



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

► **FILE #:** 7-A-20-AC

**AGENDA ITEM #:** 5

**AGENDA DATE:** 7/9/2020

► **APPLICANT:** GARY UNDERWOOD

TAX ID NUMBER:	108 N/A	<a href="#">View map on KGIS</a>
JURISDICTION:	Council District 1	
SECTOR PLAN:	South City	
GROWTH POLICY PLAN:	Within City limits	
ZONING:	SW (South Waterfront) - 1	
WATERSHED:	Tennessee River	

► **RIGHT-OF-WAY TO BE CLOSED:** Unnamed Alley

► **LOCATION:** Between W. Blount Ave. and the alley behind 2216 W. Blount Ave.

IS ALLEY:

(1) IN USE?: no

(2) IMPROVED (paved)?: no

► **APPLICANT'S REASON FOR CLOSURE:** The applicant would like to straighten the property lines of the parcels at 2208 and 2212 W Blount Avenue

DEPARTMENT-UTILITY REPORTS: The City's Engineering Department, AT&T, and KUB have requested to retain any easements that may be in place.

## STAFF RECOMMENDATION:

► **Approve closure of the undeveloped right-of-way off of W. Blount Avenue that runs along the southern property line of parcel 108 E B 026, subject to any required easements, since it is undeveloped and staff has received no objections.**

1. The right-of-way runs from the east side of W. Blount Avenue along the southern property line of parcel 108 E B 026 (2208 W. Blount Avenue). It is undeveloped and does not provide access to any lots. Currently, the right-of-way boundary lines run through parcel 108 E B 025 (2212 W. Blount Avenue), and the structures on the adjoining properties to the north and south are built in the right-of-way. The applicant hopes to remedy this by cleaning up the lot lines once the right-of-way is closed.

2. Staff has received no objections, but the following departments and organizations had these comments:

a. KUB does not release and hereby retains all easements and rights for existing facilities, whether or not identified in our research.

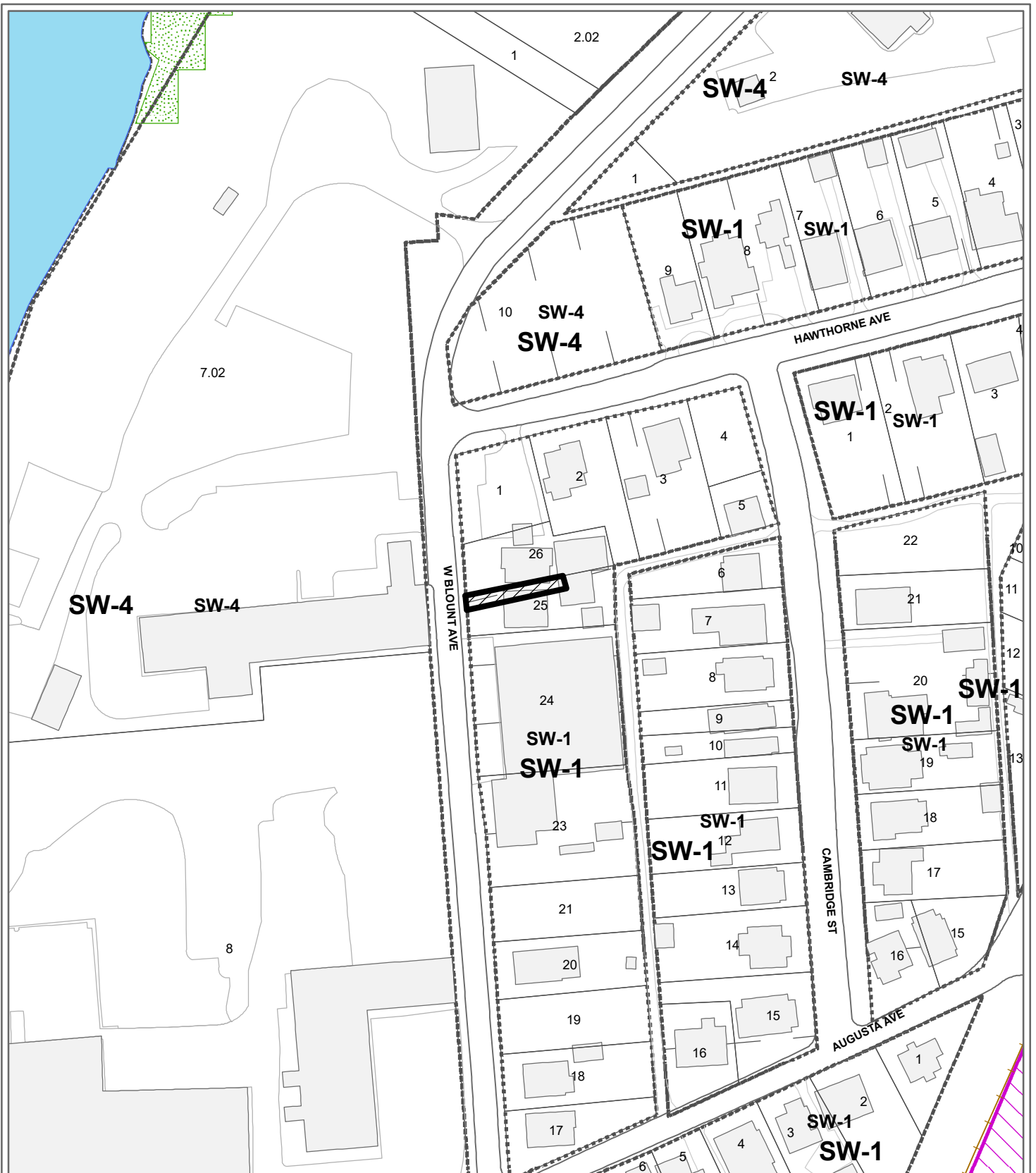
b. The City Engineering Department has no objections to close the above described right-of-way area. However, should this right-of-way be closed, the City will reserve easements for all drainage facilities and utilities, if there are any current facilities, located in or within five (5) feet of the property described herein. No easements are reserved if there are no current facilities within the closure area. 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.

c. The City's Fire Department had no comments.

d. TDOT had no Comments as the right-of-way does not appear to affect state assets.

e. AT&T does not wish to relinquish any ROW or utility easements at this time.

If approved, this item will be forwarded to Knoxville City Council for action on 8/11/2020 and 8/25/2020. 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.



**7-A-20-AC  
CLOSURE OF PUBLIC RIGHT OF WAY**

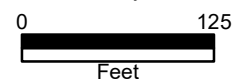
Name of Street or Alley: unnamed alley Alley  
 To be closed from: W. Blount Ave.  
 To be closed to: the alley behind 2216 W. Blount Ave.

Original Print Date: 6/16/2020      Revised:  
 Knoxville - Knox County Planning Commission \* City / County Building \* Knoxville, TN 37902

Petitioner: Gary Underwood

Map No: 108

Jurisdiction: City



**JUNE 3, 2020**

Knoxville Utilities Board  
Danny Beeler, Fire Marshal  
Steve Borden, Regional Director, TN Dept. of Transportation  
Harold Cannon, Director, Department of Engineering  
Steve King, Department of Engineering  
Sonny Partin, Plans Reviewer, Fire Dept.  
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 W. BLOUNT AVENUE  
AND THE ALLEY BEHIND 2216 W. BLOUNT AVENUE. COUNCIL DISTRICT 1,  
SOUTH CITY SECTOR. (7-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 July 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, June 22, 2020 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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## ROW closures for July

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**SIMMS, SHANNON R** <ss3775@att.com>  
To: Dori Caron <dori.caron@knoxplanning.org>  
Cc: "KNIGHT, ROBERT" <rk1580@att.com>

Wed, Jun 3, 2020 at 9:46 AM

Dori,

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

Thanks,

**Shannon R. Simms**

MANAGER OSP PLANNING & ENGINEERING DESIGN

Access Construction & Engineering

Tennessee/Kentucky District

**AT&T – BellSouth Telecommunications, LLC**

9733 Parkside Dr, Knoxville, TN 37922

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

M:865-566-7068

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

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## ROW closures for July

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

Tue, Jun 30, 2020 at 8:40 AM

To: Michelle Portier &lt;michelle.portier@knoxplanning.org&gt;, Dori Caron &lt;dori.caron@knoxplanning.org&gt;

Fire has approved all three requests for July.

Sonny

Capt. Donald M. Partin Jr. C.F.P.S.  
Deputy Fire Marshal  
Fire Marshals Office  
City of Knoxville Fire Dept.  
City County Bldg.  
[400 Main St. Suite 462](#)  
[Knoxville Tn. 37902](#)

On Jun 26, 2020, at 12:02 PM, Michelle Portier <michelle.portier@knoxplanning.org> wrote:

Thanks, Sonny!

----- Forwarded message -----

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

Date: Wed, Jun 3, 2020 at 9:38 AM

Subject: ROW closures for July

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>, Harold Cannon <hcannon@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>  
Cc: Dori Caron <dori.caron@knoxplanning.org>, Laura Edmonds <laura.edmonds@knoxplanning.org>

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Michelle Portier, AICP  
Senior Planner  
865.215.3821



**Knoxville-Knox County Planning** | [KnoxPlanning.org](http://KnoxPlanning.org)  
400 Main Street, Suite 403 | Knoxville, TN 37902

<ROW package - 7-B-20-SC.pdf>

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

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## ROW closures for July

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

Wed, Jun 3, 2020 at 9:37 AM

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>, Harold Cannon <hcannon@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>

Cc: Dori Caron <dori.caron@knoxplanning.org>, Laura Edmonds <laura.edmonds@knoxplanning.org>

Good morning,  
We have 3 for July. Attached.

Dori Caron  
Senior Administrative Assistant  
Direct Line: 865-215-2694  
Email: [dori.caron@knoxplanning.org](mailto:dori.caron@knoxplanning.org)




**Knoxville-Knox County Planning | Knoxville Regional TPO**  
400 Main Street, Suite 403 | Knoxville, TN 37902

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### 3 attachments

 **ROW package - 7-B-20-SC.pdf**  
2857K

 **ROW Package - 7-A-20-SC.pdf**  
2803K

 **ROW Package - 7-A-20-AC.pdf**  
1729K



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June 19, 2020

Michelle Portier  
Knoxville-Knox County  
Metropolitan Planning Commission  
Suite 403, City-County Building  
Knoxville, Tennessee 37902

Dear Ms. Portier:

**Re: Right-of-Way Closure Request 7-A-20-AC**

We have reviewed our records and, as far as we have been able to determine, KUB has no existing utility facilities located within the subject right-of-ways and we have no objection to the requested closures. However, KUB does not release and hereby retains all easements and rights for existing facilities, whether or not identified in our research.

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

Sincerely,



Christian Wiberley, PE  
Engineering

CGW



# CITY OF KNOXVILLE

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**Engineering**  
Benjamin D. Davidson, PLS  
Technical Services Administrator

June 22, 2020

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

SUBJECT: Closure of unnamed and unimproved portion of an alley  
MPC File # 7-A-20-AC; Nearby City Block 25151

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. No easements are reserved if there are no current facilities within the closure area. 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



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

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## ROW closures for July

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

Fri, Jun 5, 2020 at 11:18 AM

Please find below District 18's responses to the proposed right-of-way closures:

7-B-20-SC: No Comment

7-A-20-SC: No Comment

7-A-20-AC: 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, June 3, 2020 9:38 AM

**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>; Harold Cannon <hcannon@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>

**Cc:** Dori Caron <dori.caron@knoxplanning.org>; Laura Edmonds <laura.edmonds@knoxplanning.org>

**Subject:** [EXTERNAL] ROW closures for July



# RIGHT-OF-WAY CLOSURE

Name of Applicant: Gary Underwood  
Date Filed: 5-14-20 Fee Paid: 400.00 File Number: 7-A-20-AC  
Map Number: 108 Zoning District: SW-1 ☒ City ☐ County Sector: South City  
Jurisdiction: ☒ City 1 Councilmanic District

## INFORMATION:

Name of Right-of-Way: un-named alley  
Type of Right-of-Way: ☐ Street ☒ Alley  
Location of Right-of-Way:  
BETWEEN (City Block or Lot where appropriate) 25080 and 25152  
AND (City Block or Lot where appropriate) \_\_\_\_\_  
Right-of-Way is: In Use ☐ Yes ☒ No Improved (example: paved) ☐ Yes ☒ No  
Reason for Closure: Just along 108 EBO26

## TO BE CLOSED:

From: (Street, Alley, Other) <u>Blount Avenue</u>	To: (Street, Alley, Other) <u>Alley behind 2216 W. Blount Ave.</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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

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: Gary Underwood 865-951-9955

GARY UNDERWOOD P.O. Box 20031 Knoxville, TN 37940 865-951-9955  
Name: (Print) \_\_\_\_\_ Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Phone \_\_\_\_\_ Fax \_\_\_\_\_

APPLICATION ACCEPTED BY: Emily Dells

email receipt — garyunderwoodinsurance@gmail.com



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Alley Closure



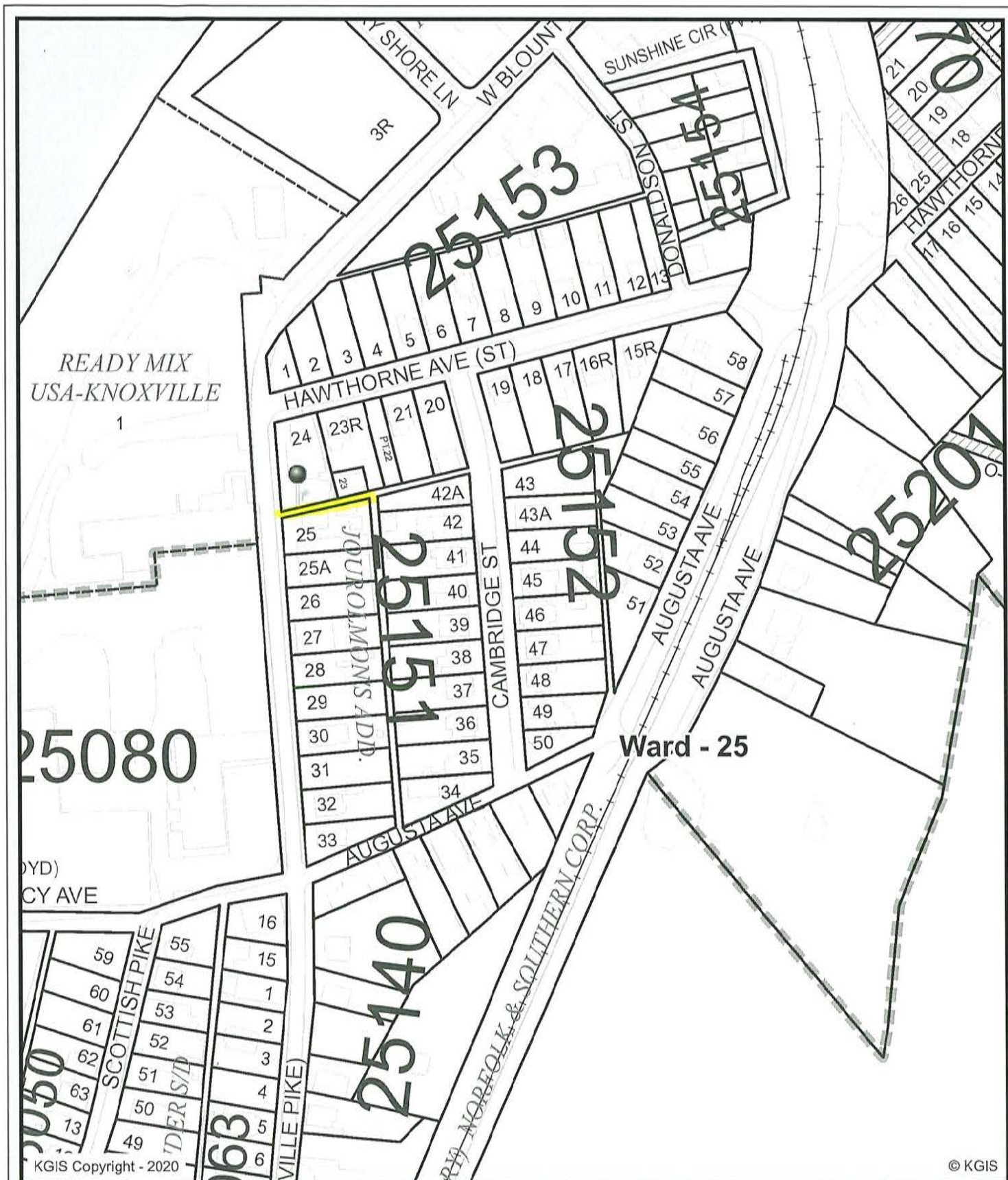
Printed: 5/14/2020 at 10:00:42 AM



Knoxville - Knox County - KUB Geographic Information System

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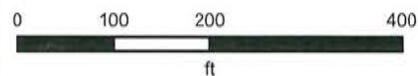


## Alley Closure

Knoxville - Knox County - KUB Geographic Information System



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