

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

▶ **FILE #:** 7-A-13-AC

**AGENDA ITEM #:** 6

**AGENDA DATE:** 7/11/2013

▶ **APPLICANT:** CITY OF KNOXVILLE

TAX ID NUMBER: 95 N B 00103  
 JURISDICTION: Council District 1  
 SECTOR PLAN: South City  
 GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)  
 ZONING: R-3 (High Density Residential)  
 WATERSHED: Baker Creek and Tennessee River

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

▶ **LOCATION:** Between within parcel 095NB00103 from Highland Circle and west terminus

IS ALLEY:

(1) IN USE?: No

(2) IMPROVED (paved)?: No

▶ **APPLICANT'S REASON FOR CLOSURE:** Consolidation of unimproved right-of-way and lots in the Oliver King Addition to Knoxville as shown on attached map B-3091.

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 the unnamed alley, as requested, subject to any required easements and subject to the following condition:

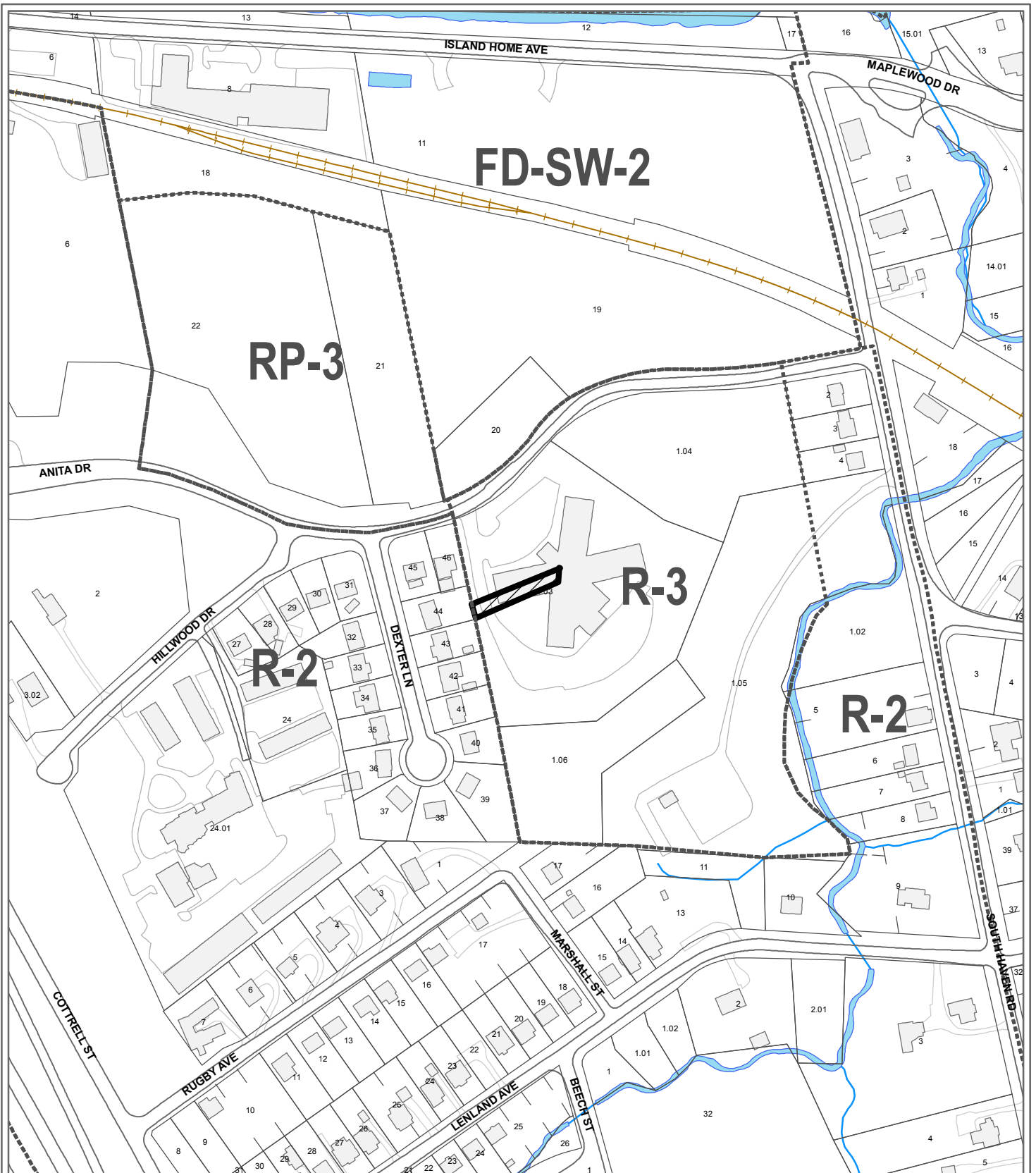
1. The four conditions included in the attached letter from City of Knoxville Engineering (dated June 27, 2013) must be addressed to the satisfaction of that department.

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

**COMMENTS:**

The closure of this paper alley, as proposed, will allow the adjacent lots to be consolidated into one larger lot to accommodate the Island Home Park Health and Rehab Facility that is constructed on the subject parcel. There are some lot lines and rights-of-way that run through the existing structure on site. 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 8/6/2013 and 8/20/2013. 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.



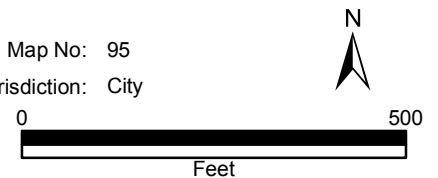
**7-A-13-AC  
CLOSURE OF PUBLIC RIGHT OF WAY**

Name of Street or Alley: Unnamed alley  
 To be closed from: within parcel 095NB00103 from Highland Circle  
 To be closed to: west terminus

Original Print Date: 6/27/2013      Revised:  
 Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

Petitioner: City of Knoxville

Map No: 95  
 Jurisdiction: City



7-A-13-AC - city eng



# CITY OF KNOXVILLE

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

June 27, 2013

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

SUBJECT: MPC File Numbers 7-A-13-AC, 7-A-13-SC, 7-B-13-SC  
Proposed Closures of Unnamed Alley, Sid St, and Highland Drive  
City Block 26370

Mr. Brusseau:

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

1. Owner must complete the platting process to consolidate closed right-of-way areas and existing lots of record, as indexed on the City Ward Map, into an acceptable subdivision plan that eliminates any landlocked property conditions and meets the Knox-Knox County Minimum Subdivision Regulations.
2. Upon final approval by City Council, the owner shall have one (1) year to complete these conditions. If the conditions are not met in the allotted time, this closure shall be deemed null and void and of no effect.
3. The closing ordinance shall state that this closure shall become effective only after the Engineering Department has provided written verification, to the City Recorder, that conditions have been satisfactorily met.
4. Should this right-of-way be closed, the City will reserve easements for all drainage facilities and utilities, if any, located in or within five (5) feet of the property described herein.

Sincerely,

*Benjamin D. Davidson*

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



Knoxville Utilities Board



June 6, 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 7-A-13-AC  
Block No. 26370  
CLT No. 95  
Parcel No. 1.03**

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

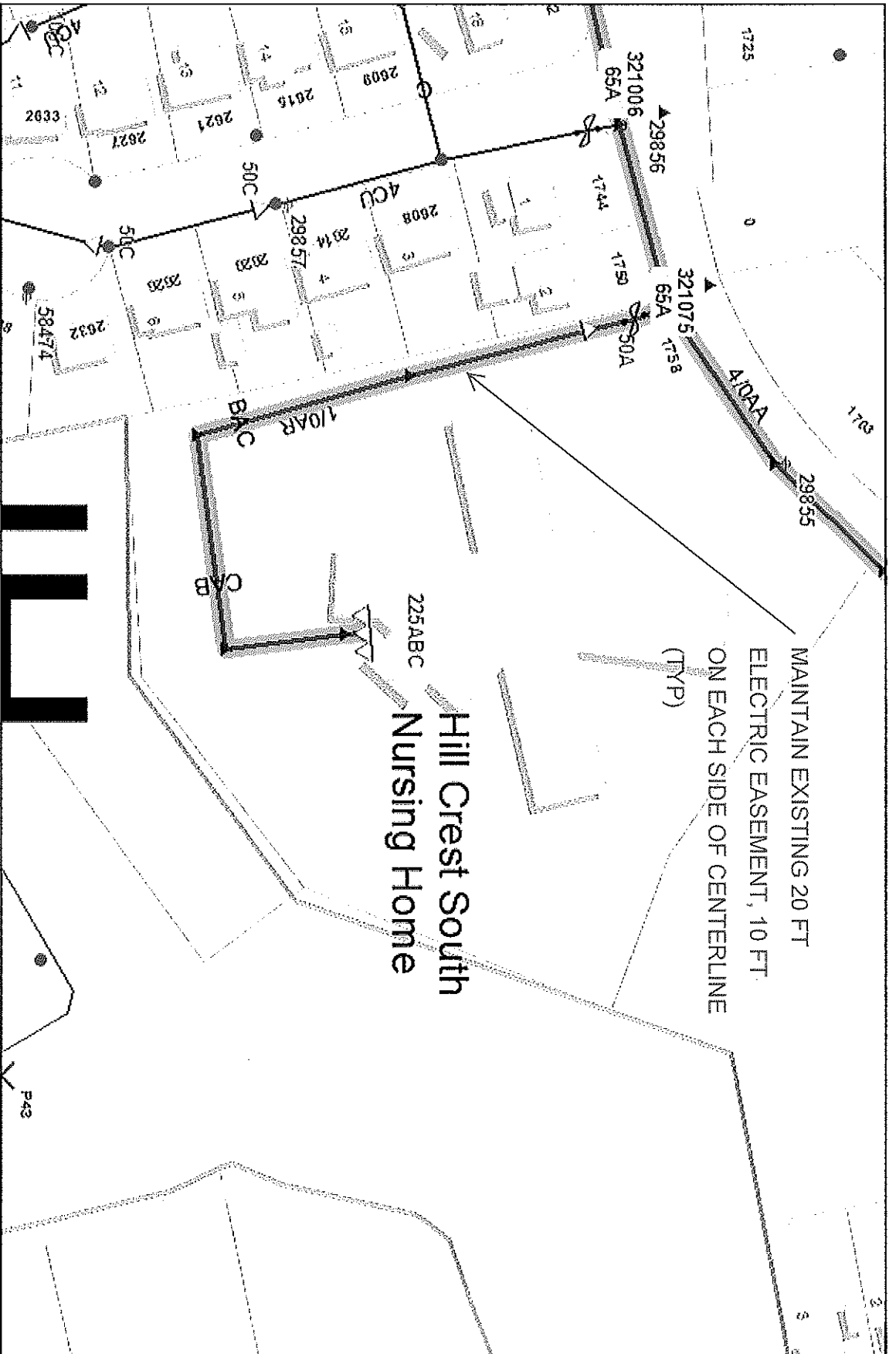
So long as these conditions are met, KUB has no objection to the closure of this right-of-way. If you have any questions regarding this matter, please call me at (865) 558-2291.

Sincerely,

Greg L. Patterson, P.E.  
Engineering

glp/ggt

Enclosure



Known as Utilities Board

Product Warning: This map was produced from the Larkbase information system maintained by KUB. 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 of merchantability 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 7-A-13-AC

CLT MAP #95

Alley Closure from Highland Circle

PARCEL #1.03

Electric

CITY BLOCK #26370

300 Feet



Printed: 08/06/2013 10:31 PM



## Fire Prevention Bureau

City of Knoxville  
400 Main Street, Suite 539  
Knoxville, TN 37902

### Memorandum

Date: June 10, 2013  
To: Mike Brusseau  
From: Sonny Partin, Deputy Fire Marshal  
Subject: Request for Information on Right of Way Closures, Fire Department Review

Road Name	Review Status	Comments
1. Dawn St.	Approved	This area will not be needed to access any buildings.
2. All closures at Highland Circle and Drive	Approved	Existing roads will not be needed due to the new building and different site layout being constructed.