



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

▶ **FILE #:** 10-A-08-SC

AGENDA ITEM #: 9

AGENDA DATE: 10/9/2008

▶ **APPLICANT:** FREDERICK TROTTER

TAX ID NUMBER: 79 K D 017
 JURISDICTION: Council District 3
 SECTOR PLAN: Northwest City
 GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)
 ZONING: R-1 (Low Density Residential)
 WATERSHED: Third Creek

▶ **RIGHT-OF-WAY TO BE CLOSED:** High Dr

▶ **LOCATION:** Between eastern end of the established paved street and approximately 145 feet to eastern end of street right-of-way

IS STREET:
 (1) IN USE?: No
 (2) IMPROVED (paved)?: No

▶ **APPLICANT'S REASON FOR CLOSURE:** Right of way is unused, and applicant wishes to obtain the property.

DEPARTMENT-UTILITY REPORTS: No objects received as of 10/1/08, subject to any required easements

STAFF RECOMMENDATION:

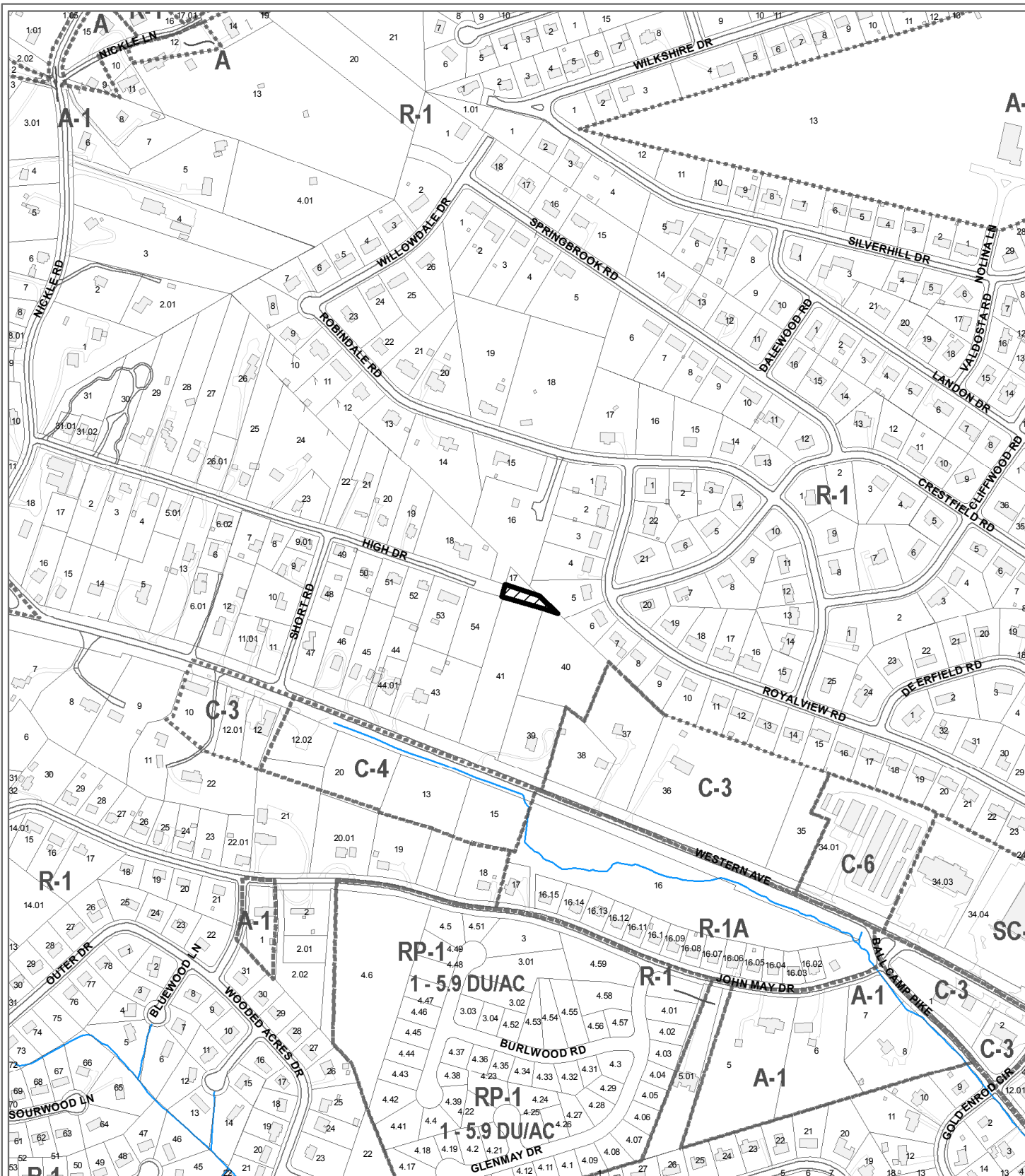
▶ **APPROVE the closure of the unimproved street section north of parcels 079MA040, and 041 and south of parcel 079MA017, subject to any easements requested.**

This street section has never been opened for public use and is not needed for public access to adjoining property or the larger area.

COMMENTS:

The applicant represents the adjoining property owners to this street section. The property will be redeveloped, and this right-of-way will be incorporated into that development.

If approved, this item will be forwarded to Knoxville City Council for action on 11/4/2008 and 11/18/2008. 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.



**10-A-08-SC
CLOSURE OF PUBLIC RIGHT OF WAY**

Name of Street or Alley: High Dr
 To be closed from: eastern end of paved street
 To be closed to: Approximately 145' of paved street

Original Print Date: 9/18/2008 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Trotter, Frederick

Map No: 79
 Jurisdiction: City



CITY OF KNOXVILLE

BILL HASLAM, MAYOR



Stephen J. King, P.E.

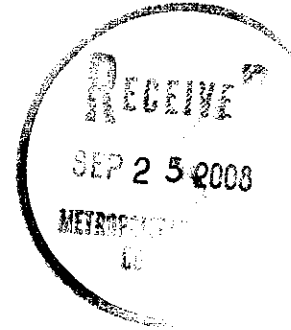
Director of Public Works

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

Deputy Director of Engineering

September 25, 2008

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



SUBJECT: Request to Close a Portion of HIGH DRIVE
MPC File # 10-A-08-SC / City Blocks 42280, 42870 & 42880

Dear Mr. Pruitt:

This is a request to close the unopened easternmost end of High Drive. As stated in MPC's *Request for Information* packet, the closure would include an area from the "James F. Leahy Subdivision western boundary to terminus."

The western boundary of the Leahy subdivision appears to be synonymous with the common line between Tax Parcels 079-M-A-052 and 053 shown on the attached tax map. Therefore, the distance to the east terminus of High Drive is approximately 450 feet. If this entire area is closed, Tax Parcels 079-M-A-053, 079-M-A-054, and 079-K-D-017 will become landlocked.

John Patteson of Michael Brady, Inc., has confirmed that the intent of this request is to close only that portion of High Drive that is bounded on the south by Tax Parcels 079-M-A-040 and 079-M-A-041. This distance is only about 200 feet in length.

Therefore, the Engineering Department does not support closing the entire length as currently stated, but does not object to closing the said 200-foot portion that is bounded on the south by Tax Parcels 079-M-A-040 and 079-M-A-041.

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

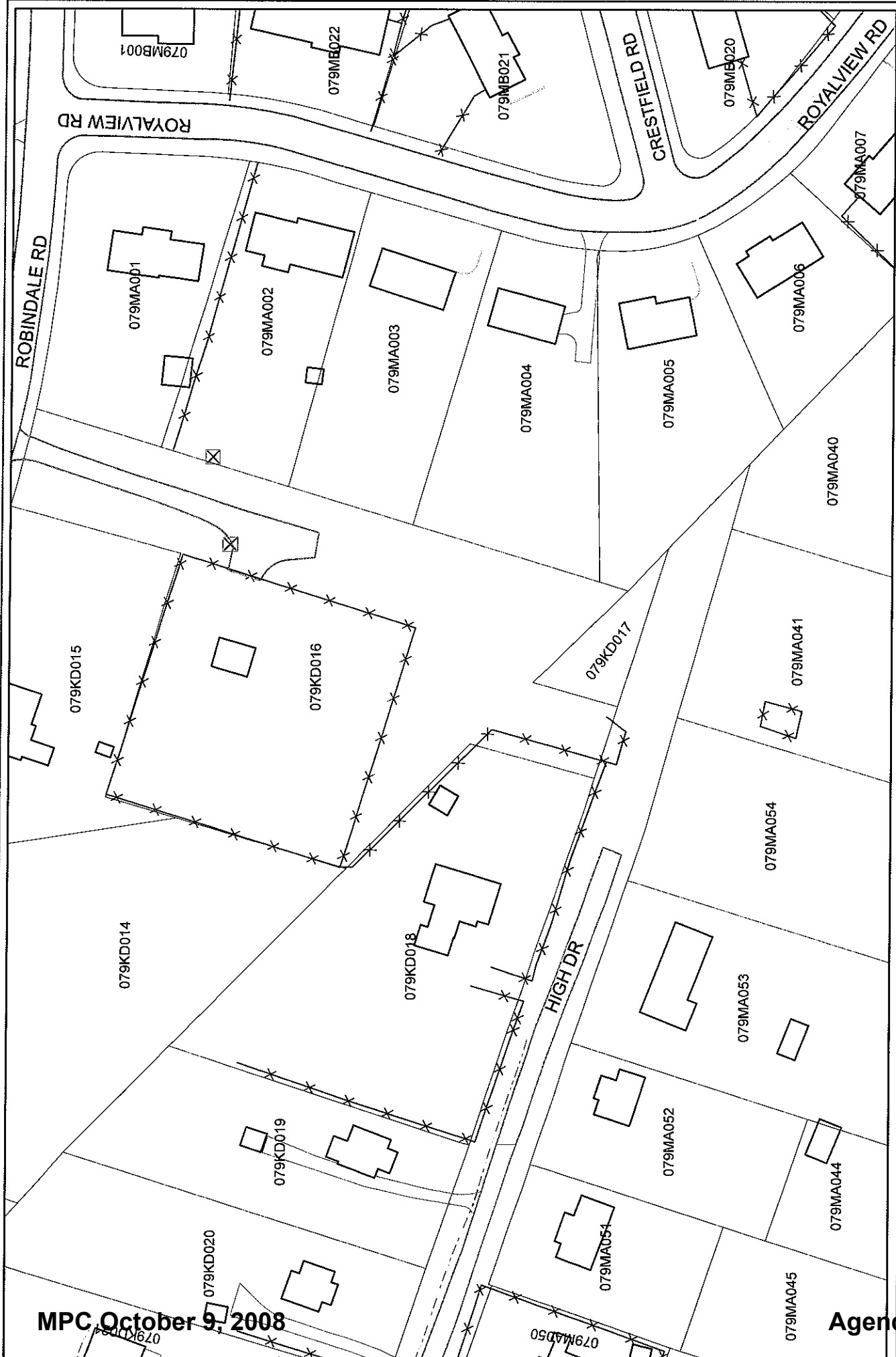
Sincerely,

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

Attachment

C: John Patteson, Michael Brady, Inc. (Fax only: 865-584-5213)
Debra C. Poplin, Law Director
Brent Johnson, P.E., Deputy Director
David McGinley, P.E., Chief, Stormwater Section
File

kp080925 cls high dr 10-A-08-SC.doc



City of Knoxville
Department of Engineering

TAX MAP
MPC# 10-A-08-SC

Date: 25-SEPTEMBER-2008

0 50 100 200
Feet

Agenda Item # 9

MPC October 9, 2008



Knoxville Utilities Board



September 15, 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 10-A-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.

Electric – 25 feet on each side of the centerline of the electric line, 50 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

Right-of-Way Closure 10-A-08-SC - Electric - Maintain 50' Easement

MPC October 9, 2008

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