

CASE SUMMARY

APPLICATION TYPE: ROW CLOSURE



File Number: 3-A-21-SC Related File Number:
Application Filed: 1/25/2021 Date of Revision:
Applicant: BOBBY C. SMELCER

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
Neighborhood Context:

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

Street: Wrinkle Ave.
Location: Between the southeast corner of parcel 109IA011 and southwest corner of parcel 109IA011
Proposed Street Name:
Department-Utility Report: The City's Engineering Department, AT&T, and KUB have requested to retain any easements that may be in place.
Reason: The ROW is no longer needed; to consolidate property as applicant owns both properties.

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 ROW is no longer needed; to consolidate property as applicant owns both properties.

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge: Michelle Portier

Staff Recomm. (Abbr.): Approve closure of Wrinkle Avenue beginning 50 feet to the west of the southeast lot line of parcel 109IA011 and continuing to the southwest lot line of parcel 109IA011, subject to any required easements, since that portion of Wrinkle Avenue would no longer be needed for access and staff has received no objections.

Staff Recomm. (Full):

Comments:

1. Wrinkle Avenue runs from Chapman Highway to the southwest lot line of parcel 109IA011, where it meets the undeveloped, closed right-of-way that was Whaley Avenue. The applicant is requesting to close the portion of Wrinkle Avenue that fronts his property, parcel 109IA011. Staff is recommending to begin that closure 50 feet to the west of the property line of 109IA011 to protect that parcel's driveway access, which would still be needed.
2. The applicant has agreed to staff's recommended beginning point of closure, and has submitted a diagram showing his plans upon closure of the right-of-way. The map includes the 50-foot space staff recommends between the southeastern property line of parcel 109IA011 and the beginning of the right-of-way closure.
3. In addition to the closure of Wrinkle Avenue as described above, the application requests closure of Whaley Avenue. However, Whaley Avenue was closed per City of Knoxville Ordinance # 6199 on October 5, 1976. This closure is noted in the location map that is part of Exhibit A and closure of Whaley Avenue has been removed from the applicant's request.
4. Upon closure of this right-of-way, it will be combined with the large parcel to the west, 3314 W. Blount Avenue (parcel 109IA02101) along with the parcel to the south, 605 Baldwin Avenue (parcel 109IH004). A map submitted by the applicant has been included in Exhibit A and shows the applicant's intended changes. The previously closed Whaley Street right-of-way will be joined with 137 Wrinkle Avenue (parcel 109IA011).
5. Staff has received no objections, but the following departments and organizations had these comments:
 - 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.
 - The City's Fire Department had no comments.
 - TDOT had no Comments.
 - AT&T does not wish to relinquish any ROW or utility easements at this time.
 - 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 rights-of-way 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.

Action: Approved

Meeting Date: 3/11/2021

Details of Action:

Summary of Action: Approve closure of Wrinkle Avenue beginning 50 feet to the west of the southeast lot line of parcel 109IA011 and continuing to the southwest lot line of parcel 109IA011 , subject to any required easements, since that portion of Wrinkle Avenue would no longer be needed for access and staff has received no objections.

Date of Approval: 3/11/2021

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: 4/6/2021

Date of Legislative Action, Second Reading: 4/20/2021

Ordinance Number:

Other Ordinance Number References: 0-50-2021

Disposition of Case: Approved

Disposition of Case, Second Reading: Approved

If "Other":

If "Other":

Amendments:

Amendments:

Date of Legislative Appeal:

Effective Date of Ordinance: