

CASE SUMMARY

APPLICATION TYPE: ROW CLOSURE



File Number: 6-D-22-SC Related File Number:
Application Filed: 5/4/2022 Date of Revision:
Applicant: NMI RESIDENTIAL INVESTMENTS, LLC

PROPERTY INFORMATION

General Location:
Other Parcel Info.:
Tax ID Number: 154 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: A portion of Chimney Top Ln.
Location: Between its original terminus and to a point 65.17 ft. to the southwest.
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: Topography / Revised design

ZONING INFORMATION (where applicable)

Current Zoning:
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.: Topography / Revised design

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge: Levan King Cranston

Staff Recomm. (Abbr.): Approve closure of a portion of Chimney Top Lane between its original terminus and a point 65.17 ft. to the southwest to support construction of the berm along Pellissippi Parkway, subject to 3 conditions.

Staff Recomm. (Full):

1. The closure presents a possible land-locking condition for the property known today as Lots 6 and 7 as shown on the map of Beau Monde Phase V, recorded in the Knox County Register of Deeds as Instrument Number 202104270088693. The applicant must redesign and provide legal access for any properties that may be subject to a land-locking condition as a result of this closure. The redesign and access must be approved by City Engineering and/or Knoxville-Knox County Planning.
2. The applicant shall have one (2) years to complete the conditions listed above, unless otherwise stated in a particular item, or the closure shall be considered null and void and of no effect.
3. The closing ordinance shall state that this closure shall become effective only after the Engineering Department has provided written verification, to the City Recorder, that conditions have been satisfactorily met.

Comments:

1. This request is close the terminus of Chimney Top Lane to move the terminus of the street 65.17 feet southwest from its original location.
2. The properties to either side of Chimney Top Lane abut Pellissippi Parkway. Construction of a berm is underway, so moving the cul-de-sac bulb farther from Pellissippi Parkway supports the berm construction.
3. It appears that the closure has the potential to affect street access for parcel 154FG013. If that turns out to be the case, the applicant would need to redesign the lot and/or street to provide legal access.
4. No address changes would be necessitated with this closure.
5. Staff has received no objections from the general public.
6. Staff has received comments from the following departments and organizations:
 - KUB does not release and hereby retains all easements and rights for existing facilities, whether or not identified in our research.
 - The City Engineering Department has no objections to closing the above-described right-of-way areas provided the specified conditions (see approval conditions), subject to City Engineering approval, are met. Should this right-of-way be closed, the City will reserve easements for all drainage facilities and utilities, if any, located in or within five (5) feet of the property described herein. If 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.
7. Other than comments received from City Engineering (approval conditions 1-3) and KUB, no other departments had any comments.

Action: Approved

Meeting Date: 6/9/2022

Details of Action:

Summary of Action: Approve closure of a portion of Chimney Top Lane between its original terminus and a point 65.17 ft. to the southwest to support construction of the berm along Pellissippi Parkway, subject to 3 conditions.

Date of Approval: 6/9/2022

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: 7/12/2022

Date of Legislative Action, Second Reading: 7/26/2022

Ordinance Number:

Other Ordinance Number References: 0-102-2022

Disposition of Case: Approved with Conditions

Disposition of Case, Second Reading: Approved with

If "Other":

Amendments:

Date of Legislative Appeal:

If "Other":

Amendments:

Effective Date of Ordinance: