



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

▶ **FILE #:** 7-A-08-SC

AGENDA ITEM #: 10

AGENDA DATE: 7/10/2008

▶ **APPLICANT:** GERDAU AMERISTEEL

TAX ID NUMBER: 81 00101
 JURISDICTION: Council District 5
 SECTOR PLAN: Central City
 GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)
 ZONING: I-4 (Heavy Industrial)
 WATERSHED: Third Creek

▶ **RIGHT-OF-WAY TO BE CLOSED:** Badgett Dr.

▶ **LOCATION:** Between Louisiana Ave. and eastern boundary line of parcels 094AA00101 and 081PP001

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

▶ **APPLICANT'S REASON FOR CLOSURE:** To redevelop with adjoining property.

DEPARTMENT-UTILITY REPORTS: No objections received as of 6/24/08; subject to relocation and connection of remainder of alley to Connecticut Ave., and granting of greenway easement to city.

STAFF RECOMMENDATION:

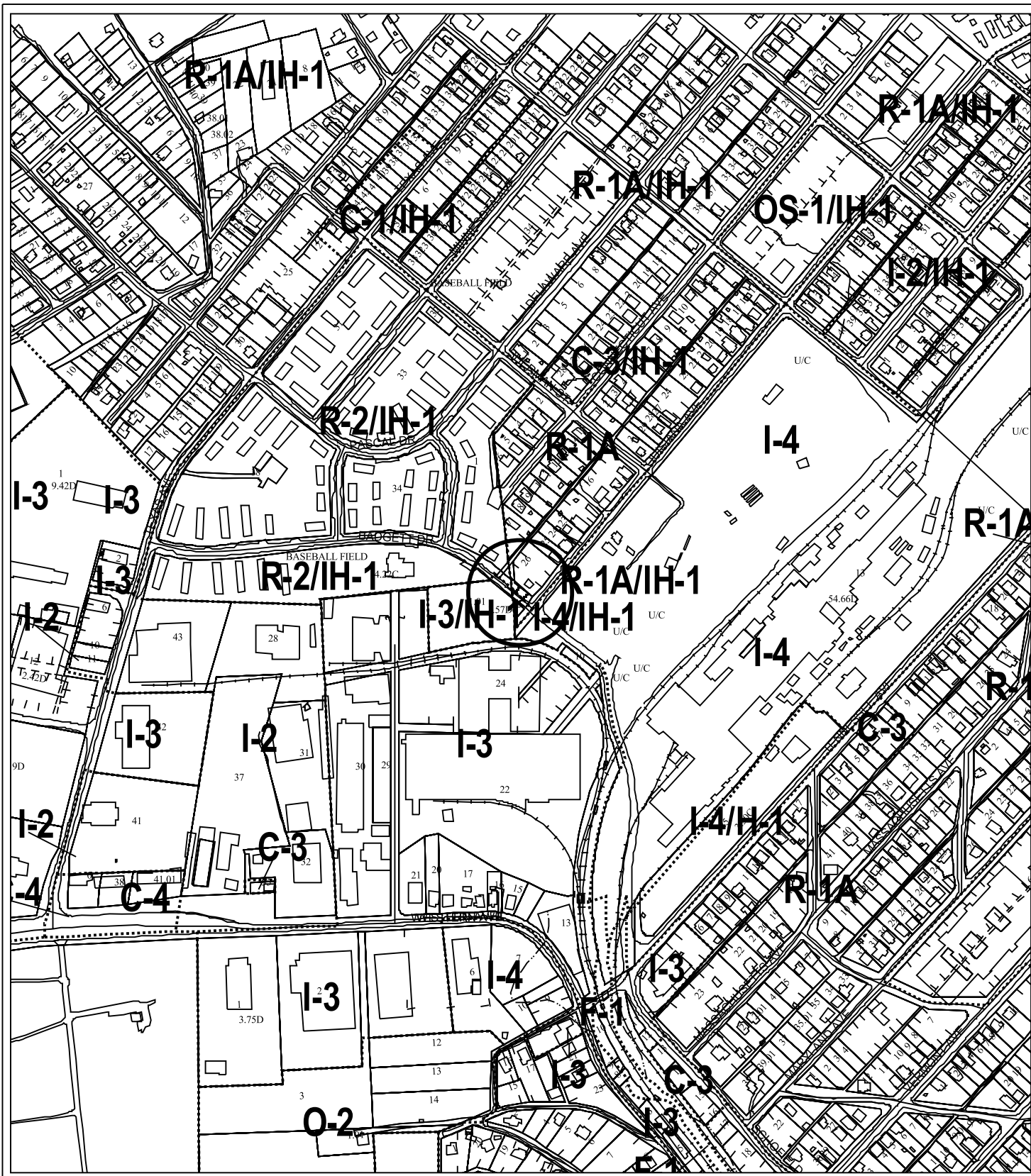
▶ **APPROVE the closure, subject to the requested easements, and other conditions requested by City Engineering. (See letter attached.)**

Closure of this street section will not impede the function of the remainder of the Badgett Dr. through the neighborhood.

COMMENTS:

This street section closure is occurring within a comprehensive expansion of the Ameristeel site and includes several other right-of-way closures, and rezoning and resubdivision of acquired properties. As part of this expansion, the applicant and the city administration are working to develop a 50 foot wide greenway easement along the north side of the Ameristeel property through the neighborhood. (See letter from City Parks Department.)

If approved, this item will be forwarded to Knoxville City Council for action on 8/12/2008 and 8/26/2008. 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.



**7-A-08-SC
CLOSURE OF PUBLIC RIGHT OF WAY**

Petitioner: Gerdau Ameristeel
 Map No: 81
 Jurisdiction: City

Name of Street or Alley: Badgett Dr.
 To be closed from: Louisiana Ave.
 To be closed to : eastern boundary line of parcels 094AA00101 and 081PP001
 Original Print Date: 06/19/08 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902



CITY OF KNOXVILLE

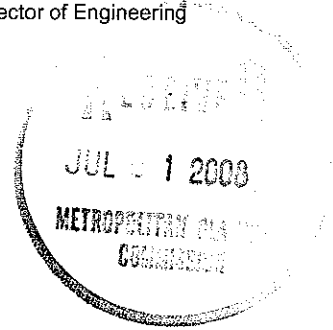
BILL HASLAM MAYOR



Stephen J. King, P.E.
Director of Public Works
Brently J. Johnson, P.E., R.L.S.
Deputy Director of Engineering

June 30, 2008

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



**SUBJECT: Request to Close a Portion of Badgett Drive
MPC File #7-A-08-SC / City Blocks 19390 & 19522**

Dear Mr. Pruitt:

This is a request by Arthur Seymour, Jr., on behalf of Gerdau Ameristeel to close Badgett Drive from Louisiana Avenue northwest to the east line of Tax Parcels 094-A-A-001.01 and 081-P-P-001, a total distance of approximately 100 feet.

This is one of three interconnected right-of-way closures currently being requested by Arthur Seymour, Jr., on behalf of Gerdau Ameristeel. The other two requests involve a portion of Louisiana Avenue (MPC #7-B-08-SC) and a portion of an alley (MPC #7-A-08-AC). If any one of these three roads is closed, the current traffic pattern will be interrupted, and there will be no public turn-around by which vehicles may reverse course to exit the area.

Therefore, the Engineering Department requests that this closure be approved only with the following conditions:

1. The property owner shall provide an alternative means by which traffic entering the area from Sherman Street via the above alley or Connecticut Avenue may circle or reverse course back to Sherman Street via dedicated public rights-of-way. Said means shall be approved by the Engineering Department.
2. The property owner shall prepare and record a new subdivision plat, approved by the Metropolitan Planning Commission, which defines and dedicates the above said means to the public and which consolidates or resubdivides its properties so that no lots or parcels are landlocked.
3. The ordinance closing this right-of-way shall stipulate that this closure shall not become effective until the plat is recorded with the Knox County Register Of Deeds, but if not recorded within one year from the date City Council gives final approval of this request, the closure shall be deemed to be null and void.

I have discussed these concerns with Mr. Seymour. He indicates the property owner intends to comply with these conditions.

If you have any questions, please call.

Sincerely,



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

C: Arthur Seymour, Jr. (Fax only: 865-637-5249)
Debra C. Poplin, Law Director
Sharon Boyce, Senior Attorney, Law Dept.
Brent Johnson, P.E., Deputy Director
David McGinley, P.E., Chief, Stormwater Section
File

kp080630 clsBadgett 7-A-08-SC doc



June 13, 2008

TO: Metropolitan Planning Commission

FROM: Walter Primm
AT&T
9733 Parkside Dr.
Knoxville, TN 37922

SUBJECT: GERDAU AMERISTEEL – Closure of Badgett Drive from Louisiana Avenue to eastern boundry lines of parcels 094AA001.01 and 081PP001. Council District 5, Central City Sector – 7-A-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,


Walter Primm



Knoxville Utilities Board



June 19, 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 7-A-08-AC, 7-A-08-SC and 7-B-08-SC

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 attached 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
Gas – 12.5 feet on each side of the centerline of the gas line, 25 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) 558-2752.

Sincerely,

Cheryl E. Myers
Engineering

cem/ggt

Enclosure

GERDAU AMERISTEEL - ELECTRIC - MAINTAIN 20' EASEMENT

MPC July 10, 2008

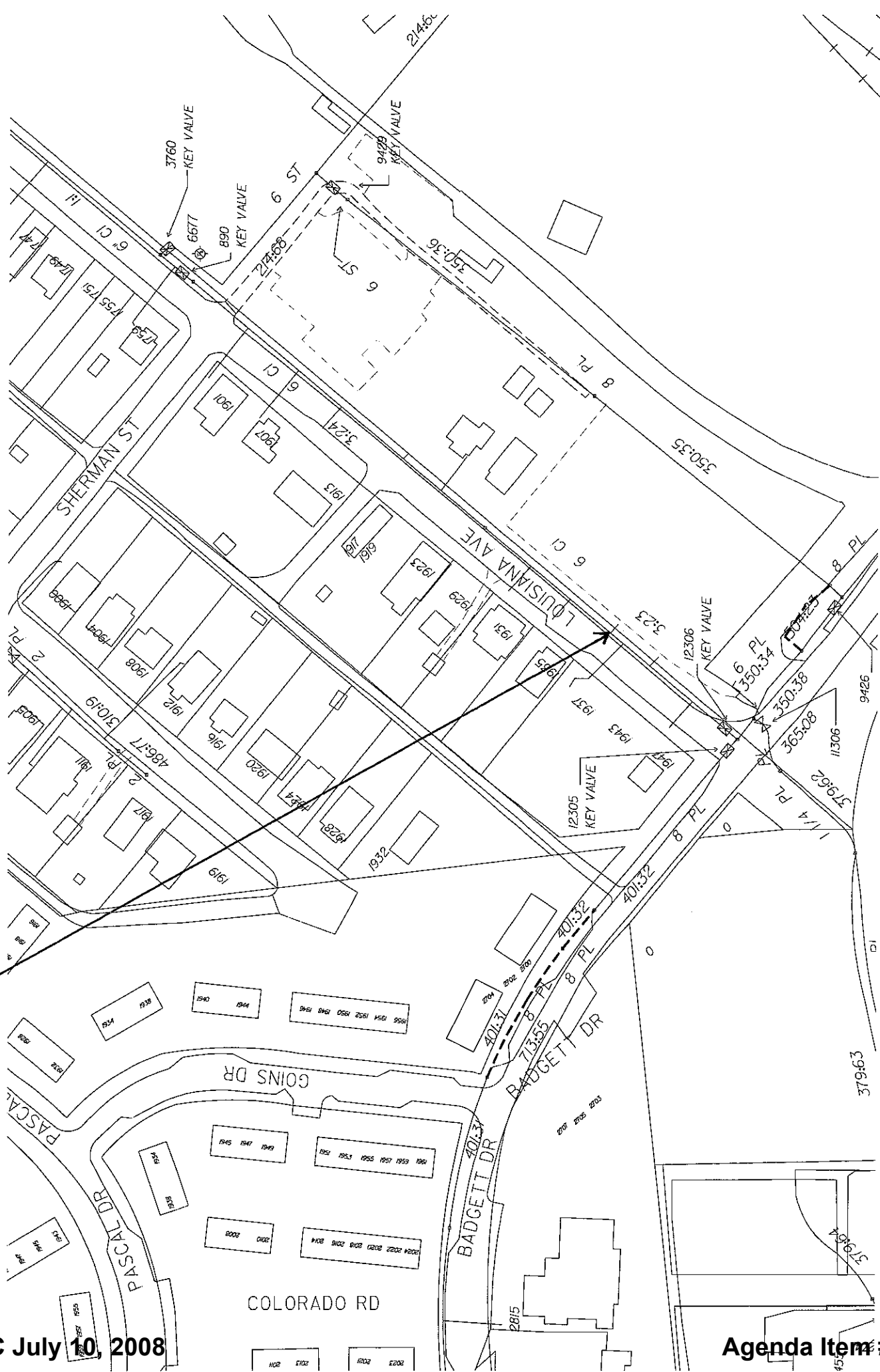
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GERDAU AMERISTEEL - GAS - MAINTAIN 25' EASEMENT

MPC July 10, 2008

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GERDAU AMERISTEEL - SEWER - MAINTAIN 15' EASEMENT

MPC July 10, 2008



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GERDAU AMERISTEEL - WATER - MAINTAIN 15' EASEMENT

MPC July 10, 2008



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