



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

▶ **FILE #:** 4-A-09-SC **AGENDA ITEM #:** 9
 POSTPONEMENT(S): 4/9/2009-9/10/2009 **AGENDA DATE:** 10/8/2009

▶ **APPLICANT:** W & L PROPERTIES

TAX ID NUMBER: 119 004.02
 JURISDICTION: Council District 2
 SECTOR PLAN: Northwest County
 GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)
 ZONING: C-3 (General Commercial)
 WATERSHED: Ten Mile Creek

▶ **RIGHT-OF-WAY TO BE CLOSED:** Eastern 10 ft. of Park Village Rd. ROW
 ▶ **LOCATION:** Between Fox Lonas Rd. and southern property line of parcel 004.02 (survey on file, approx 195')

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

▶ **APPLICANT'S REASON FOR CLOSURE:** The Major Road Plan requires 60 feet of right of way (30' from centerline). Current property line is 40 feet from centerline.

DEPARTMENT-UTILITY REPORTS: The City of Knoxville Department of Engineering has submitted a letter objecting to the closure.

STAFF RECOMMENDATION:

▶ **DENY the closure based on the City of Knoxville Engineering Department objection. (See attached letter dated May 11, 2009.)**

The Engineering Department wants to keep this portion of the right of way for continued and future use as a right turn lane for north bound traffic turning right onto Fox Lonas Rd. and for provision of sidewalks or other road improvements.

COMMENTS:

The applicant contends the requested closure will not impact the established right turn lane or future proposed road improvements.

If approved, this item will be forwarded to Knoxville City Council for action on 11/3/2009 and 11/17/2009. 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.



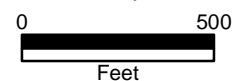
**4-A-09-SC
CLOSURE OF PUBLIC RIGHT OF WAY**

Name of Street or Alley: Eastern 10 ft of Park Village Rd. ROW
 To be closed from: Fox Lonas Rd.
 To be closed to: southern property line of parcel 004.02 (survey on file, approx 195')

Original Print Date: 3/30/2009 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: W & L Properties

Map No: 119
 Jurisdiction: City



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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

May 11, 2009

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

SUBJECT: Request to Close a Portion of Park Village Road
MPC File # 4-A-09-SC / City Block 46364

Dear Mr. Pruitt:

This is a request to close a 10-ft. strip of right-of-way along the east side of Park Village Road at its intersection with Fox Lonas Road. It was originally scheduled for the April 9 MPC meeting but was postponed to provide sufficient time for City Engineering to evaluate it (see my previous letter dated April 2, 2009)

We have now learned that the strip to be closed is part of an 80-foot right-of-way shown on a plat recorded August 27, 1976 in Map Book 78L, page 29. The strip runs from Fox Lonas Road southeasterly approximately 195 feet, which is the full length of the applicant's property.

The total 80-foot right-of-way shown on the above plat extends southeasterly from Fox Lonas Road a distance of about 1,079 feet. Because this right-of-way may be needed for the future expansion of Park Village Road, the Engineering Department does not support this request

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: David McGinley, P.E., Chief, Stormwater Section
Sharon Boyce, Senior Attorney, Law Department
File

kp090504cls ROW 4-A-09-SC doc

4-A-09-SC - cor - City Engineering

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 2, 2009

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

SUBJECT: Request to Close a Portion of Park Village Road
MPC File # 4-A-09-SC / City Block 46364

Dear Mr. Pruitt:

This is a request to close a 10-ft. strip of right-of-way along the east side of Park Village Road. This strip runs from the intersection with Fox Lonas Road southeast along the full length of the applicant's property, a distance of about 195 feet.

According to both the Property Assessor's map and the City Ward Map, the right-of-way of Park Village Road is wider than normal from the Fox Lonas intersection southeast to Woodpark Lane, a distance of about 300 feet. From there, over the next 300 feet or so, it gradually tapers back to normal width. This strongly indicates that additional roadway lanes may be planned for this portion of Park Village Road in the future. Therefore, because of this potential need, the Engineering Department does not support this request at this time.

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: Sharon Boyce, Senior Attorney, Law Department
David McGinley, P.E., Chief, Stormwater Section
File

kp090402cls ROW 4-A-09-SC doc



Knoxville Utilities Board



March 31, 2009

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

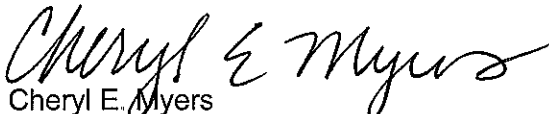
Dear Mr. Pruitt:

Re: Right-of-Way Closure Request 4-A-09-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