



CITY OF KNOXVILLE CLOSURE OF PUBLIC RIGHT-OF-WAY

► **FILE #:** 6-A-20-SC

AGENDA ITEM #: 5

AGENDA DATE: 6/11/2020

► **APPLICANT:** ROCK POINTE DEVELOPMENT

TAX ID NUMBER:	71 N/A	View map on KGIS
JURISDICTION:	Council District 6	
SECTOR PLAN:	East City	
GROWTH POLICY PLAN:	Within City limits	
ZONING:	RN-1 (Single-Family Residential Neighborhood)	
WATERSHED:	Love Creek	

► **RIGHT-OF-WAY TO BE CLOSED:** Hill Crest Rd.

► **LOCATION:** Between Pelham Rd. and Nash Rd.

IS STREET:

(1) IN USE?: no

(2) IMPROVED (paved)?: no

► **APPLICANT'S REASON FOR CLOSURE:** Closure of right-of-way required for proposed resubdivisions and/or development

DEPARTMENT-UTILITY REPORTS:	No departments or utilities have any comments, though the City's Engineering Department, KUB, and AT&T have requested to retain any easements that may be in place.
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STAFF RECOMMENDATION:

- **Approve closure of the undeveloped right-of-way from Pelham Road to Nash Road on City Block 31050, subject to any required easements, since it is undeveloped, crosses into privately-owned lots, and staff has received no objections.**

COMMENTS:

1. The right-of-way runs between Pelham Road and Nash Road. It is undeveloped and does not provide access to any lots. It was originally platted to provide access to lots on its north and south sides, but was not developed that way. The land was developed with long lots running north to south in place of two lots straddling a road.
2. The right-of-way is only mapped in the City's Ward Map and is not on any of the other maps or KGIS layers.
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.
 - i. Should this right-of-way be closed, KUB will require the following permanent easements for its utility facilities.
 - ii. Electric – 10 feet on each side of the centerline of the electric line, 20 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.

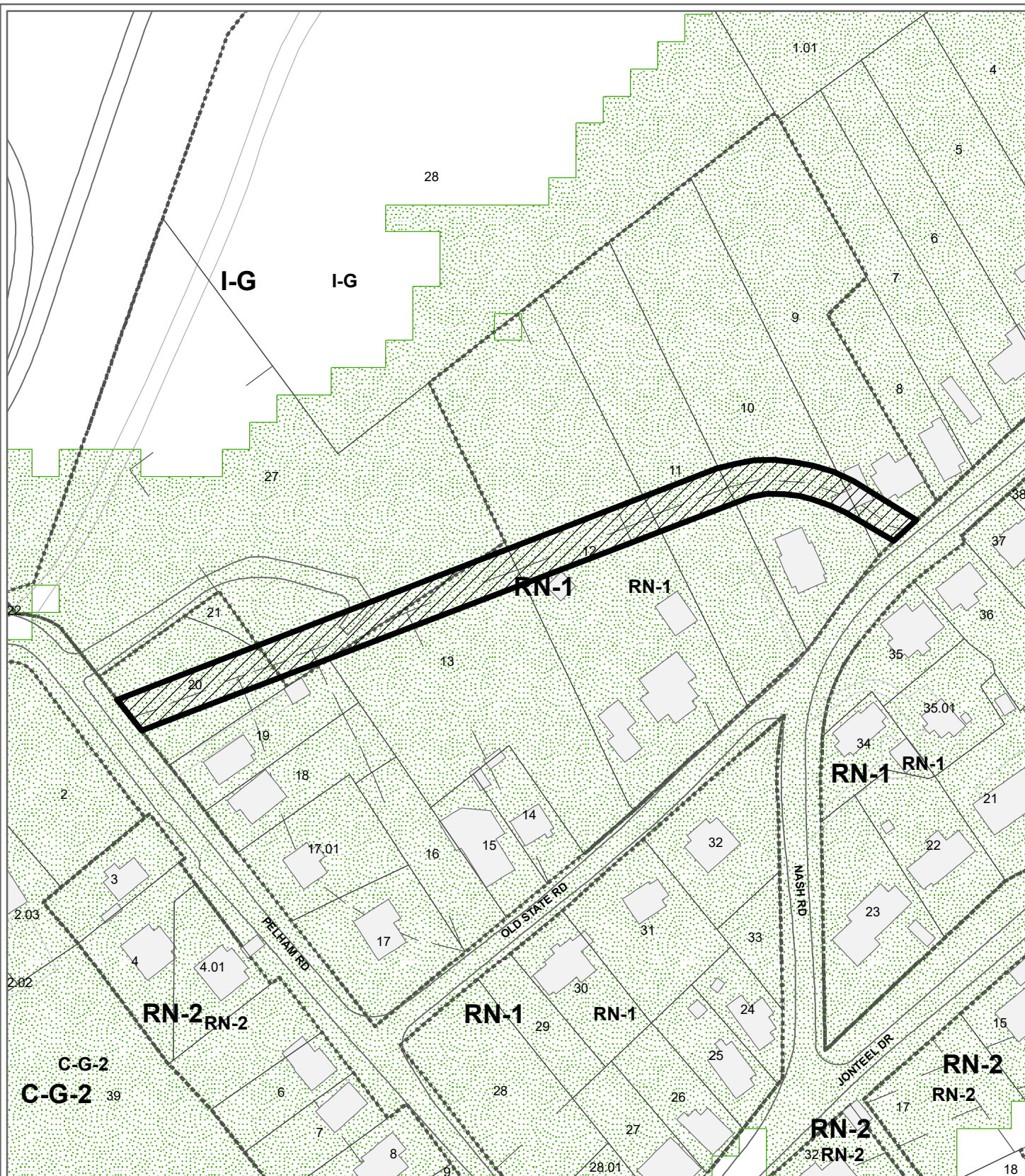
c. The City's Fire Department had no comments.

d. Addressing staff: the proposed right-of way will not have an impact on existing 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 7/14/2020 and 7/28/2020. 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.



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

Name of Street or Alley: Hill Crest Rd.
To be closed from: Pelham Rd.
To be closed to: Nash Rd.

Original Print Date: 5/18/2020
Revised:
Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Rock Pointe Development

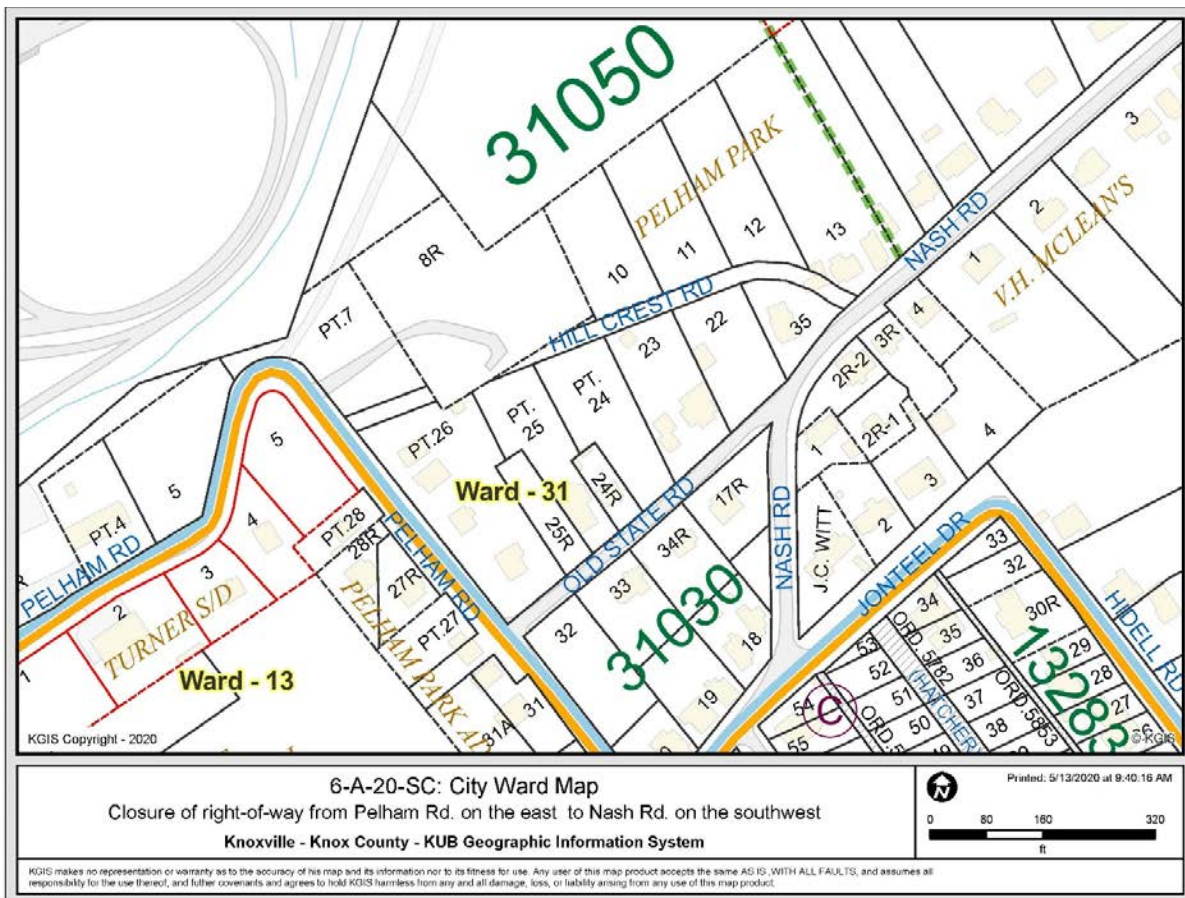
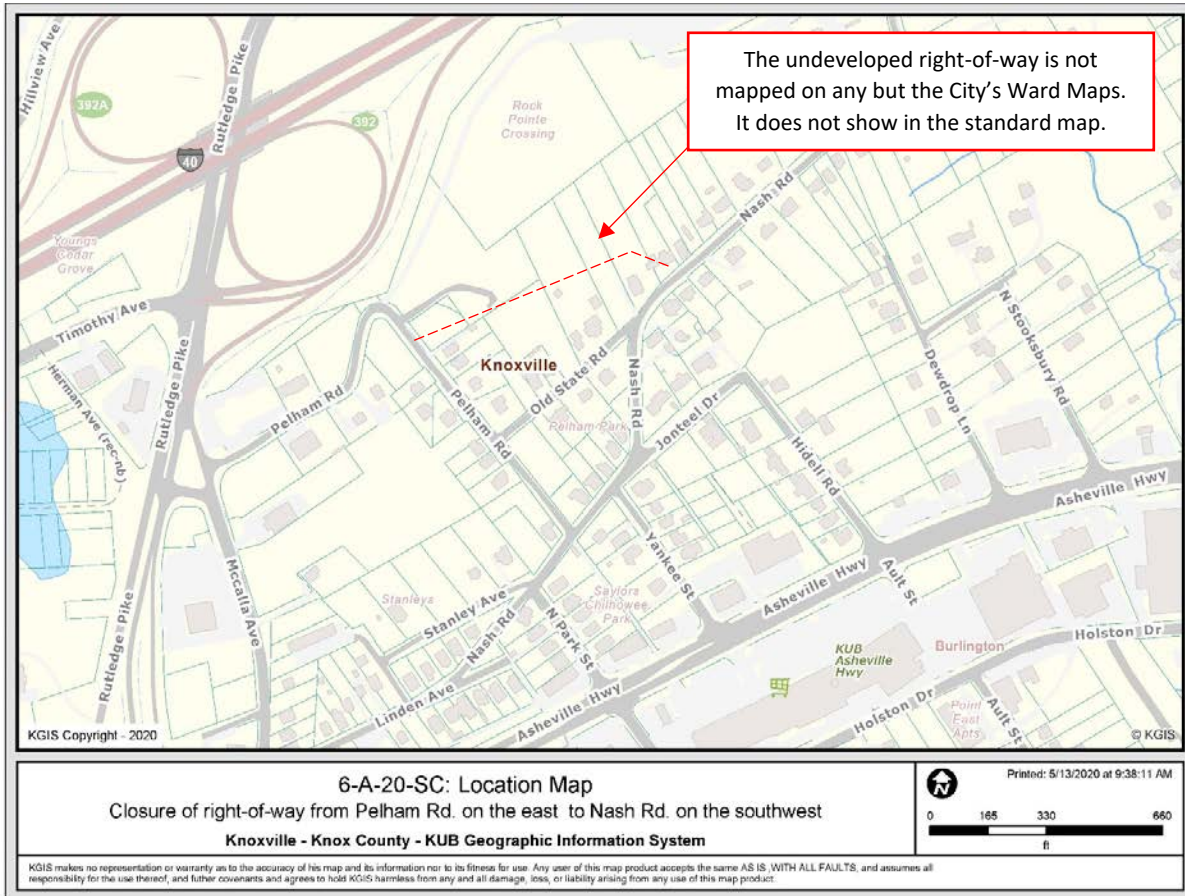
Map No: 71
Jurisdiction: City

0 125
Feet



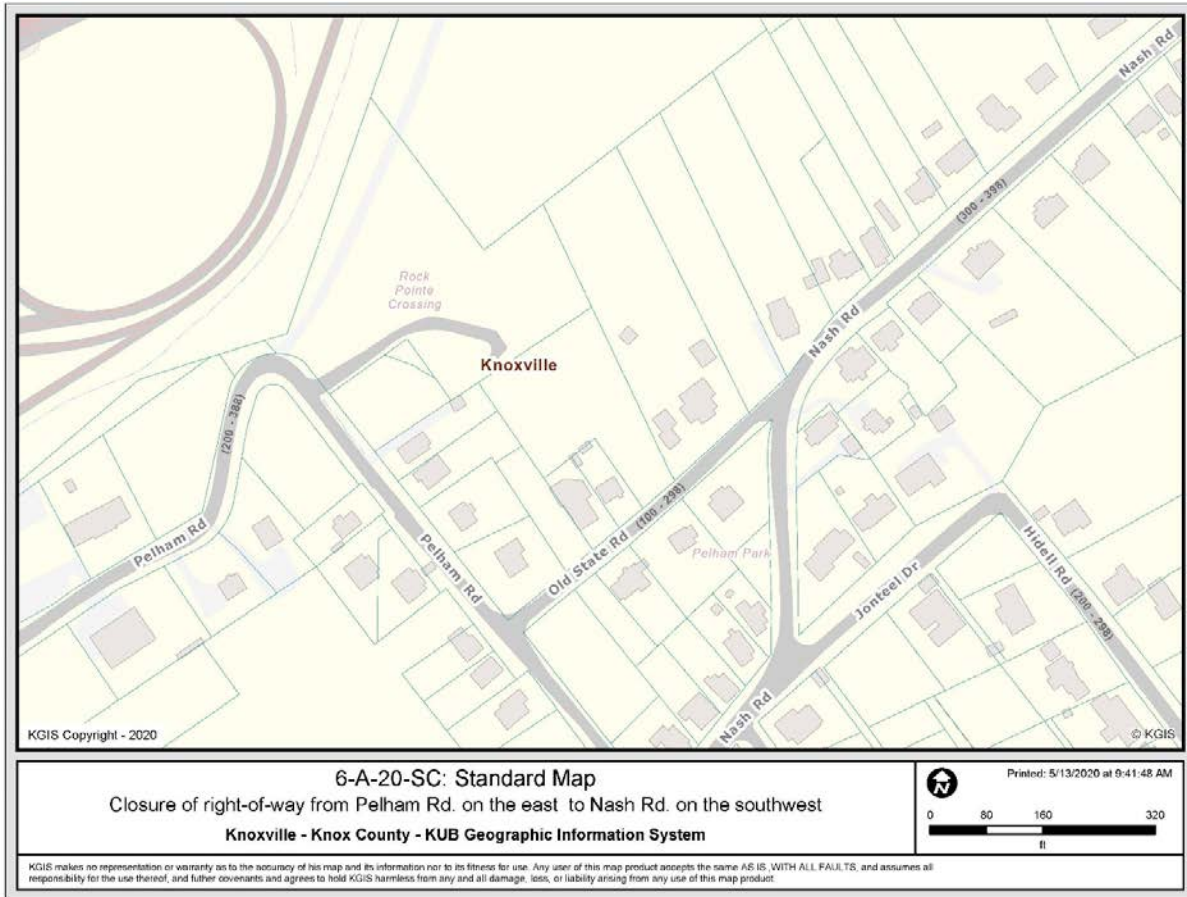
6-A-20-RC

Exhibit A. Contextual Images



6-A-20-RC

Exhibit A. Contextual Images



MAY 6, 2020

Knoxville Utilities Board
Danny Beeler, Fire Marshal
Steve Borden, Regional Director, TN Dept. of Transportation
Steve King, P.E., Interim 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 HILL CREST ROAD BETWEEN PELHAM ROAD AND
NASH ROAD ON CITY BLOCK 31050. COUNCIL DISTRICT 6, EAST CITY SECTOR.
(6-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 June 11, 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 1, 2020 will be considered as no objection by your agency.

C: Amy Brooks, AICP
Attachment: Application



400 Main Street
Suite 403
Knoxville, TN 37902
P: 865.215.2507
F: 865.215.2237

Addressing Department Review and Comments

File #: 6-A-20-SC
Tax Parcel ID: 071IA011
Subdivision: N/A
Owner/Applicant:
Surveyor: Matthew J Dawson
Company: Smoky Mountain Land Surveying, Inc.
Email: mattjdawson@bellsouth.net

Date Submitted: 4/13/20
Review Type: SC
Unit or Phase:
Phone:
Office: 865.579.4075
Cell:
Fax: 865.549.4625

Visit our website: <http://www.knoxplanning.org/addressing> for a list of existing and available street names.

All subdivision and street names must conform to the Knoxville/Knox County Street Uniform Naming and Addressing Ordinance, Subdivision Regulations and the Administrative Rules of the Planning Commission.

Proposed and/or Existing Subdivision or Street Names	Results of Review, Corrections, and Comments (date subdivision or street name reserved)	Approved, Pending, Denied, Revise, Note
Hillcrest Rd (closure)	Proposed ROW closure will not have an impact of existing addresses	
	Not mapped in ArcMap Ward map only	

Comments may be modified based on new information from updated plans, field reviews or other agencies.

Andrea Kupfer (865.215.3797) andrea.kupfer@knoxplanning.org	1st Review	Donna Hill (865.215.3872) donna.hill@knoxplanning.org	2nd Review
	5/4/2020		5.8.20



CITY OF KNOXVILLE

Engineering
Benjamin D. Davidson, PLS
Technical Services Administrator

May 26, 2020

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

SUBJECT: Closure of unimproved Hill Crest Rd lying between Nash Rd and Pelham Rd
MPC File # 6-A-20-SC; Nearby City Block 31050

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 <dori.caron@knoxplanning.org>

One ROW closure for June

Sonny Partin <spartin@knoxvilletn.gov>
To: Dori Caron <dori.caron@knoxplanning.org>

Thu, May 7, 2020 at 6:56 AM

Dori,

The Fire Department approves this closure 6-A-20-SC.

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](#)

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<6-A-20-SC_ROW package.pdf>

a

May 28, 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 6-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.

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, PE
Engineering

CGW



File No. 6-A-20-SC (Electric)

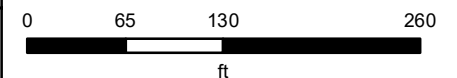
HILL CREST ROAD BETWEEN PELHAM ROAD AND NASH ROAD

Knoxville Utilities Board

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Dori Caron <dori.caron@knoxplanning.org>

One ROW closure for June

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

Mon, May 11, 2020 at 9:37 AM

TDOT District 18 has no comment regarding this ROW closure as it does not appear to affect state assets.



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, May 6, 2020 3:53 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>; Michelle Portier <michelle.portier@knoxplanning.org>; Shannon Sims <ss3775@att.com>; Sonny Partin <spartin@knoxvilletn.gov>; Steve Borden <Steve.Borden@tn.gov>; Steve King <sking@knoxvilletn.gov>

Subject: [EXTERNAL] One ROW closure for June

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

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579-4075

June 11

\$750.00


Planning
 KNOXVILLE | KNOX COUNTY

RIGHT-OF-WAY CLOSURE

Name of Applicant: Rock Pointe Development

Date Filed: 4-13-20 Fee Paid: 750.00 File Number: 6-A-20-SC

Map Number: 071 Zoning District: RN-1 ☒ City ☐ County Sector: East City

Jurisdiction: ☒ City 6 Council District

INFORMATION:

Name of Right-of-Way: Hill Crest Road

Type of Right-of-Way: ☒ Street ☐ Alley

Location of Right-of-Way:
 BETWEEN (City Block or Lot where appropriate) Lots 7, 8R, 10-13 Pelham Park CB 31050
 AND (City Block or Lot where appropriate) Lots 22-26, and 35 Pelham Park CB 31050

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

Reason for Closure: Closure of ROW required for proposed
resubdivisions and/or development.

TO BE CLOSED:

From: (Street, Alley, Other)
Pelham Road

To: (Street, Alley, Other)
Nash Road

ALL CORRESPONDENCE RELATING TO THIS APPLICATION SHOULD BE SENT TO:

Matthew Dawson P.O. Box 9691 Knoxville, TN 37940 865-579-4075

Name: (Print) Address • City • State • Zip • Phone • Email
mattjdawson@bellsouth.net

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: Matthew Dawson

Matthew Dawson P.O. Box 9691 Knoxville, TN 37940 865-579-4075

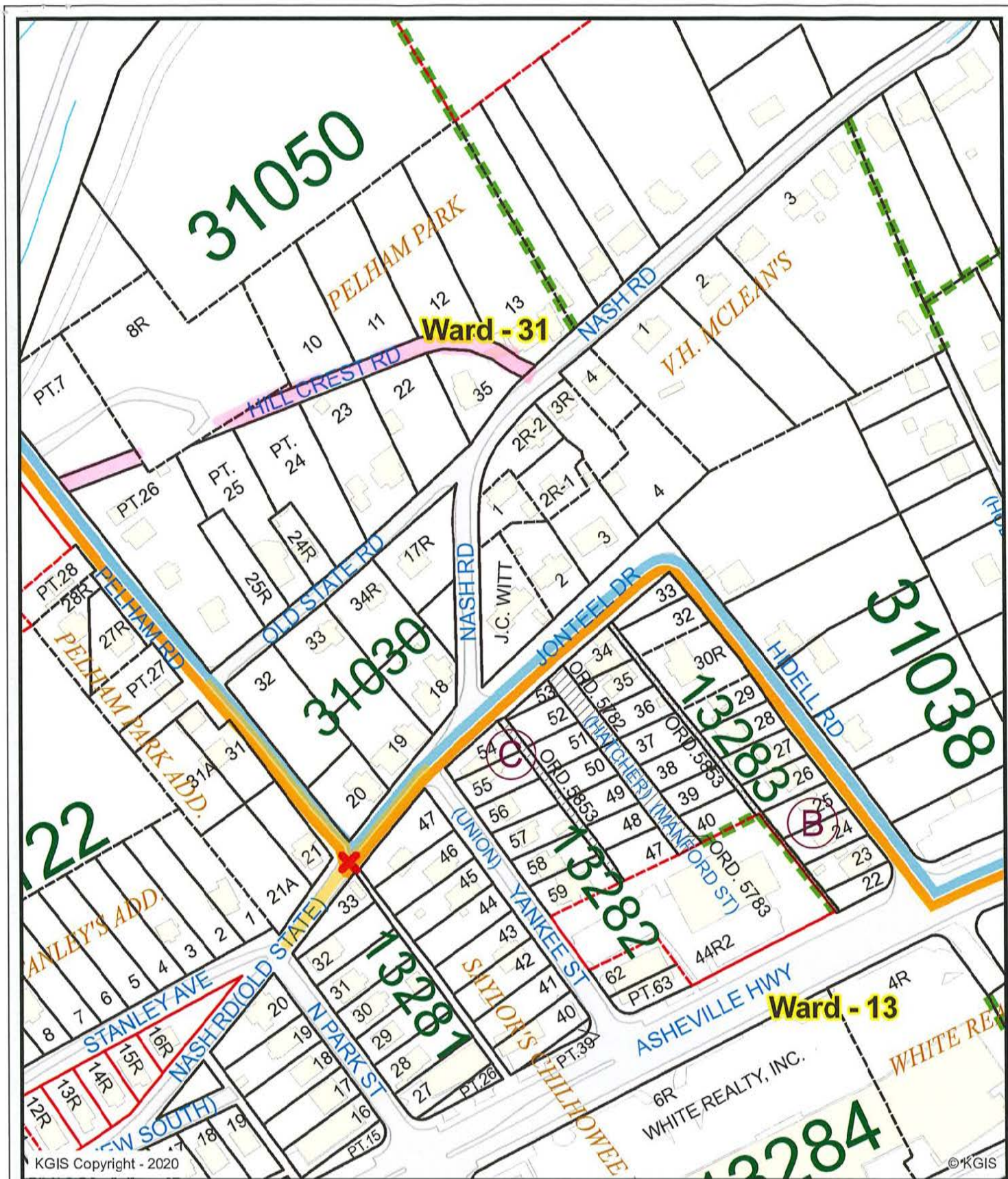
Name: (Print) Address • City • State • Zip • Phone • Email
mattjdawson@bellsouth.net

APPLICATION ACCEPTED BY: Emily Dills 4/13/20

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]

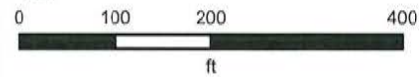


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6-A-20-SC



Printed: 4/13/2020 at 11:24:10 AM



Knoxville - Knox County - KUB Geographic Information System

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1. Parcel ID 0711A011 - Rock Pointe Development - 299 Nash Road
2. Parcel ID 0711A013 - Tennessee Land Investment Properties - 162 Old State Road
3. Parcel ID 0711A027 - Tennessee Land Investment Properties - "0" Pelham Road -
4. Parcel ID 0711A020 - Tennessee Land Investment Properties - "0" Pelham Road
5. Parcel ID 0711A021 - Tennessee Land Investment Property - "0" Pelham Road



Rock Pointe Crossing



Chris Burkhart
P.O. Box 6069
Knoxville, TN 37914
chrisb@rockpointecrossing.com

March 24, 2020

Knoxville-Knox County Planning

400 Main St, Suite 403
Knoxville, TN 37902

RE: Right of Way Closure of Hillcrest Road – East Knoxville

To Planning Commission Staff:

Please find the attached information for the right of way closure of “Hillcrest Road” in East Knoxville.

This proposed roadway dates back to 1910 that would have essentially been for a “horse and buggy” path.

One hundred ten (110) years later the area has developed with houses that combined with the unique topographical terrain would make this highly improbable and impractical.

The attached drawing reflects the ownership under Rock Pointe Crossing supporting our request to administratively close a 110 year old proposed right of way that exist in description only.

Sincerely,

J. Chris Burkhart

Rock Pointe Crossing

4320 McCalla Ave
Knoxville, TN 37914
865.474.1795

<http://www.rockpointecrossing.com/>

