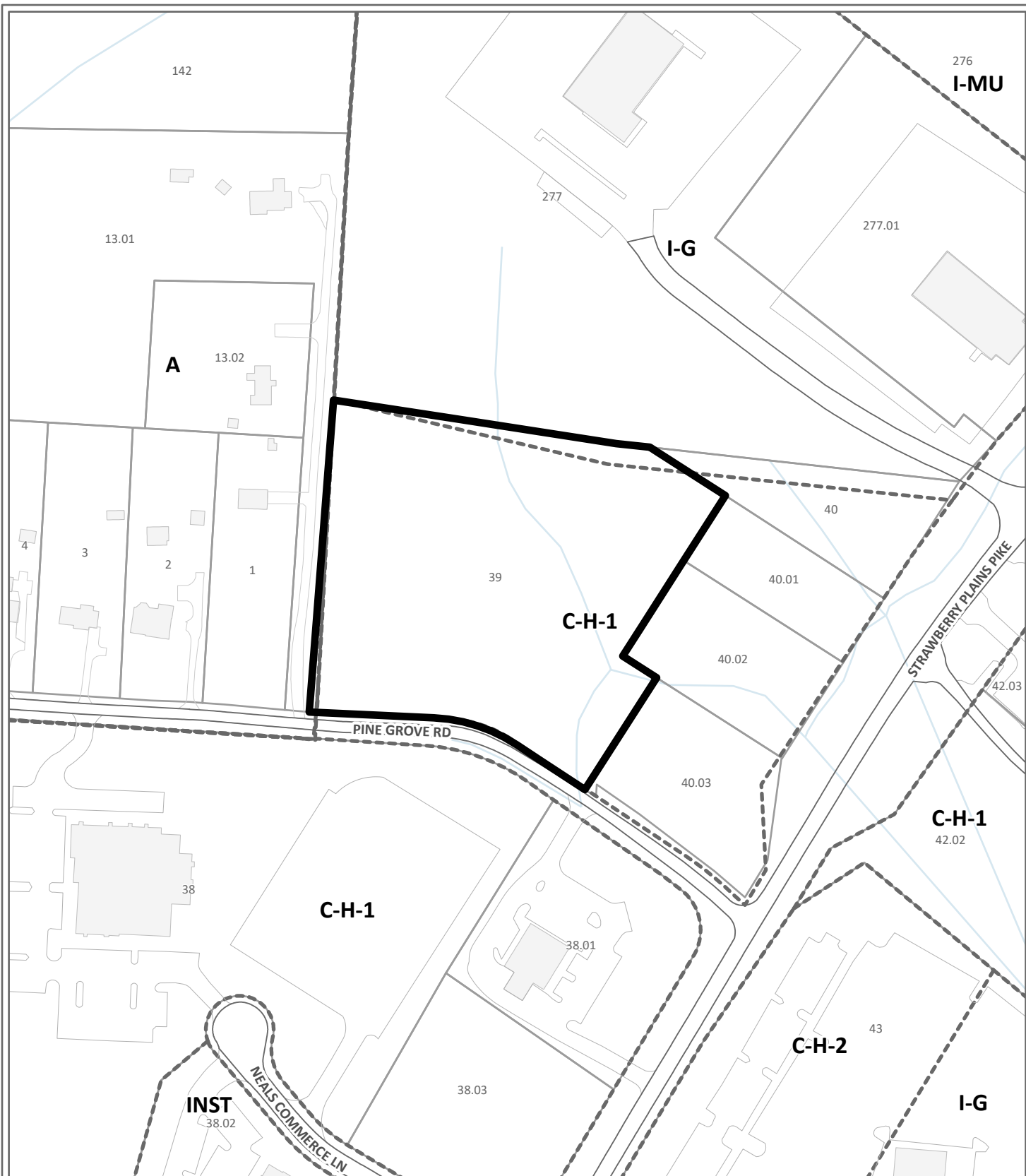
ADEQUATE PUBLIC FACILITIES ARE AVAILABLE INCLUDING, BUT NOT LIMITED TO, SCHOOLS, PARKS, POLICE AND FIRE PROTECTION, ROADS, SANITARY SEWERS, AND WATER LINES, OR ARE REASONABLY CAPABLE OF BEING PROVIDED PRIOR TO THE DEVELOPMENT OF THE SUBJECT PROPERTY IF THE AMENDMENT WERE ADOPTED:

1. There are adequate utility and other infrastructure available in this area for the development potential of the requested C-H-2 district.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 12/10/2024 and 1/7/2025. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal a Planning Commission decision in the City.



## REZONING

**11-F-24-RZ**

**Petitioner:** Sharon Thurner

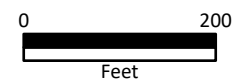


**From:** C-H-1 (Highway Commercial), I-G (General Industrial)

**To:** C-H-2 (Highway Commercial)

**Map No:** 84

**Jurisdiction:** City

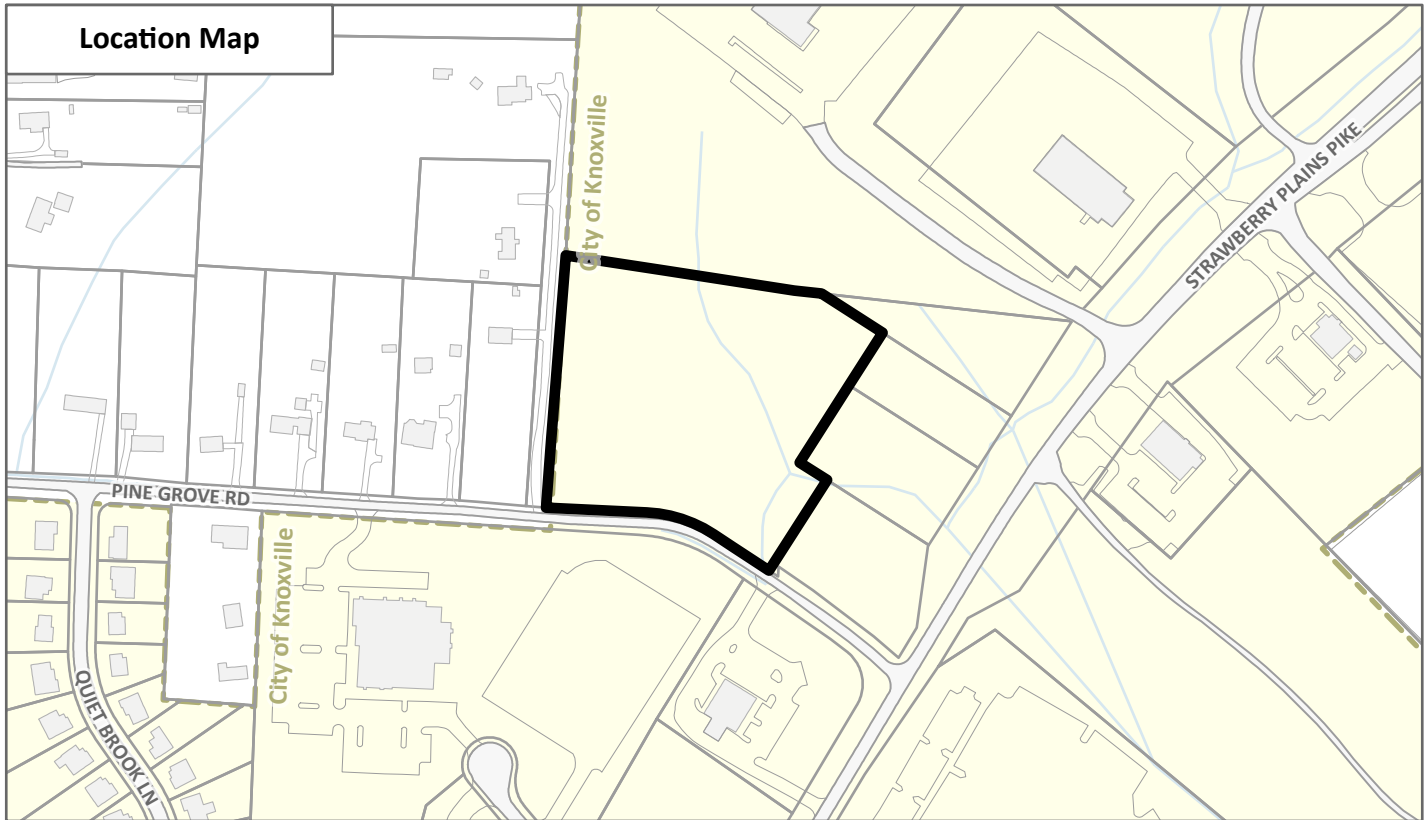


**Original Print Date:** 10/9/2024

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

## Exhibit A. Contextual Images

Location Map



Aerial Map

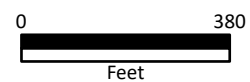


CONTEXTUAL MAPS 1

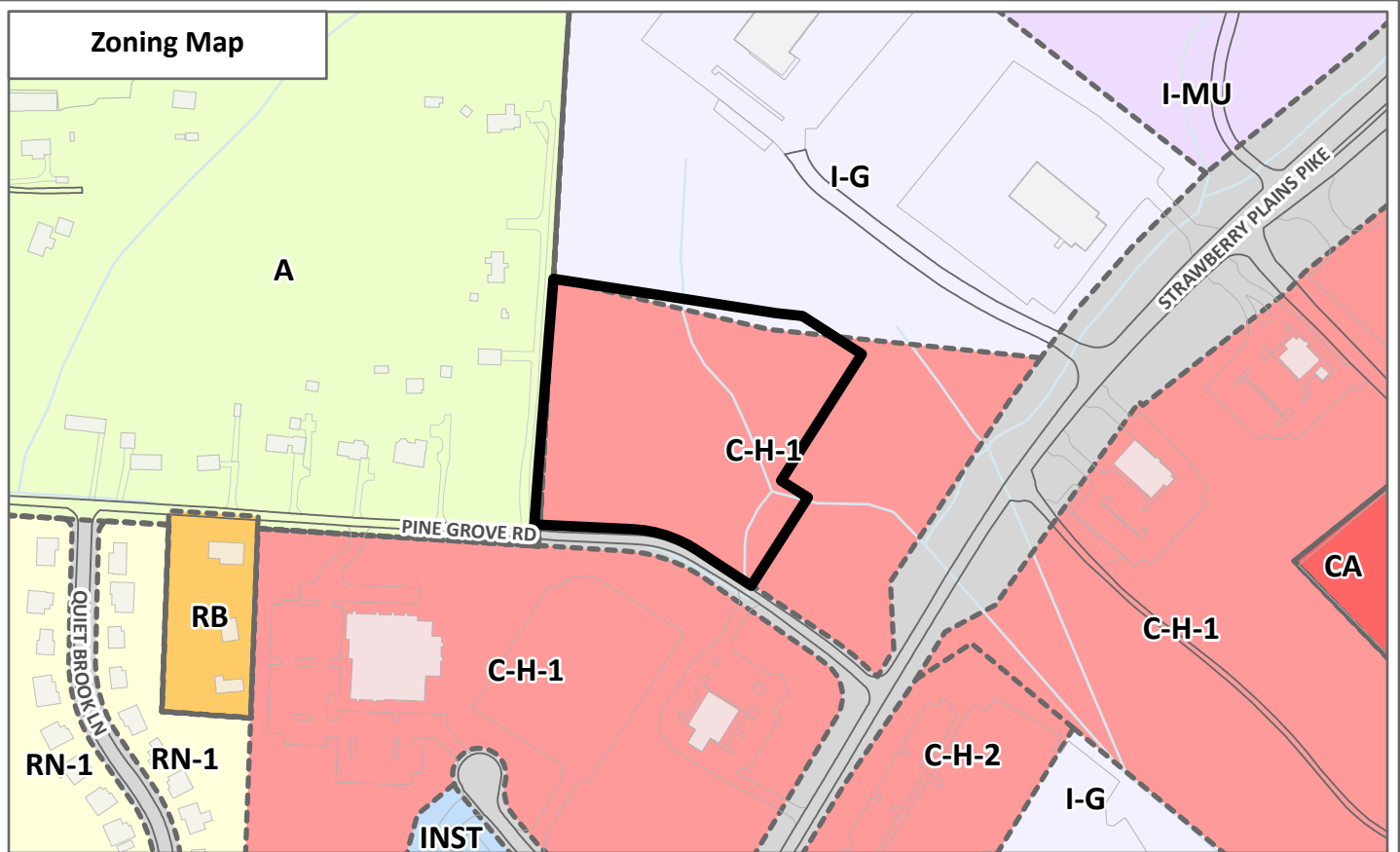
11-F-24-RZ



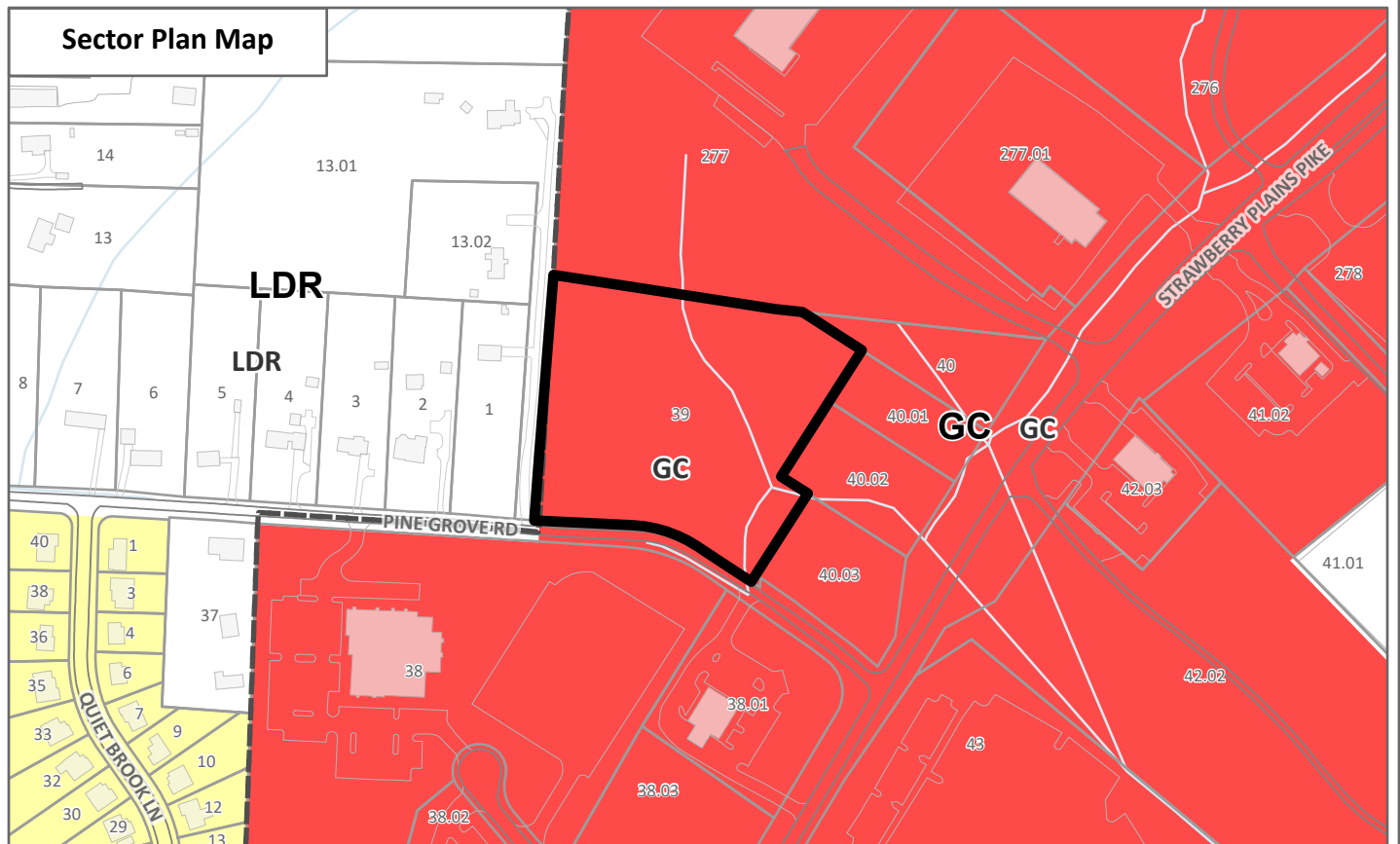
Case boundary



# Zoning Map



# Sector Plan Map

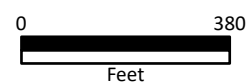


## CONTEXTUAL MAPS 2

11-F-24-RZ

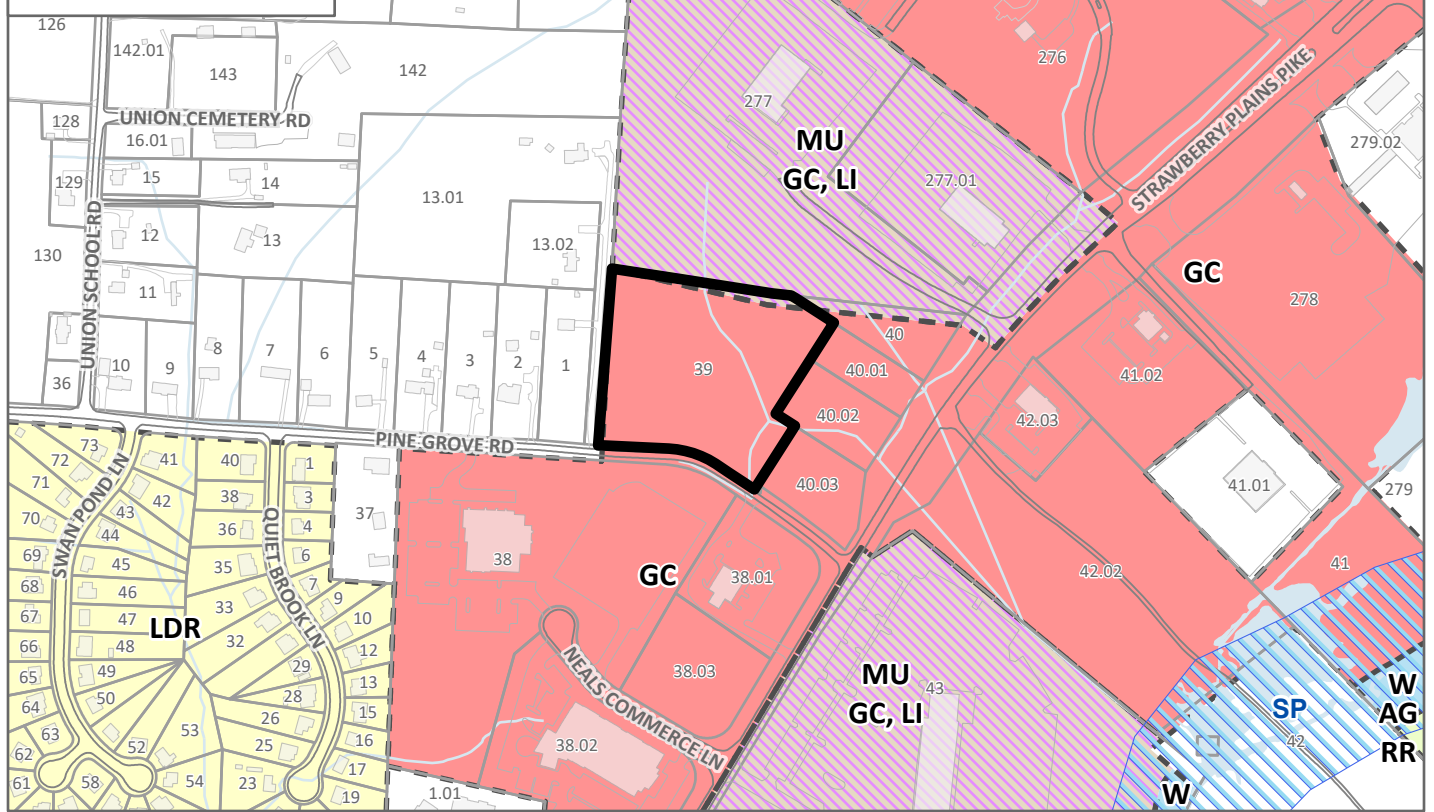


Case boundary

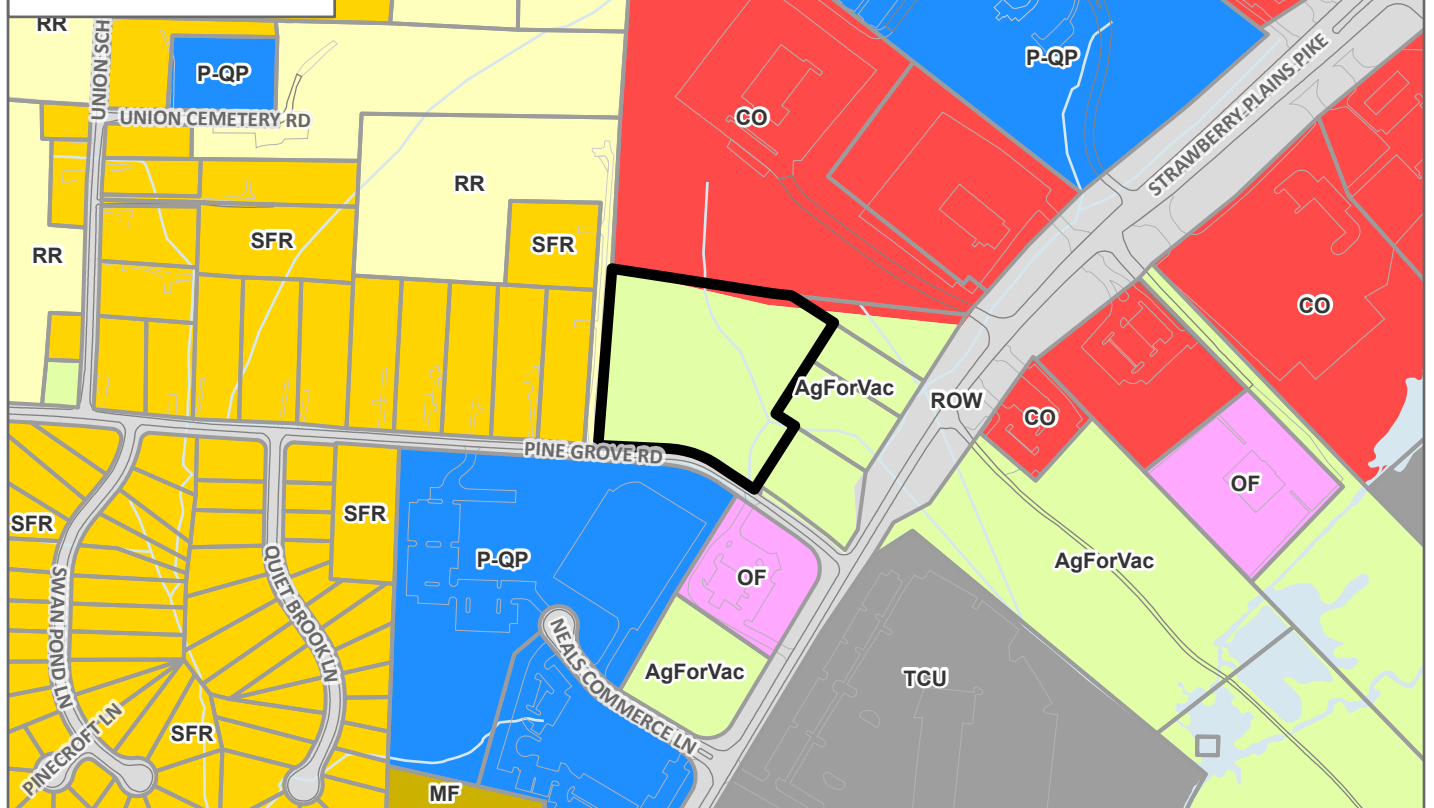




# One Year Plan Map



# Existing Land Use Map

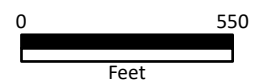


## CONTEXTUAL MAPS 3

11-F-24-RZ



Case boundary





# 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

Sharon Thurner

Applicant Name

Owner

Affiliation

9/20/2024

Date Filed

11/14/2024

Meeting Date (if applicable)

11-F-24-RZ

File Number(s)

## CORRESPONDENCE

*All correspondence related to this application should be directed to the approved contact listed below.*

Sharon Thurner Treetop Enterprises LLC

Name / Company

1511 Rutledge Ave Charlotte NC 28211

Address

704-609-2330 / sthurner2@icloud.com

Phone / Email

## CURRENT PROPERTY INFO

Treetop Enterprises LLC

Owner Name (if different)

2 White Rock Ct Arden NC 28704

Owner Address

828-768-0491

Owner Phone / Email

7057 PINE GROVE RD

Property Address

84 039

Parcel ID

5.37 acres

Tract Size

Part of Parcel (Y/N)?

Knoxville Utilities Board

Sewer Provider

Knoxville Utilities Board

Water Provider

No

Septic (Y/N)

## COMMUNITY ENGAGEMENT

*Sign and return the **Public Notice and Community Engagement** form with this application.*

*Planning strives to provide community members with information about upcoming cases in a variety of ways. In addition to posting public notice signs, our agency encourages applicants to provide information and offer opportunities for dialogue related to their upcoming case(s). **We require applicants to acknowledge their role in this process.***

## 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	
Total Number of Lots Created	
Additional Information	
<input type="checkbox"/> Attachments / Additional Requirements	

## ZONING REQUEST

<input checked="" type="checkbox"/> Zoning Change	<b>C-H-2 (Highway Commercial)</b>	Pending Plat File Number
	Proposed Zoning	
<input type="checkbox"/> Plan Amendment	Proposed Plan Designation(s)	
Proposed Density (units/acre)    Previous Rezoning Requests		
Additional Information		

## STAFF USE ONLY

<b>PLAT TYPE</b>	Fee 1	Total
<input type="checkbox"/> Staff Review <input type="checkbox"/> Planning Commission	<b>\$1,537.00</b>	
<b>ATTACHMENTS</b>	Fee 2	
<input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request		
<input type="checkbox"/> Amendment Request (Comprehensive Plan)	Fee 3	
<b>ADDITIONAL REQUIREMENTS</b>		
<input type="checkbox"/> Use on Review / Special Use (Concept Plan)		
<input type="checkbox"/> Traffic Impact Study		
<input type="checkbox"/> COA Checklist (Hillside Protection)		

## AUTHORIZATION

<input type="checkbox"/> 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	Sharon Thurner Please Print	9/20/2024 Date
Phone / Email		
Property Owner Signature	Treetop Enterprises LLC Please Print	9/20/2024 Date





**NAMES OF ALL PROPERTY OWNERS INVOLVED OR HOLDERS OF OPTION ON SAME  
MUST BE LISTED BELOW:**

Please print or type in black ink.

NAME	ADDRESS	OWNER / OPTION
T. Michael Johnson	1511 Rutledge Avenue Charlotte, NC 28211	

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# Development Request

[Reset Form](#)

## DEVELOPMENT

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

## SUBDIVISION

- ☐ Concept Plan  
☐ Final Plat

## ZONING

- ☐ Plan Amendment  
☐ SP ☐ PA  
☒ Rezoning

Sharon Thurner

Applicant Name

Affiliation

~~July 9, 2024~~ 09/19/2024

November 14, 2024

File Number(s)

Date Filed

Meeting Date (if applicable)

11-F-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

Sharon Thurner

Name

Company

1511 Rutledge Avenue

Charlotte

NC

28211

Address

City

State

ZIP

704-609-2330

sthurner2@icloud.com

Phone

Email

## CURRENT PROPERTY INFO

Treetop Entreprises LLC

2 White Rock Ct, Arden, NC 28704

828-768-0491

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

7057 Pine Grove Road, Knoxville

084-039

Property Address

Parcel ID

KUB

KUB

N

Sewer Provider

Water Provider

Septic (Y/N)

## STAFF USE ONLY

General Location

Tract Size

☐ City ☐ County

District

Zoning District

Existing Land Use

Planning Sector

Land Use / Place Type  
CITY COUNTY

Growth Policy Plan Designation

April 2024

## 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

☐ Combine Parcels ☐ Divide Parcel

Unit / Phase Number

Total Number of Lots Created

☐ Other (specify) \_\_\_\_\_

☐ Attachments / Additional Requirements

Related Rezoning File Number

## ZONING REQUEST

☒ Zoning Change

C-H-2

Proposed Zoning

☐ Plan Amendment Change

Proposed Plan Designation(s)

Pending Plat File Number

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

☐ Amendment Request (*Comprehensive Plan*)

### ADDITIONAL REQUIREMENTS

☐ Use on Review / Special Use (*Concept Plan*)

☐ Traffic Impact Study

☐ COA Checklist (*Hillside Protection*)

Fee 1

Total

Fee 2

\$1,537.00

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

Sharon Thurner

July 9, 2024

Applicant Signature

Please Print

Date

704-609-2330

sthurner2@icloud.com

Phone Number

Email

Property Owner Signature

Please Print

Date Paid

TREETOP ENTERPRISES, LLC  
T.MICHAEL JOHNSON

09/20/2024, SG

(1) Download and fill out this form at your convenience  
(2) Sign the application digitally

(3) Email applications@knoxplanning.org and include this signed form with your completed application



# Public Notice and Community Engagement

## Sign Posting and Removal

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.

**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.

## Community Engagement

Planning strives to provide community members with information about upcoming cases in a variety of ways. In addition to posting public notice signs, our agency encourages applicants to provide information and offer opportunities for dialogue related to their upcoming case(s).

### Acknowledgement

*By signing below, you acknowledge that public notice signs must be posted and visible on the property consistent with the guidelines above and between the dates listed below.*

11/01/2024

11/15/2024

Date to be Posted

Date to be Removed

**Have you engaged the surrounding property owners to discuss your request?**

☒ Yes   ☐ No

☐ No, but I plan to prior to the Planning Commission meeting

*Bailey Fanning on behalf of Sharon Thurner*

Bailey Fanning on behalf of Sharon Thurner

9/20/24

Applicant Signature

Applicant Name

Date

11-F-24-RZ

FILE NUMBER