

CASE SUMMARY

APPLICATION TYPE: ROW CLOSURE



File Number: 12-B-22-SC **Related File Number:**
Application Filed: 10/25/2022 **Date of Revision:**
Applicant: JOSEPH PARKS ON BEHALF OF SAINT PAUL DEV PARTNERS LLC

PROPERTY INFORMATION

General Location:
Other Parcel Info.:
Tax ID Number: 109 N/A **Jurisdiction:** City
Size of Tract:
Accessibility:

GENERAL LAND USE INFORMATION

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

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

Street: W. Blount (sliver of) Ave.
Location: Between the southwest corner of the intersection with Saint Paul St. and the southeast corner of parcel 109AA005
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: The portion of right of way to be abandoned is not in use. It is outside of pavement or sidewalks. The radius of the existing right of way is excess for current and proposed uses for these streets. Note, right of way will be dedicated along W Blount Ave and Saint Paul as needed to provide improved sidewalks and utility access.

ZONING INFORMATION (where applicable)

Current Zoning: SW (South Waterfront)
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 portion of right of way to be abandoned is not in use. It is outside of pavement or sidewalks. The radius of the existing right of way is excess for current and proposed uses for these streets. Note, right of way will be dedicated along W Blount Ave and Saint Paul as needed to provide improved sidewalks and utility access.

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge: Liz Albertson

Staff Recomm. (Abbr.): Approve closure of a sliver of W. Blount Avenue from the southwest corner of the intersection with Saint Paul Street to the southeast corner of parcel 109AA005, subject to any required easements, and to four conditions:

Staff Recomm. (Full):

1. Applicant has current plans in for review under number R22-1931 and must successfully obtain permitting and complete redevelopment of the area, subject to City Engineering Approval.
2. Applicant must provide Technical Services with an exhibit map and written description, certified by a Tennessee licensed land surveyor, correctly describing the proposed closure area for inclusion in the City Ordinance closure documentation. This information must be provided before being reviewed at the required City Council meetings.
3. The applicant shall have one (1) year to complete conditions listed in item number 1 above or the closure shall be considered null and void, of no effect, and shall revert back to the current public right-of-way conditions as currently depicted on subdivision map recorded as Instrument Number 200602130068325, on file in the Knox County Register of Deeds Office, and in the Technical Services/City Engineering Records as Map Number 25170-C.
4. 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.

Comments:

1. This request is to close a sliver of W. Blount Avenue from the southwest corner of the intersection with Saint Paul Street to the southeast corner of parcel 109AA005.
2. This adjoining properties for the street closure are zoned SW-6 (South Waterfront - Henley Gateway).
3. 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. Applicant has current plans in for review under number R22-1931 and must successfully obtain permitting and complete redevelopment of the area, subject to City Engineering Approval.
 - B. Applicant must provide Technical Services with an exhibit map and written description, certified by a Tennessee licensed land surveyor, correctly describing the proposed closure area for inclusion in the City Ordinance closure documentation. This information must be provided before being reviewed at the required City Council meetings.
 - C. The applicant shall have one (1) year to complete conditions listed in item number 1 above or the closure shall be considered null and void, of no effect, and shall revert back to the current public right-of-way conditions as currently depicted on subdivision map recorded as Instrument Number 200602130068325, on file in the Knox County Register of Deeds Office, and in the Technical Services/City Engineering Records as Map Number 25170-C.
 - D. 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.
 - 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.
Underground Electric - 7.5 feet on each side of the centerline of the electric line, 15 feet total width.
- AT&T does not have any facilities until we hit the KUB owned pole that is to the far east side of the affected area on Saint Paul St. It appears the pole and guy wires are outside of the shaded area, but would be hard to know for certain without a survey. If KUB does not have a problem with it then we will not either.
- TDOT has no comments as this is not a state right-of-way.
- The Fire Department had no comments.

Action: Approved **Meeting Date:** 12/8/2022

Details of Action:

Summary of Action: Approve closure of a sliver of W. Blount Avenue from the southwest corner of the intersection with Saint Paul Street to the southeast corner of parcel 109AA005, subject to any required easements, and to four conditions:

Date of Approval: 12/8/2022 **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: 1/10/2023 **Date of Legislative Action, Second Reading:** 1/24/2023
Ordinance Number: **Other Ordinance Number References:** O-24-2023
Disposition of Case: Approved **Disposition of Case, Second Reading:** Approved
If "Other": **If "Other":**
Amendments: **Amendments:**
Date of Legislative Appeal: **Effective Date of Ordinance:**