

# CASE SUMMARY

APPLICATION TYPE: ROW CLOSURE



File Number: 2-A-24-SC                      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: Arthur St.  
Location: Between from the southeast side of May Avenue and the northeast side of Marion Street  
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 Arthur Street from the southeast side of May Avenue to the northeast side of Marion Street, since closure will not adversely impact surrounding properties, subject to two conditions.

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. Any easements for the City and KUB shall remain in place as requested.

Comments: 1. This request is to close Arthur Street from the southeast side of May Avenue to the northeast side of Marion Street. Arthur Street remains undeveloped and is only visible on the City Ward Map. The right-of-way for Arthur Street runs diagonally between May Avenue and Marion Street and is not needed for access.  
2. This request 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).  
3. The applicant is working with the City of Knoxville and TDOT to consolidate the properties for future development.  
4. 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.  
5. 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, as far as we have been able to determine, KUB has no existing utility facilities located within the subject right-of-way areas and we have no objection to the requested closures. However, KUB does not release and hereby retains all easements and rights for existing facilities, whether or not identified in our research.  
6. 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 Arthur Street from the southeast side of May Avenue to the northeast side of Marion Street, since closure will not adversely impact surrounding properties, subject to two conditions.

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-31-2024

**Disposition of Case:** Approved

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

**If "Other":**

**If "Other":**

**Amendments:**

**Amendments:**

**Date of Legislative Appeal:**

**Effective Date of Ordinance:**