

# CASE SUMMARY

## APPLICATION TYPE: ROW CLOSURE



**File Number:** 5-C-21-SC **Related File Number:**  
**Application Filed:** 3/29/2021 **Date of Revision:**  
**Applicant:** DOMINION TURKEY CREEK, LLC

### PROPERTY INFORMATION

**General Location:**  
**Other Parcel Info.:**  
**Tax ID Number:** 131 N/A **Jurisdiction:** City  
**Size of Tract:**  
**Accessibility:**

### GENERAL LAND USE INFORMATION

**Existing Land Use:**  
**Surrounding Land Use:**  
**Proposed Use:** **Density:**  
**Sector Plan:** Southwest County **Sector Plan Designation:**  
**Growth Policy Plan:** N/A (within City limits)  
**Neighborhood Context:**

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

**Street:** sliver of Parkside Dr.  
**Location:** Between along the property line of 10865 Parkside Dr. and  
**Proposed Street Name:**  
**Department-Utility Report:** The City's Engineering Department and KUB have requested to retain any easements that may be in place.  
**Reason:** Partial closure of ROW outside of paved area to allow for development of irregularly shaped lot bounded by wetlands and natural resource features.

### 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.: Partial closure of ROW outside of paved area to allow for development of irregularly shaped lot bounded by wetlands and natural resource features.

## **PLANNING COMMISSION ACTION AND DISPOSITION**

Planner In Charge: Michelle Portier

Staff Recomm. (Abbr.): Approve closure of a sliver of the Parkside Drive right-of-way along the property line of parcel 10865 Parkside Drive, subject to any required easements, since it is not needed for access and staff has received no objections.

Staff Recomm. (Full):

Comments:

1. This request is to close a sliver of the Parkside Drive right-of-way that runs along the shared property line with parcel 10865 Parkside Drive (parcel 131 02930).
2. The applicant has submitted a plat with a metes and bounds description of the area to be closed and a plat depicting the closure area (Exhibit B). The closure is of the portion of the right-of-way per Exhibit B.
3. As the right-of-way to be closed is along the eastern portion of the right-of-way abutting 10865 Parkside Drive, the closed portion of the right-of-way property will be added to 10865 Parkside Drive via quit claim deed.
4. Since Parkside Drive will retain adequate right-of-way width and the paved portion of the road is not affected by the closure request, no properties are affected by the closure and their access points remain unchanged.
5. Staff has received no objections, but the following departments and organizations had these comments:
  - a. 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. 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. The City's Fire Department had no comments.
  - c. TDOT had no Comments.
  - d. 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-ways 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.
  - e. AT&T did submit any comments.

Action: Approved

Meeting Date: 5/13/2021

Details of Action:

Summary of Action: Approve closure of a sliver of the Parkside Drive right-of-way along the property line of parcel 10865 Parkside Drive, subject to any required easements, since it is not needed for access and staff has received no objections.

Date of Approval: 5/13/2021

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:** 6/15/2021

**Ordinance Number:**

**Disposition of Case:** Approved

**If "Other":**

**Amendments:**

**Date of Legislative Appeal:**

**Date of Legislative Action, Second Reading:** 6/29/2021

**Other Ordinance Number References:** O-89-2021

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

**If "Other":**

**Amendments:**

**Effective Date of Ordinance:**