# **CASE SUMMARY**

## APPLICATION TYPE: ROW CLOSURE

File Number: 12-B-11-SC Related File Number:

Application Filed: 10/27/2011 Date of Revision: 9/4/2012

Applicant: GERDAU



Suite 403 • City County Building 4 0 0 Main Street Knoxville, Tennessee 37902 8 6 5 • 2 1 5 • 2 5 0 0 F A X • 2 1 5 • 2 0 6 8 w w w • k n o x m p c • o r g

#### PROPERTY INFORMATION

**General Location:** 

Other Parcel Info.:

Tax ID Number: 81 P K 035 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: Urban Growth Area (Inside City Limits)

**Neighborhood Context:** 

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

Street: Ely Ave

**Location:** Between Stonewall Street and northeast property line of parcel 081PK029

**Proposed Street Name:** 

Department-Utility Report: No objections from any departments or utilities have been received by staff as of the date and time of

this report.

**Reason:** To enhance materials movement at plant and consolidate property.

## ZONING INFORMATION (where applicable)

Current Zoning: I-4 (Heavy Industrial) / IH-1 (Infill Housing Overlay)

Former Zoning:

**Requested Zoning:** 

**Previous Requests:** 

**Extension of Zone:** 

**History of Zoning:** 

## PLAN INFORMATION (where applicable)

**Current Plan Category:** 

**Requested Plan Category:** 

4/19/2013 05:24 PM Page 1 of 3

#### 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.: To enhance materials movement at plant and consolidate property.

#### MPC ACTION AND DISPOSITION

Planner In Charge: Michael Brusseau

Staff Recomm. (Abbr.): POSTPONE the request at least 30 days until the March 14, 2013 meeting, or longer, if necessary.

Staff Recomm. (Full): Postponement will allow discussions to continue between the applicant and the City to establish an

agreement regarding the proposed greenway alignment and buffering for the adjacent neighborhood. It also will allow time for the applicant to negotiate with the property owner of parcels 27 and 28 to obtain those parcels, allowing the closure of the full block of Ely Ave., from Stonewall St. to Bragg St. In addition, the need for a turnaround, as approved last month on the attached concept plan (2-SA-12-C) would not be necessary and there would be more area available for Gerdau to implement

expansion plans, while requiring less new pavement to be installed.

**Comments:** Since this case was untabled at the August 9 MPC meeting, the applicant has revised the application

to expand the proposed closure of Ely Ave. about 150 feet to the northeast to include three more

parcels, which Gerdau now owns.

The attached concept plan (2-SA-12-C) was approved by MPC at the September 13, 2012 meeting that extended the parallel alley north of Ely Ave. from its proposed new terminus northwest to connect it with New York Ave. It also provides a turnaround at the new proposed end of Ely Ave., which is

currently proposed just beyond the first two parcels southwest of Bragg St.

Several years ago, there were discussions between the City of Knoxville and Gerdau regarding installation of a greenway and landscape buffers or berms between the Gerdau property and the adjacent neighborhood. It is staff's understanding that these discussions are continuing currently, but that final plans have not been agreed upon. Attached are documents showing the possible location of the greenway through this parcel and the construction of a landscaped berm to provide a buffer between the Gerdau property and facilities and the adjacent neighborhood to the north. Currently, none of these improvements appear to have been made. Staff would expect that any previous or future agreements between the City and Gerdau would be honored by both parties.

If this closure is recommended for approval by MPC, a condition should be included that states "The five conditions included in the attached letter from City of Knoxville Engineering (dated October 30, 2012) must be addressed to the satisfaction of that department."

Staff is not in agreement with allowing the closure of this partial section of Ely Ave. at this time, as it could allow expansion of Gerdau operations prior to an agreement being reached between the City and Gerdau regarding the provision of space for a neighborhood buffering and a proposed greenway. In addition, from the time of original application, staff has maintained to both the applicant and the property owner of parcels 27 and 28 that approval of the closure of Ely Ave. would not be recommended until Gerdau gains control of all the parcels fronting on Ely Ave. between Stonewall St.

and Bragg St. This would allow closure of the entire block, rather than a portion of it, as currently proposed. Staff continues to maintain that position.

proposed. Otal continues to maintain that position

Action: Approved Meeting Date: 2/14/2013

**Details of Action:** RECOMMEND that City Council APPROVE the closure of the proposed portion of Ely Ave., subject to

any required easements and subject to the following condition:.

1. The five conditions included in the attached letter from City of Knoxville Engineering (dated October 30, 2012) must be addressed to the satisfaction of that department.

30, 2012) must be addressed to the satisfaction of that department.

Summary of Action: APPROVE the closure of the proposed portion of Ely Ave., subject to any required easements and

subject to conditions.

Date of Approval: 2/14/2013 Date of Denial: Postponements: 12/8/11, 9/13/12-

1/10/13

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

4/19/2013 05:24 PM Page 2 of 3

## LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council

Date of Legislative Action: 3/19/2013 Date of Legislative Action, Second Reading:

Ordinance Number: Other Ordinance Number References:

Disposition of Case: Approved (Emergency) Disposition of Case, Second Reading:

If "Other":

Amendments: Amendments:

Date of Legislative Appeal: Effective Date of Ordinance:

4/19/2013 05:24 PM Page 3 of 3