



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

▶ FILE #: 6-B-23-SC

AGENDA ITEM #: 6

AGENDA DATE: 6/8/2023

▶ APPLICANT: UNIVERSITY OF TN

TAX ID NUMBER:	96 N/A	<a href="#"><u>View map on KGIS</u></a>
JURISDICTION:	Council District 6	
SECTOR PLAN:	East City	
GROWTH POLICY PLAN:	N/A (Within City Limits)	
ZONING:	N/A	
WATERSHED:	Holston-French Broad	

▶ RIGHT-OF-WAY TO BE CLOSED: Riverside Dr. / Kreis Rd.

▶ LOCATION: Between southwest corner of parcel 096 01104 and its southern terminus

IS STREET:	
(1) IN USE?:	Yes
(2) IMPROVED (paved)?:	Yes

▶ APPLICANT'S REASON FOR CLOSURE: To allow the University of Tennessee, Institute of Agriculture, to better control and manage access to the site. It is the East Tennessee Agricultural Research and Education Center (Holston Unit).

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

### STAFF RECOMMENDATION:

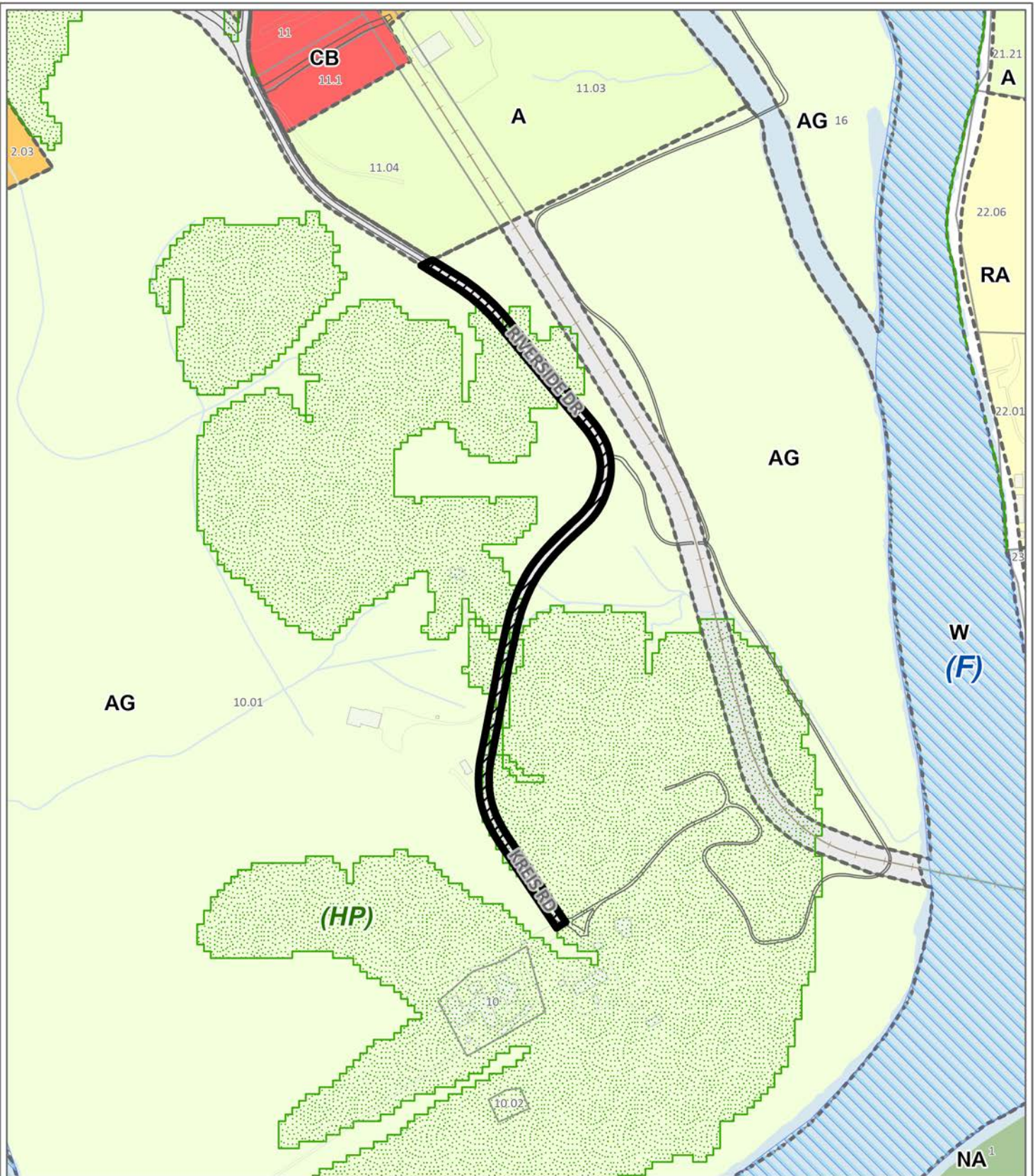
▶ Approve the request to close the portion of Riverside Dr from the southwest corner of parcel 096 01104 to where it meets Kreis Road, then closing Kreis Road in its entirety, subject to retaining all easements, since staff has received no objections and closure would not adversely affect surrounding properties.

### COMMENTS:

1. This is a request to close the southern end of Riverside Dr from the southwest corner of parcel 096 01104 to where it meets Kreis Road, then closing Kreis Road in its entirety.
2. Riverside Drive veers off to the east and continues across the railroad tracks then back up to existing buildings. After Riverside Drive meets Kreis Road, it is no longer a public right-of-way but functions more like a driveway for the existing buildings at its terminus. Since the portion of Riverside Drive east and south of its meeting with Kreis Road is not a public right-of-way, it is not included in the closure request.
3. The applicant owns both the large property through which Riverside Drive traverses, as well as the smaller lot at 3836 Kreis Road. That smaller lot was transferred by deed in 1973 (Book 1525, Page 401) but was never updated in KGIS. Therefore, a signature was not needed for this property on the right-of-way closure canvass form.

4. 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 the following drainage facilities and utilities, if there are any current facilities, located in the property 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.
  - b. 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 electric line, 20 feet total width
5. The following departments had no objections to the requested closure:
  - i. TDOT
  - ii. The City of Knoxville Fire Department
  - iii. AT&T

If approved, this item will be forwarded to Knoxville City Council for action on 7/11/2023 and 7/25/2023. 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, ZONING MAP**

**6-B-23-SC**

**Petitioner:** University of TN

Name of Street or Alley: Riverside Dr. / Kreis Rd.

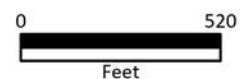
To be closed from: southwest corner of parcel 096 01104

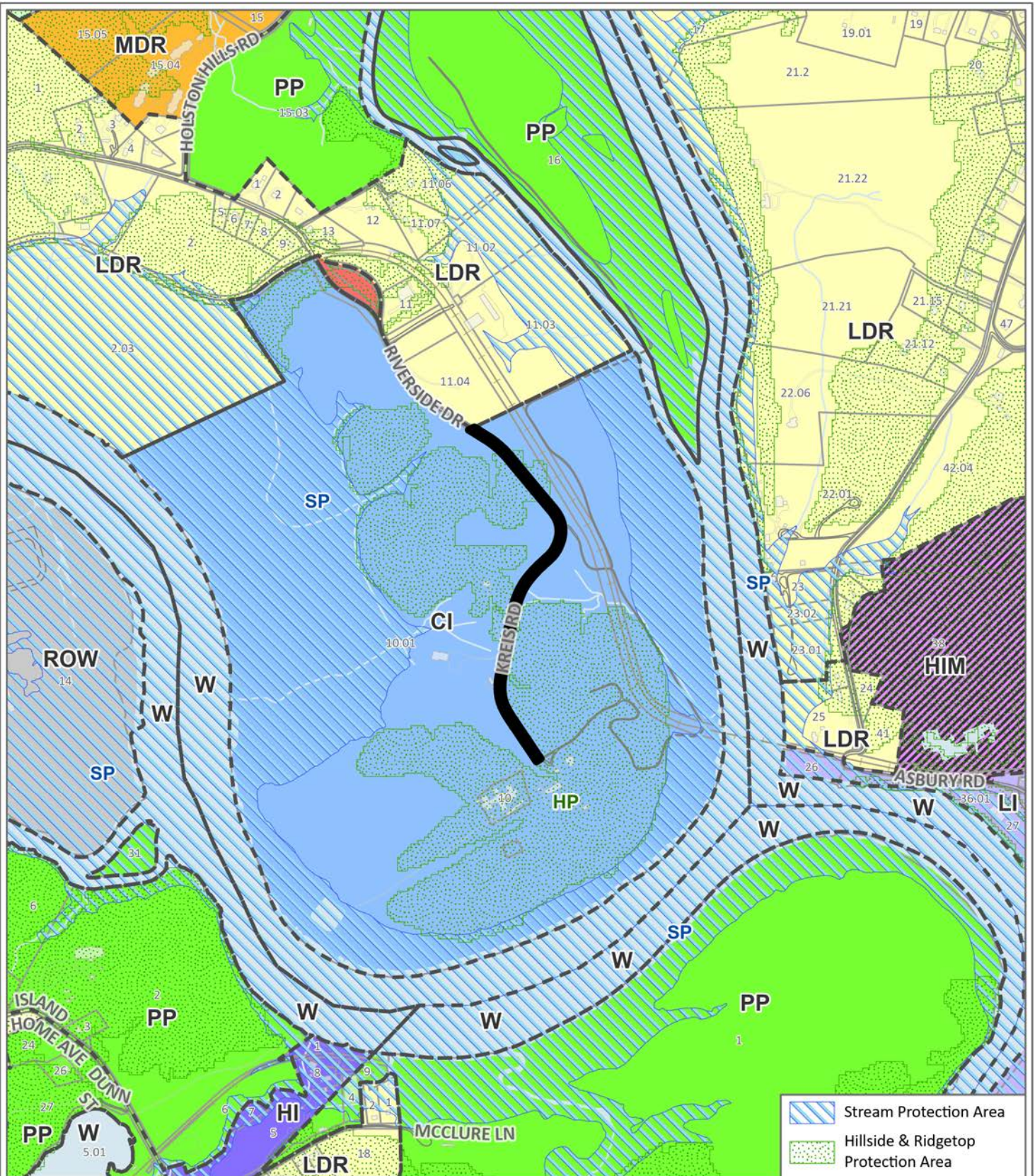
To be closed to: its southern terminus

**Original Print Date:** 5/17/2023

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

**Map No:** 96  
**Jurisdiction:** City





**EAST CITY SECTOR PLAN MAP**

**6-B-23-SC**

**Petitioner:** University of TN

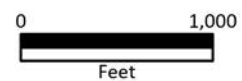


Case boundary

**Original Print Date:** 5/16/2023

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

**Map No:** 96  
**Jurisdiction:** City



**APRIL 28, 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 RIVERSIDE DR FROM ITS SOUTHERN TERMINUS TO THE SOUTHWEST PROPERTY LINE OF PARCEL 096 01104 (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 8, 2023. A map showing the street or alley in question is attached for your information.

**Planning's reviewer will be out of the office 5/15-5/26, returning on 5/30 (5/29 is Memorial Day). Therefore, we are asking for review comments to be submitted by Thursday, May 11th if that is at all possible.**

***PLEASE NOTE: Failure to reply to our office with review comments will be considered as no objection by your agency.***

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



# CITY OF KNOXVILLE

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

May 3, 2023

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

**SUBJECT:** Closure of a portion of Riverside Drive  
Planning File # 6-B-23-SC

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



May 3, 2023

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-23-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.

Electric – 10 feet on each side of the centerline of the electric line, 20 feet total width

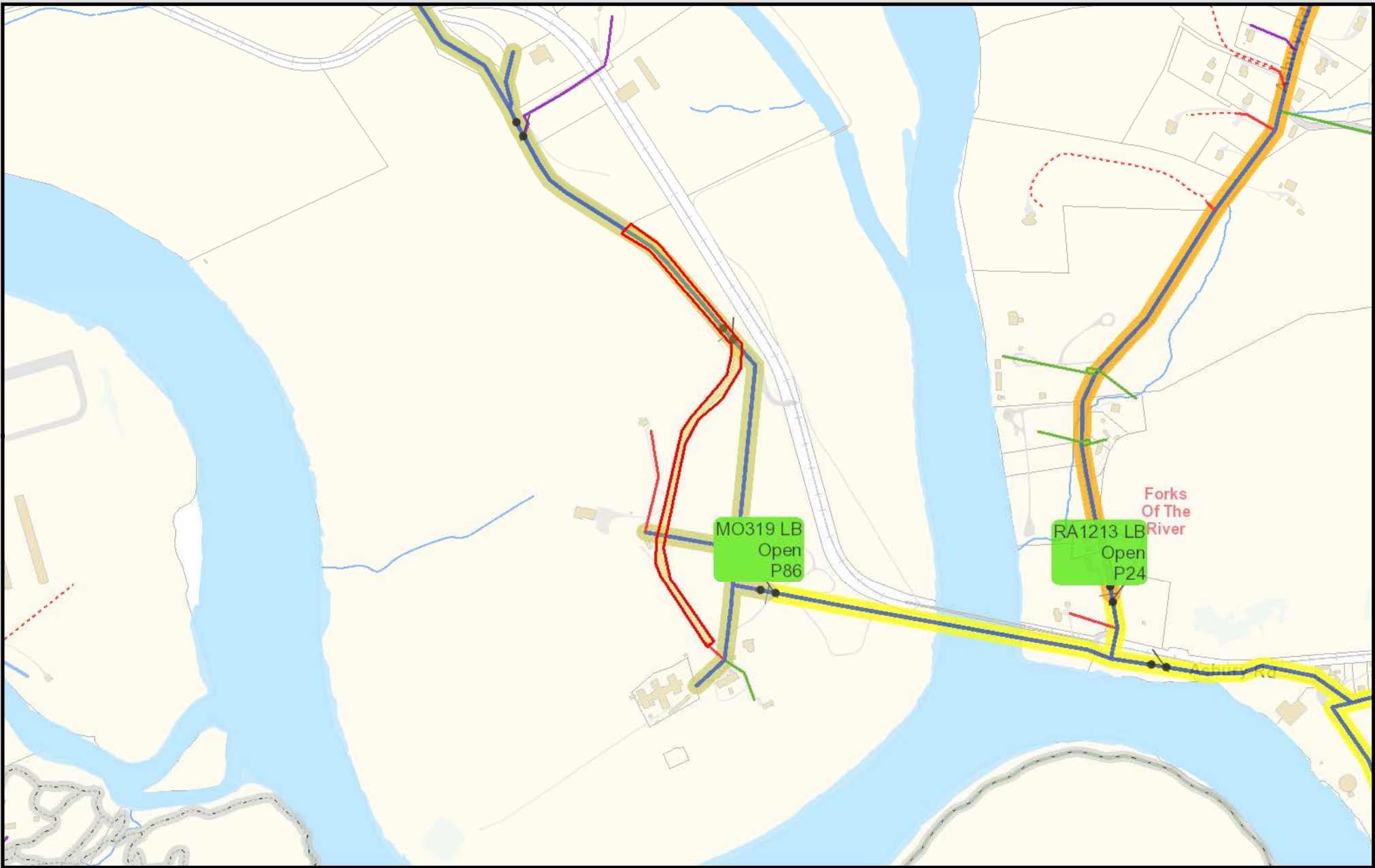
If you have any questions regarding this matter, please call me at (865) 558-2483.

Sincerely,

A handwritten signature in black ink, appearing to read "Christian Wiberley".

Christian Wiberley, PE  
Engineering

CGW

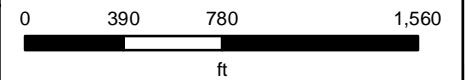


File No. 6-B-23-SC (Electric)

**Knoxville Utilities Board**



Printed: 5/3/2023 at 10:42:31 AM



KUB makes no representation or warranty as to the accuracy of his map and its information nor to its fitness for use. Any user of this map product accepts the same AS IS ,WITH ALL FAULTS, and assumes all responsibility for the use thereof, and futher covenants and agrees to hold KUB harmless from any and all damage, loss, or liability arising from any use of this map product. All rights reserved.





Michelle Portier <michelle.portier@knoxplanning.org>

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## ROW closure request 6-A-23-SC and 6-B-23-SC

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Steve Borden <Steve.Borden@tn.gov>  
To: Michelle Portier <michelle.portier@knoxplanning.org>

Wed, May 3, 2023 at 10:12 AM

Ms. Portier:

The Department has no comment on either of these ROW closure requests. If you have further questions, please let me know.

Sincerely,

Steven M. Borden, P.E.  
Director/Assistant Chief Engineer  
TDOT – Region 1

as

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**From:** Michelle Portier <michelle.portier@knoxplanning.org>  
**Sent:** Monday, May 1, 2023 9:19 AM  
**To:** John Stansbury <js0634@att.com>; Steve Borden <Steve.Borden@tn.gov>; Christian Wiberley <christian.wiberley@kub.org>; Chris Flatford <cf2061@att.com>; Ben Davidson <bdavidson@knoxvilletn.gov>; Sonny Partin <spartin@knoxvilletn.gov>; Jeremy Honeycutt <jh309e@att.com>  
**Cc:** Charlotte Goforth <cgoforth@knoxvilletn.gov>; Erin Gill <egill@knoxvilletn.gov>; Harold Cannon <hcannon@knoxvilletn.gov>; Tom Clabo <tclabo@knoxvilletn.gov>; Chris Howley <chowley@knoxvilletn.gov>; Jeff Welch <jeff.welch@knoxplanning.org>  
**Subject:** [EXTERNAL] Fwd: ROW closure request 5-A-23-SC

**\*\*\* This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. \*\*\***

Hi all,

[Quoted text hidden]



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

# RIGHT-OF-WAY CLOSURE

**Date Filed:** 4/24/2023

**Name of Applicant:** UNIVERSITY OF TN

**Jurisdiction:** City Council District 6

**Sector:** East City

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

**Zoning District:** N/A

**File Number:** 6-B-23-SC

**Meeting Date:** 6/8/2023

**Fee Amount:** \$1,000.00

**INFORMATION:**

**Tax ID:** 96 N/A

Add'l. Tax ID Info.:

**Name of Right-of-Way:** Riverside Dr. / Kreis Rd.

**Type of Right-of-Way:** Street

**Location of Right-Of-Way:**

BETWEEN (City Block or Lot, where appropriate):

AND (City Block or Lot, where appropriate):

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

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

**Reason for Closure:** To allow the University of Tennessee, Institute of Agriculture, to better control and manage access to the site. It is the East Tennessee Agricultural Research and Education Center (Holston Unit).

**TO BE CLOSED:**

**From: (Street, Alley, Other)**

southwest corner of parcel 096 01104

**To: (Street, Alley, Other)**

its southern terminus

**ALL CORRESPONDENCE RELATING TO THIS APPLICATION SHOULD BE DIRECTED TO:**

Adam Foster University of TN

505 Summer Place (UT Tower, Ste 989 C)

Knoxville, TN 37902

Telephone: 865-974-2440

Fax:

Email:

**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.

Adam Foster University of TN

Signature: \_\_\_\_\_

505 Summer Place (UT Tower, Ste 989 C)

Knoxville, TN 37902

Telephone: 865-974-2440

Fax:

Email:

**APPLICATION ACCEPTED BY:** Michelle Portier

5/17/2023 8:06:46 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.



Michelle Portier <michelle.portier@knoxplanning.org>

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## ROW closure request 6-A-23-SC and 6-B-23-SC

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**STANSBURY, JOHN G** <js0634@att.com>  
To: Michelle Portier <michelle.portier@knoxplanning.org>

Tue, May 2, 2023 at 10:19 AM

Michelle,

AT&T has no issues with these changes.

Thank you,

**John Stansbury**

Manager OSP Planning and Engineering Design

Access Construction & Engineering

Tennessee/Kentucky District

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

9733 Parkside Dr, Knoxville, TN 37922  
865-604-1889 | js0634@att.com

[Quoted text hidden]



# RIGHT-OF-WAY CLOSURE

Name of Applicant: UNIVERSITY OF TENNESSEE  
 Date Filed: 4/20/23 Fee Paid: \$1,000 File Number: 6-~~A~~<sup>B</sup>-23-SC  
 Map Number: 096 Zoning District: n/a  City  County Sector: East City  
 Jurisdiction:  City 6th Council District

### INFORMATION:

Name of Right-of-Way: RIVERSIDE DRIVE / Kreis Rd. (street name changes)  
 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  No Improved (example: paved)  Yes  No  
 Reason for Closure: \_\_\_\_\_  
TO ALLOW UNIVERSITY OF TENNESSEE  
INSTITUTE OF AGRICULTURE TO  
BETTER CONTROL AND MANAGE  
ACCESS TO THE SITE (EAST TN AG RESEARCH  
+ EDUCATION CENTER - HOLSTON UNIT)

### TO BE CLOSED:

<b>From:</b> (Street, Alley, Other) <u>APPROX. 1,780' SOUTH</u> <u>OF THE BRIDGE OVER</u> <u>NORFOLK SOUTHERN TRACKS</u>  <u>(southwest corner of parcel</u> <u>096 01104)</u>	<b>To:</b> (Street, Alley, Other) <u>SOUTHERN TERMINUS</u>
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### ALL CORRESPONDENCE RELATING TO THIS APPLICATION SHOULD BE SENT TO:

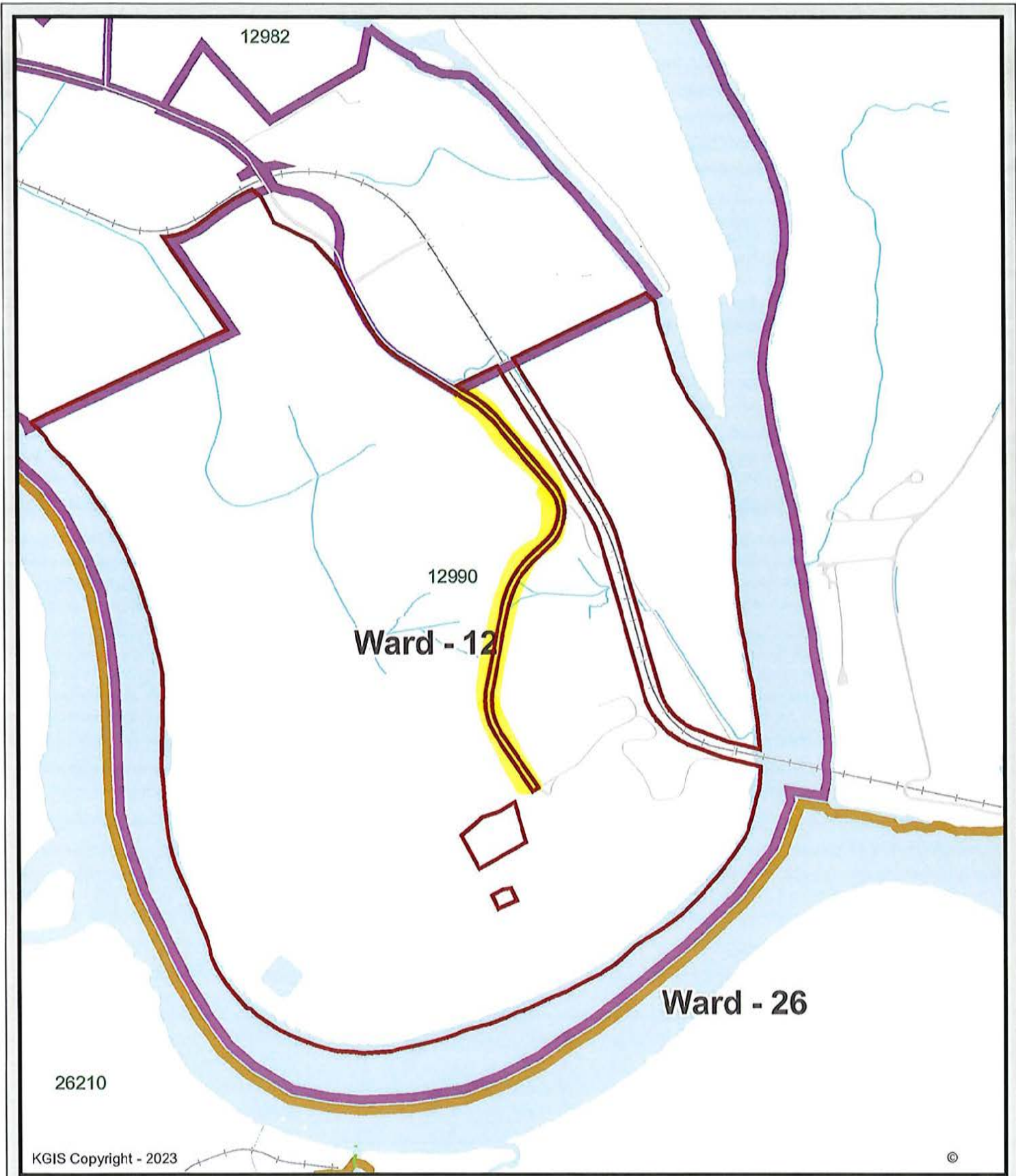
ADAM FOSTER 505 SUMMER PLACE UT TOWER 989C KNOXVILLE TN 37902  
 Name: (Print) Address • City • State • Zip • Phone • Email  
865 974 2440 A.FOSTER@TENNESSEE.EDU

### 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: [Signature]  
R. Jackson Pope UT Tower, Knoxville, TN 37902 865-974-4837 rpope@tennessee.edu  
 Name: (Print) Address • City • State • Zip • Phone • Email

APPLICATION ACCEPTED BY: Michelle Foster





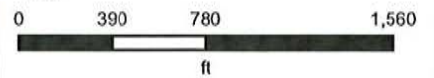
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**3400 Riverside Drive**  
RIGHT-OF-WAY CLOSURE



Printed: 4/19/2023 at 12:14:17 PM



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

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