

First Reading: _____
Second Reading: _____

MR-2010-137
Joseph Parks

ORDINANCE NO. _____

AN ORDINANCE CLOSING AND ABANDONING A
PORTION OF THE 700 BLOCK OF RIVER GORGE DRIVE,
SUBJECT TO CERTAIN CONDITIONS.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That a portion of the 700 block of River Gorge Drive, 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 Areas A thru C being parts of the 700 block of the River Gorge Right-of-way as shown in the Revised Right-of-way Abandonment Exhibit, Drawing #11691-12R/W-37Z, as drawn by R.D.B. of Betts Engineering on October 5, 2010. Said portions of the River Gorge Right-of-way separates parts of Tax Map No. 153-027.07 from River Gorge Drive. Tax Map No. 153-027.07.

SECTION 2. BE IT FURTHER ORDAINED, That this closure and abandonment shall be subject to an easement 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:_____

CHAIRPERSON

APPROVED:____ DISAPPROVED:____

MAYOR

/mms

City of Chattanooga



Resolution Request Form

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

Date: July 8, 2013

Preparer: William C. Payne

Department: Public Works - Engineering

Brief Description of Purpose for Resolution:

Resolution Number (if approved by Council):

District 1

A City Council Action is requested to approve the request of the abandonment for Joseph Parks for the abandonment of a portion of the 700 block of the River Gorge Drive, as reference in Cse No. 2010-137. Also, subject to the conditions on the attached memorandum.

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

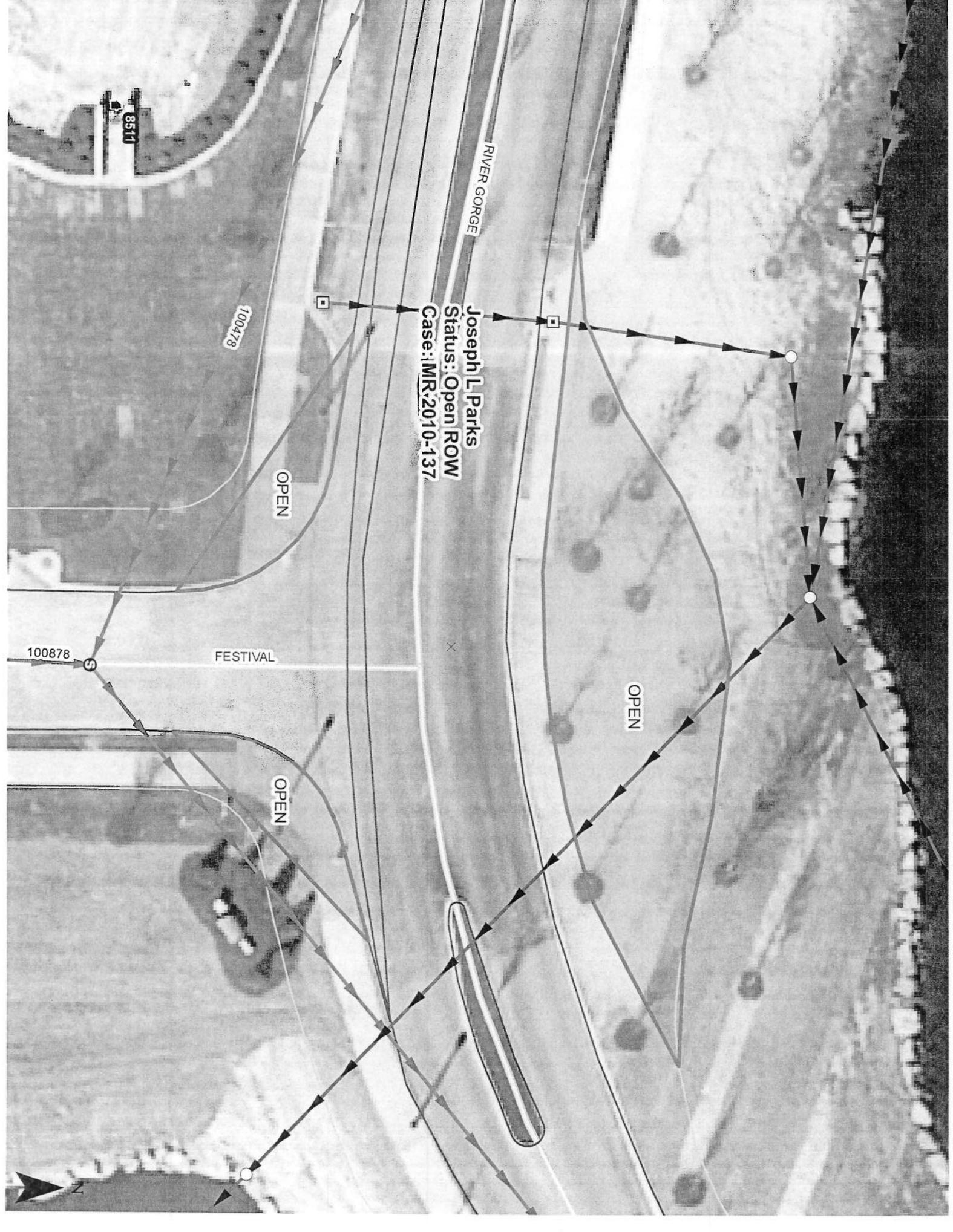
Other comments: (Include contingency amount, contractor, and other information useful in preparing resolution)

Approved by: _____

Reviewed by: FINANCE OFFICE

DESIGNATED OFFICIAL/ADMINISTRATOR

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



8511

RIVER GORGE

100478

Joseph L Parks
Status: Open ROW
Case: IMR 2010-137

OPEN

FESTIVAL

100878

OPEN

OPEN



Memorandum

From: Bill Payne
cc: Dennis Malone
Date: July 8, 2013
Re: Black Creek LLC, BCLLC
c/o Joseph L. Parks
Case No. 2010-137
700 block of River Gorge Drive

Recommendations Regarding Abandonment Request

I have completed the review of Mr. Parks' request regarding abandonment of Areas A thru C being parts of the 700 block of the River Gorge Right-of-way as shown in the Revised Right-of-way Abandonment Exhibit, Drawing # 11691-12RMI-37Z, as drawn by R.D.B. of Betts Engineering on October 5, 2010. Said portions of the River Gorge Right-of-way separates parts of Tax Map 153-027.07 from River Gorge Drive. Tax Map 153-027.07 as shown on the attached map. My comments are as follows:

1. The portion of the subject 700 block of River Gorge Drive is three (3) irregularly shaped areas for a combined area of 3,505 SF.
2. Planning Commission recommended approval.
3. The following Utility Owner's noted objections to the Abandonment:
 - Chattanooga Gas
 - AT&T Southeast
4. The City of Chattanooga sanitary sewer is located in the remaining portion of River Gorge Drive.

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

Condition 1: Subject to the retention of a Chattanooga Gas utility easement.

Condition 2: Subject to the retention of a AT&T Southeast utility easement.



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: October 11th, 2010

TIME: 1:00 PM

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

CASE NO. 2010-137

JURISDICTION: City

APPLICANT: Joseph L. Parks

CONTACT NAME: Joseph Parks **CONTACT PHONE NUMBER:** 423-756-7777 Ext. 114

TYPE OF CHANGE: Abandonment of a 60 foot wide Round-about located in the 700 block of River Gorge Drive

LOCATION: 700 block of River Gorge Drive

(SEE MAP ON REVERSE SIDE)

**RIGHT-OF-WAY
 CLOSURE/ABANDONMENT REQUEST FORM**

RPA requires all information shown on the application to be completed.

Case# <u>2010-137</u>	Date submitted <u>9-10-2010</u>	STAFF Action
City District <u>1</u>	Planning District <u>7</u>	PC Action/Date
County District <u>2</u>	Jurisdiction <u>Chattanooga</u>	LEGISLATIVE
	Neighborhood <u>Lakewood Valley</u>	Action/Date

CLOSURE/ABANDONMENT

Street Alley Sewer Easement Other: _____

Location/Information

Name of Street or ROW: River Gorge Drive 700 Block Open Unopened

From: Existing ROW around traffic circle To: New 60 foot wide ROW location

Tax Map # 153 027.07

Reason for request: To provide for better truck traffic flow and pedestrian safety at the intersection of River Gorge Drive and the proposed street Festival Loop.

APPLICANT INFORMATION

All communication by phone, fax, e-mail, or mail will be with the APPLICANT. If you are NOT a property owner, you will need to submit a letter from the property owner(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: Joseph L. Parks

ADDRESS: Please PRINT 2800 South Market Street

CITY: Chattanooga STATE: TN

ZIP CODE: 37327

PHONE 423-756-7777 x 114

E-MAIL: (daytime) jlparks@betsengr.com (other)

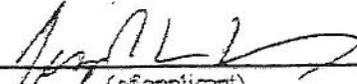
FAX: 423-756-7796 CELL: 423-834-1952

Checklist

- Application completely filled out
- Ownership verification (tax map printout, letter)
- Copy of plats, if applicable
- Map showing area to be closed/abandoned
- Filing Fee
- Deeds for properties that abut request
- Signs for site 2 # of signs

PROPERTY OWNER INFORMATION (if not applicant):

Name Obar Investments, LLC
 Mailing Address 4700 Cummings Cove Dr.
Chattanooga, TN 37419
 Telephone 423-822-2582

SIGNATURE: 
 (of applicant)

Signature verifies that applicant has read, understands the above, agrees with information provided and is responsible for installing and maintaining notice sign(s).

FEE: 350.00 Cash Check No. 1098
 Accepted by: N. J. Parks Date: 9-10-10

RPA Staff Report & Recommendations

Planning Commission Meeting Date: **October 11, 2010**

<u>Case Number:</u>	2010-137
<u>Applicant:</u>	Joseph Parks
<u>Property Address:</u>	700 Block of River Gorge Drive
<u>Jurisdiction:</u>	Chattanooga District 7
<u>Neighborhood:</u>	Lookout Valley

Applicant Request

Closure/Abandonment

Proposed Development

Site Plan Submitted: Yes

Proposed Use: New ROW with New Intersection

Description: To provide for better truck traffic flow and pedestrian safety at the intersection of River Gorge Drive and the proposed street Festival Loop.

Site Characteristics

Current Zoning: N/A

Current Use: Existing ROW around traffic circle

Adjacent Uses: Vacant & Residential

Size of Tract: 60 Feet

Access: Good

Analysis

Extension of Current Zoning: N/A

Name of Community Land Use Plan (with year): Lookout Valley Area Plan 2003

Proposed Use Supported by Community Land Use Plan: N/A

Proposed Use Supported by Comprehensive Plan: N/A

Transportation Comments: Considering the applicant wants to improve truck traffic flow and pedestrian safety, the pedestrian facilities should not be taken away. Traffic safety, traffic efficiency and functional integrity are essential principles that should not be compromised. Because no access management regulation are in place, it is recommended to use the access management manual as an analysis tool for new intersections, openings and accesses.

Planning Staff Comments:

Staff Recommendation to Planning Commission: APPROVE, subject to City Engineer and all public utilities.

**Planning Commission Recommendation:
Approve, subject to the following:**

RESOLUTION

WHEREAS, Joseph Parks 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 a portion of the 700 block of the River Gorge Drive Right-of-way.

Abandonment of Areas A thru C being parts of the 700 block of the River Gorge Right-of-way as shown in the Revised Right-of-way Abandonment Exhibit, Drawing # 11691-12RW-37Z, as drawn by R.D.B. of Betts Engineering on October 5, 2010. Said portions of the River Gorge Right-of-way separates parts of Tax Map 153-027.07 from River Gorge Drive. Tax Map 153-027.07 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on October 11, 2010,

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 October 11, 2010, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved, subject to the approval of the City Engineer and all public utilities.

Respectfully submitted,



Karen Rennich
Interim Secretary



Chattanooga Gas™

An AGL Resources Company

2207 Olan Mills Drive
Chattanooga, TN 37421

866 643-4138 phone
www.chattanoogagas.com

October 1, 2010

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

Dear Sir:

Re: 2010-133 & 2010-137

There is a conflict with the requested abandonment for 2010-137 due to a gas main located on the street.

Clarification is needed for 2010-133 before an accurate determination can be made.

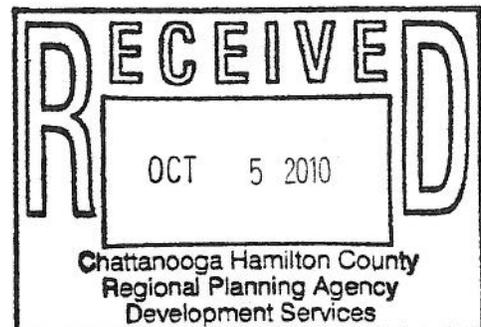
Please contact Harold Hyde with Chattanooga Gas at 423-490-4262 or Ron Reel at 423-490-4289 for more information.

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 1, 2010

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

RE: Closure and Abandonment Case Numbers 2010-137, 2010-140, and
2010-141

Dear Mr. Haynes:

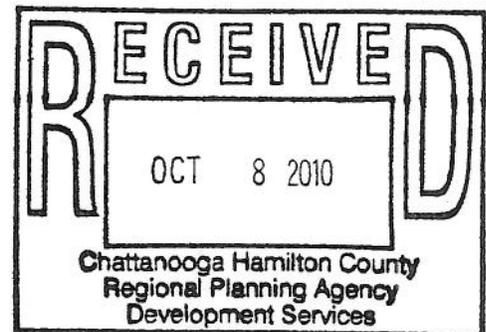
In regards to Case Numbers MR2010-137, MR2010-140, and MR2010-141 on the
October 11, 2010, Planning Commission Meeting Agenda, AT&T Southeast cannot
agree to closure. Please reserve any existing utility easements inside the proposed
abandonment areas. It is possible that facilities serving our customers are within the
abandonment areas at these locations.

If additional information is needed, please contact me at 752-9132.

Thank you,

for Donald C. Whetham
Area Manager OSP Planning & Engineering Design

cc: RPC File



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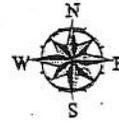


CHATTANOOGA

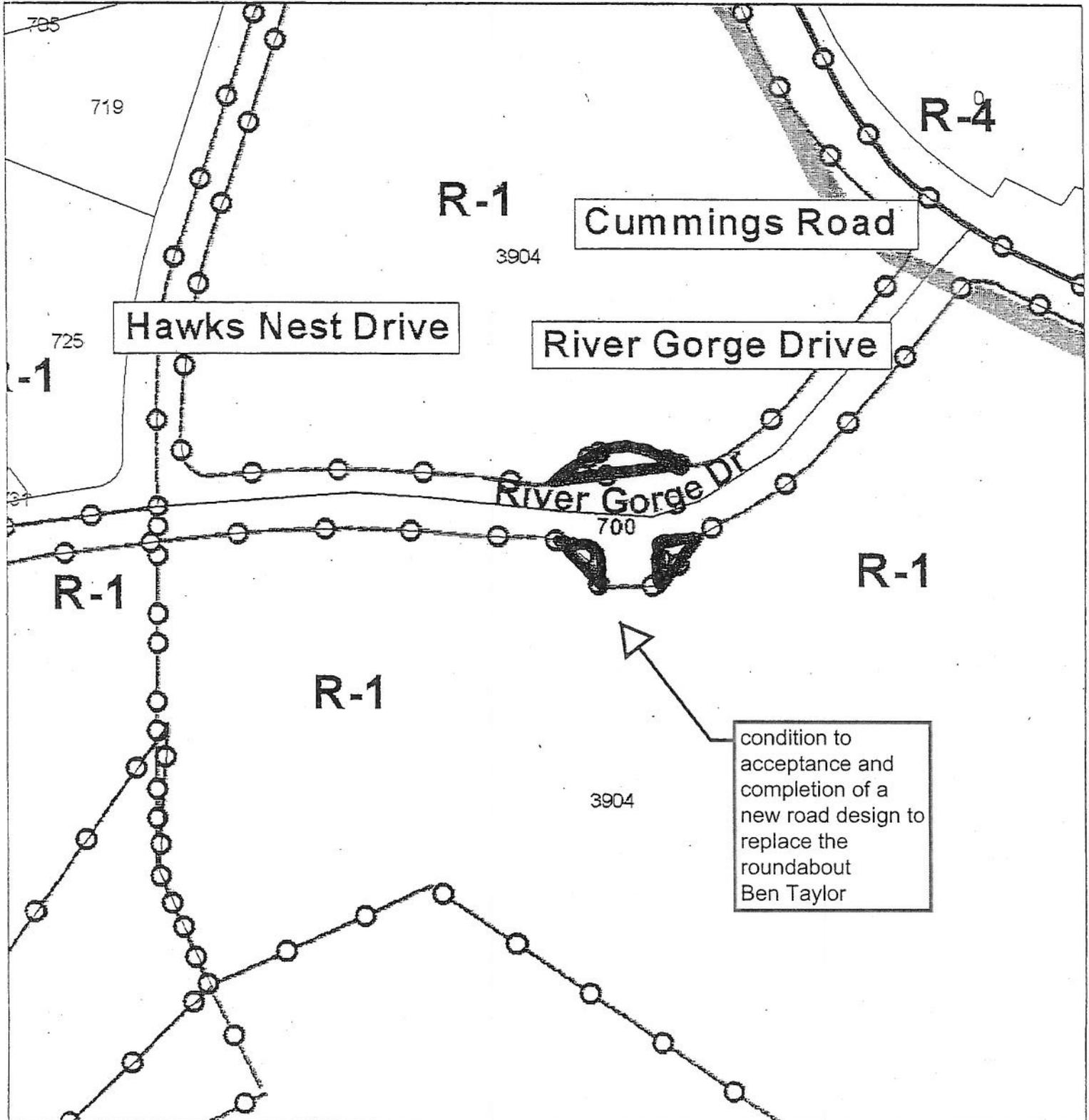
CASE NO.: 2010-0137

PC MEETING DATE: 10/11/2010

MR ABANDON STREET R-O-W



1 in. = 110.0 feet



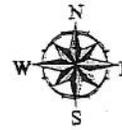


CHATTANOOGA

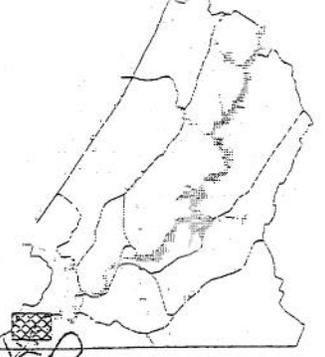
CASE NO.: 2010-0137

PC MEETING DATE: 10/11/2010

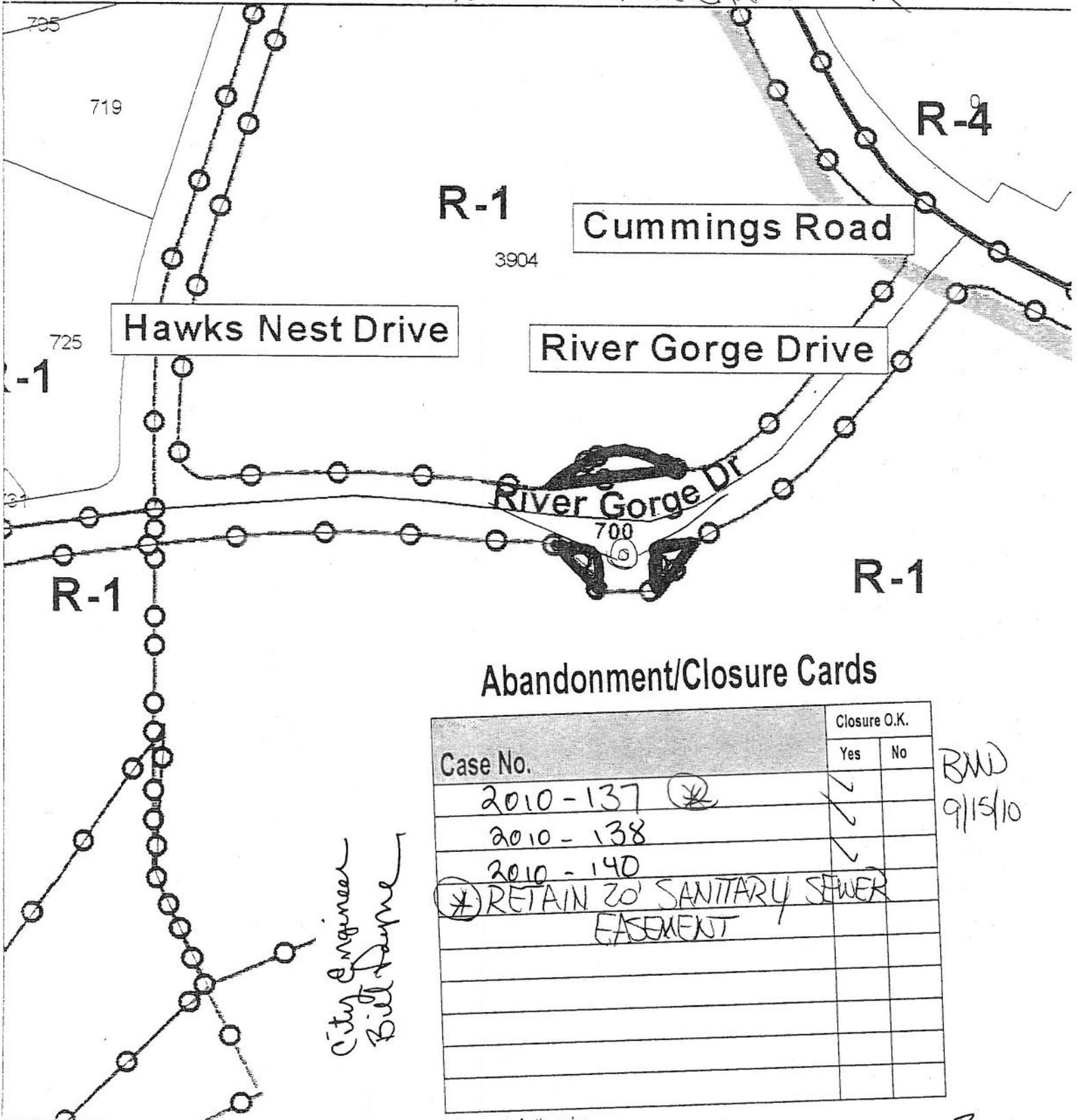
MR ABANDON STREET R-O-W



1 in. = 110.0 feet



() RETAIN 20' EASEMENT FOR SAN SEWER*



Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
2010-137 <i>(*)</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2010-138	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2010-140	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>(*) RETAIN 20' SANITARY SEWER EASEMENT</i>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>

*BWD
9/15/10*

*City Engineer
Bill Payne*

* Comments forthcoming

R

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
2010-133	X	
2010-137	X	
2010-138	X	
2010-140	X	
2010-141		X

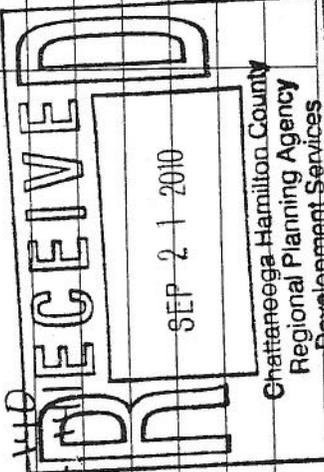
* Comments forthcoming

Electric Power Board
Billy McChesney

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
2010-133	✓	
2010-137	✓	
2010-138	✓	
2010-140		✓
2010-141		✓

* Comments forthcoming



Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
2010-137		NO
2010-138		NO
2010-140	✓	

Traffic Engineer
John Van Winkle

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
2010-137	✓	X
2010-138		X
2010-140		X
2010-141		
* Please reserve any existing utility easements inside the proposed abandonment areas.		

* Comments forthcoming

Bell South
Jon Mount

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
2010-133		<input checked="" type="checkbox"/>
2010-137		<input checked="" type="checkbox"/>
2010-138	<input checked="" type="checkbox"/>	
2010-140	<input checked="" type="checkbox"/>	
2010-141	<input checked="" type="checkbox"/>	
Harold Hyde 10-1-10		

* Comments forthcoming

Chattanooga Gas Company
Ron Reel/Harold Hyde

Tommye American Water
Retha Harvey

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
2010-137	<input checked="" type="checkbox"/>	
2010-138	<input checked="" type="checkbox"/>	
2010-140		<input checked="" type="checkbox"/>

* Comments forthcoming

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
2010-137	<input checked="" type="checkbox"/>	
2010-138	<input checked="" type="checkbox"/>	
2010-140	<input checked="" type="checkbox"/>	
RETAIN 20' SAN SEWER CASING		

* Comments forthcoming

Bill Engner
Bill Engner

BWD
9/20

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
2010-133	<input checked="" type="checkbox"/>	
2010-141	<input checked="" type="checkbox"/>	

* Comments forthcoming

County Engineer
Mike Hundak

A

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
2010-137	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2010-137	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2010-138	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2010-140	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2010-141	<input checked="" type="checkbox"/>	<input type="checkbox"/>

* Comments forthcoming

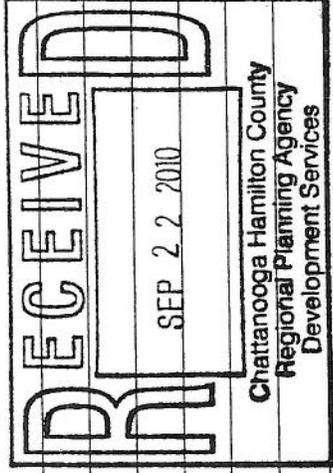
Dept. of Investigation
Kurt Koelke works

City Police Dept.
David Rodey

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
2010-137	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2010-138	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2010-140	<input checked="" type="checkbox"/>	<input type="checkbox"/>

* Comments forthcoming



Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
2010-137	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2010-138	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2010-140	<input checked="" type="checkbox"/>	<input type="checkbox"/>

* Comments forthcoming

Chattanooga Fire Dept.
Randall Turner

Eastdale Utility District
Don Stifford

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
2010-133	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2010-141	<input checked="" type="checkbox"/>	<input type="checkbox"/>

* Comments forthcoming

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
2010-133	✓	
2010-137	✓	
2010-138	✓	
2010-140	✓	
2010-141	✓	

Dept of Investigation
Ray Rucker

* Comments forthcoming