



# SUBDIVISION REPORT - CONCEPT/USE ON REVIEW

▶ **FILE #:** 1-SE-19-C  
1-G-19-UR

**AGENDA ITEM #:** 14  
**AGENDA DATE:** 1/10/2019

▶ **SUBDIVISION:** ELITE CONSTRUCTION ON MILLERTOWN PIKE

▶ **APPLICANT/DEVELOPER:** ELITE CONSTRUCTION

**OWNER(S):** Alex Botezat

**TAX IDENTIFICATION:** 51 01802 [View map on KGIS](#)

**JURISDICTION:** County Commission District 8

**STREET ADDRESS:** 8022 Millertown Pike

▶ **LOCATION:** Southeast side of Millertown Pike, southwest of Ely Park Ln.

**SECTOR PLAN:** Northeast County

**GROWTH POLICY PLAN:** Urban Growth Area (Outside City Limits)

**WATERSHED:** Legg Creek

▶ **APPROXIMATE ACREAGE:** 2.32 acres

▶ **ZONING:** PR (Planned Residential)

▶ **EXISTING LAND USE:** Residence and vacant land

▶ **PROPOSED USE:** Detached Residential Subdivision

**SURROUNDING LAND USE AND ZONING:**  
North: Residences - PR (Planned Residential) and A (Agricultural)  
South: Residences - PR (Planned Residential)  
East: Residence - A (Agricultural)  
West: Residences - A (Agricultural)

▶ **NUMBER OF LOTS:** 9

**SURVEYOR/ENGINEER:** Batson, Himes, Norvell & Poe

**ACCESSIBILITY:** Access is via Millertown Pk., a minor arterial street with a pavement width of 20' within a 40' to 60' right-of-way.

▶ **SUBDIVISION VARIANCES REQUIRED:** Variance requiring Planning Commission approval:  
1. Intersection spacing variance between Road A and Ely Park Ln., from 400' to 340'.

**Waiver approved by Knox County Department of Engineering and Public Works:**

1. Intersection grade waiver from 1% to 3%.

## STAFF RECOMMENDATION:

▶ **APPROVE** variance 1 because site location restricts compliance with the Subdivision Regulations and the variance will not create a health or safety hazard.

**APPROVE** the Concept Plan subject to 6 conditions.

1. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
2. Provision of a street name which is consistent with the Uniform Street Naming and Addressing System within Knox County (Ord 91-1-102).
3. Providing certification prior to final plat approval that 400' of sight distance is available in both directions along Millertown Pike at the proposed subdivision street entrance.
4. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
5. Prior to certification of the final plat for the subdivision, establishing a property owners association that will be responsible for the maintenance of the common areas and drainage system.
6. Submitting to Planning Commission staff prior to final plat review by the Planning Commission, the certification of design plan approval form as required by the Knoxville-Knox County Subdivision Regulations.

► **APPROVE the Development Plan for up to 9 detached dwelling units on individual lots and the reduction of the peripheral setback from 35' to 25' as shown on the plan, subject to 1 condition.**

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

With the conditions noted, this plan meets the requirements for approval of a Concept Plan in a PR zoning district and a Use on Review.

**COMMENTS:**

The applicant is proposing to develop this 2.32 acre tract with 9 detached residential lots at a density of 3.88 du/ac. The proposed subdivision will have access to Millertown Pike, a minor arterial street. The property was rezoned to PR (Planned Residential) in 2005 and was originally planned to be a part of the Ely Park Subdivision that is located to the east.

The applicant has requested a reduction of the peripheral setback for this subdivision from 35' to 25' due to the shallow depth of the lots. Staff is supporting the requested reduction as identified on the concept plan.

**EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTY AND THE COMMUNITY AS A WHOLE**

1. The proposed subdivision will have minimal impact on local services since all utilities can be provided to this site.
2. The proposed detached residential subdivision at a density of 3.88 du/ac, is compatible with other development that has occurred in this area.

**CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOX COUNTY ZONING ORDINANCE**

1. With the stated conditions, the proposed detached residential subdivision meets the standards for development within a PR (Planned Residential) Zone and all other requirements of the Zoning Ordinance.
2. The proposed subdivision is consistent with the general standards for uses permitted on review: The proposed development is consistent with the adopted plans and policies of the General Plan and Sector Plan. The use is in harmony with the general purpose and intent of the Zoning Ordinance. The use is compatible with the character of the neighborhood where it is proposed. The use will not significantly injure the value of adjacent property. The use will not draw additional traffic through residential areas since the subdivision has direct access to a minor arterial street.

**CONFORMITY OF THE PROPOSAL TO ADOPTED PLANS**

1. The Northeast County Sector Plan designates this property for low density residential use. At a proposed density of 3.88 du/ac, the subdivision is consistent with the PR zoning approved for the site and with the Sector Plan.
2. The site is located within the Urban Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

ESTIMATED TRAFFIC IMPACT: 113 (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.

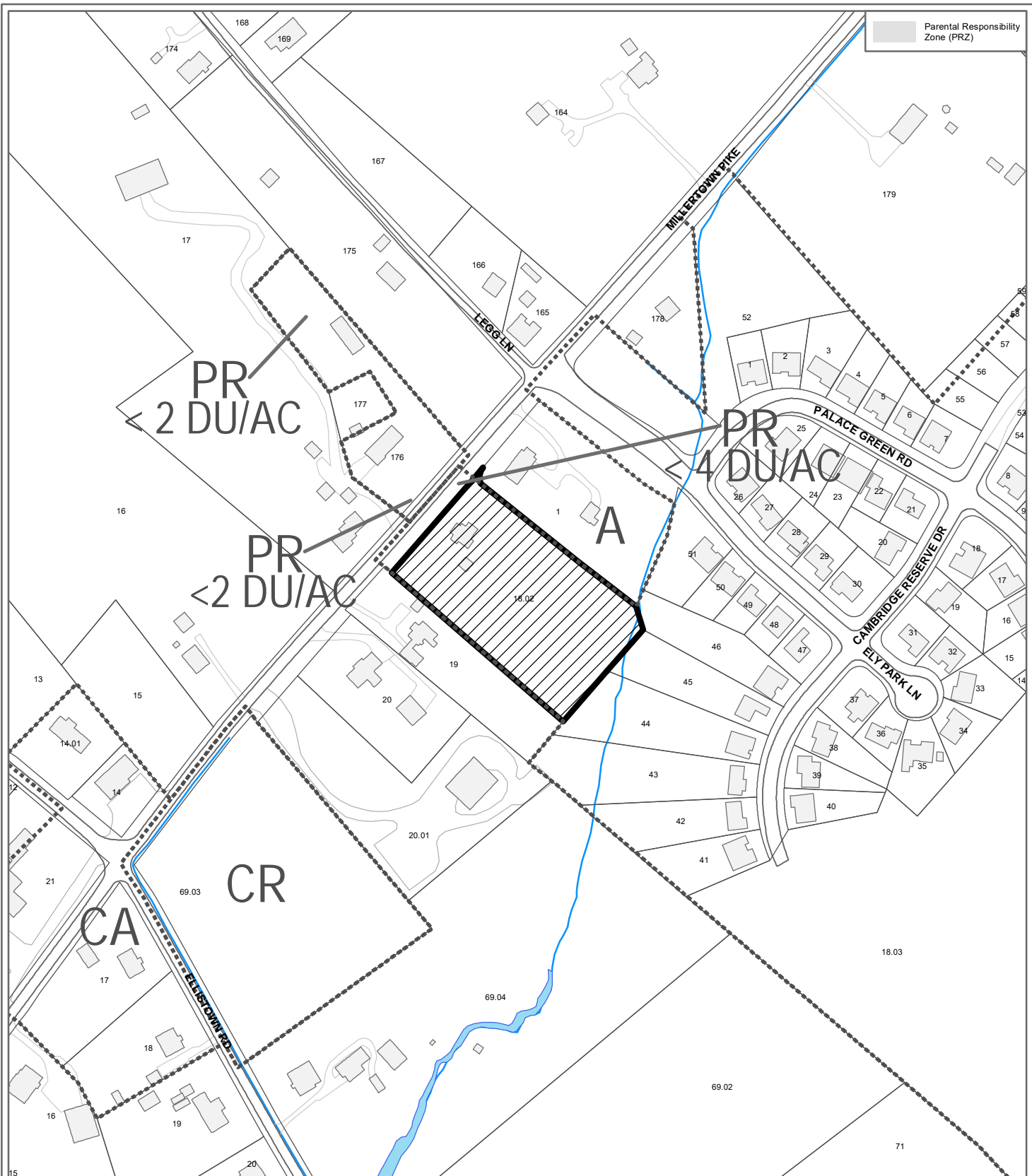
ESTIMATED STUDENT YIELD: 3 (public school children, ages 5-18 years)

Schools affected by this proposal: East Knox County Elementary, Carter Middle, and Carter High.

- School-age population (ages 5–18) is estimated using data from a variety of sources.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. 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.

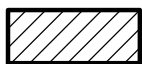
Knoxville-Knox County Planning Commission's approval or denial of this concept plan request is final, unless the action is appealed to Knox County Chancery Court. The date of the Knox County Chancery Court hearing will depend on when the appeal application is filed.

Knoxville-Knox County Planning Commission's approval or denial of this use on review request is final, unless the action is appealed to the Knox County Board of Zoning Appeals. The date of the Knox County Board of Zoning Appeals hearing will depend on when the appeal application is filed.



**1-SE-19-C / 1-G-19-UR  
CONCEPT PLAN/USE ON REVIEW**

Petitioner: Elite Construction  
Elite Construction on Millertown Pike

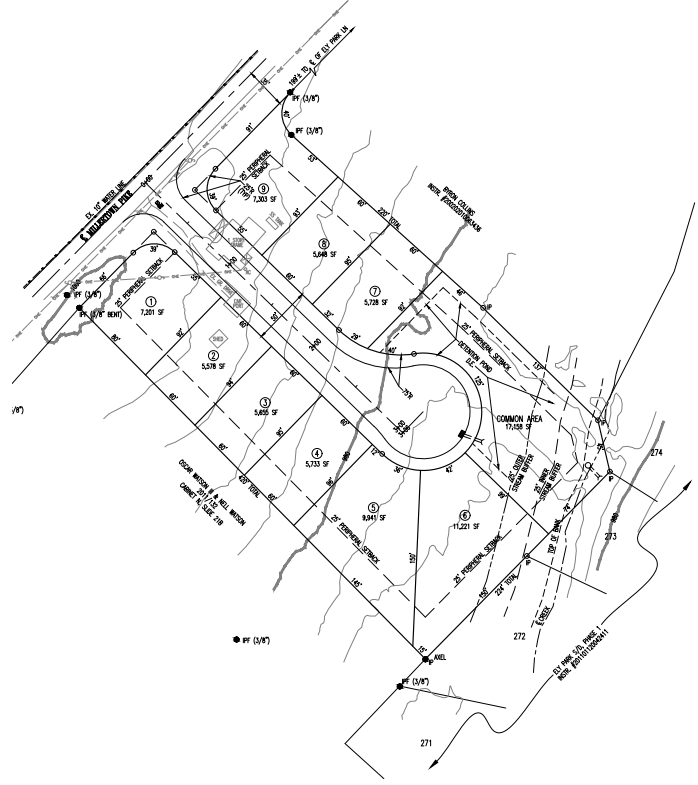
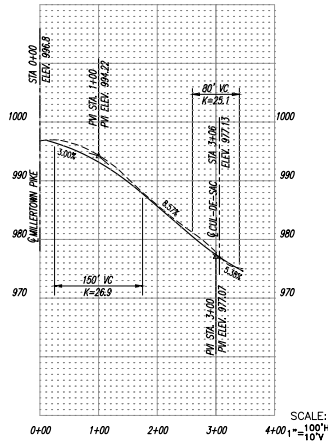
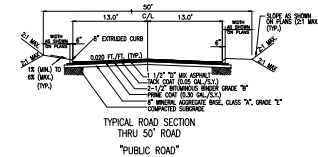
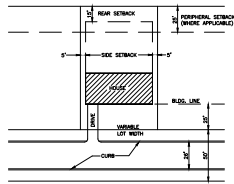


Detached Residential Subdivision in PR (Planned Residential)

Map No: 51  
Jurisdiction: County

Original Print Date: 12/17/2018  
Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

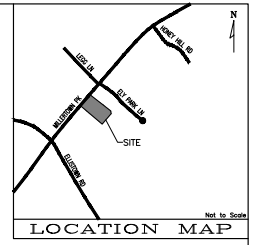




NOTE:  
THREE DAYS PRIOR TO ANY EARTHWORK OR CONSTRUCTION CONTRACTOR MUST CONTACT:  
TENNESSEE ONE-CALL  
1-800-351-1111  
RECORD AND SAVE YOUR CONFIRMATION NUMBER.

NOTE:  
CONTRACTOR IS RESPONSIBLE FOR ALL TRENCH SAFETY  
CONTRACTOR SHALL SHORE AND BRACE ALL OPEN CUT TRENCHES AS REQUIRED BY STATE AND FEDERAL LAWS AND LOCAL ORDINANCES; TO CONFORM WITH RECOMMENDATIONS SET FORTH IN AGC MANUAL OF ACCIDENT PREVENTION IN CONSTRUCTION; TO PROTECT LIFE, PROPERTY, OR WORK; TO AVOID EXCESSIVELY WIDE CUTS IN UNSTABLE MATERIAL.  
OSHA RULES SHALL BE ABIDED BY.

NOTE:  
CONTRACTOR TO NOTIFY ENGINEER BEFORE START OF CONSTRUCTION



- NOTES:
1. BORN PINS FOUND (NOT SHOWN ON PLAN). ALL OTHERS SET BY BIRMAP. UNLESS NOTED OTHERWISE ON PLAN.
  2. 10' UTILITY, DRAINAGE AND CONSTRUCTION EASEMENTS WIDE ALL EXISTING LOT LINES AND ALONG ALL PORTIONS OF UTILITY DRAINAGE AND CONSTRUCTION EASEMENTS ALONG BOTH SIDES OF ALL INTERIOR LOT LINES, PLUS OTHER EASEMENTS OF RECORD.
  3. SANITARY SEWER EASEMENT OF 10', 7.5' EACH SIDE OF SEWER AS REQUIRED (UNLESS OTHERWISE NOTED).
  4. THIS PROPERTY IS ZONED PR.
  5. THIS SUBDIVISION CONTAINS 3.27 ACRES AND IS SUBDIVIDED INTO 9 SINGLE FAMILY DWELLING UNITS, 1 COMMON AREA LOT AND PUBLIC RIGHT-OF-WAY.
  6. BUILDING SETBACK LINES WILL BE AS FOLLOWS:  
FRONT: 30'  
REAR: 10' (UNLESS CONTROLLED BY A 25' PERMANENT SETBACK)  
SIDE: 10'
  7. VARIANCES REQUESTED:  
A. INTERSECTION SIGNING FROM ELV PARK LANE TO ENTRANCE REDUCED FROM 60' TO 30'
  8. UTILITY PROVIDERS:  
WATER: KNOXCOUNTY AND UTILITY DISTRICT  
SEWER: KNOXVILLE UTILITY BOARD  
ELECTRICITY: KNOXVILLE UTILITY BOARD  
GAS: KNOXVILLE UTILITY BOARD  
TELEPHONE: FLETCHER HUBBARD
  9. BOUNDARY SURVEY BY OTHERS  
10. EXISTING GROUND LINE FOR THE ROAD PROFILES SHOWN ON THIS TOPG



CERTIFICATION OF CONCEPT PLAN:  
I HEREBY CERTIFY THAT I AM A REGISTERED ENGINEER, LICENSED TO PROVIDE ENGINEERING SERVICES IN THE STATE OF TENNESSEE. I FURTHER CERTIFY THAT THE PLAN AND ACCOMPANYING EXHIBITS, DOCUMENTS AND SUBMITTALS CONFORM TO ALL APPLICABLE PROVISIONS OF THE KNOX COUNTY SUBDIVISION REGULATIONS EXCEPT AS ANY VARIANCES AND VARIATIONS ARE INDICATED IN A REPORT FILED WITH THE METROPOLITAN PLANNING COMMISSION.

REGISTERED ENGINEER  
TENNESSEE CERTIFICATE NO. \_\_\_\_\_

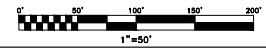
OWNER/DEVELOPER  
ELITE CONSTRUCTION  
C/O ALEXSANDR BOTEZAT  
5101 CAIN RD  
KNOXVILLE, TN 37921  
PHONE: (865) 313-5695

1-G-19-UR  
1-SE-19-C Revised: 12/21/2018

**BATSON, HIMMS, NORVELL & POE**  
REGISTERED ENGINEERS & LAND SURVEYORS  
4334 PAPERMILL DRIVE  
KNOXVILLE, TENNESSEE 37909  
PHONE: (865) 588-6472  
FAX: (865) 588-6473  
email@bhn-p.com

DESIGNED	DBH								
DRAWN	EEG								
CHECKED	DBH	1/12/18/18	REVISED PER MPC COMMENTS	APPR.	NO.	DATE	REVISION	APPR.	

SCALE:  
AS NOTED  
DATE  
11/19/18

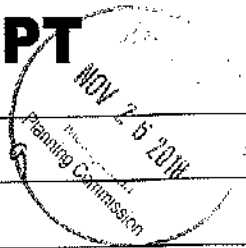


CONCEPT AND DEVELOPMENT PLAN & ROAD PROFILE FOR  
**ELITE CONSTRUCTION ON MILLERTOWN PIKE**  
TAX MAP 51, PARCEL 18.02  
DISTRICT 8, KNOX COUNTY, TN

25142-C  
SHEET 1 OF 1 SHEET(S)  
Q:\25142\25142-C.DWG

Suite 403 • City County Building  
 400 Main Street  
 Knoxville, Tennessee 37902  
 865 • 215 • 2500  
 F A X • 215 • 2068  
 www.knoxmpc.org

# SUBDIVISION - CONCEPT



Name of Applicant: Elite Construction  
 Date Filed: 11/20/11 Meeting Date: 1/10/12  
 Application Accepted by: James Reed  
 Fee Amount: \_\_\_\_\_ File Number: Subdivision - Concept 1-SE-19-C  
 Fee Amount: \$1200.00 Related File Number: Development Plan 1-G-19-UR

**PROPERTY INFORMATION**

Subdivision Name: Elite Construction on Millertown Pike  
 Unit/Phase Number: \_\_\_\_\_  
 General Location: SE side Millertown Pike, SW of Ely Park Lane  
 Tract Size: 2.32 acres No. of Lots: 9  
 Zoning District: PRC4 units/acre  
 Existing Land Use: Rural Residential  
 Planning Sector: Northeast County  
 Growth Policy Plan Designation: Urban Growth  
 Census Tract: 52.02  
 Traffic Zone: 134  
 Parcel ID Number(s): Map 51 Parcel 18.02

Jurisdiction:  City Council \_\_\_\_\_ District  
 County Commission 8th District

**AVAILABILITY OF UTILITIES**

List utility districts proposed to serve this subdivision:  
 Sewer Knoxville Utilities Board  
 Water Northeast Knox Utility District  
 Electricity Knoxville Utilities Board  
 Gas N/A  
 Telephone ATT Southeast

**TRAFFIC IMPACT STUDY REQUIRED**

No  Yes

**USE ON REVIEW**  No  Yes

Approval Requested:  
 Development Plans in Planned District or Zone  
 Other (be specific): \_\_\_\_\_

**VARIANCE(S) REQUESTED**

No  Yes (If Yes, see reverse side of this form)

**PROPERTY OWNER/OPTION HOLDER**

PLEASE PRINT  
 Name: Aleksandr Poterat  
 Company: Elite Construction  
 Address: 5101 Cain Rd  
 City: Knoxville State: TN Zip: 37921  
 Telephone: 313-5695  
 Fax: \_\_\_\_\_  
 E-mail: alexpoterat@gmail.com

**PROJECT SURVEYOR/ENGINEER**

PLEASE PRINT  
 Name: David Harbin  
 Company: Batson Himes Norvell & Poe  
 Address: 4334 Papermill Dr.  
 City: Knoxville State: TN Zip: 37909  
 Telephone: 588-6472  
 Fax: 588-6473  
 E-mail: harbin@bhn-p.com

**APPLICATION CORRESPONDENCE**

All correspondence relating to this application (including plat corrections) should be directed to:

PLEASE PRINT  
 Name: David Harbin  
 Company: Batson Himes Norvell & Poe  
 Address: 4334 Papermill Dr.  
 City: Knoxville State: TN Zip: 37909  
 Telephone: 588-6472  
 Fax: 588-6473  
 E-mail: harbin@bhn-p.com

## VARIANCES REQUESTED

1. \_\_\_\_\_  
Justify variance by indicating hardship: \_\_\_\_\_  
\_\_\_\_\_

2. \_\_\_\_\_  
Justify variance by indicating hardship: \_\_\_\_\_  
\_\_\_\_\_

3. \_\_\_\_\_  
Justify variance by indicating hardship: \_\_\_\_\_  
\_\_\_\_\_

4. \_\_\_\_\_  
Justify variance by indicating hardship: \_\_\_\_\_  
\_\_\_\_\_

5. \_\_\_\_\_  
Justify variance by indicating hardship: \_\_\_\_\_  
\_\_\_\_\_

6. \_\_\_\_\_  
Justify variance by indicating hardship: \_\_\_\_\_  
\_\_\_\_\_

7. \_\_\_\_\_  
Justify variance by indicating hardship: \_\_\_\_\_  
\_\_\_\_\_

## APPLICATION AUTHORIZATION

I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, as listed on this form. I further certify that any and all variances needed to meet 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. I hereby waive the requirement for approval or disapproval of the plat within sixty (60) days after its submission, in accordance with the provisions of Tennessee Code Annotated 13-3-404.

Signature: David Harbin

Date: 11/26/18

PLEASE PRINT

Name: David Harbin

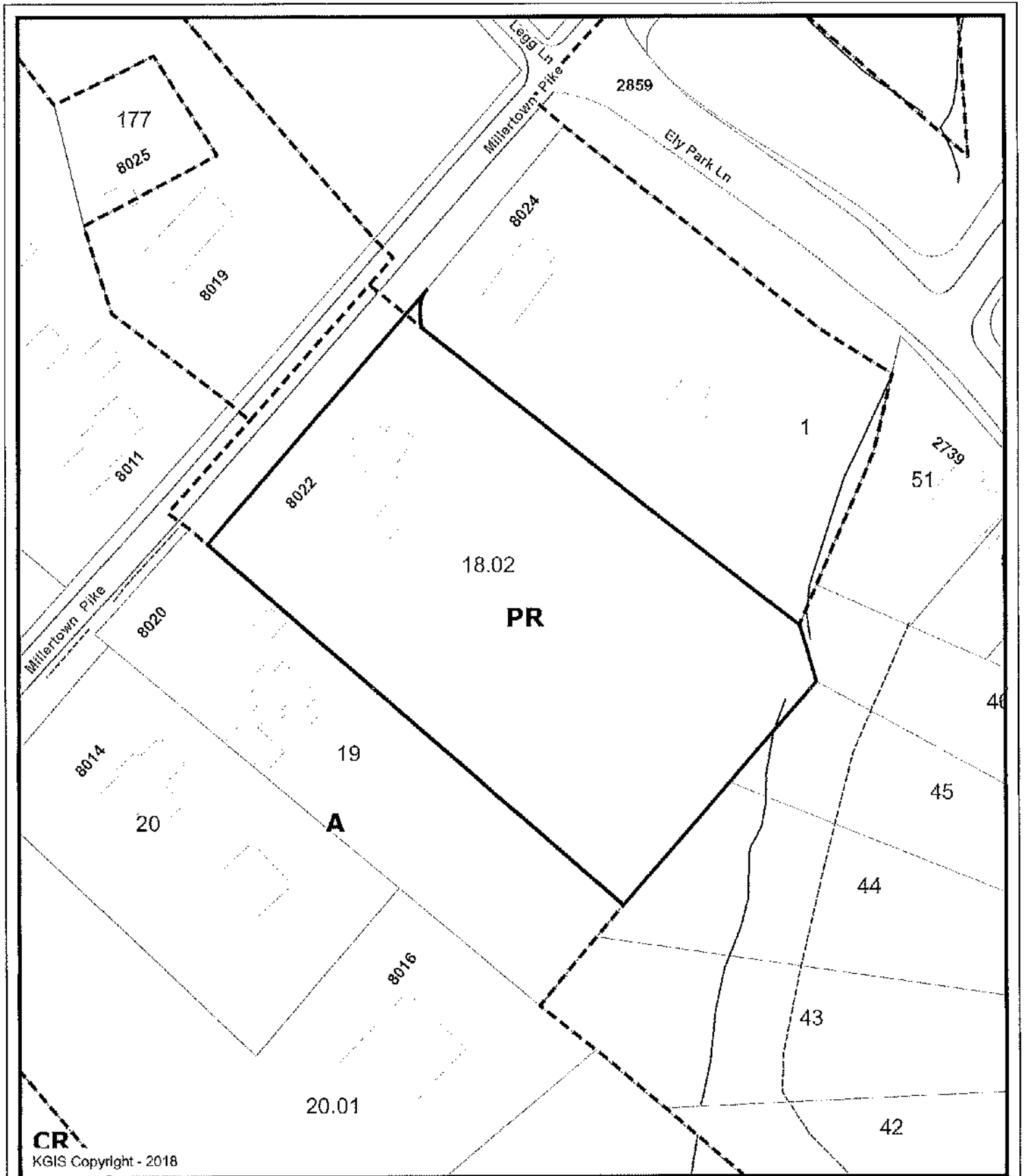
Address: 4334 Papermill Drive

City: Knoxville State: TN Zip: 37909

Telephone: 588-6472

Fax: 588-6473

E-mail: harbin@bhn-p.com



**CR**  
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Letter Portrait

Knoxville - Knox County - KUB Geographic Information System

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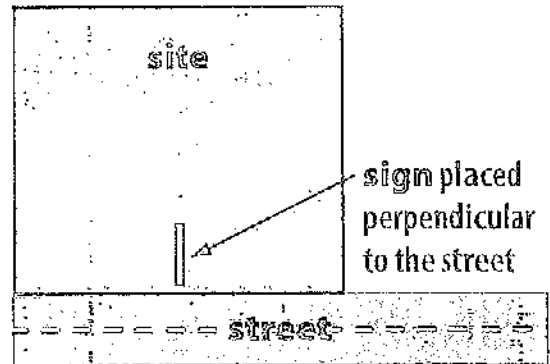
## REQUIRED SIGN POSTING AGREEMENT

For all rezoning, plan amendment, concept plan, use on review, right-of-way closure, and street name change applications, a sign must be posted on the subject property, consistent with the adopted MPC Administrative Rules and Procedures.

At the time of application, MPC staff will provide a sign(s) to post on the property as part of the application process. If the sign(s) go missing for any reason and need to be replaced, then the applicant will be responsible for picking up a new sign(s) from the MPC offices. The applicant will be charged a fee of \$10 for each replacement sign.

### LOCATION AND VISIBILITY

The sign must be posted in a location that is clearly visible from vehicles traveling in either direction on the nearest adjacent/frontage street. If the property has more than one street frontage, then the sign should be placed along the street that carries more traffic. MPC staff may recommend a preferred location for the sign to be posted at the time of application.



### TIMING

The sign(s) must be posted 15 days before the scheduled MPC 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 15 days before the next MPC meeting.

I hereby agree to post and remove the sign(s) provided on the subject property consistent with the above guidelines and between the dates of:

December 26, 2018 and January 11, 2019  
(15 days before the MPC meeting) (the day after the MPC meeting)

Signature: Katy Patterson

Printed Name: KATY PATTERSON

Phone: 866-588-6472 Email: kpatterson@khr-p.com

Date: 11/26/18

MPC File Number: 1-SE-19-C/1-G-19-UR