

First Reading: _____
Second Reading: _____

MR-2013-069
Don Carlisle

ORDINANCE NO. _____

AN ORDINANCE CLOSING AND ABANDONING AN
UNOPENED ALLEY LOCATED IN THE 600 BLOCK OF
SPEARS AVENUE.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
CHATTANOOGA, TENNESSEE, That an unopened alley located in the 600 block of Spears
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 600 block of Spears Avenue thence
northwest some 115 feet to the southwest corner of 617 Spears
Avenue. Said alley separates Lots 8 and 9 from Lot 10, Morris
Addition to North Chattanooga, Plat Book 6, Page 18, ROHC. Tax
Map Nos. 135C-G-006 and 007.

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: September 9, 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 abandonment of an unopened alley located in the 600 block of Spears Avenue, as referenced in Case MR-2013-069.

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

Reviewed by: FINANCE OFFICE

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

Memorandum

To: Bill Payne
From: Ed Bowen
cc: Dennis Malone
Date: September 9, 2013
Re: Don Carlisle
Case No. MR 2013-069
615 and 617 Spears Avenue – Unopened Alley

Recommendations Regarding Abandonment Request

I have completed the review of Mr. Don Carlisle's request regarding abandonment of an unopened alley beginning at its intersection with the west line of the 600 block of Spears Avenue thence northwest some 115 feet to the southwest corner of 617 Spears Avenue. Said alley separates Lots 8 and 9 from Lot 10, Morris Addition to North Chattanooga, Plat Book 6, Page 18, ROHC Tax Map 135C-G-006 and 007 as shown on the attached map. My comments are as follows:

1. The subject portion of the said alley is approximately 115' in length and 10' in width for an area of 1,150 sq. ft.
2. The City of Chattanooga has no sanitary sewer infrastructure in the subject portion of the said alley.
3. The Planning Commission recommended approval.
4. No utility owners noted objections to the abandonment.

Therefore, I recommend the following: ***The request for abandonment of the subject portion of said alley is approved with no conditions.***



Don Carlisle
Case: MR-2013-069
Status: Unopened

UNOPEN

UNOPEN

GUILD

SPEARS

SNOW

100323

100323

618

616

614

610

612

608

602

600

621

619

617

613

611

607

605

104

107

109

606

604

619

615

613

609

609

607

607

606

604

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: June 10th, 2013

TIME: 1:00 PM

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

CASE NO. MR 2013-069

JURISDICTION: Chattanooga

APPLICANT: Don Carlisle

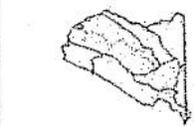
TYPE OF CHANGE: Beginning on the West line of the 600 block of Spears Avenue
Ending some 115 feet to the Southwest corner of 617 Spears Avenue

LOCATION: 615 & 617 Spears Avenue

(SEE MAP ON REVERSE SIDE)



MR 2013-069 Abandonment of an Unopened Alley in the 600 block of Spears Ave



49 ft



Chattanooga Hamilton County Regional Planning Agency

CLOSURE/ABANDONMENT APPLICATION FORM

CASE NUMBER: MR 2013-069		Date Submitted: 05-01-2013	
(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
	Name of Street or Right-Of-Way: Unnamed Alley		
	<input type="checkbox"/> Open	<input checked="" type="checkbox"/> Unopened	Length/Width: 115 feet +/-
	Beginning: west line of the 600 block of Spears Ave		
	Ending: some 115 feet to the southwest corner of 617 Spears Ave		
2 Property Information			
Property Address:	615 & 617 Spears Ave		
Property Tax Map Number(s):	135C-G-006 & 007		
3 Proposed Development			
Reason for Request and/or Proposed Use:	Add to property to assist in setback requirements		
4 Site Characteristics			
Current Zoning:	R-1		
Current Use:	Unopened Alley		
Adjacent Uses:	Residential		
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: Don Carlisle	Address: 3043 Porch Rock Rd		
Check one:	<input checked="" type="checkbox"/> I am the property owner	<input type="checkbox"/> I am not the property owner	
City: Pikeville	State: TN	Zip Code: 37367	Email: carlisedon@hotmail.com
Phone 1: 423-650-9773	Phone 2: 423-618-7845	Phone 3:	Fax:
6 Property Owner Information (if not applicant)			
Name: Same	Phone:		
Address:			
Office Use Only:			
Planning District: 8b	Neighborhood: Hill City, North Shore Neighborhood		
Hamilton Co. Comm. District: 6	Chatt. Council District: 1	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: .0247	<input checked="" type="checkbox"/> Deeds	<input checked="" type="checkbox"/> Plats, if applicable
Deed Book(s): 5558/939, 9811/642			
Plat Book/Page: 6/18	<input checked="" type="checkbox"/> Notice Signs	Number of Notice Signs: 1	
Filing Fee: 350.00	<input type="checkbox"/> Cash	<input checked="" type="checkbox"/> Check	Check Number: 1948
Planning Commission meeting date: 06/10/2013	Application processed by: Jennifer Ware		

MR-2013-069 City of Chattanooga
June 10, 2013

RESOLUTION

WHEREAS, Don Carlisle 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 an unopened alley located in the 600 block of Spears Avenue.

Abandonment of an unopened alley beginning at its intersection with the west line of the 600 block of Spears Avenue thence northwest some 115 feet to the southwest corner of 617 Spears Avenue. Said alley separates Lots 8 and 9 from Lot 10, Morris Addition to North Chattanooga, Plat Book 6, Page 18, ROHC. Tax Map 135C-G-006 and 007 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on June 10, 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,

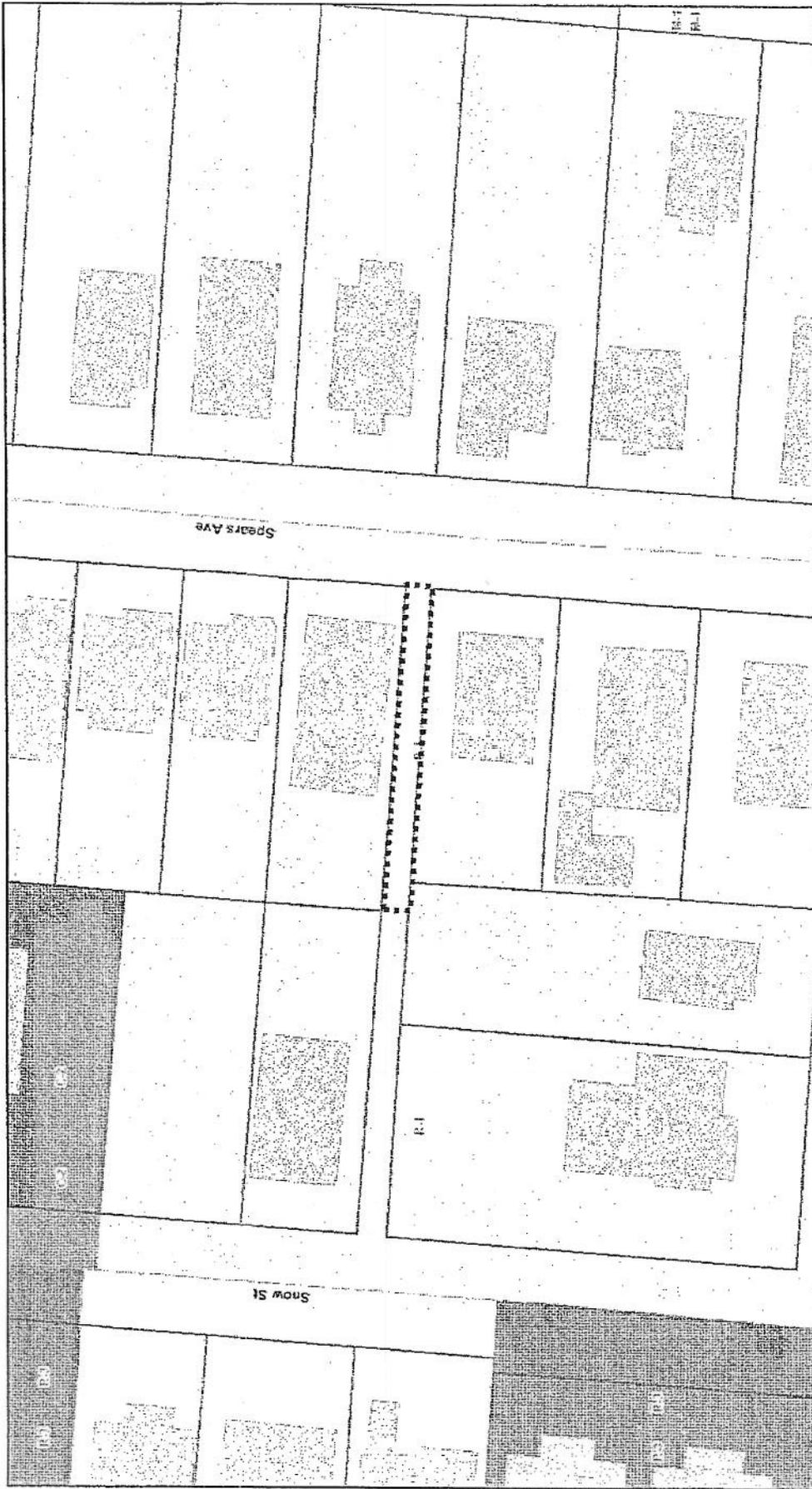
AND WHEREAS, the Planning Commission has studied the existing pattern of development.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on June 10, 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 2013-069 Abandonment of an Unopened Alley in the 600 blk of Spears Ave

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. MR-2013-069: Approve



50 ft



Chattanooga Hamilton County Regional Planning Agency



PLANNING COMMISSION ACTION:
Approve

Chattanooga-Hamilton County Regional Planning Agency

RPA STAFF RECOMMENDATION

Case Number: MR 2013-069 **PC Meeting Date:** 06-10-2013

STAFF RECOMMENDATION: APPROVE

Land Use & Transportation Comments

Planning Staff:

Applicant Request Overview

The applicant requests closure of the eastern portion of an unopened, unused right-of-way adjacent to his property. He is proposing to build a single-family house on what is currently a vacant lot, and the additional right-of-way is needed to facilitate setbacks. The applicant owns the parcel located to the south of the alley at 615 Spears Avenue. The western portion of the right-of-way is not included in the abandonment request.

Site Description

Located in the Hill City neighborhood, the alley right-of-way is situated between two residential lots, 615 and 617 Spears Avenue. This neighborhood features primarily single-family houses along with corner stores, a gallery, churches and other businesses.

Plans/Policies

The 2007 adopted plan for the area, the North Shore Plan, recommends single-family residential development as follows:

Urban infill single-family residential

This development is intended to promote higher density infill single-family residential development on lots smaller than 7,500 square feet. This may take the form of patio homes with reduced side yard and front yard setbacks, and reduced lot sizes. The use of on-street parking and service alleys with rear-loading garages is encouraged.

Urban single-family residential

This development form is intended to protect existing detached single-family residential development and to allow new detached single-family residential development on existing lots.

Right-of-Way Abandonment / Closure Policy

Review of rights-of-way for closures is based on a tiered classification. This right-of-way is a Tier 3 meaning it is not currently opened or has never been opened. Applications for closure and abandonment are reviewed using the following factors and according to the tenets of this policy.

The evaluation of a closure or abandonment is based on the following review factors:

RPA STAFF RECOMMENDATION

1. Width of the right-of-way.
2. Presence of, or potential for, the location of utilities.
3. Currently open to traffic.
4. Potential to provide future connections to the existing street pattern or to provide needed services integral to the community's future development (i.e., access to abutting property, bypass for other streets, parking, etc.).
5. Type or condition of surface.
6. Topography or grade change. Can it be built?
7. Will the closure and abandonment land-lock any property? Extenuating circumstances as specified by the applicant, e.g. necessary for expansion of a business or industry.

Staff Recommendation

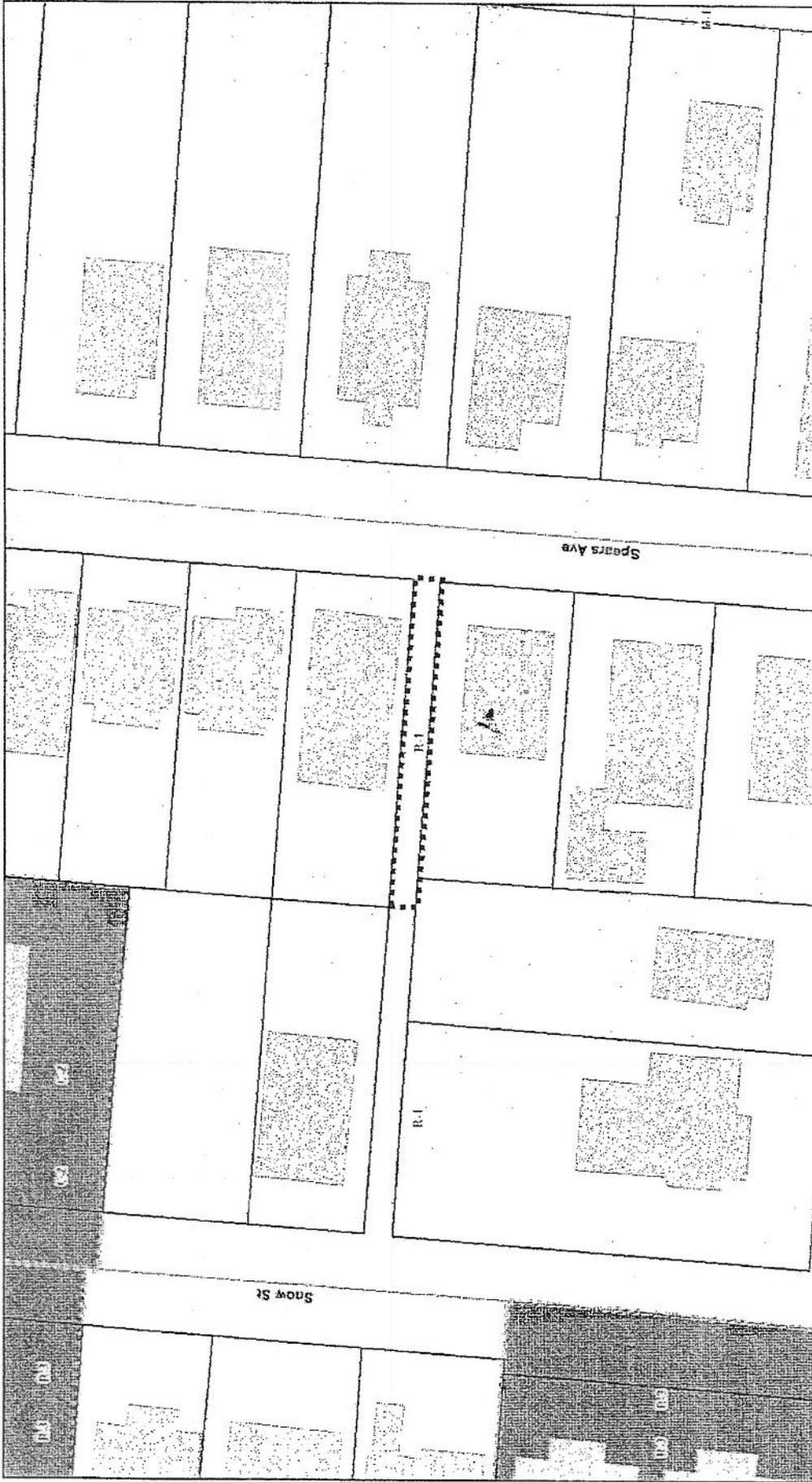
Because the western portion of the alley is not included in this abandonment request, the Staff recommends approval based on the above policy. The eastern portion of the right-of-way that is included in this request is not needed on this site for rear access. Additionally, the applicant's proposal is in accordance with the adopted North Shore Plan and the Hill City neighborhood goal of infill residential development.

Infrastructure & Operational Comments

Public Works Staff:

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.

Additional requirements, if needed, are indicated by department below either as comments or as conditions recommended to be attached to the final ordinance.



MIR 2013-069 Abandonment of an Unopened Alley in the 600 block of Spears Ave



49 ft



Chatahoochee Hamilton County Regional Planning Agency

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-087		X
Broad St. is US Route as well as State Rt. need to go thru TDOT excess land to get license agreement. <i>particulate</i>		

* Comments forthcoming

Dvt of transportation
 Michelle Wolff

Ill. D. O. Kelly McGehee

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-067	✓	
MR 2013-069	✓	
MR 2013-070	✓	
MR 2013-075	✓	
MR 2013-078		✓

* Comments forthcoming

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-067	✓	
MR 2013-069	✓	
MR 2013-070	✓	
MR 2013-075	✓	
* MR 2013-078		✓
Please reserve any existing or future facilities inside the proposed abandonment area.		

* Comments forthcoming

Bill Booth
 Jon Mount

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-067	X	
MR 2013-069	X	
MR 2013-070	X	
MR 2013-075	X	
MR 2013-078		X

* Comments forthcoming

Comcast Cable
 Mike Scholtz

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-067		
MR 2013-069		
MR 2013-070		
MR 2013-075		
MR 2013-078		
D. L. K. / re		

* Comments forthcoming

CIT Police Dept
David Frye

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-087	<input checked="" type="checkbox"/>	

* Comments forthcoming

Inatic Engineer
John Vanciarik

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR - 2013-087	<input checked="" type="checkbox"/>	
Marshall Boyd 5-24-13		

* Comments forthcoming

Chatt Gas Co
Marshall Boyd

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-087	<input checked="" type="checkbox"/>	
D. L. K. / re		

* Comments forthcoming

CIT Police Dept
David Frye

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-087	X	

CITY #1 Engineer
Bill Payne

BMD
5/23/13

W.W.T.#
Cleveland Grimes

* Comments forthcoming

A

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-067	✓	
MR 2013-069	✓	
MR 2013-070	✓	
MR 2013-075	✓	
MR 2013-078	✓	

* Comments forthcoming

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-087	✓	

W.W.T.#
Cleveland Grimes

Chatt Gas Co.
Harold Hyde

* Comments forthcoming

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-067	✓	
MR 2013-069	✓	
MR 2013-070	✓	
MR 2013-075	✓	
MR 2013-078	✓	

* Comments forthcoming

OK Marcela Shuch 5-20-13

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-067	RH	
MR 2013-069	RH	
MR 2013-070	RH	
MR 2013-075	RH	
MR 2013-078	RH	
MR 2013-087	RH	For terror by phone

* Comments forthcoming

Chattanooga fire Dept
Randall Ferrer

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-067	✓	
MR 2013-069	✓	
MR 2013-070	✓	
MR 2013-075	✓	
MR 2013-078	✓	

* Comments forthcoming

Dept of Transportation
Ray Tucker
HP

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-067	✓	
MR 2013-069	✓	
MR 2013-070	✓	
MR 2013-075	✓	
MR 2013-078	✓	

* Comments forthcoming

Inattic Engineer
John Vankirk

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-087	✓	

* Comments forthcoming

F.P.B.
Billy McEneaney

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
2013-078	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Hixson utility
Caroline Hickman
Kyd Jackson

OK for
Phone
6-7-13
Noyd
Jackson

City Engineer
Bill Payne

* Comments forthcoming

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-067	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
MR 2013-069	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
MR 2013-070	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
MR 2013-075	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
MR 2013-078	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

BHD
5/15/13

A

* Comments forthcoming

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-067	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MR 2013-069	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MR 2013-070	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MR 2013-075	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MR 2013-078	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Len American water CO
Robbie Harroy

MRP
04/15

Dept of Transportation
Mackie White

* Comments forthcoming

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-067	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MR 2013-069	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MR 2013-070	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MR 2013-075	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MR 2013-078	<input checked="" type="checkbox"/>	<input type="checkbox"/>

* Comments forthcoming

Abandonment/Closure Cards

Abandonment/Closure Cards

Dept. of Transportation
Ray Tucker

Case No.	Closure O.K.	
	Yes	No
MR 2013-087	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>

* Comments forthcoming

Comcast Cable
Mike Schlotz

Case No.	Closure O.K.	
	Yes	No
MR 2013-087	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>

* Comments forthcoming