

MEMORANDUM

TO: Knoxville-Knox County Planning Commission
FROM: Jessie Hillman, Principal Planner
DATE: September 17, 2026
SUBJECT: **10-A-26-HPA**, Agenda Item #25
Request to exceed the 6.45-acre disturbance budget

STAFF RECOMMENDATION:

Approve the applicant's Level II Certificate of Appropriateness request to exceed the 6.45-acre disturbance budget with 7.7 acres of total disturbance on parcel 079EB005 on Nickle Rd, subject to 3 conditions.

1. A tree survey shall be submitted identifying the location and diameter of trees to be preserved outside of the approved disturbance area.
2. The limits of disturbance shall be clearly fenced to protect the Critical Root Zone (as defined in Section 14-1 of the Tree Protection Ordinance) of preserved trees, and fencing shall subject to inspection before and during construction activities by the City Landscape Reviewer.
3. The 1.1 acres of undisturbed land south of the utility easement shall remain protected forest and not be further subdivided or developed.

BACKGROUND:

The Hillside and Ridgetop Protection Plan was adopted by the City of Knoxville in 2011 to provide the vision and means for protecting hillsides and hillside development while minimizing offsite environmental damage. The basis for the plan stems from a recognition that forested ridges and hillsides are a defining characteristic of the region's natural heritage and a primary contributor to maintaining long term property values, clean air and water, and wildlife protection.

The plan is codified in Knoxville's Zoning Ordinance through Articles 8.9 and 16.8, which provide the regulatory framework and enforcement procedures for maintaining the HP Overlay District. Article 8.9 describes standards for how the overlay is to be applied, and it delineates disturbance limitations based on the steepness of slopes. Disturbance is defined in the Hillside and Ridgetop Protection Plan as, "any

activity that results in a change in existing soil, topography, or vegetation.” Article 16.8 describes how disturbance limitations are enforced via a certificate of appropriateness (COA), which is administered by Planning staff. However, if a COA request requires a deviation from the applicability and/or disturbance standards of Article 8.9, the Planning Commission will evaluate whether the request is to be approved, approved with conditions, or denied, per Article 16.8.B.4.d.

This codified enforcement of the Hillside and Ridgetop Protection Plan is supported by multiple Development Policies in the adopted General Plan:

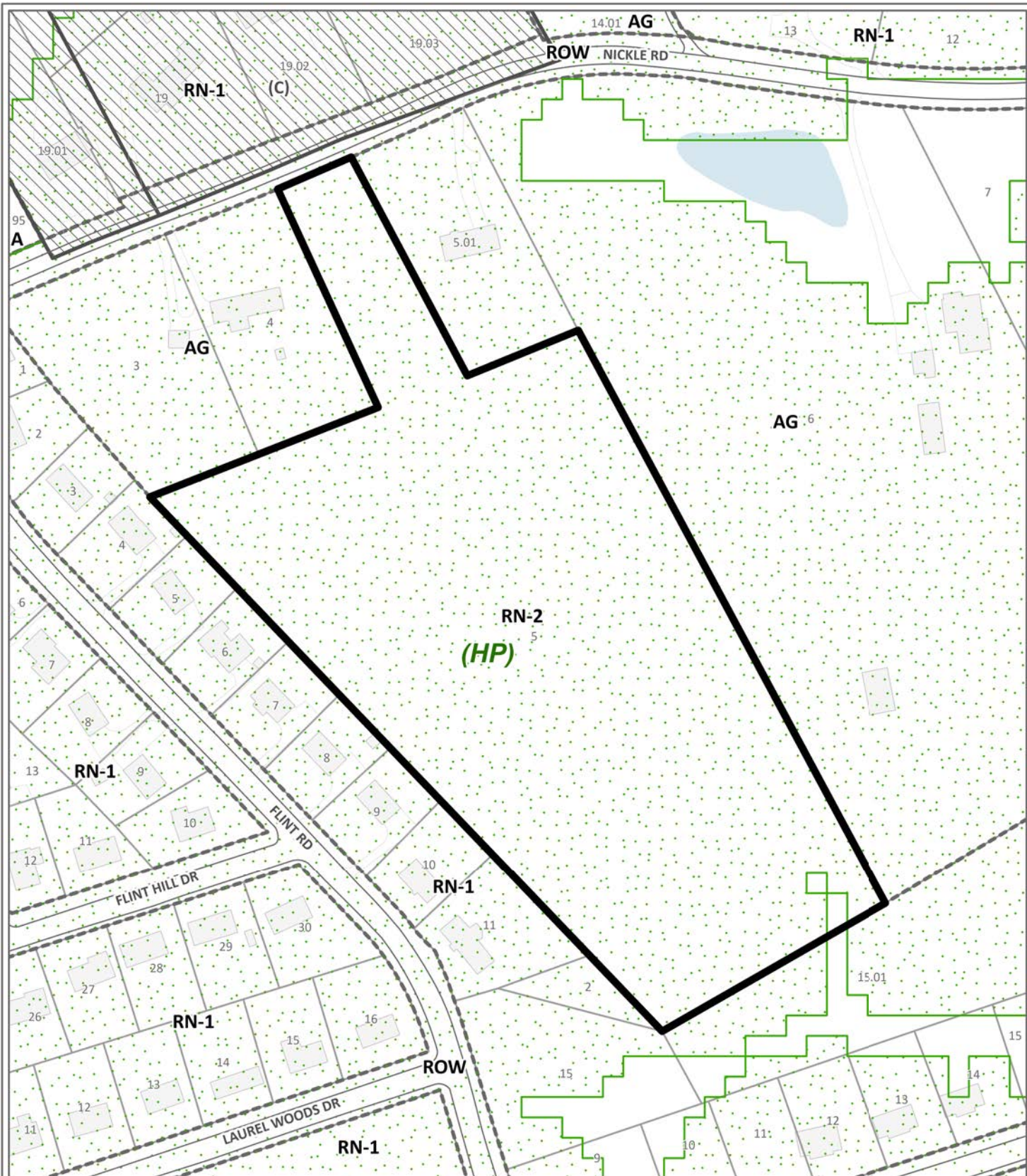
- Policy 3.5: Conserve the natural assets that make this region attractive and enhance quality of life.
- Policy 6.2: Compliment natural landforms when grading and minimize grading on steep slopes and within floodways.
- Policy 6.3: Encourage development in areas with the fewest environmental constraints.
- Policy 6.10: Develop a metropolitan forestry program to conserve and reestablish trees and woodlands.
- Policy 7.2: Protect water resources by reducing pollution and retaining trees and ground cover on ridges and near streams, rivers, lakes and sinkholes.
- Policy 9.2: Encourage development practices that respect and fit the natural landscape, minimizing the loss of trees, woodlands and wildlife habitat.

STAFF ANALYSIS:

The subject property has a concept plan under review for an 18-lot single-unit subdivision to be developed on the north side of a large overhead utility easement that runs through the parcel. The concept plan review has been postponed to evaluate this request to exceed the property’s permissible disturbance by 1.25 acres. While the applicant claims 7.35 acres are to be disturbed, this calculation was revised by staff to include all prior disturbance within the utility easement. The unbuildable area within the utility easement consumes approximately 2.4 acres, which is 30% of the property’s 6.45-acre disturbance budget as determined by the slope analysis. Considering the hardship of the utility easement’s impact on the Hillside Protection disturbance budget, an alternative slope analysis was performed which removed the easement from consideration (see Exhibit B). This alternative slope analysis provides a disturbance budget of 5.12 acres outside of the easement. When reviewing the applicant’s proposed disturbance *outside* of the easement, the boundary of their clearing and grading falls just within that alternative disturbance budget.

There are small segments of the property north of the utility easement that the applicant indicates will not be disturbed. These segments shall be surveyed to identify the location and diameter of the trees to be preserved, and protective fencing shall be installed to ensure that grading does not occur within the critical root zone of undisturbed trees. This tree survey and fencing will be subject to inspection and approval by the City’s Landscape Reviewer before and during construction. The 1.1 acres of dense forest that the applicant indicates will be preserved on the south side of the utility easement shall not be further subdivided and disturbed. These conditions balance permissible development under the property’s RN-2 (Single-Family Residential Neighborhood) zoning district with Hillside Protection intent and enforcement.





HILLSIDE PROTECTION

10-A-26-HPA

Petitioner: BLD Properties, LLC



Case Boundary

Original Print Date: 8/31/2026

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

Map No: 79

Jurisdiction: City

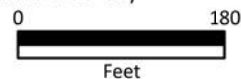


Exhibit A. Contextual Images



AERIAL MAP



Case boundary

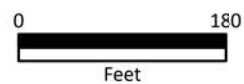
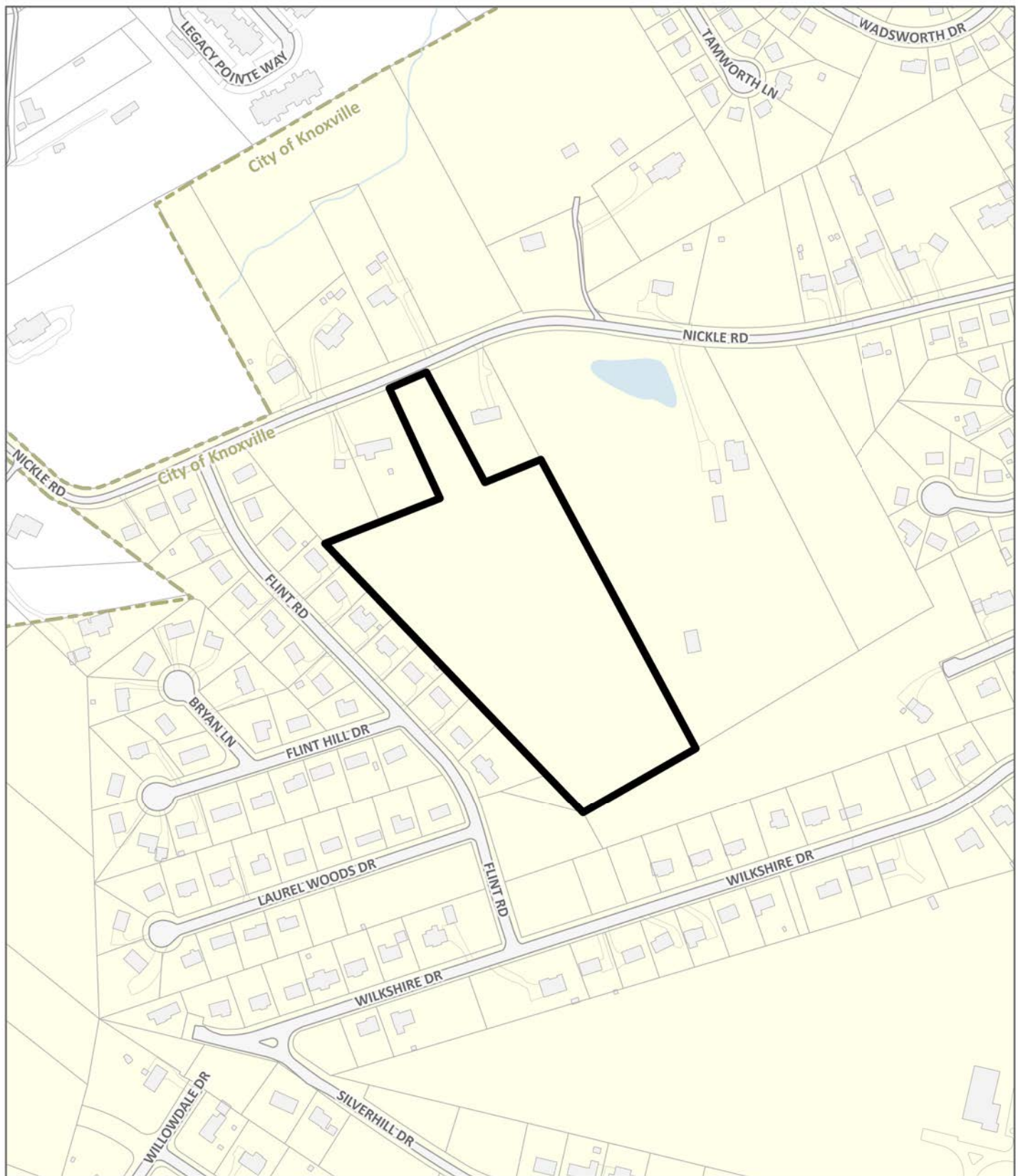


Exhibit A. Contextual Images

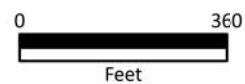


LOCATION MAP

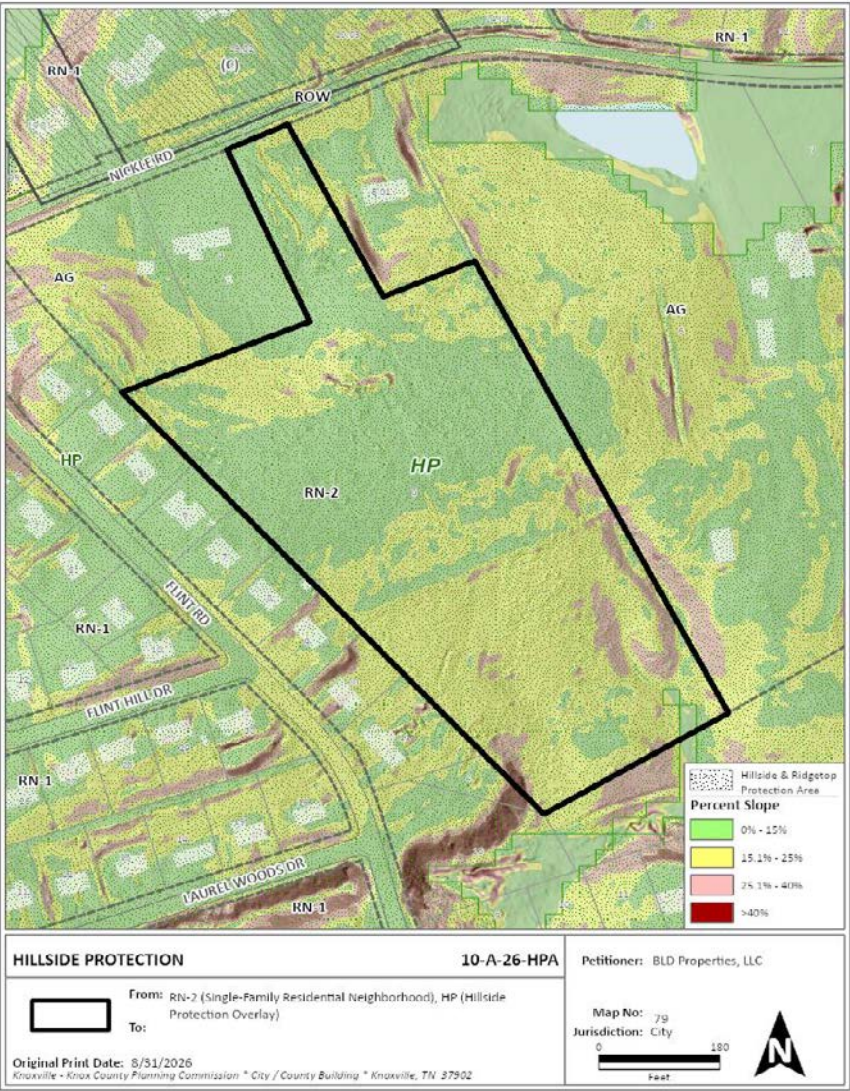
10-A-26-HPA



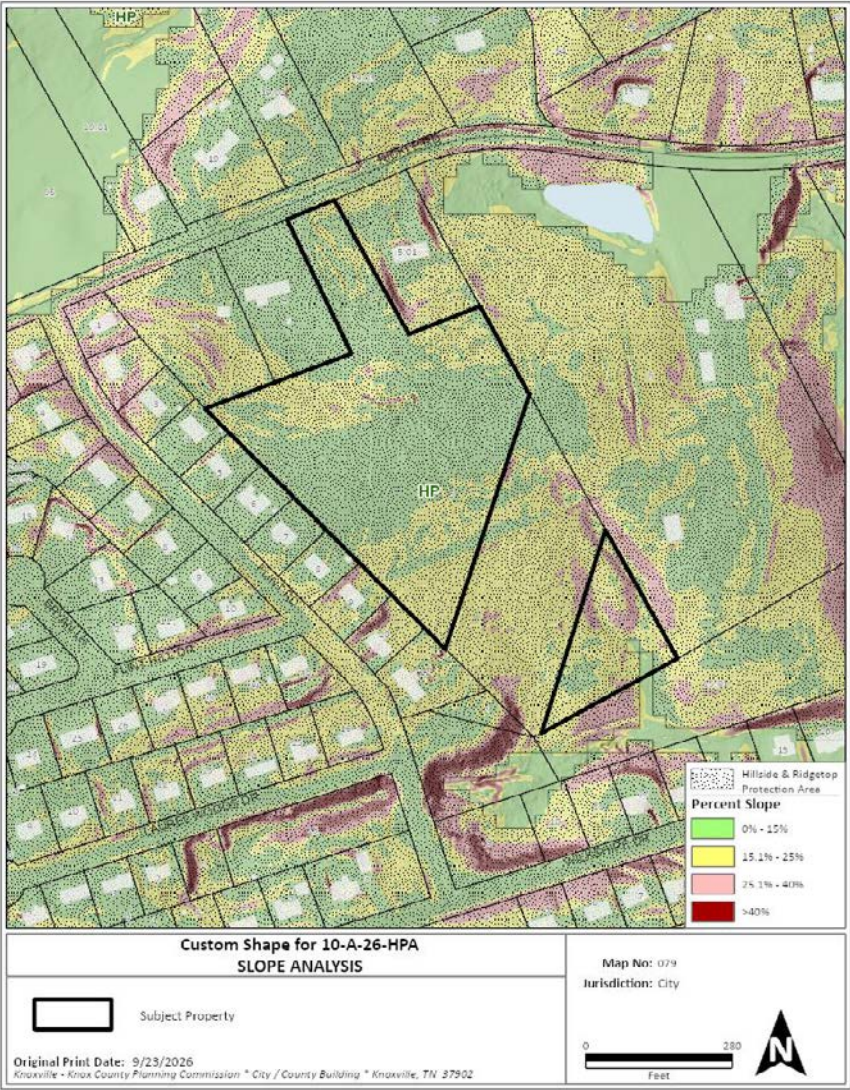
Case boundary



CATEGORY	SQFT	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Sqft)	DISTURBANCE AREA (Acres)
Total Area of Site	395,193.9	9.07			
Non-Hillside	1,786.7	0.04	N/A		
0-15% Slope	182,898.5	4.20	100%	182,898.5	4.20
15-25% Slope	187,491.9	4.30	50%	93,746.0	2.15
25-40% Slope	22,258.3	0.51	20%	4,451.7	0.10
Greater than 40% Slope	758.6	0.02	10%	75.9	0.00
Ridgetops					
Hillside Protection (HP) Area	393,407.3	9.03	Recommended disturbance budget within HP Area	281,172.0	6.45
			Percent of HP Area	71.5%	



CATEGORY	SQFT	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Sqft)	DISTURBANCE AREA (Acres)
Total Area of Site	286,929.5	6.587			
Non-Hillside	1,786.7	0.041	N/A		
0-15% Slope	167,223.1	3.839	100%	167,223.1	3.84
15-25% Slope	107,816.9	2.475	50%	53,908.5	1.24
25-40% Slope	10,052.9	0.231	20%	2,010.6	0.05
Greater than 40% Slope	50.0	0.001	10%	5.0	0.00
Ridgetops					
Hillside Protection (HP) Area	285,142.9	6.546	Recommended disturbance budget within HP Area	223,147.1	5.12
			Percent of HP Area	78.3%	



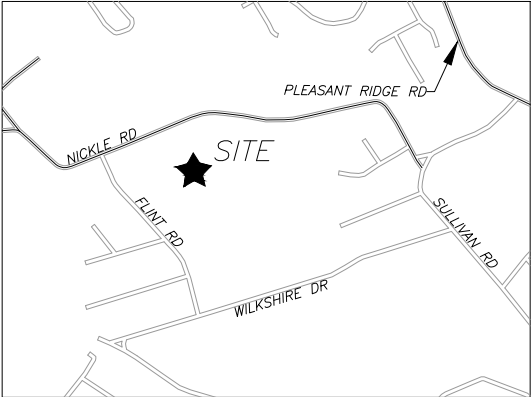
10-A-26-HPA

CONCEPT PLAN

U.E.I. PROJECT NO. 2003001

NICKLE ROAD SUBDIVISION

SITE ADDRESS: 0 NICKLE ROAD, KNOXVILLE, TENNESSEE 37921
WARD NO. 42, CITY BLOCK NO. 42040
CLT MAP 79, INSERT E, GROUP B, PARCEL 5



LOCATION MAP

OWNER/DEVELOPER:
BLD PROPERTIES LLC
1728 GARLAND ROAD
KNOXVILLE, TN 37922

SITE ENGINEER:
URBAN ENGINEERING, INC.
CHRIS SHARP
10330 HARDIN VALLEY ROAD, SUITE 201
KNOXVILLE, TENNESSEE 37932
(865) 966-1324

SPECIFICATIONS
EXCEPT WHERE DIRECTED OTHERWISE BY THE PLANS, WORKMANSHIP
AND MATERIAL (BUT NOT MEASUREMENT AND PAYMENT) FOR THIS
PROJECT SHALL BE IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS
AND STANDARDS.
ELECTRICAL - AS DIRECTED BY KUB
SEWER - AS DIRECTED BY KUB
WATER - AS DIRECTED BY KUB
CABLE TV - AS DIRECTED BY COMCAST
TELEPHONE - AS DIRECTED BY AT&T
CITY OF KNOXVILLE - AS PER CITY OF KNOXVILLE
STANDARDS AND SPECIFICATIONS

SHEET INDEX

TITLE	SHEET
TITLE SHEET	C001
OVERALL CONCEPT PLAN	C002
CONCEPT PLAN	C003
PRELIMINARY GRADING PLAN	C004
ROAD PROFILES	C005

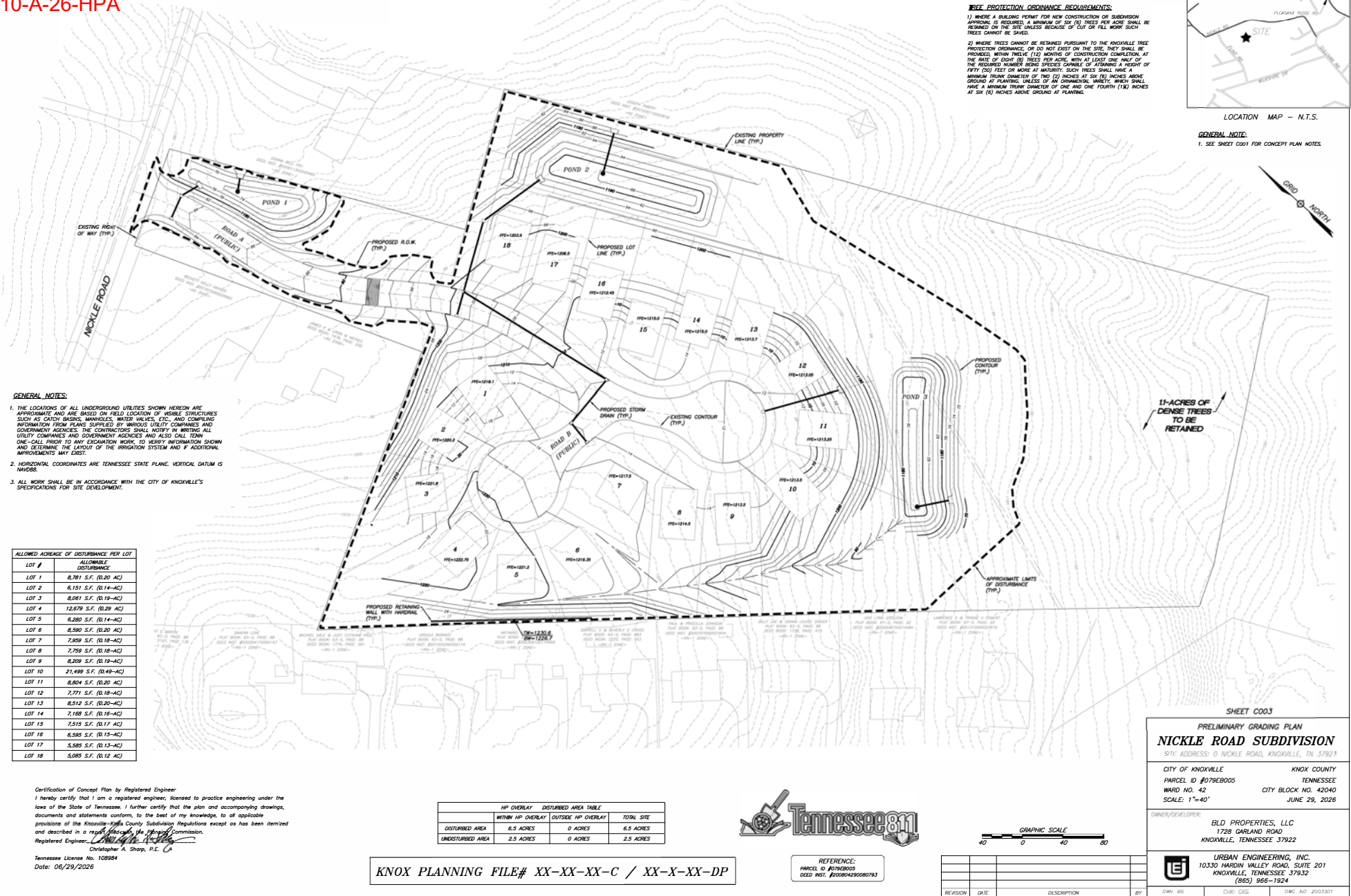
Certification of Concept Plan by Registered Engineer
I hereby certify that I am a registered engineer, licensed to practice engineering under the
laws of the State of Tennessee. I further certify that the plan and accompanying drawings,
documents and statements conform, to the best of my knowledge, to all applicable
provisions of the Knoxville-1998 County Subdivision Regulations except as has been itemized
and described in a report submitted to the Planning Commission.
Registered Engineer: *Christopher A. Sharp*
Christopher A. Sharp, P.E.
Tennessee License No. 108984
Date: 06/29/2026

9-SA-26-C submitted 6/29/26

KNOX PLANNING FILE# XX-XX-XX-C / XX-X-XX-DP

ISSUE NO.	DATE	DESCRIPTION

10-A-26-HPA



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.

9/19/26

10/2/26

Date to be Posted

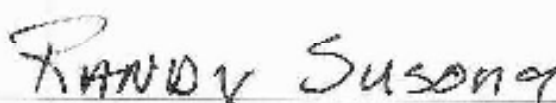
Date to be Removed

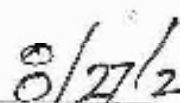
Have you engaged the surrounding property owners to discuss your request?

☒ Yes ☐ No

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


Planning Staff Signature


Applicant Name


Date