



**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION
CITY OF KNOXVILLE CLOSURE OF PUBLIC RIGHT-OF-WAY**

▶ **FILE #:** 5-A-08-SC

AGENDA ITEM #: 7

AGENDA DATE: 5/8/2008

▶ **APPLICANT:** SAMUEL J. FURROW

TAX ID NUMBER: 131 G A 001,002,005
JURISDICTION: Council District 2
SECTOR PLAN: Northwest County
GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)
ZONING: I-3 (General Industrial)/TO-1 (Technology Overlay)
WATERSHED: Turkey Creek

▶ **RIGHT-OF-WAY TO BE CLOSED:** Simmons Rd.

▶ **LOCATION:** Between North side of I-40/75 right-of-way and a point approximately 300' south of Lexington Dr.

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

▶ **APPLICANT'S REASON FOR CLOSURE:** To develop with adjoining property.

DEPARTMENT-UTILITY REPORTS: No objections received as of 5/1/2008; subject to any required easements

STAFF RECOMMENDATION:

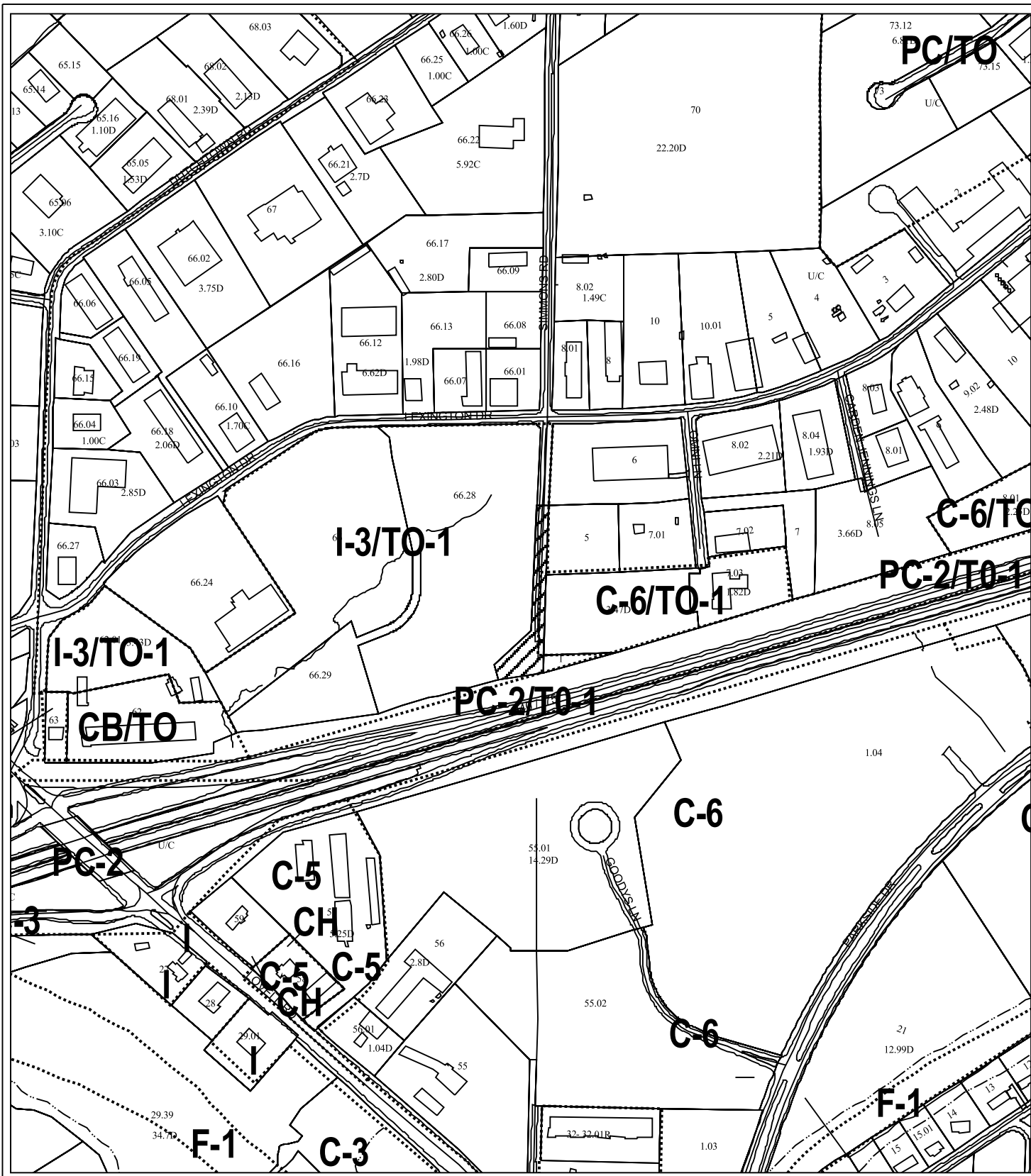
▶ **APPROVE the closure, subject to any required easements and City Engineering conditions of approval. (See attached letter.)**



There is no longer a need for public street access in this area since this street section only serves the adjoining property, which is owned by the applicant. The interstate right-of-way to the south eliminates the potential of any future reconnection of this right-of-way with Simmons Rd. south of the interstate.

COMMENTS:

The applicant intends to develop this right-of-way with his adjoining property.

If approved, this item will be forwarded to Knoxville City Council for action on 6/3/2008 and 6/17/2008. If denied, MPC'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 an MPC decision in the City.



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|---|--|--|
| 5-A-08-SC CLOSURE OF PUBLIC RIGHT OF WAY | | Petitioner: Samuel J. Furrow |
| Name of Street or Alley: Simmons Rd. To be closed from: North side of I-40/75 right-of-way To be closed to: a point approximately 300' south of Lexington Dr. | | Map No: 131 |
| Original Print Date: 04/22/08 Revised: Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902 | | Jurisdiction: City |
| | |   |

CITY OF KNOXVILLE

BILL HASLAM, MAYOR



Stephen J. King, P.E.

Director of Public Works

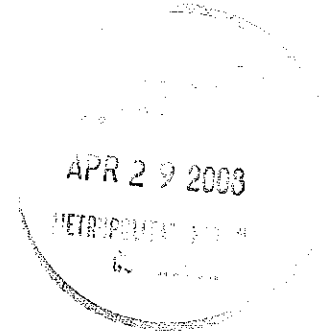
Brently J. Johnson, P.E., R.L.S.

Deputy Director of Engineering

April 28, 2008

Mr. Ken Pruitt, Principal Planner
Metropolitan Planning Commission
Suite 403, City County Building
Knoxville, Tennessee 37901

SUBJECT: Request to Close a Portion of Simmons Road
MPC File # 5-A-08-SC / City Block 46368



Dear Mr. Pruitt:

This is a request by Sam Furrow to close the southernmost 600 feet or so of Simmons Road between Lexington Drive and Interstate 40/75. If closed, Lot 2 of a plat entitled "Resubd. of Property of A. C. Keller and Adjacent Tract," recorded as Instrument No. 200702270069314, will become landlocked. Even though Mr. Furrow owns this lot, because it is a platted lot and therefore an approved building unit of land, it must have legal access to a public road.

Therefore, the Engineering Department requests that this closure be approved only if subject to the following conditions:

1. Applicant shall provide an alternative legal means of access, satisfactory to the City Law Department, to said Lot 2 or record a new plat with the Register of Deeds that resubdivides the property so as to eliminate the landlocked condition of Lot 2.
2. Applicant shall prepare and record a subdivision plat showing how Item 1 above is addressed and dedicating additional right-of-way for a public turn-around at the resulting new terminus of Simmons Road. This turn-around shall be approved by the Engineering Department.
3. The ordinance closing the right-of-way shall contain language stipulating that before this closure can become effective, the plat must be recorded within one year of the date City Council approves it. Otherwise, this closure shall be deemed to be null and void.

If you have any questions, please call. You can reach me at 215-2148.

Sincerely,

Floyd R. Smith, R.L.S., Technical Services Administrator

C: Jared Corby, Furrow Services, LLC (fax only: 865-777-2246)
Debra C. Poplin, Law Director
Brent Johnson, P.E., Deputy Director
David McGinley, P.E., Chief, Stormwater Section
File

kp080428 cls simmons 5-A-08-SC doc



Knoxville Utilities Board



April 18, 2008

Mr. Ken Pruitt
Knoxville-Knox County
Metropolitan Planning Commission
Suite 403, City-County Building
Knoxville, Tennessee 37902

Dear Mr. Pruitt:

Re: Right-of-Way Closure Request 5-A-08-SC

We have reviewed our records and, as far as we have been able to determine, KUB has no existing utility facilities located within the subject right-of-way and we have no objection to the requested closure. However, KUB does not release and hereby retains all easements and rights for existing utility facilities, whether or not identified in our research.

If you have any questions regarding this matter, please call me at (865) 558-2752.

Sincerely,

Cheryl E. Myers
Engineering

cem/ggt

Enclosure