



CITY OF KNOXVILLE CLOSURE OF PUBLIC RIGHT-OF-WAY

▶ FILE #: 1-A-21-AC

AGENDA ITEM #: 5

AGENDA DATE: 1/14/2021

▶ APPLICANT: ERIC E. WALLACE

TAX ID NUMBER:	81 N/A	<u>View map on KGIS</u>
JURISDICTION:	Council District 5	
SECTOR PLAN:	Central City	
GROWTH POLICY PLAN:	Within City limits	
ZONING:	RN-4 (General Residential Neighborhood)	
WATERSHED:	Second Creek	

▶ RIGHT-OF-WAY TO BE CLOSED: Unnamed alley

▶ LOCATION: Inside parcel 081NC003 on the southeast side of W. Oldham Ave. between Worth St. and Davanna St.

IS ALLEY:

(1) IN USE?: no

(2) IMPROVED (paved)?: no

▶ APPLICANT'S REASON FOR CLOSURE: Approval of updated plat concerning parcel 081NC003, city block 17603. (The City Ward Map does not reflect how the land was truly subdivided. The unnamed alley proposed for closure runs through parcel 081NC003, which cannot be developed without closing the right-of-way.)

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 unnamed alley located between W. Oldham Ave. and W. Woodland Ave.

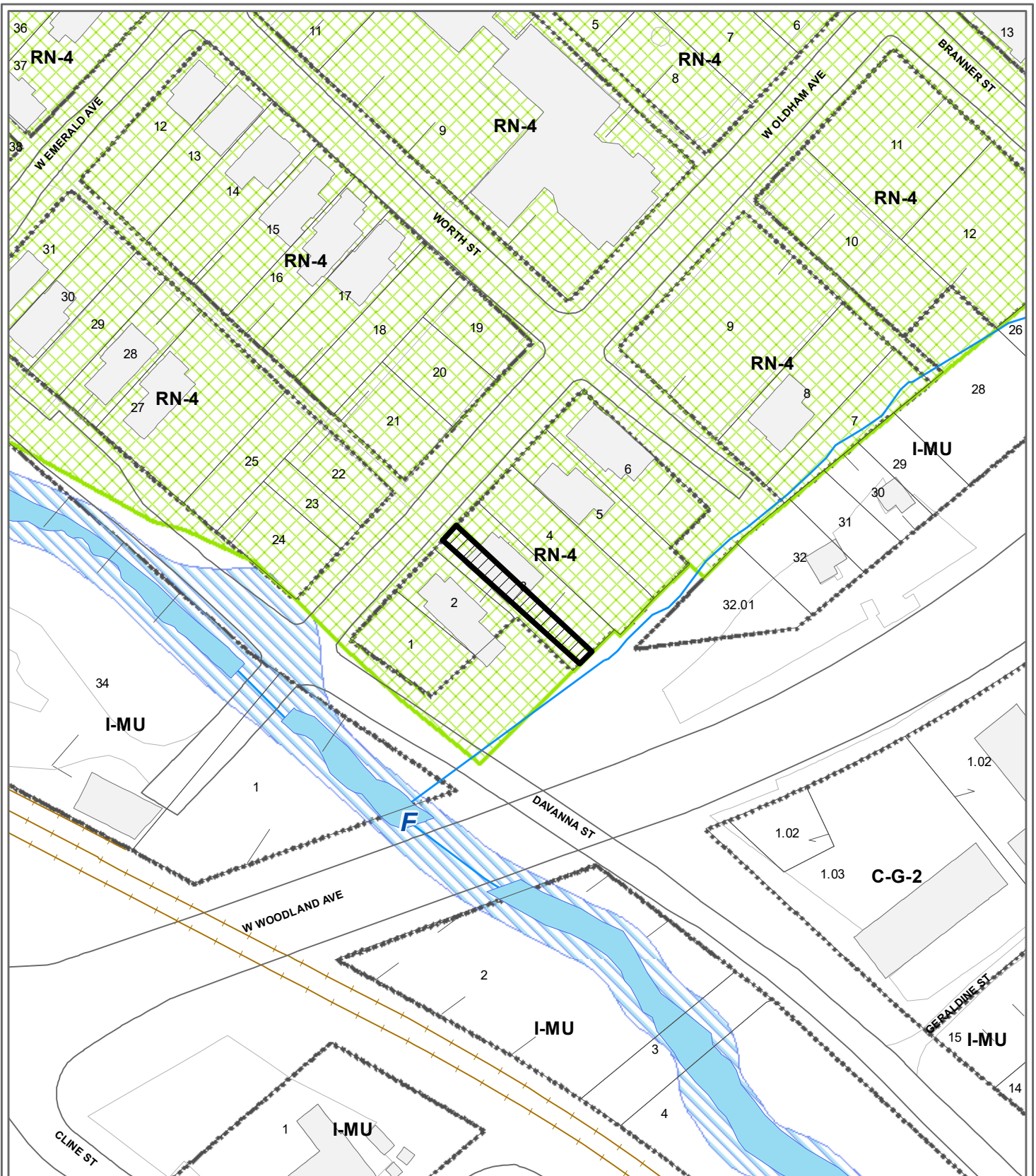
COMMENTS:

1. The Addressing Department has confirmed its closure will not impact any existing addresses.
2. Staff has received no objections, but the following departments and organizations had these comments:
 - a. 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.
 - b. The City's Fire Department had no objections.
 - c. TDOT had no Comments.
 - d. AT&T does not wish to relinquish any ROW or utility easements at this time.
 - e. 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 the following permanent easements for its utility facilities:

- i. Sewer: 7.5 feet on each side of the centerline of the sewer lines, 15 feet total width

If approved, this item will be forwarded to Knoxville City Council for action on 2/9/2021 and 2/23/2021. 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.



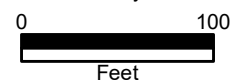
**1-A-21-AC
CLOSURE OF PUBLIC RIGHT OF WAY**

Petitioner: Wallace, Eric E.

Name of Street or Alley: Unnamed alley
 To be closed from: W. Oldham Ave.
 To be closed to: W. Woodland Ave.

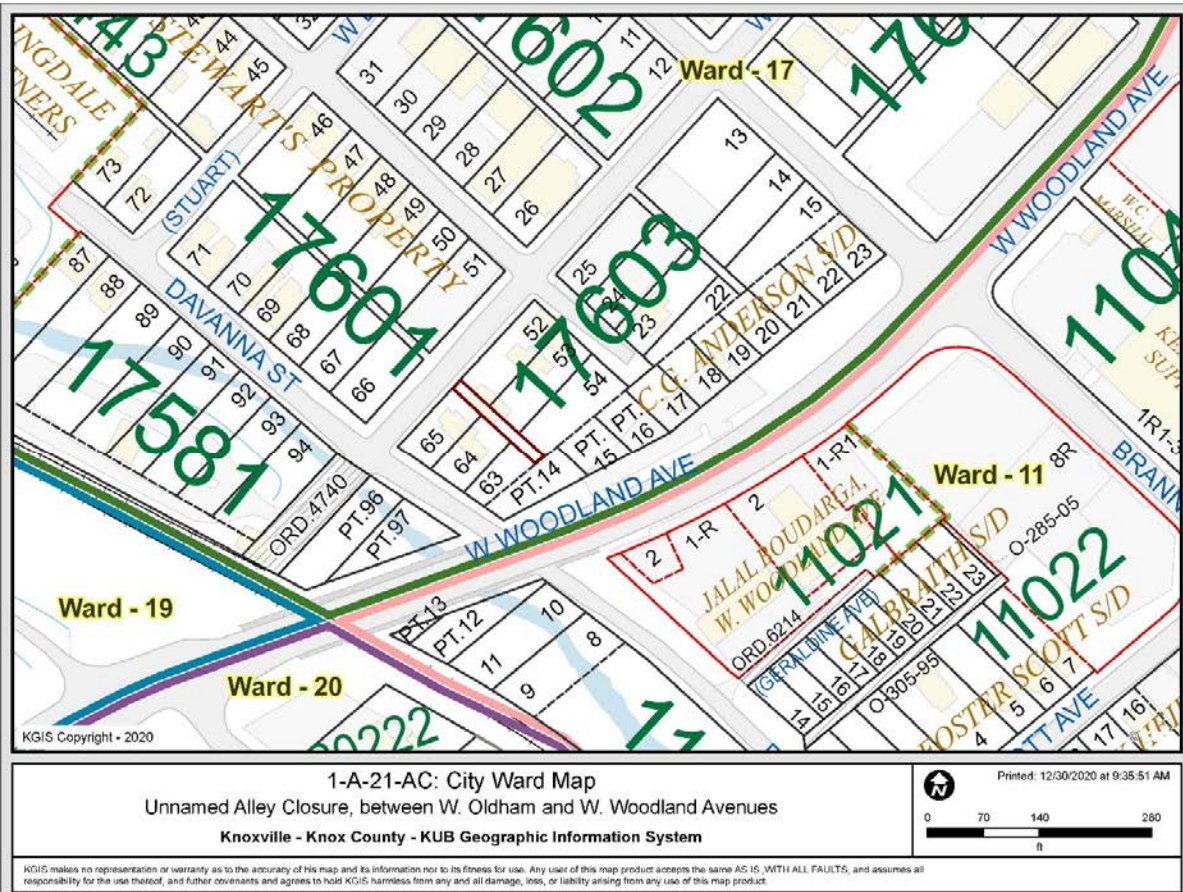
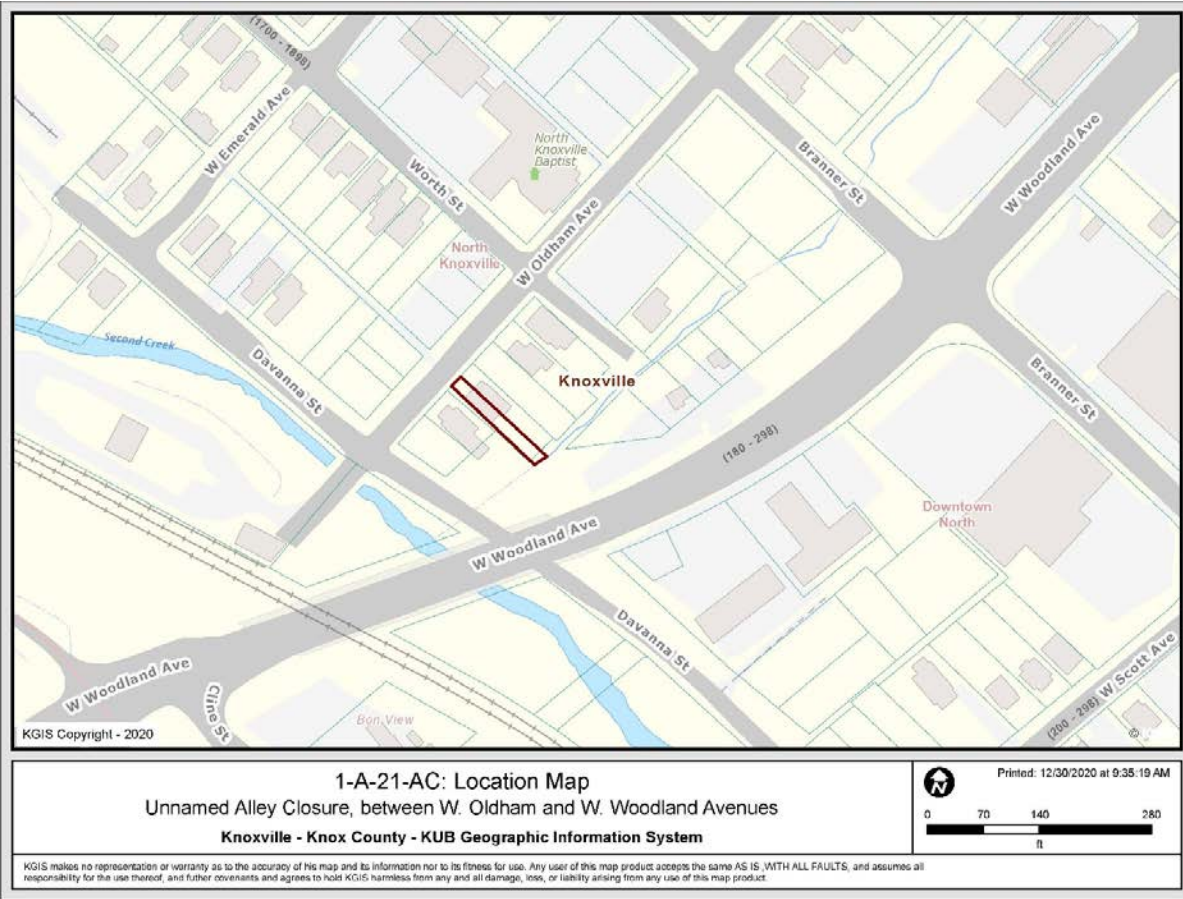
Map No: 81
 Jurisdiction: City

Original Print Date: 12/7/2020 Revised:
 Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

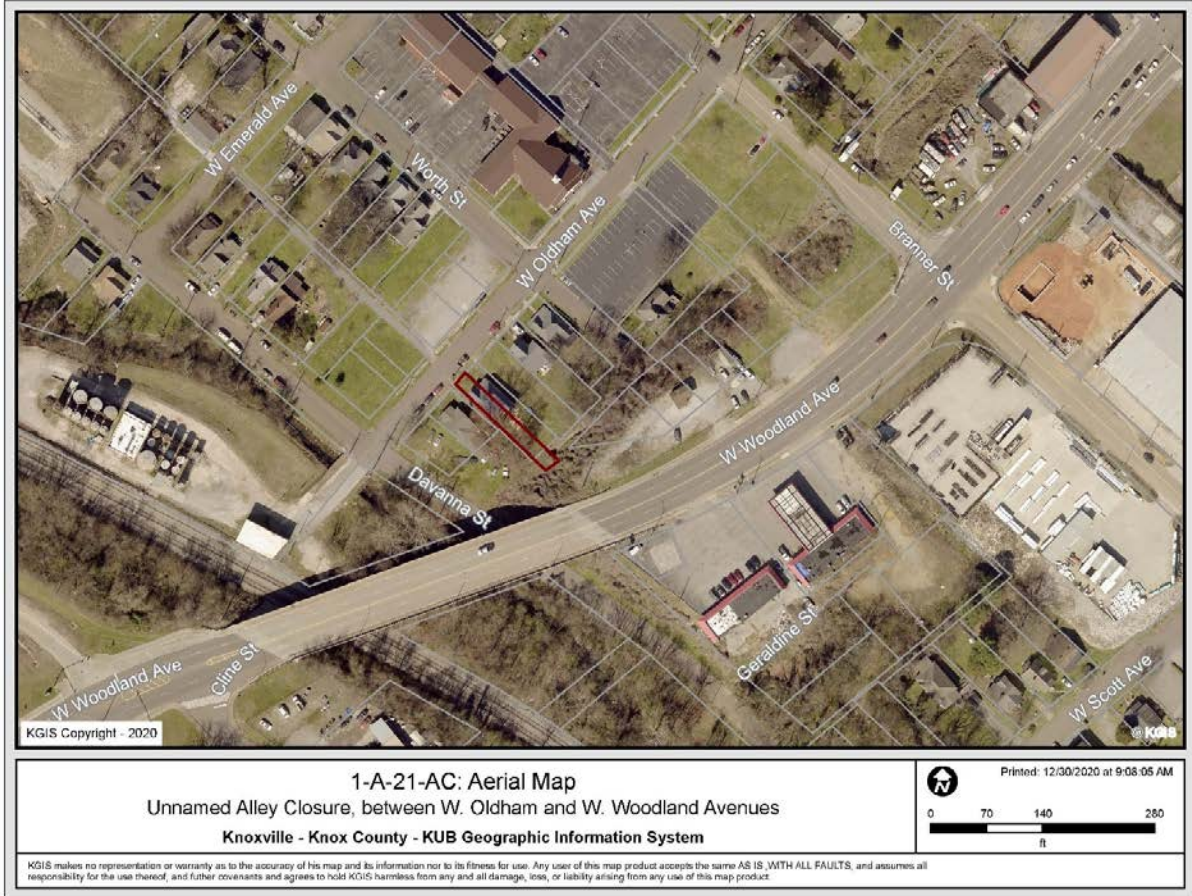


1-A-21-AC

Exhibit A. Contextual Images



1-A-21-AC
Exhibit A. Contextual Images



DECEMBER 11, 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 Department
Shannon Sims, AT&T
Ben Davidson, Department of Engineering
Charlotte Goforth, Department of Engineering

From: Michelle Portier, Senior Planner, Knoxville-Knox County Planning

**RE: REQUEST CLOSURE OF UNNAMED ALLEY BETWEEN W. OLDHAM AVE.
AND W. WOODLAND AVE. COUNCIL DISTRICT 5, CENTRAL CITY SECTOR.
(1-A-21-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 14, 2021. 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 28, 2021 will be considered as no objection by your agency.

C: Amy Brooks, Interim Executive Director, Knoxville-Knox County Planning
Attachment: Application

a

December 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 1-A-21-AC

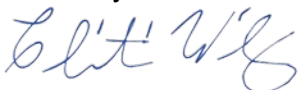
We have reviewed our records and find that we have existing utility facilities located within the subject right-of-way. The approximate locations of these facilities are indicated on the enclosed prints. However, KUB does not release and hereby retains all easements and rights for existing utility facilities, 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 line, 15 feet total width

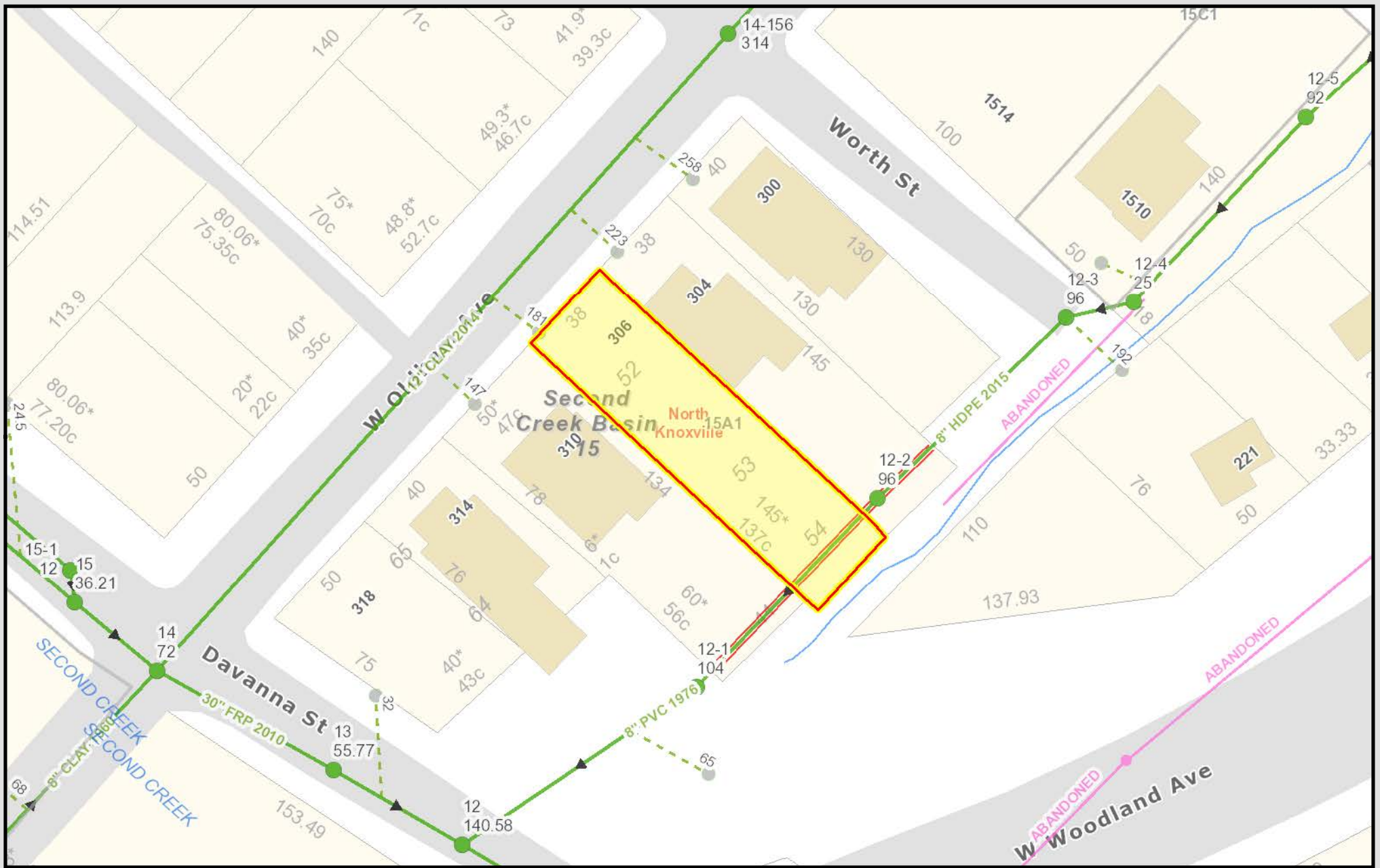
If you have any questions regarding this matter, please call me at (865) 558-2483.

Sincerely,



Christian Wiberley, PE
Engineering

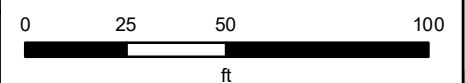
CGW



File No. 1-A-21-AC (Sewer)



Printed: 12/28/2020 at 1:24:46 PM



Knoxville Utilities Board

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Dori Caron <dori.caron@knoxplanning.org>

1-A-21-AC ROW closure request

Ben Davidson <bdavidson@knoxvilletn.gov>

Mon, Dec 21, 2020 at 10:30 AM

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

Engineering has no objections to the closure. Please see attached.

Sincerely,

Benjamin D. Davidson, PLS
TN Licensed Land Surveyor No. 2543
Technical Services Administrator
City of Knoxville, Department of Engineering
Phone: 865-215-2103; 865-215-4615
Email: bdavidson@knoxvilletn.gov

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

Sent: Friday, December 11, 2020 11:26 AM

To: amy.brooks@knoxplanning.org <amy.brooks@knoxplanning.org>; Ben Davidson <bdavidson@knoxvilletn.gov>; Charlo e Goforth <cgoforth@knoxvilletn.gov>; Christian Wiberley <Christian.Wiberley@kub.org>; Danny Beeler <dbeeler@knoxvilletn.gov>; Harold Cannon <hcannon@knoxvilletn.gov>; Laura Edmonds <laura.edmonds@knoxplanning.org>; Michelle Portier <michelle.portier@knoxplanning.org>; Shannon Sims <ss3775@att.com>; Sonny Par n <spartin@knoxvilletn.gov>; Steve Borden <steve.borden@tn.gov>; Steve King <sking@knoxvilletn.gov>

Subject: 1-A-21-AC ROW closure request

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1-A-21-AC_Engineering Response_12-18-2020.doc
235K



CITY OF KNOXVILLE

Engineering
Benjamin D. Davidson, PLS
Technical Services Administrator

December 18, 2020

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

SUBJECT: Closure of an unnamed alley
MPC File # 1-A-21-AC; City Block 17603

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>

1-A-21-AC ROW closure request

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

Thu, Dec 17, 2020 at 3:58 PM

TDOT District 18 Operations has 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

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Dori Caron <dori.caron@knoxplanning.org>

1-A-21-AC ROW closure request

KNIGHT, ROBERT <rk1580@att.com>

Fri, Dec 11, 2020 at 12:50 PM

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

AT&T reserve the right to access this ROW. We have existing facilities in place in the ROW

Robert Knight

Manager OSP Planning & Engineering Design

Access Construction & Engineering

Tennessee/Kentucky District

AT&T- BellSouth Telecommunications, LLC

9733 Parkside Dr, Knoxville, TN 37922

o 865.539.5243 | rk1580@att.com

Due to COVID-19 precautions use

Cell 865-456-5736

MOBILIZING YOUR WORLD

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Planning
KNOXVILLE | KNOX COUNTY

RIGHT-OF-WAY CLOSURE

Name of Applicant: Eric E. Wallace

Date Filed: 11/30/20 Fee Paid: \$400 File Number: 1-A-21-AC

Map Number: 81 Zoning District: RN-4 City County Sector: TDR

Jurisdiction: City 5 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) Worth Street (Lots 52, 53, & 54)

AND (City Block or Lot where appropriate) Davanna Street

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

Reason for Closure: Approval of updated plat concerning parcel ID:081NC003, city/block 17603

TO BE CLOSED:

From: (Street, Alley, Other)
from West Oldham Ave. and to the southeast one block

To: (Street, Alley, Other)
to the existing

ALL CORRESPONDENCE RELATING TO THIS APPLICATION SHOULD BE SENT TO:

Eric Wallace 3517 Leath Lane Knoxville TN 37931 609.331.0449 eric.e.wallace1@gmail.com
Name: (Print) Address • City • State • Zip • Phone • Email

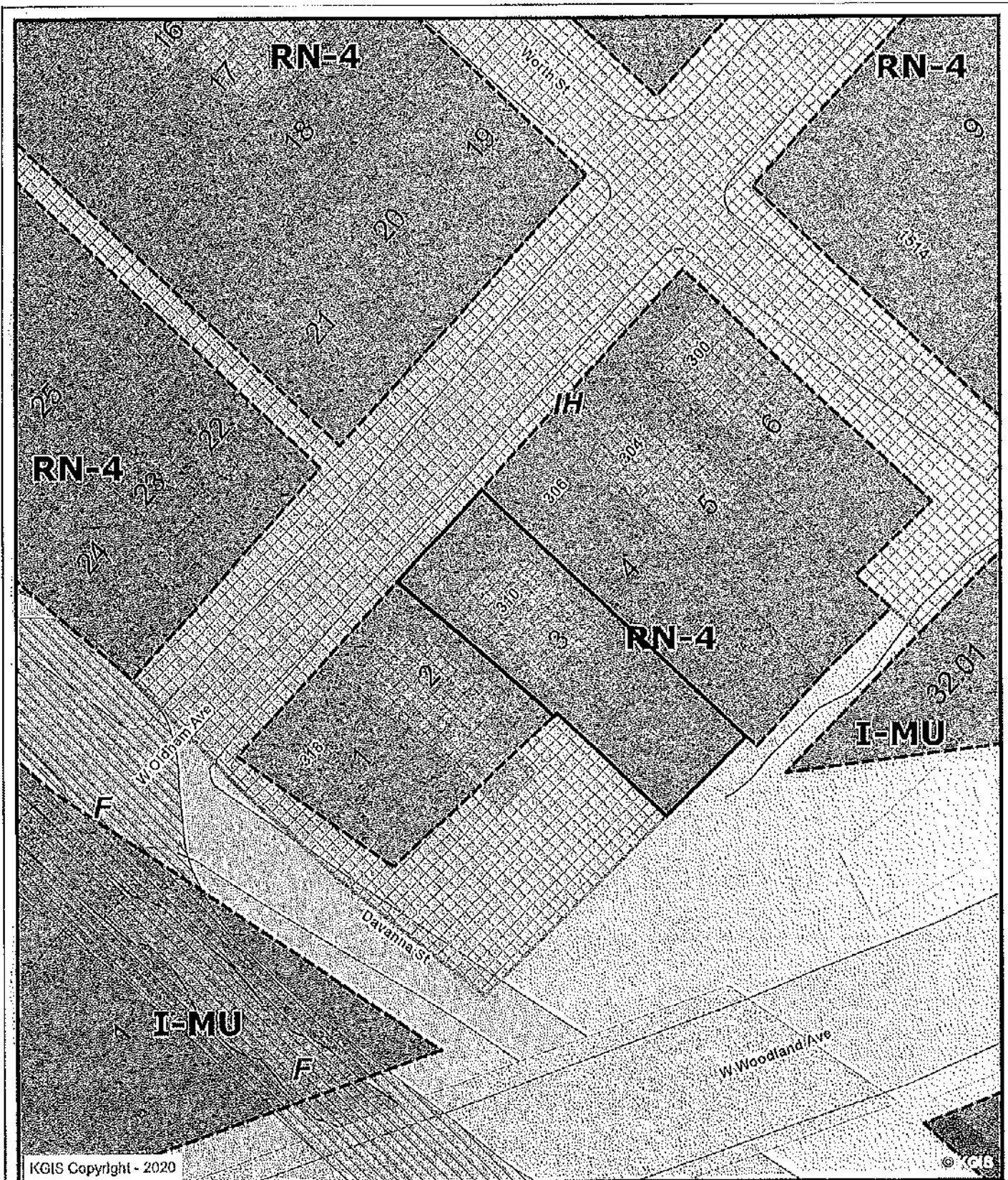
AUTHORIZATION OF APPLICATION:

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: Eric Wallace

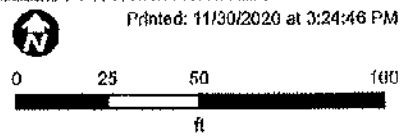
Eric E. Wallace 3517 Leath Lane Knoxville TN 37931 609.331.0449 eric.e.wallace1@gmail.com
Name: (Print) Address • City • State • Zip • Phone • Email

APPLICATION ACCEPTED BY:



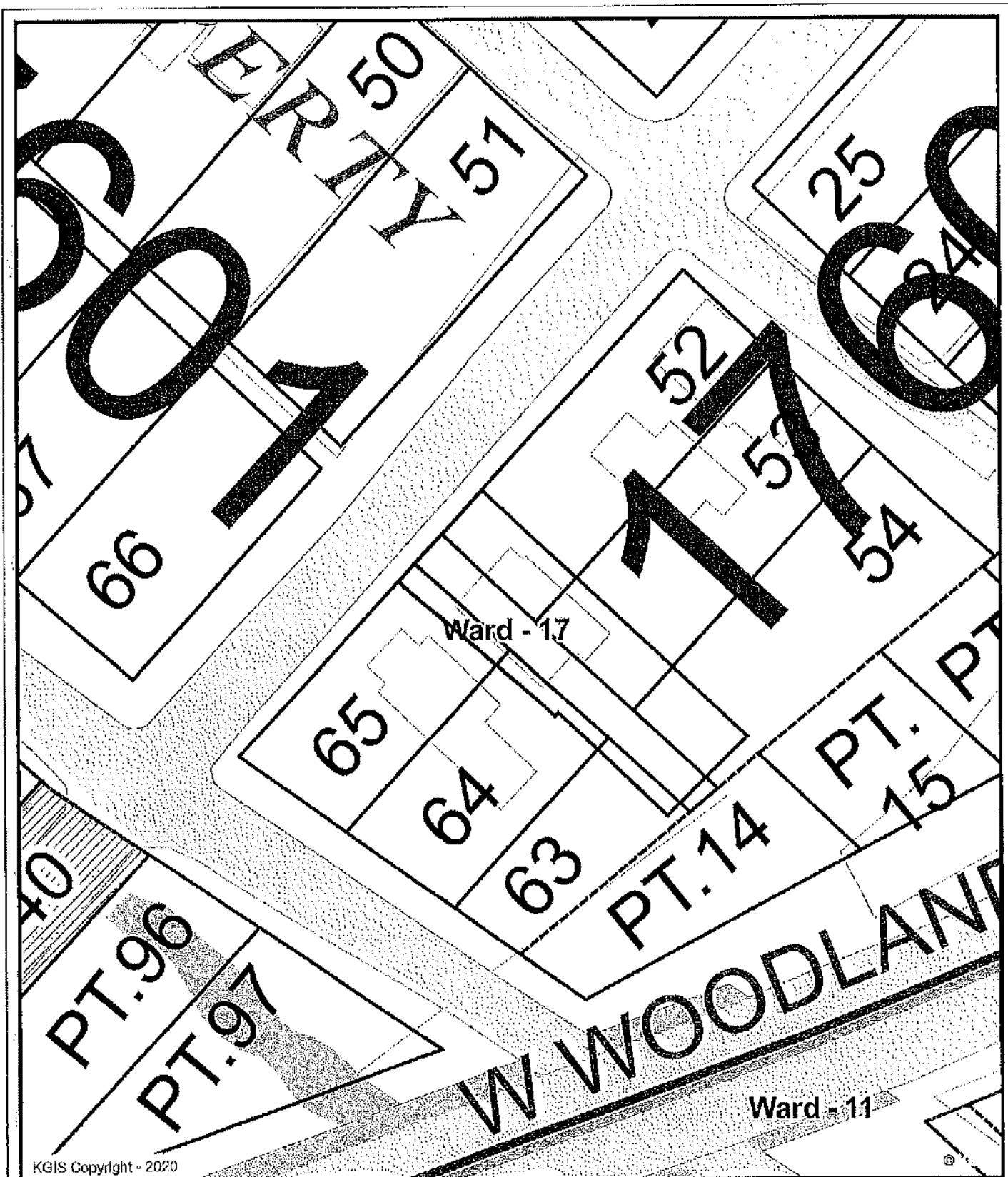
Letter Portrait 1-A-21-AC
 11/30/2020

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Knoxville - Knox County - KUB Geographic Information System

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Letter Portrait 1-A-21-AC
11/30/2020

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