

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

▶ **FILE #:** 1-B-18-SC

AGENDA ITEM #: 6

AGENDA DATE: 1/11/2018

▶ **APPLICANT:** GARY KOONTZ

TAX ID NUMBER: 81 A A 006
 JURISDICTION: Council District 5
 SECTOR PLAN: Northwest City
 GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)
 ZONING: C-6 (General Commercial Park)
 WATERSHED: Second Creek

[View map on KGIS](#)

▶ **RIGHT-OF-WAY TO BE CLOSED:** Hero Rd

▶ **LOCATION:** Between intersection with Rickard Drive and northern terminus

IS STREET:

(1) IN USE?: No

(2) IMPROVED (paved)?: No

▶ **APPLICANT'S REASON FOR CLOSURE:** Right-of-way not used

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 Hero Rd., as requested, subject to any required easements and subject to the following condition:**

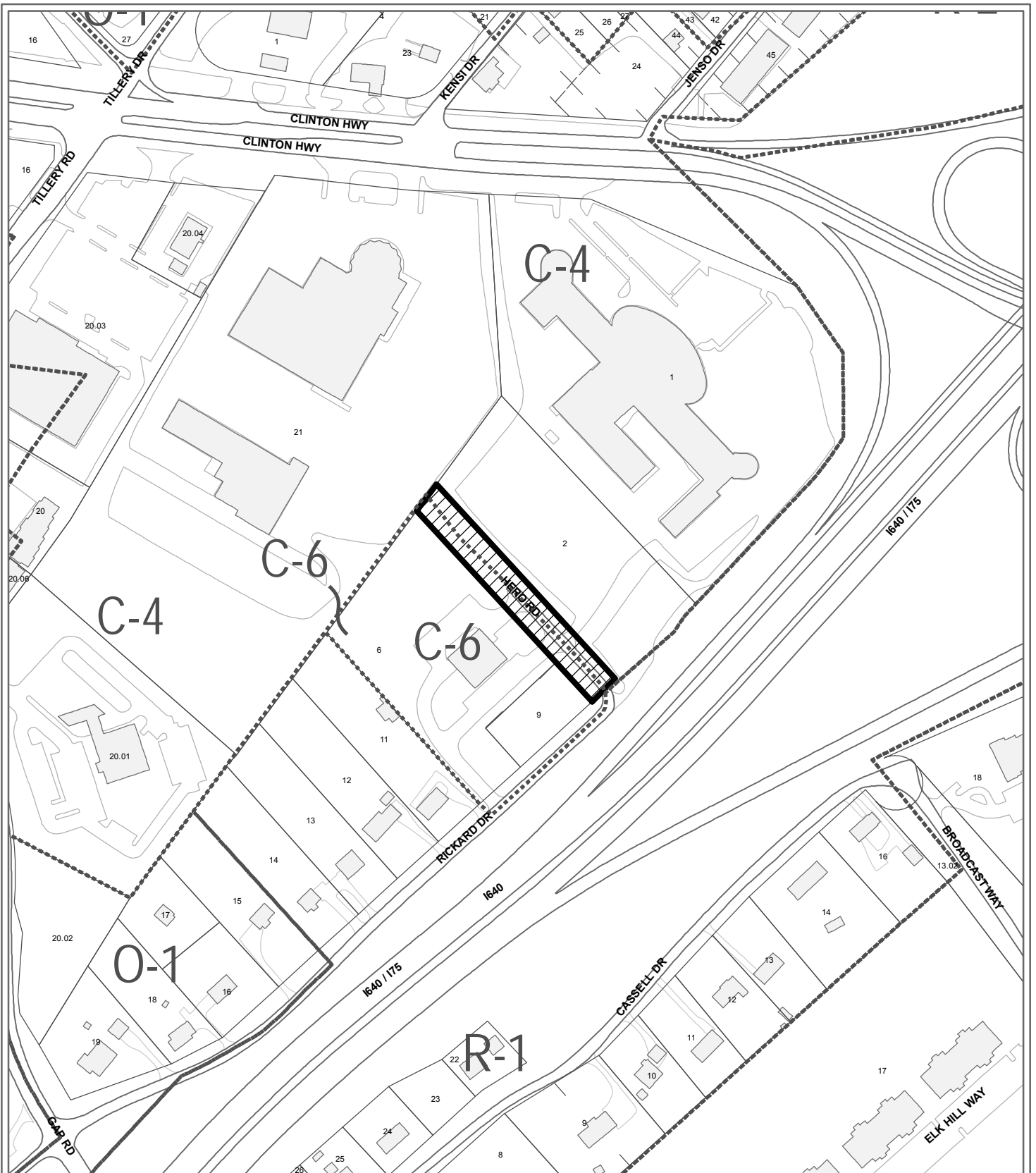
1. The 3 conditions included in the attached letter from City of Knoxville Engineering (dated December 28, 2017) must be addressed to the satisfaction of that department.

With the above condition included, staff has received no objections from reviewing departments or utilities to this closure.

COMMENTS:

The applicant either owns all private property fronting on the right-of-way to be closed. It is staff's understanding that the purpose of this closure is to consolidate properties owned by Lance Cunningham Ford to the northeast for future expansion.

If approved, this item will be forwarded to Knoxville City Council for action on 2/13/2018 and 2/27/2018. 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.



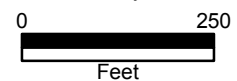
**1-B-18-SC
CLOSURE OF PUBLIC RIGHT OF WAY**

Petitioner: Koontz, Gary

Name of Street or Alley: Hero Rd
 To be closed from: intersection with Rickard Drive
 To be closed to: northern terminus

Map No: 81
 Jurisdiction: City

Original Print Date: 12/18/2017 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902





CITY OF KNOXVILLE

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

December 28, 2017

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

SUBJECT: Closure of Hero Road
MPC File # 1-B-18-SC; Nearby City Block 41540

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. To prevent a dead-end public right-of-way with no vehicular outlet, the applicant shall provide a means for a public turnaround or other approvable means to eliminate dead-ending traffic flow, subject to City Engineering approval.
2. The applicant will have (1) year to complete the above conditions or the closure shall be deemed null and void and of no effect.
3. 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.

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,

A handwritten signature in cursive script that reads "Benjamin D. Davidson".

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

1-B-18-SC - cor - City Fire



Fire Prevention Bureau

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

Memorandum

Date: December 12, 2017
To: Tom Brechko
From: Sonny Partin, Deputy Fire Marshal
Subject: Request for Information on Fire Department Access, Fire Department Review

Road or Name	Approval Status	Comments
1. Rickard Dr. 1-A-18-SC	Disapproved	This road is required for fire dept access to this area.
2. Piney Grove Church Rd. 1-C-18-SC	Approved	None
3. Hero Rd. 1-B-18-SC	Disapproved	This road is required for fire dept access to this area.

RIGHT-OF-WAY CLOSURE



Name of Applicant: Gary Koontz
 Date Filed: 11/14/17 Fee Paid: \$750 File Number: 1-B-18-SC
 Map Number: 81 Zoning District: C6/R1 City County Sector: Northwest Cph
 Jurisdiction: City 5th Councilmanic District

INFORMATION:

Name of Right-of-Way: Hero Rd 081AA009
 Type of Right-of-Way: Street Alley
 Location of Right-of-Way:
 BETWEEN (City Block or Lot where appropriate) Rickard Dr.
 AND (City Block or Lot where appropriate) Northern Terminus
 Right-of-Way is: In Use Yes No Improved (example: paved) Yes No
 Reason for Closure: no use

TO BE CLOSED:

From: (Street, Alley, Other) <u>Rickard Rd</u>	To: (Street, Alley, Other) <u>Hero Rd.</u>

ALL CORRESPONDENCE RELATING TO THIS APPLICATION SHOULD BE SENT TO:

Same as below

Name: (Print) Address • City • State • Zip • Phone • Fax

AUTHORIZATION OF APPLICATION:

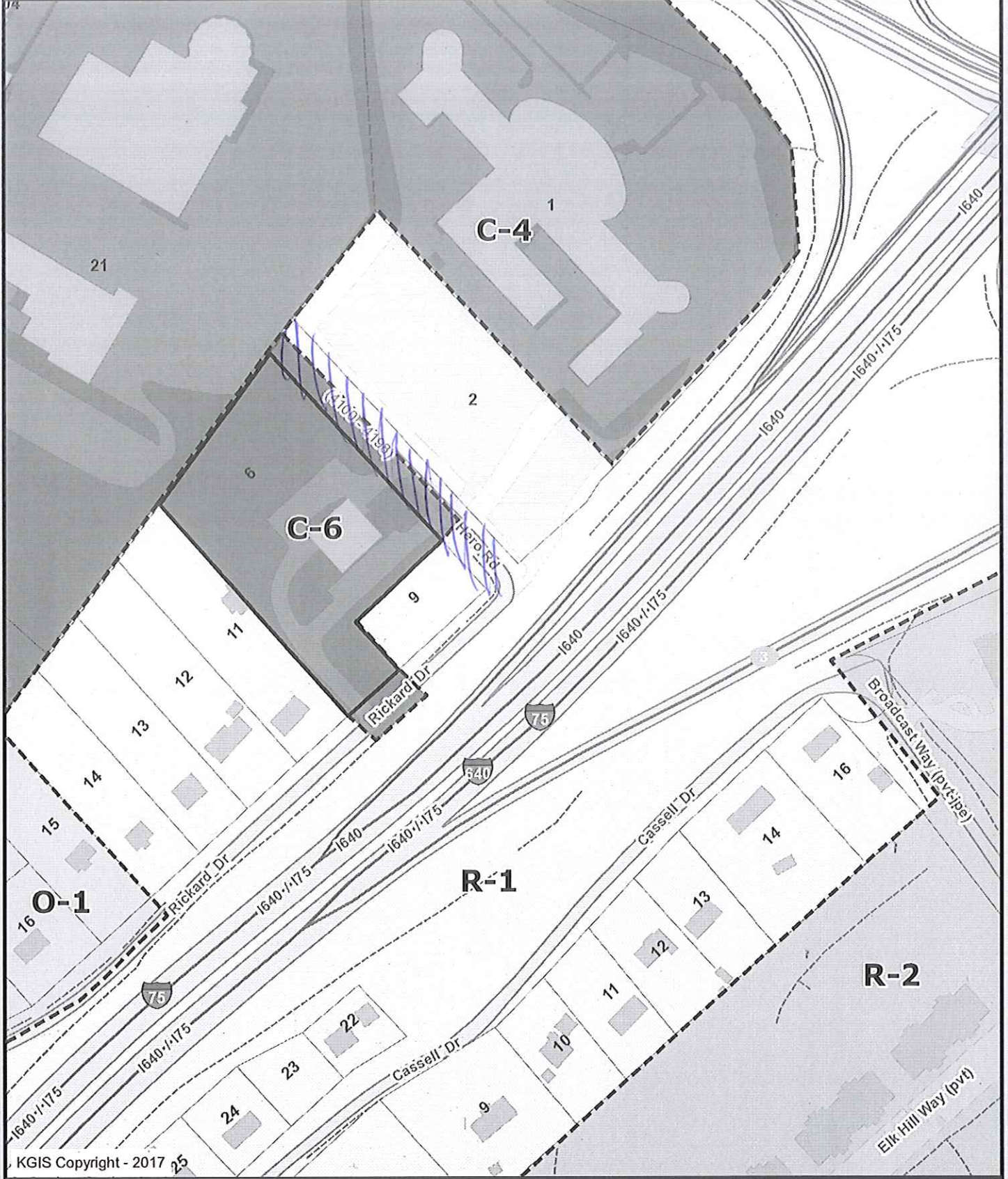
I hereby certify that I am the authorized applicant, or representing the applicant and ALL property owners involved in this request or holders of option on same.

Signature: [Signature]

Gary Koontz 3232T4222222 AK KNOX TN. 37918 548-1010

Name: (Print) Address • City • State • Zip • Phone • Fax

APPLICATION ACCEPTED BY: Bussan

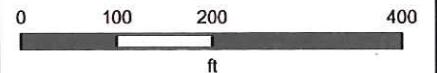


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Letter Portrait

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Knoxville - Knox County - KUB Geographic Information System



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Affidavit

I, Lance Cunningham, give Gary Koontz permission to represent T&Y properties/ Lance Cunningham Ford to the Knoxville-Knox County Metropolitan Planning Commission. This is in regards to the property located at Hero Road for purposes of road closure.



Lance Cunningham



Witness



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 a sign to post on the property at the time of application.

The sign 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 should be placed along the higher classified street. MPC staff may recommend a preferred location for the sign to be posted at the time of application.

The sign must be posted no later than two weeks prior to the scheduled MPC/BZA hearing and must remain in place until after the 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 the second sign consistent with the agency's cost of purchasing each sign.

I hereby agree to post the sign provided on the subject property on or before Dec 27, 2017 consistent with the guidelines provided above; and remove the sign within one week after the MPC/BZA decision.

Signature: [Handwritten Signature]

Printed name: Gary Koontz

MPC/BZA File #: 1-A-18-SC / 1-B-18-SC

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