

MR-2012-158
Alan Haniszewski
RTB Holdings

ORDINANCE NO. _____

AN ORDINANCE CLOSING AND ABANDONING OF A PORTION OF AN UNOPENED RIGHT-OF-WAY LOCATED IN THE 1900 BLOCK OF JEFFERSON STREET, MORE PARTICULARLY DESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That a portion of an unopened right-of-way located in the 1900 block of Jefferson Street, 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 a portion of the unopened 1900 block of Jefferson Street Right-of-Way beginning at the southwest corner of Tax Map 145M-U-007.02 thence northeast some 49 feet to the northwest corner of said tax map. Tax Map No. 145M-U-007.02.

SECTION 2. BE IT FURTHER ORDAINED, That this closure and abandonment shall be subject to the retention of an easement for the full width for Chattanooga Gas and AT&T Southeast.

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

_____, 2013.

CHAIRPERSON

APPROVED: _____ DISAPPROVED: _____

DATE: _____, 2013

/mms

MAYOR

City of Chattanooga



Resolution Request Form

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

Date: January 25, 2013

Preparer: William C. Payne *[Signature]*

Department: Public Works - Engineering

Brief Description of Purpose for Resolution:

Resolution Number (if approved by Council): _____ District 7

A City Council Action is requested to approve the request of Alan Haniszewski for the abandonment of a portion of the unopened 1900 block of Jefferson Street right-of-way beginning at the southwest corner of Tax Map 145M-U-007.02 thence northeast some 49 feet to the northwest corner of said tax map, as referenced in Case No.2012-158, *subject to an easement for the full width for Chattanooga Gas and AT&T Southeast.*

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: *[Signature]*

DESIGNATED OFFICIAL/ADMINISTRATOR

Reviewed by: FINANCE OFFICE

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

Memorandum

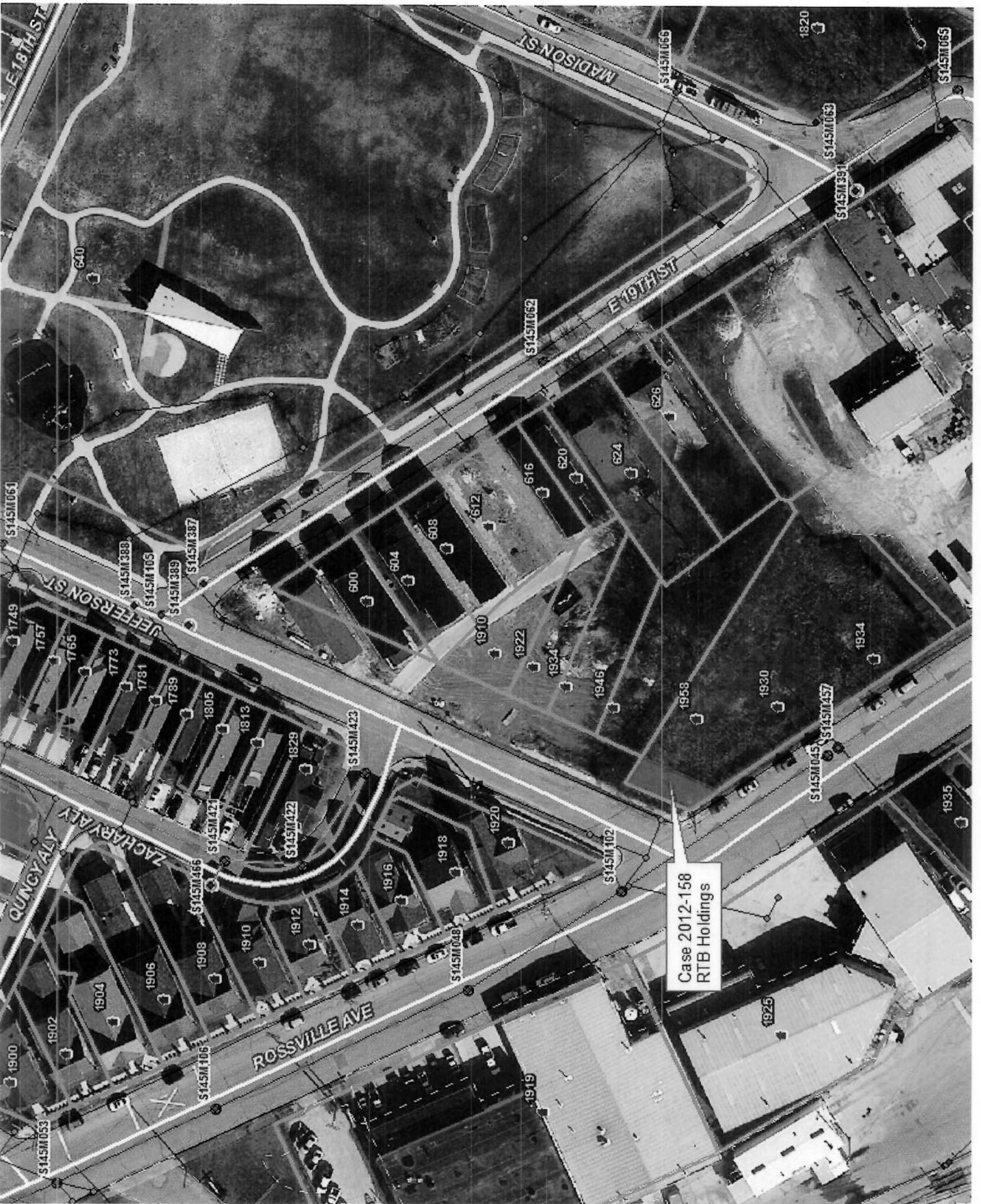
To: Bill Payne
From: Bill Cannon
cc: Dennis Malone
Date: January 24, 2013
Re: Alan Haniszewski for RTB Holdings
Case No. 2012-158
1900 block of Jefferson Street
Recommendations for Requested ROW Abandonment

I have completed the review of RTB Holdings request regarding abandonment of a portion of the unopened 1900 block of Jefferson Street Right-of-Way beginning at the southwest corner of Tax Map 145M-U-007.02 thence northeast some 49 feet to the northwest corner of said tax map. Tax Map 145M-U-007.02 as shown on the attached map. My comments are as follows:

1. The subject portion of right of way is being requested for the realignment of the right of way and property road frontage for a single family development.
2. The City has no infrastructure in the subject portion of right of way.
3. The following Utility Owner's noted objections to the abandonment:
 - Chattanooga Gas
 - AT&T - Southeast

After review, granting the Abandonment of the subject portion of right of way does not conflict with the Public's interest, therefore I recommend the following: ***The request for abandonment of said portion of right of way is approved with conditions.***

Condition 1: Subject to retention of all utility easements and routing rights, and at the utility's discretion.



Case 2012-158
RTB Holdings

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.chrcpa.org

Office Use Only

Case Number: MR 2012-158
Date Submitted: 11/09/2012
Planning District: 8A
County District: 4
City District: 7
Jurisdiction: Chattanooga
Neighborhood: Jefferson Heights/Southside Historic District
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: Portion of the unopened block of 1900 Jefferson Street Right-of-way Open Unopened

Beginning: At the northmost corner of 145M-U-007.02	Ending: thence southwest some 49 feet to the northwest most corner of said parcel
Tax Map Number: 145M-U-007.02	
Reason for Request/Proposed Use: Residential Development	

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	Alan Haniszewski	
Address:	3073 Baggett Trail	
City	Signal Mountain	State: TN
Zip Code:	37377	
Daytime Phone:		
Cell Phone:	423-364-6032	
Other Phone:		
Email:	a.haniszewski@yahoo.com	
Fax:		

Property Owner Information (if not applicant)	
Name:	RTB Holdings
Address:	P. O. Box 319 Chattanooga, TN 37412
Phone:	423-505-5187

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: 5716/119 |
| <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: 5/39 |
| <input checked="" type="checkbox"/> Total acres to be considered: _____ | <input checked="" type="checkbox"/> Notice Signs How Many? 2 |
| <input checked="" type="checkbox"/> Filing Fee: 350.00 <input type="checkbox"/> Cash | Check No. 3844 |
| Accepted by: Jennifer Ware | Date: 11/09/2012 |



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: December 10th, 2012

TIME: 1:00 PM

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

CASE NO. 2012-158

JURISDICTION: Chattanooga

APPLICANT: Alan Haniszewski

TYPE OF CHANGE: Abandonment of the unopened portion of the 1900 block of Jefferson Street from the northmost corner of 145M-U-007.02 thence southwest some 49 feet to the northwest most corner of said parcel

LOCATION: 1900 block of Jefferson Street

(SEE MAP ON REVERSE SIDE)

Case Number:	2012-158
Applicant Request:	Abandonment of a portion of the 1900 block of Jefferson St R-O-W
Applicant:	Alan Haniszewski
Property Address:	1900 block of Jefferson Street R-O-W
Jurisdiction:	Chattanooga District 07/ Hamilton County District 04
Neighborhood:	Jefferson Heights and Southside Historic District

Proposed Development	
Site Plan Submitted:	Yes
Proposed Use:	Residential Development

Site Characteristics	
Current Zoning:	C-3
Current Use:	Unopened Street
Adjacent Uses:	Commercial and Residential
Size of Tract or Length of Right-of-Way:	49.29 linear feet

**PLANNING COMMISSION ACTION:
Approve**

STAFF RECOMMENDATION: APPROVE

Analysis	
Extension of Existing Zoning?	Not Applicable
Community Land Use Plan:	Downtown Plan (2004)
Proposed Use Supported by Community Land Use Plan?	Yes
Proposed Use Supported by Comprehensive Plan?	Yes

Comments

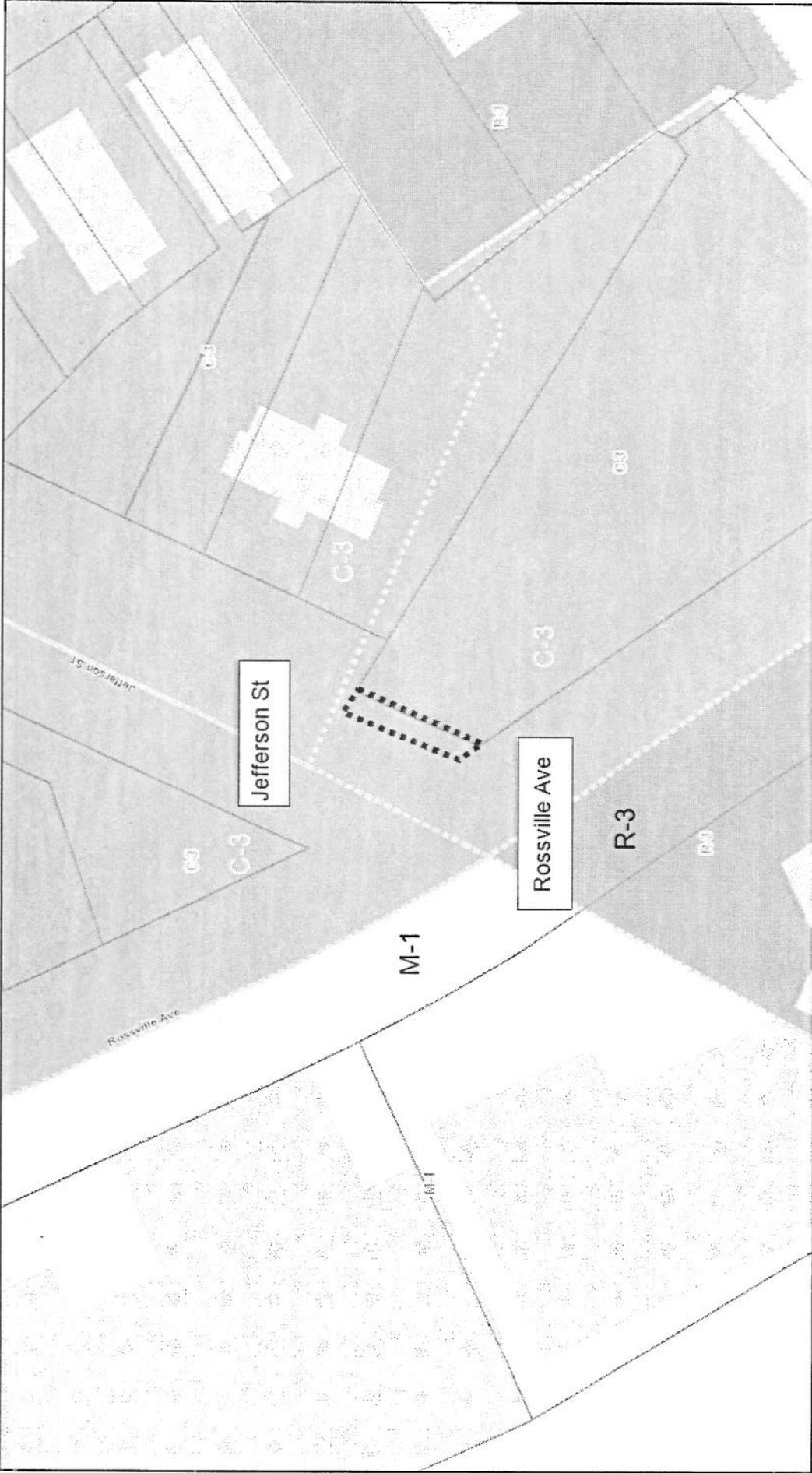
Planning Staff: Applicant Request Overview
The applicant is building single-family homes in this block and wants to align the right-of-way fronting this property with that fronting the adjacent properties.

Site Description
This portion of right-of-way is located in Jefferson Heights at the corner of Jefferson Street and Rossville Avenue. The right-of-way is larger at the northeast corner of this intersection resulting in an offset fronting the applicant's property.

Applicable Plans/Policies
The Downtown Plan recommends a mix of housing in this area. Urban development patterns are also recommended with minimal front setbacks.

Staff Recommendation
The Staff recommends approval of this right-of-way abandonment as it will allow the applicant to build homes with setbacks that are consistent with the surrounding residential development.

Note: The City Engineer's Office will review and provide a recommendation to the City Council on this request.



MR 2012-158 Abandonment of a portion of the unopened 1900 block of the Jefferson Street Right-of-way

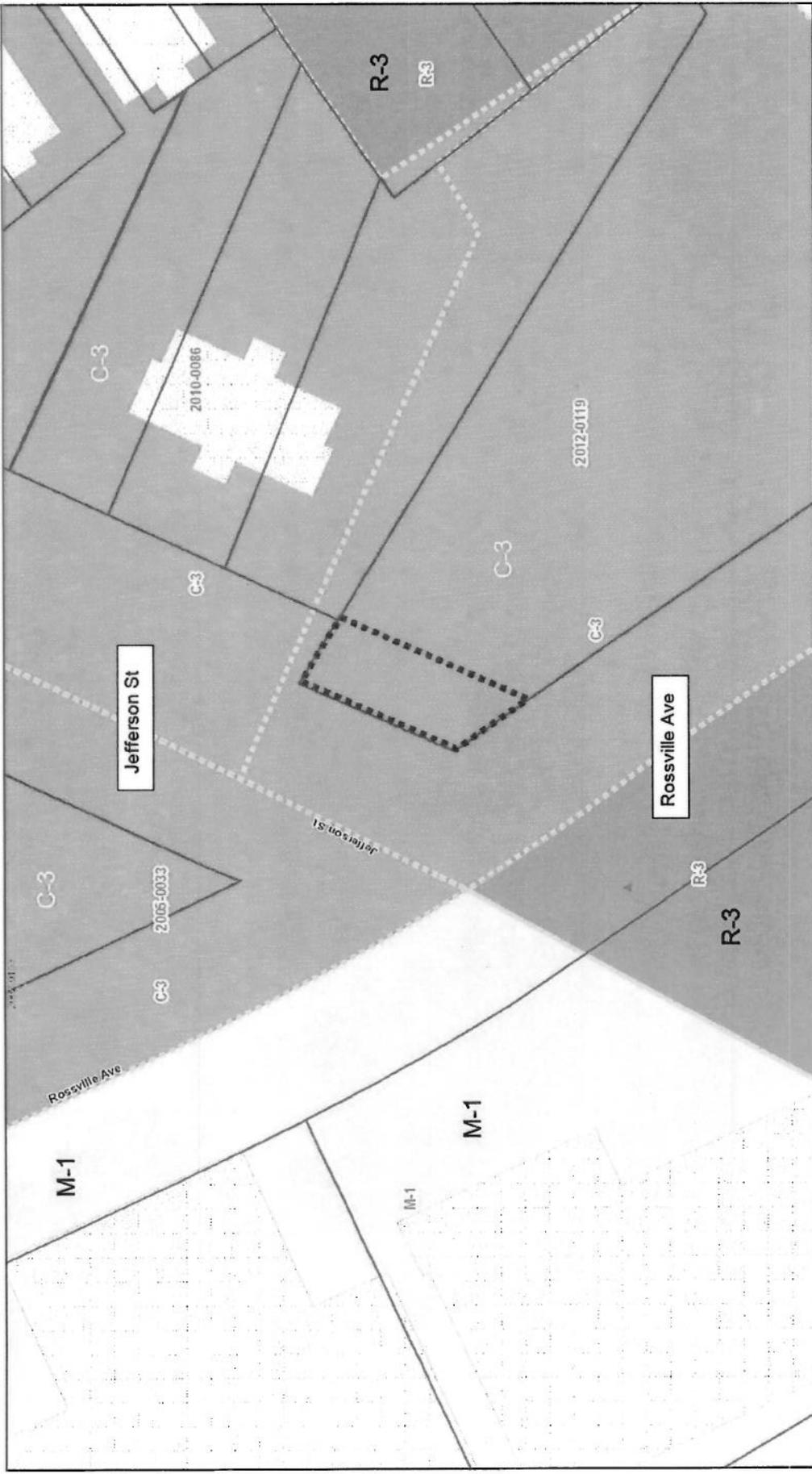
Planning Commission Recommendation: APPROVE



50 ft



Chattahoochee Hamilton County Regional Planning Agency



MR 2012-0158 Abandon a portion of the Jefferson Street R-O-W

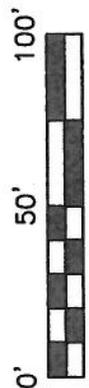
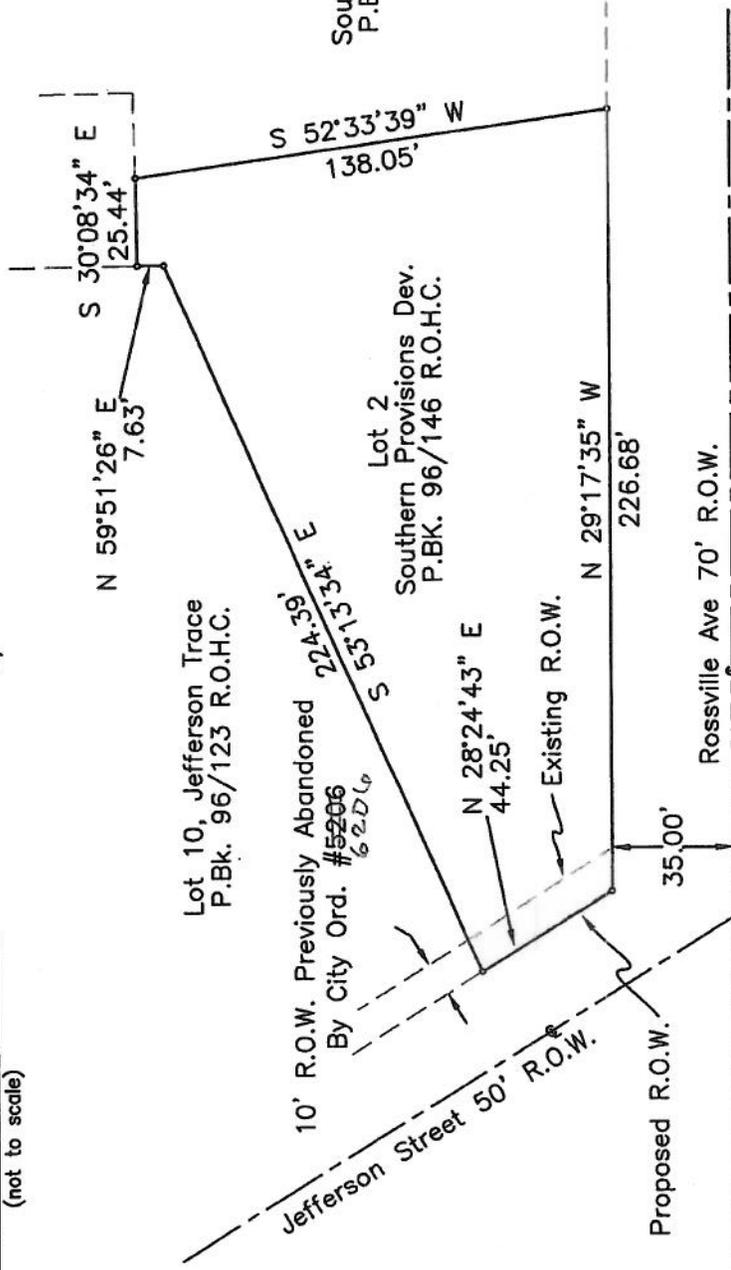
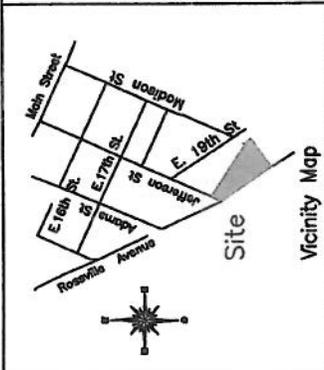
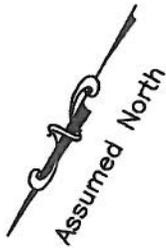
40 ft

Chattanooga-Hamilton County
MRPA
Regional Planning Agency

Chattanooga Hamilton County Regional Planning Agency

Survey Drawing
Showing Proposed R.O.W. Abandonment
Being Lot 2 Of Southern Provisions Development Of
Rossville Ave
Recorded In Plat Book 96, Page 146 R.O.H.C.
Chattanooga, Hamilton County, Tennessee

Scale: 1" = 50' November 9, 2012



Graphic Scale

Alan Haniszewski
 Tennessee PLS No. 2398
 3073 Baggett Trail
 Signal Mountain, TN 37377
 423-364-6032

File Name Jeff Trace R.O.W.
 Drawing No. 12-129-1

2012-158



Chattanooga Gas™

An AGL Resources Company

2207 Olan Mills Drive
Chattanooga, TN 37421

866 643-4138 phone
www.chattanoogagas.com

November 27, 2012

Chattanooga Hamilton County Regional Planning Agency
1250 Market Street
Chattanooga, TN 37402

Dear Sir:

Re: 2012-158

There is a conflict with the requested abandonment due to an existing gas main in the area.

Please contact Harold Hyde with Chattanooga Gas at 423-490-4262 for additional information.

Sincerely,

Harold Hyde
Operations Foreman

Enclosures

HH/kbd



AT&T - Southeast
300 East M. L. King Blvd.
Chattanooga, TN 37403

T: (423)752-9018
F: (423)267-0120
www.att.com

October 29, 2012

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

RE: Closures and Abandonment's Case Numbers MR2012-158

Dear Mr. Haynes:

In regards to Case Number MR2012-158 for the December 10, 2012, Planning Commission Meeting Agenda, AT&T Southeast cannot agree to closure since facilities are in this area. Please reserve any existing or future utility easements inside the proposed abandonment areas.

If additional information is needed, please contact me at 752-9018.

Thank You,

A handwritten signature in black ink, appearing to read "Shaun Prigmore".

Shaun Prigmore
Area Manager OSP Planning & Engineering Design

cc: RPC File

(c) AT&T Knowledge Ventures. All rights reserved. AT&T, AT&T logo, BellSouth and BellSouth logo are trademarks of AT&T Knowledge Ventures and/or AT&T affiliated companies.

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
2012-158	<input checked="" type="checkbox"/>	<input type="checkbox"/>

* Comments forthcoming

Dept. of Transportation
Ray Rucker

Comcast Cable
Mike Schlotz

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
2012-158	<input checked="" type="checkbox"/>	<input type="checkbox"/>

* Comments forthcoming

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
2012-158	<input checked="" type="checkbox"/>	<input type="checkbox"/>

* Comments forthcoming

MathC Engineer
John Vandinkie

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
2012-158	<input checked="" type="checkbox"/>	<input type="checkbox"/>

* Comments forthcoming

11-19-12
BWP

City Engineer
Bill Tarnie

A

