

CASE SUMMARY

APPLICATION TYPE: ROW CLOSURE



File Number: 3-C-22-SC Related File Number:
Application Filed: 1/28/2022 Date of Revision:
Applicant: CITY OF KNOXVILLE

PROPERTY INFORMATION

General Location:
Other Parcel Info.:
Tax ID Number: 95 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: First Creek Right-of-way
Location: Between the southwestern tip of Parcel 095HC015 and a point 214.36 ft to the west
Proposed Street Name:
Department-Utility Report: The City will retain a flowage easement to serve First Creek which runs within the proposed closure area.
Reason: This closure is a necessary part of the development plan for the construction of the multi-use stadium.

ZONING INFORMATION (where applicable)

Current Zoning: F (Floodplain Overlay)
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.: This closure is a necessary part of the development plan for the construction of the multi-use stadium.

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge: Michelle Portier

Staff Recomm. (Abbr.): Approve closure of the portion of right-of-way adjacent to First Creek from the southwestern corner of parcel 095HC015 to a point approximately 214.36 feet to the west since it is needed for the multi-use stadium/mixed use planned development, subject to three conditions.

Staff Recomm. (Full):
1. Project must obtain plan development approval, City Council and County Commission funding approval, and sufficient design must be completed to meet transportation needs subject to City Engineering approval, before the closure can become effective. If the project does not meet the requirements, the closure shall become null and void and of no effect.
2. The City will reserve easements for all existing drainage facilities and utilities 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.
3. Applicant must provide metes and bounds and/or map exhibit to sufficiently describe and locate the closure area. The description must be performed and certified by a TN licensed land surveyor before City Council approval.

Comments:
1. This request is to close the portion of right-of-way adjacent to First Creek from the southwestern corner of parcel 095HC015 to a point approximately 214.36 feet to the west. The described closure area of the First Creek right-of-way connects to a previous First Creek right-of-way closure so that the right-of-way is closed from the southwest corner of parcel 095HC015 to where it meets Willow Avenue.
2. The multi-use stadium/mixed use planned development is proposed for the property including the right-of-way around First Creek and will include a large area affecting multiple blocks. The area comprising this right-of-way is needed as part of that project.
3. The City's Ward Map shows the property around First Creek as a right-of-way (see Exhibit A). The City's Engineering Department undertook a significant research effort into First Creek history and ownership to better understand this unique situation.
4. The City of Knoxville made major improvements to First Creek in 1958 by rerouting the stream and providing a closed conduit where the expressway crosses Willow Street (see the "Knoxville Downtown Loop" document, the Hydrologic Features section on pp. 17-18).
5. Technical Services/Engineering and a private title firm did not uncover any documentation proving any private ownership of the area see Staff Exhibit B).
6. With that research considered and the fact that the area is indexed on the official City Ward Map as a right- of-way, the Engineering Department has submitted an application for closure to abandon the area and enable the City to issue a quitclaim deed to private ownership for the planned development. The City will reserve an easement for the water flowage of the creek, similar to utility easement reservations typical to other right-of-way closures.
7. Staff has received no objections from the general public.
8. Other than comments received from City Engineering (approval conditions 1-3), no other departments and organizations had any comments.

Action: Approved

Meeting Date: 3/10/2022

Details of Action:

Summary of Action: Approve closure of the portion of right-of-way adjacent to First Creek from the southwestern corner of parcel 095HC015 to a point approximately 214.36 feet to the west since it is needed for the multi-use stadium/mixed use planned development, subject to three conditions.

Date of Approval: 3/10/2022

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: 4/5/2022

Ordinance Number:

Disposition of Case: Approved

If "Other":

Amendments:

Date of Legislative Appeal:

Date of Legislative Action, Second Reading: 4/19/2022

Other Ordinance Number References: O-51-2022

Disposition of Case, Second Reading: Approved

If "Other":

Amendments:

Effective Date of Ordinance: