

# STAFF CASE REPORT TO PLANNING COMMISSION

<b>Case Number:</b>	<b>MR-2014-135</b>	<b>PC Meeting Date: 12-8-14</b>
<b>Applicant Request:</b>	<b>Abandonment of an unnumbered block of 4<sup>th</sup> Street and alley off of the 300 block of North Hawthorne Street</b>	
<b>Property Location:</b>	<b>Unnumbered block of 4<sup>th</sup> Street and alley off of the 300 block of North Hawthorne Street</b>	
<b>Property Owner:</b>	<b>Chattanooga Gas Co</b>	
<b>Applicant:</b>	<b>James E. Campbell</b>	
<b>Staff Recommendation:</b>	<b>APPROVE</b>	

## PROJECT ANALYSIS

### RPA Land Use & Transportation Comments

#### Project Description

The applicant requests abandonment of an unnumbered block of 4<sup>th</sup> Street beginning at Wisdom Street and ending approximately 150 feet northeast as well as an alley beginning at North Hawthorne Street and ending approximately 755 feet northwest.

#### Site Description

The right-of-way is adjacent to property zoned M-1 Manufacturing Zone. Adjacent land uses are utilities, a vacant residence, and office buildings ancillary to manufacturing.

#### Zoning History

In 1972 a portion of alley north of the proposed closure, as well as portions of Allin Street and Sims Street connecting from the alley to North Hawthorne Street, were closed and abandoned by resolution. A portion of alley between the 1972 closure and the closure in question remains unopened. In 1981 the extension of 4<sup>th</sup> Street south of the right-of-way in question from Wisdom Street to Elmendorf Street was closed and abandoned by resolution.

#### Plans/Policies

This site is not covered by an existing land use plan.

Right-of-way (ROW) Abandonment and Closure requests are reviewed using the Right-of-Way Closure and Abandonment Policy adopted by the Chattanooga-Hamilton County Regional Planning Commission in January 1997 and the City of Chattanooga (Resolution #24532) in August 2005.

Review of rights-of-way for closure is based on a tiered classification. This right-of-way is Tier 3, rights-of-way which are not currently opened or which have never been opened. Applications for closure and abandonment will be accepted on Tier 3 rights-of-way and reviewed using the adopted review factors and according to the tenets of this policy.

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The staff recommendation for this request was based on an evaluation of the following review factors. Each factor is followed by staff's comments:

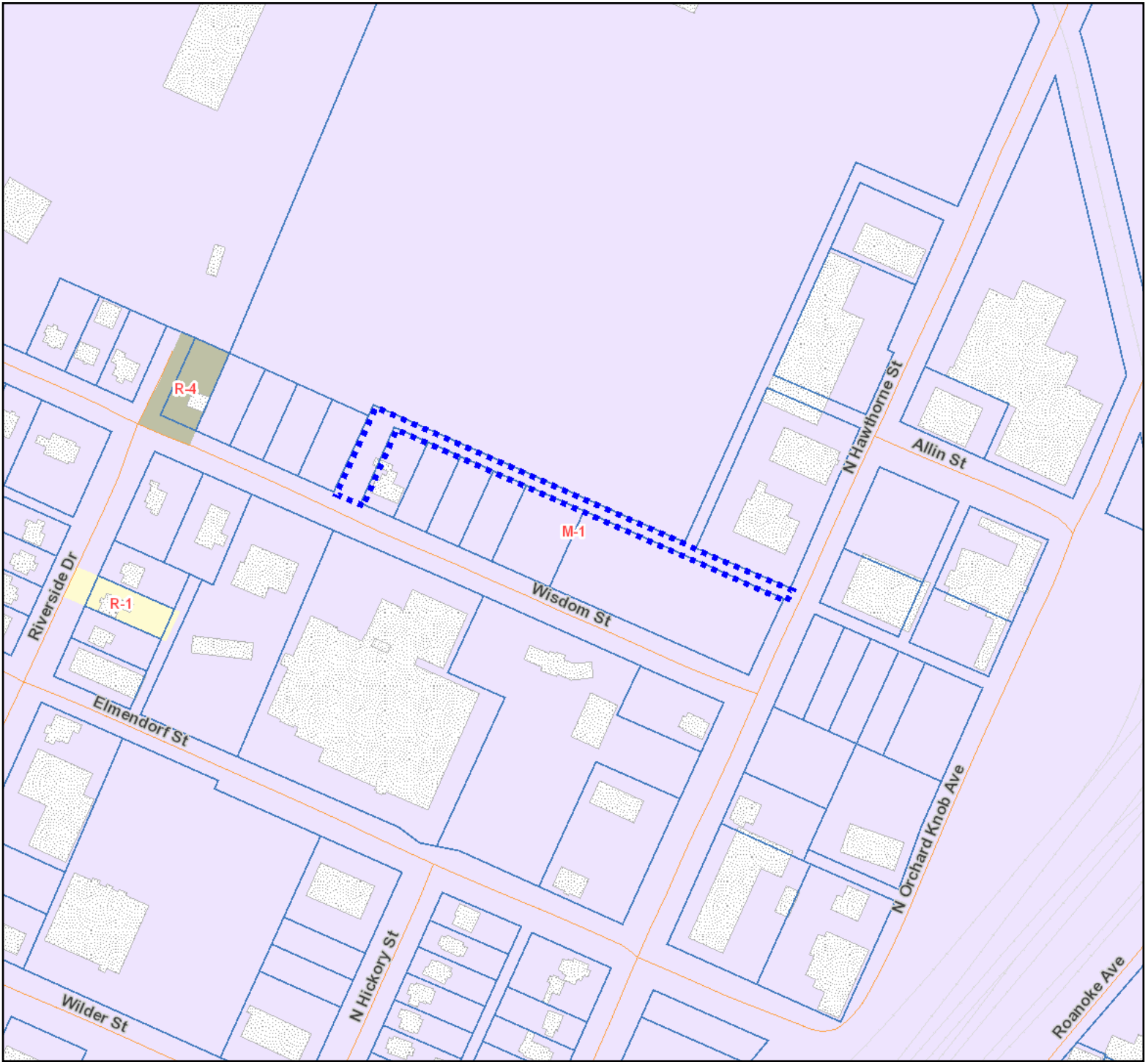
FACTOR	STAFF COMMENTS
1. Width of the ROW	The alley is 20' +/-, and 4 <sup>th</sup> Street is 50' +/-.
2. Presence of or potential for the location of utilities	As part of the closure review process, this will be reviewed by the Transportation Department following Planning Commission action.
3. Currently open to traffic	Currently not open to traffic.
4. Potential for future use or which provide future connections to the existing street pattern or could provide needed services, and which are integral to the community's future development (i.e., access to abutting property, bypass for other streets, parking, etc.).	Limited potential for future use or future connections.
5. Type/condition of surface	The 4 <sup>th</sup> Street ROW is partially paved and in poor condition. The alley ROW is unpaved and foreseted.
6. Topography/grade – can it be built?	The existing topography does not preclude improvement of this ROW.
7. Will the closure and abandonment land-lock any property? If so, has a subdivision plat been submitted which eliminates this situation?	Adjacent properties will maintain access off of Wisdom Street and North Hawthorne Street.
8. Extenuating circumstances as specified by the applicant, e.g. necessary for expansion of a business or industry.	The property owner intends to consolidate ROW and adjacent parcels by plat.

### City Departmental Infrastructure & Operational Comments

All land development projects are reviewed by City Engineering & Water Quality staff, Transportation Department staff, and the Land Development Office staff. In addition to the requirements of the City of Chattanooga Zoning Ordinance, all land development is further required to comply with current City of Chattanooga traffic regulations, building and development codes, storm water/water quality regulations, and the landscape ordinance.

### RPA Summary

The Regional Planning Agency is recommending approval of this closure request because the adjacent property will maintain access off of Wisdom Street and North Hawthorne Street. Furthermore, the right-of-way has limited potential for future use.



**MR 2014-135 Abandonment of an Unnumbered Blk of 4th St and an Unopened Alley beginning on the North Line of Said Street**

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**Chattanooga Hamilton County Regional Planning Agency**

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