

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

▶ **FILE #:** 5-A-16-AC

AGENDA ITEM #: 7

AGENDA DATE: 5/12/2016

▶ **APPLICANT:** DWIGHT GUINN AND BARBARA SIMPSON

TAX ID NUMBER: 81 L K 014 [View map on KGIS](#)
 JURISDICTION: Council District 4
 SECTOR PLAN: Central City
 GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)
 ZONING: R-1A (Low Density Residential) / H-1 (Historic Overlay)
 WATERSHED: First Creek

▶ **RIGHT-OF-WAY TO BE CLOSED:** unnamed alley
 ▶ **LOCATION:** Between Camp Avenue and TDOT interstate right-of-way

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

▶ **APPLICANT'S REASON FOR CLOSURE:** Alley dead ended by interstate construction in the 1960's. Parcels on both sides of the alley are now owned by the applicant.

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

STAFF RECOMMENDATION:

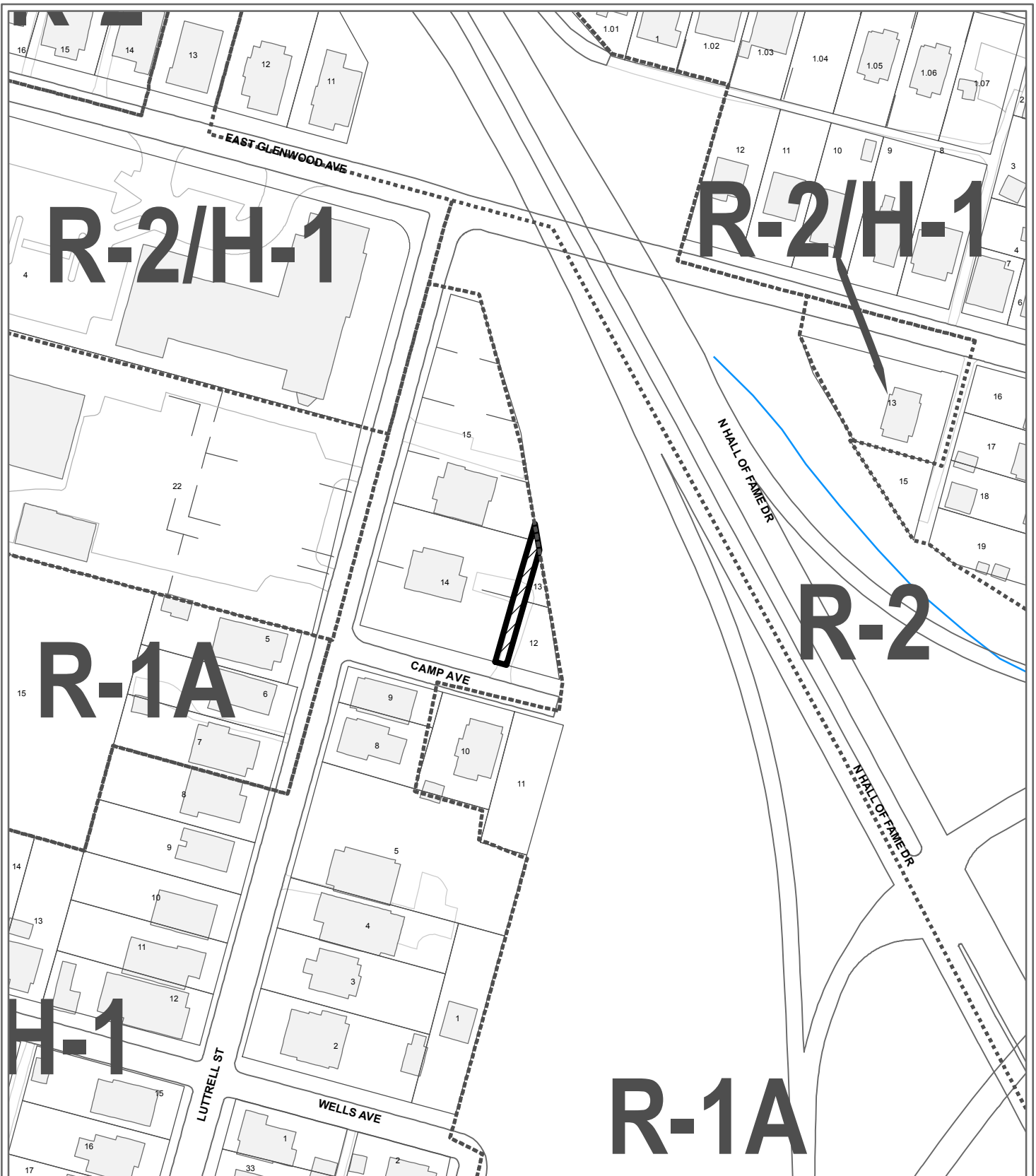
▶ **RECOMMEND** that City Council **APPROVE** the closure of the unnamed street, as requested, subject to any required easements.

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. The applicant owns all parcels adjacent to this right-of-way. 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 6/7/2016 and 6/21/2016. 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.



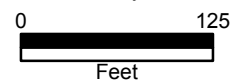
**5-A-16-AC
CLOSURE OF PUBLIC RIGHT OF WAY**

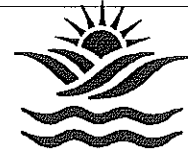
Name of Street or Alley: unnamed alley
 To be closed from: Camp Avenue
 To be closed to: TDOT interstate right-of-way

Original Print Date: 4/18/2016 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Dwight Guinn and Barbara Simpson

Map No: 81
 Jurisdiction: City





CITY OF KNOXVILLE



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

April 21, 2016

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

SUBJECT: Closure of an unnamed alley between Camp Avenue and TDOT Interstate Right-of-Way
MPC File # 5-A-16-AC; City Block 11462

Mr. Brusseau:

The City Engineering Department has no objections to close the above reference unnamed alley 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



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

May 12, 2016 MPC Closure

PEARMAN, KELLY <kp6012@att.com>

Tue, Apr 12, 2016 at 6:31 AM

To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>, Ben Davidson <bdavidson@knoxvilletn.gov>, Chris Howley <chowley@knoxvilletn.gov>, David McGinley <DMcGinley@knoxvilletn.gov>, Jim Hagerman <jhagerman@knoxvilletn.gov>, "SIMMS, SHANNON R" <ss3775@att.com>, Sonny Partin <spartin@knoxvilletn.gov>, Steven King <sking@knoxvilletn.gov>
Cc: Mike Brusseau <mike.brusseau@knoxmpc.org>

AT&T does not wish to relinquish any right-of-ways or easements.

Kelly Pearmain

MGR OSP PLNG & ENGRG DESIGN

AT&T Tennessee

9733 Parkside Dr

Knoxville, TN 37922

Tel: 865-539-8580

Fax: 865-470-8519

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From: Betty Jo Mahan [mailto:bettyjo.mahan@knoxmpc.org]

Sent: Monday, April 11, 2016 2:30 PM

To: Ben Davidson <bdavidson@knoxvilletn.gov>; Chris Howley <chowley@knoxvilletn.gov>; David McGinley <DMcGinley@knoxvilletn.gov>; Jim Hagerman <jhagerman@knoxvilletn.gov>; PEARMAIN, KELLY <kp6012@att.com>; SIMMS, SHANNON R <ss3775@att.com>; Sonny Partin <spartin@knoxvilletn.gov>; Steven King <sking@knoxvilletn.gov>

Cc: Mike Brusseau <mike.brusseau@knoxmpc.org>

Subject: May 12, 2016 MPC Closure

[Quoted text hidden]



Knoxville Utilities Board



April 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 5-A-16-AC
Block No. 11462
CLT No. 81
Parcel No. 14**

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

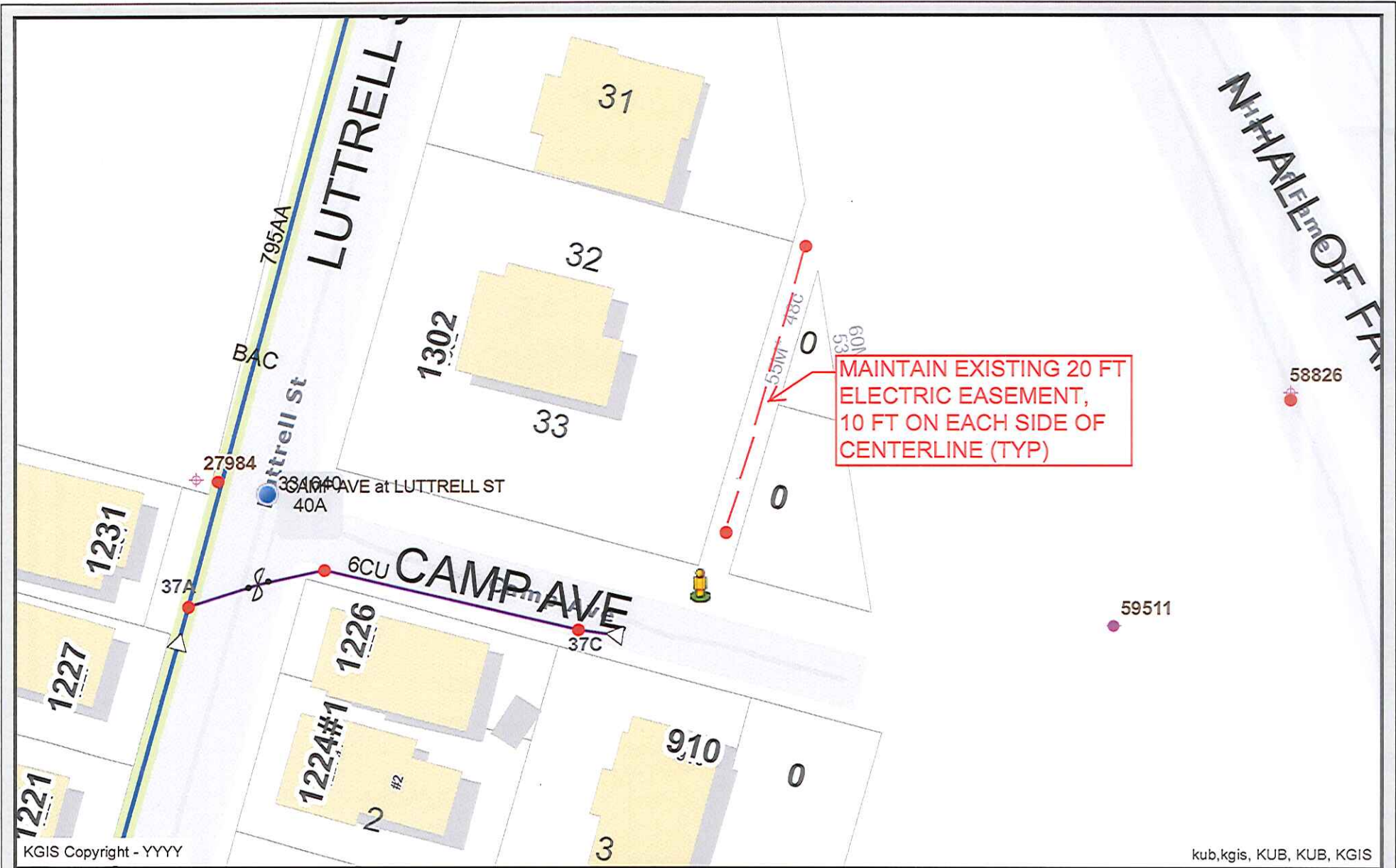
So long as these conditions are met, KUB has no objection to the closure of this right-of-way. If you have any questions regarding this matter, please call me at (865) 558-2291.

Sincerely,

Greg L. Patterson, P.E.
Engineering

GLP/ggt

Enclosure



KGIS Copyright - YYYY

kub,kgis, KUB, KUB, KGIS

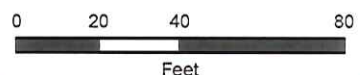
File No. 5-A-16-AC Unnamed Alley ROW Closure (Electric)

CLT MAP #81 PARCEL #14 CITY BLOCK #11462
 BETWEEN CAMP AVE AND TDOT INTERSTATE ROW)

Knoxville - Knox County - KUB Geographic Information System

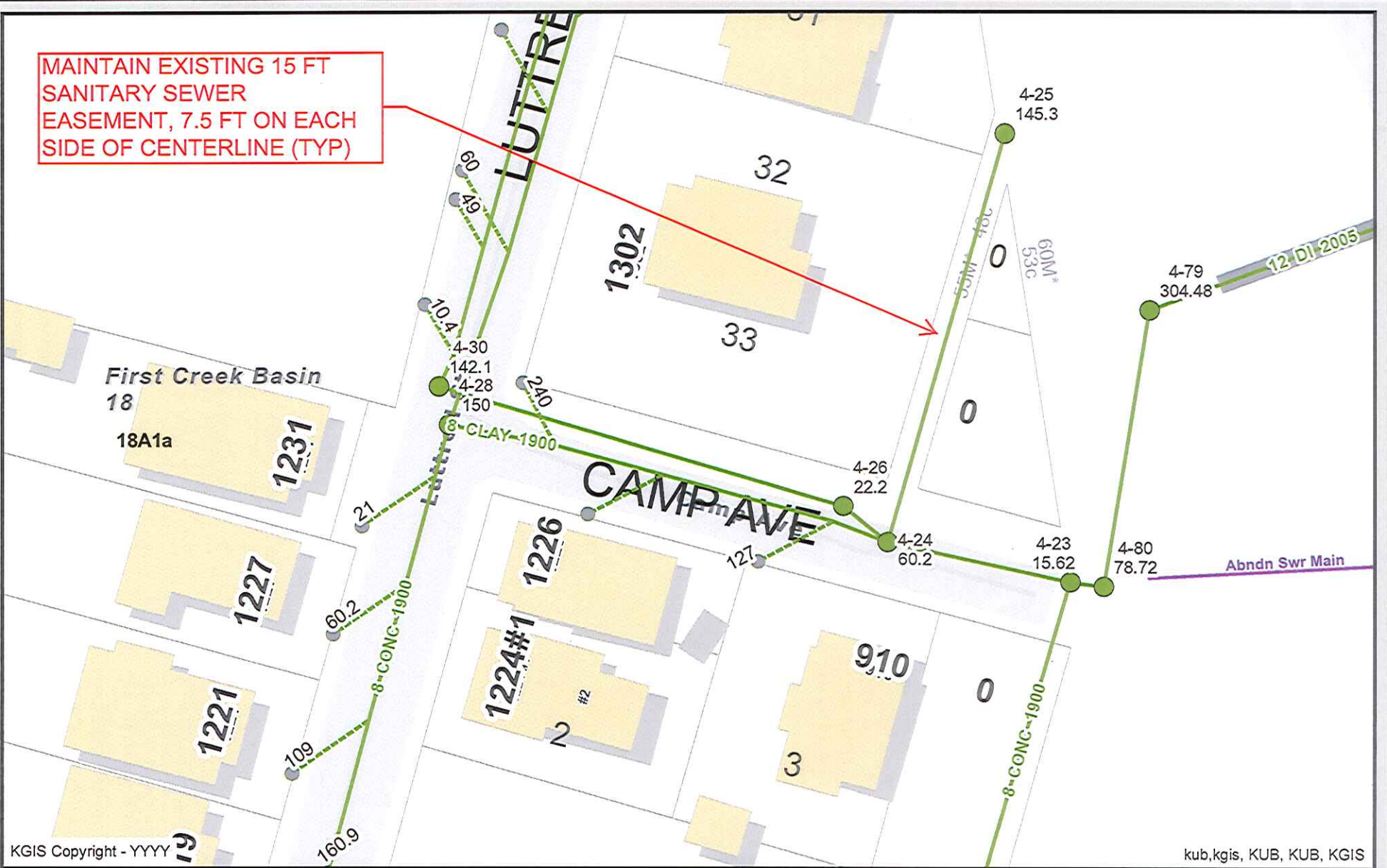


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MAINTAIN EXISTING 15 FT
SANITARY SEWER
EASEMENT, 7.5 FT ON EACH
SIDE OF CENTERLINE (TYP)



KGIS Copyright - YYYY

kub,kgis, KUB, KUB, KGIS

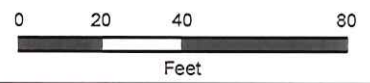
File No. 5-A-16-AC Unnamed Alley ROW Closure (Sewer)

CLT MAP #81 PARCEL #14 CITY BLOCK #11462
(BETWEEN CAMP AVE AND TDOT INTERSTATE ROW)

Knoxville - Knox County - KUB Geographic Information System



Printed: 4/18/2016 at 10:06:46 AM



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METROPOLITAN PLANNING COMMISSION

REQUEST FOR INFORMATION

RIGHT-OF-WAY CLOSURE

TO: Knoxville Utilities Board
Danny Beeler, Fire Marshal
Steve Borden, Regional Director, TN Dept. of Transportation
James R. Hagerman, P.E., Director of Engineering (via email)
Steve J. King, P.E., Deputy Director of Engineering (via email)
Sonny Partin, Plans Reviewer, Fire Dept. (via email)
Kelly Parmain, A T & T (via email)
Shannon Sims, A T & T (via email)
Ben Davidson, Department of Engineering (via email)

FROM: Mike Brusseau, MPC

DATE: April 11, 2016

SUBJECT: DWIGHT GUINN AND BARBARA SIMPSON- Request closure of unnamed alley between Camp Ave and TDOT interstate right-of-way. City Block 11462. Council District 4, Central City Sector._- 5-A-16-AC

Please give us the following information in writing regarding this proposed closure if your agency has an objection, or any conditions you wish considered with this request:

1. Is there any present or anticipated future need for this street/alley which in your opinion would warrant retaining it for public use?
2. What present use does it serve?
3. What future use is anticipated?
4. Do you oppose closing (vacating) it?
5. If closed (vacated), would easements meet your needs?
6. If easement will meet needs, please state easements required.

This request will be considered by the Metropolitan Planning Commission on May 12, 2016. A map showing the street or alley in question is attached for your information.

PLEASE NOTE: Failure to reply to our office by May 2, 2016, will be considered as no objection by your agency.

Attachment: Application