

CASE SUMMARY

APPLICATION TYPE: ROW CLOSURE



File Number: 8-A-20-SC **Related File Number:**
Application Filed: 6/25/2020 **Date of Revision:**
Applicant: WADE LOVIN / MBI COMPANIES

PROPERTY INFORMATION

General Location:
Other Parcel Info.:
Tax ID Number: 70 N/A **Jurisdiction:** City
Size of Tract:
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use:
Surrounding Land Use:
Proposed Use: **Density:**
Sector Plan: East City **Sector Plan Designation:**
Growth Policy Plan: Within City limits
Neighborhood Context:

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

Street: Herman Ave.
Location: Between Timothy Ave. and Rutledge Pk. from the southwest corner of parcel 070LC001 to the midpoint of parcel 070MC016
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: Road was never constructed or used by the public.

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.: Road was never constructed or used by the public.

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge: Michelle Portier

Staff Recomm. (Abbr.): Approve closure of Herman Avenue from Timothy Avenue to Rutledge Pike from the property line of parcel 070LC001 to the midpoint of parcel 070MC016, subject to any required easements, since it is undeveloped and staff has received no objections.

Staff Recomm. (Full):

Comments:

1. The right-of-way runs from Timothy Avenue south to Rutledge Pike. It is undeveloped and does not provide access to any lots. The Addressing Department has confirmed its closure will not impact any existing addresses.
2. Staff has received no objections, but the following departments and organizations had these comments:
 - a. 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:
 - i. Sewer – 7.5 feet on each side of the centerline of the sewer lines, 15 feet total width
 - ii. Gas – 7.5 feet on each side of the centerline of the gas lines, 15 feet total width
 - b. 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.
 - c. The City's Fire Department had no comments.
 - d. TDOT had no Comments as the right-of-way does not appear to affect state assets.
 - e. AT&T does not wish to relinquish any ROW or utility easements at this time.

Action: Approved

Meeting Date: 8/13/2020

Details of Action:

Summary of Action: The Planning Commission approved closure of Herman Avenue from Timothy Avenue to Rutledge Pike from the property line of parcel 070LC001 to the midpoint of parcel 070MC016, subject to any required easements, since it is undeveloped and staff has received no objections.

Date of Approval: 8/13/2020

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: 9/8/2020

Date of Legislative Action, Second Reading: 9/22/2020

Ordinance Number:

Disposition of Case: Approved

If "Other":

Amendments:

Date of Legislative Appeal:

Other Ordinance Number References:

O-138-2020

Disposition of Case, Second Reading:

Approved

If "Other":

Amendments:

Effective Date of Ordinance: