



# CITY OF KNOXVILLE CLOSURE OF PUBLIC RIGHT-OF-WAY

▶ **FILE #:** 4-B-19-AC

**AGENDA ITEM #:** 6

**AGENDA DATE:** 4/11/2019

▶ **APPLICANT:** CITY OF KNOXVILLE

TAX ID NUMBER: 95 O A 028

JURISDICTION: Council District 1

SECTOR PLAN: South City

GROWTH POLICY PLAN:

ZONING: FD SW-1 (Old Sevier & Scottish Pike)

[View map on KGIS](#)

▶ **RIGHT-OF-WAY TO BE CLOSED:** unnamed alley alley

▶ **LOCATION:** Between southern right-of-way of Phillips Avenue and northern right-of-way of a 10ft wide alley running through City Block 26046

IS :

(1) IN USE?: no

(2) IMPROVED (paved)?: no

▶ **APPLICANT'S REASON FOR CLOSURE:** Right-of-way is not in use and the City has no future plans to improve the area.

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 requested unnamed alley from the southern right-of-way of Phillips Avenue to the northern right-of-way of a 10-foot wide alley running through City Block 26046., subject to any required easements.

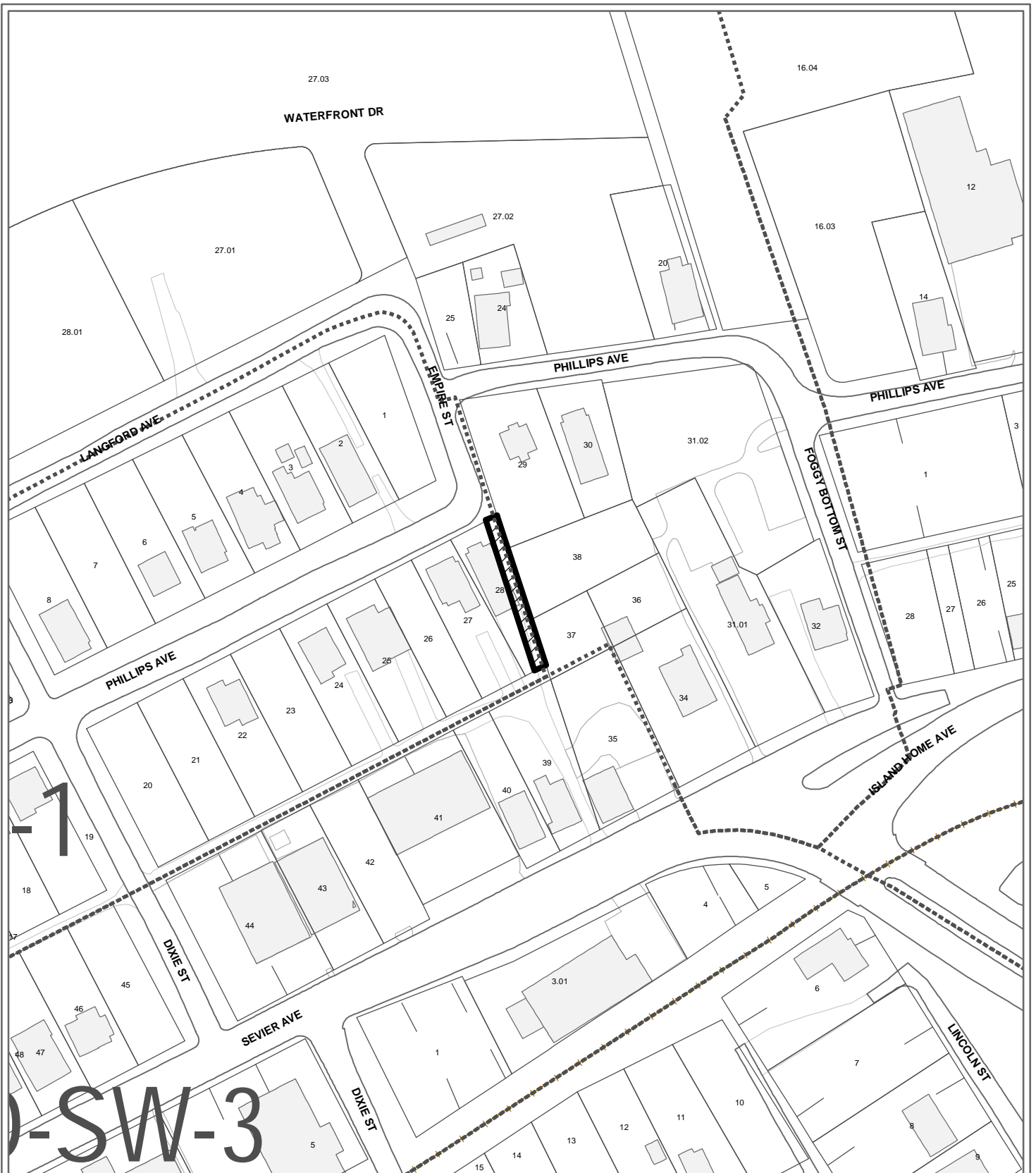
Staff has received no objections from reviewing departments or utilities to this closure. However, should this right-of-way be closed, the City will reserve easements for all drainage facilities and KUB will require the following permanent easements for its utility facilities:

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

### COMMENTS:

If approved, Planning staff recommends approval as requested.

If approved, this item will be forwarded to Knoxville City Council for action on 5/7/2019 and 5/21/2019. 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.



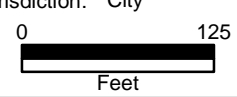
**4-B-19-AC  
CLOSURE OF PUBLIC RIGHT OF WAY**

Petitioner: City of Knoxville

Name of Street or Alley: unnamed alley alley  
 To be closed from: southern right -of-way of Phillips Avenue  
 To be closed to: northern right-of-way of a 10ft alley running through City Block 26046

Map No: 95  
 Jurisdiction: City

Original Print Date: 3/18/2019      Revised:  
 Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902



## REQUEST FOR INFORMATION

### RIGHT-OF-WAY CLOSURE

TO: 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: Amy Brooks, AICP

DATE: March 6, 2019

SUBJECT: Request closure of unnamed alley between southern right-of-way of Phillips Avenue and northern right-of-way of a 10 ft. alley running through City Block 26046, City Block 26046 26052. Council District 1, South City Sector. 4-B-19-AC

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 April 11, 2019. A map showing the street or alley in question is attached for your information.

**PLEASE NOTE:** Failure to reply to our office by April 1, 2019 will be considered as no objection by your agency.

Attachment: Application

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March 15, 2019

Amy Brooks, Planning Services Manager  
Knoxville-Knox County  
Metropolitan Planning Commission  
Suite 403, City-County Building  
Knoxville, Tennessee 37902

Dear Ms. Brooks:

**Re: Right-of-Way Closure Request 4-B-19-AC**

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.

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

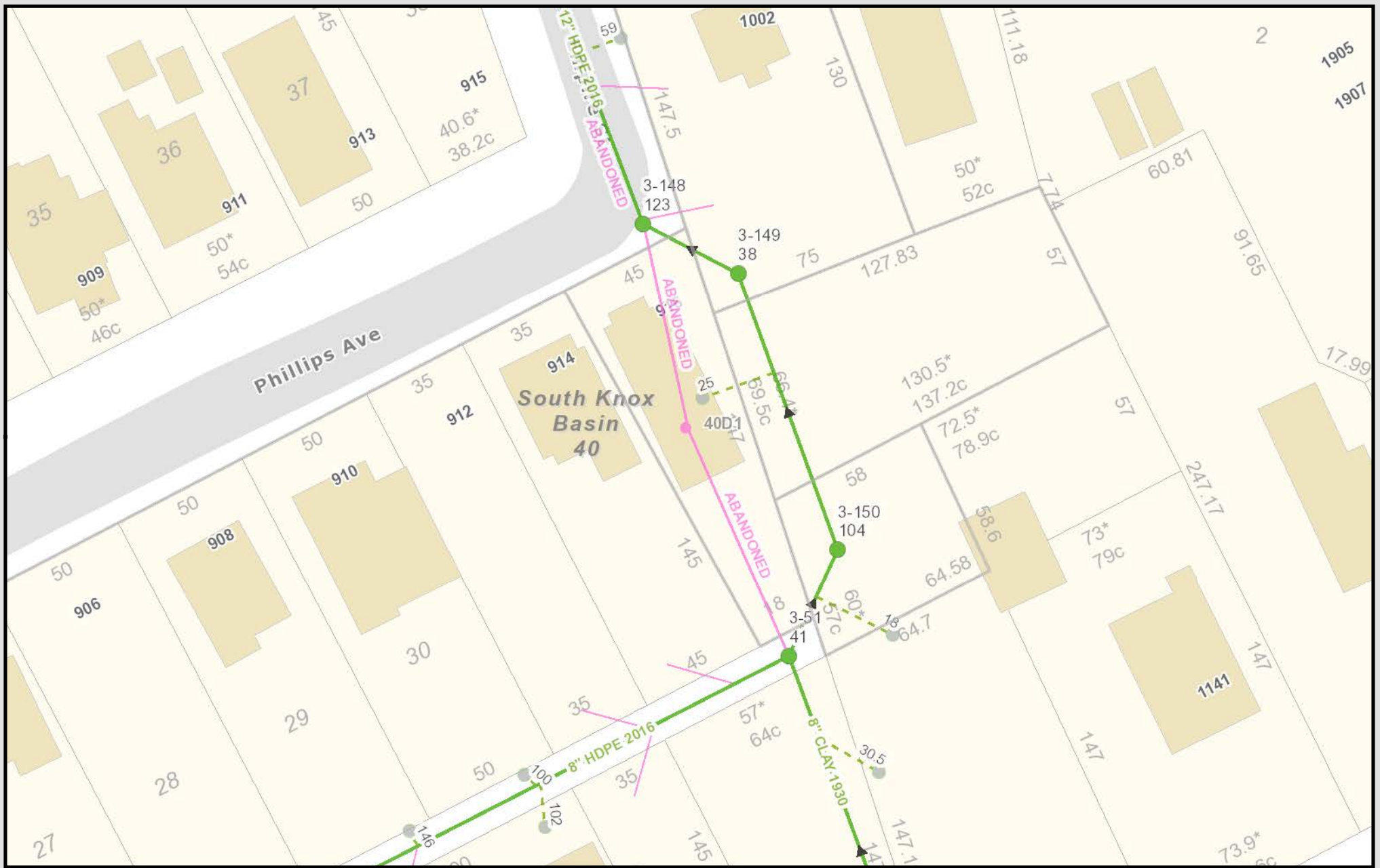
If you have any questions regarding this matter, please call me at (865) 558-2483.

Sincerely,



Christian Wiberley  
Engineering

CGW



**File No. 4-B-19-AC ROW btwn. City Blocks 26046 and 26052 (Sewer)**

City Blocks 26046 and 26052 CLT Map 095

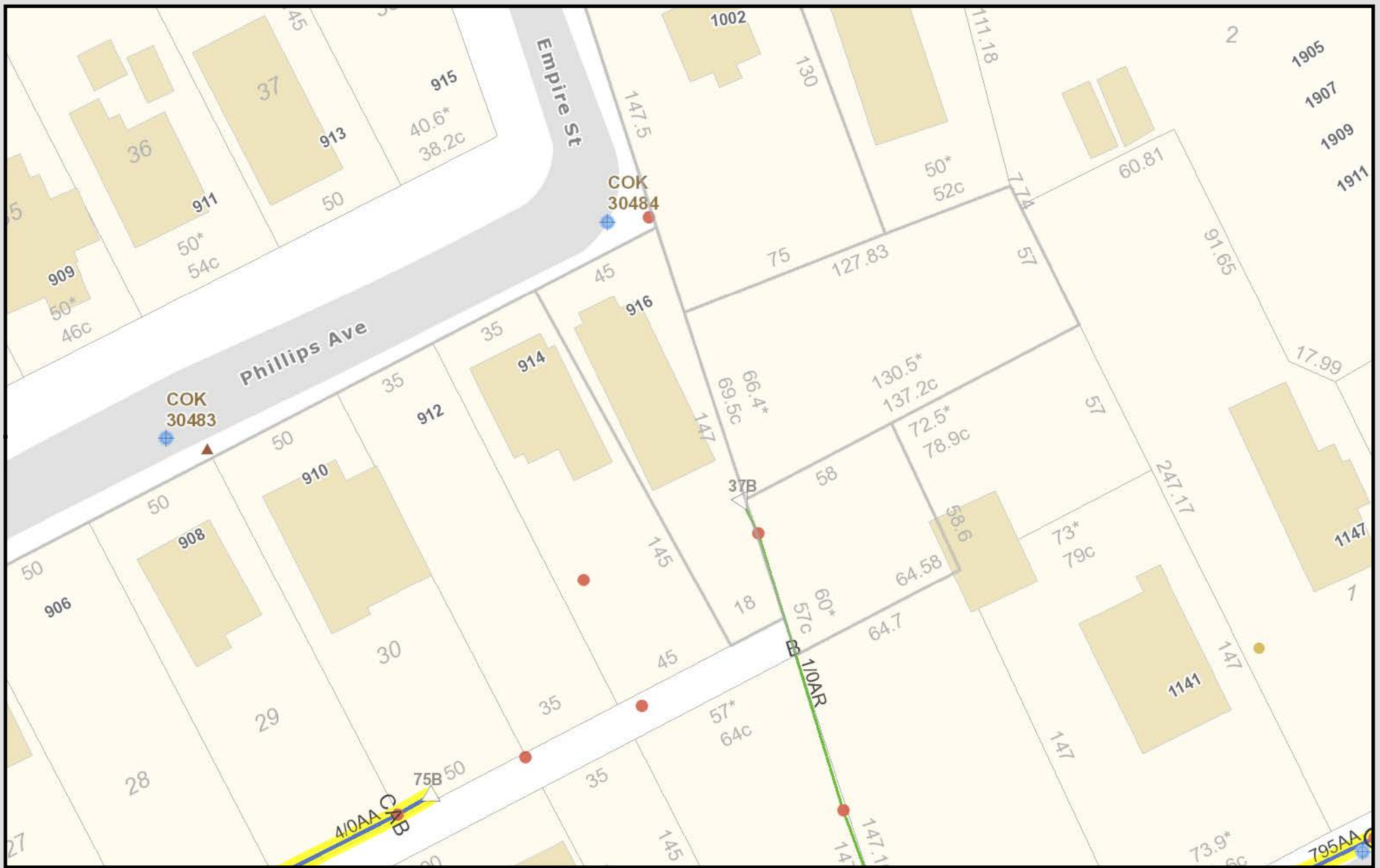
**Knoxville Utilities Board**



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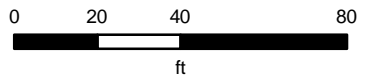


**File No. 4-B-19-AC ROW btwn. City Blocks 26046 and 26052 (Electric)**

City Blocks 26046 and 26052 CLT Map 095



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**Knoxville Utilities Board**

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## Fire Prevention Bureau

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

### Memorandum

Date: March 7, 2019

To: Dori Caron

From: Sonny Partin, Deputy Fire Marshal

Subject: Request for Information on Right of Way Closures, Fire Department Review

	<b>Road Name</b>	<b>Review Status</b>	<b>Comments</b>
1.	4-B-19-AC	Approved	None
2.	4-A-19-SC	Approved	None



Dori Caron &lt;dori.caron@knoxplanning.org&gt;

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## April ROW memos

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

Mon, Mar 11, 2019 at 9:44 AM

You are correct. TDOT District 18 in Region 1 has no comment regarding 4-A-19-SC (Myrtle Street) and 4-B-19-SC (unnamed alley).



**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](mailto:Steve.Borden@tn.gov)

[tn.gov/tdot](http://tn.gov/tdot)

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**From:** Dori Caron [<mailto:dori.caron@knoxplanning.org>]

**Sent:** Monday, March 11, 2019 9:10 AM

**To:** Steve Borden

**Subject:** Re: April ROW memos

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

[Quoted text hidden]





Dori Caron <dori.caron@knoxplanning.org>

4-B-19-AC - CA - AT&T

**April ROW memos**

PEARMAN, KELLY <kp6012@att.com>  
To: Dori Caron <dori.caron@knoxplanning.org>

Mon, Mar 11, 2019 at 9:13 AM

Dori,

My statement to relinquish any easements or ROWs are in reference to these and any existing easements/ROWs that may be in question.

**Kelly Pearmain**

MGR OSP PLNG & ENG DESIGN

AT&T Technology Operations, Construction & Engineering SE

**AT&T**

9733 Parkside Dr

Knoxville, TN 37922

O:865-539-8580 / kp6012@att.com

**From:** Dori Caron <dori.caron@knoxplanning.org>  
**Sent:** Monday, March 11, 2019 9:11 AM  
**To:** PEARMAIN, KELLY <kp6012@att.com>  
**Subject:** Re: April ROW memos

Good morning Kelly,

[Quoted text hidden]

[Quoted text hidden]



# CITY OF KNOXVILLE

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

March 19, 2019

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

**SUBJECT:** Closure of a portion of an unnamed alley off Phillips Ave  
MPC File # 4-B-19-AC; Nearby City Block 26046

**MPC:**

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 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

Suite 403 • City County Building  
400 Main Street  
Knoxville, Tennessee 37902  
865 • 215 • 2500  
F A X • 215 • 2068  
www.knoxmpc.org

# RIGHT-OF-WAY CLOSURE

Name of Applicant: City Of Knoxville

Date Filed: 2/22/19 Fee Paid: N/A File Number: 4-B-19-AC

Map Number: 095 Zoning District: FD-SW-1  City  County Sector : \_\_\_\_\_

Jurisdiction:  City 1 Councilmanic District

**INFORMATION:**

Name of Right-of-Way: Unnamed alley

Type of Right-of-Way:  Street  Alley

**Location of Right-of-Way:**

BETWEEN (City Block or Lot where appropriate) City Block 26046

AND (City Block or Lot where appropriate) City Block 26052

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

Reason for Closure: Right-of-way is not in public use and the City has not future plans to improve the area.



**TO BE CLOSED:**

From: (Street, Alley, Other)

southern right-of-way of Phillips Ave

To: (Street, Alley, Other)

northern right-of-way of a 10 foot alley running

through City Block 26046

**ALL CORRESPONDENCE RELATING TO THIS APPLICATION SHOULD BE SENT TO:**

Benjamin D. Davidson 400 Main St, City County Bldg, Rm 462, Knoxville, TN 37902, 865-215-2103

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: [Handwritten Signature] 2-22-19

Benjamin D. Davidson 400 Main St, City County Bldg, Rm 462, Knoxville, TN 37902, 865-215-2103

Name: (Print) Address • City • State • Zip • Phone • Fax

APPLICATION ACCEPTED BY: [Handwritten Signature]



Addendum to the Right-of-Way Closure Application:

After four different visits to the 2 adjoining properties that touch this alley, I was only able to obtain one signature. The other property owner is actually his brother, Fred Jones. I met with Mr. Ronnie Jones and Fred's son and explained the situation and what I was doing in order to get the alley closed. I gave them several days to research and make their decision about signing the Canvass Form. Fred's wife is in very bad health and has been at the hospital so I was unable to obtain his signature, however, his brother Ronnie and his son have both explained the situation to him. The timing is just sensitive in nature due to his wife's health but he is aware of the request for the alley closure.

*This letter from  
owner of 916 Phillips Ave  
B.D. Daubert*

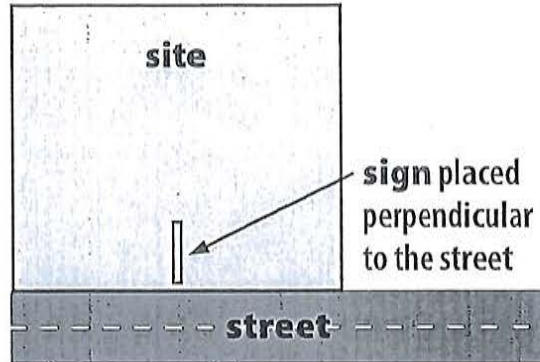
## REQUIRED SIGN POSTING AGREEMENT

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 MPC Administrative Rules and Procedures.

At the time of application, MPC 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 MPC 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. MPC 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 MPC 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 MPC 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:

March 27th and April 12th  
(15 days before the MPC meeting) (the day after the MPC meeting)

Signature: Lacy Mellon

Printed Name: Lacy Mellon

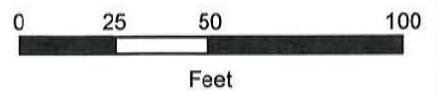
Phone: 865-742-3936 Email: \_\_\_\_\_

Date: 2/6/19

MPC File Number: 4A19-AC



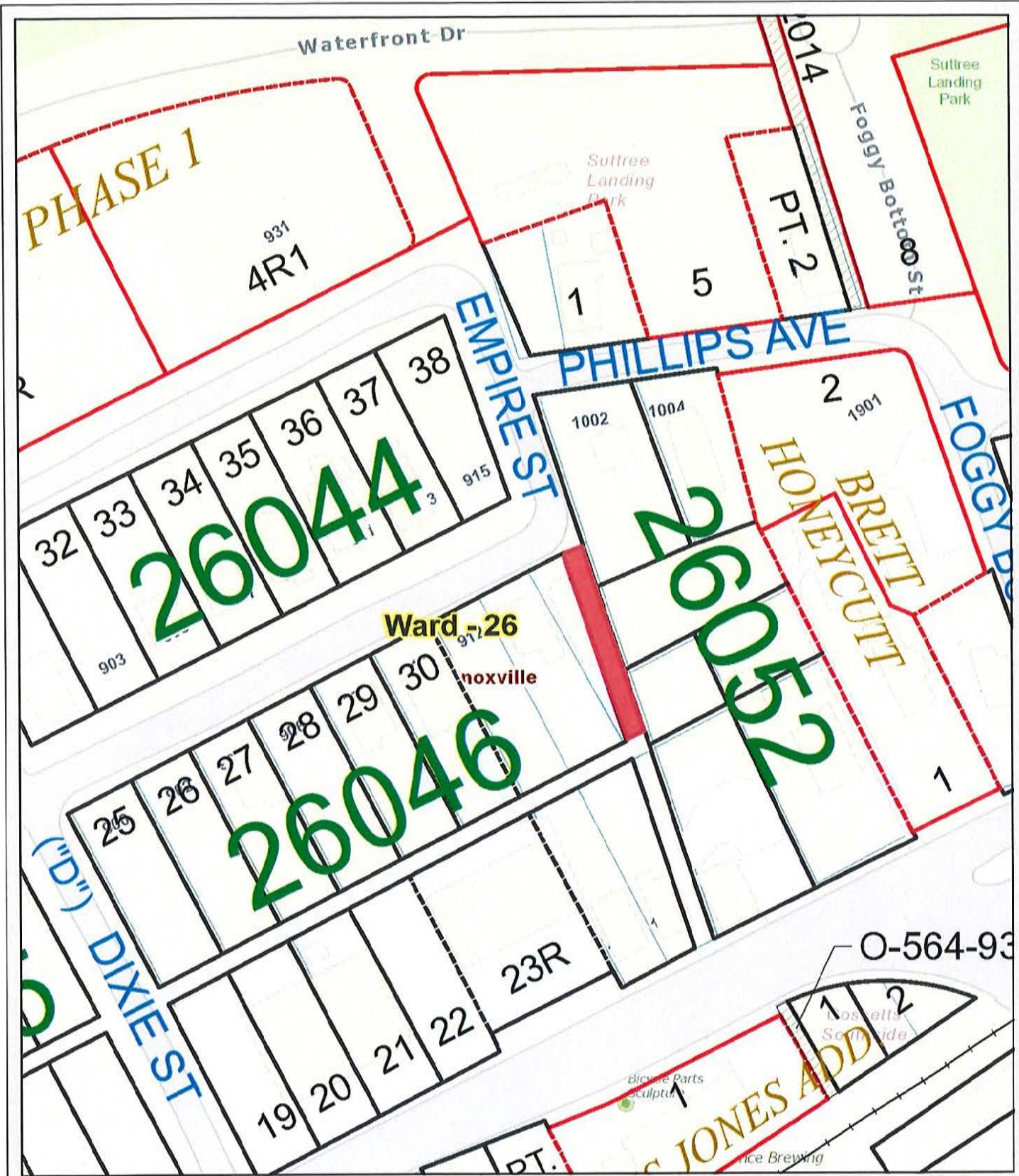
Tax Map View



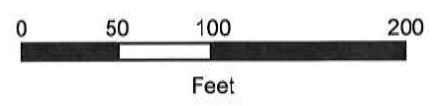
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Ward Map View

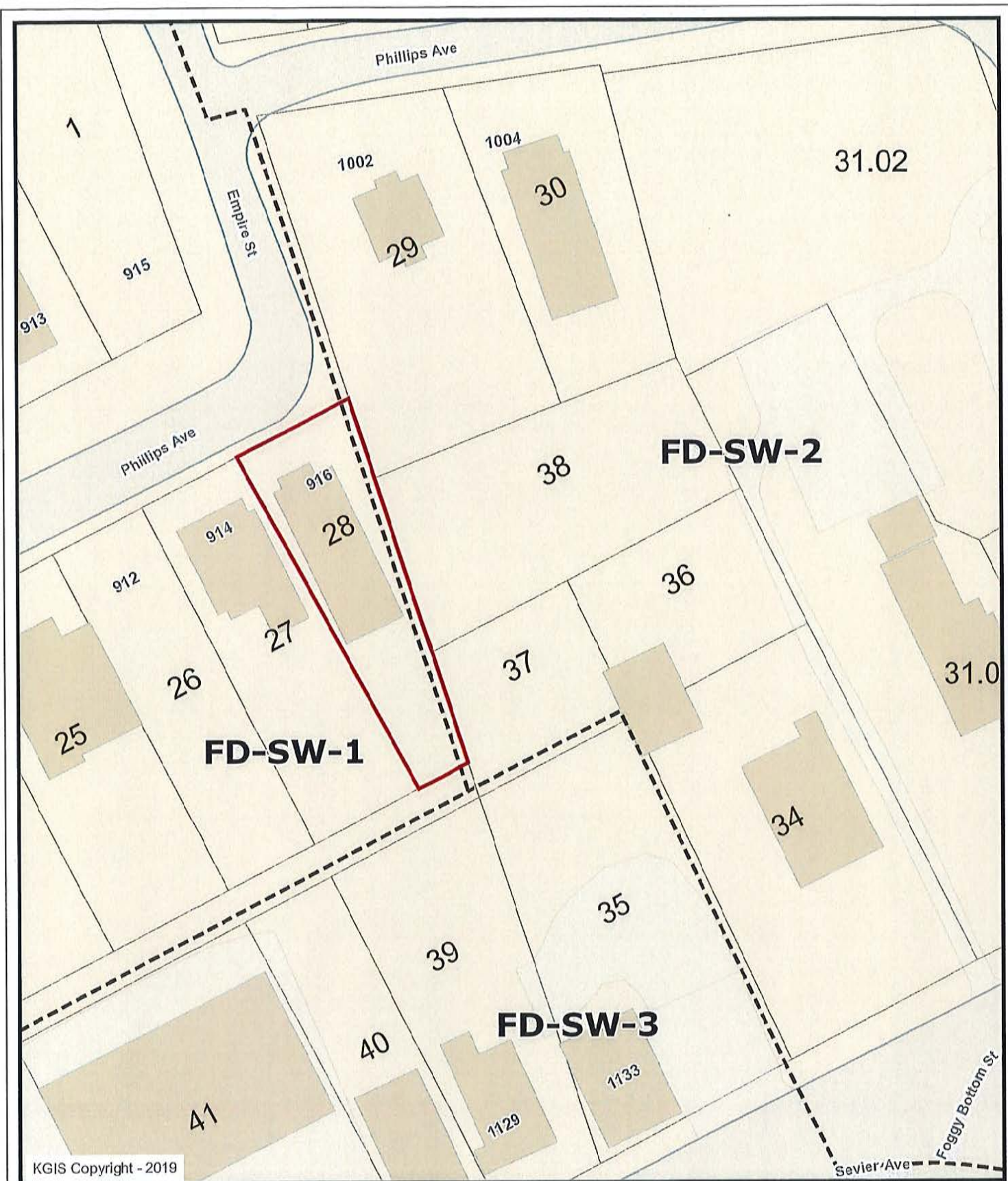


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Sevier Ave  
Foggy Bottom St

### Letter Portrait



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

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**PROPERTY ASSESSOR'S OFFICE - KNOX COUNTY, TENNESSEE**  
**MAP DEPARTMENT - OWNERSHIP CARD**

Source: KGIS

ACTIVE      NORMAL

02/12/2019

District	Map	Insert	Group	Parcel	Ward	Property Location			
	95	O	A	29	26	1002 PHILLIPS AVE			
Subdivision			Block	Lot	Plat	Dimensions ( shown in ft. )		Acreage	
S WATER FRONT			-	-	=	75 X 147.5 X IRR		0.00 - A.C. Deeded	
								0.00 - A.C. Calculated	
Owner		Sale Date	Book	Page	Sale Price	Mailing Address			
TERRY ANNA MAE		5/22/1985	<u>1850</u>	73	\$ 13,500	906 PHILLIPS AVE KNOXVILLE, TN 37920			
JONES FRED H & HATTIE L		5/22/1995	<u>2178</u>	144	\$ 20,000	1011 VALLEY AVE KNOXVILLE, TN 37920			

**Remarks**

ATTRIBUTES FROM NCR LOADER

*Parent Parcel*

*Parent Instrument Number*

*Previous Parcel ( Split From )*

*Next Parcel ( Merged Into )*

**PROPERTY ASSESSOR'S OFFICE - KNOX COUNTY, TENNESSEE**  
**MAP DEPARTMENT - OWNERSHIP CARD**

Source: KGIS

ACTIVE      NORMAL

02/12/2019

District	Map	Insert	Group	Parcel	Ward	Property Location			
	95	O	A	28	26	916 PHILLIPS AVE			
Subdivision				Block	Lot	Plat	Dimensions ( shown in ft. )		Acreage
S WATER FRONT				-	-	=	45 X 147 IRR		0.00 - A.C. Deeded
									0.00 - A.C. Calculated
Owner				Sale Date	Book	Page	Sale Price	Mailing Address	
REAGAN CARROLL R & MARIAN M				10/23/1984	<a href="#">1842</a>	748	\$ 9,300	1103 SEVIER AVE KNOXVILLE, TN 37920	
				3/8/1985	<a href="#">1842</a>	751			
BRIDGES DANIEL EDWARD				6/20/1994	<a href="#">2144</a>	1152	\$ 15,000	6308 CHAPMAN HWY KNOXVILLE, TN 37920	
HENDERSON WILLIAM L & JUDITH A				11/16/2005	<a href="#">20051116</a>	0044481	\$ 20,000	409 ELIZABETH AVE KNOXVILLE, TN 37920	
HILL THOMAS S & SYLVIA K				4/28/2006	<a href="#">20060516</a>	0095839	\$ 29,000	1103 SEVIER AVENUE KNOXVILLE, TN 37920	
REIMER WILLIAM JOHN Jr & MELLON LACY BREANNE & WIESEHUEGEL JONATHAN WELLS & REIMER COLLEEN MARIE				3/26/2018	<a href="#">20180328</a>	0057074	\$ 45,000	4808 DEANBROOK RD KNOXVILLE, TN 37920	

**Remarks**

ATTRIBUTES FROM NCR LOADER

*Parent Parcel*

*Parent Instrument Number*

*Previous Parcel ( Split From )*

*Next Parcel ( Merged Into )*

**PROPERTY ASSESSOR'S OFFICE - KNOX COUNTY, TENNESSEE**  
**MAP DEPARTMENT - OWNERSHIP CARD**

Source: KGIS

ACTIVE      NORMAL

02/12/2019

District	Map	Insert	Group	Parcel	Ward	Property Location			
	95	O	A	34	26	1141 SEVIER AVE			
Subdivision				Block	Lot	Plat	Dimensions ( shown in ft. )	Acreage	
S WATER FRONT				-	-	=	73.9 X 147 X IRR	0.00 - A.C. Deeded	
								0.00 - A.C. Calculated	
Owner				Sale Date	Book	Page	Sale Price	Mailing Address	
TURNER CHARLES WILLIAM HAZEL DEANE LIFE ESTATE & JANICE DEANE				11/14/1978	<u>1661</u>	4	\$ 500	1141 SEVIER AVE KNOXVILLE, TN 37920	
JONES RONNIE E & MARY ANN				2/22/1999	<u>2319</u>	368	\$ 49,000	1141 SEVIER AVE KNOXVILLE, TN 37920	
				3/16/1999	<u>19990702</u>	0000761			

**Remarks**

ATTRIBUTES FROM NCR LOADER

Parent Parcel	Parent Instrument Number
Previous Parcel ( Split From )	Next Parcel ( Merged Into )

**PROPERTY ASSESSOR'S OFFICE - KNOX COUNTY, TENNESSEE**  
**MAP DEPARTMENT - OWNERSHIP CARD**

Source: KGIS

ACTIVE      NORMAL

02/12/2019

District	Map	Insert	Group	Parcel	Ward	Property Location			
	95	O	A	37	26	0 SEVIER AVE			
Subdivision			Block	Lot	Plat	Dimensions ( shown in ft. )		Acreage	
S WATER FRONT			-	-	=	64.58 X 60 X IRR		0.00 - A.C. Deeded	
								0.00 - A.C. Calculated	
Owner			Sale Date	Book	Page	Sale Price	Mailing Address		
BURKS CHARLES C & CHARLES C JR			6/11/1974	<a href="#">1533</a>	276		5513 CRESTWOOD DR KNOXVILLE, TN 37914		
JONES RONNIE E & MARY ANN			5/3/2000	<a href="#">20000505</a>	0030420		1141 SEVIER AVE KNOXVILLE, TN 37920		

**Remarks**

ATTRIBUTES FROM NCR LOADER

*Parent Parcel*

*Parent Instrument Number*

*Previous Parcel ( Split From )*

*Next Parcel ( Merged Into )*

**PROPERTY ASSESSOR'S OFFICE - KNOX COUNTY, TENNESSEE**  
**MAP DEPARTMENT - OWNERSHIP CARD**

Source: KGIS

ACTIVE      NORMAL

02/12/2019

District	Map	Insert	Group	Parcel	Ward	Property Location			
	95	O	A	38	26	0 SEVIER AVE			
Subdivision				Block	Lot	Plat	Dimensions ( shown in ft. )		Acreage
S WATER FRONT				-	-	=	130.5 X 66.4 X IRR		0.00 - A.C. Deeded
									0.00 - A.C. Calculated
Owner				Sale Date	Book	Page	Sale Price	Mailing Address	
HAYNES RUTH T % HAL C NICHOLS JR				10/26/1988	<u>CHCT4</u>	27703		916 MARLBORO RD KNOXVILLE, TN 37909	
TURNER JANICE DEANE				4/29/1993	<u>2112</u>	252		1141 SEVIER AVE KNOXVILLE, TN 37920	
JONES RONNIE E & MARY ANN				3/16/1999	<u>19990702</u>	0000761		1141 SEVIER AVE KNOXVILLE, TN 37920	

**Remarks**

ATTRIBUTES FROM NCR LOADER

Parent Parcel	Parent Instrument Number
Previous Parcel ( Split From )	Next Parcel ( Merged Into )