



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

▶ **FILE #:** 2-A-16-SC

**AGENDA ITEM #:** 6

**AGENDA DATE:** 2/11/2016

▶ **APPLICANT:** SEAN THOMPSON

TAX ID NUMBER: 69 I A 02801  
 JURISDICTION: Council District 5  
 SECTOR PLAN: North City  
 GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)  
 ZONING: I-3 (General Industrial)  
 WATERSHED: Second Creek

[View map on KGIS](#)

▶ **RIGHT-OF-WAY TO BE CLOSED:** Fennel Rd

▶ **LOCATION:** Between Elyria Drive and southeast terminus

IS STREET:

(1) IN USE?: Yes

(2) IMPROVED (paved)?: Yes

▶ **APPLICANT'S REASON FOR CLOSURE:** To convert to a private driveway

DEPARTMENT-UTILITY REPORTS: No objections from any departments or utilities have been received by staff as of the date of this report.

**STAFF RECOMMENDATION:**

▶ **RECOMMEND** that City Council **APPROVE** the closure of the portion of Fennel Rd., as requested, subject to any required easements and subject to the following condition:

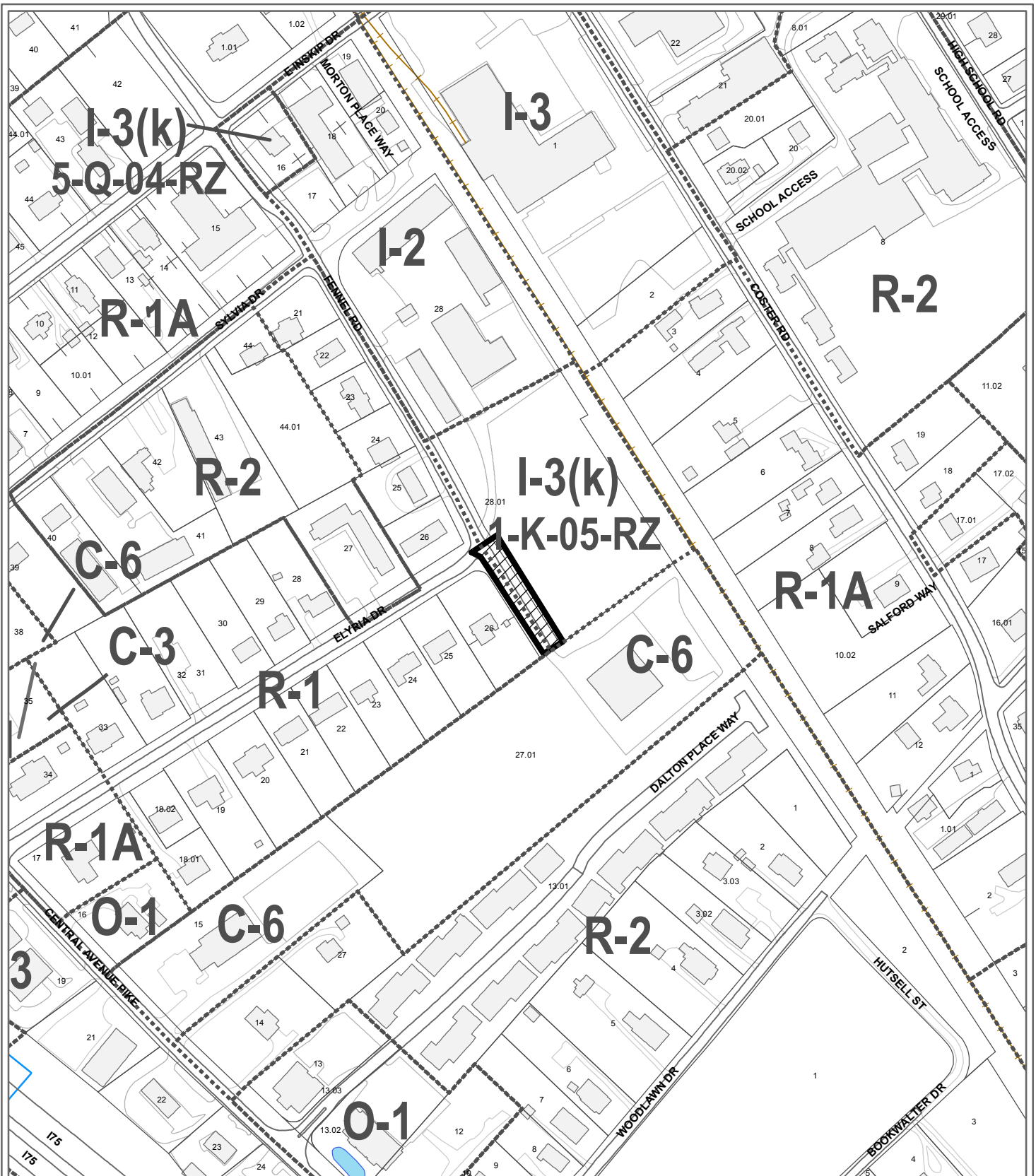
1. The 5 conditions included in the attached letter from City of Knoxville Engineering (dated January 29, 2016) must be addressed to the satisfaction of that department.

With the above condition included, staff has received no objections from reviewing departments or utilities to this closure.

**COMMENTS:**

If approved for closure, the right-of-way will be converted to a private driveway. The owners of the surrounding parcels adjacent to the subject right-of-way have signed the canvassing form, indicating agreement with the proposed closure. Staff has not received any objections to the proposed closure. If the applicant is in agreement with the recommendation, then staff recommends approval.

If approved, this item will be forwarded to Knoxville City Council for action on 3/15/2016 and 3/29/2016. 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.



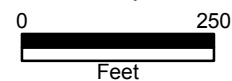
**2-A-16-SC  
CLOSURE OF PUBLIC RIGHT OF WAY**

Name of Street or Alley: Fennel Rd  
 To be closed from: Elyria Drive  
 To be closed to: southeast terminus

Original Print Date: 1/26/2016      Revised:  
 Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

Petitioner: Thompson, Sean

Map No: 69  
 Jurisdiction: City





CITY OF KNOXVILLE

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

January 29, 2016

Mr. Mike Brusseau, AICP, Senior Planner  
Knoxville-Knox County Metropolitan Planning Commission  
City-County Building, Suite 403  
Knoxville, Tennessee 37902

SUBJECT: Closure of portion of Fennel Rd; MPC File # 2-A-16-SC

Mr. Brusseau:

Currently the applicant/owner wishes to convert the right-of-way to a private drive for access to Tax Map 069, Insert I, Group A, Parcel 027.01. However, per reversion rights, title to the proposed closure area would revert to property owners at 210 Elyria Drive (Parcel 026.00) and 4602 Fennel Drive (Parcel 028.01), effectively land-locking said parcel 027.01. This would also prevent the City of Knoxville from having legal access to the property and certain stormwater facility easements on the property. However, the City Engineering Department has no objections to close the above referenced right-of-way area provided the following conditions, subject to City Engineering approval, are met:

1. Owner shall execute legal documentation with reversionary owners to convey the property to the applicant or owner of parcel 027.01, or execute express grant of easement giving rights to use the proposed closure area for access.
2. The City of Knoxville shall retain a 20' traversable easement for ingress/egress to running parallel to the eastern line of parcel 026.00, running from the southern right-of-way line of Elyria Drive to the northern line of parcel 027.01, to terminate contiguous to an existing traversable access easement shown on plat per instrument no. 200603200077994. If this location of the easement presents an issue, other means may be presented to grant traversable access of not less than 20' in width to the stormwater facilities and easements shown on said plat.
3. Any executed grants and/or conveyances must be recorded in the Knox County Register of Deeds Office.
4. The applicant shall have two (2) years to complete conditions listed above, unless otherwise stated in a particular item, or the closure shall be considered null and void and of no effect.
5. The closing ordinance shall state that this closure shall become effective only after the Engineering Department has provided written verification, to the City Recorder, that conditions have been satisfactorily met.

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,

A handwritten signature in cursive script that reads "Benjamin D. Davidson".

Benjamin D. Davidson, PLS, Technical Services Administrator, Department of Engineering  
Ph: 865-215-2148



Knoxville Utilities Board

2-A-16-SC-cor-KUB



January 21, 2016

Mr. Mike Brusseau  
Knoxville-Knox County  
Metropolitan Planning Commission  
Suite 403, City-County Building  
Knoxville, Tennessee 37902

Dear Mr. Brusseau:

**Re: Right-of-Way Closure Request 2-A-16-SC  
Block No. 39220/39240  
CLT No. 69  
Parcel No. 27.01**

We have reviewed our records and find that we have existing utility facilities located within the subject right-of-way. The approximate location of these facilities is 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 easement for its utility facility.

- Electric – 10 feet on each side of the centerline of the electric line, 20 feet total width
- Gas – 7.5 feet on each side of the centerline of the gas line, 15 feet total width
- Sewer – 7.5 feet on each side of the centerline of the wastewater line, 15 feet total width
- Water – 7.5 feet on each side of the centerline of the water line, 15 feet total width

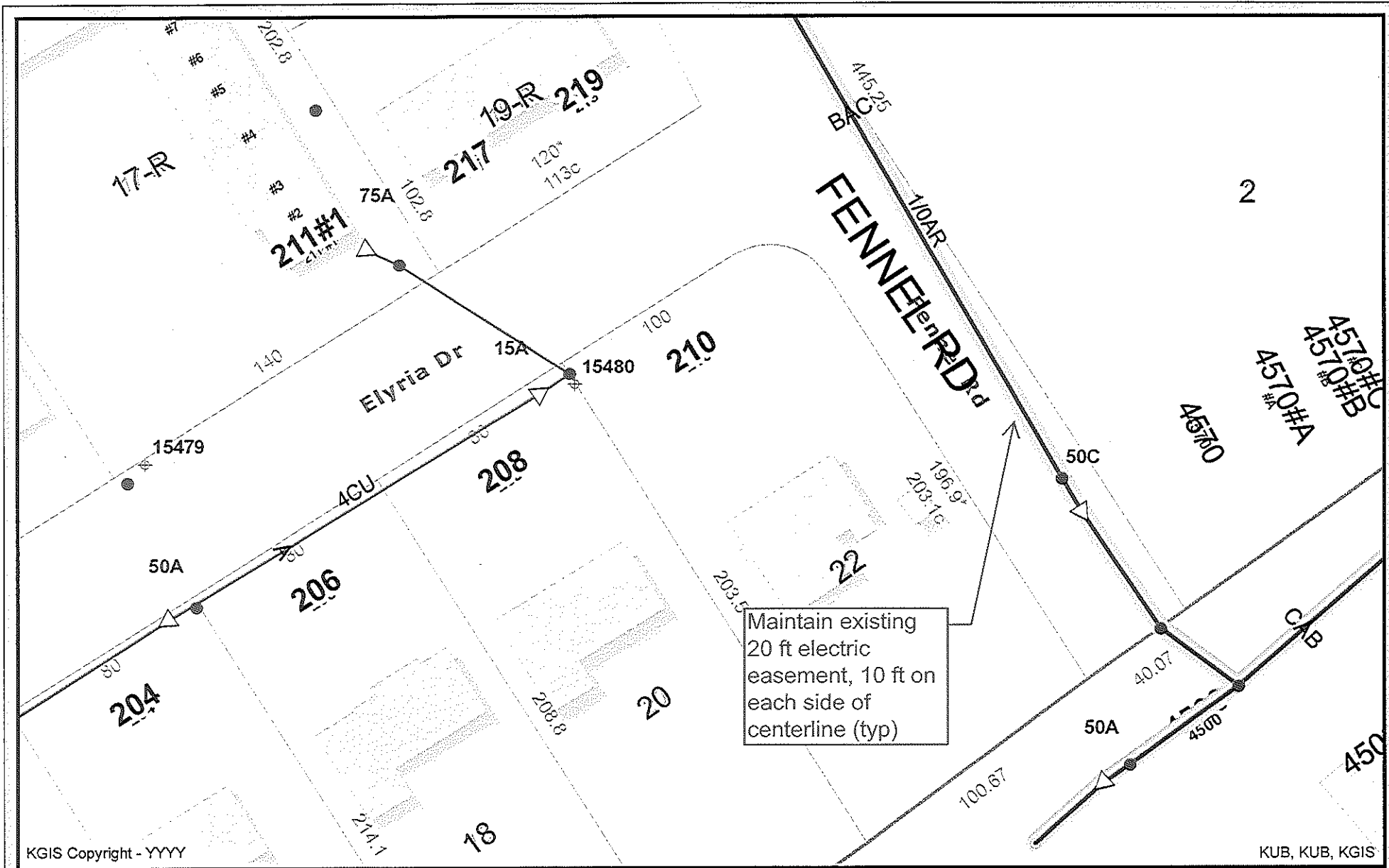
So long as these conditions are met, KUB has no objection to the closure of this right-of-way. If you have any questions regarding this matter, please call me at (865) 558-2291.

Sincerely,

Greg L. Patterson, P.E.  
Engineering

GLP/ggt

Enclosure



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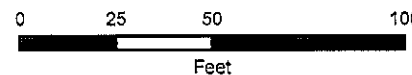
**File No. 2-A-16-SC Fennel Road (Electric)**

CLT MAP #69 PARCEL #27.01 CITY BLOCK#39220/39240

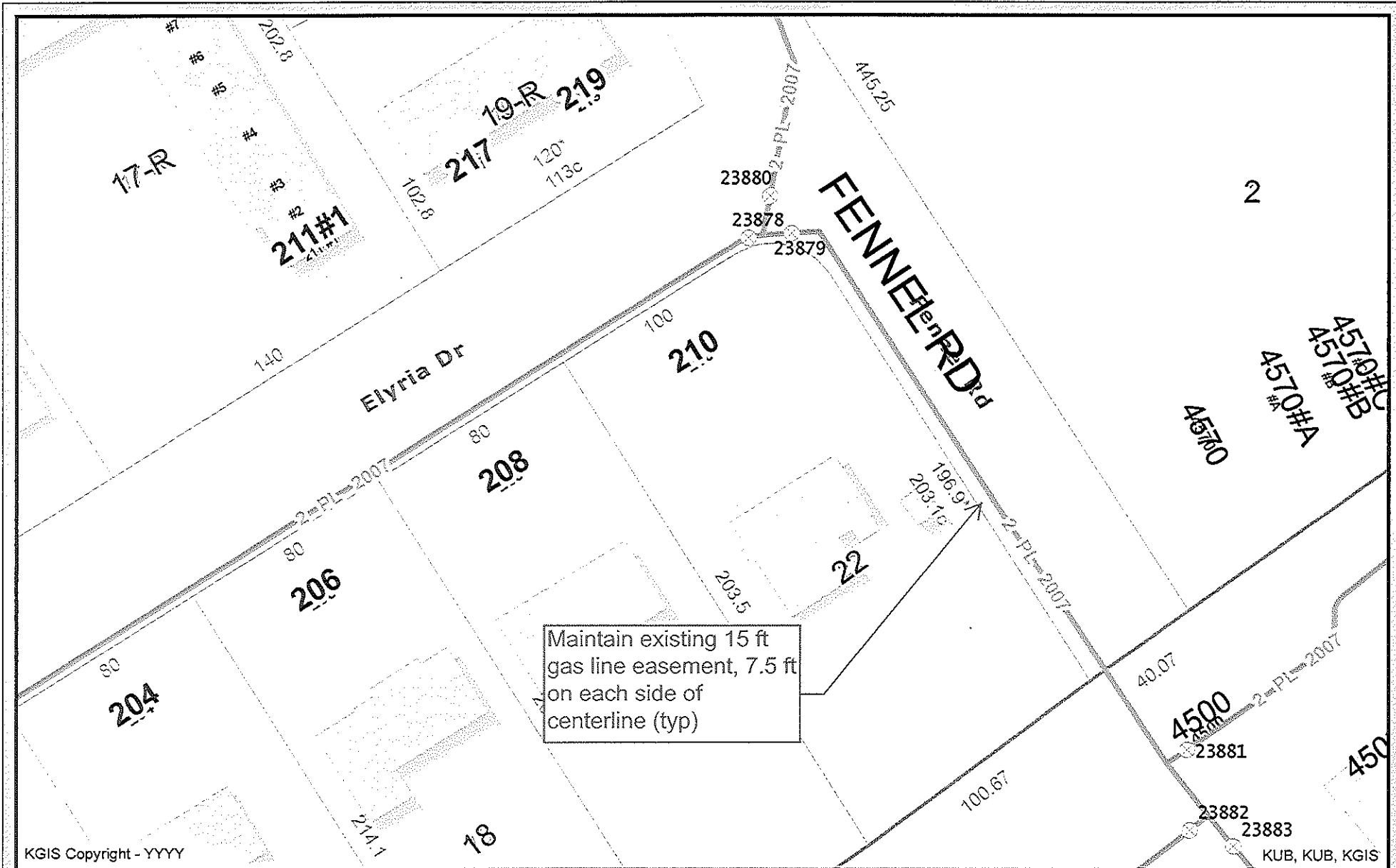
**Knoxville - Knox County - KUB Geographic Information System**



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**File No. 2-A-16-SC Fennel Road (Gas)**

CLT MAP #69 PARCEL #27.01 CITY BLOCK#39220/39240

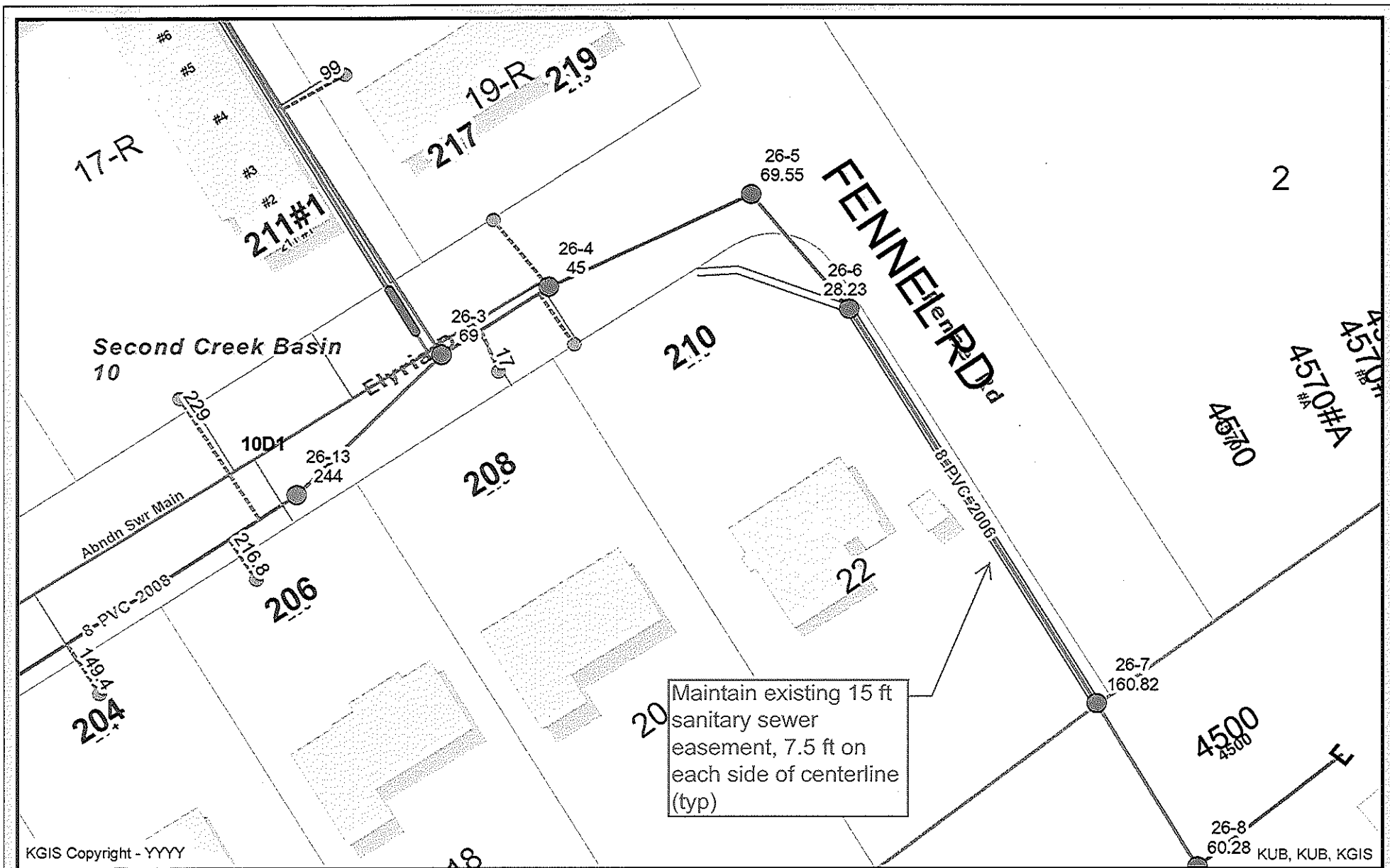
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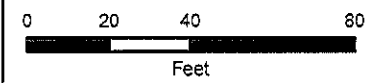
**File No. 2-A-16-SC Fennel Road (Sewer)**

CLT MAP #69 PARCEL #27.01 CITY BLOCK#39220/39240

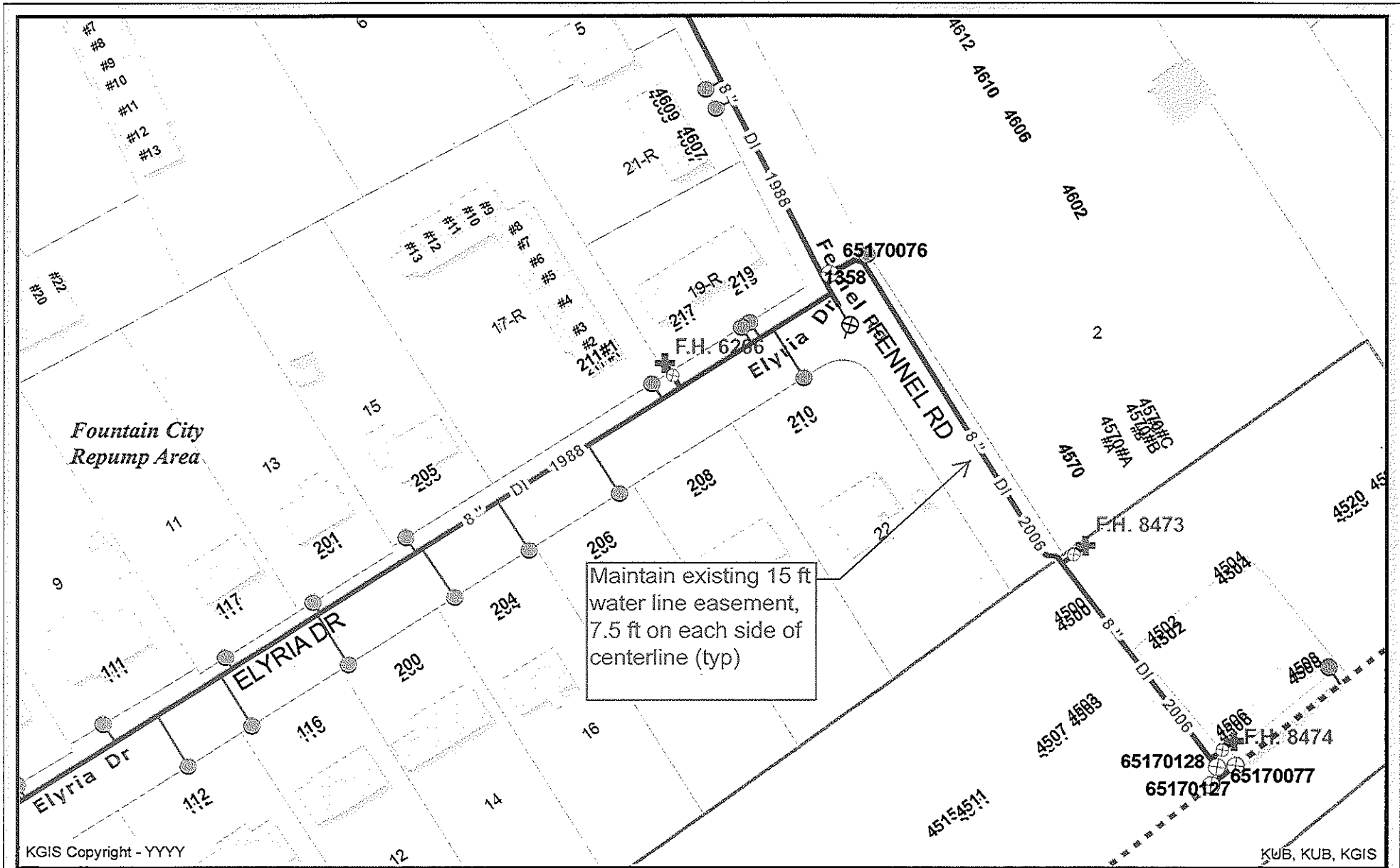
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Maintain existing 15 ft water line easement, 7.5 ft on each side of centerline (typ)

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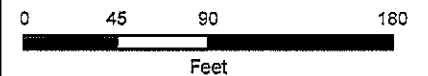
### File No. 2-A-16-SC Fennel Road (Water)

CLT MAP #69 PARCEL #27.01 CITY BLOCK#39220/39240

Knoxville - Knox County - KUB Geographic Information System



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