

CITY OF KNOXVILLE CLOSURE OF PUBLIC RIGHT-OF-WAY

▶ FILE #: 2-A-20-SC

AGENDA ITEM #: 6

AGENDA DATE: 2/13/2020

Þ	APPLICANT:	CITY OF KNOXVILLE
	TAX ID NUMBER:	95 N/A View map on KGIS
	JURISDICTION:	Council District 6
	SECTOR PLAN:	Central City
	GROWTH POLICY PLAN:	Urban Growth Area (Inside City Limits)
	ZONING:	N/A (right-of-way area); INST (Institutional) is the adjacent zoning district
	WATERSHED:	First Creek
►	RIGHT-OF-WAY TO BE CLOSED:	Honor Our Troops Drive Dr.
►	LOCATION:	Between Howard Baker Jr. Ave. and Historic Preservation Dr.
	IS STREET:	
	(1) IN USE?:	yes
	(2) IMPROVED (paved)?:	yes
•	APPLICANT'S REASON FOR CLOSURE:	The northern portion of the closure area will be consolidated into adjoining properties for redevelopment of the Knoxville Science Museum. The southern portion will remain in use as a privately owned driveway for City access to the parking garage located at 751 Historic Preservation Drive.
	DEPARTMENT-UTILITY REPORTS:	See staff comments below.

STAFF RECOMMENDATION:

Approve closure of Honor Our Troops Drive, subject to any required easements, since staff has received no objections to this request and the City of Knoxville is retaining the northern and southern portions of the street as private drives to keep access to the parking lots until such time as redevelopment occurs.

COMMENTS:

1. Since the City will continue to provide access to the parking lots off of Honor Our Troops Drive, the proposed street closure will not have an impact on the surrounding addresses.

- 2. Comments from the City of Knoxville Engineering Department on access:
 - The intent of the application is to close all of Honor Our Troops Drive. The City owns the properties on both sides of this right-of-way and will be selling portions of their property that will be consolidated into one new lot to support a new Science Museum redevelopment. The attached highlights in blue (Exhibit A) is the approximate boundary of what the City will be selling.
 - Any needed access going forward will be said to be over a private drive to the City Court Building until the site is redeveloped.
 - The City will retain the parking garage along Historic Preservation Drive, and will use the southern section of Honor Our Troops Drive as a private driveway for ingress/egress to the parking garage.

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- The City will retain the parking garage along Historic Preservation Drive, and will use the southern section of Honor Our Troops Drive as a private driveway for ingress/egress to the parking garage.
- 3. Staff has received no objections, but the following departments and organizations had these comments:
 - The City's Fire Department had no comments other than to recommend access to the parking lots remains open.
 - TDOT had no Comments, as this closure does not affect any state owned rights-of-way.
 - Comments from the City Engineering Department regarding the closure: 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.
 - KUB: We have reviewed our records and find that we have existing utility facilities located within the subject right-of-way. The approximate locations of these facilities are 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 easements for its utility facilities.
 - Underground Electric 7.5 feet on each side of the centerline of the electric line, 15 feet total width
 - Water 7.5 feet on each side of the centerline of the sewer line, 15 feet total width
 - Sewer 7.5 feet on each side of the centerline of the sewer line, 15 feet total width

- AT&T does not wish to relinquish any ROW or utility easements at this time.

If approved, this item will be forwarded to Knoxville City Council for action on 3/10/2020 and 3/24/2020. 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.



2-A-20-SC Exhibit A. Contextual Images





2-A-20-SC Exhibit B. Land Proposed to be Sold for Development



City of Knoxville is selling the portion of land highlighted in blue above



Memo

JANUARY 10, 2020

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 HONOR OUR TROOPS DRIVE BETWEEN HOWARD BAKER JR. AVENUE AND HISTORIC PRESERVATION DRIVE BETWEEN CITY BLOCK 01061 AND 01080. COUNCIL DISTRICT 6, CENTRAL CITY SECTOR. (2-A-20-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 February 13, 2020. A map showing the street or alley in question is attached for your information.

PLEASE NOTE: Failure to reply to our office by Monday, February 3, 2020 will be considered as no objection by your agency.

C: Amy Brooks, AICP Attachment: Application





Fire Prevention Bureau

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

Memorandum

Date: January 14, 2020

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.	2-A-20-AC	Approved	None
2.	2-A-20-SC	Approved	None, recommend access to parking lot for City Court while still operational.
3.	2-B-20-AC	Approved	None



Michelle Portier <michelle.portier@knoxplanning.org>

February ROW closures

SIMMS, SHANNON R <ss3775@att.com> To: Michelle Portier <michelle.portier@knoxplanning.org> Mon, Feb 3, 2020 at 9:07 AM

AT&T does not wish to relinquish any easement or ROWs at this time.

Thanks,

Shannon R. Simms

MANAGER OSP PLANNING & ENGINEERING DESIGN

AT&T Technology Operations, Construction & Engineering-SE

AT&T

9733 Parkside Dr, Knoxville, TN 37922

O: 865-539-8596 | ss3775@att.com

M:865-566-7068

From: Michelle Portier <michelle.portier@knoxplanning.org> Sent: Friday, January 31, 2020 11:06 AM To: Christian Wiberley <Christian.Wiberley@kub.org>; SIMMS, SHANNON R <ss3775@att.com> Cc: Dori Caron <dori.caron@knoxplanning.org> Subject: Re: February ROW closures

Hello,

Just a friendly reminder that ROW comments are due Monday in case you hadn't had a chance to review them yet.

Thank you!

Michelle

On Fri, Jan 10, 2020 at 9:52 AM Dori Caron <dori.caron@knoxplanning.org> wrote:

Good morning and happy Friday!

https://mail.google.com/mail/u/0?ik=7ed4683e14&view=pt&search=all&permmsgid=msg-f%3A1657525151025040187&dsqt=1&simpl=msg-f%3A1657... 1/3

Attached are 3 requests for the February 13, 2020 Planning Commission meeting.

Have a great weekend!

Dori Caron

Senior Administrative Assistant

Direct Line: 865-215-2694

Email: dori.caron@knoxplanning.org





Knoxville-Knox County Planning | Knoxville Regional TPO

400 Main Street, Suite 403 | Knoxville, TN 37902

Michelle Portier, AICP

Planner

865.215.3821



CITY OF KNOXVILLE



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

January 28, 2020

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

SUBJECT: Closure of an unnamed alley MPC File # 2-A-20-SC; Nearby City Block 01061

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,

Benjami D. Davidson

Benjamin D. Davidson, PLS, Technical Services Administrator Technical Services/Department of Engineering Ph: 865-215-2103 February 3, 2020

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

Dear Ms. Portier:

Re: Right-of-Way Closure Request 2-A-20-SC

We have reviewed our records and find that we have existing utility facilities located within the subject right-of-way. The approximate locations of these facilities are 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 easements for its utility facilities.

Underground Electric – 7.5 feet on each side of the centerline of the electric line, 15 feet total width

Water -7.5 feet on each side of the centerline of the sewer line, 15 feet total width Sewer -7.5 feet on each side of the centerline of the sewer line, 15 feet total width

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

Sincerely,

t-Wg

Christian Wiberley, PE Engineering

CGW

Electricity · Gas · Water · Wastewater









Dori Caron <dori.caron@knoxplanning.org>

FW: E-Mail: February ROW closures

5 messages

Steve Borden <Steve.Borden@tn.gov> To: Dori Caron <dori.caron@knoxplanning.org> Tue, Jan 28, 2020 at 3:21 PM

Please see district 18 comments below:

2-A-20-AC: No Comment

2-A-20-SC: No Right of Way Closure shall affect the State Owned Right of Way at this location

3-B-20-SC: No Comment

Thank you,



Steven M. Borden, P.E. | Director/Assistant Chief Engineer TDOT – Region 1 7345 Region Lane Knoxville, TN 37914 (865) 594-2400 Steve.Borden@tn.gov tn.gov/tdot

From: Dori Caron <dori.caron@knoxplanning.org> Sent: Friday, January 10, 2020 9:52 AM

	RIGHT-OF-W/	AY CLOSURE	RECEIVED DEC 1 3 2019 Knoxville-Knox County
Planning	Name of Applicant:	Knoxville	Planning
KNOXVILLE I KNOX COUNTY 🚧	Date Filed: <u>12/13/19</u> Fe	e Paid: <u>NA</u> File Number: <u>2</u>	2-A-20-50
	/ / Map Number: <u>095</u> Zoning Distr	ict: <u>0-2</u> 🛛 City 🗆 County Sector :	Central City
	Jurisdiction: 🛛 City	_Council District	0
INFORMATION:		12.12.22.04110.041110.122.04040.000	
Type of Right-of-Way: Location of Right-of-Way BETWEEN (City Block of AND (City Block or Lot w Right-of-Way is: In Reason for Closure:	r Lot where appropriate) <u>City Block</u> where appropriate) <u>City Block</u> Use ⊠ Yes □ No Improved (a The northern portion of the erties For redevelopment of on will remain in use as 2 p	ck sises	Um. The City
TO BE CLOSED:	π		
From: (Street, Alley, Othe Southern Right of Howard Bo	of Way line	To: (Street, Alley, Other) Northern Right of Way of Historic Preservation Drive	e
	MPC R-O-W Closure Address · City · St		• Fax
AUTHORIZATION OF A	PPLICATION:		
I hereby certify that I am or holders of option on sa <u>See</u> Name: (Print) APPLICATION ACCEPT	ame. Signature: <u>Hached MPC R.O-W c</u> Address City St	the applicant and ALL property owners inv closue application ate Zip · Phone	volved in this request • Fax

MOXVILLE-KNOX COUNTY	RIGHT-OF-WAY CLOSURE
METROPOLITAN	Name of Applicant: <u>City of Knoxville</u>
COMMISSION TENNESSEE	Date Filed: 12-13-2019 Fee Paid: N/A File Number:
Guite 403 ∙ City County Building IOO Main Street	
(noxville, Tennessee 37902 3 6 5 • 2 1 5 • 2 5 0 0	Map Number: <u>095</u> Zoning District: <u>0-2</u> \square City \square County Sector :
• A X • 2 1 5 • 2 0 6 8 v w w • k n o x m p c • o r g	Jurisdiction: 🖾 City <u>6th</u> Councilmanic District
INFORMATION:	
Name of Right-of-Way:	Honor Our Troops Dr
Type of Right-of-Way:	I Street □ Alley
Location of Right-of-Wa	ay:
BETWEEN (City Block of	r Lot where appropriate) City Block 01080
Dight of Woy ice In	vhere appropriate) <u>City Block 01061</u> Use ⊠ Yes □ No Improved (example: paved) ⊠ Yes □ No
Reason for Closure: Th	ne northern portion of the closure area will be consolidated into into adjoining properties
for redevelopment	for the Knoxville Science Museum. The southern portion will remain in use as a privately
owned driveway for	r City access to the parking garage located at 751 Historic Preservation Dr.
TO BE CLOSED: From: (Street, Alley, Othe southern right-of-w	er) To: (Street, Alley, Other) <u>northern right-of-way of Historic Preservation Dr</u>
ALL CORRESPONDEN	CE RELATING TO THIS APPLICATION SHOULD BE SENT TO:
Benjamin D. Davids Name: (Print)	on 400 Main St, City County Bldg, Rm 473, Knoxville, TN 37902, 865-215-2103 Address · City · State · Zip · Phone · Fax
AUTHORIZATION OF A	APPLICATION:
I hereby certify that I am or holders of option on s	the authorized applicant, or representing the applicant and ALL property owners involved in this request tame.
Benjamin D. David	lson 400 Main St, City County Bldg, Rm 473, Knoxville, TN 37902, 865-215-2103
Name: (Print)	Address • City • State • Zip • Phone • Fax
APPLICATION ACCEPT	TED 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
751 Historic Preservation Dr	Beyon O. Quich Beyon O. Davidon	-	
800 Howard Baker Jr. Ave.	Keyan Q. Davidson	1	
0 E Hill Ave		~	
4			
1			
	<i>H</i>		







	PROPERT				JNTY, TENNESSEE	Source: KGIS
ACTIVE NORMAL		MAP DEPA	RTMENT -	OWNERSHIP	P CARD	12/05/2019
District Map Insert Gr	up Parcel	Ward			Property Location	
95 I 0		06			0 E HILL AVE	
Subdivision	Block	Lot	Plat		imensions (shown in ft.)	Acreage
MOUNTAIN VIEW AUDITORIUM	-	-	<u>49S-6</u>	5 8	874.42M X 31.60M X IRR	0.00 - A.C. Deeded
						1.93 - A.C. Calculated
Owner	Sale Date	Book	Page	Sale Price		ng Address
CITY OF KNOXVILLE	10/16/1969	<u>1418</u>	220		400 MAIN ST KNOXVILLE	, TN 37902
	5/25/2000	20000531	0036649			
				20		
· · · · · · · · · · · · · · · · · · ·	Parent Parcel	n)	Rema	arks	Parent Instrument Next Parcel (Merg	

https://www.kgis.org/parcelreports/ownercard.aspx?id=095IC001

				PROPERT	Y ASSESSOF MAP DEPA				Y. TENNESSEE	Source: KGIS
ACTIVE	NOF	RMAL						_		12/05/2019
District	Мар	Insert	Group	Parcel	Ward				Property Location	
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	Subdiv	ision		Block	Lot	Plat		CANCELLOOP AND	nsions (shown in ft.)	Acreage
MOUNTAIN	I VIEW A	UDITOR	RIUM	-	-	<u>49S-5</u>	55	485	M X 584.08M X IRR	0.00 - A.C. Deeded
										6.01 - A.C. Calculated
	Own	er		Sale Date	Book	Page	Sale Pri	ce	Mailing	Address
CITY OF K	NOXVILI	E		8/3/1970	<u>1434</u>	909		4	400 MAIN ST KNOXVILLE, "	TN 37902
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				5/25/2000	20000531	0036649				
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								_	https://www.kgis.org/parcalr	eports/ownercard.aspx?id=095IB0

						R'S OFFICE RTMENT - (DUNTY, TENNESSEE	Source: KGIS
CTIVE	NOR								12/05/201
District	Map	Insert	Group	Parcel 5	Ward 06	1201250201	E ST	Property Location 800 HOWARD BAKER J	RAVE
	95	1	В			Plat		Dimensions (shown in ft.)	Acreage
	Subdivis			Block	Lot	49S-5	A REAL PROPERTY AND ADDRESS OF ADDRESS OF ADDRESS ADDRE	790M X 790M X IRR	0.00 - A.C. Deeded
OUNTAIN	VIEWA	JULIOR		-	-				6.10 - A.C. Calculated
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ITY OF KN	NOXVILLI	-		10/16/1969	<u>1418</u>	220		400 MAIN ST KNOXVIL	LE, IN 37902
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ATTRIBUT	ES FRO	VINCRI		nt Parcel			10 17 100	Parent Instrume	ent Number
	Contrade -		Farel	n Farter					
		Prev	/ious Par	cel (Split From)			Next Parcel (Me	erged Into)
				049-040	7				



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:

129 020 and 214 20
(15 days before the Planning Commission meeting) (the day after the Planning Commission meeting)
a pul
Signature: M
Signature: M. Plyler (C.O.K)
Phone: 215-4126 or 4615 Email: blavidson @ Knoxville tr. gov
Date: 12/10/19
File Number: 2-A-20-5C