

PLANNING COMMISSION CASE REPORT

Case Number: MR 2016-137

PC Meeting Date: 10-10-16

Applicant Request**Mandatory Referral to Abandon and Close a Street Right-Of-Way**

Property Location:	Alley off the 400 block of Beck Avenue
Property Owner:	Taylor Vickers
Applicant:	Taylor Vickers

Project Description

- Proposal: Closure of right-of-way to add square footage to properties

Site Analysis**Site Description**

- Closure to begin at Beck Avenue going in a southwest direction for approximately 370 feet.

Plans/Policies/Regulations

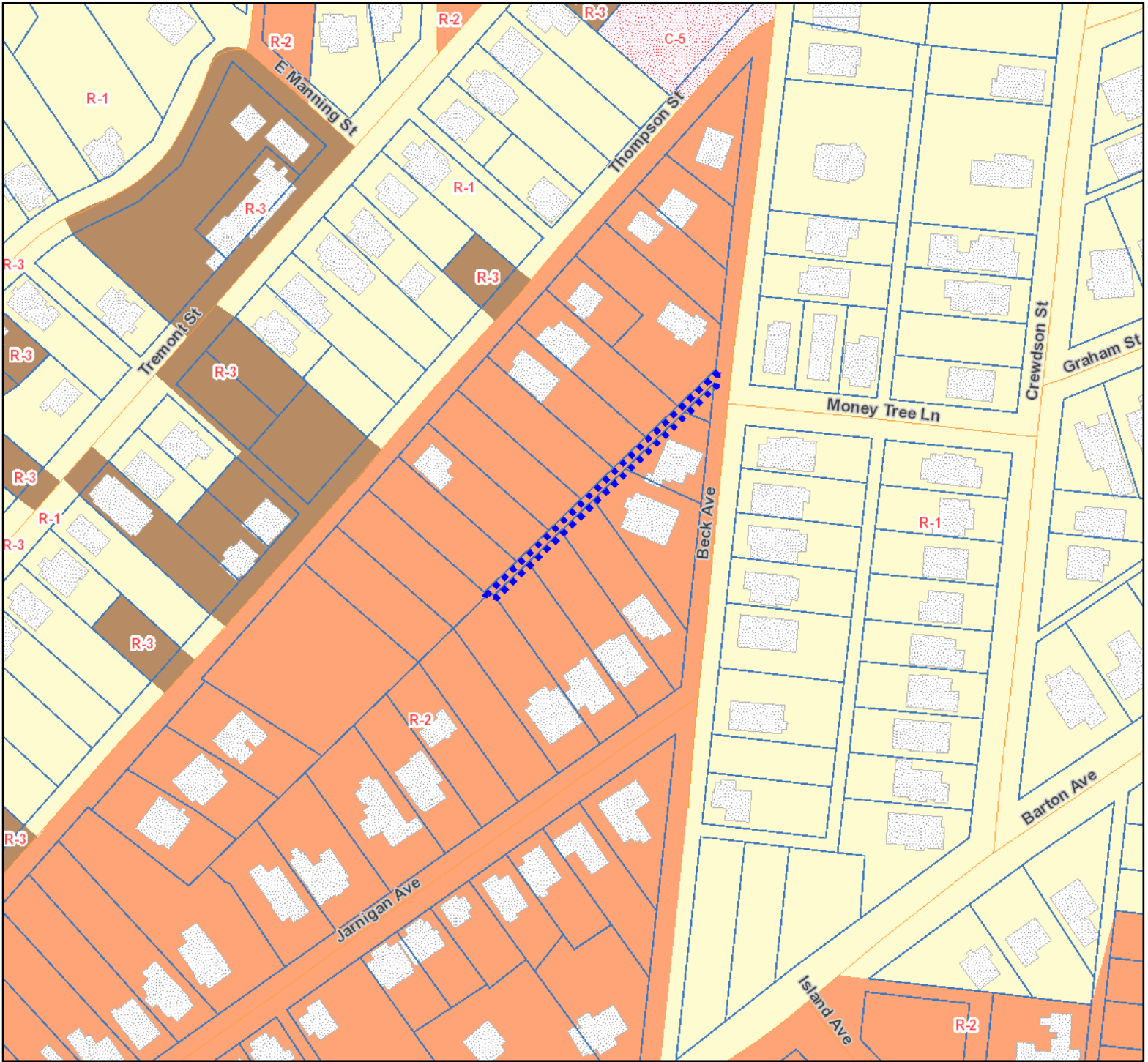
- Tiers: Review of rights-of-way for closures are based on a tiered classification system. This right-of-way is classified as a Tier 3. Rights-of-way which are not currently opened or which have never been opened. Applications for closure and abandonment will be accepted on Tier 3 rights-of-way and reviewed using the adopted review factors and according to the tenets of this policy.
- 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 proposed abandonment is consistent with surrounding uses.
- The proposed abandonment is consistent with the development form of the area. The unopen right-of-way adjacent to this portion to the south was abandoned in 1998 (Ordinance #10738).
- The proposed residential density is/is not compatible with the surrounding densities.
- The width of right-of-way being proposed for abandonment is 10'.
- There are Chattanooga Gas, gas services and gas mains in the right-of-way.
- The right-of-way is unopen.
- There is little potential for use of this right-of-way by the public in the future.
- The site has substantial topographic issues.
- This abandonment will not land lock any parcels or lots.

Staff Recommendation

Approve



MR 2016-137 Abandonment

158 ft

Chattanooga Hamilton County Regional Planning Agency