

**PLANNING COMMISSION CASE REPORT****Case Number: MR 2016-135****PC Meeting Date: 10-10-16****Applicant Request****Mandatory Referral to Abandon and Close a Street Right-Of-Way**

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|---------------------------|---|
| <b>Property Location:</b> | <b>5900 block of Pinehurst Avenue</b>             |
| <b>Property Owner:</b>    | <b>Chattanooga Metropolitan Airport Authority</b> |
| <b>Applicant:</b>         | <b>John Naylor, CMAA VP</b>                       |

**Project Description**

- Proposal: Closure of existing right-of-way to allow for the construction of additional hangers for the airport.

**Site Analysis****Site Description**

- Location: Closure to begin at the west end of the 5900 block of Pinehurst Avenue heading southeast for approximately 315 feet.

**Plans/Policies/Regulations**

- Tiers: Review of rights-of-way for closure is based on a tiered classification system. This right-of-way is classified as a Tier 1. Tier 1 rights-of-way are currently open and in use by the public and which include any elements of a normal road including road pavement, sidewalks, curbs, storm drainage systems, sanitary drainage systems, water distribution systems, fire hydrants, utilities (electric, telephone, cable television, gas), provision for future utilities, streetlights, and trees. These rights-of-way will not be closed unless a suitable replacement is provided.
- 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.
- The City of Chattanooga Right-Of-Way Closure and Abandonment Policy, adopted by the City Council on February 4, 1997 (Resolution #21267), gives guidance regarding alley and street right-of-way closure and abandonment requests. The intent of the policy is 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 being asked for abandonment is 40' wide.
- There are EPB electrical and communication facilities which must be maintained within this right-of-way. EPB will require an easement for operation, maintenance, rebuilding, and replacement of these facilities and for ingress and egress to them.
- There are Chattanooga Gas, gas services and gas mains which must be maintained within this right-of-way.
- There is Tennessee American Water, water infrastructure within the right-of-way. Tennessee American Water requests an easement be retained for the full width of the existing right-of-way.
- There are Comcast Communications active service and infrastructure within the right-of-way. Comcast Communications requests denial of the mandatory referral unless a rerouting of existing facilities by applicant.
- The right-of-way is currently open to traffic and serves several driveways.
- Pinehurst Avenue dead ends into airport property at the end of the requested mandatory referral.
- The requested abandonment would land lock the parcel at 5905 Pinehurst Avenue. It would also create hardships of access to a public right-of-way for two parcels, 148P B 026 and 148P C 001. All

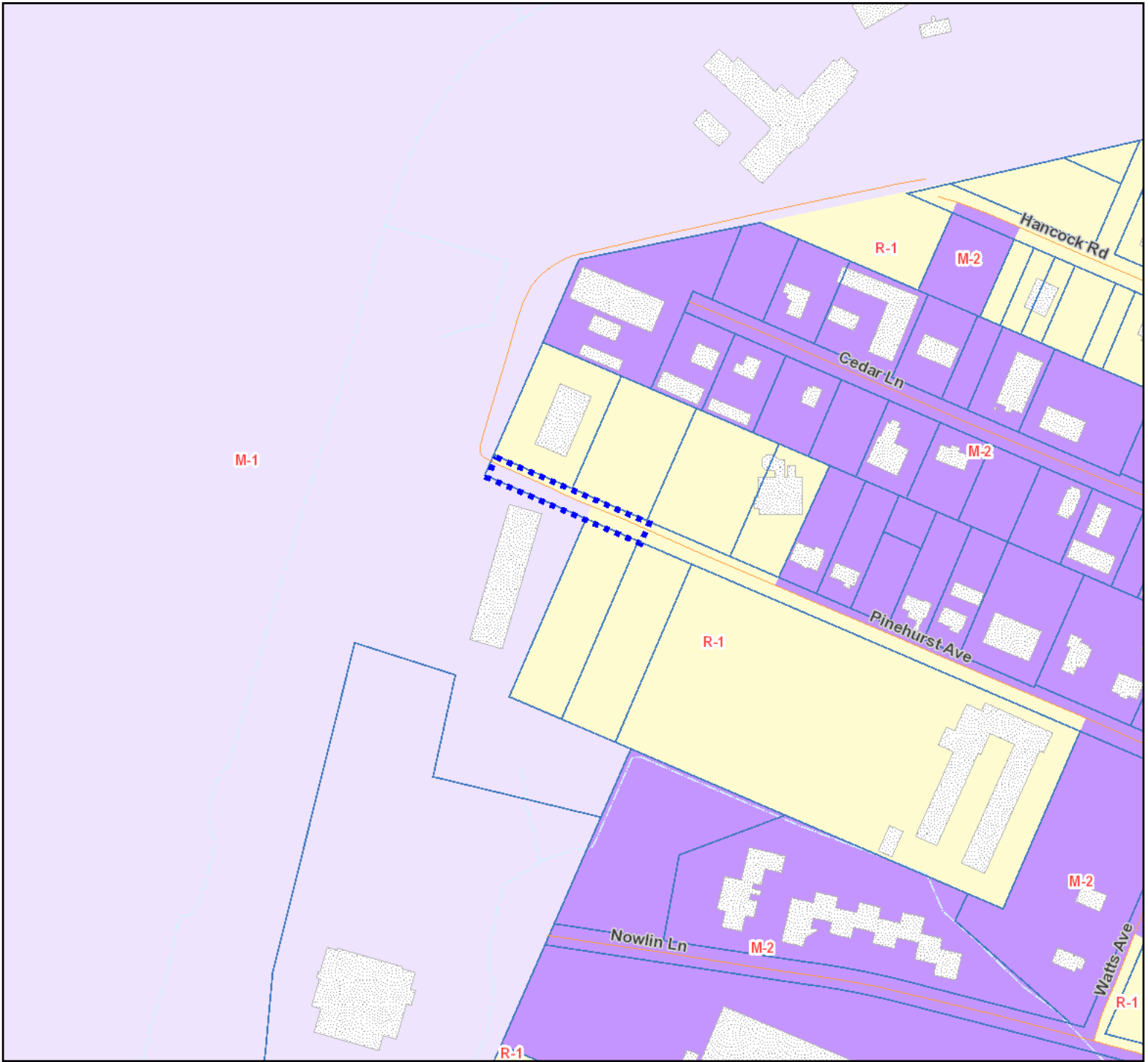
## PLANNING COMMISSION CASE REPORT

three parcels are owned by the Chattanooga Metropolitan Airport. This issue can be resolved by replatting the parcels with 1001 Airport Road parcel.

- The land uses along this right-of-way serve the Chattanooga Metropolitan Airport. Therefore these land uses do not create a conflict through abandonment.

### Staff Recommendation

Approve



## MR 2016-135 Abandonment



253 ft

Chattanooga Hamilton County Regional Planning Agency

