



CITY OF KNOXVILLE CLOSURE OF PUBLIC RIGHT-OF-WAY

► **FILE #:** 3-A-21-SC

AGENDA ITEM #: 8

AGENDA DATE: 3/11/2021

► **APPLICANT:** **BOBBY C. SMELCER**

TAX ID NUMBER: 109 N/A

[View map on KGIS](#)

JURISDICTION: Council District 1

SECTOR PLAN: South City

GROWTH POLICY PLAN: N/A

ZONING: N/A

WATERSHED: Goose Creek

► **RIGHT-OF-WAY TO BE
CLOSED:** **Wrinkle Ave.**

► **LOCATION:** **Between the southeast corner of parcel 109IA011 and southwest
corner of parcel 109IA011**

IS STREET:

(1) IN USE?: no

(2) IMPROVED (paved)?: no

► **APPLICANT'S REASON
FOR CLOSURE:** **The ROW is no longer needed; to consolidate property as applicant
owns both properties.**

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:

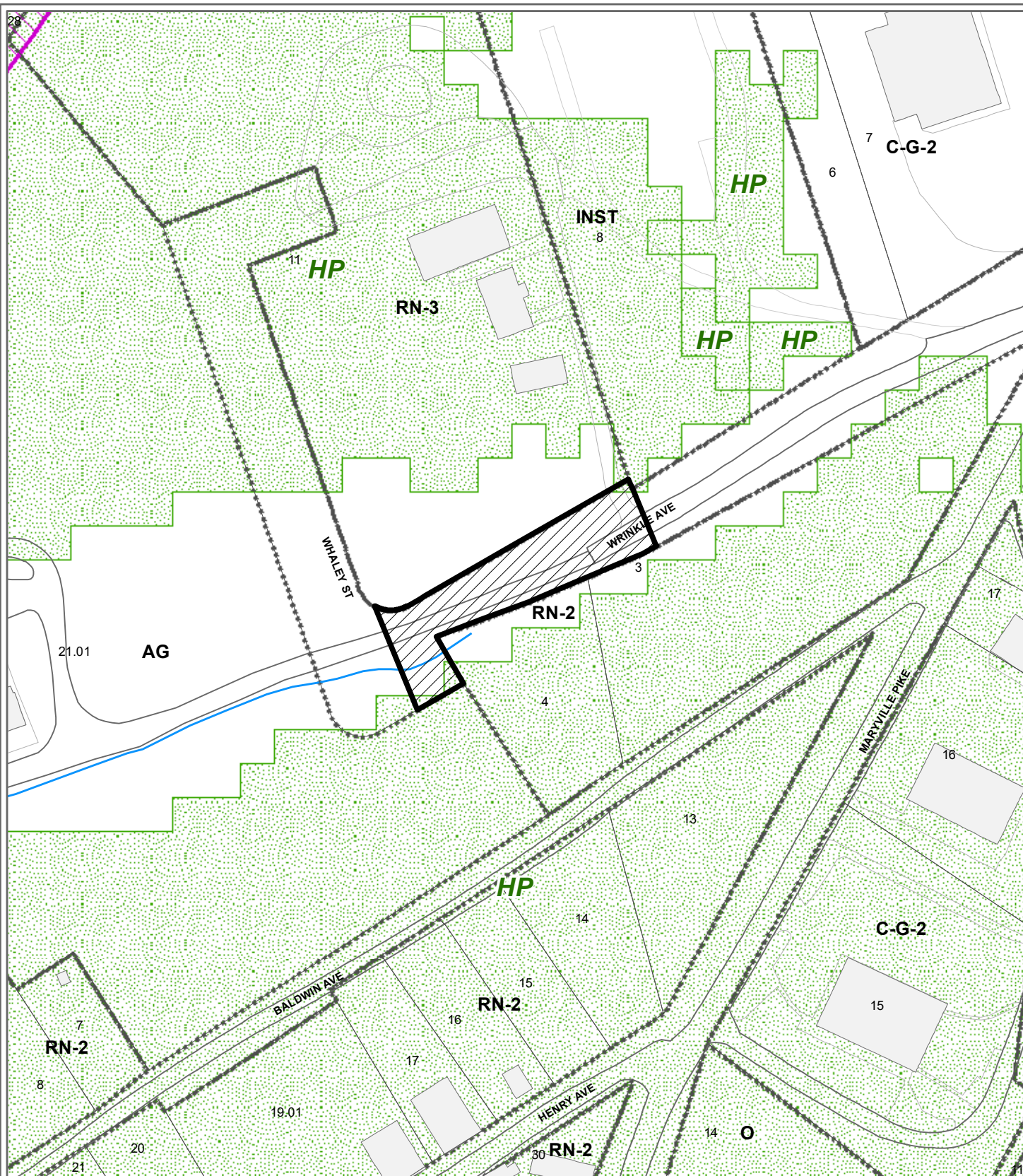
- **Approve closure of Wrinkle Avenue beginning 50 feet to the west of the southeast lot line of parcel 109IA011 and continuing to the southwest lot line of parcel 109IA011, subject to any required easements, since that portion of Wrinkle Avenue would no longer be needed for access and staff has received no objections.**

COMMENTS:

1. Wrinkle Avenue runs from Chapman Highway to the southwest lot line of parcel 109IA011, where it meets the undeveloped, closed right-of-way that was Whaley Avenue. The applicant is requesting to close the portion of Wrinkle Avenue that fronts his property, parcel 109IA011. Staff is recommending to begin that closure 50 feet to the west of the property line of 109IA011 to protect that parcel's driveway access, which would still be needed.
2. The applicant has agreed to staff's recommended beginning point of closure, and has submitted a diagram showing his plans upon closure of the right-of-way. The map includes the 50-foot space staff recommends between the southeastern property line of parcel 109IA011 and the beginning of the right-of-way closure.
3. In addition to the closure of Wrinkle Avenue as described above, the application requests closure of Whaley Avenue. However, Whaley Avenue was closed per City of Knoxville Ordinance # 6199 on October 5, 1976. This closure is noted in the location map that is part of Exhibit A and closure of Whaley Avenue has been removed from the applicant's request.

4. Upon closure of this right-of-way, it will be combined with the large parcel to the west, 3314 W. Blount Avenue (parcel 109IA02101) along with the parcel to the south, 605 Baldwin Avenue (parcel 109IH004). A map submitted by the applicant has been included in Exhibit A and shows the applicant's intended changes. The previously closed Whaley Street right-of-way will be joined with 137 Wrinkle Avenue (parcel 109IA011).
5. 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.
 - 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-SC
CLOSURE OF PUBLIC RIGHT OF WAY**

Petitioner: Smelcer, Bobby C.

Name of Street or Alley: Wrinkle Ave.

To be closed from: the southeast corner of parcel 109IA011

To be closed to: southwest corner of parcel 109IA011

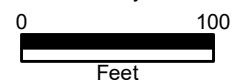
Original Print Date: 2/5/2021

Revised:

Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Map No: 109

Jurisdiction: City



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 WRINKLE AVE. BETWEEN THE SOUTHEAST PROPERTY LINE OF PARCEL 109IA011 AND THE SOUTHWEST PROPERTY LINE OF PARCEL 109IA011. COUNCIL DISTRICT 1, SOUTH CITY SECTOR. (3-A-21-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 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



CITY OF KNOXVILLE

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 Wrinkle Ave
MPC File # 3-A-21-SC; City Block 25330

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>

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

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

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Dori Caron <dori.caron@knoxplanning.org>

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

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

tn.gov/tdot

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 <dori.caron@knoxplanning.org>

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

PEARMAN, KELLY <kp6012@att.com>

Tue, Mar 2, 2021 at 9:49 AM

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

Cc: "KNIGHT, ROBERT" <rk1580@att.com>

Dori,

I have no desire to relinquish any ROW's or easements at this time that might be located in the Fountain City, South Knoxville/Young High areas.

Kelly Pearmain

Manager OSP Planning & Engineering Design

Access Construction & Engineering

Tennessee/Kentucky District

AT&T – BellSouth Telecommunications, LLC

9733 Parkside Dr, Knoxville, TN 37922

o 865.539.8580 | kp6012@att.com

From: SIMMS, SHANNON R <ss3775@att.com>

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[Quoted text hidden]



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

Addressing Department Review and Comments

File #: 3-A-21-SC

Tax Parcel ID:

Subdivision:

Owner:

Applicant: Bobby Smelcer

Company:

Email: bobbycsmelcer@gmail.com

Date Submitted: 1/25/21

Review Type: SC

Unit or Phase:

Phone:

Office: 865.250.3924

Cell:

Fax:

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

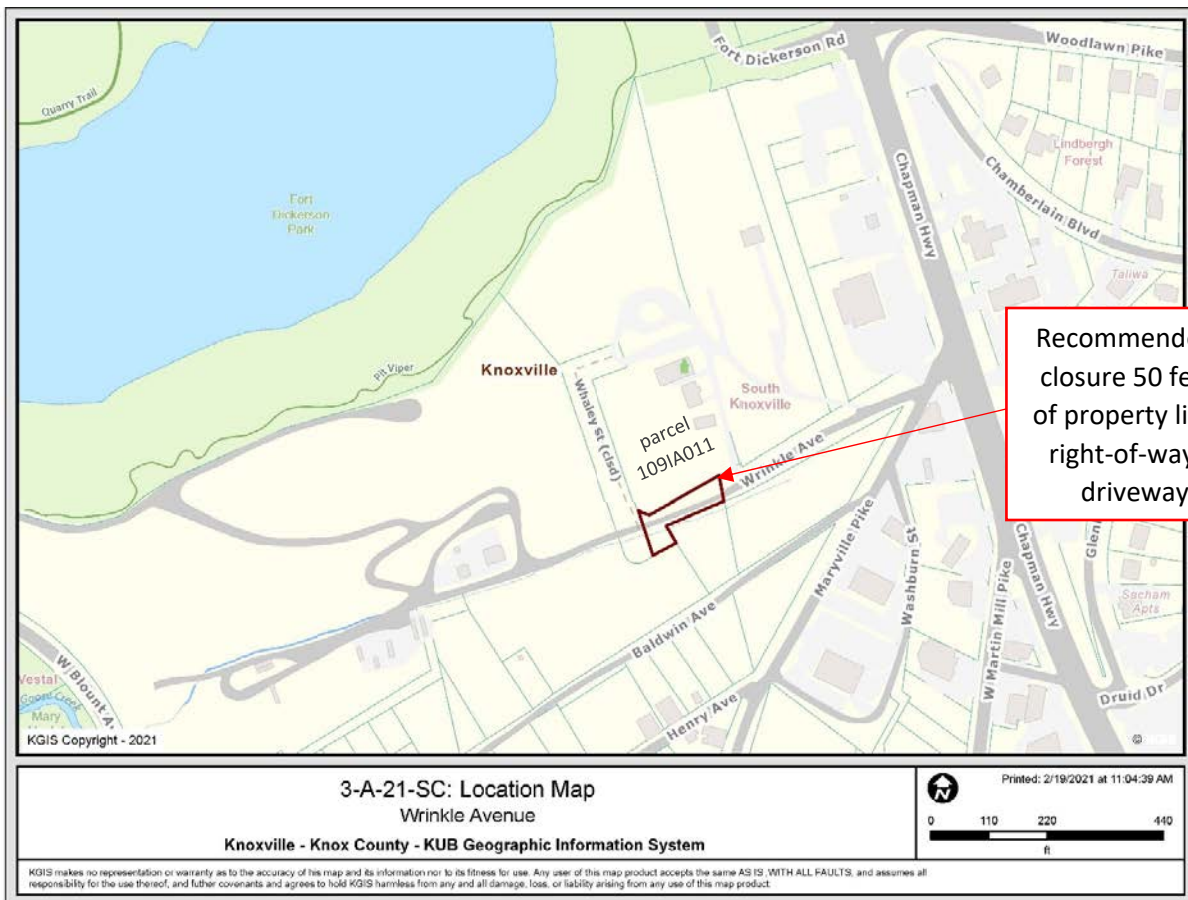
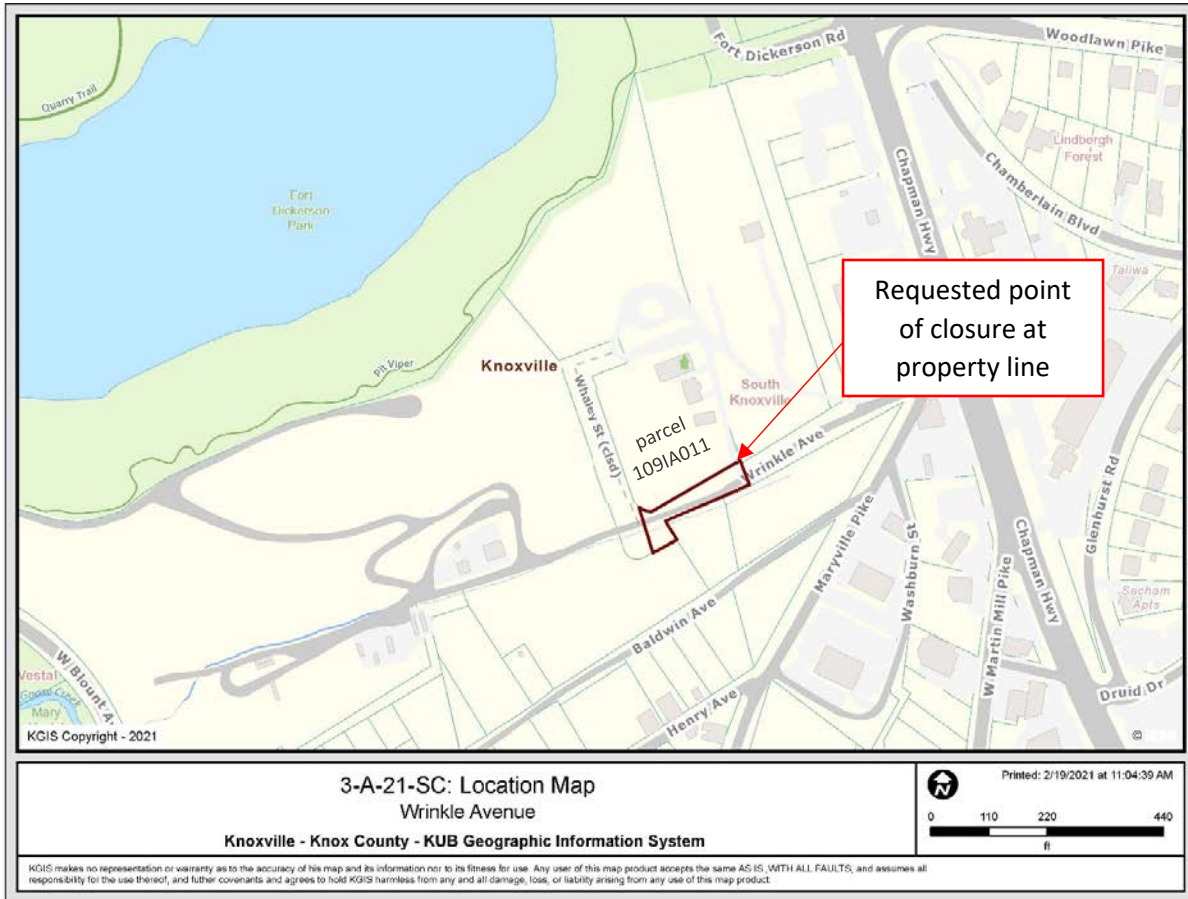
All subdivision and street names must conform to the Knoxville/Knox County Street Uniform Naming and Addressing Ordinance, Subdivision Regulations and the Administrative Rules of the Planning Commission.

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
	No addresses will be impacted if the proposed closure of Whaley Street is approved.	

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
	2/1/2021		Feb 22, 2021

3-A-21-SC
Exhibit A. Contextual Images

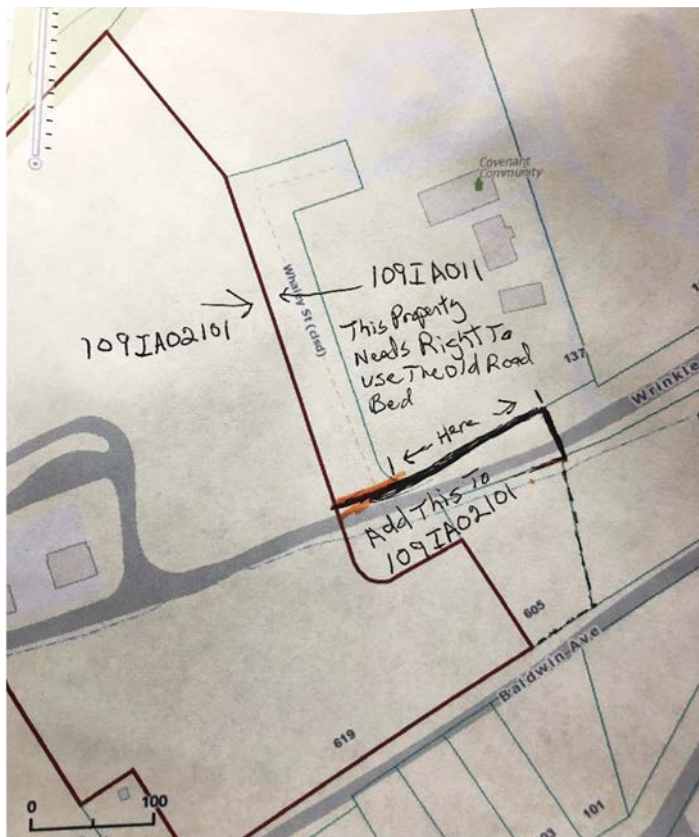


3-A-21-SC

Exhibit A. Contextual Images



Diagram submitted by applicant to clarify what would occur should the alley be closed



KNOXVILLE-KNOX COUNTY

M P C

METROPOLITAN
PLANNING
COMMISSION

T E N N E S S E E

Suite 403 • City County Building
400 Main Street
Knoxville, Tennessee 37902
E 6 5 • 2 1 5 • 2 5 0 0
F A X • 2 1 5 • 2 0 6 8
www.knoxmpc.org

RIGHT-OF-WAY CLOSURE

Name of Applicant: Bobby C. SmelcerDate Filed: 1-25-2001 Fee Paid: \$750 File Number: 3-A-21-SCMap Number: 41109 Zoning District: Ag 1 (X City) () County Sector: South City Sector
RN3Jurisdiction: () City 1st Councilmanic District

INFORMATION:

Name of Right-of-Way: Whiskey St Wrinkle Avenue

Type of Right-of-Way: () Street () Alley

Location of Right-of-Way:

BETWEEN (City Block or Lot where appropriate)

AND (City Block or Lot where appropriate)

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

Reason for Closure: The Right of way no longer needed I own Both
Properties

TO BE CLOSED:

From: (Street, Alley, Other)

A To B See AttachmentA Wrinkle AveSoutheast corner of parcel 109IA011

To: (Street, Alley, Other)

By the End of Whiskey StSouthwest corner of parcel 109IA011

ALL CORRESPONDENCE RELATING TO THIS APPLICATION SHOULD BE SENT TO:

Bobby C Smelcer 137 Wrinkle Ave Knoxville TN 37920 865-250-3924 E-Mail

Name: (Print)

Address

City

State

Zip

Phone

Fax

bobbycsmelcer@gmail.com

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: Bobby C SmelcerBobby C SmelcerSame as above

Name: (Print)

Address

City

State

Zip

Phone

Fax

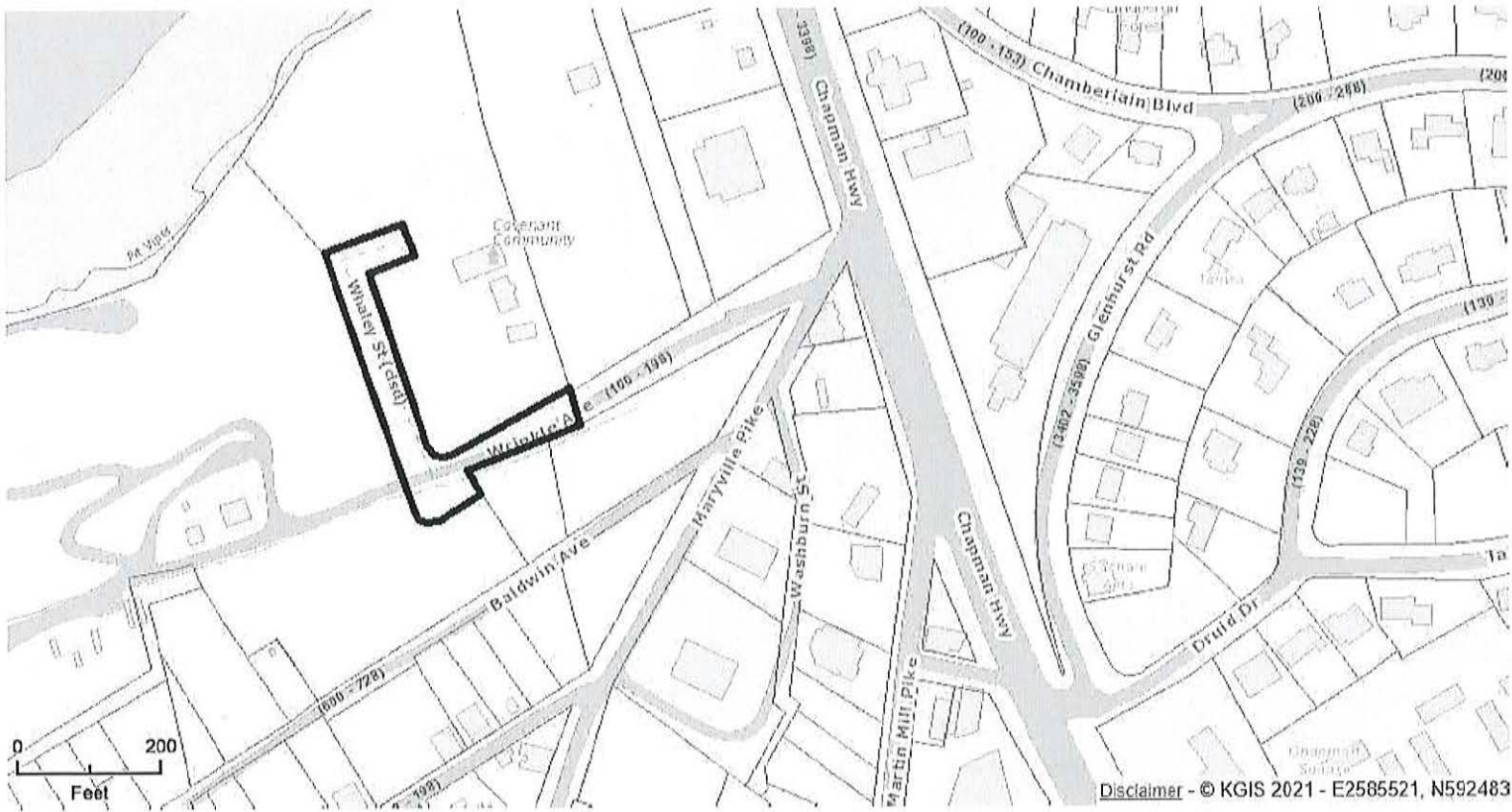
APPLICATION ACCEPTED BY: Michelle Porter

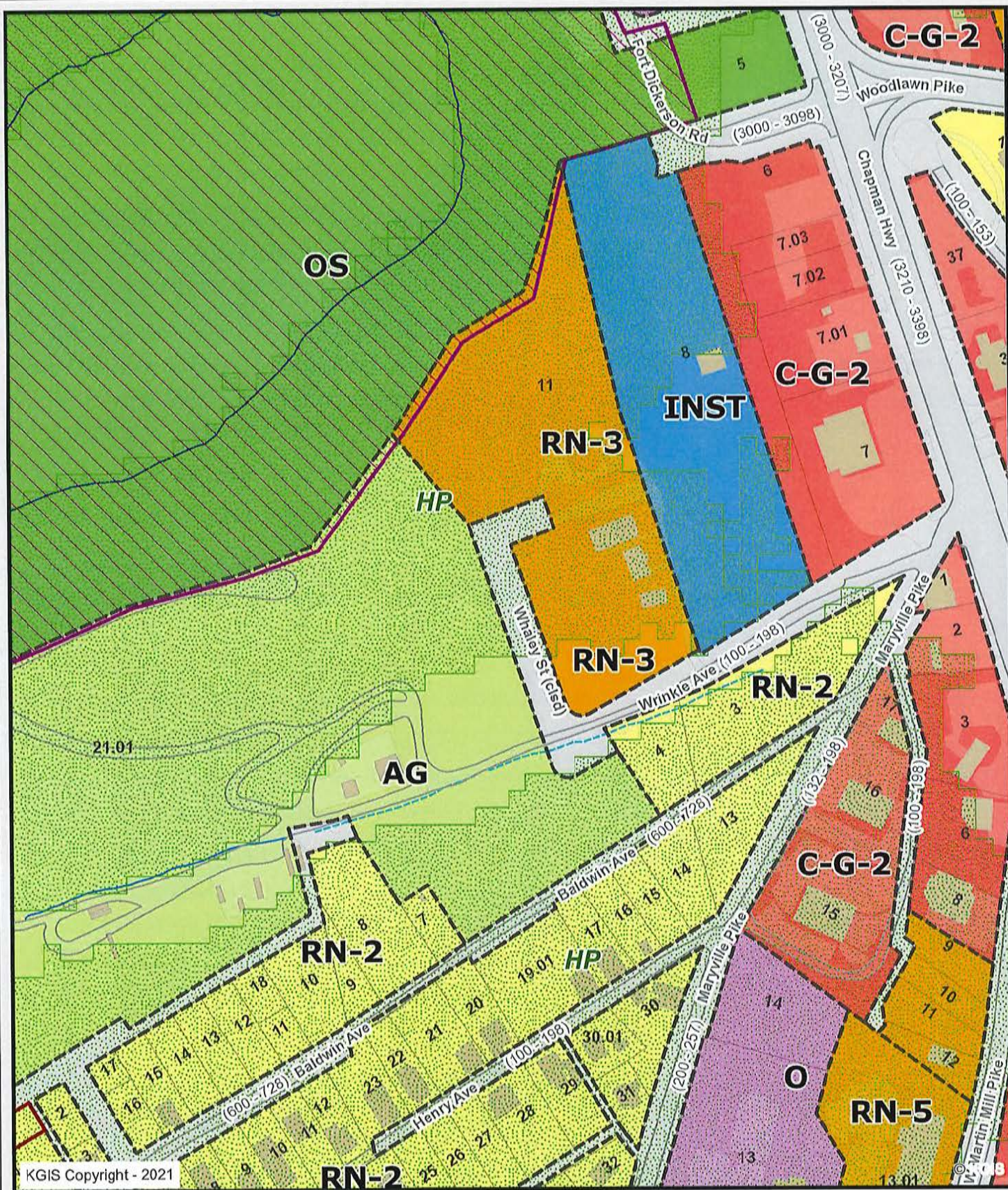
[illegible]

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.

ADDRESS	SIGNATURE	Agree	Disagree
137 Wrinkle Ave.	Betty C. Snider	<input checked="" type="checkbox"/>	<input type="checkbox"/>
605 Baldwin Ave.	Betty C. Snider	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3314 W. Blount Ave.	Betty C. Snider	<input checked="" type="checkbox"/>	<input type="checkbox"/>





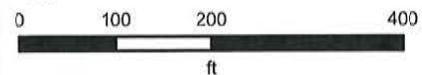


Letter Portrait

Knoxville - Knox County - KUB Geographic Information System



Printed: 2/1/2021 at 8:08:41 AM



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