



# SUBDIVISION REPORT - CONCEPT/USE ON REVIEW

► FILE #:

10-SB-21-C

AGENDA ITEM #:

22

10-D-21-UR

AGENDA DATE:

11/10/2021

POSTPONEMENT(S):

10/14/2021

► SUBDIVISION:

JENKINS BUILDERS - MURPHY ROAD

► APPLICANT/DEVELOPER:

JENKINS BUILDERS INC.

OWNER(S):

Jenkins Builders, Inc.

TAX IDENTIFICATION:

49 67.01

View map on KGIS

JURISDICTION:

County Commission District 8

STREET ADDRESS:

0 Old Tazewell Pk.

► LOCATION:

South side of Old Tazewell Pike, east side of Murphy Road

SECTOR PLAN:

North City

GROWTH POLICY PLAN:

Rural Area

WATERSHED:

Whites Creek

► APPROXIMATE ACREAGE:

8.7 acres

► ZONING:

PR (Planned Residential)

► EXISTING LAND USE:

Vacant land

► PROPOSED USE:

Detached residential subdivision

SURROUNDING LAND  
USE AND ZONING:

North: Church and residences -- A (Agricultural) and PR (Planned Residential)  
South: Murphy Road and residences -- A (Agricultural)  
East: Residences -- PR (Planned Residential)  
West: Old Tazewell Pike, residences, and vacant land -- A (Agricultural) and RA (Low Density Residential)

► NUMBER OF LOTS:

25

SURVEYOR/ENGINEER:

David Harbin / Batson, Himes, Norvell & Poe

ACCESSIBILITY:

Access is via Old Tazewell Pike, a local street with 15-ft pavement width within 50-ft of right-of-way, and via Murphy Road, a major collector with a 36-ft pavement width within 70-ft of right-of-way.

► SUBDIVISION VARIANCES  
REQUIRED:

VARIANCES:  
1. Reduce the minimum intersection spacing from the centerline of the existing Old Tazewell Pike to the realigned Old Tazewell Pike intersection, from 300-ft to approximately 195-ft. {NOTE: This is only required if the portion of Old Tazewell Pike that is proposed to be closed remains open permanently or temporarily before the realignment is complete.}  
2. Reduce the double frontage lot depth for lot 22 from 135-ft to approximately 125-ft along the side lot line. {NOTE: This is only

required if the portion of Old Tazewell Pike that is proposed to be closed remains open permanently or temporarily before the realignment is complete.}

**ALTERNATIVE DESIGN STANDARDS REQUIRING PLANNING COMMISSION APPROVAL:**

1. Reduce the minimum horizontal curve radius from 250-ft to 100-ft for the realigned Old Tazewell Pike at STA 1+00.
2. Reduce the minimum horizontal curve radius from 250-ft to 150-ft for the realigned Old Tazewell Pike at STA 5+70.

**ALTERNATIVE DESIGN STANDARDS APPROVED BY KNOX COUNTY ENGINEERING AND PUBLIC WORKS:**

1. Reduce the minimum right-of-way dedication on the portion of Old Tazewell Pike proposed to be closed, from Murphy Road to the Old Tazewell Pike realignment, from 50-ft to the current right-of-way.  
{NOTE: This is only required if the portion of Old Tazewell Pike that is proposed to be closed remains open permanently or temporarily before the realignment is complete.}

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**STAFF RECOMMENDATION:**

- **Approve variances 1-2 and alternative design standards 1-2 on the recommendations of the Knox County Department of Engineering and Public Works and because the site conditions restrict compliance with the Subdivision Regulations and the proposed variances will not create a traffic hazard.**

**Approve the Concept Plan subject to 8 conditions.**

1. Connection to sanitary sewer and meeting any other relevant requirements of the utility provider.
  2. Widening the existing Old Tazewell Pike pavement to a minimum of 18-ft adjacent to lots 20 and 21, unless otherwise required by Knox County Engineering and Public Works. The design details and the timing of the improvements will be reviewed and approved by Knox County Engineering and Public Works during the design plan review process.
  3. Obtaining approval to close the portion of Old Tazewell Pike between Murphy Road and the point of realignment, as proposed. If the right-of-way is not closed as proposed, the adjoining lots must be adjusted and meet the double frontage lot standards in the Subdivision Regulations (Section 3.02.A.4) or the reduced double lot depth reductions in variances 2 and 3, if approved as recommended.
  4. Providing the following setbacks on the final plat; front: 20-ft, side: 5-ft, rear: 15-ft, except where the peripheral setback applies.
  5. Meeting the requirements of Knox County Engineering and Public Works, including but not limited to the realignment of Old Tazewell Pike.
  6. Provision of street names that are consistent with the Uniform Street Naming and Addressing System within Knox County (Ord 91-1-102).
  7. 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.
  8. 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, private right-of-way, and drainage system.
- **Approve the development plan for up to 25 detached dwelling units on individual lots and a reduction of the peripheral setback from 35-ft to 25-ft along the northwest boundary of lots 10-15 and 21-24, and the northeast boundary of lots 16 and 21, 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 in the PR (Planned Residential) district and the criteria for approval of a use on review.

**COMMENTS:**

This proposal is for a 25-lot subdivision on this 8.506-acre parcel at a density of 2.94 du/ac. The property was recently rezoned from A (Agricultural) to PR (Planned Residential) up to 3 du/ac (5-G-21-RZ). The proposed lot sizes range from approximately 8,600 to 17,900 sqft.

At the request of the Planning and County Engineering staff, the applicant is proposing to realign the western portion of Old Tazewell Pike through the subdivision to provide safer access to Murphy Road, which will benefit the future residents of the neighborhood and the existing users of this road. The current intersection of Old Tazewell Pike with Murphy Road is approximately 181-ft from the Tazewell Pike intersection whereas a new intersection would be required to be located at least 300-ft away from Tazewell Pike. By moving the Old Tazewell Pike intersection further to the south, it will be approximately 375-ft from the Tazewell Pike intersection and will be outside of the northbound turn lane on Murphy Road.

As part of this road realignment, the applicant is proposing closure of the portion of Old Tazewell Pike that is west of the realignment (located to the rear of lots 22-24). There are two property owners on the north side of Old Tazewell Pike that will also need to agree to the closure, and one of the owners currently has access to this portion of Old Tazewell Pike. Ultimately, the decision whether to close the right-of-way and how much of it will be determined by Knox County Engineering and Public Works and Knox County Commission. If a portion of Old Tazewell Pike is not closed then lots 22-24 may be considered double frontage lots and must have a minimum average depth of 135-ft. It appears that only lot 22 will have an average lot depth less than 135-ft and staff is recommending a variance to allow the side lot line to be approximately 125-ft long, which is the depth of the lot excluding the Old Tazewell Pike right-of-way.

There are two variances and one alternative design standard that are only necessary if Old Tazewell Pike is not closed as proposed. Approval of the two variances will allow a final plat for the subdivision to be approved administratively if the right-of-way is not closed by the time the property is platted or if a portion, or all of, the right-of-way remains open.

#### PERIPHERAL SETBACKS

The applicant is requesting a 25-ft peripheral setback around the entire boundary of the development. Staff is recommending approval of the peripheral setback reduction only along the Old Tazewell Pike frontage and around the First Comforter Church property. The 25-ft peripheral setback will be the front setback for the two lots that front the existing Old Tazewell Pike (lots 20 & 21) and it will be the rear setback for the three lots where the right-of-way closure is proposed (lots 22-24). If the right-of-way is not closed as proposed, the reduced peripheral setback will be beneficial for lot 22, which has the least depth. The other two lots will have plenty of lot depth regardless of whether the right-of-way is close or not and the houses will most likely be built closer to the front property line. Staff is recommending the 35-ft setback be retained along the Murphy Road frontage because it will impact only one lot and the additional setback should not impact the location of the house or accessory structures. The southeast and northeast boundary lines are adjacent to a single-family residential property zoned A (Agricultural) and the Shannon Valley Farm subdivision that is zoned PR (Planned Residential) and has the 35-ft peripheral setback. The 35-ft peripheral setback should not impact the buildable area on the impacted lots.

#### DEVELOPMENT STANDARDS FOR USES PERMITTED ON REVIEW (ARTICLE 4.10 – SECTION 2)

The planning commission, in the exercise of its administrative judgment, shall be guided by adopted plans and policies, including the general plan and the following general standards:

**1) THE PROPOSED USE IS CONSISTENT WITH THE ADOPTED PLANS AND POLICIES, INCLUDING THE GENERAL PLAN AND SECTOR PLAN.**

A. The North City Sector Plan recommends LDR (Low Density Residential) uses for this site with a maximum of 5 du/ac.

B. The property is in the Rural Area of the Growth Policy Plan which allows extensions of low density residential development up to a maximum of 3 du/ac when the property is zoned PR (Planned Residential), sanitary sewer and public water is provided, the road the development accesses meets the standards of Knox County Engineering and Public Works, and a transportation impact analysis is provided showing the development will not unreasonably impact traffic flow. The Urban Growth area of the Growth Policy Plan is located on the opposite side of Murphy Road, which is a major collector street, so a traffic impact analysis was not required during the rezoning phase and the realignment of Old Tazewell Pike will make the road system in this area safer.

C. The proposed density of 2.94 du/ac is compliant with the recommendations of the North City Sector Plan and the Growth Policy Plan.

**2) THE USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE ZONING ORDINANCE.**

A. The PR (Planned Residential) zone is intended to provide optional methods of land development which encourage more imaginative solutions to environmental design problems. Residential areas thus established would be characterized by a unified building and site development program, open space for recreation and provision for commercial, religious, educational, and cultural facilities which are integrated with the total project by unified architectural and open space treatment. Each planned unit development shall be compatible with the surrounding or adjacent zones. Such compatibility shall be determined by the planning commission by review of the development plans.

B. The proposed residential subdivision with detached houses is compatible with the surrounding detached houses and church.

3) THE USE IS COMPATIBLE WITH THE CHARACTER OF THE NEIGHBORHOOD WHERE IT IS PROPOSED, AND WITH THE SIZE AND LOCATION OF BUILDINGS IN THE VICINITY.

A. The surrounding development has a mix of large-lot residential lots and small residential lots for detached houses, and a church. There are attached residential houses on the south side of Murphy Road.

B. The front setback for the existing houses on Old Tazewell Pike ranges from 20-ft to 57-ft, so there isn't a consistent setback. The proposed front setback for the lots with Old Tazewell Pike frontage is 20-ft to 25-ft.

4) THE USE WILL NOT SIGNIFICANTLY INJURE THE VALUE OF ADJACENT PROPERTY.

A. The use of the property for detached houses will not significantly injure the value of adjacent properties since they include residential uses and a church.

5) THE USE WILL NOT DRAW ADDITIONAL TRAFFIC THROUGH RESIDENTIAL AREAS.

A. The development will have direct access to Murphy Road, which is a major collector street, and will realign Old Tazewell Pike through the development but this is a short street with six existing houses a church.

6) THE NATURE OF DEVELOPMENT IN THE SURROUNDING AREA IS NOT SUCH AS TO POSE A POTENTIAL HAZARD TO THE PROPOSED USE OR TO CREATE AN UNDESIRABLE ENVIRONMENT FOR THE PROPOSED USE.

A. There are no known uses in the area that could be a potential hazard or create an undesirable environment for the proposed residential use.

ESTIMATED TRAFFIC IMPACT: 290 (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.

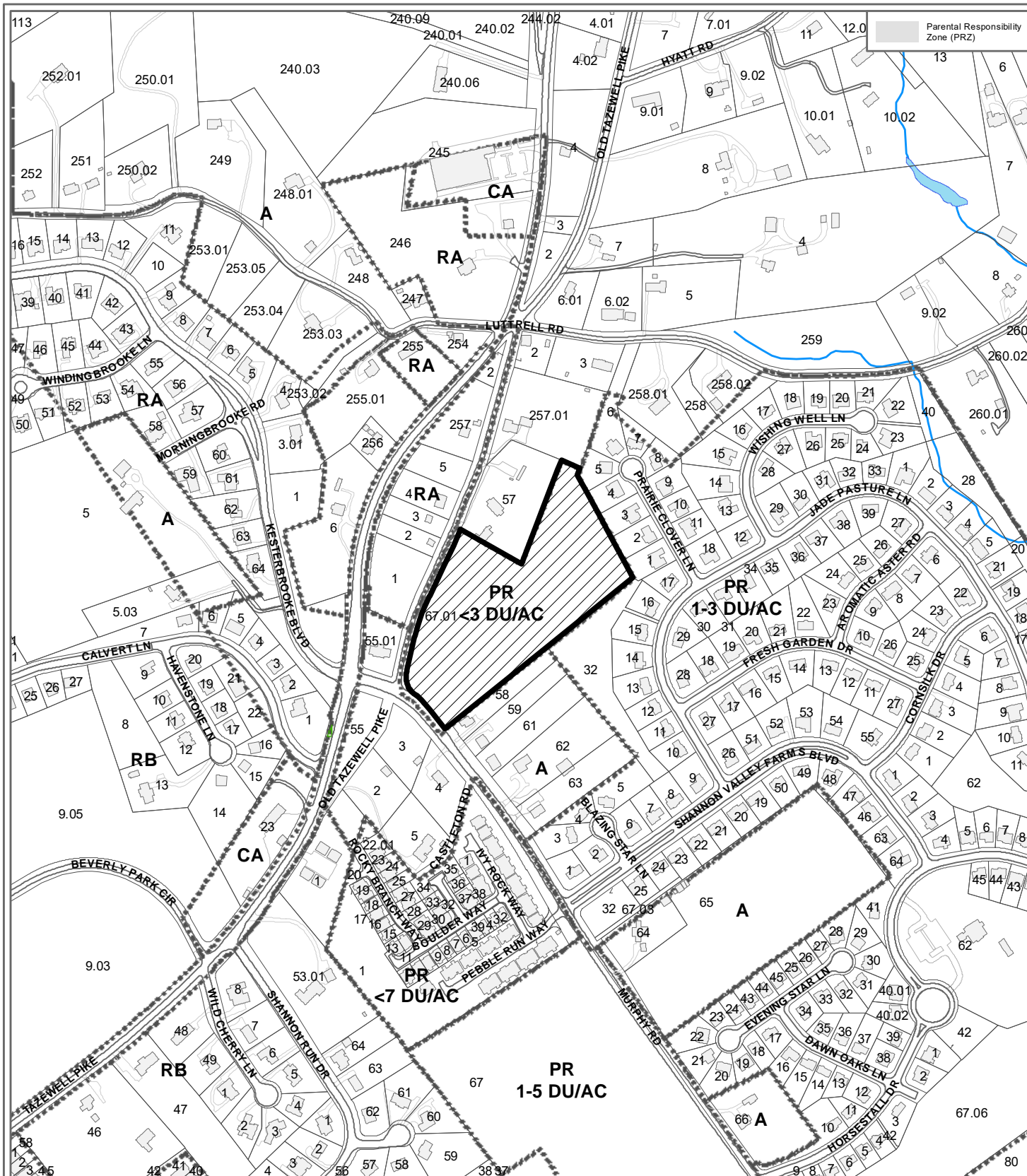
ESTIMATED STUDENT YIELD: 9 (public school children, grades K-12)

Schools affected by this proposal: Gibbs Elementary, Gibbs Middle, and Gibbs 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.

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.



**10-SB-21-C / 10-D-21-UR  
CONCEPT PLAN/USE ON REVIEW**



Detached residential subdivision in PR (Planned Residential)

Original Print Date: 9/9/2021  
Revised:  
Knoxville - Knox County Planning Commission \* City / County Building \* Knoxville, TN 37902

Petitioner: Jenkins Builders Inc.  
Jenkins Builders - Murphy Road

Map No: 49  
Jurisdiction: County

0 500  
Feet









# Development Request

## DEVELOPMENT

- ☐ Development Plan  
☐ Planned Development  
☒ Use on Review / Special Use  
☐ Hillside Protection COA

## SUBDIVISION

- ☒ Concept Plan  
☐ Final Plat

## ZONING

- ☐ Plan Amendment  
☐ SP ☐ OYP  
☐ Rezoning

JENKINS BUILDERS INC  
Applicant Name

Affiliation

8-30-21  
Date Filed

October 14, 2021  
Meeting Date (if applicable)

File Number(s)

10-SB-21-C / 10-D-21-UR

## 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  
Name

BATSON HIMES MORELL & POE  
Company

4334 PAPERMILL DR KNOXVILLE, TN 37909  
Address City State ZIP

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

## CURRENT PROPERTY INFO

JENKINS BUILDERS INC 5328 TURTLE POINT LANE 865-388-2753  
Owner Name (if different) Owner Address Owner Phone

MURPHY ROAD  
0 OLD TAZEWELL PIKE TAX MAP 49, PARCEL 67.01  
Property Address Parcel ID

KUB KUB NO  
Sewer Provider Water Provider Septic (Y/N)

## STAFF USE ONLY

Northeast corner of Old Tazewell Pk. & Murphy Rd. 8.70 acres  
General Location Tract Size

☐ City ☒ County 8th PR < 3 du/ac AgForVac  
District Zoning District Existing Land Use

North city LDR Rural Area  
Planning Sector Sector Plan Land Use Classification Growth Policy Plan Designation

**DEVELOPMENT REQUEST**

- ☐ Development Plan ☐ Use on Review / Special Use ☐ Hillside Protection COA  
☐ Residential ☐ Non-Residential

Home Occupation (specify) \_\_\_\_\_

Other (specify) \_\_\_\_\_

Related City Permit Number(s) \_\_\_\_\_

**SUBDIVISION REQUEST**Jenkins Builders - Murphy Road  
Proposed Subdivision Name

Related Rezoning File Number \_\_\_\_\_

☐ Combine Parcels ☒ Divide Parcel 25 Lots  
Unit / Phase Number Total Number of Lots Created

☐ Other (specify) \_\_\_\_\_☐ Attachments / Additional Requirements**ZONING REQUEST**

☐ Zoning Change  
Proposed Zoning

Pending Plat File Number \_\_\_\_\_

☐ Plan Amendment Change  
Proposed Plan Designation(s)

Proposed Density (units/acre) \_\_\_\_\_ Previous Rezoning Requests \_\_\_\_\_

☐ Other (specify) \_\_\_\_\_**STAFF USE ONLY****PLAT TYPE**

- ☐ Staff Review ☐ Planning Commission

**ATTACHMENTS**

- ☐ Property Owners / Option Holders ☐ Variance Request

**ADDITIONAL REQUIREMENTS**

- ☐ Design Plan Certification (Final Plat)  
☐ Use on Review / Special Use (Concept Plan)  
☐ Traffic Impact Study  
☐ COA Checklist (Hillside Protection)

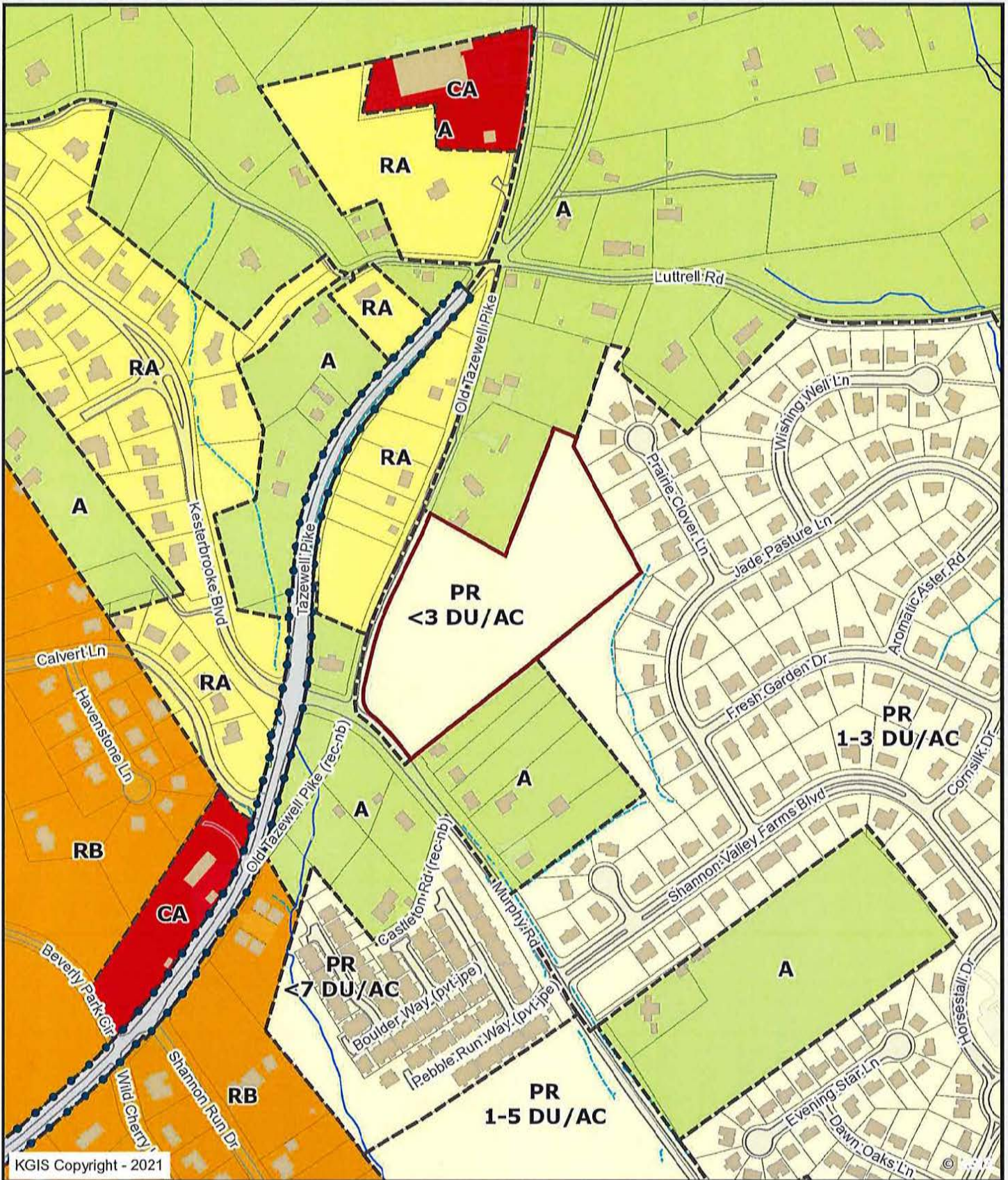
Fee 1		Total
0405	1300.00	
Fee 2		
Fee 3		
		\$1300.00

**AUTHORIZATION**

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

David Harbin  
Applicant SignatureDAVID HARBIN  
Please Print8.30.21  
Date865-588-6472  
Phone Numberharbin@bhn-p.com  
EmailSherry Michienzi  
Staff SignatureSherry Michienzi  
Please Printswm 8/30/2021  
Date



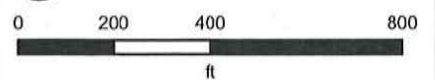


## Zoning Map

Knoxville - Knox County - KUB Geographic Information System



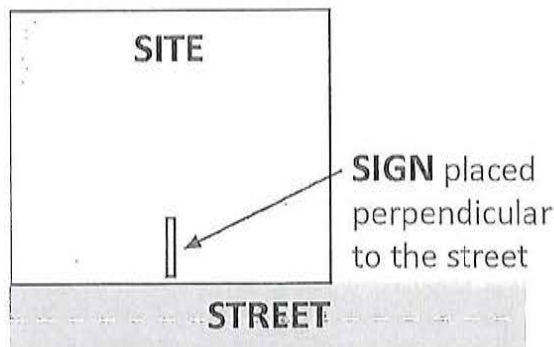
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The Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission require a sign to be posted on the property for each application subject to consideration by the Planning Commission, including the following applications: rezoning, plan amendment, concept plan, use on review/special use, planned development, right-of-way closure, and name change.



The required public notice sign(s) will be provided by Planning to the applicant when an application is submitted. If an application is submitted electronically, 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.

*The individual below is responsible for posting and removing the sign(s) provided consistent with the above guidelines and between the dates of:*

Sept 29 and Oct 15  
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Jenkins Builders, Inc  
 Date: 8/30/2021  
 File Number: 10-SB-21-C / 10-D-21-WR

☒ Sign posted by Staff  
☐ Sign posted by Applicant