

# CASE SUMMARY

APPLICATION TYPE: ROW CLOSURE



File Number: 11-D-21-SC                      Related File Number:  
Application Filed: 10/4/2021              Date of Revision:  
Applicant: CITY OF KNOXVILLE

## PROPERTY INFORMATION

General Location:  
Other Parcel Info.:  
Tax ID Number: 95 H B 0                      Jurisdiction: City  
Size of Tract:  
Accessibility:

## GENERAL LAND USE INFORMATION

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

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

Street: Right-of-way adjacent to First Creek  
Location: Between the western intersection with Willow Avenue and parcel 095HC010 and a point approximately 458' northeast between the property lines of parcels 095HC012 and 095HC00201  
Proposed Street Name:  
Department-Utility Report: The City has requested to retain a flowage easement.  
Reason: The closure is a necessary part of the development plan for the construction of the multi-use stadium.

## 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.: The closure is a necessary part of the development plan for the construction of the multi-use stadium.

## PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge: Michelle Portier

Staff Recomm. (Abbr.): Approve closure of the portion of right-of-way adjacent to First Creek from its western intersection with Willow Avenue and parcel 095HC010 to a point approximately 458' northeast between the property lines of parcels 095HC012 and 095HC00201 since it is needed for the multi-use stadium/mixed use planned development, subject to two conditions.

Staff Recomm. (Full):  
1. Project must obtain plan development approval, City Council and County Commission funding approval, and sufficient design must be completed to meet transportation needs subject to City Engineering approval before the closure can become effective. If the project does not meet the requirements, the closure shall become null and void and of no effect.  
2. The City will retain a flowage easement to serve First Creek which runs within the proposed closure area.

Comments:  
1. This request is to close the portion of right-of-way adjacent to First Creek from its western intersection with Willow Avenue and parcel 095HC010 to a point approximately 458' northeast between the property lines of parcels 095HC012 and 095HC00201.  
2. The multi-use stadium/mixed use planned development is proposed for the property north of First Creek and will include multiple blocks. The area comprising this right-of-way is needed as part of that project.  
3. The City's Ward Map shows the property around First Creek as a right-of-way (see Exhibit A). The City's Engineering Department undertook a significant research effort into First Creek history and ownership to better understand this unique situation.  
4. The City of Knoxville made major improvements to First Creek in 1958 by rerouting the stream and providing a closed conduit where the expressway crosses Willow Street (see Exhibit B, the "Knoxville Downtown Loop" document, the Hydrologic Features section on pp. 17-18).  
5. Technical Services/Engineering and a private title firm did not uncover any documentation proving any private ownership of the area.  
6. With that research considered and the fact that the area is indexed on the official City Ward Map as a right-of-way, the Engineering Department has submitted an application for closure to abandon the area and enable the City to issue a quitclaim deed to private ownership for the planned development. The City will reserve an easement for the water flowage of the creek, similarly to utility easement reservations typical to other right-of-way closures.  
7. Staff has received no objections from the general public.  
8. In addition to comments from City Engineering (approval conditions 1 and 2), the following departments and organizations had these comments:  
a. TDOT had no Comments.  
b. AT&T submitted no comments.  
c. KUB submitted no comments.

Action: Approved with Conditions

Meeting Date: 11/10/2021

Details of Action:

Summary of Action: Approve closure of the portion of right-of-way adjacent to First Creek from its western intersection with Willow Avenue and parcel 095HC010 to a point approximately 458' northeast between the property lines of parcels 095HC012 and 095HC00201 since it is needed for the multi-use stadium/mixed use planned development, subject to two conditions.

Date of Approval: 11/10/2021

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:** 12/14/2021

**Ordinance Number:**

**Disposition of Case:** Approved

**If "Other":**

**Amendments:**

**Date of Legislative Appeal:**

**Date of Legislative Action, Second Reading:** 1/11/2022

**Other Ordinance Number References:** O-8-2022

**Disposition of Case, Second Reading:** Approved

**If "Other":**

**Amendments:**

**Effective Date of Ordinance:**