

▶ **FILE #:** 9-D-13-SC

**AGENDA ITEM #:** 10

**AGENDA DATE:** 9/12/2013

▶ **APPLICANT:** MICHAEL BRADY INC.

TAX ID NUMBER: 108 C D 02302  
 JURISDICTION: Council District 1  
 SECTOR PLAN: Central City  
 GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)  
 ZONING: C-7 (Pedestrian Commercial) pending  
 WATERSHED: Third Creek

▶ **RIGHT-OF-WAY TO BE CLOSED:** Southwest corner White Avenue at Seventeenth Street

▶ **LOCATION:** Between a 25 foot radius and a zero radius

IS STREET:

(1) IN USE?: Yes

(2) IMPROVED (paved)?: Yes

▶ **APPLICANT'S REASON FOR CLOSURE:** Conforming to C-7 (Pedestrian Commercial) zoning district design guidelines

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 proposed portion of right-of-way, as requested, subject to any required easements and subject to the following condition:

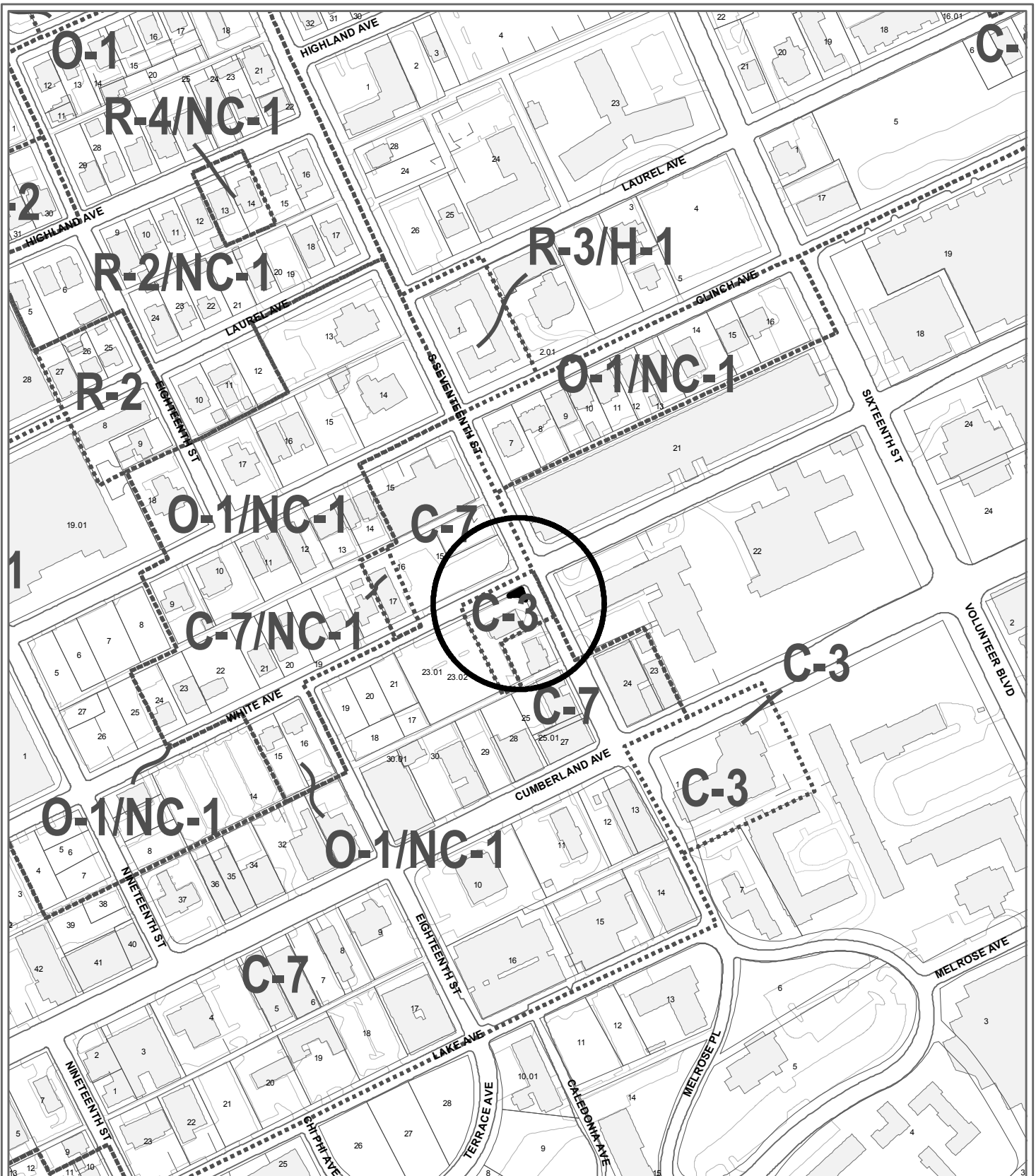
1. The 5 conditions included in the attached letter from City of Knoxville Engineering (dated August 15, 2013) must be addressed to the satisfaction of that department.

With the above condition included, staff has received no objections from reviewing departments or utilities to this closure.

**COMMENTS:**

The purpose of this closure is to eliminate the 25 foot turning radius at the southwestern corner of White Ave. and S. Seventeenth St. The closure is necessary to allow the proposed structure for the site to be located up close to the street, as required in the proposed Cumberland Avenue Form Based Zoning District. This closure will not have any physical impact to either White Ave. and S. Seventeenth St. and will not result in any change in traffic patterns. With the recommended conditions from City Engineering and no objections received, staff recommends approval.

If approved, this item will be forwarded to Knoxville City Council for action on 10/15/2013 and 10/29/2013. 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.



**9-D-13-SC  
CLOSURE OF PUBLIC RIGHT OF WAY**

Name of Street or Alley: Southwest corner White Avenue at Seventeenth Street  
 To be closed from: a 25 foot radius  
 To be closed to: a zero radius

Original Print Date: 8/16/2013      Revised:  
 Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

Petitioner: Michael Brady Inc.

Map No: 108

Jurisdiction: City



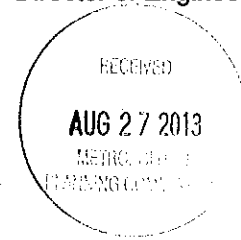


CITY OF KNOXVILLE

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

August 16, 2013

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



SUBJECT: Closure of a portion of White Ave and S Seventeenth St  
MPC File # 9-D-13-SC; City Block 10343

Mr. Brusseau:

The City Engineering Department has no objections to close the above described right-of-way areas provided the following conditions, subject to City Engineering approval, are met:

1. The applicant shall provide a sight distance certification accounting for the proposed closed area and sight development that meets the requirements of the City Engineering Department.
2. The applicant shall furnish a survey exhibit map, certified by a licensed surveyor, adequately describing the closure area for descriptive purposes. The map shall be on legal size paper and is due no later than **October 10, 2013**.
3. The applicant shall have one (1) year to complete conditions listed above, unless otherwise stated in a particular item, or the closure shall be considered null and void and of no effect.
4. The closing ordinance shall state that this closure shall become effective only after the Engineering Department has provided written verification, to the City Recorder, that conditions have been satisfactorily met.
5. 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.

Sincerely,

*Benjamin D. Davidson*

Benjamin D. Davidson, PLS, Technical Services Administrator, Department of Engineering  
Ph: 865-215-2148

C: Brentley J. Johnson, P.E., R.L.S., Engineering Planning Chief  
Christopher S. Howley, P.E., Plans Review and Development Inspections

9-D-13-SC cor KUB



Knoxville Utilities Board

August 19, 2013



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 9-D-13-SC  
Block No. 10343  
CLT No. 108  
Parcel No. 23.02**

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

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.

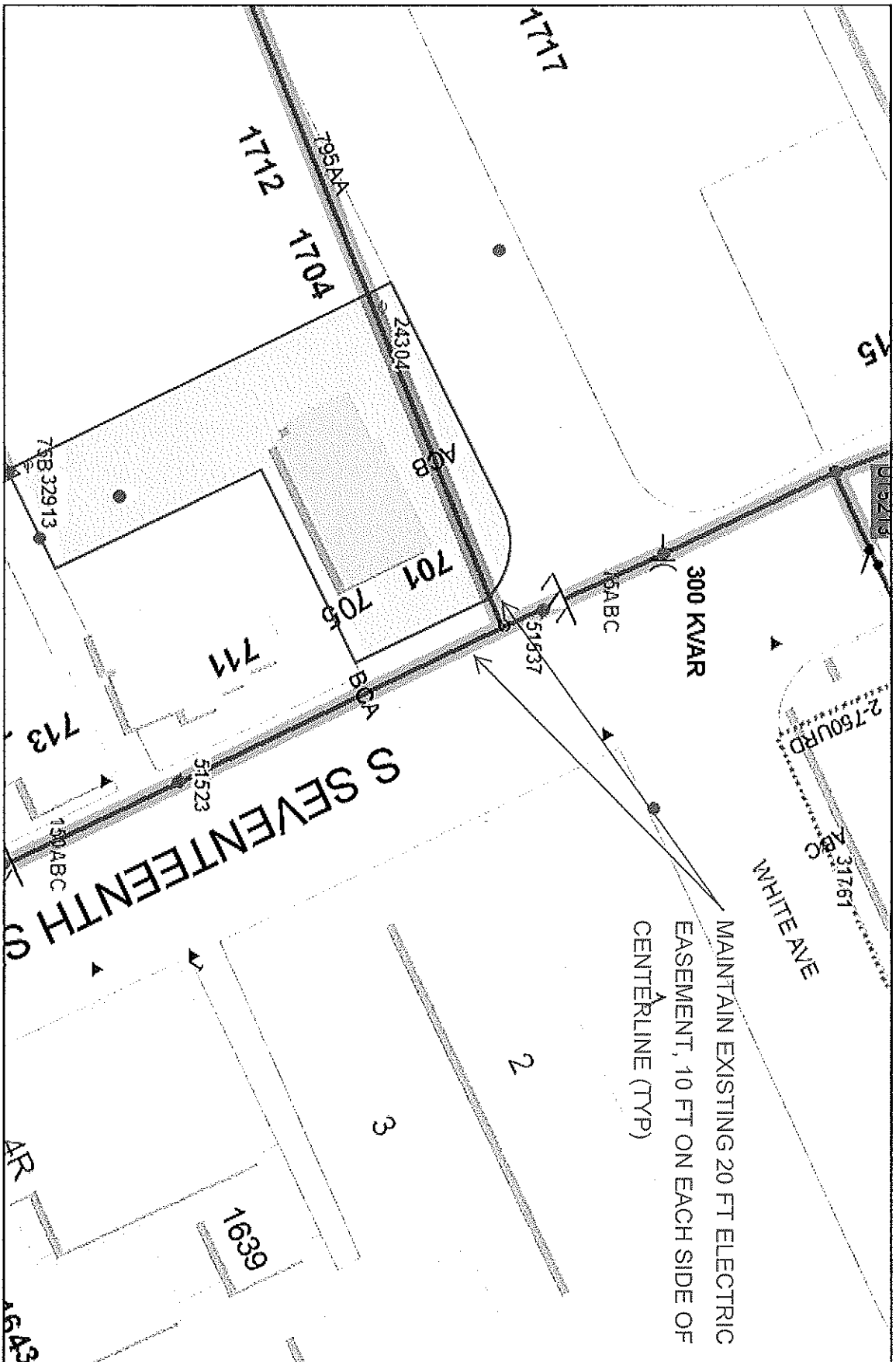
Sincerely,

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

Greg L. Patterson, P.E.  
Engineering

GLP/ggt

Enclosure



File No. 9-D-13-SC

Parcel #23.02

White Ave @ Seventeenth St

(Electric)

OLT Map #108

City Block #10343

Printed: 02/18/2013 15:18 PM



Knowledge Utilities Board

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