



SUBDIVISION REPORT - FINAL PLAT

▶ **FILE #:** 5-SB-22-F

AGENDA ITEM #: 34

AGENDA DATE: 5/12/2022

▶ **SUBDIVISION:** F.P. OF MORRELL PARTNERS, LP MORRELL ROAD AT KINGSTON PIKE, REPLATE OF LOT 3

▶ **APPLICANT/DEVELOPER:** SMOKY MOUNTAIN LAND SURVEYING

OWNER(S): Morrell Partners L.P.

TAX IDENTIFICATION: 120 F B 002.02

[View map on KGIS](#)

JURISDICTION: City Council District 2

STREET ADDRESS: 7520 Kingston Pk.

▶ **LOCATION:** **Located at the corner of Kingston Pike and Morrell Road**

SECTOR PLAN: West City

GROWTH POLICY PLAN: N/A (Within City limits)

▶ **APPROXIMATE ACREAGE:** 1.3 acres

▶ **NUMBER OF LOTS:** 0

▶ **ZONING:** C-H-2 (Highway Commercial)

SURVEYOR/ENGINEER: Matthew J. Dawson / Smoky Mountain Land Surveying

▶ **VARIANCES REQUIRED:** Variance to reduce the utility and drainage easement in the area defined in inset A on the plat from 10 ft to 0 ft.

STAFF RECOMMENDATION:

▶ **Approve the variance to reduce the required utility and drainage easement area as noted on the plat in insets A and B to accommodate site improvements and increase pedestrian safety.**

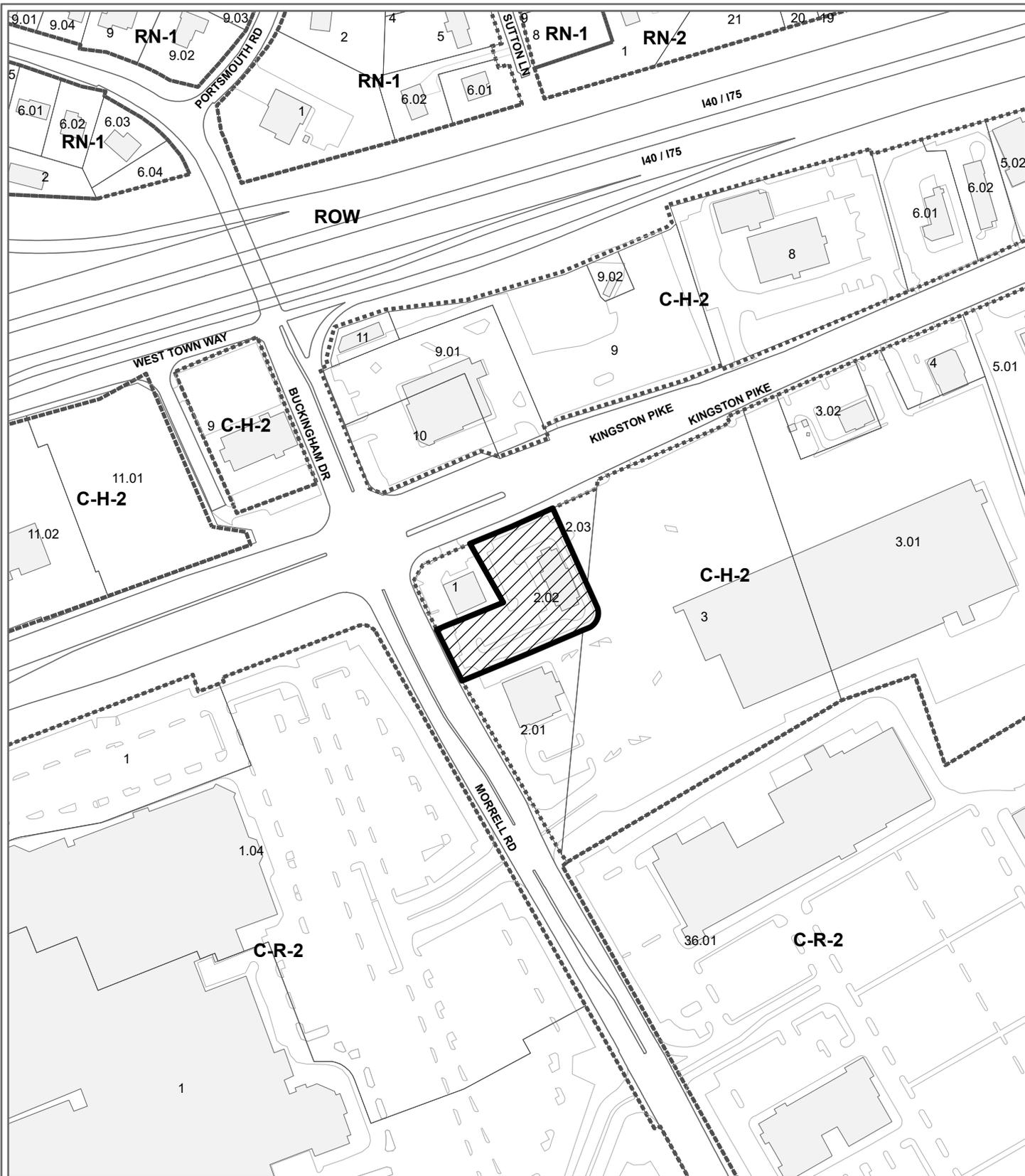
Approve the subdivision plat because it is in compliance with the subdivision regulations.

COMMENTS:

- 1) Chick-Fil-A recently submitted site plans proposing site improvements to increase pedestrian safety at the Kingston Pike/Morrell Road location. Parking is always full at this Chick-Fil-A, and the queue for the drive-in is routinely backed up during peak times, so cars are parking in the adjacent Knoxville Wholesale Furniture parking lot and walking to Chick-Fil-A. This is causing conflicts between vehicles and pedestrians within the parking areas and the drive-thru aisle.
- 2) The submitted plans propose a new retaining wall, a small set of steps with handrails, and a protected crosswalk leading from the adjacent parking lot to the restaurant to allow safe passage for pedestrians crossing the drive-thru lane from the adjacent lot. The proposed path cuts through the existing landscaping on the eastern property line, which is set at a steep angle from the neighboring lot.
- 3) The submitted plans were denied by the City as the site improvements encroach into the utility and drainage (U&D) easement area. This requires the property to be replatted so that a variance can be obtained to eliminate the U&D easement area and allow the site improvements to proceed.
- 4) The purpose of this plat is to eliminate the U&D easement areas noted on insets A and B and create a new retaining wall easement.

- 5) KUB is the utility provider. They have no issue with the request since they currently use, and will continue to use, the private utility easements and not the standard U&D easement they are proposing to eliminate.
- 6) The City's Engineering Department can issue a waiver reducing the U&D easement under existing structures, but cannot do so under new, proposed structures. To reduce or eliminate U&D easements beneath new structures, a variance is required.

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



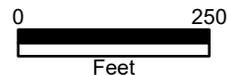
**5-SB-22-F
FINAL SUBDIVISION PLAT**



Final Plat For: F.P. Of Morrell Partners, LP Morrell Road at Kingston Pike,
Replate of Lot 3

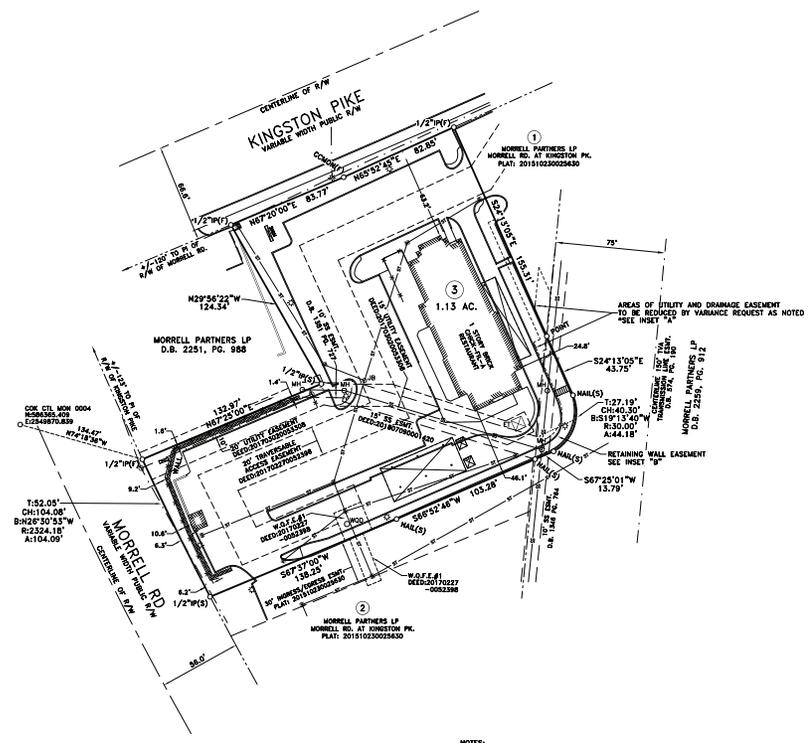
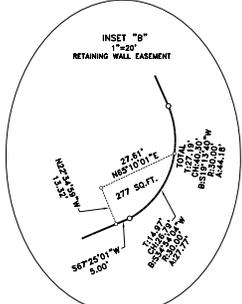
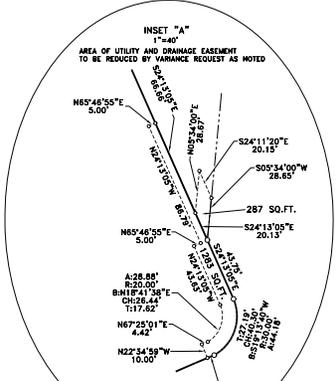
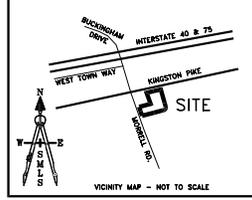
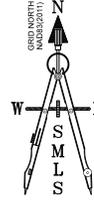
Petitioner: Smoky Mountain Land
Surveying

Map No: 120
Jurisdiction: City



Original Print Date: 4/18/2022 Revised:
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

NOTE:
1.) THE UNDERGROUND UTILITIES SHOWN, IF ANY, HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN CORRESPOND TO SUCH UTILITIES IN THE AREA. EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. THE SURVEYOR HAS NOT PHYSICALLY LOCATED ALL UNDERGROUND UTILITIES. VERIFY EXACT SIZE AND LOCATION AND DEPTH OF ALL UNDERGROUND UTILITIES WITH THE PROPER LOCAL AUTHORITIES BEFORE EXCAVATION OR CONSTRUCTION.



- NOTES:
- 1.) LOT CONTAINING 1.13 ACRES TOTAL.
 - 2.) UTILITY AND DRAINAGE EASEMENTS OF TEN (10) FEET IN WIDTH, INCLUDING ALL EXTERIOR LOT LINES ADJOINING STREETS AND PRIVATE RIGHTS-OF-WAY AND FIVE (5) FEET IN WIDTH SHALL BE PROVIDED ALONG BOTH SIDES OF ALL INTERIOR LOT LINES AND ON THE INSIDE OF ALL OTHER EXTERIOR LOT LINES, EXCEPT AS MODIFIED BY SUBDIVISION VARIANCES AND WAIVERS AS NOTED HEREON.
 - 3.) PROPERTY IS SUBJECT TO ANY AND ALL RESTRICTIONS, ORDINANCES, RIGHTS-OF-WAY, EASEMENTS, AND BUILDING SETBACK REQUIREMENTS, IF ANY, AFFECTING SAID PROPERTY, SUBJECT TO EASEMENTS OR RIGHTS-OF-WAY, OR CLAIMS OF EASEMENTS OR RIGHTS-OF-WAY, NOT SHOWN BY THE PUBLIC RECORDS.
 - 4.) EVERY DOCUMENT OF RECORD REVIEWED AND CONSIDERED AS A PART OF THIS SURVEY IS NOTED HEREON, NO ABSTRACT OF TITLE, NOR TITLE COMMITTEE, NOR RESULTS OF TITLE SEARCHES WERE FURNISHED THE SURVEYOR. THERE MAY EXIST OTHER DOCUMENTS OF RECORD THAT WOULD AFFECT THIS PARCEL.
 - 5.) THIS SURVEY WAS PREPARED USING A COMBINATION OF TOTAL STATION AND B.L.S. DATA COLLECTION.
 - D.P.S. RECEIVER INFO: TOP APO
 - B.L.S. INFO: TOOL CODE BASE ID: 1117
 - D.P.S. DATA COLLECTED HAD A SOFTWARE GENERATED R.M.S. OF LESS THAN 0.1 FEET
 - 6.) GRID NORTH IS BASED ON A BEARING OF N87°10'01\"/>
 - 7.) THE PURPOSE OF THIS REPORT IS TO ELIMINATE THE UTILITY AND DRAINAGE EASEMENTS AND CREATE THE RETAINING WALL EASEMENT AS SHOWN HEREON.
 - 8.) OWNER'S RESPONSIBILITY NOTICE: PROPERTY OWNERS ARE RESPONSIBLE FOR MAINTAINING STORMWATER FACILITIES ON THIS PROPERTY. SEE COVENANT DOCUMENT RECORDED UNDER INSTR. NO. 20110220025630.
 - 9.) UNLABELED CORNERS ARE CALCULATED, UNMONUMENTED POINTS.

- LEGEND OF SYMBOLS
- MH ○ SANITARY MANHOLE
 - SEWER LINE
 - ET □ ELECTRIC TRANSFORMER
 - UTILITY POLE
 - LIGHT POLE
 - GUY WIRE
 - OVERHEAD UTILITY LINES
 - W/O WATER QUALITY DEVICE
 - JR ○ JUNCTION BOX
 - III CATCH BASIN
 - STORM DRAIN PIPE
 - FENCE
 - ▨ BUILDING
 - IRON PIN - OLD (FOUND)
 - IRON PIN - NEW (SET)
 - SUBJECT PROPERTY LINE
 - ADJOINING PROPERTY LINE

Notary Certification
 State of _____ County of _____
 On this _____ day of _____, 20____
 Before me personally appeared _____ as the person described in, and who executed the foregoing instrument, and acknowledged that he executed the same on his free will and deed.
 Witness my hand and notarial seal, this day and year above.
 My Commission expires: _____ Notary Seal

Owner Certification for Release of Easements
 (I, We), the undersigned owner(s) of the property shown herein understand that easement rights for any existing facilities are not being released and it is our responsibility to verify with the above parties if there are any existing facilities along the lot line being eliminated by this plat before digging or constructing any building or structure.
 Owner(s): **MORRELL PARTNERS LP,** Signature(s): _____
 Printed Name: **BT**
 Date: _____

Certificate of Ownership and General Dedication
 (I, We), the undersigned owner(s) of the property shown herein, hereby adopt this as (my, our) plan of subdivision and dedicate the streets as shown to the public use here and hereby certify that (I, we, we and) the owner(s) in fee simple of the property, and as property owner(s) have an unrestricted right to dedicate right-of-way and/or grant easement as shown on this plat.
 Owner(s): **MORRELL PARTNERS LP,** Signature(s): _____
 Printed Name: **BT**
 Date: _____

Owner Certification for Public Sewer and Water Service - Minor Subdivisions
 (I, We), the undersigned owner(s) of the property shown herein understand that it is our responsibility to verify with the Utility Provider the availability of public sewer and water systems in the vicinity of the lot(s) and to pay for the installation of the required connections.
 Owner(s): **MORRELL PARTNERS LP,** Signature(s): _____
 Printed Name: **BT**
 Date: _____

Taxes and Assessments
 This is to certify that all property taxes and assessments due on this property have been paid.
 Knox County Trustee: _____ Date: _____
 City Tax Clerk: _____ Date: _____

City - Release of Easements
 Consent is hereby given on this plat, the following parties hereby consent to the release of all rights that may have accrued for their use and benefit where there are existing facilities within the previously established easement, whether or not shown on this plat. Any relocation of existing facilities will be made at the property owner's expense. If the facilities are relocated, the easement rights will be released.
 The following parties do not release any rights that may have accrued for their use and benefit where there are existing facilities within the previously established easement, whether or not shown on this plat. Any relocation of existing facilities will be made at the property owner's expense. If the facilities are relocated, the easement rights will be released.
 City of Knoxville Department of Engineering: _____ Date: _____
 Water (Utility Name): _____ Date: _____
 Sewer (Utility Name): _____ Date: _____
 Electric (Utility Name): _____ Date: _____
 Gas (Utility Name): _____ Date: _____
 Telephone (Utility Name): _____ Date: _____
 Cable Television (Utility Name): _____ Date: _____

Waiver of Utility and Drainage Easements:
 1.) TO REMOVE THE STANDARD DRAINAGE AND UTILITY EASEMENT UNDER THE EXISTING RETAINING WALL ALONG THE WESTERN AND NORTHERN PROPERTY LINES FROM 10 FEET TO DISTANCES SHOWN HEREON.
 2.) TO REMOVE THE STANDARD DRAINAGE AND UTILITY EASEMENT UNDER THE EXISTING RETAINING WALL ALONG THE NORTHERN PROPERTY LINE FROM 5 FEET TO THE MINIMUM DISTANCES, AS SHOWN HEREON.
 Signed: _____ Date: _____
 City of Knoxville Department of Engineering
 The Knoxville Department of Engineering hereby approves this plat on this _____ day of _____, 20____.

 Engineering Director
 Zoning
 Zoning district(s) in which the land being subdivided is located shall be indicated as shown on the zoning map by the Planning Commission on file.
 Zoning shown of Official Map: _____
 By: _____ Date: _____

Certification of the Accuracy of Survey
 I hereby certify that this survey was prepared in compliance with the current edition of the Rules of Tennessee State Board of Examiners for Land Surveyors - Standards of Precision.
 Registered Land Surveyor: **Matthew J. Dawson**
 Tennessee License No. **3050** Date: **4-15-22**

Certification of Final Plat - All Indicated Markers, Monuments and Benchmarks
 I hereby certify that I am a registered land surveyor licensed to practice surveying under the laws of the State of Tennessee. I further certify that this plat and accompanying drawings, documents, and statements conform to the best of my knowledge to all applicable provisions of the Knoxville/ Knox County Subdivision Regulations except as has been identified, described and justified in a report filed with the Planning Commission, or its variance and orders which have been approved as identified on the final plat. The indicated permanent reference markers and requirements, benchmarks and property monuments were in place on the _____ day of _____, 20____.
 Registered Land Surveyor: **Matthew J. Dawson** Date: **4-15-22**
 Tennessee License No. **3050**

BY EXECUTING THIS PLAT, THE CITY ENGINEERING DEPARTMENT HEREBY APPROVES THE FOLLOWING WAIVERS:
 1.) TO REMOVE THE STANDARD DRAINAGE AND UTILITY EASEMENT UNDER THE EXISTING RETAINING WALL ALONG THE WESTERN PROPERTY LINE, FROM 10 FEET TO THE MINIMUM DISTANCES, AS SHOWN HEREON.
 2.) TO REMOVE THE STANDARD DRAINAGE AND UTILITY EASEMENT UNDER THE EXISTING RETAINING WALL ALONG THE NORTHERN PROPERTY LINE, FROM 5 FEET TO THE MINIMUM DISTANCES, AS SHOWN HEREON.

Certification of Approval of Public Water System - Minor Subdivisions
 This is to certify that the subdivision shown herein is approved subject to the installation of a public water system, and that such installation shall be in accordance with State and local regulations.
 It is the responsibility of the property owner to verify with the Utility Provider the availability of water system in the vicinity of the lot(s) and to pay for the installation of the required connections.
 Utility Provider: _____
 Authorized Signature for Utility: _____ Date: _____

Certification of Approval of Public Sanitary Sewer System - Minor Subdivisions
 This is to certify that the subdivision shown herein is approved subject to the installation of public sanitary sewers and treatment facilities, and that such installation shall be in accordance with State and local regulations.
 It is the responsibility of the property owner to verify with the Utility Provider the availability of sanitary sewers in the vicinity of the lot(s) and to pay for the installation of the required connections.
 Utility Provider: _____
 Authorized Signature for Utility: _____ Date: _____

Addressing Department Certification
 I, the undersigned, hereby certify that the subdivision name and all street names conform to the Knoxville/ Knox County Street Naming and Addressing Ordinance, the Administrative Rules of the Planning Commission, and these regulations.
 Signed: _____ Date: _____

Planning Staff Certification of Approval for Recording - Final Plat
 This is to certify that the subdivision plat shown herein has been found to comply with the Subdivision Regulations of Knoxville and Knox County and with existing city plans, with the exception of any variances and orders not on this plat, and that the record plat is hereby approved for recording in the office of the Knox County Register of Deeds. Pursuant to Section 152-402 of Tennessee Code, Annotated, the approval of this plat by the Planning Commission shall not be deemed to constitute or effect an opinion by the City of Knoxville or Knox County of the dedication of any street or other ground shown on the plat.
 Signed: _____ Date: _____

KNOX PLANNING FILE # 5-SB-22-F

SUBDIVISION REGULATION VARIANCE REQUESTED
 1.) TO REMOVE THE REQUIRED UTILITY AND DRAINAGE EASEMENT IN THE AREA DEFINED IN INSET "A" FROM 10 AND 5 FEET TO 0 (ZERO) FEET.
 -THE 5' AND 10' STANDARD DRAINAGE AND UTILITY EASEMENT IS ALSO BEING WAIVED/ RELEASED WITHIN THE ADJOINING LOT 1 OF THE MORRELL PARTNERS LP PREVIOUSLY DEDICATED ON PLAT RECORDED AT INSTR. NO. 201510220025630.
 DATE APPROVED: _____



FINAL PLAT OF MORRELL PARTNERS, LP
MORRELL RD. AT KINGSTON PIKE, REPLAT OF LOT 3
 SURVEY FOR _____ DISTRICT NO. **3** COUNTY **KNOX** CITY **KNOXVILLE** WARD **47** SEAT **TN**
 ADDRESS **KINGSTON PIKE AND MORRELL ROAD**
 PLAT REFERENCE **201510230025630**
 DEED REFERENCE **DEED BK. 2229, PAGE 1132**
 TAX MAP **120F** GROUP **B** PARCEL **002.02**
 CITY BLOCK NO. **47820** SCALE **1"=40'**
 DATE **03/22/2022** REVISION DATE **04/15/2022**
 CENSUS TRACT NO. **44.04** DRAWN BY **MJD**
 BEARING BASE **GRID NORTH**

SMOKY MOUNTAIN LAND SURVEYING CO., INC.
 MATTHEW J. DAWSON
 R.L.S. #3090
 P.O. BOX 9891
 KNOXVILLE, TN 37940
 TEL: (865) 599-4070
 FAX: (865) 533-5788



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

SMOKY MOUNTAIN LAND SURVEYING

SURVEYOR

Applicant Name
3/25/2022

Affiliation

03/24/2022

5-12-2022

File Number(s)

Date Filed

Meeting Date (if applicable)

5-SB-22-F

CORRESPONDENCE

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

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

MATTHEW J. DAWSON

SMOKY MOUNTAIN LAND SURVEYING

Name

Company

P.O. BOX 9691

KNOXVILLE

TN

37940

Address

City

State

ZIP

865-579-4075

mattjdawson@bellsouth.net

Phone

Email

CURRENT PROPERTY INFO

MORRELL PARTNERS L.P.

8744 SHOREHAM BLVD.

(865) 588-4010

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

7520 KINGSTON PIKE

120FB002.02

Property Address

Parcel ID

KUB

KUB

N

Sewer Provider

Water Provider

Septic (Y/N)

STAFF USE ONLY

Located at the corner of Kingston Pike and Morrell Rd

1.3 acres

General Location

Tract Size

City County

2
District

C-H-1

Zoning District

Commercial

Existing Land Use

West City

MU-RC

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

F.P. OF MORRELL PARTNERS, LP MORRELL RD. AT KINGSTON PIKE, REPLAT OF LOT 3

Proposed Subdivision Name

Unit / Phase Number

- Combine Parcels Divide Parcel

Total Number of Lots Created

Other (specify)

REPLAT FOR UTILITY AND DRAINAGE EASEMENT REDUCTION AND EASEMENT CREATION

Attachments / Additional Requirements

Related Rezoning File Number

ZONING REQUEST

Zoning Change

Proposed Zoning

Plan Amendment Change

Proposed Plan Designation(s)

Pending Plat File Number

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
0201	\$200	\$450
Fee 2		
0207	\$250	
Fee 3		

AUTHORIZATION


Applicant Signature

SMOKY MOUNTAIN LAND SURVEYING

03/24/2022

Please Print

Date

865-579-4075

mattjdawson@bellsouth.net

Phone Number

Email

Property Owner Signature

Please Print

Date

Levan King Cranston

3/25/2022

3/25/2022 swm