



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

► **FILE #:** 3-A-21-AC

**AGENDA ITEM #:** 7

**AGENDA DATE:** 3/11/2021

► **APPLICANT:** CENTRAL BAPTIST CHURCH OF BEARDEN

TAX ID NUMBER:	121 A B N/A	<a href="#">View map on KGIS</a>
JURISDICTION:	Council District 2	
SECTOR PLAN:	West City	
GROWTH POLICY PLAN:	N/A	
ZONING:	N/A	
WATERSHED:	Fourth Creek	

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

► **LOCATION:** Between Anderson Drive and the western property line of parcel 121AB018, bisecting parcel 121AB017

IS ALLEY:

(1) IN USE?: no

(2) IMPROVED (paved)?: no

► **APPLICANT'S REASON FOR CLOSURE:** Consolidation of property

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

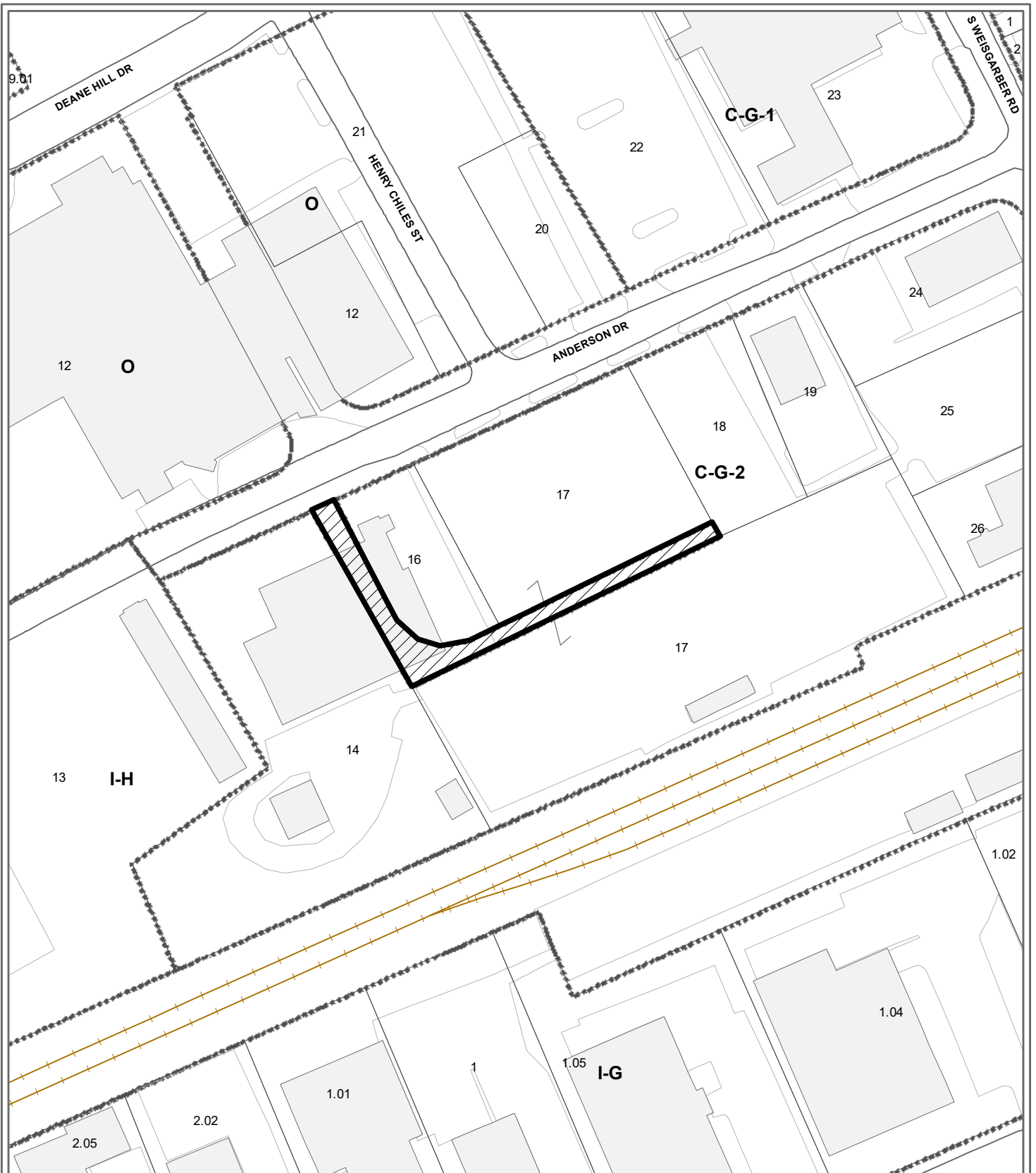
- **Approve closure of the unnamed alley that runs from Anderson Drive to the western lot line of parcel 121AB018, subject to any required easements, since it does not provide access to any lots and staff has received no objections.**

## COMMENTS:

1. The alley runs south from Anderson Drive then turns east to bisect parcel 121AB017, terminating at the western property line of parcel 121AB018. The alley requested for closure is not developed as a right-of-way but has buildings built over it and a parking lot that crosses it. The alley does not provide access to any properties.
2. Staff has received no objections, but the following departments and organizations had these comments:
  - 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.
    - i. It is noted that Central Baptist Church owns properties listed with tax ID's as 121AB017 and 121AB016 and that closure of this area will not landlock their properties.

- The City's Fire Department had no comments.
- TDOT had no Comments.
- AT&T does not wish to relinquish any ROW or utility easements at this time.
- KUB: 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 rights-of-way 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 approved, this item will be forwarded to Knoxville City Council for action on 4/6/2021 and 4/20/2021. 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.



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

Name of Street or Alley: Unnamed Alley  
 To be closed from: Anderson Drive  
 To be closed to: the western property line of parcel 121AB018, bisecting parcel 121AB017

Original Print Date: 2/5/2021      Revised:  
 Knoxville - Knox County Planning Commission \* City / County Building \* Knoxville, TN 37902

Petitioner: Central Baptist Church of  
 Bearden

Map No: 121  
 Jurisdiction: City

0 100  
 Feet



**FEBRUARY 4, 2021**

Knoxville Utilities Board  
Steve Borden, Regional Director, TN Dept. of Transportation  
Harold Cannon, Director, Department of Engineering  
Steve King, Department of Engineering  
Sonny Partin, Fire Marshall  
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 ANDERSON DR. AND THE WESTERN PROPERTY LINE OF PARCEL 121AB018 AND BISECTING PARCEL 121AB017. COUNCIL DISTRICT 2, WEST CITY SECTOR. (3-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 March 11, 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, February 22, 2021 will be considered as no objection by your agency.***

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



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

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**March 2021 ROW closures 3-A-21-AC, 3-A-21-SC, 3-B-21-SC and 3-C-21-SC**

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**SIMMS, SHANNON R** <ss3775@att.com>

Tue, Mar 2, 2021 at 9:40 AM

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

Cc: "KNIGHT, ROBERT" &lt;rk1580@att.com&gt;, "PEARMAIN, KELLY" &lt;kp6012@att.com&gt;

The attached is the only closure request is in my area. the other 3 are not in an area that I take care of.

We have no objection to the above request.

The other 3 would fall to either Rob Knight or Kelly Pearmain.

Thanks,

**Shannon R. Simms**

MANAGER OSP PLANNING &amp; ENGINEERING DESIGN

Access Construction &amp; Engineering

Tennessee/Kentucky District

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

9733 Parkside Dr, Knoxville, TN 37922

M: 865-566-7068 | [ss3775@att.com](mailto:ss3775@att.com)O: 865-539-8596 (**Try Mobile First**)

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**From:** Dori Caron <dori.caron@knoxplanning.org>**Sent:** Thursday, February 4, 2021 12:51 PM**To:** Amy Brooks <amy.brooks@knoxplanning.org>; Ben Davidson <bdavidson@knoxvilletn.gov>; Charlotte Goforth <cgoforth@knoxvilletn.gov>; Christian Wiberley <Christian.Wiberley@kub.org>; Harold Cannon <hcannon@knoxvilletn.gov>; Laura Edmonds <laura.edmonds@knoxplanning.org>; Michelle Portier <michelle.portier@knoxplanning.org>; SIMMS, SHANNON R <ss3775@att.com>; Sonny Partin <spartin@knoxvilletn.gov>; Steve Borden <steve.borden@tn.gov>; Steve King <sking@knoxvilletn.gov>**Subject:** March 2021 ROW closures 3-A-21-AC, 3-A-21-SC, 3-B-21-SC and 3-C-21-SC

Good afternoon,

3/2/2021

Knoxville - Knox County Planning Mail - March 2021 ROW closures 3-A-21-AC, 3-A-21-SC, 3-B-21-SC and 3-C-21-SC

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**ROW package\_3-A-21-AC.pdf**  
2793K



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

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**March 2021 ROW closures 3-A-21-AC, 3-A-21-SC, 3-B-21-SC and 3-C-21-SC**

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

Fri, Feb 19, 2021 at 2:03 PM

Please find the following responses from TDOT District 18 Operations regarding these applications:

3-A-21-AC: No comment

3-A-21-SC: No comment

3-B-21-SC: No comment

3-C-21-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)

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

**Sent:** Thursday, February 4, 2021 12:51 PM

**To:** Amy Brooks <amy.brooks@knoxplanning.org>; Ben Davidson <bdavidson@knoxvilletn.gov>; Charlotte Goforth <cgoforth@knoxvilletn.gov>; Christian Wiberley <Christian.Wiberley@kub.org>; Harold Cannon <hcannon@knoxvilletn.gov>; Laura Edmonds <laura.edmonds@knoxplanning.org>; 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] March 2021 ROW closures 3-A-21-AC, 3-A-21-SC, 3-B-21-SC and 3-C-21-SC

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

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**March 2021 ROW closures 3-A-21-AC, 3-A-21-SC, 3-B-21-SC and 3-C-21-SC**

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

Wed, Feb 17, 2021 at 3:59 PM

Dori,

You have our approval on all four requests.

Sonny

**Asst. Chief Sonny Partin, CFPS**  
**Fire Marshal**  
**Knoxville Fire Department**  
**400 Main St. Suite 446**  
**Knoxville, Tn. 37902**  
**865-215-2283 Office**

**From:** Dori Caron <dori.caron@knoxplanning.org>  
**Sent:** Thursday, February 4, 2021 12:51 PM  
**To:** amy.brooks@knoxplanning.org; Ben Davidson <bdavidson@knoxvilletn.gov>; Charlo e Goforth <cgoforth@knoxvilletn.gov>; Chris an Wiberley <Christian.Wiberley@kub.org>; Harold Cannon <hcannon@knoxvilletn.gov>; Laura Edmonds <laura.edmonds@knoxplanning.org>; Michelle Porter <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:** March 2021 ROW closures 3-A-21-AC, 3-A-21-SC, 3-B-21-SC and 3-C-21-SC

Good afternoon,

We have 4 new applications for March. Have a good afternoon.

Dori Caron

Senior Administrative Assistant

Direct Line: 865-215-2694

2/18/2021

Knoxville - Knox County Planning Mail - March 2021 ROW closures 3-A-21-AC, 3-A-21-SC, 3-B-21-SC and 3-C-21-SC

Email: [dori.caron@knoxplanning.org](mailto:dori.caron@knoxplanning.org)

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# CITY OF KNOXVILLE

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

February 15, 2021

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

SUBJECT: Closure of unnamed alley  
MPC File # 3-A-21-AC; City Block 47580

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.

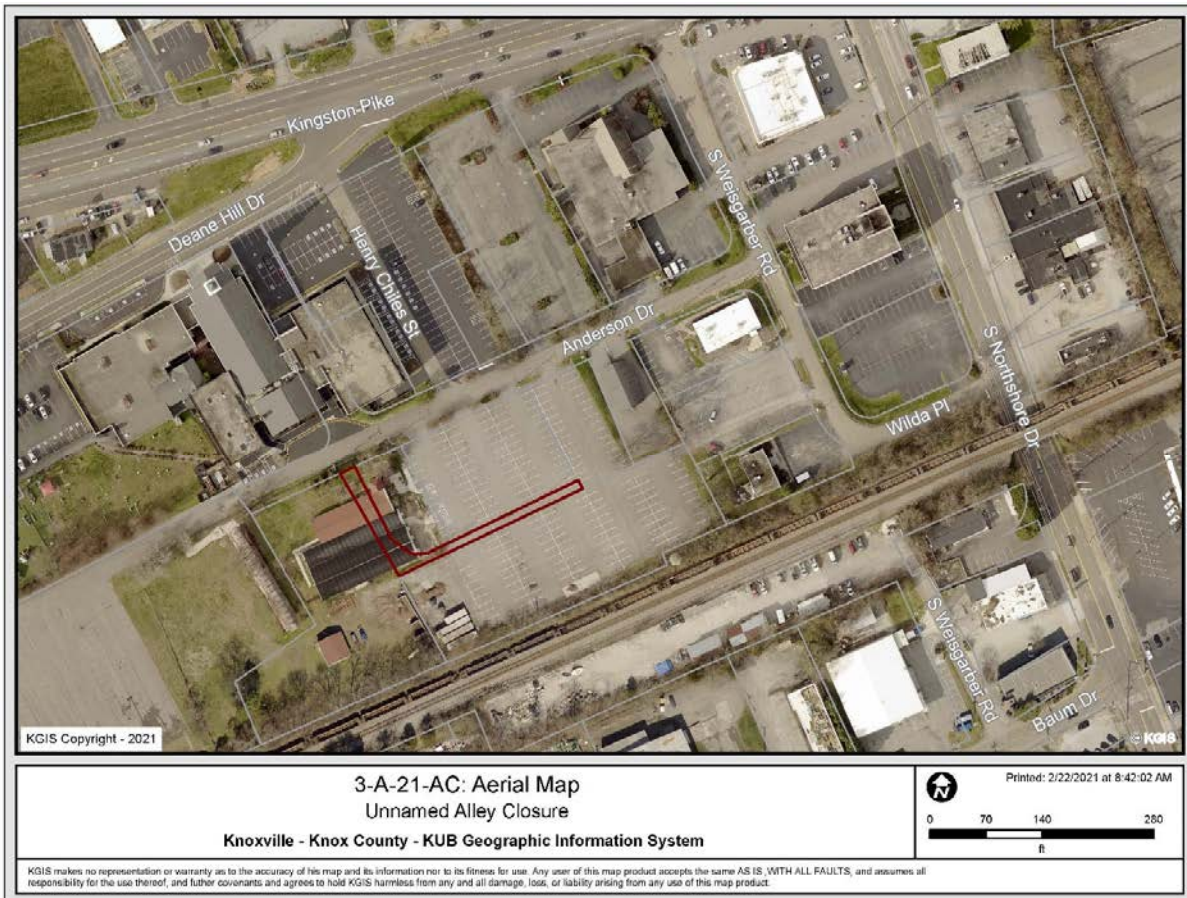
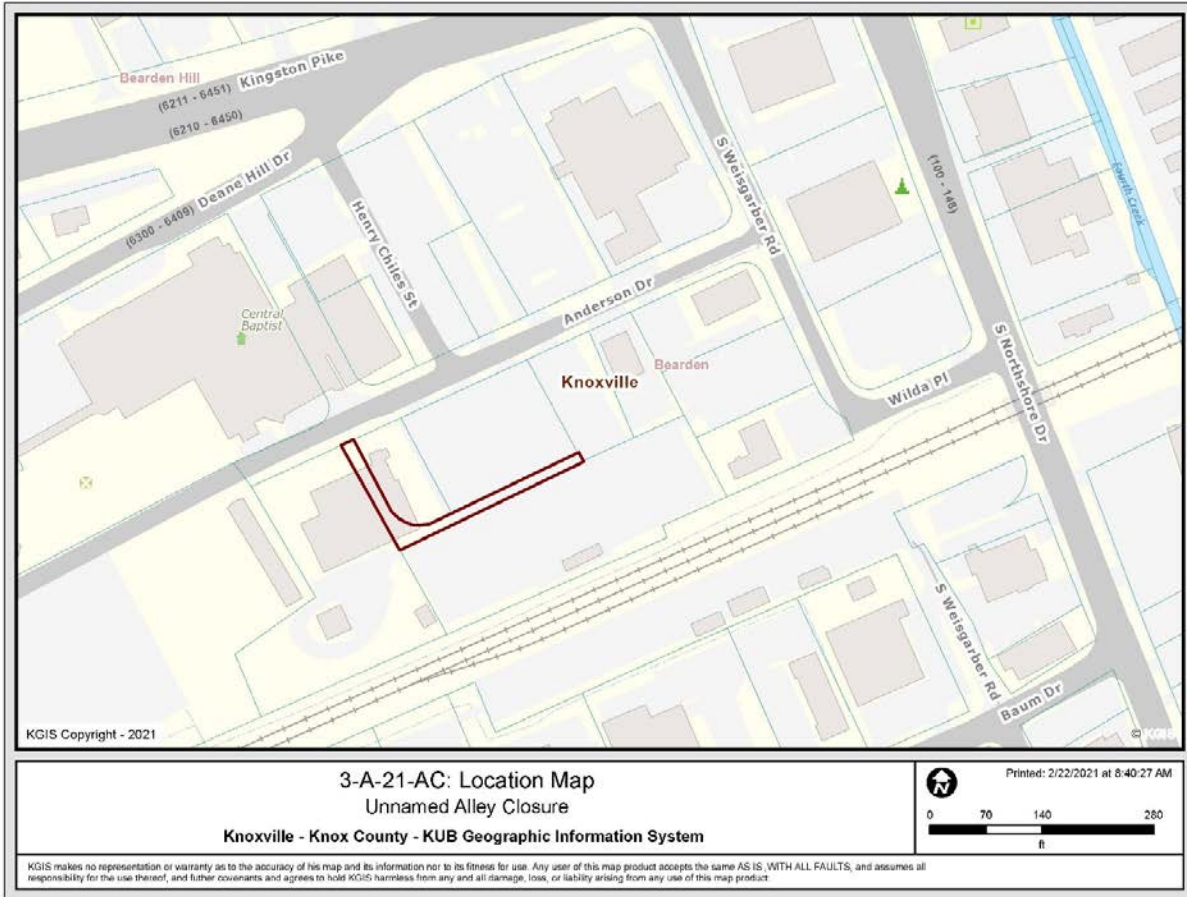
It is noted that Central Baptist Church owns properties listed with tax i.d.'s as 121AB017 and 121AB016 and that closure of this area will not landlock their properties.

Sincerely,

Benjamin D. Davidson, PLS, Technical Services Administrator  
Technical Services/Department of Engineering  
Ph: 865-215-2103

# 3-A-21-AC

## Exhibit A. Contextual Images





# RIGHT-OF-WAY CLOSURE

Name of Applicant: CENTRAL BAPTIST CHURCH OF BEARDEN

Date Filed: 1/12/21 Fee Paid: \$400 File Number: 3A-21-AC

Map Number: 121AB Zoning District: 5 ☒ City ☐ County Sector: \_\_\_\_\_

Jurisdiction: ☒ City 2 Council District

## INFORMATION:

Name of Right-of-Way: UN-NAMED

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

Location of Right-of-Way:

BETWEEN (City Block or Lot where appropriate) 47580

AND (City Block or Lot where appropriate) 47580

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

Reason for Closure: CONSOLIDATION OF PROPERTY

## TO BE CLOSED:

From: (Street, Alley, Other)

ANDERSON DRIVE

To: (Street, Alley, Other)

CENTRAL BAPTIST CHURCH OF  
BEARDEN

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

DAVID POE 4334 PAPERMILL DR KNOXVILLE TN 37909 (865)588-6472 poe@bhn-p.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.

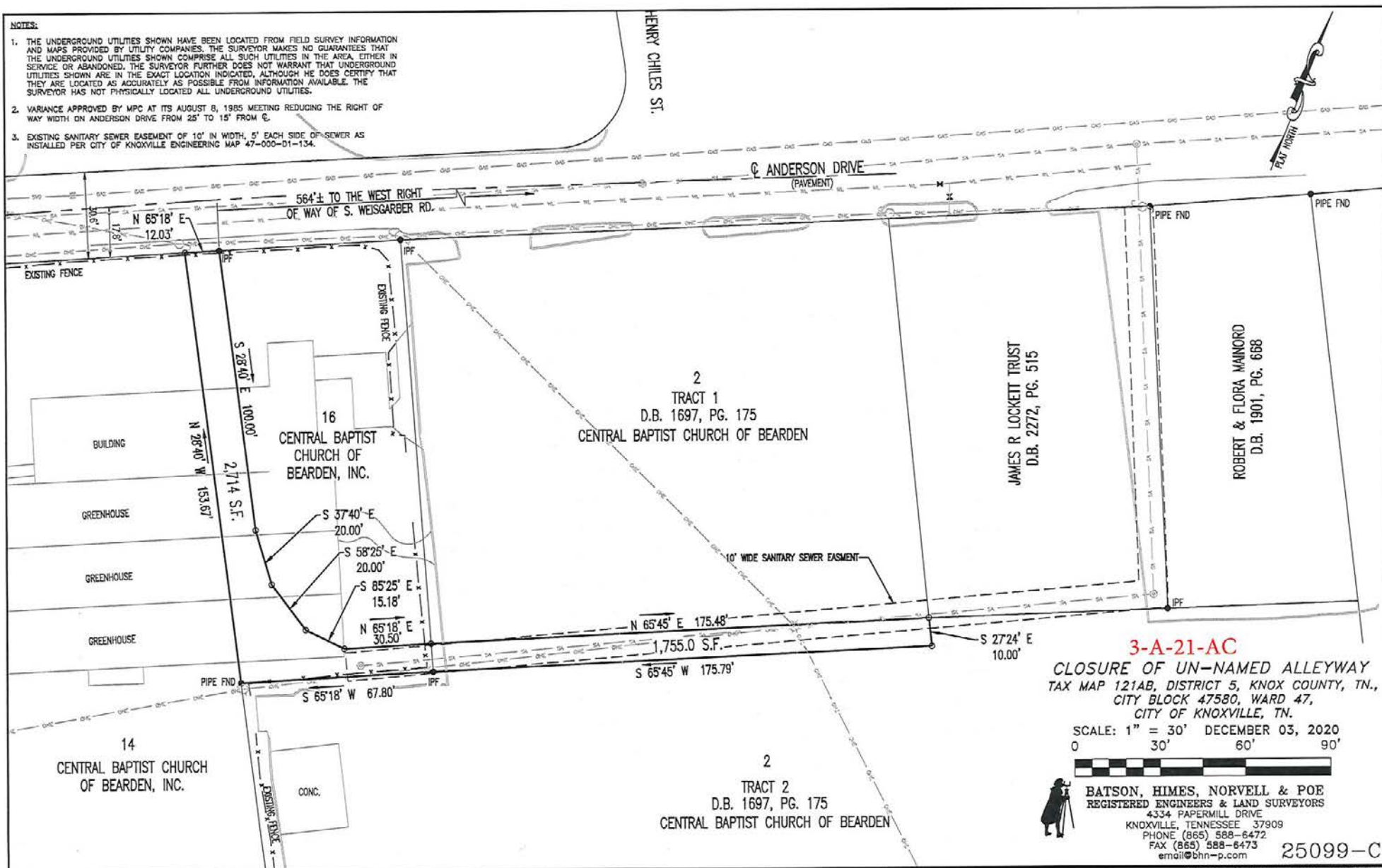
Signature: David M. Poe

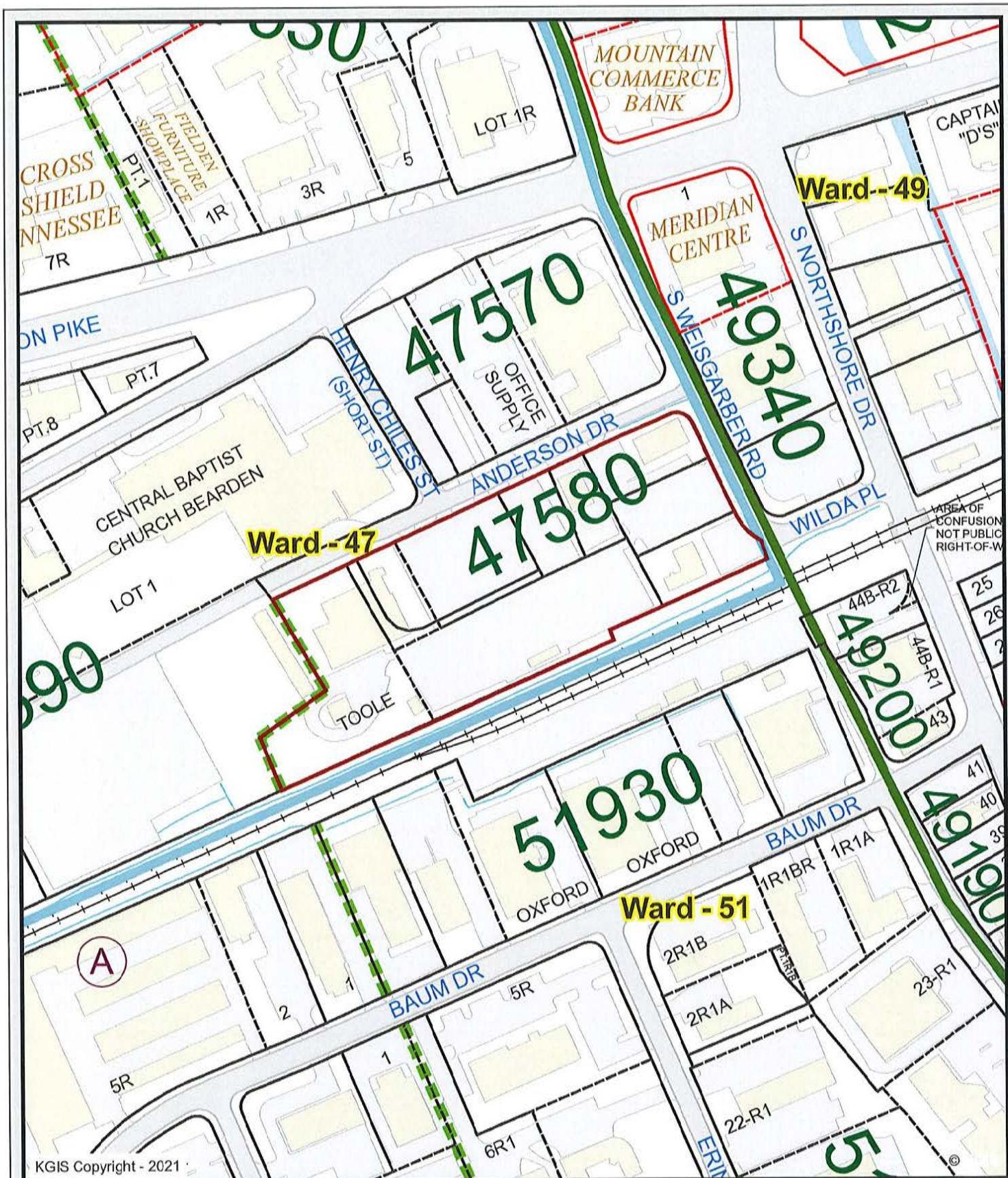
DAVID M. POE 4334 PAPERMILL DR. KNOXVILLE, TN 37909 (865)588-6472 poe@bhn-p.com  
Name: (Print) Address • City • State • Zip • Phone • Email

APPLICATION ACCEPTED BY: Sherry Mickienzi



1. THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND MAPS PROVIDED BY UTILITY COMPANIES. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR HAS NO INFORMATION THAT UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED ALL UNDERGROUND UTILITIES.
2. VARIANCE APPROVED BY MPC AT ITS AUGUST 8, 1985 MEETING REDUCING THE RIGHT OF WAY WIDTH ON ANDERSON DRIVE FROM 25' TO 15' FROM EASEMENT.
3. EXISTING SANITARY SEWER EASEMENT OF 10' IN WIDTH, 5' EACH SIDE OF SEWER AS INSTALLED PER CITY OF KNOXVILLE ENGINEERING MAP 47-000-D1-134.





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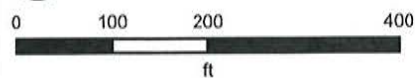
## Letter Portrait

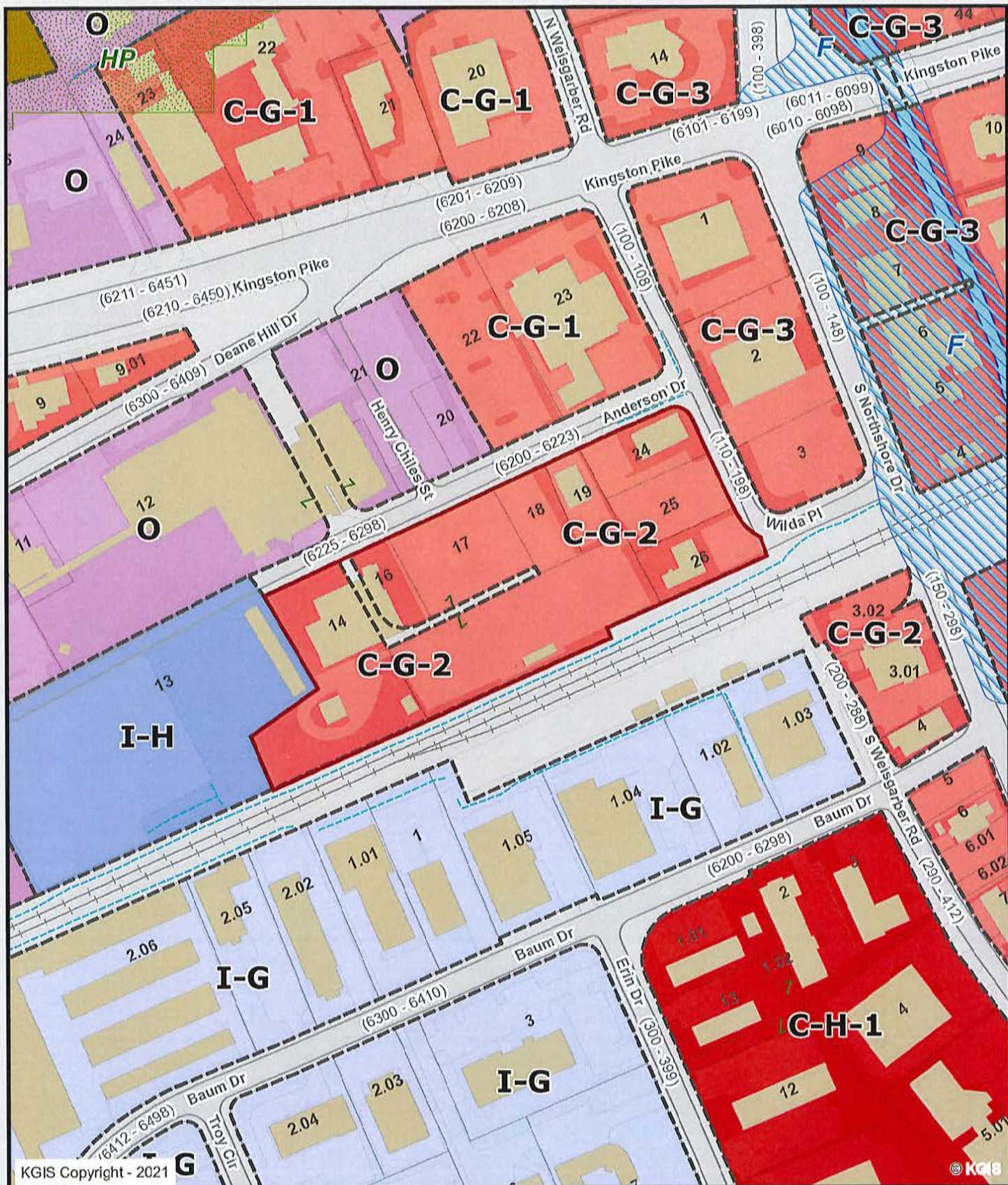
### Knoxville - Knox County - KUB Geographic Information System

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## Letter Portrait

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