

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

▶ **FILE #:** 7-A-13-SC

AGENDA ITEM #: 7

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:** Sid Street (formerly Highland Circle)

▶ **LOCATION:** Between within parcel 095NB00103 from Highland Drive and south terminus

IS STREET:

(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 Sid Street, as requested, subject to any required easements and subject to the following condition:

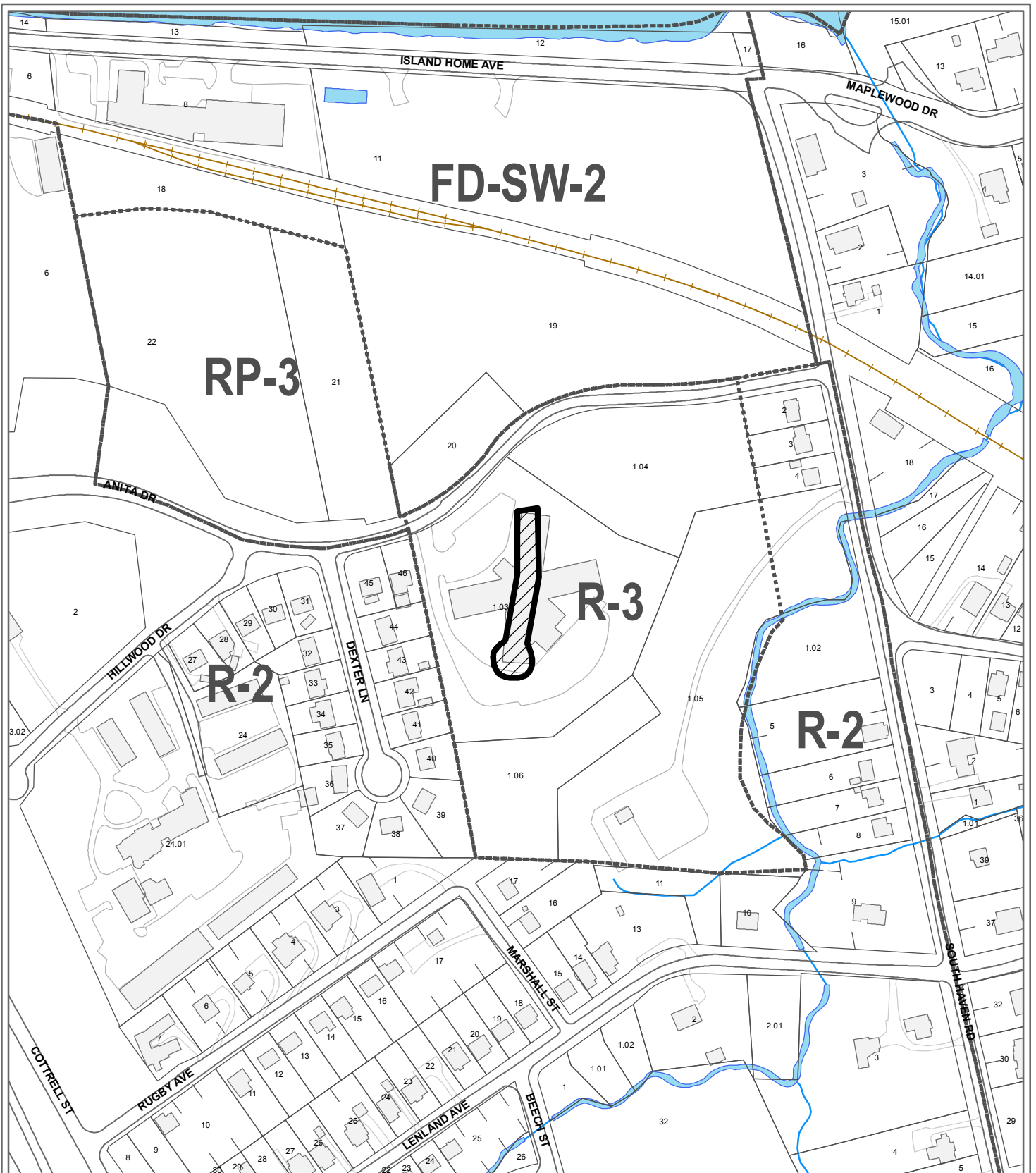
1. The four conditions included in the attached letter from City of Knoxville Engineering (dated June 27, 2013) must be addressed to the satisfaction of that department.

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

COMMENTS:

The closure of this paper street, 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-SC
CLOSURE OF PUBLIC RIGHT OF WAY**

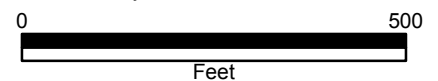
Name of Street or Alley: Sid Street (formerly Highland Circle)
 To be closed from: within parcel 095NB00103 from Highland Drive
 To be closed to: south terminus

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





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-SC and 7-B-13-SC

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,

A handwritten signature in cursive script that reads 'Greg Patterson'.

Greg L. Patterson, P.E.
Engineering

glp/ggt



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. |