

▶ **FILE #:** 2-B-16-SC

AGENDA ITEM #: 9

AGENDA DATE: 2/11/2016

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

TAX ID NUMBER:	69 N E 004	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:** Huron St

▶ **LOCATION:** Between northern property line of parcel 069NE022 and Oswald St.

IS STREET:

(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. There is actually an existing building within the limits of the requested closure area.

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 portion of Huron St., as depicted on attached MPC recommendation map, subject to any required easements and subject to the following 2 conditions:

1. The condition included in the attached letter from City of Knoxville Engineering (dated January 29, 2016) must be addressed to the satisfaction of that department. If applicant is in agreement with the closure, as depicted on the attached 'MPC recommendation map', then this condition may be excluded.
2. Prior to MPC approval, applicant must provide written agreement to the closure from the owner of parcel 069NE005, which fronts on the south side of proposed street to be closed, in the western portion. If documentation is provided before the MPC meeting, then this condition may be excluded. If not, then the request should be postponed to allow time for the applicant to obtain the signature of agreement.

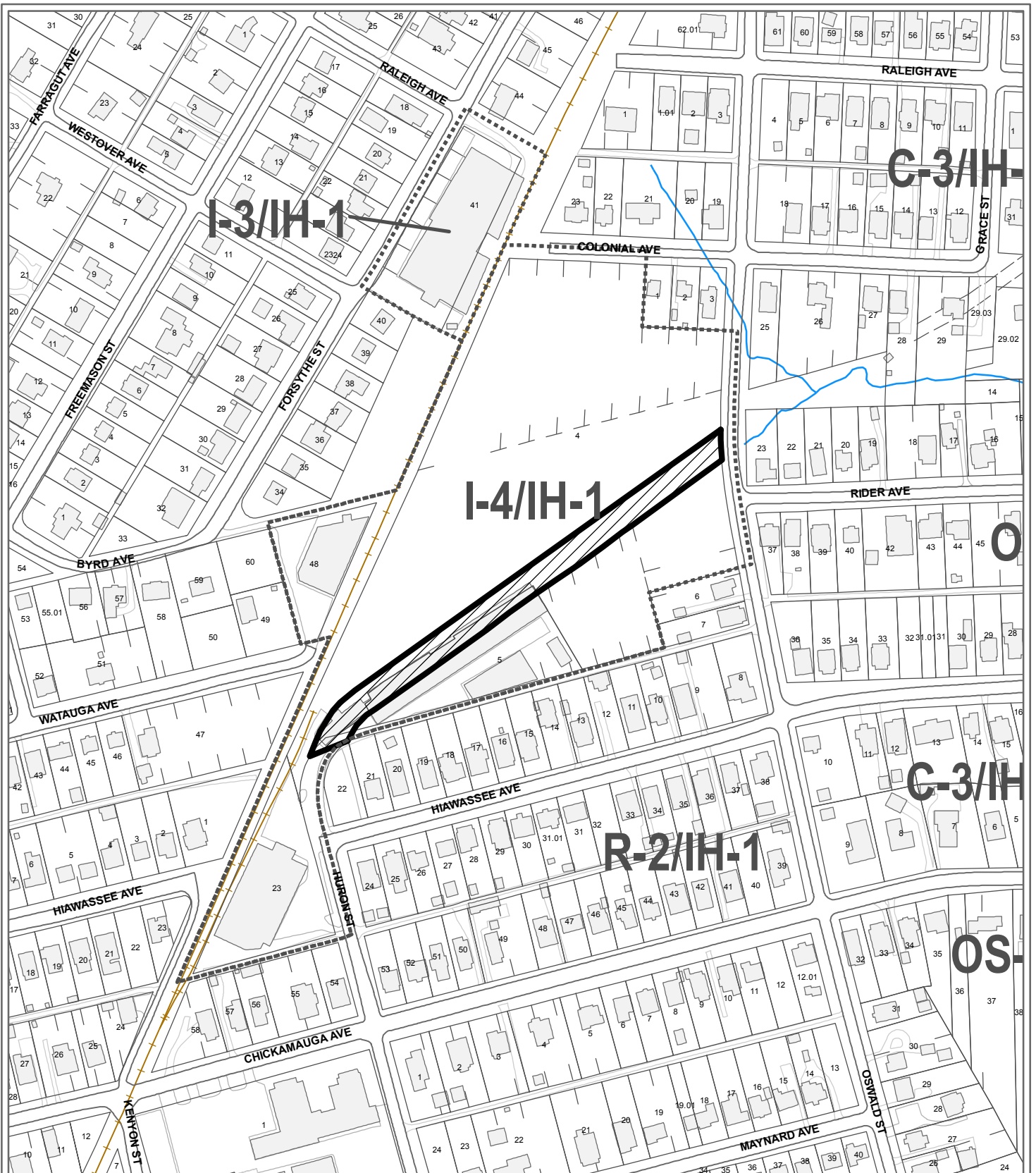
With the above conditions included, staff has received no objections from reviewing departments or utilities to this closure.

COMMENTS:

If approved for closure, the right-of-way will be consolidated with the 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. The applicant will need to adjust the requested closure area to terminate at the

northern side of the unnamed alley parallel to and north of Hiwassee Ave., rather than the southern side of the alley, as stated in the application. This recommendation is indicated by condition 1 in the attached letter from City Engineering. This request is made in order to maintain public access to the alley. If approved as depicted on the attached 'MPC Recommendation Map', the Engineering condition will be met. Staff has not received any objections to the revised closure area, as recommended. If the applicant is in agreement with the recommendation, then staff recommends approval, as revised.

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-SC
CLOSURE OF PUBLIC RIGHT OF WAY**

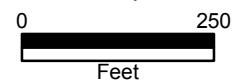
Name of Street or Alley: Huron St
 To be closed from: northern property line of parcel 069NE022
 To be closed to: Oswald St.

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





**2-B-16-SC
STAFF RECOMMENDATION-CLOSURE OF PUBLIC R.O.W.**

Name of Street or Alley: Huron St
 To be closed from: North side of unnamed alley parallel to and N. of Hiwassee Ave.
 To be closed to: Oswald St.

Original Print Date: 2/5/2016 Revised: 2/5/2016
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Benchmark Associates, Inc,

Map No: 69
 Jurisdiction: City
 0 500
 Feet





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

CITY OF KNOXVILLE

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 portion of Huron St; MPC File # 2-B-16-SC

Mr. Brusseau:

The City Engineering Department has no objections to close the above referenced right-of-way area provided the following condition is met:

1. Owner/Applicant adjusts the requested closure area to terminate at the northern side of an unnamed alley shown lying with City Block 18581, rather than terminating at the southern side of said alley as stated in the closure application, in order to maintain public access to said alley.

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



Knoxville Utilities Board

2-B-16-SC-cor-KUB



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-SC
Block No. 18300/18581
CLT No. 69
Parcel No. 4**

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

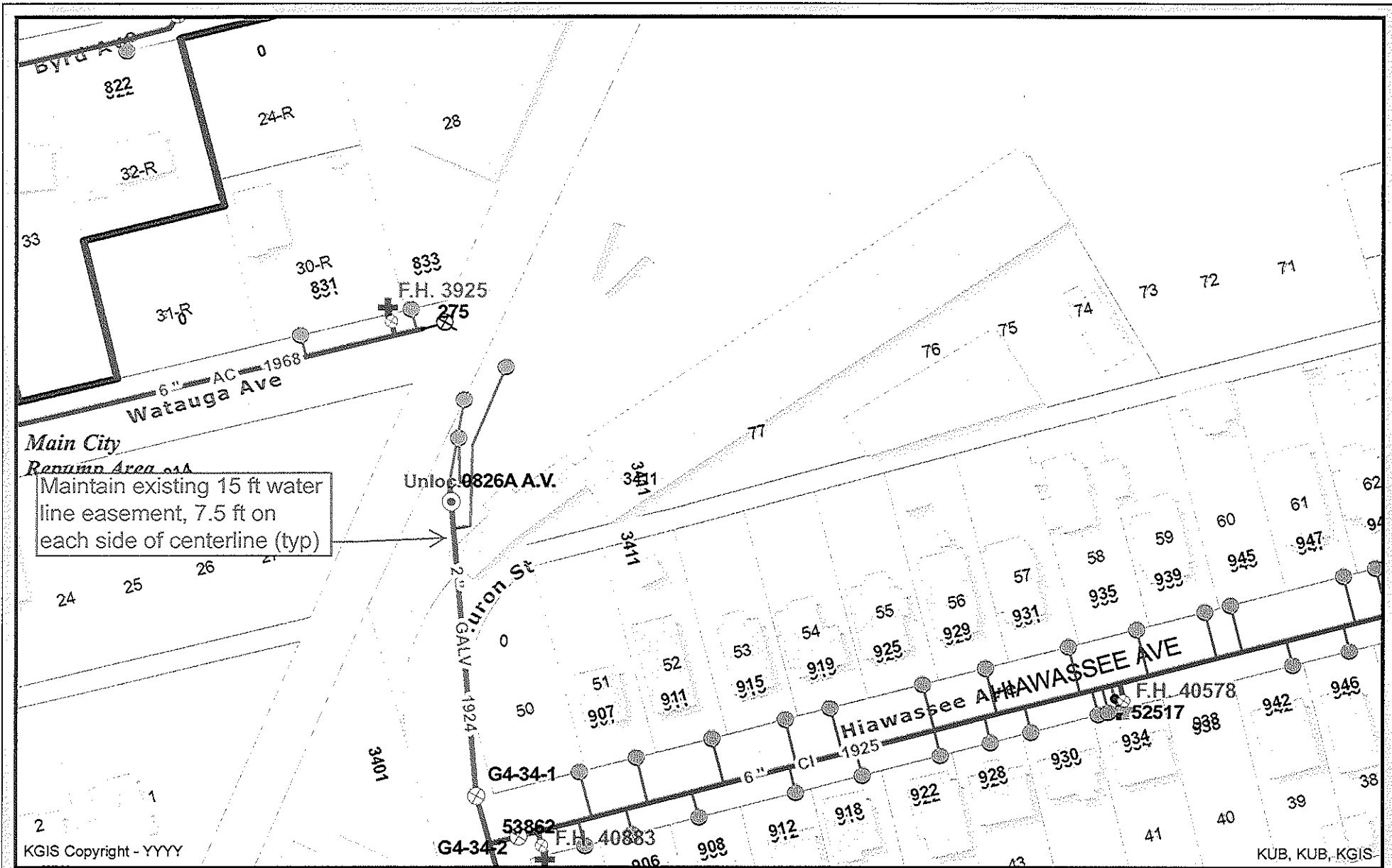
So long as these conditions are met, KUB has no objection to the closure of this right-of-way. If you have any questions regarding this matter, please call me at (865) 558-2291.

Sincerely,

Greg L. Patterson, P.E.
Engineering

GLP/ggt

Enclosure

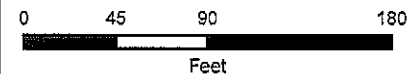


File No. 2-B-16-SC Huron Street (Water)

CLT MAP #69 PARCEL #4 CITY BLOCK#18300/18581



Printed: 1/14/2016 at 3:03:52 PM



Knoxville - Knox County - KUB Geographic Information System

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