

First Reading: _____
Second Reading: _____

MR-2014-001
E. 10th Street RSD, LLC
c/o Chris Curtis

ORDINANCE NO. _____

AN ORDINANCE CLOSING AND ABANDONING TWO INTERSECTING, UNOPENED ALLEYS OFF THE 900 BLOCK OF DOUGLAS STREET AND THE 400 BLOCK OF EAST 10TH STREET.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That two intersecting, unopened alleys off the 900 block of Douglas Street and the 400 block of East 10th Street, 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 two intersecting, unopened alleys off the 900 Block of Douglas Street and 400 Block of East 10th Street. The alley off of Douglas Street begins at the northwest corner of Lot 1, Block 19 of the Parks Foster Subdivision, Deed Book Z, Volume 1, Page 1, ROHC, thence southeast 295 feet to the northeast corner of Lot 6, Block 19 of said plat. The alley off of East 10th Street begins at the southwest corner of Tax Map No. 145E-F-021 thence northeast 245 feet to the northern most corner of Tax Map No. 145E-F-018. Tax Map Nos. 145E-F-018 thru 025.

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: February 7, 2014

Preparer: Fritz Brogdon

Department: Public Works - Engineering

Brief Description of Purpose for Resolution:

Resolution Number (if approved by Council):

District 8

A City Council Action is requested to authorize the request of E 10th Street RSD LLC c/o Chris Curtis for the abandonment of two intersecting, unopened alleys off the 900 Block of Douglas Street and 400 Block of East 10th Street, as referenced in Case No. MR-2014-001.

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



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: January 13th, 2014

TIME: 1:00 PM

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

CASE NO. MR 2014-001

JURISDICTION: Chattanooga

APPLICANT: E. 10th Street RSD LLC c/o Chris Curtis

TYPE OF CHANGE: 1. Alley Ways Beginning at Douglas Street in a South East direction going approximately 295' to end. 2. Beginning at East 10th Street in a North East Direction going approximately 245' to end

LOCATION 900 Block of Douglas Street & 400 Block of East 10th Street

(SEE MAP ON REVERSE SIDE)

Memorandum

To: Fritz Brogden
From: Ed Bowen
cc: Dennis Malone; Bill Payne
Date: February 7, 2014
Re: Chris Curtis, East 10th Street RSD LLC
Case No. MR 2014-001
900 Block of Douglas Street and 400 Block of East 10th Street

Recommendations Regarding Abandonment Request

I have completed the review of Mr. Curtis' request for the abandonment of two intersecting, unopened alleys off the 900 Block of Douglas Street and 400 Block of East 10th Street. The alley off of Douglas Street begins at the northwest corner of Lot 1, Block 19 of the Parks Foster Subdivision, Deed Book Z, Volume 1, Page 1, ROHC, thence southeast 295 feet to the northeast corner of Lot 6, Block 19 of said plat. The alley off of East 10th Street begins at the southwest corner of Tax Map 145E-F-021 thence northeast 245 feet to the northern most corner of Tax Map 145E-F-018. Tax Maps 145E-F-018 thru 025 as shown on the attached map. My comments are as follows:

1. Redevelopment is proposed for this area.
2. The subject portions of the unopened alleys are as follows:
 - a. Alley off Douglas Street is approximately 295 feet in length by 10 feet in width for an area of approximately 2,950 square feet.
 - b. Alley off East 10th Street is approximately 245 feet in length by 6 feet in width for an area of approximately 1,470 square feet.
3. The city of Chattanooga has no sanitary sewer infrastructure in the subject portion of the unopened alleys.
4. The Transportation Department does not object to the abandonment.
5. No utilities object to the abandonment.
6. The Planning Commission recommends approval.

Therefore, I recommend the following: The request for abandonment of said portions of rights-of-way is approved with no conditions.

MR-2014-001 City of Chattanooga
January 13, 2014

RESOLUTION

WHEREAS, E. 10th Street RSD, LLC/Chris Curtis 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 two intersecting, unopened alleys off the 900 Block of Douglas Street and 400 Block of East 10th Street.

Abandonment of two intersecting, unopened alleys off the 900 Block of Douglas Street and 400 Block of East 10th Street. The alley off of Douglas Street begins at the northwest corner of Lot 1, Block 19 of the Parks Foster Subdivision, Deed Book Z, Volume 1, Page 1, ROHC, thence southeast 295 feet to the northeast corner of Lot 6, Block 19 of said plat. The alley off of East 10th Street begins at the southwest corner of Tax Map 145E-F-021 thence northeast 245 feet to the northern most corner of Tax Map 145E-F-018. Tax Maps 145E-F-018 thru 025 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on January 13, 2014,

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 January 13, 2014, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved.

Respectfully submitted,



John Bridger
Secretary

WO# 126021

CLOSURE/ABANDONMENT APPLICATION FORM

CASE NUMBER: MR 2014-001		Date Submitted: 11-27-2013	
(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:		
	<input type="checkbox"/> Open	<input checked="" type="checkbox"/> Unopened	Length/Width:
	Beginning: 1. Douglas Street in a South East direction/ 2. East 10 th Street in a NE direction		
	Ending: 1. going approximately 295' to end/ 2. going approximately 245' to end		
2 Property Information			
Property Address:	Two Alleys off the 900 blk. of Douglas Street & 400 blk. of E. 10 th Street		
Property Tax Map Number(s):	145E-F-018, 019, 020, 021, 022, 023, 024, & 025		
3 Proposed Development			
Reason for Request and/or Proposed Use:	Redevelopment		
4 Site Characteristics			
Current Zoning:	C-3		
Current Use:	Parking Lot		
Adjacent Uses:	C-3		
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: E. 10 th Street RSD LLC c/o Chris Curtis		Address: 1507 Wilder Street	
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: 37406-4067	Email: ccurtis@riversidedevelopmentllc.com
Phone 1: 423-855-5554	Phone 2: 423-693-2167	Phone 3:	Fax:
6 Property Owner Information (if not applicant)			
Name: Same		Phone:	
Address:			
Office Use Only:			
Planning District: 8A		Neighborhood: MLK Neighborhood Association	
Hamilton Co. Comm. District: 6	Chatt. Council District: 8	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): 9734-186, 1775-602, 960-638, 10092-97, 2145-682, 10106-560			
Plat Book/Page: D.B.2-1 page 1.	<input checked="" type="checkbox"/> Notice Signs	Number of Notice Signs: 2	
<input checked="" type="checkbox"/> Filing Fee: 350.00	Cash	<input checked="" type="checkbox"/> Check	Check Number: 5736
Planning Commission meeting date: 1-13-2014		Application processed by: Marcia Parker	

**PLANNING COMMISSION ACTION:
Approve**

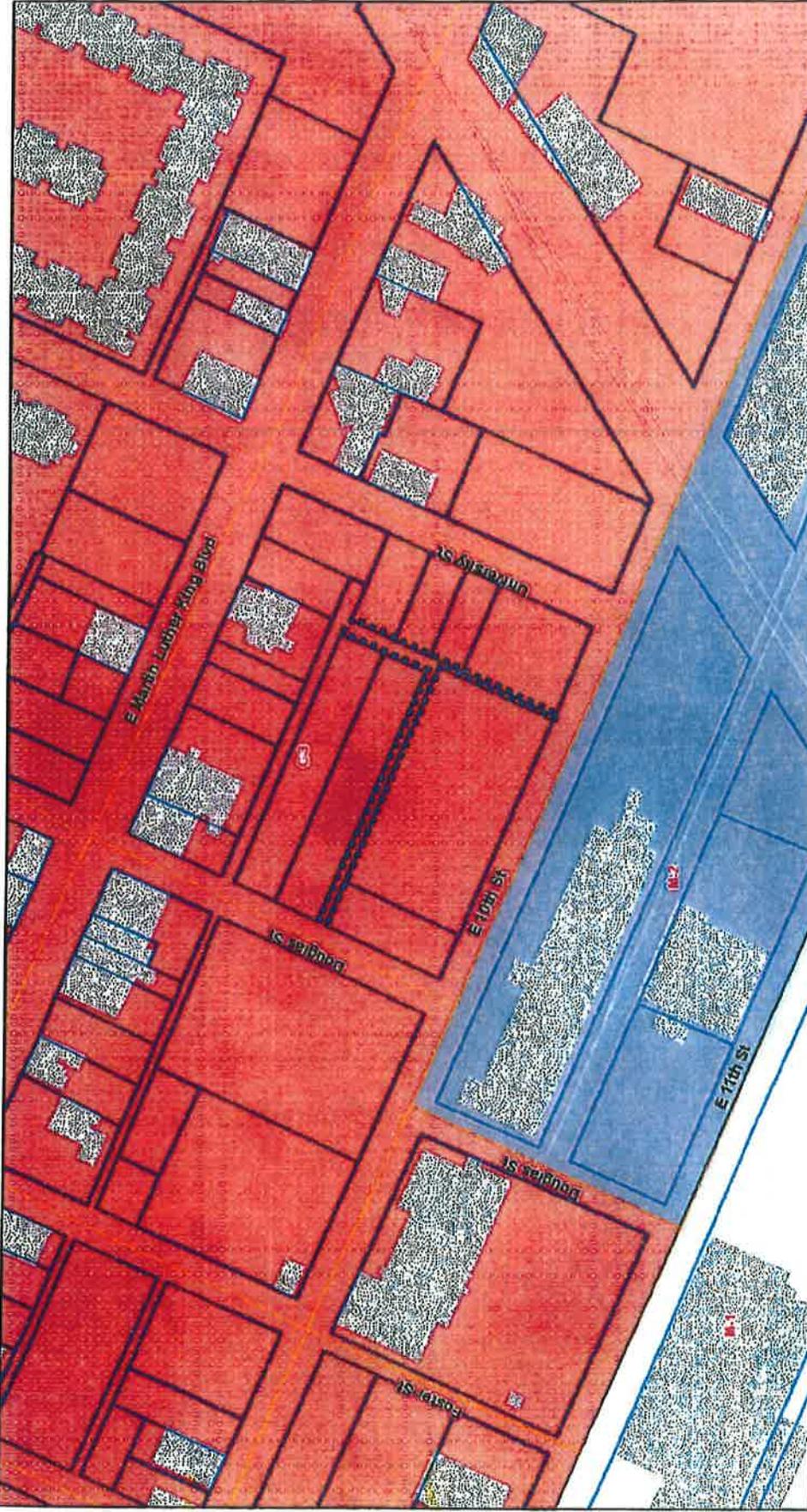
Chattanooga-Hamilton County Regional Planning Agency

STAFF CASE REPORT TO PLANNING COMMISSION

Case Number:	MR 2014-001	PC Meeting Date: : 1-13-2014
STAFF RECOMMENDATION:	APPROVE	
Land Use & Transportation Comments		
Planning Staff:	<p><u>Applicant Request Overview</u> The applicant is requesting the closure of an alley starting in the 900 block of Douglas Street and ending at the western edge of parcel 145E F 020 and an alley starting in the 400 block of East 10th Street and ending at the northern edge of parcel 145E F 018.</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 closure was based on the following review factors:</p> <ol style="list-style-type: none"> 1. Width of the ROW is 10 feet +/- starting in the 900 block of Douglas Street and ending at the western edge of parcel 145E F 020; 6 feet +/- starting in the 400 block of East 10th Street and ending at the northern edge of parcel 145E F 022; and 8 feet +/- starting at the northern edge of parcel 145E F 022 and ending at the northern edge of parcel 145E F 018. 2. Presence of or potential for the location of utilities. 3. Currently not open to traffic. 4. Limited potential for future use. 5. Alley is unpaved. 6. Adjacent properties will maintain access off of Douglas Street, East 10th Street, and University Street. 7. The applicant is applying for the closure for redevelopment purposes. 	
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</p>	

STAFF CASE REPORT TO PLANNING COMMISSION

	and development codes, storm water/water quality regulations, and the landscape ordinance.
Summary	The Regional Planning Agency is recommending approval of the closure request as there is limited potential for future use of the right-of-way and adjacent properties will maintain access off of Douglas Street, East 10th Street, and University Street.



2014-001 Abandonment of 2 Alleys located in the 400 blk of E 10th St and 900 blk of University St



150 ft



Chattanooga Hamilton County Regional Planning Agency

Bowen Ed

From: Parker Marcia
Sent: Wednesday, February 05, 2014 10:35 AM
To: Bridger John; mapengr@epbfi.com; Mild, Courtney; Payne Bill; Cannon William; Malone Dennis; Bowen Ed; Patton Angela; King Carol; Mumpower Bonnie; Ford Bernard
Subject: FW: Message from "RNP0026733FCF59"
Attachments: 2014-001 Comcast Okay With Abandonment Letter_201402051021_0001.pdf



2014-001 Comcast
Okay With Aba...

All, Comcast is Okay with this Closure from the January 13th, 2014 PC Meeting.
Thank You, Marcia Parker

-----Original Message-----

From: Do_Not_Reply@RPA.com [mailto:Do_Not_Reply@RPA.com]
Sent: Wednesday, February 05, 2014 10:22 AM
To: Parker Marcia
Subject: Message from "RNP0026733FCF59"

This E-mail was sent from "RNP0026733FCF59" (Aficio MP C4502).

Scan Date: 02.05.2014 10:21:42 (-0500)
Queries to: Do_Not_Reply@RPA.com



Comcast Cable
2030 E Polymer Drive, P.O. Box 162249
Chattanooga, TN 37422

February 5, 2014

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

RE:Case # 2014-001

Dear Marcia:

After meeting on site with representatives from Riverside Development, LLC, Comcast has determined that none of our existing plant will be affected by the proposed development. Therefore Comcast does at this time agree to the proposed abandonment.

Sincerely,

Mike Schlote

Mike Schlote
Construction Coordinator

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2014-001		<input checked="" type="checkbox"/>

Comcast Cable
Mike Schlote

* Comments forthcoming

Bell South
Jon Mounts

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2014-001	<input checked="" type="checkbox"/>	

* Comments forthcoming

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2014-001	<input checked="" type="checkbox"/>	

Design/Engineering Division
Bart Kuyr Kendall

* Comments forthcoming

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2014-001	<input checked="" type="checkbox"/>	

* Comments forthcoming

690
12/1/21

Pit Engineer 1
Bill Payne

X



December 20, 2013

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

RE:Case # 2014-001

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 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,

Mike Schlote

Mike Schlote
Construction Coordinator



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

Project/Funding:

Work Order Number: *126021*

Address: 400 BLK OF EAST10TH STREET AND 900 BLK OF UNIVERSITY STREET

Tax Map/Grid: 145E

Required Work Type: ENG - Temporary Use		Category: ADMIN		Date Needed: 3/1/2014	
WO Initiated: 12/31/2013 10:13:08 AM	Initiated By: KING, CAROL A	Requested By: BOWEN, EDWARD L	Priority: 3	District: 8	Transferred To/Submitted to: BOWEN, EDWARD L - 12/31/2013 10:13:36 AM
					Status: UNDINV

Instructions:

Comments: By KING, CAROL A: 12/31/2013 10:16:03 AM Redevelopment

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

Work Comments/Results: