



CITY OF KNOXVILLE CLOSURE OF PUBLIC RIGHT-OF-WAY

► **FILE #:** 11-A-21-SC

AGENDA ITEM #: 6

AGENDA DATE: 11/10/2021

► **APPLICANT:** CITY OF KNOXVILLE

TAX ID NUMBER: 120 B F 0
JURISDICTION: Council District 2
SECTOR PLAN: Northwest City
GROWTH POLICY PLAN: N/A (Within City limits)
ZONING: N/A
WATERSHED: Ten Mile Creek

[View map on KGIS](#)

► **RIGHT-OF-WAY TO BE
CLOSED:** Glenmore Dr.

► **LOCATION:** Between Southern terminus of Glenmore Drive at the northern line of West Hills and Bynon Park and a point 100 feet north of the southern terminus of Glenmore Drive measured from the northern line of West Hills and Bynon Park

IS STREET:

(1) IN USE?: Yes

(2) IMPROVED (paved)?: Yes

► **APPLICANT'S REASON
FOR CLOSURE:** Street is currently a dead-end with no constructed turnaround. Closure will facilitate improvements to adjoining properties, and a public easement will be reserved to retain public access to the park.

DEPARTMENT-UTILITY
REPORTS: KUB requested to retain the current easements in place.

STAFF RECOMMENDATION:

► **Approve closure of the portion of Glenmore Drive between its southern terminus at West Hills and Bynon Park to a point approximately 100 feet north of the shared lot line with the park to facilitate improvements to adjoining properties, subject to one condition.**

1. A public easement will be reserved to retain public access to the park meeting all applicable requirements of the Americans with Disabilities Act (ADA), the City of Knoxville Department of Engineering, and the Planning Commission Subdivision Regulation requirements as necessary.

COMMENTS:

1. This is a request to close the portion of Glenmore Drive between its southern terminus at West Hills and Bynon Park to a point approximately 100 feet north of the shared lot line with the park.
2. Glenmore Drive is a developed right-of-way that provides driveway access to both abutting residential properties and is a means of public pedestrian access to the park. It is located midblock between Sheffield Drive and N. Winston Road and runs perpendicular to Bennington Drive.
3. This closure originally came to the Planning Commission in May 2021 from the abutting property owner to the east, Mr. Richard Clark. He had requested the closure to allow his recently installed fence and above-

ground pool to remain, as neither met the zoning ordinance requirements regarding corner lot setbacks or fence height and location.

4. The Planning Commission voted unanimously to recommend denial of the closure on 6/10/2021 (it was postponed in May).

5. The following departments and organizations had these comments:

a. The City Engineering Department:

- Should this right-of-way be closed, the City will reserve easements for all existing drainage facilities and utilities 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.
- City Engineering will also reserve a 25 foot wide pedestrian easement, being 12.5 feet wide on each side of the centerline of the right-of-way area being closed, to maintain the right for pedestrian connectivity to the John Bynon West Hills Community Park.

b. The City's Parks and Recreation Department had no comments on the closure.

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

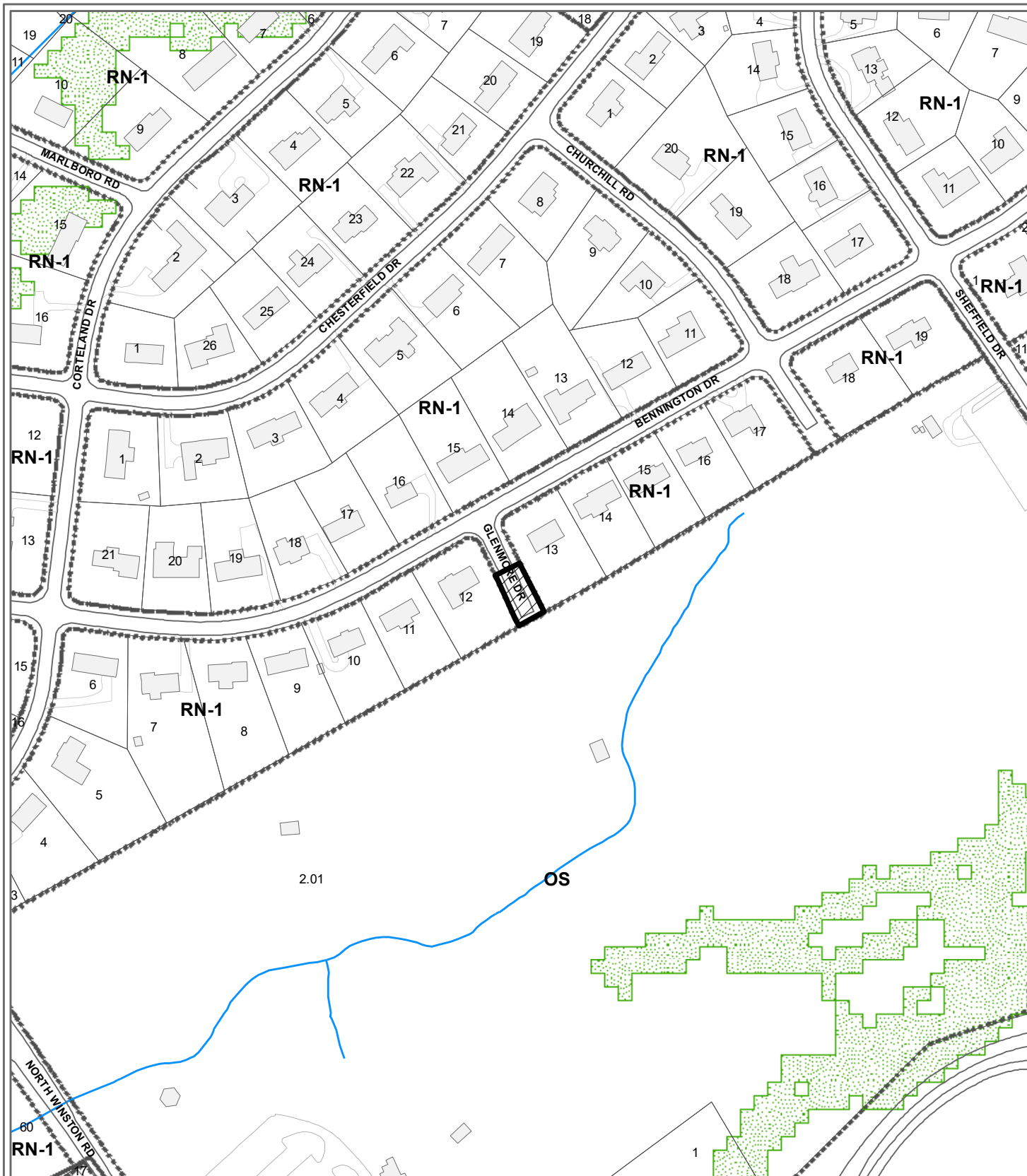
d. TDOT had no comments as this is not a state route.

e. AT&T did not have any comments.

f. 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 line, 15 feet total width

If approved, this item will be forwarded to Knoxville City Council for action on 12/14/2021 and 1/11/2022. 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.



**11-A-21-SC
CLOSURE OF PUBLIC RIGHT OF WAY**

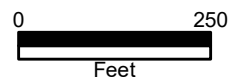
Petitioner: City of Knoxville

Name of Street or Alley: Glenmore Dr.
 To be closed from: Southern terminus of Glenmore Drive at the northern line of West Hills and Bynon Park
 To be closed to: A point 100 feet north of southern terminus of Glenmore Drive measured from the northern line of West Hills and Bynon Park

Map No: 120

Jurisdiction: City

Original Print Date: 10/13/2021 Revised:
 Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902



OCTOBER 12, 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 GLENMORE DR. FROM SOUTHERN TERMINUS OF GLENMORE DR. AT THE NORTHERN LINE OF WEST HILLS AND BYNON PARK TO A POINT 100 FT. NORTH OF SOUTHERN TERMINUS OF GLENMORE DR. MEASURED FROM THE NORTHERN LINE OF WEST HILLS AND BYNON PARK. (11-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 November 10, 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, October 25, 2021 will be considered as no objection by your agency.

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



Dori Caron <dori.caron@knoxplanning.org>

November 2021 ROW closures 11-A-21-AC, 11-A-21-SC, 11-B-21-SC, 11-C-21-SC

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

Wed, Oct 13, 2021 at 10:14 AM

Dori,

All items for the November ROW closures are approved by Fire.

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:** Tuesday, October 12, 2021 3:52 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>; Jeanne Stevens <jeanne.stevens@knoxplanning.org>; Laura Edmonds <laura.edmonds@knoxplanning.org>; Levan King Cranston <levan.kingcranston@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:** November 2021 ROW closures 11-A-21-AC, 11-A-21-SC, 11-B-21-SC, 11-C-21-SC

Good afternoon,

Please see attached for November requests.

Thank you!

Dori Caron



Dori Caron <dori.caron@knoxplanning.org>

November 2021 ROW closures 11-A-21-AC, 11-A-21-SC, 11-B-21-SC, 11-C-21-SC

SIMMS, SHANNON R <ss3775@att.com>

Wed, Oct 13, 2021 at 12:49 PM

To: "dori.caron@knoxplanning.org" <dori.caron@knoxplanning.org>

Cc: "WAGNER, JAMES W" <JW904s@att.com>

Dori,

AT&T does not wish to relinquish ROW on the attached.

Thanks,

Shannon

From: Dori Caron <dori.caron@knoxplanning.org>**Sent:** Tuesday, October 12, 2021 3:52 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>; Jeanne Stevens <jeanne.stevens@knoxplanning.org>; Laura Edmonds <laura.edmonds@knoxplanning.org>; Levan King Cranston <levan.kingcranston@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:** November 2021 ROW closures 11-A-21-AC, 11-A-21-SC, 11-B-21-SC, 11-C-21-SC

Good afternoon,

[Quoted text hidden]

 **11-C-21-SC_ROW package.pdf**
870K



Dori Caron <dori.caron@knoxplanning.org>

November 2021 ROW closures 11-A-21-AC, 11-A-21-SC, 11-B-21-SC, 11-C-21-SC

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

Thu, Oct 14, 2021 at 6:48 AM

No objections on the 3 others.

[Quoted text hidden]



CITY OF KNOXVILLE

Engineering
Benjamin D. Davidson, PLS
Technical Services Administrator

October 25, 2021

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

SUBJECT: Closure of Glenmore Dr (dead-end)
MPC File # 11-A-21-SC; City Blocks 46630 and 46632

The City Engineering Department has no comments 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.

City Engineering will also reserve a 25 foot wide pedestrian easement, being 12.5 feet wide on each side of the centerline of the right-of-way area being closed, to maintain the right for pedestrian connectivity to the John Bynon West Hills Community Park.

Sincerely,

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

a

October 18, 2021

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 11-A-21-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 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



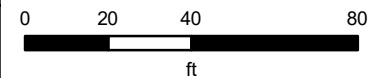
File No. 11-A-21-SC (Sewer)

Knoxville Utilities Board

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Printed: 10/18/2021 at 5:12:45 PM





Dori Caron <dori.caron@knoxplanning.org>

November 2021 ROW closures 11-A-21-AC, 11-A-21-SC, 11-B-21-SC, 11-C-21-SC

Steve Borden <Steve.Borden@tn.gov>

Mon, Oct 25, 2021 at 2:51 PM

To: Michelle Portier <michelle.portier@knoxplanning.org>

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

Michelle,

Good afternoon. Please find the following responses to the November ROW closure requests:

11-A-21-AC_ROW: Operations has no comment

11-A-21-SC_ROW: Operations has no comment

11-B-21-SC_ROW: Operations has no comment

11-C-21-SC_ROW: Operations has no comment

If you have any questions, please let me know.

Steve

**Steven M. Borden, P.E.** | Director/Assistant Chief Engineer

TDOT – Region 1

[7345 Region Lane](#)[Knoxville, TN 37914](#)[\(865\) 594-2400](#)Steve.Borden@tn.govtn.gov/tdot



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

Addressing Department Review and Comments

File #: 11-A-21-SC
Tax Parcel ID: Map 120
Subdivision:
Applicant: City of Knoxville
Contact: Ben Davidson
Company:
Email: bdavidson@knoxvilletn.gov

Date Submitted: 10/4/21
Review Type: Closure
Unit or Phase:
Phone: 865.215.4615
Office:
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.

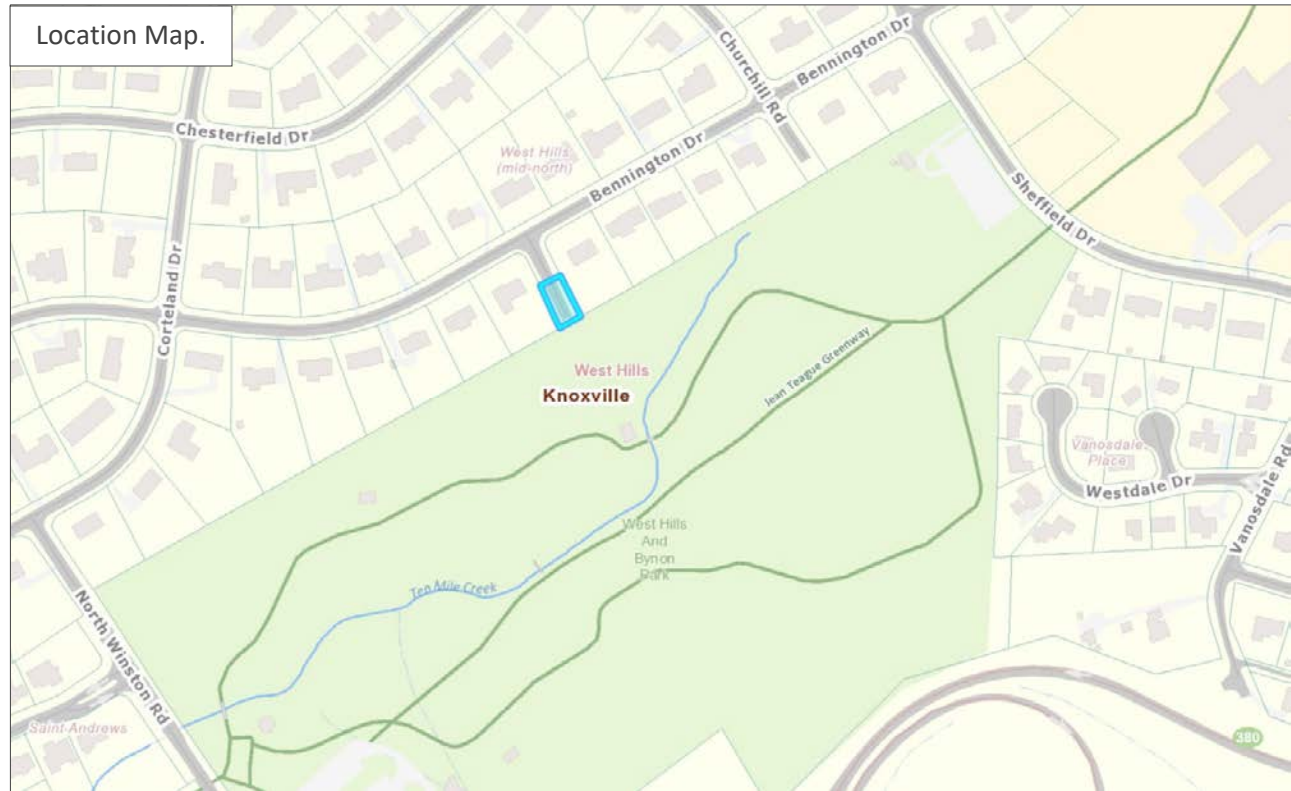
Proposed and/or Existing Subdivision or Street Names	Results of Review, Corrections, and Comments (date subdivision or street name reserved)	Approved, Pending, Denied, Revise, Note
Glenmore Drive	No address changes are anticipated if this proposed closure is approved.	Note

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
	10/6/2021		Oct 11, 2021

11-A-21-SC

Exhibit A. Contextual Images



11-A-21-SC

Exhibit A. Contextual Images

Aerial Map of abutting properties.



Street view of Glenmore Drive and Bennington Drive



11-A-21-SC

Exhibit A. Contextual Images

***View at end of Glenmore Drive to the park showing portion of right-of-way to be closed
(prior to recent changes by resident)***



***Existing view at dead end of Glenmore Drive following changes made by resident
(Photo supplied by original applicant, Mr. Richard Clark)***





RIGHT-OF-WAY CLOSURE

Name of Applicant: City of Knoxville

Date Filed: 10/4/2021 Fee Paid: N/A File Number: 11-A-21-SC

Map Number: 120 Zoning District: RN-1 ☒ City ☐ County Sector: Northwest City

Jurisdiction: ☒ City 2nd Council District

INFORMATION:

Name of Right-of-Way: Glenmore Dr

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

Location of Right-of-Way:

BETWEEN (City Block or Lot where appropriate) 46630

AND (City Block or Lot where appropriate) 46632

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

Reason for Closure: Street is a currently a dead-end with no constructed turnaround. Closure will facilitate improvements to adjoining properties, and a public easement will be reserved to retain public access to the park.

TO BE CLOSED:

From: (Street, Alley, Other)

from southern terminus of Glenmore Dr at the northern line of West Hills and Bynon Park (120BF002.01)

To: (Street, Alley, Other)

a point 100 feet north of southern terminus of Glenmore Dr measured from the northern line of West Hills and Bynon Park (120BF002.01)

ALL CORRESPONDENCE RELATING TO THIS APPLICATION SHOULD BE SENT TO:

Ben Davidson City Coung Bldg., Room 473, Knoxville, TN 37902, 215-4615, bdavidson@knoxvilletn.gov

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: Benjamin D. Davidson

Ben Davidson City Coung Bldg., Room 473, Knoxville, TN 37902, 215-4615, bdavidson@knoxvilletn.gov

Name: (Print) Address • City • State • Zip • Phone • Email

APPLICATION ACCEPTED BY: Michelle Portier

Michelle Portier

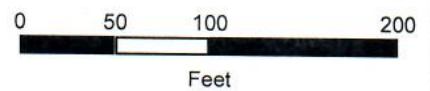
[illegible]

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.

[illegible]



Closure Area of Glenmore Dr
100 feet section north of City park



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Map for Parcel Address: 1005 Mabry Hood Rd Knoxville, TN 37932-2602, Parcel ID: 118 166

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