



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

▶ **FILE #:** 12-B-08-SC

AGENDA ITEM #: 12

AGENDA DATE: 12/11/2008

▶ **APPLICANT:** CHIP STANLEY

TAX ID NUMBER: 94 L L 036
 JURISDICTION: Council District 1
 SECTOR PLAN: Central City
 GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)
 ZONING: R-3 (High Density Residential)
 WATERSHED: Second Creek

▶ **RIGHT-OF-WAY TO BE CLOSED:** Portion of radius of Highland Ave.

▶ **LOCATION:** Between the southwest corner of Eleventh St. and Highland Ave.

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

▶ **APPLICANT'S REASON FOR CLOSURE:** Portion of building extends into right-of-way radius at intersection

DEPARTMENT-UTILITY REPORTS: No objections received as of December 2, 2008; subject to any required easements.

STAFF RECOMMENDATION:

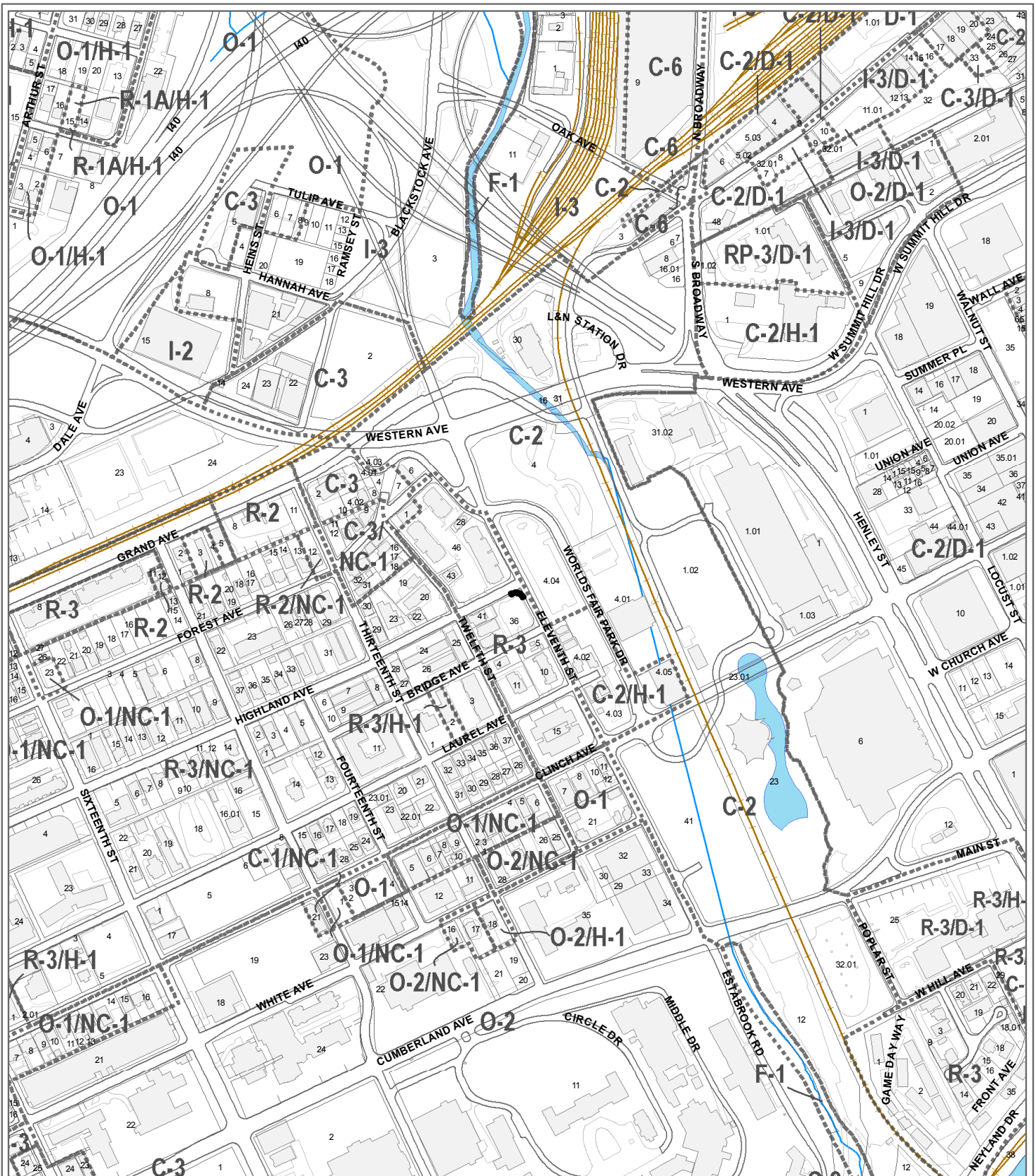
▶ **APPROVE** the closure, subject to the City Engineering conditions regarding the recording of a related subdivision plat. (See letter attached.)

This right-of-way is not needed for public access and will remove a building encroachment into the right-of-way

COMMENTS:

The building was mistakenly built several inches into the street right-of-way. This closure will clear up this issue

If approved, this item will be forwarded to Knoxville City Council for action on 1/13/2009 and 1/27/2009. 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.



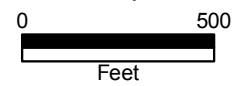
**12-B-08-SC
CLOSURE OF PUBLIC RIGHT OF WAY**

Name of Street or Alley: Portion of radius of Highland Ave.
 To be closed from: at the southwest corner of Eleventh St.
 To be closed to: Undefined

Original Print Date: 11/24/2008 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: Stanley, Chip

Map No: 94
 Jurisdiction: City



CITY OF KNOXVILLE

BILL HASLAM, MAYOR



Stephen J. King, P.E.

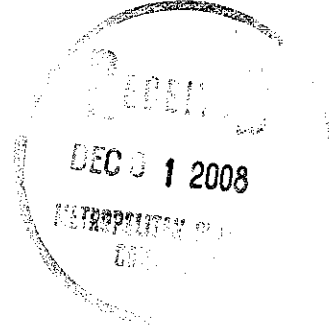
Director of Public Works

Brently J. Johnson, P.E., R.L.S.

Deputy Director of Engineering

December 1, 2008

Mr. Ken Pruitt, Principal Planner
Metropolitan Planning Commission
Suite 403, City County Building
Knoxville, Tennessee 37901



SUBJECT: Request to Close a Portion of the Radius at the Highland Drive/Eleventh Street
Intersection
MPC File # 12-B-08-SC / City Block 10262

Dear Mr. Pruitt:

This is a request to close and redefine the right-of-way at this intersection so that the corner of an existing building will no longer encroach into the public right-of-way.

Subject to the following condition, the Engineering Department does not object to this request:

- The applicant shall record a resubdivision plat that combines the closed curved area with his adjoining property. The plat shall fully define the resulting final right-of-way around the full extent of his property.

If you have any questions, please call. You can reach me at 215-2148.

Sincerely,

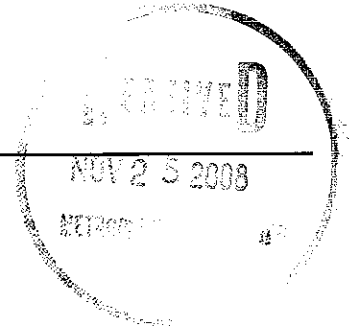
Floyd R. Smith, R.L.S., Technical Services Administrator

C: Vedat Aboush, Applicant (Fax only: 865-560-5520)
Debra C. Poplin, Law Director
Brent Johnson, P.E., Deputy Director
David McGinley, P.E., Chief, Stormwater Section
File

kp081201 cls highland dr radius 12-B-08-SC doc



Knoxville Utilities Board



November 24, 2008

Mr. Ken Pruitt
Knoxville-Knox County
Metropolitan Planning Commission
Suite 403, City-County Building
Knoxville, Tennessee 37902

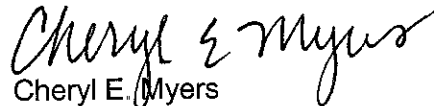
Dear Mr. Pruitt:

Re: Right-of-Way Closure Request 12-B-08-SC

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.

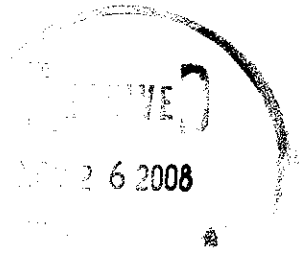
If you have any questions regarding this matter, please call me at (865) 558-2752.

Sincerely,


Cheryl E. Myers
Engineering

cem/ggt

Enclosure



November 24, 2008

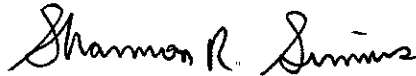
TO: Metropolitan Planning Commission

FROM: Shannon Simms
AT&T
9733 Parkside Dr.
Knoxville, TN 37922

SUBJECT: CHIP STANLEY – Closure of portion of radius of Highland Ave. at the southwest corner of Eleventh Street. Council District 1, Central City Sector – 12-B-08-SC

AT&T has facilities in this area. The closing will be satisfactory as originally proposed with an easement to maintain and replace our plant as needed in the area in question.

Thank you,


Shannon Simms