

SUBDIVISION REPORT -CONCEPT/DEVELOPMENT PLAN

FILE #: 3-SC-23-C	AGENDA ITEM #: 32
3-D-23-DP	AGENDA DATE: 3/9/2023
SUBDIVISION:	WILKINSON SUBDIVISION
APPLICANT/DEVELOPER:	RICK WILKINSON
OWNER(S):	David Wilkinson
TAX IDENTIFICATION:	145 001 View map on KGIS
JURISDICTION:	County Commission District 4
STREET ADDRESS:	8502 NUBBIN RIDGE RD
LOCATION:	East side of Nubbin Ridge Rd, northeast of Penrose Terrace Ln
SECTOR PLAN:	Southwest County
GROWTH POLICY PLAN:	Planned Growth Area
WATERSHED:	Ten Mile Creek
APPROXIMATE ACREAGE:	8717 square feet
ZONING:	PR(k) (Planned Residential)
EXISTING LAND USE:	Agriculture/Forestry/Vacant Land
PROPOSED USE:	Detached residence
SURROUNDING LAND USE AND ZONING:	Development to the north consists of residential subdivisions zoned PR (Planned Residential). To the east and south of this site are a horse farm and a few dwellings that have been developed on lots that are over 1 acre in size in the A (Agricultural) zone.
NUMBER OF LOTS:	1
SURVEYOR/ENGINEER:	R A Bailey R A Bailey Co
ACCESSIBILITY:	Access is via Nubbin Ridge Rd., a collector street with a pavement width of 18' within a 40' wide right-of-way.
SUBDIVISION VARIANCES REQUIRED:	VARIANCES 1. Reduce the minimum sight distance from 300 ft to 250 ft looking to the south on Nubbin Ridge Road (Revised 3/8/2023) 2. Reduce the minimum sight distance from 300 ft to 250 ft looking to the north on Nubbin Ridge Road (Revised 3/8/2023)
	ALTERNATIVE DESIGN STANDARDS REQUIRING KNOXVILLE-KNOX COUNTY PLANNING COMMISSION APPROVAL 1. None
	ALTERNATIVE DESIGN STANDARDS REQUIRING KNOX COUNTY ENGINEERING AND PUBLIC WORKS APPROVAL 1. None

STAFF RECOMMENDATION:

Deny variances 1 & 2 to reduce the minimum sight distance for new lots because it will create a unsafe condition, as recommended by Knox County Engineering and Public Works.

Deny the request to remove condition #1 from the concept plan approval 10-SB-14-C because the site does not have safe access to Nubbin Ridge Road.

Deny the request for one (1) detached dwelling and reduction of the 35 ft peripheral setback to 30 ft along the Nubbin Ridge Rd frontage and to 15 ft for the rear setback, based on the recommendation to deny the minimum sight distance variances with the associated Concept Plan (3-SC-23-C).

COMMENTS:

Section 3.04.J.6.b. of the Subdivision Regulations requires that any new lot meet the same minimum sight distance as intersections. The minimum sight distance is ten (10) times the posted speed limit, but in no case shall it be less than 250 ft. Nubbin Ridge Road has a speed limit of 30 mph, so the minimum sight distance is 300 ft. The 250 ft minimum sight distance is a standard regardless of the speed limit. A road with a 15 mph speed limit is still required to have a minimum sight distance of 250 ft. If a speed study is performed and it concludes that the average speed is greater than the posted speed limit, then the average speed is used to determine the minimum sight distance. If the average speed on Nubbin Ridge Rd is greater than 30 mph, then the minimum sight distance will be greater than 300 ft. A speed study on Nubbin Ridge Rd is not planned at this time.

The subject site was part of the same property as the Penrose Terrace subdivision on the west side of Nubbin Ridge Rd. During the concept plan review, it was recognized that this remnant piece of land on the east side of Nubbin Ridge Rd is not buildable. Condition #1 states, "Place a note on the final plat that the portion of the site located on the east side of Nubbin Ridge Road is unbuildable unless combined with other property." When the Penrose Terrace subdivision was platted, the subject property was not included on the plat even though it was required because it is less than 5 acres in size. Therefore, the required note was also not added to the plat.

In addition, staff expressed concern with the sight distance for the Penrose Terrace subdivision even though it is better situated being on the outside of the curves to the south and north in Nubbin Ridge Rd. The following is quoted from the concept plan staff report (10-SB-14-C):

"The applicant has had a surveyor perform the necessary work to establish what is believed to be the minimum required sight distance of 300' in each direction at the subdivision entrance. However, staff is still concerned about the proposed entrance to this development. Due to the excessive travel speeds and the curvature of Nubbin Ridge Rd., staff will require the applicant to partially construct the entrance and recheck the sight distance prior to issuing a grading permit for the entire site. Additionally, staff will require the applicant to improve the grade of Road A at the proposed entrance and maintain a line of sight easement across the frontage lots, and will not permit any additional access from this project to Nubbin Ridge Rd."

(UPDATED 3/8/2023) The subject property is on the inside of the curves to the north and south, and does not have frontage through those curves to be able to clear and grade to obtain the minimum 300 ft of sight distance. At the proposed driveway location, the applicants surveyor determined a minimum of 250 ft of sight distance is available in both directions, however, the line of sight does slightly cross over the adjacent properties in both directions. The County can only clear vegetation in the public right-of-way. If the applicant was able to obtain sight distance easements through adjacent properties to clear and grade to increase sight distance, it will be up to the private property owner to ensure those sight lines remain clear of obstruction. This puts the public at risk if it is not properly maintain over time.

(UPDATED 3/8/2023) NOTE: The sight distance provided on the plan must be revised to correct the starting point of the sight distance measurement. The plan has the starting point 16 ft from the edge of the roadway, but it is required to be 15 ft from the edge of the roadway. This will slightly improve the line of sight, but not increase the available sight distance that remains entirely within the right-of-way, and does not require sight distance easements from adjacent property owners.

ESTIMATED TRAFFIC IMPACT: Not required.

Schools affected by this proposal: Blue Grass Elementary, West Valley Middle, and Bearden High.

• Potential new school population is estimated using locally-derived data on public school student yield generated by new housing.

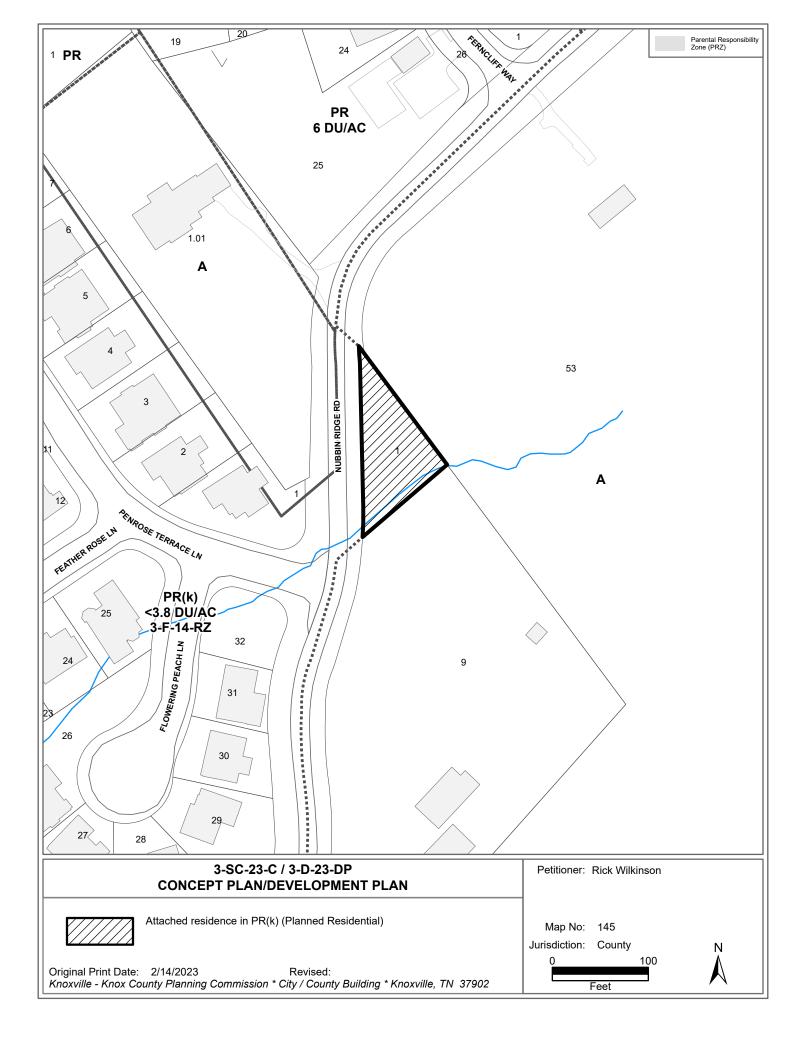
• Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Students may request transfers to different zones, and zone boundaries are subject to change.

• Estimates presume full build-out of the proposed development. Build-out is subject to market forces, and timing varies widely from proposal to proposal.

• Student yields from new development do not reflect a net addition of children in schools. Additions occur incrementally over the build-out period. New students may replace current population that ages through the system or moves from the attendance zone.

Knoxville-Knox County Planning Commission's approval or denial of this concept plan request is final, unless the action is appealed to Knox County Chancery Court. The date of the Knox County Chancery Court hearing will depend on when the appeal application is filed.

The Planning Commission's approval or denial of this development plan request is final, unless the action is appealed either to the Board of Zoning Appeals or to a court of competent jurisdiction within thirty (30) days of the decision being appealed (Knox County, Tennessee Code of Ordinances, Appendix A, Zoning, 6.50.08).



Requested Variances & Alternative Design Standards

3-SC-23-C/3-D-23-DP-WILKINSON

VARIANCES

- 1. Reduce the minimum sight distance from 300 ft to 284 ft looking to the south on Nubbin Ridge Road
- 2. Reduce the minimum sight distance from 300 ft to 255 ft looking to the south on Nubbin Ridge Road

ALTERNATIVE DESIGN STANDARDS REQUIRING KNOXVILLE-KNOX COUNTY PLANNING COMMISSION APPROVAL

1. None

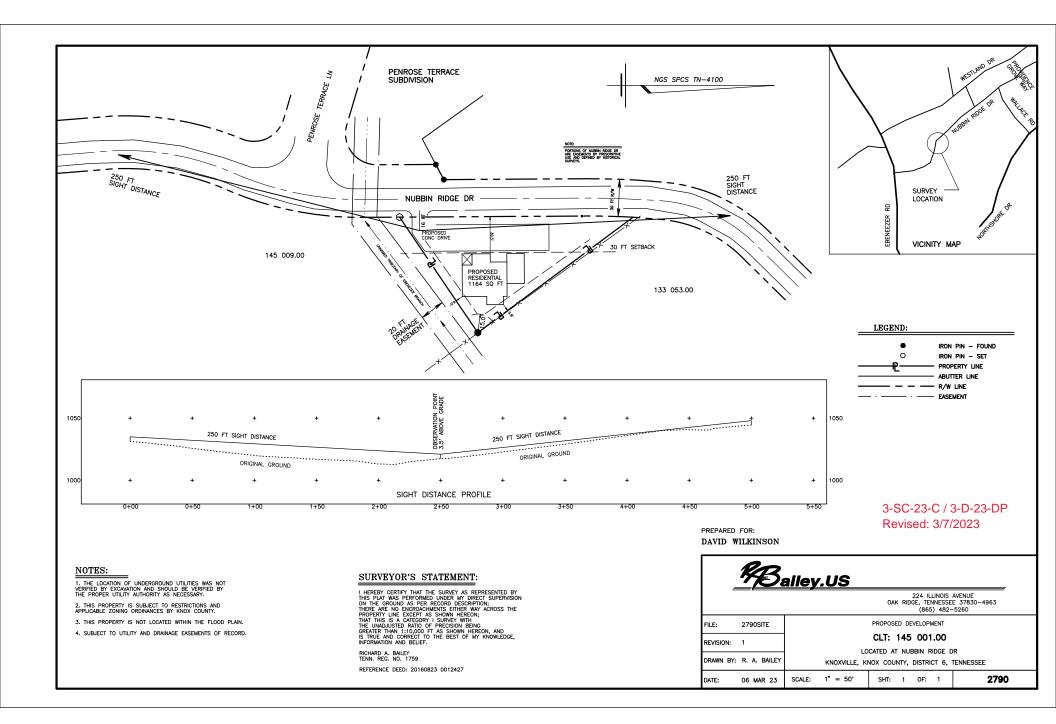
ALTERNATIVE DESIGN STANDARDS REQUIRING KNOX COUNTY ENGINEERING AND PUBLIC WORKS APPROVAL

1. None

KNOX COUNTY ENGINEERING AND PUBLIC WORKS RECOMMENDATION:

Recommend denial because the variance would create an unsafe condtion.

Steve Elliott 3/1/2023



Most of the concerns expressed relating to my proposed variance requests involve sight distance and traffic safety concerns.

I respond as follows:

1. While I do not have 300 feet sight distance generally required for a 30 MPH zone, I do meet the minimum site distance of 250' in both directions from my driveway as proposed. There are many examples of other driveways on this road that do not have the minimum 250' site distance.

As far as my proposed property is concerned, coming from Ebenezer Road going east, the speed limit goes from 30 to 25 and then 15 miles per hour which would mean the sight distance should be the minimum 250' based on speed limit. The only twist is that apparently it is alleged that even though the sign says that there is a 15 mph speed limit in this area in this direction, that is only a "suggestion" and not a "requirement" according to planning staff. Coming from the west the road takes a sharp turn to the left and has yellow warning sign at the curve. A driver must slow down to 20 miles per hour in this section of the road to make the curve, so cars are not going to be going 30 mph coming into this section of road even if 30 mph is the speed limit in this direction. The vehicles will be going slower in order to navigate the curve.

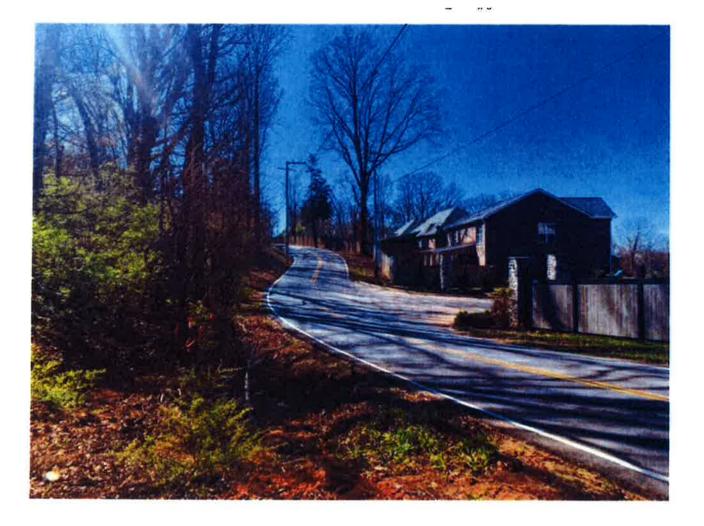
2. There is a school bus stop across from the entrance to Penrose Terrace which is close, but at an angle, to where my proposed driveway will be located. The school system must think the area is safe enough from a sight distance perspective for vehicles to see a school bus in time to stop.

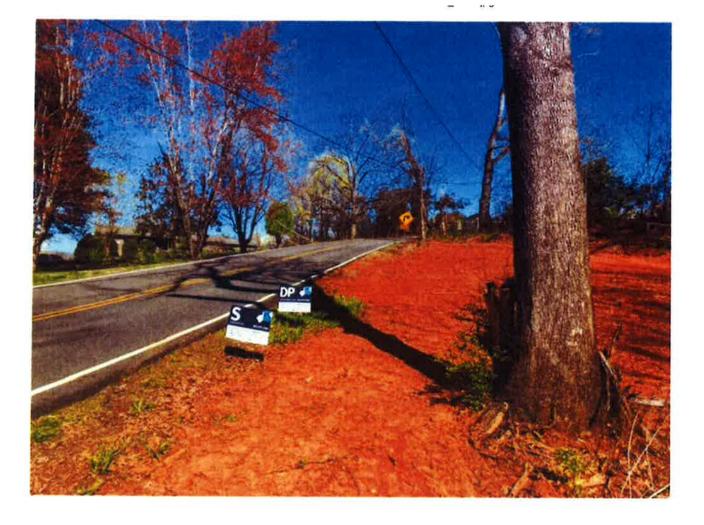
3. One more driveway for a small house is not going to make a material difference in traffic.

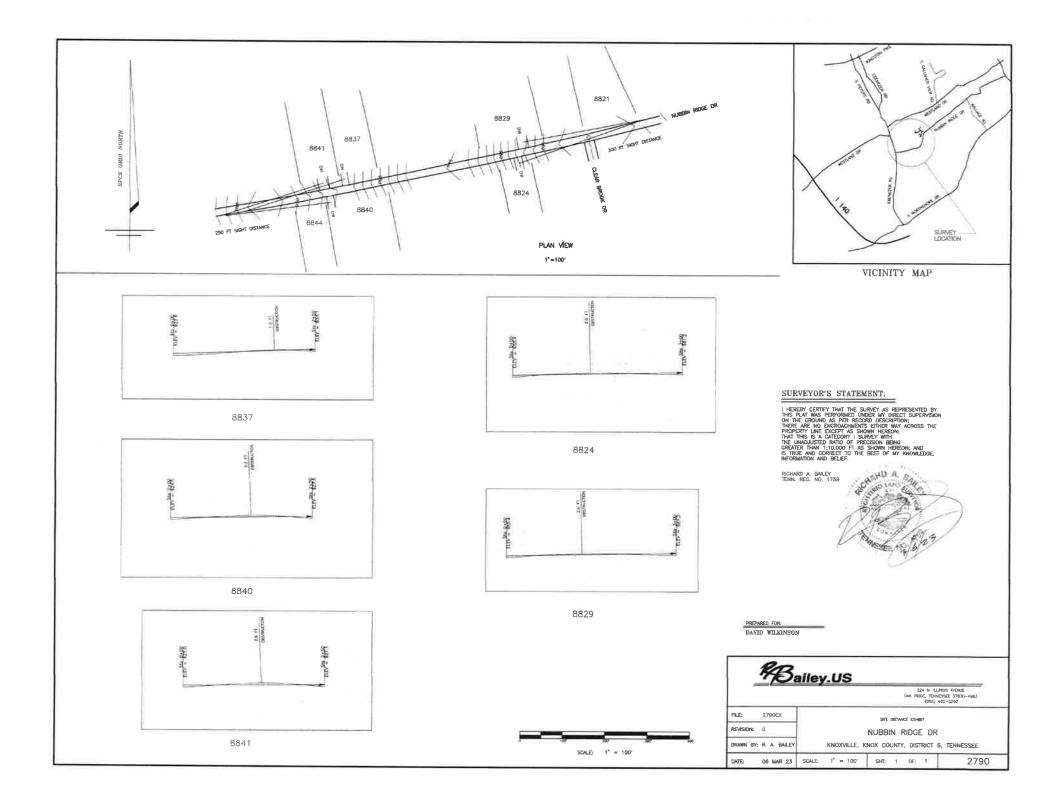
This property has cost me personally \$30k for the land and an additional \$26k I'd development costs. I have therefore spent \$56k to purchase and prepare this land. I have also paid \$xxx in property taxes since 2015. I am also building this home as my personal home and have counted on this for years. Denying my request would create a major financial loss and hardship for me.

For these reasons, I ask that the variance be approved so the property can be put to a proper and appropriate use.

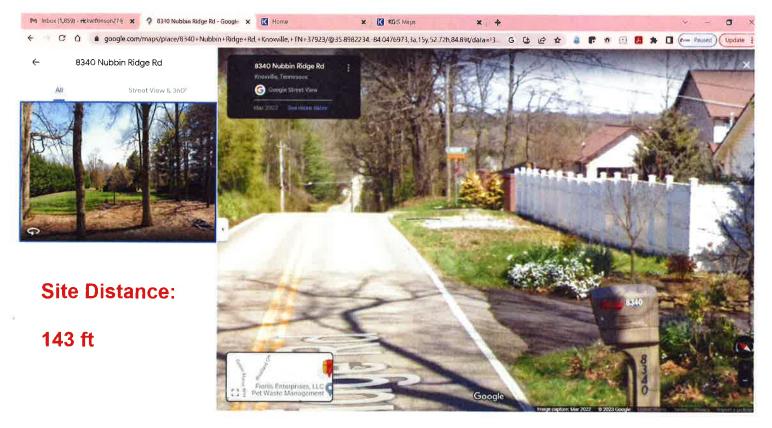
Rick Wilkinson



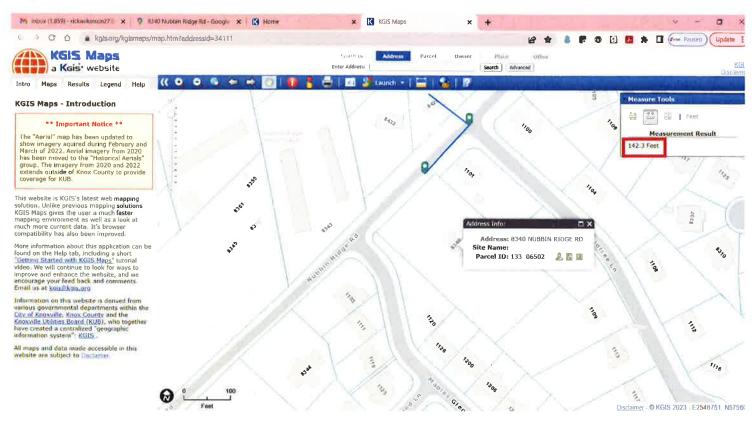




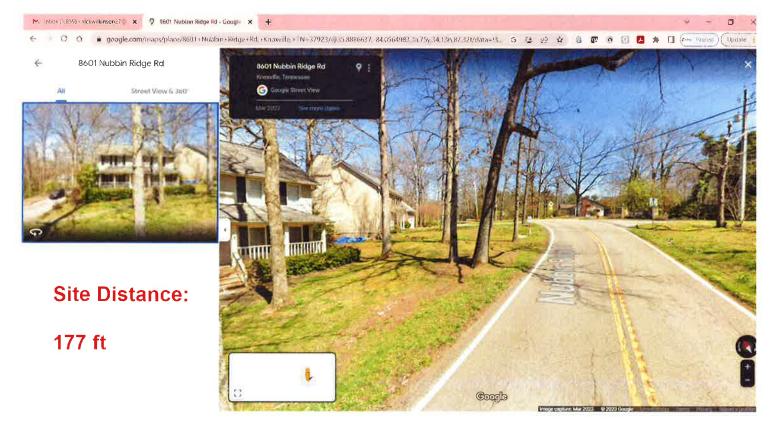
Pict 2_1.png



pict 2.png

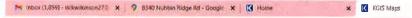


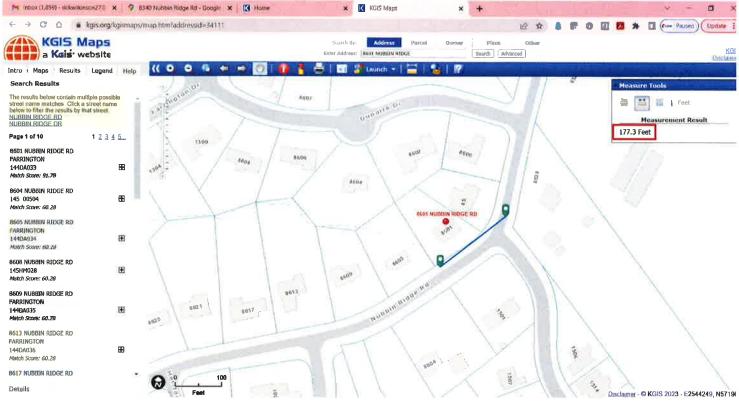
https://mail.google.com/mail/u/0/#search/efremenko%40gmail.com/KtbxLvhVgrShFjzNtjmxPRwlfrqPkgtRjB?projector=1&messagePartId=0.2



3/8/23, 9:42 AM

pict 1.png





۵



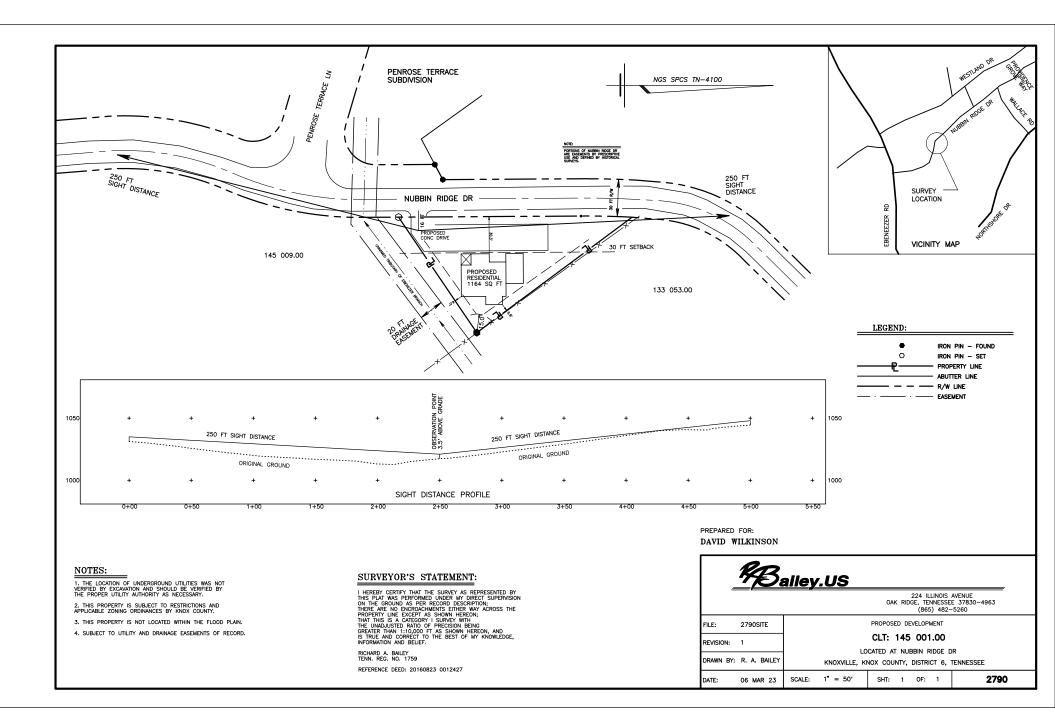


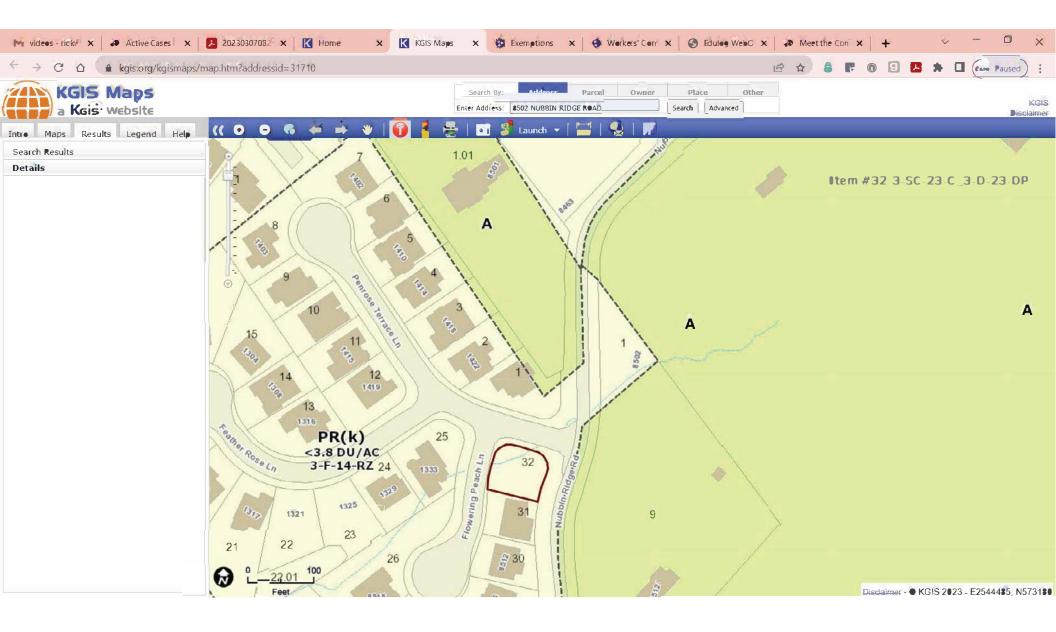
8801 Nubbin Ridge Rd

18 months ago - See more dates >

image1.png



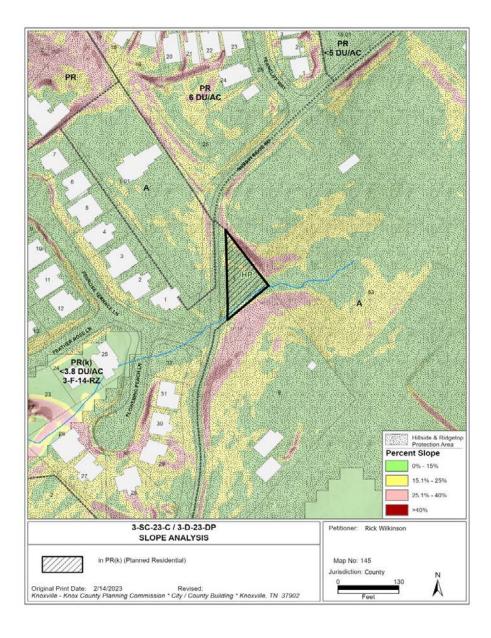




Item #32 3-SC-23-C_3-D-23-DP



CATEGORY	SQFT	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Sqft)	DISTURBANCE AREA (Acres)
Total Area of Site	8,419	0.19			
Non-Hillside	0.00	0.00	N/A		
0-15% Slope	7,128	0.16	100%	7,128	0.16
15-25% Slope	1,191	0.03	50%	595	0.01
25-40% Slope	100	0.002	20%	20	0.0005
Greater than 40% Slope	0.00	0.00	10%	0.0	0.00
Ridgetops					
Hillside Protection (HP) Area	8,419	0.19	Recommended disturbance budget within HP Area	7,743	0.18
			Percent of HP Area	0.9	





Development Request

DEVELOPMENT

Development Plan

□ Planned Development

Use on Review / Special Use
 Hillside Protection COA

SUBDIVISION

✓ Concept Plan
☐ Final Plat

Plan Amendment Sector Plan One Year Plan Rezoning

ZONING

Rick Wilkinson Applicant Name Affiliation 1/23/2023 3/9/2023 3-SC-23-C / 3-D-23-DP 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. **David Wilkinson** Name / Company 8509 Hwy 85 Connector Brks Brooks GA 30205 Address 678-249-8599 Phone / Email **CURRENT PROPERTY INFO David Wilkinson** 8509 Hwy 85 Connector Brks Brooks GA 30205 678-249-8599 Owner Name (if different) **Owner Address** Owner Phone / Email **8502 NUBBIN RIDGE RD Property Address** 145 001 8717 square feet Parcel ID Part of Parcel (Y/N)? Tract Size **First Knox Utility District First Knox Utility District** Sewer Provider Water Provider Septic (Y/N) **STAFF USE ONLY** E of Nubbin Ridge Rd, east of Ebenezer Rd General Location PR(k) (Planned Residential) **Commission District 4** Agriculture/Forestry/Vacant Land City ✓Count District **Zoning District** Existing Land Use Southwest County LDR (Low Density Residential), HP (Hillside Protection) **Planned Growth Area** Sector Plan Land Use Classification **Planning Sector** Growth Policy Plan Designation

I declare under penalty of periury the fore	going (i.e., he/she/they is/are the owner of the	property and that the applicatior	and all associated m	naterials are being
Property Owner Signature	Please Print		Γ	Date
	David Wilkinson		1	L/23/2023
Phone / Email				
Applicant Signature	Please Print			Date
	Rick Wilkinson		1	/23/2023
AUTHORIZATION				
Use on Review / Special Use (C	oncept Plan)			
Traffic Impact Study				
✓ Site Plan (Development Reques)		Fee 3		
 COA Checklist (Hillside Protecti Design Plan Certification (Final 	,			
ADDITIONAL REQUIREMEN				
Property Owners / Option Hold	ers 🗌 Variance Request	Fee 2		
ATTACHMENTS		\$500.00		
Staff Review 🗌 Planning	g Commission	\$500.00		
PLAT TYPE		Fee 1		Total
STAFF USE ONLY				
Additional Information				
	revious Zoning Requests			
	an Designation(s)			
Plan				
Proposed Zon	ing		-	
Zoning Change			Pending Plat	File Number
ZONING REQUEST				
Attachments / Additional Requ	irements			
Additional Information				
Unit / Phase Number	other Parcels Total	Number of Lots Created	1	
Proposed Subdivision Name			-	
			Related Rezon	ing File Numbe
SUBDIVSION REQUEST				
Other (specify)				
Home Occupation (specify)				
Hillside Protection COA	Residential	Non-residential		
🖌 Development Plan 🛛 🗌 Plann	ed Development 🛛 🗌 Use on Review	/ Special Use	Related City Pe	ermit Number(

submitted with his/her/their consent) is true and correct.

	evelopment	Reques	t
		SUBDIVISION	
	Development Plan Planned Development	☐ Final Plat	□ Plan Amendment □ SP □ OYP
	Use on Review / Special Use		□ Rezoning
KNOXVILLE KNOX COUNTY	Hillside Protection COA	-⊻ R	15
Rick WS.	12inson	20 20	2
Applicant Name		Affiliation	n
1-23-22	3-9-23		File Number(s)
Date Filed	Meeting Date (if applicable)	3-SC-	23-C_
		3-D-	23-DP
CORRESPONDENCE All corres	pondence related to this application sh	ould be directed to the app	roved contact listed below.
Applicant Property Owner	Option Holder 🔲 Project Surveyor	🗌 Engineer 🔲 Archite	ect/Landscape Architect
Rick Wi	1Kinson Da	rad will	ting
Name	Company		
8502 Nub	Bin Ridge Rd	· Vmorro De	TN 37922
Address	City	State	ZIP
825-300-77	1911 Picki	villain son	27 egminte
Phone	Email		
CURRENT PROPERTY INFO	2348 Da	whs Passi	Know, (le, TN 379)
Wilkinson	A 50 97 1 100 18	So Connector 10	OKE CA 2005 249-
Property Owner Name (if different)	Property Owner Address	4	Property Owner Phone 8579
8502 Nubbin Ridg	ye Rd	45 001	
Property Address C		Parcel ID	8
FUD	FUD		N
Sewer Provider	Water Provider		Septic (Y/N)
STAFF USE ONLY			
			-
			Tours-
General Location		Tract Size	9
City County District	Zoning District	Existing Land Use	
Planning Sector	Sector Plan Land Use Classification	Growth I	Policy Plan Designation

DEVELOPMENT REQUEST

Development Plan	Use on Review / Special Use	Hillside Protection COA	Related City Permit Number(s)
Residential	Non-Residential		
Home Occupation (spec	cify)		
Other (specify)			

SUBDIVISION REQUEST

			Related Rezoning File Number
Proposed Subdivision Name			
Unit / Phase Number		Total Number of Lots Created	m 2014 Concep
Other (specify)	t- remove	Cortaction Tro	maon which
Attachments / Additional Requirement	:s		
ZONING REQUEST			3
Zoning Change	લ નુસ્ટ ફે	1	Pending Plat File Number
Proposed Zoning			
Plan Amendment Change	a	1) 	
Proposed	Plan Designation(s)	ca ¹⁶	
Proposed Density (units/acre)	Previous Rezoning Re	equests	· · · · · · · · · · · · · · · · · · ·
Other (specify)			
STAFF USE ONLY			
PLAT TYPE		Fee 1	Total
Staff Review Planning Commis	sion	010115	0700
ATTACHMENTS		001 30	50-
Property Owners / Option Holders] Variance Request	Fee 2	\$ 50
ADDITIONAL REQUIREMENTS			9 500
Design Plan Certification (Final Plat)			Aid
Use on Review / Special Use (Concept	Plan)	Fee 3	Prod
Traffic Impact Study	•		1/23/22
COA Checklist (Hillside Protection)			11/2
AUTHORIZATION		L	CK=[7]>
Whaving Well	- Par	TO WILLENGO	n 1-23-2
Applicant Signature	Please Print		Date
865-300 - 77	al rise	Kw51Kin30n2	regmail .co
Phone Number	Email		
N Paved With	- Davie	d Wilkinson	1-23-23
Property Owner Signature	Please Print		Date

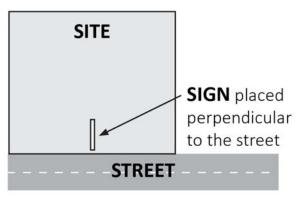
I declare under penalty of perjury the foregoing [i.e., he/she/they is/are the owner of the property and that the application and all associated materials are being submitted with his/her/their consent] is true and correct.



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:

2/24/2023	and	3/10/2023	
(applicant or staff to post sign)		(applicant to remove sign)	
Applicant Name: Rick Wilkinson			
Date: 1/23/23		Sign posted by Staff	
File Number: 3-SC-23-C_3-D-23-DP		igsqcup X Sign posted by Applicant	