



CITY OF KNOXVILLE CLOSURE OF PUBLIC RIGHT-OF-WAY

▶ FILE #: 7-A-20-SC

AGENDA ITEM #: 6

AGENDA DATE: 7/9/2020

▶ APPLICANT: MATT BRAZILLE OBO KNOXVILLE COMMUNITY DEVELOPMENT CORPORATION

TAX ID NUMBER:	95 G A N/A	<u>View map on KGIS</u>
JURISDICTION:	Council District 6	
SECTOR PLAN:	East City	
GROWTH POLICY PLAN:	Within City limits	
ZONING:	RN-6 (Multi-Family Residential Neighborhood)	
WATERSHED:	First Creek	

▶ RIGHT-OF-WAY TO BE CLOSED: Nelson Ave.

▶ LOCATION: Between Mee Street and Fort Summit Way

IS STREET:

(1) IN USE?: No

(2) IMPROVED (paved)?: No

▶ APPLICANT'S REASON FOR CLOSURE: To facilitate redevelopment of the KCDC Austin Homes property. Nelson Avenue was demolished along with all remaining buildings in the Austin Homes property earlier this year and is no longer in use.

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 Nelson Avenue, subject to any required easements, because staff has received no objections and it will enable redevelopment of this area.

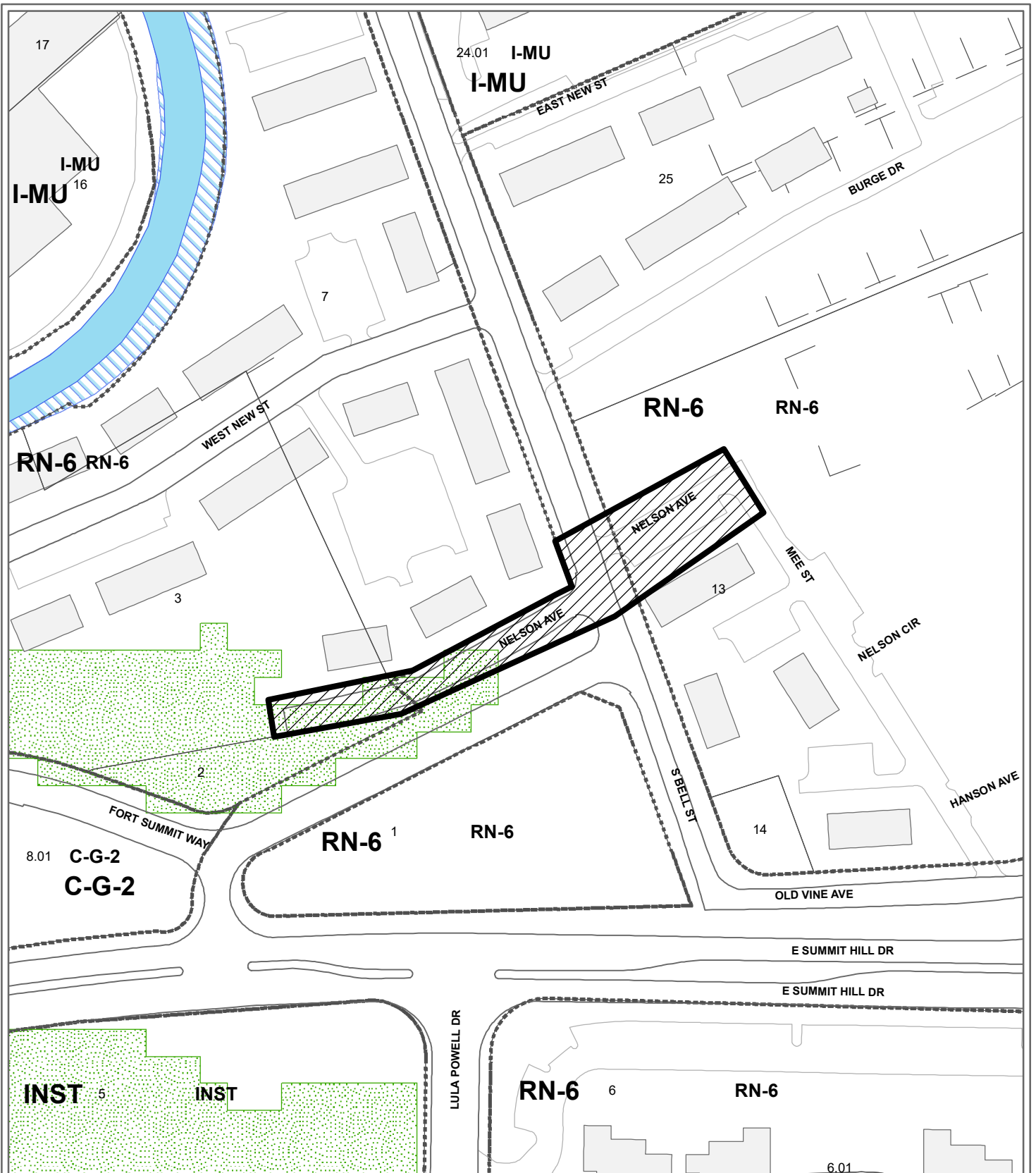
COMMENTS:

1. Nelson Avenue is located at the southern end of S. Bell Street. It previously contained multifamily housing on its northern side. The housing units have been demolished and the right-of-way is now gravel.
2. Closure of Nelson Avenue will enable redevelopment of this area into new affordable housing units, developed by Knoxville Community Development Center in partnership with Austin Homes. The concept plan for this development was approved by the Knoxville-Knox County Planning Commission in January, 2020 (File # 12-SC-19-C).
3. Staff has received no objections, but the following departments and organizations had these comments:
 - a. KUB: We have reviewed our records and find that we have existing utility facilities located within the subject right-of-way. The approximate locations of these facilities are 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 a permanent easement for its sewer facilities consisting of 7.5 feet on each side of the centerline of the sewer lines,

15 feet total width.

- 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. Addressing staff: There are no addresses associated with this ROW. The proposed closure will not impact any addresses.
- e. TDOT had no Comments as the right-of-way does not appear to affect state assets.
- f. 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.



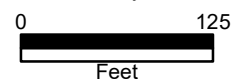
**7-A-20-SC
CLOSURE OF PUBLIC RIGHT OF WAY**

Name of Street or Alley: Nelson Ave.
 To be closed from: Mee Street
 To be closed to: Fort Summit Way

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

Petitioner: Brazille OBO Knoxville
 Community Development
 Corporation, Matt

Map No: 95
 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 NELSON AVENUE BETWEEN MEE STREET AND FORT SUMMIT WAY. COUNCIL DISTRICT 6, EAST CITY SECTOR. (7-A-20-SC)

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>

ROW closures for July

Sonny Partin <spartin@knoxvilletn.gov>

Tue, Jun 30, 2020 at 8:40 AM

To: Michelle Portier <michelle.portier@knoxplanning.org>, Dori Caron <dori.caron@knoxplanning.org>

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 <bdauidson@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](#)
400 Main Street, Suite 403 | Knoxville, TN 37902

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

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Dori Caron <dori.caron@knoxplanning.org>

ROW closures for July

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



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

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



CITY OF KNOXVILLE

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 a portion of the remainder of Nelson Ave
MPC File # 7-A-20-SC; Nearby City Block 07327, 07366, 12021

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

a

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-SC

We have reviewed our records and find that we have existing utility facilities located within the subject right-of-way. The approximate locations of these facilities are 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 easements for its utility facilities.

Sewer – 7.5 feet on each side of the centerline of the sewer lines, 15 feet total width

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

Sincerely,



Christian Wiberley, PE
Engineering

CGW



Dori Caron <dori.caron@knoxplanning.org>

ROW closures for July

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

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



Dori Caron <dori.caron@knoxplanning.org>

ROW closures for July

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

M:865-566-7068

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RIGHT-OF-WAY CLOSURE

Name of Applicant: Matt Brazille (on behalf of KCDC)

Date Filed: 5/28/20 Fee Paid: 1200.00 File Number: 7-A-20-SC

Map Number: 095 Zoning District: RN-6 City County Sector: East City

Jurisdiction: City 6 Council District

INFORMATION:

Name of Right-of-Way: Nelson Avenue

Type of Right-of-Way: Street Alley

Location of Right-of-Way:

BETWEEN (City Block or Lot where appropriate) Mcc street (closed per Res. R-309-92)

AND (City Block or Lot where appropriate) Ft. Summit Way (private street)

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

Reason for Closure: To facilitate redevelopment of the KCDC Austin Homes property, Nelson Avenue was demolished along with all remaining buildings on the AH property earlier this year and is no longer in use.

TO BE CLOSED:

From: (Street, Alley, Other)

Mcc street

To: (Street, Alley, Other)

Ft. Summit Way

ALL CORRESPONDENCE RELATING TO THIS APPLICATION SHOULD BE SENT TO:

Matt Brazille 2704 Cherokee Farm Way, Suite 101 Knoxville, TN 37920 865-340-4945 mbrazille@cecinc.com
 Name: (Print) Address • City • State • Zip • Phone • Email

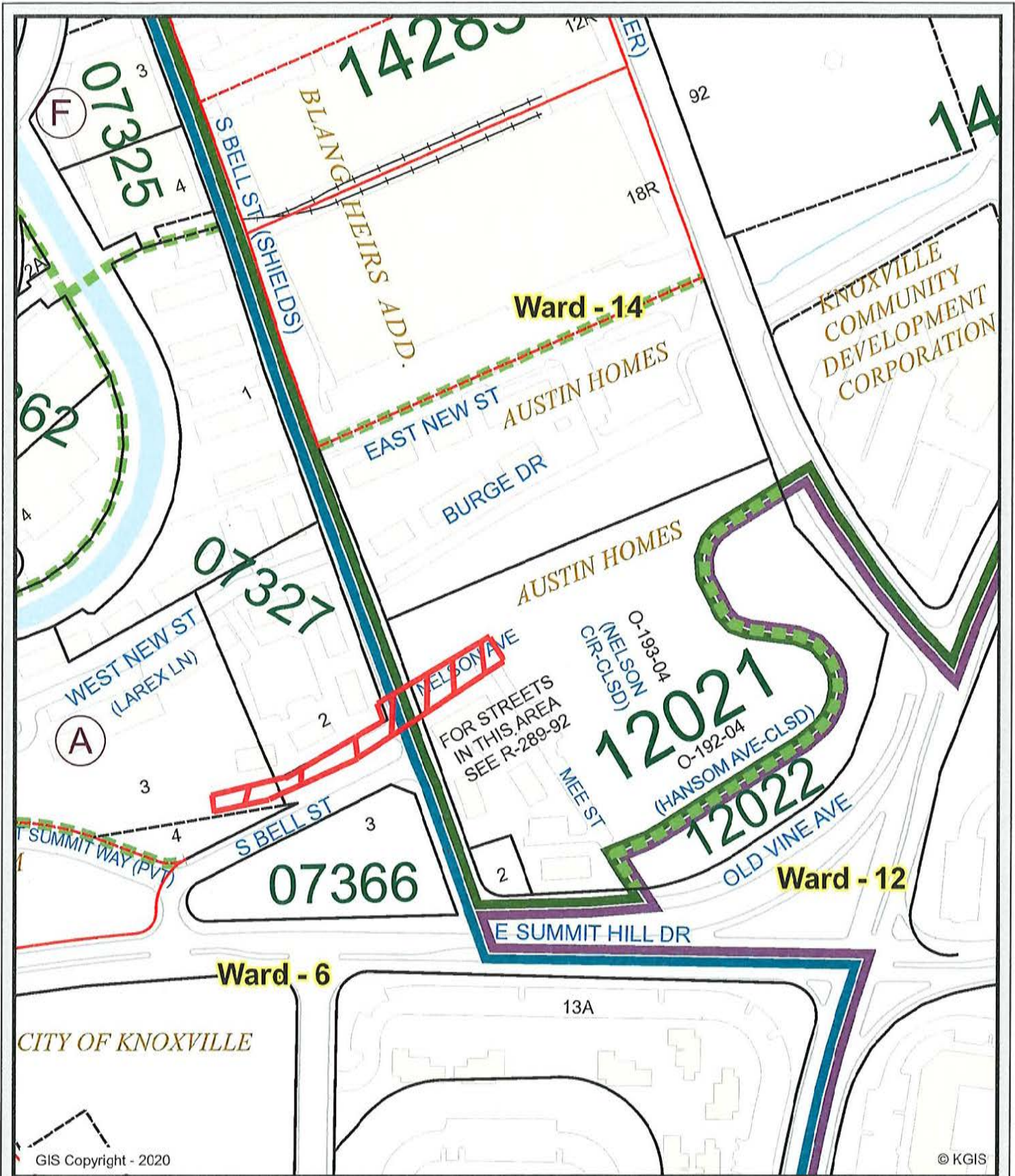
AUTHORIZATION OF APPLICATION:

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: Matt W. Brazille, P.E.
2704 Cherokee Farm Way, Suite 101

Matt Brazille Knoxville TN 37920 (865) 340-4945 mbrazille@cecinc.com
 Name: (Print) Address • City • State • Zip • Phone • Email

APPLICATION ACCEPTED BY: Michelle Portier



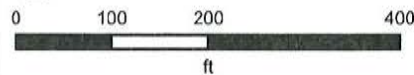
KCDC Au ti Homes

Right-of-Way Closure
South Bell Street & Nelson Avenue

Knoxville - Knox County - KUB Geographic Information System



Printed: 5/28/2020 at 10:50:38 AM



GIS make no representation or warranty as to the accuracy of this map and its information nor to its fitness for use. Any use 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.

RO ERTY A E OR O I E KNOX OUNTY, TENNE EE
 MA DEPARTMENT - O NERSHIP CARD

Source: KGIS

ACTIVE NORMAL

05/28/2020

District	Map	Insert	Group	Parcel	Ward	Property Location					
	95	H	C	2	06	0 S BELL ST					
Subdivision				Block	Lot	Plat	Dimensions (shown in ft.)		Acreage		
KHA REDEVELOPMENT PROJ				-	4-	<u>495-55</u>	199.94 X 321.85 X IRR		0.00 - A.C. Deeded		
									0.00 - A.C. Calculated		
Owner				Sale Date	Book	Page	Sale Price	Mailing Address			
CITY OF KNOXVILLE				8/3/1970	<u>1434</u>	957		400 MAIN ST KNOXVILLE, TN 37918			
KNOXVILLES COMMUNITY DEVELOPMENT CORPORATION				12/17/2019	<u>20200121</u>	0048243		901 NE BROADWAY KNOXVILLE, TN 37917			

Remarks

ATTRIBUTES FROM NCR LOADER

Parent Parcel

Parent Instrument Number

Previous Parcel (Split From)

Next Parcel (Merged Into)

RO ERTY A E OR O I E KNOX OUNTY. TENNE EE
 MA DEPARTMENT - O NERSHIP CARD

Source: KGIS

ACTIVE NORMAL

05/28/2020

District	Map	Insert	Group	Parcel	Ward	Property Location				
	95	H	C	3	06	0 S BELL ST				
Subdivision				Block	Lot	Plat	Dimensions (shown in ft.)		Acreage	
KHA REDEVELOPMENT PROJ				-	A-3-	<u>25-52</u>	160M X 321.85 X IRR		0.00 - A.C. Deeded	
									2.90 - A.C. Calculated	
Owner				Sale Date	Book	Page	Sale Price	Mailing Address		
KNOXVILLE COMMUNITY DEV CORP				10/18/1992	<u>NR</u>	NR		901 NE BROADWAY KNOXVILLE, TN 37917		

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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

05/28/2020

District	Map	Insert	Group	Parcel	Ward	Property Location				
	95	A	J	7	06	237 S BELL ST				
Subdivision				Block	Lot	Plat	Dimensions (shown in ft.)		Acreage	
				-	-	=	769.59 X 189.71 X IRR		0.00 - A.C. Deeded	
									3.70 - A.C. Calculated	
Owner				Sale Date	Book	Page	Sale Price	Mailing Address		
KNOXVILLE HOUSING AUTH				1/29/1955	<u>969</u>	373		901 N BROADWAY KNOXVILLE, TN 37917		
				5/13/1955	<u>980</u>	439				
				6/4/1955	<u>983</u>	* 155				
KNOXVILLES COMMUNITY DEV CORP				6/6/1955	<u>983</u>	153		901 N BROADWAY KNOXVILLE, TN 37917		

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Remarks	
ATTRIBUTES FROM NCR LOADER	
Parent Parcel	Parent Instrument Number
Previous Parcel (Split From)	Next Parcel (Merged Into)

RO ERTYA E OR O I E KNOX OUNTY, TENNE EE
 MA DEPARTMENT - O NERSHIP CARD

Source: KGIS

ACTIVE NORMAL

05/28/2020

District	Map	Insert	Group	Parcel	Ward	Property Location		
	95	G	A	13	14	349 HARRIET TUBMAN ST		
Subdivision				Block	Lot	Plat	Dimensions (shown in ft.)	Acreage
				-	-	=	820M X 418M X IRR	0.00 - A.C. Deeded
								7.50 - A.C. Calculated
Owner				Sale Date	Book	Page	Sale Price	Mailing Address
KNOXVILLE COMMUNITY DEV CORP				1/3/1940	<u>607</u>	177		901 BROADWAY ST NE KNOXVILLE, TN 37917

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Remarks

ATTRIBUTES FROM NCR LOADER

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

PROPERTY RECORDS DEPARTMENT - KNOX COUNTY, TENNESSEE
 MAINTENANCE DEPARTMENT - OWNERSHIP CARD

Source: KGIS

ACTIVE NORMAL

05/28/2020

District	Map	Insert	Group	Parcel	Ward	Property Location					
	95	G	A	14	14	0 S BELL ST					
Subdivision				Block	Lot	Plat	Dimensions (shown in ft.)		Acreage		
				-	-	=	51M X 98 X IRR		0.00 - A.C. Deeded		
									0.00 - A.C. Calculated		
Owner				Sale Date	Book	Page	Sale Price	Mailing Address			
CITY OF KNOXVILLE				8/3/1970	<u>1434</u>	945		400 MAIN ST KNOXVILLE, TN 37902			
KNOXVILLE'S COMMUNITY DEVELOPMENT CORPORATION				12/17/2019	<u>20200121</u>	0048243		901 BROADWAY NE KNOXVILLE, TN 37917			

Remarks

ATTRIBUTES FROM NCR LOADER

Parent Parcel

Parent Instrument Number

Previous Parcel (Split From)

Next Parcel (Merged Into)