



PLAN AMENDMENT/ REZONING REPORT

▶ **FILE #:** 2-F-24-RZ
2-C-24-SP

AGENDA ITEM #: 31
AGENDA DATE: 2/8/2024

▶ **APPLICANT:** MILLSTONE VENTURES LLC
OWNER(S): Candy Laster

TAX ID NUMBER: 130 175 [View map on KGIS](#)

JURISDICTION: Commission District 6

STREET ADDRESS: 11471 OUTLET DR

▶ **LOCATION:** North side of Outlet Dr, east of Snyder Rd

▶ **TRACT INFORMATION:** 18.07 acres.

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Farragut Urban Growth Boundary

ACCESSIBILITY: Access is via Outlet Dr, a major collector with a pavement width of 45 ft and a center turn lane within a right-of-way of 86 ft.

UTILITIES: Water Source: First Knox Utility District

Sewer Source: First Knox Utility District

WATERSHED: Turkey Creek

▶ **PRESENT PLAN DESIGNATION/ZONING:** MDR (Medium Density Residential), HP (Hillside Protection) / PR (Planned Residential) up to 12 du/ac

▶ **PROPOSED PLAN DESIGNATION/ZONING:** MDR/O (Medium Density Residential/Office), HP (Hillside Protection) / OB (Office, Medical, and Related Services)

▶ **EXISTING LAND USE:** Agriculture/forestry/vacant land

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

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, North: Agriculture/forestry/vacant land - LDR (Low Density Residential), HP (Hillside Protection) - A (Agricultural)

ZONING South: Agriculture/forestry/vacant land - N/A (Town of Farragut) - FAR: Outlet drive regional entertainment and employment district (OD-RE/E)

East: Single family residential - LDR (Low Density Residential) - RA (Low Density Residential)

West: Multifamily - HDR (High Density Residential), HP (Hillside Protection) - PR (Planned Residential) up to 18 du/ac

NEIGHBORHOOD CONTEXT: This area just north of I-40 is developed with a mix of uses, including low and

medium density residential, office and commercial. The site is located about a half mile east of the N. Campbell Station Rd. The Town of Farragut abuts to the south.

STAFF RECOMMENDATION:

- ▶ **Deny the sector plan amendment to the MDR/O (Medium Density Residential/Office) land use classification because it is not warranted with the current PR (Planned Residential) up to 12 du/ac zoning. The HP (Hillside Protection) area would be retained.**

- ▶ **Deny the OB (Office, Medical, and Related Services) zone because it is inconsistent with the surrounding area and sector plan.**

COMMENTS:

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

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

1. The adjacent property to the west was rezoned in 2015. The applicant had requested PR with a density of 18 du/ac with a plan amendment to the HDR (High Density Residential) land use classification. Planning recommended approval of the PR zone with up to 12 du/ac, and denial of the HDR land use class because the property did not meet the General Plan criteria for that level of density, the requested density was out of character with the surrounding area, and the applicant had reasonable use of the land under the MDR land use classification. The staff report cited that the request did not meet any of the criteria for a plan amendment. However, the requested HDR land use was approved, along with the PR zone with up to 18 du/ac. Staff does not find a change in condition that warrants a change in our recommendation for this area.

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

1. The Outlet Drive to Snyder Road extension has been completed in 2011 to further promote the commercial development in the community. Outlet Drive is a major collector street that connects Lovell Rd to N Campbell Station Rd just north of I-40. There is a greenway along the northside of Outlet Drive and a sidewalk along the southside. This infrastructure makes medium density appropriate at this location. Densities more than 12 du/ac would be out of character with the immediate area and this site lacks access to transit.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

1. There doesn't appear to be an obvious or significant error or omission in the plan. This site is between HDR to the west and LDR to the east, which makes the MDR land use classification appropriate as it provides a transition between HDR and LDR land uses. MDR/O is slightly more intensive than MDR as it allows more uses and densities higher than 12 du/ac, which are not appropriate at this location.

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

1. There are no trends that warrant reconsideration of the original plan proposal.

State law regarding amendments of the general plan (which includes Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law now provides for two methods to amend the plan at TCA 13-3-304:

- The Planning Commission may initiate an amendment by adopting a resolution and certifying the amendment to the Legislative Body. Once approved by majority vote of the Legislative Body, the amendment is operative.
- The Legislative Body may also initiate an amendment and transmit the amendment to the Planning Commission. Once the Planning Commission has considered the proposed amendment and approved, not approved, or taken no action, the Legislative Body may approve the amendment by majority vote and the amendment is operative.

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. Outlet Drive was extended in 2011 to connect Lovell Road to N Campbell Station Road. Additionally, there is a greenway along the frontage of Outlet Drive.

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

1. The proposed OB zone is intended to provide areas for professional and business offices and related activities that require separate buildings and building groups surrounded by landscaped yards and open areas. The intent herein is to provide centralized, compact locations for business offices, clinics, medical, and dental offices near residential neighborhoods.
2. The OB zone allows any use permitted in the RB zone. The RB zone allows houses, duplexes, and multi dwelling developments up to 12 dwelling units an acre by right and up to 24 dwelling units an acre through the use on review process and some nonresidential uses. This location is not appropriate for densities above 12 du/ac with single family residential neighborhoods to the east. These are zoned RA, which, when calculating the density using the minimum lot size, allows approximately 4.356 du/ac. At the existing density of 12 du/ac on this 18.24-acre property, a maximum of 218 units could be built. At the maximum density of 24 du/ac allowed by the OB zone, a maximum of 437 units could be built.
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 COUNTY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT.

1. There is a small section of the property in the HP (Hillside Protection) area. The southern half of the site has slopes in the 15-25% range and in the 25-40% range. If plans for this site include a multifamily development with a density of up to 24 du/ac, the dwellings would be clustered together on the northern portion of the site. There are also closed contours on the site, which indicate the potential presence of sinkholes on the property. These environmental challenges make the current zoning of PR up to 12 du/ac an appropriate zone for the property since the units would be clustered together, yielding a higher density over the developed portion of the property.
2. The current PR up to 12 du/ac zoning would require development plan approval.

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 to OB is in conflict with the current Northwest County Sector Plan land use classification MDR (Medium Density Residential).
2. This property is within Farragut's Urban Growth Boundary in the Growth Policy Plan. The Town of Farragut has submitted comments on this request (Exhibit B), citing similar concerns regarding density, the character of the area, and potential access issues.
3. The proposed OB rezoning introduces more intensive uses and higher densities that are not 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 or policy 11.5 to avoid abrupt, incompatible changes in density, scale, and building appearance from one development to another.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knox County Commission for action on 3/25/2024. 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.



Request to Postpone • Table • Withdraw

Millstone Ventures, LLC

2-2-24

Applicant Name (as it appears on the current Planning Commission agenda)

Date of Request

February 8, 2024

Scheduled Meeting Date

File Number(s)

2-F-24-RZ; 2-C-24-SP

POSTPONE

POSTPONE: All applications are eligible for postponement if the request is received in writing and paid for by noon on Thursday the week prior to the Planning Commission meeting. All requests must be acted upon by the Planning Commission, except new applications which are eligible for one 30-day automatic postponement. If payment is not received by the deadline, the item will be tabled.

SELECT ONE: 30 days 60 days 90 days

Postpone the above application(s) until the 3-7-24 Planning Commission Meeting.

WITHDRAW

WITHDRAW: Applications may be withdrawn automatically if the request is received in writing no later than 3:30pm on Thursday the week prior to the Planning Commission meeting. Requests made after this deadline must be acted on by the Planning Commission. Applicants are eligible for a refund only if a written request for withdrawal is received no later than close of business 2 business days after the application submittal deadline and the request is approved by the Executive Director or Planning Services Manager.

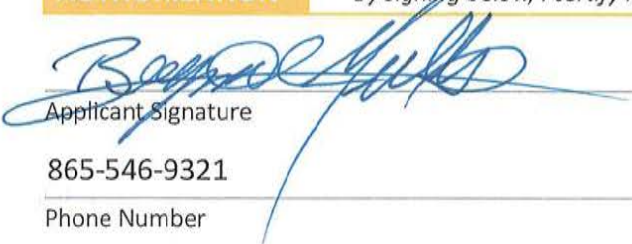
TABLE

**The refund check will be mailed to the original payee.*

TABLE: Any item requested for tabling must be acted upon by the Planning Commission before it can be officially tabled. There is no fee to table or untable an item.

AUTHORIZATION

By signing below, I certify I am the property owner, and/or the owners authorized representative.


Applicant Signature

Benjamin C. Mullins

Please Print

865-546-9321

Phone Number

bmullins@fmsllp.com

Email

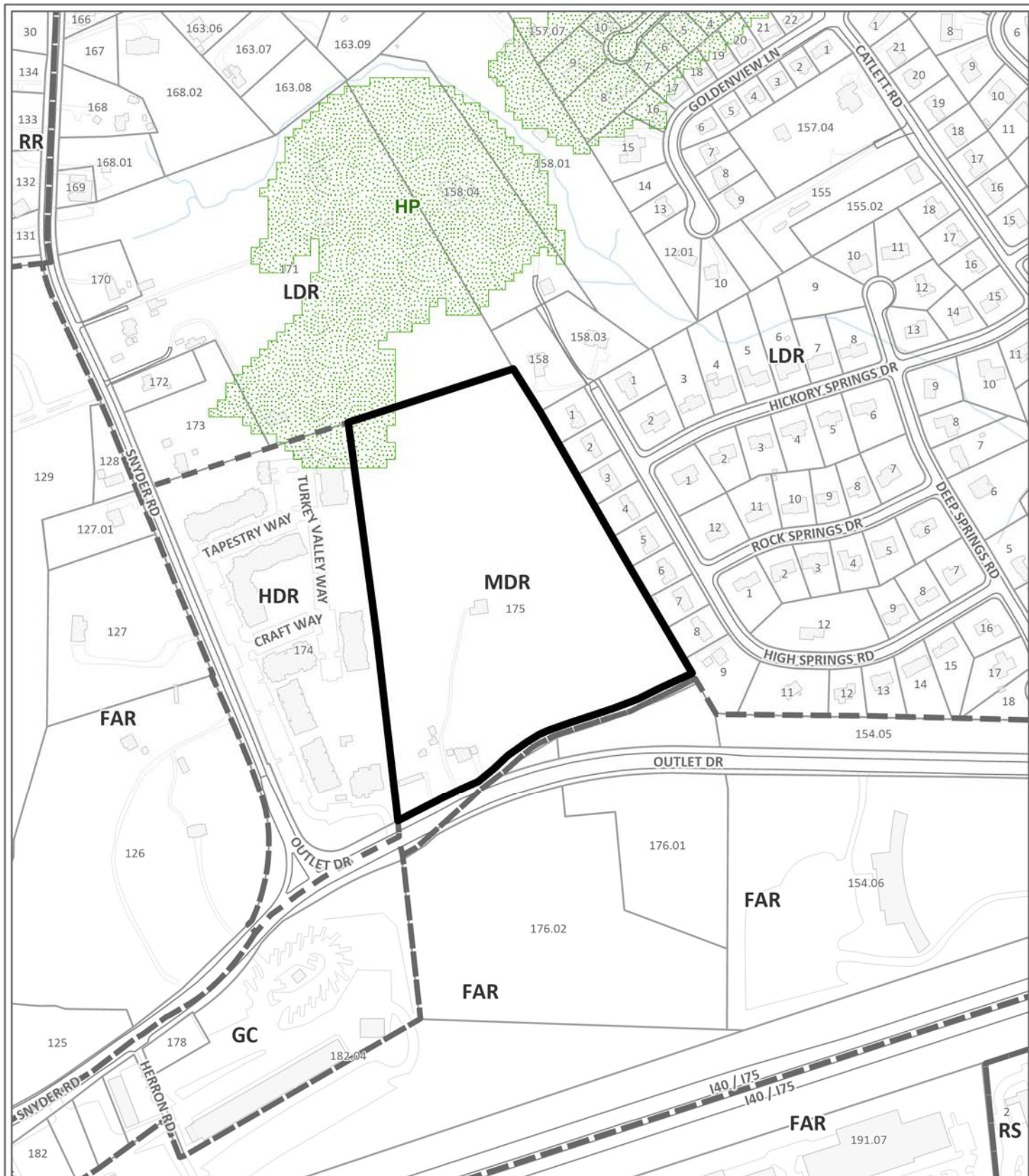
STAFF ONLY

Staff Signature _____ Please Print _____ Date Paid _____ No Fee

Eligible for Fee Refund? Yes No Amount:

Approved by: _____ Date: _____

Payee Name _____ Payee Phone _____ Payee Address _____



**2-C-24-SP
NORTHWEST COUNTY SECTOR PLAN MAP**

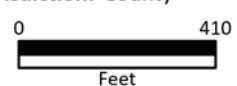
Petitioner: Millstone Ventures LLC

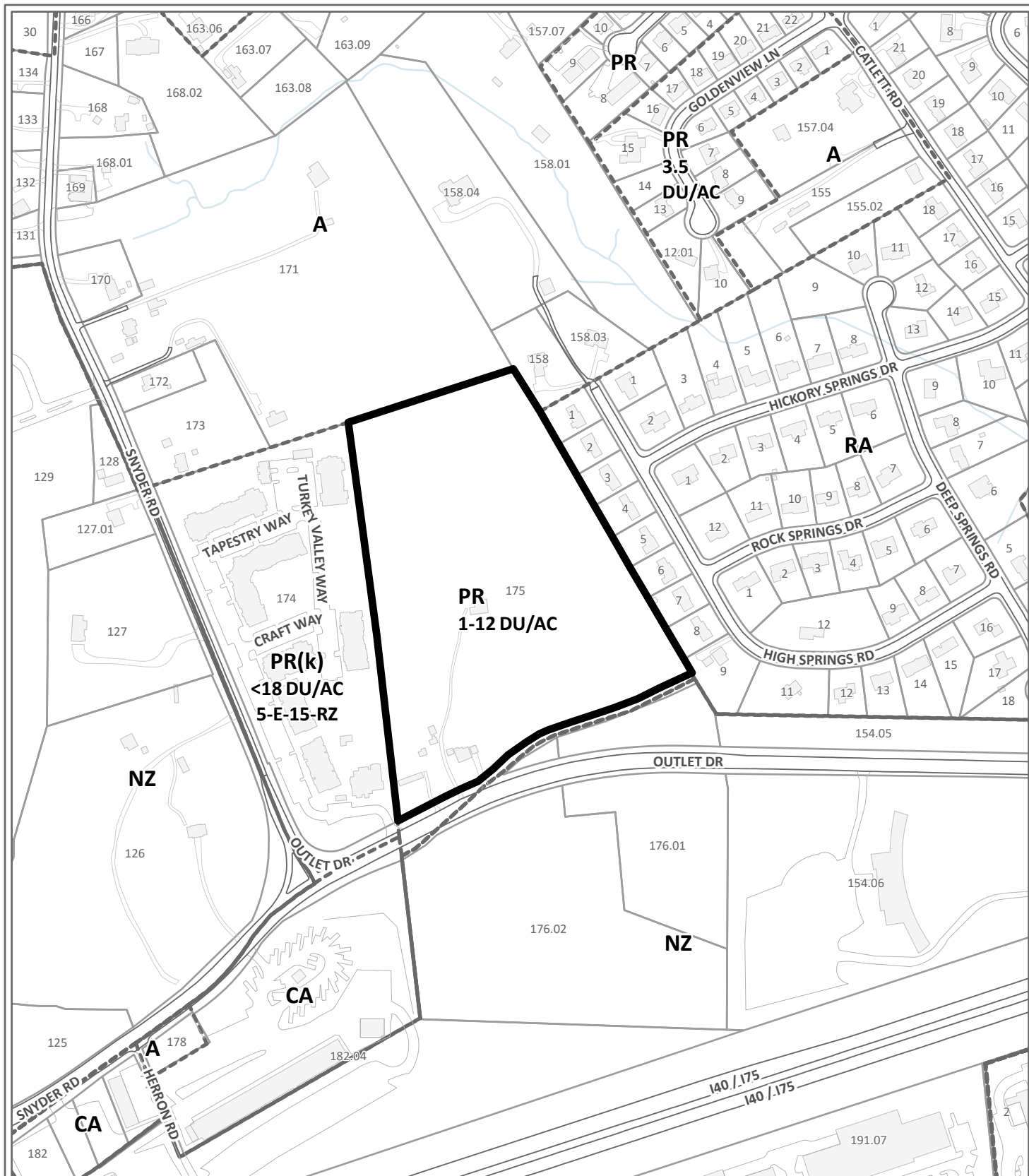


From: MDR (Medium Density Residential), HP (Hillside Protection)
To: MDR/O (Medium Density Residential/Office), HP (Hillside Protection)

Map No: 130
Jurisdiction: County

Original Print Date: 1/11/2024
 Knoxville - Knoxville Planning Commission * City / County Building * Knoxville, TN 37902





REZONING

2-F-24-RZ

Petitioner: Millstone Ventures LLC



From: PR (Planned Residential) 1-12 du/ac
To: OB (Office, Medical, and Related Services)

Map No: 130
Jurisdiction: County

Original Print Date: 1/8/2024
 Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

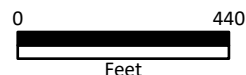
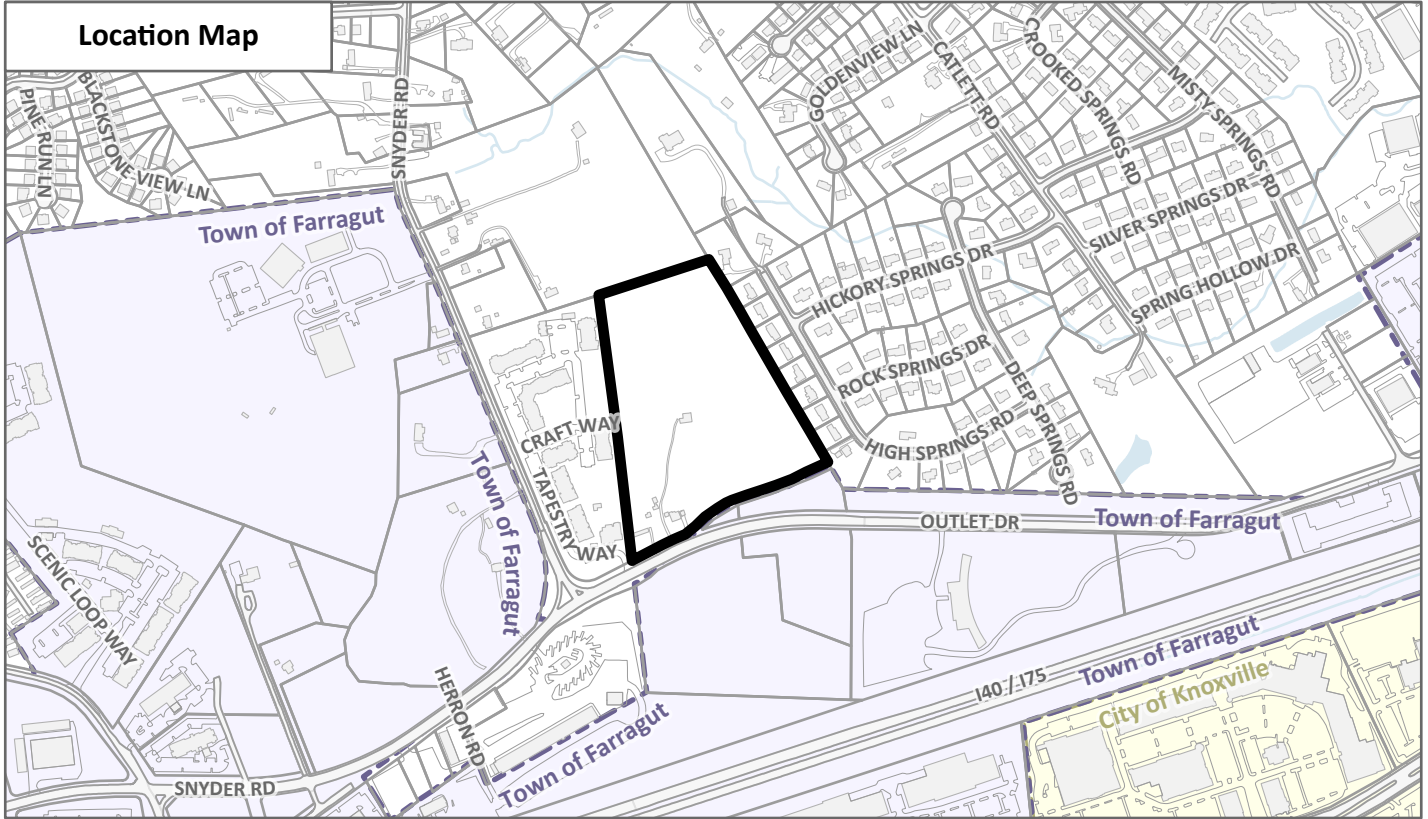
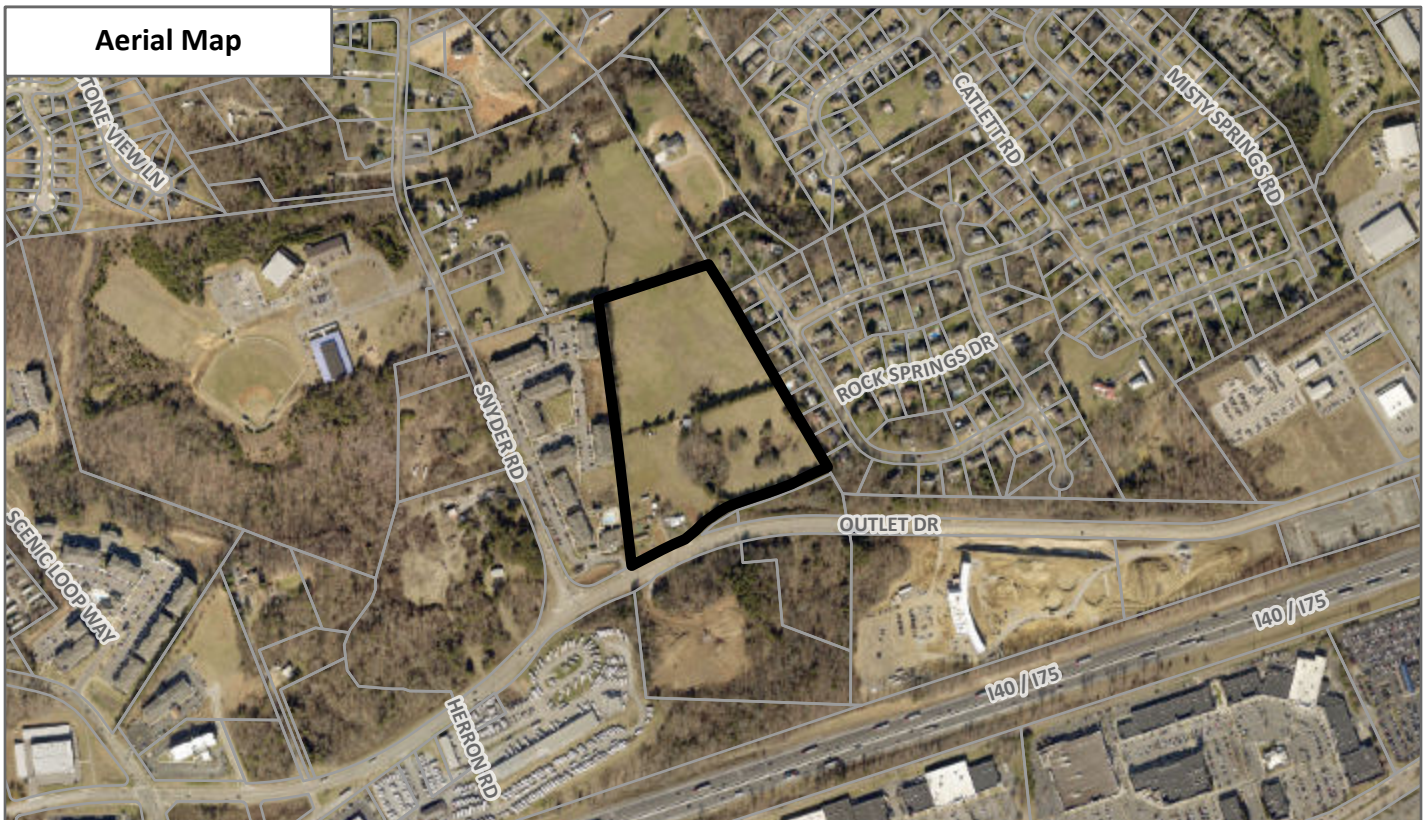


Exhibit A. Contextual Images

Location Map



Aerial Map

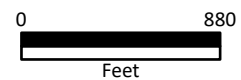


CONTEXTUAL MAPS 1

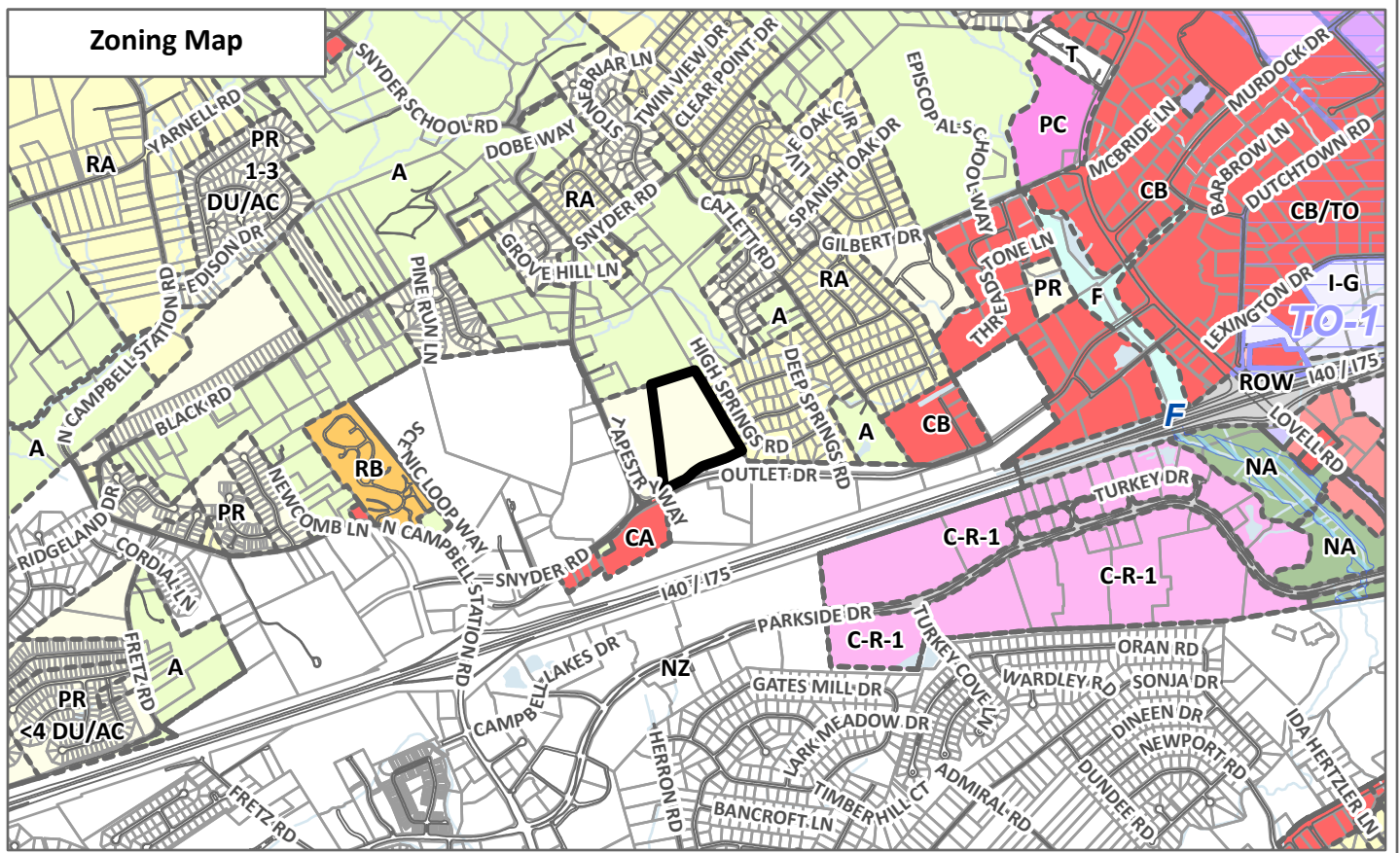
2-C-24-SP / 2-F-24-RZ



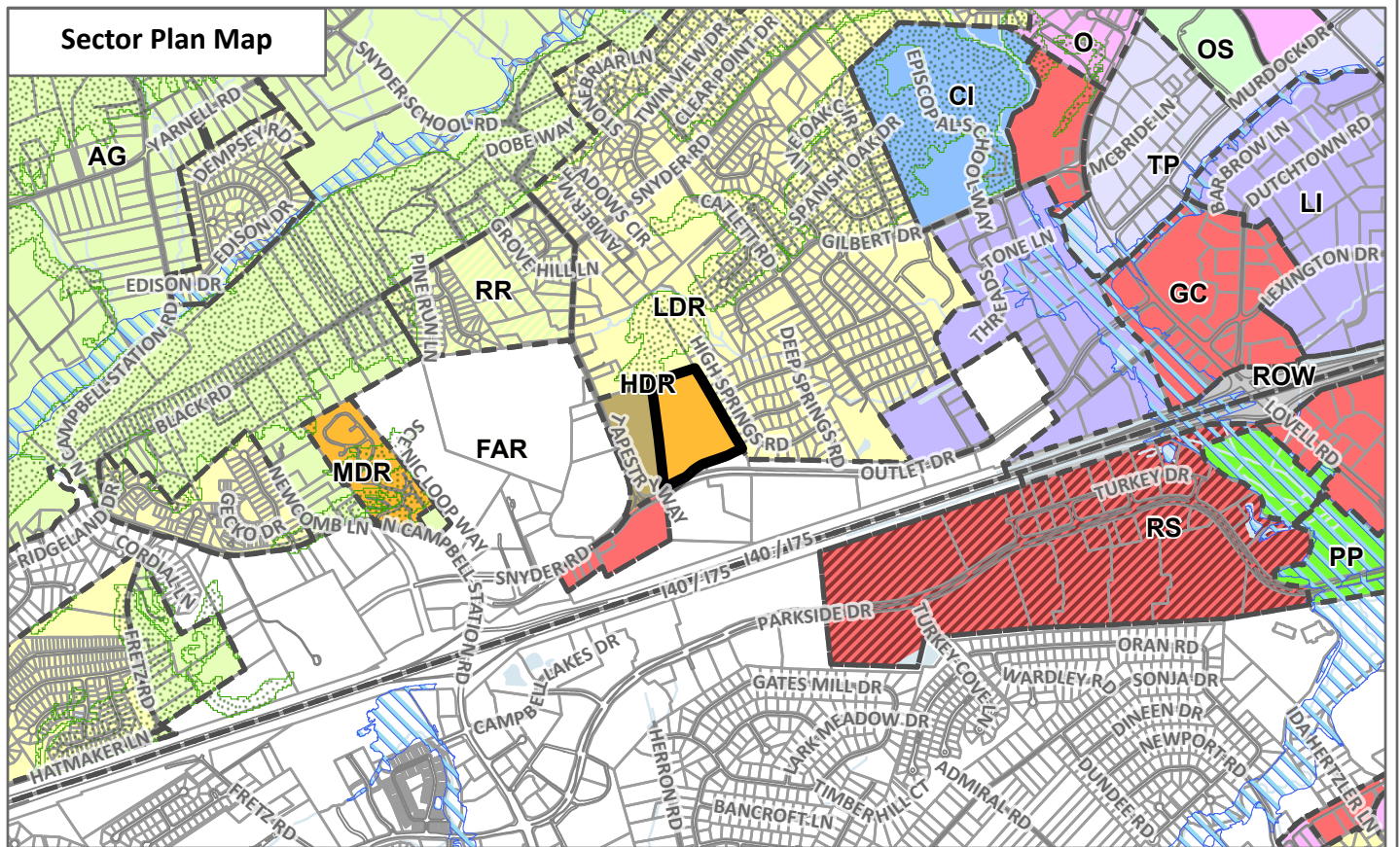
Case boundary



Zoning Map



Sector Plan Map



CONTEXTUAL MAPS 2

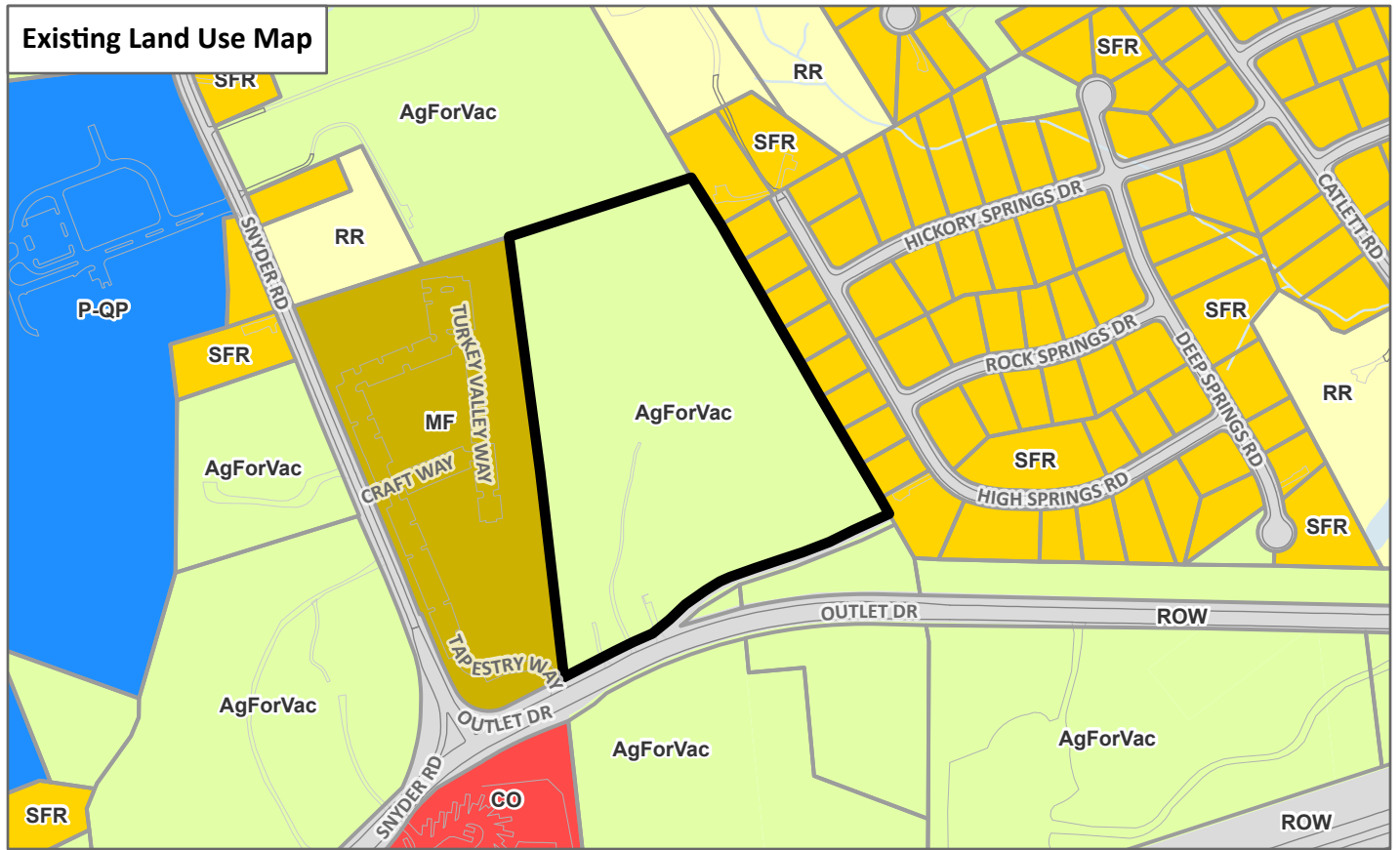
2-C-24-SP / 2-F-24-RZ



Case boundary



Existing Land Use Map



CONTEXTUAL MAPS 3

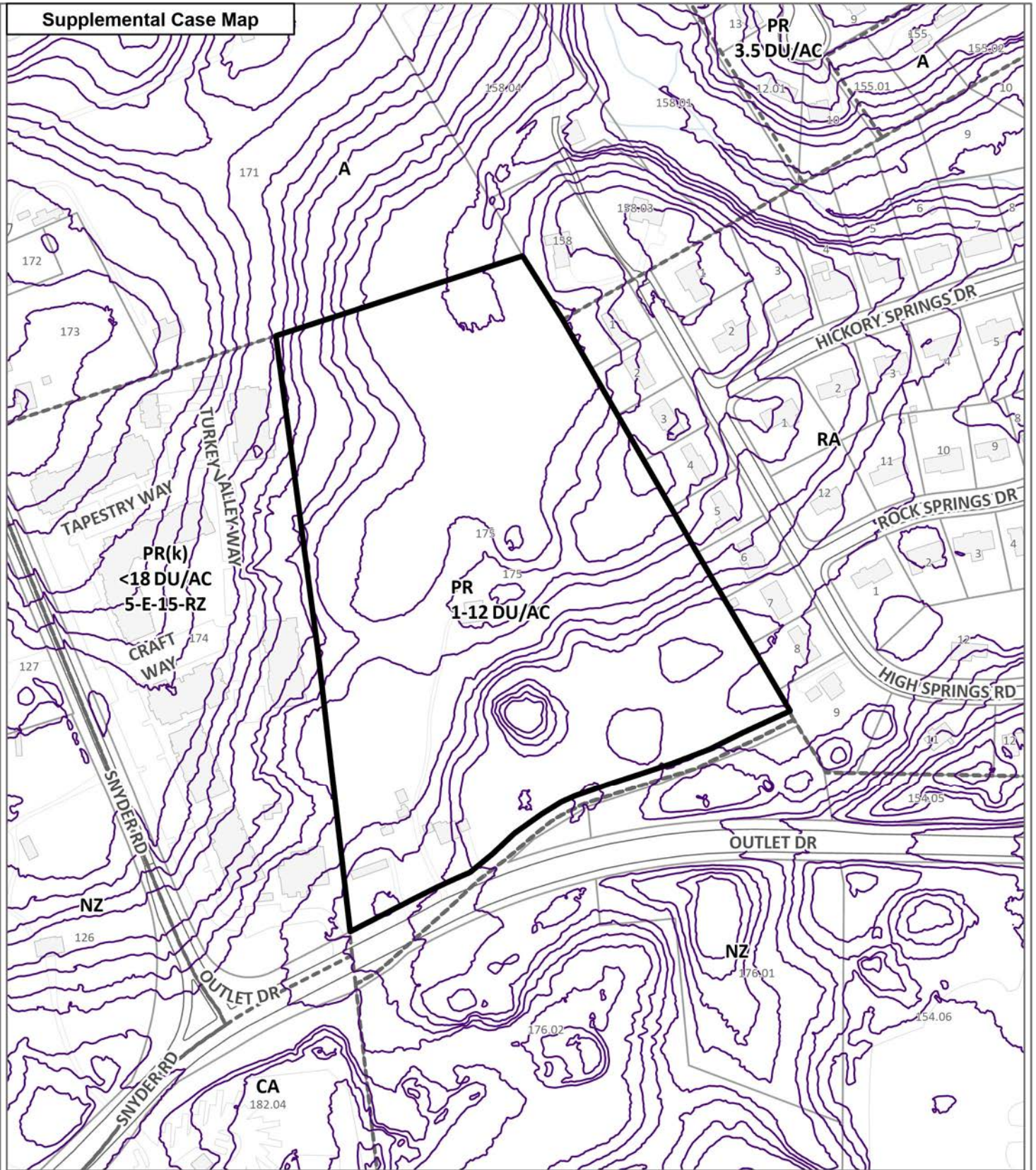
2-C-24-SP / 2-F-24-RZ



Case boundary



Supplemental Case Map



REZONING

2-F-24-RZ/2-C-24-SP

Petitioner: Milestone Ventures LLC



Case boundary

Map No: 130
Jurisdiction: County



Original Print Date: 1/29/2024

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



Exhibit B. Farragut's Comments

Whitney Warner <whitney.warner@knoxplanning.org>

rezonings and sector plan amendments outside of Farragut border

2 messages

Whitney Warner <whitney.warner@knoxplanning.org>
To: mshipley@townoffarragut.org

Thu, Jan 25, 2024 at 9:54 AM

Hi Mark,

I'm reaching out to make you aware of 2 rezoning and sector plan amendment applications just outside the Farragut border. You can learn more about the cases on our website <https://knoxplanning.org/cases/2-F-24-RZ> and <https://knoxplanning.org/cases/2-D-24-RZ>.

Please let me know if you have any questions or concerns.

Thanks,

Whitney

--

Whitney Warner, AICP
Planner
865-215-2506



Knoxville-Knox County Planning | KnoxPlanning.org
400 Main Street, Suite 403 | Knoxville, TN 37902

Mark Shipley <mshipley@townoffarragut.org>
To: Whitney Warner <whitney.warner@knoxplanning.org>

Thu, Jan 25, 2024 at 4:25 PM

We looked over these rezoning requests. For the case number (2-F-24-RZ) it is a proposal to rezone the property immediately to the east of the Tapestry Apartments from Planned Residential to (OB) Office, Medical & Related Services. This would not seem to be consistent with the residential nature of the Tapestry apartments and, of more concern, with the single-family residential neighborhood to the east of the site. Adequate buffering could mitigate the impacts but I still question sandwiching an office use between two larger residential uses/areas. The access to the site also seems to present a potential issue given the location of the lots existing frontage relative to the driveway for the Tapestry, the intersection of Snyder Rd. with Outlet Drive, and the entrance to the new Tommy's Water Sports. An office use may be a lower traffic generator than a fairly dense residential development, which could be developed now, but there still appears to a lot of potential for turning conflicts in the area. Engineering should weigh in on this

issue. Finally, there appears to be a lot of closed contour depressions on the property. We think the property is over zoned now given these constraints and issues.

With respect to the second planned residential (3 du/ac) rezoning proposal on Black Road, it would seem to be more consistent with the surrounding land use and how the area is developing. However, Black Rd. looks to be a fairly narrow county road with no shoulders, etc., which funnels traffic onto North Campbell Station Road. Not sure if the county can require some infrastructure upgrades for these rezonings that lead to more traffic. It would certainly be recommended. The lot/parcel is also fairly steep and drains to the south into a couple of closed contour depressions immediately off-site. The northeastern most of these depressions may be a detention facility for the adjoining subdivision. Consistency with the County's Hillside Protection Plan and provisions should be considered. The rezoning area also appears to be zoned for Farragut schools which could impact those schools and Town streets that provide access to the schools.

Thank you again for sending us these rezonings to review and provide input.

Mark Shipley, AICP, CPM
Community Development Director

I'm reaching out to make you aware of 2 rezoning and sector plan amendment applications just outside the Farragut border. You can learn more about the cases on our website <https://link.edgepilot.com/s/c454aaf5/RqexMAM4TkOkY8Pomeil4A?u=https://knoxplanning.org/cases/2-F-24-RZ> and https://link.edgepilot.com/s/b46ba6f7/Qk8NCAR_f0KTBXb4BD30rA?u=https://knoxplanning.org/cases/2-D-24-RZ.

Please let me know if you have any questions or concerns.

Thanks,

Whitney

--

Whitney Warner, AICP
Planner
865-215-2506



Knoxville-Knox County Planning | KnoxPlanning.org
400 Main Street, Suite 403 | Knoxville, TN 37902

[Quoted text hidden]



Development Request

DEVELOPMENT

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

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Plan Amendment
 - Sector Plan
 - One Year Plan
- Rezoning

Millstone Ventures LLC

Applicant Name

Affiliation

12/21/2023

2/8/2024

2-F-24-RZ / 2-C-24-SP

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.

Benjamin C. Mullins Frantz, McConnell and Seymour, LLP

Name / Company

550 W. Main St. St. Suite 500 Knoxville TN 37902

Address

865-546-9321 / bmullins@fmsllp.com

Phone / Email

CURRENT PROPERTY INFO

Candy Laster

11471 Outlet Dr Knoxville TN 37932

865-919-4792

Owner Name (if different)

Owner Address

Owner Phone / Email

11471 OUTLET DR

Property Address

130 175

Parcel ID

Part of Parcel (Y/N)?

18.07 acres

Tract Size

First Knox Utility District

Sewer Provider

First Knox Utility District

Water Provider

Septic (Y/N)

STAFF USE ONLY

North side of Outlet Dr, east of Snyder Rd

General Location

City **Commission District 6 PR (Planned Residential) 1-12 du/ac**

Agriculture/Forestry/Vacant Land

Count District Zoning District

Existing Land Use

Northwest County

MDR (Medium Density Residential), HP (Hillside Protecti

Farragut Urban Growth Boundary

Planning Sector

Sector Plan Land Use Classification

Growth Policy Plan Designation

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 OB (Office, Medical, and Related Services)	Pending Plat File Number
Proposed Zoning	
<input checked="" type="checkbox"/> Plan Amendment MDR/O (Medium Density Residential/Office), HP (Hillside Protection)	
Proposed Plan Designation(s)	

Proposed Density (units/acre) Previous Zoning Requests

Additional Information

STAFF USE ONLY

PLAT TYPE

Staff Review Planning Commission

ATTACHMENTS

Property Owners / Option Holders Variance Request

ADDITIONAL REQUIREMENTS

- COA Checklist (Hillside Protection)
 Design Plan Certification (Final Plat)
 Site Plan (Development Request)
 Traffic Impact Study
 Use on Review / Special Use (Concept Plan)

Fee 1

\$3,657.00

Fee 2

Fee 3

Total

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.

Applicant Signature	Millstone Ventures LLC	12/21/2023
	Please Print	Date

Phone / Email

Property Owner Signature	Candy Laster	12/21/2023
	Please Print	Date

Sign the application digitally (or print, sign, and scan).

Knoxville-Knox County Planning offices

OR email it to applications@knoxplanning.org



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 OYP
- Rezoning

Millstone Ventures LLC

Applicant Name

Applicant/Option Holder

Affiliation

12/19/2023

Date Filed

February 8, 2024

Meeting Date (if applicable)

File Number(s)

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

Benjamin C. Mullins

Name

Frantz, McConnell & Seymour, LLP

Company

550 West Main Street, Suite 500

Address

Knoxville

City

TN

State

37902

ZIP

865-546-9321

Phone

bmullins@fmsllp.com

Email

CURRENT PROPERTY INFO

Candy Laster

Property Owner Name (if different)

11471 Outlet Dr.

Property Owner Address

(865) 919-4792

Property Owner Phone

11471 Outlet Dr.

Property Address

130 175

Parcel ID

First Knox Utility District

Sewer Provider

First Knox Utility District

Water Provider

N

Septic (Y/N)

STAFF USE ONLY

North of Outlet Drive; east of intersection with Snyder Rd.

General Location

~18.24 Acres

Tract Size

City County

6

District

PR (1-12 dua)

Zoning District

AgForVac

Existing Land Use

Northwest County

Planning Sector

MDR

Sector Plan Land Use Classification

Farragut Urban Growth

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

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

Other (specify)

Attachments / Additional Requirements

ZONING REQUEST

Pending Plat File Number

- Zoning Change **OB**
Proposed Zoning
- Plan Amendment Change **MDR/O**
Proposed Plan Designation(s)

Proposed Density (units/acre)

Previous Rezoning Requests

Other (specify)

STAFF USE ONLY

PLAT TYPE Fee 1 Total

- Staff Review Planning Commission

ATTACHMENTS

- Property Owners / Option Holders Variance Request Fee 2

ADDITIONAL REQUIREMENTS

- Design Plan Certification (*Final Plat*)
 Use on Review / Special Use (*Concept Plan*) Fee 3
 Traffic Impact Study
 COA Checklist (*Hillside Protection*)

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


Applicant Signature

Millstone Ventures LLC
Please Print

12/15/2023

Date

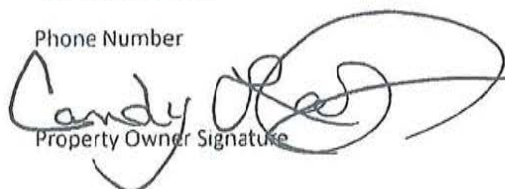
317-525-9464

adrien@millstonemgmt.com

Phone Number

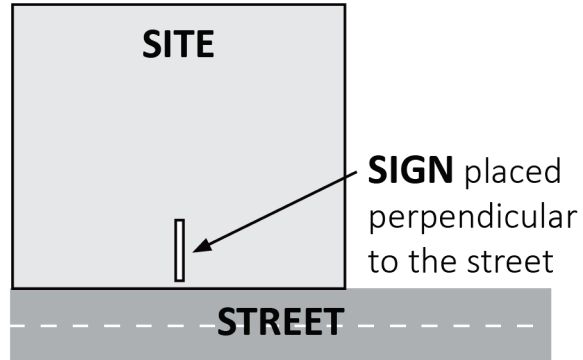
Email

Date Paid


Property Owner Signature

Candy Laster
Please Print

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:

_____ and _____
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Millstone Ventures LLC

Date: 12/21/2023

File Number: 2-F-24-RZ & 2-C-24-SP

- Sign posted by Staff
- Sign posted by Applicant