



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

▶ **FILE #:** 3-A-13-AC **AGENDA ITEM #:** 5
 POSTPONEMENT(S): 3/14/13-5/9/13 **AGENDA DATE:** 6/13/2013

▶ **APPLICANT:** PIKE ENTERPRISES

TAX ID NUMBER: 107 N J 00501
 JURISDICTION: Council District 2
 SECTOR PLAN: West City
 GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)
 ZONING: C-3 (General Commercial)
 WATERSHED: Fourth Creek

▶ **RIGHT-OF-WAY TO BE CLOSED:** Unnamed alley
 ▶ **LOCATION:** Between eastern boundary of parcel 107NJ003 and western boundary of parcels 107NJ006 & 011

IS ALLEY:
 (1) IN USE?: No
 (2) IMPROVED (paved)?: No

▶ **APPLICANT'S REASON FOR CLOSURE:** To consolidate adjacent properties

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:

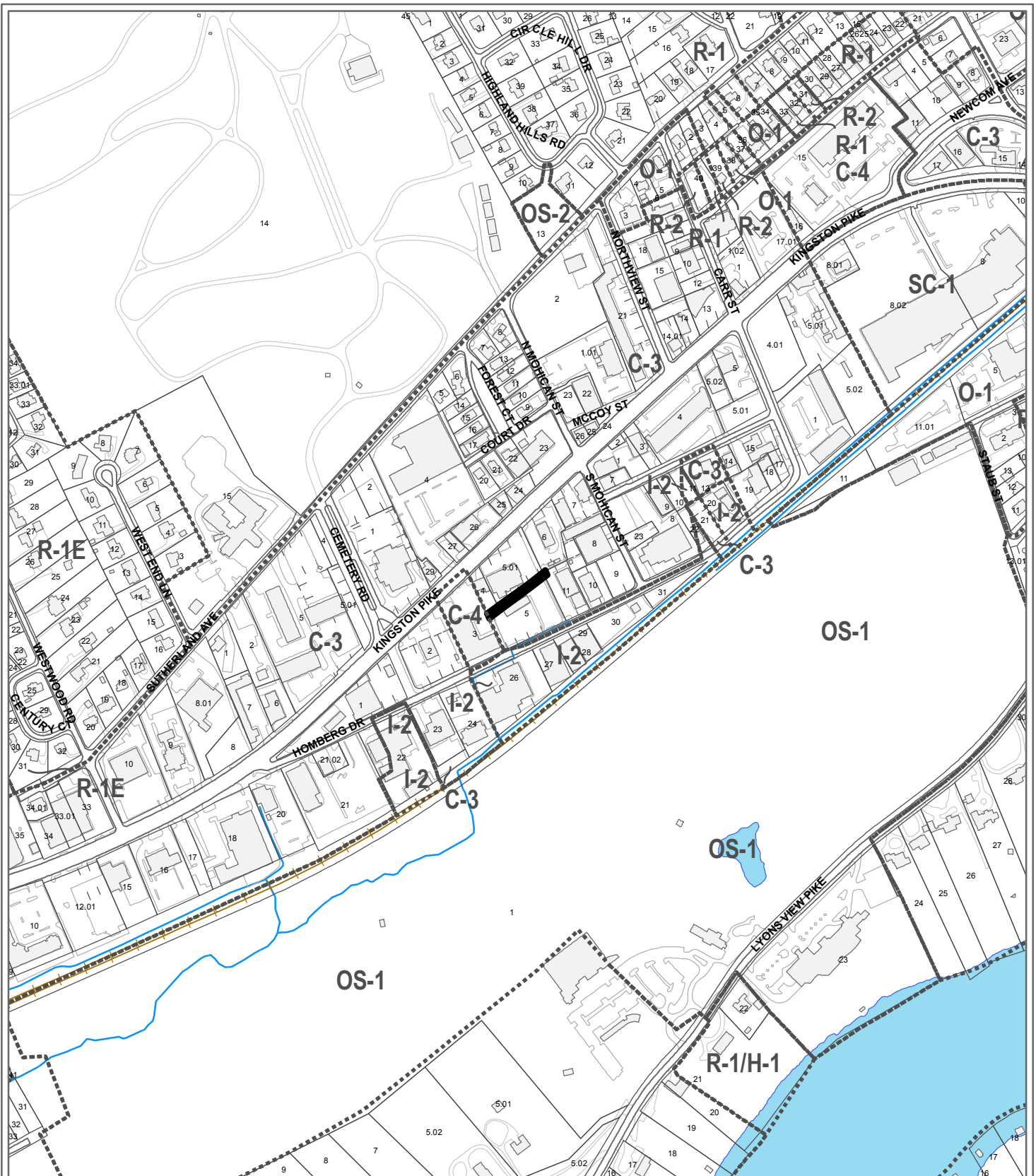
1. The five conditions included in the attached letter from City of Knoxville Engineering (dated February 25, 2013) must be addressed to the satisfaction of that department.

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

COMMENTS:

The closure of the street, as proposed, will allow the adjacent parcels to the north and south to be combined into one larger site that would be more suitable for commercial development, as permitted by the zoning. 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 7/9/2013 and 7/23/2013. 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.



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

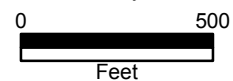
Name of Street or Alley: Unnamed alley
 To be closed from: eastern boundary of parcel 107NJ003
 To be closed to: western boundary of parcels 107NJ006 & 011

Original Print Date: 2/26/2013 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Pike Enterprises

Map No: 107

Jurisdiction: City



3-A-13-AC - Cor - City Eng



Sherry Michienzi <sherry.michienzi@knoxmpc.org>

Fwd: 3-A-13-AC

1 message

Michael Brusseau <mike.brusseau@knoxmpc.org>
To: Sherry Michienzi <sherry.michienzi@knoxmpc.org>

Tue, Feb 26, 2013 at 8:54 AM

Please date stamp and scan attachment. Thanks.

Mike



----- Forwarded message -----

From: **Ben Davidson** <bdavidson@cityofknoxville.org>
Date: Mon, Feb 25, 2013 at 1:35 PM
Subject: 3-A-13-AC
To: Michael Brusseau <mike.brusseau@knoxmpc.org>

Hey Mike,

Attached is a conditional letter concerning the closure request near parcel 107NJ005. I think the client may want to meet with City Engineering before pursuing the closure in the layout they have applied for. There may be some options better suited to their site that may eliminate the conditional turnaround detailed in the attached letter. With the turnaround requirement, they could loose some parking area which may be detrimental to their plans.

Please, let me know if you would like to meet with me so I can show you these specifics, or if one of us should contact the applicant before moving forward with this request.

Sincerely,

Benjamin D. Davidson, PLS

Technical Services Administrator

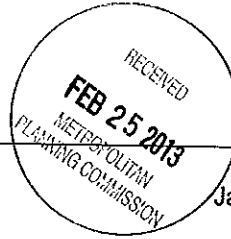
City of Knoxville, Department of Engineering

Ph: 865-215-2148, Fax: 865-215-2631

bdavidson@cityofknoxville.org

3-A-13-AC - Cor - City Eng

CITY OF KNOXVILLE



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

February 25, 2013

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

SUBJECT: MPC File # 3-A-13-AC (City Block 49420)
Request to close a portion of an unnamed alley from western boundary of parcels 6 and 11, to the eastern boundary of parcel 3 as shown on Tax Map 107NJ.

Dear Mr. Brusseau:

The proposed closure of this right-of-way area would result in a dead-end alley along the eastern line of parcel 3. This area is currently improved with pavement and is in use. City Engineering would approve this closure only if the following conditions are met:

1. The resulting dead-end would have to terminate with a dedicated public turnaround, bonded, constructed and approved by the City Engineering Department.
2. The property owner shall complete the platting process to dedicate the turnaround area.
3. These conditions must be completed within (1) year after final approval of the closure area by City Council. If these conditions are not met within the allotted time, the closing ordinance shall 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 Engineering Department has provided written verification to the City Recorder that all conditions have been met satisfactorily.
5. The City Engineering Department will reserve easements for all drainage facilities and utilities, if any, located in or within five (5) feet of the closure area.

If you have any questions, please contact me.

Sincerely,

Benjamin D. Davidson

Benjamin D. Davidson, PLS
Technical Services Administrator
City of Knoxville, Department of Engineering
Ph: 865-215-2148, Fax: 865-215-2631
bdavidson@cityofknoxville.org

3-A-13-AC - cor - KUB



Knoxville Utilities Board



February 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 3-A-13-AC
Block No. 49420
CLT No. 107
Parcel No. 5**

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,

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

Greg L. Patterson, P.E.
Engineering

glp/ggt

Enclosure



MAINTAIN EXISTING 20 FT.
ELECTRIC EASEMENT, 0 FT.
ON EACH SIDE OF CENTERLINE
(TYP)



Knoxville Utilities Board
Product Warning: This map was produced from the Lantzbase information system maintained by KGIS. 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 No. 3-A-13-AC CLOSURE OF UNNAMED ALLEY (Electric)

CLT MAP NO. 107 PARCEL #5 CITY BLOCK #49420



Printed: 02/09/2013 13:54 PM