

First Reading: _____
Second Reading: _____

MR-2013-070
Tony Brock

ORDINANCE NO. _____

AN ORDINANCE CLOSING AND ABANDONING AN UNOPENED ALLEY BEGINNING AT ITS INTERSECTION WITH THE NORTH LINE OF THE 1000 BLOCK OF BAILEY AVENUE.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That an unopened alley beginning at its intersection with the north line of the 1000 block of Bailey Avenue, more particularly described herein, and as shown on the maps attached hereto and made a part hereof by reference, be and is hereby closed and abandoned:

Abandonment of an unopened alley beginning at its intersection with the north line of the 1000 block of Bailey Avenue thence northeast some 113 feet to a dead-end. Said alley separates parts of Lot 1, Revised Plat of Monique Lewis Subdivision, Plat Book 97, Page 100, ROHC. Tax Map No. 146G-A-004.

SECTION 2. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two (2) weeks from and after its passage.

Passed on second and final reading:_____

CHAIRPERSON

APPROVED:____ DISAPPROVED:____

MAYOR

/mms

City of Chattanooga



Resolution Request Form

(This form is only required for resolutions requiring expenditure of City funds)

Date: September 5, 2013

Preparer: William C. Payne

Department: Public Works - Engineering

Brief Description of Purpose for Resolution

Resolution Number (if approved by Council): DISTRICT 9

A City Council Action is requested to authorize the abandonment of an unopened alley beginning at its intersection with the north line of the 1000 block of Bailey Avenue, as referenced in Case No. MR-2013-070.

Name of Vendor/Contractor/Grant, etc.	N/A	New Contract/Project? (Yes or No)	N/A
Total project cost \$	N/A	Funds Budgeted? (YES or NO)	N/A
Total City of Chattanooga Portion \$	N/A	Provide Fund	N/A
City Amount Funded \$	N/A	Provide Cost Center	N/A
New City Funding Required \$	N/A	Proposed Funding Source if not budgeted	N/A
City's Match Percentage %	N/A	Grant Period (if applicable)	N/A

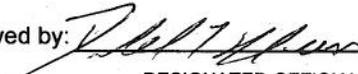
List all other funding sources and amount for each contributor.

Amount(s)	Grantor(s)

Agency Grant Number _____

CFDA Number if known _____

Other comments: (Include contingency amount, contractor, and other information useful in preparing resolution)

Approved by:  DESIGNATED OFFICIAL/ADMINISTRATOR

Reviewed by: FINANCE OFFICE

Please submit completed form to @budget, City Attorney and City Finance Officer

Memorandum

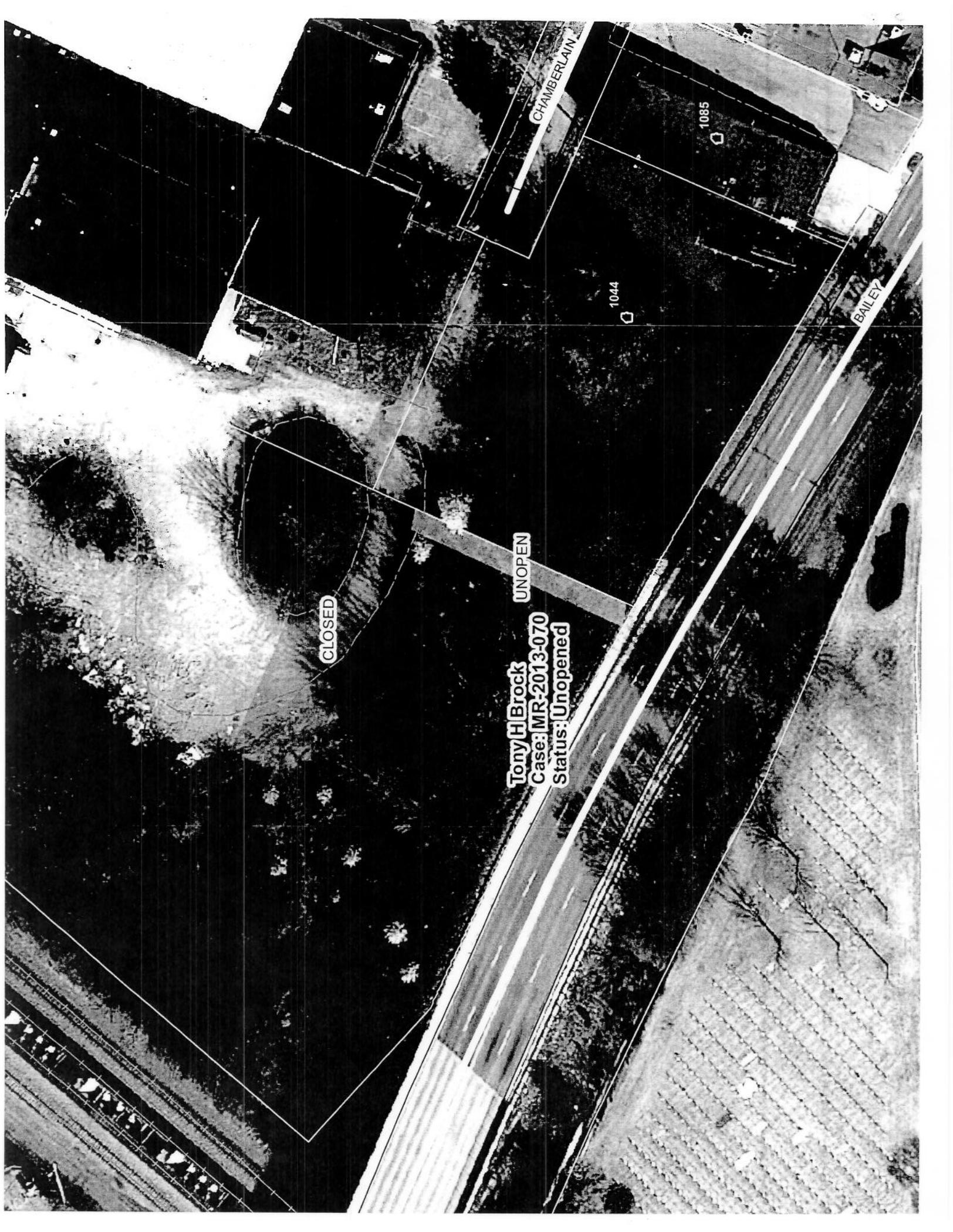
To: Bill Payne
From: Ed Bowen
cc: Dennis Malone
Date: August 29, 2013
Re: Tony H. Brock
Case No. 2013-070
1086 Duncan Avenue - Alley

Recommendations Regarding Abandonment Request

I have completed the review of Mr. Tony H. Brock's request regarding abandonment of an unopened alley beginning at its intersection with the north line of the 1000 block of Bailey Avenue thence northeast some 113 feet to a dead-end. Said alley separates parts of Lot 1, Revised Plat of Monique Lewis Subdivision, Plat Book 97, Page 100, ROHC. Tax Map 146G-A-004 as shown on the attached map. My comments are as follows:

1. The subject portion of the said alley is approximately 113' in length and 20' in width for a combined area of approximately 2,260 sq ft.
2. The City of Chattanooga has no sanitary sewer infrastructure in the subject portion of the said alley.
3. Planning Commission recommended approval.
4. No utility owners noted objections to the abandonment:

Therefore, I recommend the following: ***The request for abandonment of the subject portion of the said alley is approved without conditions.***



CHAMBERLAIN

1085

1044

BAILEY

CLOSED

UNOPEN

Tony H Brock
Case: MR-2013-070
Status: Unopened

CHATTANOOGA • HAMILTON COUNTY



REGIONAL PLANNING AGENCY
DEVELOPMENT RESOURCE CENTER
DEVELOPMENT SERVICES 1250 MARKET ST.
Chattanooga, Tennessee 37402
423-668-2287

Dear Property Owner:

This notice is sent to you as a courtesy to inform you that an application has been made for a change in your neighborhood. A description of the proposed change is included below.

This notice does not require action on your part, nor is it a summons. However, if you wish to support or oppose the proposed change, you may want to attend a public hearing to be held by the Chattanooga-Hamilton County Regional Planning Commission.

The hearing will take place at **1:00 p.m. In County Commission Room, Hamilton County Court House, 4th Floor, 625 Georgia Avenue, Chattanooga, Tennessee.**

The Planning Commission recommendation will be sent to the local government having jurisdiction, for their action.

Schedules of when cases will be heard by local governments (if not deferred at Planning Commission)
City of Chattanooga: Second Tuesday of the following month, 6:00 p.m. (closures will be placed on agenda by the City Engineers Office)
Hamilton County: Third Wednesday of the following month, 9:30 a.m.

DATE OF PUBLIC HEARING: June 10th, 2013

TIME: 1:00 PM

**LOCATION: County Commission Room, 4th Floor
Hamilton County Court House
625 Georgia Avenue
Chattanooga, Tennessee 37402**

CASE NO. MR 2013-070

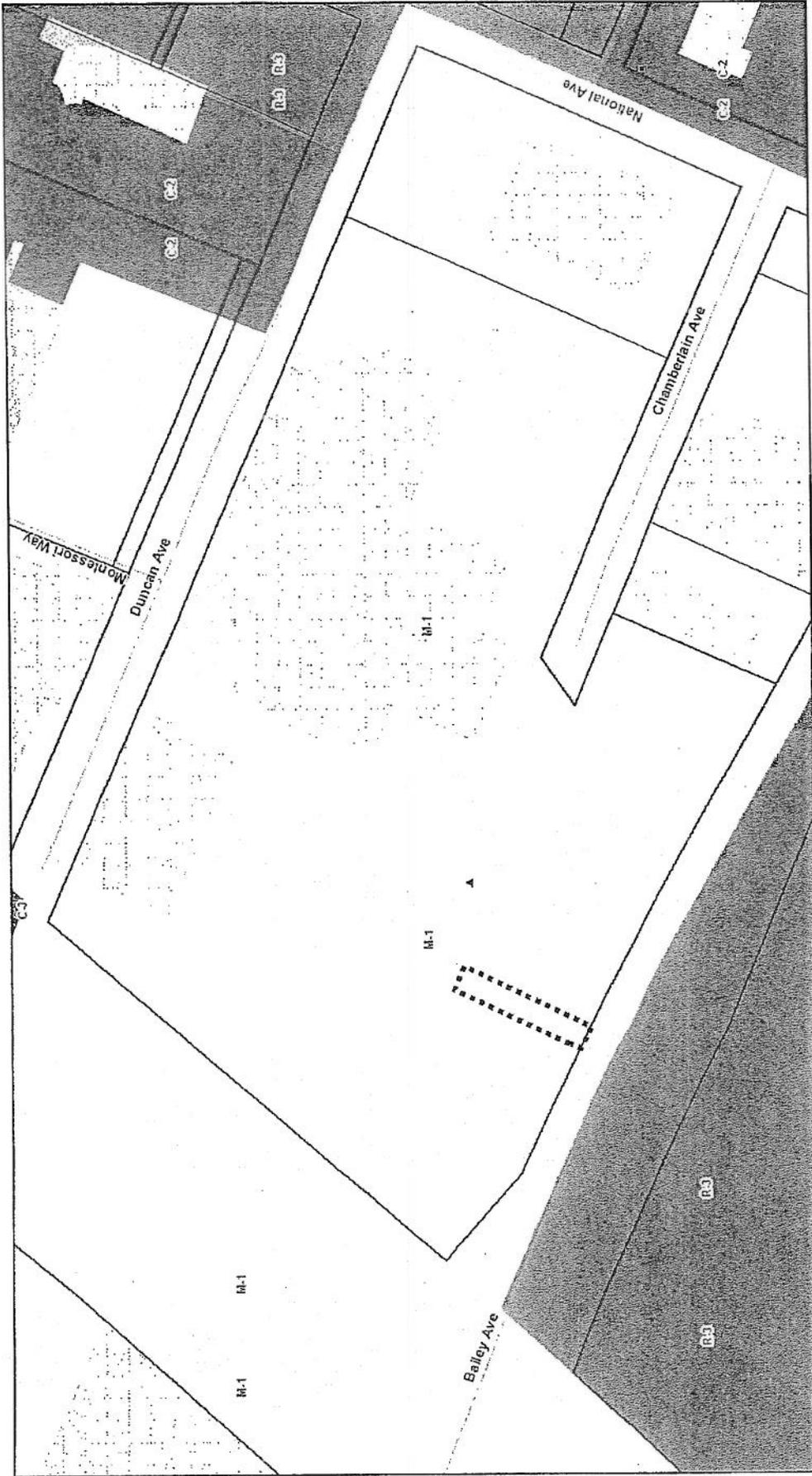
JURISDICTION: Chattanooga

APPLICANT: Tony H. Brock

TYPE OF CHANGE: Beginning on the North line of the 1000 block of Bailey Avenue & Ending then some 113 feet plus or minus Northwest to a dead-end

LOCATION: 1086 Duncan Avenue

(SEE MAP ON REVERSE SIDE)



MR 2013-070 Abandonment of an Unopened Alley in the 1000 blk of Bailey Ave



112 ft



Chattanooga Hamilton County Regional Planning Agency

CLOSURE/ABANDONMENT APPLICATION FORM

CASE NUMBER: MR 2013-070		Date Submitted: 05-02-2013	
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)			
1 Applicant Request (Mandatory Referral per TCA 13-4-104)			
Closure/Abandonment	<input checked="" type="checkbox"/> Alley	<input type="checkbox"/> Street	<input type="checkbox"/> Sewer
	Name of Street or Right-Of-Way: unnamed alley		
	<input type="checkbox"/> Open	<input checked="" type="checkbox"/> Unopened	Length/Width: 113 feet
	Beginning: on the north line of the 1000 block of Bailey Ave		
	Ending: then 113 +/- Northeast to a dead-end		
2 Property Information			
Property Address:	1086 Duncan Ave		
Property Tax Map Number(s):	146G-A-004		
3 Proposed Development			
Reason for Request and/or Proposed Use:	Combine with property to clear title		
4 Site Characteristics			
Current Zoning:	M-1		
Current Use:	Unopened alley		
Adjacent Uses:	Manufacturing		
5 Applicant Information			
All communication will be with the Applicant. If the applicant is not the property owner, the RPA requires a letter from the property owner(s) confirming that the applicant has permission to file this application on his/her behalf.			
Name: Tony H. Brock	Address: 1200 Mountain Creek Rd, Suite 100		
Check one:	<input checked="" type="checkbox"/> I am the property owner	<input type="checkbox"/> I am not the property owner	
City: Chattanooga	State: TN	Zip Code: 37405	Email: tbrock@rainesgroup.com
Phone 1: 423-875-3600	Phone 2: 423-260-2429	Phone 3:	Fax:
6 Property Owner Information (if not applicant)			
Name: Monique Lewis	Phone: 423-847-1523 423-309-4797		
Address: 5036 Gann Store Rd Hixson TN 37343			
Office Use Only:			
Planning District: 8b	Neighborhood: None		
Hamilton Co. Comm. District: 4	Chatt. Council District: 9	Other Municipality:	
Staff Rec:	PC Action/Date:	Legislative Action/Date/Ordinance:	
Checklist:			
<input checked="" type="checkbox"/> Application Complete	<input checked="" type="checkbox"/> Ownership Verification	<input checked="" type="checkbox"/> Map of Proposed Zoning Area with dimensions	
<input checked="" type="checkbox"/> Site Plan, if required	Total Acres to be considered:	<input checked="" type="checkbox"/> Deeds	<input checked="" type="checkbox"/> Plats, if applicable
Deed Book(s): 9216/423			
Plat Book/Page: 97/100	<input checked="" type="checkbox"/> Notice Signs	Number of Notice Signs: 1	
<input checked="" type="checkbox"/> Filing Fee: 350.00	<input checked="" type="checkbox"/> Cash	<input checked="" type="checkbox"/> Check	Check Number: 1660
Planning Commission meeting date: June 10, 2013		Application processed by: Jennifer Ware	

MR-2013-070 City of Chattanooga
June 10, 2013

RESOLUTION

WHEREAS, Tony H. Brock/Monique Lewis petitioned the Chattanooga-Hamilton County Regional Planning Commission to recommend to the Members of the City Council of the City of Chattanooga the abandonment of an unopened alley in the 1000 block of Bailey Avenue.

Abandonment of an unopened alley beginning at its intersection with the north line of the 1000 block of Bailey Avenue thence northeast some 113 feet to a dead-end. Said alley separates parts of Lot 1, Revised Plat of Monique Lewis Subdivision, Plat Book 97, Page 100, ROHC. Tax Map 146G-A-004 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on June 10, 2013,

AND WHEREAS, the Planning Commission heard and considered all statements favoring the petition,

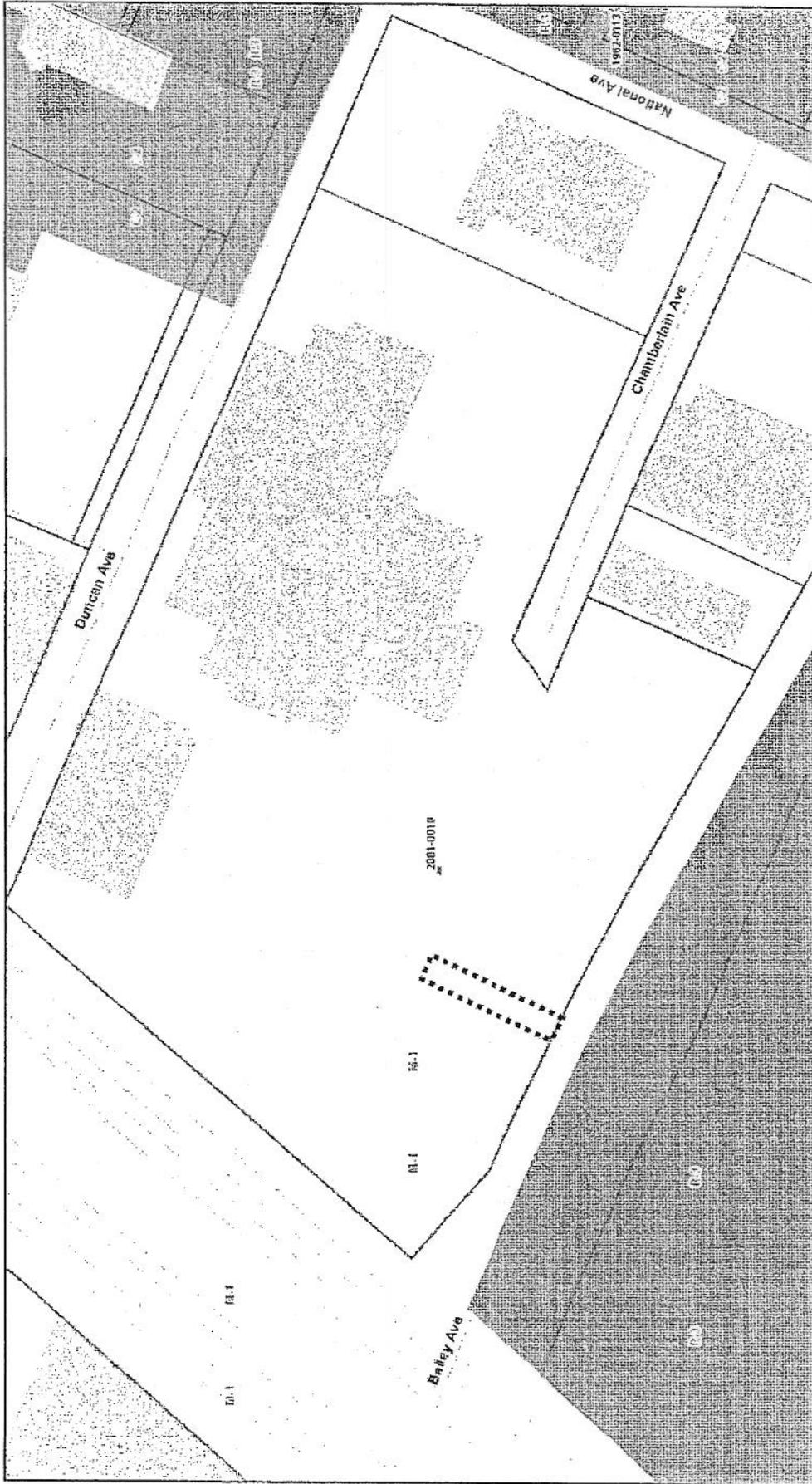
AND WHEREAS, no one was present in opposition to the petition,

AND WHEREAS, the Planning Commission has studied the existing pattern of development.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on June 10, 2013, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved.

Respectfully submitted,


John Bridger
Secretary



MR 2013-070 Abandonment of an Unopened Alley in the 1000 blk of Bailey Ave

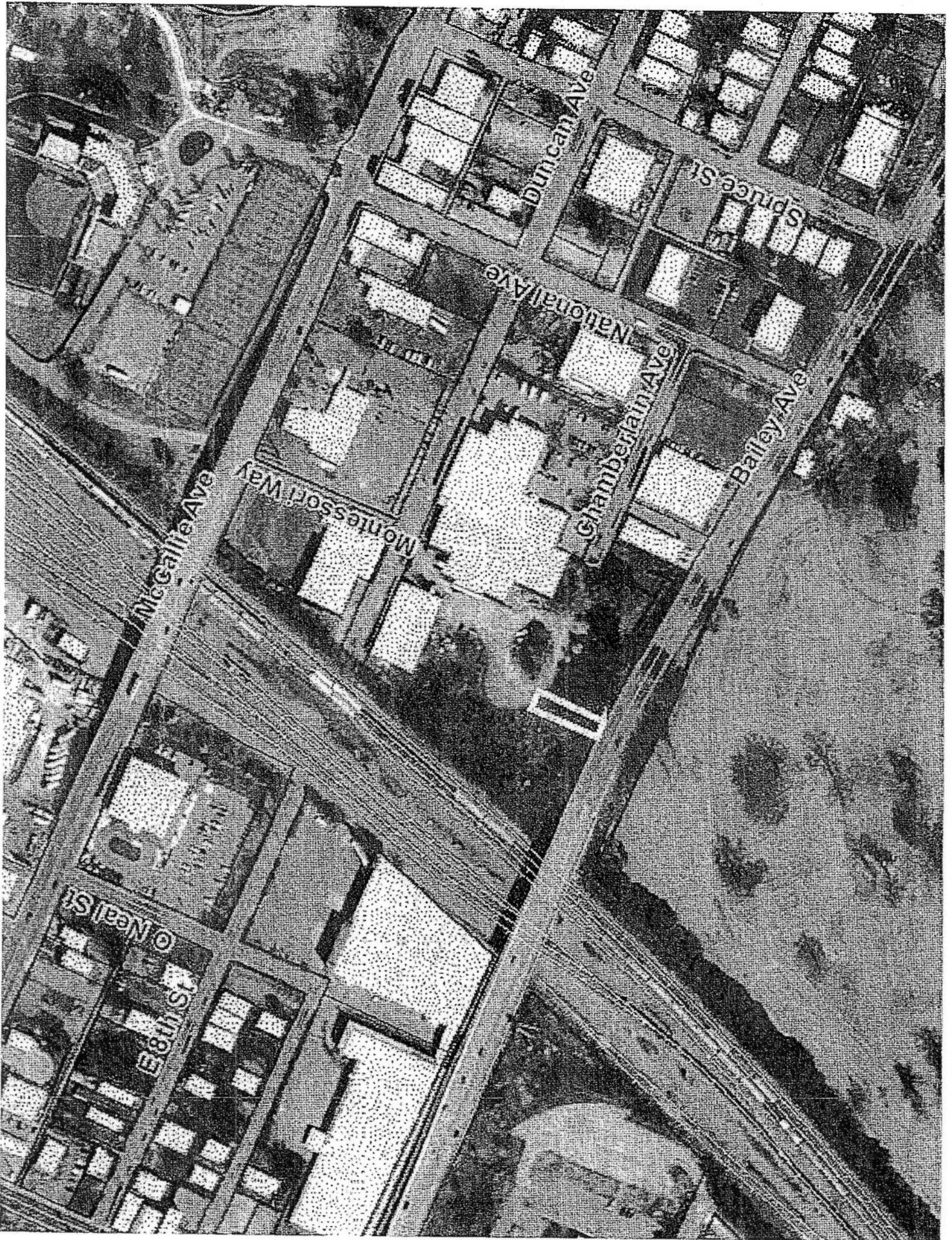
PLANNING COMMISSION RECOMMENDATION FOR CASE NO. MR-2013-070: Approve



110 ft



Chatham County Regional Planning Agency



Chattanooga-Hamilton County Regional Planning Agency
RPA STAFF RECOMMENDATION

PLANNING COMMISSION ACTION:
 Approve

Case Number: MR 2013-70 **PC Meeting Date:** 6-10-2013

STAFF RECOMMENDATION: APPROVE

Land Use & Transportation Comments

Planning Staff:

Applicant Request Overview

The applicant is requesting abandonment of an unopened right-of-way north of Bailey Avenue, for the purpose of combining a property and clearing the title.

Site Description

The right-of-way is located north of the 1000 block of Bailey Avenue, immediately east of the bridge over the railroad tracks. It is currently wooded and bounded by wooded, vacant areas to the east and west. To the north are industrial buildings fronting on Duncan Street. Due to the bridge over the railroad tracks, there is a significant grade difference from Bailey Avenue to the parcels to the north where the alley is located.

Zoning History

The surrounding zoning is M-1 Manufacturing.

Plans/Policies

Because the alley has never been opened, or used to access a property, it is considered a Tier 3 right-of-way. In determining whether to recommend abandonment of a Tier 3 right-of-way, RPA evaluates its potential use for street connectivity, access, and utilities. The feasibility of constructing a street is also evaluated. RPA may recommend abandonment when it is concluded that the public has no further need to retain the right-of-way for the purposes stated above.

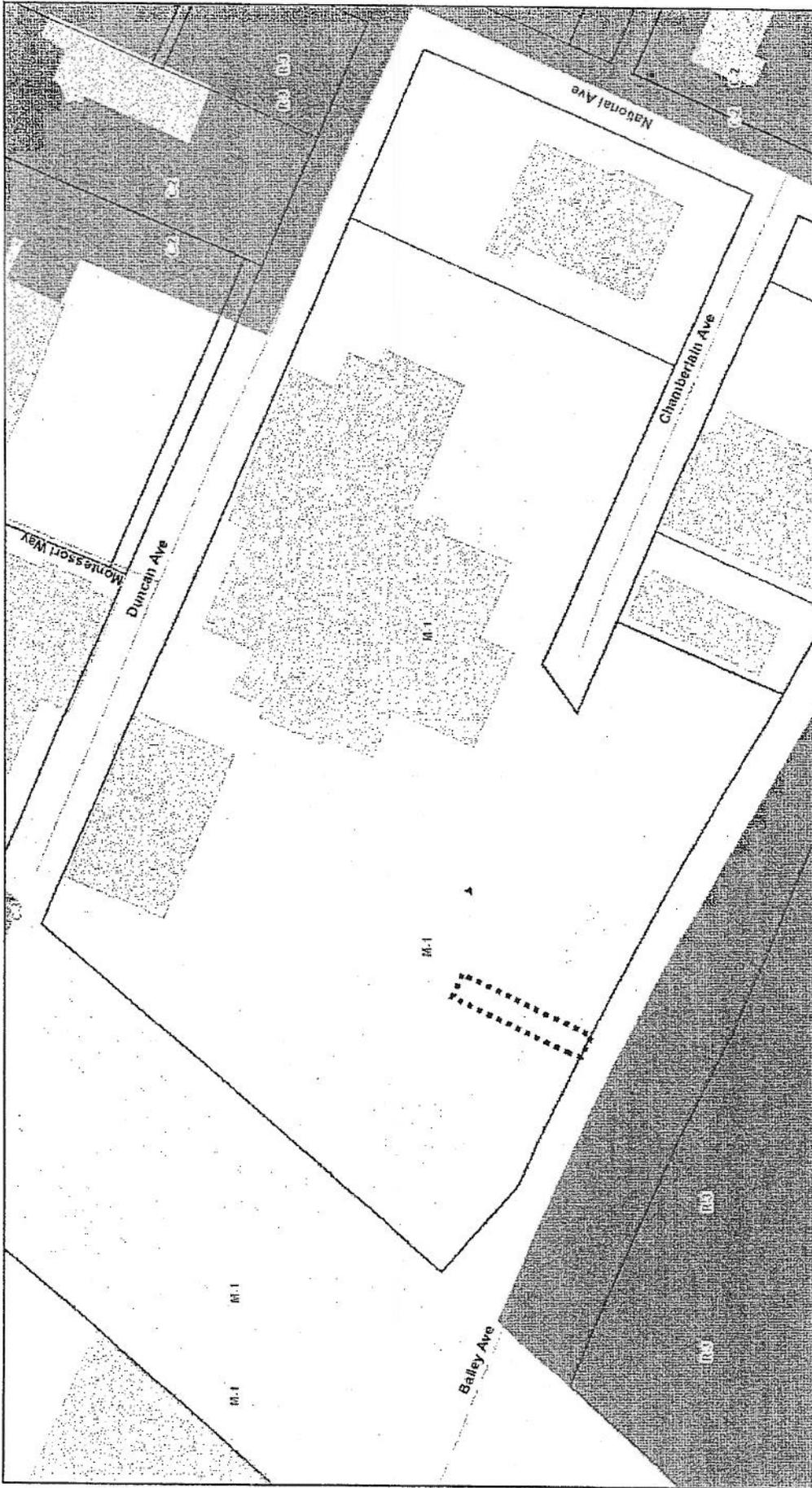
Staff Recommendation

The right-of-way does not provide access to any property, is unlikely to be built as an access point off of Bailey Avenue due to topography, and would not provide useful connections to the existing street network. Since it is not likely that it will be needed by the public in the future, RPA staff recommends approval of the request to abandon the right-of-way.

Infrastructure & Operational Comments

Public Works Staff:

All land development projects are reviewed by City Engineering & Water Quality staff, Traffic Engineering & Operations staff, and the Land Development Office staff. In addition to the requirements of the City of Chattanooga Zoning Ordinance, all land development is further required to comply with current City of Chattanooga traffic regulations, building and development codes, storm water/water quality regulations, and the landscape ordinance.



MR 2013-070 Abandonment of an Unopened Alley in the 1000 blk of Bailey Ave



112 ft



Chatham-Hamilton County Regional Planning Agency

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-087		X
Broad St. is US Route as well as State Rt. need to go thru TDOT excess land to get license agreement. <i>public bridge</i>		

* Comments forthcoming

*Dept of transportation
Mike waiting*

*11/19
D.P. Moore
D. Moore*

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-067	✓	
MR 2013-069	✓	
MR 2013-070	✓	
MR 2013-075	✓	
MR 2013-078		✓

* Comments forthcoming

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-067	X	
MR 2013-069	X	
MR 2013-070	X	
MR 2013-075	X	
MR 2013-078		X

* Comments forthcoming

*Comcast Cable
Mike Balfour*

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-067	✓	
MR 2013-069	✓	
MR 2013-070	✓	
MR 2013-075	✓	
* MR 2013-078		✓
* Please reserve any existing or future facilities inside the proposed abandonment area.		

* Comments forthcoming

*Bill Smith
Jon Mount*

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-067		
MR 2013-069		
MR 2013-070		
MR 2013-075		
MR 2013-078		
D. L. [Signature]		

* Comments forthcoming

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-087	<input checked="" type="checkbox"/>	

* Comments forthcoming

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR - 2013-087	<input checked="" type="checkbox"/>	
Harold Hyde 5-24-13		

* Comments forthcoming

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-087		
[Signature]		

* Comments forthcoming

City Police Dept
David Frye

Traffic Engineer
John Vanciarik

City Police Dept
Harold Hyde

City Police Dept
David Frye

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-087	X	

CITY #1 Engineer
Bill Payne

BMD
5/23/13

W.W.T.#
Cleveland Grimes

* Comments forthcoming

A

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-067	✓	
MR 2013-069	✓	
MR 2013-070	✓	
MR 2013-075	✓	
MR 2013-078	✓	

* Comments forthcoming

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-087	✓	

W.W.T.#
Cleveland Grimes

Chatt Gas Co.
Harold Hyde

* Comments forthcoming

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-067	✓	
MR 2013-069	✓	
MR 2013-070	✓	
MR 2013-075	✓	
MR 2013-078	✓	

* Comments forthcoming

OK Marcela Hyde 5-20-13

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-067	RH	
MR 2013-069	RH	
MR 2013-070	RH	
MR 2013-075	RH	
MR 2013-078	RH	
MR 2013-087	RH	Per Person by phone

* Comments forthcoming

Chattanooga Fire Dept
Kandall Ferron

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-067	✓	
MR 2013-069	✓	
MR 2013-070	✓	
MR 2013-075	✓	
MR 2013-078	✓	

* Comments forthcoming

Dept of Transportation
Ray Tucker
LHN

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-067	✓	
MR 2013-069	✓	
MR 2013-070	✓	
MR 2013-075	✓	
MR 2013-078	✓	

* Comments forthcoming

Mattic Engineer
John Vandinker

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-087	✓	

* Comments forthcoming

F.P.B.
Billy McEneaney

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
2013-078	<input checked="" type="checkbox"/>	<input type="checkbox"/>

* Comments forthcoming

ok for phone
6-7-13
David Jackson

Hixson utility
Caroline Hickman
Kyd Jackson

CITY ENGINEER
Bill Payne

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-067	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
MR 2013-069	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
MR 2013-070	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
MR 2013-075	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
MR 2013-078	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

* Comments forthcoming

BHD
5/15/13

A

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-067	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MR 2013-069	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MR 2013-070	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MR 2013-075	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MR 2013-078	<input checked="" type="checkbox"/>	<input type="checkbox"/>

* Comments forthcoming

Lenn American water CO
Robbie Harvey

not OK's

Dept of Transportation
Mackie White

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-067	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MR 2013-069	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MR 2013-070	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MR 2013-075	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MR 2013-078	<input checked="" type="checkbox"/>	<input type="checkbox"/>

* Comments forthcoming

