



CITY OF KNOXVILLE CLOSURE OF PUBLIC RIGHT-OF-WAY

▶ FILE #: 3-A-24-AC

AGENDA ITEM #: 20

AGENDA DATE: 3/7/2024

▶ APPLICANT: BESS CONNALLY

TAX ID NUMBER:	94 N/A	<u>View map on KGIS</u>
JURISDICTION:	Council District 4	
SECTOR PLAN:	Central City	
GROWTH POLICY PLAN:	N/A (Within City Limits)	
ZONING:	N/A	
WATERSHED:	Second Creek	

▶ RIGHT-OF-WAY TO BE CLOSED: Unnamed alley

▶ LOCATION: Between its southeast terminus and Morgan Street

IS ALLEY:

(1) IN USE?:	No
(2) IMPROVED (paved)?:	Yes (partially)

▶ APPLICANT'S REASON FOR CLOSURE: The alley has become overgrown with brush and presents a safety hazard to the residents and local businesses it abuts. An increase in foot traffic from N Broadway has been noticed.

DEPARTMENT-UTILITY REPORTS: KUB and the City Engineering Department have requested to retain any easements that may be in place.

STAFF RECOMMENDATION:

▶ This item was requested to be withdrawn by the City of Knoxville on February 27, 2024 and was subsequently withdrawn from the agenda.

COMMENTS:

Knoxville's process for right-of-way closure and abandonment was reviewed and analyzed by the Matrix Consulting group in 2022. The final recommendation included a slight modification to the process to route the closure application directly from staff to City Council.

This item has been forwarded to Knoxville City Council for action on 3/19/2024 and 4/2/2024.



Michelle Portier <michelle.portier@knoxplanning.org>

Withdrawal of City ROW closures for March PC meeting

Chris Howley <chowley@knoxvilletn.gov>

Tue, Feb 27, 2024 at 1:24 PM

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

Cc: Dallas DeArmond <dallas.dearmond@knoxplanning.org>, Dori Caron <dori.caron@knoxplanning.org>, Curtis Williams <cmwilliams@knoxvilletn.gov>, Ben Davidson <bdavidson@knoxvilletn.gov>, Tom Clabo <tclabo@knoxvilletn.gov>

Michelle,

As you know, changes have been made to the process for right-of-way closures in the City of Knoxville. The process change, allows a proposed closure request, after internal review and recommended approval, to go directly to City Council. This new process begins on March 1 and therefore, I would like to request that the following cases be withdrawn from the March Planning Commission meeting, so that these cases can follow the new process:

- 3-A-24-AC (unnamed alley off of Morgan St) and
- 3-A-24-SC (Mcelroy Ave)

Please let me know if you need anything further.

Thanks

Chris Howley, P.E.

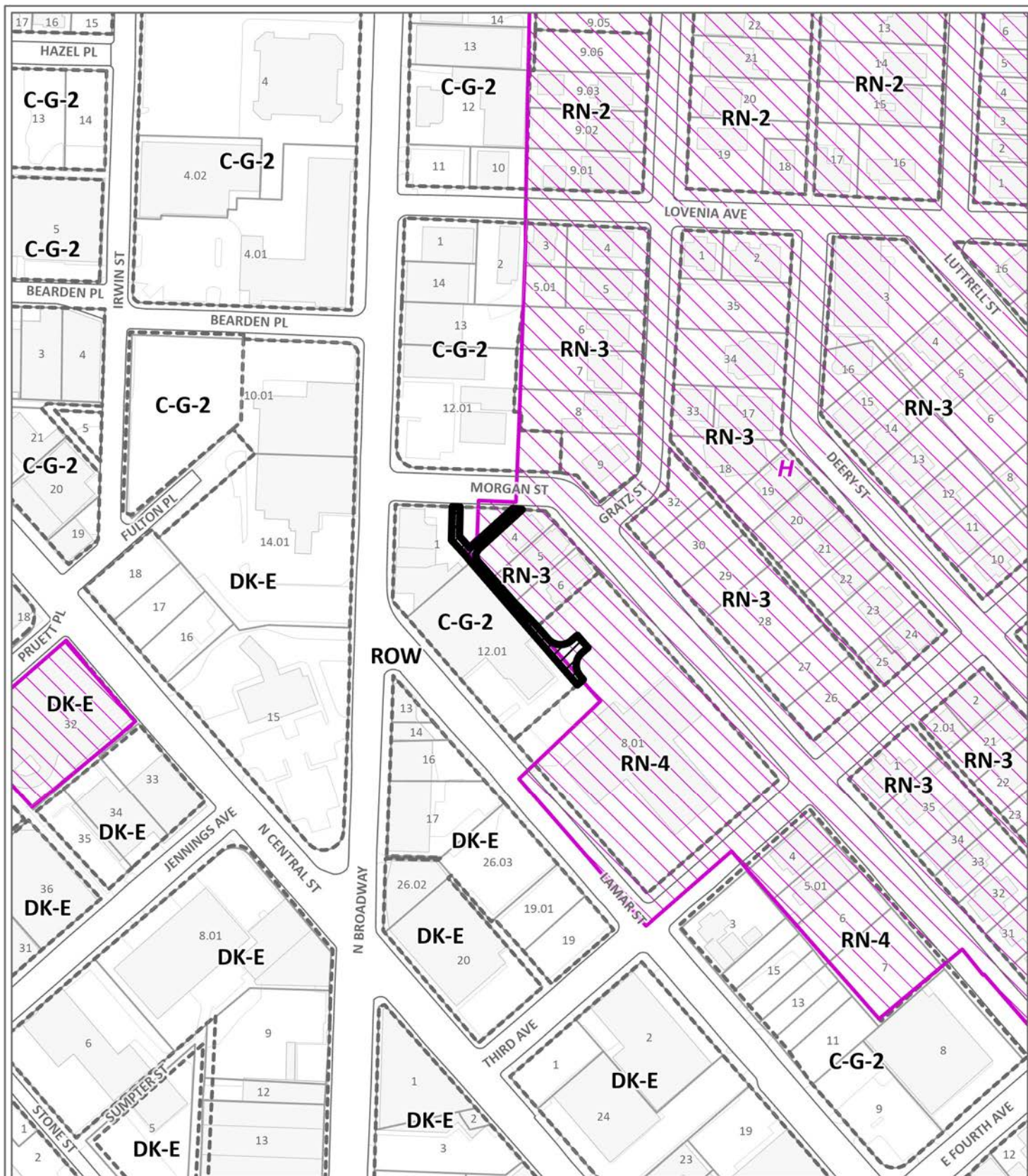
Deputy Director of Engineering

Office: 865-215-3252

Cell: 865-705-9960

Website: www.KnoxvilleTN.gov





CLOSURE OF PUBLIC RIGHT OF WAY, ZONING MAP

3-A-24-AC

Petitioner: Connally

Name of Street or Alley: Unnamed alley
 To be closed from: its southeast terminus
 To be closed to: Morgan Street

Original Print Date: 2/16/2024
 Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Map No: 94
Jurisdiction: City

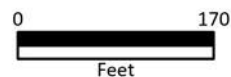
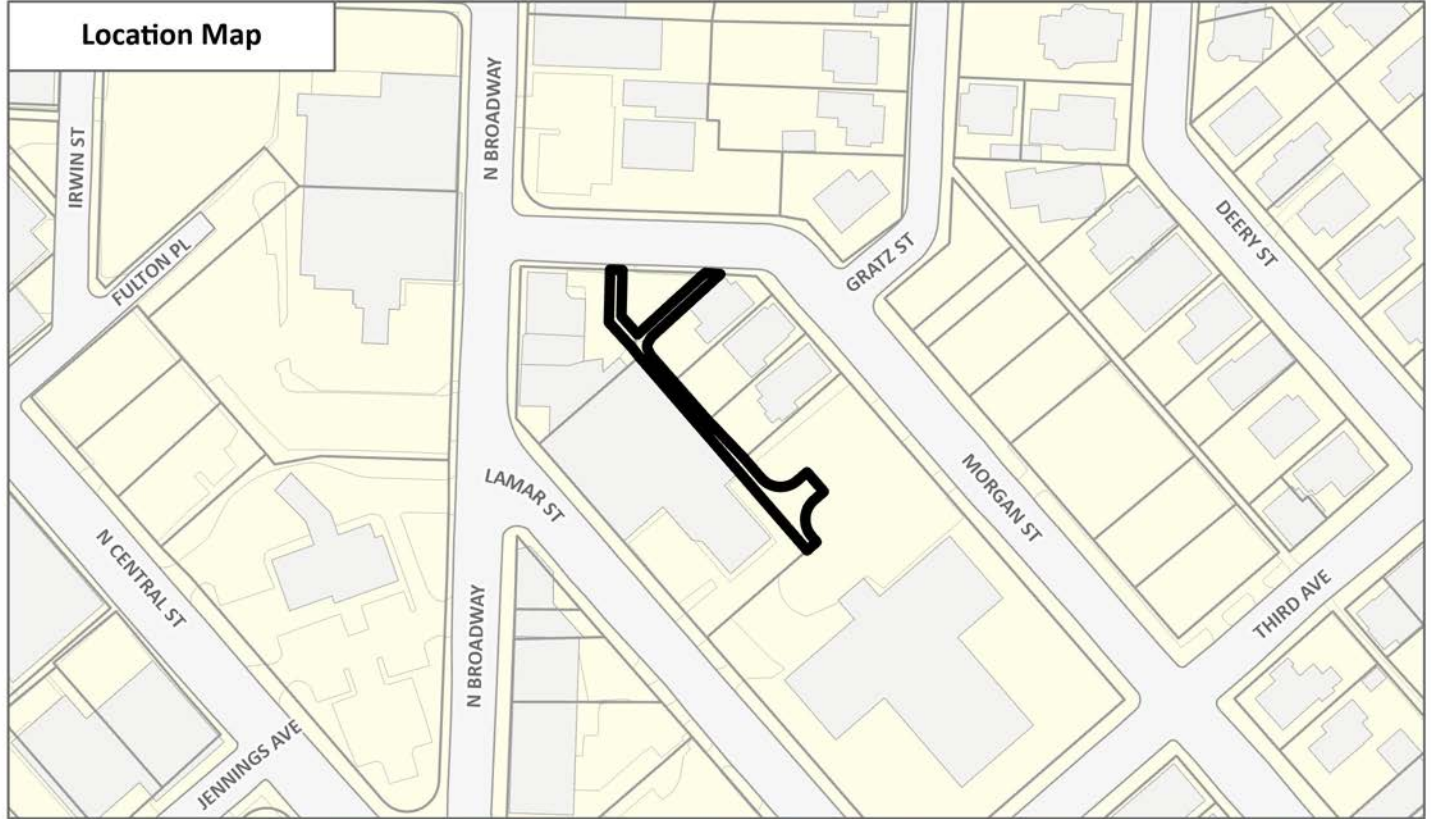


Exhibit A. Contextual Images

Location Map



Aerial Map

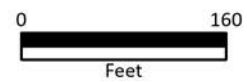


CONTEXTUAL MAPS 1

3-A-24-AC



Case boundary



JANUARY 24, 2024

Christian Wiberly, Knoxville Utilities Board <Christian.Wiberley@kub.org>
Steve Borden, Regional Director, TN Dept. of Transportation <steve.borden@tn.gov>
Sonny Partin, Fire Marshall <spartin@knoxvilletn.gov>
Ben Davidson, Department of Engineering <bdavidson@knoxvilletn.gov>
Charlotte Goforth, Department of Engineering <cgoforth@knoxvilletn.gov>
Chris Flatford, AT&T <cf2061@att.com>
Jeremy Honeycutt, AT&T <JH309E@att.com>
John Stansbury, AT&T <js0634@att.com>

From: Naomi Hansen, Planner, Knoxville-Knox County Planning

RE: REQUEST CLOSURE OF AN UNNAMED ALLEY BETWEEN MORGAN STREET AND THE SOUTHEAST TERMINUS OF THE UNNAMED ALLEY. (3-A-24-AC)

Please give us the following information in writing regarding this proposed closure, adding 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 If closed (vacated), would easements meet your needs?
- 5 If easement will meet needs, please state easements required.
- 6 If your department opposes vacating the ROW, please indicate the rationale.

This request will be considered by the Knoxville-Knox County Planning Commission on March 7, 2024. 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 19, 2024, will be considered as no objection by your agency.

C: Amy Brooks, Executive Director, Knoxville-Knox County Planning
Attachment: Application



CITY OF KNOXVILLE

Engineering
Benjamin D. Davidson, PLS
Technical Services Administrator

February 21, 2024

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

SUBJECT: Closure of an alley
File # 3-A-24-AC; Nearby City Block 07022

City Engineering has no objections to this amended closure application.

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. No easements are reserved if there are no current facilities within the closure area. 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



February 14, 2024

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 3-A-24-AC

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 areas 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,

A handwritten signature in black ink, appearing to read "C. Wiberley".

Christian Wiberley, PE
Engineering

19

Compose

Mail

Inbox

19

Chat

Starred

Snoozed

Meet

Sent

Drafts

14

More

Labels

Active Cases

Completed Cases

First 40 days



3 of 4

Date: Mon, Jan 29, 2024 at 9:10 AM

Subject: RE: [EXTERNAL] Right-of-Way Closure Requests March 2024

To: Dallas DeArmond <dallas.dearmond@knoxplanning.org>

Dallas,

In reviewing the attached closure applications, no impacts to State owned property or streets has been identified. District 18 has no objection to these requests.

Please let me know if you need any additional information.

Sincerely,

Steven M. Borden, P.E.
Director/Assistant Chief Engineer
TDOT – Region 1





400 Main Street, Suite 403
Knoxville, Tennessee 37902
865-215-2500
www.knoxplanning.org

RIGHT-OF-WAY CLOSURE

Date Filed: 1/26/2024

Name of Applicant: BESS CONNALLY

Jurisdiction: City Council District 4

Sector: Central City

Growth Policy Plan: N/A (Within City Limits)

Zoning District: N/A

File Number: 3-A-24-AC

Meeting Date: 3/7/2024

Fee Amount: \$500.00

INFORMATION:

Tax ID: 94 N/A

Add'l. Tax ID Info.:

Name of Right-of-Way: Unnamed alley

Type of Right-of-Way: Alley

Location of Right-Of-Way:

BETWEEN (City Block or Lot, where appropriate): N Broadway Avenue

AND (City Block or Lot, where appropriate): Third Avenue

Is ROW in use (yes/no)?: No

Is ROW improved (e.g. paved) (yes/no)?: Yes

Reason for Closure: The alley has become overgrown with brush and presents a safety hazard to the residents and local businesses it abuts. An increase in foot traffic from N Broadway has been noticed.

TO BE CLOSED:

From: (Street, Alley, Other)

its southeast terminus

To: (Street, Alley, Other)

Morgan Street

ALL CORRESPONDENCE RELATING TO THIS APPLICATION SHOULD BE DIRECTED TO:

Bess Connally

827 Morgan Street

Knoxville, TN 37917

Telephone: 865.382.1313

Fax:

Email: efconnally@gmail.com

AUTHORIZATION OF APPLICATION:

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

Bess Connally

Signature: _____

827 Morgan Street

Knoxville, TN 37917

Telephone: 865.382.1313

Fax:

Email: efconnally@gmail.com

APPLICATION ACCEPTED BY: Jessie Hillman

2/13/2024 12:42:35 PM

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.

Street Alley

APPLICANT INFO

Date 09-28-23

Bess Connally
Applicant Name

Affiliation

File Number(s)

Meeting Date (if applicable)

CORRESPONDENCE

All correspondence related to this application should be directed to the approved contact listed below.

Applicant Owner Option Holder Project Surveyor Engineer Architect/Landscape Architect

Bess Connally
Name

Company

827 Morgan St.
Address

Knoxville
City

TN
State

37917
ZIP

Phone

Email

(865) 382-1313

efconnally@gmail.com

CURRENT ROW INFO

unnamed alley
Name of Right-of-Way

N
In use (Y/N)

N
Improved (Y/N)
(ex-paved)

REQUEST

825 Morgan St.
Starting point of closure

(from street, alley, city block, lot, etc)

829 Morgan St.
Ending point of closure

(to street, alley, city block, lot, etc)

Reason for Closure

Attach separate sheet if needed for explanation

Alley has become overgrown w/brush and presents a safety hazard to the residents and local business* it abuts. An increase in foot traffic from N. Broadway has been noticed.

* 730 N. Broadway

 **Provide Map** Attach map showing limits of right-of-way proposed for closure.
(drawn to scale)

Alley has become overgrown w/ brush and presents a safety hazard to the residents and local business* it abuts. An increase in foot traffic from N. Broadway has been noticed.

* 730 N. Broadway

Provide Map (drawn to scale) Attach map showing limits of right-of-way proposed for closure.

June 2023

STAFF USE ONLY

		Fee 1	Total
Map Number	City Council District	Fee 2	
Planning Sector		Fee 3	

Other Location Information

AUTHORIZATION

By signing below, I certify I am the property owner, applicant or the owners authorized representative.

Bess Connally

Applicant Signature

Bess Connally

Please Print

09-28-23

Date

865 382 1313

Phone Number

efconnally@gmail.com

Email

Staff Signature

Please Print

Date

Addendum: This updated application dated 02/16/24 notes that the highlighted remnant (see Map 2), a parking lot connected to 736 Broadway is included in the application and recognized as part of said property.

Applicant's initials: BC

BC

Property Owner's initials: BC

Bess Connally

Street Alley

APPLICANT INFO

Date 09-28-23

Bess Connally
Applicant Name

Affiliation

File Number(s)

Meeting Date (if applicable)

CORRESPONDENCE

All correspondence related to this application should be directed to the approved contact listed below.

Applicant Owner Option Holder Project Surveyor Engineer Architect/Landscape Architect

Bess Connally
Name

Company

827 Morgan St.
Address

Knoxville
City

TN
State

37917
ZIP

Phone

Email

(865) 382-1313

efconnally@gmail.com

CURRENT ROW INFO

unnamed alley
Name of Right-of-Way

N
In use (Y/N)

N
Improved (Y/N)
(ex-paved)

REQUEST

825 Morgan St.
Starting point of closure

(from street, alley, city block, lot, etc)

829 Morgan St.
Ending point of closure

(to street, alley, city block, lot, etc)

Reason for Closure

Attach separate sheet if needed for explanation

Alley has become overgrown w/brush and presents a safety hazard to the residents and local business* it abuts. An increase in foot traffic from N. Broadway has been noticed.

* 730 N. Broadway

 **Provide Map** Attach map showing limits of right-of-way proposed for closure.
(drawn to scale)

Alley has become overgrown w/ brush and presents a safety hazard to the residents and local business* it abuts. An increase in foot traffic from N. Broadway has been noticed.

* 730 N. Broadway

Provide Map (drawn to scale) *Attach map showing limits of right-of-way proposed for closure.*

June 2023

STAFF USE ONLY		Fee 1	Total
Map Number	City Council District	Fee 2	
Planning Sector		Fee 3	

Other Location Information

AUTHORIZATION

By signing below, I certify I am the property owner, applicant or the owners authorized representative.

Ben Connally
Applicant Signature

Bess Connally
Please Print

09-28-23
Date

865 382 1313
Phone Number

pfconnally@gmail.com
Email

Staff Signature

Please Print

Date

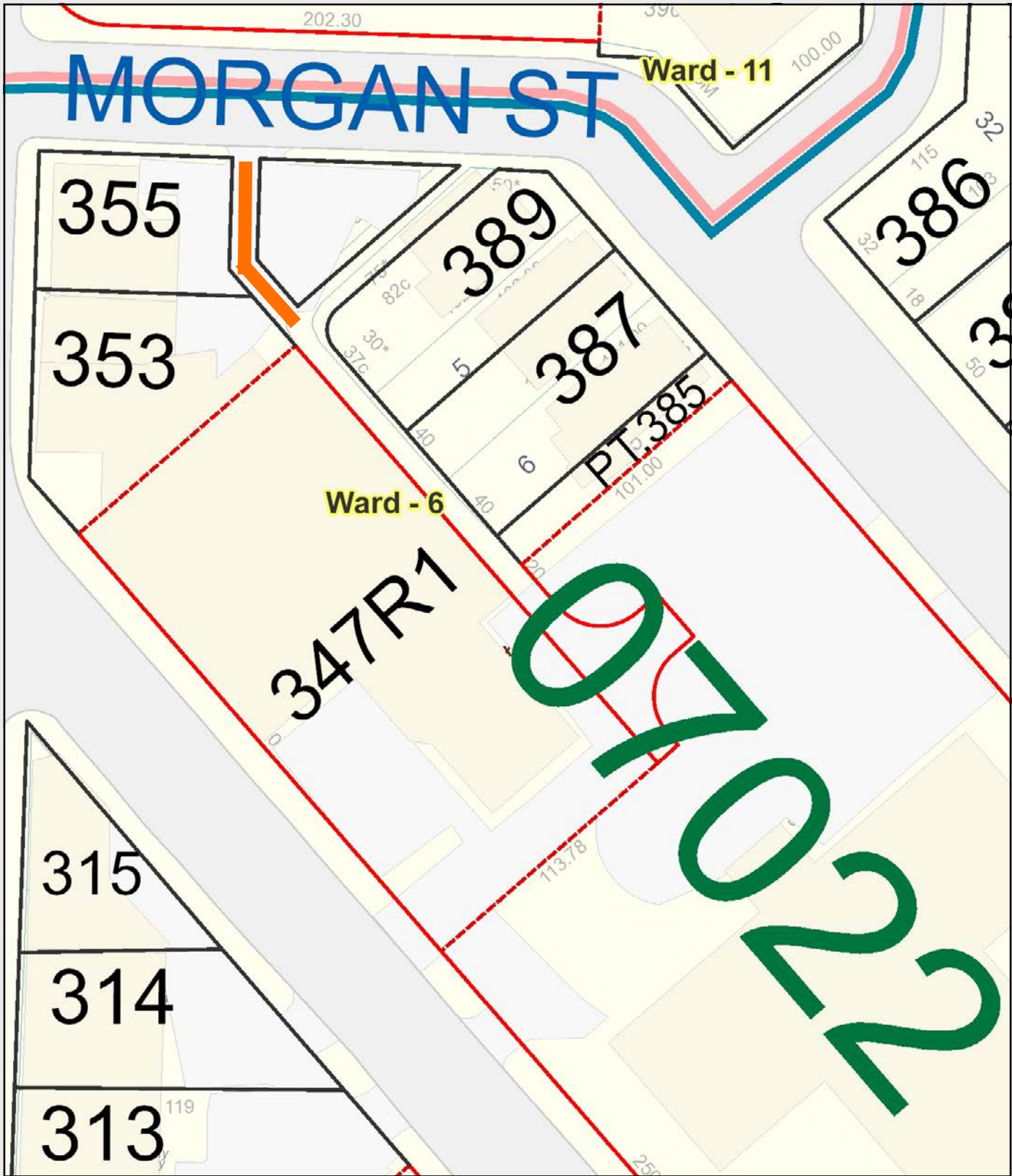
Addendum: This updated application dated 02/16/24 notes that the highlighted remnant (see Map 2), a parking lot connected to 736 Broadway is included in the application and recognized as part of said property.

Applicant's initials: *bc*

BC

Property Owner's initials: *BC*

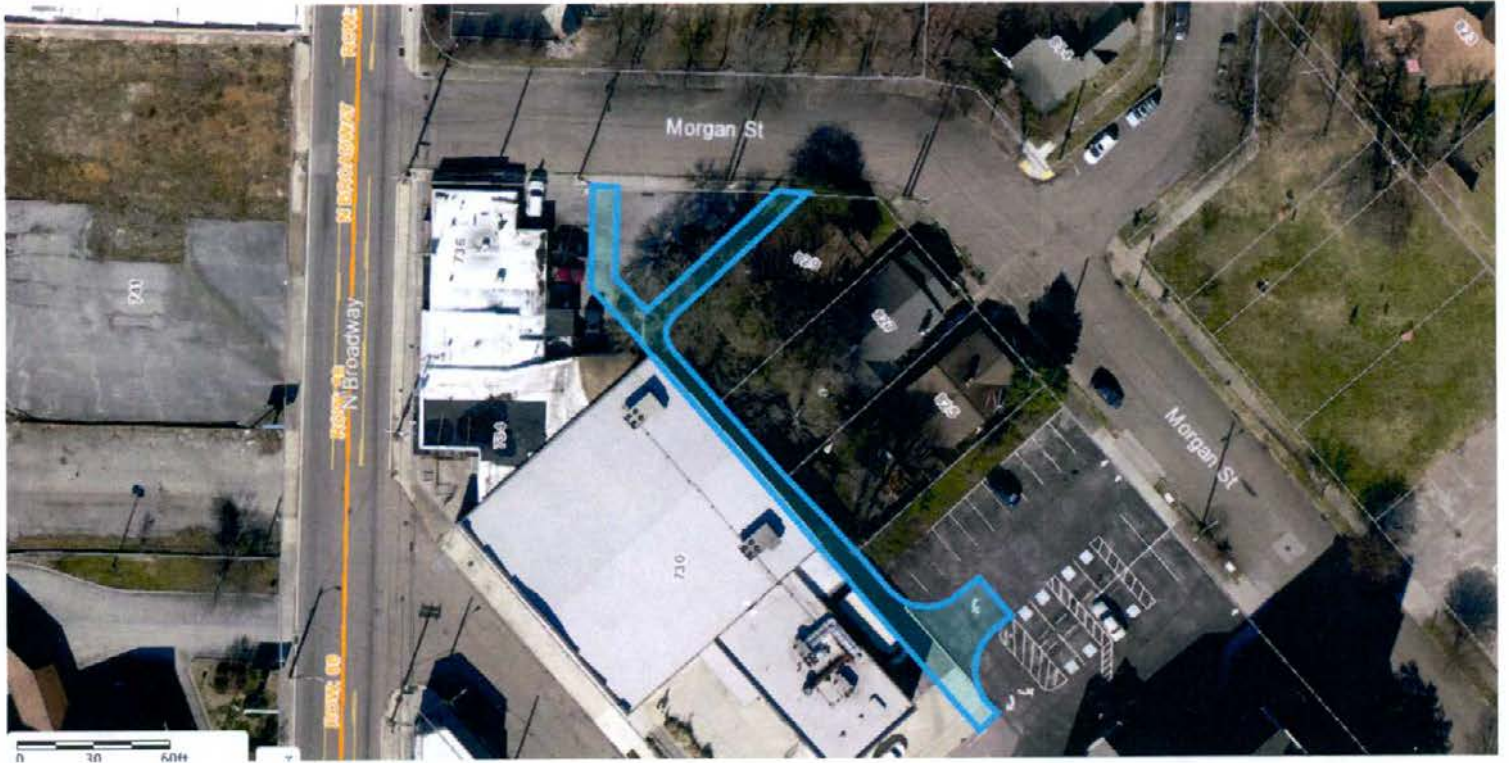
Ben Connally

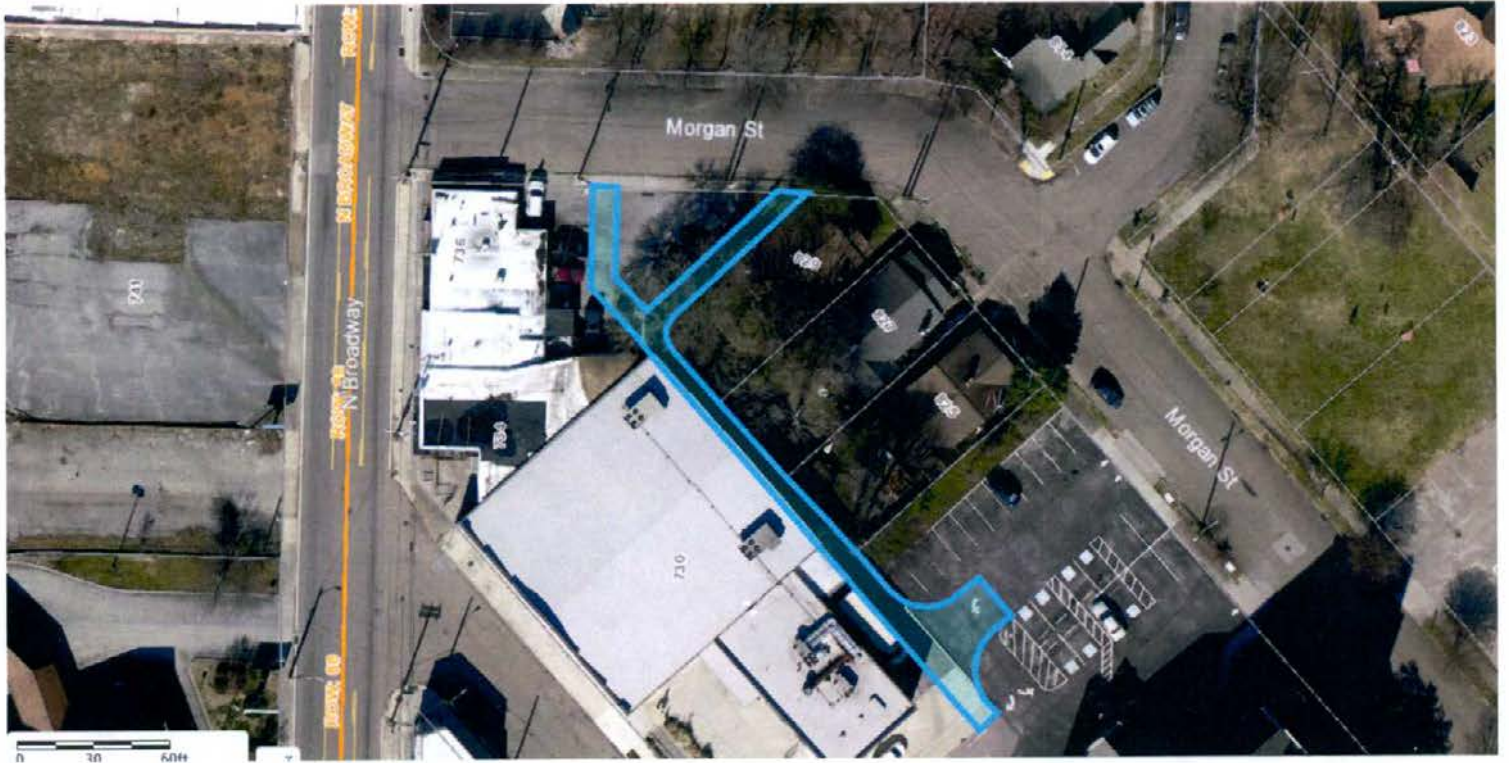


City Ward Map

additionally alley at Lots 355 and 353

KGIS makes no representation or warranty as to the accuracy of this map and its information, nor to its fitness for use. Any user of this map product accepts the same AS IS, WITH ALL FAULTS, and assumes all responsibility for the use thereof, and further covenants and agrees to hold KGIS harmless from any and all damage, loss, or liability arising from any use of this map product.





MORGAN ST

Ward - 11

Ward - 6

2024

355

353

389

387

PT 385

386

347R1

315

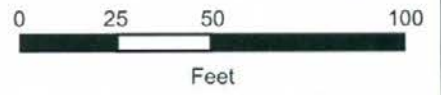
314

313



City Ward Map

additionally alley at Lots 355 and 353

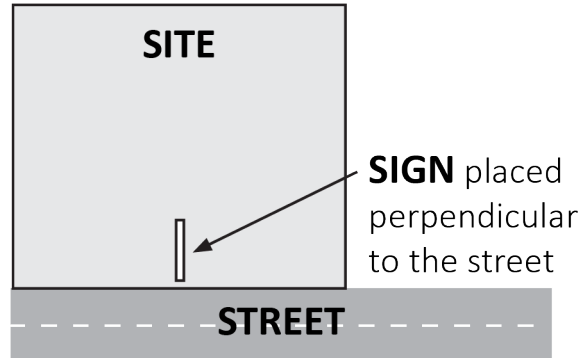


KGIS makes no representation or warranty as to the accuracy of this map and its information, nor to its fitness for use. Any user of this map product accepts the same AS IS, WITH ALL FAULTS, and assumes all responsibility for the use thereof, and further covenants and agrees to hold KGIS harmless from any and all damage, loss, or liability arising from any use of this map product.

© KGIS 2024

Printed: 2/14/2024 9:29:22 AM

The Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission require a sign to be posted on the property for each application subject to consideration by the Planning Commission, including the following applications: rezoning, plan amendment, concept plan, use on review/special use, planned development, right-of-way closure, and name change.



The required public notice sign(s) will be provided by Planning to the applicant when an application is submitted. If an application is submitted electronically, Planning staff will post the required sign. If a replacement sign(s) is needed, the applicant is responsible for picking up the new sign(s) from Planning and will be charged \$10 for each replacement.

LOCATION AND VISIBILITY

The sign must be posted on the nearest adjacent/frontage street and in a location clearly visible to vehicles traveling in either direction. If the property has more than one street frontage, 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 **not less than 12 days prior to 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 not less than 12 days prior to the next Planning Commission meeting. The applicant is responsible for removing the sign after the application has been acted upon by the Planning Commission.

The individual below is responsible for posting and removing the sign(s) provided consistent with the above guidelines and between the dates of:

_____ and _____
(applicant or staff to post sign) (applicant to remove sign)

Applicant Name: _____

Date: _____

File Number: _____

- Sign posted by Staff
- Sign posted by Applicant