



CITY OF KNOXVILLE CLOSURE OF PUBLIC RIGHT-OF-WAY

▶ FILE #: 4-A-23-AC

AGENDA ITEM #: 5

AGENDA DATE: 4/13/2023

▶ APPLICANT: CITY OF KNOXVILLE

TAX ID NUMBER: 81 N/A

JURISDICTION: Council District 5

SECTOR PLAN: Central City

GROWTH POLICY PLAN: N/A (Within City Limits)

ZONING: INST (Institutional)

WATERSHED: Second Creek

[View map on KGIS](#)

▶ RIGHT-OF-WAY TO BE CLOSED: **Unnamed Alley (part of)**

▶ LOCATION: **Between Saint Mary St and Huron St**

IS ALLEY:

(1) IN USE?: yes

(2) IMPROVED (paved)?: yes

▶ APPLICANT'S REASON FOR CLOSURE: **Alley will be consolidated into abutting properties to facilitate redevelopment. The City will be transferring the alley area and abutting properties to KCDC.**

DEPARTMENT-UTILITY REPORTS: AT&T, KUB, and the City of Knoxville Engineering Department have requested to retain all easements that may be in place.

STAFF RECOMMENDATION:

▶ **Approve closure of the requested part of the unnamed alley that runs between St Mary Street and Huron Street since staff has received no objections and closure would not adversely affect surrounding properties, subject to one condition.**

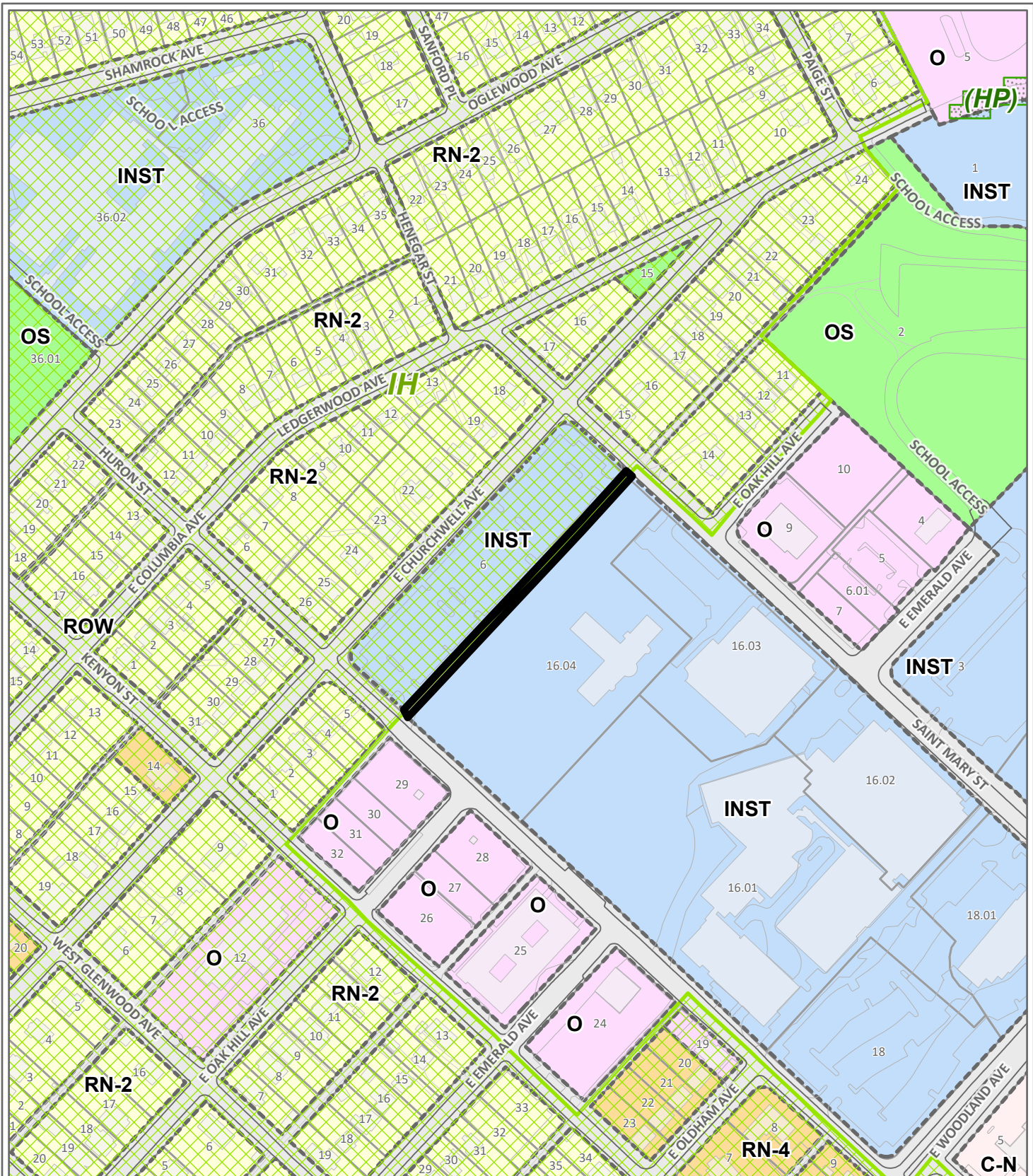
1. Should this right-of-way be closed, the City will reserve easements for all drainage facilities and utilities, and AT&T and KUB would retain all existing easements for their facilities.

COMMENTS:

1. This is a request to close one block of the subject alley near its northeastern terminus. It is located at the former site of St Mary's Hospital in the Oakwood-Lincoln Park neighborhood. This site is undergoing demolition and renovation and will become the Public Safety Complex for the City of Knoxville.
2. In its current state, the alley spans 6.5 blocks and runs from the southeast corner of lot 081EB024 near Fulton Bicentennial Park to the northeast to a point mid-block between McMillan and Central Streets to the southwest. It is a developed alley that provides connectivity within the neighborhood but does not connect to a main thoroughfare.
3. If approved, the alley would become bifurcated, with the portion of the alley at Fulton Centennial Park disconnected from the rest of the alley. However, this portion of the alley provides additional access to the park, not to residences, so no residences should be affected by the closure of the requested portion of the alley
4. Staff has received no objections from the general public.

5. The following departments and organizations had these comments:
 - a. 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. Electric – 10 feet on each side of the centerline of the sewer line, 20 feet total width
 - b. AT&T has facilities along this route and requests a 10-ft easement for access. If the facilities need to be relocated, AT&T is willing to work with the applicant for a solution.
 - c. The City Engineering Department has no objections to closing 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.
 - d. TDOT had no comments.
 - e. The City of Knoxville Fire Department had no comments.

If approved, this item will be forwarded to Knoxville City Council for action on 5/16/2023 and 5/30/2023. 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.



CLOSURE OF PUBLIC RIGHT OF WAY

4-A-23-AC

Petitioner: City of Knoxville

Name of Street or Alley: Unnamed Alley (part of)

To be closed from: Saint Mary St

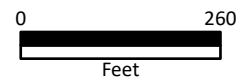
To be closed to: Huron St

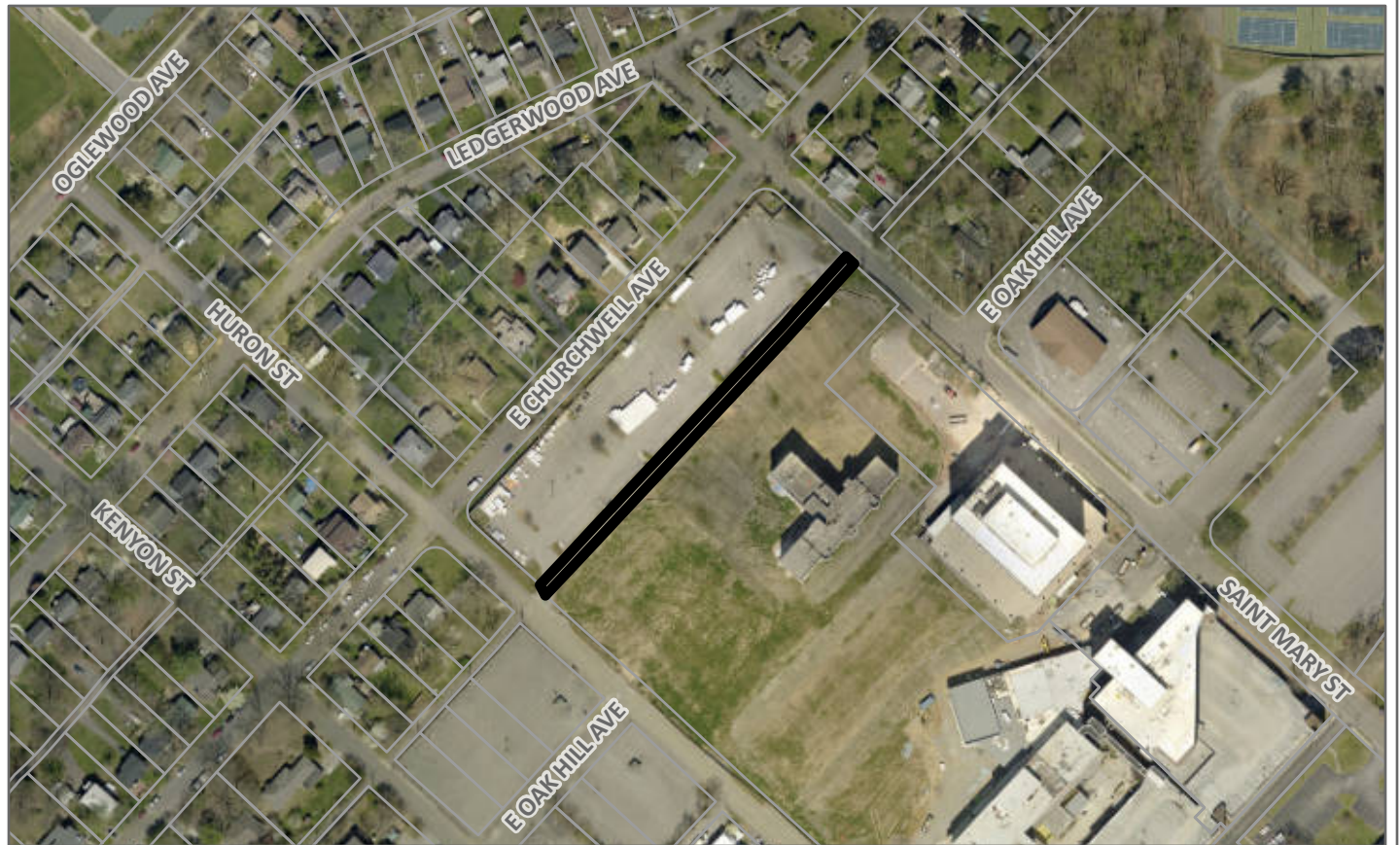
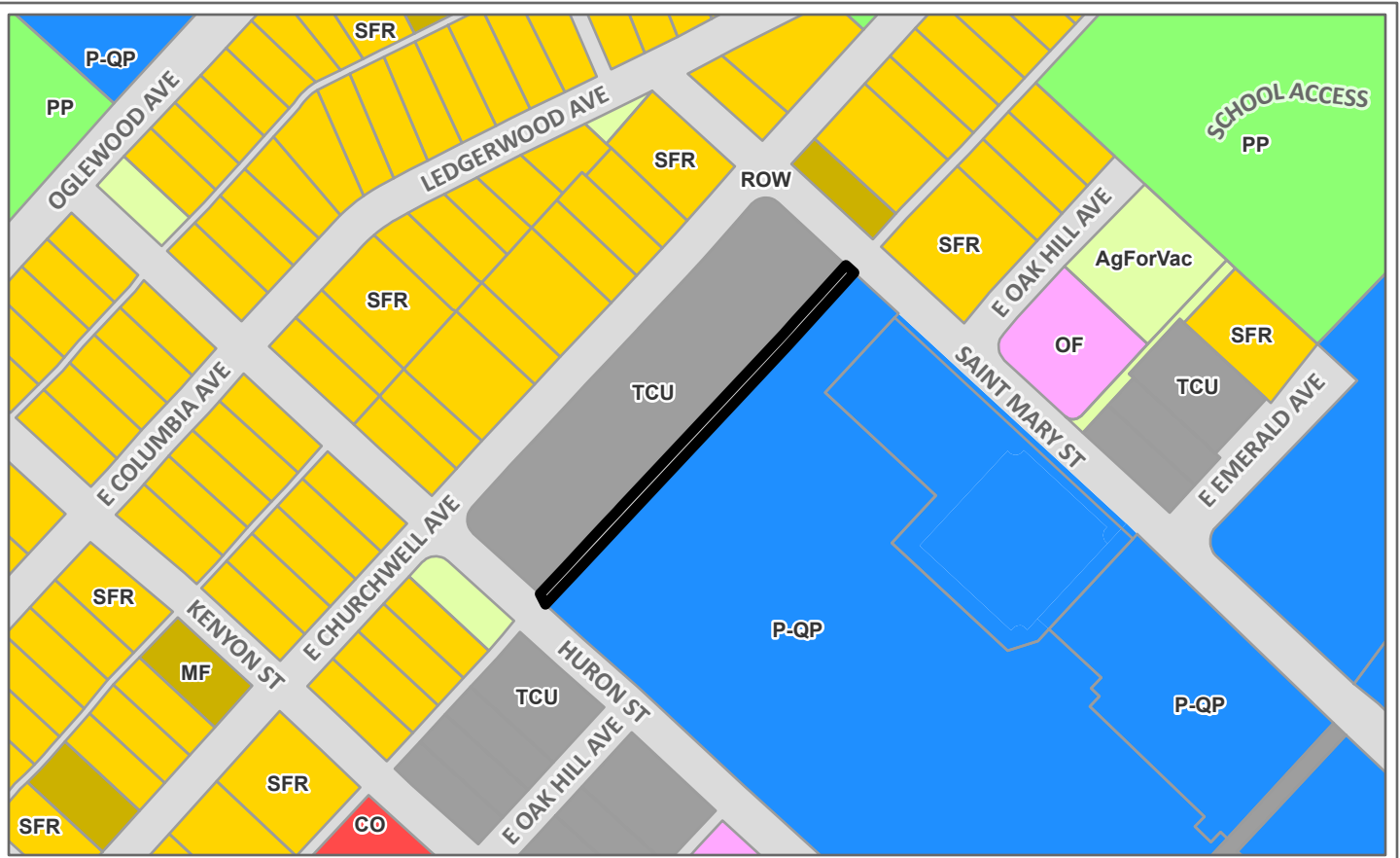
Original Print Date: 4/4/2023

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

Map No: 81

Jurisdiction: City



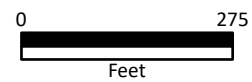


Existing Land Use and Aerial Maps

4-A-23-AC



Case boundary



MARCH 13, 2023

Christian Wiberley, Knoxville Utilities Board
Steve Borden, Regional Director, TN Dept. of Transportation
Tom Clabo, Director, Department of Engineering
Sonny Partin, Fire Marshall, City of Knoxville
Jeremy Honeycutt, AT&T
John Stansbury, AT&T
Chris Flatford, AT&T
Ben Davidson, Department of Engineering

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

RE: REQUEST CLOSURE OF AN UNNAMED ALLEY BETWEEN HURON STREET AND SAINT MARY STREET. (4-A-23-AC)

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 April 13, 2023. A map showing the street or alley in question is attached for your information.

PLEASE NOTE: Failure to reply to our office by Monday, March 27, 2023 will be considered as no objection by your agency.

C: Jeff Welch, Executive Director, Knoxville-Knox County Planning
Attachment: Application



CITY OF KNOXVILLE

Engineering
Benjamin D. Davidson, PLS
Technical Services Administrator

March 28, 2023

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

SUBJECT: Closure of an unnamed alley
Planning File # 4-A-23-AC

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 the following 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

ROW closure 4-A-23-AC

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

Mon, Mar 13, 2023 at 9:06 AM

Fire Department approves.

Thanks Dori.



Asst. Chief Sonny Partin, CFPS
Fire Marshal, Knoxville Fire Dept.
400 Main St. Suite 446
Knoxville, TN 37902
Office: 865-215-2283

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

Sent: Monday, March 13, 2023 8:35 AM

To: Jeff Welch <jeff.welch@knoxplanning.org>; John Stansbury <js0634@att.com>; Charlotte Goforth <cgoforth@knoxvilletn.gov>; Steve Borden <steve.borden@tn.gov>; Michelle Portier <michelle.portier@knoxplanning.org>; Christian Wiberley <Christian.Wiberley@kub.org>; Erin Gill <egill@knoxvilletn.gov>; Harold Cannon <hcannon@knoxvilletn.gov>; Tom Clabo <tclabo@knoxvilletn.gov>; Chris Howley <chowley@knoxvilletn.gov>; Chris Flatford <cf2061@att.com>; Ben Davidson <bdavidson@knoxvilletn.gov>; Sonny Partin <spartin@knoxvilletn.gov>; Jeremy Honeycutt <JH309E@att.com>

Subject: ROW closure 4-A-23-AC

Good morning,

Just one closure request for April. Have a great week.

Dori Caron

Senior Administrative Assistant

Direct Line: 865-215-2694

Email: dori.caron@knoxplanning.org

ROW closure 4-A-23-AC

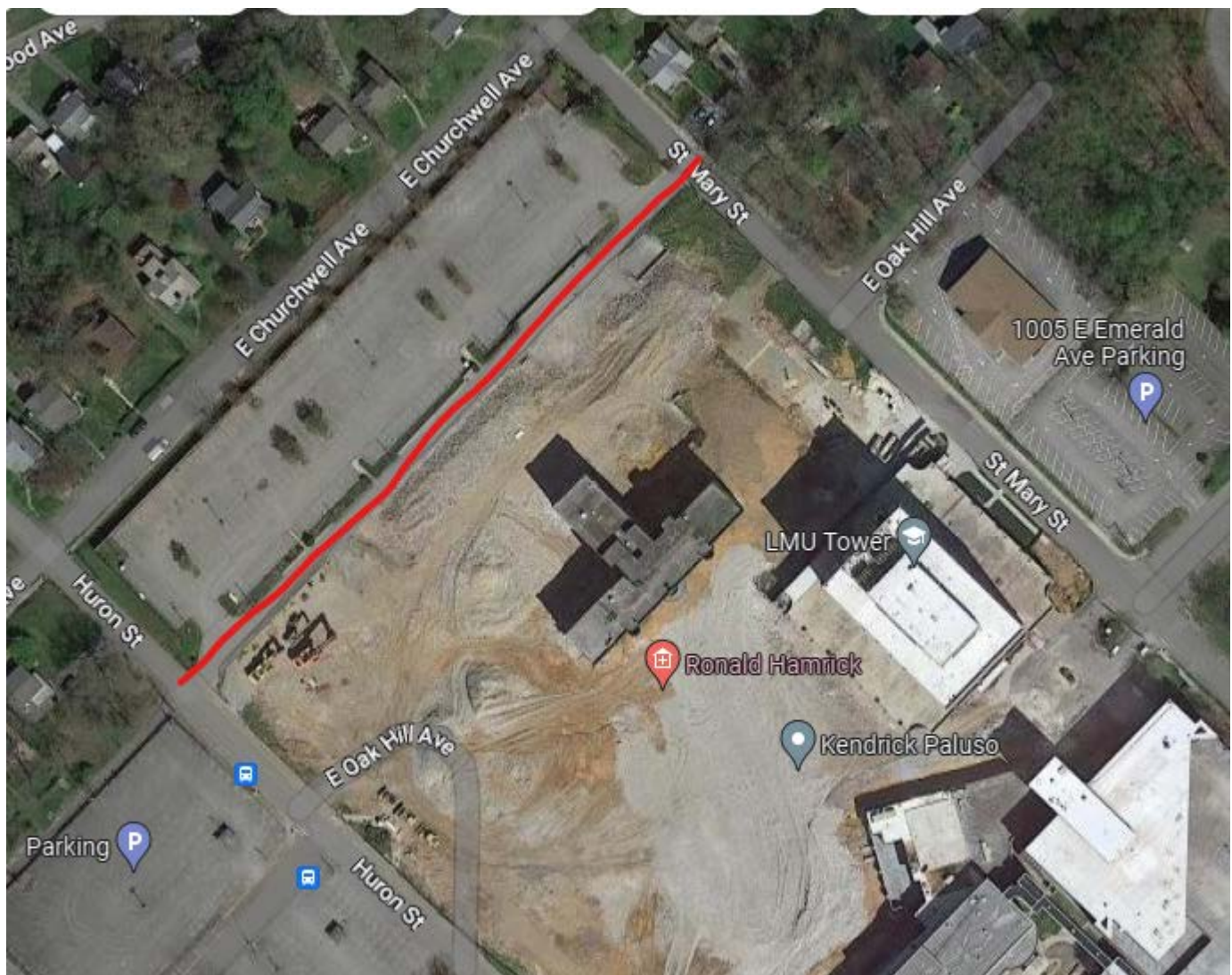
FLATFORD, CHRISTOPHER W <cf2061@att.com>

Mon, Mar 13, 2023 at 9:08 AM

To: Dori Caron <dori.caron@knoxplanning.org>, Jeff Welch <jeff.welch@knoxplanning.org>, "STANSBURY, JOHN G" <js0634@att.com>, Charlotte Goforth <cgoforth@knoxvilletn.gov>, Steve Borden <steve.borden@tn.gov>, Michelle Portier <michelle.portier@knoxplanning.org>, Christian Wiberley <Christian.Wiberley@kub.org>, Erin Gill <egill@knoxvilletn.gov>, Harold Cannon <hcannon@knoxvilletn.gov>, Tom Clabo <tclabo@knoxvilletn.gov>, Chris Howley <chowley@knoxvilletn.gov>, Ben Davidson <bdavidson@knoxvilletn.gov>, Sonny Partin <spartin@knoxvilletn.gov>, "HONEYCUTT, JEREMIAH" <jh309e@att.com>
Cc: "FLATFORD, CHRISTOPHER W" <cf2061@att.com>

Good morning Dori,

If the alley below is the requested ROW closure, AT&T has aerial facilities located along this route and would require a 10' easement for access. If the facilities need to be relocated someone can reach out to me for further guidance. Thanks



Chris Flatford

Manager OSP Planning & Engineering Design

Access Construction & Engineering

Tennessee/Kentucky District

AT&T – BellSouth Telecommunications, LLC

9733 Parkside Dr, Knoxville, TN 37922
m 865.742.1000 | cf2061@att.com

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

Sent: Monday, March 13, 2023 8:35 AM

To: Jeff Welch <jeff.welch@knoxplanning.org>; STANSBURY, JOHN G <js0634@att.com>; Charlotte Goforth <cgoforth@knoxvilletn.gov>; Steve Borden <steve.borden@tn.gov>; Michelle Portier <michelle.portier@knoxplanning.org>; Christian Wiberley <Christian.Wiberley@kub.org>; Erin Gill <egill@knoxvilletn.gov>; Harold Cannon <hcannon@knoxvilletn.gov>; Tom Clabo <tclabo@knoxvilletn.gov>; Chris Howley <chowley@knoxvilletn.gov>; FLATFORD, CHRISTOPHER W <cf2061@att.com>; Ben Davidson <bdavidson@knoxvilletn.gov>; Sonny Partin <spartin@knoxvilletn.gov>; HONEYCUTT, JEREMIAH <jh309e@att.com>

Subject: ROW closure 4-A-23-AC

Good morning,

Just one closure request for April. Have a great week.

Dori Caron

Senior Administrative Assistant

Direct Line: 865-215-2694

Email: dori.caron@knoxplanning.org

[Quoted text hidden]



400 Main Street, Suite 403
 Knoxville, Tennessee 37902
 865-215-2500
 www.knoxplanning.org

RIGHT-OF-WAY CLOSURE

Date Filed: 3/1/2023

Name of Applicant: CITY OF KNOXVILLE

Jurisdiction: City Council District 5

Sector: Central City

Growth Policy Plan: N/A (Within City Limits)

Zoning District: INST (Institutional)

File Number: 4-A-23-AC

Meeting Date: 4/13/2023

Fee Amount: \$0.00

INFORMATION:

Tax ID: 81 N/A

Add'l. Tax ID Info.:

Name of Right-of-Way: Unnamed Alley

Type of Right-of-Way: Alley

Location of Right-Of-Way:

BETWEEN (City Block or Lot, where appropriate): Eastern ROW of Huron St

AND (City Block or Lot, where appropriate): Western ROW of Saint Mary St

Is ROW in use (yes/no)?: yes

Is ROW improved (e.g. paved) (yes/no)?: yes

Reason for Closure: Alley will be consolidated into abutting properties to facilitate redevelopment. The City will be transferring the alley area and abutting properties to KCDC.

TO BE CLOSED:

From: (Street, Alley, Other)

Saint Mary St

To: (Street, Alley, Other)

Huron St

ALL CORRESPONDENCE RELATING TO THIS APPLICATION SHOULD BE DIRECTED TO:

Ben Davidson

400 Main St, Room 473

Knoxville, TN 37902

Telephone: 865-215-4615

Fax:

Email: b davidson@knoxvilletn.gov

AUTHORIZATION OF APPLICATION:

I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, as listed on the next page of this form.

Benjamin Davidson

Signature: _____

400 Main St Room 473

Knoxville, TN 37902

Telephone: 865-215-4615

Fax:

Email: b davidson@knoxvilletn.gov

APPLICATION ACCEPTED BY: Missy Jones

3/20/2023 10:48:06 AM

RIGHT-OF-WAY CLOSURE CANVASS FORM

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.



RIGHT-OF-WAY CLOSURE

Name of Applicant: City of Knoxville

Date Filed: 02-27-2023 Fee Paid: n/a File Number: 4-A-23-AC

Map Number: 081 Zoning District: INST City County Sector: Central City

Jurisdiction: City 5 Council District

INFORMATION:

Name of Right-of-Way: Unnamed Alley

Type of Right-of-Way: Street Alley

Location of Right-of-Way:

BETWEEN (City Block or Lot where appropriate) E Churchwell Ave.

AND (City Block or Lot where appropriate) E Woodland Ave. (Block 17544)

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

Reason for Closure: Alley area will be consolidated into abutting properties to facilitate redevelopment. The City will be transferring the alley area and abutting properties to Knoxville's Community Development Corporation (KCDC).

TO BE CLOSED:

From: (Street, Alley, Other)
eastern right-of-way of Huron Street

To: (Street, Alley, Other)
western right-of-way of Saint Mary Street

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

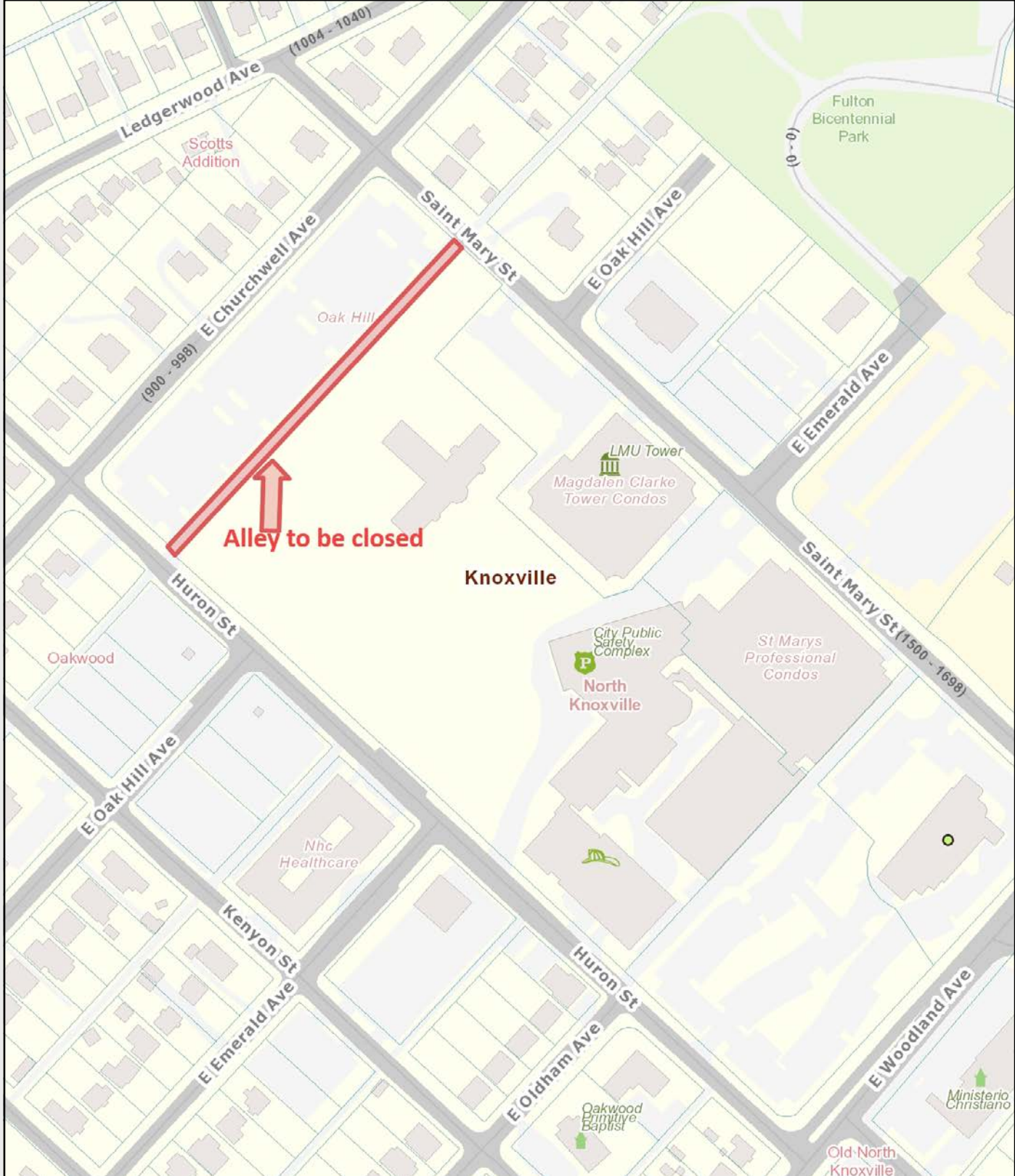
AUTHORIZATION OF APPLICATION:

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:



Unnamed alley to be closed

