

PLANNING COMMISSION CASE REPORT

Case Number: MR 2016-121

PC Meeting Date: 09-12-16

Applicant Request

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

Property Location:	900 block of Jubilee Drive
Property Owner:	Chattanooga Metropolitan Airport Authority/Kirby Yost, Atty
Applicant:	Chattanooga Metropolitan Airport Authority/Kirby Yost, Atty

Project Description

- Proposal: Abandonment of Jubilee Drive as to allow for Control and maintenance of stormwater management features beneath the road.

Site Analysis

Site Description

- Location: Starting at the intersection of Jubilee Drive and Brainerd Road heading north until Jubilee Drive deadends.
- Tiers: Jubilee Drive is an open and maintained roadway which places this in Tier 1. Tier 1 is defined as a, *"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. These rights-of-way will not be closed unless a suitable replacement is provided."*

Plans/Policies/Regulations

- There is no land use plan for this area.
- Jubilee Drive was requested for abandonment in 2015 (Case 2015-146) but withdrawn by applicant before Planning Commission.
- 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, as shown, would landlock several parcels. These parcels (157E-A-001 and 157E-A-002) are owned by the Airport and the City of Chattanooga. Replatting to combine these lots with other publicly owned lots could rectify this issue.
- Several parcels with access on Lee Highway and Jubilee Drive access on Jubilee Drive.

Staff Recommendation

Approve a portion of the request for abandonment starting on Jubilee Drive 450' northwest from Lee Highway continuing to the ending of Jubilee Drive.