

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

▶ **FILE #:** 10-A-15-SC

**AGENDA ITEM #:** 7

**AGENDA DATE:** 10/8/2015

▶ **APPLICANT:** SAM FURROW

TAX ID NUMBER: 131 06633

[View map on KGIS](#)

JURISDICTION: Council District 2

SECTOR PLAN: Northwest County

GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)

ZONING: I-3 (General Industrial) / TO-1 (Technology Overlay)

WATERSHED: Turkey Creek

▶ **RIGHT-OF-WAY TO BE CLOSED:** Simmons Rd

▶ **LOCATION:** Between Lexington Drive and southern terminus at I-40/75 right-of-way

IS STREET:

(1) IN USE?: Yes

(2) IMPROVED (paved)?: Yes

▶ **APPLICANT'S REASON FOR CLOSURE:** Development of adjoining 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 a portion of Simmons Road, as requested, subject to any required easements and subject to the following condition:

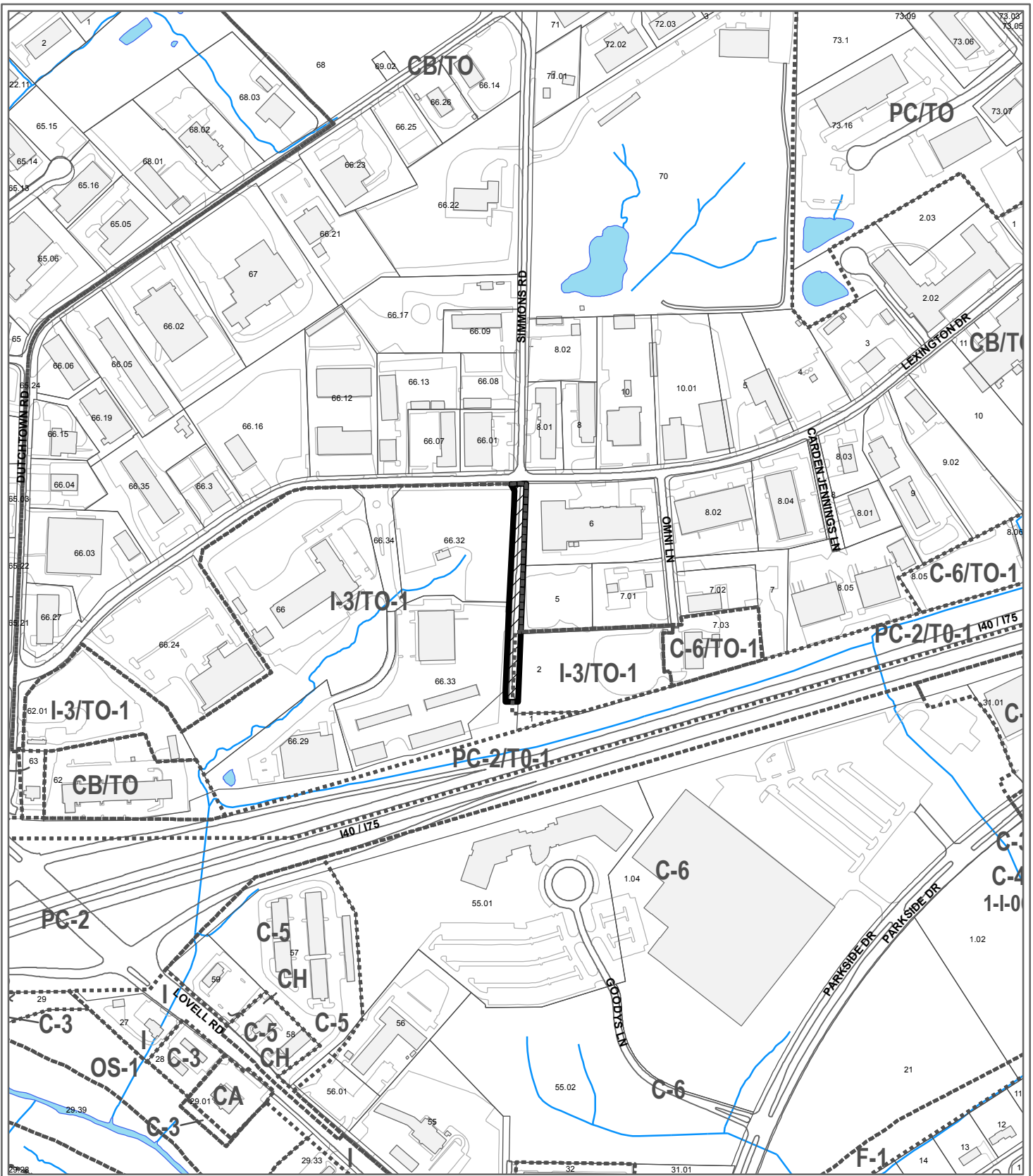
1. The 4 conditions included in the attached letter from City of Knoxville Engineering (dated September 23, 2015) must be addressed to the satisfaction of that department.

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

**COMMENTS:**

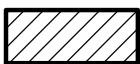
The applicant has provided signatures from all owners of properties fronting on the right-of-way to be closed. All signees have indicated agreement with the proposed closure. Some abutting lots will need to be re-subdivided/combined in such a way to create legal access to a public road, as indicated by condition 1 in the attached letter from City Engineering.

If approved, this item will be forwarded to Knoxville City Council for action on 11/10/2015 and 11/24/2015. 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.



**10-A-15-SC  
STREET CLOSURE**

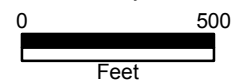
Petitioner: Sam Furrow



Purpose of Request: Development of adjoining properties

Map No: 131

Jurisdiction: City



Original Print Date: 9/21/2015      Revised: 9/25/2015  
 Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902



CITY OF KNOXVILLE



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

September 23, 2015

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

SUBJECT: Simmons Road Proposed Closure Area  
MPC File # 10-A-15-SC; City Block 46368

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. Currently properties known as Tax I.D.'s 131GA001, 002, and 005, have legal access from the portion of Simmons Rd proposed to be closed. The applicant shall be responsible for providing legal access for these parcels, to a public road, of not less than 25 feet in width.

Recommended options would be completing the subdivision process to resubdivide the properties in such a way to provide this access either by frontage or easements, or by or executing and recording, in the Knox County Register of Deeds, legal documentation granting said legal access. If there is legal documentation recorded that has not been noted at this time, the applicant may submit those to Engineering for review.

It is noted that parcel 002.00 has frontage on Omni Lane, which is a public road, of approximately 14.5 feet in width.

2. 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.
3. The applicant shall have one (2) years 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.
4. 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.

Sincerely,

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



Knoxville Utilities Board

10-A-15-SC-cor-KUB

September 18, 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 10-A-15-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,

Greg L. Patterson, P.E.  
Engineering

GLP/ggt