

▶ **FILE #:** 1-A-14-AC

**AGENDA ITEM #** 7

**AGENDA DATE:** 1/9/2014

▶ **APPLICANT:** JEFFREY NASH

TAX ID NUMBER: 94 E F 012  
 JURISDICTION: Council District 6  
 SECTOR PLAN: Central City  
 GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)  
 ZONING: C-3 (General Commercial)  
 WATERSHED: Third Creek

▶ **RIGHT-OF-WAY TO BE CLOSED:** Unnamed alley  
 ▶ **LOCATION:** Between N. Central Street and Ogden Street

IS ALLEY:  
 (1) IN USE?: Yes  
 (2) IMPROVED (paved)?: No

▶ **APPLICANT'S REASON FOR CLOSURE:** For redevelopment of the entire block

DEPARTMENT-UTILITY REPORTS: No objections from any departments or utilities have been received by staff as of the date of this report.

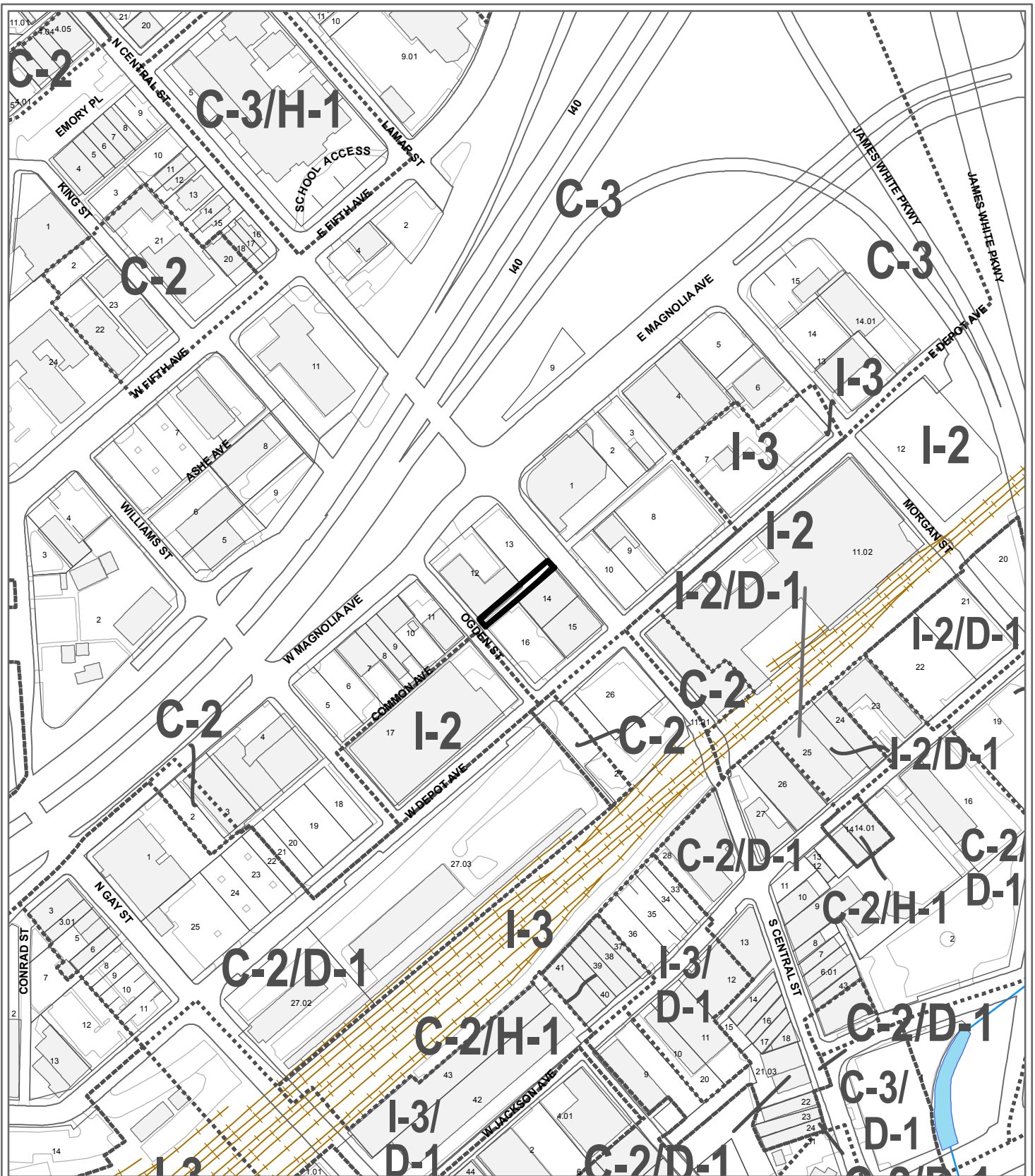
**STAFF RECOMMENDATION:**

▶ **RECOMMEND that City Council DENY the closure of this unnamed alley, based on the following:**  
 Although no objections from reviewing departments and utilities have been received, the staff has concern that public access through this alley should be maintained until such time that all properties in the entire block are consolidated and an overall access and circulation plan is approved for a future development proposal.

**COMMENTS:**

The purpose of this closure is to consolidate the properties for redevelopment of the entire block between W. Magnolia Ave., Ogden St., W. Depot Ave. and N. Central St. In keeping with the requirements of the Minimum Subdivision Regulations (See attached Section 62-97, Alleys), the staff is of the opinion that public access should be maintained through the subject alley, as required for commercial and industrial areas. The Planning Commission may waive this requirement, but only in cases "where other definite and assured provisions are made for service areas, such as off-street loading, unloading and parking consistent with, and adequate for the uses proposed." Until a plan for a consolidated block is prepared and approved, such conditions can not be assured.

If approved, this item will be forwarded to Knoxville City Council for action on 2/4/2014 and 2/18/2014. If denied, MPC's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.



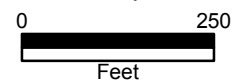
**1-A-14-AC  
CLOSURE OF PUBLIC RIGHT OF WAY**

Name of Street or Alley: Unnamed alley  
 To be closed from: N. Central Street  
 To be closed to: Ogden Street

Original Print Date: 12/20/2013      Revised:  
 Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

Petitioner: Nash, Jeffrey

Map No: 94  
 Jurisdiction: City



**62-96 Extension of Street.** All streets shall be designed so that they may be feasibly extended into adjacent property.

**62-97 Alleys.** Alleys shall be governed by the following regulations:

62-97.1 Alleys shall not be provided in residential areas, except where the developer produces evidence satisfactory to the Planning Commission of the need for alleys.

62-97.2 Alleys shall be provided in commercial and industrial areas except that the Planning Commission may waive this requirement where other definite and assured provisions are made for service areas, such as offstreet loading, unloading, and parking consistent with and adequate for the uses proposed.

62-97.3 Dead-end alleys shall be prohibited.

### **63 SIDEWALKS AND STREET FURNITURE**

**63-10 Sidewalk Location Required.** For the safety of pedestrians and children at play, the Planning Commission may require that sidewalks be provided for access to schools, recreational facilities, commercial establishments, or any other areas where obvious future pedestrian traffic is anticipated. Whenever sidewalks can be connected to existing walks or proposed walks in adjacent areas, such proposed walks should be designed on that side of the street which will make this connection possible.

**63.11 Within South Waterfront Zoning Districts** sidewalks shall be provided at the time of development in accordance with the approved Regulating Plan and Streetscape Standards.

**63-20 Position and Width.** Sidewalks shall be located not less than one (1) foot from the property line to prevent interference or encroachment by fencing, walks, hedges, or other planting or structure placed on the property line at a later date. The inner edge of a sidewalk should not be closer than five (5) feet to the street pavement. Sidewalks shall have a minimum width of four (4) feet.

**63-21 Within South Waterfront Zoning Districts** sidewalks shall be provided at the time of development in accordance with the approved Regulating Plan and Streetscape Standards.

**63-30 Street Name Signs.** A street name sign of a design and material approved by appropriate governmental agencies shall be installed at all street intersections. Such sign installation shall be under the supervision of the appropriate governmental agency that shall determine the location.

**63-40 Landscaping.** In the design of subdivision, wherever possible, existing trees shall be preserved. Provision should be made to assure the growth of all landscaping material. All property between street pavement and curb and right-of-way line shall be backfilled and seeded.

1-A-14-AC - Cor - City Eng



# CITY OF KNOXVILLE

**Engineering**  
James R. Hagerman, P.E.  
Director of Engineering

December 17, 2013

Mr. Mike Brusseau, AICP, Senior Planner  
Knoxville-Knox County Metropolitan Planning Commission  
City-County Building, Suite 403  
Knoxville, Tennessee 37902



**SUBJECT:** Closure of an unnamed alley between N Central St and Ogden St  
MPC File # 1-A-14-AC; City Block 08183

Mr. Brusseau:

The City Engineering Department has no objections to close the above described right-of-way area. 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.

Sincerely,

*Benjamin D. Davidson*

Benjamin D. Davidson, PLS, Technical Services Administrator, Department of Engineering  
Ph: 865-215-2148

C: Brentley J. Johnson, P.E., R.L.S., Engineering Planning Chief  
Christopher S. Howley, P.E., Plans Review and Development Inspections



## Fire Prevention Bureau

City of Knoxville  
400 Main Street, Suite 539  
Knoxville, TN 37902

### Memorandum

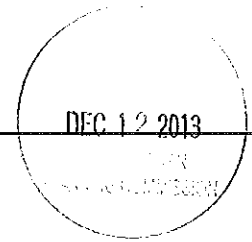
Date: December 16, 2013  
To: Mike Brusseau  
From: Sonny Partin, Deputy Fire Marshal  
Subject: Request for Information on Right of Way Closures, Fire Department Review

Road Name	Review Status	Comments
1. Ogden	Approved	None 1-A-14-AC
2. 22 <sup>nd</sup> and Cumberland	Approved	None

1-A-14-AC-cor KUB



Knoxville Utilities Board



December 12, 2013

Mr. Mike Brusseau  
Knoxville-Knox County  
Metropolitan Planning Commission  
Suite 403, City-County Building  
Knoxville, Tennessee 37902

Dear Mr. Brusseau:

**Re: Right-of-Way Closure Request 1-A-14-AC  
Block No. 08183  
CLT No. 94  
Parcel No. 12**

We have reviewed our records and find that we have existing utility facilities located within the subject right-of-way. The approximate location of these facilities is 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 easement for its utility facility.

Sewer – 7.5 feet on each side of the centerline of the wastewater line, 15 feet total width

So long as these conditions are met, KUB has no objection to the closure of this right-of-way. If you have any questions regarding this matter, please call me at (865) 558-2291.

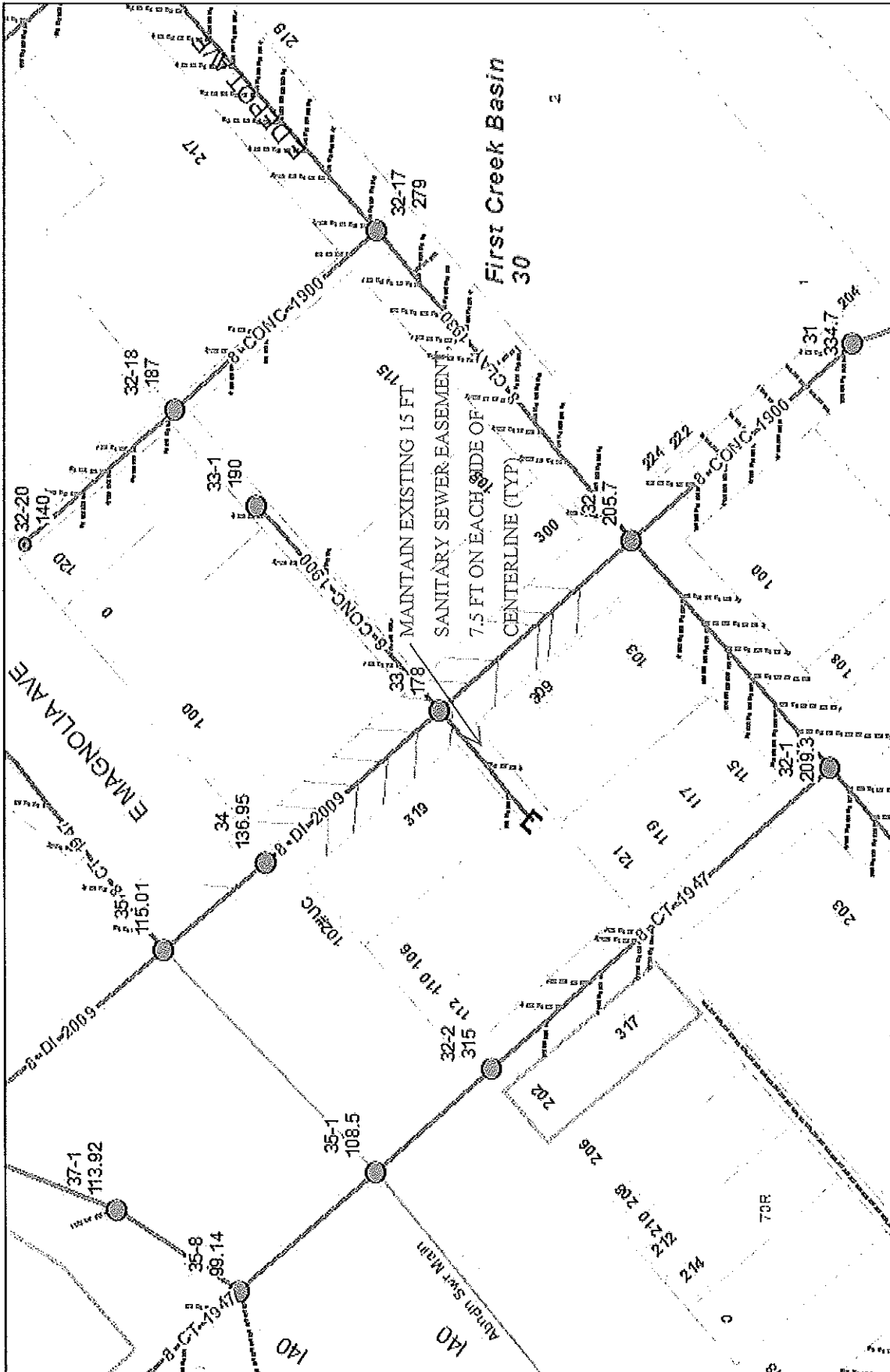
Sincerely,

A handwritten signature in cursive script that reads 'Greg L. Patterson'.

Greg L. Patterson, P.E.  
Engineering

GLP/ggt

Enclosure



Printed: 12/12/2013 8:27 AM



**File No. 1-A-14-AC Closure of Unnamed Alley(N. Central & Ogden St)**

CLI MAP#94 PARCEL #12 CITY BLOCK #08183 SEWER

250 Feet



Product Warning: This map was produced from the Landbase information system maintained by KUB. This map should not be relied on for engineering, design, or surveying work or other similar type uses. The information on this map is dated and has no warranty of merchantability or warranty for fitness of use for a particular purpose, express or implied. This map is produced, printed, and distributed as is, with all faults.