CITY OF KNOXVILLE CLOSURE OF PUBLIC RIGHT-OF-WAY

**FILE #: 1-A-20-AC**

**APPLICANT:** RODNEY REAGAN FARM FRESH MKT.

| TAX ID NUMBER: | 107 N/A |
| JURISDICTION: | Council District 6 |
| SECTOR PLAN: | West City |
| GROWTH POLICY PLAN: | Urban Growth Area (Inside City Limits) |
| ZONING: | R-2 (General Residential), C-3 (General Commercial) & C-1 (Neighborhood Commercial) [RN-2 (Single Family Residential District) and C-G-2 (General Commercial District) after new zoning ordinance takes effect on 1/1/20] |
| WATERSHED: | Third Creek |

**RIGHT-OF-WAY TO BE CLOSED:** Unnamed alley

**LOCATION:** Between 3617 Sutherland Avenue and 3601 Sutherland Avenue

**IS ALLEY:**
- **IN USE?** No
- **IMPROVED (paved)?** No

**APPLICANT'S REASON FOR CLOSURE:** To clean up the area at the rear of commercial lots - will beautify area

**DEPARTMENT-UTILITY REPORTS:** Neither KUB, AT&T, nor the City Engineering Department had any comments other than their wish to retain any easements that may be present. The Fire Department and TDOT had no comments.

**STAFF RECOMMENDATION:**

- Approve closure of the unnamed alley, subject to any required easements, since it is undeveloped and staff has received no objections.

**COMMENTS:**

1. The alley is located west of Jade Road behind the row of parcels fronting Sutherland Avenue.
2. It is undeveloped, so its closure will not have an impact on the surrounding addresses.
3. Staff has received no objections to this request.
4. City departments and/or utility companies have no comments other than the departments listed above who wish to retain any easements that may be present.

If approved, this item will be forwarded to Knoxville City Council for action on 2/11/2020 and 2/25/2020. 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.
1-A-20-AC
CLOSURE OF PUBLIC RIGHT OF WAY

Name of Street or Alley: unnamed alley off of Jade Road, north of Sutherland Avenue
To be closed from: 3617 Sutherland Avenue
To be closed to: 3601 Sutherland Avenue

Petitioner: Farm Fresh Mkt., Rodney Reagan

Map No: 107
Jurisdiction: City

Original Print Date: 12/18/2019
Revised: Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902
1-A-20-AC
Exhibit A. Contextual Images
DECEMBER 6, 2019

Knoxville Utilities Board
Danny Beeler, Fire Marshal
Steve Borden, Regional Director, TN Dept. of Transportation
James R. Hagerman, P.E., Director of Engineering
Sonny Partin, Plans Reviewer, Fire Dept.
Kelly Parmain, AT&T
Shannon Sims, AT&T
Ben Davidson, Department of Engineering
Charlotte Goforth, Department of Engineering

From: Michelle Portier, AICP

RE: REQUEST CLOSURE OF UNNAMED ALLEY BETWEEN 3617 SUTHERLAND AVENUE AND 3601 SUTHERLAND AVENUE, CITY BLOCK 50620. COUNCIL DISTRICT 5, WEST CITY SECTOR. (1-A-20-AC)

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 January 9, 2020. A map showing the street or alley in question is attached for your information.

PLEASE NOTE: Failure to reply to our office by Monday, December 30, 2019 will be considered as no objection by your agency.

C: Amy Brooks, AICP
Attachment: Application
January ROW closures

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

At&t does not wish to relinquish any ROWs/Easements at this time.

Thanks,

Shannon R. Simms
MANAGER OSP PLANNING & ENGINEERING DESIGN
AT&T Technology Operations, Construction & Engineering-SE

AT&T
9733 Parkside Dr, Knoxville, TN 37922
O: 865-539-8596 | ss3775@att.com
M:865-566-7068
January ROW closures

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

Below are TDOT District 18 comments to the proposed ROW closures:

1-A-20-AC: No comment
1-A-20-SC: No Comment
1-B-20-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

From: Dori Caron <dori.caron@knoxplanning.org>
Sent: Wednesday, December 11, 2019 3:05 PM
To: Amy Brooks <amy.brooks@knoxplanning.org>; Ben Davidson <bdavidson@knoxvilletn.gov>; Charlotte Goforth <cgoforth@knoxvilletn.gov>; Christian Wiberley <Christian.Wiberley@kub.org>; Danny Beeler <dbeeler@knoxvilletn.gov>; James Hagerman <jhagerman@knoxvilletn.gov>; Liz Albertson <liz.albertson@knoxplanning.org>; Michelle Portier <michelle.portier@knoxplanning.org>; Shannon Sims <ss3775@att.com>; Sonny Partin <spartin@knoxvilletn.gov>; Steve Borden <Steve.Borden@tn.gov>; Laura Edmonds <laura.edmonds@knoxplanning.org>
Subject: [EXTERNAL] January ROW closures

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

Date: December 31, 2019

To: Dori Caron

From: Sonny Partin, Deputy Fire Marshal

Subject: Request for Information on Right of Way Closures, Fire Department Review

<table>
<thead>
<tr>
<th>Road Name</th>
<th>Review Status</th>
<th>Comments</th>
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</thead>
<tbody>
<tr>
<td>1-A-20-AC</td>
<td>Approved</td>
<td>None</td>
</tr>
<tr>
<td>1-A-20-SC</td>
<td>Approved</td>
<td>Planning has informed us that these changes are not permanent and does have future plans with a turnaround.</td>
</tr>
<tr>
<td>1-B-20-SC</td>
<td>Approved</td>
<td>Road does not access any buildings</td>
</tr>
</tbody>
</table>
December 13, 2019

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

SUBJECT: Closure of an unnamed alley off Jade Rd
MPC File # 1-A-20-AC; Nearby City Block 50620

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. 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
The Planning Commission met in regular session on January 9, 2020 at 1:30 p.m. in the Main Assembly Room, City/County Building, and Knoxville, Tennessee.

**Item No.**

1. **ROLL CALL, INVOCATION AND PLEDGE OF ALLEGIANCE**

<table>
<thead>
<tr>
<th>Ms. Tamara Boyer</th>
<th>A</th>
<th>Ms. Gayle Bustin</th>
<th>Mr. Louis Browning</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Art Clancy</td>
<td></td>
<td>Mr. Mike Crowder</td>
<td>Ms. Elizabeth Eason</td>
</tr>
<tr>
<td>Mr. Mac Goodwin</td>
<td></td>
<td>Mr. Richard Graf</td>
<td>A Mr. Andre Canty</td>
</tr>
<tr>
<td>Mr. Chris Ooten</td>
<td></td>
<td>Mr. Patrick Phillips, Vice-Chair</td>
<td>Mr. Jeff Roth</td>
</tr>
<tr>
<td>Mr. Scott Smith</td>
<td></td>
<td>Mr. Tim Hill</td>
<td>Ms. Janice Tocher, Chair</td>
</tr>
</tbody>
</table>

   * Arrived late to the meeting, ** Left early in the meeting, A – Absent from the meeting

6. **RODNEY REAGAN FARM FRESH MKT.**

   Request closure of unnamed alley between 3617 Sutherland Avenue and 3601 Sutherland Avenue, City block 50520, Council District 6.

   1. **STAFF RECOMMENDATION**

      APPROVE closure of the unnamed alley, subject to any required easements, since it is undeveloped and staff has received no objections.

      **APPROVED ON CONSENT EARLIER IN THE MEETING**

   2. **MOTION (PHILLIPS) AND SECOND (CLANCY) WERE MADE TO HEAR THE CONSENT ITEMS AS READ.**

   **MOTION CARRIED 13-0. APPROVED**

   3. **MOTION (PHILLIPS) AND SECOND (CLANCY) WERE MADE TO APPROVE THE CONSENT ITEMS AS HEARD.**

   **MOTION CARRIED 13-0. APPROVED**
**RIGHT-OF-WAY CLOSURE**

Name of Applicant: **Floyd Frazier**
Date Filed: ____________ Fee Paid: ____________ File Number: ____________

Map Number: ______ Zoning District: ☐ City ☐ County Sector: ____________
Jurisdiction: ☐ City ☐ Councilmanic District

**INFORMATION:**

Name of Right-of-Way: **UNNAMED ALLEY**
Type of Right-of-Way: ☐ Street ☐ Alley
Location of Right-of-Way:
BEFORE (City Block or Lot where appropriate) 3617 Sutherland and 3601 Sutherland
AND (City Block or Lot where appropriate) ____________
Right-of-Way is: ☐ In Use ☑ Yes ☐ No
Improved (example: paved) ☐ Yes ☐ No
Reason for Closure: overgrown (brush, trees, garbage), will beautify area

**TO BE CLOSED:**

alley parallels Sutherland (3600 block)
From: (Street, Alley, Other)

3617 Sutherland

To: (Street, Alley, Other)

3601 Sutherland

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

DAVIS WILLIAM 595
Name: (Print) Address City State Zip Phone Fax

**AUTHORIZED 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.

Floyd Frazier

Signature: Rodney Reagan

Rodney Reagan 3617 Sutherland Ave. TN 37919 865-588-4017

Name: (Print) Address City State Zip Phone Fax

**APPLICATION ACCEPTED BY:**
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.

<table>
<thead>
<tr>
<th>ADDRESS</th>
<th>SIGNATURE</th>
<th>Agree</th>
<th>Disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>3618 Lyle Ave</td>
<td>Vanessa J. Garcia</td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

*Yes I want the 5 ft. added to my property. Thank you.
RIGHT-OF-WAY CLOSURE

Name of Applicant: Farm Fresh Mkt, Rodney Reagan

Date Filed: 1/22/2019 Fee Paid: $00 File Number: 01-03A-AC

Map Number: A7 Zoning District: E21 ☑ City ☐ County Sector: West City

Jurisdiction: ☑ City 14th Council District

INFORMATION:

Name of Right-of-Way: Unnamed

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

Location of Right-of-Way:

BETWEEN (City Block or Lot where appropriate) 3617 Sutherland

AND (City Block or Lot where appropriate) 3601 Sutherland

Right-of-Way is: ☑ In Use ☐ Yes ☐ No

Improved (example: paved) ☑ Yes ☐ No

Reason for Closure: to clean up area at rear of commercial lots

TO BE CLOSED:

From: (Street, Alley, Other) 3617 Sutherland

To: (Street, Alley, Other) 3601 Sutherland

ALL CORRESPONDENCE RELATING TO THIS APPLICATION SHOULD BE SENT TO:

David Williams 505 Hollywood Dr. Knoxville TN 37919 865-256-1828

Name: (Print) Address City State Zip Phone Fax

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: Rodney Reagan

Rodney Reagan 3617 Sutherland Knoxville TN 37919 588-4017

Name: (Print) Address City State Zip Phone Fax

APPLICATION ACCEPTED BY: M. Payne
**RIGHT-OF-WAY CLOSURE**

Name of Applicant: Farm Fresh MKT, Rodney Reagan

Date Filed: 11/24/19  Fee Paid:  

File Number:  

Map Number:  

Zoning District:  

City  County Sector:  

Jurisdiction:  

- City  Councilmanic District

### INFORMATION:

- **Name of Right-of-Way:** UNNAMED ALLEY
- **Type of Right-of-Way:**  
  - Street  
  - Alley
- **Location of Right-of-Way:**
  - BETWEEN: 3617 Sutherland and 3601 Sutherland
  - AND:  
- **Right-of-Way is:** In Use  
  - Yes  
  - No
- **Improved (example: paved):** Yes  
  - No
- **Reason for Closure:** Overgrown (brusher, tree, garbage)

### TO BE CLOSED:

- **From:** (Street, Alley, Other)
  
  3617 Sutherland

- **To:** (Street, Alley, Other)
  
  3601 Sutherland

### ALL CORRESPONDENCE RELATING TO THIS APPLICATION SHOULD BE SENT TO:

- **Name:** David Williams
- **Address:** Hollywood Dr. Knoxville, TN 37919
- **City:** Knoxville  
  - Zip: 865-256-1828

### 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.

- **Name:** Farm Fresh MKT  
  - Signature: Rodney Reagan  
  - Address: Knoxville
- **Name:** Rodney Reagan  
  - Signature:  
  - Address: 3617 Sutherland

### APPLICATION ACCEPTED BY:
**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.

<table>
<thead>
<tr>
<th>ADDRESS</th>
<th>SIGNATURE</th>
<th>Agree</th>
<th>Disagree</th>
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<tbody>
<tr>
<td>3615 Sutherland</td>
<td>[Signature]</td>
<td>[X]</td>
<td>[X]</td>
</tr>
<tr>
<td>3613 Sutherland</td>
<td>[Signature]</td>
<td>[Blank]</td>
<td>[Blank]</td>
</tr>
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</table>

V.P. of Operations  
Pilot Corporation
The Pond Gap Area Neighborhood Association, Inc. supports the alley closure petition of Mr. Rodney Reagan.

David Williams, President
These properties signed right of way closure canvass form and agree to it.

3617 Sutherland
3615 Sutherland
3613 Sutherland
3611 Sutherland
3609 Sutherland
3601 Sutherland
3608 Lyle Avenue
3620 Lyle Avenue

These properties did not return form. Effort made by visit, phone, and mail to contact them.

3618 Lyle Avenue (Tejada) 8/31, 11/1, phone conversation 11/4-owner stated form would be mailed, 11/15 sent stamped self-addressed envelope to owner, 11/18 left phone message, as of 11/22 form not returned.

3612, 3616 Lyle Avenue 9/24, 9/24, 11/1 (Nero) no response

3600, 3604 Lyle Avenue 8/31, 11/1 Wesley & Coruthers (Chicago, Ill.) No response

Each owner mailed canvass form, map, and copy of Engineering letter. Contact information provided (phone, mailing address). Letter stated 'Would appreciate you signing and returning form to allow alley closure. Feel free to contact me at 365-256-1823 to discuss. Thank you, David Williams.'
From: david williams <dawill64@yahoo.com>
Subject: Fwd: Unnamed Alley Closure City Block 50620
Date: September 25, 2019 2:22:46 PM EDT
To: sales@printingimage.com

Sean, could you make three copies for me? Thanks, David

Sent from my iPhone

Begin forwarded message:

From: Ben Davidson <bdavidson@knoxvilletecn.gov>
Date: May 22, 2019 at 3:52:02 PM EDT
To: david williams <dawill64@yahoo.com>
Subject: Unnamed Alley Closure City Block 50620

Hello Mr. Williams,

This email is to inform you that the City Engineering has no objection to the closure of the unnamed alley that runs east to west through City Block 50620 (off of Jade Rd. In order to initiate the closure process an application will have to be submitted with Knox Planning. They may be reached at 215-2500. I have attached a copy of their closure application.

Sincerely,

Benjamin D. Davidson, PLS
TN Licensed Land Surveyor No. 2543
Technical Services Administrator
City of Knoxville, Department of Engineering
Ph: 865-215-2103; email: bdavidson@knoxvilletecn.gov
Technical Services Staff are: Donna Redden, Billy Dalton, Sandra Schade, Vicky Harrell, Charlotte Goforth, and Matthew Plyler
Proposed alley closure
City Block 50620

© KGIS 2019
Printed: 5/22/2019 3:41:51 PM
REQUIRED SIGN POSTING AGREEMENT

For all rezoning, plan amendment, concept plan, use on review, right-of-way closure, and street name change applications, a sign must be posted on the subject property, consistent with the adopted Administrative Rules and Procedures.

At the time of application, staff will provide a sign(s) to post on the property as part of the application process. If the sign(s) go missing for any reason and need to be replaced, then the applicant will be responsible for picking up a new sign(s) from the Planning offices. The applicant will be charged a fee of $10 for each replacement sign.

LOCATION AND VISIBILITY

The sign must be posted in a location that is clearly visible from vehicles traveling in either direction on the nearest adjacent/frontage street. If the property has more than one street frontage, then 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 15 days before 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 15 days before the next Planning Commission meeting.

I hereby agree to post and remove the sign(s) provided on the subject property consistent with the above guidelines and between the dates of:

12/14/19 and 1/10/20
(15 days before the Planning Commission meeting) (the day after the Planning Commission meeting)

Signature: David Williams

Printed Name: David Williams

Phone: 865-256-1828 Email: dawillm64@yahoo.com

Date: 11/22/2019

File Number: 1-A-20-AC
KNOX CTY METRO PLANN
400 W MAIN ST # 403
KNOXVILLE TN 37902--242

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Sales Rep: V.Jankowski  
Order Taker: V.Jankowski  
Order Created: 01/14/2020

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<tr>
<th>Product</th>
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<tr>
<td>KNS-Knoxville News Sentinel</td>
<td>1</td>
<td>01/17/2020</td>
<td>01/17/2020</td>
</tr>
</tbody>
</table>

*ALL TRANSACTIONS CONSIDERED PAID IN FULL UPON CLEARANCE OF FINANCIAL INSTITUTION*
PUBLIC NOTICE
The following items will be considered by the Knoxville City Council on February 11, 2020 at 6:00 p.m. in the Main Assembly Room, City County Bldg., 400 Main Street, Knoxville, TN. These may be seen in the Knoxville-Knox County Planning office, Fourth Fl. of the City County Bldg., Main St., Knoxville, TN. If you need assistance or accommodation for a disability, please contact the City ADA coordinator at 215-2104.

Street/Aisle Closures

RODNEY REAGAN FARM 
FRESH MKT. - Request closure of unnamed alley between 3617 Sutherland Avenue and 3601 Sutherland Avenue, City Block 50626. Council District 6, West City Sector. Planning Commission Recommendation: Approve closure subject to any required easements.

TRANS SOUTH PROPERTIES - Request closure of unimproved section of Autumn Creek Drive between 5714 Autumn Creek Drive and Glen Creek Road between Parcel ID 060HE0990 and 060HE10301. Council District 4, Northeast County Sector. Planning Commission Recommendation: Approve closure subject to any required easements.

Plan Amendments / Rezones


Ordinance Amendment

KNOXVILLE-KNOX COUNTY PLANNING - Consideration of minor amendments to the newly adopted City of Knoxville Zoning Ordinance to clarify review of special uses, appointments to Design Review Board, application of sign standards, and minimum size for Institutional District zoning. Planning Commission Recommendation: Approve draft ordinance amendments making minor revisions to the City of Knoxville Zoning Ordinance with language as amended at the 1.9.2020 Planning Commission meeting.

Other Business