



CITY OF KNOXVILLE CLOSURE OF PUBLIC RIGHT-OF-WAY

► **FILE #:** 2-B-20-SC

AGENDA ITEM #: 7

AGENDA DATE: 2/13/2020

► **APPLICANT:** LAND DEVELOPMENT SOLUTIONS

TAX ID NUMBER:	108 N/A	View map on KGIS
JURISDICTION:	Council District 1	
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:	Third Creek	

► **RIGHT-OF-WAY TO BE CLOSED:** Twentieth St.

► **LOCATION:** Between SW quadrant of Block 10321 (corner radius only, at Clinch Ave. & Twentieth St.) and NW quadrant of Block 10321 (corner radius only, at White Ave. & Twentieth St.)

IS STREET:

(1) IN USE?: yes

(2) IMPROVED (paved)?: yes

► **APPLICANT'S REASON FOR CLOSURE:** The existing corner radius of Clinch and Twentieth is 15' and this request is for 0' to accommodate a new boiler for the hospital. The existing corner radius at White and Twentieth is 25' and this request is for 0' to accommodate a handicap ramp between the public sidewalk and the Emergency Department entrance.

DEPARTMENT-UTILITY REPORTS:	No departments or utilities have any comments, though the City's Engineering Department and AT&T have requested to retain any easements that may be in place.
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STAFF RECOMMENDATION:

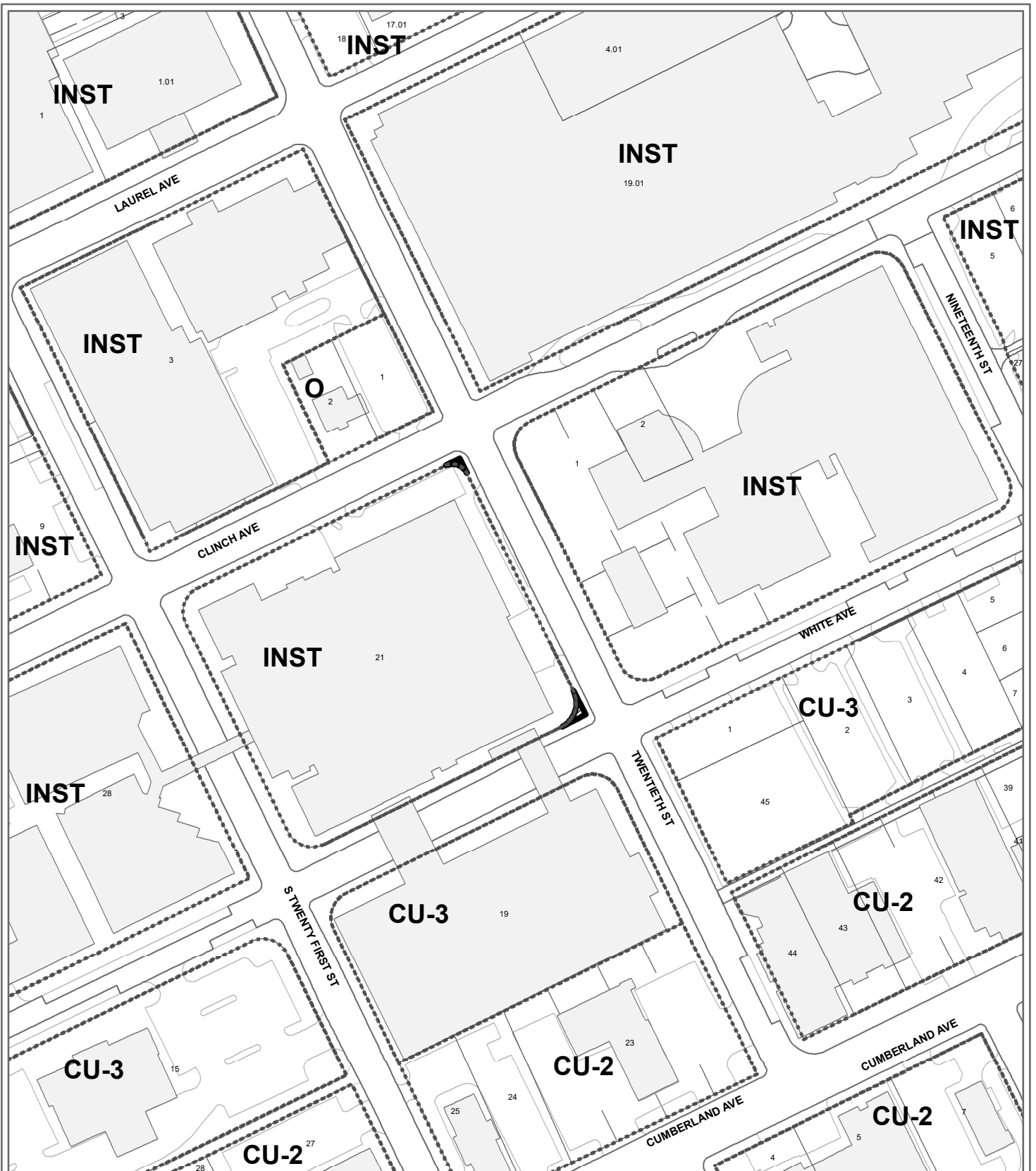
- Approve closure of the northwest corner radius of Twentieth Street and White Avenue, and the southwest corner radius of Twentieth Street and Clinch Avenue, as identified on Exhibit A, subject to any required easements, since the City has no need to retain the wider turn radius at either corner and since staff has received no objections.

COMMENTS:

1. The proposed closures of the corner radii at the identified intersections will not have an impact on the surrounding addresses.
2. Staff has received no objections, but the following departments and organizations had these comments:
 - City of Knoxville Fire Department had no comments.
 - 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.
- TDOT had no Comments.
 - KUB: 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-way and we have no objection to the requested closure. However, KUB does not release and hereby retains all easements and rights for existing facilities, whether or not identified in our research.
 - 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-B-20-SC
CLOSURE OF PUBLIC RIGHT OF WAY**

Petitioner: Land Development Solutions

Name of Street or Alley: Twentieth St.

To be closed from: NE quadrant of Block 10321 (corner radius only, at Clinch Ave. & Twentieth St.)

To be closed to: SE quadrant of Block 10321 (corner radius only, at White Ave. & Twentieth St.)

Map No: 108

Jurisdiction: City

Original Print Date: 1/13/2020

Revised:

Knoxville - Knoxville Planning Commission * City / County Building * Knoxville, TN 37902

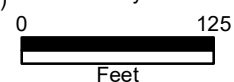


Exhibit A. Contextual Images



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 THE RIGHT-OF-WAY TURNING RADIUS AT THE SOUTHWEST CORNER OF TWENTIETH STREET AND CLINCH AVENUE AND THE TURNING RADIUS OF THE NORTHWEST CORNER OF TWENTIETH STREET AND WHITE AVENUE, CITY BLOCK 10321. COUNCIL DISTRICT 1, CENTRAL CITY SECTOR. (2-B-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>

Mon, Feb 3, 2020 at 9:07 AM

To: Michelle Portier <michelle.portier@knoxplanning.org>

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!

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

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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-B-20-SC; Nearby City Block 10321

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

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-B-20-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-way and we have no objection to the requested closure. 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



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

To: Amy Brooks <amy.brooks@knoxplanning.org>; Ben Davidson <bdavidson@knoxvilletn.gov>; Charlotte Goforth <cgoforth@knoxvilletn.gov>; Christian Wiberley <Christian.Wiberley@kub.org>; Danny Beeler <dbeeler@knoxvilletn.gov>; James Hagerman <jhagerman@knoxvilletn.gov>; Liz Albertson <liz.albertson@knoxplanning.org>; Michelle Portier <michelle.portier@knoxplanning.org>; Shannon Sims <ss3775@att.com>; Sonny Partin <spartin@knoxvilletn.gov>; Steve Borden <Steve.Borden@tn.gov>; Laura Edmonds

<laura.edmonds@knoxplanning.org>

Subject: [EXTERNAL] February ROW closures

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

Good morning and happy Friday!

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

Dori Caron <dori.caron@knoxplanning.org>
To: Steve Borden <Steve.Borden@tn.gov>

Wed, Jan 29, 2020 at 7:41 AM

Thank you!

[Quoted text hidden]

[Quoted text hidden]

Dori Caron <dori.caron@knoxplanning.org>
To: Steve Borden <Steve.Borden@tn.gov>

Wed, Jan 29, 2020 at 7:42 AM

Oops! Assuming you mean 2-B-20-SC? Thanks!

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

On Tue, Jan 28, 2020 at 3:21 PM Steve Borden <Steve.Borden@tn.gov> wrote:
[Quoted text hidden]

Steve Borden <Steve.Borden@tn.gov>
To: Dori Caron <dori.caron@knoxplanning.org>

Wed, Jan 29, 2020 at 8:03 AM

Yes, 2-B-20-SC.



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

[Quoted text hidden]

Dori Caron <dori.caron@knoxplanning.org>
To: Steve Borden <Steve.Borden@tn.gov>

Wed, Jan 29, 2020 at 8:29 AM

[Quoted text hidden]



RIGHT-OF-WAY CLOSURE

Name of Applicant: Land Development Solutions

Date Filed: 12/30/19 Fee Paid: 750.00 File Number: 2-B-20-SC

Map Number: 108C Zoning District: O-1 ☒ City ☐ County Sector: Central City

Jurisdiction: ☒ City 1 Council District

INFORMATION:

Name of Right-of-Way: Twentieth St. - Clinch Ave Radius and Twentieth St. - White Ave Radius

Type of Right-of-Way: ☒ Street ☐ Alley

Location of Right-of-Way:

BETWEEN (City Block or Lot where appropriate) NE Quadrant of Block 10321 and SE Quadrant of Block 10321

AND (City Block or Lot where appropriate) _____

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

Reason for Closure:

The existing corner radius at Clinch and Twentieth is 15' and this request is for 0' to accommodate a new boiler for the hospital

The existing corner radius at White and Twentieth is 25' and this request is for 0' to accommodate a handicap ramp between the public sidewalk and the Emergency Department entrance

TO BE CLOSED:

From: (Street, Alley, Other)

NE quadrant of Block 10321 (Radius at Clinch & Twentieth)

SE quadrant of Block 10321 (Radius at White and Twentieth)

To: (Street, Alley, Other)

ALL CORRESPONDENCE RELATING TO THIS APPLICATION SHOULD BE SENT TO:

E J Baksa, Jr	310-K Simmons Rd	Knoxville	TN	37922	865-671-2281	865-671-2283
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.

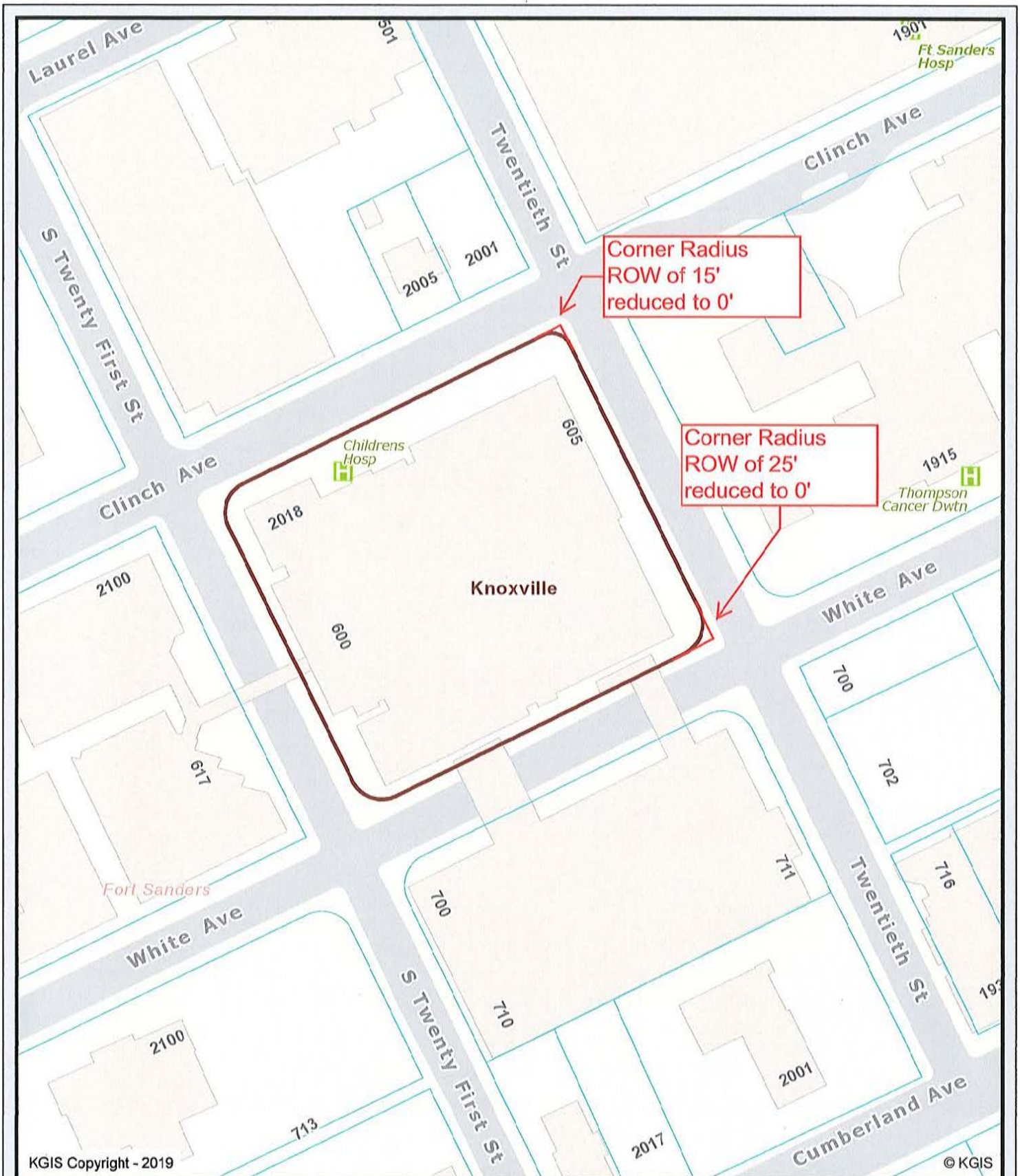
Signature: E J Baksa, Jr

E J Baksa, Jr	310-K Simmons Rd	Knoxville	TN	37922		
Name: (Print)	Address	• City	• State	• Zip	• Phone	• Fax

APPLICATION ACCEPTED BY:

Thomas Buckler

[illegible][illegible][illegible]



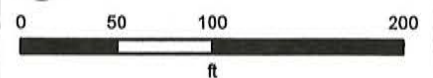
ROW Closure Exhibit

ETCH

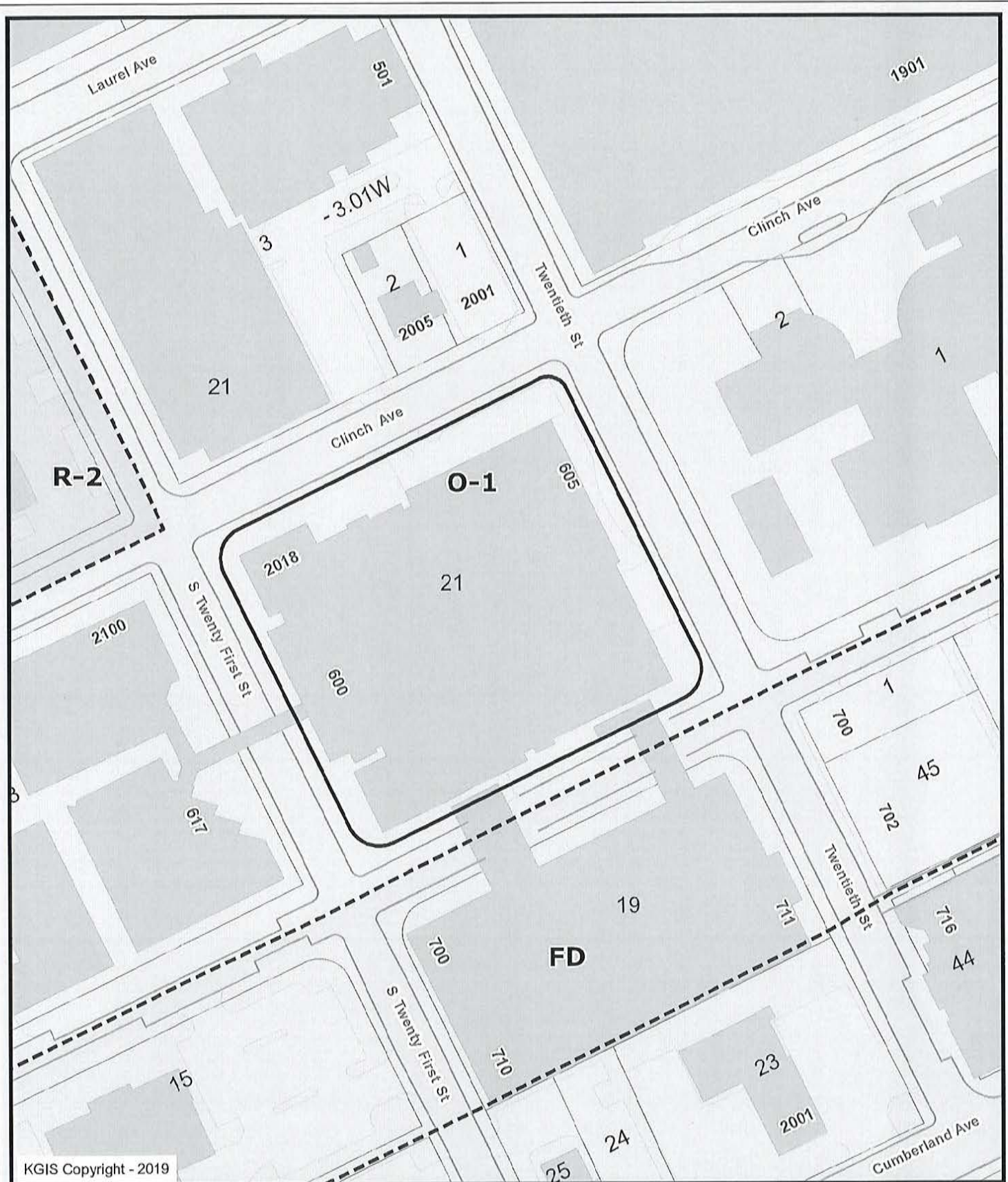
Knoxville - Knox County - KUB Geographic Information System



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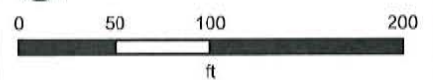
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Letter Portrait

Knoxville - Knox County - KUB Geographic Information System



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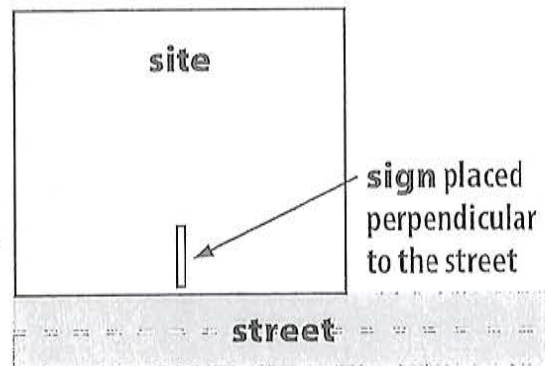
REQUIRED SIGN POSTING AGREEMENT

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:

January 29, 2020 and February 14, 2020
(15 days before the Planning Commission meeting) (the day after the Planning Commission meeting)

Signature: Monty Blake Braden

Printed Name: Monty Blake Braden

Phone: 865-671-2281 Email: mblake@LDSTN.COM

Date: 12-30-19

File Number: 2-B-20-SC