

PLANNING COMMISSION CASE REPORT

Case Number: MR 2016-128

PC Meeting Date: 09-12-16

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

Property Location:	100 block of Little Sorrel Road
Property Owner:	Fatherson Partnership Two
Applicant:	Fatherson Partnership Two

Project Description

- Proposal: Applicant is requesting closure and abandonment of right-of-way due to change in road geometry.

Site Analysis**Site Description**

- Location: Two (2) Portions of the 1000 block of Little Sorrel Rd Right-of-way
- Tiers: There is an existing roadway here which categorizes this request as Tier 1. Tier 1 is defined as, *"Rights-of-way 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."*

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.
- 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 proposal is consistent with the development form of the area.
- The proposal would not set a precedent for future requests.

Staff Recommendation

Approve