

First Reading: _____
Second Reading: _____

MR-2013-056
Jibewe, Inc.

ORDINANCE NO. _____

AN ORDINANCE CLOSING AND ABANDONING AN UNOPENED ALLEY BEGINNING AT ITS INTERSECTION WITH THE NORTH LINE OF THE 2600 BLOCK OF EAST 24TH STREET NORTHEAST SOME SIXTY-FIVE (65') FEET TO THE NORTHEAST CORNER OF TAX MAP NO. 156K-B-001, SUBJECT TO CERTAIN CONDITIONS.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That an unopened alley beginning at its intersection with the north line of the 2600 block of East 24th Street northeast some sixty-five (65') feet to the northeast corner of Tax Map No. 156K-B-001, 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 part of an unopened alley beginning at its intersection with the north line of the 2600 block of East 24th Street thence northeast some 65 feet to the northeast corner of Tax Map 156K-B-001. Said alley separates Lots 11 and 12 from Lots 13 and 14, The Curtis Addition to Ridgedale, Plat Book 2, Page 12, ROHC. Tax Map Nos. 156K-B-001 and 002.

SECTION 2. BE IT FURTHER ORDAINED, That this closure and abandonment shall be subject to the retention of a Comcast utility easement for the full width and length of the subject portion of the said alley.

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: September 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 abandonment of a part of an unopened alley beginning at its intersection with the north line of the 2600 block of East 24th Street northeast some 65 feet to the northeast corner of Tax Map 156K-B-001, as referenced in Case No. 2013-056. Also, subject to the conditions and comments on the attached Memorandum.

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 <u>Fund</u>	<u>N/A</u>
City Amount Funded \$	<u>N/A</u>	Provide <u>Cost Center</u>	<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:

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: September 4, 2013
Re: Jibewe, Inc. (Kenneth Hall, President)
Case No. 2013-056
2600 Block of East 24th Street

Recommendations Regarding Abandonment Request

I have completed the review of Mr. Hall's request for abandonment of a part of an unopened alley beginning at its intersection with the north line of the 2600 block of East 24th Street thence northeast some 65 feet to the northeast corner of Tax Map 156K-B-001. Said alley separates Lots 11 and 12 from Lots 13 and 14, The Curtis Addition to Ridgedale, Plat Book 2, Page 12, ROHC. Tax Map 156K-B-001 and 002 as shown on the attached map. My comments are as follows:

1. The subject alley is approximately 10' in width and 63' in length for an area of approximately 630 sq.ft.
2. The Planning Commission recommended approval.
3. The City of Chattanooga has no sanitary sewer infrastructure in the subject alley.
4. The following utility owner noted objections to the abandonment:
 - Comcast

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

- ***Subject to the retention of a Comcast utility easement for the full width and length of the subject portion of the said alley.***

Jibewe Inc/Kenneth Hall
2600 block of E24th Street
Case: MR 2013-056



CLOSED

UNOPEN

2340

2400

2402

2404

2608

CLOSED

UNOPEN

24TH

12TH

S

DODD

N

To Ed Bowen 5/21/13

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: May 13th, 2013

TIME: 1:00 PM

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

CASE NO. MR 2013-056

JURISDICTION: Chattanooga

APPLICANT: Jibewe, Inc/Kenneth Hall President

TYPE OF CHANGE: Abandonment of an Alley way beginning at the Northeast line of East 24th Street going some 105 feet plus or minus to the intersection of Dodds Avenue going Northeast some 63 feet plus or minus

LOCATION: 2600 block of E. 24th Street

(SEE MAP ON REVERSE SIDE)

CLOSURE/ABANDONMENT APPLICATION FORM

CASE NUMBER: MR 2013-056		Date Submitted: 04-05-2013	
(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 checked="" type="checkbox"/> Alley	<input type="checkbox"/> Street	<input type="checkbox"/> Sewer
	<input type="checkbox"/> Other		
	Name of Street or Right-Of-Way:		
	<input type="checkbox"/> Open	<input checked="" type="checkbox"/> Unopened	Length/Width: 63 feet L/10 feet W
	Beginning: on the Northeast line of E. 24 th Street going some 105 feet + or - to the intersection of Dodds Avenue going some 63 feet + or - Northeast		
	Ending: at the Right of Way of Interstate 24		
2 Property Information			
Property Address:	Alley off of the 2600 block of E. 24 th Street		
Property Tax Map Number(s):	156K-B-001, 156K-B-002		
3 Proposed Development			
Reason for Request and/or Proposed Use:	To add to property		
4 Site Characteristics			
Current Zoning:	C-2 & R-2		
Current Use:	Unopened alley		
Adjacent Uses:	Residential & Commercial		
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: Jibewe, Inc (Kenneth Hall President)		Address: 633 Chestnut Street Suite 900	
Check one:	<input checked="" type="checkbox"/> I am the property owner	<input type="checkbox"/> I am not the property owner	
City: Chattanooga	State: TN	Zip Code: 37450	Email: wgrant@gkhpc.com
Phone 1: 423-756-8400	Phone 2: 423-240-4711	Phone 3:	Fax: 423-756-6518
6 Property Owner Information (if not applicant)			
Name: Same		Phone:	
Address:			
Office Use Only:			
Planning District: 8C		Neighborhood: East Lake Crime Watch	
Hamilton Co. Comm. District: 4	Chatt. Council District: 7	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 type="checkbox"/> Site Plan, if required	Total Acres to be considered:	<input checked="" type="checkbox"/> Deeds	<input checked="" type="checkbox"/> Plats, if applicable
Deed Book(s): 9496-271 & 8902-082			
Plat Book/Page: 2-12	<input checked="" type="checkbox"/> Notice Signs	Number of Notice Signs: 1	
<input checked="" type="checkbox"/> Filing Fee: 350.00	Cash	<input checked="" type="checkbox"/> Check	Check Number: 39108
Planning Commission meeting date: May 13 th 2013		Application processed by: Marcia Parker	

MR-2013-056 City of Chattanooga
May 13, 2013

RESOLUTION

WHEREAS, Jibewe, Inc./Kenneth Hall, President 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 an unopened alley in the 2600 block of East 24th Street.

Abandonment of a part of an unopened alley beginning at its intersection with the north line of the 2600 block of East 24th Street thence northeast some 65 feet to the northeast corner of Tax Map 156K-B-001. Said alley separates Lots 11 and 12 from Lots 13 and 14, The Curtis Addition to Ridgedale, Plat Book 2, Page 12, ROHC. Tax Map 156K-B-001 and 002 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on May 13, 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,

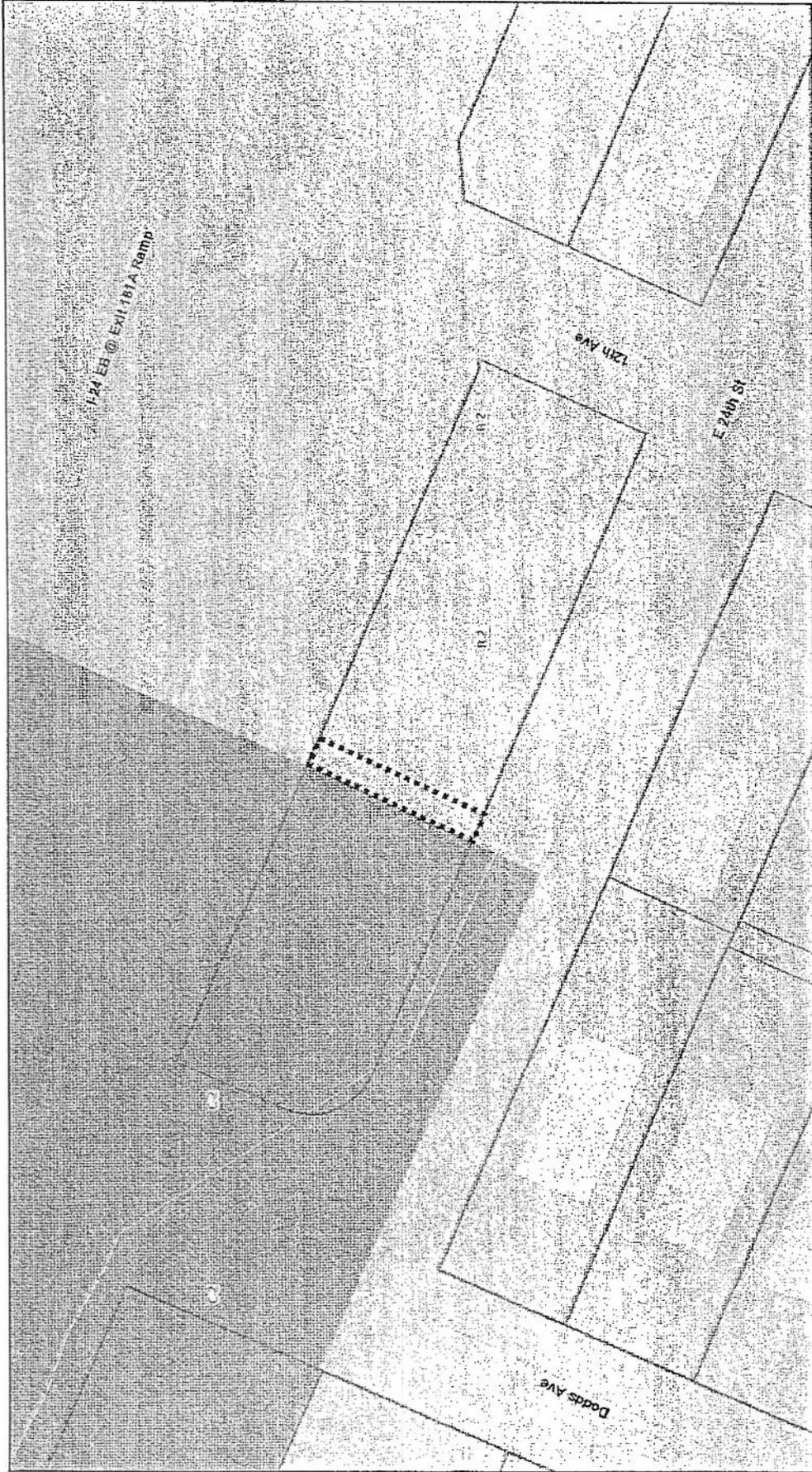
AND WHEREAS, the Planning Commission has studied the existing pattern of development.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on May 13, 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 2013-056 Abandonment of an Unopened Alley in the 2600 blk of East 24th St



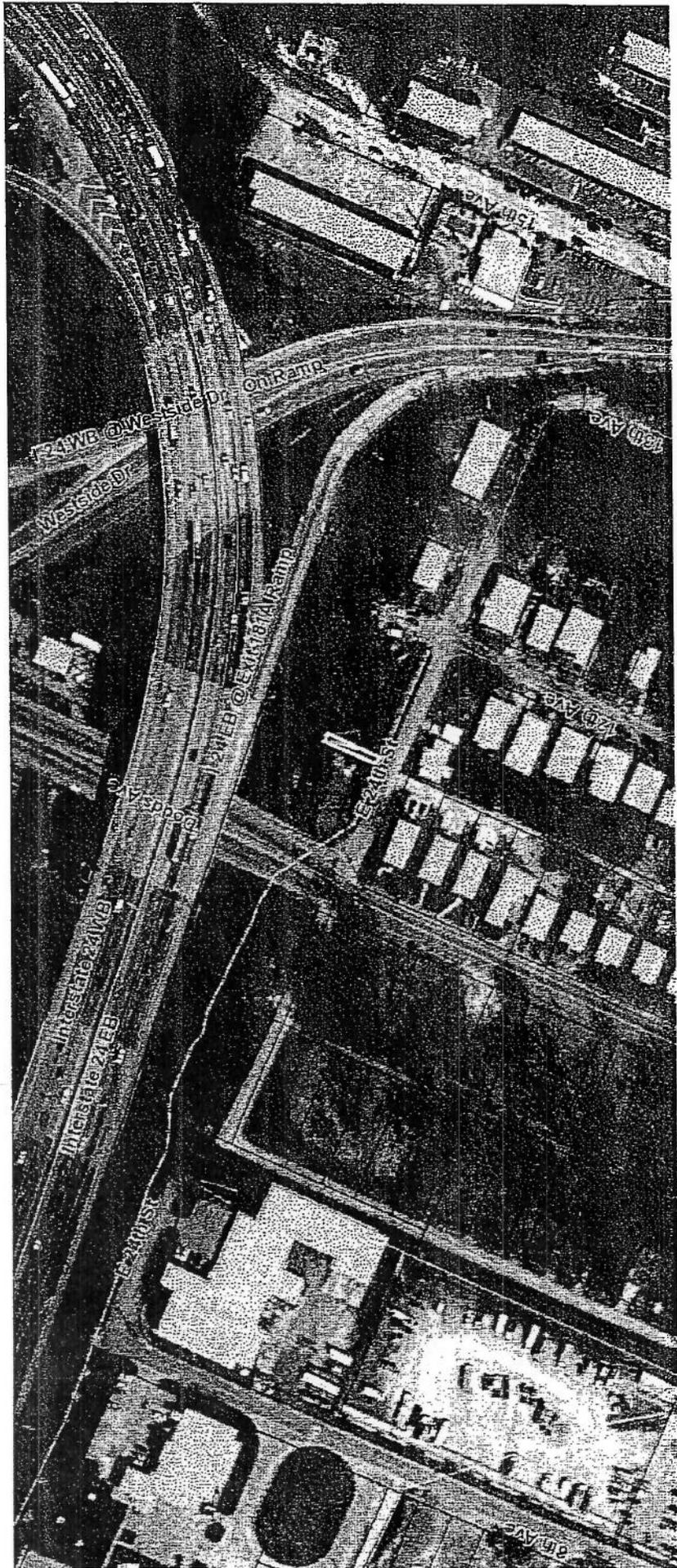
50 ft



PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2013-056: Approve

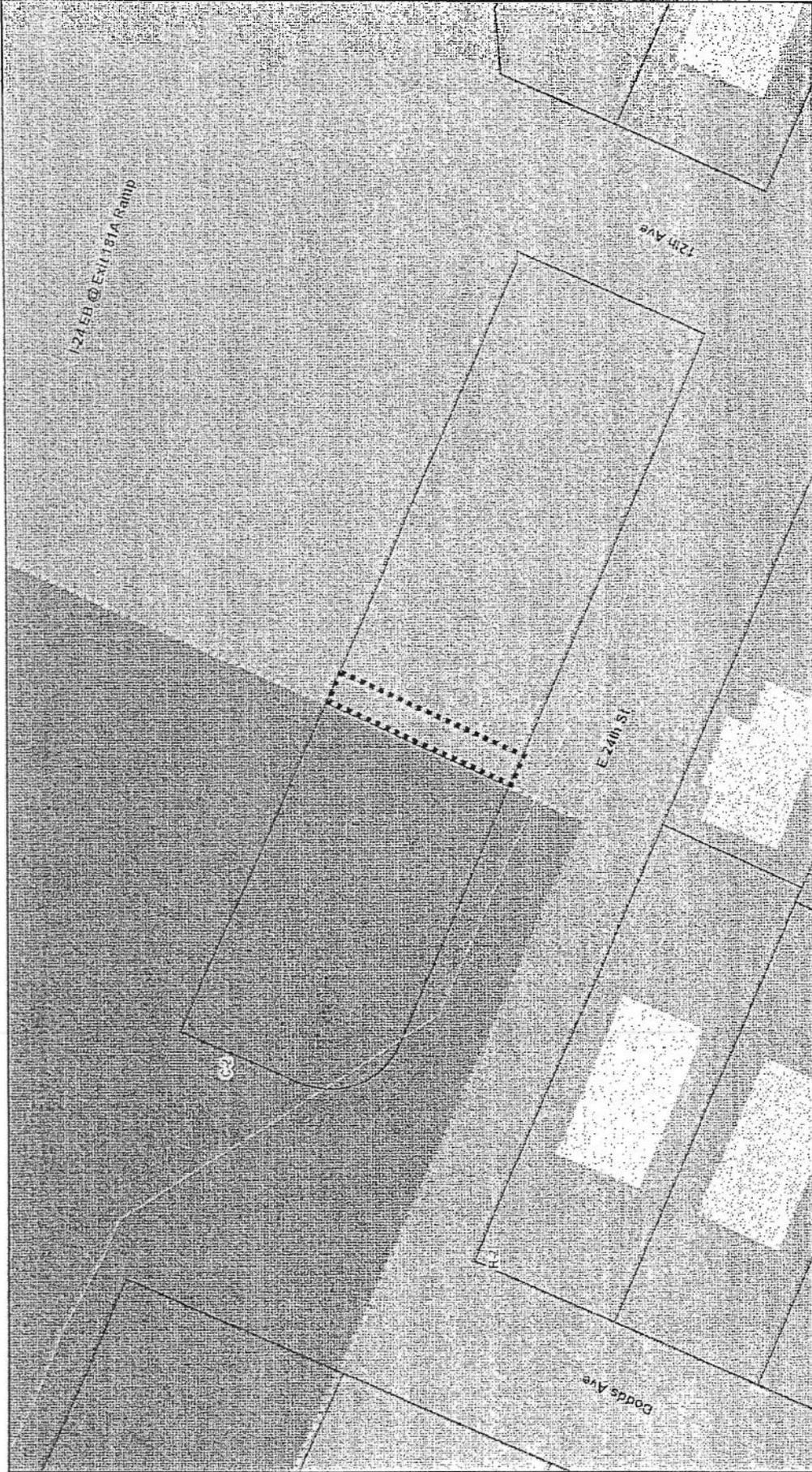
Chattanooga Hamilton County Regional Planning Agency





RPA STAFF RECOMMENDATION

Case Number:	MR 2013-056	PC Meeting Date: 5-13-2013
STAFF RECOMMENDATION:	APPROVE	
Land Use & Transportation Comments	PLANNING COMMISSION ACTION: Approve	
Planning Staff:	<p><u>Applicant Request Overview</u> The applicant is requesting abandonment of an unopened alley off the 2600 block of East 24th Street, which currently dead-ends at the right-of-way of Interstate 24 eastbound at near the 181 A Exit Ramp. The alley is between cross streets Dodds Avenue and 12th Street. The Applicant is proposing abandoning the entire 63-foot long, 10-foot wide unopened alley.</p> <p><u>Site Description</u> The Alley is in between a C-2 Convenience Commercial Zone and R-2 Residential Zone. The proposed closure is between two vacant properties.</p> <p><u>Plans/Policies</u> It is the policy of the City to retain rights-of-ways that could physically be built, that provide access to neighboring property owners, or could provide future access to the street network. The right-of-way proposed for abandonment does not provide access to adjacent property owners, and appears unfeasible for providing access to existing streets due to the presence of Interstate 24.</p> <p><u>Staff Recommendation</u> Since the right-of-way is not likely to be needed or used in the future, Staff recommends approval.</p>	
Infrastructure & Operational Comments		
Public Works Staff:	<p>All land development projects are reviewed by City Engineering & Water Quality staff, Traffic Engineering & Operations 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.</p>	



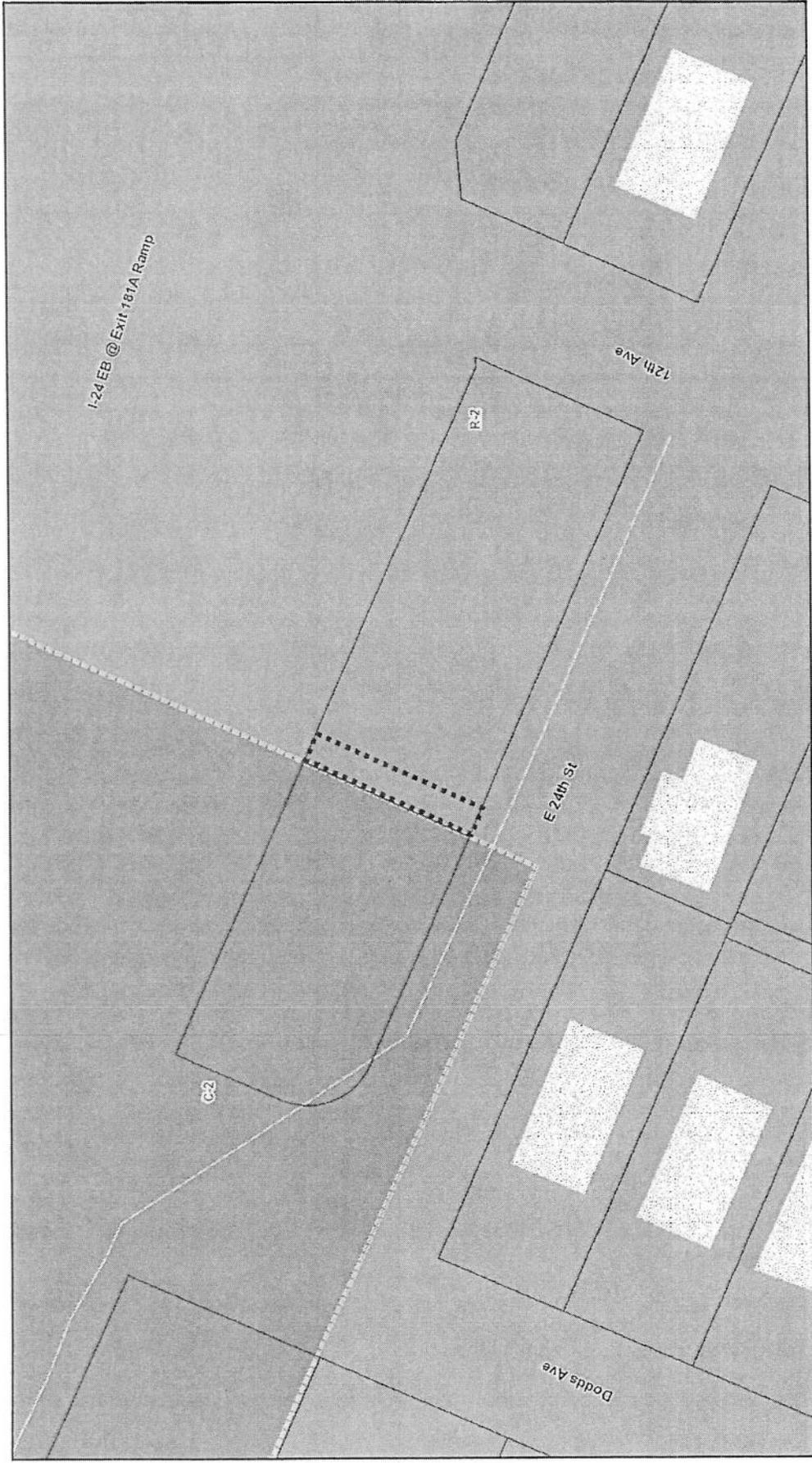
MR 2013-056 Abandonment of an Unopened Alley in the 2300 block of Dodds Ave

45 ft

Chattanooga-Hamilton County
RRPA
 Regional Planning Agency

Chattanooga Hamilton County Regional Planning Agency





MR 2013-056 Abandonment of an Unopened Alley in the 2600 block of East 24th St



50 ft



Chattanooga Hamilton County Regional Planning Agency



Comcast Cable
2030 E Polymer Drive, P.O. Box 182249
Chattanooga, TN 37422

April 15, 2013

Regional Planning Agency
1250 Market Street
Suite 2000 Development Resource Center
Chattanooga, Tennessee 37402

RE:Case # 2013-056

Dear Marcia:

Comcast does not concur to the closure case(s). Comcast has active service, on a portion of the proposed closure. Comcast would agree to the closure if an alternate route was provided and the rerouting of existing plant was performed at no cost to Comcast.

Sincerely,

Mike Schlote

Mike Schlote
Construction Coordinator

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-055	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MR 2013-056	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comcast Cable
Mike Scholtz

* Comments forthcoming

City Police Dept.
David Frye

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-055		
MR 2013-056		

* Comments forthcoming

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-055	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MR 2013-056	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Chattanooga Gas Company
Harold Hyde

* Comments forthcoming

Dept. of Transportation
Mike Waite

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-055	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MR 2013-056	<input checked="" type="checkbox"/>	<input type="checkbox"/>

* Comments forthcoming

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-055	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MR 2013-054	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Inathic Engineer
John Vanwinkle

* Comments forthcoming

Phattanaeng Fire Dept
Randall Herron

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-055	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MR 2013-054	<input checked="" type="checkbox"/>	<input type="checkbox"/>

* Comments forthcoming

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-055	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MR 2013-054	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Dell County
Don Mounts

* Comments forthcoming

In American Water Company
Robbie Harvey

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-055	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MR 2013-054	<input checked="" type="checkbox"/>	<input type="checkbox"/>

* Comments forthcoming

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-055	X	
MR 2013-056	X	

* Comments forthcoming

W.W.T.A. Primes
Cleveland

OK Engineer
Bill Payne

BMD
9/16/13

A-

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-055	X	
MR 2013-056	X	

* Comments forthcoming

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-055	✓	
MR 2013-056	✓	

* Comments forthcoming

Dept of Transportation
Ray Rucker

H.P.B.

Billy Maghrye

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-055	✓	
MR 2013-056	✓	

* Comments forthcoming