

First Reading: _____
Second Reading: _____

MR-2013-150
John McDonald

ORDINANCE NO. _____

AN ORDINANCE CLOSING AND ABANDONING AN
UNOPENED STREET LOCATED AT THE INTERSECTION OF
DRUID LANE AND SCHOOL COURT.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
CHATTANOOGA, TENNESSEE, That an unopened street located at the intersection of Druid
Lane and School Court, 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 an unopened street located at the
intersection of Druid Lane and School Court, beginning at
southeast corner of Lot 15, Block J of Frazier and Colville's
Addition to Hill City, Plat Book 4, Page 28, ROHC, thence north
some 40.5 feet to the end of Druid Lane previously closed by
Ordinance #12352. Tax Map No. 135D-M-013.

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: December 17, 2013

Preparer: William C. Payne

Department: TRANSPORTATION

Brief Description of Purpose for Resolution:

Resolution Number (if approved by Council):

A City Council Action is requested to deny the abandonment of a portion of an unopened street located at the intersection of Druid Lane and School Court, as reference in Case No. 2013-150. Also subject to the conditions stated 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: 
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: December 13, 2013
Re: John McDonald
Case No. 2013-150
500 and 600 Blocks of Druid Lane

Recommendations Regarding Abandonment Request

I have completed the review of Mr. McDonald's request regarding abandonment of a portion of an unopened street located at the intersection of Druid Lane and School Court, beginning at the southeast corner of Lot 15, Block J of Frazier and Colville's Addition to Hill City, Plat Book 4, Page 28, ROHC, thence north some 40.5 feet to the end of Druid Lane previously closed by Ordinance #12352. Tax Map 135D-M-013 as shown on the attached map. My comments are as follows:

1. The subject portion of the unopened street is approximately 40' wide by 40' long for an area of about 1,600 square feet.
2. The City Traffic Engineer objects to the abandonment.
3. Comcast Cable objects to the abandonment.
4. The Planning Commission recommends denial.

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

John McDonald
Case: MR 2013-150
40' at the intersection of Druid Ln and School Ct



MR-2013-150 City of Chattanooga
November 11, 2013

RESOLUTION

WHEREAS, John McDonald 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 an unopened street located between the 500 and 600 blocks of Druid Lane.

Abandonment of a portion of an unopened street located at the intersection of Druid Lane and School Court, beginning at southeast corner of Lot 15, Block J of Frazier and Colville's Addition to Hill City, Plat Book 4, Page 28, ROHC, thence north some 40.5 feet to the end of Druid Lane previously closed by Ordinance #12352. Tax Map 135D-M-013 as shown on the attached map.

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

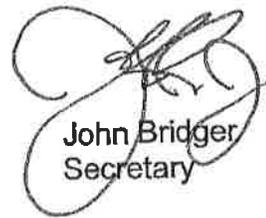
AND WHEREAS, the Planning Commission heard and considered all statements favoring the petition,

AND WHEREAS, there was opposition present 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 November 11, 2013, recommended to the Members of the City Council of the City of Chattanooga that this petition be denied.

Respectfully submitted,


John Bridger
Secretary

WO#123181

Chattanooga-Hamilton County Regional Planning Agency

CLOSURE/ABANDONMENT APPLICATION FORM

CASE NUMBER: MR 2013-150		Date Submitted: 10-10-2013	
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)			
<i>1 Applicant Request (Mandatory Referral per I.C.A. 15-4-114)</i>			
Closure/Abandonment	<input type="checkbox"/> Alley	<input checked="" type="checkbox"/> Street	<input type="checkbox"/> Sewer
Name of Street or Right-Of-Way: Oliver Street			
	<input type="checkbox"/> Open	<input checked="" type="checkbox"/> Unopened	Length/Width: 40x40 + or -
Beginning: SW corner of Colville Park Property			
Ending: to the NW corner of School Ct Approximately 40 Feet + or -			
2 Property Information			
Property Address:	Intersection of Druid Ln and School Ct between the 500 & 600 blocks of Druid Ln		
Property Tax Map Number(s):	135D-M-013		
3 Proposed Development			
Reason for Request and/or Proposed Use:	Closure would provide additional area of west portion of lot		
4 Site Characteristics			
Current Zoning:	R-1		
Current Use:	Unopened Right-of-Way		
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: John McDonald		Address: 725 Battery Place	
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: 37403	Email: sjmpropertiesdirect@hotmail.com
Phone 1: 423-838-1289	Phone 2: 423-267-9992	Phone 3:	Fax:
6 Property Owner Information (if not applicant)			
Name: Same		Phone:	
Address:			
Office Use Only:			
Planning District: 8B		Neighborhood: North Shore Neighborhood/North shore Merchant Collective	
Hamilton Co. Comm. District: 6	Chatt. Council District: 2	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 type="checkbox"/>	Site Plan, if required	<input checked="" type="checkbox"/>	Map of Proposed Zoning Area with dimensions
	Total Acres to be considered:	<input checked="" type="checkbox"/>	Deeds
		<input checked="" type="checkbox"/>	Plats, if applicable
Deed Book(s): Item-45158			
Plat Book/Page: 4-28		<input checked="" type="checkbox"/>	Notice Signs
			Number of Notice Signs: 2
<input checked="" type="checkbox"/>	Filing Fee: 350.00	<input type="checkbox"/>	Cash
		<input checked="" type="checkbox"/>	Check
			Check Number: 3201
Planning Commission meeting date: November 11, 2013		Application processed by: Marcia Parker	

RPA STAFF RECOMMENDATION**Planning Commission Recommendation:
Approve Staff Recommendation**

Case Number:	MR 2013-150	PC Meeting Date: 11-11-2013
STAFF RECOMMENDATION:	DENY	
Land Use & Transportation Comments		
Planning Staff:	<p><u>Applicant Request Overview</u> The applicant is requesting the closure of the intersection of Druid Lane and School Court between the 500 and 600 blocks of Druid Lane.</p> <p><u>Plans/Policies</u> Right-of-way (ROW) 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.</p> <p>Review of rights-of-way for closure is based on a tiered classification. This right-of-way is Tier 3, rights-of-way which are not currently opened or have never been opened. Applications for closure and abandonment on Tier 3 rights-of-way are reviewed using the adopted review factors and according to the tenets of this policy.</p> <p>The evaluation of this right-of-way street closure was based on the following review factors:</p> <ol style="list-style-type: none"> 1. Width of the ROW is 40 feet +/-. 2. Presence of or potential for the location of utilities. 3. Currently not open to traffic. 4. Potential to provide future connections to the existing street pattern. 5. Street is unpaved and forested. 6. Adjacent properties will maintain access off of Oliver St, School Court, Tucker St, and Colville St. 7. The applicant is applying for the closure to provide additional area to east portion of lot. <p><u>Staff Recommendation</u> The Regional Planning Agency is recommending denial of the closure request as the right-of-way has the potential to provide future connections to the existing street pattern and improve access to the Frances B. Wyatt Community Center. Extending Druid Lane to the north to connect to School Court in the future would improve connectivity in the long, approximately 1,240 foot block of Druid Lane and provide more direct access from the residences on Druid Lane to the community center.</p>	

RPA STAFF RECOMMENDATION

Infrastructure & Operational Comments	<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> <p>Additional requirements, if needed, are indicated by the appropriate department below.</p>
Public Works Staff:	The City Engineer has no issue with the proposed closure.

John McDonald

Case: MR 2013-150

40' at the intersection of Druid Ln and School Ct





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: November 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 2013-150

JURISDICTION: Chattanooga

APPLICANT: John McDonald

TYPE OF CHANGE: Beginning at the Southwest Corner of Colville Park Property & ending at the Northwest corner of School Court approximately 40 Feet plus or minus (Oliver Street)

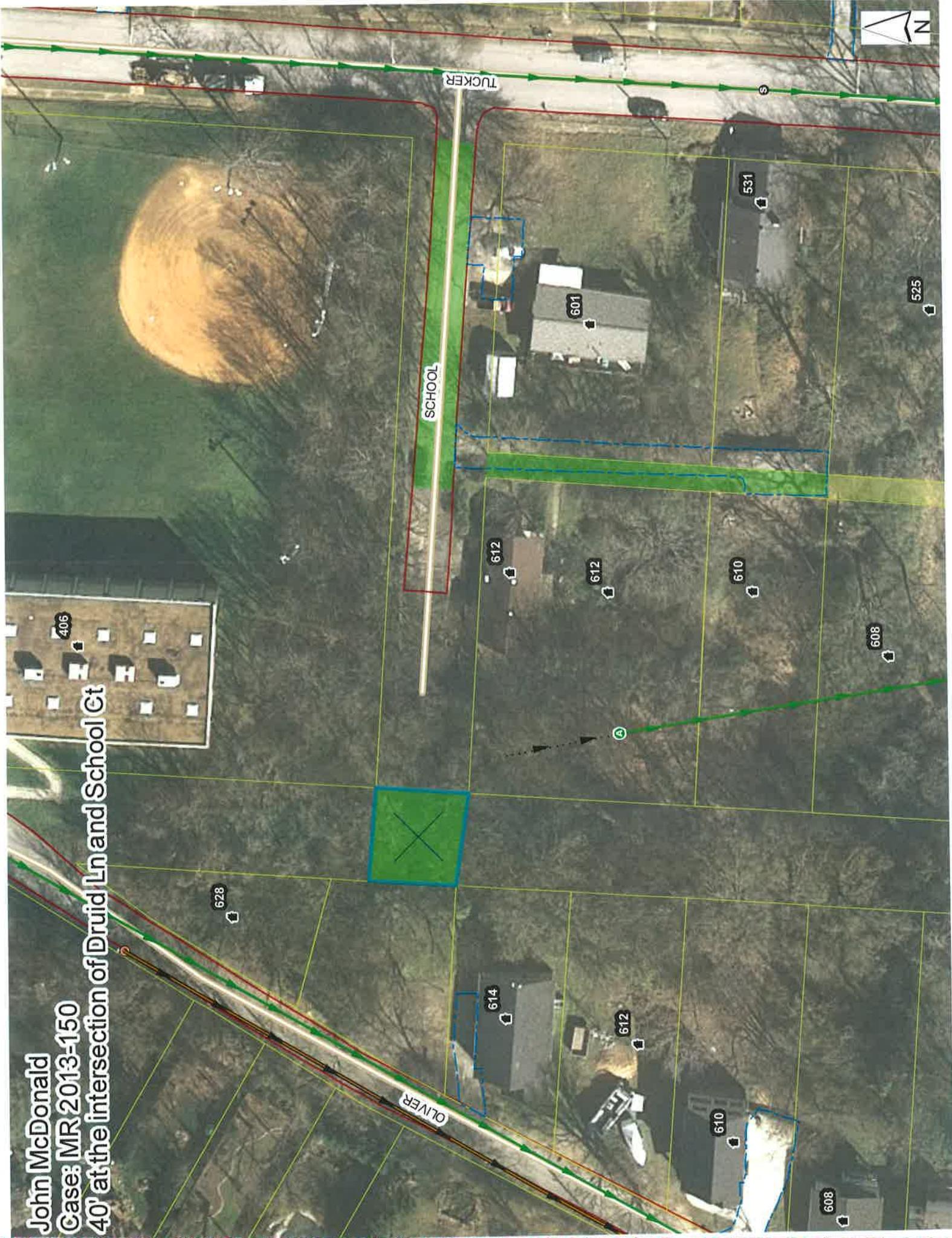
LOCATION: Intersection of Druid Lane and School Court between the 500 & 600 Blocks of Druid Lane

(SEE MAP ON REVERSE SIDE)

John McDonald

Case: MR 2013-150

40' at the intersection of Druid Ln and School Gt





MR 2013-150 Abandonment of the Intersection of Druid Ln & School Ct between the 500 & 600 blks of Druid Ln



93 ft



**CITY OF CHATTANOOGA
PUBLIC WORKS DEPARTMENT
UNIFIED WORK ORDER**

Project/Funding:

Work Order Number: *123181*



**Address: INTERSECTION OF DRUID LANE AND SCHOOL COURT BETWEEN THE 500 & 600 BLOCKS
OF DRUID LANE**
Tax Map/Grid: 145L

Required Work Type: ENG - RPA Cases		Category: ADMIN		Date Needed: 11/15/2013
WO Initiated: 11/5/2013 8:44:14 AM	Initiated By: KING, CAROL A	Requested By: BOWEN, EDWARD L	Priority: 3	District: 8
		Transferred To/Submitted to: BOWEN, EDWARD L - 11/5/2013 8:47:36 AM		Status: UNDINV

Instructions:

Comments:
By KING, CAROL A: 11/5/2013 8:52:07 AM
Closure would provide additional area of west portion of lot

Date Completed: _____ **Supervisor:** _____ **WO Closed:** _____

Associated Service Request(s), If Any:

SR#	Date/Time Init.	Priority	Description	Problem Address
Customer Name	Customer Work Phone	Customer Home Phone	Customer Zip	
JOHN McDONALD	(423) 838-1289	(423) 267-9942	37403	

Work Comments/Results: sympropertiesdirect@hotmail.com



October 24, 2013

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

RE:Case # 2013-150

Dear Marcia:

Comcast does concur to the closure case(s). Comcast has active service, on a portion of the proposed closure. Comcast would agree to the closure if the existing Right of Way/Easements remained in effect and if any rerouting of existing plant would be required it would be at no cost to Comcast.

Sincerely,

A handwritten signature in cursive script that reads "Mike Schlote".

Mike Schlote
Construction Coordinator

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-131	✓	
MR 2013-150	✓	

* Comments forthcoming

E.P.B.
Billy McChree

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-131	✓	
MR 2013-150 Harold Hyde 11-17-13	✓	

* Comments forthcoming

613-5918

Chattanooga Gas Co.
Harold Hyde

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-131	X	
MR 2013-150	X	

* Comments forthcoming

City Engineer
Bill Payne

Dept of Transportation
Ray Rucker

BID
9/14/13

A

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-131	✓	
MR 2013-150	✓	

* Comments forthcoming

Tenn American Water Co.
Robbie Harney

City Police Dept.
David Frye

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-131		
MR 2013-150		

Handwritten notes: *575-375 (P)D* with a checkmark in the 'Yes' column for MR 2013-150.

* Comments forthcoming

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-131		
MR 2013-150		

Handwritten checkmarks in the 'Yes' column for MR 2013-131 and MR 2013-150.

* Comments forthcoming

Dept. of Transportation
Jackie Wolfe

Chattanooga Fire Dept.
Randall Herron

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-131		
MR 2013-150		

Handwritten checkmarks in the 'Yes' column for MR 2013-131 and MR 2013-150.

* Comments forthcoming

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-131		
MR 2013-150		

Handwritten initials 'RH' in the 'Yes' column for MR 2013-131 and MR 2013-150.

* Comments forthcoming

