



SUBDIVISION REPORT - CONCEPT/DEVELOPMENT PLAN

▶ **FILE #:** 12-SD-24-C
12-E-24-DP

AGENDA ITEM #: 40

AGENDA DATE: 12/12/2024

▶ **SUBDIVISION:** BLACK RIDGE POINTE

▶ **APPLICANT/DEVELOPER:** JUSTIN BREINER

OWNER(S): Justin Breiner

TAX IDENTIFICATION: 130 05805, 05810 (PART OF)

[View map on KGIS](#)

JURISDICTION: County Commission District 6

STREET ADDRESS: 11912 BLACK RD (0 BLACK RD)

▶ **LOCATION:** South side of Black Rd, northeast of N Campbell Station Rd

GROWTH POLICY PLAN: Rural Area

FIRE DISTRICT: Rural Metro Fire

WATERSHED: Turkey Creek & Hickory Creek

▶ **APPROXIMATE ACREAGE:** 8.35 acres

▶ **ZONING:** PR (Planned Residential) up to 2.99 du/ac

▶ **EXISTING LAND USE:** Rural Residential, Agriculture/Forestry/Vacant Land

▶ **PROPOSED USE:** Attached residential subdivision

SURROUNDING LAND USE AND ZONING:
North: Single family residential - PR (Planned Residential) up to 1 du/ac
South: Single family residential, multifamily residential, rural residential - PR (Planned Residential) up to 3 and 4 du/ac, A (Agricultural)
East: Agriculture/forestry/vacant, transportation/communications/utilities (First Utility District infrastructure) - A (Agricultural)
West: Agriculture/forestry/vacant, single family residential - A (Agricultural)

▶ **NUMBER OF LOTS:** 24

SURVEYOR/ENGINEER: Breck Bowlin, Land Development Solutions

ACCESSIBILITY: Access is via Black Rd, a minor collector street with a pavement width of 18 ft within a 60-ft right-of-way.

▶ **SUBDIVISION VARIANCES REQUIRED:**
VARIANCE:
1. Reduce the minimum vertical curve (crest) K value from 25 to 20 at PVI STA 1+12.00 on public road 'A'.

ALTERNATIVE DESIGN STANDARD REQUIRING PLANNING COMMISSION APPROVAL:

1. Reduce the street frontage of lots 8, 13, 14, and 30 from 25 ft to 20 ft.

ALTERNATIVE DESIGN STANDARDS REQUIRING KNOX COUNTY ENGINEERING AND PUBLIC WORKS APPROVAL (PLANNING COMMISSION APPROVAL NOT REQUIRED)

1. Increase the maximum road grade from 1% to 2% at the intersection of road 'A' and Black Road.
 2. Reduce the pavement width of road 'A' from 26 ft to 24 ft.
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STAFF RECOMMENDATION:

- ▶ **Approve the variance to reduce the K value of Road A from 25 to 20 at PVI station 1+12.00, based on the following evidence of hardships.**
 - A. This property with the HP designation slopes down by approximately 62 ft from the edge of Black Road to the rear boundary. There is a 28.8-ft elevation change along the right-of-way of Road A from its intersection at Black Road to the approximate middle of Road A at station 4+00.
 - B. The topography is unique to the property. Approval of this variance will result in less disturbance within the HP designation of this property.
 - C. Approval of the variance is not anticipated to be detrimental to public safety, health, or welfare as there are no apparent sight distance issues on Black Road and no through connectivity via Road A.

Approve the requested alternative design standard to reduce the street frontage of the lots identified, provided that guest parking will be accommodated by increasing the pavement width of Road A to 26 ft, as recommended in condition 1 of the concept plan.

Approve the concept plan subject to 11 conditions.

1. Increasing the pavement width of Road A to 26 ft to accommodate on-street guest parking.
 2. During the design plan phase, obtaining approval of Knox County Engineering & Public Works Department for the proposed location of the mail kiosk.
 3. During the design plan phase, ensuring that any required sight distance easement is provided for the horizontal curve of Road A approximately between station 3+00 and station 5+50, subject to review and approval by Knox County Engineering & Public Works Department.
 4. Ensuring connection to sanitary sewer and meeting any other relevant utility provider requirements.
 5. Providing street names that are consistent with the Uniform Street Naming and Addressing System within Knox County (County Ord. 91-1-102).
 6. Meeting all applicable requirements of the Knox County Zoning Ordinance.
 7. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works, including, but not limited to, ensuring that the stormwater retention pond(s) meet the standards.
 8. Before certification of the final plat for the subdivision, establishing a property owners association or other legal entity responsible for maintaining common facilities, such as common areas, amenities, private roads, and/or stormwater drainage systems.
 9. Ensuring that Land disturbance within the HP area does not exceed 6.3 acres, as recommended by the slope analysis (attached). The limit of disturbance is to be verified and delineated on the site with high-visibility fencing before grading permits are issued for the site. Undergrowth in the undisturbed HP areas may be cleared for passive recreational uses, such as walking trails. Selective tree removal is permissible for the removal of invasive species or to alleviate safety hazards, such as trees that are falling, dead, or dying.
 10. Providing a Type B landscape screen along the rear boundary between lots 14-30. Existing trees that remain can count toward this requirement.
 11. If during design plan approval or construction of the development, it is discovered that unforeseen off-site improvements within the right-of-way are necessary, the developer will either enter into a memorandum of understanding (MOU) with the County for these improvements or reimburse the County for their direct expenses (if completed by County crews) to make corrections deemed necessary.
- ▶ **Approve the development plan for a residential subdivision of one existing house and up to 23 attached dwelling units in the PR zone, based on the acreage on the final plat, and a peripheral setback reduction from 35 ft to 15 ft along the western and eastern boundary, as delineated in Exhibit B, subject to 3 conditions.**
 1. Meeting all applicable requirements of the Knox County Zoning Ordinance.
 2. Before final plat approval, confirm that the property has adequate acreage for 30 dwellings units (at least 10.034 acres). The density of the development shall not exceed 2.99 du/ac.
 3. The maximum height of the attached dwellings shall be 35 feet.

COMMENTS:

The applicant is proposing to add 23 attached dwellings units to the Black Ridge Pointe subdivision. Unit 1 of the subdivision included 6 lots for single family houses and was approved by the Planning Commission in

March 2024 (3-SA-24-C, 3-B-24-DP). Unit 2 proposes to subdivide approximately 8.35 acres of land to the south of the Unit 1 lots into 24 new lots and 3 common areas, yielding a density of 2.87 du/ac for Unit 2 (to be confirmed after the property is surveyed). The existing house and accessory structures will remain on lot 7.

VARIANCE

Vertical curves of a street are designed based on the Rate of Vertical Curvature, K, referred to as K value. K value expresses the abruptness of the grade change in a single value. For subdivisions in Knox County, section 3.04.I.4.b of the Subdivision Regulations requires a minimum K value of 25 for local streets. The property is relatively steep at the location of the variance request, which makes it challenging to meet the requirement for Road A. Staff recommends approval of the variance because this will result in less grading within the HP (Hillside Protection) area and the decrease is supported by the Knox County Department of Engineering and Public Works based on the justification provided by the applicant.

ALTERNATIVE DESIGN STANDARD

An alternative design standard is requested to reduce the street frontage of lots 8, 13, 14, and 30 from 25 ft to 20 ft. The Planning Commission may approve a reduction of the lot frontage subject to the following requirements (Sub Reg 3.03.B.2) - all lots shall have a minimum front yard setback of 20 ft and guest parking shall be provided throughout the development. The subject lots meet the minimum front setback requirements. On-street parking will be feasible on Road A if the pavement width is increased to 26 ft, as recommended in condition 1. On-street parking is more appropriate for this development compared to any off-street parking areas that will require additional disturbance within the HP area.

PERIPHERAL BOUNDARY

The applicant is requesting a reduction of the peripheral boundary from 35' to 15' along the entirety of the western boundary, along the rear boundary from the southwestern corner up to lot 20, and along the eastern boundary next to the existing barn. Staff is recommending denial for the western portion that is primarily on the rear side of lots 8-13 and for the rear boundary because the site plan does not demonstrate a need for the reduction. Should the Planning Commission approve the requested peripheral boundary reduction in these areas, Planning staff recommends extending the Type B buffer in condition 10 to extend the length of the southern lot line and the western lot line to buffer the abutting single family subdivisions from this more intensive development. Staff is recommending approval for the rest of the requested segments because these align with the peripheral boundaries of unit 1 approved by the Planning Commission (delineated in Exhibit B).

DEVELOPMENT PLAN ANALYSIS PER ARTICLE 6, SECTION 6.50.06 (APPROVAL OR DENIAL)

In the exercise of its administrative judgment, the Planning Commission shall determine if the proposed plan is in harmony with the general purpose and intent of the zoning ordinance and adopted plans.

1) ZONING ORDINANCE PR (Planned Residential) up to 2.99 du/ac:

A. The PR zone allows attached dwellings as permitted use. The administrative procedures for the PR zone require the Planning Commission to approve the development plan before permits can be issued (Article 5, Section 5.13.15).

B. The proposed density for unit 2 is 2.87 du/ac based on the approximate lot area on KGIS. Including the 6 lots of unit 1 and the existing house on lot 7, the density for the entire development shall not exceed 2.99 du/ac. If the acreage on the final plat is below 10.034 acres, a reduction in lot numbers will be required to conform with the zoning ordinance.

C. The Planning Commission has the authority to reduce the 35-ft peripheral setback to 15 ft when adjacent to residential or agricultural zones. Staff recommends approval of the reduction as delineated in Exhibit B.

2) KNOX COUNTY COMPREHENSIVE PLAN - IMPLEMENTATION POLICIES

A. Create neighborhoods with a variety of housing types and amenities in close proximity (Policy 5). – The development proposes a mix of single family houses and townhouses and the property has easy vehicular access to Knoxville Christian School on Snyder Road and numerous commercial uses along Parkside Drive.

B. Encourage development practices that conserve and connect natural features and habitat (Policy 7). – The development proposes to preserve the forested area in the eastern section of the property.

3) FUTURE LAND USE MAP

A. The property has the RC (Rural Conservation) place type with the HP (Hillside Protection) designation. The land use mix of the RC place type lists detached houses as primary uses and attached houses as secondary uses. The place type recommends preservation of 50% or more of open space. The calculation on the site plan indicates that 46.9% open areas will be undisturbed. The percentage will be verified based on the final acreage and number of lots to be confirmed by a survey of the property.

B. Approximately 9.4 acres of the property are within the Hillside Protection (HP) area. The slope analysis

recommends a maximum disturbance budget of 6.3 acres, which shall be maintained per condition 9.

4) KNOXVILLE - FARRAGUT - KNOX COUNTY GROWTH POLICY PLAN

A. The property is within the Rural Area. The Knox County Zoning Ordinance and Zoning Map shall determine land uses permitted in the Rural Area. The rural designation shall not impede the right of a property owner to use or develop the property for a purpose permitted by that property's zoning.

B. Per the recently updated Growth Policy Plan, residential development in the Rural Area shall be limited to 2 du/ac. However, the property was rezoned to PR at 2.99 du/ac prior to the amendment to the plan and the rezoning (2-D-24-RZ, 2-A-24-SP) was consistent with the former Growth Policy Plan that allowed subdivisions with up to 3 du/ac provided the property met certain standards, such as utility connection and adequate road infrastructure.

ESTIMATED TRAFFIC IMPACT: 265 (average daily vehicle trips)

Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate during a 24-hour day (Monday through Friday), with a "trip" counted each time a vehicle enters or exits a proposed development.

ESTIMATED STUDENT YIELD: 2 (public school children, grades K-12)

Schools affected by this proposal: Farragut Primary/Intermediate, Hardin Valley Middle, and Hardin Valley Academy.

- 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).