

▶ **FILE #:** 3-B-11-SC

AGENDA ITEM #: 9

AGENDA DATE: 3/10/2011

▶ **APPLICANT:** KCDC

TAX ID NUMBER: 94 E A 012 094BB001
 JURISDICTION: Council District 5
 SECTOR PLAN: Central City
 GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)
 ZONING: R-2 (General Residential)
 WATERSHED: Third Creek

▶ **RIGHT-OF-WAY TO BE CLOSED:** Testerman Dr

▶ **LOCATION:** Between Vermont Avenue and Virginia Avenue

IS STREET:

(1) IN USE?: Yes

(2) IMPROVED (paved)?: Yes

▶ **APPLICANT'S REASON FOR CLOSURE:** To allow redevelopment of the surrounding area.

DEPARTMENT-UTILITY REPORTS: No objections have been received by staff as of 3/2//11.

STAFF RECOMMENDATION:

▶ **RECOMMEND that City Council APPROVE the closure of Testerman Dr., subject to any required easements and subject to the following condition:**

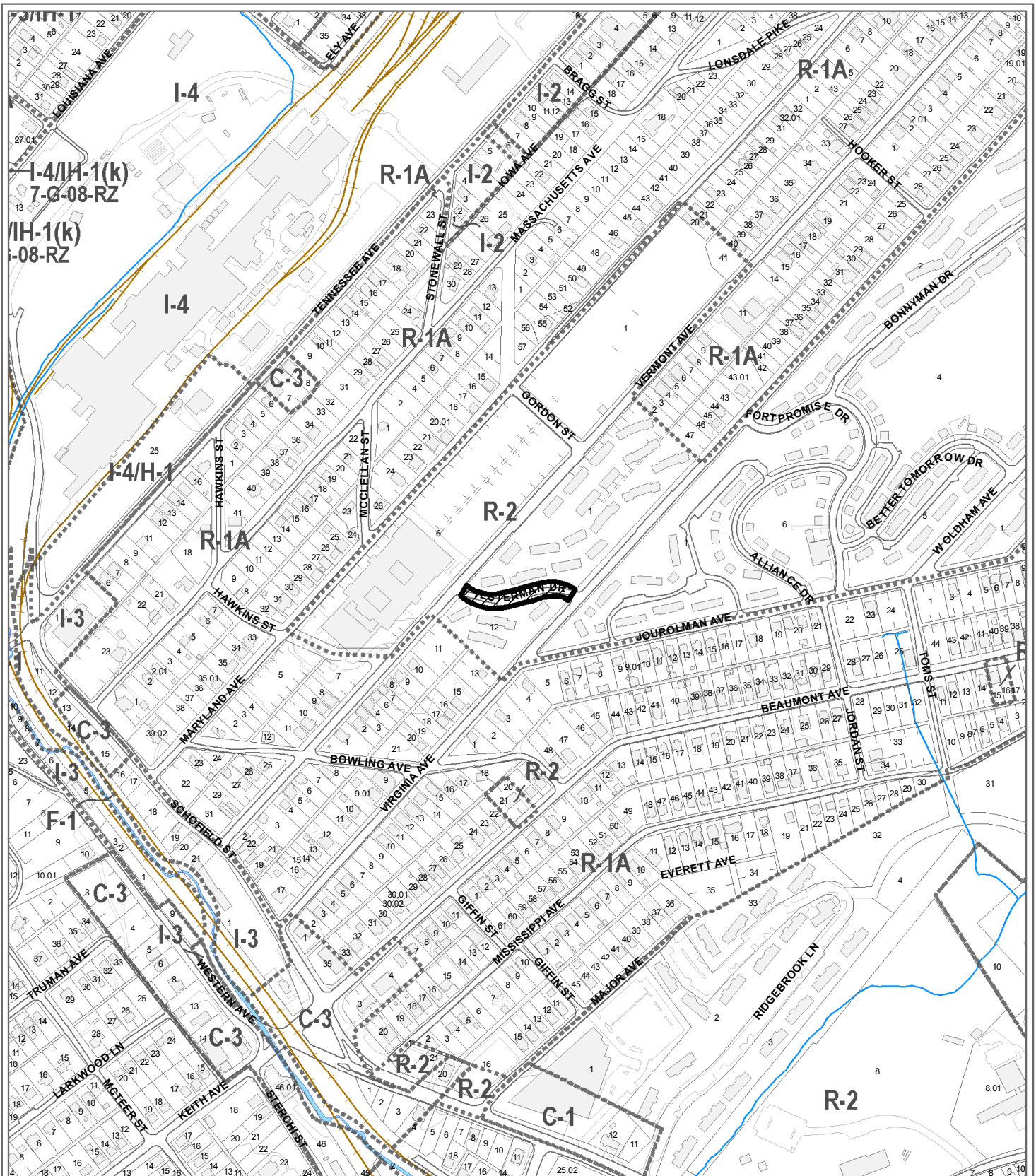
1. This right-of-way closure will not be effective until all buildings accessed from this section of Testerman Dr. have been razed.

With the above condition included, staff has received no objections to this closure. The applicant owns all the property adjacent to this right-of-way.

COMMENTS:

The applicant owns all of the property adjacent to this public street and, if closed, intends to incorporate the right-of-way into the rest of the private property on either side. The recommended condition will insure that this does not occur until the buildings accessed from the subject street have been torn down. This condition allows emergency services, specifically the fire department, to access that area, should an emergency arise within the existing buildings along Testerman Dr.

If approved, this item will be forwarded to Knoxville City Council for action on 4/5/2011 and 4/19/2011. 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.



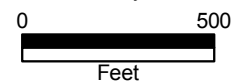
**3-B-11-SC
CLOSURE OF PUBLIC RIGHT OF WAY**

Name of Street or Alley: Testerman Dr
 To be closed from: Vermont Avenue
 To be closed to: Virginia Avenue

Original Print Date: 2/22/2011 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: KCDC

Map No: 94
 Jurisdiction: City

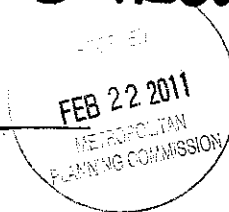


3-B-11-SC-Cor-Bellsouth

3-A-11-SC

3-B-11-SC

FAX



Date 02-22-2011

Number of pages including cover sheet 3

TO: Mike Brusseau
MPC

FROM: JOHN T. STEMPA
AT&T
9733 PARKSIDE DR
KNOXVILLE, TN 37922

Phone 865-215-2500
Fax Phone 865-215-2068

Phone 865-539-8582
Fax 865-470-8519

CC:

REMARKS: Urgent For your review Reply ASAP Please Comment

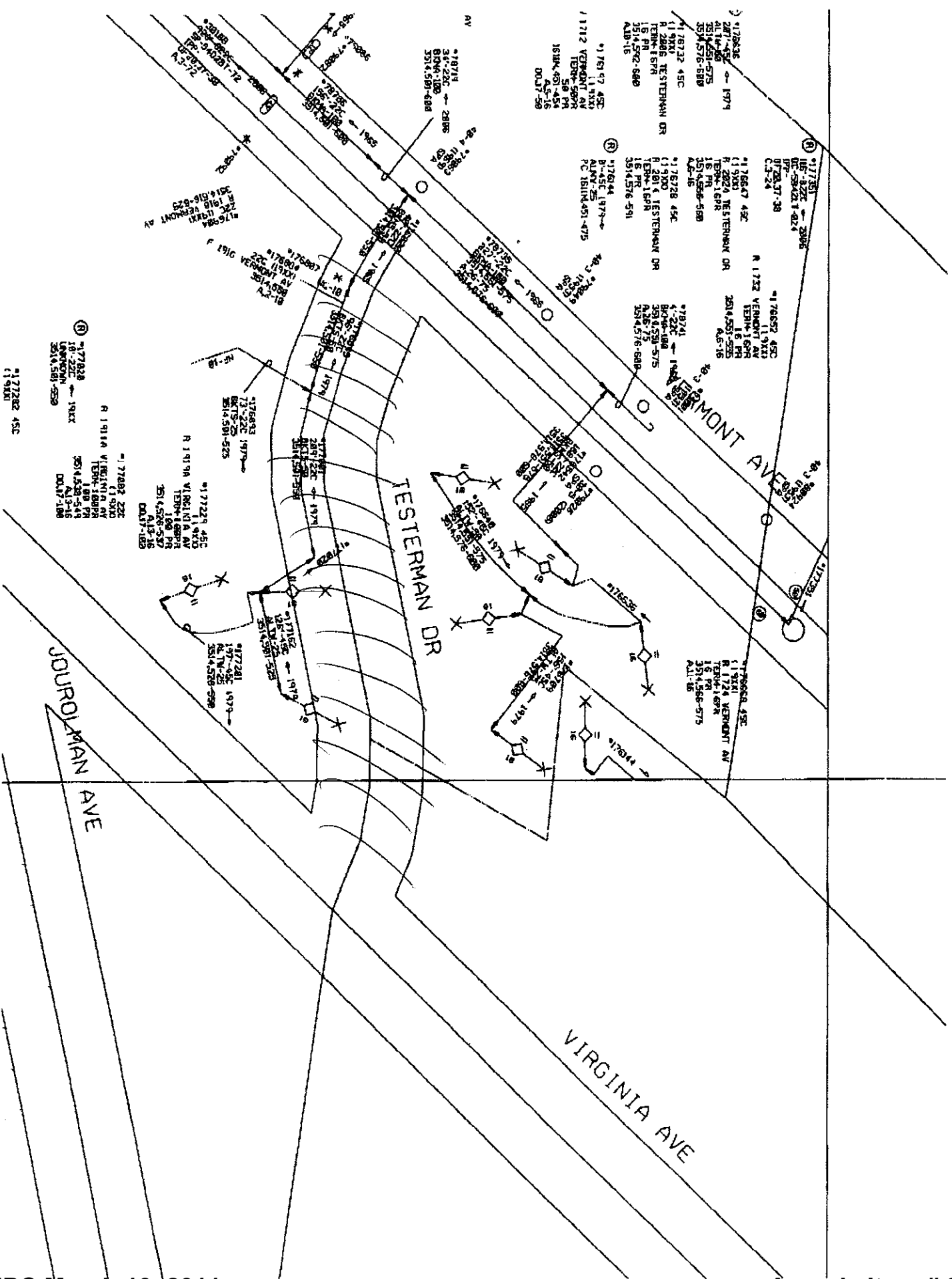
Mike

I have reviewed the Right-Of-Way closure letters for Bonnyman Dr and Testerman Dr. AT&T will require access when the time comes to remove the plant. The cable along Bonnyman Dr is all buried plant and I show there are no working numbers. The cable along Testerman Dr is aerial plant but there too, I show no working numbers.

I have attached a plat showing our cable for each area. Bonnyman Dr. will be hard to read, so if you want it larger, please call me.

Thanks

John Stempa





Knoxville Utilities Board

February 3, 2011

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-B-11-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 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 – 20 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

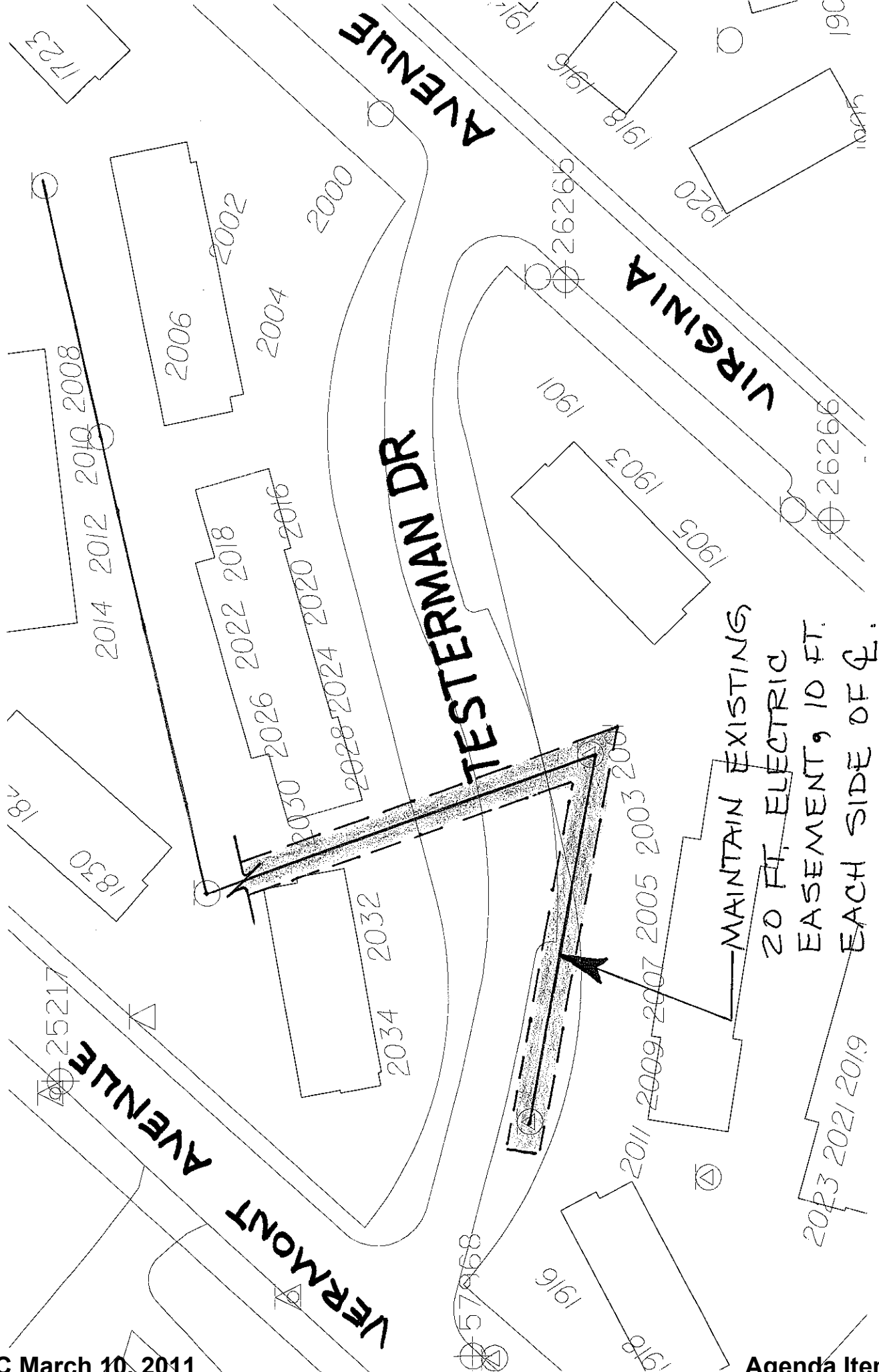
Sincerely,

A handwritten signature in cursive script that reads 'Greg Patterson'.

Greg L. Patterson, P.E.
Engineering

glt/ggt

Enclosure



MAINTAIN EXISTING
 20 FT. ELECTRIC
 EASEMENT, 10 FT.
 EACH SIDE OF C.