



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

► **FILE #:** 1-A-20-AC

**AGENDA ITEM #:** 6

**AGENDA DATE:** 1/9/2020

► **APPLICANT:** RODNEY REAGAN FARM FRESH MKT.

TAX ID NUMBER:	107 N/A	<a href="#">View map on KGIS</a>
JURISDICTION:	Council District 6	
SECTOR PLAN:	West City	
GROWTH POLICY PLAN:	Urban Growth Area (Inside City Limits)	
ZONING:	R-2 (General Residential), C-3 (General Commercial) & C-1 (Neighborhood Commercial) [RN-2 (Single Family Residential District) and C-G-2 (General Commercial District) after new zoning ordinance takes effect on 1/1/20]	
WATERSHED:	Third Creek	

► **RIGHT-OF-WAY TO BE CLOSED:** Unnamed alley off of Jade Road, north of Sutherland Avenue

► **LOCATION:** Between 3617 Sutherland Avenue and 3601 Sutherland Avenue

IS ALLEY:

(1) IN USE?: No

(2) IMPROVED (paved)? No

► **APPLICANT'S REASON FOR CLOSURE:** To clean up the area at the rear of commercial lots - will beautify area

DEPARTMENT-UTILITY REPORTS:	Neither KUB, AT&T, nor the City Engineering Department had any comments other than their wish to retain any easements that may be present. The Fire Department and TDOT had no comments.
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## STAFF RECOMMENDATION:

► **Approve closure of the unnamed alley off of Jade Road, subject to any required easements, since it is undeveloped and staff has received no objections.**

## COMMENTS:

1. The alley is located west of Jade Road behind the row of parcels fronting Sutherland Avenue.
2. It is undeveloped, so its closure will not have an impact on the surrounding addresses.
3. Staff has received no objections to this request.
4. City departments and/or utility companies have no comments other than the departments listed above who wish to retain any easements that may be present.

If approved, this item will be forwarded to Knoxville City Council for action on 2/11/2020 and 2/25/2020. 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-20-AC**  
**CLOSURE OF PUBLIC RIGHT OF WAY**

Name of Street or Alley: unnamed alley off of Jade Road, north of Sutherland Avenue  
 To be closed from: 3617 Sutherland Avenue  
 To be closed to: 3601 Sutherland Avenue

Original Print Date: 12/18/2019 Revised:  
 Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

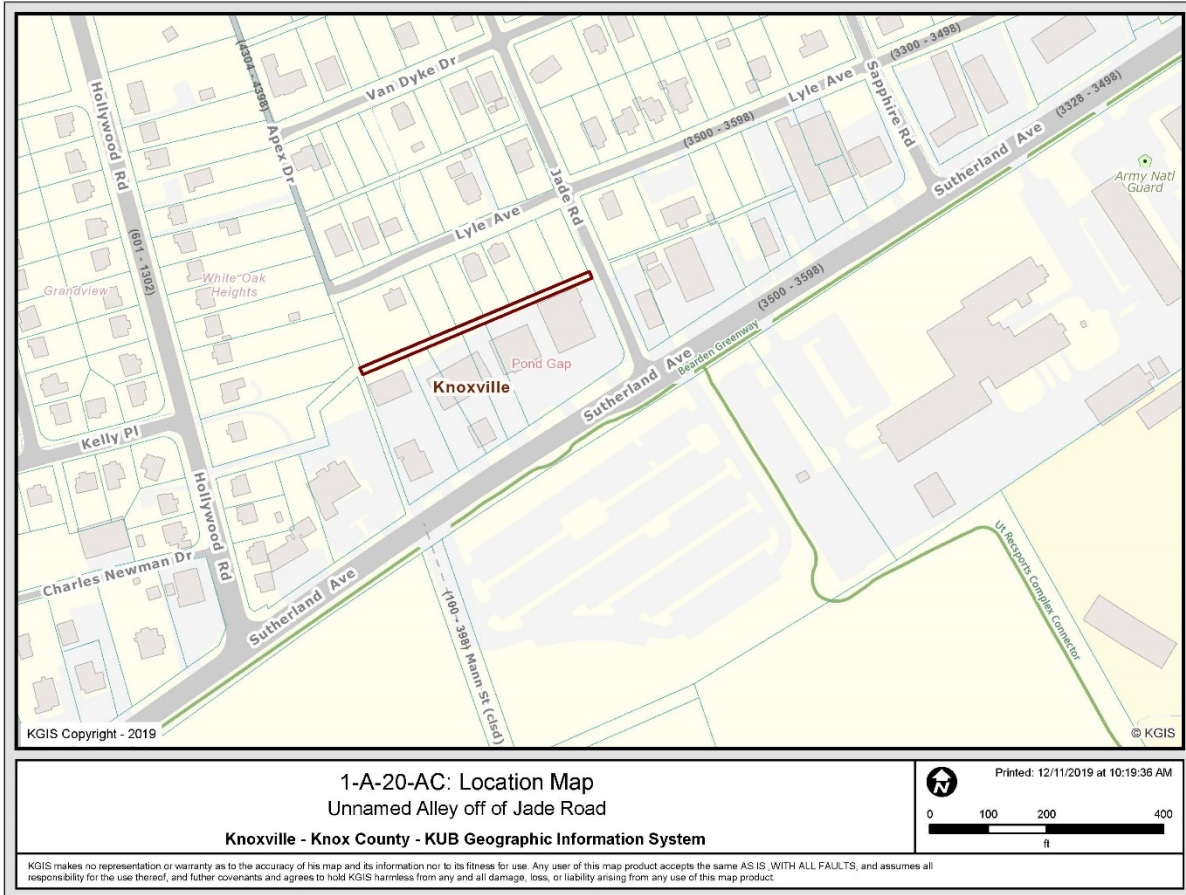
Petitioner: Farm Fresh Mkt., Rodney Reagan

Map No: 107  
 Jurisdiction: City  
 0 100  
 Feet



# 1-A-20-AC

## Exhibit A. Contextual Images



**DECEMBER 6, 2019**

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: Michelle Portier, AICP

**RE: REQUEST CLOSURE OF UNNAMED ALLEY BETWEEN 3617 SUTHERLAND AVENUE AND 3601 SUTHERLAND AVENUE, CITY BLOCK 50620. COUNCIL DISTRICT 5, WEST CITY SECTOR. (1-A-20-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 January 9, 2020. A map showing the street or alley in question is attached for your information.

***PLEASE NOTE: Failure to reply to our office by Monday, December 30, 2019 will be considered as no objection by your agency.***

C: Amy Brooks, AICP  
Attachment: Application





Dori Caron <dori.caron@knoxplanning.org>

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## January ROW closures

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**SIMMS, SHANNON R** <ss3775@att.com>  
To: Dori Caron <dori.caron@knoxplanning.org>

Wed, Dec 11, 2019 at 3:19 PM

At&t does not wish to relinquish any ROWs/Easements at this time.

Thanks,

**Shannon R. Simms**

MANAGER OSP PLANNING & ENGINEERING DESIGN

AT&T Technology Operations, Construction & Engineering-SE

**AT&T**

9733 Parkside Dr, Knoxville, TN 37922

O: 865-539-8596 | [ss3775@att.com](mailto:ss3775@att.com)

M:865-566-7068

[Quoted text hidden]



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

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## January ROW closures

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

Mon, Dec 16, 2019 at 3:15 PM

Below are TDOT District 18 comments to the proposed ROW closures:

1-A-20-AC: No comment

1-A-20-SC: No Comment

1-B-20-SC: No Comment



**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)

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

**Sent:** Wednesday, December 11, 2019 3:05 PM

**To:** Amy Brooks <amy.brooks@knoxplanning.org>; Ben Davidson <bdavidson@knoxvilletn.gov>; Charlotte Goforth <cgoforth@knoxvilletn.gov>; Christian Wiberley <Christian.Wiberley@kub.org>; Danny Beeler <dbeeler@knoxvilletn.gov>; James Hagerman <jhagerman@knoxvilletn.gov>; Liz Albertson <liz.albertson@knoxplanning.org>; Michelle Portier <michelle.portier@knoxplanning.org>; Shannon Sims <ss3775@att.com>; Sonny Partin <spartin@knoxvilletn.gov>; Steve Borden <Steve.Borden@tn.gov>; Laura Edmonds <laura.edmonds@knoxplanning.org>

**Subject:** [EXTERNAL] January ROW closures

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



## Fire Prevention Bureau

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

### Memorandum

Date: December 31, 2019

To: Dori Caron

From: Sonny Partin, Deputy Fire Marshal

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

Road Name	Review Status	Comments
1. 1-A-20-AC	Approved	None
2. 1-A-20-SC	Approved	Planning has informed us that these changes are not permanent and does have future plans with a turnaround.
3. 1-B-20-SC	Approved	Road does not access any buildings



# CITY OF KNOXVILLE

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

December 13, 2019

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

SUBJECT: Closure of an unnamed alley off Jade Rd  
MPC File # 1-A-20-AC; Nearby City Block 50620

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 there are any current facilities**, located in or within five (5) feet of the property described herein. 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





# RIGHT-OF-WAY CLOSURE



Name of Applicant: Farm Fresh Mkt. Rodney Reagan  
Date Filed: 11/22/2019 Fee Paid: 400.00 File Number: 1-A-20-AC  
Map Number: 107 Zoning District: R-2, C-3 ☒ City ☐ County Sector: West City  
Jurisdiction: ☒ City 6<sup>th</sup> Council District

## INFORMATION:

Name of Right-of-Way: Unnamed  
Type of Right-of-Way: ☐ Street ☒ Alley  
Location of Right-of-Way:  
BETWEEN (City Block or Lot where appropriate) 3617 Sutherland  
AND (City Block or Lot where appropriate) 3601 Sutherland  
Right-of-Way is: In Use ☐ Yes ☒ No Improved (example: paved) ☒ Yes ☐ No  
Reason for Closure: to clean up area at rear of commercial lots

## TO BE CLOSED:

From: (Street, Alley, Other)	To: (Street, Alley, Other)
<u>3617 Sutherland</u>	<u>3601 Sutherland</u>

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

David Williams 505 Hollywood Dr Knoxville TN 37919 865-256-1828  
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: Rodney Reagan  
RODNEY REAGAN 3617 Sutherland Knoxville TN 37919 865-588-4017  
Name: (Print) Address City State Zip Phone Fax

APPLICATION ACCEPTED BY: M. Payne

# M P C

METROPOLITAN  
PLANNING  
COMMISSION  
TENNESSEE

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

## RIGHT-OF-WAY CLOSURE

Name of Applicant: Farm Fresh Mkt. Rodney Reagan

Date Filed: 11/22/19 Fee Paid: \_\_\_\_\_ File Number: \_\_\_\_\_

Map Number: \_\_\_\_\_ Zoning District: \_\_\_\_\_ ☒ City ☐ County Sector: \_\_\_\_\_

Jurisdiction: ☐ City 6 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) 3617 Sutherland and 3601 Sutherland

AND (City Block or Lot where appropriate) \_\_\_\_\_

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

Reason for Closure: overgrown (bushes, trees, garbage),

will beautify area

TO BE CLOSED: alley parallels sutherland (3600 block)

From: (Street, Alley, Other)

3617 Sutherland

To: (Street, Alley, Other)

3601 Sutherland

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

DAVID WILLIAMS 505 Hollywood Dr. Knoxville TN 37919 865-256-1828

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.

Farm Fresh Mkt. Signature: Rodney Reagan

Rodney Reagan 3617 Sutherland Ave Knoxville TN 37919 865 588-4017

Name: (Print) Address City State Zip Phone Fax

### APPLICATION ACCEPTED BY:



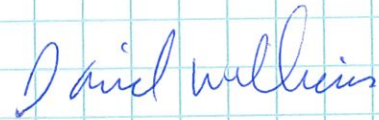
# RIGHT-OF-WAY CLOSURE CANVASS FORM

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.

[illegible]

11/21/2019

The Pond Gap Area Neighborhood Association, Inc. supports the alley closure petition of Mr. Rodney Reagan.



David Williams, President



These properties signed right of way closure canvass form and agree to it.

3617 Sutherland

3615 Sutherland

3613 Sutherland

3611 Sutherland

3609 Sutherland

3601 Sutherland

3608 Lyle Avenue

3620 Lyle Avenue

These properties did not return form . Effort made by visit, phone, and mail to contact them.

3618 Lyle Avenue (Tejada) 8/31, 11/1, phone conversation 11/4-owner stated form would be mailed, 11/15 sent stamped self-addressed envelope to owner, 11/18 left phone message, as of 11/22 form not returned.

3612, 3616 Lyle Avenue 9/24, 9/24, 11/1 (Nero) no response

3600, 3604 Lyle Avenue 8/31, 11/1 Wesley & Coruthers (Chicago, Ill.) No response

Each owner mailed canvass form, map, and copy of Engineering letter. Contact information provided (phone, mailing address). Letter stated 'Would appreciate you signing and returning form to allow alley closure. Feel free to contact me at 865-256-1828 to discuss. Thank you, David Williams'.

**From:** david williams <dawill64@yahoo.com>  
**Subject:** Fwd: Unnammed Alley Closure City Block 50620  
**Date:** September 25, 2019 2:22:46 PM EDT  
**To:** sales@printingimage.com  
▶ 3 Attachments, 1.1 MB

Sean, could you make three copies for me? Thanks, David

Sent from my iPhone

Begin forwarded message:

**From:** Ben Davidson <[bdavidson@knoxvilletn.gov](mailto:bdavidson@knoxvilletn.gov)>  
**Date:** May 22, 2019 at 3:52:02 PM EDT  
**To:** david williams <[dawill64@yahoo.com](mailto:dawill64@yahoo.com)>  
**Subject:** Unnammed Alley Closure City Block 50620

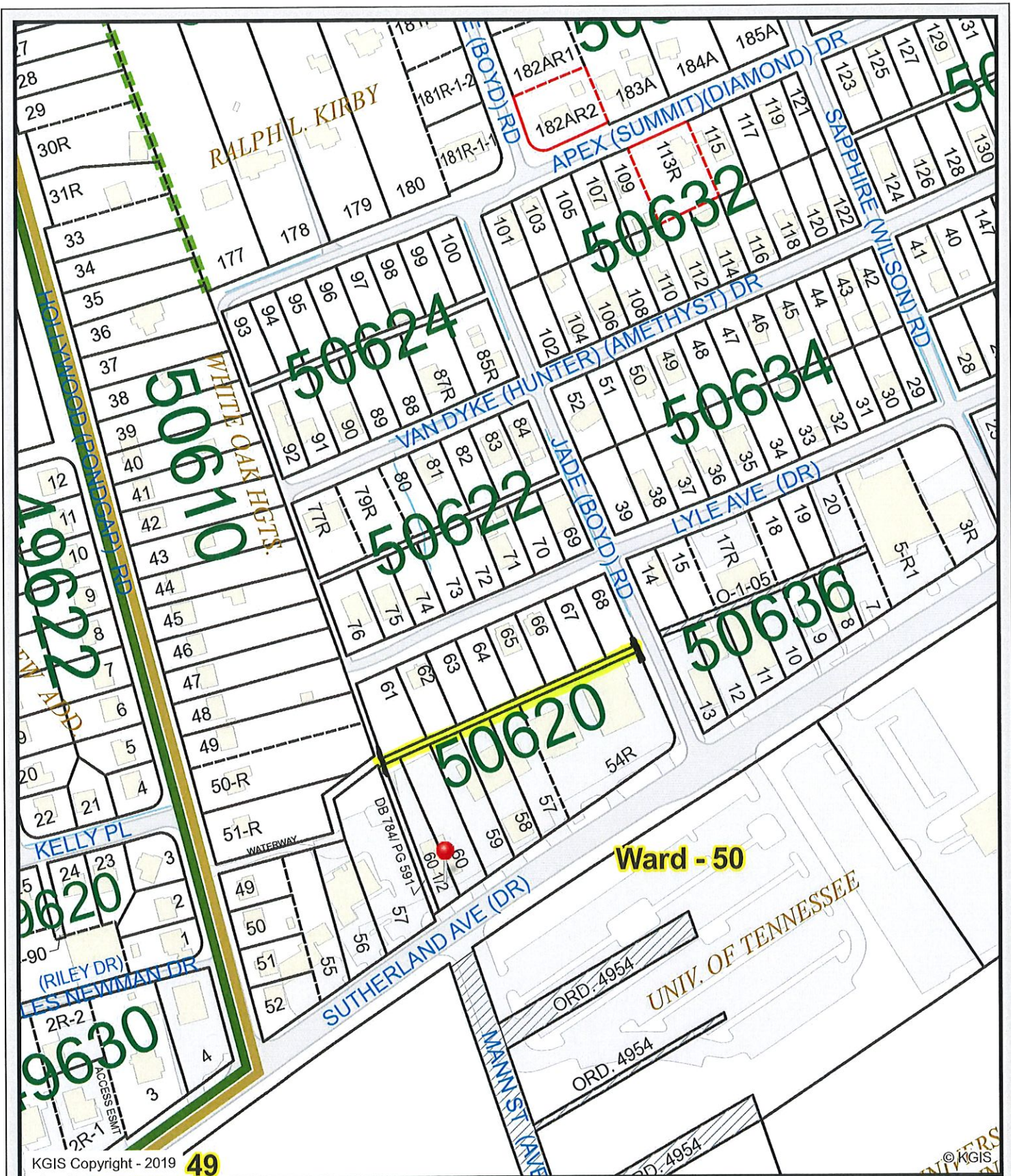
Hello Mr. Williams,

This email is to inform you that the City Engineering has no objection to the closure of the unnamed alley that runs east to west through City Block 50620 (off of Jade Rd. In order to initiate the closure process an application will have to be submitted with Knox Planning. They may be reached at 215-2500. I have attached a copy of their closure application.

Sincerely,

Benjamin D. Davidson, PLS  
TN Licensed Land Surveyor No. 2543  
Technical Services Administrator  
City of Knoxville, Department of Engineering  
Ph: 865-215-2103; email: [bdavidson@knoxvilletn.gov](mailto:bdavidson@knoxvilletn.gov)  
Technical Services Staff are: Donna Redden, Billy Dalton, Sandra Schade,  
Vicky Harrell, Charlotte Goforth, and Matthew Plyler



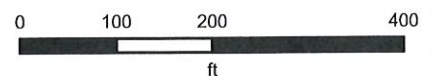


Letter Portrait

Knoxville - Knox County - KUB Geographic Information System

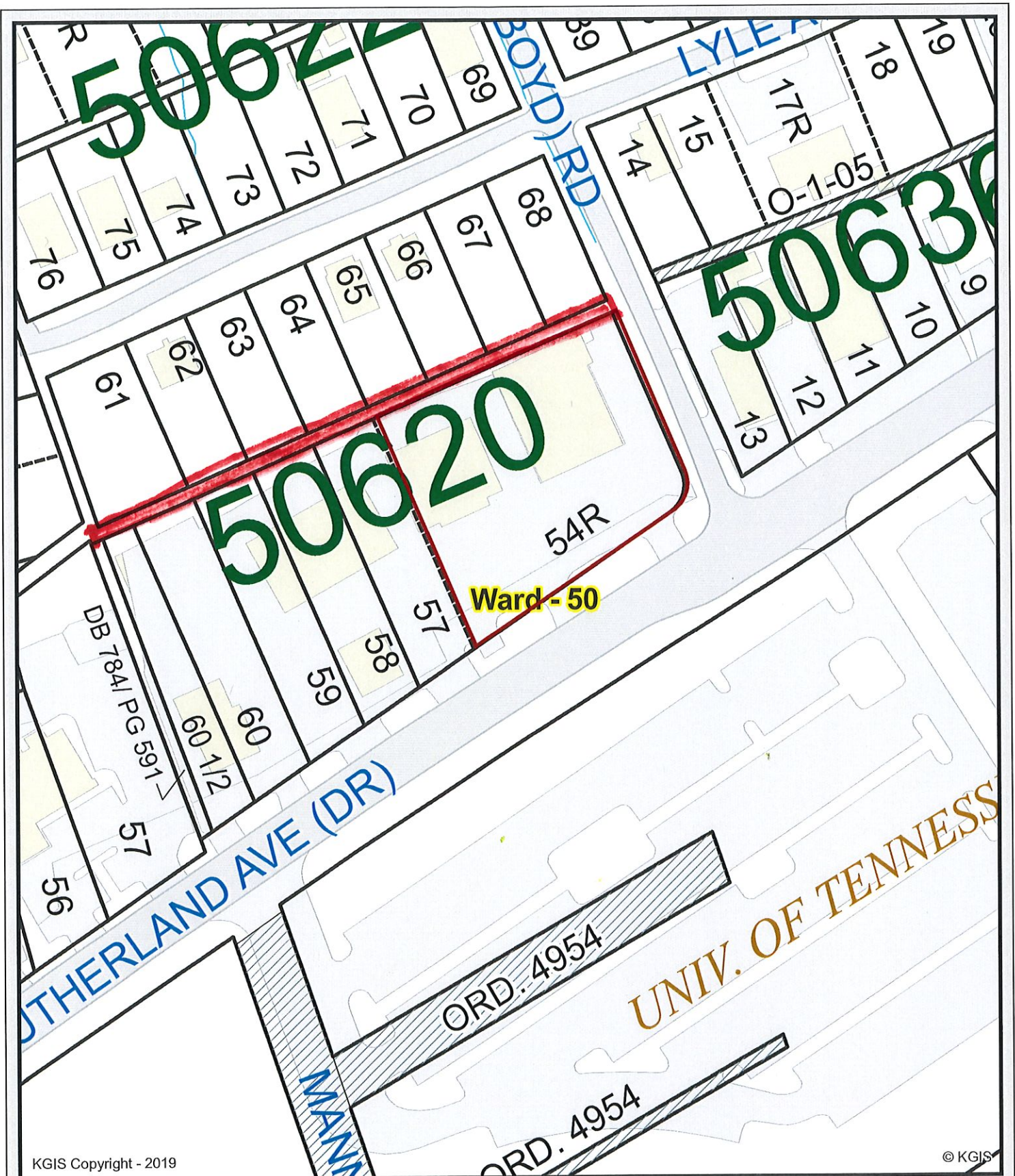


Printed: 11/25/2019 at 12:39:22 PM



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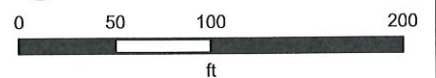
Letter Portrait

Knoxville - Knox County - KUB Geographic Information System

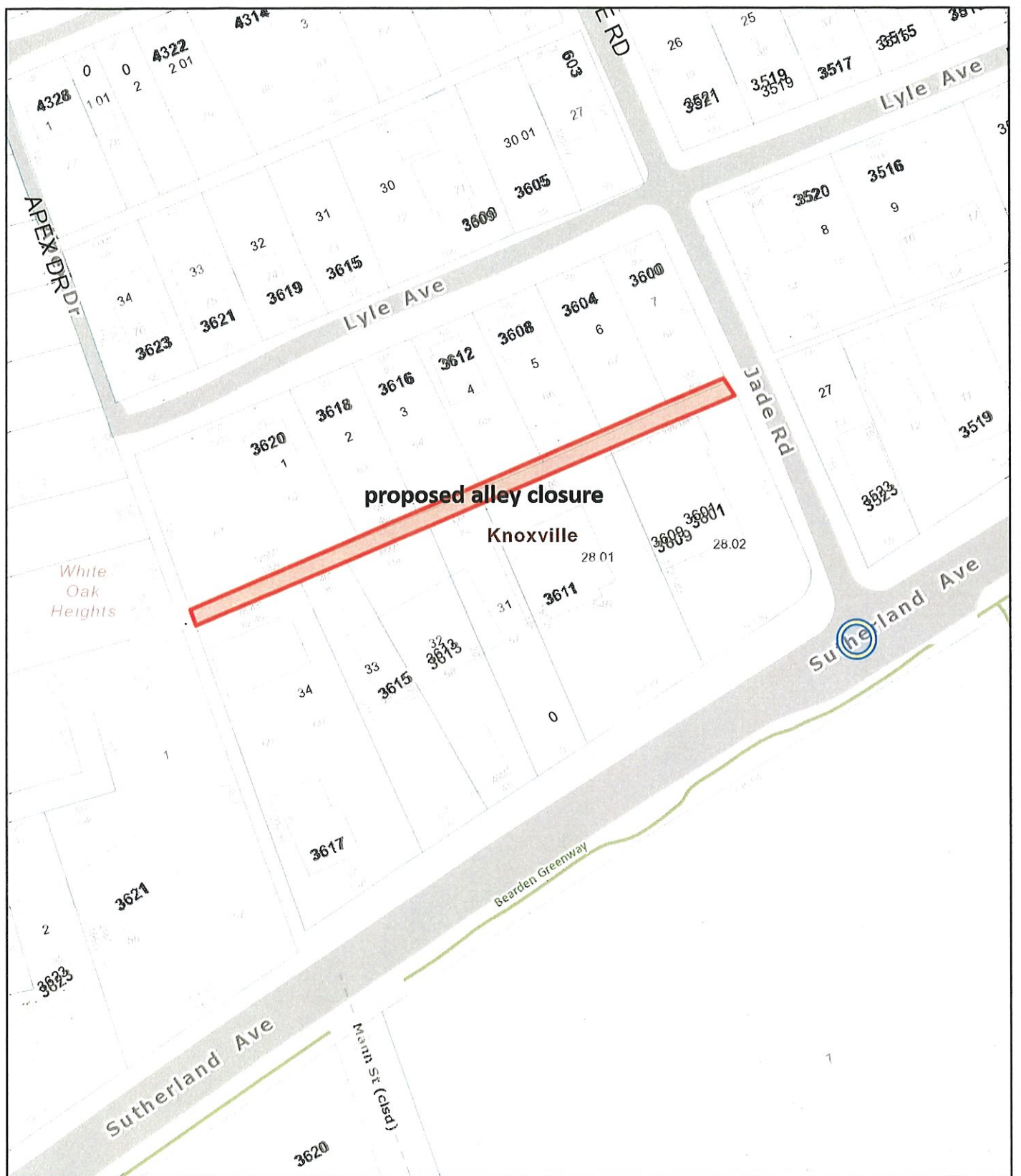
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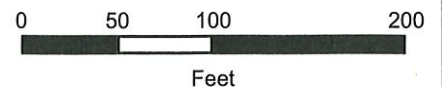
Printed: 11/22/2019 at 3:55:24 PM







**Proposed alley closure**  
City Block 50620

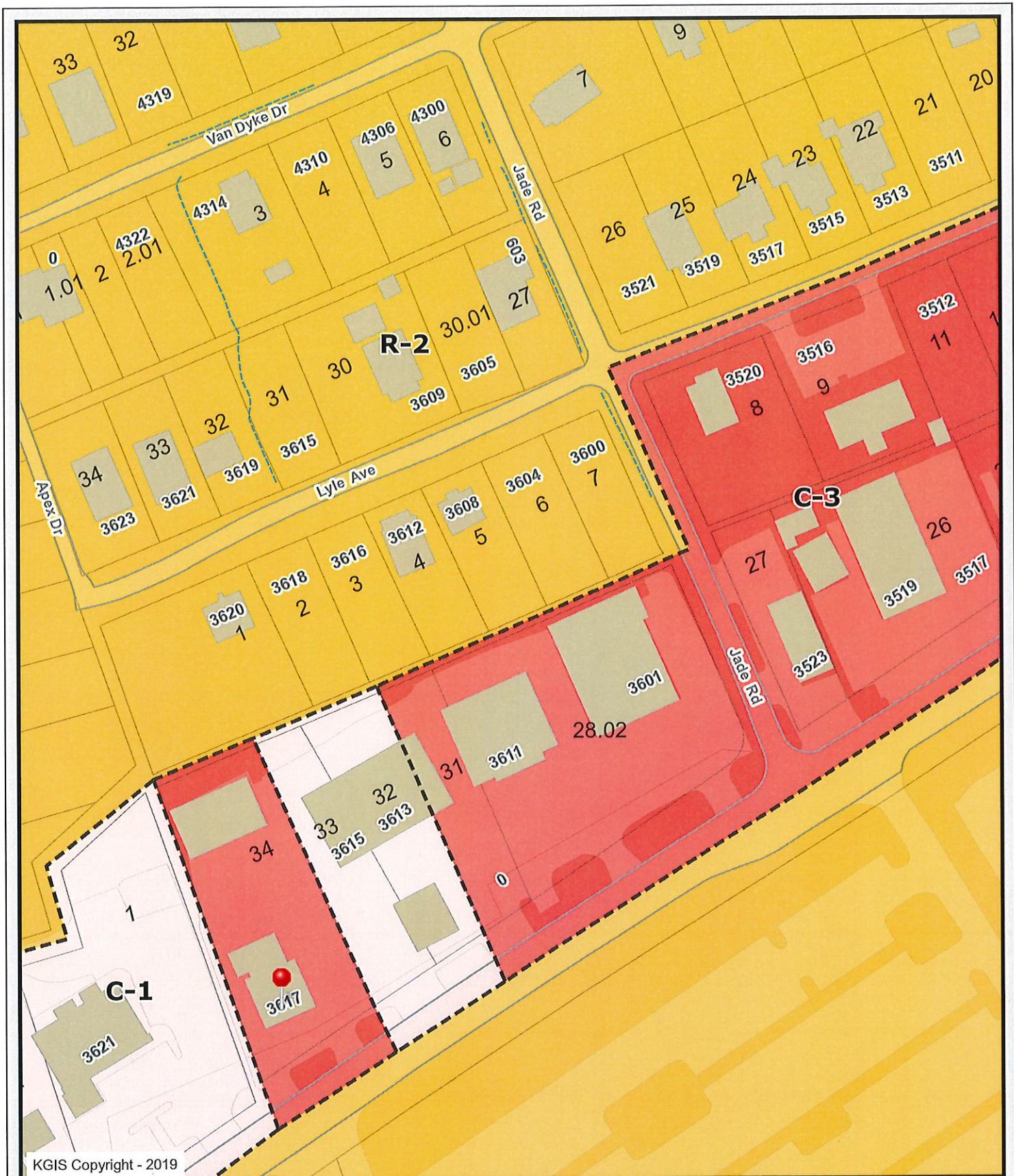


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Printed: 5/22/2019 3:41:51 PM





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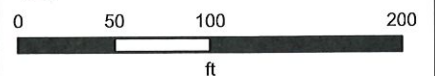
## Letter Portrait

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

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Printed: 11/25/2019 at 12:47:06 PM





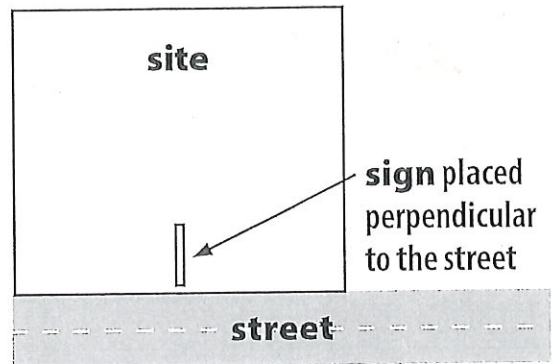
## REQUIRED SIGN POSTING AGREEMENT

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 Administrative Rules and Procedures.

At the time of application, 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 Planning 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. 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 15 days before 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 15 days before the next Planning Commission 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:

12/24/19 and 1/10/20  
(15 days before the Planning Commission meeting) (the day after the Planning Commission meeting)

Signature: David Williams

Printed Name: DAVID WILLIAMS

Phone: 865-256-1828 Email: dawill64@yahoo.com

Date: 11/22/2019

File Number: 1-A-20-AC