

CITY OF KNOXVILLE CLOSURE OF PUBLIC RIGHT-OF-WAY

► **FILE #:** 4-B-22-SC

AGENDA ITEM #: 6

AGENDA DATE: 4/14/2022

► **APPLICANT:** CITY OF KNOXVILLE

TAX ID NUMBER: 121 N/A

[View map on KGIS](#)

JURISDICTION: Council District 2

SECTOR PLAN:

GROWTH POLICY PLAN: N/A

ZONING: RN-1 (Single-Family Residential Neighborhood)

WATERSHED: Tennessee River

► **RIGHT-OF-WAY TO BE CLOSED:** Lakeland Dr.

► **LOCATION:** Between southern line of Cherokee Boulevard and south terminus of Lakeland Drive

IS STREET:

(1) IN USE?: No

(2) IMPROVED (paved)?: No

► **APPLICANT'S REASON FOR CLOSURE:** Closure area would be subject to a reserved pedestrian easement for access to Sequoyah Hills Park. There is a private driveway with an asphalt surface within the area.

DEPARTMENT-UTILITY REPORTS:

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.

STAFF RECOMMENDATION:

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

COMMENTS:

During September of 2021, the applicant requested to close the same section of right-of-way (Case 9-A-21-SC). However, the applicant withdrew the application before the Knoxville City Council took action on the request. The City of Knoxville has since requested to reserve a pedestrian easement for access to Sequoyah Hills Park.

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 was recorded but never built and is partially paved as a shared driveway for the two residences.

2. 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 pedestrian access to Sequoyah Hills Park. The park can also be

accessed from two surface parking lots located approximately 550-ft to the west, and 720-ft to the east.

4. Staff has received comments from the following departments and organizations.

- a. AT&T will need to maintain an easement keeping access to the rear lot pole line via this path.
- b. Approved by the Knoxville Fire Department Fire Marshal.
- c. No address changes are anticipated if the proposed ROW closure is approved by the Planning Commission.

If approved, this item will be forwarded to Knoxville City Council for action on 5/17/2022 and 5/31/2022. 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.



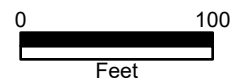
4-B-22-SC
CLOSURE OF PUBLIC RIGHT OF WAY

Name of Street or Alley: Lakeland Dr.
 To be closed from: Southern line of Cherokee Boulevard
 To be closed to: South terminus of Lakeland Drive

Original Print Date: 3/8/2022 Revised:
 Knoxville - Knox County Planning Commission * City / County Building * Knoxville, TN 37902

Petitioner: City of Knoxville

Map No: 121
 Jurisdiction: City



MARCH 11, 2022

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
James W. Wagner, AT&T
Ben Davidson, Department of Engineering
Charlotte Goforth, Department of Engineering

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

**RE: REQUEST CLOSURE OF LAKELAND DR. BETWEEN THE SOUTHERN LINE OF
CHEROKEE BLVD. AND THE SOUTH TERMINUS OF LAKELAND DR. (4-B-22-SC)**

Please give us the following information in writing regarding this proposed closure, adding 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 If closed (vacated), would easements meet your needs?
- 5 If easement will meet needs, please state easements required.
- 6 If your department opposes vacating the ROW, please indicate the rationale.

This request will be considered by the Knoxville-Knox County Planning Commission on April 14, 2022. A map showing the street or alley in question is attached for your information.

PLEASE NOTE: Failure to reply to our office by Monday, March 28, 2022 will be considered as no objection by your agency.

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



Dori Caron <dori.caron@knoxplanning.org>

ROW closures for April 4-A-22-SC and 4-B-22-SC

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

Wed, Mar 16, 2022 at 8:21 AM

Approved for both Dori.

Asst. Chief Sonny Partin, CFPS

Fire Marshal

Knoxville Fire Department

400 Main St. Suite 446

Knoxville, Tn. 37902

Office 865-215-2283

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

Sent: Friday, March 11, 2022 4:32 PM

To: Charlotte Goforth <cgoforth@knoxvilletn.gov>; Steve Borden <steve.borden@tn.gov>; Michelle Portier <michelle.portier@knoxplanning.org>; Christian Wiberley <Christian.Wiberley@kub.org>; WAGNER, JAMES W <JW904s@att.com>; Levan King Cranston <levan.kingcranston@knoxplanning.org>; Steve King <sking@knoxvilletn.gov>; Ben Davidson <bdavidson@knoxvilletn.gov>; Harold Cannon <hcannon@knoxvilletn.gov>; Sonny Partin <spartin@knoxvilletn.gov>; Laura Edmonds <laura.edmonds@knoxplanning.org>; amy.brooks@knoxplanning.org; Shannon Sims <ss3775@att.com>

Subject: ROW closures for April 4-A-22-SC and 4-B-22-SC

Happy Friday and sorry for the delay in getting these out. 2 closure requests for April. Have a great weekend.

Dori Caron

Senior Administrative Assistant

Direct Line: 865-215-2694

Email: dori.caron@knoxplanning.org

CITY OF KNOXVILLE



Engineering

Benjamin D. Davidson, PLS
Technical Services Administrator

May 24, 2022

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

SUBJECT: Closure of Lakeland Ave lying running southerly from southern line of Cherokee Blvd to terminus of Lakeland Ave
Planning File # 4-B-22-SC; Nearby City Block 24869

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 the following:

1. easements for the following 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.
2. A 20 feet wide pedestrian access easement to Sequoyah Hills Park, running along the centerline of the closure area, being 10 feet in width each side of the centerline.
3. A restriction on the abutting properties at 2206 and 2142 Lakeland Ave, that they will not utilize this closure area to facilitate further subdivision of their properties into additional tracts of land. They may however, consolidate portions of the closure area into their existing lots thereby increasing their current areas, however, subject to the retention of the easement described in items numbered 1 and 2 above.

Sincerely,

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

a

March 28, 2022

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 4-B-22-SC

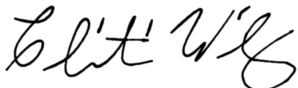
We have reviewed our records and find that we have existing utility facilities located within the subject right-of-way. The approximate locations of these facilities are indicated on the enclosed prints. However, KUB does not release and hereby retains all easements and rights for existing utility facilities, 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

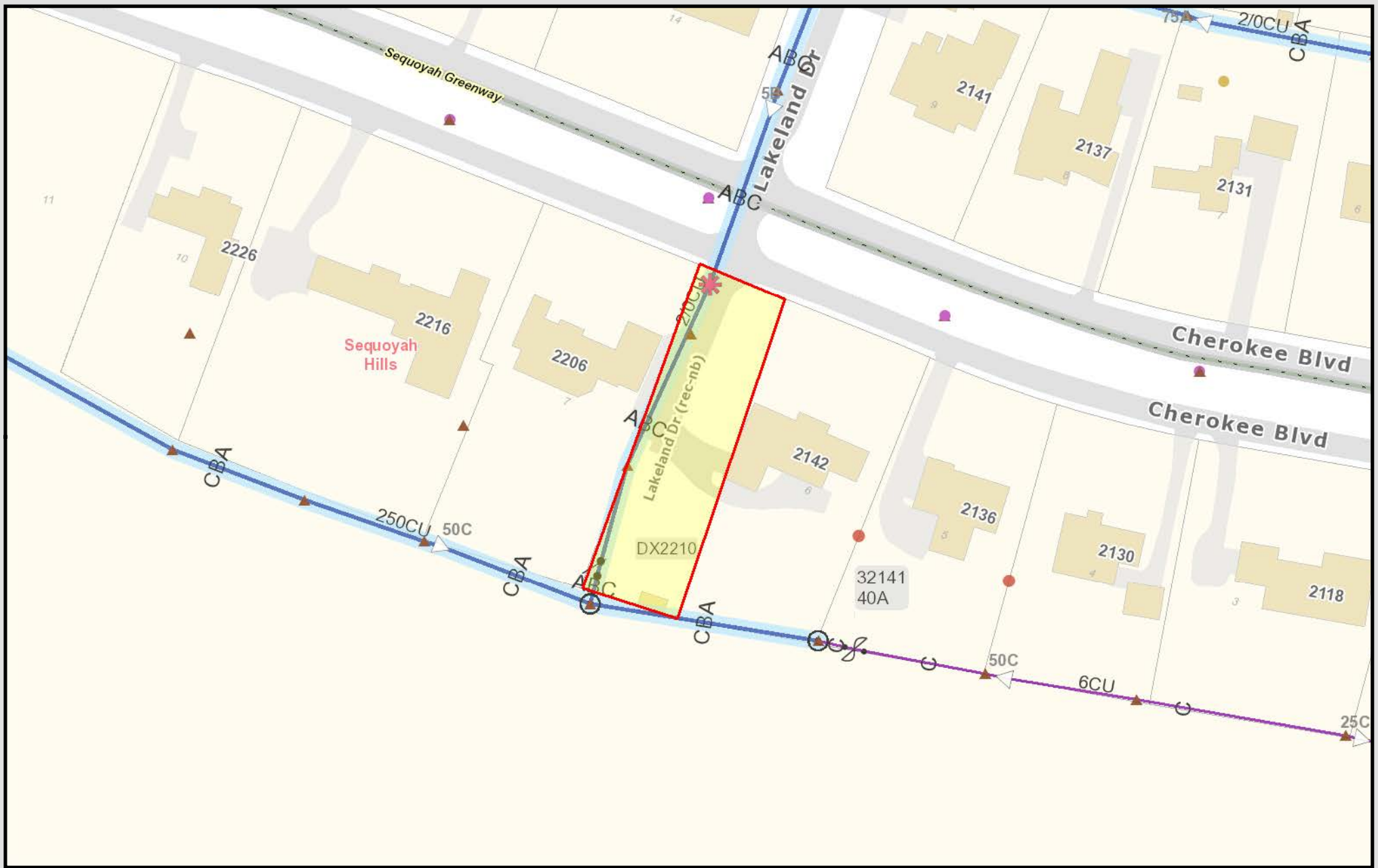
If you have any questions regarding this matter, please call me at (865) 558-2483.

Sincerely,



Christian Wiberley, PE
Engineering

CGW

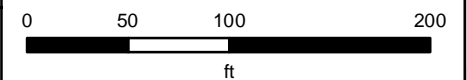


File No. 4-B-22-SC (Electric)

Knoxville Utilities Board



Printed: 3/24/2022 at 10:40:29 AM



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Dori Caron <dori.caron@knoxplanning.org>

ROW closures for April 4-A-22-SC and 4-B-22-SC

WAGNER, JAMES W <JW904s@att.com>
To: Dori Caron <dori.caron@knoxplanning.org>

Mon, Mar 14, 2022 at 9:05 AM

Dori,

AT&T will need to keep access to the ROW on Lakeland Drive 4-B-22-SC. A communications easement would suffice. We need to keep access to the rear lot pole line via this path.

Thank you,

James W. Wagner

Manager Outside Plant Planning & Engineering Design

AT&T Technology Operations

AT&T – BellSouth Telecommunications, LLC

9733 Parkside Drive, Knoxville, TN 37922
o 865.297.0886 | m 865.360.9737 | jw904s@att.com

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Subject: ROW closures for April 4-A-22-SC and 4-B-22-SC

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Dori Caron

Senior Administrative Assistant

Direct Line: 865-215-2694

Email: dori.caron@knoxplanning.org



Knoxville-Knox County Planning | Knoxville Regional TPO

400 Main Street, Suite 403 | Knoxville, TN 37902

4-B-22-SC
EXHIBIT A. Contextual Images

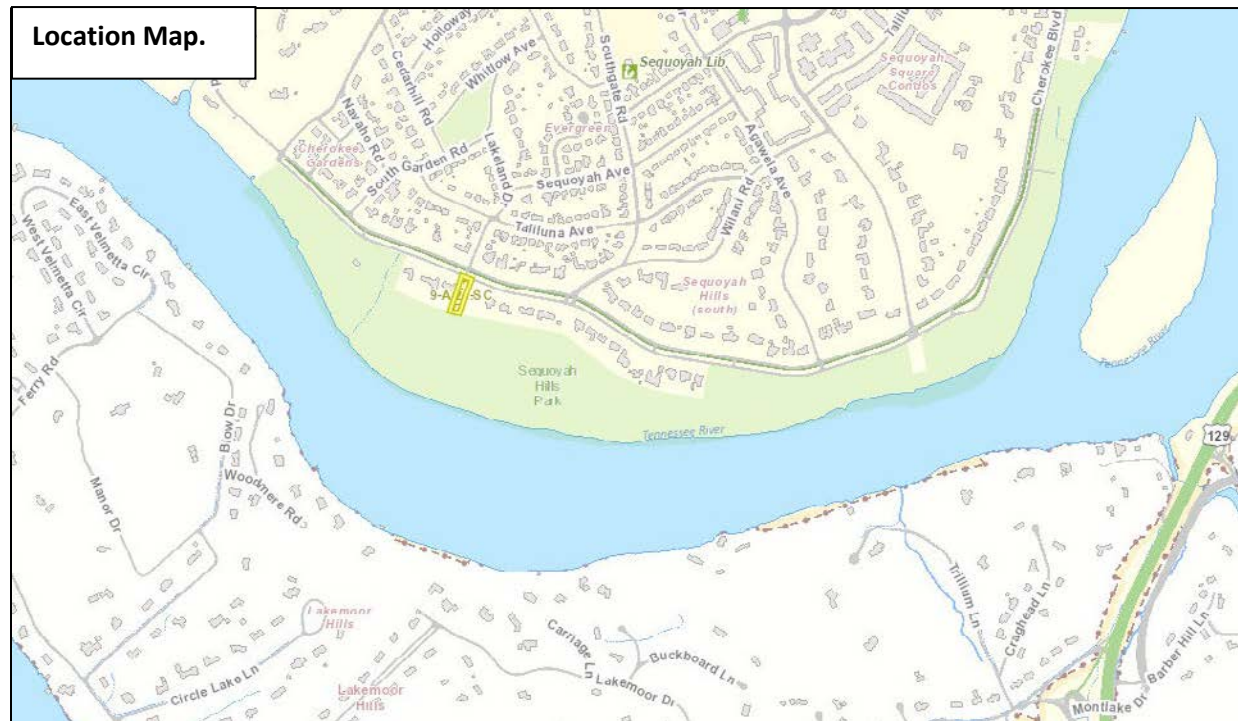
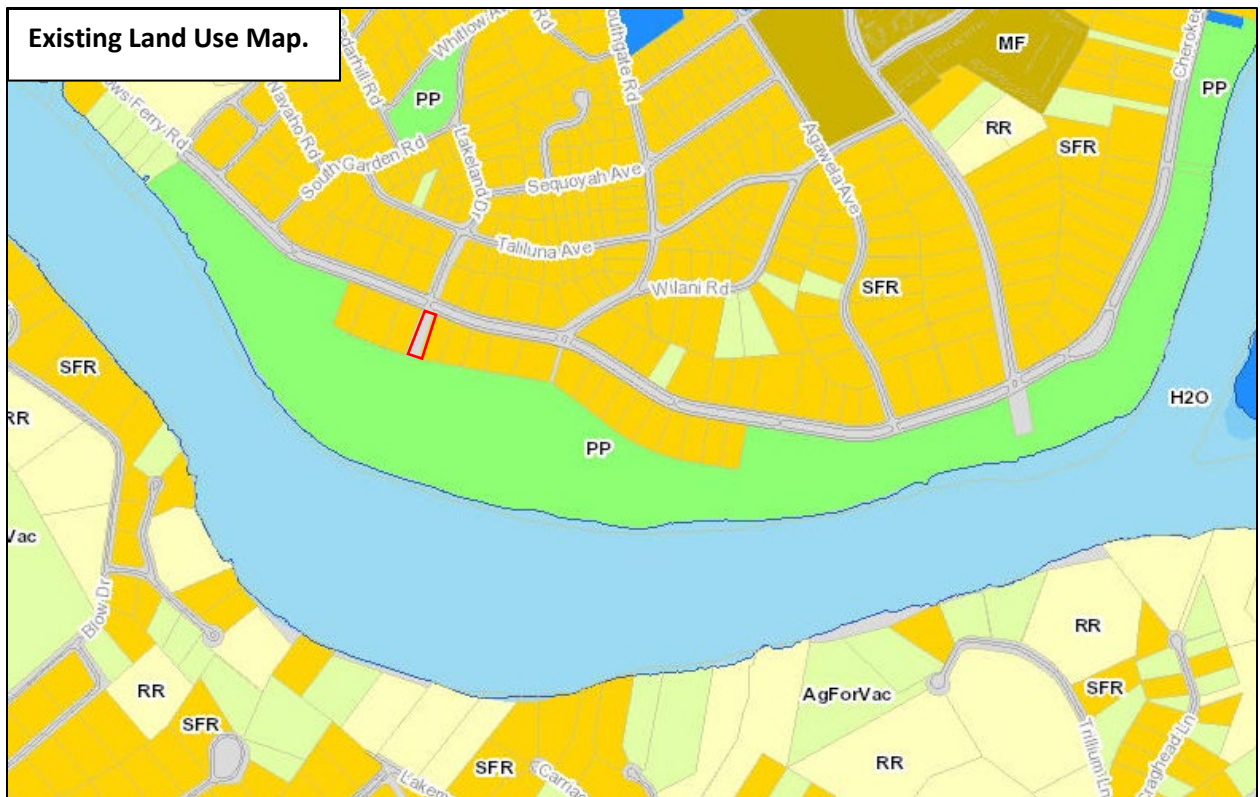
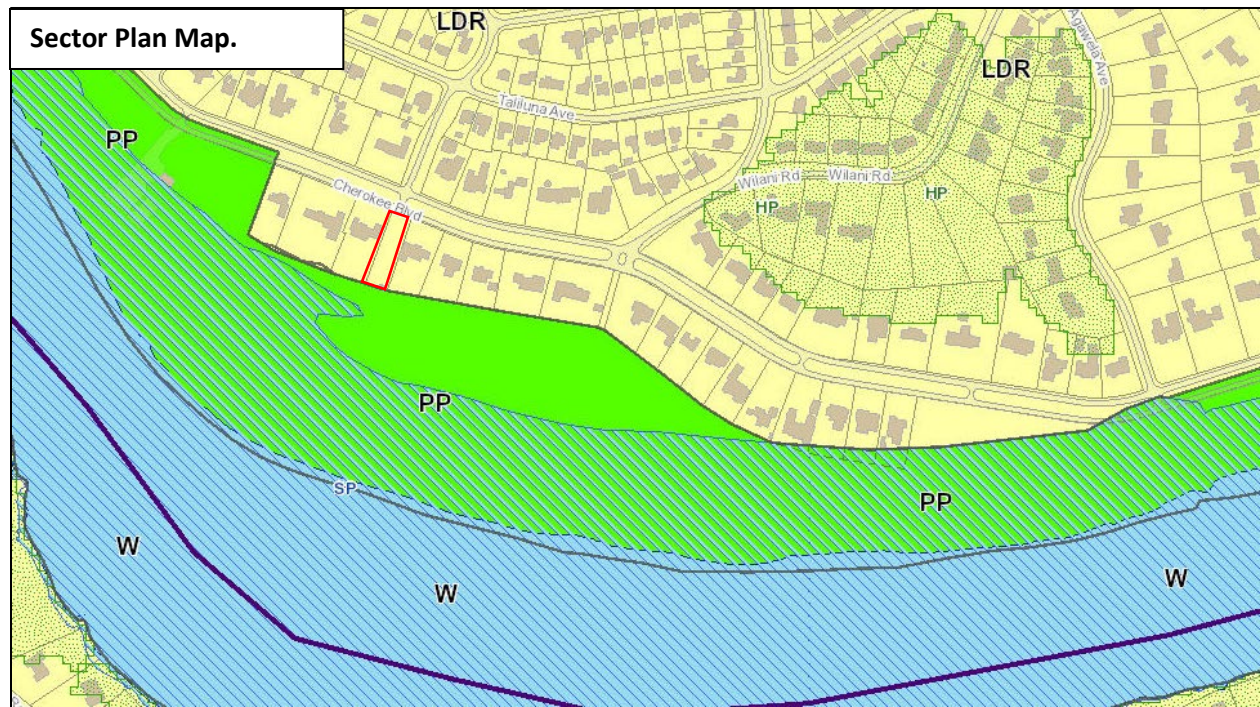


EXHIBIT A. Contextual Images



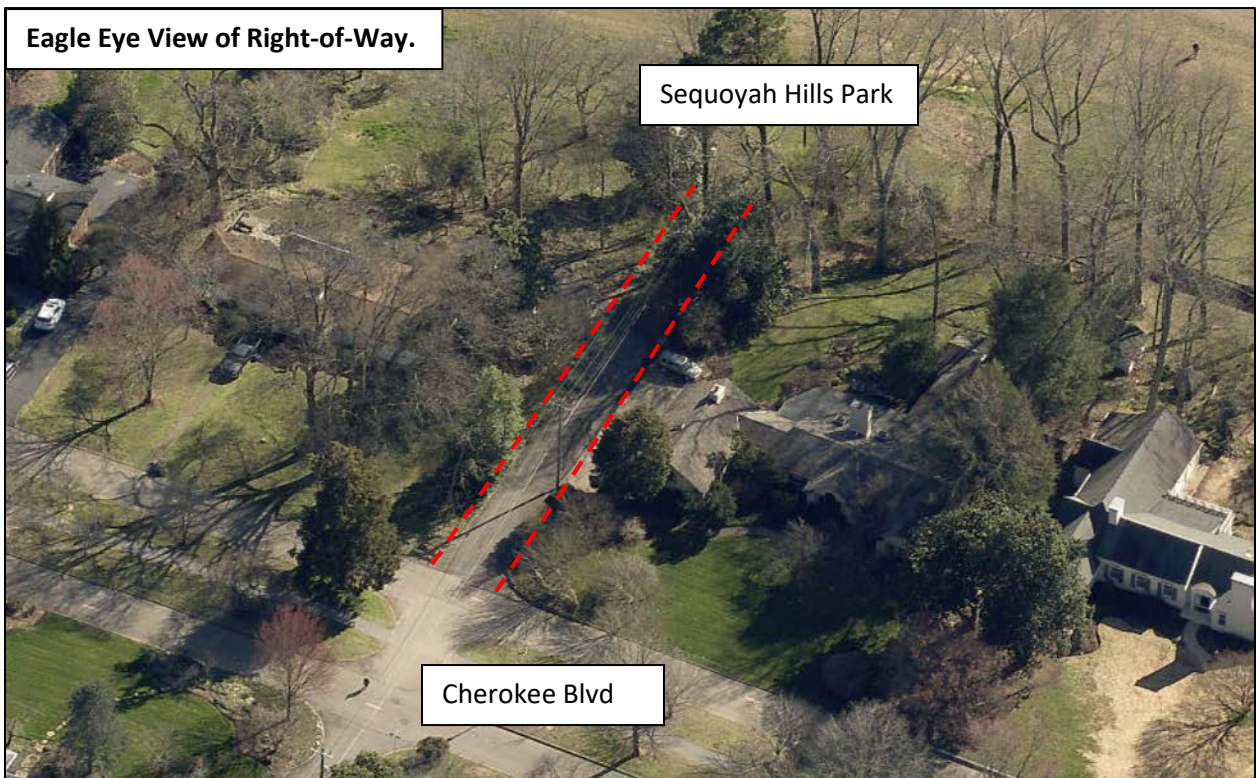
4-B-22-SC

EXHIBIT A. Contextual Images

Street View of Right-of-Way.



Eagle Eye View of Right-of-Way.





RIGHT-OF-WAY CLOSURE

Name of Applicant: City of Knoxville

Date Filed: 2/16/2022 Fee Paid: N/A File Number: 4-B-22-SC

Map Number: 121 Zoning District: RN-1 ☒ City ☐ County Sector: LDR

Jurisdiction: ☒ City 2nd Council District

INFORMATION:

Name of Right-of-Way: Lakeland Drive

Type of Right-of-Way: ☒ Street ☐ Alley

Location of Right-of-Way:

BETWEEN (City Block or Lot where appropriate) City Block 24869 eastern property line of parcel 121EB004

AND (City Block or Lot where appropriate) City Block 24869 western property line of parcel 121EB005

Right-of-Way is: In Use ☐ Yes ☒ No Improved (example: paved) ☐ Yes ☒ No

Reason for Closure: Right-of-way is currently being utilized by two properties that lie east and west, thereof, for access to their private residences. Closure area would be subject to a reserved pedestrian easement for access to Sequoyah Hills Park. There is a private driveway asphalt surface within the area.

TO BE CLOSED:

From: (Street, Alley, Other)
southern line of Cherokee Blvd

To: (Street, Alley, Other)
South terminus of Lakeland Dr

ALL CORRESPONDENCE RELATING TO THIS APPLICATION SHOULD BE SENT TO:

Ben Davidson City Coung Bldg., Room 473, Knoxville, TN 37902, 215-4615, bdavidson@knoxvilletn.gov
Name: (Print) Address • City • State • Zip • Phone • Email

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: Benjamin D. Davidson

Ben Davidson City Coung Bldg., Room 473, Knoxville, TN 37902, 215-4615, bdavidson@knoxvilletn.gov
Name: (Print) Address • City • State • Zip • Phone • Email

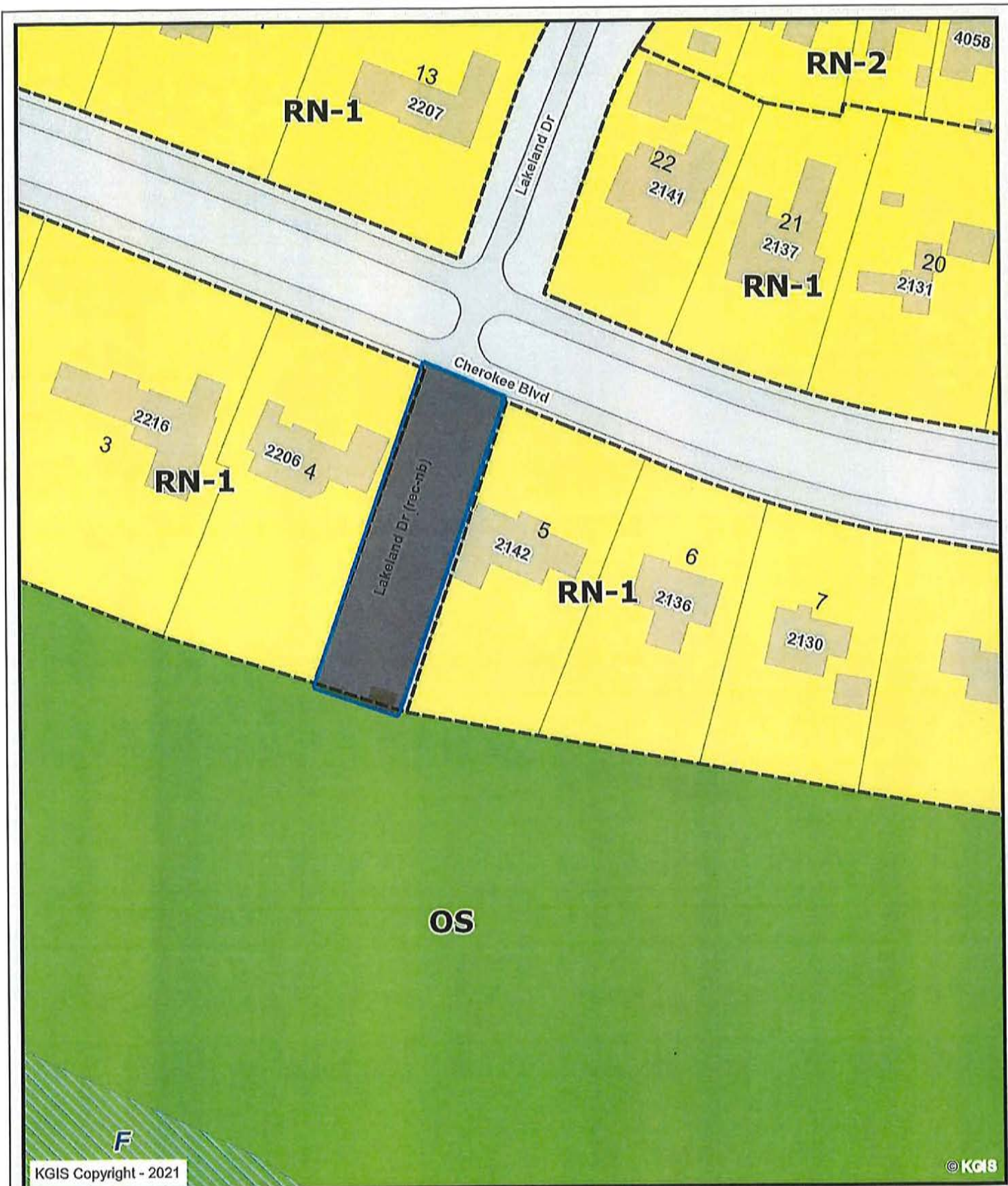
APPLICATION ACCEPTED BY: Michelle Portier

Michelle Portier

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.

[illegible]

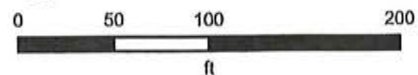


Letter Portrait

Knoxville - Knox County - KUB Geographic Information System



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