

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.

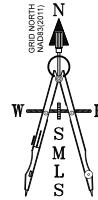
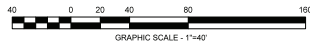
COMMENTS:

- 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.

NOTES:
1.) THE UNDERGROUND UTILITIES SHOWN, IF ANY, HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN CORRESPOND TO THE ACTUAL 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.
2.) 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.



Notary Certification
State of _____ County of _____
On this _____ day of _____, 20____.
Before me personally appeared _____, known to me to be 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.
Written _____ Notary
My Commission expires _____ Seal

OWNER:
MORRELL PARTNERS LP,
8744 SIOGHAM BLVD,
KNOXVILLE, TN 37922
PH: (865) 588-4010

Owner Certification on 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 lines 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 hereon 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 the subdivision shown herein is approved subject to the payment of property taxes and assessments due on this property have been paid.
Knox County Treasurer: Signed _____ Date: _____
City Tax Clerk: Signed _____ Date: _____

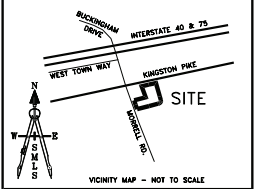
City - Release of Easements
I hereby certify that this survey was prepared in compliance with the current edition of the Rules of the Tennessee State Board of Examiners for Land Surveyors - Standards of Practice.
Registered Land Surveyor Matthew J. Dawson Signature _____
Tennessee License No. 3050 Date: 4-15-22

Certification of the Accuracy of Survey
I hereby certify that this survey was prepared in compliance with the current edition of the Rules of the Tennessee State Board of Examiners for Land Surveyors - Standards of Practice.
Registered Land Surveyor Matthew J. Dawson Signature _____
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 for variance and where 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 Signature _____
Tennessee License No. 3050

BY EXECUTING THIS PLAT, THE CITY ENGINEERING DEPARTMENT HEREBY APPROVES THE FOLLOWING WAIVER(S):
1.) TO REDUCE 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 REDUCE 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 sewer 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: _____

WAIVER OF UTILITY AND DRAINAGE EASEMENTS:
1.) TO REDUCE THE REQUIRED UTILITY AND DRAINAGE EASEMENTS UNDER THE EXISTING RETAINING WALL ALONG THE WESTERN AND NORTHERN PROPERTY LINES FROM 10 FEET TO DISTANCES SHOWN HEREON.

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 as follows:
Zoning shown of Official Map: _____
By: _____ 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 official plans, with the exception of any variances or waivers noted 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 15-2-402 of the 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 upon the plat.
Signed: _____ Date: _____

KNOX PLANNING FILE # 5-SB-22-F

SUBDIVISION REGULATION VARIANCE REQUESTED
1.) TO REDUCE 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 INST. NO. 201510230025630.
DATE APPROVED: _____



FINAL PLAT OF MORRELL PARTNERS, LP
MORRELL RD. AT KINGSTON PIKE, REPLAT OF LOT 3

SURVEY FOR _____ COUNTY KNOX CITY KNOXVILLE WARD 47 SEAT TN
DISTRICT 5 BLOCK 1 IN SECT 14
ADDRESS KINGSTON PIKE AND MORRELL ROAD
DEED REFERENCE 201510230025630
TAX MAP 120F GROUP 8 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



- NOTES:
1.) LOT CONTAINING 1.15 ACRES TOTAL.
2.) UTILITY AND DRAINAGE EASEMENTS OF TEN (10) FEET IN WIDTH INSIDE 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, CONDITIONS, PLANNING COMMISSION REGULATIONS, ZONING 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 COMMITMENT, NOR RESULTS OF TITLE SEARCHES WERE FURNISHED THIS 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 R.L.S. DATA COLLECTION.
-D.P.S. RECEIVER INFO: TOPCON
-BASE INFO: TOPCON BASE 60 T117
-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 N67°10'11"E FROM CEN. CIL. MON. DOW. TO 0160. DISTANCES HAVE NOT BEEN REDUCED TO GRID.
7.) THE PURPOSE OF THIS REPLAT 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 INST. NO. 20170221051212.
9.) UNLABELED CORNERS ARE CALCULATED, UNMONUMENTED POINTS.

- LEGEND OF SYMBOLS
WH O SANITARY MANHOLE
— SEWER LINE
ET O ELECTRIC TRANSFORMER
O UTILITY POLE
O LIGHT POLE
— GUY WIRE
— OVERHEAD UTILITY LINES
WQD O WATER QUALITY DEVICE
JB O JUNCTION BOX
III CATCH BASIN
— STORM DRAIN PIPE
— FENCE
BUILDING
IRON PIV - OLD (FOUND)
IRON PIV - NEW
SUBJECT PROPERTY LINE
ADJOINING PROPERTY LINE



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

03/24/2022

Date Filed

5-12-2022

Meeting Date (if applicable)

Affiliation

File Number(s)

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

November 22, 2021

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

AUTHORIZATION
Applicant Signature**SMOKY MOUNTAIN LAND SURVEYING**

Please Print

03/24/2022

Date

865-579-4075

Phone Number

mattjdawson@bellsouth.net

Email

Property Owner Signature

Please Print

Levan King Cranston

Date

3/25/2022

3/25/2022 swm