



SPECIAL USE REPORT

▶ **FILE #:** 3-H-20-SU **AGENDA ITEM #:** 37
POSTPONEMENT(S): 3/12/2020 - 4/9/2020 **AGENDA DATE:** 5/14/2020
▶ **APPLICANT:** J.A. MURPHY GROUP, LLC
OWNER(S): J.A. Murphy Group, LLC

TAX ID NUMBER: 106 J A 40 [View map on KGIS](#)
JURISDICTION: City Council District 3
STREET ADDRESS: 7805 Middlebrook Pk.
▶ **LOCATION:** North side of Middlebrook Pk., east of Webster Groves In.
▶ **APPX. SIZE OF TRACT:** 5.83 acres
SECTOR PLAN: Northwest County
GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)
ACCESSIBILITY: Access is via Middlebrook Pike, a major arterial street with four lanes and a center median within 130' of right-of-way.
UTILITIES: Water Source: Knoxville Utilities Board
Sewer Source: Knoxville Utilities Board
WATERSHED: Ten Mile Creek

▶ **ZONING:** RN-3 (General Residential Neighborhood) / HP (Hillside Protection Overlay)
▶ **EXISTING LAND USE:** Vacant
▶ **PROPOSED USE:** 36 attached residential dwelling units
6.25 du/ac
HISTORY OF ZONING: As of January 2020, the zoning changed from RP-1 < 5 du/ac to RN-3/HP.
SURROUNDING LAND USE AND ZONING: North: Attached houses / RN-3 (General Residential Neighborhood)/PD (Planned Development)
South: Vacant land, Church / RN-1 (Single Family Residential Neighborhood)
East: Attached houses / RN-3 (General Residential Neighborhood)/PD (Planned Development)
West: Attached houses / RN-3 (General Residential Neighborhood)/HP (Hillside Protection)/PD (Planned Development)
NEIGHBORHOOD CONTEXT: This area is developed with detached and attached houses, independent living, and church uses under RN-1, RN-2 and RN-3 zoning.

STAFF RECOMMENDATION:

▶ **WITHDRAW** the application as requested by the applicant.

COMMENTS:

This proposal is for 36 attached dwelling units (revised from 43 dwelling units) in the RN-3 zone which requires Special Use approval by the Planning Commission. The access to the site will be from Middlebrook Pike, directly across from the Broome Road intersection. The 5.83 acre property has 2.21 acres within the HP (Hillside Protection) overlay. Based on the slope classifications within the HP overlay, only 1.21 acres of the HP overlay can be disturbed. If the applicant proposes additional disturbance within the HP overlay, it must be approved by the Planning Commission as part of this application. The maximum number of dwelling units allowed is 61 based on the HP overlay standards, which is reduced from 83 units assuming the HP overlay was not on the site.

ESTIMATED TRAFFIC IMPACT: 381 (average daily vehicle trips)

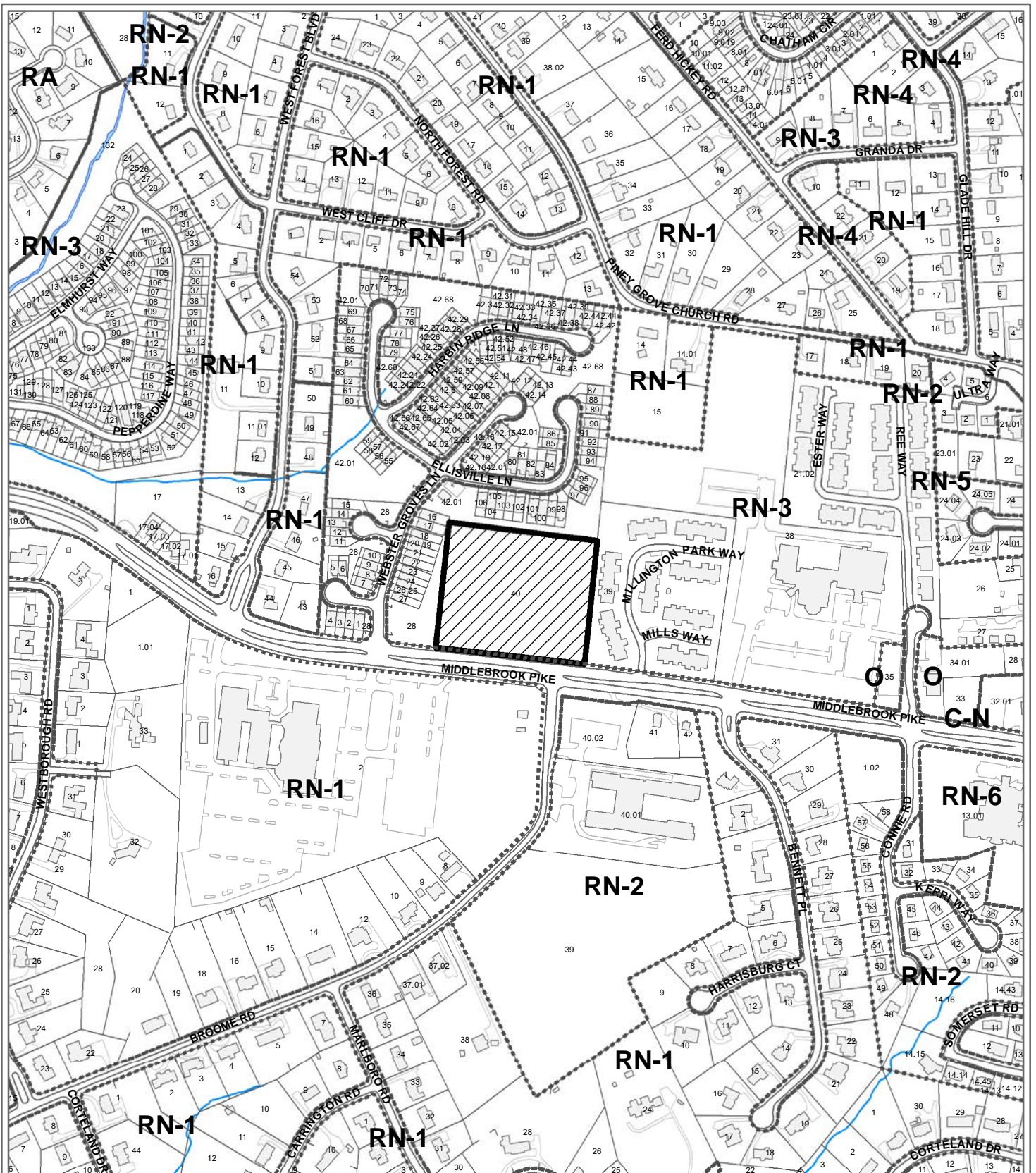
Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate 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, grades K-12)

Schools affected by this proposal: West Hills Elementary, Bearden Middle, and Bearden High.

- Potential new school population is estimated using locally-derived data on public school student yield generated by new housing.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Students may request transfers to different zones, and 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.

The Planning Commission's approval or denial of this request is final, unless the action is appealed to the Knoxville City Council. The date of the Knoxville City Council hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal a Planning Commission decision in the City.



**3-H-20-SU
Special Use**

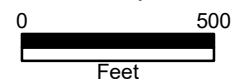


43 attached residential dwelling units in RN-3 (General Residential Neighborhood) / HP (Hillside Protection Overlay)

Petitioner: J.A. Murphy Group, LLC

Map No: 106

Jurisdiction: City



Original Print Date: 2/18/2020

Revised:

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

BATSON, HIMES, NORVELL & POE
REGISTERED ENGINEERS AND LAND SURVEYORS
4334 Papermill Road
Knoxville, Tennessee 37909
Phone (865) 588-6472
Fax (865) 588-6473

April 27, 2020



Mike Reynolds
Knoxville Knox County Planning

Dear Mr. Reynolds:

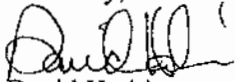
We request the following at the May 14, 2020 Knoxville Knox County Planning Commission meeting:

- WITHDRAW consideration of the special use for "Murphy Development on Middlebrook Pike" (3-H-20-SU)

Please call if you have any questions.



Sincerely,


David Harbin

WITHDRAWAL REQUEST

File #: 3-H-20-SU

Meeting Date: 5-14-2020

BATSON, HIMES, NORVELL & POE

REGISTERED ENGINEERS AND LAND SURVEYORS

4334 Papermill Road

Knoxville, Tennessee 37909

Phone (865) 588-6472

Fax (865) 588-6473



Planning

KNOXVILLE | KNOX COUNTY

March 31, 2020

POSTPONEMENT REQUEST: 30 DAYS

Mike Reynolds
Knoxville Knox County Planning

File #: 3-H-20-SU

Meeting Date: 4.9.2020

Dear Mr. Reynolds:

We request the following at the April 9, 2020 Knoxville Knox County Planning Commission meeting:

Postpone consideration of the use on review for Murphy Development on Middlebrook Pike (3-H-20-SU) until the May 14, 2020 meeting.

A check for \$50 will be mailed for the postponement fee.

Please call if you have any questions.

Sincerely,

David Harbin

BATSON, HIMES, NORVELL & POE

REGISTERED ENGINEERS AND LAND SURVEYORS

4334 Papermill Road

Knoxville, Tennessee 37909

Phone (865) 588-6472

Fax (865) 588-6473



AUTOMATIC POSTPONEMENTS: 30 DAYS

File #: 3-H-20-SU

Meeting Date: March 12, 2020

February 25, 2020

Mike Reynolds
Knoxville Knox County Planning

Dear Mr. Reynolds:

We request the following at the March 12, 2020 Knoxville Knox County Planning Commission meeting:

Postpone consideration of the use on review for Murphy Development on Middlebrook Pike (3-H-20-SU) until the April 9, 2020 meeting.

A check for \$50 has been delivered for the fee.

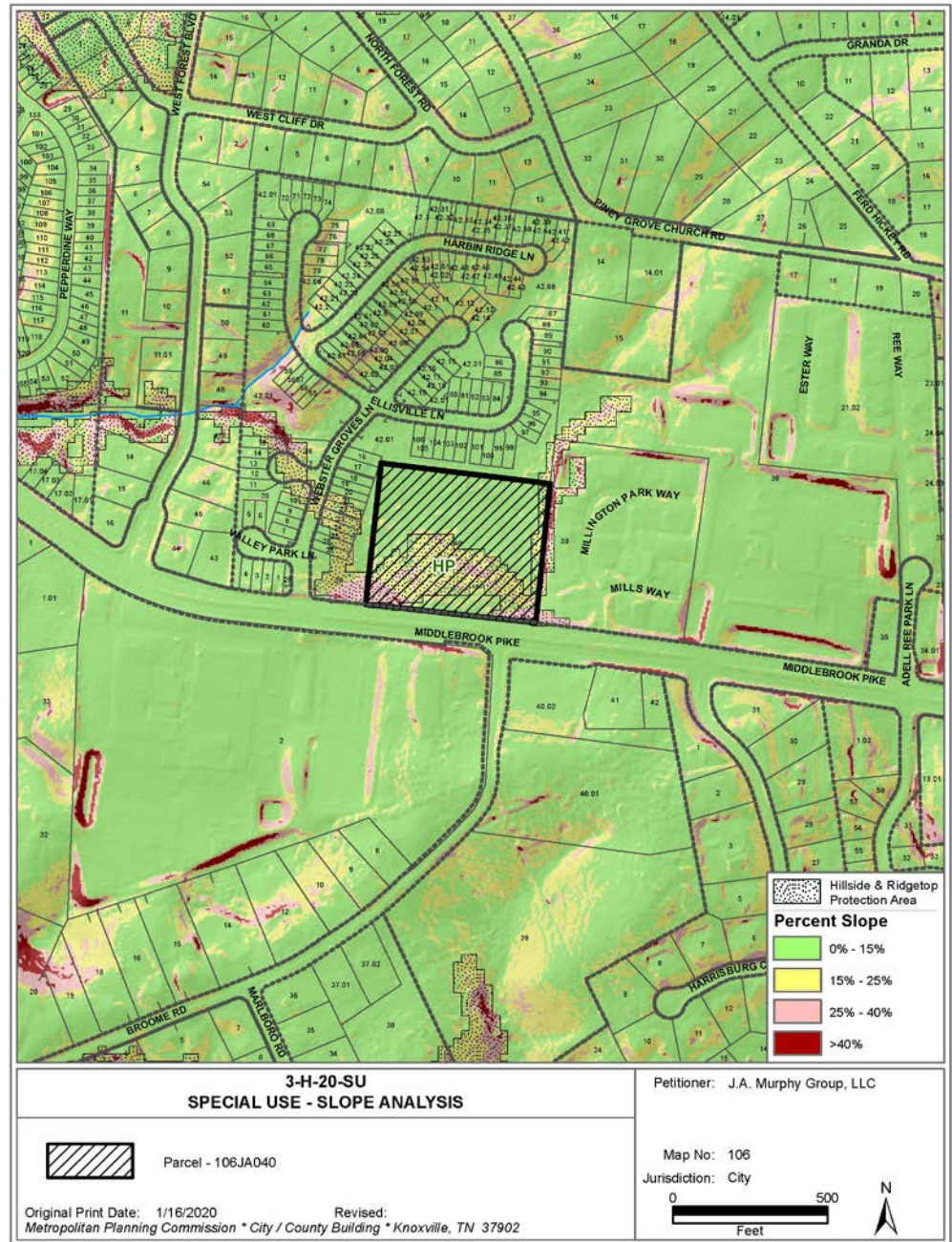
Please call if you have any questions.

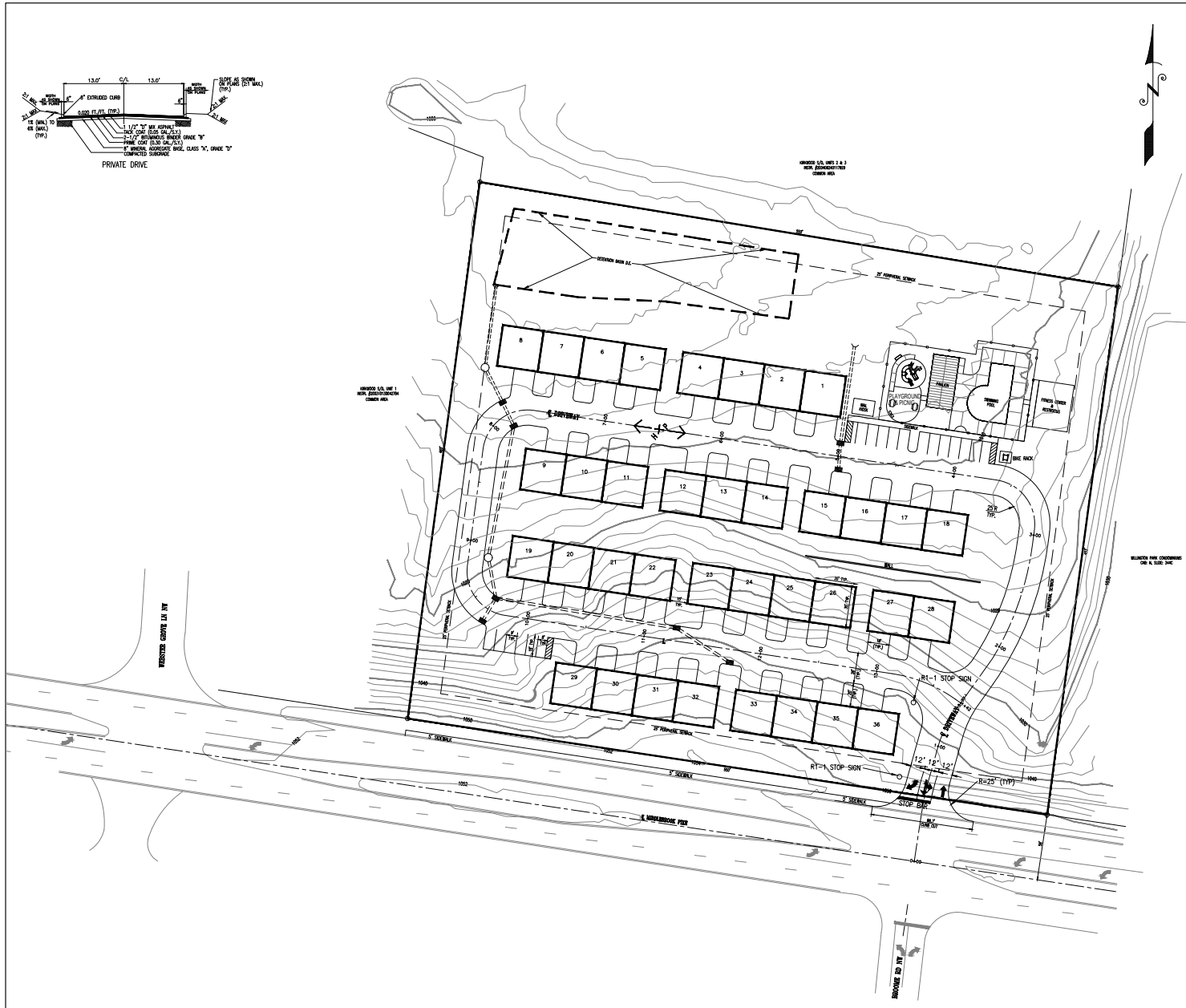
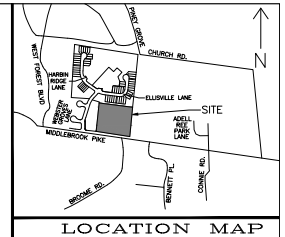
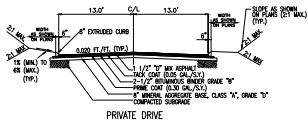
Sincerely,

A handwritten signature in blue ink, appearing to read 'David Harbin', is written over the word 'Sincerely,'.

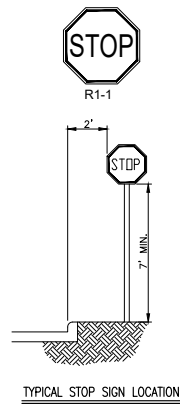
David Harbin

CATEGORY	ACRES	DENSITY (Dwelling Units / Acre)	NUMBER OF UNITS	DISTURBANCE w/in HP Overlay	TOTAL DISTURBANCE w/in HP Overlay (Acres)
Non-Hillside	3.61	14.35	51.8	N/A	N/A
0-15% Slope	0.48	14.35	6.9	100%	0.48
15-25% Slope	1.28	2.00	2.6	50%	0.64
25-40% Slope	0.43	0.50	0.2	20%	0.09
Greater than 40% Slope	0.02	0.20	0.0	10%	0.00
Ridgetops	0	5.00	0.0		
Subtotal: Hillside Area	2.21		9.7		1.21
Total	5.82	10.56	61.5		1.21





- NOTES:
1. ALL DIMENSIONS ARE SCALED AND SUBJECT TO CHANGE ON THE FINAL PLAN.
 2. A 10' DRAINAGE, UTILITY AND CONSTRUCTION EASEMENT EXISTS INSIDE ALL EXTERIOR LOT LINES AND ROAD LINES, 5' EACH SIDE OF INTERIOR ROAD LINES.
 3. A 10' UTILITY EASEMENT EXISTS 7.5' EACH SIDE OF CENTERLINE OF SANITARY SEWER AS INSTALLED.
 4. THIS PROPERTY CONTAINS APPROXIMATELY 5.8 ACRES OF 36 DWELLING UNITS.
 5. THIS PROPERTY IS ZONED RN-3
 6. ALL ROAD PROFILES ARE BASED ON KNOXVILLE/KNOX COUNTY GIS CONTOURS.
 7. UTILITIES:
 - WATER: KNOXVILLE UTILITIES BOARD
 - SEWER: KNOXVILLE UTILITIES BOARD
 - ELECTRIC: KNOXVILLE UTILITIES BOARD
 - LAND: KNOXVILLE UTILITIES BOARD
 - TELEPHONE: BELLSOUTH
 8. BOUNDARY SURVEY BY OTHERS.
 9. GEOTECHNICAL ENGINEER SHALL CERTIFY THE SLOPE STABILITY ON ALL FILL SLOPES.
 10. TOTAL SITE AREA OF THIS PROPERTY IS 6.34 ACRES. THE PROPOSED IMPERVIOUS AREA IS 2.45 ACRES. THE TOTAL DISTURBED AREA IS 4.30 ACRES.
 11. THE HILLSIDE PROTECTION AREA WITHIN THE DISTURBED AREA IS 1.81 ACRES.
 12. EACH NEW UNIT HAS ITS OWN PARKING. THIS CONSISTS OF 32 UNITS @ 2 SPACES PER UNIT = 64 SPACES. THERE ARE 16 ADDITIONAL PARKING SPACES, 3 ADA PARKING SPACES, AND ONE BIKE RACK.



3-H-20-SU
Revised: 3/23/2020

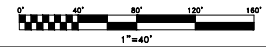


DEVELOPER
J.A. MURPHY GROUP, LLC
6514 DEANE HILL DR.
KNOXVILLE, TN 37919
PHONE: (865) 558-0877

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

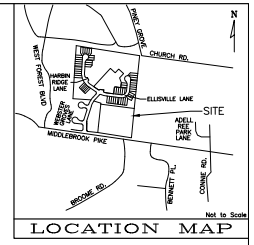
DESIGNED	DBH	NO.	DATE	REVISION	APPR.	NO.	DATE	REVISION	APPR.
DRAWN	EEG								
CHECKED	DBH	1	03/12/20	KKCP COMMENTS					

SCALE
1" = 40'
DATE
1/23/2020



SITE PLAN FOR
MURPHY GROUP-MIDDLEBROOK PIKE
TAX MAP 106JA, PARCEL 40
DISTRICT #6, KNOX COUNTY, TENNESSEE
CITY BLOCK 46730, 46TH WARD, CITY OF KNOXVILLE

25224-C
SHEET 1 OF 3 SHEET(S)
G:\25224\25224.DWG



- NOTES:
1. ALL DIMENSIONS ARE SCALED AND SUBJECT TO CHANGE ON THE FINAL PLAN.
 2. A 10' SPACING UTILITY AND CONSTRUCTION EASEMENT EXISTS INSIDE ALL EXTERIOR LOT LINES AND ROAD LINES, 5' EACH SIDE OF INTERIOR ROAD LINES.
 3. A 15' UTILITY EASEMENT EXISTS 7.5' EACH SIDE OF CENTERLINE OF SANITARY SEWER AS INSTALLED.
 4. THIS PROPERTY CONTAINS APPROXIMATELY 5.8 ACRES OF 36 DWELLING UNITS.
 5. THIS PROPERTY IS ZONED R4-3.
 6. ALL ROAD PROFILES ARE BASED ON KNOXVILLE/KNOX COUNTY GIS CONTOURS.
 7. UTILITIES:
 NOTES: KNOXVILLE UTILITIES BOARD
 SEWER: KNOXVILLE UTILITIES BOARD
 ELECTRIC: KNOXVILLE UTILITIES BOARD
 GAS: KNOXVILLE UTILITIES BOARD
 TELEPHONE: BELLSOUTH
 8. BOUNDARY SURVEY BY OTHERS.
 9. GEOTECHNICAL ENGINEER SHALL CERTIFY THE SLOPE STABILITY ON ALL FILL SLOPES.
 10. TOTAL SITE AREA OF THIS PROPERTY IS 5.74 ACRES. THE PROPOSED IMPERVIOUS AREA IS 2.40 ACRES. THE TOTAL DISTURBED AREA IS 4.50 ACRES.
 11. THE HILLSIDE PROTECTION AREA CONSISTS OF 3.21 ACRES. THE AREA OF DISTURBANCE WITHIN THE HILLSIDE PROTECTION AREA IS 1.81 ACRES (55%).
 12. EACH NEW UNIT HAS ITS OWN PARKING. THIS CONSISTS OF 32 UNITS @ 2 SPACES PER UNIT = 64 SPACES. THERE ARE 16 ADDITIONAL PARKING SPACES, 3 ADA PARKING SPACES, AND ONE BIKING RACK.

3-H-20-SU
 Revised: 3/23/2020



DEVELOPER
J.A. MURPHY GROUP, LLC
 6514 DEANE HILL DR.
 KNOXVILLE, TN 37919
 PHONE: (865) 588-0577

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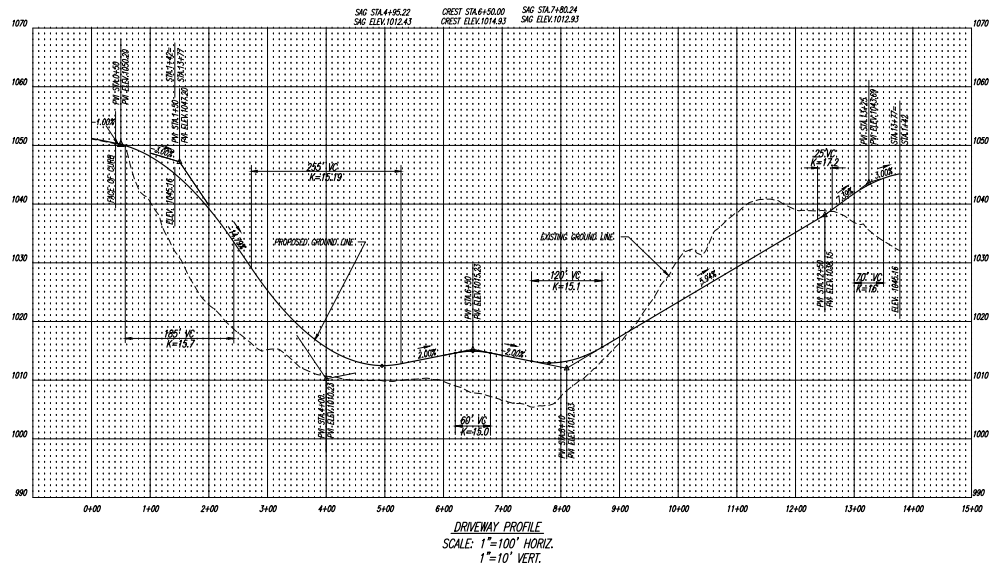
DESIGNED	DBH								
DRAWN	EEG								
CHECKED	DBH	1	03/12/20						

SCALE
 HORIZONTAL: 1" = 30'
 VERTICAL: 2" INTERVAL

DATE
 01/23/2020

GRADING & DRAINAGE PLAN FOR
MURPHY GROUP-MIDDLEBROOK PIKE
 TAX MAP 106JA PARCEL 40
 DISTRICT #6, KNOX COUNTY, TENNESSEE
 CITY BLOCK 46730, 46TH WARD, CITY OF KNOXVILLE

25224-GP
 SHEET 3 OF 3 SHEET(S)
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3-H-20-SU
 Revised: 3/23/2020



DEVELOPER
J.A. MURPHY GROUP, LLC
 8514 DEANE HILL DR.
 KNOXVILLE, TN 37919
 PHONE: (865) 558-0577

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 FAX: (865) 588-6473
 email@bhn-p.com

DESIGNED	DBH																			
DRAWN	EEG																			
CHECKED	DBH	1	03/12/20																	
		NO.	DATE	REVISION	APPR.	NO.	DATE	REVISION	APPR.											

SCALE	HORIZONTAL: 1"= 100'
	VERTICAL: 1"=10'
DATE	1/23/20

ROAD PROFILE FOR
MURPHY GROUP-MIDDLEBROOK PIKE
 TAX MAP 106JA, PARCEL 40
 DISTRICT #6, KNOX COUNTY, TENNESSEE
 CITY BLOCK 46730, 46TH WARD, CITY OF KNOXVILLE

25224-RP
 SHEET 2 OF 3 SHEET(S)
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MR



DEVELOPMENT REQUEST



DEVELOPMENT

- Development Plan
- Planned Development
- Use on Review / Special Use

SUBDIVISION

- Concept Plan
- Final Plat

ZONING

- Plan Amendment
- Rezoning

i.a. J.A. Murphy Group, LLC
 Applicant Name Affiliation

1/27/2020 3/12/20 @ 1:30 p.m. ~~3-H-20-UR~~ SU
 Date Filed Meeting Date (if applicable) File Numbers(s)

CORRESPONDENCE

All correspondence related to this application should be directed to the approved contact listed below.

- Applicant
- Owner
- Option Holder
- Project Surveyor
- Engineer
- Architect/Landscape Architect

David Harbin Batson, Himes, Norvell & Poe
 Name Company

4334 Papermill Drive Knoxville TN 37909
 Address City State Zip

865-588-6472 harbin@bhn-p.com
 Phone Email

CURRENT PROPERTY INFO

J.A. Murphy Group, LLC 6514 Deane Hill Drive 865-558-0577
 Owner Name (if different) Owner Address Knoxville 37919 Owner Phone

7805 Middlebrook Pike map 106J group A parcel 40
 Property Address Parcel ID

N. side of Middlebrook Pike, E of Webster 5.83 ac
 General Location Groves Ln. Tract Size

3 RN-3
 Jurisdiction (specify district above) City County Zoning District

Northwest County LDR N/A
 Planning Sector Sector Plan Land Use Classification Growth Policy Plan Designation

RR / vacant N KVB KVB
 Existing Land Use Septic (Y/N) Sewer Provider Water Provider

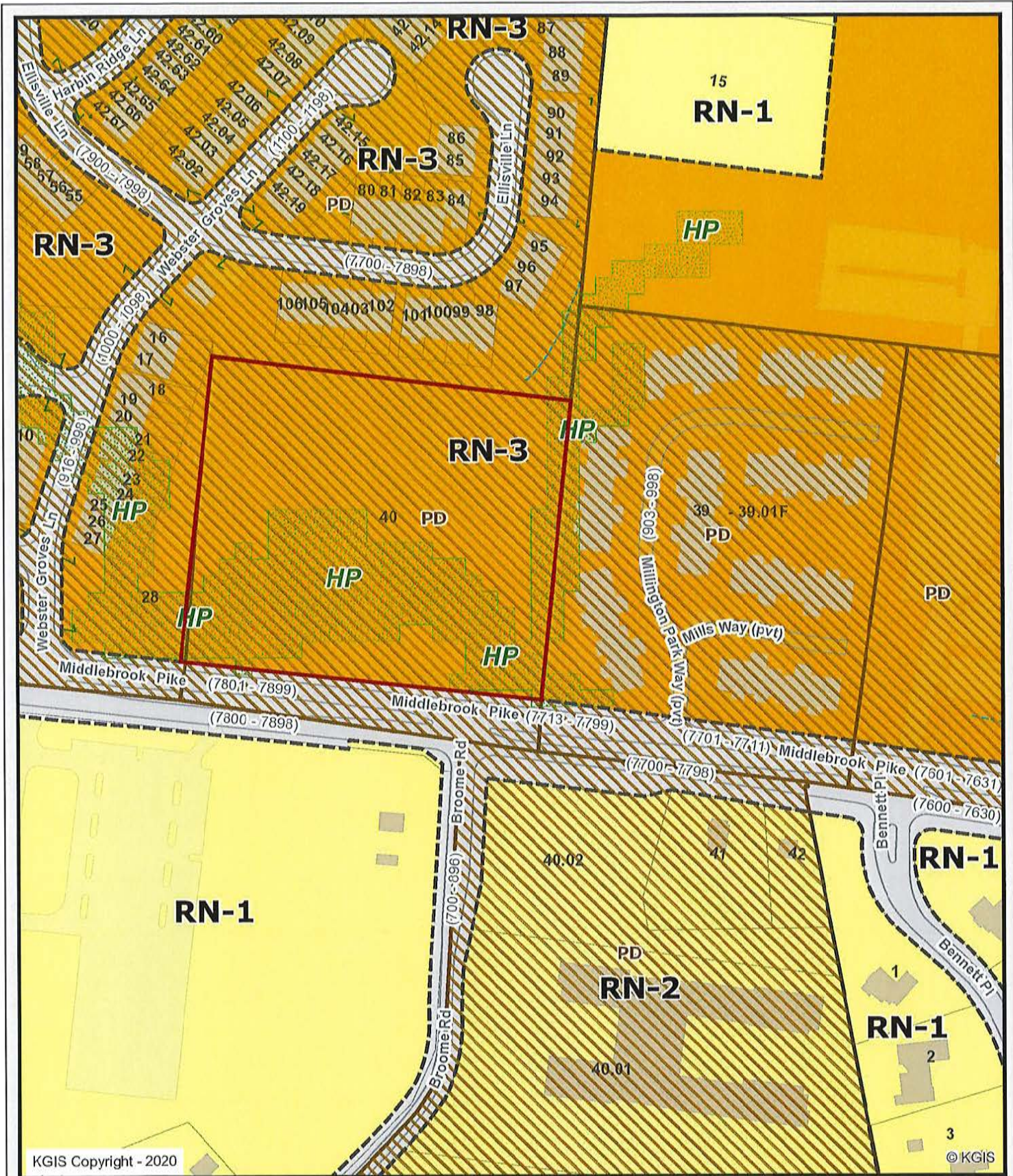
REQUEST

DEVELOPMENT	<input type="checkbox"/> Development Plan <input checked="" type="checkbox"/> Use on Review / Special Use <input type="checkbox"/> Residential <input type="checkbox"/> Non-Residential		
	<input type="checkbox"/> Home Occupation (specify): _____ <input checked="" type="checkbox"/> Other (specify): <u>Townhomes</u>		
SUBDIVISION	<input type="checkbox"/> Proposed Subdivision Name _____		Unit / Phase Number _____
	<input type="checkbox"/> Parcel Change <input type="checkbox"/> Combine Parcels <input type="checkbox"/> Divide Parcel Total Number of Lots Created: _____		
	<input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Attachments / Additional Requirements _____		
ZONING	<input type="checkbox"/> Zoning Change: _____ Proposed Zoning _____		
	<input type="checkbox"/> Plan Amendment Change: _____ Proposed Plan Designation(s) _____		
	<input type="checkbox"/> Proposed Property Use (specify) _____		Proposed Density (units/acre) _____ Previous Rezoning Requests _____
<input type="checkbox"/> Other (specify): _____			

STAFF USE ONLY	PLAT TYPE <input type="checkbox"/> Staff Review <input type="checkbox"/> Planning Commission	FEE 1:	TOTAL:
	ATTACHMENTS <input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request	FEE 2:	
	ADDITIONAL REQUIREMENTS <input type="checkbox"/> Design Plan Certification (Final Plat only) <input type="checkbox"/> Use on Review / Special Use (Concept Plan only) <input type="checkbox"/> Traffic Impact Study	FEE 3:	
			1200.00

AUTHORIZATION By signing below, I certify I am the property owner, applicant or the owners authorized representative.

<u>David Harbin</u> Applicant Signature	<u>David Harbin</u> Please Print	<u>1/27/2020</u> Date
<u>865-988-6472</u> Phone Number	<u>harbin@bhn-p.com</u> Email	
<u>[Signature]</u> Staff Signature	<u>Marc Payne</u> Please Print	<u>1/27/20</u> Date

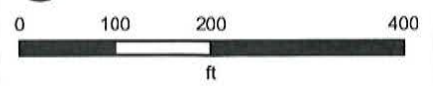


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Letter Portrait

Printed: 1/27/2020 at 3:04:50 PM



Knoxville - Knox County - KUB Geographic Information System

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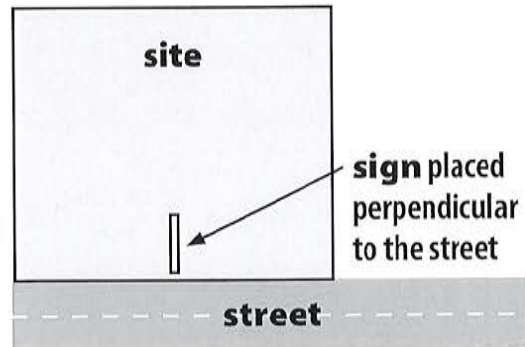
REQUIRED SIGN POSTING AGREEMENT

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 Administrative Rules and Procedures.

At the time of application, 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 Planning 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. 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 15 days before 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 15 days before the next Planning Commission 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:

2/26/20 and 3/13/20
 (15 days before the Planning Commission meeting) (the day after the Planning Commission meeting)

Signature: Kaity Patterson

Printed Name: Kaity Patterson

Phone: 865-588-6472 Email: kpatterson@bhn-p.com

Date: 1/27/20

File Number: 3-H-20-LR