



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

▶ **FILE #:** 8-E-15-SC

AGENDA ITEM #: 14

AGENDA DATE: 8/13/2015

▶ **APPLICANT:** UNIVERSITY OF TENNESSEE

TAX ID NUMBER: 108 C F 006
JURISDICTION: Council District 1
SECTOR PLAN: Central City
GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)
ZONING: O-2 (Civic and Institutional)
WATERSHED: Third Creek and Tennessee River

[View map on KGIS](#)

▶ **RIGHT-OF-WAY TO BE CLOSED:** Melrose Place

▶ **LOCATION:** Between Lake Avenue and Melrose Avenue

IS STREET:

(1) IN USE?: Yes

(2) IMPROVED (paved)?: Yes

▶ **APPLICANT'S REASON FOR CLOSURE:** The University already maintains and owns a portion of Melrose Place and this application completes the transition of the street within the core of the campus. This street is along a residential area of campus and is heavily utilized by pedestrians. The street shall remain open for vehicular use. The University plans to initiate improvements along the street.

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 a portion of Melrose Place, as requested, subject to any required easements and subject to the following condition:

- 1. The 3 conditions included in the attached letter from City of Knoxville Engineering (dated July 28, 2015) 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.

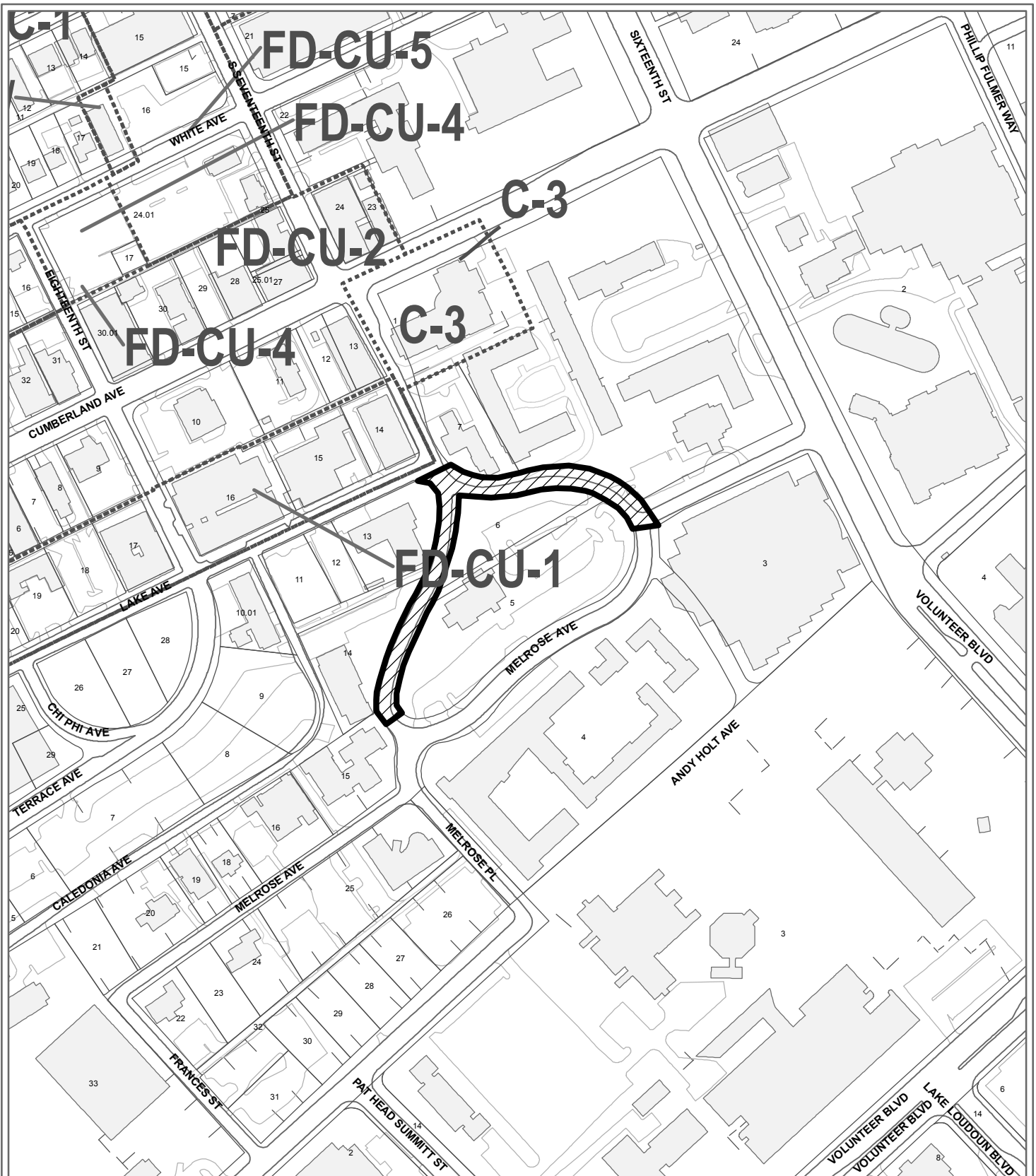
COMMENTS:

Once closed, the right-of-way will be consolidated with the surrounding parcels. The applicant (UT) owns all of the adjacent property. With, the recommended condition, the City of Knoxville Engineering Department does not object to this closure, but noted some considerations for the future in the attached letter, dated July 28, 2015.

The result of UT's proposed closures of this and five other streets/alleys 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.

If approved, this item will be forwarded to Knoxville City Council for action on 9/15/2015 and 9/29/2015. 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.



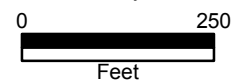
**8-E-15-SC
CLOSURE OF PUBLIC RIGHT OF WAY**

Name of Street or Alley: Melrose Place
 To be closed from: Lake Avenue
 To be closed to: Melrose Avenue

Original Print Date: 7/24/2015 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: University of Tennessee

Map No: 108
 Jurisdiction: City





CITY OF KNOXVILLE

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

July 28, 2015

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

SUBJECT: Proposed Closure of Melrose Place between Lake Ave and Melrose Ave
MPC File # 8-E-15-SC; City Blocks 10482, 10483, and 10484

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. To avoid a gap and a remaining remnant portion of open right-of-way, the applicant must agree to adjust the closure area request to run southerly from the southern line of Lake Ave to the northern line of the portion of Melrose Ave that was previously closed by ordinance O-18-88, and to the northern line of Melrose Place which was closed by ordinance O-11-2014, all as shown on the City Ward Map.
2. This proposed closure area shall not become effective until the previous conditional closures of Melrose Ave (O-16-2015) and Frances Ave (O-8-2014, O-224-2014), which lie adjacent to City Blocks 10621, 10622, and 10600, have become effective. This is to prevent said right-of-ways from being severed from connection to an open public right-of-way should the conditions not be met and the status for each remains as open public right-of-ways.
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. If the deadline passes for effective closure for the right-of-ways named in item number 2, this closure shall be considered null and void and of no effect. Refer to ordinances stated in item number 2 for conditions and deadline dates.

Should this right-of-way be closed, the applicant assumes maintenance responsibility for all stormwater systems previously maintained by the City, within or near 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.

Sincerely,

A handwritten signature in cursive script that reads "Benjamin D. Davidson".

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

8-B-15-SC - cor - City Fire



Fire Prevention Bureau

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



Memorandum

Date: July 30, 2015

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. Alley between W. Caldwell and W. Quincy | Approved | None 8-A-15-AC |
| 2. Alley- Geyland Hgts. | Disapproved | Provide more detail on map 8-B-15-AC |
| 3. Alley between White and Cumberland | Approved | None 8-C-15-AC |
| 4. Alley between Thirteenth and western terminus | Approved | None 8-D-15-AC |
| 5. Log Haven Dr. | Disapproved | Provide more detail on map 8-A-15-SC |
| 6. Cherokee Cove Rd. | Disapproved | Provide more detail on map 8-B-15-SC |
| 7. Chi Phi Ave. | Approved | None 8-C-15-SC |
| 8. Melrose Ave. | Approved | Road width cannot be reduced 8-D-15-SC |
| 9. Melrose Pl. | Approved | Road width cannot be reduced 8-E-15-SC ✓ |
| 10. Volunteer | Approved | Road width cannot be reduced 8-F-15-SC |
| 11. Horizon | Approved | None 8-G-15-SC |



Knoxville Utilities Board



July 21, 2015

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-15-SC
Block No. 10482, 10483 & 10484
CLT No. 108
Parcel No. 1**

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
- Gas – 7.5 feet on each side of the centerline of the gas line, 15 feet total width
- Water – 7.5 feet on each side of the centerline of the water line, 15 feet total width

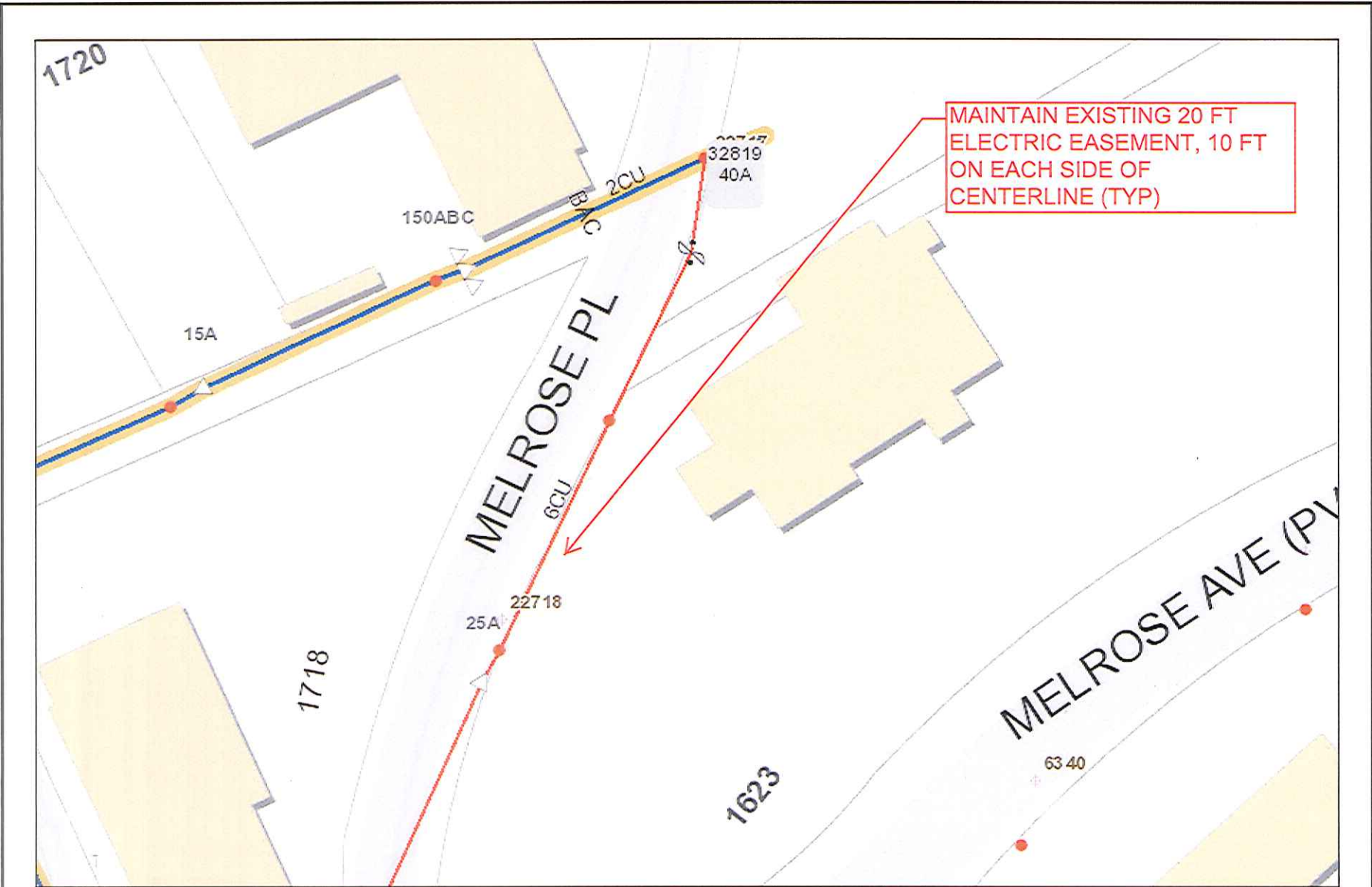
So long as these conditions are met, KUB has no objection to the closure of this right-of-way. If you have any questions regarding this matter, please call me at (865) 558-2291.

Sincerely,

Greg L. Patterson, P.E.
Engineering

GLP/ggt

Enclosure



MAINTAIN EXISTING 20 FT ELECTRIC EASEMENT, 10 FT ON EACH SIDE OF CENTERLINE (TYP)



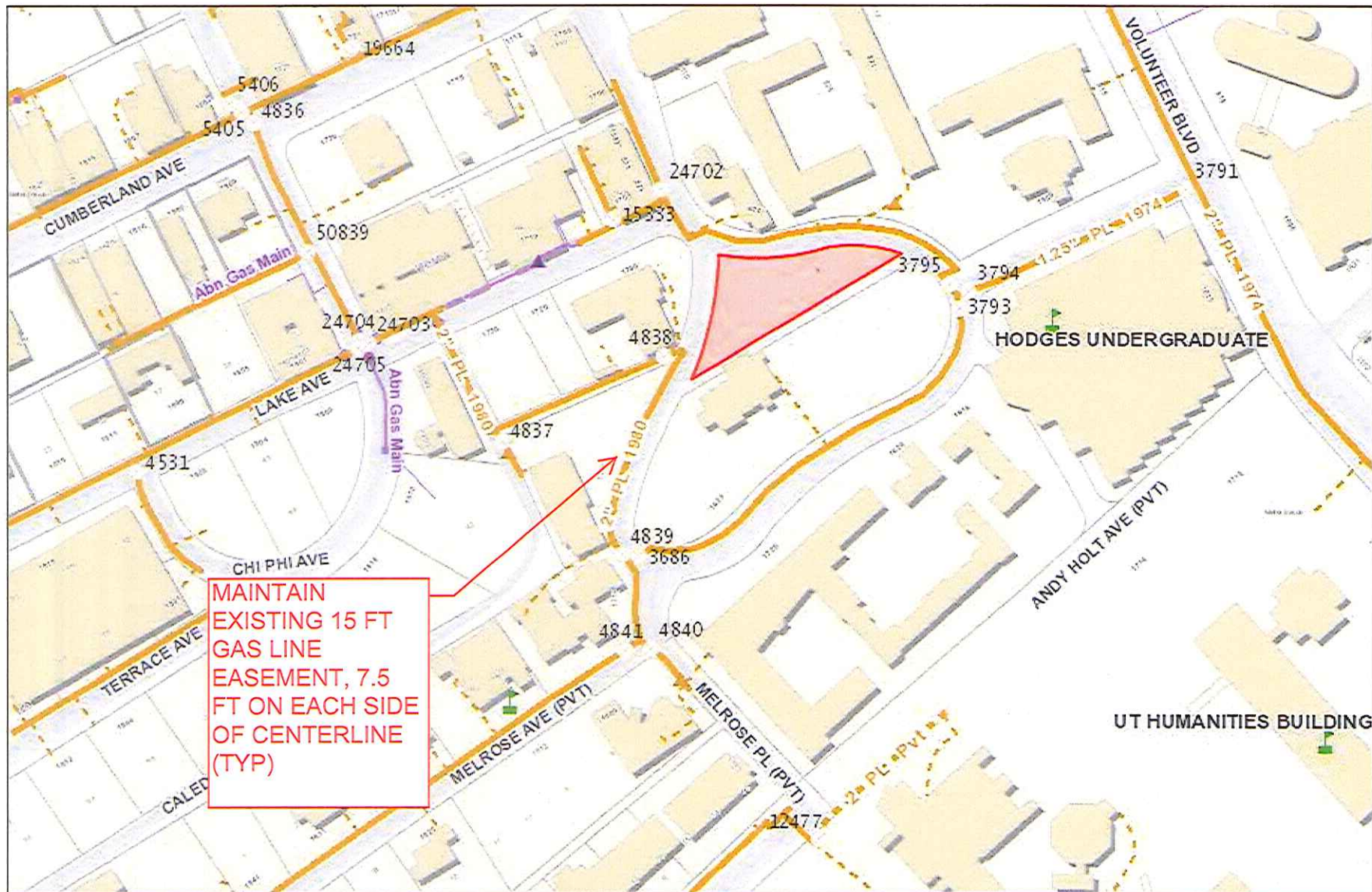
File No. 8-E-15-SC Melrose Avenue (Electric)

Printed: 07/20/2015 10:13 AM

(Between Lake Ave & Melrose Place) Parcel #1 CLT MAP #108 CITY BLOCK #10482, 10483, 10484)



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Knoxville Utilities Board

File No. 8-E-15-SC Melrose Avenue (Gas)

(Between Lake Ave & Melrose Place) Parcel #1 CLT MAP #108 CITY BLOCK #10482, 10483, 10484)

Printed: 07/20/2015 10:13 AM



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