

**MEMORANDUM**

TO: Town Council

FROM: Planning Commission

DATE: September 5, 2023

SUBJECT: ROW 23-0002/ORD 2033 Request to vacate approximately 0.13 and 0.09 acres (total 0.22 acres) of Town-owned Right-of-way in the 1200 block of Airport Road by Balzer & Associates, Inc. (applicant); on behalf of Habitat for Humanity of the New River Valley, (contract purchaser).

\* \* \* \* \*

Planning Commission Recommendation:

**APPROVAL** for the rezoning request ROW 23-0002/ORD 2033 with following conditions being met on or before October 10, 2024:

1. The applicant shall dedicate a minimum 15' public utility easement centered on the existing public sewer in the vacated right-of-way area.
2. The applicant shall dedicate a minimum 15' public drainage easement centered on any existing or proposed public storm sewers in the vacated right-of-way area.
3. The applicant shall dedicate 15' perimeter public utility easements along the property line
4. The applicant shall dedicate private easements for any private utilities contained in the right-of-way, or otherwise demonstrate that the private utilities will not be affected.
5. The applicant shall vacate all existing interior lot lines.

For: Britt; Colley; Ermann; Herbein; Jones; Kassoff; Walker  
Against:  
Abstain:  
Absent: Ford; Rinehart

In so recommending approval of this Right-of-Way vacation request, the Planning Commission finds the request to be in conformity with the "Alley and Right-of-Way Vacation Process" in the Administrative Manual accompanying the Comprehensive Plan and Town Code.