

▶ **FILE #:** 3-A-16-AC

**AGENDA ITEM #:** 6

**AGENDA DATE:** 3/10/2016

▶ **APPLICANT:** DAVID C. KERNS

TAX ID NUMBER: 109 H A 011 [View map on KGIS](#)  
 JURISDICTION: Council District 1  
 SECTOR PLAN: South City  
 GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)  
 ZONING: R-2 (General Residential)  
 WATERSHED: Tennessee River

▶ **RIGHT-OF-WAY TO BE CLOSED:** unnamed alley  
 ▶ **LOCATION:** Between southwest corner of parcel 109HA011 and southeast corner of parcel 109HA013

IS ALLEY:  
 (1) IN USE?: No  
 (2) IMPROVED (paved)?: No

▶ **APPLICANT'S REASON FOR CLOSURE:** The request is for the closure of a paper alley behind three lots. All lots are zoned R-2 and two are vacant. Closure of the alley will assist in the development of these vacant 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:**

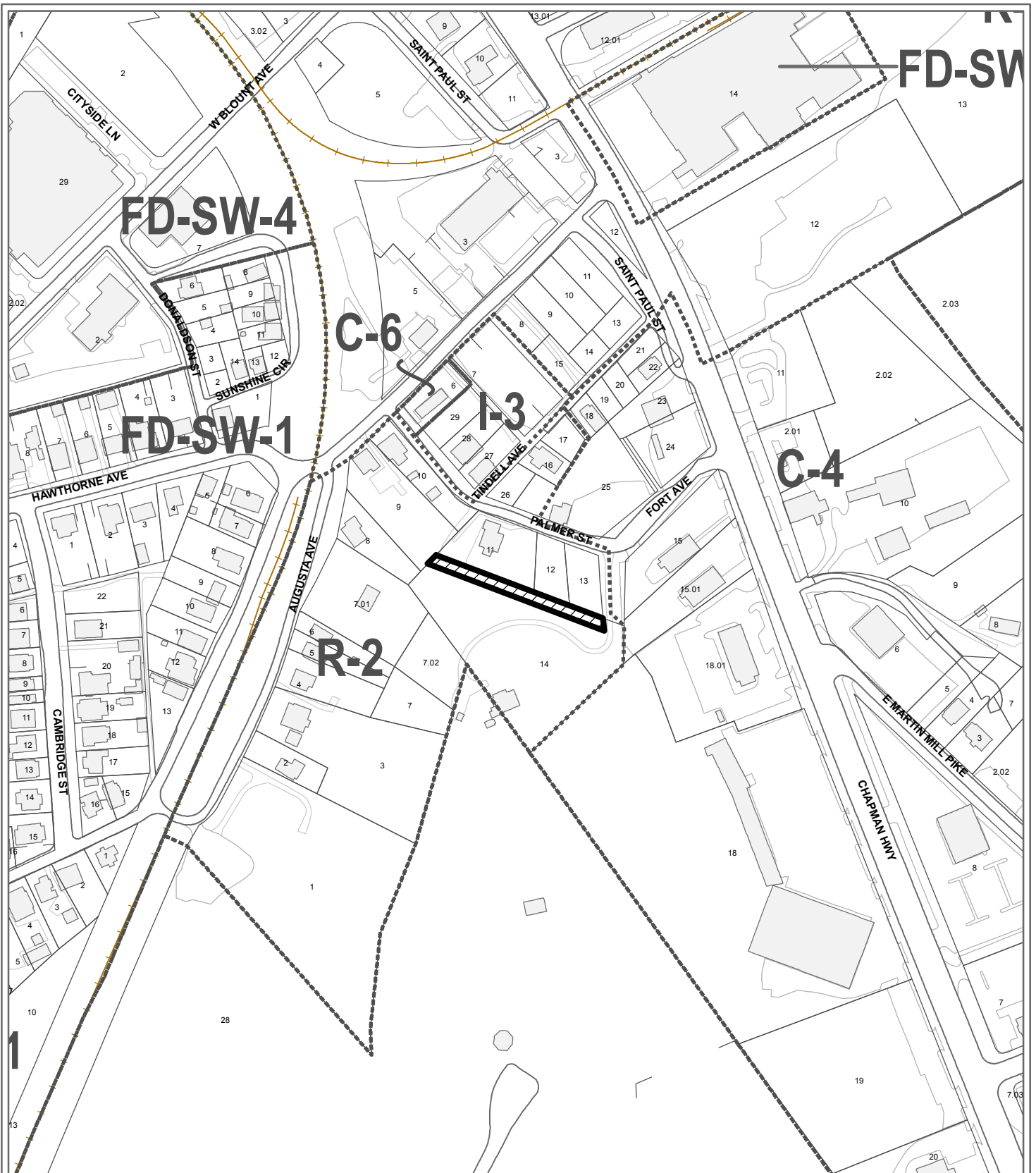
▶ **RECOMMEND** that City Council **APPROVE** the closure of the unnamed alley, as requested, subject to any required easements.

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. The owners of the adjacent parcels have signed the owner canvassing form indicating agreement with the proposed 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 4/12/2016 and 4/26/2016. 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.



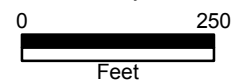
**3-A-16-AC  
CLOSURE OF PUBLIC RIGHT OF WAY**

Petitioner: Kerns, David C.

Name of Street or Alley: unnamed alley  
 To be closed from: southwest corner of parcel 109HA011  
 To be closed to: southeast corner of parcel 109HA013

Map No: 109  
 Jurisdiction: City

Original Print Date: 2/22/2016      Revised:  
 Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902



3-A-16-AC-cor-City Eng



CITY OF KNOXVILLE



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

February 12, 2016

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

SUBJECT: Proposed closure of an unnamed alley  
MPC File # 3-A-16-AC; City Block 25201

Mr. Brusseau:

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

However, 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



Knoxville Utilities Board

3-A-16-AC-cor. KUB



February 22, 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 3-A-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,

Greg L. Patterson, P.E.  
Engineering

GLP/ggt