

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

▶ **FILE #:** 4-A-18-AC

AGENDA ITEM #: 5

AGENDA DATE: 4/12/2018

▶ **APPLICANT:** LAND DEVELOPMENT SOLUTIONS

TAX ID NUMBER: 94 N L 028
 JURISDICTION: Council District 1
 SECTOR PLAN: Central City
 GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)
 ZONING: R-2 (General Residential)
 WATERSHED: Third Creek

[View map on KGIS](#)

▶ **RIGHT-OF-WAY TO BE CLOSED:** unnamed alley

▶ **LOCATION:** Between northeast boundary line of parcel 094NL028 and Eighteenth Street

IS ALLEY:

(1) IN USE?: Yes

(2) IMPROVED (paved)?: Yes

▶ **APPLICANT'S REASON FOR CLOSURE:** To consolidate property owned by Fort Sanders Regional Medical Center.

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

STAFF RECOMMENDATION:

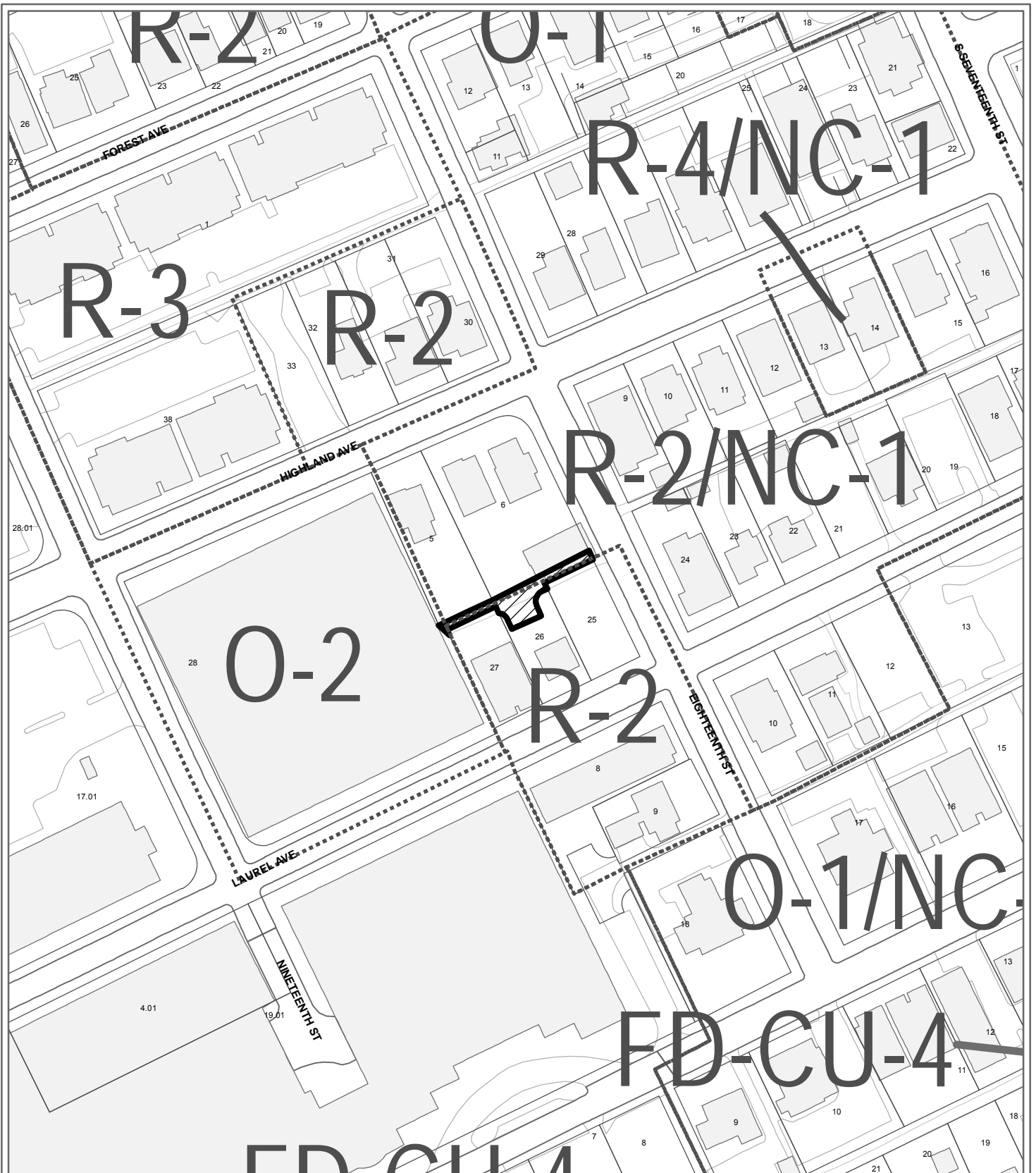
▶ **RECOMMEND** that City Council **APPROVE** the requested closure of the unnamed alley, as requested, subject to any required easements.

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

COMMENTS:

If approved for closure, the right-of-way will be combined with the adjacent parcels and converted to private property. The applicant owns all the property adjacent to the subject right-of-way. 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 5/8/2018 and 5/22/2018. 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.



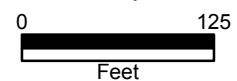
**4-A-18-AC
CLOSURE OF PUBLIC RIGHT OF WAY**

Name of Street or Alley: unnamed alley
 To be closed from: northeast boundary line of parcel 094NL028
 To be closed to: Eighteenth Street

Original Print Date: 3/19/2018 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Land Development Solutions

Map No: 94
 Jurisdiction: City



4-A-18-AC - cor - City Eng.



CITY OF KNOXVILLE



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

March 27, 2018

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
MPC File No. 4-A-18-AC; City Block 10202

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. 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.

Sincerely,

Benjamin D. Davidson

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



Knoxville Utilities Board

4-A-18-AC-cor-KUB



March 28, 2018

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-A-18-AC
Block No. 10202
CLT No. 94
Parcel No. Between 094NL028 and Eighteenth St.**

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.

Electric – 25 feet on each side of the centerline of the electric line, 50 feet total width

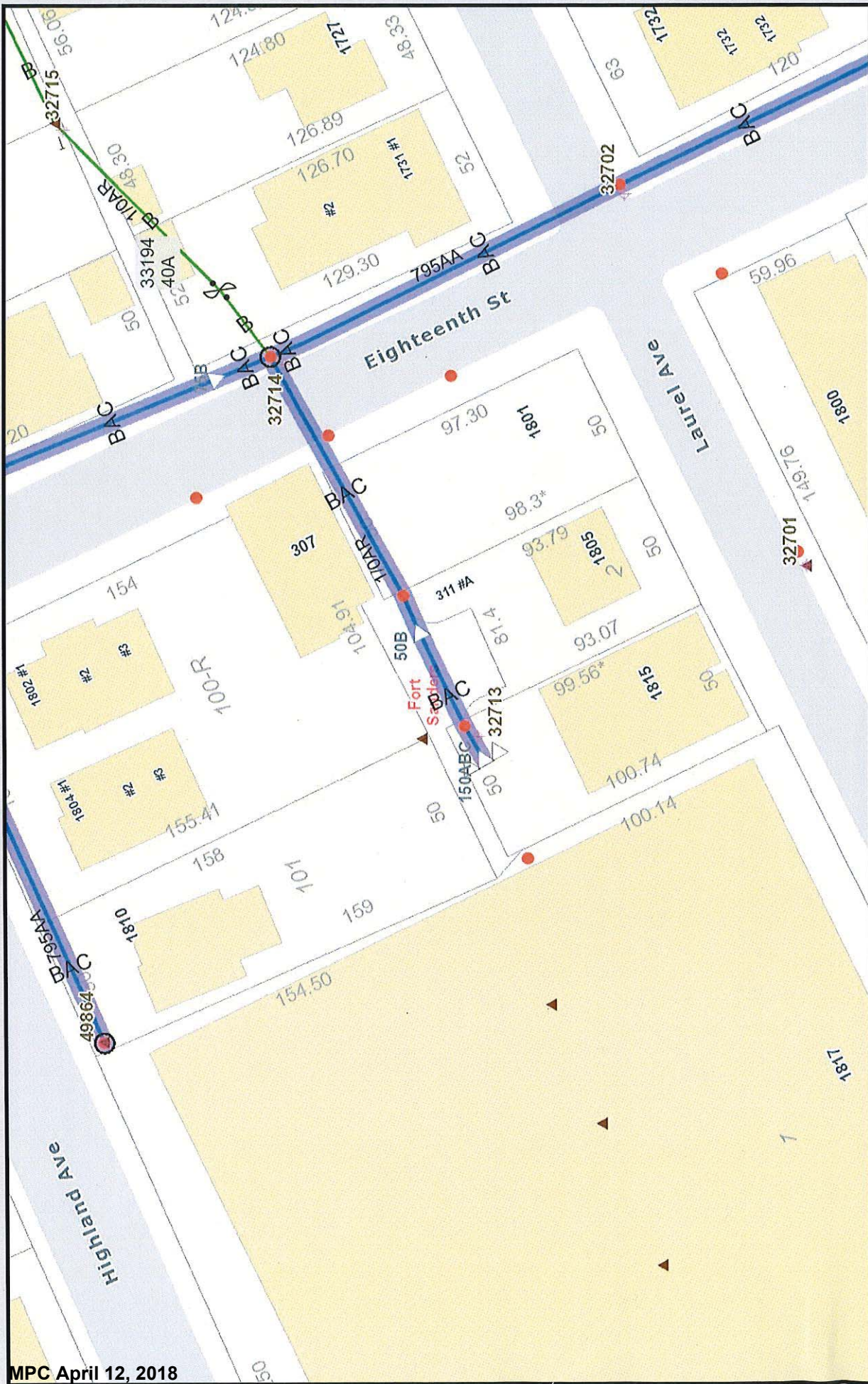
So long as these conditions are met, KUB has no objection to the closure of this right-of-way. If you have any questions regarding this matter, please call me at (865) 558-2291.

Sincerely,

Christian G. Wiberley
Engineering

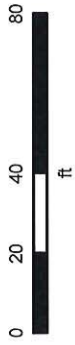
CGW/ggt

Enclosure



Parcel No. 4-A-18-AC Unnamed alley between parcel 094NL028 and Eighteenth St. (Electric)

CLT Map 94 City Block 10202



Knoxville Utilities Board

The Board makes no representation or warranty as to the accuracy of this map and its information nor to its fitness for use. Any user of this map product accepts the same AS IS, WITH ALL FAULTS, and assumes all responsibility for the use thereof, and further covenants and agrees to hold KUB harmless from any and all damage, loss, or liability arising from any use of this map product. All rights reserved.

METROPOLITAN PLANNING COMMISSION

REQUEST FOR INFORMATION

RIGHT-OF-WAY CLOSURE

TO: Knoxville Utilities Board
Danny Beeler, Fire Marshal
Steve Borden, Regional Director, TN Dept. of Transportation
James R. Hagerman, P.E., Director of Engineering (via email)
Steve J. King, P.E., Deputy Director of Engineering (via email)
Sonny Partin, Plans Reviewer, Fire Dept.
Kelly Parmain, AT&T (via email)
Shannon Sims, AT&T (via email)
Ben Davidson, Department of Engineering (via email)
Charlotte Goforth, Department of Engineering (via email)

FROM: Mike Brusseau, MPC

DATE: March 5, 2018

SUBJECT: LAND DEVELOPMENT SOLUTIONS- Request closure of unnamed alley between northeast boundary line of parcel 094NL028 and Eighteenth St. City Block 10202, Council District 1, Central City Sector. 4-A-18-AC

Please give us the following information in writing regarding this proposed closure if your agency has an objection, or any conditions you wish considered with this request:

1. Is there any present or anticipated future need for this street/alley which in your opinion would warrant retaining it for public use?
2. What present use does it serve?
3. What future use is anticipated?
4. Do you oppose closing (vacating) it?
5. If closed (vacated), would easements meet your needs?
6. If easement will meet needs, please state easements required.

This request will be considered by the Metropolitan Planning Commission on April 12, 2018. A map showing the street or alley in question is attached for your information.

PLEASE NOTE: Failure to reply to our office by April 2, 2018, will be considered as no objection by your agency.

Attachment: Application

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

RIGHT-OF-WAY CLOSURE

Name of Applicant: Land Development Solutions

Date Filed: 3/2/18 Fee Paid: \$720.00 File Number: 4-18-AC

Map Number: 094LN Zoning District: R2 & R-2/UC-1 City County Sector

Jurisdiction: City 1 Councilmanic District



INFORMATION:

Name of Right-of-Way: Unnamed Alley

Type of Right-of-Way: Street Alley

Location of Right-of-Way:

BETWEEN (City Block or Lot where appropriate) Lot 1 Plat #20051215-0052697

AND (City Block or Lot where appropriate) Eighteenth St

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

Reason for Closure: To consolidate property owned by Fort Sanders Regional Medical Center

TO BE CLOSED:

From: (Street, Alley, Other)
Lot 1 Plat #20051215-0052697

To: (Street, Alley, Other)
Eighteenth St

ALL CORRESPONDENCE RELATING TO THIS APPLICATION SHOULD BE SENT TO:

E J Baksa, Jr 310-K Simmons Knoxville TN 865-671-2281
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.

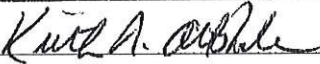
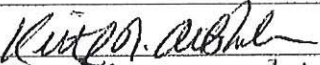
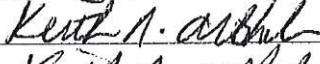
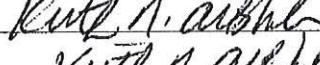

Signature:

E J Baksa, Jr see above
Name: (Print) Address • City • State • Zip • Phone • Fax

APPLICATION ACCEPTED BY:

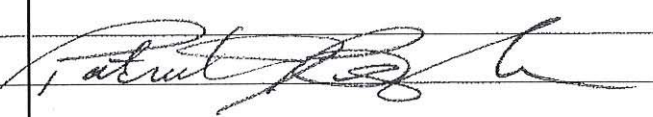
RIGHT-OF-WAY CLOSURE CANVASS FORM

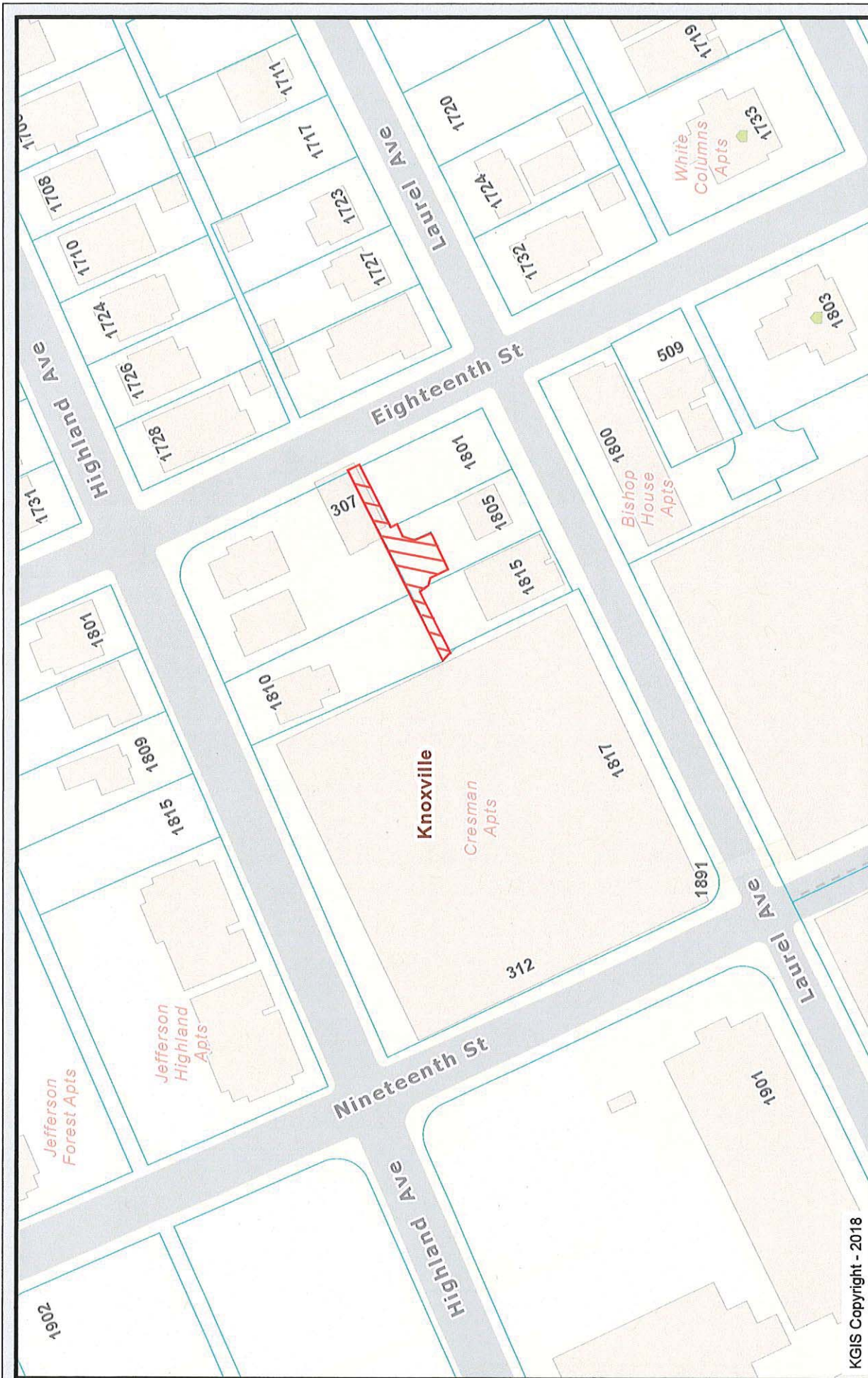
All owners and holders of option on property abutting the proposed closure must sign the list below and express their opinion about this closure. A map showing the location and addresses of these properties must accompany this application.

ADDRESS	SIGNATURE	Agree	Disagree
1826 Highland Ave		<input checked="" type="checkbox"/>	
1815 Laurel Ave			
1805 Laurel Ave		<input checked="" type="checkbox"/>	
1801 Laurel Ave		<input checked="" type="checkbox"/>	
307 Eighteenth St		<input checked="" type="checkbox"/>	
1810 Highland Ave		<input checked="" type="checkbox"/>	

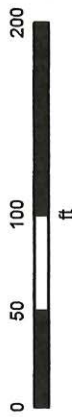
RIGHT-OF-WAY CLOSURE CANVASS FORM

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
1826 Highland Ave		<input checked="" type="checkbox"/>	<input type="checkbox"/>
1815 Laurel Ave			
1805 Laurel Ave			
1801 Laurel Ave			
307 Eighteenth St			
1810 Highland Ave			



Printed: 3/2/2018 at 11:00:56 AM



FSRM Alley Closure Exhibit

Knoxville - Knox County - KUB Geographic Information System

KGIS makes no representation or warranty as to the accuracy of his map and its information nor to its fitness for use. Any user of this map product accepts the same AS IS, WITH ALL FAULTS, and assumes all responsibility for the use thereof, and further covenants and agrees to hold KGIS harmless from any and all damage, loss, or liability arising from any use of this map product.

REQUIRED SIGN POSTING AGREEMENT FORM

For all rezoning, plan amendment, concept plan, use on review, BZA variance, right-of-way closure, and street name change applications, a sign must be posted on the subject property, consistent with the adopted MPC/BZA Administrative Rules and Procedures. When applicable, MPC staff will provide the sign(s) to post on the subject property at the time of application.

The sign(s) must be posted in a location that is clearly visible from the nearest adjacent street. If the property has more than one street frontage, then the sign(s) should be placed along the higher classified street. MPC staff may recommend a preferred location for the sign(s) to be posted at the time of application.

The sign(s) must be posted no later than two weeks prior to the scheduled MPC/BZA hearing and must remain in place until after the meeting. The applicant is responsible for ensuring that the signs remain posted throughout the two-week period prior to the public hearing. Failure to maintain the signs during this time period may be cause for postponement of the application until the next scheduled meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted no later than two weeks prior to the next MPC/BZA meeting.

MPC staff will provide the first sign(s) for no additional charge as part of the application fees. If the sign(s) are lost or stolen and need to be replaced, then the applicant will be responsible for picking up a new sign from the MPC offices. The applicant will be charged a replacement fee for additional sign(s) consistent with the agency's cost of purchasing each sign.

I hereby agree to post the sign(s) provided on the subject property on or before March 28th consistent with the guidelines provided above; and remove the sign(s) within one week after the MPC/BZA public hearing.

Signature:



Printed name:

Land Development Solutions

Date:

3-2-18

MPC/BZA File #:

4-A-18-AC