

CITY OF KNOXVILLE CLOSURE OF PUBLIC RIGHT-OF-WAY

► FILE #: 9-A-20-AC	AGENDA ITI	EM #: 5
POSTPONEMENT(S):	9/10/2020, 10/8/2020, 11/12/2020 AGENDA DA	ATE: 12/10/2020
► APPLICANT:	MIKE SOUEID	
TAX ID NUMBER:	107 N/A	/iew map on KGIS
JURISDICTION:	Council District 6	
SECTOR PLAN:	Central City	
GROWTH POLICY PLAN:	Inside City limits	
ZONING:	RN-2 (Single-Family Residential Neighborhood)	
WATERSHED:	Third Creek	
 RIGHT-OF-WAY TO BE CLOSED: 	Unnamed Alley between Knott Ave. & Cate Ave.	
	Unnamed Alley between Knott Ave. & Cate Ave. Between Pilkay Rd and Third Creek	
CLOSED:	-	
CLOSED: LOCATION:	-	
CLOSED: • LOCATION: IS ALLEY:	Between Pilkay Rd and Third Creek	
CLOSED: LOCATION: IS ALLEY: (1) IN USE?:	Between Pilkay Rd and Third Creek	lley. Its current

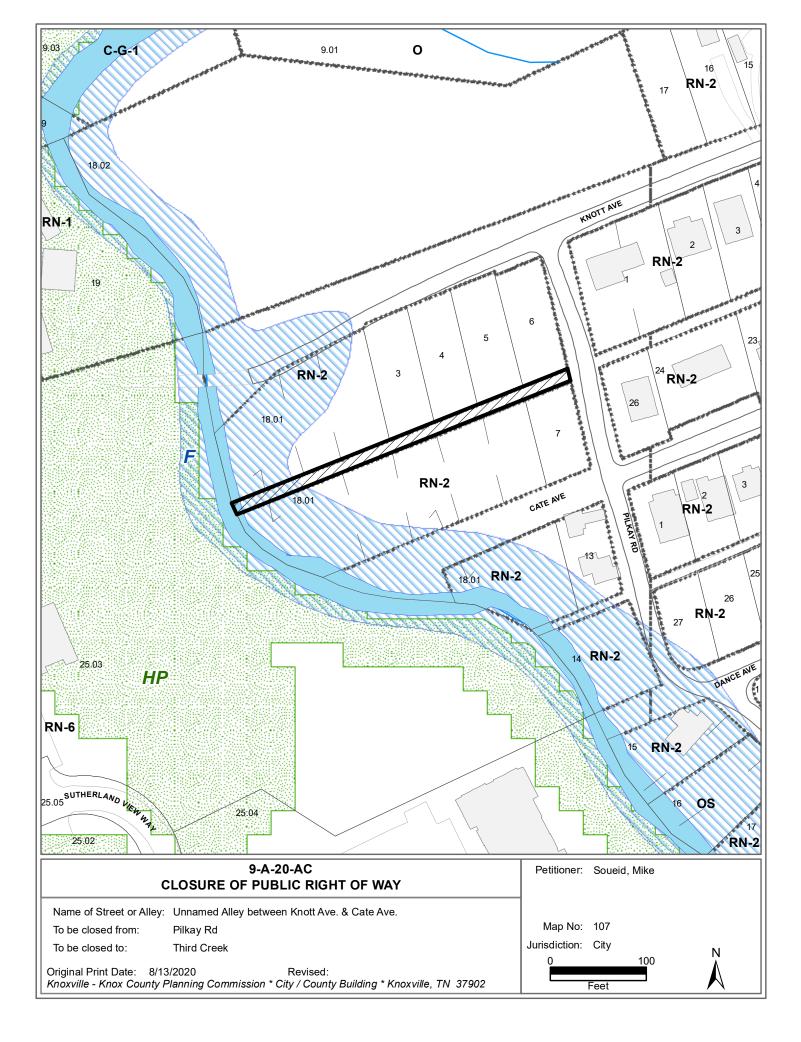
STAFF RECOMMENDATION:

• Postpone this application for 90 days to the March, 2020 Planning Commission meeting.

This right-of-way closure request is related to an application for a rezoning, sector plan amendment, and One Year Plan amendment affecting several parcels spanning two city blocks that will be heard at the January 10, 2021 Planning Commission meeting. If the rezonings and plan amendments are approved, they will proceed to City Council in February, with the second reading taking place at the end of the month. Postponing the right-of-way closure request until the March meeting allows the applicant more time to acquire the final signature needed on the canvass form. If the rezonings and plan amendments are denied, the right-of-way closure requests could be subsequently withdrawn or denied.

If approved, this item will be forwarded to Knoxville City Council for action on 1/12/2021 and 1/26/2021. If denied, Knoxville-Knox County Planning Commission'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 a Planning Commission decision in the City.

AGENDA ITEM #: 5	FILE #: 9-A-20-AC	11/30/2020 12:31 PM	MICHELLE PORTIER	PAGE #:	5-1





[Planning Applications] Rezoning Request

Fri, Aug 17, 2020 at 2:12 PM

20 messages

Michelle Portier <michelle.portier@knoxplanning.org> To: Timothy J Howell <tim@tnlds.com>

Hi Timothy,

Both of these rezonings will require sector plan amendments as well. The current sector plan (a.k.a. future land use map) has these properties designated as TDR, which does not allow RN-6 zoning.

To include the sector plan amendment, you can check that box on the top of the application (right above where you have checked Rezoning), and fill out the sector plan area (also with the rezoning) on the 2nd page of the application. RN-6 is only allowed in the HDR (High Density Residential) land use class, so you will need to ask for that, and put something in there about multifamily development and the density you are looking for.

Also, for the ROW closures you are requesting in September, we are missing the signature of the development on the other side of the creek to the west (Sutherland Park). You can add that name and signature to the existing page 2 with the rest of the signatures, assuming you still have a copy of that. Let me know if you don't.

If you have any questions, please let me know. Michelle

On Sat, Aug 15, 2020 at 6:55 AM Timothy J Howell <tim@tnlds.com> wrote: [Quoted text hidden]

[Quoted text hidden]

Michelle Portier <michelle.portier@knoxplanning.org> To: Timothy J Howell <tim@tnlds.com> Fri, Aug 21, 2020 at 10:01 AM

Timothy,

I wanted to reach out regarding the signatures on the ROW closure cases to make sure you saw that in my last email. Let me know if you have any questions on that or the application.

Michelle [Quoted text hidden]

Timothy J Howell <tim@tnlds.com> To: Michelle Portier <michelle.portier@knoxplanning.org> Fri, Aug 21, 2020 at 10:04 AM

I did see it. I have been dealing with a lot here but I will see if I still have the paper copies to get it signed. If not, can print the signature page, have the owner to get it signed, then bring send it to you to attach to the original?

Respectfully,

Timothy J Howell

TN Registered Land Surveyor #2263 TN Rule 31 Listed General Civil Mediator *Tennessee Land Development Services* mobile (865) 742-2557 Twitter | Linkedin | facebook With few exceptions, scheduling a survey is more putting the job in a queue rather than fitting it into a time slot on a specific day.

Click here to understand scheduling Click here for what is included in a land survey

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Any progress on that signature? Our documentation gets uploaded to the website and packets go out to Commissioners

[Quoted text hidden]

Michelle Portier <michelle.portier@knoxplanning.org> To: Timothy J Howell <tim@tnlds.com>

Yes, that's fine. Thank you.

[Quoted text hidden]

Mr. Howell,

Thank you, Michelle

[Quoted text hidden]

Michelle Portier <michelle.portier@knoxplanning.org> To: Timothy J Howell <tim@tnlds.com> Mon, Aug 31, 2020 at 2:36 PM

Fri, Aug 21, 2020 at 10:53 AM

Mon, Aug 31, 2020 at 3:15 PM

Timothy J Howell <tim@tnlds.com>

this Friday. Do you think you can send it to me by this Thursday?

To: Michelle Portier <michelle.portier@knoxplanning.org>

I am reaching out to my client now to see if he has had any luck getting the signature.

Respectfully,

Timothy J Howell

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I hope to have you that signature(s) soon.

Attached are the rezoning requests (along with sector change requests).

You had specified that I needed to request it to be HDR, but I matched the adjoining MDR/RN-6 property (to avoid pocket zoning/sectoring). If this will not meet our request, please let me know and I will make it HDR instead.

Respectfully,

Timothy J Howell

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On 8/31/2020 2:36 PM, Michelle Portier wrote: [Quoted text hidden]

2 attachments

Page 2879K

Page 2852K

Michelle Portier <michelle.portier@knoxplanning.org> To: Timothy J Howell <tim@tnlds.com> Tue, Sep 1, 2020 at 10:36 AM

The MDR land use does not support the RN-6 zone. There are some anomalies out there from when we adopted a new zoning ordinance that took effect on January 1, 2020, and that is the case in this situation. You will need to request the HDR land use classification.

[Quoted text hidden]

Timothy J Howell <tim@tnlds.com> To: Michelle Portier <michelle.portier@knoxplanning.org>

Ok, here are the apps with HDR

Respectfully,

Timothy J Howell

TN Registered Land Surveyor #2263 TN Rule 31 Listed General Civil Mediator *Tennessee Land Development Services* mobile (865) 742-2557 Twitter | Linkedin | facebook

With few exceptions, scheduling a survey is more putting the job in a queue rather than fitting it into a time slot on a specific day

Tue, Sep 1, 2020 at 11:33 AM

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[Quoted text hidden]

2 attachments	
<mark>™ Rezone RN-1</mark> . 2938K	pdf
₽ Rezone RN-2. 2911K	pdf
Michelle Portier <mi< td=""><td>chelle.portier@knoxplanning.org></td></mi<>	chelle.portier@knoxplanning.org>

Bcc: Amy Brooks <amy.brooks@knoxplanning.org>

Thu, Sep 3, 2020 at 4:34 PM

Mr. Howell,

Regarding the requests to close the rights-of-way, we will need to recommend postponement of both requests since we do not yet have the last signature on the canvass form. It would be heard at the October meeting.

Thank you, Michelle [Quoted text hidden]

Timothy J Howell <tim@tnlds.com> To: Michelle Portier <michelle.portier@knoxplanning.org> Thu, Sep 3, 2020 at 5:06 PM

Thanks. We have been having trouble tracking down an actual person who can sign.

Respectfully,

Timothy J Howell

TN Registered Land Surveyor #2263 TN Rule 31 Listed General Civil Mediator *Tennessee Land Development Services* mobile (865) 742-2557 Twitter | Linkedin | facebook

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Memo

AUGUST 5, 2020

Knoxville Utilities Board Danny Beeler, Fire Marshal Steve Borden, Regional Director, TN Dept. of Transportation Harold Cannon, Director, Department of Engineering Steve King, Department of Engineering Sonny Partin, Plans Reviewer, Fire Department Shannon Sims, AT&T Ben Davidson, Department of Engineering Charlotte Goforth, Department of Engineering

From: Michelle Portier, Senior Planner, Knoxville-Knox County Planning

RE: REQUEST CLOSURE OF UNNAMED ALLEY BETWEEN PILKAY RD. AND THIRD CREEK AND BISECTING CITY BLOCK 50810, COUNCIL DISTRICT 6, CENTRAL CITY SECTOR. (9-A-20-AC)

Please give us the following information in writing regarding this proposed closure if your agency has an objection, or any conditions you wish considered with this request:

- **1** Is there any present or anticipated future need for this street/alley which in your opinion would warrant retaining it for public use?
- 2 What present use does it serve?
- **3** What future use is anticipated?
- **4** Do you oppose closing (vacating) it?
- 5 If closed (vacated), would easements meet your needs?
- 6 If easement will meet needs, please state easements required.

This request will be considered by the Knoxville-Knox County Planning Commission on September 10, 2020. A map showing the street or alley in question is attached for your information.

PLEASE NOTE: Failure to reply to our office by Monday, August 24, 2020 will be considered as no objection by your agency.

C: Amy Brooks, Interim Executive Director, Knoxville-Knox County Planning Attachment: Application



CITY OF KNOXVILLE



Engineering Benjamin D. Davidson, PLS Technical Services Administrator

August 20, 2020

Knoxville-Knox Planning City-County Building, Suite 403 Knoxville, Tennessee 37902

SUBJECT: Closure of unnamed alley MPC File # 9-A-20-AC; City Block 50810

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 there are any current facilities**, located in or within five (5) feet of the property described herein. No easements are reserved if there are no current facilities within the closure area. If any existing 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,

Bangami Q. Davidor

Benjamin D. Davidson, PLS, Technical Services Administrator Technical Services/Department of Engineering Ph: 865-215-2103



Dori Caron <dori.caron@knoxplanning.org>

September 2020 ROW closures: 9-A-20-AC and 9-A-20-SC

Sonny Partin <spartin@knoxvilletn.gov> To: Dori Caron <dori.caron@knoxplanning.org> Wed, Aug 5, 2020 at 2:57 PM

Dori,

Our office has reviewed the two applica ons and have approved for fire dept access.

Sonny

Asst. Chief Sonny Par n, CFPS

Deputy Fire Marshal

Knoxville Fire Department

400 Main St. Suite 462

Knoxville, Tn. 37902

865-215-2283 Office

August 24, 2020

Michelle Portier Knoxville-Knox County Metropolitan Planning Commission Suite 403, City-County Building Knoxville, Tennessee 37902

Dear Ms. Portier:

Re: Right-of-Way Closure Request 9-A-20-AC

We have reviewed our records and find that we have existing utility facilities located within the subject right-of-way. The approximate locations of these facilities are 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 facilities.

Sewer - 12.5 feet on each side of the centerline of the sewer line, 25 feet total width

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

Sincerely,

bliti Wil

Christian Wiberley, PE Engineering

CGW





Dori Caron <dori.caron@knoxplanning.org>

September 2020 ROW closures: 9-A-20-AC and 9-A-20-SC

Steve Borden <Steve.Borden@tn.gov> To: Dori Caron <dori.caron@knoxplanning.org> Tue, Aug 18, 2020 at 4:22 PM

TDOT D18 Operations has no comment on either one.



Steven M. Borden, P.E. | Director/Assistant Chief Engineer

TDOT – Region 1

7345 Region Lane

Knoxville, TN 37914

(865) 594-2400

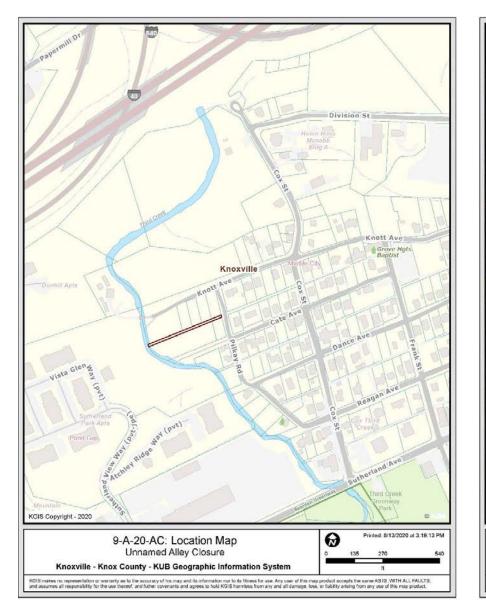
Steve.Borden@tn.gov

tn.gov/tdot

From: Dori Caron <dori.caron@knoxplanning.org> Sent: Wednesday, August 5, 2020 9:20 AM

[Quoted text hidden]

9-A-20-AC Exhibit A. Contextual Images





	RIGHT-OF-WAY CLOSURE
Planning	Name of Applicant: Mille Socieic
KNOXVILLE KNOX COUNTY	Date Filed:7/20/20 Fee Paid: File Number:9-A-20-AC
	Map Number: 107 Zoning District: RN-2 🛛 City 🗆 County Sector : Central City
	Jurisdiction: 🛛 City6th Council District
INFORMATION:	
Type of Right-of-Way: Location of Right-of-W BETWEEN (City Block or AND (City Block or Lot Right-of-Way is: In	Vay: bisecting 50810 where appropriate)
Reason for Closure: U Sides of this	ve are consolidating a bunch of lots and own both Alley. Its current layout is not condusive to development
TO BE CLOSED: From: (Street, Alley, Oth Alley From E	
Belween Knot	trave è Crate Ave.
ALL CORRESPONDENCE	E RELATING TO THIS APPLICATION SHOULD BE SENT TO:
Tim Houx II 1707 A Name: (Print) Ad	URidge Cf Seulerville, TN 37862 805-742-2557 fime fulds. con ddress City State Zip Phone Email
AUTHORIZATION OF A	PPLICATION:
in this request or holde Mille Scueid (1994)	Signature: E Signature: E Girazela Cir Boca Raton FL 33433 561-271-2557 mille. Societ @ gmail.
APPLICATION ACCEPTE	
	Michelle Portier

m

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
Ø Knott Ave Ø Knott Ave Ø Knott Ave Ø Knott Ave Ø Knott Ave Ø Pilkay Rd	6/30-		
& Knott Ave	+96-10-		
@ Knott Ave	750		
@ Knot Ave	6650		
alboot Ave	- 60		
& Pilkay Rd	SK ()		
p many pos			
4			
			Contraction Man

