

# STAFF CASE REPORT TO PLANNING COMMISSION

<b>Case Number:</b>	<b>MR-2014-089</b>	<b>PC Meeting Date: 09-08-14</b>
<b>Applicant Request:</b>	<b>Mandatory Referral abandonment of unopened alley</b>	
<b>Property Location:</b>	<b>Unopened alley parallel to 5700 block High Street</b>	
<b>Property Owner:</b>	<b>Sergio Rodriguez</b>	
<b>Applicant:</b>	<b>Same</b>	
<b>Staff Recommendation:</b>	<b>APPROVE</b>	

## PROJECT ANALYSIS

### RPA Land Use & Transportation Comments

#### Project Description

The applicant requests abandonment of an unopened alley, twelve (12) feet in width, in order to combine property into one tract of land.

#### Site Description

The unopened alley is approximately 342 feet in length and separates two parcels of land, both owned by the applicant.

#### Zoning History

The alley appears in an old plat book (book 10, page 588) of the former James County, TN records and is barely legible. James County, Tennessee was abolished in 1919 and incorporated into Hamilton County. Tax Assessor records, along with recorded subdivision plats on adjacent properties; provide additional information of the alley's existence.

#### Plans/Policies

This site is not within an adopted 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.

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 on Tier 3 rights-of-way are 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	Width of the ROW is 12 feet +/-
2. Presence of or potential for the location of utilities	
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 or future connections as the ROW terminates at a rail line to the north
5. Type/condition of surface	Street is unpaved and forested.
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 retain access on High Street and Cherry Street.
8. Extenuating circumstances as specified by the applicant, e.g. necessary for expansion of a business or industry.	The applicant intends to combine property into one tract of land.

### Hamilton County Infrastructure & Operational Comments

All land development projects are reviewed by Hamilton County Engineering & Water Quality staff. In addition to the requirements of the Hamilton County Zoning Regulations, all land development is further required to comply with current Hamilton County subdivision regulations, building and zoning codes, storm water/water quality regulations, and the landscape regulations.

### RPA Summary

The Regional Planning Agency is recommending approval of this closure request because adjacent properties will retain access on High Street and Cherry Street. Furthermore, there is limited potential for future use of the right-of-way because it terminates at a rail line to the north.