

PLANNING COMMISSION CASE REPORT

Case Number: MR 2015-131

PC Meeting Date: 10-12-15

Applicant Request**Mandatory Referral: Abandonment of a Portion of Right-of-Way**

Property Location:	120 West Manning Street at intersection with Minor Street
Property Owner:	Council for Alcohol & Drug Abuse Services, Inc./Paul Fuchcar Executive Director
Applicant:	Council for Alcohol & Drug Abuse Services, Inc./Paul Fuchcar Executive Director

Project Description

- Proposal: Abandon approximately 130 square feet of existing right-of-way at the southeast corner of West Manning Street and Minor Street and add to parcel 135F-E-002 so as to accommodate construction of a new building to this corner.
- Proposed Access: Not specified.
- Proposed Development Form: Not specified.

Site Analysis**Site Description**

- Location: The 130 square foot (approximately) area is located on the southeast corner of West Manning Street and Minor Street in the Hill City neighborhood.
- Current Access: West Manning Street.
- Current Development form: There is a mixture of one and two-story buildings within a 500 foot radius of this urban site.
- Current Land Uses: A public baseball field is located across the street to the north. Parking lots are located to the east, south, and west of the site.

Zoning History

- The site is currently zoned C-7 North Shore Commercial/Mixed Use.
- The properties to the north are zoned R-1 Residential. The properties to the east, south, and west are zoned C-7 North Shore Commercial/Mixed Use.

Plans/Policies/Regulations

- The Hill City/Northside Land Use Plan (adopted by City Council in 2003) recommends business, office, and service uses for this area.
- The C-7 North Shore Commercial/Mixed Use permits commercial, office, residential, and mixed uses.
- MANDATORY REFERRALS- Tennessee Code Annotated (13-4-104) requires the Planning Commission to review the widening, narrowing, relocation, vacation, change in use, acceptance, acquisition, sale or lease of any street or public way, ground, place, property or structure. Failure of the Planning Commission to act within 30 days shall be deemed an approval.
- RIGHT-OF-WAY CLOSURE AND ABANDONMENT POLICY- This policy, adopted by the Planning Commission on January 13, 1997, gives guidance regarding alley and street right-of-way closure and abandonment requests. It is the policy of the Regional Planning Agency and other public agencies to retain rights-of-way for public use and only to recommend the permanent closure and abandonment of rights-of-way when it is concluded that the public has no further need to retain the right-of-way and that its abandonment is necessary to achieve a significant private or public interest.

Key Findings

- The proposal is consistent with the development form of the area.
- The proposal is a reasonable request for the proposed development of this property.

Staff Recommendation

Approve.