



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

▶ **FILE #:** 1-A-10-SC

AGENDA ITEM #: 7

AGENDA DATE: 1/14/2010

▶ **APPLICANT:** LUNN REAL ESTATE INVESTMENTS, INC.

TAX ID NUMBER: 94 E M 014
 JURISDICTION: Council District 6
 SECTOR PLAN: Central City
 GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)
 ZONING: I-3 (General Industrial)
 WATERSHED: Second Creek

▶ **RIGHT-OF-WAY TO BE CLOSED:** Callaway Ave
 ▶ **LOCATION:** Between Van Street and Dead end

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

▶ **APPLICANT'S REASON FOR CLOSURE:** The right of way is dead end street with no outlet or turn around capability. It no longer serves any useful purpose and should be turned over to the private property owner on the north side for maintenance and care. There has not been public traffic utilizing Callaway Ave. for many years.

DEPARTMENT-UTILITY REPORTS: No objections have been received by staff as of 1/6/10..

STAFF RECOMMENDATION:

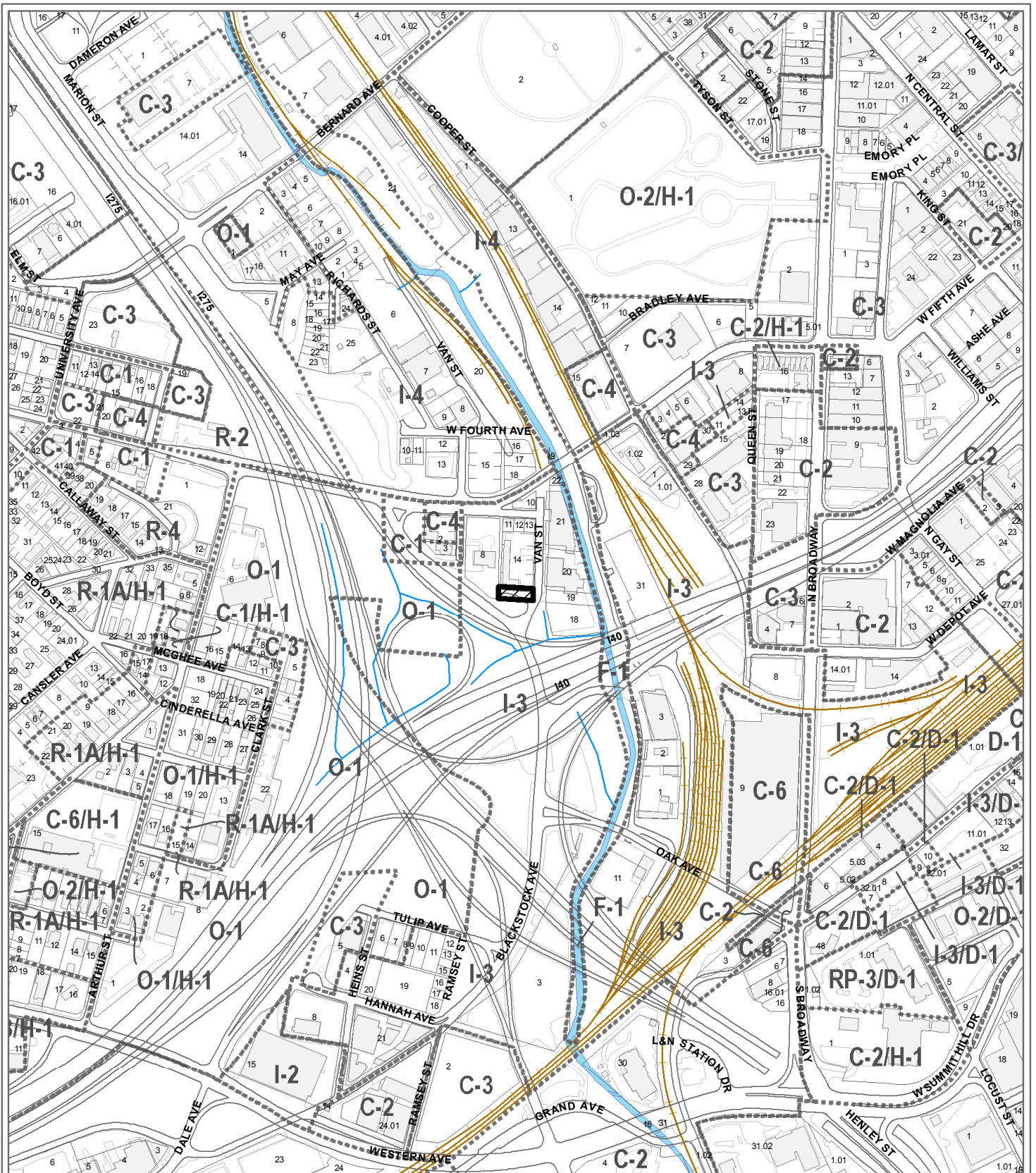
▶ **RECOMMEND** that City Council **APPROVE** the closure, subject to any required easements.

Staff has received no objections to this street closure. The closure of Callaway Ave. will not adversely impact public access to property in the area, or access through the community.

COMMENTS:

The subject right of way is paved, with dumpsters located at the dead end. The area is now essentially being used as a private parking area for the adjacent business to the north, which is owned by the applicant. The proposed closure will allow this right of way to be incorporated into the adjacent property to be maintained privately.

If approved, this item will be forwarded to Knoxville City Council for action on 2/9/2010 and 2/23/2010. 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.



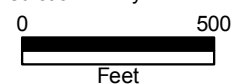
**1-A-10-SC
CLOSURE OF PUBLIC RIGHT OF WAY**

Name of Street or Alley: Callaway Ave
 To be closed from: Van Street
 To be closed to: Dead end

Original Print Date: 12/28/2009 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Lunn Real Estate Investments, Inc.

Map No: 94
 Jurisdiction: City



1-A-10-SC-cor-KUB



Knoxville Utilities Board



December 10, 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 1-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.

Water – 7.5 feet on each side of the centerline of the water line, 15 feet total width
Sewer – 7.5 feet on each side of the centerline of the wastewater line, 15 feet total width
Electric – 10 feet on each side of the centerline of the electric line, 20 feet total width

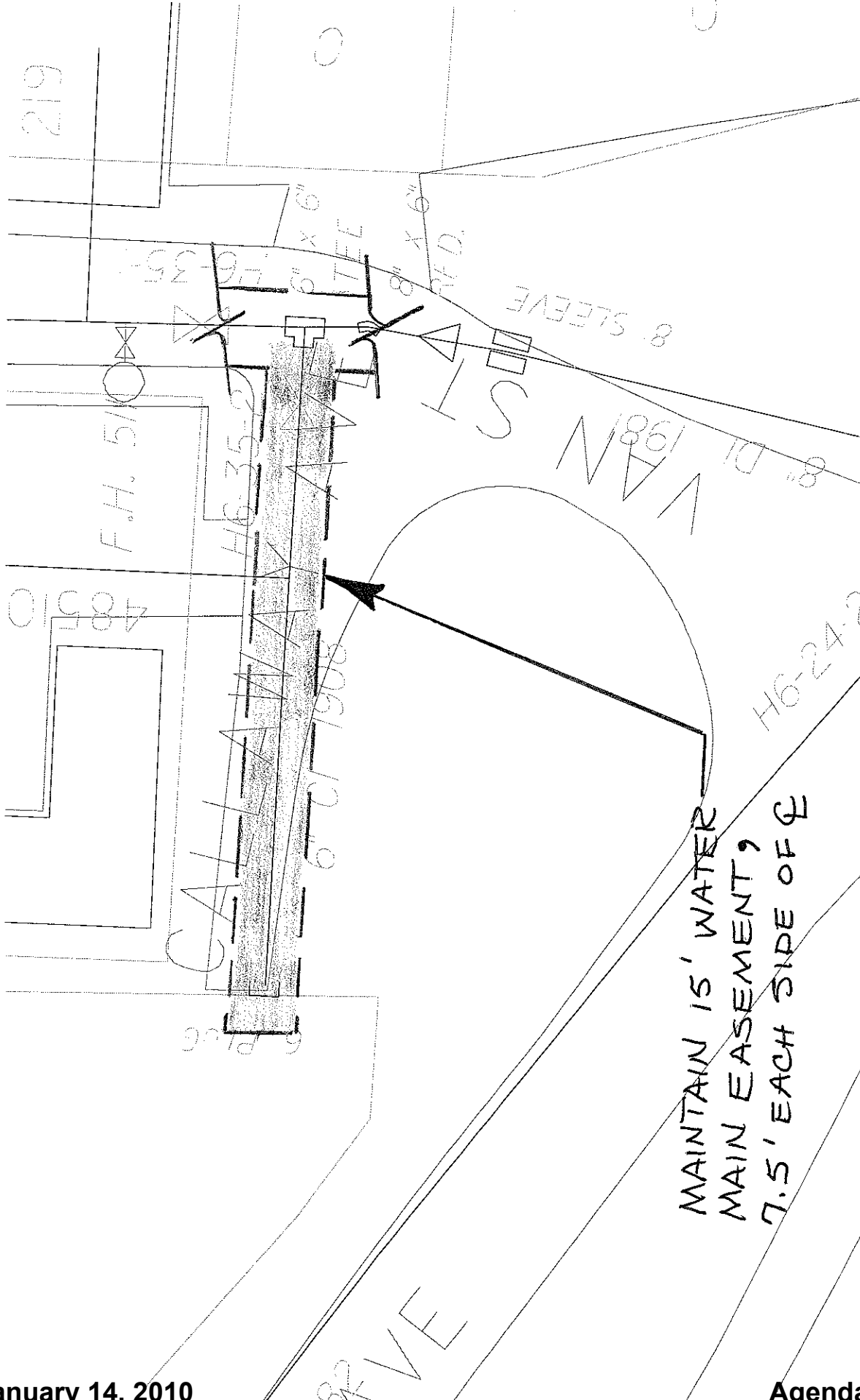
So long as these conditions are met, KUB has no objection to the closure of this right-of-way. If you have any questions regarding this matter, please call me at (865) 558-2291.

Sincerely,

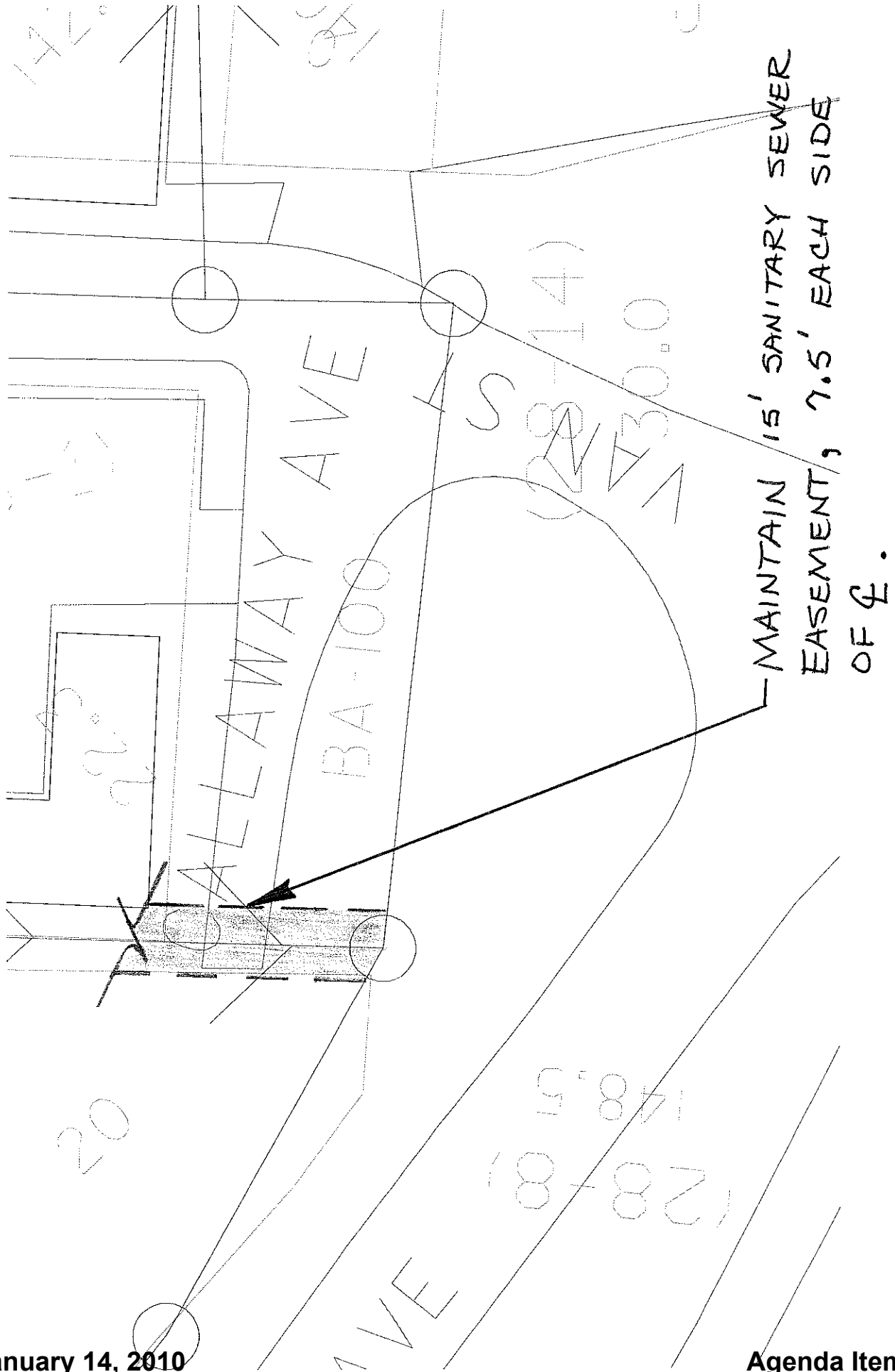
Greg L. Patterson
Engineering

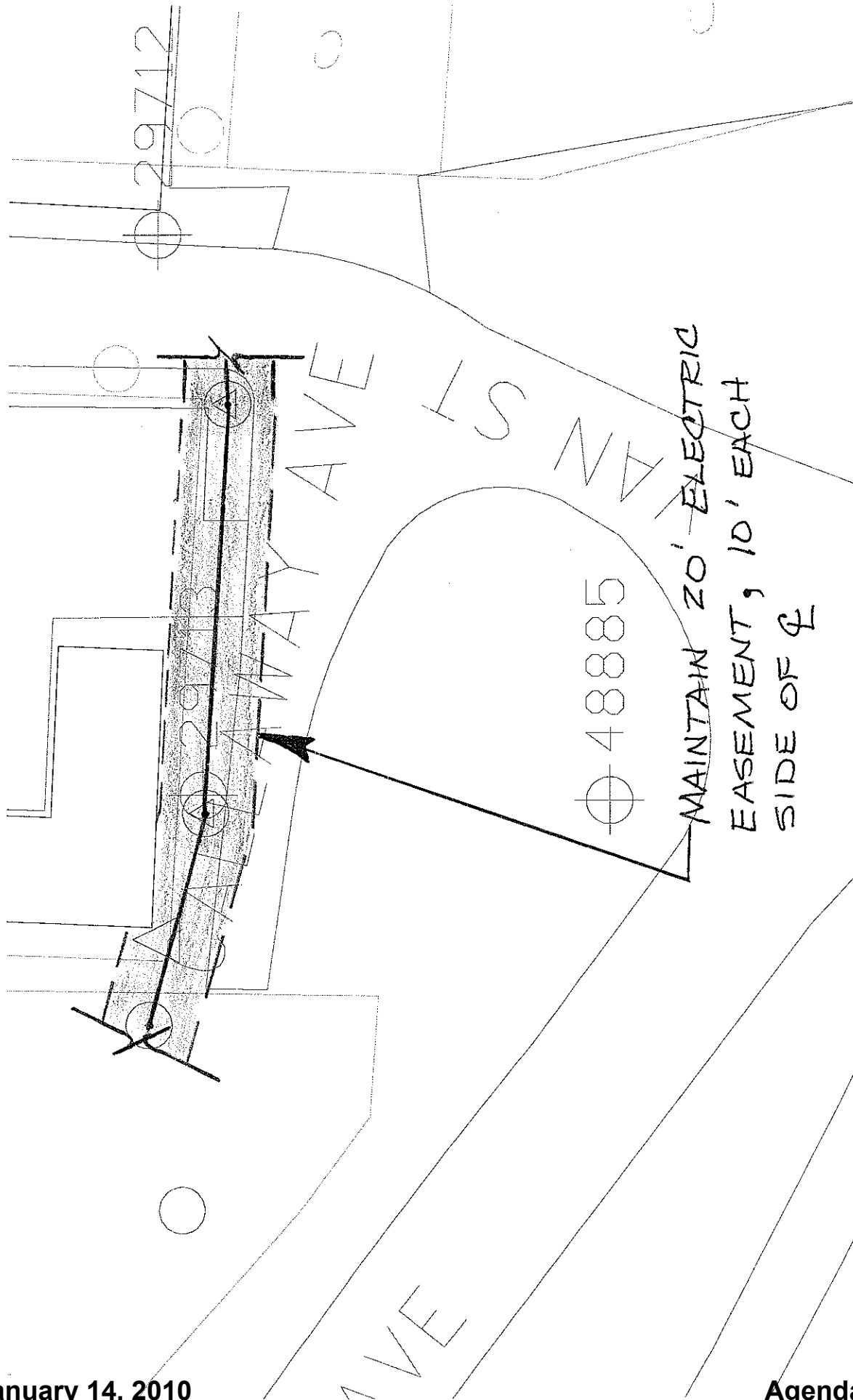
glt/ggt

Enclosure

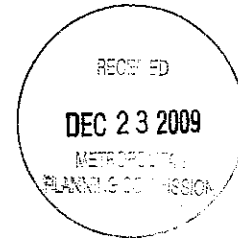


MAINTAIN 15' WATER
 MAIN EASEMENT,
 7.5' EACH SIDE OF ϕ





1-A-10-SC - cor - AT&T



December 21, 2009


TO: Metropolitan Planning Commission

FROM: Walter Primm
AT&T
9733 Parkside Dr.
Knoxville, TN 37922

SUBJECT: Lunn Real Estate Investments, Inc -- Closure of Callaway Avenue from Van St. to deadend of property on west. City block 09141 Council District 6, Central City Sector. 1-A-10-SC

AT&T has facilities in this area. The closing will be satisfactory as originally proposed with an easement to maintain and replace our plant as needed in the area in question.

Thank you,


Walter Primm