



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

▶ **FILE #:** 2-A-10-SC

AGENDA ITEM #: 9

AGENDA DATE: 2/11/2010

▶ **APPLICANT:** HABITAT FOR HUMANITY

TAX ID NUMBER:	83 A F 032
JURISDICTION:	Council District 6
SECTOR PLAN:	East City
GROWTH POLICY PLAN:	Urban Growth Area (Inside City Limits)
ZONING:	R-1 (Low Density Residential)

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

▶ **LOCATION:** Between beginning at a point on James Rd., approximately 767 feet southeast of the centerline of Skyline Dr. and present dead end of James Rd. right of way

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

▶ **APPLICANT'S REASON FOR CLOSURE:** Consolidation of property

DEPARTMENT-UTILITY REPORTS: No objections have been received by MPC staff as of 2/3/10.

STAFF RECOMMENDATION:

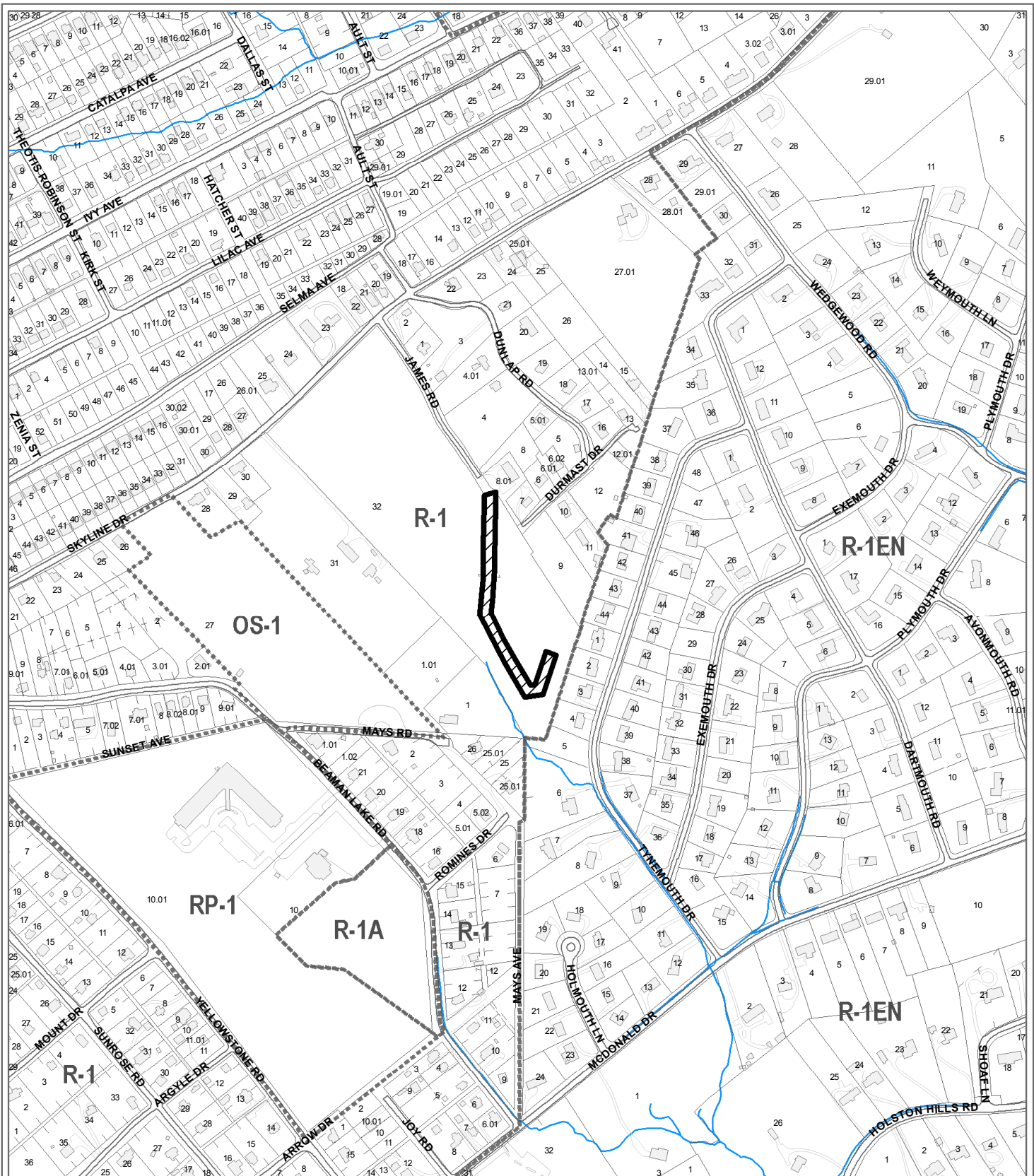
▶ **RECOMMEND** that City Council **APPROVE** the closure, subject to any required easements, as well as the 4 conditions listed in the attached letter from City Engineering, dated February 2, 2010.

Staff has received no objections to this closure. The closure of this portion of James Rd. will not adversely impact public access to property in the area.

COMMENTS:

The applicant proposes to develop residential housing on this site. The closure of this portion of the right-of-way will allow it to be incorporated into the development. It is not necessary for any access except for the parcel in which is it located.

If approved, this item will be forwarded to Knoxville City Council for action on 3/9/2010 and 3/23/2010. 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.



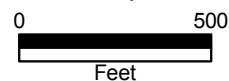
**2-A-10-SC
CLOSURE OF PUBLIC RIGHT OF WAY**

Name of Street or Alley: James Rd
 To be closed from: beginning at a point on James Rd., approximately 767 feet southeast of the centerline of Skyline Dr.
 To be closed to: present dead end of James Rd. right of way

Original Print Date: 1/27/2010 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Habitat for Humanity

Map No: 83
 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

February 2, 2010

Mr. Mike Brusseau, Senior Planner
Metropolitan Planning Commission
Suite 403, City County Building
Knoxville, Tennessee 37901

SUBJECT: Request to Close a Portion of James Road
MPC File # 2-A-10-SC / City Block 30320

Dear Mr Brusseau:

James Road is shown on a plat entitled "Property of R. Len Johnson" dated October 21, 2002 and recorded as Instrument No 200211260046418 in the office of the Knox County Register of Deeds. It runs southeasterly from Skyline Drive approximately 1,750 feet to a dead end. This request will close the southernmost portion of this road, leaving approximately 767 feet remaining from the center of Skyline Drive.

The Engineering Department can support this request only with the following conditions:

1. The property owner shall dedicate right-of-way for a public turn-around at the new terminus of James Road.
2. The property owner shall record a subdivision plat with the Register Of Deeds that defines and dedicates this turn-around.
3. The closing ordinance shall state that this closure shall not become effective until the Engineering Department has sent a memo to the City Recorder verifying that these conditions have been met.
4. The closing ordinance shall state that if the plat is not recorded within one year from the date City Council gives its final approval, this right-of-way closure shall be deemed to be null and void and of no effect.

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 Division, Engineering Division
David Harbin, P.E., R.L.S, Batson Himes Norvell & Poe
File

mb100202clsJamesRd 2-A-10-SC doc



Knoxville Utilities Board



January 7, 2010

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 2-A-10-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 enclosed 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 – 10 feet on each side of the centerline of the electric line, 20 feet total width
- Sewer – 7.5 feet on each side of the centerline of the wastewater line, 15 feet total width
- Water – 7.5 feet on each side of the centerline of the water 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) 558-2291.

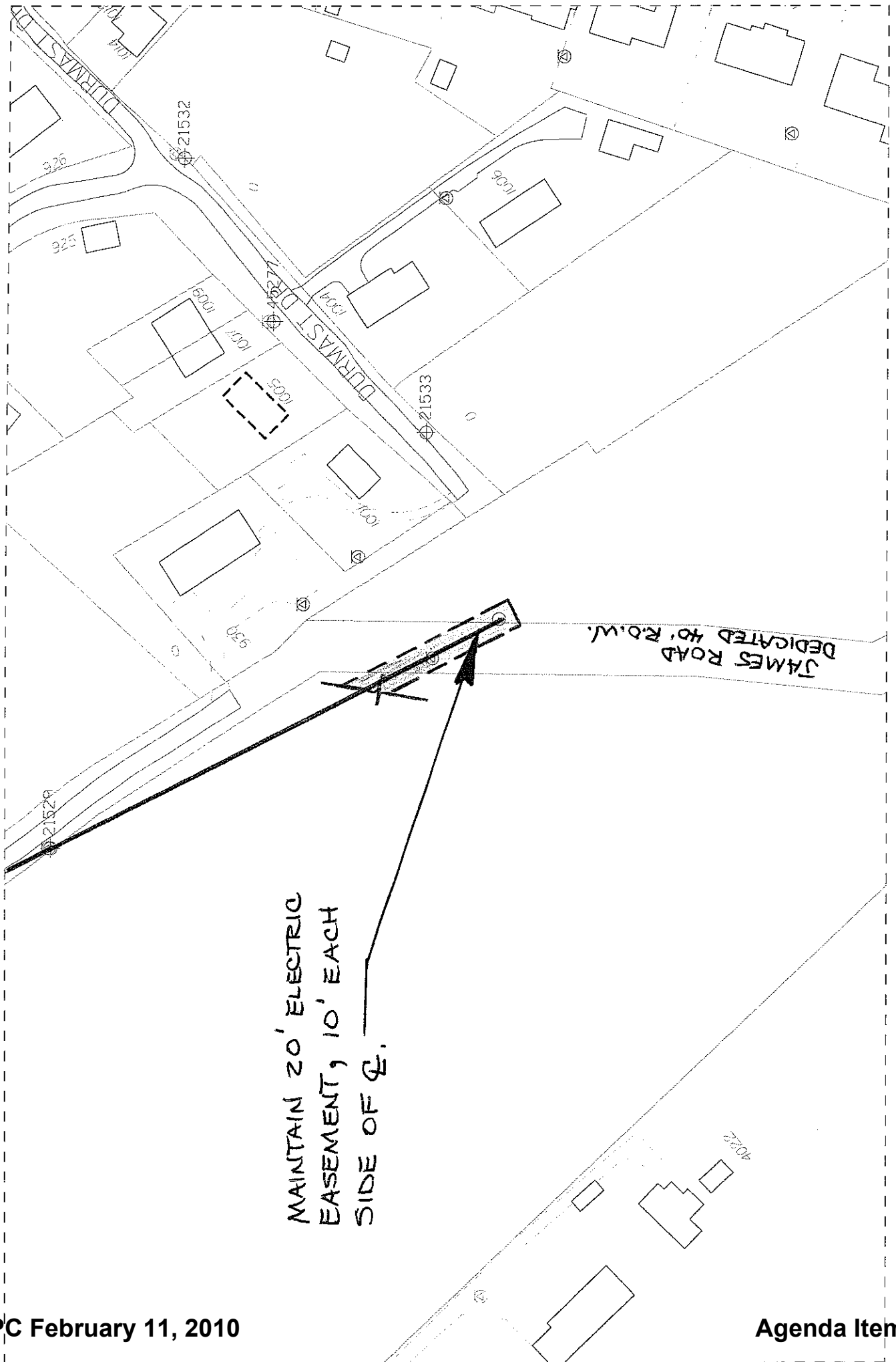
Sincerely,

A handwritten signature in black ink that reads 'Greg L. Patterson'.

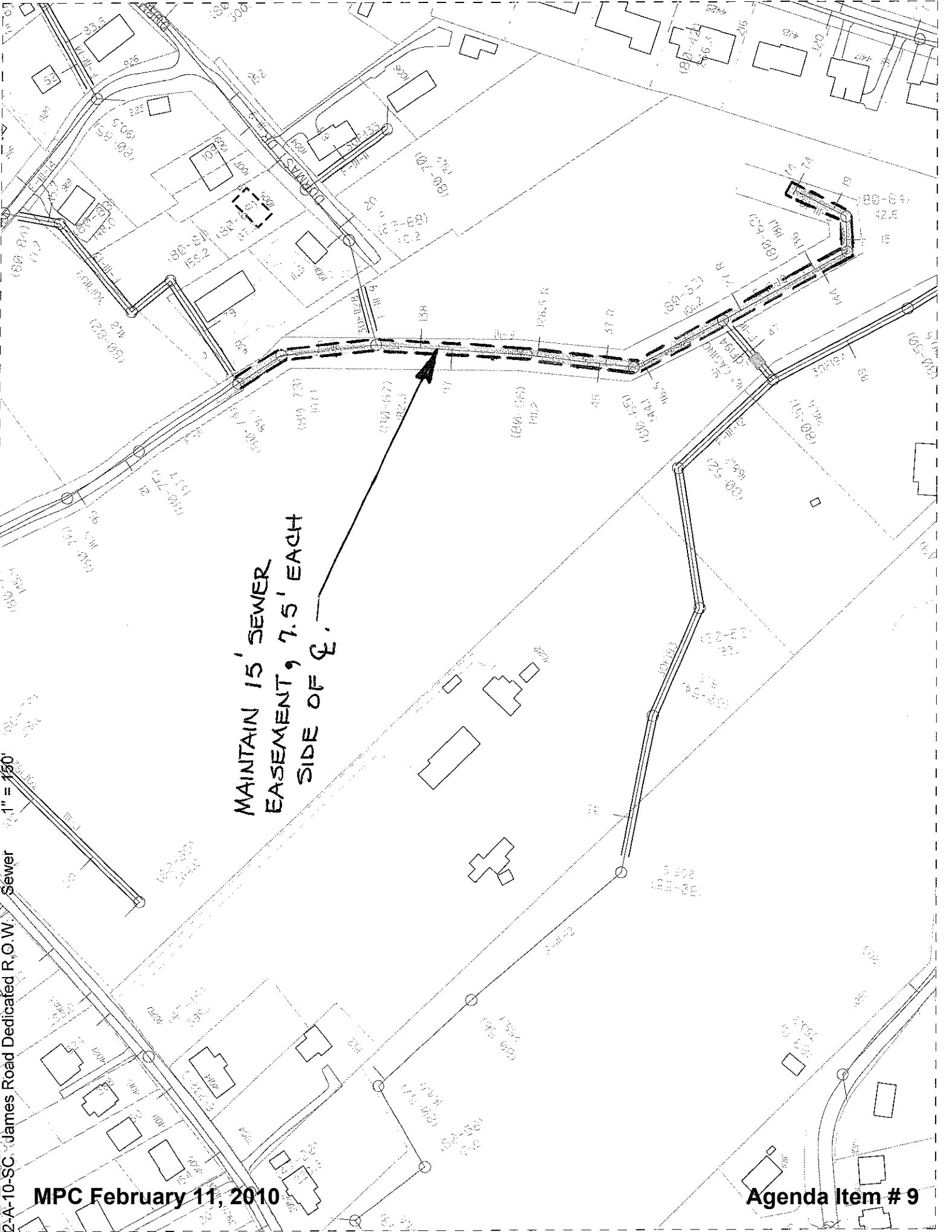
Greg L. Patterson
Engineering

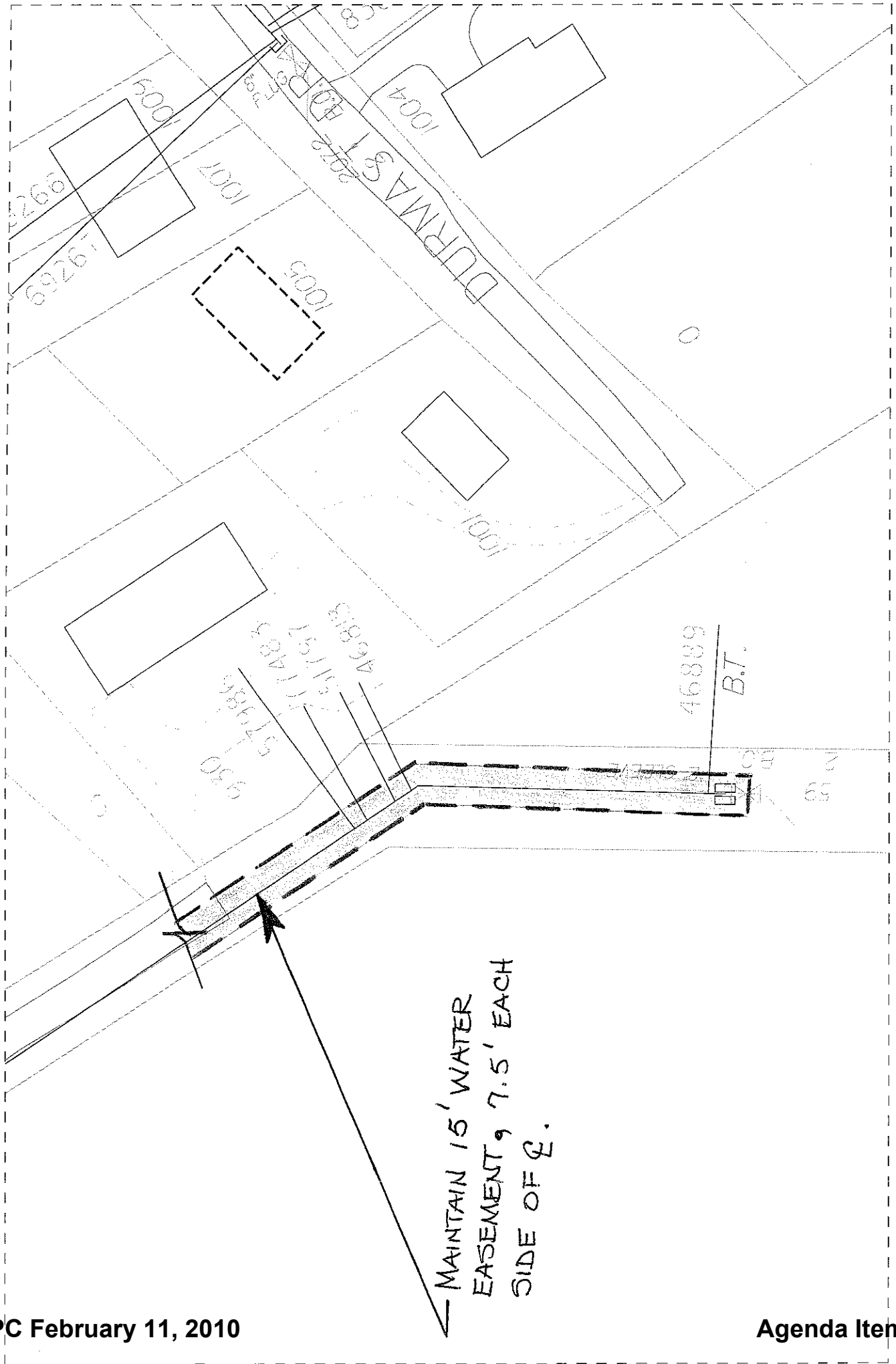
glp/ggt

Enclosure



2-A-10-SC James Road Dedicated R.O.W. Sewer 1" = 150'





MAINTAIN 15' WATER
EASEMENT, 7.5' EACH
SIDE OF E.