

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

▶ **FILE #:** 6-A-16-SC

**AGENDA ITEM #:** 5

**AGENDA DATE:** 6/9/2016

▶ **APPLICANT:** BJ & L ENTERPRISES

TAX ID NUMBER: 81 M D 016 [View map on KGIS](#)  
 JURISDICTION: Commission District 4  
 SECTOR PLAN: Central City  
 GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)  
 ZONING: I-2 (Restricted Manufacturing and Warehousing)  
 WATERSHED: Second Creek

▶ **RIGHT-OF-WAY TO BE CLOSED:** Hellerd Place

▶ **LOCATION:** Between northeast right-of-way line of Cornelia Street and northeast terminus at northwest corner of parcel 081MD016

IS STREET:  
 (1) IN USE?: Yes  
 (2) IMPROVED (paved)?: Yes

▶ **APPLICANT'S REASON FOR CLOSURE:** The street is a dead end and serves no purpose other than to access the building at 301 E. Baxter Ave.

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

**STAFF RECOMMENDATION:**

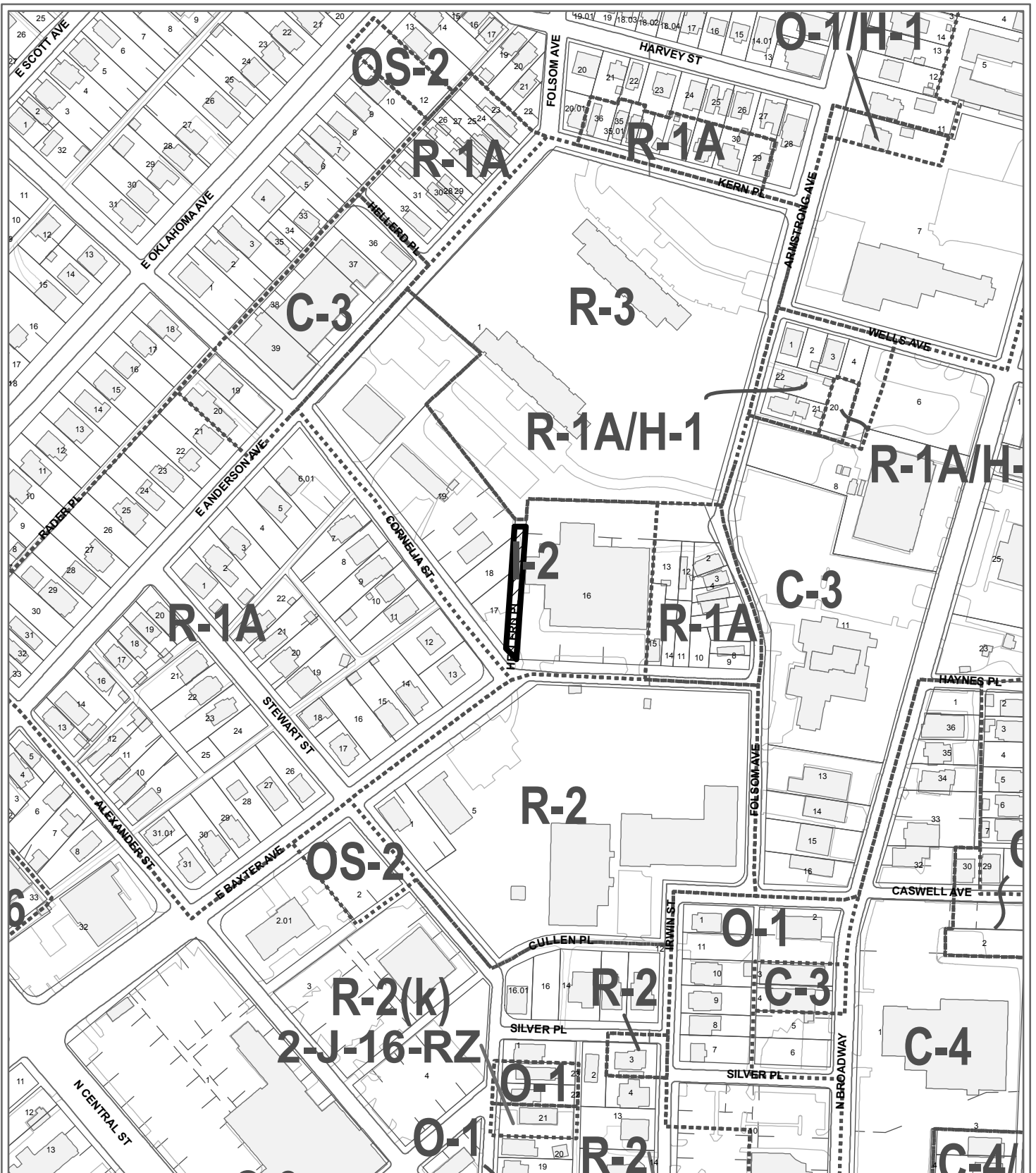
▶ **RECOMMEND that City Council APPROVE the closure of Hellerd Place, as requested, subject to any required easements.**

Staff has received no objections from reviewing departments or utilities to this closure.

**COMMENTS:**

If approved for closure, the right-of-way will be consolidated with the adjacent parcels and converted to private property. The applicant or KCDC owns all parcels adjacent to this right-of-way, and all adjacent property owners have signed the canvassing form, indicating agreement with the proposed closure. Having not received any objections to the closure, MPC staff recommends approval, as requested.

If approved, this item will be forwarded to Knoxville City Council for action on 7/5/2016 and 7/19/2016. 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.



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

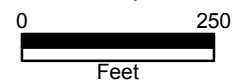
Name of Street or Alley: Hellerd Place  
 To be closed from: northeast right-of-way line of Cornelia Street  
 To be closed to: northeast terminus at northwest corner of parcel 081MD016

Original Print Date: 5/16/2016      Revised:  
 Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

Petitioner: BJ & L Enterprises

Map No: 81

Jurisdiction: City



6-A-16-SC cor - City Eng



CITY OF KNOXVILLE



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

May 26, 2016

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

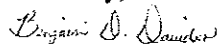
SUBJECT: Closure of Hellerd Place  
MPC File # 6-A-16-SC; City Block 11402

Mr. Brusseau:

The City Engineering Department has no objections to close the above reference right-of-way area.

However, 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,



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



Betty Jo Mahan &lt;bettyjo.mahan@knoxmpc.org&gt;

---

## June 9, 2016 MPC Closures

---

**PEARMAN, KELLY** <kp6012@att.com>

Tue, May 10, 2016 at 2:09 PM

To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>, Ben Davidson <bdavidson@knoxvilletn.gov>, Chris Howley <chowley@knoxvilletn.gov>, David McGinley <DMcGinley@knoxvilletn.gov>, Jim Hagerman <jhagerman@knoxvilletn.gov>, "SIMMS, SHANNON R" <ss3775@att.com>, Sonny Partin <spartin@knoxvilletn.gov>, Steven King <sking@knoxvilletn.gov>  
Cc: Mike Brusseau <mike.brusseau@knoxmpc.org>

AT&T does not wish to relinquish any existing ROW or utilities easements.

Kelly Pearmain

MGR OSP PLNG & ENGRG DESIGN

AT&T Tennessee

9733 Parkside Dr

Knoxville, TN 37922

Tel: 865-539-8580

Fax: 865-470-8519

"This e-mail and any files transmitted with it are AT&T property, are confidential, and are intended solely for the use of the individual or entity to whom this email is addressed. If you are not one of the named recipient(s) or otherwise have reason to believe that you have received this message in error, please notify the sender and delete this message immediately from your computer. Any other use, retention, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited."

**From:** Betty Jo Mahan [mailto:[bettyjo.mahan@knoxmpc.org](mailto:bettyjo.mahan@knoxmpc.org)]

**Sent:** Tuesday, May 10, 2016 1:09 PM

**To:** Ben Davidson <[bdavidson@knoxvilletn.gov](mailto:bdavidson@knoxvilletn.gov)>; Chris Howley <[chowley@knoxvilletn.gov](mailto:chowley@knoxvilletn.gov)>; David McGinley <[DMcGinley@knoxvilletn.gov](mailto:DMcGinley@knoxvilletn.gov)>; Jim Hagerman <[jhagerman@knoxvilletn.gov](mailto:jhagerman@knoxvilletn.gov)>; PEARMAN, KELLY <[kp6012@att.com](mailto:kp6012@att.com)>; SIMMS, SHANNON R <[ss3775@att.com](mailto:ss3775@att.com)>; Sonny Partin <[spartin@knoxvilletn.gov](mailto:spartin@knoxvilletn.gov)>; Steven King <[sking@knoxvilletn.gov](mailto:sking@knoxvilletn.gov)>

**Cc:** Mike Brusseau <[mike.brusseau@knoxmpc.org](mailto:mike.brusseau@knoxmpc.org)>

**Subject:** June 9, 2016 MPC Closures

[Quoted text hidden]



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

---

## June 9, 2016 MPC Closures

---

**Sonny Partin** <spartin@knoxvilletn.gov>

Fri, May 27, 2016 at 1:16 PM

To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>, Ben Davidson <bdavidson@knoxvilletn.gov>, Chris Howley <chowley@knoxvilletn.gov>, David McGinley <dmcginley@knoxvilletn.gov>, Jim Hagerman <jhagerman@knoxvilletn.gov>, Kelly Parmain <KP6012@att.com>, Shanon Sims <SS3775@att.com>, Steve King <sking@knoxvilletn.gov>

Cc: Mike Brusseau <mike.brusseau@knoxmpc.org>

Betty,

These right of way closures are approved by the Fire Marshals Office.

Sonny

**Captain Donald M. Partin Jr., C.F.P.S.**

**Deputy Fire Marshal**

**City of Knoxville Fire Dept.**

**Fire Marshals Office**

**City County Bldg.**

**400 W. Main St. Suite 539**

**Knoxville, Tn. 37902**

**865.215.2283 Office**

**865.215.4249 Fax**

**From:** Betty Jo Mahan [mailto:[bettyjo.mahan@knoxmpc.org](mailto:bettyjo.mahan@knoxmpc.org)]

**Sent:** Tuesday, May 10, 2016 1:09 PM

**To:** Ben Davidson; Chris Howley; David McGinley; Jim Hagerman; Kelly Parmain; Shanon Sims; Sonny Partin; Steve King

**Cc:** Mike Brusseau



6-A-16-SC-cor-KUB



May 26, 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 6-A-16-SC  
Block No. 11402 & 11503  
CLT No. 81  
Parcel No. Between parcels 1,16,17,18 and 19**

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 facilities.

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

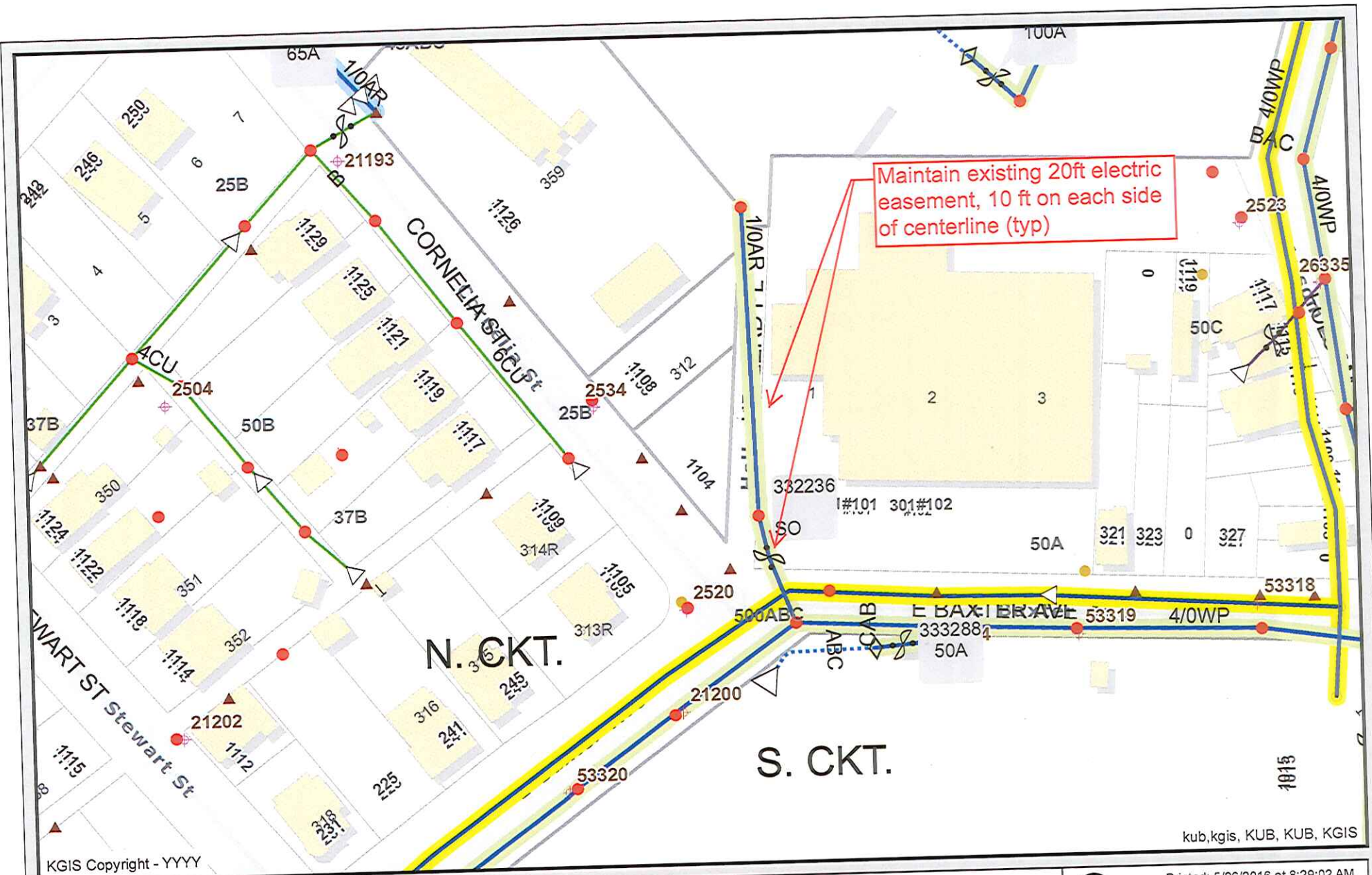
So long as these conditions are met, KUB has no objection to the closure of this right-of-way. If you have any questions regarding this matter, please call me at (865) 558-2291.

Sincerely,

Greg L. Patterson, P.E.  
Engineering

GLP/ggt

Enclosure



KGIS Copyright - YYYY

kub,kgis, KUB, KUB, KGIS

### File No. 6-A-16-SC Closure of Hellerd Place (Electric)

City Blocks 11402 & 11503 CLT Map #81  
 Between Parcels 1, 16, 17, 18 and 19

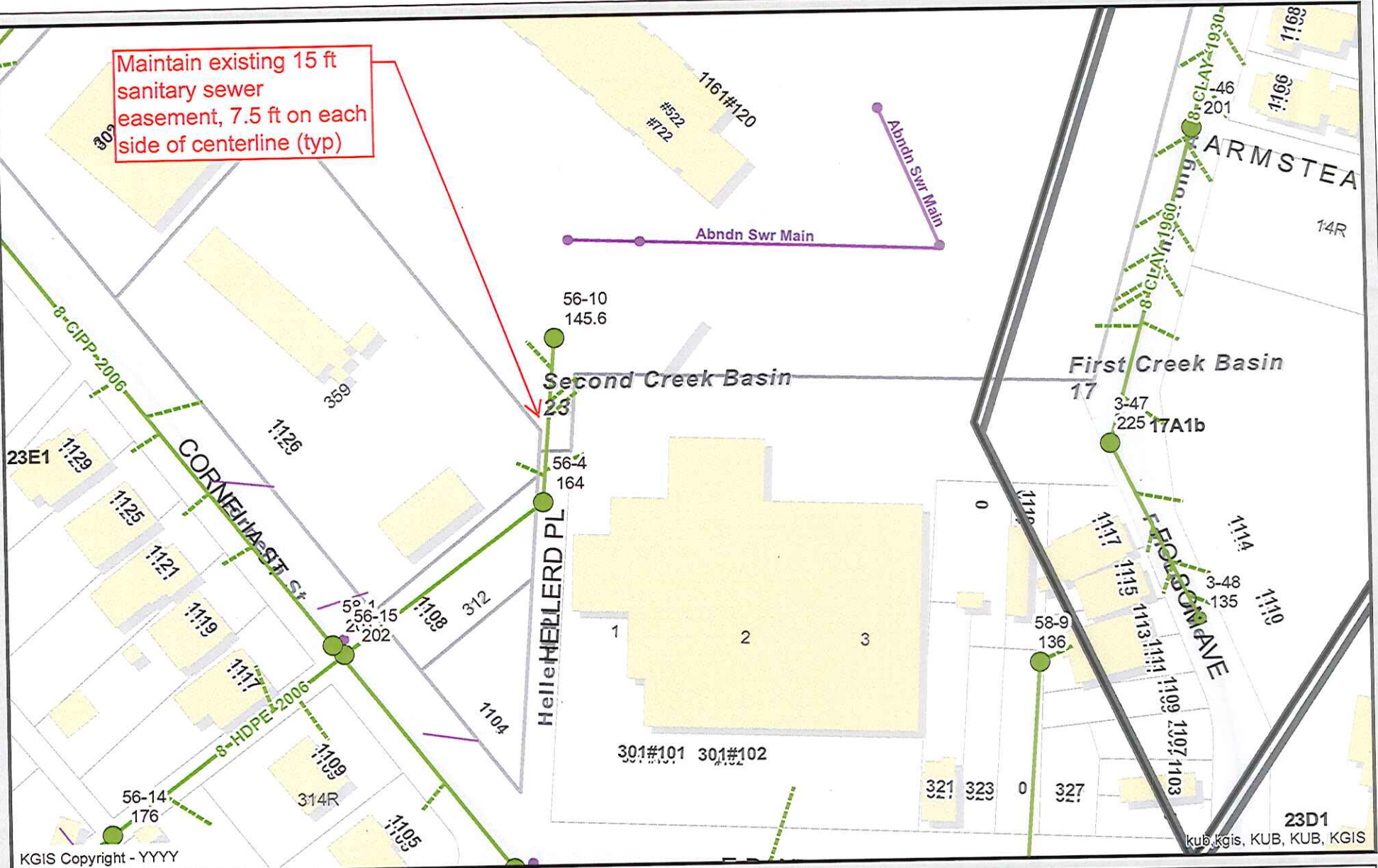
Knoxville - Knox County - KUB Geographic Information System

Printed: 5/26/2016 at 8:29:02 AM

0 45 90 180  
Feet

KGIS makes no representation or warranty as to the accuracy of his 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 futher covenants and agrees to hold KGIS harmless from any and all damage, loss, or liability arising from any use of this map product.

Maintain existing 15 ft sanitary sewer easement, 7.5 ft on each side of centerline (typ)



KGIS Copyright - YYYY

kub,kgis, KUB, KUB, KGIS

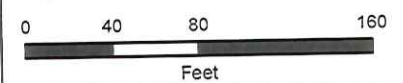
### File No. 6-A-16-SC Closure of Hellerd Place (Sewer)

City Blocks 11402 & 11503 CLT Map #81  
Between Parcels 1, 16, 17, 18, and 19

Knoxville - Knox County - KUB Geographic Information System



Printed: 5/16/2016 at 1:18:17 PM



KGIS makes no representation or warranty as to the accuracy of his 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.