

# CASE SUMMARY

APPLICATION TYPE: SUBDIVISION  
CONCEPT PLAN



File Number: 3-SA-24-C                      Related File Number: 3-B-24-DP  
Application Filed: 1/22/2024              Date of Revision:  
Applicant: JUSTIN BREINER

## PROPERTY INFORMATION

General Location: South side of Black Rd, east of Summit Station Ln  
Other Parcel Info.:  
Tax ID Number: 130 058 05, 058 10                      Jurisdiction: County  
Size of Tract: 9.94 acres  
Accessibility: Access is via Black Rd, a minor collector street with a pavement width of 18 ft within a 60-ft right-of-way.

## GENERAL LAND USE INFORMATION

Existing Land Use: Rural Residential, Agriculture/Forestry/Vacant  
Surrounding Land Use: 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)  
Proposed Use: Detached residential subdivision                      Density:  
Sector Plan: Northwest County              Sector Plan Designation: RR (Rural Residential) pending, HP (Hillside Prote  
Growth Policy Plan: Rural Area  
Neighborhood Context:

## ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

Street: 0 BLACK RD  
Location:  
Proposed Street Name:  
Department-Utility Report:  
Reason:

## ZONING INFORMATION (where applicable)

Current Zoning: PR (Planned Residential) up to 2.99 du/ac (pending)  
Former Zoning:  
Requested Zoning:  
Previous Requests:  
Extension of Zone:  
History of Zoning:

**PLAN INFORMATION (where applicable)**

**Current Plan Category:** RR (Rural Residential) pending, HP (Hillside Protection)

**Requested Plan Category:**

**SUBDIVISION INFORMATION (where applicable)**

**Subdivision Name:** BBK Properties

**No. of Lots Proposed:** 7                    **No. of Lots Approved:** 7

**Variances Requested:** 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.

**S/D Name Change:**

**OTHER INFORMATION (where applicable)**

**Other Bus./Ord. Amend.:**

**PLANNING COMMISSION ACTION AND DISPOSITION**

**Planner In Charge:** Samiul Haque

**Staff Recomm. (Abbr.):** Approve the concept plan subject to 6 conditions.

**Staff Recomm. (Full):**

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.

**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.

**Action:** Approved with Conditions **Meeting Date:** 3/7/2024

**Details of Action:**

**Summary of Action:** Approve the concept plan subject to 6 conditions.

**Date of Approval:** 3/7/2024

**Date of Denial:**

**Postponements:**

**Date of Withdrawal:**

**Withdrawn prior to publication?:**  **Action Appealed?:**

## **LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:**

**Date of Legislative Action:**

**Date of Legislative Action, Second Reading:**

**Ordinance Number:**

**Other Ordinance Number References:**

**Disposition of Case:**

**Disposition of Case, Second Reading:**

**If "Other":**

**If "Other":**

**Amendments:**

**Amendments:**

**Date of Legislative Appeal:**

**Effective Date of Ordinance:**