

First Reading: _____
Second Reading: _____

MR-2013-029
Will Morrison/
Jonathan and Kristen Bragdon

ORDINANCE NO. _____

AN ORDINANCE CLOSING AND ABANDONING OF AN
ALLEY LOCATED ALONG THE 1000 BLOCK OF NORMAL
AVENUE.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
CHATTANOOGA, TENNESSEE, That an alley located along the 1000 block of Normal
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 west line of the 1000 block of Normal Avenue thence
southwest some 130 feet to a dead-end. Said alley separates Lots
13 thru 15, Block 5 from Lots 19 thru 21, Block 3, Corrected Plat
of Normal Park, Plat Book 4, Page 42, ROHC. Tax Map Nos.
136A-D-001, 019 and 020.

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: May 13, 2013

Preparer: William C. Payne

Department: Public Works - Engineering

Brief Description of Purpose for Resolution:

Resolution Number (if approved by Council):

District 2

A City Council Action is requested to approve the request of Will Morrison and Jonathan & Kristen Bragdon for the abandonment of alley along the 1000 block of Normal Avenue, as referenced in Case No. 2013-029.

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: Bill Payne

From: Ed Bowen

cc: Dennis Malone

Date: May 7, 2013

Re: Will Morrison for Jonathan and Kristen Bragdon
Case No. 2013-029
Alley Along 1000 Block of Normal Avenue

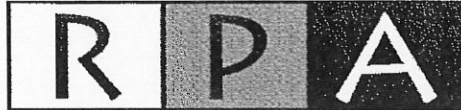
Recommendations Regarding Abandonment Request

I have completed the review of Mr. and Mrs. Bragdon's request regarding abandonment of a 130' ± long portion of an alley along the 1000 block of Normal Avenue, said alley going in a southwest direction as shown on the attached map. My comments are as follows:

1. The requested portion of the subject alley along the 1000 block of Normal Avenue is 10' ± in width and 130' ± in length.
2. The City of Chattanooga has storm water infrastructure in the subject portion of the alley. A storm water pipe line crosses the alley and the Bradgons' lot to join a combined sewer system.
3. The Planning Commission recommended approval.
4. There was no objection from utility owners noted.

Therefore, I recommend the following: ***The request for abandonment of said portion of right of way is approved.***

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 2013-029

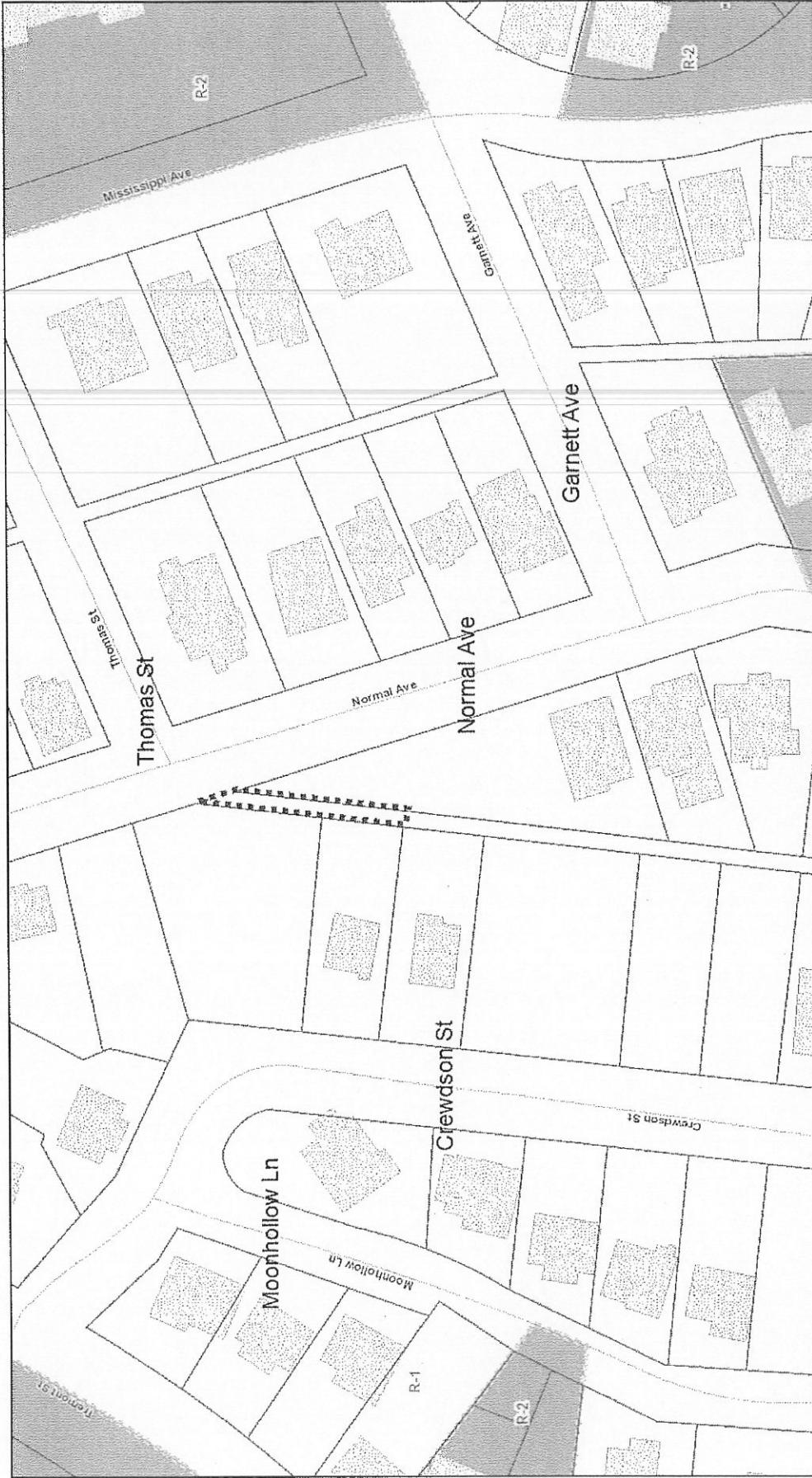
JURISDICTION: Chattanooga

APPLICANT: Will Morrison/Jonathan & Kristen Bragdon

TYPE OF CHANGE: Abandonment of part of Alley-Way beginning off of the 1000 block of Normal Avenue and going in a Southwest direction approximately 130 feet plus or minus

LOCATION: 1000 block of Normal Avenue

(SEE MAP ON REVERSE SIDE)



MR 2013-029 Abandonment of an Unopened Alley in the 1000 block of Normal Ave



87 ft



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 2013-029

Date Submitted: 01-29-2013

Planning District: 8B

County District: 6

City District: 1

Jurisdiction: Chattanooga

Neighborhood: North Shore

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: Unopened alley off of the 1000 block of Normal Avenue Open Unopened

Beginning:

Ending:

At the 1000 block of Normal Ave going in a South West direction

approximately 130 feet plus or minus

Tax Map Number: 136A-D-001, 019, & 020

Reason for Request/Proposed Use: End of alley runs directly in front of property and is not in use

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	Will Morrison		
Address:	1025 Dartmouth Street		
City	Chattanooga	State:	Tn
Zip Code:	37405		
Daytime Phone:	423-762-2208		
Cell Phone:			
Other Phone:			
Email:	willmorrison12@gmail.com		
Fax:	423-886-1941		

Property Owner Information (if not applicant)

Name:	Jonathan & Kristen Bragdon		
Address:	900 Normal Avenue		
	Chattanooga, TN		
Phone:	423-313-2535		

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: 8394-327,9139-903
<input type="checkbox"/> Map showing property to be rezoned.	<input checked="" type="checkbox"/> Copy of Plats, if applicable
<input type="checkbox"/> Site Plan, if applicable	Plat Book/Page: 4-41
<input type="checkbox"/> Total acres to be considered: _____	<input checked="" type="checkbox"/> Notice Signs How Many? 1
<input checked="" type="checkbox"/> Filing Fee: \$350.00 <input type="checkbox"/> Cash	Check No. 1253
Accepted by: Marcia Parker	Date: 01-29-2013

Case Number:	MR-2013-029
Applicant Request:	Abandonment of Alley Right-of-Way
Applicant:	Will Morrison/Jonathan & Kristen Bragdon
Property Address:	Unopened alley off of 1000 block of Normal Avenue
Jurisdiction:	Chattanooga District 1/ Hamilton County District 6
Neighborhood:	North Shore
Proposed Development	PLANNING COMMISSION ACTION:
Site Plan Submitted:	Not Required Approve
Proposed Use:	End of alley runs directly in front of property and is not in use
Site Characteristics	
Current Zoning:	R-1 Residential Zone
Current Use:	Alley way not in use
Adjacent Uses:	Residential
Length of Alley Way:	Approximately 130 feet

STAFF RECOMMENDATION: APPROVE

Analysis	
Extension of Existing Zoning?	Not Applicable
Community Land Use Plan:	North Chattanooga Zoning Study (2007)
Proposed Use Supported by Community Land Use Plan?	Not Applicable
Proposed Use Supported by Comprehensive Plan?	Not Applicable

Comments
Planning Staff: Request Overview

Mr. Will Morrison is requesting closure of a public right-of-way that runs from the 1000 block of Normal Avenue going in a Southwest direction 130 +/- feet.

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 has been determined to be Unopened. The policy defines Unopened rights-of-way to be "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 meaning it is not currently opened or only partially opened, but provides a limited level of service to the abutting property owners or to utilities. Applications for closure and abandonment are accepted on Tier 2 rights-of-way and reviewed using the adopted review factors and according to the tenets of this policy.

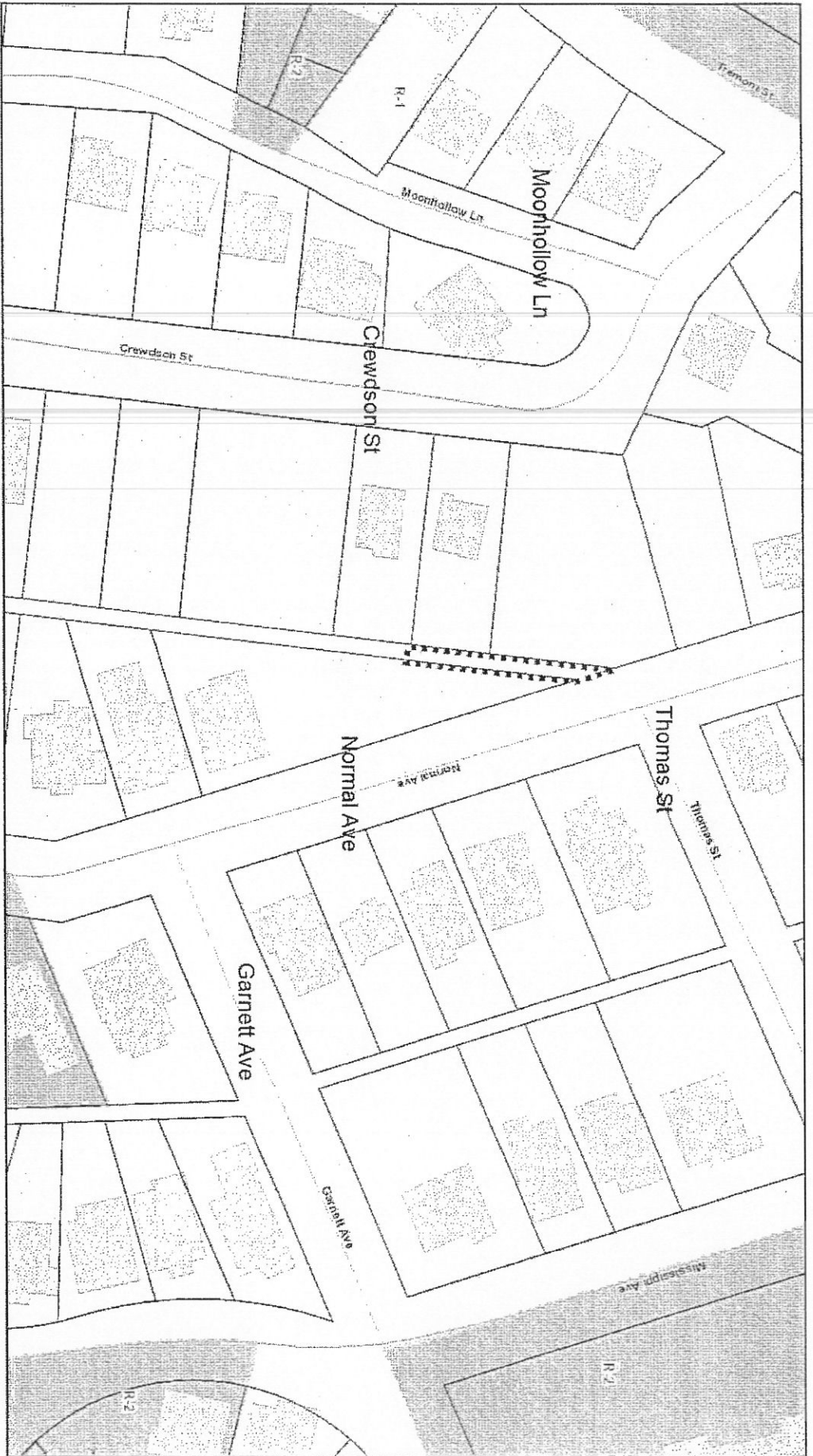
The evaluation of this closure is based on the following review factors:

1. Presence of or potential for the location of utilities

2. Currently not open to traffic
3. No potential for future public use
4. The alley surface is pavement in fair condition
5. The closure will not landlock any property
6. Applicant owns adjacent abutting properties and intends to use for private facilities

Staff Recommendation

Staff recommends approval as there is no apparent negative impact of this request to adjacent or surrounding properties.



MR 2013-029 Abandonment of an Unopened Alley in the 1000 block of Normal Ave



Chattanooga Hamilton County Regional Planning Agency



87 ft



Chattanooga-Hamilton County
Regional Planning Agency

MR-2013-029 City of Chattanooga
March 11, 2013

RESOLUTION

WHEREAS, Will Morrison/Jonathan & Kristen Bragdon petitioned the Chattanooga-Hamilton County Regional Planning Commission to recommend to the Members of the City Council of the City of Chattanooga for the Abandonment of an unopened alley located in the 1000 block of Normal Avenue.

Abandonment of an unopened alley beginning at its intersection with the west line of the 1000 block of Normal Avenue thence southwest some 130 feet to a dead-end. Said alley separates Lots 13 thru 15, Block 5 from Lots 19 thru 21, Block 3, Corrected Plat of Normal Park, Plat Book 4, Page 42, ROHC. Tax Map 136A-D-001, 019 and 020 as shown on the attached map.

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

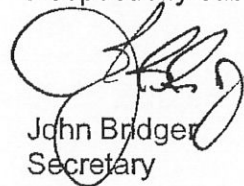
AND WHEREAS, the Planning Commission heard and considered all statements favoring the petition,

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

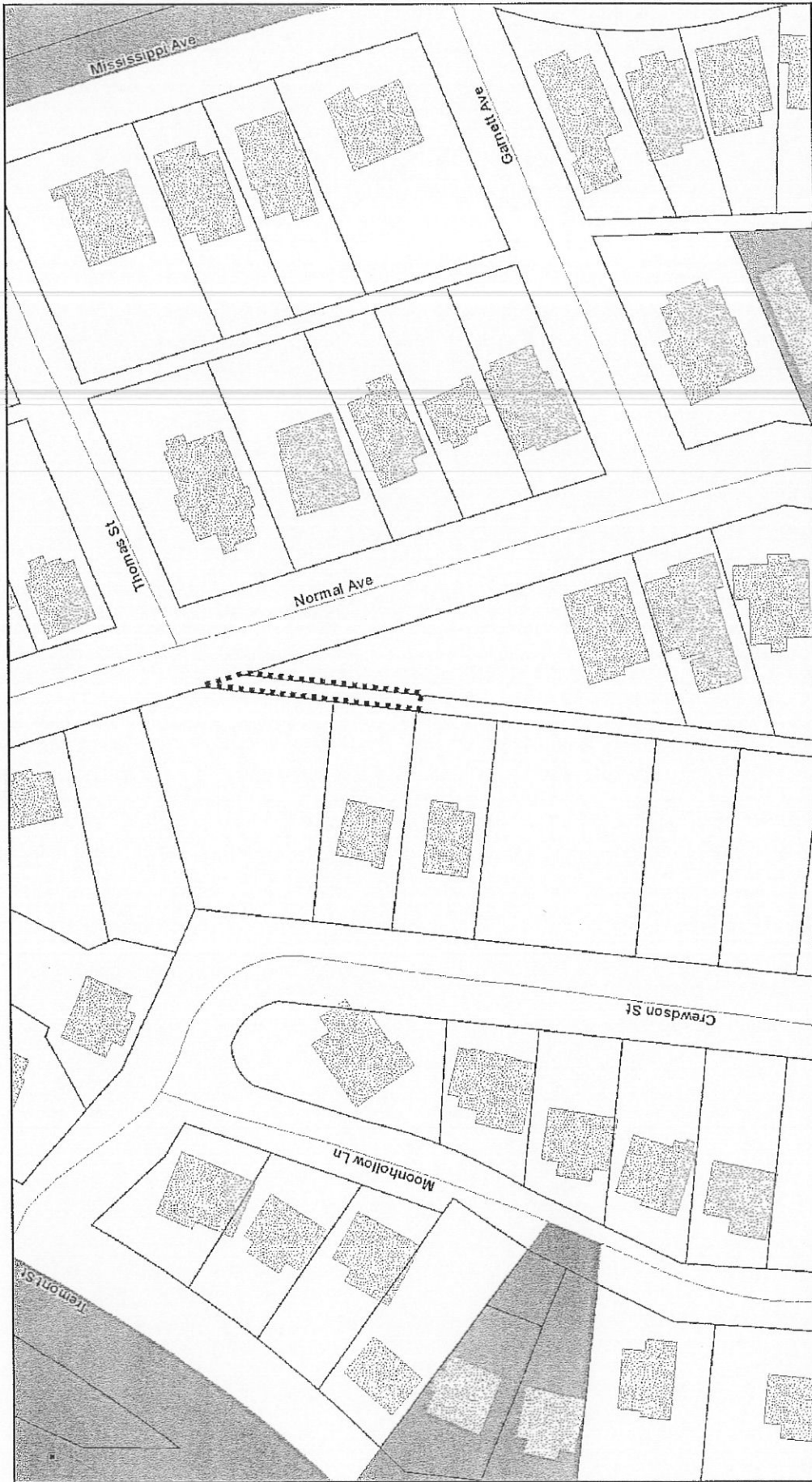
AND WHEREAS, the Planning Commission has studied the existing pattern of development.

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 2013-029 Abandonment of an unopened alley in the 1000 block of Normal Ave

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. MR-2013-029: Approve



85 ft



Chattanooga Hamilton County Regional Planning Agency

Abandonment/Closure Cards

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

* Comments forthcoming

Boil water
in mounds

Comcast Cable L.L.
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 2-26-13

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 Harvey

* 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 Transportation
Jim 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"/>

In Traffic Engineering
John VanWinkle

* Comments forthcoming

