

PLAN AMENDMENT/ REZONING REPORT

► FILE #: 2-F-24-RZ		AGENDA ITEM #:
2-C-24-SP		AGENDA DATE: 3/7/202
POSTPONEMENT(S):	2/8/202	24
APPLICANT:	MILLS	TONE VENTURES LLC
OWNER(S):	Candy	Laster
TAX ID NUMBER:	130 1	75 View map on KG
JURISDICTION:	Commi	ission District 6
STREET ADDRESS:	11471 (OUTLET DR
LOCATION:	North s	side of Outlet Dr, east of Snyder Rd
TRACT INFORMATION:	18.07 a	acres.
SECTOR PLAN:	Northw	rest County
GROWTH POLICY PLAN:	Farragu	ut Urban Growth Boundary
ACCESSIBILITY:		is via Outlet Dr, a major collector with a pavement width of 45 ft and tr 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:	•	Medium Density Residential), HP (Hillside Protection) / PR ed Residential) up to 12 du/ac
PROPOSED PLAN DESIGNATION/ZONING:) (Medium Density Residential/Office), HP (Hillside Protection) / ifice, Medical, and Related Services)
EXISTING LAND USE:	Agricu	Iture/forestry/vacant land
EXTENSION OF PLAN DESIGNATION/ZONING:	No	
HISTORY OF ZONING REQUESTS:	None n	loted
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

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 ANTICPATED 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 SIGNIFCANT 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 ORGINAL 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):

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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. 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.

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 4/22/2024. 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.

PAGE #:

Request to Postpone · Table · Withdraw



rtanning	Millstone Ventures, LL	2-2-24	
KNOXVILLE KNOX COUNTY	Applicant Name (as it appear	s on the current Planning Commission agenda)	Date of Request
February 8, 2024			File Number(s)
Scheduled Meeting Date		2-F-24-RZ; 2-C-24-SP	
POSTPONE			
the week prior to the Planning	Commission meeting. All rea	the request is received in writing and paid for quests must be acted upon by the Planning Co tponement. If payment is not received by the	mmission, except new
SELECT ONE: 🔳 30 days 🗌 60	0 days 🔲 90 days		
Postpone the above application(s)	until the <u>3-7-24</u>	Planning Commis	sion Meeting.
WITHDRAW			
Applicants are eligible for a refu	und only if a written request f	nade after this deadline must be acted on by the or withdrawal is received no later than close of oproved by the Executive Director or Planning *The refund check will be ma	f business 2 business da Services Manager.
no fee to table or untable an ite	em.	y the Planning Commission before it can be of property owner, and/or the owners authorized	
Barrolly	В	enjamin C. Mullins	
Applicant Signature	PI	ease Print	
865-546-9321	b	mullins@fmsllp.com	
Phone Number	E	nail	
STAFF ONLY			
Staff Signature	Please Pr	nt Date Paic	🛛 No Fe
	50 (2007) BOOM BOOM BOOM	Date Pair	1
Eligible for Fee Refund? 🔲 Yes [No Amount:		
Approved by:		Date:	
	Payee Phone	Payee Address	















Exhibit B. Farragut's Comments

Whitney Warner <whitney.warner@knoxplanning.org>

Farragut Position on File No. 2-F-24-RZ and 2-C-24-SP

1 message

Mark Shipley <mshipley@townoffarragut.org> To: Whitney Warner <whitney.warner@knoxplanning.org> Cc: Bart Hose <bhose@townoffarragut.org>, Holley Marlowe <hmarlowe@townoffarragut.org> Tue, Mar 5, 2024 at 2:04 PM

Whitney,

Hope you're doing well. I am sending you this email to convey the Town of Farragut's firm opposition to a rezoning request that we initially referred to in the following email that was sent on January 25:

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 then 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.

The Town's understanding at that time, given the name of the zoning district, was that this rezoning would provide for an office use. We pointed out some considerations concerning this request since it is on land that is within the Town's Growth Boundary Area. This morning, I discovered that this rezoning is actually intended to provide for a mixed-housing development with a density of up to 24 units per acre. As you know, the current zoning of Planned Residential provides for a density of up to 12 units per acre, which is generally consistent with the Tapestry Multi-Family development to the immediate west though still too high from the Town's perspective. The Town of Farragut is in agreement with the Knox County Planning staff and is against the requested rezoning to OB for the following reasons:

- Lack of adequate infrastructure to serve the density requested. Snyder Road and Outlet Drive are two lane roads with a center turn lane in Outlet Drive. The infrastructure that would serve this high density development is within the Town and there are no plans to improve the infrastructure to support a development with this level of density.
- 2. The access for this development is a Town of Farragut street and would not meet the Town's Driveways and Other Access Ways Ordinance.
- 3. The adjacent single family subdivision in the County has a developed density of roughly 1.75 units per acre. A rezoning that would provide for a density of up to 24 units per acre is very incompatible and would provide no transition. Appropriate transitions are important concepts that citizens have encouraged throughout the County's recent efforts to update its Land Use Plan.
- 4. The property has what are shown as a number of closed contours (likely sinkholes). Within the Town these cannot be disturbed for a number of reasons, including adverse effects on the overall stormwater system. Surface runoff naturally enters these closed contours and helps balance the

Knoxville - Knox County Planning Mail - Farragut Position on File No. 2-F-24-RZ and 2-C-24-SP

stormwater runoff in the surrounding area. If you look at the Tommy's Slalom Shop on the south side of Outlet Drive across from this property, you will notice the closed contour areas undisturbed. Protecting the areas which naturally receive stormwater runoff is critical to not creating flooding and potentially contamination issues on properties in this general area.

As always, we greatly appreciate the opportunity to provide comment on matters that greatly affect the Town of Farragut. Could you please provide the members of the MPC with this response? Should you have any questions or need any additional information please let me know. Thank you again.

Mark Shipley, AICP, CPM Community Development Director

Planning

Development Request

DEVELOPMENT

Development Plan

□ Planned Development

□ Hillside Protection COA

Use on Review / Special Use

SUBDIVISION

Concept Plan
Final Plat

ZONING

Plan Amendment
 Sector Plan
 One Year Plan

🖌 Rezoning

Millstone	e Ventures LLC				
Applicant	Name			Affiliation	
12/21/20	23	2/8/2024	2-F-24-F	RZ / 2-C-24-SP	
Date Fileo	k	Meeting Date (if applicable)	File Nun	nber(s)	
CORRE	SPONDENCE	All correspondence related to this applicatic	on should be directed	d to the approved contact listed	l below.
Benjamin	n C. Mullins Frantz, Mc	Connell and Seymour, LLP			
Name / C	ompany				
550 W. N	1ain St. St. Suite 500 Kr	oxville TN 37902			
Address					
865-546-9	9321 / bmullins@fmsll	p.com			
Phone / E					
CLIDDE	NT PROPERTY INFO				
CURRE					
Candy La		11471 Outlet Dr Knoxville TN	37932	865-919-4792	
Owner Na	ame (if different)	Owner Address		Owner Phone / Ema	il
11471 OL	JTLET DR				
Property	Address				
130 175				18.07 acres	
Parcel ID		Part	of Parcel (Y/N)?	Tract Size	
First Kno	x Utility District	First Knox Utilit	y District		
Sewer Pro	ovider	Water Provider		S	eptic (Y/N)
STAFF	USE ONLY				
		Caudaa Dd			
General L	e of Outlet Dr, east of ocation	Snyder Ka			
City	Commission District 6	PR (Planned Residential) 1-12 du/ac		Agriculture/Forestry/Vacant	land
Count	District	Zoning District		Existing Land Use	Lanu
		-		-	
Northwe	st County MI	DR (Medium Density Residential), HP (Hi	liside Protecti	Farragut Urban Growth Bo	undary

Planning Sector Sector Plan Land Use Classification

Development Plan 🗌 Planned Development 🗌 Use on Review / S	Special Use	Related City P	ermit Number(
] Hillside Protection COA	Non-residential		
lome Occupation (specify)			
Other (specify)			
SUBDIVSION REQUEST			
		Related Rezor	ning File Numbe
Proposed Subdivision Name			
Jnit / Phase Number Total Nu	umber of Lots Created		
Additional Information			
] Attachments / Additional Requirements			
ZONING REQUEST			
Zoning Change OB (Office, Medical, and Related Services)		Pending Pla	at File Number
Proposed Zoning			
Plan MDR/O (Medium Density Residential/Office), HP (Hi	illeide Drotection)		
Amendment Proposed Plan Designation(s)			
Proposed Density (units/acre) Previous Zoning Requests			
Additional Information			
STAFF USE ONLY			
STAFF USE ONLY	Fee 1		Total
STAFF USE ONLY	Fee 1		Total
STAFF USE ONLY PLAT TYPE Staff Review Planning Commission	Fee 1 \$3,657.00		Total
STAFF USE ONLY PLAT TYPE Staff Review Planning Commission ATTACHMENTS			Total
STAFF USE ONLY PLAT TYPE Staff Review Planning Commission ATTACHMENTS Property Owners / Option Holders Variance Request	\$3,657.00		Total
STAFF USE ONLY PLAT TYPE Staff Review Planning Commission ATTACHMENTS Property Owners / Option Holders Variance Request ADDITIONAL REQUIREMENTS COA Checklist (Hillside Protection)	\$3,657.00		Total
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)	\$3,657.00		Total
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)	\$3,657.00 Fee 2		Total
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	\$3,657.00 Fee 2		Total
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)	\$3,657.00 Fee 2		Total
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	\$3,657.00 Fee 2		Total

	Millstone Ventures LLC	12/21/2023
Applicant Signature	Please Print	Date
Phone / Email		
	Candy Laster	12/21/2023
Property Owner Signature	Please Print	Date

ign the application di	gitally (or print, sig	gn, and scan).	Knoxville-Knox Count OR email it to applice	P		Reset Form
Plann KNOXVILLE KNOX	ing	Development Development Planned Deve Use on Reviev Hillside Protect	Plan Iopment v / Special Use		ues N Plan	
Millstone Ventur	es LLC				Applican	t/Option Holder
Applicant Name					Affiliation	
12/19/2023		February 8	, 2024			File Number(s)
Date Filed		Meeting Date	e (if applicable)			
	Property Owner	rrespondence relate	Project Surveyor	Engineer	Architect	ved contact listed below. t/Landscape Architect
Benjamin C. Mu	llins		Frantz,	McConnell &	Seymour,	LLP
Name			Compan	Ŷ		
550 West Main	Street, Suite 50	0	Knoxvi	lle	TN	37902
Address			City		State	ZIP
865-546-9321		bmullins@	fmsllp.com			
Phone		Email				
CURRENT PROP	PERTY INFO					
Candy Laster		114	71 Outlet Dr.			(865) 919-4792
Property Owner Nai	me (if different)	Prop	erty Owner Address			operty Owner Phone
11471 Outlet Dr				130 175		
Property Address				Parcel ID		
First Knox Utility	District		First Knox Utili	ty District		N
Sewer Provider			Water Provider			Septic (Y/N)
STAFF USE ONL	Y					
North of Outlet	Drive; east of in	tersection with S	Snyder Rd.		~18.24 A	cres
General Location					Tract Size	
	6	PR (1-12 du	ia)	AgForVac		
🗌 City 📗 County	District	Zoning Distric	t	Existing Land L	Jse	
Northwest Coun	ty	MDR			Farragut	Urban Growth
Planning Sector		Sector Plan La	and Use Classification		Growth Pol	icy Plan Designation

DEVELOPMENT REQUEST		
Development Plan Use on Review / Special Use Residential Non-Residential Home Occupation (specify)	Hillside Protection COA Relat	ed City Permit Number(s)
Other (specify)		
SUBDIVISION REQUEST		
	Rela	ed Rezoning File Number
Proposed Subdivision Name		
Unit / Phase Number	arcel Total Number of Lots Created	
Other (specify)		
Attachments / Additional Requirements		
ZONING REQUEST		
Zoning Change OB Proposed Zoning	Pe	nding Plat File Number
Plan Amendment Change MDR/O Proposed Plan Designation(s)		
Proposed Density (units/acre) Previous Rezon	ning 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) 	Гее З	
Traffic Impact Study		G
COA Checklist (Hillside Protection)		
AUTHORIZATION		
 I declare under penalty of perjury the foregoing is true and corr He/she/it is the owner of the property AND 2) The application 		th his/her/its consent
,		
1. TIM		12/15/2023
1 anni	e Ventures LLC Print	12/15/2023 Date
Applicant Signature Please		
Applicant Signature Please	Print	
Applicant Signature Please 317-525-9464 adries Phone Number Email	Print	



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:

January 26, 2024	and	February 9, 2024
(applicant or staff to post sign)		(applicant to remove sign)
Applicant Name: Millstone Ventures LLC		Sign posted by Staff
Date: 12/21/2023		Sign posted by stan
File Number: 2-F-24-RZ & 2-C-24-SP		Sign posted by Applicant