

▶ **FILE #:** 7-A-12-AC

AGENDA ITEM #: 5

AGENDA DATE: 7/12/2012

▶ **APPLICANT:** CENTRAL UNITED METHODIST CHURCH

TAX ID NUMBER: 94 D L 008
 JURISDICTION: Council District 4
 SECTOR PLAN: Central City
 GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)
 ZONING: R-1A (Low Density Residential) / IH-1 (Infill Housing Overlay)
 WATERSHED: Second Creek

▶ **RIGHT-OF-WAY TO BE CLOSED:** Unnamed alley

▶ **LOCATION:** Between Lamar Street and Northwest boundary of parcel 094DL008

IS ALLEY:

(1) IN USE?: Yes

(2) IMPROVED (paved)?: Yes

▶ **APPLICANT'S REASON FOR CLOSURE:** Applicant would like to close portion of alley that lies within said parcel to be added to subject parcel.

DEPARTMENT-UTILITY REPORTS: No objections from any departments or utilities have been received by staff as of 7/3/12.

STAFF RECOMMENDATION:

▶ **RECOMMEND** that City Council **APPROVE** the closure of the proposed portion of the unnamed alley, subject to any required easements and subject to the following condition;

1. The four conditions included in the attached letter from City of Knoxville Engineering (dated June 22, 2012) must be addressed to the satisfaction of that department.

With the above condition included, staff has received no objections to this closure. The applicant owns all the private property fronting along this right-of-way.

COMMENTS:

The applicant is the owner of all adjacent property and has stated that they wish to close the right-of-way to the public and consolidate with the rest of the church parcel.

The four conditions included in the attached letter from City of Knoxville Engineering (dated June 22, 2012) must be addressed to the satisfaction of that department. With the above conditions included, staff has received no objections to this closure.

If approved, this item will be forwarded to Knoxville City Council for action on 8/7/2012 and 8/21/2012. 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.



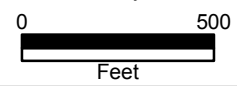
**7-A-12-AC
CLOSURE OF PUBLIC RIGHT OF WAY**

Name of Street or Alley: Unnamed alley
 To be closed from: Lamar Street
 To be closed to: Northwest boundary of parcel 094DL008

Original Print Date: 6/21/2012 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Central United Methodist Church

Map No: 94
 Jurisdiction: City



CITY OF KNOXVILLE



Engineering
James R. Hagerman, P.E.
Director of Engineering

June 22, 2012

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

SUBJECT: Request to close a portion of an unnamed alley from Morgan St to Lamar St
MPC File # 7-A-12-AC

Dear Mr. Brusseau:

The resulting situation of the proposed closure of the specified areas in MPC File #7-A-12-AC would be a dead-end alley, with no outlet or turnaround for any future traffic using the remainder of the open alley. City Engineering will support the closure provided the following conditions are met or ALL of the unnamed alley is closed as it runs from Morgan Street to Lamar Street. If the entire alley is to be closed, all abutting landowners need to be included on the application. If only the portion of the alley currently shown is to be closed, the following conditions must be met:

1. Since the remainder of the alley will not have a turn around for traffic, the resulting dead-end would have to terminate with a dedicated public turnaround approved by the City Engineering Department.
2. The property owner shall complete the platting process to dedicate said turnaround, and the subdivision plat must be recorded within one (1) year upon the final approval by City Council. If the plat is not recorded by said deadline, the closing ordinance will be deemed to be null and void and of no effect.
3. The closing ordinance shall state that the closure shall become effective only after the Department of Engineering has provided written verification to the City Recorder that all conditions have been met to its satisfaction.
4. The City Engineering Department will reserve a 5 foot easement for all utilities, if any, located in or within five (5) feet of the area to be closed.

If you have any questions, please call me at 215-4615.

Sincerely,

Benjamin D. Davidson, PLS, Technical Services Administrator

C: James R. Hagerman, P.E., Director of Engineering
Brently J. Johnson, P.E., R.L.S., Engineering Planning Chief
Lisa Hatfield, Attorney, Law Department

7-A-12-AC - cor - KUB



Knoxville Utilities Board



June 12, 2012

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

Dear Mr. Brusseau:

Re: Right-of-Way Closure Request 7-A-12-AC

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) 558-2291.

Sincerely,

Greg L. Patterson, P.E.
Engineering

glp/ggt

