

▶ **FILE #:** 8-E-13-SC

AGENDA ITEM #: 9

AGENDA DATE: 8/8/2013

▶ **APPLICANT:** UNIVERSITY OF TENNESSEE

TAX ID NUMBER: 108 F C 010
 JURISDICTION: Council District 2
 SECTOR PLAN: Central City
 GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)
 ZONING: O-2 (Civic and Institutional)
 WATERSHED: Tennessee River

▶ **RIGHT-OF-WAY TO BE CLOSED:** Fraternity Park Dr

▶ **LOCATION:** Between Pat Head Summitt Street and Todd Helton Drive

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

▶ **APPLICANT'S REASON FOR CLOSURE:** This City street is completely contained within the existing institutional zone of the University of Tennessee campus. Implementation of the overall Campus Master Plan and Landscape Master Plan provides an opportunity to implement several projects which may also impact street and sidewalk improvements. The University assuming ownership of the street affords the campus an opportunity to expedite these projects and also comply with design guidelines.

DEPARTMENT-UTILITY REPORTS: No objections from any departments or utilities have been received by staff as of the date of this report.

STAFF RECOMMENDATION:

▶ **RECOMMEND that City Council APPROVE the closure of Fraternity Park Drive, as requested, subject to any required easements and subject to the following condition:**

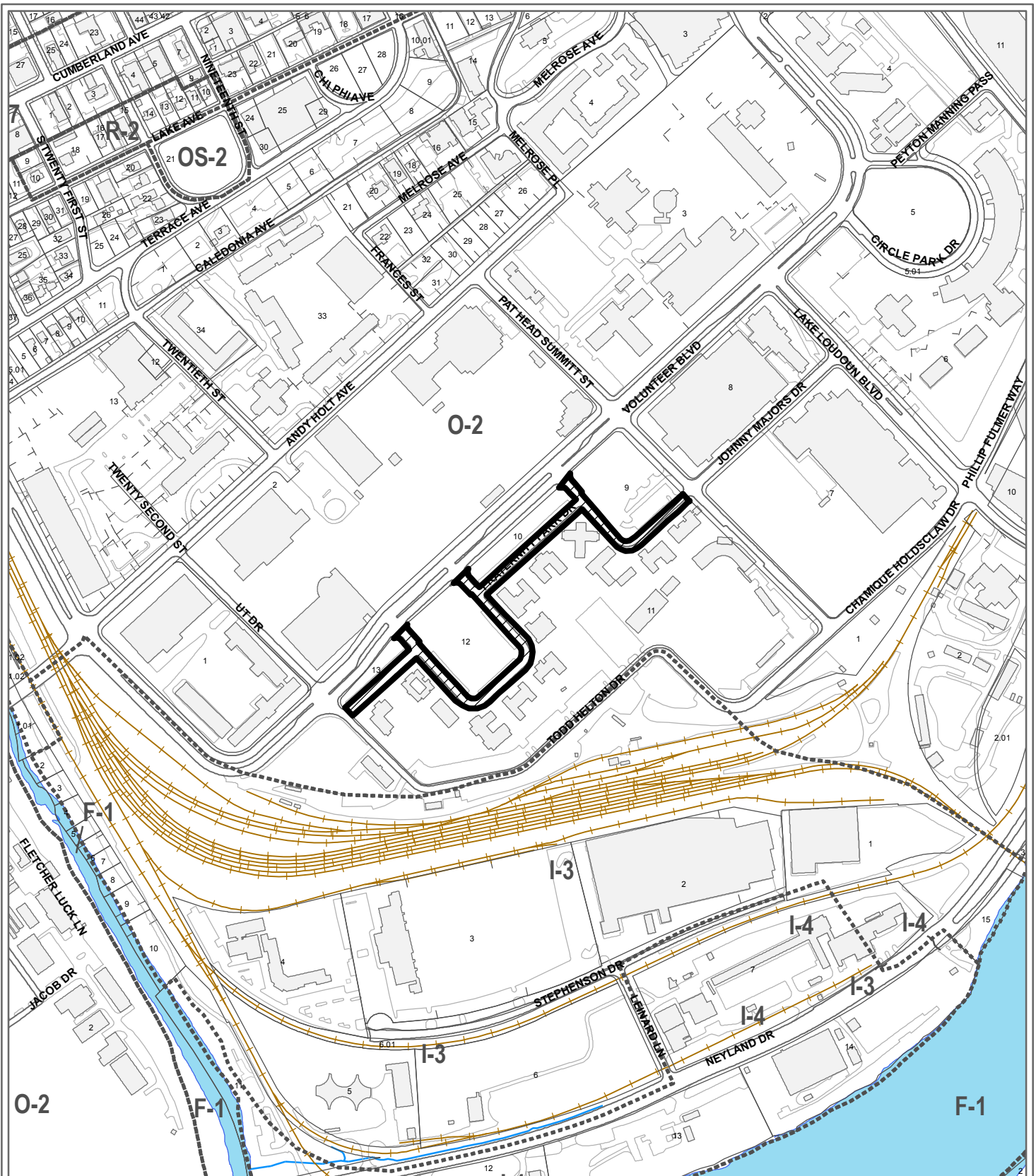
1. The 4 conditions included in the attached letter from City of Knoxville Engineering (dated July 22, 2013) must be addressed to the satisfaction of that department.

With the above condition included, staff has received no objections from reviewing departments to this closure

COMMENTS:

The result of UT's proposed closure of this and eight other streets within the campus will be that the University will take over ownership and maintenance of the streets from the City of Knoxville. It does not necessarily mean that the streets would be closed to traffic or that the street names would be changed, but those decisions would become the responsibility of UT. UT owns all of the properties adjacent to the subject street. Staff has not heard from any opposition to this closure as of the date of this report.

If approved, this item will be forwarded to Knoxville City Council for action on 9/3/2013 and 9/17/2013. 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.



**8-E-13-SC
CLOSURE OF PUBLIC RIGHT OF WAY**

Name of Street or Alley: Fraternity Park Dr
 To be closed from: Pat Head Summitt Street
 To be closed to: Todd Helton Drive

Original Print Date: 7/19/2013 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: University of Tennessee

Map No: 108
 Jurisdiction: City
 0 500
 Feet



S-E-13-SC-cityofK



CITY OF KNOXVILLE

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

July 22, 2013

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

SUBJECT: MPC File # 8-E-13-SC, closure of Fraternity Park Dr between Pat Head Summitt St & Todd Helton Dr (City Blocks 10770, 10730, 10760, 10750, & 10740)

Mr. Brusseau:

The City Engineering Department has no objections to close the above described right-of-way area provided the following conditions, subject to City Engineering approval, are met:

1. Should this right-of-way be closed, the applicant assumes maintenance responsibility for all stormwater systems previously maintained by the City, within the closure area. The applicant will maintain the approved stormwater facilities in good working order acceptable to the City Department of Engineering. Minimum maintenance of the said facilities shall include sediment, debris, oil, hydrocarbons, and foreign materials removal so that the operation and capacity of the stormwater facilities continue to meet acceptable standards.
2. If the applicant subsequently conveys property abutting any closed areas, the applicant shall provide legal access to a public street for ingress/egress, utilities, etc. necessary to support conveyed property.
3. All conditions must be met 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.

Sincerely,

Benjamin D. Davidson, PLS, Technical Services Administrator, Department of Engineering
Ph: 865-215-2148

C: Brently J. Johnson, P.E., R.L.S., Engineering Planning Chief
Christopher S. Howley, P.E., Plans Review and Development Inspections



Knoxville Utilities Board



July 9, 2013

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 8-E-13-SC
Block No. 10760 & 10730
CLT No. 108
Parcel No. 10**

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.

- Gas – 7.5 feet on each side of the centerline of the gas line, 15 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

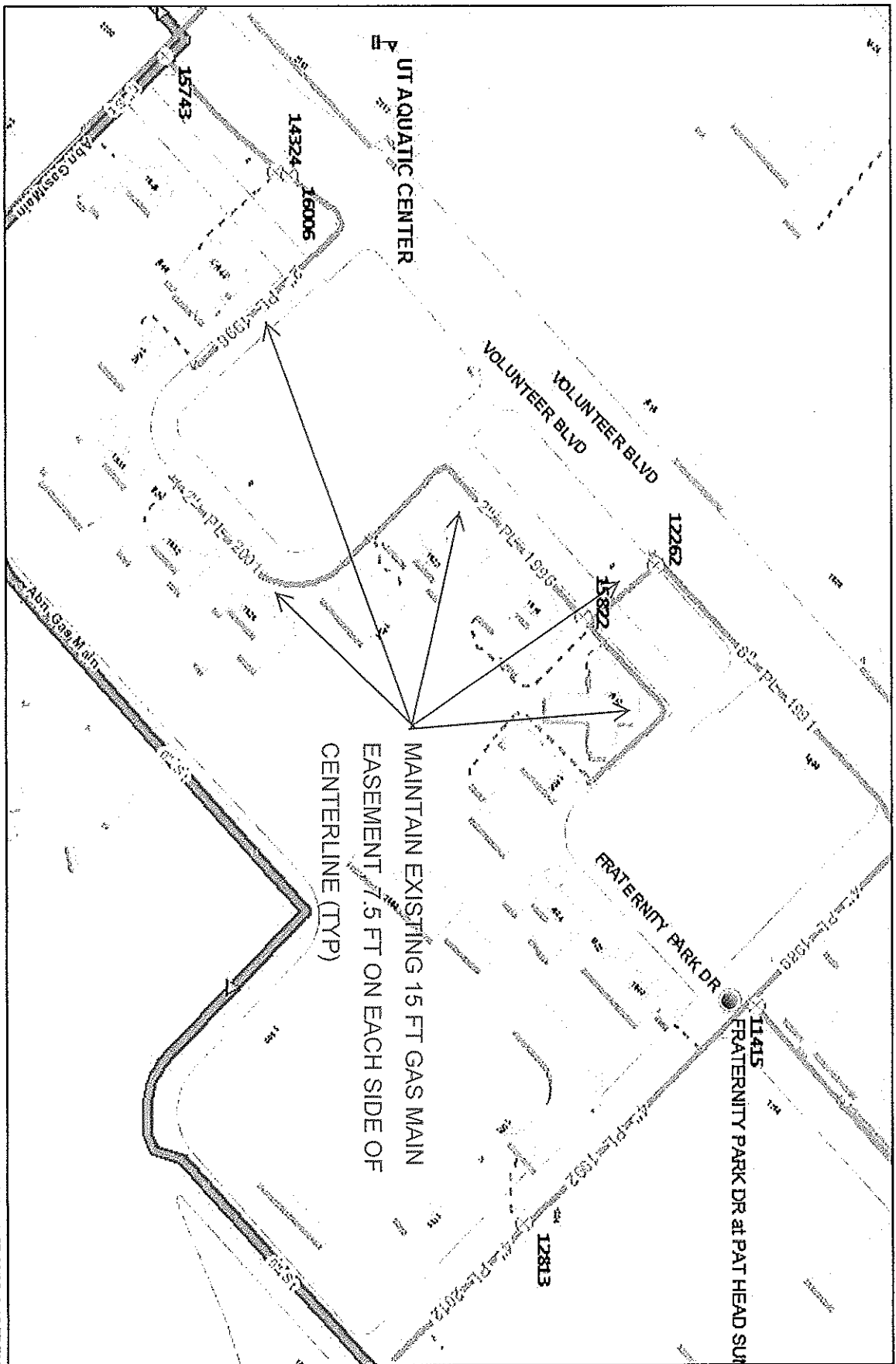
So long as these conditions are met, KUB has no objection to the closure of this right-of-way. If you have any questions regarding this matter, please call me at (865) 558-2291.

Sincerely,

Greg L. Patterson, P.E.
Engineering

glp/ggt

Enclosure



File No. 8-E-13-SC CLOSURE OF Fraternity Park Dr (Gas)

Pat Head Summit St to Todd Helton Drive CLT Map #108 Parcel #10 City Block(s) 10760 & 10730



Knowable Utilities Board

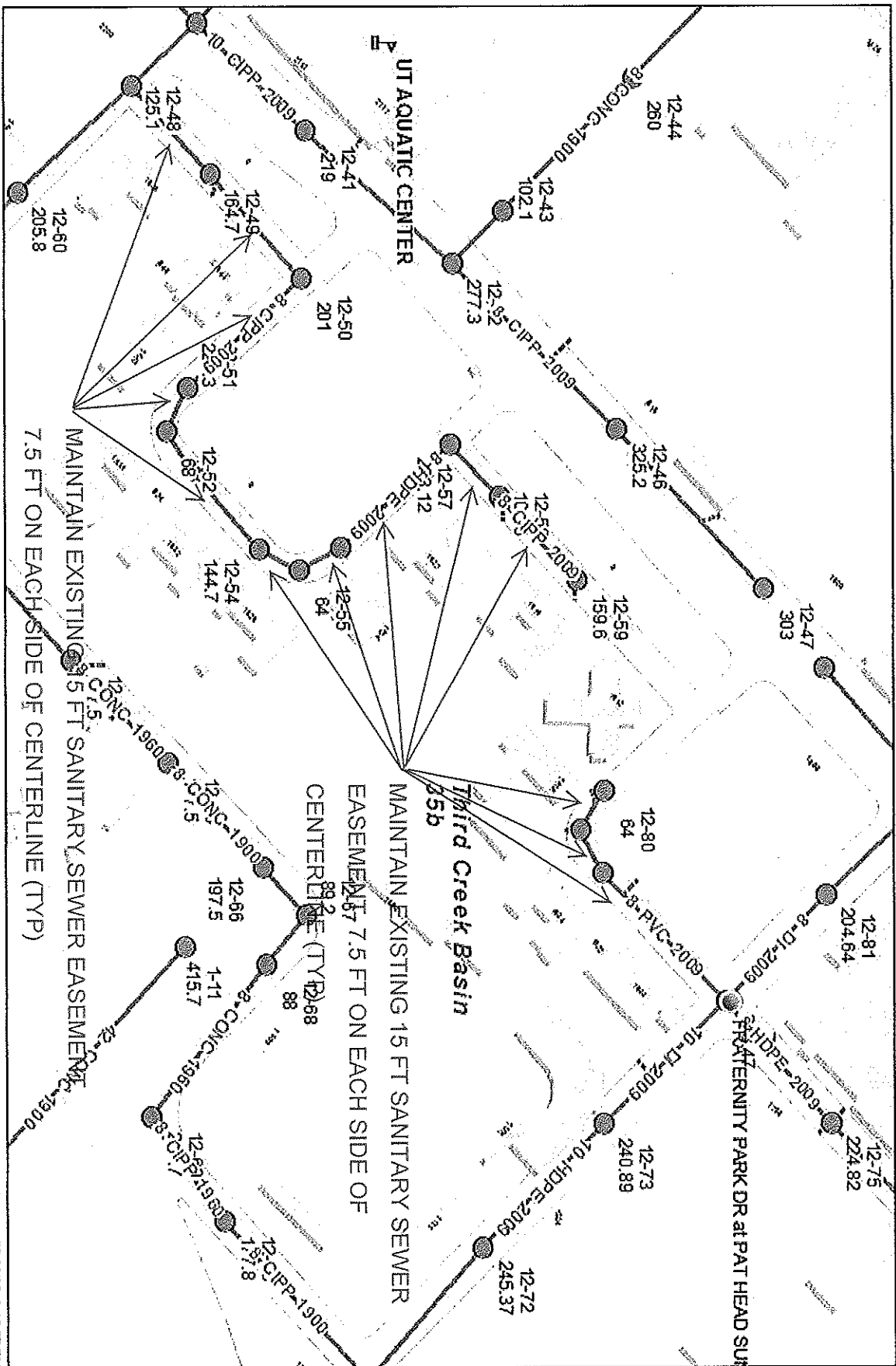
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File No. 8-E-13-SC CLOSURE OF Fraternity Park Dr (Sewer)

Pat Head Summit St to Todd Helton Drive CLT Map #108 Parcel #10 City Blocks) 10760 & 10730

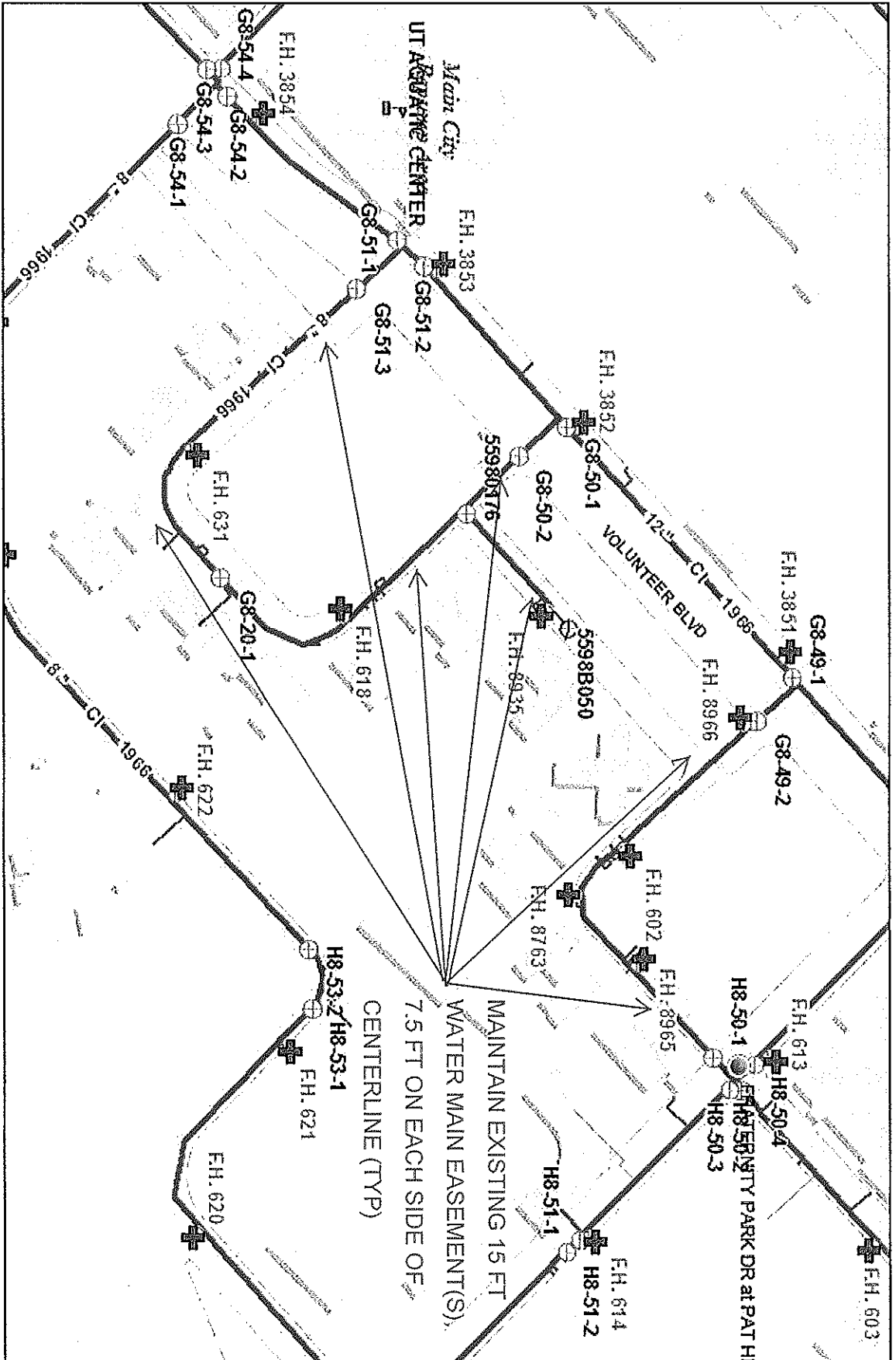


Krowada Utilities Board

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File No. 8-E-13-SC CLOSURE OF Fraternity Park Dr (Water)

Pat Head Summit St to Todd Helton Drive CLT Map #108 Parcel #10 City Block(s) 10760 & 10730



Known Utilities Board

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