

First Reading: _____
Second Reading: _____

MR-2014-074
Carrington Montague

ORDINANCE NO. _____

AN ORDINANCE CLOSING AND ABANDONING PART OF THE UNNUMBERED BLOCK OF GRACE STREET BEGINNING AT NORTH CREST ROAD AND GOING NORTH APPROXIMATELY 203.19 FEET AND ENDING AT THE SOUTHERNMOST EDGE OF THE PREVIOUS CLOSURE APPROVED BY ORDINANCE NO. 9336, SUBJECT TO CERTAIN CONDITIONS.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That part of the unnumbered block of Grace Street beginning at North Crest Road and going north approximately 203.19 feet and ending at the southernmost edge of the previous closure approved by Ordinance No. 9336, 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:

Abandonment of part of the unnumbered block of Grace Street beginning at North Crest Road and going north approximately 203.19 feet and ending at the southernmost edge of the previous closure approved in Ordinance 9336. Tax Map Nos. 137H-G-026, 027, 028, 029 & 029.01 and 139H-H-011, 012, & 013.

SECTION 2. BE IT FURTHER ORDAINED, That this abandonment shall be subject to the recommendation of the Planning Commission and subject to the retention of a full-width utility easement for the said utility.

SECTION 3. 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

/mem

City of Chattanooga



Resolution Request Form

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

Date: January 12, 2015

Preparer: Bert Kuyrkendall *BK*

Department: Transportation

Brief Description of Purpose for Resolution:

Resolution Number (if approved by Council):

District 9

A City Council Action is requested to approve the request of Carrington Montagues's request for abandonment of part of the unnumbered block of Grace Street beginning at N. Crest Road and going north approximately 203.19 feet and ending at the southernmost edge of the previous closure approved in Ordinance 9336. Tax maps 137H-G-026, 027,028, 029 and 029.01 and 139H-H-011, 012 and 013 as shown on the attached map. As referenced in Case No. MR 2014-074.

RECOMMENDATION IS FOR APPROVAL WITH CONDITIONS.

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: _____

Reviewed by: FINANCE OFFICE

DESIGNATED OFFICIAL/ADMINISTRATOR

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

Memorandum

To: Brandon Sutton ^{BS}
From: Ed Bowen ^{EB}
cc: Bertran Kuyrkendall; Brent Derrick
Date: January 7, 2015
Re: Carrington Montague
Case No. MR 2014-074
Unnumbered Block of Grace Street (District 9)

Recommendations Regarding Abandonment Request

I have completed the review of Carrington Montague's request for abandonment of part of the unnumbered block of Grace Street beginning at North Crest Road and going north approximately 203.19 feet and ending at the southernmost edge of the previous closure approved in Ordinance 9336. Tax maps 137H-G-026, 027, 028, 029 and 029.01 and 139H-H-011, 012, and 013 as shown on the attached map. My comments are as follows:

- The subject area is approximately 203 feet in length by about 30 feet in width for an area of approximately 6,090 square feet.
- The city of Chattanooga has no sanitary sewer infrastructure in the subject portion of the unopened alley.
- The Chattanooga Transportation Department does not object to the abandonment.
- Tennessee American Water Company objects to the abandonment.
- The Planning Commission recommends approval of this closure.

Therefore, I recommend the following: The request for abandonment of said portion of right-of-way is approved with these conditions:

- The recommendation of the Planning Commission be followed.
- Subject to the retention of a full-width utility easement for the said utility.

WO#135264

Chattanooga-Hamilton County Regional Planning Agency

CLOSURE/ABANDONMENT APPLICATION FORM

CASE NUMBER:	MR 2014-074	Date Submitted:	07-07-2014
(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 type="checkbox"/> Alley	<input checked="" type="checkbox"/> Street	<input type="checkbox"/> Sewer
	Name of Street or Right-Of-Way: Grace Street		
	<input type="checkbox"/> Open	<input checked="" type="checkbox"/> Unopened	Length/Width: 203.19 x 30
	Beginning: At North Crest Road going North 203.19' + or -		
	Ending: at the previous closure in case number 1989-224, Ordinance #9336		
2 Property Information			
Property Address:	Unnumbered block of Grace Street off of the 600 block of North Crest Road		
Property Tax Map Number(s):	137H-G-026, 027, 028, 029 & 029.01 139H-H-011, 012, & 013		
3 Proposed Development			
Reason for Request and/or Proposed Use:	Under contract with Trust for Public Land for Public Park		
4 Site Characteristics			
Current Zoning:	R-1		
Current Use:	Vacant		
Adjacent Uses:	Residential & Vacant		
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: Carrington Montague		Address: 632 West Brow Road, P/O Box 108	
Check one:	<input checked="" type="checkbox"/> I am the property owner	<input type="checkbox"/> I am not the property owner	
City: Lookout Mountain	State: TN	Zip Code: 37350	Email: cmont50@comcast.net
Phone 1: 423-825-1470	Phone 2:	Phone 3:	Fax:
6 Property Owner Information (if not applicant)			
Name: Same		Phone:	
Address:			
Office Use Only:			
Planning District: 8B		Neighborhood: East Chattanooga Neighborhood Association	
Hamilton Co. Comm. District: 5		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
<input checked="" type="checkbox"/>	Total Acres to be considered:	<input checked="" type="checkbox"/>	Deeds
<input checked="" type="checkbox"/>	Plats, if applicable	<input checked="" type="checkbox"/>	Notice Signs
Deed Book(s): 10080-959, ITE2-8553, 7359-867, 3869-685, 9767-336			
Plat Book/Page: 1-40, 2-40, 4-13		<input checked="" type="checkbox"/>	Number of Notice Signs: 1
<input checked="" type="checkbox"/>	Filing Fee: 350.00	<input checked="" type="checkbox"/>	Cash
<input checked="" type="checkbox"/>	Check	<input checked="" type="checkbox"/>	Check Number: 8322
Planning Commission meeting date: August 11 th , 2014		Application processed by: Marcia Parker	

MR-2014-074 City of Chattanooga
August 11, 2014

RESOLUTION

WHEREAS, Carrington Montague 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 part of the unnumbered block of Grace Street off of the 600 block of North Crest Road.

Abandonment of part of the unnumbered block of Grace Street beginning at North Crest Road and going north approximately 203.19 feet and ending at the southernmost edge of the previous closure approved in Ordinance 9336. Tax Maps 137H-G-026, 027, 028, 029 & 029.01 and 139H-H-011, 012, & 013 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on August 11, 2014,

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 August 11, 2014, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved.

Respectfully submitted,



John Bridger
Secretary

STAFF CASE REPORT TO PLANNING COMMISSION

Case Number:	MR-2014-074	PC Meeting Date: 08-11-14
Applicant Request:	Mandatory referral for closure/abandonment of a portion of unopened street right-of-way	
Property Location:	Unnumbered block of Grace Street off the 600 block North Crest Road	
Property Owner:	Carrington Montague	
Applicant:	Same	
Staff Recommendation:	APPROVE	

PROJECT ANALYSIS

RPA Land Use & Transportation Comments

Project Description

The applicant is requesting abandonment of a block of Grace Street off the 600 block North Crest Road. The applicant owns all parcels abutting the 203 feet length of right-of-way and is under contract to transfer the properties to the Trust for Public Land for a public park.

Site Description

The site is an unopened right-of-way, approximately 203 feet in length and 30 feet in width as it appears in recorded Plat Book 1, Page 40 from the early 1900's.

Zoning History

The northern section of Grace Street was closed and abandoned by case 1989-224, Ordinance 9336 in 1989.

Plans/Policies

This site is within the 2004 East Chattanooga Area Plan.

Right-of-way (ROW) 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.

Review of rights-of-way for closure is 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 on Tier 2 rights-of-way are reviewed using the adopted review factors and according to the tenets of this policy.

The staff recommendation for this request was based on an evaluation of the following review factors:

1. Width of the ROW is 30 feet +/-.
2. Presence of or potential for the location of utilities.
3. Currently not open to traffic.
4. Limited potential for future use should the adjacent properties be combined and replatted as a single parcel.
5. Right-of-way is unpaved and forested.
6. Adjacent properties will be landlocked unless the properties are combined and replatted as a single parcel.

STAFF CASE REPORT TO PLANNING COMMISSION

7. The applicant is applying for the closure because he is under contract to transfer the properties to the Trust for Public Land for a public park.

City Departmental Infrastructure & Operational Comments

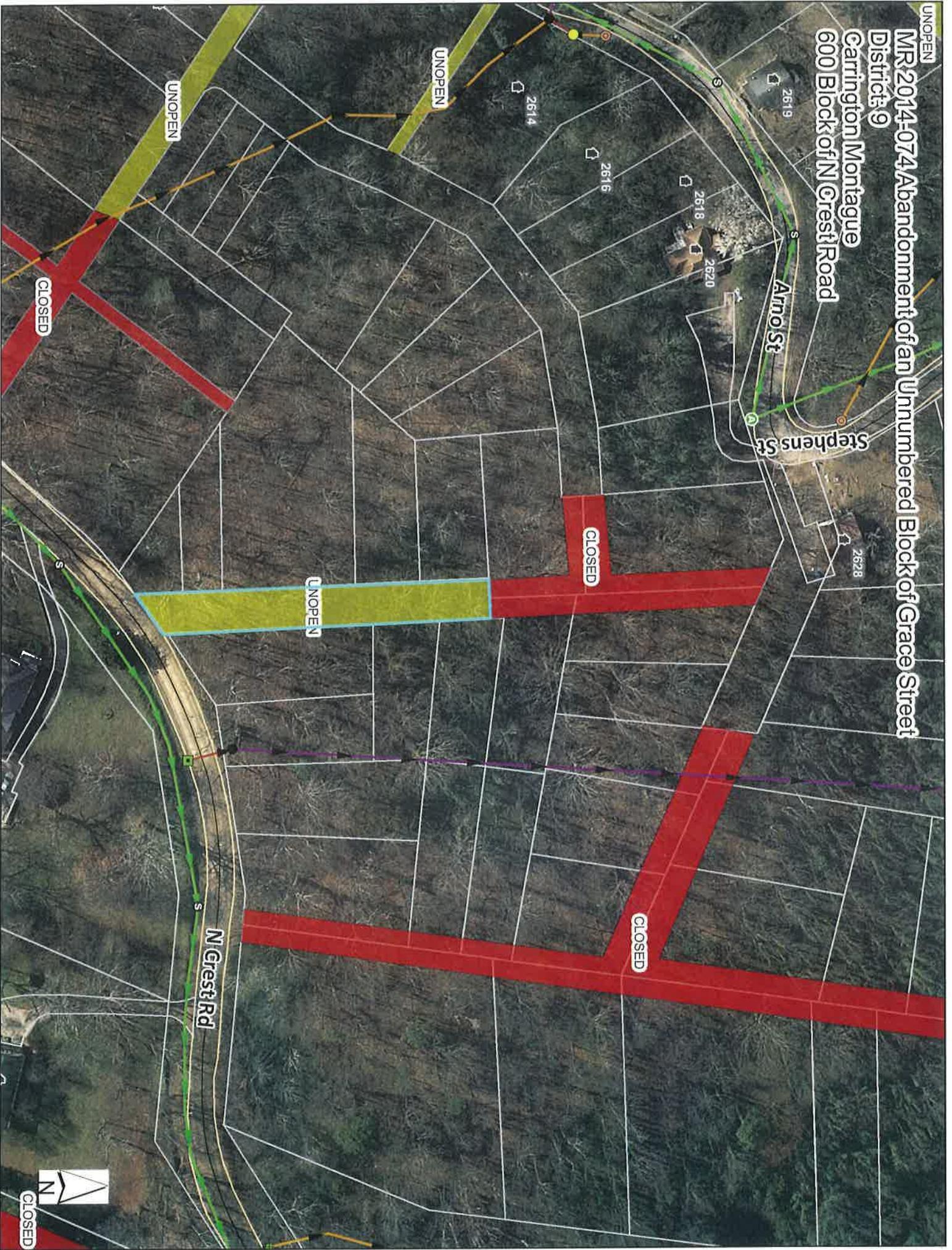
All land development projects are reviewed by City Engineering & Water Quality staff, Transportation Department staff, and the Land Development Office staff. In addition to the requirements of the City of Chattanooga Zoning Ordinance, all land development is further required to comply with current City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

RPA Summary

The Regional Planning Agency is recommending approval of the proposed closure because the right-of-way has limited potential for future use since the applicant owns all adjacent properties and is under contract to transfer the properties to the Trust for Public Land for a public park. The closure is only appropriate if all of the adjacent parcels and the right-of-way are combined and replatted as a single lot.

UNOPEN

MR 2014-074 Abandonment of an Unnumbered Block of Grace Street
Carrington Montague District 9
600 Block of N Grest Road



Arno St

Stephens St

N Grest Rd

CLOSED

CLOSED

UNOPEN

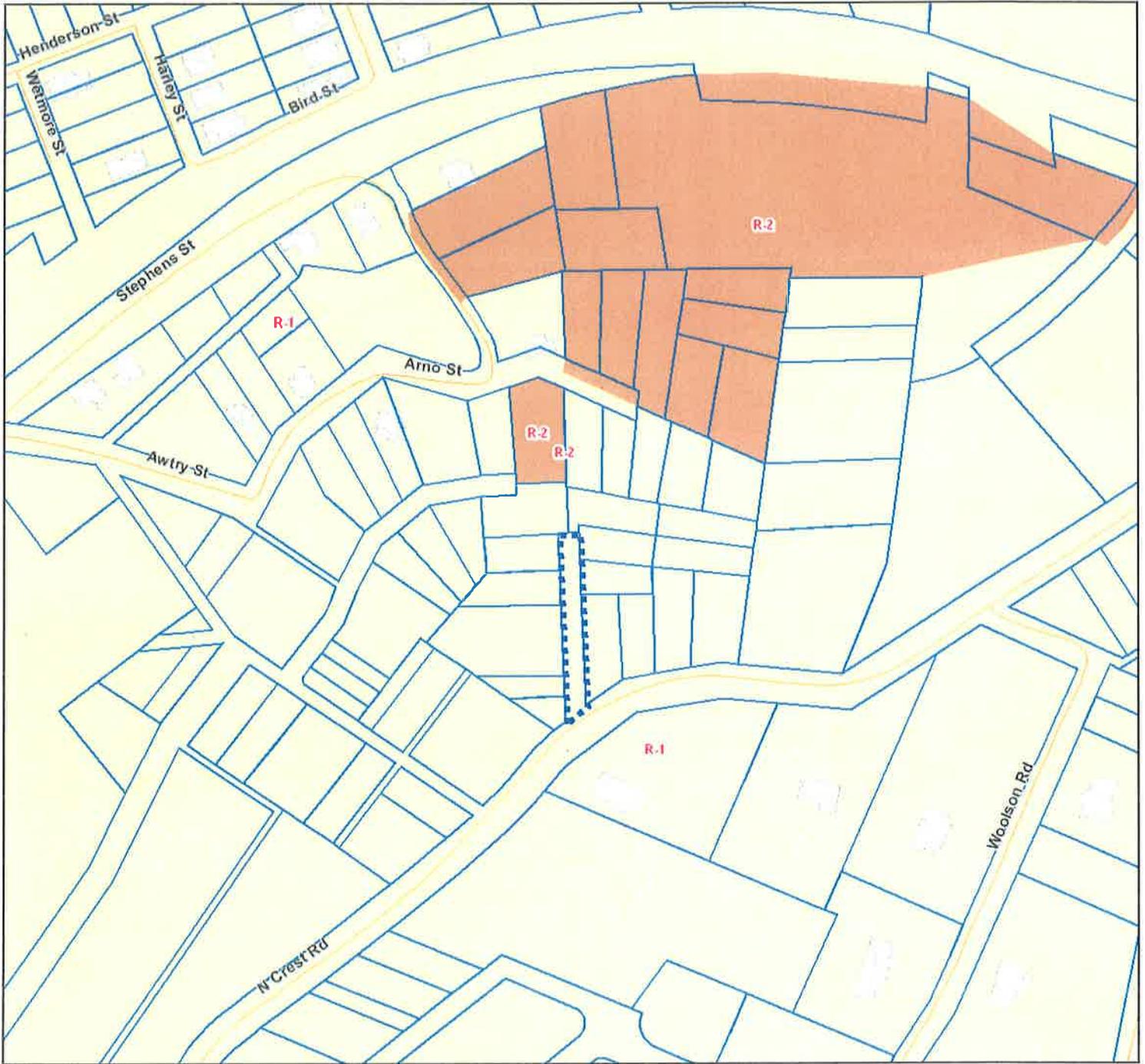
UNOPEN

UNOPEN

CLOSED



CLOSED



MR 2014-074 Abandonment of an Unnumbered Block of Grace St



200 ft



MR 2014-074 Abandonment of an Unnumbered Block of Grace St



200 ft

Chattanooga Hamilton County Regional Planning Agency

