

CITY OF KNOXVILLE CLOSURE OF PUBLIC RIGHT-OF-WAY

► **FILE #:** 10-A-21-AC

AGENDA ITEM #: 5

AGENDA DATE: 10/14/2021

► **APPLICANT:** JOHN DENDRINOS

TAX ID NUMBER:	69 E B 016	View map on KGIS
JURISDICTION:	Council District 4	
SECTOR PLAN:	East City	
GROWTH POLICY PLAN:	N/A	
ZONING:	RN-1 (Single-Family Residential Neighborhood)	
WATERSHED:	First Creek	

► **RIGHT-OF-WAY TO BE CLOSED:** Unnamed Alley

► **LOCATION:** Between the southeastern side of 069EB01502 and the southeast corner of parcel 069EB017

IS ALLEY:

(1) IN USE?: no

(2) IMPROVED (paved)?: no

► **APPLICANT'S REASON FOR CLOSURE:** For the purpose of updating their survey and wanting to include a portion of the unused alley.

DEPARTMENT-UTILITY REPORTS:	The City's Engineering Department, and KUB have requested to retain any easements that may be in place should this closure be approved.
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STAFF RECOMMENDATION:

► **Approve closure of the unnamed alley from the southeastern side of parcel 069EB01502 to the southeast corner of parcel 069EB017 since it is undeveloped and is not in use.**

COMMENTS:

1. This unnamed alley runs about 650-ft from the southeast corner of parcel 069EB01502 to the south-east corner of parcel 069EB023. However, the applicant has requested only partial closure of the alley from parcel 069EB01502 to the southeast corner of parcel 069EB017 (about 175-ft) for the purpose of updating their survey and wanting to incorporate this into their property.

2. This section of undeveloped alleyway is not being utilized by any of the adjoining properties.

3. Should the alley be closed; the land would be divided amongst adjacent property owners.

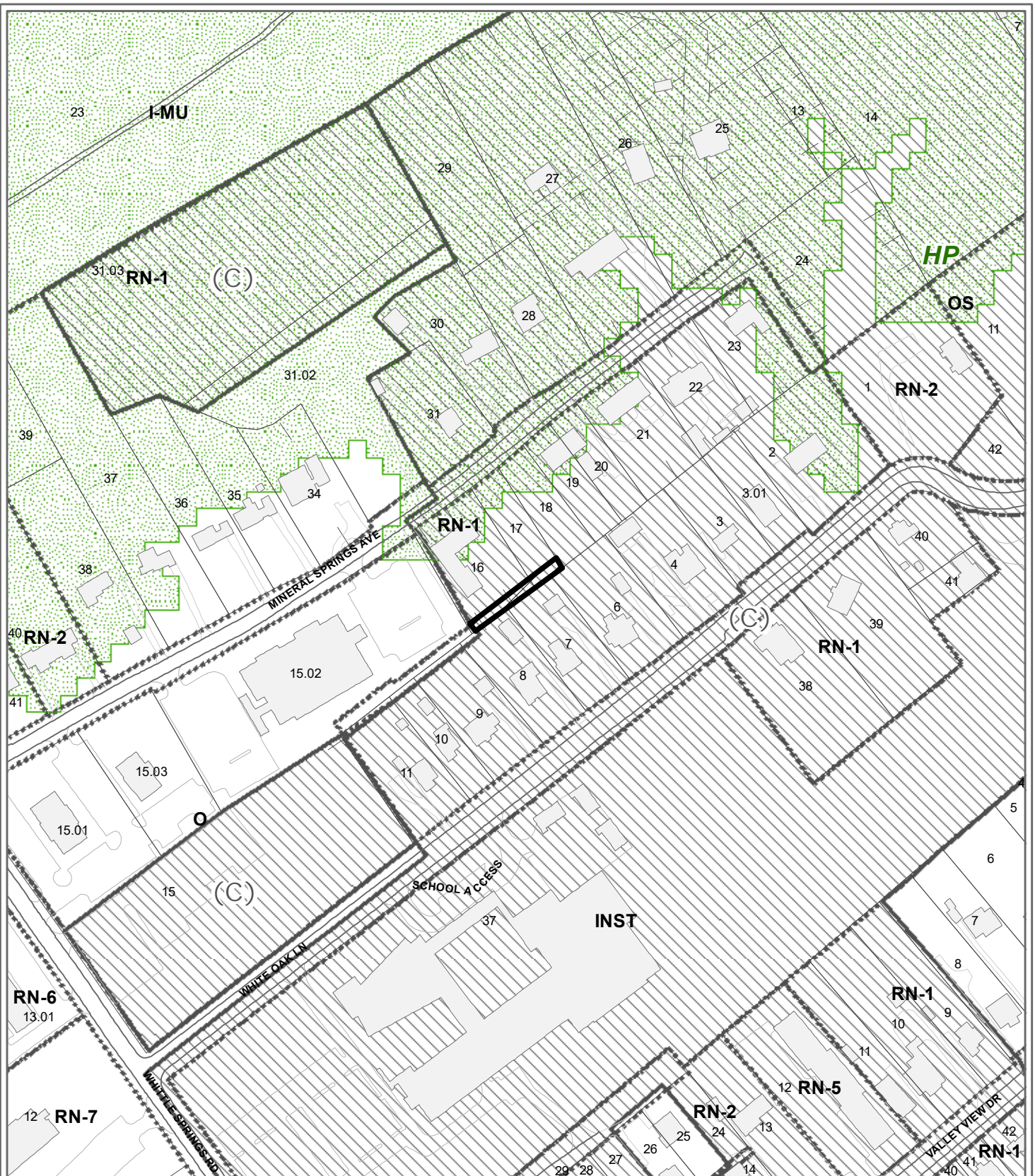
4. There have been no objections to the closure; however staff have received comments from the following departments and organizations.

a. KUB: 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 objections to the requested closure. However, KUB does not release and hereby retains all easements and rights for existing facilities, whether or not identified in our research.

b. TDOT Operations has no comment on this ROW closure request.

c. The City Engineering Department has no comments regarding the above reference right-of-way closure application. However, should this right-of-way be closed, the City will reserve easements for all drainage facilities or utilities, if there are any current facilities, located in or within (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.

If approved, this item will be forwarded to Knoxville City Council for action on 11/16/2021 and 11/30/2021. 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.



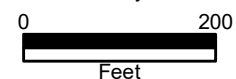
**10-A-21-AC
CLOSURE OF PUBLIC RIGHT OF WAY**

Name of Street or Alley: Unnamed Alley
 To be closed from: the eastern side of 069EB01502
 To be closed to: the southeast corner of parcel 069EB017

Original Print Date: 9/9/2021 Revised:
 Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

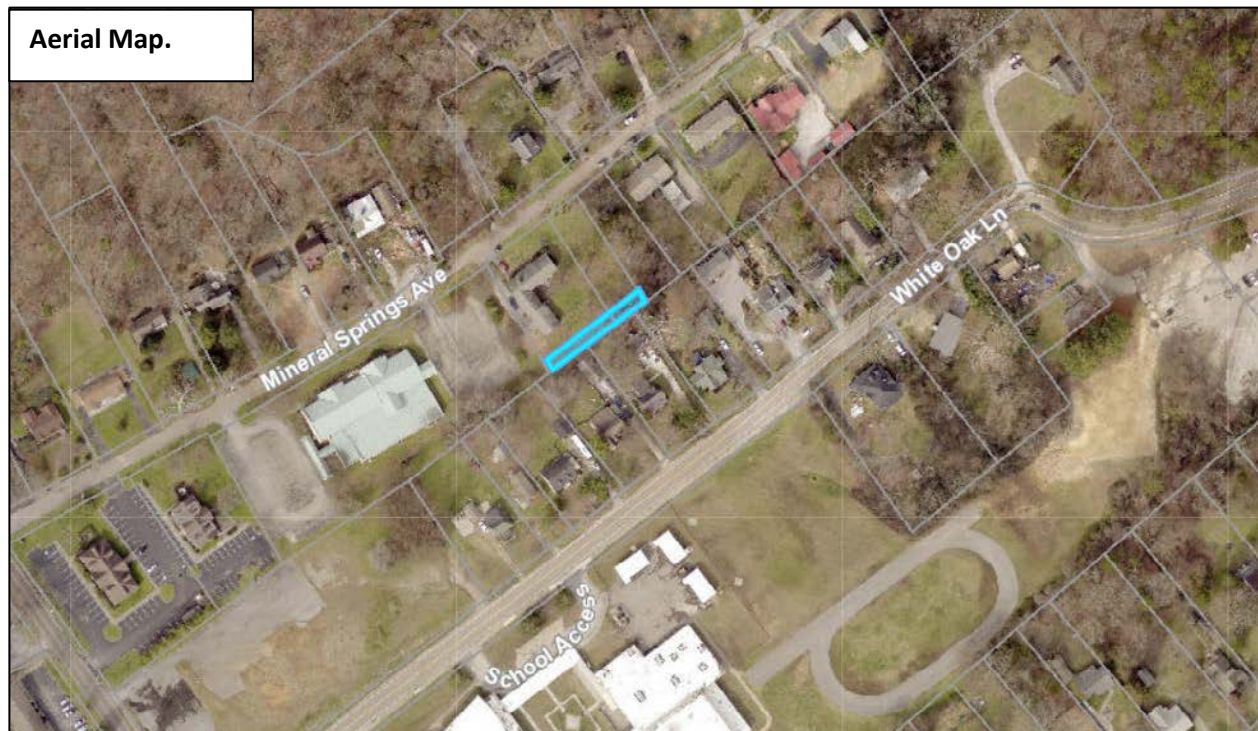
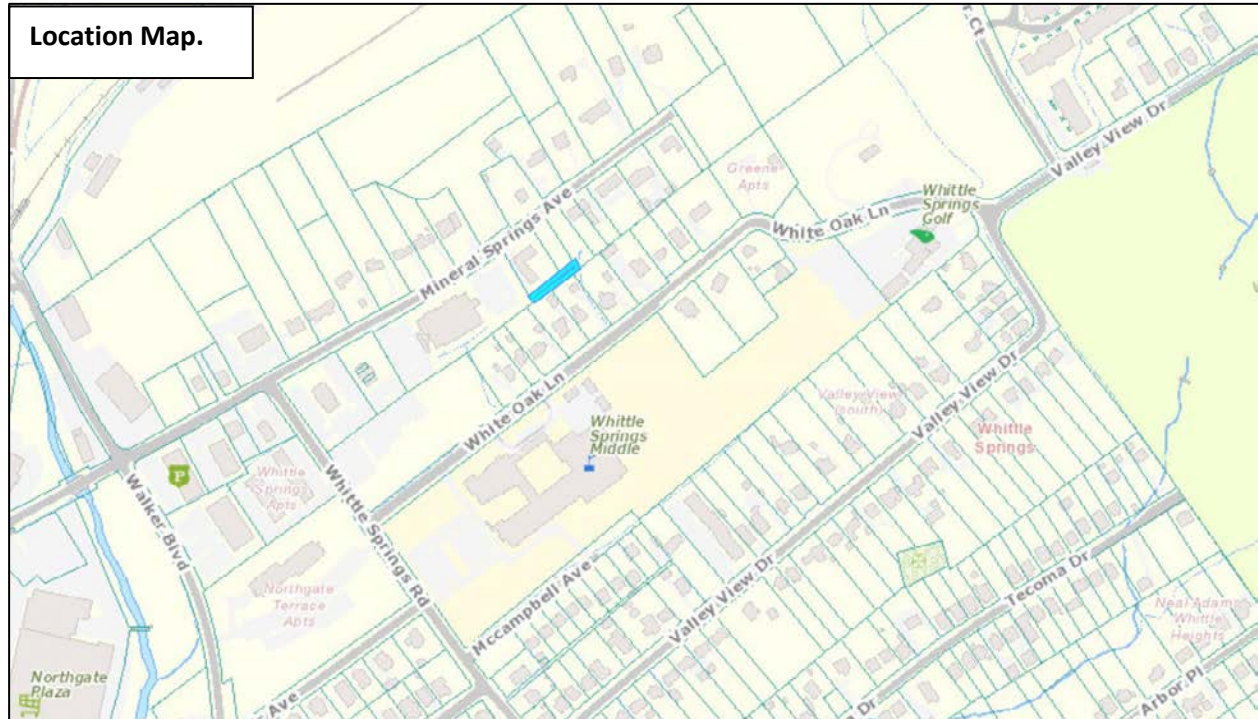
Petitioner: Dendrinis, John

Map No: 69
 Jurisdiction: City



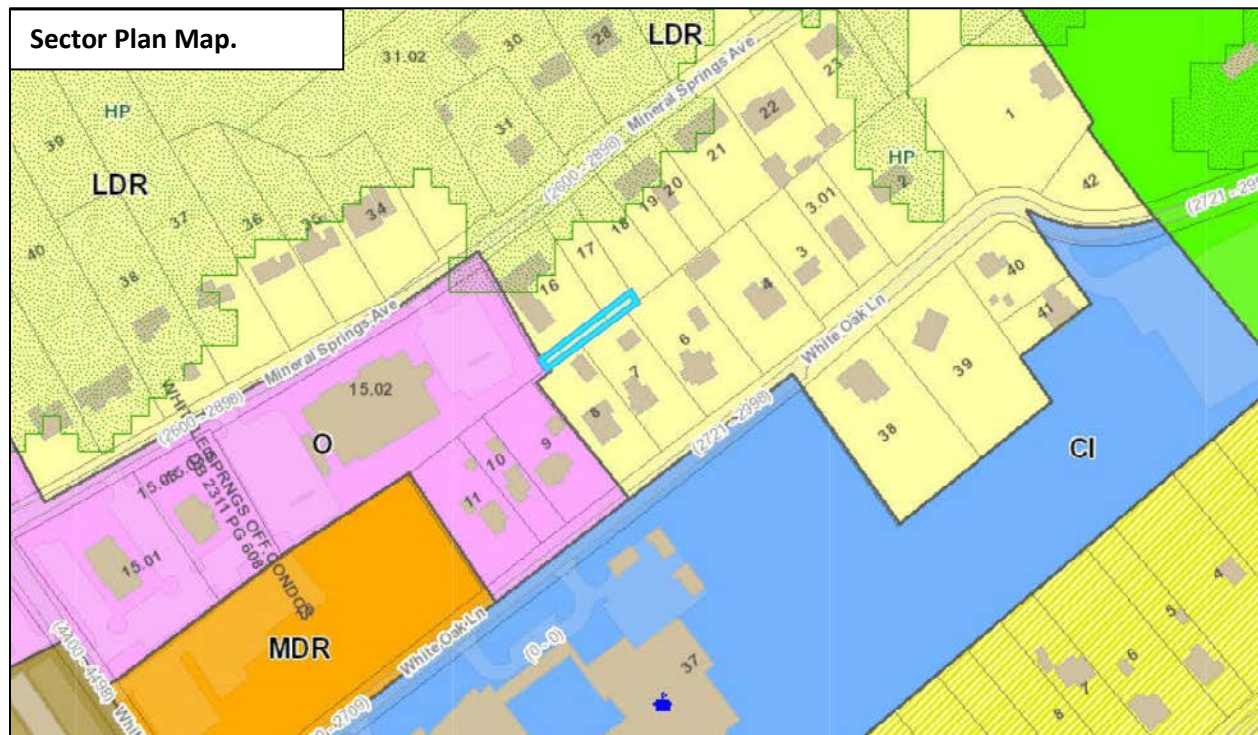
10-A-21-AC

EXHIBIT A. Contextual Images



10-A-21-AC

EXHIBIT A. Contextual Images



10-A-21-AC

EXHIBIT A. Contextual Images

Eagle Eye View of Ally.



SEPTEMBER 14, 2021

Knoxville Utilities Board
Steve Borden, Regional Director, TN Dept. of Transportation
Harold Cannon, Director, Department of Engineering
Steve King, Department of Engineering
Sonny Partin, Fire Marshall
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 BEHIND 2802 MINERAL
SPRINGS AVE. AND EXTENDING APPROXIMATELY 50 FEET EASTWARD.
(10-A-21-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 October 14, 2021. A map showing the street or alley in question is attached for your information.

PLEASE NOTE: Failure to reply to our office by Monday, September 27, 2021 will be considered as no objection by your agency.

C: Amy Brooks, Executive Director, Knoxville-Knox County Planning
Jeanne Stevens, Planning Services Manager, Knoxville-Knox County Planning
Levan King Cranston, Planner, Knoxville-Knox County Planning

Attachment: Application Knoxville-Knox County Planning



CITY OF KNOXVILLE

Engineering
Benjamin D. Davidson, PLS
Technical Services Administrator

September 16, 2021

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

SUBJECT: Closure an unnamed alley
MPC File # 10-A-21-AC; City Block 16962

The City Engineering Department has no comments regarding the above referenced right-of-way closure application.

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,

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



Dori Caron <dori.caron@knoxplanning.org>

ROW closure for the October 14, 2021 Planning Commission meeting 10-A-21-AC

Steve Borden <Steve.Borden@tn.gov>
To: Dori Caron <dori.caron@knoxplanning.org>

Mon, Sep 20, 2021 at 4:15 PM

TDOT Operations has no comment on this ROW closure request (10-A-21-AC).



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: Tuesday, September 14, 2021 3:42 PM

To: Amy Brooks <amy.brooks@knoxplanning.org>; Ben Davidson <bdavidson@knoxvilletn.gov>; Charlotte Goforth <cgoforth@knoxvilletn.gov>; Christian Wiberley <Christian.Wiberley@kub.org>; Harold Cannon <hcannon@knoxvilletn.gov>; Jeanne Stevens <jeanne.stevens@tn.gov>; Laura Edmonds

9/20/21, 4:16 PM

Knoxville - Knox County Planning Mail - ROW closure for the October 14, 2021 Planning Commission meeting 10-A-21-AC

<laura.edmonds@knoxplanning.org>; Levan King Cranston <levan.kingcranston@knoxplanning.org>; Michelle Portier <michelle.portier@knoxplanning.org>; Shannon Sims <ss3775@att.com>; Sonny Partin <spartin@knoxvilletn.gov>; Steve Borden <Steve.Borden@tn.gov>; Steve King <sking@knoxvilletn.gov>
Subject: [EXTERNAL] ROW closure for the October 14, 2021 Planning Commission meeting 10-A-21-AC

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

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a

September 16, 2021

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 10-A-21-AC

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 facilities, whether or not identified in our research.

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

Sincerely,



Christian Wiberley, PE
Engineering

CGW



Dori Caron <dori.caron@knoxplanning.org>

ROW closure for the October 14, 2021 Planning Commission meeting 10-A-21-AC

Sonny Partin <spartin@knoxvilletn.gov>
To: Dori Caron <dori.caron@knoxplanning.org>

Wed, Oct 13, 2021 at 10:18 AM

Dori,

The October ROW closure is approved by fire.

Asst. Chief Sonny Partin, CFPS

Fire Marshal

Knoxville Fire Department

400 Main St. Suite 446

Knoxville, Tn. 37902

865-215-2283 Office

From: Dori Caron <dori.caron@knoxplanning.org>

Sent: Tuesday, September 14, 2021 3:42 PM

To: amy.brooks@knoxplanning.org; Ben Davidson <bdavidson@knoxvilletn.gov>; Charlo e Goforth <cgoforth@knoxvilletn.gov>; Chris an Wiberley <Christian.Wiberley@kub.org>; Harold Cannon <hcannon@knoxvilletn.gov>; Jeanne Stevens <jeanne.stevens@tn.gov>; Laura Edmonds <laura.edmonds@knoxplanning.org>; Levan King Cranston <levan.kingcranston@knoxplanning.org>; Michelle Porter <michelle.portier@knoxplanning.org>; Shannon Sims <ss3775@att.com>; Sonny Partin <spartin@knoxvilletn.gov>; Steve Borden <steve.borden@tn.gov>; Steve King <sking@knoxvilletn.gov>

Subject: ROW closure for the October 14, 2021 Planning Commission meeting 10-A-21-AC

Good afternoon everyone,

We only have one closure request for October. Attached.

Dori Caron

Senior Administrative Assistant

Direct Line: 865-215-2694

Email: dori.caron@knoxplanning.org

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RIGHT-OF-WAY CLOSURE

Name of Applicant: John Dendrinos
Date Filed: 8/17/2021 Fee Paid: _____ File Number: 10-A-21-AC
Map Number: 069 Zoning District: RN-1 ☒ City ☐ County Sector: East City Sector
Jurisdiction: ☒ City 4 Council District

INFORMATION:

Name of Right-of-Way: Un-named Alley
Type of Right-of-Way: ☐ Street ☒ Alley
Location of Right-of-Way:
BETWEEN (City Block or Lot where appropriate) South of Mineras Springs Ave and east of
AND (City Block or Lot where appropriate) Whittle Springs Rd
Right-of-Way is: In Use ☐ Yes ☒ No Improved (example: paved) ☐ Yes ☒ No
Reason for Closure: To clean up the plat to show the alley is not in use.

TO BE CLOSED:

From: (Street, Alley, Other)

From the eastern side of
069EB01502

To: (Street, Alley, Other)

The South-east corner of
parcel 069EB017

ALL CORRESPONDENCE RELATING TO THIS APPLICATION SHOULD BE SENT TO:

865-556-0183

John Dendrinos 1715 Maremont Rd Knoxville, TN 37918
Name: (Print) Address • City • State • Zip • Phone • Fax

AUTHORIZATION OF APPLICATION:

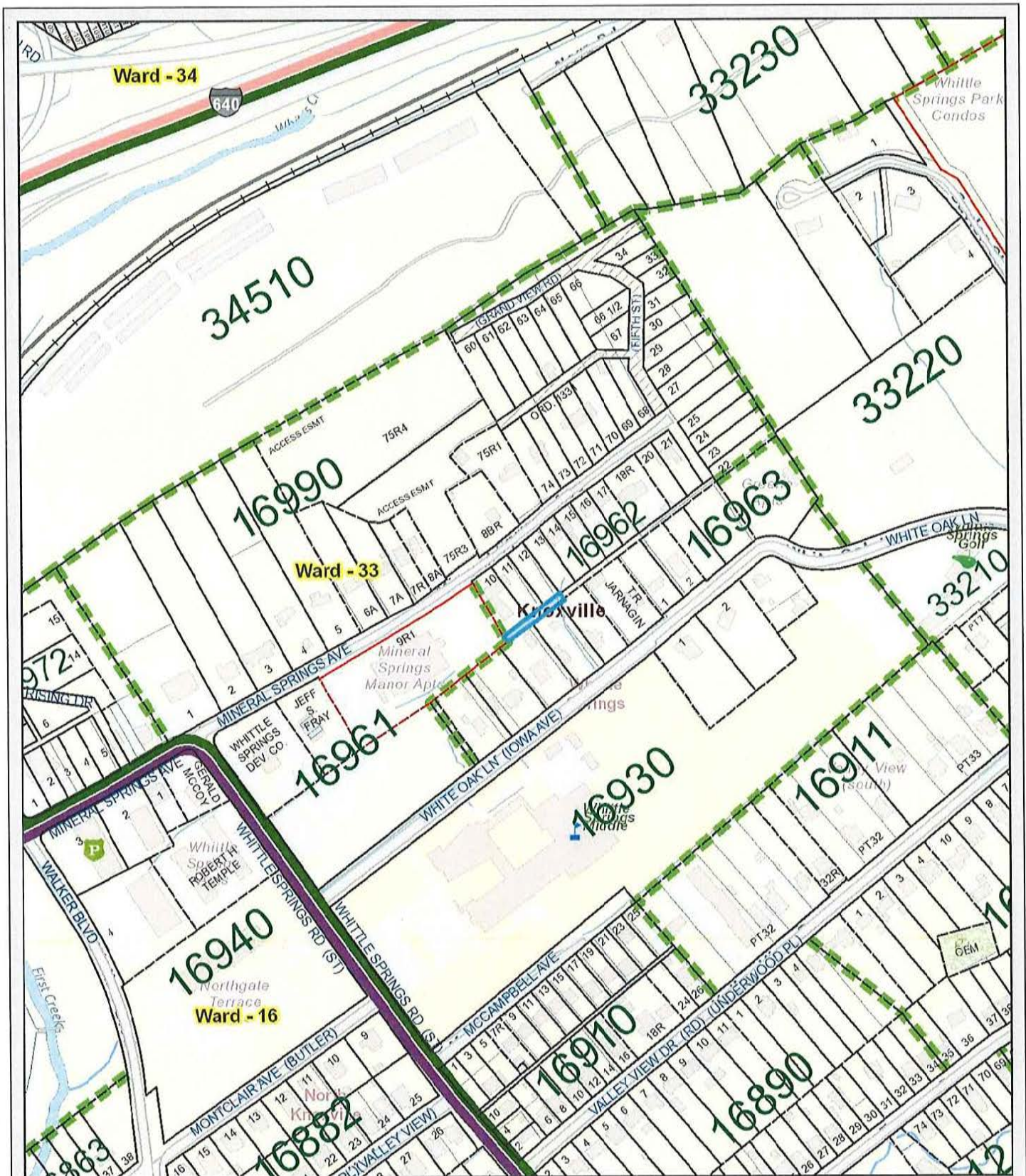
I hereby certify that I am the authorized applicant, or representing the applicant and ALL property owners involved in this request or holders of option on same.

Signature: _____

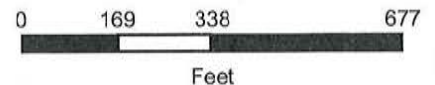
John Dendrinos 1715 Maremont Rd Knoxville, TN 37918

Name: (Print) Address • City • State • Zip • Phone • Fax

APPLICATION ACCEPTED BY: Levan King Cranston



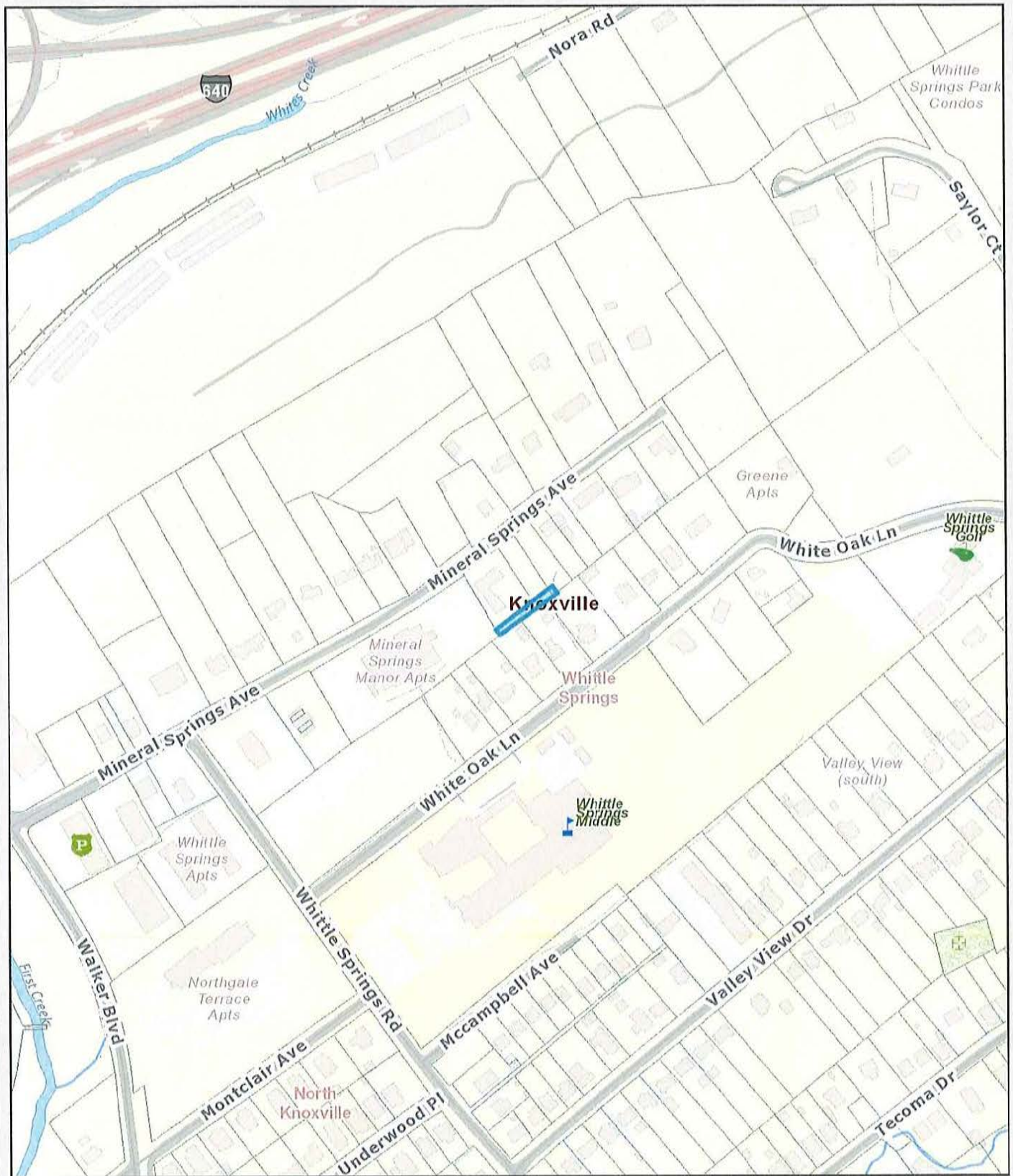
Location of Alley



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Printed: 8/17/2021 1:38:19 PM



Location of Alley



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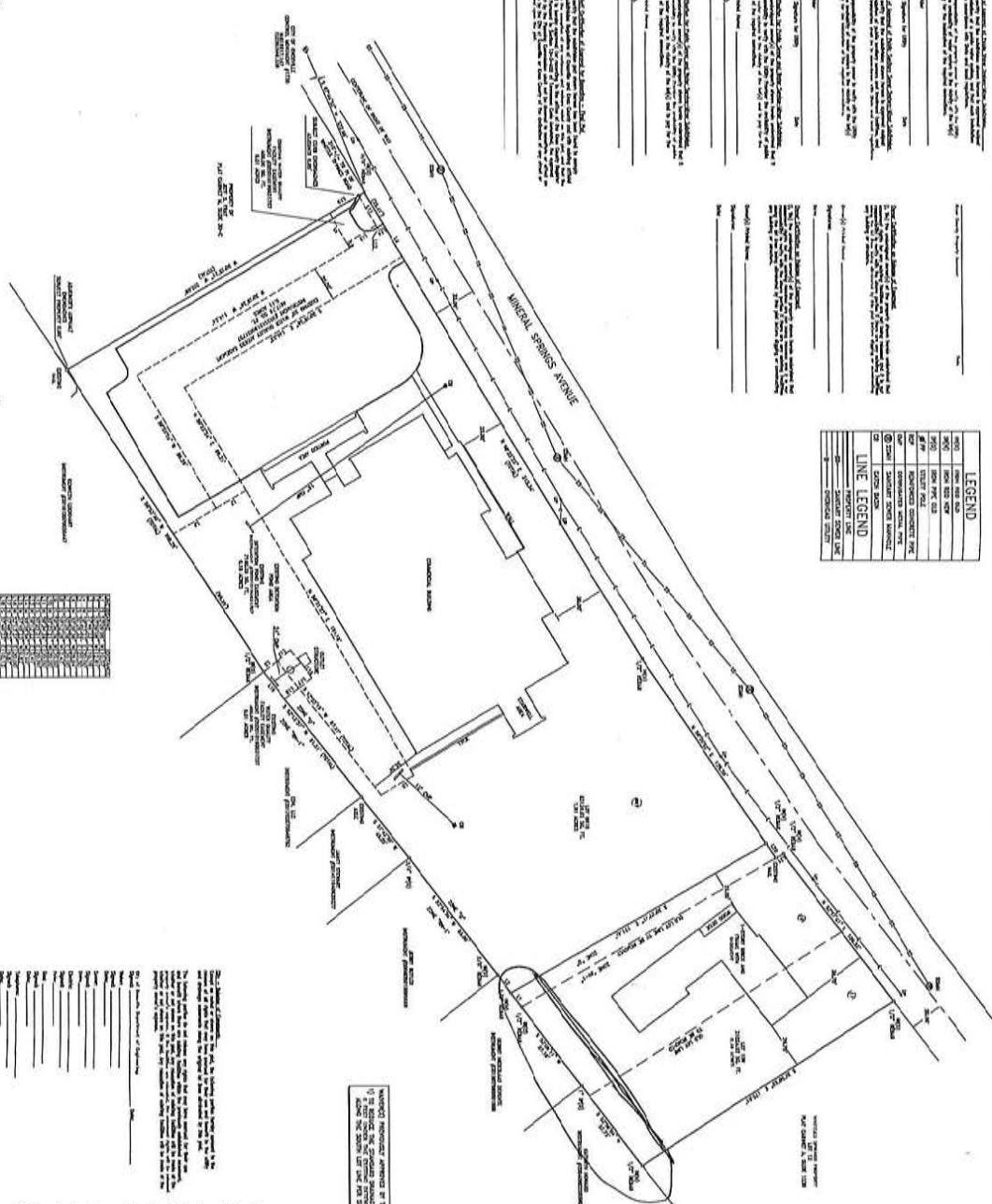
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1. Identify exactly what this is a category 1 survey and the risks of problems of the projected survey results (10/10/00) as given above. This answer has been prepared to be consistent with the standards of practice of local surveys in the State of Tennessee.

DATA: NA003(2011)

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LEGEND	
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RED	OPEN REE NEW
PRD	OPEN PRC OLD
NEW	STUDY PLOT
RED	ROADWAYS ACROSS PRC
NEW	ROADWAYS INTER. PRC
NEW	SANITARY ZONES WASTEC
NEW	WATER PLOTS
LINE LEGEND	
---	PERMIT LINE
---	SANITARY ZONES LINE
---	WATER PLOTS

[illegible]

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PROJECT NO. 21-088 ADDRESS: 21-088-000 SHEET NO. 1 OF 1 DATE: 6/1/78	<p>FINAL PLATS</p> <p>RESUBDIVISION OF</p> <p>LOT 10, SECTION 26, T4N, R10E, S4 1/4 OF SECTION 26, T4N, R10E, S4 1/4 OF SECTION 26, T4N, R10E, S4</p> <p>AND ONE QUARTER OF SECTION QUARTER, T4N, R10E, S4 1/4 OF SECTION 26, T4N, R10E, S4</p> <p>TO BE SITUATED IN THE CITY OF KANSAS, STATE OF KANSAS</p> <p>BY ROY L. ROTH, JR. SURVEYOR</p>
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Planning Commission Mtg: Oct. 14 @ 1:30 pm
City Council Mtgs. (2): Nov. 4th & 30th @ 6:00 pm

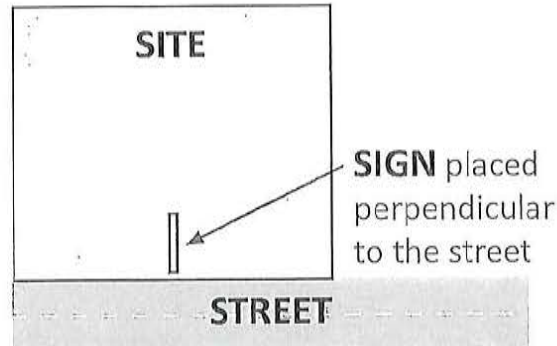


Planning
KNOXVILLE | KNOX COUNTY

Sign Posting & Removal Requirement

Revised April 2021

The Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission require a sign to be posted on the property for each application subject to consideration by the Planning Commission, including the following applications: rezoning, plan amendment, concept plan, use on review/special use, planned development, right-of-way closure, and name change.



The required public notice sign(s) will be provided by Planning to the applicant when an application is submitted. If an application is submitted electronically, Planning staff will post the required sign. If a replacement sign(s) is needed, the applicant is responsible for picking up the new sign(s) from Planning and will be charged \$10 for each replacement.

LOCATION AND VISIBILITY

The sign must be posted on the nearest adjacent/frontage street and in a location clearly visible to vehicles traveling in either direction. If the property has more than one street frontage, the sign should be placed along the street that carries more traffic. Planning staff may recommend a preferred location for the sign to be posted at the time of application.

TIMING

The sign(s) must be posted **not less than 12 days prior to the scheduled Planning Commission public hearing** and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted not less than 12 days prior to the next Planning Commission meeting. The applicant is responsible for removing the sign after the application has been acted upon by the Planning Commission.

The individual below is responsible for posting and removing the sign(s) provided consistent with the above guidelines and between the dates of:

September 29, 2021

and

October 15, 2021

(applicant or staff to post sign)

(applicant to remove sign)

Applicant Name: John Dendrinos

Date: 8/17/2021

File Number: 10-A-21-AC



Sign posted by Staff

Sign posted by Applicant