

CASE SUMMARY

APPLICATION TYPE: ROW CLOSURE



File Number: 9-A-21-SC Related File Number:
Application Filed: 7/22/2021 Date of Revision:
Applicant: BENCHMARK ASSOCIATES, INC.

PROPERTY INFORMATION

General Location:
Other Parcel Info.:
Tax ID Number: 121 N/A Jurisdiction: City
Size of Tract:
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use:
Surrounding Land Use:
Proposed Use: Density:
Sector Plan: West City Sector Plan Designation:
Growth Policy Plan:
Neighborhood Context:

ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

Street: Lakeland Dr.
Location: Between parcels 121EB004 and 121EB005 and running from Cherokee Blvd. and to Sequoyah Hills Park.
Proposed Street Name:
Department-Utility Report: The City's Engineering Department and KUB have requested to retain any easements that may be in place, plus a 15-ft wide easement to allow public access to Sequoyah Hills Park.
Reason: The adjoining property owners desire to make this a private drive formally. Thus, eliminating any burden for maintenance or liabilities associated with this area that is not being utilized by the public.

ZONING INFORMATION (where applicable)

Current Zoning: RN-1 (Single-Family Residential Neighborhood)
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category:

Requested Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

No. of Lots Proposed:

No. of Lots Approved: 0

Variances Requested:

S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.: The adjoining property owners desire to make this a private drive formally. Thus, eliminating any burden for maintenance or liabilities associated with this area that is not being utilized by the public.

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge: Levan King Cranston

Staff Recomm. (Abbr.): Approve closure of the right-of-way located at the south terminus of Lakeland Drive and south of Cherokee Boulevard, subject to providing a 15-ft wide easement for public access to the park and other easements specified.

Staff Recomm. (Full):

Comments:

1. This right-of-way is the south terminus of Lakeland Drive and runs the length between 2206 and 2142 Cherokee Boulevard. This right-of-way is a recorded-not built section of land and is partially paved for the purpose of a driveway.
2. This right-of-way is utilized by 2206 and 2142 Cherokee Boulevard and provides access to their private residences. A stop sign is posted at the end of the paved section where it intersects with Cherokee Boulevard.
3. In addition, this right-of-way provides a means of access to Sequoyah Hills Park located between Cherokee Boulevard and the Tennessee River. The public can also access Sequoyah Hills Park from two other access points located approximately 550-ft west, and 720-ft east when measured from the center of this ROW.
4. A number of residents have objected to the closure, saying that they use this ROW for access to Sequoyah Hills Park.
5. Staff has received comments from the following departments and organizations.
 - a. KUB: 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 easements for its utility facilities. Electric - 10 feet on each side of the centerline of the electric line, 20 feet total width.
 - b. City Engineering: 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 drainage and utility 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. The City will also require an additional 15-ft wide easement, centered in this ROW (7.5 ft to either side of the centerline of the ROW) to allow for pedestrian connection to the City's park.
 - c. City Parks and Recreation: This is an unimproved access into the park and appears not to have been used as an access by any of our city crews. We do not have an issue with the closure request. We have an access at the street east of Lakeland and at the park entrance by the bathrooms.
 - d. AT&T does not wish to relinquish any ROW or utility easements at this time.

Action: Approved

Meeting Date: 9/9/2021

Details of Action:

Summary of Action: Approve closure of the right-of-way located at the south terminus of Lakeland Drive and south of Cherokee Boulevard, subject to providing a 15-ft wide easement for public access to the park and other easements specified.

Date of Approval: 9/9/2021

Date of Denial:

Postponements:

Date of Withdrawal:

Withdrawn prior to publication?: Action Appealed?:

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council

Date of Legislative Action: 11/16/2021

Ordinance Number:

Disposition of Case: Withdrawn

If "Other":

Amendments:

Date of Legislative Appeal:

Date of Legislative Action, Second Reading:

Other Ordinance Number References:

Disposition of Case, Second Reading:

If "Other":

Amendments:

Effective Date of Ordinance: