CASE SUMMARY

APPLICATION TYPE: SUBDIVISION

CONCEPT PLAN

File Number: 5-SM-05-C Related File Number:

Application Filed: 4/11/2005 **Date of Revision:**

Applicant: MARTIN LEAKE

Owner: MARTIN LEAKE



Suite 403 • City County Building 4 0 0 Main Street Knoxville, Tennessee 37902 8 6 5 • 2 1 5 • 2 5 0 0 FAX• 2 1 5 • 2 0 6 8 www•knoxmpc•org

PROPERTY INFORMATION

General Location: East side of Kennon Rd., north side of I-40, south of McPeake Ln.

Other Parcel Info.:

Tax ID Number: 120 C D 1, 1.01 & 1.03 **Jurisdiction:** City

Size of Tract: 2.26 acres

Accessibility: Access is via Kennon Rd., a local street with a 17' pavement width within a 50' right-of-way.

GENERAL LAND USE INFORMATION

Existing Land Use: Vacant land

Surrounding Land Use: North: Residences / R-1E (Single Family Exclusive Residential)

South: I-40 / R-1E (Single Family Exclusive Residential)
East: Multi-family residences / R-2 (General Residential)
West: Residences / R-1E (Single Family Exclusive Residential)

Proposed Use: Detached single-family subdivision Density: 3.54 du/ac

Sector Plan: Northwest City Sector Plan Designation:

Growth Policy Plan: Urban Growth Area (Inside City Limits)

Neighborhood Context:

ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

Street:

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

ZONING INFORMATION (where applicable)

Current Zoning: R-1E (Single Family Exclusive Residential)

Former Zoning:

Requested Zoning:

Previous Requests:

Extension of Zone:

History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category:

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Requested Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name: Kennon Gardens

Waddell Surveying and Design Surveyor:

No. of Lots Proposed: No. of Lots Approved: 8

Variances Requested: None

S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

MPC ACTION AND DISPOSITION

Planner In Charge: Tom Brechko

Staff Recomm. (Abbr.): APPROVE the concept plan subject to 5 conditions

Staff Recomm. (Full): 1. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.

2. Provision of street names which are consistent with the Uniform Street Naming and Addressing System within Knoxville (City Ord. 0-280-90).

3. Providing all applicable easements for the detention pond as required by the Knoxville Engineering

Division.

4. Meeting all applicable requirements of the Knoxville Engineering Division.

5. A final plat application based on this concept plan will not be accepted for review by the MPC until

certification of design plan approval has been submitted to the MPC staff.

Comments: The applicant is proposing to subdivide this 2.26 acre tract into 8 lots at a density of 3.54 du/ac. The minimum lot size in the R-1E (Single Family Exclusive Residential) zoning district is 7500 square feet.

The proposed lots range in size from approximately 8,303 square feet to 14,410 square feet.

This item was postponed at the May 12, 2005 meeting due to an issue regarding the access rights to the property. The proposed access included the alteration of a portion of Lot 3 in the Arthur Pierce Subdivision for the creation of the 40' right-of-way for the Joint Permanent Easement that would serve the subdivision. The Planning Commission's attorney, Stephen Wise, Esquire, has reviewed a report and recorded warranty deeds from the Tennessee Valley Title Insurance Company (Copy attached) regarding the right to utilize the southeastern 25' of Lot 3 for the purpose of constructing a public road from Kennon Rd. for subdivision purposes. It is Mr. Wise's position that the applicant has the right to use that property for access as a public street and not a joint permanent easement as originally proposed. The applicant has revised the concept plan to show a public street serving the subdivision that is in compliance with the street design standards of the Minimum Subdivision Regulations.

MPC Action: Approved MPC Meeting Date: 6/9/2005

Details of MPC action:

Summary of MPC action: APPROVE the concept plan subject to 5 conditions

6/9/2005 Date of MPC Approval: Date of Denial: Postponements: 5/12/2005

Date of Withdrawal: Withdrawn prior to publication?: Action Appealed?:

LEGISLATIVE ACTION AND DISPOSITION

Knoxville City Council Legislative Body:

Date of Legislative Action: Date of Legislative Action, Second Reading:

Ordinance Number: Other Ordinance Number References: **Disposition of Case:** Disposition of Case, Second Reading:

If "Other": If "Other":

Amendments: Amendments:

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Effective Date of Ordinance:

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