



CITY OF KNOXVILLE CLOSURE OF PUBLIC RIGHT-OF-WAY

► **FILE #:** 12-B-19-SC

AGENDA ITEM #: 8

AGENDA DATE: 12/12/2019

► **APPLICANT:** DANIEL ODLE

TAX ID NUMBER: 95 O A 041

[View map on KGIS](#)

JURISDICTION: Council District 1

SECTOR PLAN: South City

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

ZONING: FD-SW-3 (Form District - South Waterfront District - Sevier Avenue)

WATERSHED: Tennessee River

► **RIGHT-OF-WAY TO BE CLOSED:** Extra width of right-of-way (ROW) in front of 1119 Sevier (095OA041) Avenue

► **LOCATION:** Between 1115 Sevier Avenue (095OA042) and 1125 Sevier Avenue (095OA040)

IS STREET:

(1) IN USE?: no

(2) IMPROVED (paved)?: yes

► **APPLICANT'S REASON FOR CLOSURE:** The applicant states, "This ROW is arbitrary and unnecessary. No one utilizes it now, nor would anyone want to use it in the future. In addition, the ROW is currently part of a parking lot that we would like to improve with landscaping."

DEPARTMENT-UTILITY
REPORTS:

Neither KUB, AT&T, nor the City Engineering Department had any comments other than their wish to retain any easements that may be present. The Fire Department and TDOT had no comments.

STAFF RECOMMENDATION:

► **Approve closure of the dedicated right-of-way in front of 1119 Sevier Avenue, subject to any required easements, since it is not needed by the City and staff has received no objections to its closure.**

COMMENTS:

1. The property at 1119 Sevier Avenue was replatted in the late 1980s. Approximately 14 feet of right-of-way was dedicated via that plat. The previous right-of-way was not as wide, so the neighboring properties are set closer to Sevier Avenue.
2. The City of Knoxville has acknowledged they do not need the extra right-of-way present in front of this parcel.
3. The proposed street closure will not have an impact on the surrounding addresses.
4. Staff has received no objections from any City departments or utility companies other than the departments listed above who wish to retain any easements that may be present.

If approved, this item will be forwarded to Knoxville City Council for action on 1/14/2020 and 1/28/2020. If denied, Knoxville-Knox County Planning Commission'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 a Planning Commission decision in the City.



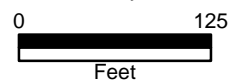
12-B-19-SC
CLOSURE OF PUBLIC RIGHT OF WAY

Name of Street or Alley: 1119 Sevier (095OA041) Avenue
 To be closed from: 1115 Sevier Avenue (095OA042)
 To be closed to: 1125 Sevier Avenue (095OA040)

Original Print Date: 11/7/2019 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Odle, Daniel

Map No: 95
 Jurisdiction: City



NOVEMBER 6, 2019

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

FROM: Michelle Portier, AICP

RE: REQUEST CLOSURE OF A PORTION OF THE RIGHT-OF-WAY LOCATED AT 1119 SEVIER AVENUE (PARCEL ID 095OA041) BETWEEN 1115 SEVIER AVENUE (PARCEL ID 095OA042) AND 1125 SEVIER AVENUE (PARCEL ID 095OA040), COUNCIL DISTRICT 1, SOUTH CITY SECTOR. (12-B-19-SC)

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 Knoxville-Knox County Planning Commission on December 12, 2019.

A map showing the street or alley in question is attached for your information.

PLEASE NOTE: Failure to reply to our office by December 2, 2019 will be considered as no objection by your agency.

C: Amy Brooks, AICP
Attachment: Application



CITY OF KNOXVILLE

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

November 26, 2019

Knoxville-Knox Planning
City-County Building, Suite 403
Knoxville, Tennessee 37902

SUBJECT: Closure of a portion of Sevier Ave
MPC File # 12-B-19-SC; Nearby City Block 26046

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 there are any current facilities, located in or within five (5) feet of the property described herein. If any existing 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, PLS, Technical Services Administrator
Technical Services/Department of Engineering
Ph: 865-215-2103

a

November 26, 2019

Michelle Portier
Knoxville-Knox County
Metropolitan Planning Commission
Suite 403, City-County Building
Knoxville, Tennessee 37902

Dear Ms. Portier:

Re: Right-of-Way Closure Requests 12-A-19-AC, 12-A-19-SC, and 12-B-19-SC

We have reviewed our records and, as far as we have been able to determine, KUB has no existing utility facilities located within the subject right-of-ways and we have no objection to the requested closures. However, KUB does not release and hereby retains all easements and rights for existing facilities, whether or not identified in our research.

If you have any questions regarding this matter, please call me at (865) 558-2483.

Sincerely,



Christian Wiberley, PE
Engineering

CGW



Fire Prevention Bureau

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

Memorandum

Date: November 12, 2019

To: Dori Caron

From: Sonny Partin, Deputy Fire Marshal

Subject: Request for Information on Right of Way Closures, Fire Department Review

Road Name	Review Status	Comments
1. 12-A-19-AC	Approved	None
2. 12-A-19-SC	Approved	None
3. 12-B-19-SC	Approved	None



400 Main Street
Suite 403
Knoxville, TN 37902
P: 865.215.2507
F: 865.215.2237

Addressing Department Review and Comments

File #: 12-B-19-SC

Tax Parcel ID:

Subdivision: N/A

Owner/Applicant: Daniel Odle

Surveyor:

Company:

Email:

Date Submitted: 10/31/19

Review Type: SC

Unit or Phase:

Phone: 865.246.1331

Office:

Cell:

Fax:

Visit our website: <http://www.knoxplanning.org/addressing> for a list of existing and available street names.

All subdivision and street names must conform to the Knoxville/Knox County Street Uniform Naming and Addressing Ordinance, Subdivision Regulations and the Administrative Rules of the Planning Commission.

Proposed and/or Existing Subdivision or Street Names	Results of Review, Corrections, and Comments (date subdivision or street name reserved)	Approved, Denied, Pending Corrections
	The proposed street closure will not have an impact on the surrounding addresses.	

Comments may be modified based on new information from field review or other government agencies.

Andrea Kupfer (865.215.3797) andrea.kupfer@knoxplanning.org	1st Review	Donna Hill (865.215.3872) donna.hill@knoxplanning.org	2nd Review
	11/7/19		11.12.19



Planning
KNOXVILLE | KNOX COUNTY

RIGHT-OF-WAY CLOSURE

RECEIVED

OCT 31 2019

Knoxville-Knox County
Planning

Name of Applicant: Daniel Odle

Date Filed: 10/31/19 Fee Paid: 1200.00 File Number: 12-B-19-SC

Map Number: 95 Zoning District: SW3 ☒ City ☐ County Sector: South City

Jurisdiction: ☒ City 1 Council District

INFORMATION:

Name of Right-of-Way: 1119 Sevier Ave (map 0950A 041)

Type of Right-of-Way: ☒ Street ☒ Alley between block 26046 E, 26301

Location of Right-of-Way:
BETWEEN (City Block or Lot where appropriate) 1115 Sevier Ave (map 0950A Parcel 042)
AND (City Block or Lot where appropriate) 1125 Sevier Ave (map 0950A Parcel 040)

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

Reason for Closure: This right-of-way is arbitrary and unnecessary. No one utilizes it now, nor would anyone want to use it in future. In addition, the right-of-way is currently part of a parking lot that we would like to improve with landscaping.

TO BE CLOSED:

From: (Street, Alley, Other)

Lot 1115 Sevier Ave
22

To: (Street, Alley, Other)

Lot 1125 Sevier Ave.

ALL CORRESPONDENCE RELATING TO THIS APPLICATION SHOULD BE SENT TO:

Daniel Odle 520 W Summit Hill Dr, Ste 903, Knoxville, TN 37902 865 246-1331
Name: (Print) Address City State Zip Phone Fax

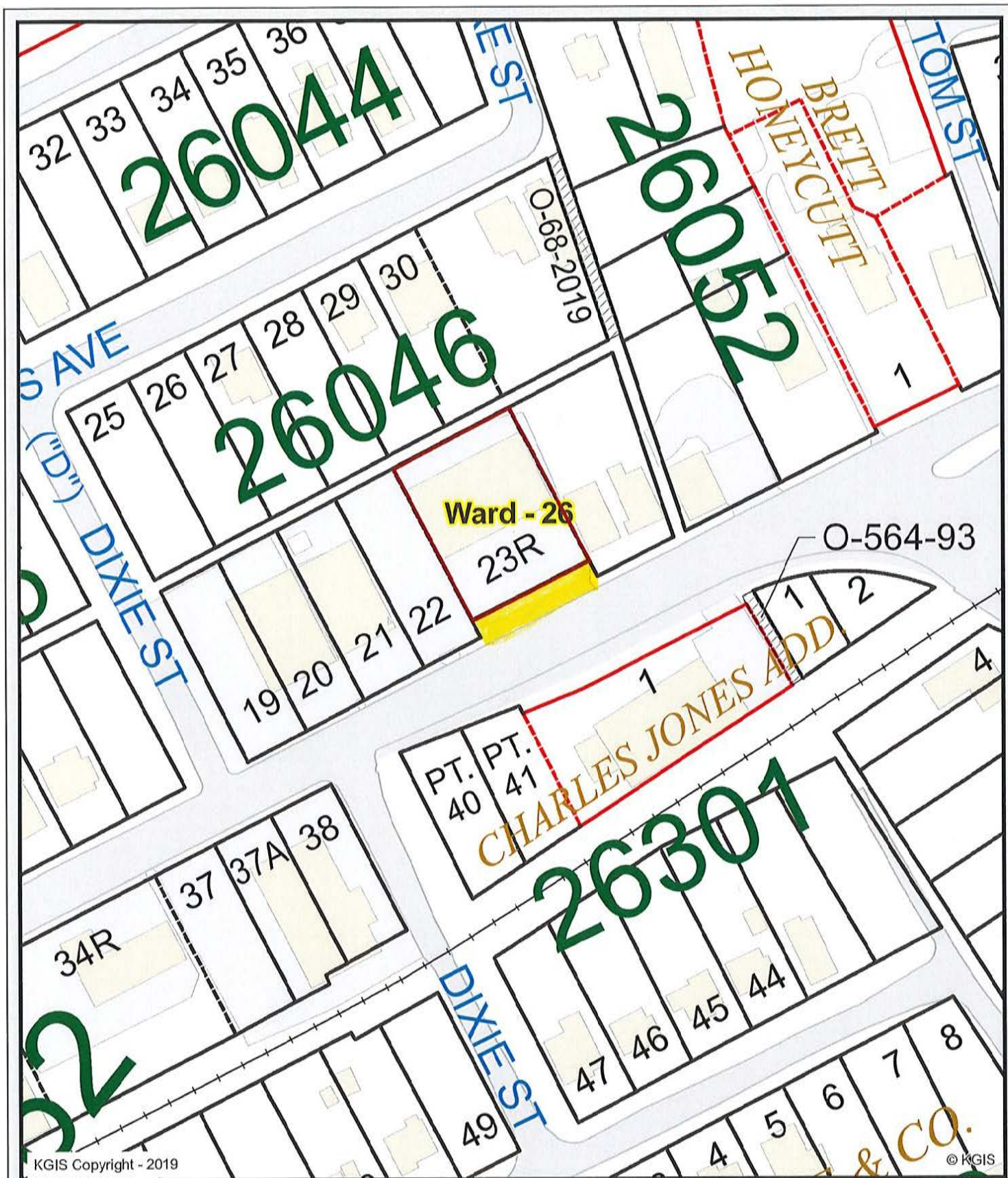
AUTHORIZATION OF APPLICATION:

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.

DocuSigned by:
Signature: Daniel Odle 10/30/2019

Daniel Odle 520 W Summit Hill Dr, Ste 903, Knoxville, TN 37902 865 246-1331
Name: (Print) Address City State Zip Phone Fax

APPLICATION ACCEPTED BY: Sherry Michienzi 10-31-19



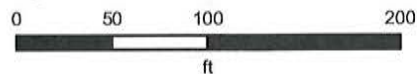
Letter Portrait

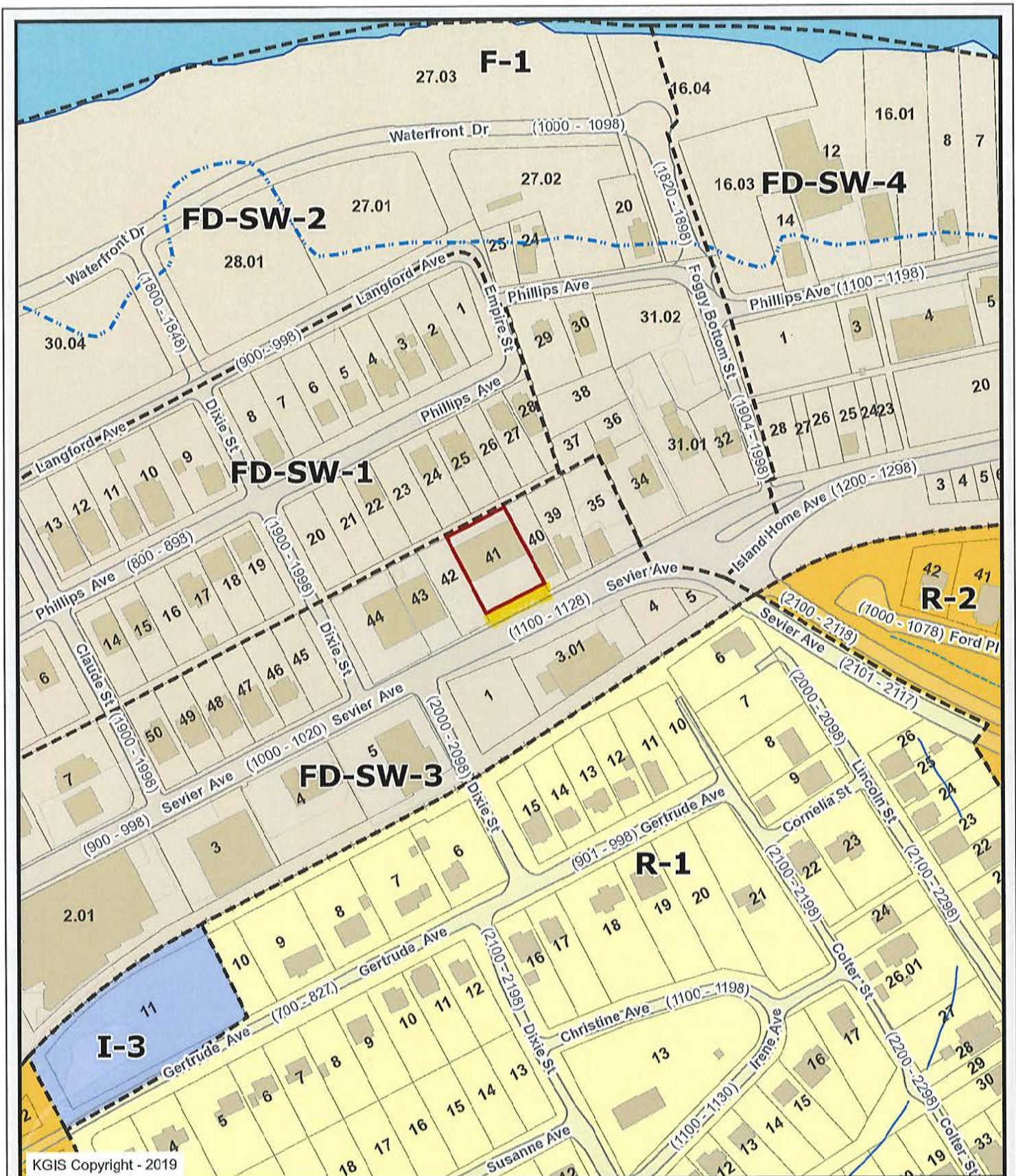
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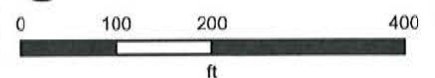
Letter Portrait

Knoxville - Knox County - KUB Geographic Information System

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0 100 Feet

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.

[illegible]

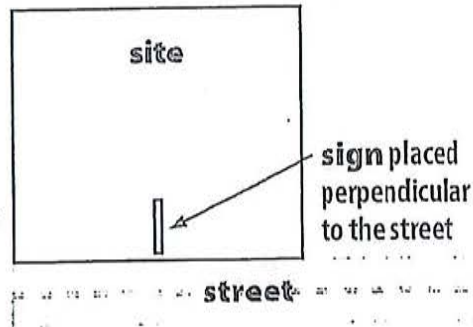
REQUIRED SIGN POSTING AGREEMENT

For all rezoning, plan amendment, concept plan, use on review, right-of-way closure, and street name change applications, a sign must be posted on the subject property, consistent with the adopted Administrative Rules and Procedures.

At the time of application, staff will provide a sign(s) to post on the property as part of the application process. 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 Planning offices. The applicant will be charged a fee of \$10 for each replacement sign.

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. Planning staff may recommend a preferred location for the sign to be posted at the time of application.




TIMING

The sign(s) must be posted 15 days before the scheduled Planning Commission public hearing and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted 15 days before the next Planning Commission meeting.

I hereby agree to post and remove the sign(s) provided on the subject property consistent with the above guidelines and between the dates of:

Nov 27th (Wed) and Dec 13th (Fri)
(15 days before the Planning Commission meeting) (the day after the Planning Commission meeting)

Signature: 

Printed Name: Daniel Odle

Phone: 865-246-1331

Email: amy.enderle@c3studio
llc.com

Date: 11-1-19

File Number: 12-B-19-SC