



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

▶ **FILE #:** 9-A-14-SC

AGENDA ITEM #: 7

AGENDA DATE: 9/11/2014

▶ **APPLICANT:** KNOX COUNTY ASSOCIATION OF BAPTISTS

TAX ID NUMBER: 94 B E 002
JURISDICTION: Council District 6
SECTOR PLAN: Central City
GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)
ZONING: R-1A (Low Density Residential)
WATERSHED: Third Creek

▶ **RIGHT-OF-WAY TO BE CLOSED:** Portion of Jourolman Ave
▶ **LOCATION:** Between W. Scott Avenue and southwest boundary line of parcel 094BE002 at unnamed alley

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

▶ **APPLICANT'S REASON FOR CLOSURE:** Constructed location of paved portion of Jourolman Ave. leaves portion of excess unused right-of-way at southwest corner of the intersection of Jourolman Ave. and W. Scott Ave.

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 this proposed portion of Jourolman Ave., as requested, subject to any required easements and subject to the following condition:

- 1. The 6 conditions included in the attached letter from City of Knoxville Engineering (dated September 2, 2014) must be addressed to the satisfaction of that department.

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

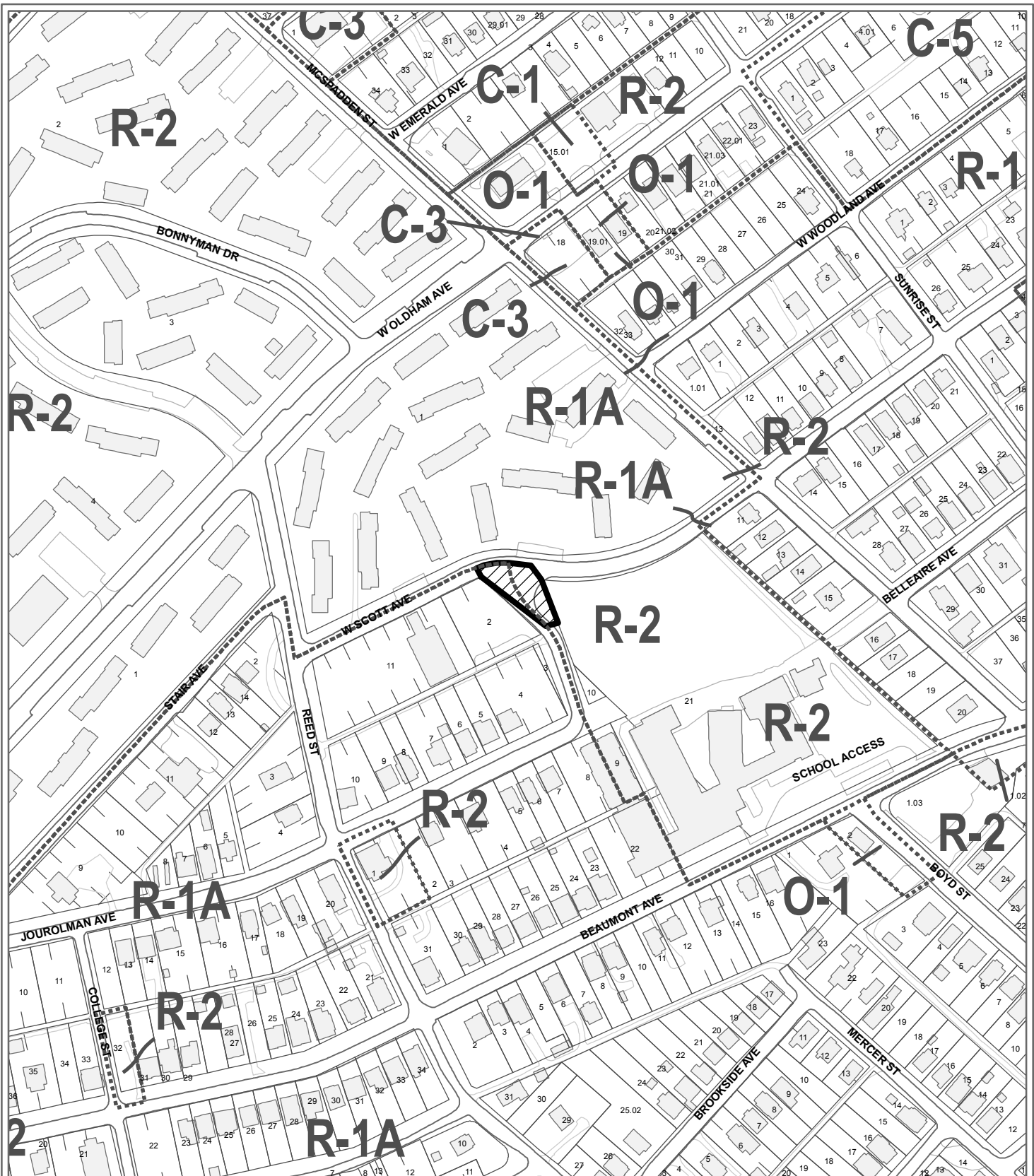
The excess right-of-way proposed to be closed will have little to no impact on surrounding properties or on traffic patterns in the area.

COMMENTS:

The existing plat shows excess right-of-way at the subject intersection. This closure will not have any physical impact on Jourolman Ave. or W. Scott Ave. and will not result in any change in traffic patterns. Since there are no objections from any reviewing departments, staff recommends approval of the proposed closure, subject to the recommended conditions from the City of Knoxville Department of Engineering.

If approved, this item will be forwarded to Knoxville City Council for action on 10/14/2014 and 10/28/2014. 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.



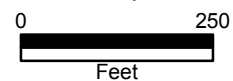
**9-A-14-SC
CLOSURE OF PUBLIC RIGHT OF WAY**

Name of Street or Alley: portion of Jourolman Ave
 To be closed from: W. Scott Avenue
 To be closed to: southwest boundary line of parcel 094BE002 at unnamed alley

Original Print Date: 8/26/2014 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Knox County Association of Baptists

Map No: 94
 Jurisdiction: City





CITY OF KNOXVILLE

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

September 2, 2014

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

SUBJECT: Proposed Closure of a portion of right-of-way at SW corner of W Scott Ave and Jourolman Ave
MPC File # 9-A-14-SC; Near City Block 20302

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. The applicant shall be responsible for obtaining legal title to the proposed closure area if it is effectively closed. Based on research conducted by the Engineering Department and the opinion of the City Law Department it is shown that Knox County, Tax Map 094, Insert B, Group F, Parcel 021.00, Deed Book 2114, Page 887, also see City Ordinance 2338, would be the title holder through reversion rights if this area is closed. Once closed, the City would be authorized to quitclaim the closure area, by deed, to Knox County, after which, the applicant would be responsible for obtaining title from Knox County.
2. The proposed closure area contained in the MPC request for information memo must be adjusted, subject to Engineering approval. The adjustment will reduce the closure area by offsetting any existing pavement, curb, or gutter by a maximum of 10 feet and a minimum of 7.5 feet. There shall also be an offset of 1 foot around the existing ADA corner ramp in the proposed closure area vicinity. Where feasible the offset areas may be tapered for uniformity along the proposed closure area limits.
3. The applicant shall furnish a survey exhibit map, certified by a licensed surveyor, adequately describing the closure area for descriptive purposes. The surveyed closure area must adhere to the items contained in number 2 above. The map shall be on legal size paper and must be submitted to the Engineering Department for review and approval. The exhibit map must be submitted in sufficient time to be used for the closure description required for the City Council meeting. The **latest** this exhibit should be submitted is **three Mondays before** the council agenda date for the first reading. For example, if this closure request is to be on the agenda for the October 14, 2014 meeting, then the deadline for the map exhibit shall be **September 29, 2014**.
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.
5. The applicant shall have one (1) year to complete conditions listed above, unless otherwise stated in a particular item, or the closure shall be considered null and void and of no effect.
6. 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.



CITY OF KNOXVILLE

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

Sincerely,

Benjamin D. Davidson

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

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



Knoxville Utilities Board



August 26, 2014

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 9-A-14-SC
Block No. 20302
CLT No. 94
Parcel No. 2**

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.

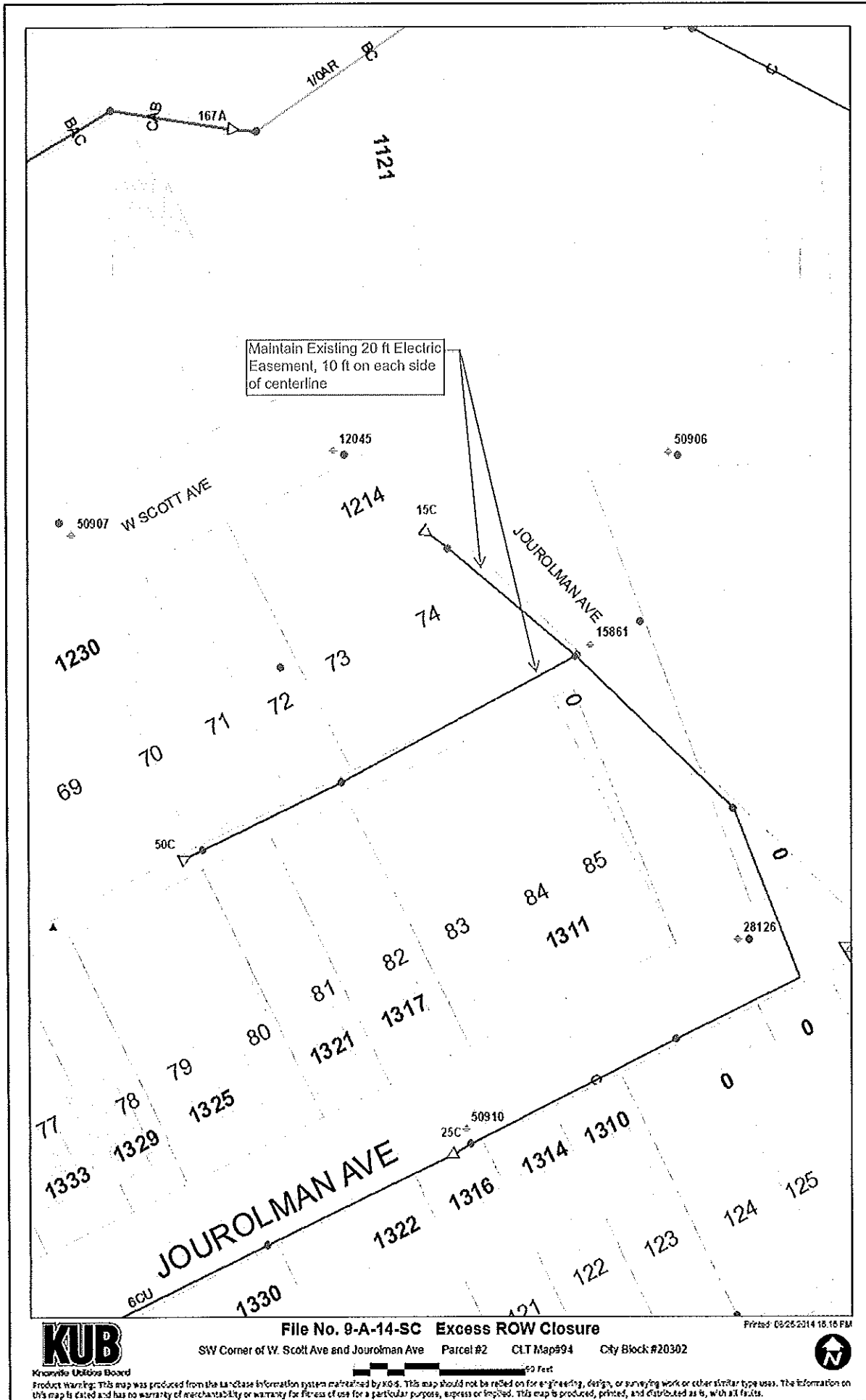
Sincerely,

A handwritten signature in black ink, appearing to read 'Greg L. Patterson'.

Greg L. Patterson, P.E.
Engineering

GLP/ggt

Enclosure





Fire Prevention Bureau

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



Memorandum

Date: August 21, 2014

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. Jourolman Ave.	Approved	None