

PLANNING COMMISSION CASE REPORT

Case Number: MR 2016-107

PC Meeting Date: 07-11-16

Applicant Request

Mandatory Referral for abandonment of street right-of-way

Property Location:	1400 block of Sinclair Avenue
Property Owner:	Astir, LLC
Applicant:	Gabe Collier/Collier Construction

Project Description

- Proposal: Abandon a portion of the western right-of-way (approximately 6 feet wide by 620 feet long) of Sinclair Avenue which is a new street. The applicant intends to also dedicate an equivalent right-of-way along eastern edge so as to provide adequate right-of-way and to allow new building construction.

Site Analysis

Site Description

- Location: Abandon a strip of right-of-way along western edge of the entire length of Sinclair Avenue (approximately 620 feet).

Plans/Policies/Regulations

- 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.
- 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 right-of-way adjustment proposal is reasonable to accommodate new residential development in this area.

Staff Recommendation

Approve.