



CITY OF KNOXVILLE CLOSURE OF PUBLIC RIGHT-OF-WAY

► **FILE #:** 6-B-22-SC

AGENDA ITEM #: 7

AGENDA DATE: 6/9/2022

► **APPLICANT:** OBSIDIAN DEVELOPMENT LLC AND ROHM AND HAAS COMPANY

TAX ID NUMBER:	94 N/A	View map on KGIS
JURISDICTION:	Council District 6	
SECTOR PLAN:	Central City	
GROWTH POLICY PLAN:	N/A (within City limits)	
ZONING:	I-H (Heavy Industrial)	
WATERSHED:	Third Creek	

► **RIGHT-OF-WAY TO BE CLOSED:** A portion of Donald Lee Derrickson Ave.

► **LOCATION:** Between between the southeast corner of parcel 094OC018 and and the western edge of parcels 094OC009 and 094OC031

IS STREET:

(1) IN USE?: No

(2) IMPROVED (paved)?: No

► **APPLICANT'S REASON FOR CLOSURE:** Enhance safety and plant security and prevent loitering.

DEPARTMENT-UTILITY REPORTS:	The City's Engineering Department and KUB have requested to retain any easements that may be in place.
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STAFF RECOMMENDATION:

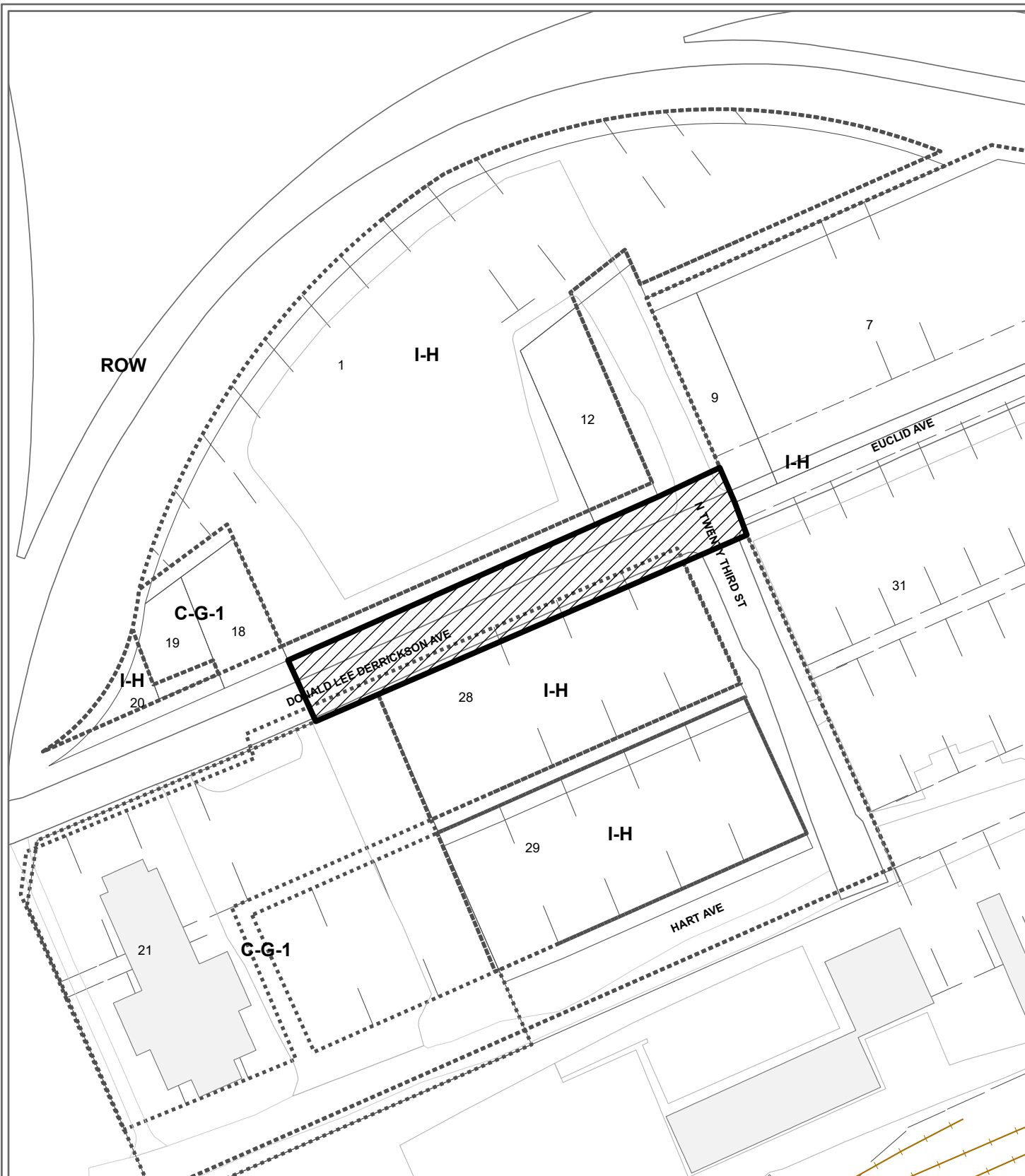
► **Approve closure of a portion of Donald Lee Derrickson Avenue between the southeast corner of parcel 094OC018 and the western edge of parcels 094OC009 and 094OC031.**

COMMENTS:

1. This request is to close a portion of Donald Lee Derrickson Ave at the southwest corner of parcel of 094OC001.
2. This section of road provides access to the parcel directly beneath it, which would appear to be landlocked without this stretch of road. However, all surrounding parcels are under the same ownership. It is staff's understanding is that the owner will be controlling the roadway as a private driveway rather than a public right-of-way, so they will not be blocking any access points to the property below. However, if owner were to sell or replat in the future, they would have to provide approvable legal access at that time.
3. No address changes would be necessitated with this closure.
4. Staff has received no objections from the general public.
5. Staff has received comments from the following departments and organizations:
 - a. KUB has the following comments:
 1. Should this right-of-way be closed, KUB will require the following permanent easements for its utility facilities.

2. Gas: 12.5 feet on each side of the centerline of the gas line, 25 feet total width
3. Electric: 10 feet on each side of the centerline of the electric line, 20 feet total width
4. Water: 7.5 feet on each side of the centerline of the water line, 15 feet total width
- b. City of Knoxville Engineering Department: 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.
6. Other than City of Knoxville Engineering and KUB, no other departments had any comments.

If approved, this item will be forwarded to Knoxville City Council for action on 7/12/2022 and 7/26/2022. 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.



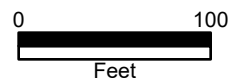
**6-B-22-SC
CLOSURE OF PUBLIC RIGHT OF WAY**

Name of Street or Alley: A portion of Donald Lee Derrickson Ave.
 To be closed from: between the southeast corner of parcel 094OC018
 To be closed to: and the western edge of parcels 094OC009 and 094OC031

Original Print Date: 5/5/2022 Revised:
 Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Obsidian Development LLC and
 Rohm and Haas Company

Map No: 94
 Jurisdiction: City



MAY 6, 2022

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
James W. Wagner, AT&T
Ben Davidson, Department of Engineering
Charlotte Goforth, Department of Engineering

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

**RE: REQUEST CLOSURE OF A PORTION OF DONALD LEE DERRICKSON AVE.
BETWEEN THE SOUTHEAST CORNER OF PARCEL 094OC018 AND THE
WESTERN EDGE OF PARCELS 094OC009 AND 094OC031. (6-B-22-SC)**

Please give us the following information in writing regarding this proposed closure, adding 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** If closed (vacated), would easements meet your needs?
- 5** If easement will meet needs, please state easements required.
- 6** If your department opposes vacating the ROW, please indicate the rationale.

This request will be considered by the Knoxville-Knox County Planning Commission on June 9, 2022. A map showing the street or alley in question is attached for your information.

PLEASE NOTE: Failure to reply to our office by Monday, May 23, 2022 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>

June 22 ROW closure requests: 6-A-22-AC, 6-A-22-SC, 6-B-22-SC, 6-C-22-SC and 6-D-22-SC

Sonny Partin <spartin@knoxvilletn.gov>

Thu, May 12, 2022 at 11:11 AM

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

Cc: "michelle.portier@knoxplanning.org" <michelle.portier@knoxplanning.org>

Dori,

We are good with everything except Ball Camp. I came over to see you, Michelle or Mike and everyone was out, I have a call into the applicant to gather info on the building at this dead end.

Asst. Chief Sonny Partin, CFPS**Fire Marshal****Knoxville Fire Department****400 Main St. Suite 446****Knoxville, Tn. 37902****Office 865-215-2283****From:** Dori Caron <dori.caron@knoxplanning.org>**Sent:** Friday, May 6, 2022 10:02 AM**To:** Charlotte Goforth <cgoforth@knoxvilletn.gov>; Steve Borden <steve.borden@tn.gov>; Michelle Portier <michelle.portier@knoxplanning.org>; Christian Wiberley <Christian.Wiberley@kub.org>; WAGNER, JAMES W <JW904s@att.com>; Levan King Cranston <levan.kingcranston@knoxplanning.org>; Steve King <sking@knoxvilletn.gov>; Ben Davidson <bdavidson@knoxvilletn.gov>; Harold Cannon <hcannon@knoxvilletn.gov>; Sonny Partin <spartin@knoxvilletn.gov>; amy.brooks@knoxplanning.org; Shannon Sims <ss3775@att.com>**Subject:** June 22 ROW closure requests: 6-A-22-AC, 6-A-22-SC, 6-B-22-SC, 6-C-22-SC and 6-D-22-SC

Good morning,

Five closure requests for June, attached.

Have a nice weekend.

Dori Caron



Dori Caron <dori.caron@knoxplanning.org>

June 22 ROW closure requests: 6-A-22-AC, 6-A-22-SC, 6-B-22-SC, 6-C-22-SC and 6-D-22-SC

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

Mon, May 23, 2022 at 4:39 PM

TDOT District 18 Operations has the following comments on the June ROW closure requests:

6-A-22-AC: No comment.

6-A-22-SC: Operations does not oppose this closure, but would like to point out that access to parcel 093CF03 will not be granted from either Western Avenue or the I-640 off ramp to Western Avenue.

6-B-22-SC: No comment.

6-C-22-SC: No comment.

6-D-22-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: Friday, May 6, 2022 10:02 AM

To: Charlotte Goforth <cgoforth@knoxvilletn.gov>; Steve Borden <Steve.Borden@tn.gov>; Michelle Portier <michelle.portier@knoxplanning.org>; Christian Wiberley <Christian.Wiberley@kub.org>; WAGNER, JAMES W <JW904s@att.com>; Levan King Cranston <levan.kingcranston@knoxplanning.org>; Steve King <sking@knoxvilletn.gov>; Ben Davidson <bdavidson@knoxvilletn.gov>; Harold Cannon <hcannon@knoxvilletn.gov>; Sonny Partin <spartin@knoxvilletn.gov>; Amy Brooks <amy.brooks@knoxplanning.org>; Shannon Sims



May 23, 2022

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-B-22-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.

Gas – 12.5 feet on each side of the centerline of the gas line, 25 feet total width
Electric – 10 feet on each side of the centerline of the electric line, 20 feet total width
Water – 7.5 feet on each side of the centerline of the water line, 15 feet total width

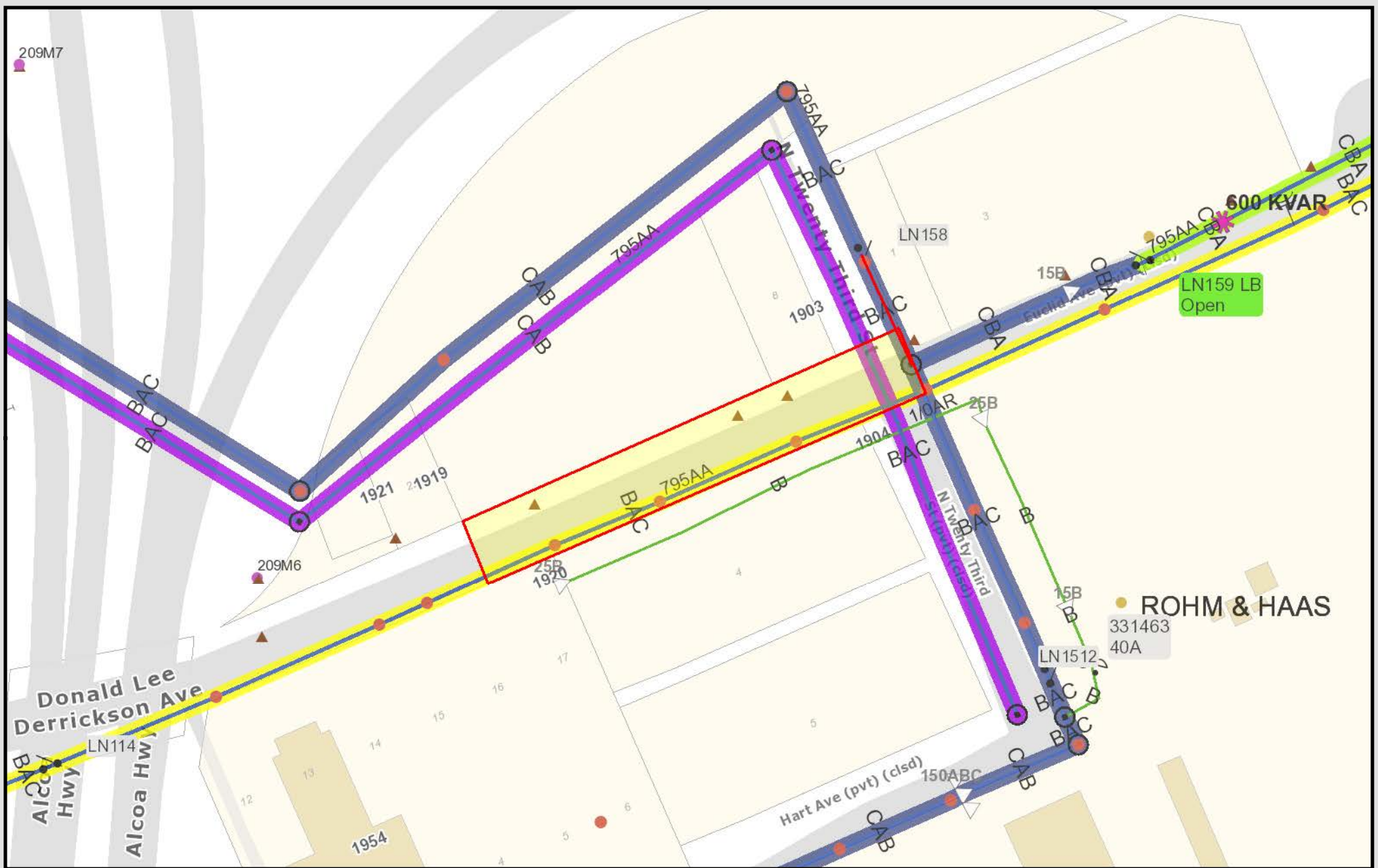
If you have any questions regarding this matter, please call me at (865) 558-2483.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Wiberley', is placed below the 'Sincerely,' text.

Christian Wiberley, PE
Engineering

CGW



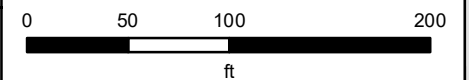
File No. 6-B-22-SC (Electric)

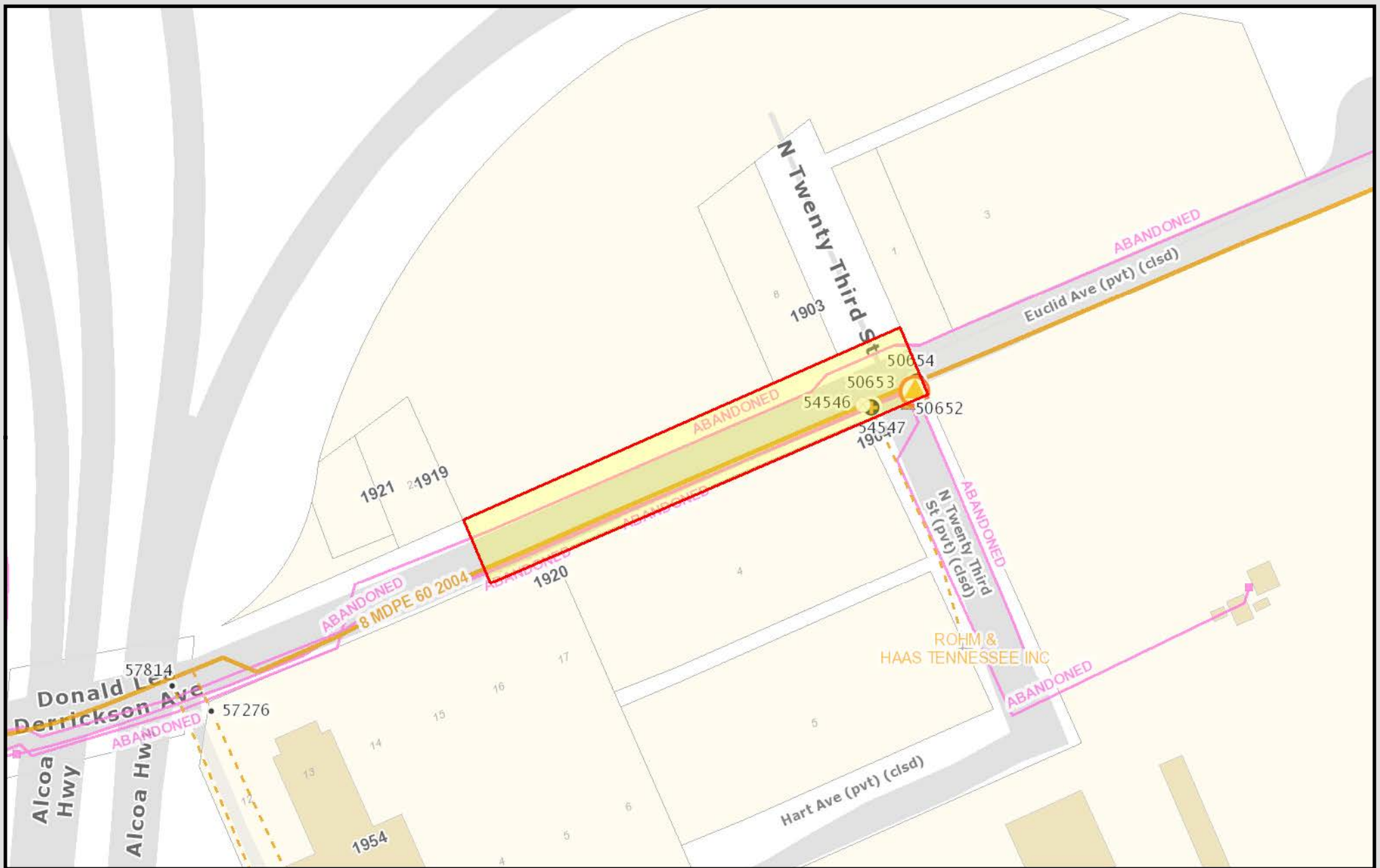
Knoxville Utilities Board

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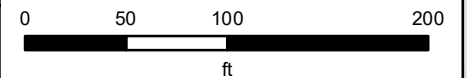
File No. 6-B-22-SC (Gas)

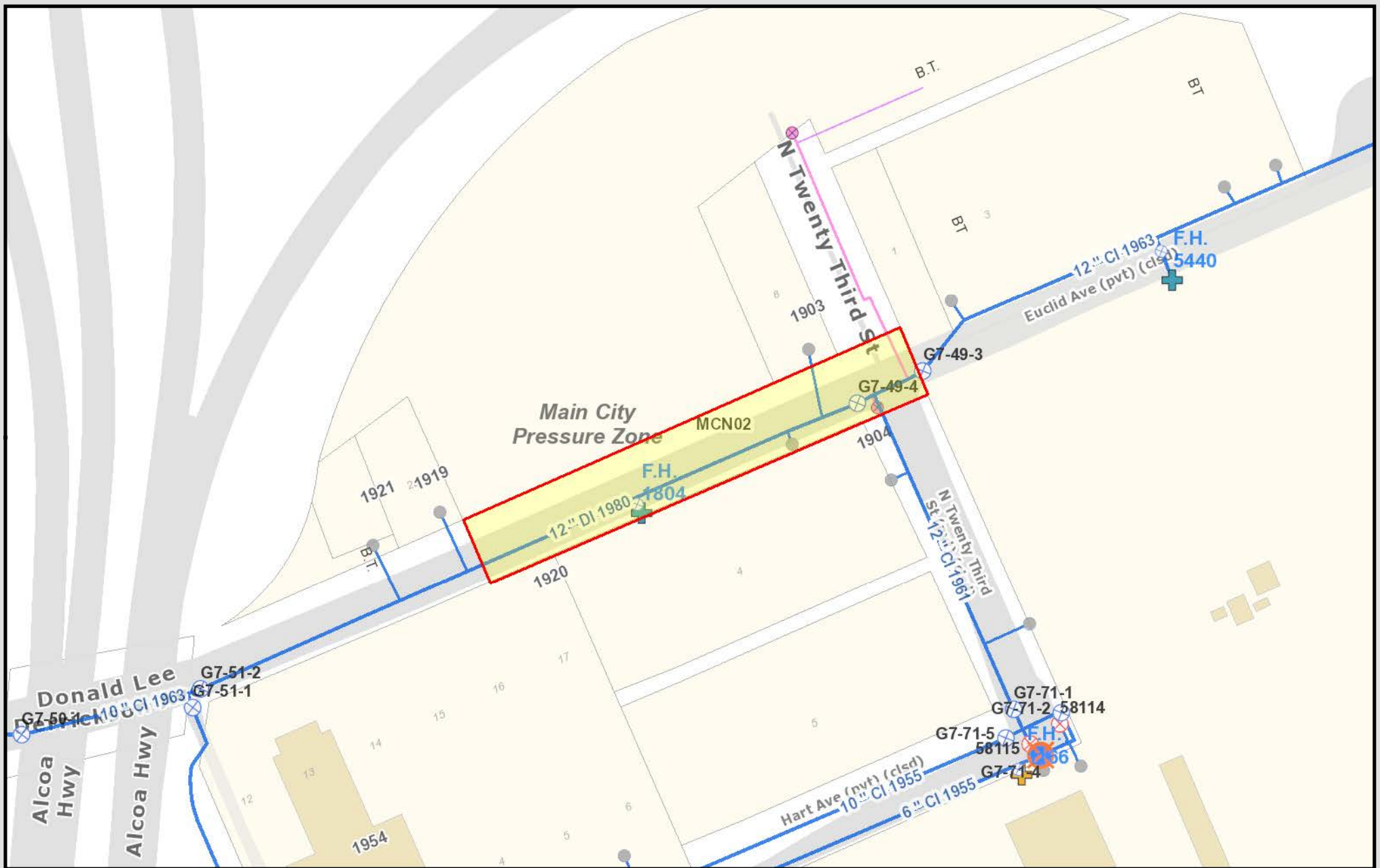
Knoxville Utilities Board

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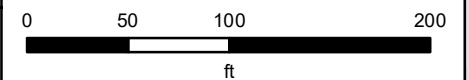
File No. 6-B-22-SC (Water)

Knoxville Utilities Board

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CITY OF KNOXVILLE

Engineering
Benjamin D. Davidson, PLS
Technical Services Administrator

May 23, 2022

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

SUBJECT: Closure of a portion of Donald Lee Derrickson Ave
MPC File # 6-B-22-SC; Nearby City Block 22242

The City Engineering Department has no objections to close the above described right-of-way area. The closure area reduces the magnitude of an already dead-end condition already present with the current configuration of Donald Lee Derrickson Ave and N Twenty Third St.

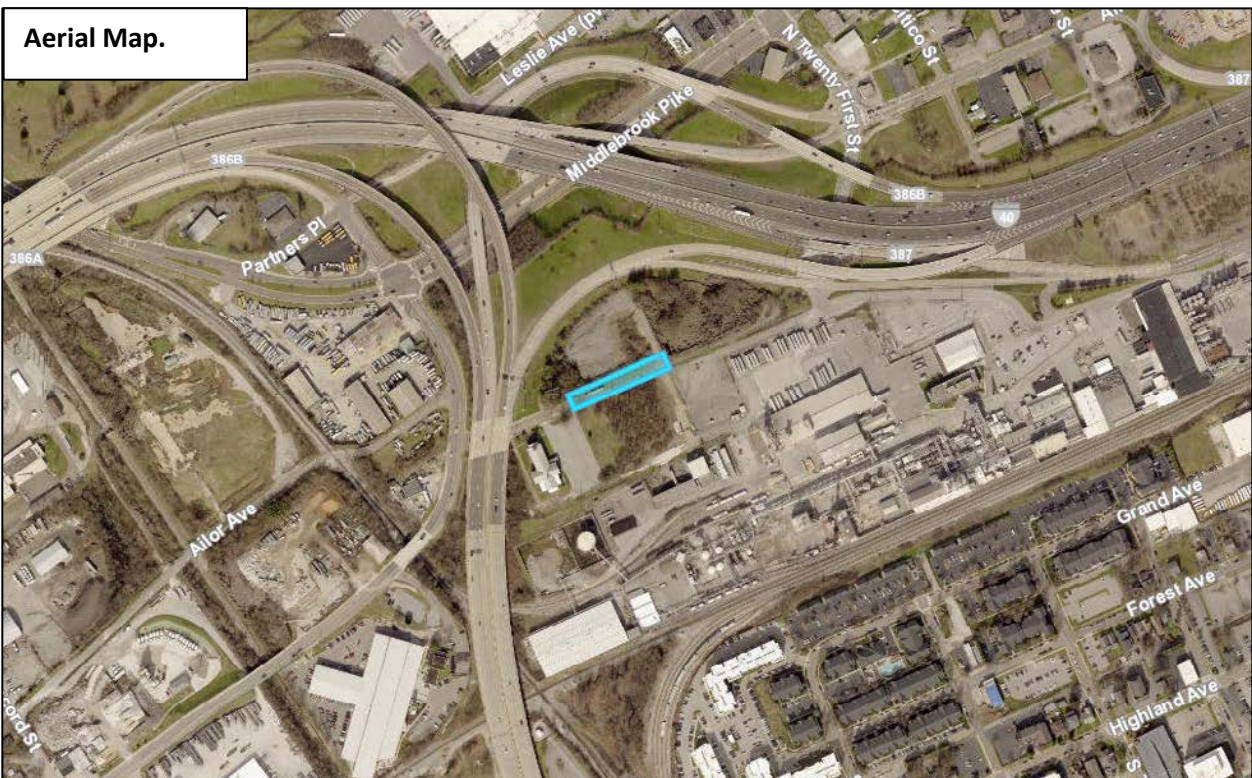
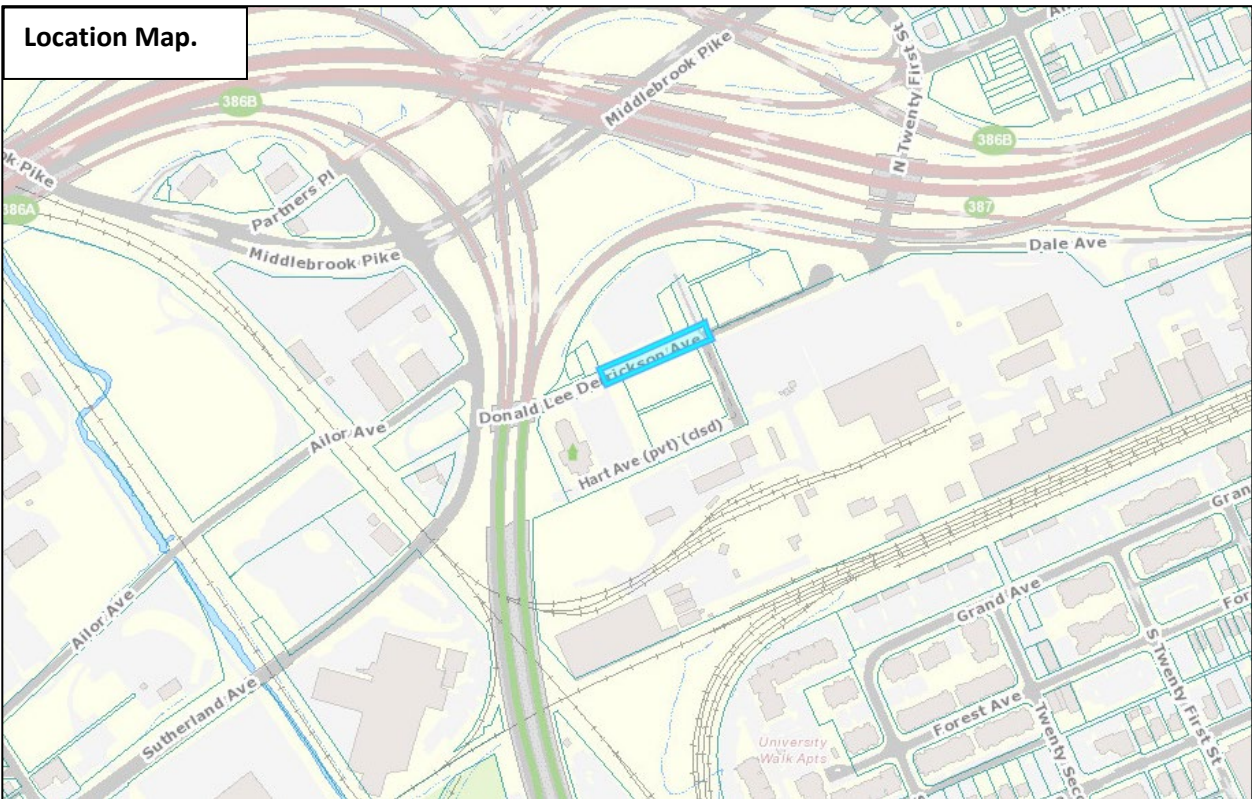
Should this right-of-way be closed, the City will reserve easements for all drainage facilities and utilities, **if there are any current facilities**, located in or within five (5) feet of the property described herein. No easements are reserved if there are no current facilities within the closure 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,

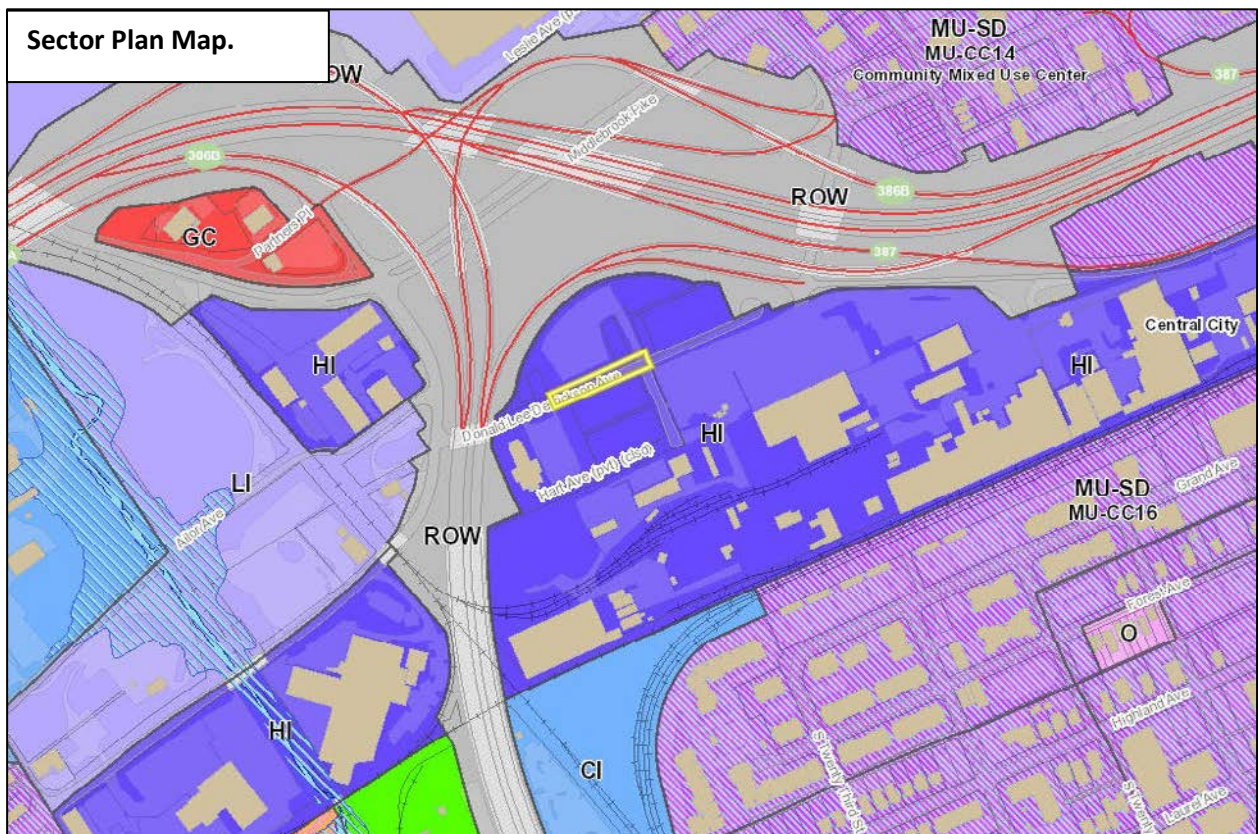
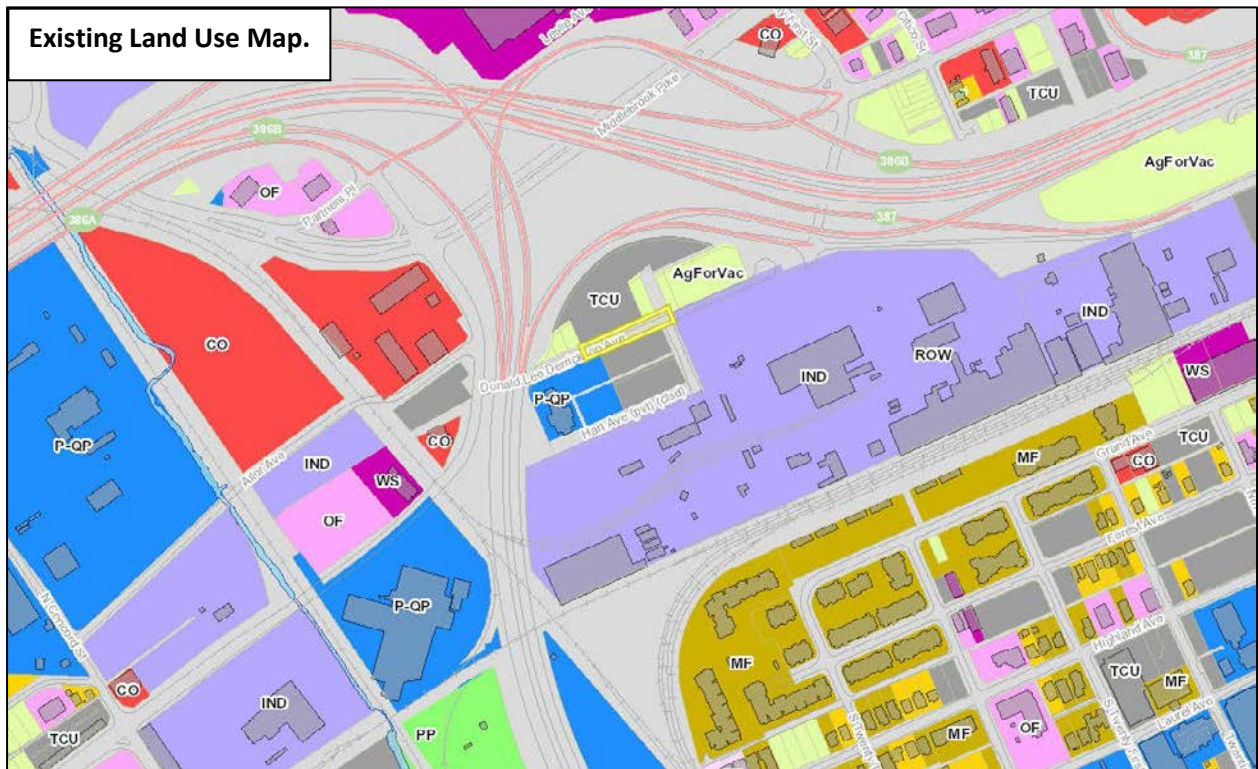
Benjamin D. Davidson, PLS, Technical Services Administrator
Technical Services/Department of Engineering
Ph: 865-215-2103

6-B-22-SC

EXHIBIT A. Contextual Images



6-B-22-SC
EXHIBIT A. Contextual Images



6-B-22-SC

EXHIBIT A. Contextual Images

Eagle Eye View.



Streetview.



Addressing Staff Review Comments

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.

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

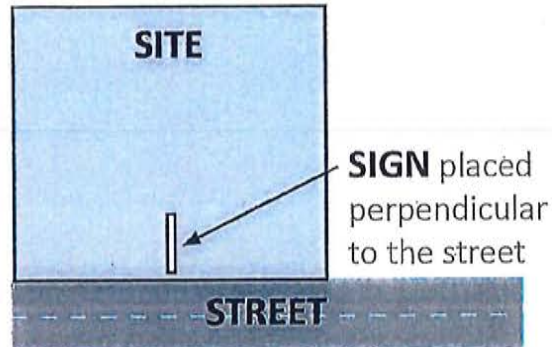
Proposed or Existing Subdivision or Street Name	Review Comments (Corrections, Reserved/Approved Date, Notes)
	If the proposed ROW closure is approved, no address changes are anticipated.

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

Addressing Staff Contacts:	Donna Hill	donna.hill@knoxplanning.org	865.215.3872
	Andrea Kupfer	andrea.kupfer@knoxplanning.org	865.215.3797
	Both staff	addressing@knoxplanning.org	865.215.2507

[illegible][illegible]

The Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission require a sign to be posted on the property for each application subject to consideration by the Planning Commission, including the following applications: rezoning, plan amendment, concept plan, use on review/special use, planned development, right-of-way closure, and name change.



The required public notice sign(s) will be provided by Planning to the applicant when an application is submitted. If an application is submitted electronically, Planning staff will post the required sign. If a replacement sign(s) is needed, the applicant is responsible for picking up the new sign(s) from Planning and will be charged \$10 for each replacement.

LOCATION AND VISIBILITY

The sign must be posted on the nearest adjacent/frontage street and in a location clearly visible to vehicles traveling in either direction. If the property has more than one street frontage, the sign should be placed along the street that carries more traffic. Planning staff may recommend a preferred location for the sign to be posted at the time of application.

TIMING

The sign(s) must be posted **not less than 12 days prior to the scheduled Planning Commission public hearing** and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted not less than 12 days prior to the next Planning Commission meeting. The applicant is responsible for removing the sign after the application has been acted upon by the Planning Commission.

The individual below is responsible for posting and removing the sign(s) provided consistent with the above guidelines and between the dates of:

May 25th

(applicant or staff to post sign)

and

June 10th

(applicant to remove sign)

Applicant Name: Obsidian Dev. LLC & Rohm & Haas Co
 Date: 4/21/2022
 File Number: 6B-22-SC

☒ Sign posted by Staff

☒ Sign posted by Applicant