

▶ **FILE #:** 6-A-12-SC

AGENDA ITEM #: 11

AGENDA DATE: 6/14/2012

▶ **APPLICANT:** UNITED RENTALS

TAX ID NUMBER: 94 K P 007
 JURISDICTION: Council District 6
 SECTOR PLAN: Central City
 GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)
 ZONING: C-3 (General Commercial)
 WATERSHED: Third Creek

▶ **RIGHT-OF-WAY TO BE CLOSED:** Unaka St

▶ **LOCATION:** Between N. Seventeenth Street and Ailor Avenue

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

▶ **APPLICANT'S REASON FOR CLOSURE:** Increase security by limiting access to United Rentals.

DEPARTMENT-UTILITY REPORTS: No objections from any departments or utilities have been received by staff as of 6/5/12.

STAFF RECOMMENDATION:

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

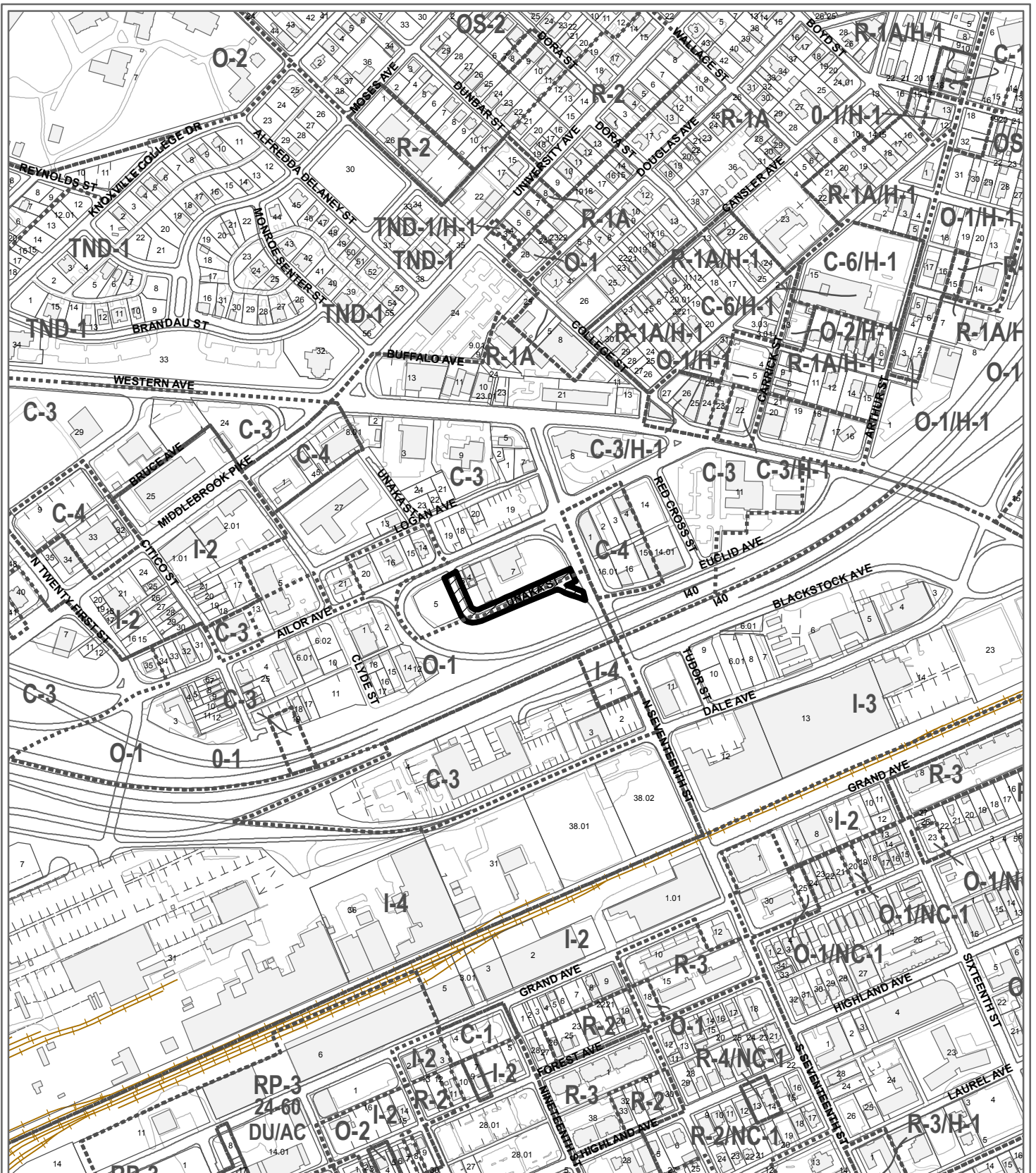
1. The four conditions included in the attached letter from City of Knoxville Engineering (dated June 4, 2012) must be addressed to the satisfaction of that department.

With the above condition included, staff has received no objections to this closure. The applicant owns all the private property fronting along the north and west sides of this right-of-way. The land to the south of the subject right-of-way is owned by the State of Tennessee and is part of the TDOT I-40 right-of-way.

COMMENTS:

The applicant represents the owner of United Rentals. The only possible destination for someone driving on this portion of Unaka St. would be the United Rentals business located between Unaka St. and Ailor Ave. The applicant has stated that the business wishes to close the right-of-way to the public and make it a private drive used only for access to the adjacent business.

If approved, this item will be forwarded to Knoxville City Council for action on 7/10/2012 and 7/24/2012. 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.



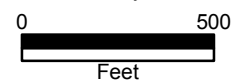
**6-A-12-SC
CLOSURE OF PUBLIC RIGHT OF WAY**

Name of Street or Alley: Unaka St
 To be closed from: N. Seventeenth Street
 To be closed to: Ailor Avenue

Original Print Date: 5/22/2012 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: United Rentals

Map No: 94
 Jurisdiction: City



6-A-12-SC-cor-cityeng



CITY OF KNOXVILLE

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

June 4, 2012

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

SUBJECT: Request to Close Unaka Street from Ailor Avenue to N 17th St
MPC File # 6-A-12-SC

Dear Mr. Brusseau:

City Engineering will support the closure of a portion of Unaka Street from Ailor Avenue to N 17th Street provided the following conditions are met.

1. Applicant agrees to include the access way from Unaka Street to N 17th Street as part of this closure request.
2. The property owner agrees to complete the subdivision platting process in order to combine tax parcels 3, 4, 5, and 7 as shown on CLT 094KP into one new lot. This will prevent creating inaccessible parcels due to the concrete median on Ailor Avenue and the closure of said portion of Unaka Street.
3. The subdivision plat must be recorded within one (1) year upon the final approval by City Council. Otherwise, this process will be deemed to be null and void and of no effect.
4. 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.

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

12039_SC_Unaka St_Conditions.doc



Knoxville Utilities Board



May 9, 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 6-A-12-SC
Block No. 22303
CLT No. 94
Parcel No. 7**

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, 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

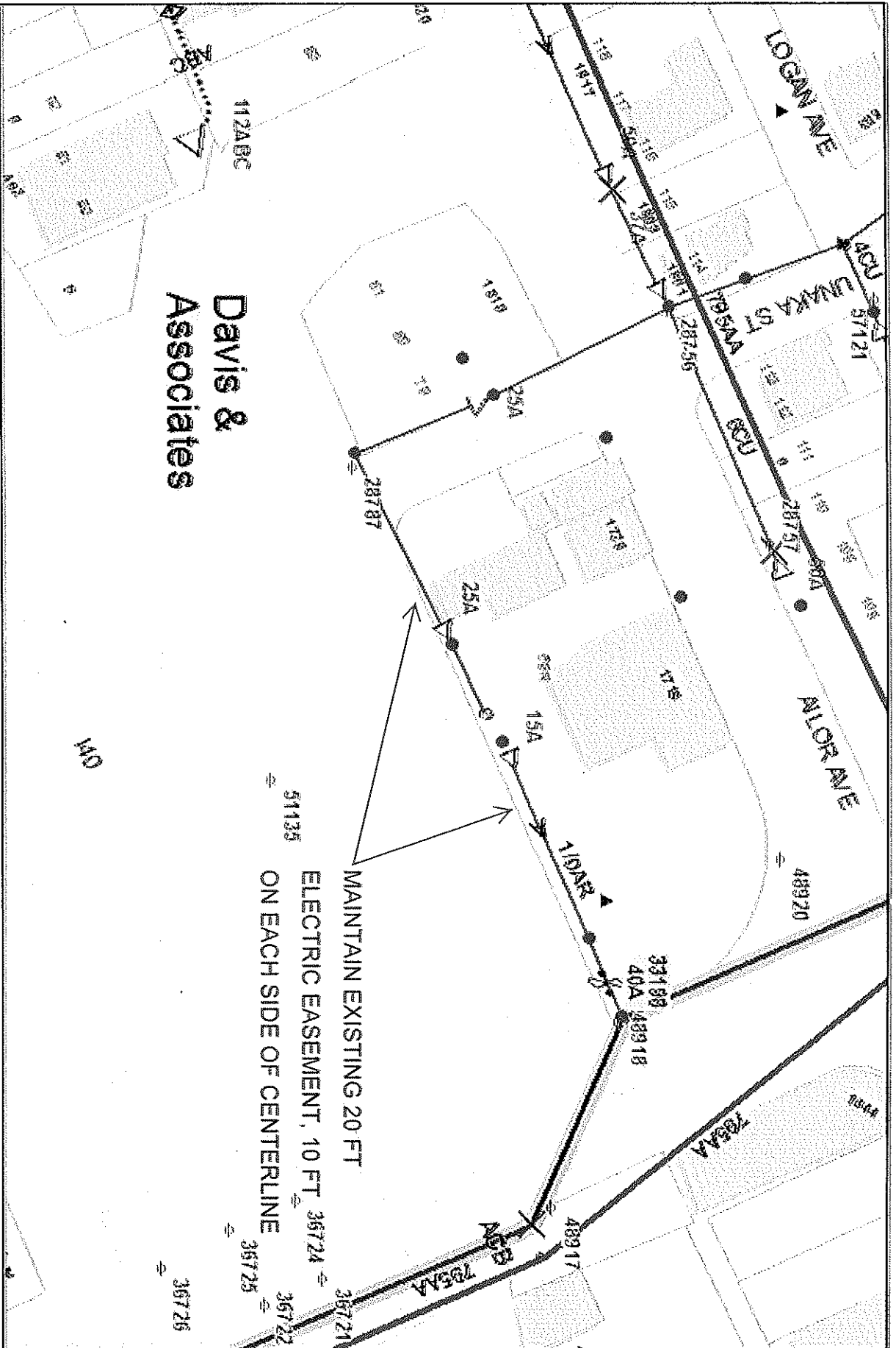
So long as these conditions are met, KUB has no objection to the closure of this right-of-way. If you have any questions regarding this matter, please call me at (865) 558-2291.

Sincerely,

Greg L. Patterson, P.E.
Engineering

glp/ggt

Enclosure



Davis & Associates

MAINTAIN EXISTING 20 FT
ELECTRIC EASEMENT, 10 FT, 36724
ON EACH SIDE OF CENTERLINE
36725

File No. 6-A-12-SC

Closure of Unaka Street

Electric

Planned 05/08/2012 10:15 AM



GLT Map #24

Parcel #7

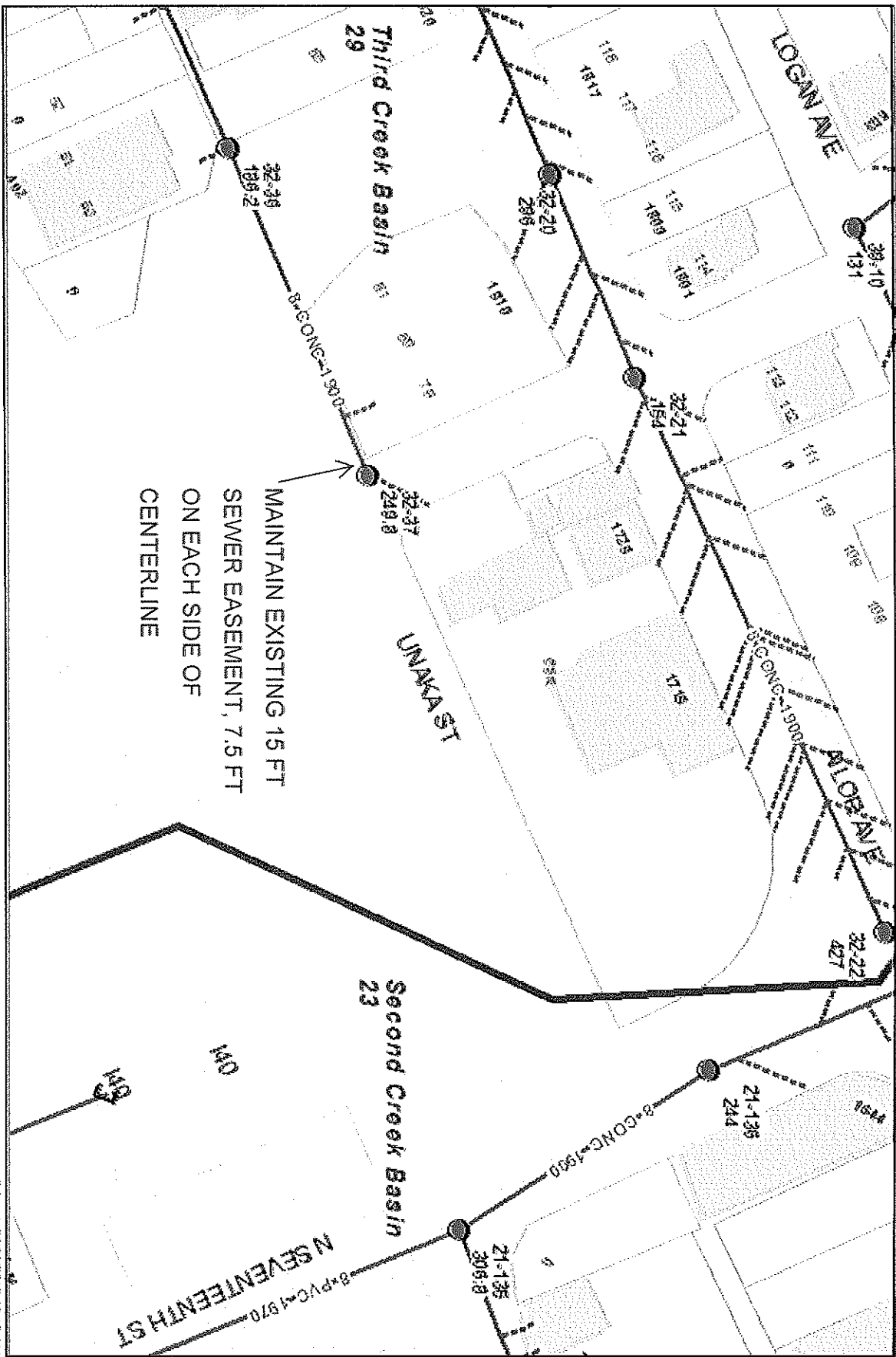
City Block #22303



100 feet



Requesting Utilities Permit
Requester Warning: This map was generated from the City's Geographic Information System maintained by GIS. This map should not be relied on for engineering, design, or surveying work or other similar uses. The information on this map is stated and has no warranty of merchantability or fitness for use for a particular purpose, express or implied. This map is provided, printed, and distributed as is, with all faults.



File No. 6-A-12SC

Closure of Unaka Street

Sewer

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GLT Map #24

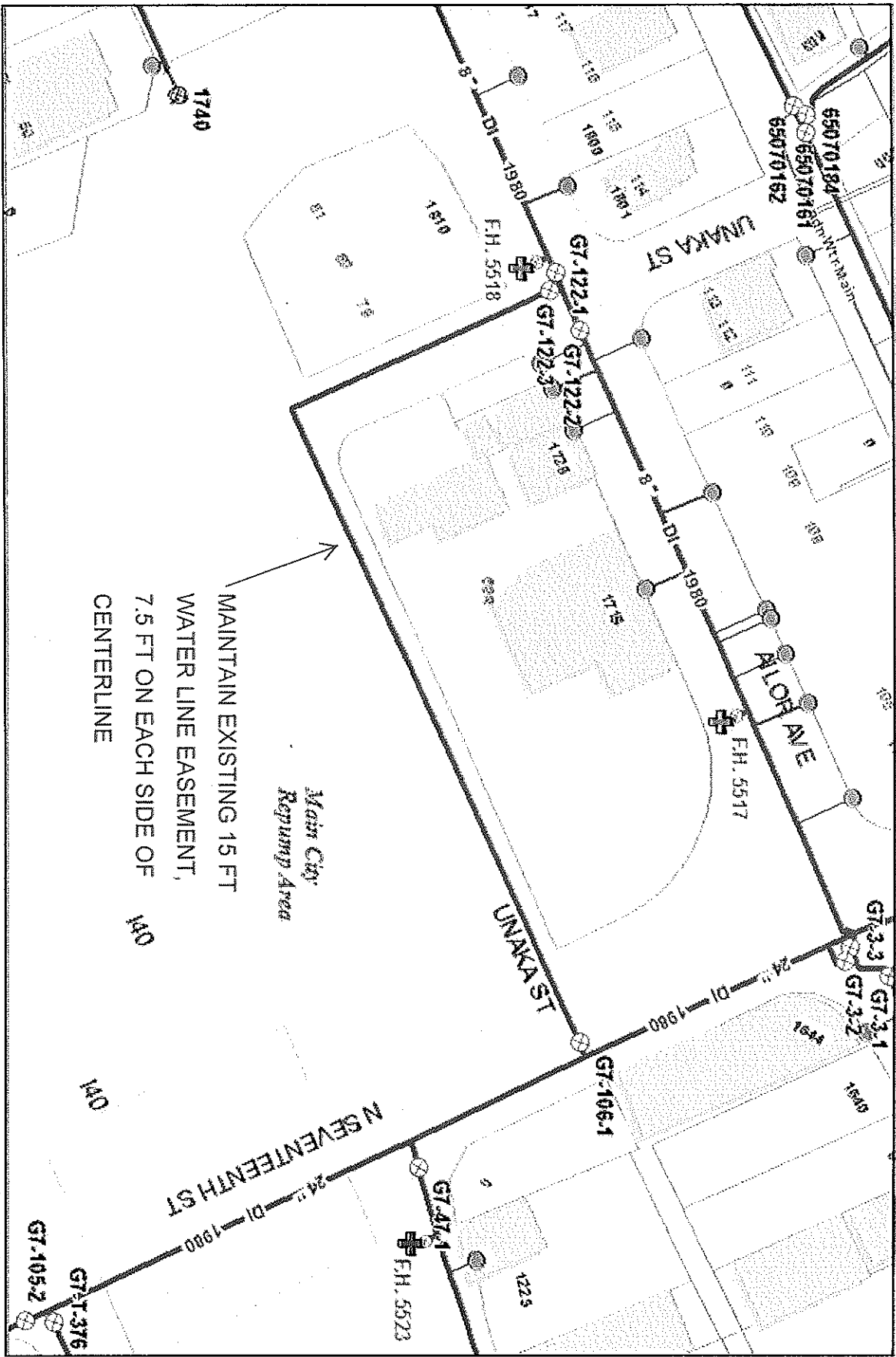
Parcel #7

City Block #22203

250 Feet



Knowning Utilities Detail
 cautions warning: This map was produced from the Landmark Information system maintained by user. This map should not be relied on for engineering, design, or surveying work or other similar type uses. The information on this map is dated and has no warranty or responsibility or warranty for fitness of use for a particular purpose, express or implied. This map is produced, printed, and distributed as is, with all faults.



File No. 6-A-12-SC

Closure of Unaka Street

Water

CLT Map #92

Parcel #7

City Block #22303



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Konohe Utilities District
 Engineer Warning: This map was produced from the Geographic Information System maintained by users. This map should not be relied on for engineering, design, or surveying work, or other similar type uses. The information on this map is stated and has no warranty of merchantability or warranty for fitness for use for a particular purpose, express or implied. This map is produced, printed, and distributed as is, with all faults.

6-A-12-SC-cor-ATT



May 1, 2012

TO: Metropolitan Planning Commission

FROM: Kelly Pearmain
AT&T
9733 Parkside Dr.
Knoxville, TN 37922

SUBJECT: CITY OF KNOXVILLE – Closure of Unika Street from Ailor Avenue
to N Seventeenth Street
Council District 6, Central City Sector-6-A-12-AC

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,

A handwritten signature in cursive script that reads "Kelly Pearmain".

Kelly Pearmain