

**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION
 CITY OF KNOXVILLE CLOSURE OF PUBLIC RIGHT-OF-WAY**

▶ **FILE #:** 3-B-17-SC

AGENDA ITEM #: 10

AGENDA DATE: 3/9/2017

▶ **APPLICANT:** JOSE AND CASEY TORRES

TAX ID NUMBER: 109 J B 032

[View map on KGIS](#)

JURISDICTION: Council District 1

SECTOR PLAN: South City

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

ZONING: R-1 (Low Density Residential)

WATERSHED: Baker Creek

▶ **RIGHT-OF-WAY TO BE CLOSED:** Pell St

▶ **LOCATION:** Between Taliwa Drive and northern terminus

IS STREET:

(1) IN USE?: No

(2) IMPROVED (paved)?: No

▶ **APPLICANT'S REASON FOR CLOSURE:** Both affiliated parcels are using this right-of-way as if it were a portion of their properties. Structures exist within the right-of-way, and the owner of parcel 32 wants to build an addition.

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

STAFF RECOMMENDATION:

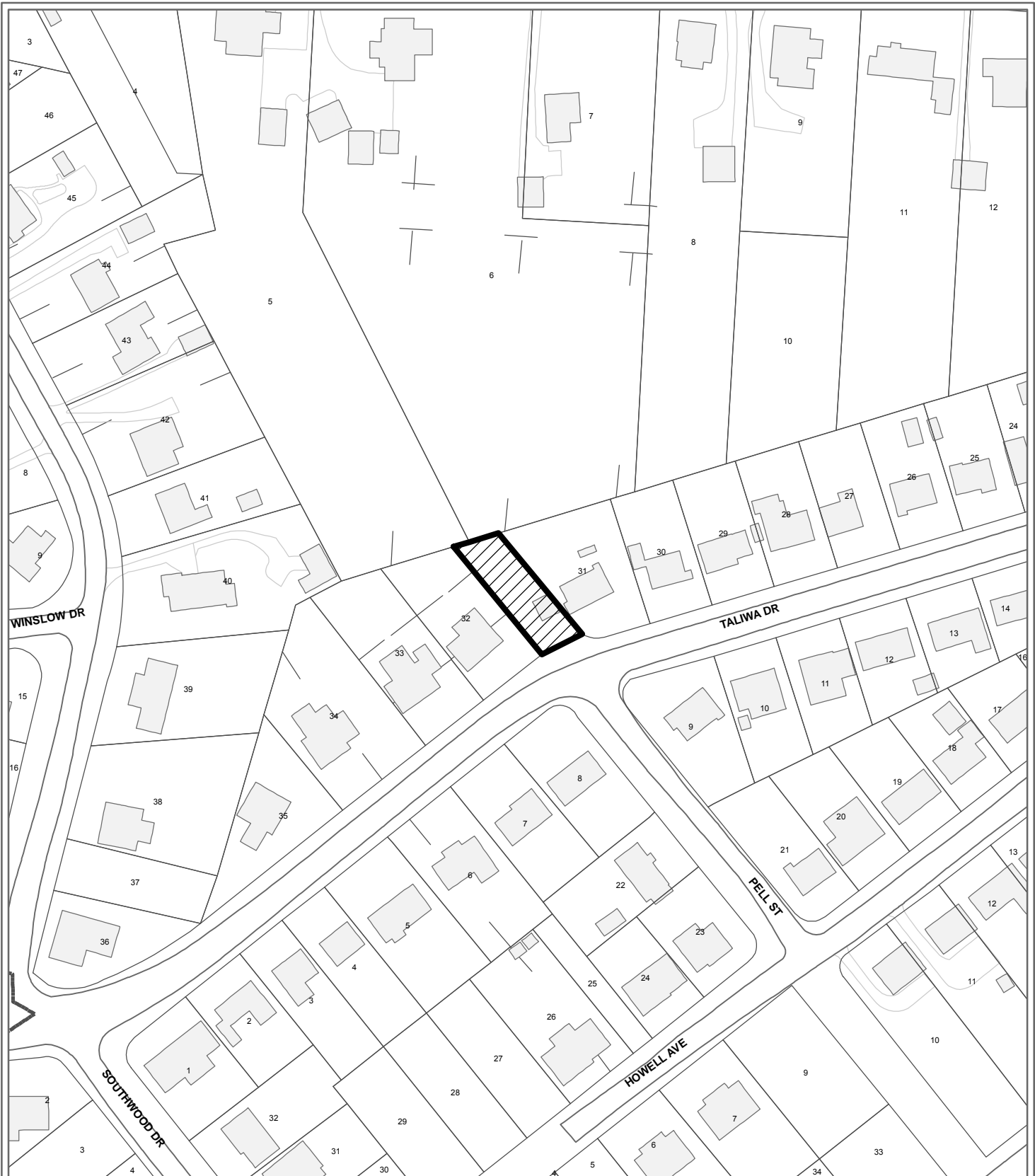
▶ **RECOMMEND** that City Council **APPROVE** the closure of a portion of Pell St., as requested, subject to any required easements.

Staff has received no objections from reviewing departments or utilities to this closure.

COMMENTS:

If approved for closure, the right-of-way will be consolidated with the adjacent parcels and converted to private property. The applicant owns the parcel to the west of the proposed right-of-way to be closed. The other adjacent property owners have all signed the canvassing form, indicating agreement with the proposed closure. Having not received any objections to the closure, MPC staff recommends approval, as requested.

If approved, this item will be forwarded to Knoxville City Council for action on 4/11/2017 and 4/25/2017. 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.



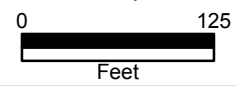
**3-B-17-SC
CLOSURE OF PUBLIC RIGHT OF WAY**

Name of Street or Alley: Pell St
 To be closed from: Taliwa Drive
 To be closed to: northern terminus

Original Print Date: 2/15/2017 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Torres, Jose and Casey

Map No: 109
 Jurisdiction: City



3-B-17-SC - cor - City Eng



CITY OF KNOXVILLE



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

February 15, 2017

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

SUBJECT: Closure of a portion of Pell St. (between Taliwa Dr. and northern terminus)
MPC File # 3-B-17-SC; Between City Blocks 25531 & 25551

Mr. Brusseau:

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 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

3-B-17-SC - cor - City Fire



Fire Prevention Bureau

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

3-B-17-SC



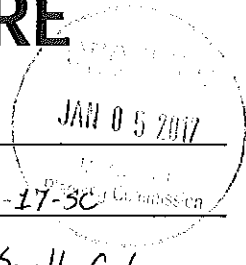
Memorandum

Date: February 28, 2017
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
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- | | | |
|-------------------|----------|------|
| 1. Abilene Pl. | Approved | None |
| 2. Elizabeth Ave. | Approved | None |
| 3. Pell St. | Approved | None |

RIGHT-OF-WAY CLOSURE



Name of Applicant: Jose & Casey Torres

Date Filed: 1/5/2017 Fee Paid: _____ File Number: 3-B-17-30

Map Number: 189J Zoning District: R-1 City County Sector: South City

Jurisdiction: City 1st Councilmanic District

INFORMATION:

Name of Right-of-Way: Pell Street

Type of Right-of-Way: Street Alley

Location of Right-of-Way:
BETWEEN (City Block or Lot where appropriate) Taliwa Dr

AND (City Block or Lot where appropriate) North between Parcel 109JB032 and Parcel 109JB031

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

Reason for Closure: Both affiliated parcels are using this right of way as if it were a portion of their properties. Structures exist within the ROW, and the owner of parcel 032 is wanting to build an addition.

TO BE CLOSED:

From: (Street, Alley, Other)
Taliwa Drive and Pell St.

To: (Street, Alley, Other)
Northernmost Terminus of unimproved portion of Pell Street.

ALL CORRESPONDENCE RELATING TO THIS APPLICATION SHOULD BE SENT TO:

Casey Torres 341 Taliwa Drive Knoxville, TN 37920 865-6846172
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: [Signature]
(same as above)

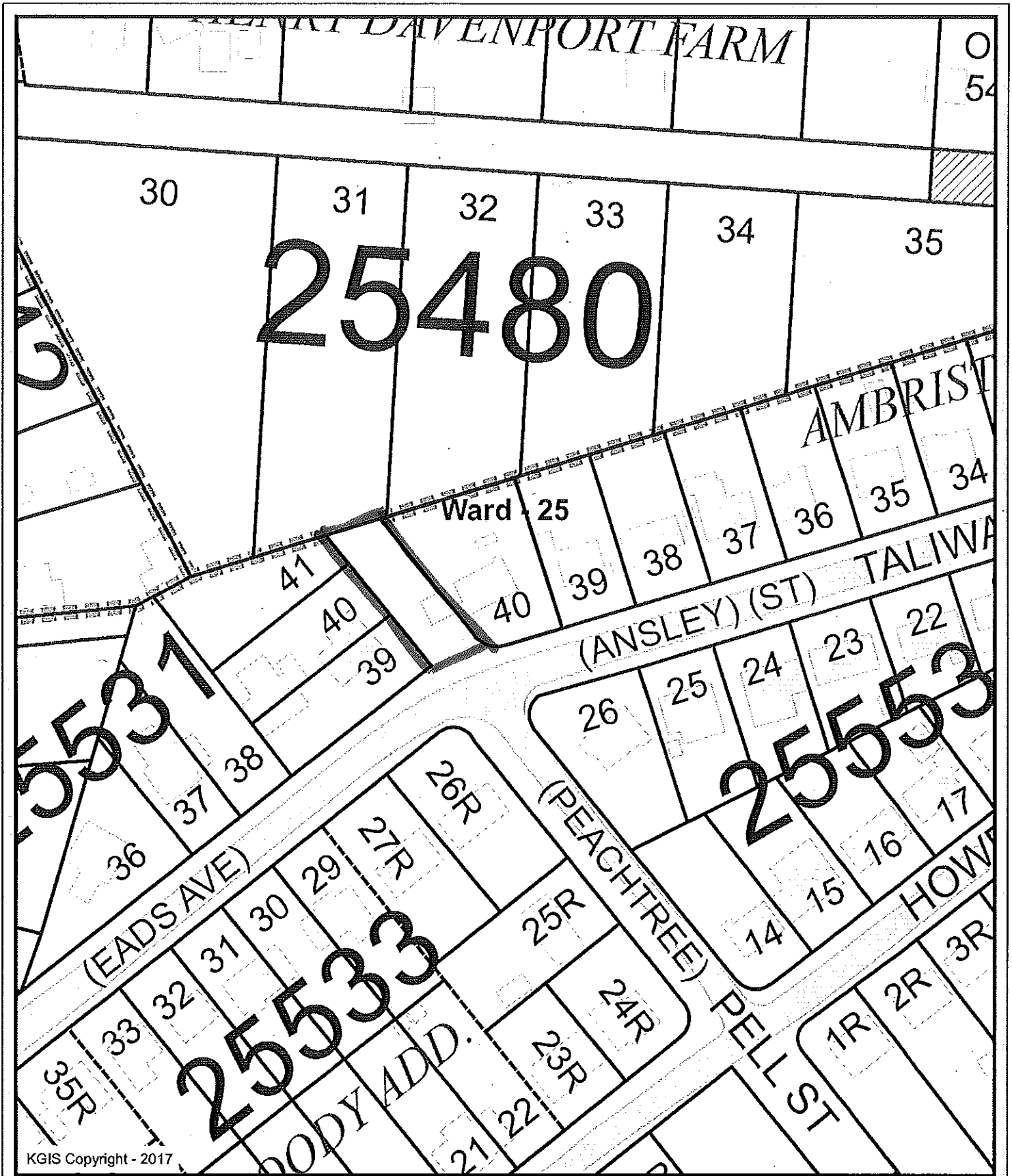
Name: (Print) Address City State Zip Phone Fax

APPLICATION ACCEPTED BY: [Signature]

RIGHT-OF-WAY CLOSURE CANVASS FORM

All owners and holders of option on property abutting the proposed closure must sign the list below and express their opinion about this closure. A map showing the location and addresses of these properties must accompany this application.

ADDRESS	SIGNATURE	Agree	Disagree
341 Taiwa Dr	Jose Torres	✓	
401			
401 TAIWA DR,	Skirley Patterson	✓	
418 Woodlawn Pike	Madeline Rosero	✓	
430 Woodlawn PK	Sue F. Hyde	✓	



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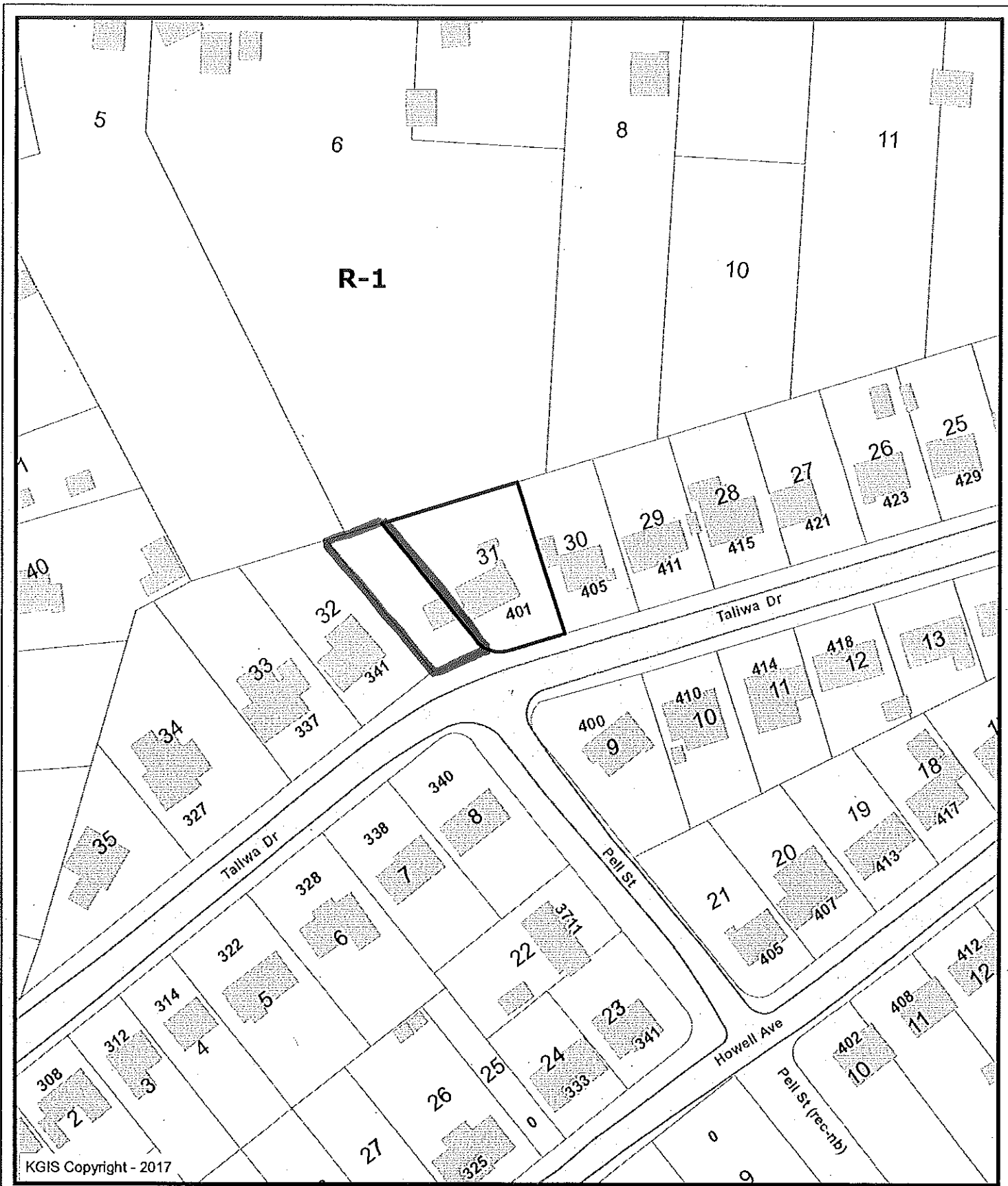
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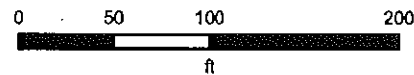


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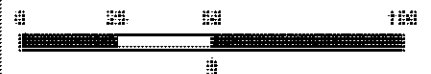


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