

# CASE SUMMARY

APPLICATION TYPE: ROW CLOSURE



**File Number:** 11-B-22-SC                      **Related File Number:**  
**Application Filed:** 9/25/2022                      **Date of Revision:**  
**Applicant:** CHRIS BURKHART / ROCK POINTE DEVELOPMENT

## PROPERTY INFORMATION

**General Location:**  
**Other Parcel Info.:**  
**Tax ID Number:** 71 N/A                      **Jurisdiction:** City  
**Size of Tract:**  
**Accessibility:**

## GENERAL LAND USE INFORMATION

**Existing Land Use:**  
**Surrounding Land Use:**  
**Proposed Use:**    **Density:**  
**Sector Plan:** East City                      **Sector Plan Designation:**  
**Growth Policy Plan:** N/A (Within City Limits)  
**Neighborhood Context:**

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

**Street:** McCalla Ave.  
**Location:** Between its southwest intersection with Pelham Rd and its northern terminus at Rutledge Pk  
**Proposed Street Name:**  
**Department-Utility Report:** The City's Engineering Department requests conditions. KUB and AT&T retain all rights and easements. TDOT and the City's Fire Department have no comments.  
**Reason:** A portion of McCalla Ave is required to be closed as requested by the City of Knoxville Stormwater Engineering Department during the review for the construction of the proposed new road (Rock Pointe Drive).

## ZONING INFORMATION (where applicable)

**Current Zoning:** N/A  
**Former Zoning:**  
**Requested Zoning:**  
**Previous Requests:**  
**Extension of Zone:**  
**History of Zoning:**

## PLAN INFORMATION (where applicable)

**Current Plan Category:**

Requested Plan Category:

**SUBDIVISION INFORMATION (where applicable)**

Subdivision Name:

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

Variances Requested:

S/D Name Change:

**OTHER INFORMATION (where applicable)**

Other Bus./Ord. Amend.: A portion of McCalla Ave is required to be closed as requested by the City of Knoxville Stormwater Engineering Department during the review for the construction of the proposed new road (Rock Pointe Drive).

**PLANNING COMMISSION ACTION AND DISPOSITION**

Planner In Charge: Liz Albertson

Staff Recomm. (Abbr.): Approve closure of McCalla Road from its southwest intersection with Pelham Rd to its northern terminus at Rutledge Pike, subject to any required easements, and to four conditions:

Staff Recomm. (Full):

1. The City will reserve easements for all drainage facilities and utilities, if there are any current facilities, located in or within five (5) feet of the property described herein. No easements are reserved if there are no current facilities within the closure area. If any existing facilities or utilities are found not feasible to the site development or use, they may be removed and relocated, subject to City Engineering and/or other applicable easement holder review and approval.
2. The applicant shall dedicate and bond, subject to Engineering's approval, the proposed new right-of-way area that is subject to current plans review number R22-1274.
3. The closure shall become effective only after the Engineering Department has confirmed the conditions in item number 2 above have been satisfactorily met.
4. The applicant shall have one (2) years to complete conditions listed above, unless otherwise stated in a particular item, or the closure shall be considered null and void and of no effect.

Comments:

1. This request is to close McCalla Road from its southwest intersection with Pelham Rd to its northern terminus at Rutledge Pike is required to be closed as requested by the City of Knoxville Stormwater Engineering Department during the review for the construction of the proposed new road (Rock Pointe Drive).
2. This adjoining properties for the street closure are zoned commercial. This area is adjacent to the right-of-way of I-40, Rutledge Pike, portions of McCalla Avenue, and a section of Pelham Road that is also proposed to be closed (see case: 11-A-22-SC).
3. The same property owner owns all adjacent 3 properties with frontage on this section of McCalla Road. This property owner is the applicant for the closure and has submitted plans to the City of Knoxville to provide a new road called Rock Pointe Drive.
4. Staff has received no objections from the general public.
4. The following departments and organizations had these comments:
  - The City Engineering Department has no objections to close the above referenced right-of-way area SUBJECT TO THE FOLLOWING CONDITIONS
    - a. The City will reserve easements for all drainage facilities and utilities, if there are any current facilities, located in or within five (5) feet of the property described herein. No easements are reserved if there are no current facilities within the closure area. If any existing facilities or utilities are found not feasible to the site development or use, they may be removed and relocated, subject to City Engineering and/or other applicable easement holder review and approval.
    - B. The applicant shall dedicate and bond, subject to Engineering's approval, the proposed new right-of-way area that is subject to current plans review number R22-1274.
    - c. The closure shall become effective only after the Engineering Department has confirmed the conditions in item number 2 above have been satisfactorily met.
    - D. The applicant shall have one (2) years to complete conditions listed above, unless otherwise stated in a particular item, or the closure shall be considered null and void and of no effect.
  - KUB: We have reviewed our records and find that we have existing utility facilities located within the subject right-of-way. The approximate locations of these facilities are indicated on the enclosed prints. However, KUB does not release and hereby retains all easements and rights for existing utility facilities, whether or not shown on these prints. Should this right-of-way be closed, KUB will require the following permanent easements for its utility facilities:
    - Electric - 10 feet on each side of the centerline of the electric line, 20 feet total width
    - Gas - 7.5 feet on each side of the centerline of the gas line, 15 feet total width
    - Sewer - 7.5 feet on each side of the centerline of the sewer line, 15 feet total width

Water - 7.5 feet on each side of the centerline of the water line, 15 feet total width  
- AT&T currently has facilities and will need to maintain facilities on Pelham Road and McCalla Road at Rutledge Pike. We would request a utility easement in each of these locations.  
- TDOT has no comments as this is not a state right-of-way.  
- The Fire Department had no comments.

**Action:** Approved

**Meeting Date:** 11/10/2022

**Details of Action:**

**Summary of Action:** Approve closure of McCalla Road from its southwest intersection with Pelham Rd to its northern terminus at Rutledge Pike, subject to any required easements, and to four conditions.

**Date of Approval:** 11/10/2022

**Date of Denial:**

**Postponements:**

**Date of Withdrawal:**

**Withdrawn prior to publication?:**  **Action Appealed?:**

## **LEGISLATIVE ACTION AND DISPOSITION**

**Legislative Body:** Knoxville City Council

**Date of Legislative Action:** 12/13/2022

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

**Ordinance Number:**

**Other Ordinance Number References:**

**Disposition of Case:** Approved (Emergency)

**Disposition of Case, Second Reading:**

**If "Other":**

**If "Other":**

**Amendments:**

**Amendments:**

**Date of Legislative Appeal:**

**Effective Date of Ordinance:**