

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

▶ **FILE #:** 4-A-16-SC

**AGENDA ITEM #:** 6

**AGENDA DATE:** 4/14/2016

▶ **APPLICANT:** DYNAMIS, INC.

TAX ID NUMBER: 93 P A 007  
 JURISDICTION: Council District 3  
 SECTOR PLAN: Northwest City  
 GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)  
 ZONING: I-3 (General Industrial)  
 WATERSHED: Third Creek

[View map on KGIS](#)

▶ **RIGHT-OF-WAY TO BE CLOSED:** Unnamed street

▶ **LOCATION:** Between Henson Road and southwest terminus

IS STREET:

(1) IN USE?: No

(2) IMPROVED (paved)?: No

▶ **APPLICANT'S REASON FOR CLOSURE:** Right-of-way is currently unused and adjacent property owners wish to claim the land. MPC expressed doubt that the City street could be developed at the current location per City zoning ordinances.

DEPARTMENT-UTILITY REPORTS: No objections from any departments or utilities have been received by staff as of the date of this report.

**STAFF RECOMMENDATION:**

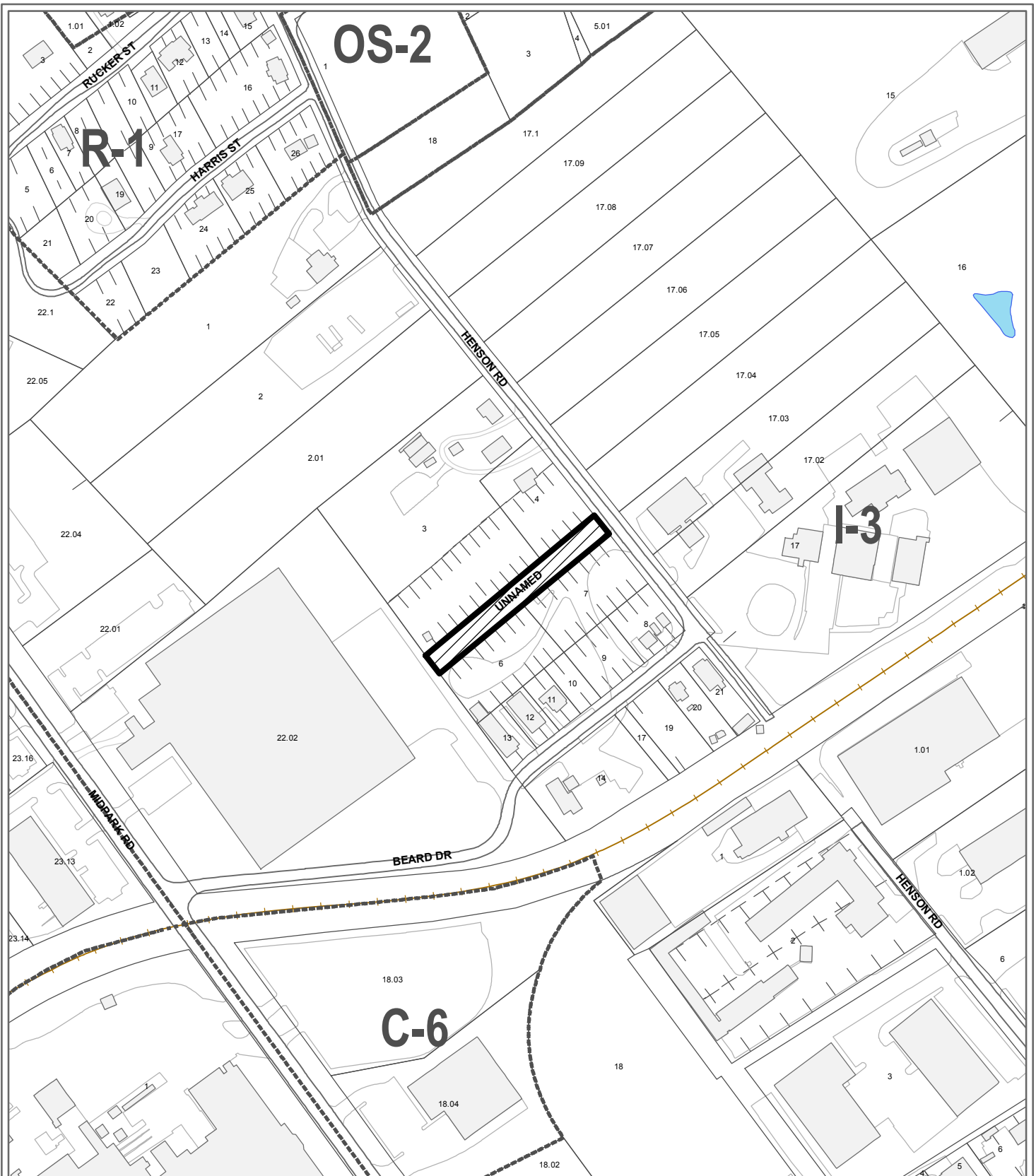
▶ **RECOMMEND** that City Council **APPROVE** the closure of the unnamed street, as requested, subject to any required easements.

Staff has received no objections from reviewing departments or utilities to this closure.

**COMMENTS:**

If approved for closure, the right-of-way will be consolidated with the adjacent parcels and converted to private property. With the exception of one, all owners of the adjacent parcels have signed the owner canvassing form indicating agreement with the proposed closure. The applicant provided documentation of his multiple attempts to contact the owner of Parcel ID#093PA02202 (1704 Midpark Rd.). As of the date of this report, the owner of that property has not responded. Considering that property currently has access to Midpark Rd. and Beard Dr., staff is comfortable allowing this request to be heard. Having not received any objections to the closure, MPC staff recommends approval, as requested. The applicant should be aware of the issues brought up in the attached letter from City of Knoxville Engineering (dated 4/1/16).

If approved, this item will be forwarded to Knoxville City Council for action on 5/10/2016 and 5/24/2016. 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.



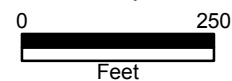
**4-A-16-SC  
CLOSURE OF PUBLIC RIGHT OF WAY**

Name of Street or Alley: Unnamed street  
 To be closed from: Henson Road  
 To be closed to: southwest terminus

Original Print Date: 3/21/2016      Revised:  
 Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

Petitioner: Dynamis, Inc.

Map No: 93  
 Jurisdiction: City





CITY OF KNOXVILLE

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

April 1, 2016

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

**SUBJECT:** No objections to close and without any conditions  
Unnamed right-of-way between Henson Rd and southwest terminus  
MPC File # 4-A-16-SC; City Block 44860

Mr. Brusseau:

The City Engineering Department has no objections to close the above referenced unimproved right-of-way area. However, the Engineering Department does note that the abutting parcels known as 093PA003, 093PA004, 093PA006, and 093PA007 are comprised of previously platted subdivision lots abutting along the proposed closure area.

Due to the condition of these lots being under same ownership and that the parcels comprised of these lots have access to Henson Road, many are not actually landlocked. However, the owners should note that legal access may have to be provided for the transfer of title or division of these areas in the future.

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. If facilities or utilities are found not feasible to the site development or use, they may be removed and relocated, subject to City Engineering and/or other applicable easement holder review and approval.

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

4-A-16-SC-cor-KUB



Knoxville Utilities Board



March 21, 2016

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 4-A-16-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 L. Patterson'.

Greg L. Patterson, P.E.  
Engineering

GLP/ggt