

First Reading: _____
Second Reading: _____

MR-2013-036
Tennessee Valley Museum
c/o Tim Andrews

ORDINANCE NO. _____

AN ORDINANCE CLOSING AND ABANDONING SEVERAL UNOPENED STREETS AND ALLEYS WEST OF THE 500 TO 600 BLOCKS OF NORTH CREST ROAD, SUBJECT TO A FULL-WIDTH EASEMENT FOR EPB, TENNESSEE AMERICAN WATER COMPANY, AND THE CITY OF CHATTANOOGA (SANITARY SEWER ONLY).

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That several unopened streets and alleys west of the 500 to 600 blocks of North Crest Road, subject to a full-width easement for EPB, Tennessee American Water Company, and the City of Chattanooga (sanitary sewer only), more particularly described herein, and as shown on the maps attached hereto and made a part hereof by reference, be and are hereby closed and abandoned:

Alley 1: Abandonment of an unopened alley beginning at the northeast corner of Tax Map 137H-G-017 thence some 314 feet southwest to the southeast corner of Tax Map 137H-G-013. Said alley separates Lot 17, Hope Street Subdivision, Plat Book 4, Page 13, ROHC and Lot 18, from Lots 19 thru 24, Plat of Woolson's Subdivision, Plat Book 2, Page 20, ROHC. Tax Map Nos. 137H137-G-013 thru 017 as shown on the attached map.

Alley 2: Abandonment of an unopened alley beginning with its intersection with the east line of Avenue C thence some 163 feet southeast to the west line of another unopened alley. Said alley separates Lots 11, Valley View Addition, Plat Book 6, Page 58, ROHC from Lots 10, 12, 14 and 16, Plat of Woolson's

Subdivision, Plat Book 2, Page 20, ROHC. Tax Map Nos. 137H-G-002 and 010 thru 012 as shown on the attached map.

Alley 3: Abandonment of an unopened alley located east of Avenue C beginning at the south line of an unopened alley thence southwest some 546 feet to the north line of another unopened alley. Said alley separates Lots 1 thru 10, from Lots 11 thru 21, Valley View Addition, Plat Book 6, Page 58, ROHC. Tax Map Nos. 137H-G-002 and 006 and shown on the attached map.

Alley 4: Abandonment of an unopened alley beginning at its intersection with the east line of Maud Street thence some 607 feet southeast to the west line of another unopened alley. Said alley separates Part of Block 66, Glass Farm, Plat Book 1, Page 1, ROHC, and Lots 1, 21 and 22, Valley View Addition, Plat Book 6, Page 58, ROHC, from Lots 1 and 26, Block 1, Lots 1 and 26, Block 3, and Lots 1 and 25, Block 5, Map of Mission Ridge Park, Plat Book 3, Page 20, ROHC. Tax Map Nos. 137H-D-003, 008, 137H-G-001 and 006, and 137I-A-043 and 044 as shown on the attached map.

Alley 5: Abandonment of an unopened alley beginning at its intersection with the north line of Ascension Street thence northeast some 623 feet to the south line of an unopened alley. Said alley separates Lots 1 thru 13, Block 1, Map of Mission Ridge Park, Plat Book 3, Page 20 from an unplatted and unaddressed tract of land being Tax Map No. 137I-A-042. Tax Map Nos. 137I-A-042 and 043 as shown on the attached map.

Ascension Street: Abandonment of an unopened portion of Ascension Street beginning at its intersection with the east line of Maud Street thence southeast some 603 feet to the west line of an unopened alley. Said street separates Lots 13 and 14 of Blocks 1 and 3 from Lots 1 and 26 of Lots 2 and 4, Map of Mission Ridge Park, Plat Book 3, Page 20, ROHC. Tax Map Nos. 137I-A-039, 041, 043 and 044.01 as shown on the attached map.

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Avenue C: Abandonment of an unopened portion of Avenue C beginning with its intersection with the south line of Carl Street thence some 723 feet southwest to the north line of an unopened alley. Said avenue separates an unplatted and unaddressed tract of land being Tax Map 137H-D-003 and Lots A and 22 thru 26, from Lots B and 11 thru 21, Valley View Addition, Plat book 6, Page 58, ROHC. Tax Map Nos. 137H-D-003, 005, 007, 008, and 137H-G-001, 002 and 010 as shown on the attached map.

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Carl St: Abandonment of an unopened portion of Carl Street beginning at its intersection with the west line of the 600 block of North Crest Road thence some 194 feet northwest to the southwest corner of an unplatted and unaddressed tract of land being Tax Map 137H-G-013. Said street separates Lots 15 thru 17, Hope Street Subdivision and Lot 19 from Lots 18 and 20, Plat of Woolson's Subdivision, Plat Book 2, Page 20, ROHC. Tax Map Nos. 137H-G-013 and 015 thru 017 as shown on the attached map.

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Maud St: Abandonment of an unopened portion of Maud Street being at its intersection with the north line of Ascension Street thence northeast some 623 feet to the south line of an unopened alley. Said street separates Lots 1 thru 11, Block 5 and Lots 1 and 2, Block 6 from Lots 14 thru 26, Block 3, Map of Mission Ridge Park, Plat Book 3, Page 20, ROHC. Tax Map Nos. 137H-D-009, 09.01, 010 and 137I-A-044 and 044.01 as shown on the attached map.

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

City of Chattanooga



Resolution Request Form

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

Date: November 11, 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 approve the request to approve of Tennessee Valley Museum c/o Tim Andrews for the abandonment of several unopened streets and alleys west of the 500 to 600 blocks of North Crest Road, as referenced in Case No. MR-2013-036, subject to a full-width easement for EPB, TN American Water Company, and the City of Chattanooga (sanitary sewer only).

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

List all other funding sources and amount for each contributor.

<u>Amount(s)</u>	<u>Grantor(s)</u>
_____	_____
_____	_____
_____	_____
\$ _____	_____

Agency Grant Number _____

CFDA Number if known _____

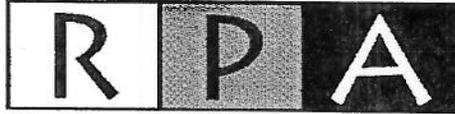
Other comments: (Include contingency amount, contractor, and other information useful in preparing resolution)

Approved by: 
DESIGNATED OFFICIAL/ADMINISTRATOR

Reviewed by: FINANCE OFFICE

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

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: March 11th, 2013

TIME: 1:00 PM

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

CASE NO. MR 2013-036

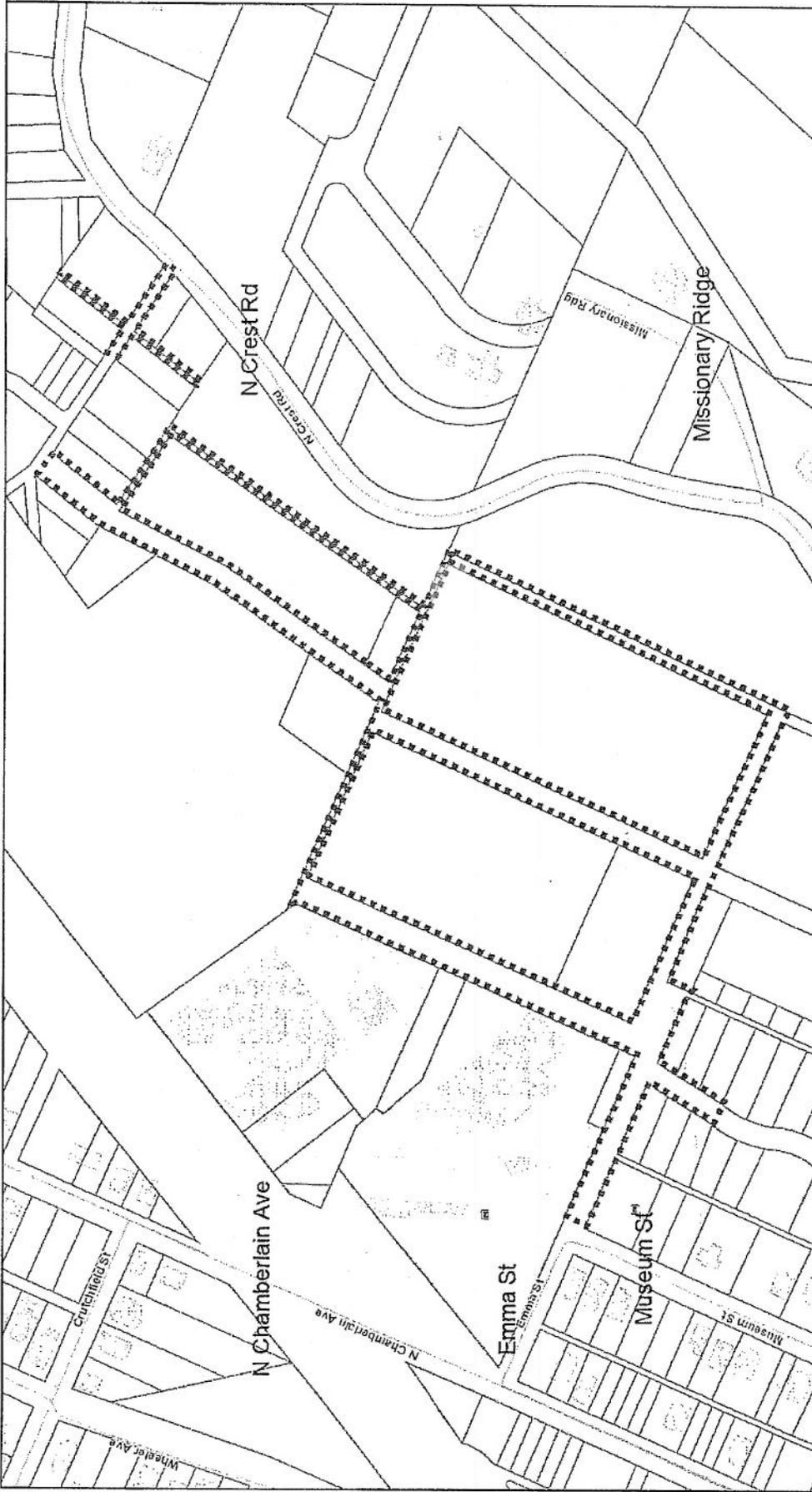
JURISDICTION: Chattanooga

APPLICANT: Tennessee Valley Railroad Museum Attn: Tim Andrews

TYPE OF CHANGE: Abandonment of 7 unopened Streets & 5 Alley Ways

LOCATION: Blocks West of the 500 & 600 blocks of N Crest Road

(SEE MAP ON REVERSE SIDE)



MR 2013-036 Abandonment of Several Unopened Streets and Alleys West of the 500-600 blocks of North Crest Rd

250 ft

Chattanooga-Hamilton County
IRPA
 Regional Planning Agency

Chattanooga Hamilton County Regional Planning Agency

Right-Of-Way Closure/Abandonment Request Form

Chattanooga-Hamilton County



Regional Planning Agency

1250 Market Street
Suite 2000
Development Resource Center
Chattanooga, Tennessee
37402
Phone: 423-668-2287
Fax: 423-668-2289
www.chcrpa.org

Office Use Only

Case Number: MR 2013-036

Date Submitted: 02/08/2013

Planning District: 8b

County District: 5

City District: 9

Jurisdiction: Chattanooga

Neighborhood: East Chattanooga Neighborhood Assn

Staff Action:

PC Action/Date:

Legis. Action/Date:

Print Form

Closure/Abandonment Request:

Street Alley Sewer Easement Other: _____

Right-of-Way Location / Information

Name of Street or ROW: Several unopened streets and alleys west of the 500-600 blks of N Crest Rd Open Unopened

Beginning:

Ending:

Abandonment of 7 unopened streets (Avenue B, Avenue C, Ascension, Barbara, Carl, Emma and Maud) and 8 alleys generally bounded on the North by Carl St, to the South by Emma St, to the East by N Crest Rd and to the West by Museum St.

Tax Map Number: 137H-D-003, 006 thru 008, 009.01, 010, 010.01, 011; 137H-G-001, 002, 006, 010 thru 017**

Reason for Request/Proposed Use:

Combine Parcels

**137I-A-005 thru 010, 024 thru 026, 039 and 041 thru 044.01

Applicant Information

All communication by phone, fax, email, or mail will be with the Applicant. If you are not the property owner, you will need to submit a letter from the property owners(s) indicating that you are acting as their agent in filing this application (e.g. engineer, architect, consultant, broker, etc.).

Property Owner Architect Engineer Optionee Purchaser of Property Trustee
 Other:

Name	Tennessee Valley Railroad Museum Attn: T. Andrews		
Address:	4119 Cromwell Rd		
City	Chattanooga	State:	TN
Zip Code:	37421		
Daytime Phone:	423-894-8028		
Cell Phone:	423-413-4331		
Other Phone:			
Email:	tandrews@tvrail.com		
Fax:	423-894-8029		

Property Owner Information (if not applicant)

Name:	Same
Address:	
Phone:	

CHECKLIST (OFFICE USE ONLY)

<input checked="" type="checkbox"/> Application Complete	<input checked="" type="checkbox"/> Deeds for property to be rezoned
<input checked="" type="checkbox"/> Ownership Verification (Tax Map Printout, Letter)	Deed Book: 7978/856
<input checked="" type="checkbox"/> Map showing property to be rezoned.	<input checked="" type="checkbox"/> Copy of Plats, if applicable
<input checked="" type="checkbox"/> Site Plan, if applicable	Plat Book/Page: 3/20
<input checked="" type="checkbox"/> Total acres to be considered: _____	<input type="checkbox"/> Notice Signs How Many?
<input checked="" type="checkbox"/> Filing Fee: 350.00	<input type="checkbox"/> Cash Check No. 4081
Accepted by: Jennifer Ware	Date: 02/08/2013

Case Number: MR-013-036
Applicant Request: Abandonment of several unopened street & alley right-of-ways near 500-600 block of N. Crest Road

Applicant: Tennessee Valley Railroad Museum c/o Tim Andrews
Property Address: Streets and alleys west of the 500-600 blocks of N. Crest Rd
Jurisdiction: Chattanooga District 9/ Hamilton County District 5
Neighborhood: East Chattanooga Neighborhood Association

Proposed Development

Site Plan Submitted: Not required
Proposed Use: Combine Parcels

PLANNING COMMISSION ACTION:
Approve

Site Characteristics

Current Zoning: R-1 Residential Zone
Current Use: Rail Transportation
Adjacent Uses: Residential and Manufacturing
Length of Right-of-Way: Combined length of 5727+/- linear feet

STAFF RECOMMENDATION: APPROVE

Analysis

Extension of Existing Zoning? Not applicable
Community Land Use Plan: East Chattanooga Area Plan (2004)
Proposed Use Supported by Community Land Use Plan? Not applicable
Proposed Use Supported by Comprehensive Plan? Not applicable

Comments

Planning Staff:

Request Overview

The Tennessee Valley Railroad Museum c/o Tim Andrews is requesting closure of several public right-of-ways that exists between their properties for the consolidation of parcels.

Right-of-way Abandonment and Closure requests are reviewed using the Right-of-Way Closure and Abandonment Policy adopted by the Chattanooga-Hamilton County Regional Planning Commission in January 1997 and the City of Chattanooga (Resolution 24532) in August 2005.

This right-of-way is Unopened: Dedicated for public use, but not maintained by the City.

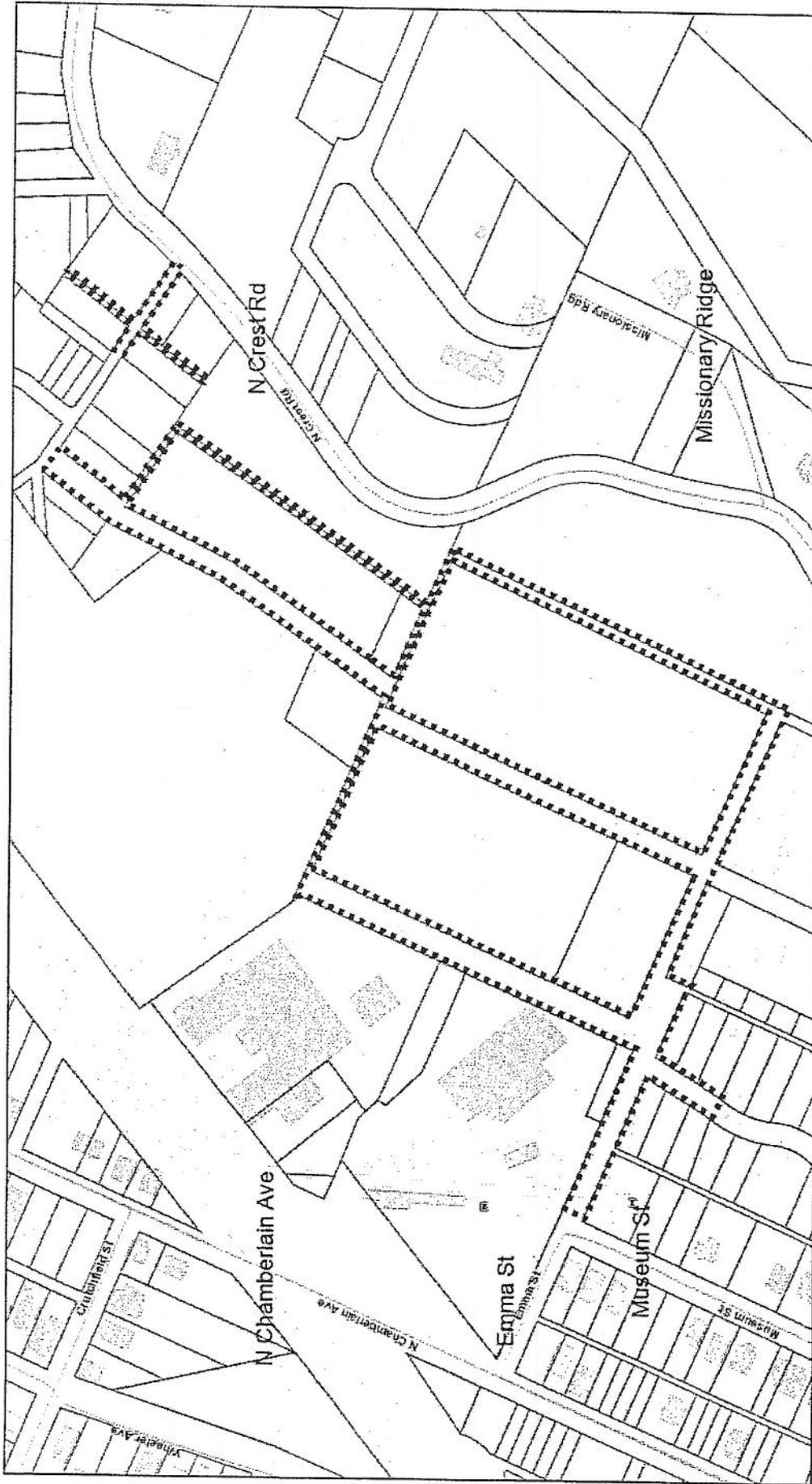
Review(s) of rights-of-way for closure are based on a tiered classification. This right-of-way is Tier 2: Rights-of-way which are not currently opened or only partially opened but which provide a limited level of service to the abutting property owners or to utilities. Applications for closure and abandonment will be accepted on Tier 2 rights-of-way and reviewed using the adopted review factors and according to the tenets of this policy.

The evaluation of this right-of-way street closure was based on the following review factors:

1. Presence of or potential for the location of utilities
2. Currently not open to traffic
3. No potential for future public use
4. Type of surface is pavement and gravel, unmaintained by the City
5. The closure will not landlock any property
6. Applicant owns adjacent properties and intends to use for private facilities.

Staff Recommendation

Staff is recommending approval as there is no apparent negative impact of this request to adjacent or surrounding properties. Mr. William McGhee, the Right-of-Way Agent for EPB submitted a letter confirming that EPB will not object to the closure, subject to the stipulations set forth in Ordinance 7907.



MR 2013-036 Abandonment of Several Unopened Streets and Alleys West of the 500-600 blocks of North Crest Rd



250 ft





Chattanooga Hamilton County Regional Planning Agency

✓
MR-2013-036 City of Chattanooga
March 11, 2013

RESOLUTION

WHEREAS, Tennessee Valley Railroad Museum/Tim Andrews 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 several unopened streets and alleys west of the 500 to 600 blocks of North Crest Road.

Alley 1: Abandonment of an unopened alley beginning at the northeast corner of Tax Map 137H-G-017 thence some 314 feet southwest to the southeast corner of Tax Map 137H-G-013. Said alley separates Lot 17, Hope Street Subdivision, Plat Book 4, Page 13, ROHC and Lot 18, from Lots 19 thru 24, Plat of Woolson's Subdivision, Plat Book 2, Page 20, ROHC. Tax Map 137H137-G-013 thru 017 as shown on the attached map.

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Alley 4: Abandonment of an unopened alley beginning at its intersection with the east line of Maud Street thence some 607 feet southeast to the west line of another unopened alley. Said alley separates Part of Block

66, Glass Farm, Plat Book 1, Page 1, ROHC, and Lots 1, 21 and 22, Valley View Addition, Plat Book 6, Page 58, ROHC, from Lots 1 and 26, Block 1, Lots 1 and 26, Block 3, and Lots 1 and 25, Block 5, Map of Mission Ridge Park, Plat Book 3, Page 20, ROHC. Tax Map 137H-D-003, 008, 137H-G-001 and 006, and 137I-A-043 and 044 as shown on the attached map.

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AND WHEREAS, the Planning Commission held a public hearing on this petition on March 11, 2013,

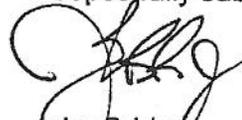
AND WHEREAS, the Planning Commission heard and considered all statements favoring the petition,

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

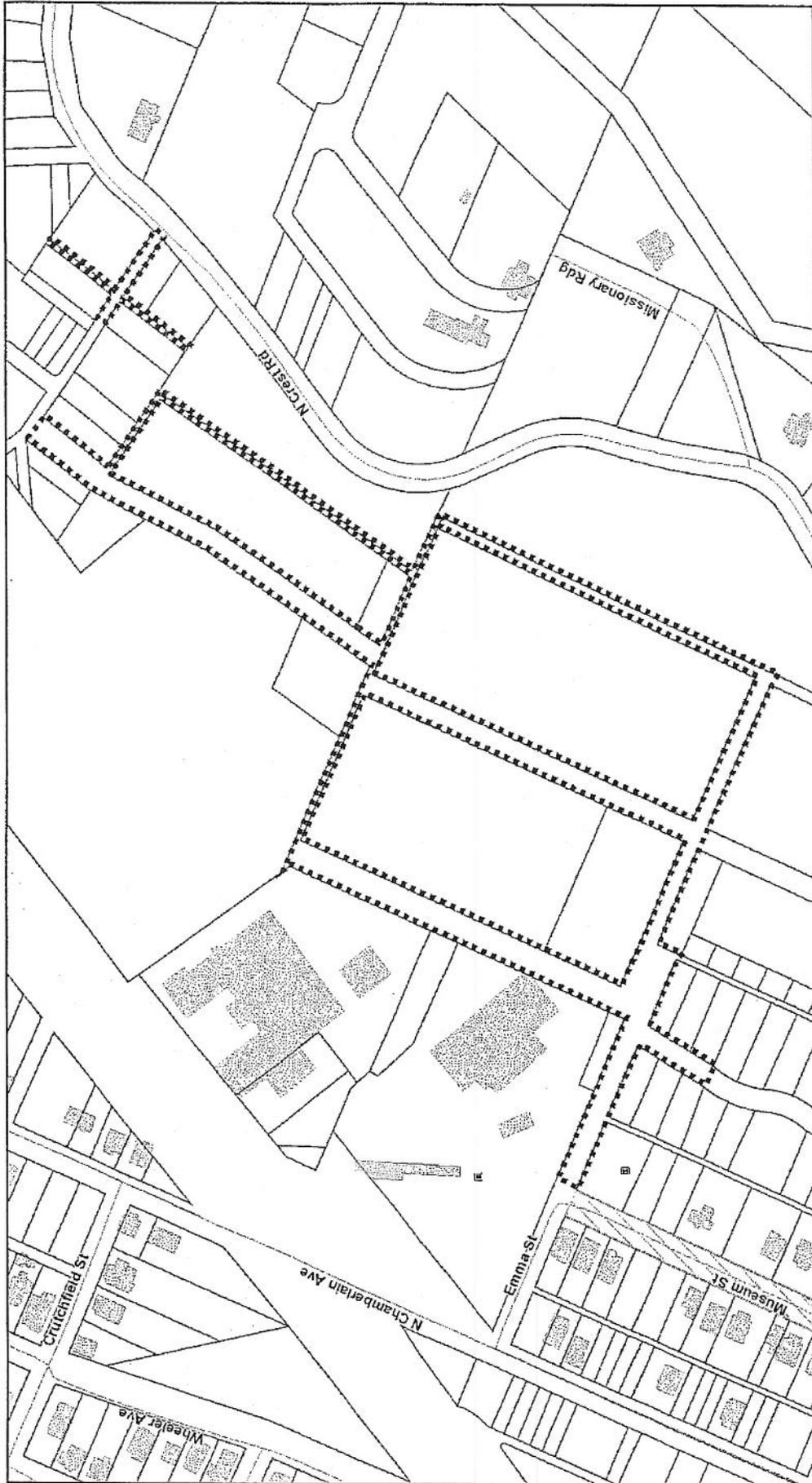
AND WHEREAS, the Planning Commission has studied the existing pattern of development.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on March 11, 2013, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved.

Respectfully submitted,

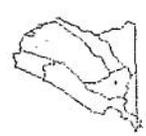


John Bridger
Secretary



MR 2013-036 Abandonment of several streets and alleys west of the 500-600 blks of North Crest Rd

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. MR-2013-036: Approve



250 ft



Chattanooga Hamilton County Regional Planning Agency

P. O. Box 182255
Chattanooga, Tennessee
37422-7255
www.epb.net

February 14, 2013



Mr. Greg L. Haynes, Director
Chattanooga-Hamilton County Regional Planning Agency
Suite 2000, Development Resource Center
1250 Market Street
Chattanooga, TN 37402

RE: Case No. 2013-036

Dear Mr. Haynes:

EPB will not object to the closure, subject however, to the stipulations set forth in Ordinance # 7907.

Thank you for the courtesy notice.

Sincerely,

A handwritten signature in cursive script that reads 'Betty'. The signature is written in dark ink and is positioned above the typed name of the sender.

William McGhee
Right-of-Way Agent
EPB



TENNESSEE
AMERICAN WATER

Robbie Harvey
P.O. Box 6338
1101 Broad Street
Chattanooga, TN 37401

P 423.771-4765
F 423.755.7635

www.tawc.com

February 15, 2013

Chattanooga/Hamilton County Regional
Planning Commission
1250 Market Street, Suite 2000
Chattanooga, TN 37402

Re: Closure and Abandonment Case No. MR2013-036

Tennessee American Water request that an easement be retained in the full width of the existing right-of-way for the above case.

Sincerely,

Robbie Harvey
Draftsperson
Tennessee American Water

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-029	✓	
MR 2013-036	✓	

* Comments forthcoming

Ball Smith
San Martin

Comcast Cable L.P.
Mike Schlotz

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-029	✓	
MR 2013-036	✓	

* Comments forthcoming

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-029	✓	
MR 2013-036	✓	

* Comments forthcoming

Chattanooga Police Dept.
David Frye

Chattanooga Gas Company
Harold Hyde

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-029	✓	
MR 2013-036	✓	

* Comments forthcoming

Harold Hyde, C-26-13

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-029	RH	
MR 2013-036	RH	

Chattanooga Fire Dept.
Randall Herron

* Comments forthcoming

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-029	<input checked="" type="checkbox"/>	
MR 2013-036	<input checked="" type="checkbox"/>	

In American Water Co.
Robbie Harber

* Comments forthcoming

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-029	<input checked="" type="checkbox"/>	
MR 2013-036	<input checked="" type="checkbox"/>	

Dept. of Insperitation
Jackie White

* Comments forthcoming

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-029	<input checked="" type="checkbox"/>	
MR 2013-036	<input checked="" type="checkbox"/>	

Inatic Engineering
John Vanvinkle

* Comments forthcoming

