

SUBDIVISION REPORT -CONCEPT/DEVELOPMENT PLAN

FILE #: 3-SA-24-C	AGENDA ITEM #:
3-B-24-DP	AGENDA DATE: 3/7/202
SUBDIVISION:	BBK PROPERTIES
APPLICANT/DEVELOPER:	JUSTIN BREINER
OWNER(S):	Justin Breiner
TAX IDENTIFICATION:	130 058 05, 058 10 View map on KG
JURISDICTION:	County Commission District 6
STREET ADDRESS:	0 BLACK RD (11912 BLACK RD)
LOCATION:	South side of Black Rd, east of Summit Station Ln
SECTOR PLAN:	Northwest County
GROWTH POLICY PLAN:	Rural Area
WATERSHED:	Turkey Creek & Hickory Creek
APPROXIMATE ACREAGE:	9.94 acres
ZONING:	PR (Planned Residential) up to 2.99 du/ac (pending)
EXISTING LAND USE:	Rural Residential, Agriculture/Forestry/Vacant
PROPOSED USE:	Detached 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:	7
SURVEYOR/ENGINEER:	David C. Campbell, P.E. Ideal Engineering Solutions, Inc.
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: 	VARIANCES None
	ALTERNATIVE DESIGN STANDARDS REQUIRING KNOXVILLE-KNOX COUNTY PLANNING COMMISSION APPROVAL None
	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 the private ROW and Black Road.
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STAFF RECOMMENDATION:

Approve the concept plan subject to 6 conditions.

1. Connection to sanitary sewer and meeting any other relevant utility provider requirements.

2. Obtaining approval from the Knox County Engineering and Public Works department during the design plan phase to increase the maximum intersection grade from 1 percent to 2 percent on the unnamed private ROW at its intersection with Black Rd.

3. Certifying that the required sight distance is available along Black Rd in both directions for all new driveways, with documentation provided to the Knox County Engineering and Public Works department for review and approval during the design plan phase. The sight distance shall be certified using design grades at the driveway entrances before grading permits are issued for the site.

4. Providing turnarounds for all new driveways on lots 1 to 6.

5. Meeting all applicable requirements of the Knox County Engineering and Public Works department, including, but not limited to, ensuring that the stormwater retention pond(s) meets the standards.
6. 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, and/or stormwater drainage systems.

Approve the development plan for up to 7 detached houses (6 new and 1 existing) on individual lots and a peripheral setback reduction to 15' along the west side of lot 1 and the east side of lot 6, and to 25' along Black Road, subject to 2 conditions.

1. Obtaining approval from the Knox County Commission for the rezoning of the property to PR (Planned Residential) at a density of up to 2.99 du/ac (2-D-24-RZ / 2-A-24-SP).

2. Meeting all applicable requirements of the Knox County Zoning Ordinance.

With the condition noted, this plan meets the requirements for approval in the PR district and the criteria for approval of a development plan.

COMMENTS:

BACKGROUND: This proposal is for a 7-lot subdivision for single-family houses and a common lot for stormwater retention. The existing structures will remain along the rear portion of the property (lot 7, not labeled on the site plan).

The property consists of two existing parcels - 130 05805 and 130 05810. Both parcels received approval from the Planning Commission for a rezoning (A to PR up to 2.99 du/ac) and sector plan amendment (AG, HP to LDR, HP) in February 2024 (2-D-24-RZ / 2-A-24-SP). The County Commission approval is still pending, and the final approval of this rezoning request is anticipated on 3/25/2024. Since the lots are designed with the dimensional standards of the PR zone (peripheral boundary, setbacks, minimum lot size of 3000 sf), the concept plan and development plan will be valid only if the rezoning is approved.

PERIPHERAL BOUNDARY: The applicant is requesting a reduction of the peripheral boundary from 35' to 15' along the west side of lot 1 and the east side of lot 6, and to 20' along the front of lots 1-6, as shown on the site plan. Knox County Engineering and Public Works has confirmed that no road widening is anticipated on Black Road. However, Planning staff recommends approving the reduction of the peripheral setback to 25' along Black Road. This will be consistent with the Black Forest subdivision across the street, for which the Planning Commission approved a 25' peripheral boundary along Black Road in 2015 (1-SD-15-C / 1-G-15-UR). Furthermore, the Black Forest subdivision has a greater right-of-way dedication (more than 30' from the center line of Black Road while the subject property is less than 20' away from the center line). Therefore, the recommended 25' peripheral setback will be more appropriate than the requested reduction to 20'.

DRIVEWAYS: The proposed concept plan does not show any driveways for lots 1 to 6. All new driveways need to ensure required sight distance and suitable turnarounds are provided, and this is a condition of the concept plan approval.

STORMWATER RETENTION: A preliminary stormwater retention pond is shown on the site plan without a grading/drainage plan. This can be handled during the final plan phase.

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.

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1) ZONING ORDINANCE

PR (Planned Residential) up to 2.99 du/ac (Pending):

A. The PR zone allows detached dwellings as a 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 is 0.68 du/ac, which is significantly less than the density of the rezoning request pending approval.

C. The Planning Commission has the authority to reduce the 35-ft peripheral setback to 15 ft when adjacent to residential zones. Staff recommends approval of the reduction to the peripheral boundary as described above.

2) GENERAL PLAN - DEVELOPMENT POLICIES

A. Ensure that the context of new development, including scale and compatibility, does not impact existing neighborhoods and communities (Policy 9.3) – Detached houses will be consistent with the surrounding properties properties.

3) NORTHWEST COUNTY SECTOR PLAN

A. The property is pending a sector plan amendment to LDR (Low Density Residential), which allows consideration of up to 5 du/ac in the Planned Growth Area. However, the property is within the Rural Area designation of the growth policy plan which limits the density to up to 3 du/ac. The proposed development has a density of 0.68 du/ac.

B. Approximately 9.4 acres of the property is within the Hillside Protection (HP) area. The slope analysis recommends a disturbance budget of 6.3 acres. The proposed new development is less than 2 acres.

4) KNOXVILLE - FARRAGUT - KNOX COUNTY GROWTH POLICY PLAN

A. The property is within the Rural Area. Rural areas are to include land to be preserved for farming, recreation, and other non-urban uses. 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. The Rural Area recommends a maximum density of 2-3 du/ac. Three (3) du/ac can be considered as an extension of low density residential development if the property is PR (Planned Residential), sanitary sewer and public water is provided, connecting collector and arterial roads from the development to the Planned Growth area meet the standards of Knox County Engineering and Public Works, and a transportation impact analysis demonstrates to the satisfaction of the Planning Commission that the effect of the proposed and similar developments in the traffic analysis zone will not reasonably impair traffic flow.

C. A Transportation Impact Analysis (TIA) Scope Determination Form was submitted with the rezoning application for the property (2-D-24-RZ). Planning staff and the Knox County Engineering and Public Works determined that transportation impact letter is not required based on the condition of Black Road and proximity to the Planned Growth Area.

ESTIMATED TRAFFIC IMPACT: 87 (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: 3 (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).





CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
Total Area of Site	9.9		
Non-Hillside	0.5	N/A	
0-15% Slope	3.9	100%	3.9
15-25% Slope	4.3	50%	2.2
25-40% Slope	1.2	20%	0.2
Greater than 40% Slope	0.0	10%	0.0
Ridgetops			
Hillside Protection (HP) Area	9.4	Recommended disturbance budget within HP Area (acres)	6.3
		Percent of HP Area	66.8%







Alternative Design Standards

Re: 3-SA-24-C / 3-B-24-DP

The minimum design and performance standards shall apply to all subdivisions unless an alternative design standard is permitted within Article 3 Section 3.01.D, Application of Alternative Design Standards, or Article 4.01.C, Street Standards (within Hillside and Ridgetop Areas).

There are some alternative design standards that require Planning Commission approval, and some that can be approved by the Engineering Departments of the City or County. However, the City or County Engineering Departments, as applicable, will provide review comments on any alternative design proposed. These comments will be provided during the review process.

Alternative Design Standards Requiring Planning Commission Approval

Section 3.03.B.2 - Street frontage in the PR (Planned Residential) zone, Knox County Section 3.03.E.1.e – Maximum grade of private right-of-way Section 3.03.E.3.a – Pavement width reduction, private rights-of-way serving 6 or more lots Section 3.04.H.2 – Maximum grade, public streets Section 3.04.I.1.b.1 – Horizontal curves, local streets in Knox County

Alternative Design Standards Approved by the Engineering Departments of the City of Knoxville or Knox County

Section 3.03.E.3.a – Right-of-way width reduction, private rights-of-way serving 6 or more lots Section 3.04.A.3.c – Right-of-way dedication, new subdivisions Section 3.04.F.1 – Right-of-way reduction, local streets Section 3.04.G.1 – Pavement width reduction, local streets Section 3.04.H.3 – Intersection grade, all streets Section 3.04.J.2 – Corner radius reduction in agricultural, residential, and office zones

Section 3.04.J.2 – Corner radius reduction in agricultural, residential, and office zones Section 3.04.J.3 – Corner radius reduction in commercial and industrial zones Section 3.11.A.2 – Standard utility and drainage easement

By signing this form, I certify that the criteria for a variance have been met for each request, and that any and all requests needed to meet the Subdivision Regulations are requested above or are attached. I understand and agree that no additional variances can be acted upon by the legislative body upon appeal and none will be requested.

in Priver 2:23-2024

Knoxville-Knox County Planning | KnoxPlanning.org 400 Main Street, Suite 403 | Knoxville, TN 37902 | 865.215.2500 For each alternative design standard requested, identify how the proposed alternative design either meets the intent of the standard in the Subdivision Regulations or meets an alternative, nationally recognized engineering standard such as The American Association of State Highway and Transportation Officials (AASHTO) or Public Right-of-Way Accessibility Guidelines (PROWAG).

1. ALTERNATIVE DESIGN STANDARD REQUESTED: Request for 2% slope for the first 30' of proposed road and Private ROW

Approval required by: Planning Commission 🗆 Engineering 🕮

Engineering supports the alternative design standard requested (to be completed during review process): YES
NO
Engineering Comments:

2. ALTERNATIVE DESIGN STANDARD REQUESTED:

Approval required by: Planning Commission
 Engineering

Engineering supports the alternative design standard requested (to be completed during review process): YES \square NO \square Engineering Comments:

3. ALTERNATIVE DESIGN STANDARD REQUESTED:

Approval required by: Planning Commission
Engineering

Engineering supports the alternative design standard requested (to be completed during review process): YES \square NO \square Engineering Comments:

Updated: January 10, 2024



Development Request

DEVELOPMENT

✓ Development Plan

□ Planned Development

□ Hillside Protection COA

Use on Review / Special Use

SUBDIVISION

✓ Concept Plan
☐ Final Plat

Plan Amendment Sector Plan One Year Plan

🗌 Rezoning

ZONING

Justin Breiner		
Applicant Name		Affiliation
1/22/2024	3/7/2024	3-SA-24-C / 3-B-24-DP
Date Filed	Meeting Date (if applicable)	File Number(s)
CORRESPONDENCE	All correspondence related to this application s	hould be directed to the approved contact listed below.
Justin Breiner		
Name / Company		
11912 Black Road Knoxvill	e TN 37932	
Address		
865-399-4462 / jbreiner@	benchmarkenterprises.com	
Phone / Email		
CURRENT PROPERTY	INFO	
Justin Breiner	11912 Black Road Knoxville TN	37932 865-399-4462 / jbreiner@bench
Owner Name (if different)	Owner Address	Owner Phone / Email
0 BLACK RD / 11912 BLAC	K RD	
Property Address		
130 058 05, 058 10		9.94 acres
Parcel ID	Part of	Parcel (Y/N)? Tract Size
First Knox Utility District	First Knox Utility I	District
Sewer Provider	Water Provider	Septic (Y/N)
STAFF USE ONLY		
South side of Black Rd, no	- rtheast of N. Campbell Station Rd	
General Location		
City Commission Dist	rict 6 PR (Planned Residential) pending, up to 2.99	du/ac Rural Residential, Single Family Residential
County District	Zoning District	Existing Land Use
Northwest County	RR (Rural Residential) pending, HP (Hillside P	rotection) Rural Area
Planning Sector	Sector Plan Land Use Classification	Growth Policy Plan Designation

DEVELOPMENT REQUEST					
🖌 Development Plan 🗌 Planned	Development	Use on Review	/ Special Use	Related	City Permit Number(s)
Hillside Protection COA		Residential	🗌 Non-residential		
Home Occupation (specify)					
Other (specify) Detached residenti	al subdivision				
SUBDIVSION REQUEST					
BBK Properties				Related	Rezoning File Number
Proposed Subdivision Name					
1			7		
Unit / Phase Number Spl	it Parcels	Total	Number of Lots Creat	ted	
Additional Information					
Attachments / Additional Require	ments				
ZONING REQUEST					
Zoning Change				Pendi	ng Plat File Number
Proposed Zoning	5				
🗌 Plan					
Amendment Proposed Plan	Designation(s)				
Proposed Density (units/acre) Pre Additional Information STAFF USE ONLY	vious Zoning Requ				
PLAT TYPE			Fee 1		Total
Staff Review Planning C	Commission		\$725	.00	
ATTACHMENTS	_				
Property Owners / Option Holder		e Request	Fee 2	-	
ADDITIONAL REQUIREMENTS					
Design Plan Certification (Final Pla					
Site Plan (Development Request)					
Traffic Impact Study	cont Dlon)				
Use on Review / Special Use (Con	cept Plan)				
AUTHORIZATION					
☐ I declare under penalty of perjury the all associated materials are being su			he/it is the owner of th	e property, AND	2) the application and
	Justin Breine				1/22/2024
Applicant Signature	Please Print				Date
Phone / Email					

	Justin Breiner	1/22/2024
Property Owner Signature	Please Print	Date

Planning KNOXVILLE I KNOX COUNTY	DEVELOPMENT Development Plan Planned Development Use on Review / Special Use Hillside Protection COA	SUBDIVISION Concept Plan Final Plat	ZONING Plan Amendment SP OYP Rezoning	
Justin Breiner Applicant Name		Affilia	ation	
01/19/2024	03/07/2024		File Number(s)	
Date Filed	Meeting Date (if applicable)		A-24-C 24-DP	
CORRESPONDENCE All	correspondence related to this application	should be directed to the	approved contact listed below	
Applicant D Property Owner Justin Breiner	- 🗌 Option Holder 🗌 Project Survey	or 🗌 Engineer 🗌 Arc	hitect/Landscape Architect	
Name	Comp	bany		
11912 Black Road	Kno	xville TN	37932	
Address	City	City State		
865-399-4462	jbreiner@benchmarkente	rprises.com		
Phone	Email			
CURRENT PROPERTY INFO	11912 Black Road,	Knoxville, TN 37932	865-399-4462	
Property Owner Name (if different)			Property Owner Phone	
· ·		130.05805 & 130.	05810	
11912 Black Road, Knoxville		5 115		
A 11912 Black Road, Knoxville, Property Address		Parcel ID		
Property Address	, First Utility		Ν	
A 11912 Black Road, Knoxville, Property Address First Utility District Sewer Provider		Distriict	N Septic (Y/	
Property Address First Utility District	First Utility	Distriict		
Property Address First Utility District Sewer Provider	First Utility	Distriict er		
Property Address First Utility District Sewer Provider STAFF USE ONLY	First Utility	Distriict er	Septic (Y,	

Development Plan 🔲 Use on Review / Special Use 🔲 Hillside Protection COA 💭 Residential 🔲 Non-Residential Home Occupation (specify)			Related City P	ermit Number(s)
ther (specify) Detached residential	subdivision			
SUBDIVISION REQUEST				
BK Properties			Related Rezor	ning File Number
roposed Subdivision Name		7		
1 Combine Parcels II	Divide Parcel Total Nu	umber of Lots Create	d	
] Other (specify)				
Attachments / Additional Requirements				
ZONING REQUEST			Danding D	at File Number
] Zoning Change			Pending Pi	at rile Number
Proposed Zoning				
] Plan Amendment Change Proposed Plan Design	nation(s)			
Proposed Density (units/acre) Previo	ous Rezoning Requests			
] Other (specify)				
STAFF USE ONLY				
PLAT TYPE		Fee 1		Total
Staff Review Planning Commission				
ATTACHMENTS		Fee 2		
Property Owners / Option Holders Variance Variance	e Request			
ADDITIONAL REQUIREMENTS				
Design Plan Certification (Final Plat)		Fee 3		
Use on Review / Special Use (Concept Plan)				
Traffic Impact Study COA Checklist (Hillside Protection)				
- the standard stand	rue and correct:			18
 I declare under penalty of perjury the jonegoing is it 1) He/she/it is the owner of the property AND 2) The 	application and all associat	ted materials are being	submitted with his/he	er/its consent
	Justin Breiner		01/19	9/2024
Applicant Signature	Please Print		Date	2
(865) 399-4462	jbreiner@bench	markenterprises.	com	
Phone Number	Email			
			01/22/	
·	Justin Breiner		01/22/2	24, SG



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:

02/23/2024	and	03/08/2024
(applicant or staff to post sign)		(applicant to remove sign)
Applicant Name: Justin Breiner		
Date: 01/22/2024		Sign posted by Staff
File Number: 3-SA-24-C & 3-B-24-DP		Sign posted by Applicant