

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

▶ **FILE #:** 8-B-18-AC **AGENDA ITEM #:** 8
 POSTPONEMENT(S): 8/9/2018 **AGENDA DATE:** 9/13/2018

▶ **APPLICANT:** GORDON SMITH

TAX ID NUMBER: 94 N P 02801 [View map on KGIS](#)
 JURISDICTION: Council District 1
 SECTOR PLAN: Central City
 GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)
 ZONING: O-1 (Office, Medical, and Related Services)
 WATERSHED: Third Creek

▶ **RIGHT-OF-WAY TO BE CLOSED:** Unnamed alley
 ▶ **LOCATION:** Between Nineteenth Street and northeast corner of parcel 094NP027

IS ALLEY:
 (1) IN USE?: Yes
 (2) IMPROVED (paved)?: Yes

▶ **APPLICANT'S REASON FOR CLOSURE:** Consolidate properties

DEPARTMENT-UTILITY REPORTS: The City of Knoxville Engineering Department has provided a memo (dated July 27, 2018) stating that they object to this proposed closure.

STAFF RECOMMENDATION:

▶ **DENY the requested closure of the unnamed alley.**

MPC and City of Engineering staffs are in agreement that this section of the existing alley should remain open to the public. There is a need to maintain connectivity options in the Ft. Sanders area. The closure of this portion of the alley would leave a remnant portion open, thereby creating a dead-end traffic condition.

COMMENTS:

The applicant owns all of the properties adjacent to the proposed closure. MPC staff is recommending denial of the request based on the shared opinions of City Engineering and MPC staffs. A memo from the City Engineering Department (dated July 27, 2018) is attached, stating the reasons for their objections to this closure.

If approved, this item will be forwarded to Knoxville City Council for action on 10/9/2018 and 10/23/2018. 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.



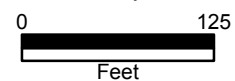
**8-B-18-AC
CLOSURE OF PUBLIC RIGHT OF WAY**

Petitioner: Smith, Gordon

Name of Street or Alley: Unnamed alley
 To be closed from: Nineteenth Street
 To be closed to: northeast corner of parcel 094NP027

Map No: 94
 Jurisdiction: City

Original Print Date: 7/19/2018 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902





CITY OF KNOXVILLE

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

July 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 a portion of unnamed alley
MPC File # 8-B-18-AC; Nearby City Block 10085

Mr. Brusseau:

The City Engineering Department objects to the closure of this alley citing a need to maintain connectivity options for traffic in the vicinity.

Further, City Engineering typically advises against supporting partial closures that would leave a remnant portion open, thereby creating a dead-end traffic condition.

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

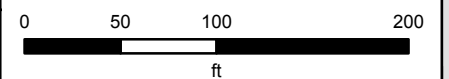


Gordon Smith
8-B-18-AC

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8-B-18-AC -cor- City Fire



Fire Prevention Bureau

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



Memorandum

Date: 7/9/2018
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.	8-A-18-AC off Beaman Lake	Approved	None
2.	8-B18-AC between Nineteenth and Twentieth	Approved	None

Reza Basiri
P.O. Box 11327
Knoxville, TN 37939
Phone: 865-919-2229

08/02/2018

Attn: MPC Commissioners and Staff
c/o Mr. Michael Brusseau, Senior Planner
michael.brusseau@knoxmpc.org

Dear Commissioners,

I am writing in regard to File # 8-B-18-AC, the lane closure request of the alley running between 19th and 20th streets, parallel to Highland Avenue. I own the property at 1927 Highland, located between properties owned by Mr. Smith.

I am opposed to closure of this alley:

- The street parking on Highland in front of my house is limited and often blocked with parked cars, allowing no entrance to the front of my property for the resident's car to park. The neighboring property west has no street parking due to a double driveway curb-cut and a fire hydrant/yellow curb.
- The back alley is often the only access via automobile for parking.
- Repairs/work to my property requires access via the alley. If this alley is not accessible, then it will limit availability to my structure. The alley at Twentieth St. is narrow. Please note this narrowness and the impact that has on repair truck access to the rear/accessible side of my property.
- It is not uncommon for the 20th Street end of the alley to be closed/blocked by cars, necessitating access from the 19th street end of the alley.
- This is a very heavily parked area consisting of visitors to Fort Sanders Regional Hospital, Hospital employees and college students living in the area.
- All utilities all run through the alley- large KUB poles lining the alley, supplying power to the entire Fort Sanders Area.

Thank you very much for your consideration.

Sincerely,

Reza Basiri

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

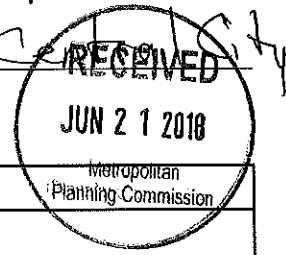
RIGHT-OF-WAY CLOSURE

Name of Applicant: Gordon Smith

Date Filed: 6/21/18 Fee Paid: \$400 File Number: 8-B-18-AC

Map Number: 094 Zoning District: 0-1 City County Sector: City

Jurisdiction: City 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) Nineteenth St + Twentieth St

AND (City Block or Lot where appropriate) 10085

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

Reason for Closure: Consolidate properties

TO BE CLOSED:

From: (Street, Alley, Other)
Alley - Nineteenth St

To: (Street, Alley, Other)
East line of Parcel (27)

ALL CORRESPONDENCE RELATING TO THIS APPLICATION SHOULD BE SENT TO:

Gordon Smith 903 Westmoreland Blvd Knoxville, TN 37919 567-1121
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.

903 Westmoreland Signature: Gordon Smith

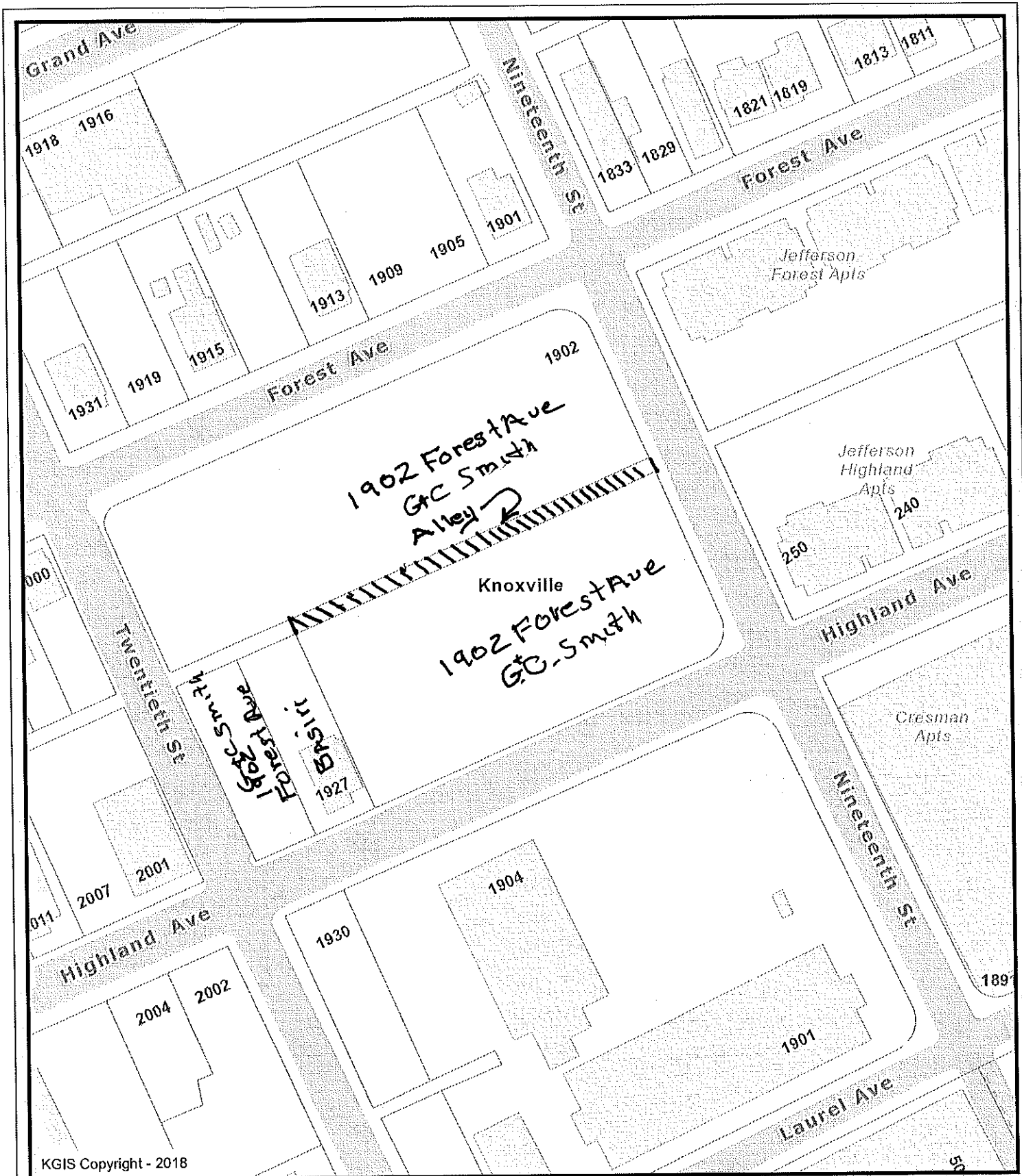
GORDON T. SMITH KNOX TN 37919 865-587-1111
Name: (Print) Address City State Zip Phone Fax

APPLICATION ACCEPTED BY: B. McSweeney

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
1902 Forest Ave	<i>[Handwritten Signature]</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

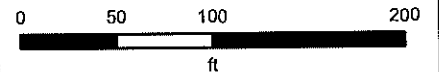


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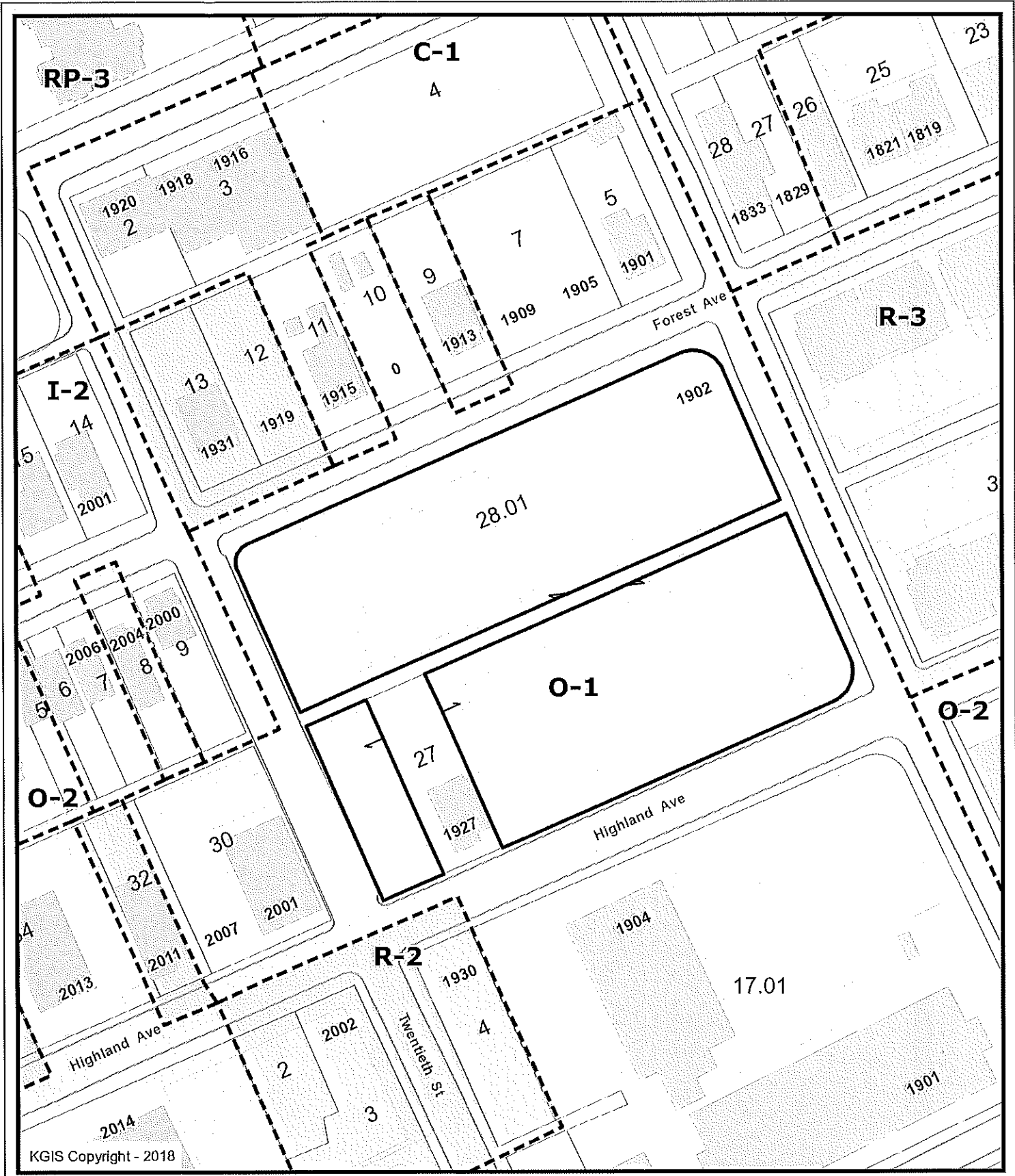
Smith- Alley

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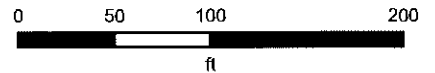
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Letter Portrait

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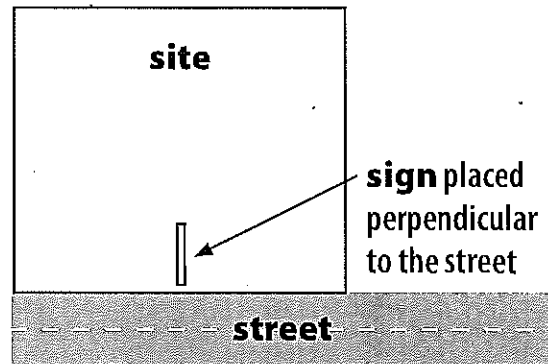
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REQUIRED SIGN POSTING AGREEMENT FORM

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. MPC staff will provide a sign to post on the property at the time of application.

LOCATION AND VISIBILITY

The sign must be posted in a location that is clearly visible from vehicles traveling in either direction on the nearest adjacent/frontage street. If the property has more than one street frontage, then the sign should be placed along the street that carries more traffic. MPC staff may recommend a preferred location for the sign to be posted at the time of application.



TIMING

The sign must be posted no later than *two weeks prior* to the scheduled MPC or 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 or BZA meeting.

MPC staff will provide the first sign(s) for no additional charge as part of the application fees. If the sign(s) go missing for any reason and need to be replaced, then the applicant will be responsible for picking up a new sign(s) from the MPC offices. The applicant will be charged a fee of \$10 for each replacement sign.

I hereby agree to post the sign provided on the subject property on or before

July 27, 2018
consistent with the guidelines provided above; and to **remove the sign within one week after** the MPC or BZA decision.

Signature: Gordon J. Smith

Printed Name: Gordon J. Smith

Date: 6/21/18

MPC or BZA File Number: 8-B-18-AC