



# PLAN AMENDMENT/ REZONING REPORT

▶ **FILE #:** 5-D-22-RZ  
5-B-22-SP

**AGENDA ITEM #:** 8  
**AGENDA DATE:** 5/12/2022

▶ **APPLICANT:** CINDY MCCOY  
**OWNER(S):** Cindy & Dail McCoy

**TAX ID NUMBER:** 38 017  
**JURISDICTION:** Commission District 7  
**STREET ADDRESS:** 2707 E. Emory Rd.

[View map on KGIS](#)

▶ **LOCATION:** North side of E. Emory Road, east side of Greenwell Rd

▶ **TRACT INFORMATION:** 1.94 acres.

**SECTOR PLAN:** North County  
**GROWTH POLICY PLAN:** Planned Growth Area

**ACCESSIBILITY:** Access is via E. Emory Road, a major arterial, four-lane with a turning lane, within a 100-ft right-of-way.

**UTILITIES:** Water Source: Hallsdale-Powell Utility District  
Sewer Source: Hallsdale-Powell Utility District

**WATERSHED:** Beaver Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** LDR (Low Density Residential) / A (Agricultural)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** RC (Rural Commercial) / CR (Rural Commercial)

▶ **EXISTING LAND USE:** Single family residential

▶ **EXTENSION OF PLAN DESIGNATION/ZONING:** No

**HISTORY OF ZONING REQUESTS:** None noted.

**SURROUNDING LAND USE, PLAN DESIGNATION,** North: Single-family residential / LDR (Low Density Residential) / PR (Planned Residential)

**ZONING** South: Right-of-way, Agriculture/forestry/vacant / LDR (Low Density Residential) / A (Agricultural)

East: Single-family residential, Agriculture/forestry/vacant / LDR (Low Density Residential) / PR (Planned Residential), A (Agricultural)

West: Single-family residential, Agriculture/forestry/vacant / LDR (Low Density Residential) / PR (Planned Residential), A (Agricultural)

**NEIGHBORHOOD CONTEXT:** This area is primarily a mix of single-family residential home within PR zoned subdivisions and large lot A zoned properties.

---

**STAFF RECOMMENDATION:**

- ▶ **Deny the sector plan amendment to RC (Rural Commercial) because it does not meet the location criteria, nor does it meet the requirements for an amendment.**
  
- ▶ **Deny the rezoning to CR (Rural Commercial) because it is not compatible with the surrounding development.**

**COMMENTS:**

SECTOR PLAN AMENDMENT REQUIREMENTS FROM GENERAL PLAN (May meet any one of these):

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

- 1) There have been no major changes in the area since the last sector plan update in 2012.

INTRODUCTION OF SIGNIFICANT NEW ROADS OR UTILITIES THAT WERE NOT ANTICIPATED IN THE PLAN AND MAKE DEVELOPMENT MORE FEASIBLE:

- 1) The last major road improvement in this area was on E. Emory Road in 2009, a few years before the North County sector plan was updated.
- 2) There have been no new utility expansions in this area.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

- 1) There is no obvious or significant error or omission in the sector plan related to the subject property.
- 2) This property only has frontage on E. Emory Road because of a drainage ditch along Greenwell Road.

TRENDS IN DEVELOPMENT, POPULATION OR TRAFFIC THAT WARRANT RECONSIDERATION OF THE ORIGINAL PLAN PROPOSAL:

- 1) This area has continued to transition from agricultural to low density residential since the 1990s.
- 2) The majority of the low density residential development in this area has occurred in this area in the last 15 years.

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) This area of E. Emory Road remains low density residential and no major changes have occurred to the development pattern in the last 10-15 years.

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

- 1) The CR (Rural Commercial) zone district is intended to provide limited retail and service uses in a manner convenient to outlying rural areas, this area actually falls within the Planned Growth Area of the Growth Policy Plan and is largely suburban in character.
- 2) While CR should be placed on properties that are located at or near intersections of arterial and/or collector streets in order to maximize accessibility from surrounding areas, this lot is particularly limited to access on E. Emory Road because of the drainage ditch along Greenwell Road.

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) The proposed amendment could have an impact on the adjacent single-family residential neighborhoods, if commercial uses were introduced into this area.
- 2) Access for a commercial use should be evaluated by TDOT for this section of E Emory Road.

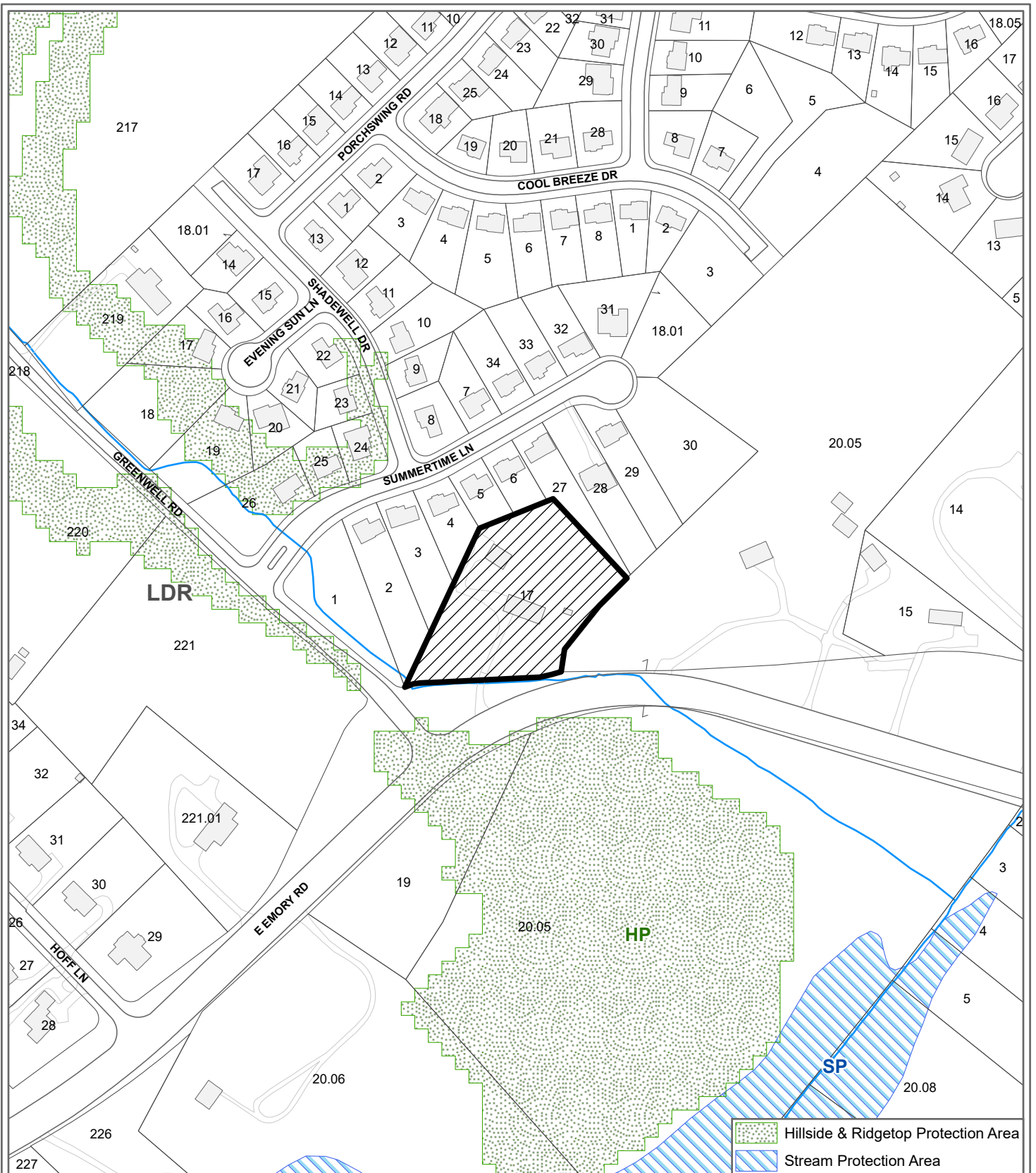
THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

- 1) The proposed zoning change is not in compliance with the existing sector plan land use classification of LDR (Low Density Residential) for this area.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 6/27/2022. 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.



**5-B-22-SP / 5-D-22-RZ  
NORTH COUNTY SECTOR PLAN AMENDMENT**

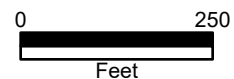
From: LDR (Low Density Residential)  
To: RC (Rural Commercial)

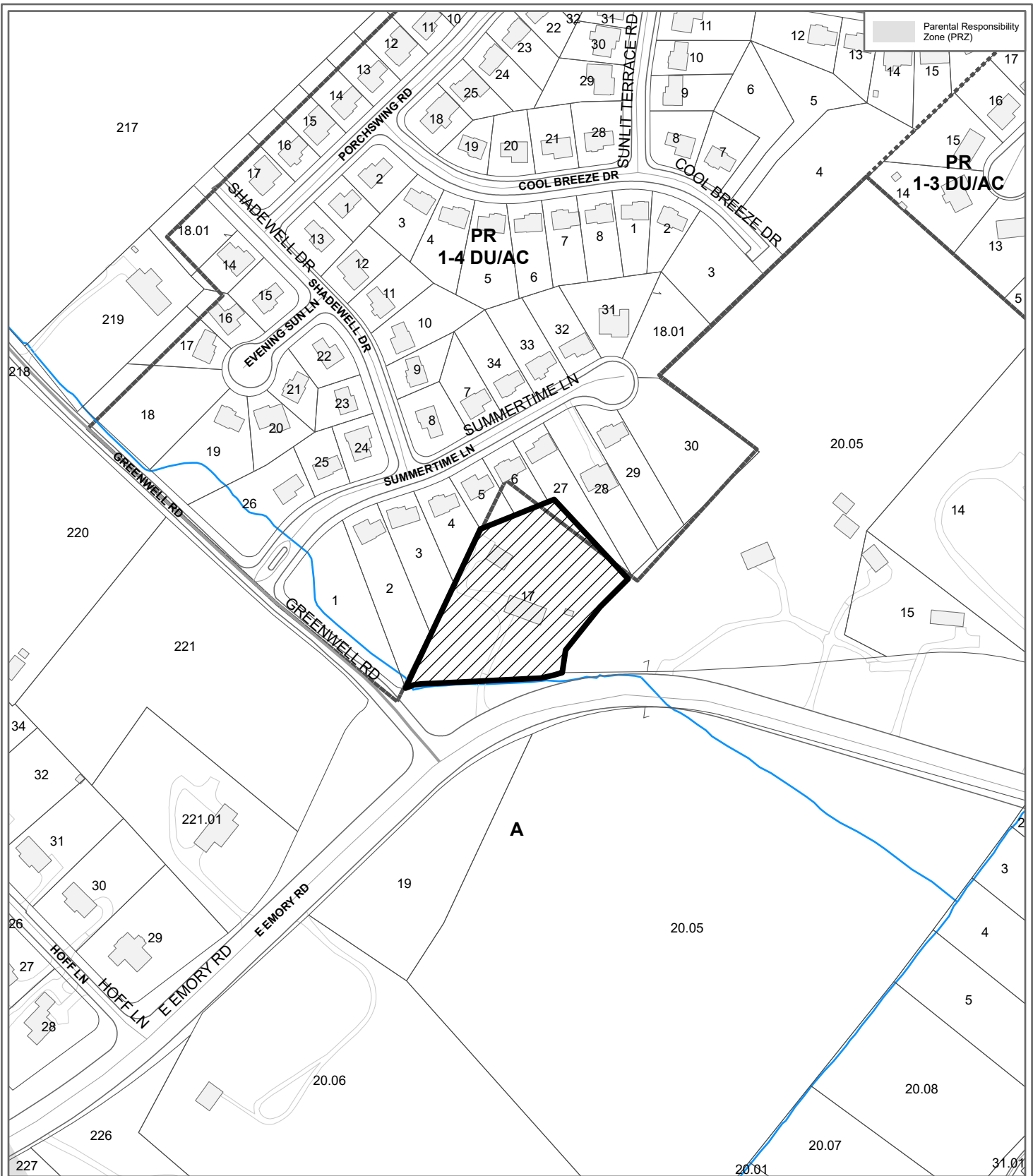


Petitioner: McCoy, Cindy

Map No: 38  
Jurisdiction: County

Original Print Date: 4/18/2022 Revised:  
Knoxville - Knoxville Planning Commission \* City / County Building \* Knoxville, TN 37902





**5-D-22-RZ  
REZONING**

From: A (Agricultural)

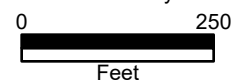
To: CR (Rural Commercial)



Petitioner: McCoy, Cindy

Map No: 38

Jurisdiction: County

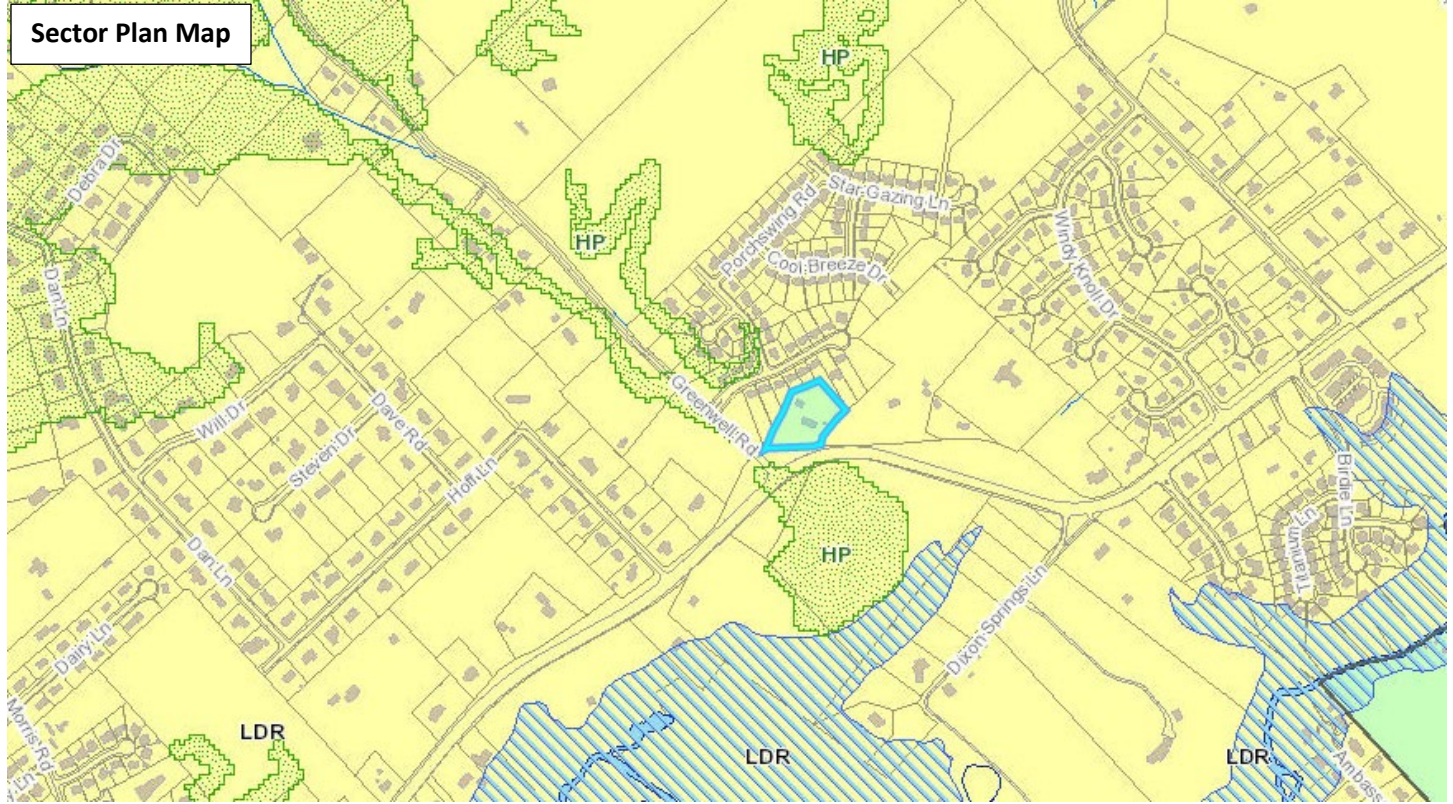
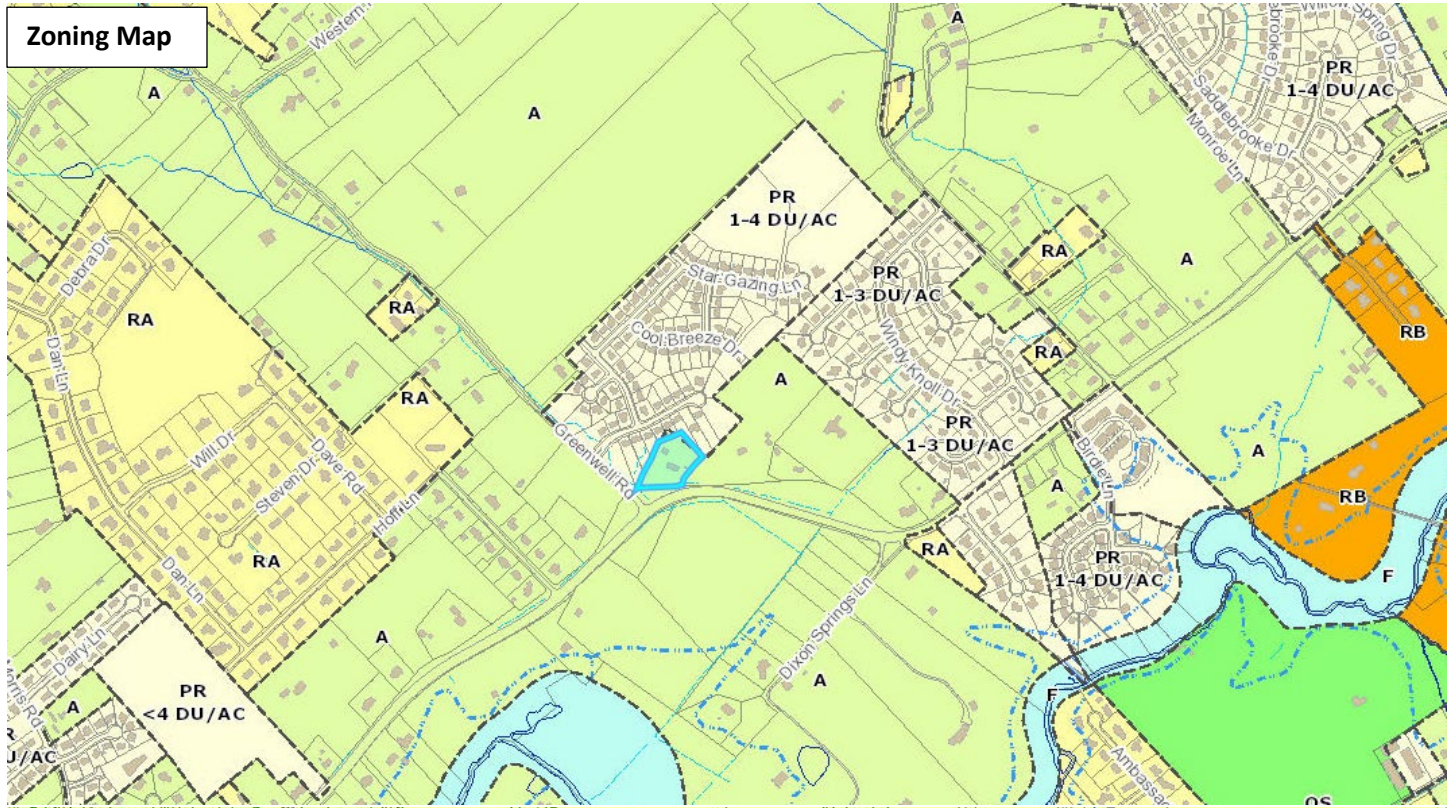


Original Print Date: 4/18/2022

Revised:

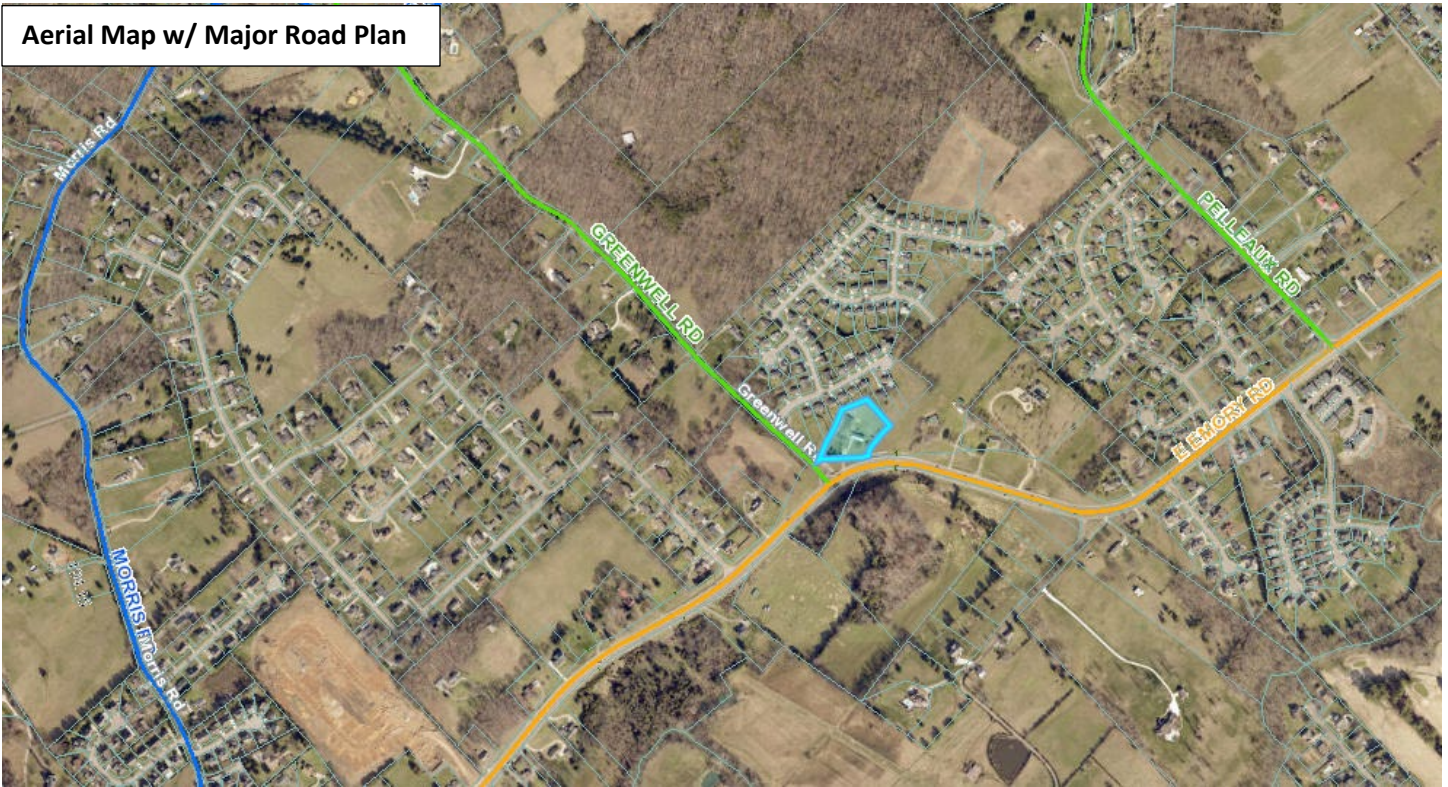
Knoxville - Knox County Planning Commission \* City / County Building \* Knoxville, TN 37902

# Exhibit A. 5-D-22-RZ / 5-B-22-SP Contextual Images



**Exhibit A. 5-D-22-RZ / 5-B-22-SP Contextual Images**

**Aerial Map w/ Major Road Plan**



**Aerial Map (2020)**



**Exhibit A. 5-D-22-RZ / 5-B-22-SP Contextual Images**







# 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

Cindy McCoy  
Applicant Name

OWNER  
Affiliation

03/15/22  
Date Filed

5/12/2022 @ 1:30 P.M.  
Meeting Date (if applicable)

File Number(s)  
**5-D-22-RZ**  
**5-B-22-SP**

**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

Cindy McCoy  
Name

Company

2707 E. EMORY ROAD  
Address

KNOXVILLE  
City

TN  
State

37938  
ZIP

(865) 216-6929  
Phone

CINDYKING629@GMAIL.COM  
Email

**CURRENT PROPERTY INFO**

Cindy & Dail McCoy  
Property Owner Name (if different)

2707 E. Emory Road  
Property Owner Address

(865) 216-6929  
Property Owner Phone

2707 E. EMORY ROAD  
Property Address

038 017  
Parcel ID

Halls-Dale Powell  
Sewer Provider

Halls-Dale Powell  
Water Provider

N  
Septic (Y/N)

**STAFF USE ONLY**

North side of E. Emory Road, East side of Greenwell Drive  
General Location

1.94 ac. +/-  
Tract Size

City  County  
District

7th  
District

A  
Zoning District

SFR  
Existing Land Use

North County  
Planning Sector

LDR  
Sector Plan Land Use Classification

Planned  
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   
 Rural Commercial  
 Proposed Zoning

Plan Amendment Change   
 Change from LDR to RC  
 Proposed Plan Designation(s)

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
0326	\$1,000.00	\$1,600.00
Fee 2		
0526	\$600.00	
Fee 3		

**AUTHORIZATION**

Cindy McCoy  
Applicant Signature

Cindy McCoy  
Please Print

03/15/22  
Date

(865) 216-6929  
Phone Number

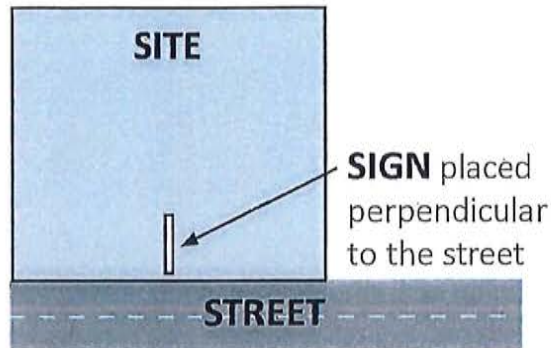
cindyking029@gmail.com  
Email

Cindy McCoy  
Property Owner Signature

Cindy McCoy  
Please Print

03/15/22  
Date

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:*

April 27/2022 and May 13/2022  
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Cindy McCoy  
 Date: 3/22/22  
 File Number: 5-D-22-RZ

- Sign posted by Staff
- Sign posted by Applicant