

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

▶ **FILE #:** 10-A-18-AC

AGENDA ITEM #: 7

AGENDA DATE: 10/11/2018

▶ **APPLICANT:** DAY SPRING CHRISTIAN ACADEMY

TAX ID NUMBER: 81 O L 01501 [View map on KGIS](#)
 JURISDICTION: Council District 6
 SECTOR PLAN: Central City
 GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)
 ZONING: R-2 (General Residential), C-1 (Neighborhood Commercial) and O-1 (Office, Medical & Related Services)

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

▶ **LOCATION:** Between McSpadden Street and Sunrise Street

IS ALLEY:
 (1) IN USE?: Yes
 (2) IMPROVED (paved)?: Yes

▶ **APPLICANT'S REASON FOR CLOSURE:** To create a safer environment for the students of the school

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

STAFF RECOMMENDATION:

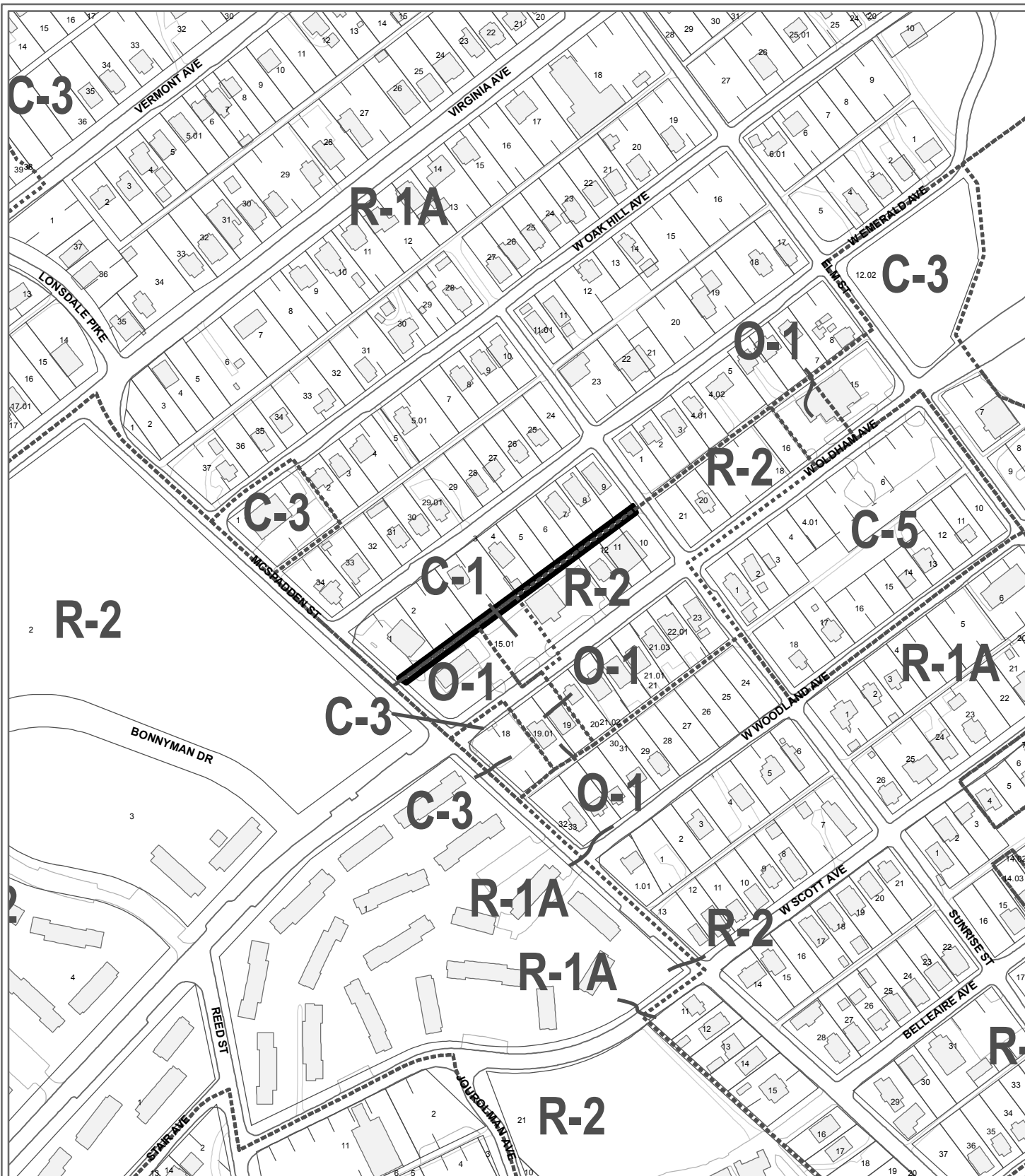
▶ **RECOMMEND that City Council APPROVE the requested closure of the unnamed alley, as requested, subject to any required easements.**

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

COMMENTS:

If approved for closure, the right-of-way will be combined with the adjacent parcels and converted to private property. 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 11/6/2018 and 11/20/2018. 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.



**10-A-18-AC
CLOSURE OF PUBLIC RIGHT OF WAY**

Petitioner: Day Spring Christian Academy

Name of Street or Alley: Unnamed alley
 To be closed from: McSpadden Street
 To be closed to: Sunrise Street

Map No: 81
 Jurisdiction: City

Original Print Date: 9/17/2018 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902





CITY OF KNOXVILLE

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

September 21, 2018

Knoxville-Knox County Metropolitan Planning Commission (MPC)
City-County Building, Suite 403
Knoxville, Tennessee 37902

SUBJECT: Closure of unnamed alley
MPC File # 10-A-18-AC; Nearby City Block 20181

MPC:

The City Engineering Department has no objections to close the above described 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, PLS, Technical Services Administrator
Department of Engineering
Ph: 865-215-2148



OCT 2 2018

September 24, 2018

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 10-A-18-AC
Block No. 20181
CLT Map 81**

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

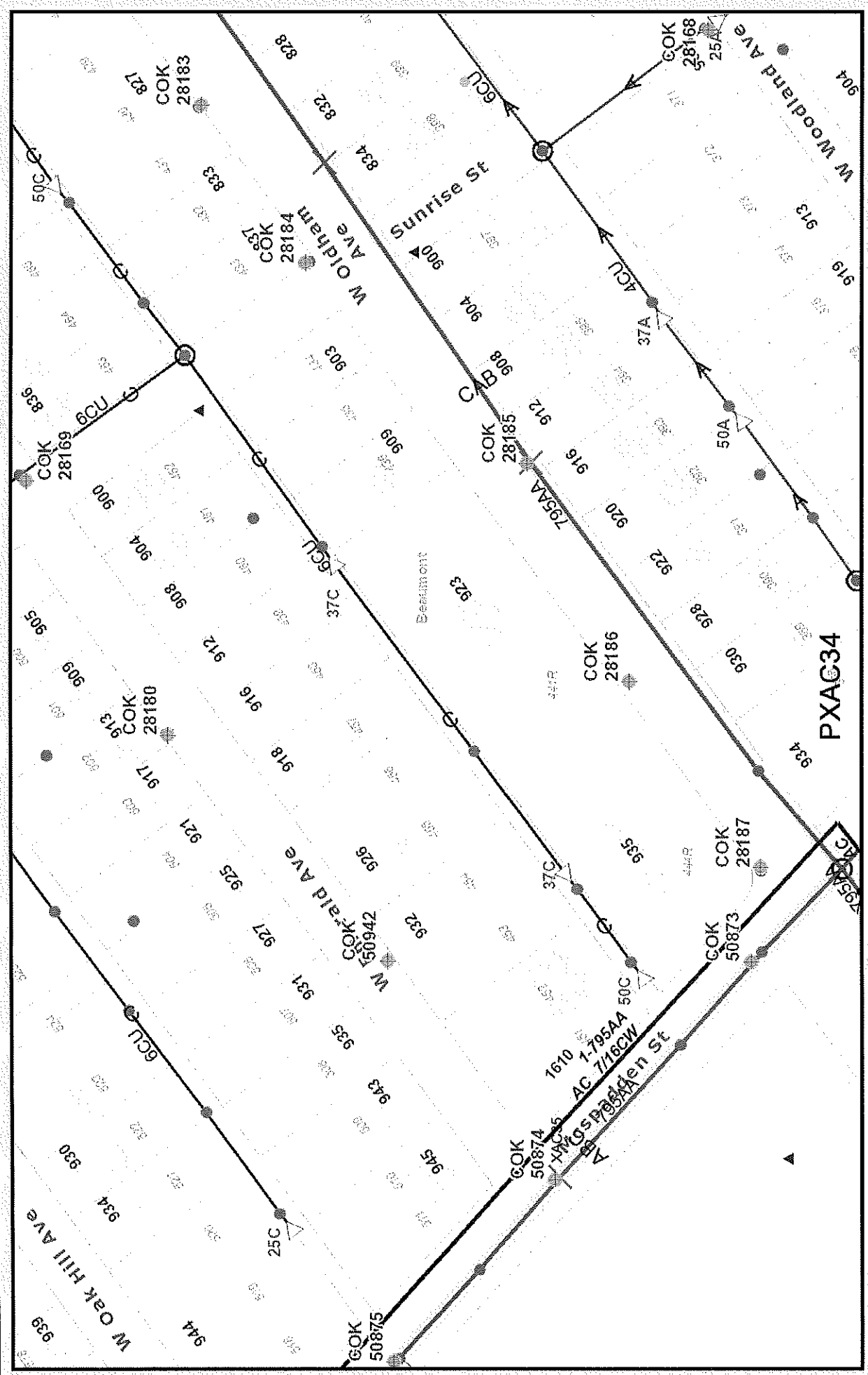
If you have any questions regarding this matter, please call me at (865) 558-2483.

Sincerely,

A handwritten signature in black ink, appearing to read "Christian Wiberley".

Christian Wiberley
Engineering

CGW



Printed: 9/24/2018 at 2:04:44 PM



10-A-18-AC Unnamed alley between 935 Oldham Ave and 903 Oldham Ave (Electric)

City Block 20181 CLT Map 81

Knoxville Utilities Board

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Fire Prevention Bureau

City of Knoxville
400 Main Street, Suite 539
Knoxville, TN 37902

Memorandum

Date: October 4, 2018
To: Mike Brusseau
From: Sonny Partin, Deputy Fire Marshal
Subject: Request for Information on Right of Way Closures, Fire Department Review

	Road Name	Review Status	Comments
1.	10-C-18-SC Whedbee Dr.	Approved	None
2.	10-E-18-SC Pansy Ave.	Approved	None
3.	10-D-18-SC Violet Ave.	Approved	None
4.	10-B-18-SC Primrose Ave.	Approved	None
5.	10-F-18-SC Canna Ave.	Approved	None
6.	10-A-18-SC Honeysuckle Ave.	Approved	None
7.	10-B-18-AC Unnamed Alley	Approved	None
8.	10-A-18-AC Unnamed Alley	Approved	None

RIGHT-OF-WAY CLOSURE



Name of Applicant: Day Spring Christian Academy

Date Filed: 8/22/2018 Fee Paid: \$400.00 File Number: 10-A-18-AC

Map Number: 081 Zoning District: Central City County Sector: 7#

Jurisdiction: City 6th Councilmanic District

INFORMATION:

Name of Right-of-Way: Unnamed

Type of Right-of-Way: Street Alley

Location of Right-of-Way:

BETWEEN (City Block or Lot where appropriate) 935 Oldham Ave.

AND (City Block or Lot where appropriate) 903 Oldham Ave.

Right-of-Way is: In Use Yes No Improved (example: paved) Yes No

Reason for Closure: To create a safe environment for the students of the school

TO BE CLOSED:

From: (Street, Alley, Other)
McSpadden Street

To: (Street, Alley, Other)
Sunrise Street

ALL CORRESPONDENCE RELATING TO THIS APPLICATION SHOULD BE SENT TO:

RONALD BURRESS

Name: (Print) RONALD BURRESS Address 909 Waldham Court City Memphis State Tenn Zip 38121 Phone 901 865 4686 Fax 901 865 4686

AUTHORIZATION OF APPLICATION:

I hereby certify that I am the authorized applicant, or representing the applicant and ALL property owners involved in this request or holders of option on same.

Signature: Ronald Burress

Name: (Print) Address City State Zip Phone Fax

APPLICATION ACCEPTED BY: [Signature]

RIGHT-OF-WAY CLOSURE CANVASS FORM

All owners and holders of option on property abutting the proposed closure must sign the list below and express their opinion about this closure. A map showing the location and addresses of these properties must accompany this application.

ADDRESS	SIGNATURE	Agree	Disagree
900 Emerald Ave Knoxville, TN. 37921	Kevin Cole (Kevin Cole)	✓	
926 W. Emerald Ave. Knoxville, TN. 37921	Family is not living at this address at this time. Husband in hospital with cancer in Chattanooga		
918 W. Emerald Ave. Knoxville, TN. 37921	Church has bought house		
916 W. Emerald Ave. Knoxville, TN. 37921	Empty lot (Church in process of buying)		
912 W. Emerald Ave. Knoxville, TN. 37921	Vacant lot (tried to find people who own it with no luck)		
908 W. Emerald Ave. Knoxville, TN. 37921	Church has bought house		
904 W. Emerald Ave. Knoxville, TN. 37921	In process of buying property for church and school		

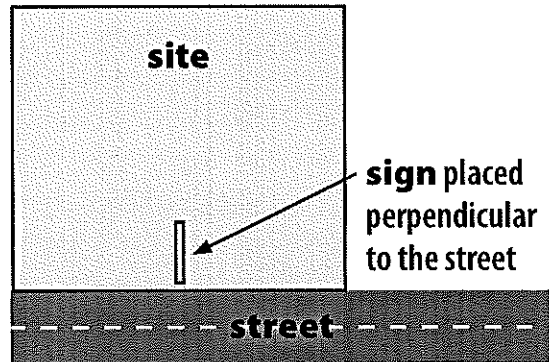
REQUIRED SIGN POSTING AGREEMENT

For all rezoning, plan amendment, concept plan, use on review, right-of-way closure, and street name change applications, a sign must be posted on the subject property, consistent with the adopted MPC Administrative Rules and Procedures.

At the time of application, MPC staff will provide a sign(s) to post on the property as part of the application process. If the sign(s) go missing for any reason and need to be replaced, then the applicant will be responsible for picking up a new sign(s) from the MPC offices. The applicant will be charged a fee of \$10 for each replacement sign.

LOCATION AND VISIBILITY

The sign must be posted in a location that is clearly visible from vehicles traveling in either direction on the nearest adjacent/frontage street. If the property has more than one street frontage, then the sign should be placed along the street that carries more traffic. MPC staff may recommend a preferred location for the sign to be posted at the time of application.



TIMING

The sign(s) must be posted 15 days before the scheduled MPC public hearing and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted 15 days before the next MPC meeting.

I hereby agree to post and remove the sign(s) provided on the subject property consistent with the above guidelines and between the dates of:

Sept 26 2018 and Oct 12 2018
(15 days before the MPC meeting) (the day after the MPC meeting)

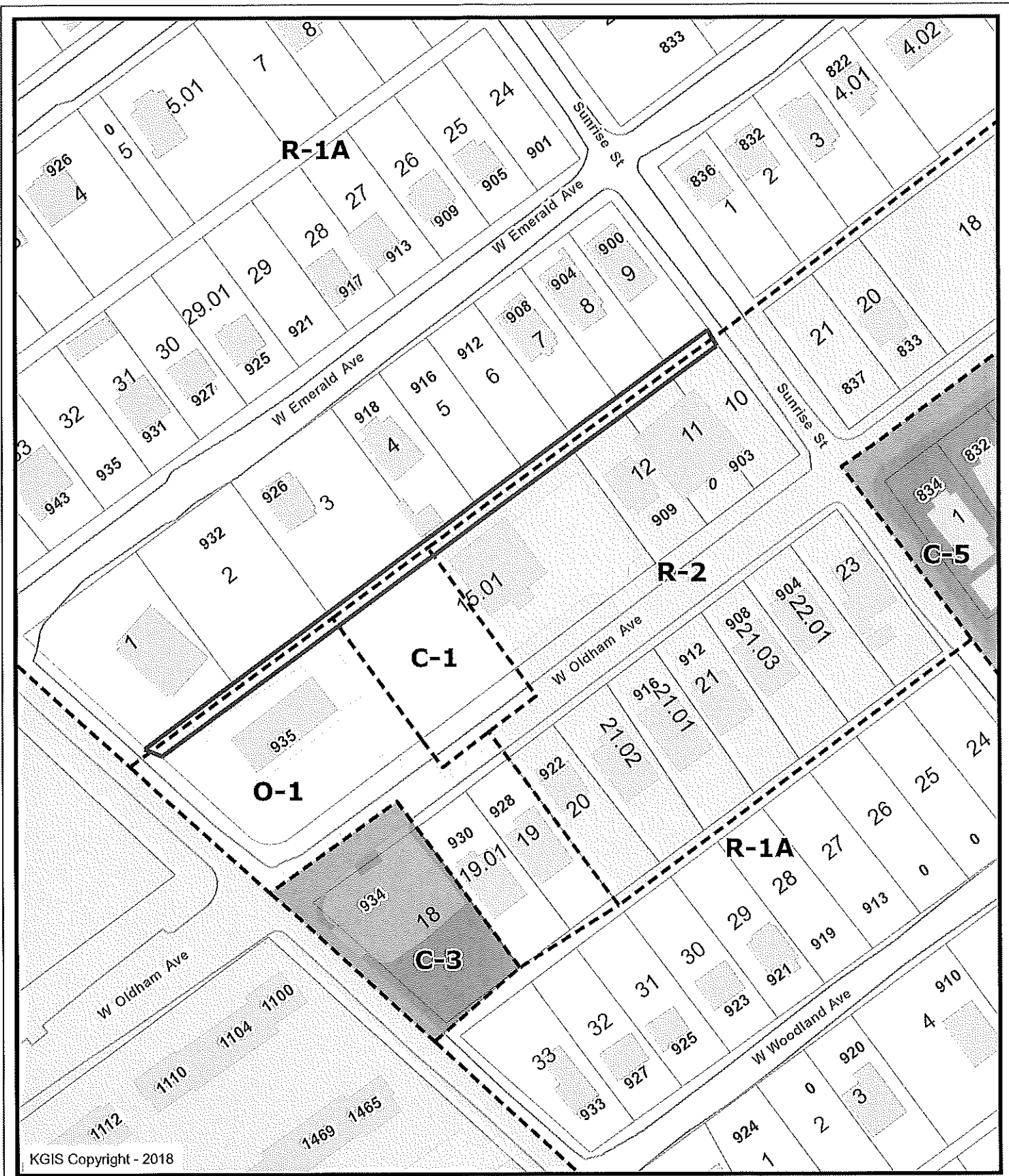
Signature: Ronald Burress

Printed Name: RONALD BURRESS

Phone: 865 4068676 Email: _____

Date: 8/22/2018

MPC File Number: 10-A-18-AC



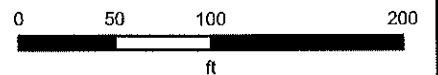
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Letter Portrait

Knoxville - Knox County - KUB Geographic Information System



Printed: 8/22/2018 at 9:03:50 AM



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