

# CASE SUMMARY

APPLICATION TYPE: SUBDIVISION  
CONCEPT PLAN



File Number: 3-SC-23-C                      Related File Number: 3-D-23-DP  
Application Filed: 1/23/2023              Date of Revision:  
Applicant: RICK WILKINSON

## PROPERTY INFORMATION

General Location: East side of Nubbin Ridge Rd, northeast of Penrose Terrace Ln  
Other Parcel Info.:  
Tax ID Number: 145 001                      Jurisdiction: County  
Size of Tract: 8717 square feet  
Accessibility: Access is via Nubbin Ridge Rd., a collector street with a pavement width of 18' within a 40' wide right-of-way.

## GENERAL LAND USE INFORMATION

Existing Land Use: Agriculture/Forestry/Vacant Land  
Surrounding Land Use: Development to the north consists of residential subdivisions zoned PR (Planned Residential). To the east and south of this site are a horse farm and a few dwellings that have been developed on lots that are over 1 acre in size in the A (Agricultural) zone.  
Proposed Use:    Density: 5 du/ac  
Sector Plan: Southwest County              Sector Plan Designation: LDR (Low Density Residential), HP (Hillside Protec  
Growth Policy Plan: Planned Growth Area  
Neighborhood Context:

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

Street: 8502 NUBBIN RIDGE RD  
Location:  
Proposed Street Name:  
Department-Utility Report:  
Reason:

## ZONING INFORMATION (where applicable)

Current Zoning: PR(k) (Planned Residential)  
Former Zoning:  
Requested Zoning:  
Previous Requests:  
Extension of Zone:  
History of Zoning:

## PLAN INFORMATION (where applicable)

Current Plan Category: LDR (Low Density Residential), HP (Hillside Protection)

Requested Plan Category:

**SUBDIVISION INFORMATION (where applicable)**

**Subdivision Name:** Wilkinson Subdivision

**No. of Lots Proposed:** 1                    **No. of Lots Approved:** 0

**Variances Requested:** VARIANCES  
1. Reduce the minimum sight distance from 300 ft to 250 ft looking to the south on Nubbin Ridge Road (Revised 3/8/2023)  
2. Reduce the minimum sight distance from 300 ft to 250 ft looking to the north on Nubbin Ridge Road (Revised 3/8/2023)

ALTERNATIVE DESIGN STANDARDS REQUIRING KNOXVILLE-KNOX COUNTY PLANNING COMMISSION APPROVAL

1. None

ALTERNATIVE DESIGN STANDARDS REQUIRING KNOX COUNTY ENGINEERING AND PUBLIC WORKS APPROVAL

1. None

**S/D Name Change:**

**OTHER INFORMATION (where applicable)**

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

**PLANNING COMMISSION ACTION AND DISPOSITION**

**Planner In Charge:** Mike Reynolds

**Staff Recomm. (Abbr.):** Deny variances 1 & 2 to reduce the minimum sight distance for new lots because it will create a unsafe condition, as recommended by Knox County Engineering and Public Works.

Deny the request to remove condition #1 from the concept plan approval 10-SB-14-C because the site does not have safe access to Nubbin Ridge Road.

**Staff Recomm. (Full):**

**Comments:** Section 3.04.J.6.b. of the Subdivision Regulations requires that any new lot meet the same minimum sight distance as intersections. The minimum sight distance is ten (10) times the posted speed limit, but in no case shall it be less than 250 ft. Nubbin Ridge Road has a speed limit of 30 mph, so the minimum sight distance is 300 ft. The 250 ft minimum sight distance is a standard regardless of the speed limit. A road with a 15 mph speed limit is still required to have a minimum sight distance of 250 ft. If a speed study is performed and it concludes that the average speed is greater than the posted speed limit, then the average speed is used to determine the minimum sight distance. If the average speed on Nubbin Ridge Rd is greater than 30 mph, then the minimum sight distance will be greater than 300 ft. A speed study on Nubbin Ridge Rd is not planned at this time.

The subject site was part of the same property as the Penrose Terrace subdivision on the west side of Nubbin Ridge Rd. During the concept plan review, it was recognized that this remnant piece of land on the east side of Nubbin Ridge Rd is not buildable. Condition #1 states, "Place a note on the final plat that the portion of the site located on the east side of Nubbin Ridge Road is unbuildable unless combined with other property." When the Penrose Terrace subdivision was platted, the subject property was not included on the plat even though it was required because it is less than 5 acres in size. Therefore, the required note was also not added to the plat.

In addition, staff expressed concern with the sight distance for the Penrose Terrace subdivision even though it is better situated being on the outside of the curves to the south and north in Nubbin Ridge Rd. The following is quoted from the concept plan staff report (10-SB-14-C):

"The applicant has had a surveyor perform the necessary work to establish what is believed to be the minimum required sight distance of 300' in each direction at the subdivision entrance. However, staff is still concerned about the proposed entrance to this development. Due to the excessive travel speeds and the curvature of Nubbin Ridge Rd., staff will require the applicant to partially construct the entrance and recheck the sight distance prior to issuing a grading permit for the entire site. Additionally, staff will require the applicant to improve the grade of Road A at the proposed entrance and maintain a line of sight easement across the frontage lots, and will not permit any additional access from this project to Nubbin Ridge Rd."

(UPDATED 3/8/2023) The subject property is on the inside of the curves to the north and south, and does not have frontage through those curves to be able to clear and grade to obtain the minimum 300 ft of sight distance. At the proposed driveway location, the applicants surveyor determined a minimum of 250 ft of sight distance is available in both directions, however, the line of sight does slightly cross over the adjacent properties in both directions. The County can only clear vegetation in the public right-of-way. If the applicant was able to obtain sight distance easements through adjacent properties to clear and grade to increase sight distance, it will be up to the private property owner to ensure those sight lines remain clear of obstruction. This puts the public at risk if it is not properly maintain over time.

(UPDATED 3/8/2023) NOTE: The sight distance provided on the plan must be revised to correct the starting point of the sight distance measurement. The plan has the starting point 16 ft from the edge of the roadway, but it is required to be 15 ft from the edge of the roadway. This will slightly improve the line of sight, but not increase the available sight distance that remains entirely within the right-of-way, and does not require sight distance easements from adjacent property owners.

**Action:** Denied

**Meeting Date:** 3/9/2023

**Details of Action:**

**Summary of Action:**

Deny variances 1 & 2 to reduce the minimum sight distance for new lots because it will create a unsafe condition, as recommended by Knox County Engineering and Public Works.

Deny the request to remove condition #1 from the concept plan approval 10-SB-14-C because the site does not have safe access to Nubbin Ridge Road.

**Date of Approval:**

**Date of Denial:** 3/9/2023

**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:**