CASE SUMMARY

APPLICATION TYPE: USE ON REVIEW

File Number: 8-H-01-UR Related File Number: 8-SG-01-C

Date of Revision: **Application Filed:** 7/9/2001

Applicant: GREGORY M. LAYMAN

Owner:



8 6 5 • 2 1 5 • 2 5 0 0 F A X • 2 1 5 • 2 0 6 8 www•knoxmpc•org

PROPERTY INFORMATION

General Location: South side of Kodak Rd., east of Kelly Ln.

Other Parcel Info.:

Tax ID Number: 99 100 & 101, OTHER: & MAP 100, PARCEL 26.02 Jurisdiction: County

Size of Tract: 209.32 acres

Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use:

Surrounding Land Use:

Proposed Use: Detached single-family subdivision Density: 1.02 du/ac

Sector Plan: **East County Sector Plan Designation:**

Growth Policy Plan: Rural Area

Neighborhood Context:

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

9614 Kodak Rd Street:

Location:

Proposed Street Name:

Department-Utility Report:

Reason:

ZONING INFORMATION (where applicable)

Current Zoning: PR (Planned Residential)

Former Zoning:

Requested Zoning:

Previous Requests:

Extension of Zone:

History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category:

Requested Plan Category:

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SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

Survevor:

No. of Lots Proposed: No. of Lots Approved: 0

Variances Requested:

S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

MPC ACTION AND DISPOSITION

Planner In Charge:

APPROVE the development plan for up to 209 detached single family dwellings on individual lots Staff Recomm. (Abbr.):

subject to 7 conditions

Staff Recomm. (Full): 1. Prior to Design Plan approval, review and approval by MPC Staff of a detailed site plan prepared by the applicant showing the proposed river access and boat launch (showing the turnaround area and parking for vehicles unloading boats at the launch).

2. Sidewalks, meeting the requirements of the Knox County Dept. of Engineering and Public Works, being provided on at least one side of Roads A, B, C, D, F, J & L. 3. Providing a pedestrian access easement (minimum width of 15') from the right-of-way of either Road

A or L to the County property located directly west of this site and south of Kelly Ln. This access is to provide pedestrian access for the residents of this subdivision to the County's proposed Seven Islands Wildlife Sanctuary. The location of the easement is to be worked out with the Knox County Parks and

Recreation Department and shall be identified on the final plat.

4. Preserving the existing house "First Nichols House" on proposed Lot 3. The lot lines should be adjusted at final plat to help maintain the integrity of the structure and access. In order to protect the historic integrity of the house, the developer shall apply for and obtain an HZ Historic Overlay zoning designation for the lot that the house is located on. The HZ Overlay shall be in place prior to approval of the final plat. If the HZ Overlay is not approved, the applicant will have to come back before the Planning Commission for a reconsideration of this condition. The developer and future owners are strongly encouraged to seek National Register listing for the house.

5. The applicant hiring an archaeologist to conduct a field survey on this site to determine if it is likely that there are archaeological sites or human remains on the property. The archaeologist shall provide a map of the development showing the area that is to be included in the field survey. Grading permits shall not be issued for this development (this also includes tree removal where the tree root system is removed) until the methodology and area of the field survey has been submitted to and approved by the State Archaeologist and MPC Staff . Grading permits may be issued by Knox County Dept. of Engineering and Public Works for areas outside the approved field survey area. Grading permits shall not be issued for the field survey area until that area is released by the State Archaeologist (pending the final archaeological survey report and mitigation plan). If any human remains or funerary objects are encountered during any development activity (grading, infrastructure construction, home construction, etc.) the developer or homebuilder shall notify MPC Staff, the Tennessee State Archaeologist and the Eastern Band of the Cherokee Nation's Cultural Resources/Tribal Historic Preservation Office, and cease the development activity until the site can be investigated.

6. Meeting all requirements of the approved concept plan.

7. Meeting all applicable requirements of the Knox County Zoning Ordinance.

With the conditions noted, this plan meets the requirements for approval of a Concept Plan and a Useon-Review.

Comments:

MPC Action: Approved as Modified MPC Meeting Date: 10/11/2001

1. Prior to Design Plan approval, review and approval by MPC Staff of a detailed site plan prepared by **Details of MPC action:** the applicant showing the proposed river access and boat launch (showing the turnaround area and parking for vehicles unloading boats at the launch).

> Sidewalks, meeting the requirements of the Knox County Dept. of Engineering and Public Works, being provided on at least one side of Roads A, B, C, D, F, J & L.

3. Providing a pedestrian access easement (minimum width of 15') from the right-of-way of either Road A or L to the County property located directly west of this site and south of Kelly Ln. This access is to provide pedestrian access for the residents of this subdivision to the County's proposed Seven Islands

1/31/2007 02:18 PM Page 2 of 3 Wildlife Sanctuary. The location of the easement is to be worked out with the Knox County Parks and Recreation Department and shall be identified on the final plat.

- 4. (As modified by the MPC) The applicant will preserve the existing house on the proposed Lot 3. The lot lines should be adjusted at final plat to help maintain the integrity of the structure and access to it. The applicant advises that he has a contract to sell the house to a person who will rehabilitate it. The applicant will urge the buyer to apply for an HZ Historic Overlay zoning designation for the lot that the house is located on and will also urge the buyer to seek National Register listing for the house. Rehabilitation of the house shall be consistent with the Secretary of Interior's Standards.
- 5. (As modified by MPC) The applicant hiring an archaeologist, at a cost to the applicant not to exceed \$20,000.00, to conduct a field survey on this site to determine if it is likely that there are archaeological sites or human remains on the property. The archaeologist shall provide a map of the development showing the area that is to be included in the field survey. Grading permits shall not be issued for this development (this also includes tree removal where the tree root system is removed) until the methodology and area of the field survey has been submitted to and approved by the State Archaeologist and MPC Staff. Grading permits may be issued by Knox County Dept. of Engineering and Public Works for areas outside the approved field survey area. Grading permits shall not be issued for the field survey area until that area is released by the State Archaeologist (pending the final archaeological survey report and mitigation plan). If any human remains or funerary objects are encountered during any development activity (grading, infrastructure construction, home construction, etc.) the developer or homebuilder shall notify MPC Staff, the Tennessee State Archaeologist and the Eastern Band of the Cherokee Nation's Cultural Resources/Tribal Historic Preservation Office, and cease the development activity until the site can be investigated.
- 6. Meeting all requirements of the approved concept plan.
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Summary of MPC action: A

APPROVE the development plan for up to 209 detached single family dwellings on individual lots

subject to 7 conditions

Date of MPC Approval: 10/11/2001 **Date of Denial: Postponements:** 8/9/01 - 9/13/01

Date of Withdrawal: Withdrawn prior to publication?:

Action Appealed?:

LEGISLATIVE ACTION AND DISPOSITION

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:
Date of Legislative Appeal:	Effective Date of Ordinance:

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