

▶ **FILE #:** 4-C-17-SC **AGENDA ITEM #:** 12

POSTPONEMENT(S): 4/13/2017-7/13/2017 **AGENDA DATE:** 8/10/2017

▶ **APPLICANT:** LAND DEVELOPMENT SOLUTIONS

TAX ID NUMBER: 119 018.36 [View map on KGIS](#)

JURISDICTION: Council District 2

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)

ZONING: PC-1 (Retail and Office Park)

WATERSHED: Ten Mile Creek and Turkey Creek

▶ **RIGHT-OF-WAY TO BE CLOSED:** Park West Blvd

▶ **LOCATION:** Between southeast corner of parcel 119-018.36 and southeast corner of parcel 119-018.23

IS STREET:

(1) IN USE?: Yes

(2) IMPROVED (paved)?: Yes

▶ **APPLICANT'S REASON FOR CLOSURE:** Parkwest Hospital plans to relocate the main hospital access to provide for improved patient safety by reducing pedestrian/vehicle conflicts. A new private driveway will be constructed from the new eastern terminus of Park West Blvd. to Sherrill Blvd.

DEPARTMENT-UTILITY REPORTS: City of Knoxville Engineering has no objections to the closure, as long as certain conditions are met. The Fire Department has indicated that additional information is needed.

**STAFF RECOMMENDATION:**

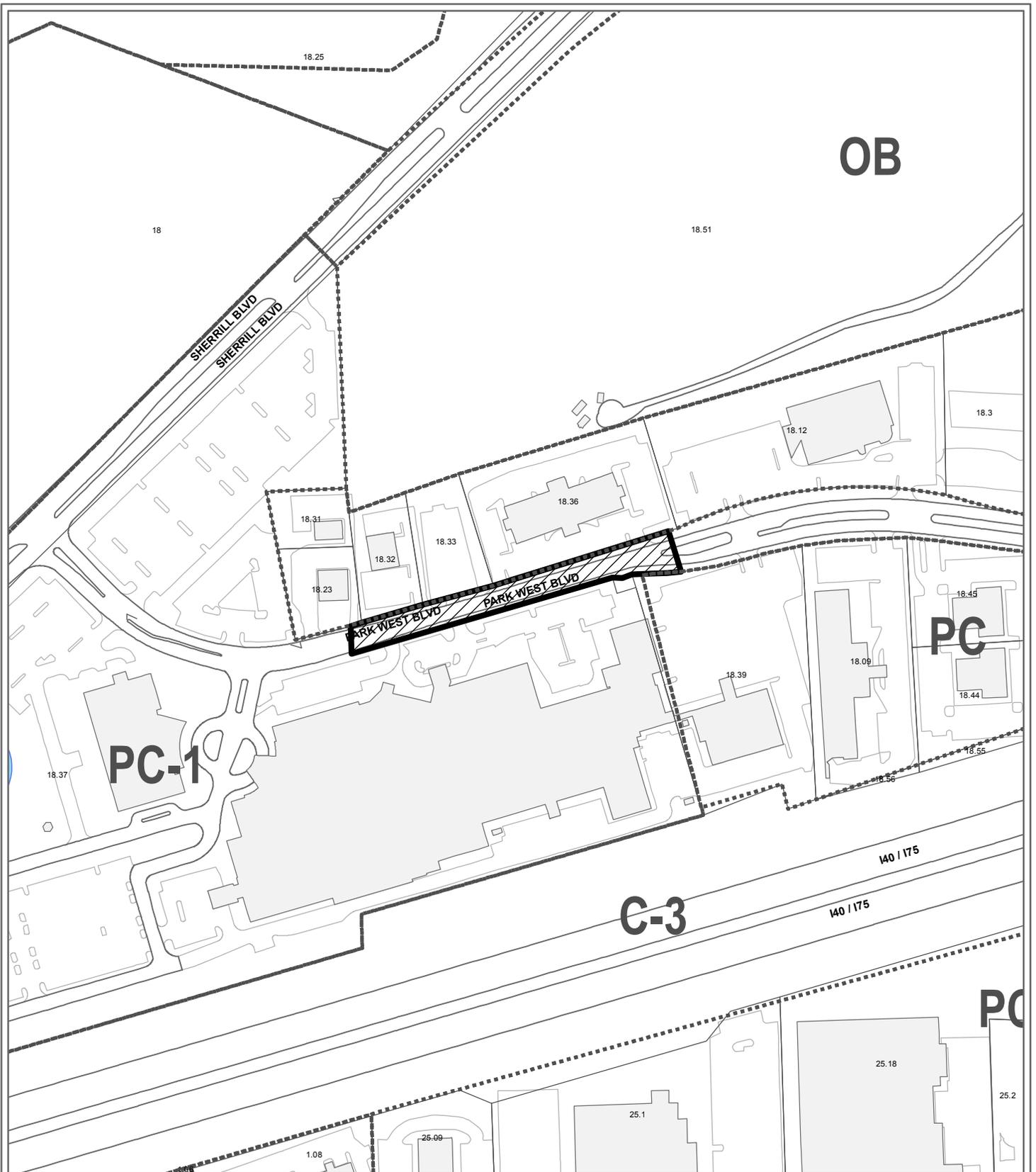
▶ **POSTPONE to the September 14, 2017 MPC meeting.**

The applicant is trying to work out some issues with the City Engineering and Fire Department staff.

**COMMENTS:**

Postponement will allow the applicant to provide more information about the overall project to the Fire Department and to obtain signatures from two adjacent property owners who have not signed the canvassing form indicating agreement or disagreement with the request.

If approved, this item will be forwarded to Knoxville City Council for action on 9/12/2017 and 9/26/2017. 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.



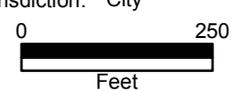
**4-C-17-SC  
CLOSURE OF PUBLIC RIGHT OF WAY**

Petitioner: Land Development Solutions

Name of Street or Alley: Park West Blvd  
 To be closed from: southeast corner of parcel 119-018.36  
 To be closed to: southeast corner of parcel 119-018.23

Map No: 119  
 Jurisdiction: City

Original Print Date: 3/14/2017      Revised:  
 Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902



March 31, 2017

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

SUBJECT: Proposed Closure of a portion Park West Blvd  
MPC File # 4-C-17-SC; City Block 46366

Mr. Brusseau:

The City Engineering Department has no objections to close the above described right-of-way areas provided the following conditions, subject to City Engineering approval, are met:

1. The applicant shall execute a legal agreement and record a legal document, approved by the City Engineering Department and City Law Department, granting public rights to continue the use of the proposed closure area of Park West Blvd and the area of private road that extends westerly from the proposed closure area, running across Tax Map 119, Parcel 018.37 (Lot 1R per Plat Instrument No. 199906110204195), both which currently provide roadway access to and from Sherrill Blvd.

Due to the applicant's development goals, it is foreseen that the City would be agreeable to terminate and extinguish the rights conveyed in the required agreement upon completion of other approvable means to serve the public need for rights-of-way and roadways in this area.

2. 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.
3. The applicant shall have one (2) year to execute the agreement stated above or the closure shall be considered null and void and of no effect.
4. 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.

Sincerely,

*Benjamin D. Davidson*

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



Knoxville Utilities Board

4-C-17-SC-COR-KUB



March 31, 2017

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 4-C-17-SC  
Block No. 46366 & 46106  
CLT No. 119**

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.

- Gas – 7.5 feet on each side of the centerline of the gas line, 15 feet total width (4" main)
- Gas – 12.5 feet on each side of the centerline of the gas line, 25 feet total width (6" main)
- Gas – 15 feet on each side of the centerline of the gas line, 30 feet total width (service)

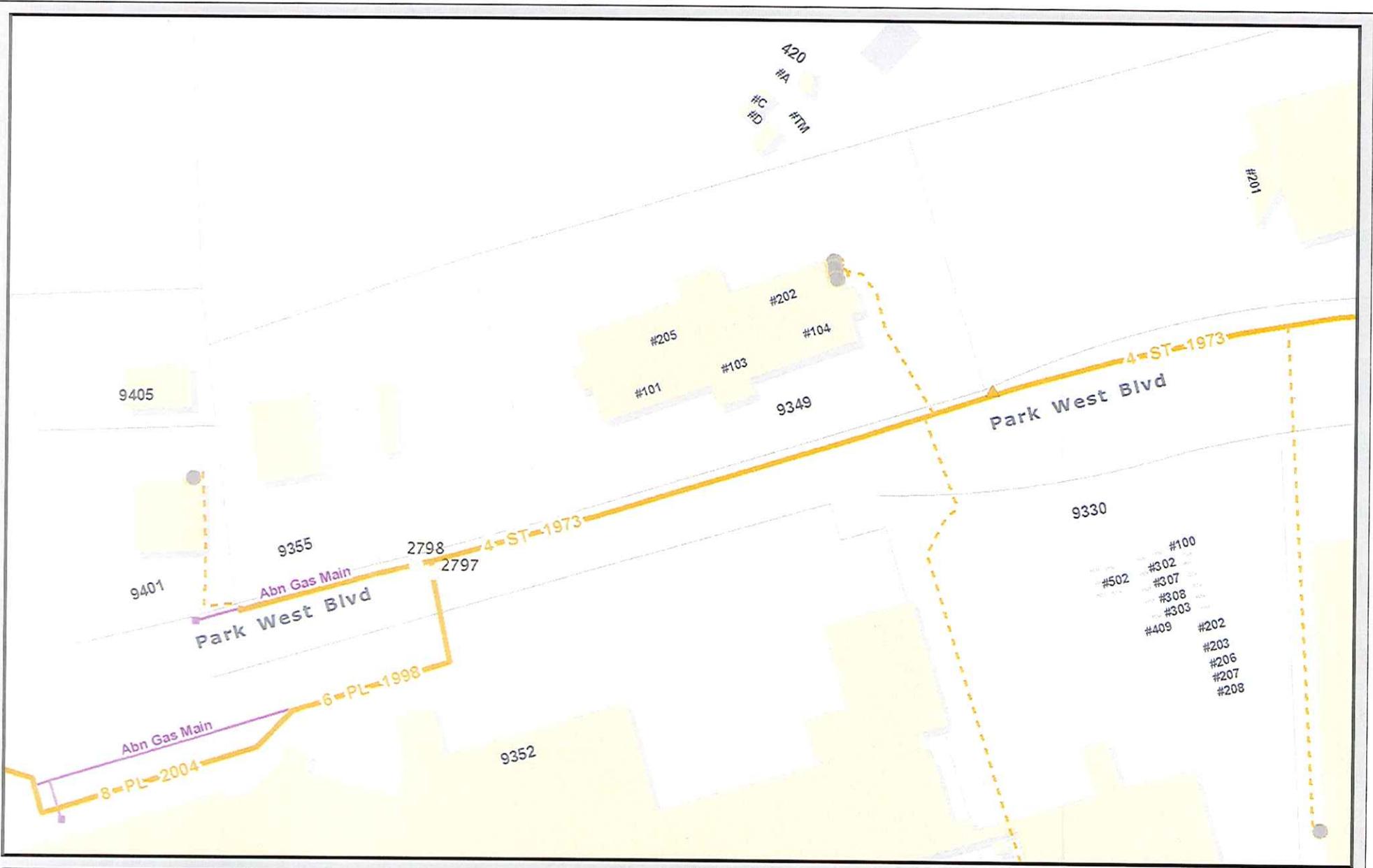
So long as these conditions are met, KUB has no objection to the closure of this right-of-way. If you have any questions regarding this matter, please call me at (865) 558-2291.

Sincerely,

Christian G. Wiberley  
Engineering

CGW/ggt

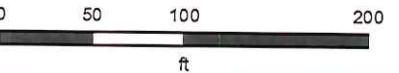
Enclosure



File No. 4-C-17-SC Park West Blvd btwn Parcel 119-018.36 and Parcel 119-018.23 (Gas)  
 City Block #46366 & #46106 CLT Map #119

**Knoxville Utilities Board**

Printed: 3/30/2017 at 10:46:18 AM

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4-C-17-SC-PP-7-13-17

Sherry Michienzi <sherry.michienzi@knoxmpc.org>



[MPC Comment] Fwd: Park West closure

1 message

Michael Brusseau <mike.brusseau@knoxmpc.org>

Thu, Jun 22, 2017 at 10:25 AM

Reply-To: mike.brusseau@knoxmpc.org

To: Commission <commission@knoxmpc.org>

30-day postponement request for item number #13 (4-C-17-SC)

----- Forwarded message -----

From: Rusty Baksa <rbaksa@ldstn.com>

Date: Wed, Jun 21, 2017 at 5:54 PM

Subject: RE: Park West closure

To: Michael Brusseau <mike.brusseau@knoxmpc.org>

Cc: "Danny Edsell (dedsell@covhlth.com)" <dedsell@covhlth.com>, "Campbell, Doug" <dcampbe3@covhlth.com>, Breck Bowlin <bbowlin@ldstn.com>, Craig Holloway <craigh@esarch.com>

Mike - we are requesting another 30 day postponement so that we can complete the site plan for the relocation of the drive related to the Park West ROW closure.

Let me know if you have any questions

Rusty

E. J. (Rusty) Baksa

Land Development Solutions

310 Simmons Road

Suite K

Knoxville, TN 37922

Ph - 865-671-2281

Direct - 865-312-6239

Email - rbaksa@ldstn.com

Website - www.ldstn.com

From: Michael Brusseau [mailto:mike.brusseau@knoxmpc.org]

Sent: Tuesday, June 20, 2017 9:08 AM

6/26/2017

KnoxMPC Mail - [MPC Comment] Fwd: Park West closure

To: Rusty Baksa <rbaksa@ldstn.com>  
Subject: Park West closure

Good morning Rusty,

Just checking in to ask if you know the plan for the Park West closure for the July 13 meeting. Please let me know when you do. Thanks.

Mike

--

Michael A. Brusseau, AICP, Senior Planner  
Knoxville-Knox County Metropolitan Planning Commission  
City-County Building, Suite 403  
400 Main St.  
Knoxville, TN 37902  
Phone: (865) 215-2500  
Fax: (865) 215-2068

[www.knoxmpc.org](http://www.knoxmpc.org)

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Michael A. Brusseau, AICP, Senior Planner  
Knoxville-Knox County Metropolitan Planning Commission  
City-County Building, Suite 403  
400 Main St.  
Knoxville, TN 37902  
Phone: (865) 215-2500  
Fax: (865) 215-2068  
[www.knoxmpc.org](http://www.knoxmpc.org)

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This message was directed to [commission@knoxmpc.org](mailto:commission@knoxmpc.org)



4-C-17-SC\_PP\_5-11-17

Sherry Michienzi <sherry.michienzi@knoxmpc.org>



[MPC Comment] Fwd: Parkwest Blvd ROW Closure

1 message

Michael Brusseau <mike.brusseau@knoxmpc.org>  
Reply-To: mike.brusseau@knoxmpc.org  
To: Commission <commission@knoxmpc.org>

Wed, Apr 19, 2017 at 4:16 PM

Postponement request (requires vote in May) to postpone to June for File # 4-C-17-SC. Park West R-O-W closure.

----- Forwarded message -----

From: **Rusty Baksa** <rbaksa@ldstn.com>  
Date: Wed, Apr 19, 2017 at 10:02 AM  
Subject: Parkwest Blvd ROW Closure  
To: "Michael Brusseau (mike.brusseau@knoxmpc.org)" <mike.brusseau@knoxmpc.org>  
Cc: Breck Bowlin <bbowlin@ldstn.com>

Mike - we need to postpone the Parkwest Blvd ROW closure (File 4-C-17-SC) another month to the June MPC meeting. Can you please send me a confirmation of this request so I can provided it to the property owners?

Rusty

E. J. (Rusty) Baksa  
Land Development Solutions  
310 Simmons Road  
Suite K  
Knoxville, TN 37922  
Ph - 865-671-2281  
Direct - 865-312-6239  
Email - rbaksa@ldstn.com<mailto:rbaksa@ldstn.com>  
Website - www.ldstn.com<http://www.ldstn.com/>

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Michael A. Brusseau, AICP, Senior Planner  
Knoxville-Knox County Metropolitan Planning Commission  
City-County Building, Suite 403  
400 Main St.  
Knoxville, TN 37902  
Phone: (865) 215-2500  
Fax: (865) 215-2068  
www.knoxmpc.org

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This message was directed to commission@knoxmpc.org

winmail.dat  
13K

4-C-17-SC\_PP\_4-13-17



Sherry Michienzi <sherry.michienzi@knoxmpc.org>



[MPC Comment] Fwd: April R-O-W closures

1 message

Michael Brusseau <mike.brusseau@knoxmpc.org>

Fri, Mar 24, 2017 at 4:13 PM

Reply-To: mike.brusseau@knoxmpc.org

To: Commission <commission@knoxmpc.org>

Postponement request for 4-C-17-SC

----- Forwarded message -----

From: Rusty Baksa <rbaksa@ldstn.com>

Date: Fri, Mar 24, 2017 at 10:58 AM

Subject: RE: April R-O-W closures

To: Michael Brusseau <mike.brusseau@knoxmpc.org>

Cc: Breck Bowlin <bbowlin@ldstn.com>, "Danny Edsell (dedsell@covhlth.com)" <dedsell@covhlth.com>, "nheather@covhlth.com" <nheather@covhlth.com>

Mike - we are requesting that this be postponed until the May meeting in order for us to get the information requested. The new road layout design is underway but there are still details being worked out and in reviewing the overall schedule the one month delay will not be as disruptive as we initially thought.

Rusty

E. J. (Rusty) Baksa

Land Development Solutions

310 Simmons Road

Suite K

Knoxville, TN 37922

Ph - 865-671-2281

Direct - 865-312-6239

Email - rbaksa@ldstn.com

Website - www.ldstn.com

From: Michael Brusseau [mailto:mike.brusseau@knoxmpc.org]

Sent: Friday, March 24, 2017 9:39 AM

To: Rusty Baksa <rbaksa@ldstn.com>

Subject: Fwd: April R-O-W closures

Suite 403 • City County Building  
400 Main Street  
Knoxville, Tennessee 37902  
865 • 215 • 2500  
FAX • 215 • 2068  
www.knoxmpc.org

# RIGHT-OF-WAY CLOSURE



Name of Applicant: Land Development Solutions

Date Filed: 2/27/17 Fee Paid: \$750 File Number: 4-C-17-5C

Map Number: 119 Zoning District: PC-1  City  County Sector: Northwest

Jurisdiction:  City 2 Councilmanic District

### INFORMATION:

Name of Right-of-Way: Park West Boulevard

Type of Right-of-Way:  Street  Alley

Location of Right-of-Way:

BETWEEN (City Block or Lot where appropriate) Southeast edge of Parcel 119 018.36

AND (City Block or Lot where appropriate) Southeast edge of Parcel 119 018.23

Right-of-Way is: In Use  Yes  No Improved (example: paved)  Yes  No

Reason for Closure: Parkwest Hospital plans to relocate the main hospital access to provide for improved patient safety by reducing pedestrian/vehicle conflicts. A new private driveway will be constructed from the terminus of Park West Boulevard at the east end of the proposed closure to Sherrill Boulevard.

### TO BE CLOSED:

From: (Street, Alley, Other)  
Park West Blvd at the Southeast edge of Parcel 119 018.36

To: (Street, Alley, Other)  
Private Road at the Southeast edge of Parcel 119 018.23

### ALL CORRESPONDENCE RELATING TO THIS APPLICATION SHOULD BE SENT TO:

E J Baksa, Jr. 310-K Simmons Rd Knoxville TN 37922 865-671-2281 865-671-2283  
Name: (Print) Address • City • State • Zip • Phone • Fax

### AUTHORIZATION OF APPLICATION:

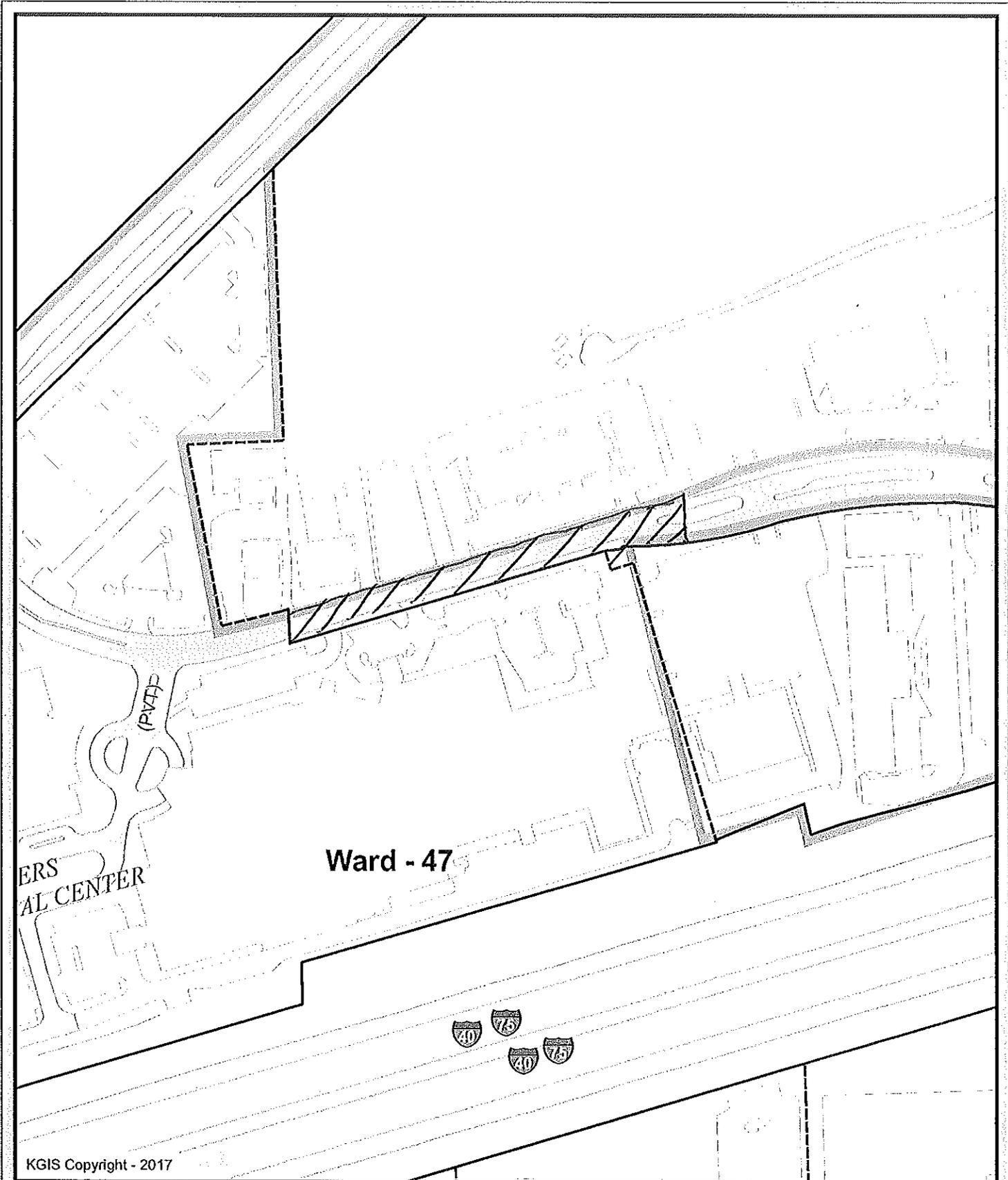
I hereby certify that I am the authorized applicant, or representing the applicant and ALL property owners involved in this request or holders of option on same.

Signature:

E J Baksa, Jr 310-K Simmons Rd Knoxville TN 37922 865-671-2281 865-671-2283  
Name: (Print) Address • City • State • Zip • Phone • Fax

### APPLICATION ACCEPTED BY:

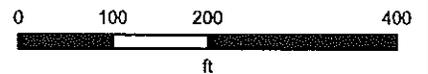




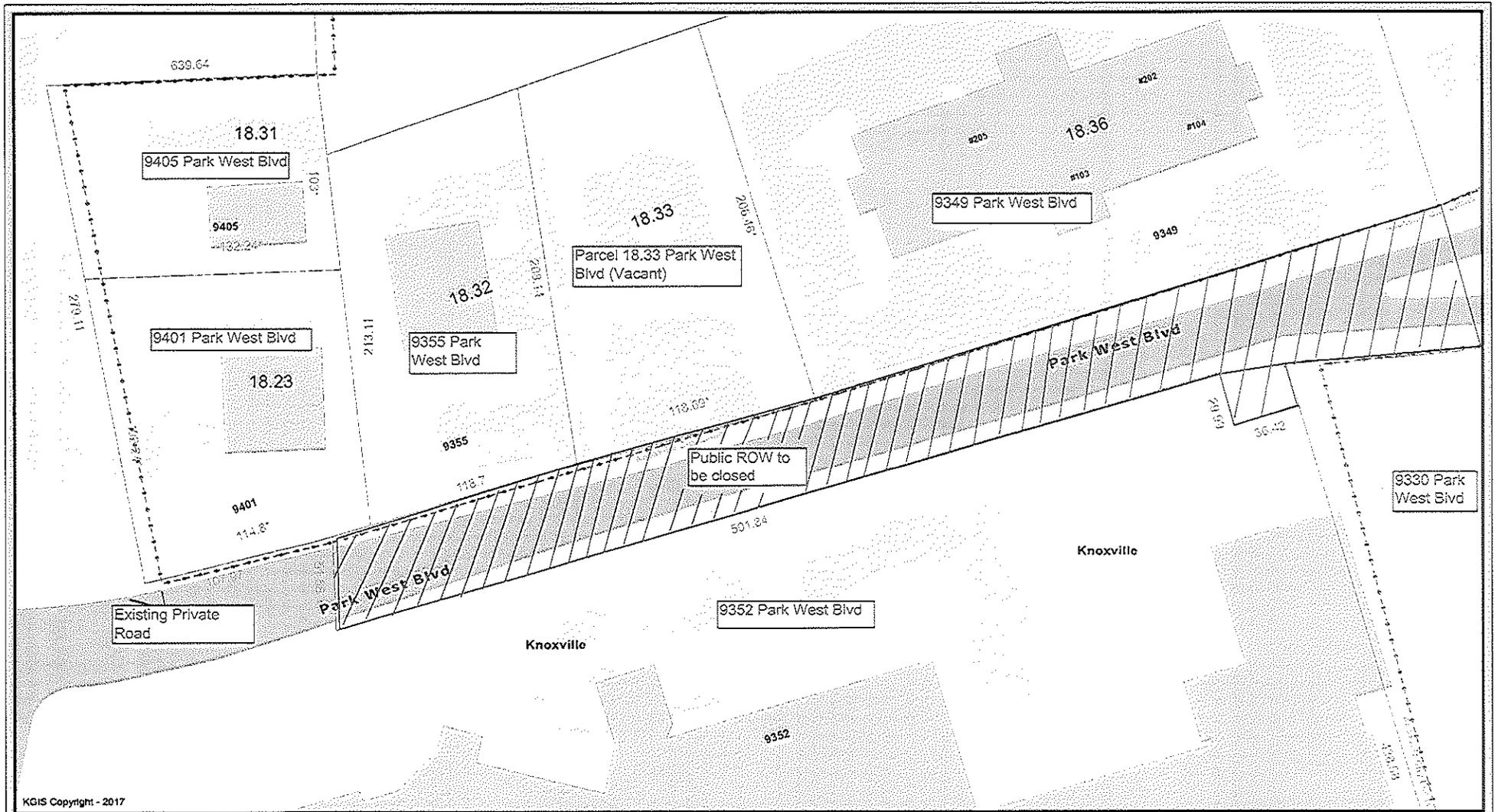
Letter Portrait

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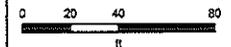


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**Park West Blvd**  
ROW Closure Exhibit

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DB 1704, PG 559

C12	89.00	220.0
C13	89.10	75.0

TENNESSEE  
PSYCHIATRY  
DB 1687, PG 23

P.O.B. - NEW PERMANENT PARKING LOT  
EASEMENT - IRON ROD FOUND  
± 3060.5' TO P.I. OF NORTH R.O.W. OF  
AND WESTERN R.O.W. OF CEDAR BLUFF

N 76°17'02" E 92.60'

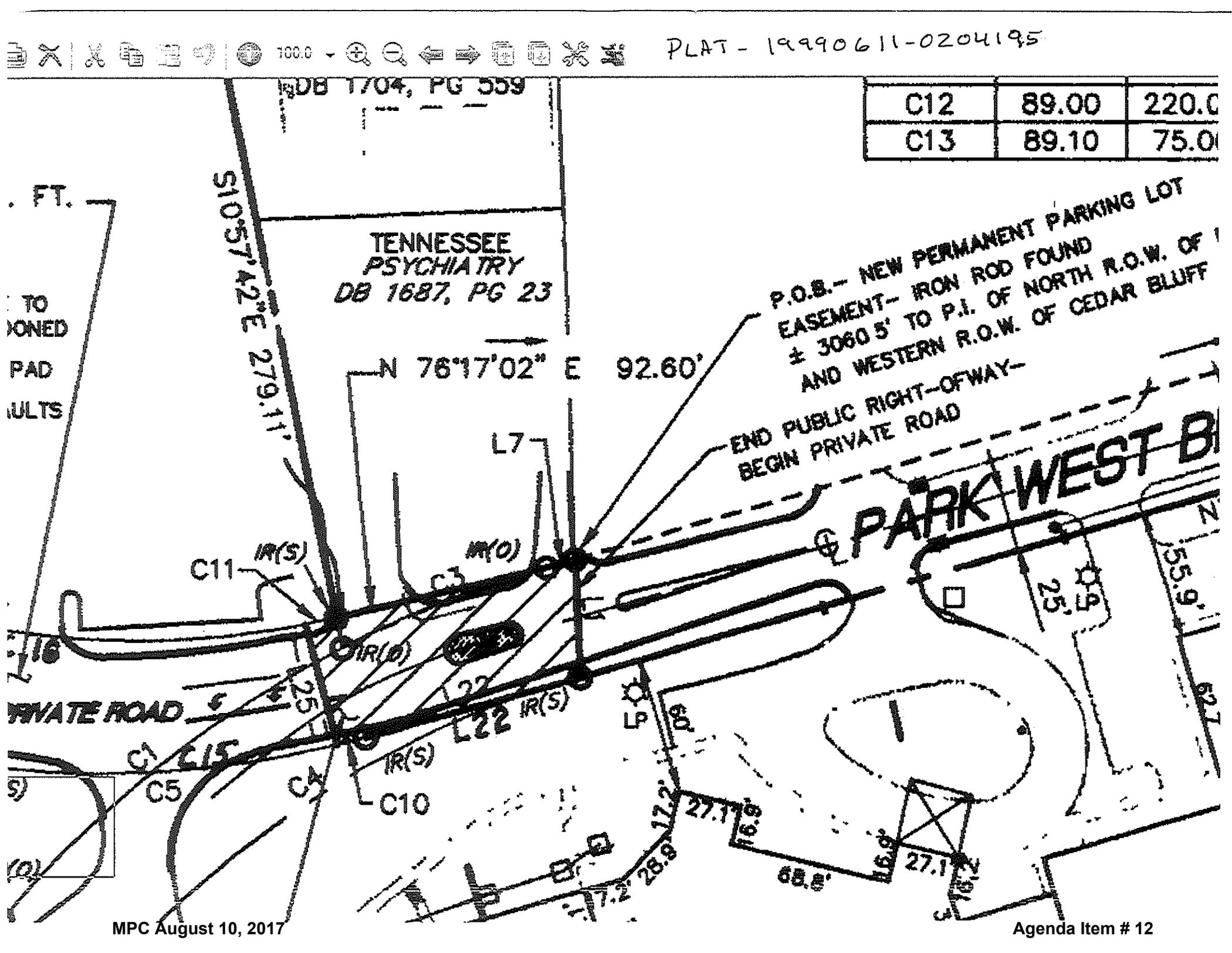
END PUBLIC RIGHT-OF-WAY -  
BEGIN PRIVATE ROAD

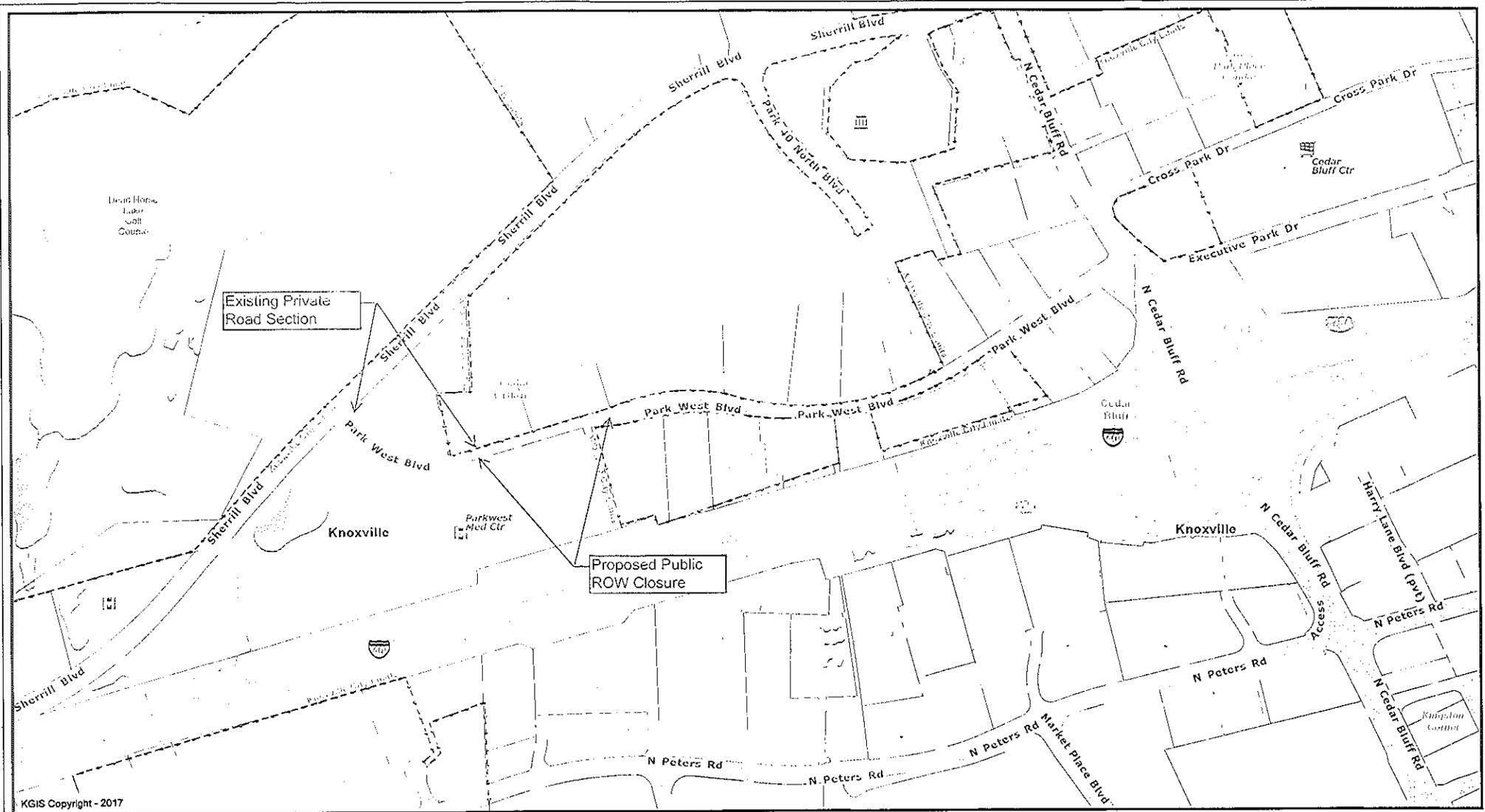
PARK WEST BL

S10°57'42"E 279.11'

TO  
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PRIVATE ROAD



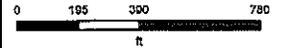


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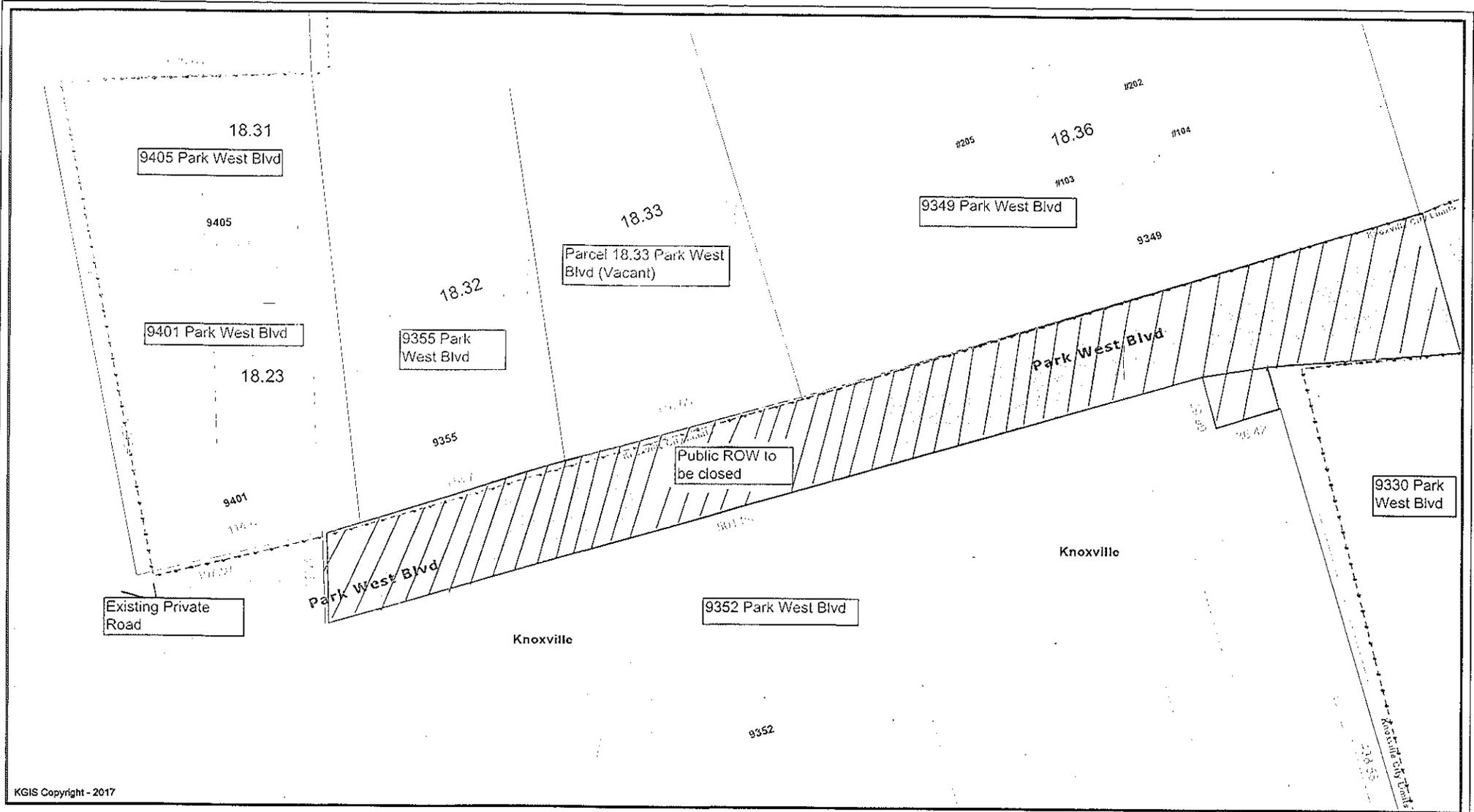
**Park West Boulevard  
ROW Closure Exhibit 1**

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**Park West Blvd**

ROW Closure Exhibit 2

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