



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

▶ FILE #: 1-A-19-SC

AGENDA ITEM #: 6

AGENDA DATE: 1/10/2019

▶ APPLICANT: CITY OF KNOXVILLE

TAX ID NUMBER:	94 M C 015.03	<a href="#"><u>View map on KGIS</u></a>
JURISDICTION:	Council District 6	
SECTOR PLAN:	Central City	
GROWTH POLICY PLAN:	Urban Growth Area (Inside City Limits)	
ZONING:	C-3 (General Commercial / D-1 (Downtown Design Overlay)	

▶ RIGHT-OF-WAY TO BE CLOSED: Locust St.

▶ LOCATION: Between portion from northern line of Cumberland Ave. and southern line of W. Church St.

IS STREET:

(1) IN USE?: Yes

(2) IMPROVED (paved)?: Yes

▶ APPLICANT'S REASON FOR CLOSURE: Support for redevelopment of Old Supreme Court site.

DEPARTMENT-UTILITY REPORTS:	Staff received a notice from AT&T however, no objections from any other departments or utilities have been received by staff as of the date of this report.
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### STAFF RECOMMENDATION:

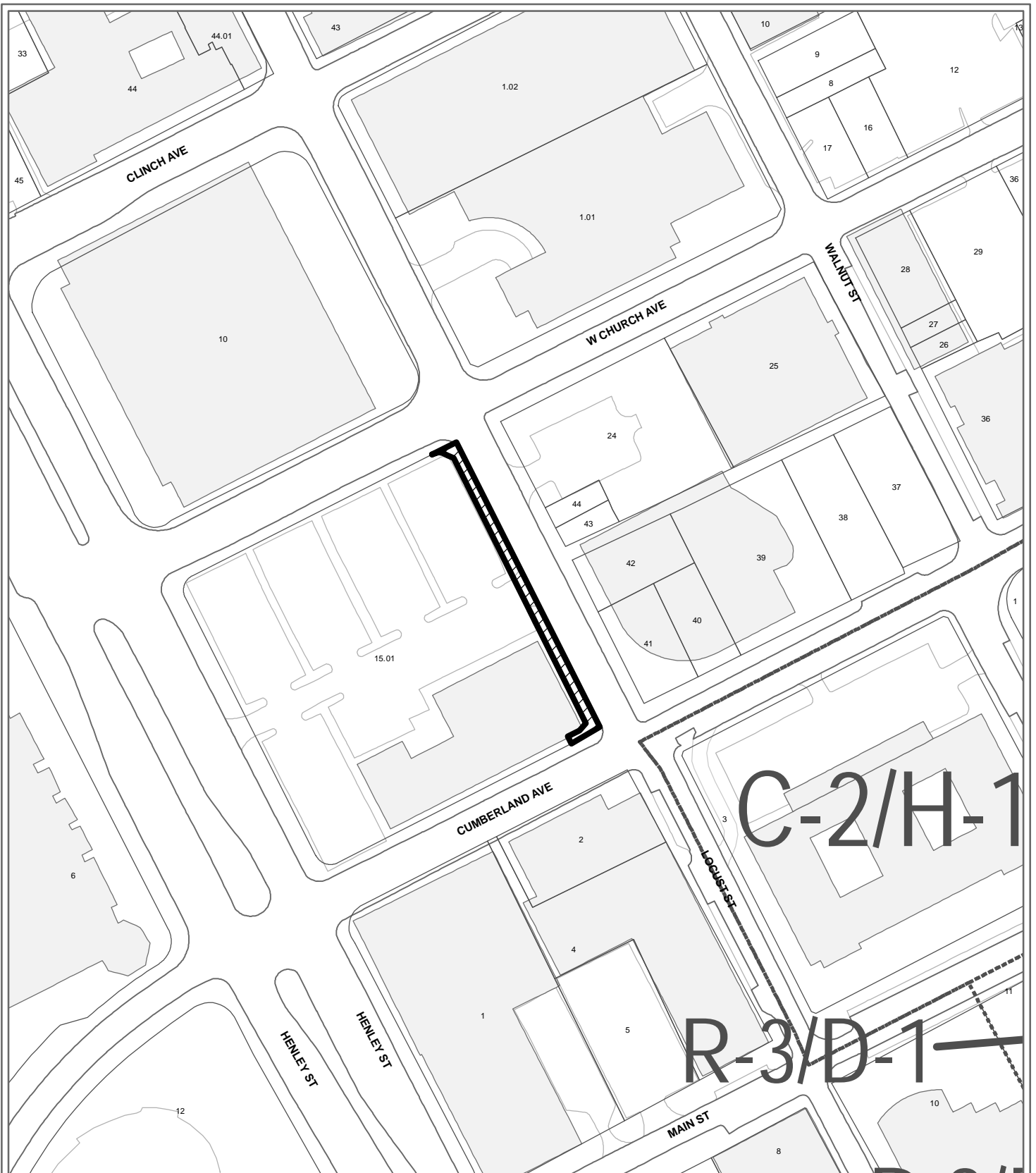
▶ RECOMMEND that City Council APPROVE the requested closure of a portion of Locust St. from portion of northern line of Cumberland Ave to Southern line of W. Church St.

AT&T noted that this right-of way closure has the potential to limit access to their existing facilities and structures, the City of Knoxville Engineering staff noted that the this right-of-way has been dedicated by the City of Knoxville in preparation for the project. The City also noted they will coordinate with all utility providers in preparation for this project.

### COMMENTS:

If approved for closure, the right-of-way will be combined with the adjacent parcels and converted to private property. Having not received any objections to this closure, Planning staff recommends approval, as requested.

If approved, this item will be forwarded to Knoxville City Council for action on 2/12/2019 and 2/26/2019. 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.



**1-A-19-SC  
CLOSURE OF PUBLIC RIGHT OF WAY**

Petitioner: City of Knoxville

Name of Street or Alley: Locust St  
 To be closed from: Portion from northern line of Cumberland Ave.  
 To be closed to: Southern line of W. Church St.

Map No: 94  
 Jurisdiction: City

Original Print Date: 12/17/2018      Revised:  
 Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902





## Fire Prevention Bureau

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

### Memorandum

Date: December 19, 2018

To: Jeff Archer and Sherry Michienzi

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.	1-B-19-SC	Approved	None
2.	1-A-19-SC	Approved	None



# CITY OF KNOXVILLE

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

December 10, 2018

Knoxville-Knox County Metropolitan Planning Commission (MPC)  
City-County Building, Suite 403  
Knoxville, Tennessee 37902

**SUBJECT:** Closure of a portion of Locust St  
MPC File # 1-A-19-SC; Nearby City Block 04043

**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

Metropolitan Planning Commission  
Jeff Archer  
Suite 403 City County Building  
400 Main St  
Knoxville TN 37902

RE: Right-of-Way Closure; File 1-A-19-SC; Locust St between W. Church and Cumberland

Mr Archer,

AT&T (Bellsouth) does not wish to relinquish its rights and access to this right-of-way as established with the City of Knoxville. There is an existing Manhole duct system along this section of Locust St.

AT&T's will reserve the right to maintain its capital investments built within the public utility right of way. It is currently in use to provide communications to multiple customers. We anticipate these facilities to remain in use and future upgrades to the network are anticipated. AT&T will require access to all existing structures including Manholes Duct banks. This access includes maintaining the ability to bring equipment and materials to these locations at AT&T's discretion. Closure of this right of way has the potential to limit access to our existing facilities and structure.

Sincerely

*Robert P. Knight*

Robert P. Knight  
MGR OSP PLNG & ENGR DESIGN  
9733 Parkside Dr  
Knoxville TN 37922  
865-539-5243

# M P C

METROPOLITAN  
P L A N N I N G  
C O M M I S S I O N

T E N N E S S E E

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: \_\_\_\_\_ Fee Paid: n/a File Number: \_\_\_\_\_

Map Number: c2/d1 Zoning District: \_\_\_\_\_  City  County Sector: 1-A-19-5C

Jurisdiction:  City 06 Councilmanic District \_\_\_\_\_

**INFORMATION:**

Name of Right-of-Way: Locust St

Type of Right-of-Way:  Street  Alley

Location of Right-of-Way:

BETWEEN (City Block or Lot where appropriate) 04043

AND (City Block or Lot where appropriate) 04044

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

Reason for Closure: \_\_\_\_\_

Support for redevelopment of Old Supreme Court Site, Tax Map 094, Insert M, Group C, Parcel 015.03, 719 Locust St.

**TO BE CLOSED:**

From: (Street, Alley, Other)  
portion from northern line of  
Cumberland Ave

To: (Street, Alley, Other)  
southern line of W Church St

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

Ben Davidson, 400 Main St Rm 462 Knoxville, TN 37902 865-215-4615  
Name: (Print) Address • City • State • Zip • Phone • Fax

**AUTHORIZATION OF APPLICATION:**

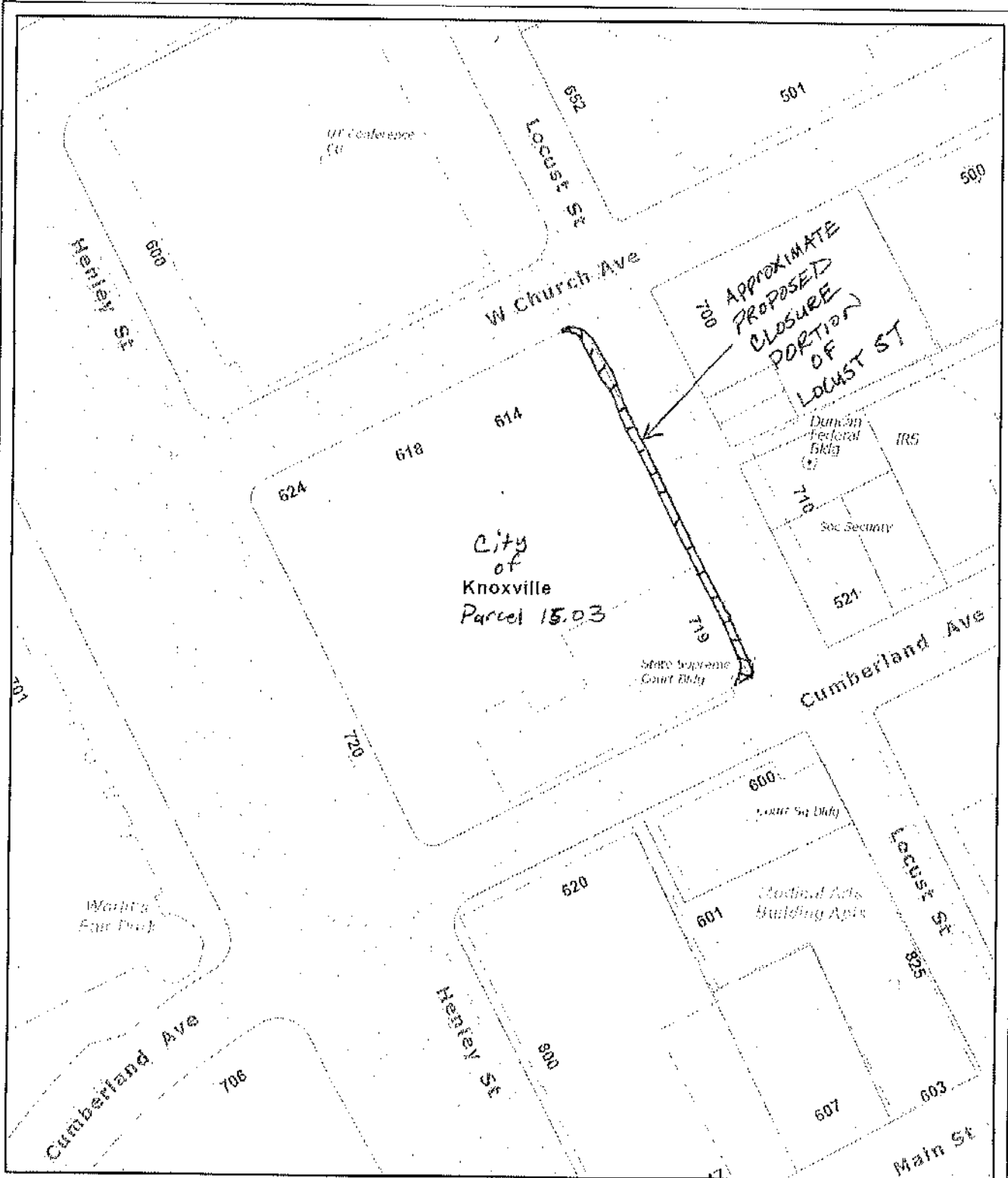
I hereby certify that I am the authorized applicant, or representing the applicant and ALL property owners involved in this request or holders of option on same.

Signature: *Ben Davidson*

Ben Davidson, 400 Main St Rm 462, Knoxville, TN 37902 865-215-4615  
Name: (Print) Address • City • State • Zip • Phone • Fax

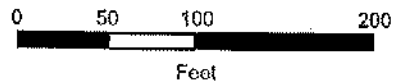
APPLICATION ACCEPTED BY: *M. Payne*





**719 Locust St**

Tax Map 094, Insert M, Group C, Parcel 015.03



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