



# SUBDIVISION REPORT - CONCEPT

▶ **FILE #:** 7-SA-26-C

**AGENDA ITEM #:** 38

**AGENDA DATE:** 7/9/2026

▶ **SUBDIVISION:** THE GATES AT FRANKLIN

▶ **APPLICANT/DEVELOPER:** JUSTIN BREINER

OWNER(S): Justin Breiner B&B Development LLC

TAX IDENTIFICATION: 132 H D 027

[View map on KGIS](#)

JURISDICTION: County Commission District 3

STREET ADDRESS: 0 LANTERN WAY

▶ **LOCATION:** **Corner of Lantern Way and Triplett Ln, south of Kingston Pike**

GROWTH POLICY PLAN: Planned Growth Area

FIRE DISTRICT: Rural Metro Fire

WATERSHED: Sinking Creek

▶ **APPROXIMATE ACREAGE:** 0.81 acres

▶ **ZONING:** PR (Planned Residential) up to 7 du/ac

PLACE TYPE: SMR (Suburban Mixed Residential)

▶ **EXISTING LAND USE:** Right of Way/Open Space

▶ **PROPOSED USE:** **Right-of-way to remain; the request is to remove condition #5 of the approved concept plan, thereby eliminating the internal sidewalk requirement. (Planning File 6-SE-1-C/6-E-19-UR)**

SURROUNDING LAND USE AND ZONING: North: Single family residential - PR (Planned Residential) up to 7 du/ac, CA (General Business) in the County  
South: Single family residential - PR (Planned Residential) up to 7 du/ac, RA (Low Density Residential) in the County  
East: Single family residential, rural residential - RA (Low Density Residential) in the County  
West: Public/quasi public land (church) - PR (Planned Residential) up to 7 du/ac in the County, O (Office) in the City

▶ **NUMBER OF LOTS:** 0

SURVEYOR/ENGINEER: None.

ACCESSIBILITY: Access is via Lantern Way, an unstriped private local street with 20-26 ft of pavement width within a right-of-way width that varies from 50-65 ft.

▶ **SUBDIVISION VARIANCES REQUIRED:** None.

### STAFF RECOMMENDATION:

▶ **Approve the removal of the internal sidewalk system conditioned by the concept plan (6-SE-19-C/6-E-19-UR), subject to 2 conditions.**

1) Meeting all applicable requirements of the City of Knoxville Zoning Ordinance.

2) Meeting all applicable requirements of the City of Knoxville Engineering.

**COMMENTS:**

A small subdivision consisting of 26 small single-family lots on approximately 5 acres was approved in 2019 on Triplett Lane just south of Kingston Pike (6-SE-19-C/6-E-19-UR). The subdivision has been largely completed, with 25 lots of the 26 approved lots and the neighborhood pool constructed. The road is private, ranging from 22 to 24 ft wide. A sidewalk has been constructed along the roadway on Triplett Lane.

The request is to remove the internal sidewalks along Lantern Way. The concept plan showed public roads 26 ft in width within 50-65 ft right of way. The Planning Commission approved a reduced pavement width to help with double frontage lot depth variances along Franklin Blvd. The right-of-way was reduced to 40 ft during the design plan phase. The reduced right-of-way makes the addition sidewalks challenging. The developer has installed sidewalks on the frontage road, as required by the Knox County sidewalk ordinance. The sidewalk ordinance does not require internal sidewalks for developments with fewer than 1,000 daily trips.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

Schools affected by this proposal: A. L. Lotts Elementary, West Valley Middle, and Bearden High.

The Planning Commission's approval or denial of this request is final, unless the action is appealed. For more information on the appeal process, contact Knoxville-Knox County Planning.



**CONCEPT PLAN**

**7-SA-26-C**

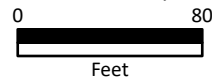
**Petitioner:** Justin Breiner



Amend existing concept, condition #5 to eliminate internal sidewalk requirement. File #6-SE-1-C\_6-E-19-UR in PR (Planned Residential), < 7 DU/AC

**Map No:** 132

**Jurisdiction:** County



**Original Print Date:** 5/29/2026

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

# Exhibit A. Contextual Images



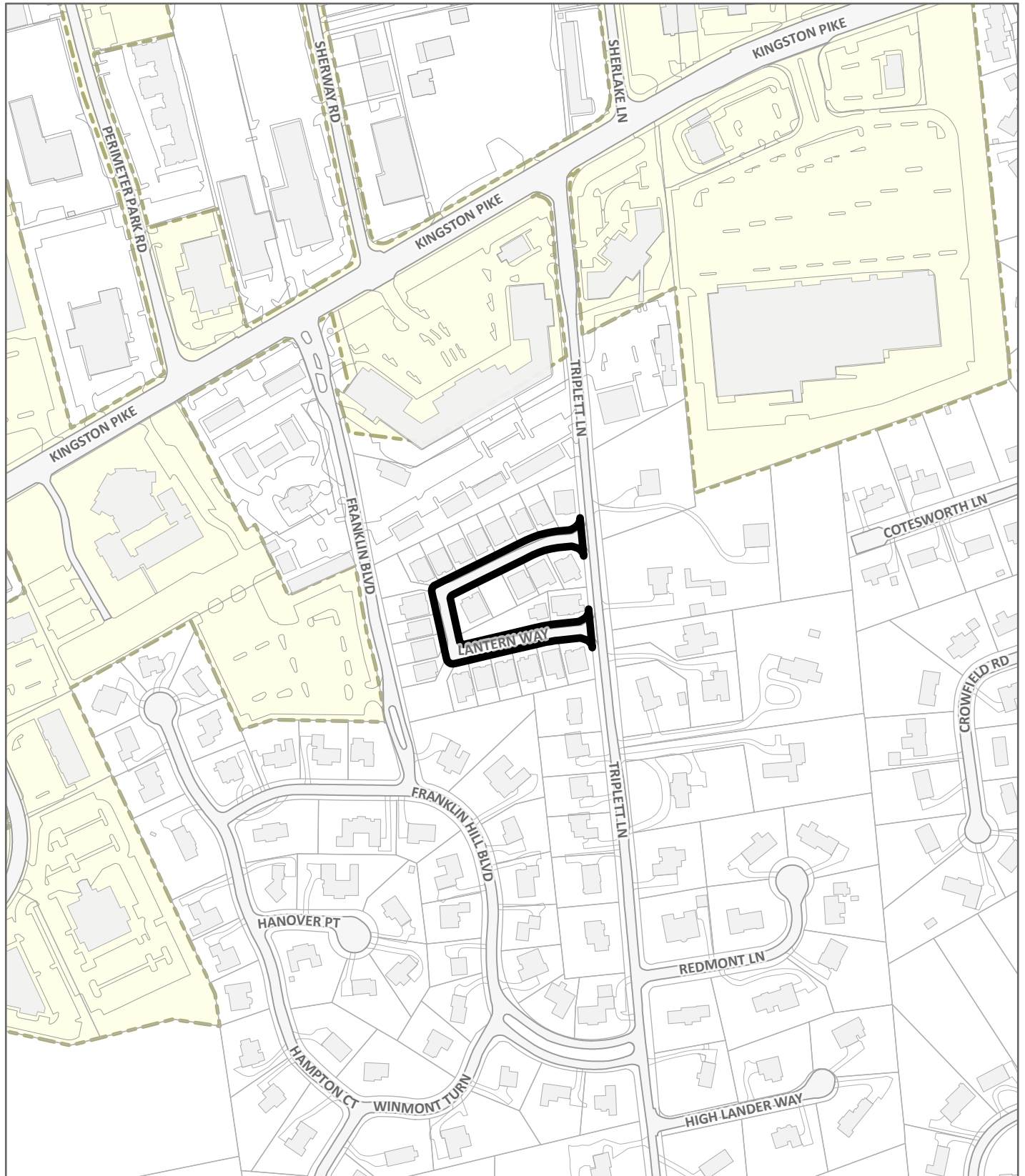
## AERIAL MAP



Case boundary



# Exhibit A. Contextual Images



**LOCATION MAP**

**7-SA-26-C**



Case boundary



## Knox Planning Commission

Date: 02/26/26

Knox County Planning  
400 Main Street, Suite 403  
Knoxville, TN 37902

Re: Revised Motion for Amendment of Condition No. 5 – Sidewalk Requirement  
(File No. 6-SE-19-C)

Dear Planning Staff:

Please accept the enclosed revised Motion for Amendment of Conditions concerning Condition No. 5 of the approved Concept Plan in subject.

This Motion for Amendment of condition number 5 is specific to internal sidewalks **only**. All sidewalks outside of the subdivision along Triplett Lane are 100% complete and have been accepted by Knox County.

In addition to the subdivision being private and gated, we wish to emphasize that the internal road network consists of a U-shaped roadway that does not connect to any external street network, without access through its secured entrance. The subdivision is further secured by a six (6) foot privacy fence along three sides, and access is controlled by locked gates at the only points of ingress and egress.

Because the development is physically isolated and not part of any public pedestrian circulation system, the installation of sidewalks would **not** serve a connectivity function or broader public purpose.

More importantly the residents in the subdivision do not want these sidewalks installed. They have conveyed multiple reasons for this but ultimately would like the look and functionality of the subdivision to remain as it is.

Accordingly, we respectfully request removal or modification of Condition No. 5 to release any requirement associated with sidewalks inside the subdivision.

Respectfully,



Name: Justin Breiner

Title: Developer

# BEFORE THE KNOX COUNTY COMMISSION

KNOX COUNTY, TENNESSEE

REVISED MOTION FOR AMENDMENT OF CONDITION NO. 5

COMES NOW the Applicant/Developer and respectfully moves the Knox County Commission to amend its prior Concept Plan approval by removing or modifying Condition No. 5, and states as follows:

## I. BACKGROUND

The Commission approved the Concept Plan subject to eight (8) conditions, including Condition No. 5 requiring installation of sidewalks meeting ADA and Knox County Department of Engineering and Public Works standards and posting of a bond guaranteeing installation. The sidewalk in the Right of Way along Triplett Lane has been completed and accepted by Knox County. This condition does not separate the internal sidewalks from the sidewalks along Triplett Ln in the public right of way.

## II. PRIVATE AND PHYSICALLY ISOLATED CHARACTER OF DEVELOPMENT

Since approval, the subdivision has been constructed as a private, gated community.

- The internal roadway is U-shaped and does not connect to any other streets.
- The subdivision is enclosed by a six (6) foot privacy fence on three sides.
- The only access points are controlled by locked gates.
- Roads are privately owned and maintained.

## III. LACK OF CONNECTIVITY FUNCTION

Sidewalk requirements within the Knox County Subdivision Regulations are generally intended to promote pedestrian safety, interconnectivity, and access within the public transportation network.

Because this development is:

- Private;
- Does not connect to adjacent subdivisions;
- Physically enclosed;
- Has no public pedestrian access; and
- Restricted to residents and invited guests only, the installation of sidewalks would not advance any connectivity or public circulation objective.

#### **IV. UNANIMOUS PROPERTY OWNER SUPPORT**

One hundred percent (100%) of property owners within the subdivision oppose installation of internal sidewalks mostly for aesthetic reasons (i.e. All the driveways are stamped/stained concrete, and the sidewalk would not be) but also take up approximately 18% of the usable front yard (based on the county approved plans requiring a 5' sidewalk) are believed to be unnecessary and limit the front yard enjoyment to the residents. All residents have expressed support in removal of this condition as shown in the supporting letter from the HOA. Included in this case file.

#### **V. PUBLIC INTEREST ANALYSIS**

Removal of Condition No. 5 will not adversely affect public health, safety, welfare, accessibility of public facilities, or pedestrian circulation in Knox County. The condition no longer serves a public purpose due to the subdivision's private and physically isolated configuration.

#### **VI. REQUEST FOR RELIEF**

WHEREFORE, Applicant respectfully requests that the Knox County Commission:

1. Remove or modify Condition No. 5 to eliminate the internal sidewalk requirement;
2. Release any bonding requirement associated with internal sidewalk installation; and
3. Confirm that no sidewalk improvements are required within this private, gated subdivision.

Respectfully submitted,

  
\_\_\_\_\_  
Name     Justin Breiner  
Title     Developer  
Date     02/26/26

## SUMMARY OF POINTS

1. Reduces residents' usability of their front yard on average by 18%.
2. This is a fully private, gated subdivision.
3. The road is U-shaped and does not connect to any other street.
4. The subdivision is enclosed by a 6-foot privacy fence on three sides.
5. Access is controlled by locked gates at the entrances.
6. There is no public pedestrian access or connectivity.
7. Sidewalks would not connect to any public sidewalk network.
8. 100% of residents oppose installation.
9. The request is narrow: removal of internal sidewalk portion of Condition No. 5 only.

Closing:

"The residents do not want internal sidewalks, and this condition no longer advances a public connectivity or safety objective due to the private and physically isolated nature of the development."

Knox County Planning Commission, Case 6-SE-19-C, Condition 5

As President of The Gates at Franklin Homeowners Association (HOA), I have polled the property owners in The Gates at Franklin Subdivision (originally to be named Glenrothes), and we are in agreement that the Knox County Planning Commission should remove the Condition 5 requirement for sidewalks inside our subdivision.

The homeowners do not need, have room for, or want sidewalks inside The Gates at Franklin Subdivision. Sidewalks have been constructed along Triplett Lane where there was ample space and need. The site plan documents for the subdivision provided by B&B Development, from the beginning of the development, did not include any provision for sidewalks for internal lots along Lantern Way. With the limited setback from the road to the house fronts, there is simply no room for the prescribed sidewalk requirement without irreparably impacting our small, gated community. Installation of sidewalks at this time would have significant adverse impacts on the subdivision as a whole and on each property.

Therefore, the HOA supports removal of 6-SE-19-C Condition 5 requirements for sidewalks within the subdivision alongside Lantern Way.

We respectfully request that you take appropriate action to remove or modify Condition 5 requirements for sidewalks in The Gates at Franklin Subdivision.

Regards,

John Lyons  
President, The Gates at Franklin Homeowners Association  
9713 Lantern Way, Knoxville, TN 37922  
865.806.8375



# Public Notice and Community Engagement

Planning strives to provide community members with information about upcoming cases in a variety of ways. In addition to posting public notice signs, our agency encourages applicants to provide information and offer opportunities for dialogue related to their upcoming case(s). The contact information you provide in your application may be used for that purpose. We require applicants to acknowledge their role in this process.

## Sign Posting and Removal

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.

**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.

### Acknowledgement

**By signing below,** you acknowledge that public notice signs must be posted and visible on the property consistent with the guidelines above and between the dates listed below.

06/27/2026

Date to be Posted

07/10/2026

Date to be Removed

**Have you engaged the surrounding property owners to discuss your request?**

Yes  No

No, but I plan to prior to the Planning Commission meeting



Applicant Signature

Justin Breiner

Applicant Name

Date