



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

▶ **FILE #:** 5-B-08-SC

AGENDA ITEM #: 8

AGENDA DATE: 5/8/2008

▶ **APPLICANT:** SAMUEL J. FURROW

TAX ID NUMBER: 131 F A 004
 JURISDICTION: Council District 2
 SECTOR PLAN: Southwest County
 GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)
 ZONING: OB (Office, Medical, and Related Services) and C-6 (General Commercial Park)
 WATERSHED: Turkey Creek

▶ **RIGHT-OF-WAY TO BE CLOSED:** Cogdill Rd

▶ **LOCATION:** Between Southeast corner of parcel 131FA005, southwest corner of parcel 131-110.02 and Parkside Drive

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

▶ **APPLICANT'S REASON FOR CLOSURE:** To develop with adjoining property to west and provide landscape buffer requested by City Council.

DEPARTMENT-UTILITY REPORTS: No objections received as of May 1, 2008; subject to any required easements.

STAFF RECOMMENDATION:

▶ **APPROVE the street closure, subject to any required easements and to the 4 conditions specified in the attached letter from the City of Knoxville Department of Engineering.**

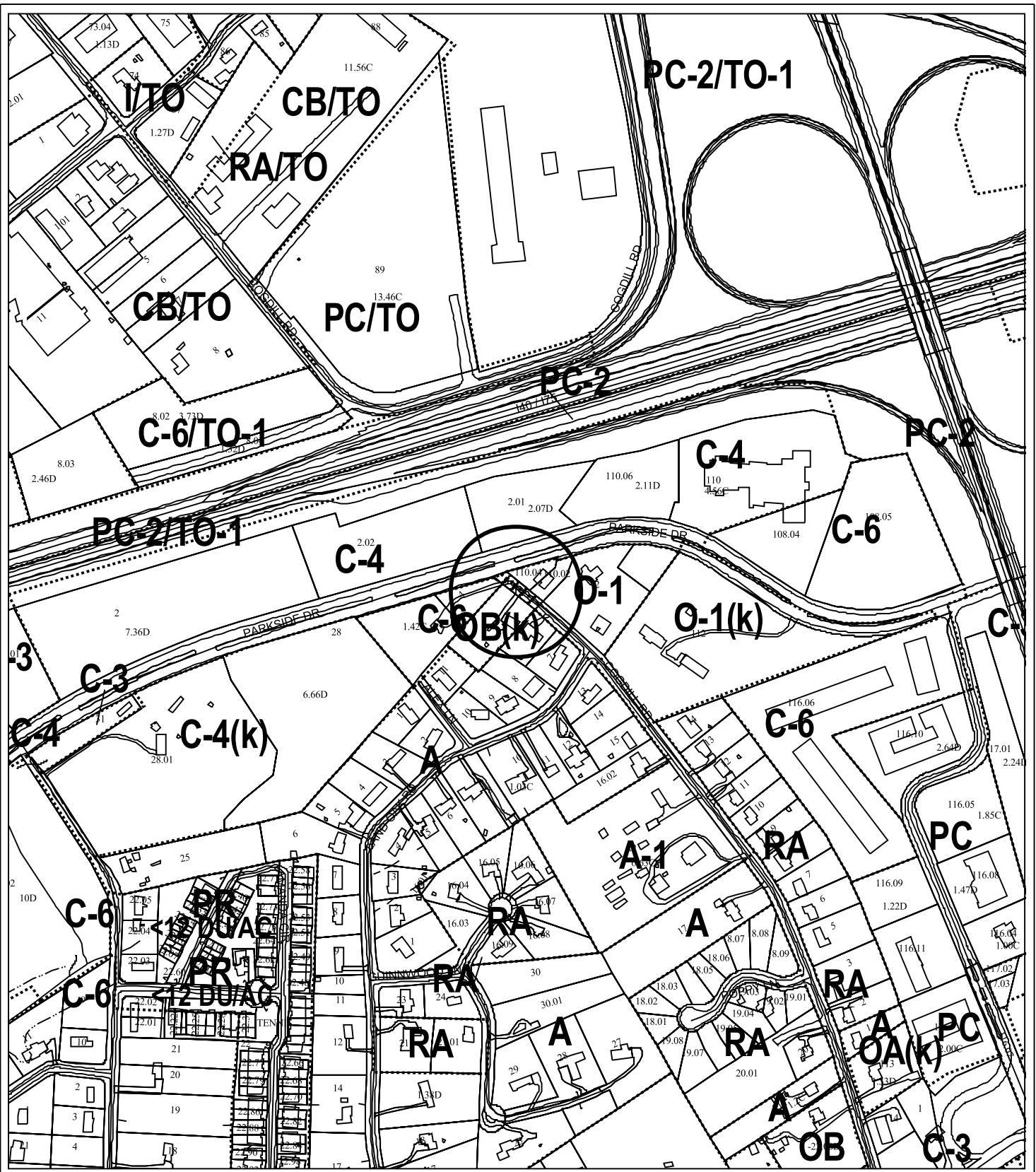
The right-of-way for Cogdill Rd. connects with the right-of-way for Parkside Dr., but the vehicle access is blocked. This closure will eliminate any possibility of ever reconnecting Cogdill Rd. to Parkside Dr. There is no longer a need for public street access to parcel 5 because the owner intends to combine this property with parcels 4 and 12 to the northwest for one development, which will be accessed from Parkside Dr. Parcels 110.02 and 110.04 each have their own frontage on Parkside Dr., but currently do not use it for access. That office development is currently accessed from Cogdill Rd. only. The applicant intends to provide access for all the above mentioned parcels from Parkside Dr. from a shared driveway. This closure will also eliminate access to the offices on parcels 110.02 and 110.04 through the adjoining neighborhood to the south, via Cogdill Rd., as it currently exists. Having sole access to Parkside Dr. for the offices is preferable to the current situation.

COMMENTS:

The adjacent property owners intend to develop this right of way with their adjoining properties. The former right-of-way will likely be developed with a private driveway to Parkside Dr. and some landscape screening.

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.



5-B-08-SC
CLOSURE OF PUBLIC RIGHT OF WAY

Name of Street or Alley: Cogdill Rd
 To be closed from: Southeast corner of parcel 131FA005,
 To be closed to : southwest corner of parcel 131-110.02
 Parkside Drive

Original Print Date: 05/01/08 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Samuel J. Furrow

Map No: 131

Jurisdiction: City



CITY OF KNOXVILLE

BILL HASLAM, MAYOR



Stephen J. King, P.E.

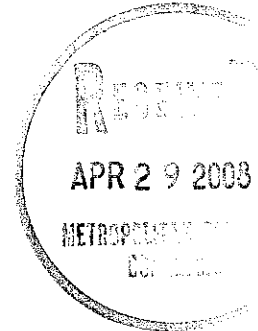
Director of Public Works

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 Cogdill Road
MPC File # 5-B-08-SC / City Block 46108

Dear Mr. Pruitt:

This is a request by Samuel J. Furrow to close the northernmost 200 feet or so of Cogdill Road on the south side of Parkside Drive.

Lots 2R-1R and 2R-2R of the Glenard F. Harrington Subdivision (Map Bk. 99L, Pg. 50) front along the east side of this portion of Cogdill Road and along the south side of Parkside Drive. On Tax Map 131 these lots are designated as Parcels 110.02 and 110.04 located at 306 and 308 Cogdill Road, respectively. Attorney Robert Holland, who owns these lots, says in the past he was denied a curb cut and direct access to Parkside Drive. This makes Cogdill road his only means of access. Therefore, if the subject portion of Cogdill Road is closed, and if no alternative access is provided, Mr. Holland's property will be landlocked. Mr. Holland's letter of April 3, 2008 to MPC in support of this closure states that he has been assured of this alternative access across the applicant's property to Parkside Drive.

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 Lots 2R-1R and 2R-2R.
2. Subject to the Engineering Department's approval, applicant shall construct and dedicate a public turn-around at the resulting new terminus of Cogdill Road.
3. Applicant shall prepare a subdivision plat showing the legal access and dedicating the public turn-around and shall record it with the Knox County Register of Deeds.
4. 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.

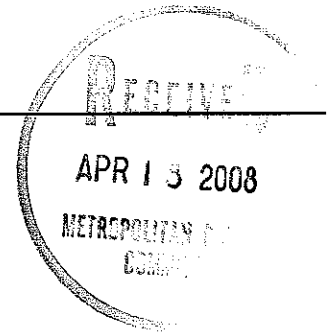
If you have any questions, please call. You can reach me at 215-2148.

Sincerely,

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



Knoxville Utilities Board



April 17, 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-B-08-SC

We have reviewed our records and find that we have existing utility facilities located within the subject right-of-way. The approximate location of these facilities is indicated on the attached 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 easement for its utility facility.

Gas – 7.5 feet on each side of the centerline of the gas line, 15 feet total width

So long as these conditions are met, KUB has no objection to the closure of this right-of-way. If you have any questions regarding this matter, please call me at (865) 558-2752.

Sincerely,

Cheryl E. Myers
Engineering

cem/ggt

Enclosure

Sam Furrow - Codgill Rd - Gas - Maintain 15' Easement

MPC May 8, 2008

Agenda Item # 8

