

CASE SUMMARY

APPLICATION TYPE: ROW CLOSURE



File Number: 2-A-24-AC Related File Number:
Application Filed: 12/21/2023 Date of Revision:
Applicant: CITY OF KNOXVILLE

PROPERTY INFORMATION

General Location:
Other Parcel Info.:
Tax ID Number: 94 N/A 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: Unnamed alley
Location: Between the south side of W Fourth Ave (closed right-of-way) and its southern terminus
Proposed Street Name:
Department-Utility Report: KUB and the City Engineering Department have requested to retain any easements that may be in place.
Reason: To facilitate property acquisitions for Knox Oncore, LLC.

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.: To facilitate property acquisitions for Knox Oncore, LLC.

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge: Naomi Hansen

Staff Recomm. (Abbr.): Approve the request to close the unnamed alley from its southern terminus to the south side of W Fourth Avenue, subject to two conditions, since closure will not adversely impact surrounding properties.

Staff Recomm. (Full): 1. A final plat combining these properties must be recorded before the closure can become effective. If a final plat is not recorded, the closure shall become null and void and of no effect.
2. Easement for the City and KUB shall remain in place as requested.

Comments:

1. This request is to close an unnamed alley from its southern terminus to the south side of W Fourth Avenue. It is part of a series of rights-of-way requested to be closed this month. The applicant owns all of the property in this area (bounded by Marion Street and Second Creek to the east and west, and by May Avenue and W Fifth Avenue to the north and south). They would like to consolidate the property into a single development. To do so, they need to acquire ownership of the rights-of-way of the requested closures (Cases 2-A-24-AC, 2-A-24-SC, 2-B-24-SC, and 2-C-24-SC).
2. The applicant is working with the City of Knoxville and TDOT to consolidate the properties for future development.
3. Planning supports the closure request, but recommends a condition that a final plat be recorded before closure is officially complete. This protects access for the parcels within the area described above should the property not get combined and the project not get completed. Since the property is over 5 acres in size, it would be platted as an exempt plat and would not be required to come through Planning staff for review.
4. Planning has received the following comments from other departments and agencies:
 - a. City Engineering: The City Engineering Department has no objections to close the above-described right-of-way area. However, should this right-of-way be closed, 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. 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.
 - Sewer: 7.5 ft on each side of the centerline of the sewer line, 15 ft in total width.
5. The Fire Department and TDOT had no comments.

Action: Approved with Conditions **Meeting Date:** 2/8/2024

Details of Action:

Summary of Action: Approve the request to close the unnamed alley from its southern terminus to the south side of W Fourth Avenue, subject to two conditions, since closure will not adversely impact surrounding properties.

Date of Approval: 2/8/2024

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: 3/5/2024

Date of Legislative Action, Second Reading: 3/19/2024

Ordinance Number:

Other Ordinance Number References: O-30-2024

Disposition of Case: Approved

Disposition of Case, Second Reading: Approved

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: