



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

▶ **FILE #:** 2-B-16-AC

AGENDA ITEM #: 7

AGENDA DATE: 2/11/2016

▶ **APPLICANT:** BENCHMARK ASSOCIATES, INC.

TAX ID NUMBER:	69 N E 0041	View map on KGIS
JURISDICTION:	Council District 5	
SECTOR PLAN:	Central City	
GROWTH POLICY PLAN:	Urban Growth Area (Inside City Limits)	
ZONING:	I-4 (Heavy Industrial) / IH-1 (Infill Housing Overlay)	
WATERSHED:	First Creek	

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

▶ **LOCATION:** Between Railroad R-O-W and Oswald St.

IS ALLEY:

(1) IN USE?: No

(2) IMPROVED (paved)?: No

▶ **APPLICANT'S REASON FOR CLOSURE:** The area of requested closure is not, and has not been, utilized for right-of-way purposes, with no street improvements being in place. Said right-of-way is being requested to be closed to aid in cleaning up the City Ward Map that represents said alley within the boundaries of the owner's property.

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

STAFF RECOMMENDATION:

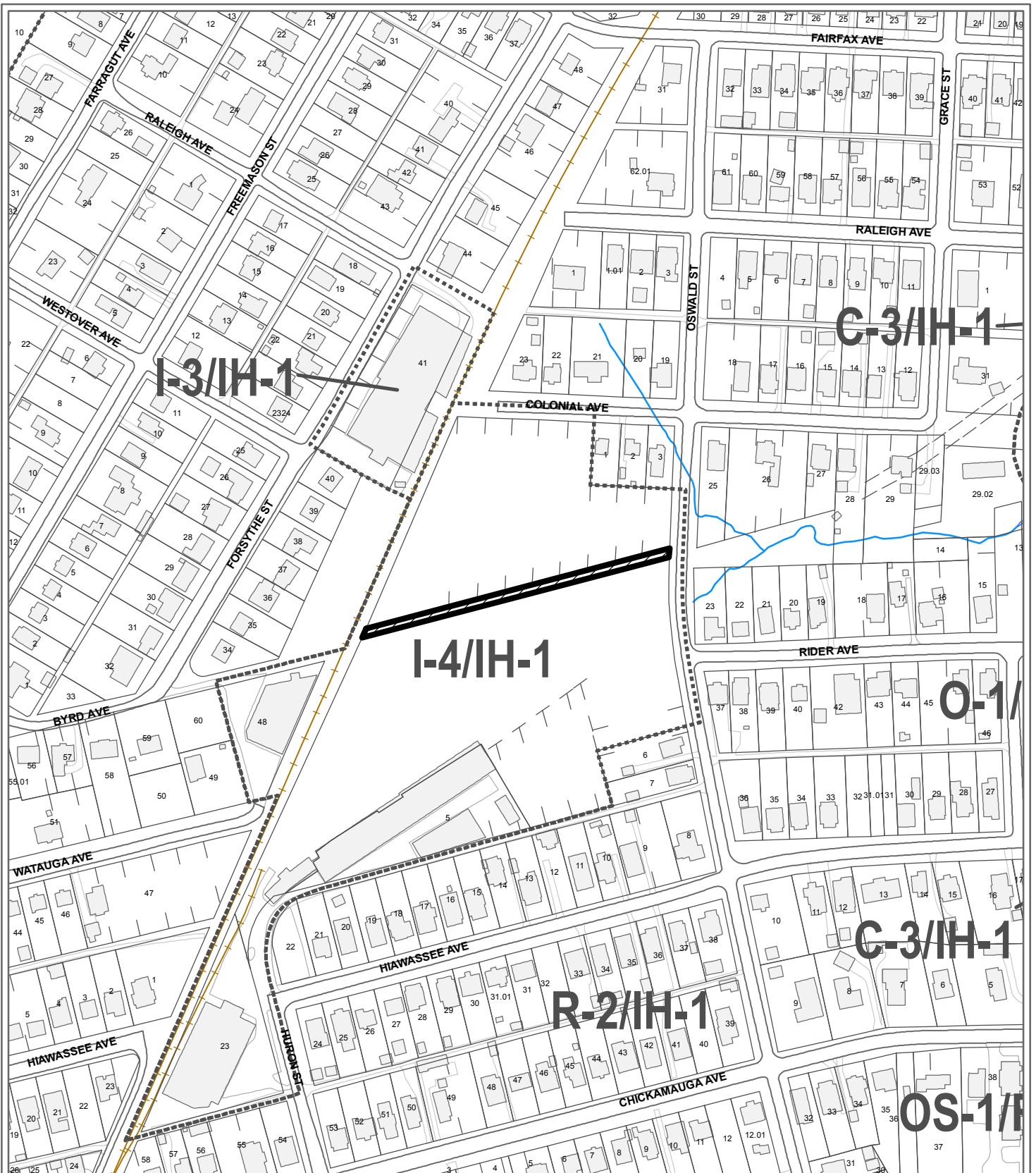
▶ **RECOMMEND** that City Council **APPROVE** the closure of the unnamed alley, as requested, subject to any required easements:

This alley is not paved and is not used for vehicular traffic. It is not needed for access to any parcels.

COMMENTS:

If approved for closure, the right-of-way will be consolidated with the parcel in which it is contained and converted to private property. The owner of the surrounding parcel is represented by the applicant and is in agreement with the closure. Having not received any objections to the closure, MPC staff recommends approval, as requested.

If approved, this item will be forwarded to Knoxville City Council for action on 3/15/2016 and 3/29/2016. 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.



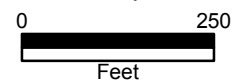
**2-B-16-AC
CLOSURE OF PUBLIC RIGHT OF WAY**

Name of Street or Alley: Unnamed alley
 To be closed from: Railroad R-O-W
 To be closed to: Oswald St.

Original Print Date: 1/26/2016 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Benchmark Associates, Inc.

Map No: 69
 Jurisdiction: City





CITY OF KNOXVILLE

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

January 29, 2016

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

SUBJECT: Closure of unnamed alley; MPC File # 2-B-16-AC

Mr. Brusseau:

The City Engineering Department has no objections to close the above referenced right-of-way. 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,

Benjamin D. Davidson

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

2-B-16-AC-cor-KUB



Knoxville Utilities Board



January 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 2-B-16-AC

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 black ink that reads 'Greg L. Patterson'.

Greg L. Patterson, P.E.
Engineering

GLP/ggt