

First Reading: _____
Second Reading: _____

MR-2013-157
John M. McDonald

ORDINANCE NO. _____

AN ORDINANCE CLOSING AND ABANDONING THE
UNOPENED 500 BLOCK OF NOLL STREET.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That the unopened 500 block of Noll 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 the unopened 500 Block of Noll Street beginning at the northeast corner of Lot 17, Block J, Revised Frazier & Colville's Addition to Hill City, Plat Book 61, Page 279, ROHC, thence west some 126 feet to the southwest corner of Lot Twenty-Two (22). Tax Map Nos. 135D-M-017 and 135D-T-002.

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

City of Chattanooga



Resolution Request Form

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

Date: March 11, 2014

3/11/14

Preparer: Fritz Brogdon

Department: Transportation

Brief Description of Purpose for Resolution:

Resolution Number (if approved by Council):

District 2

A City Council Action is requested to deny the request of abandonment for John M. McDonald for the abandonment of the unopened 500 Block of Noll Street, as referenced in Case No 2013-157.

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

Memorandum

To: Fritz Brogden
From: Ed Bowen
cc: Bill Payne; Dennis Malone
Date: March 10, 2014
Re: John M. McDonald
Case No. 2013-157
500 Block of Noll Street

Recommendations Regarding Abandonment Request

I have completed the review of Mr. McDonald's request for abandonment of the unopened 500 Block of Noll Street beginning at the northeast corner of Lot 17, Block J, Revised Frazier & Colville's Addition to Hill City, Plat Book 61, Page 279, ROHC, thence west some 126 feet to the southwest corner of Lot Twenty-Two (22). Tax Maps 135D-M-017 and 135D-T-002 as shown on the attached map.

My comments are as follows:

1. The unplatted tract, approximately 40' wide and 120' long, has an area of about 4,800 square feet.
 2. The Planning Commission recommended denial.
 3. The Chattanooga Gas Company and the Transportation Department object to the abandonment.
- Therefore, I recommend the following: The request for abandonment of said portion of right-of-way is denied.

**John McDonald
Case: MR 2013-157
500 block of Noll Street at Druid Lane**



WO#124600

Chattanooga-Hamilton County Regional Planning Agency

CLOSURE/ABANDONMENT APPLICATION FORM

CASE NUMBER: MR 2013-157		Date Submitted: 11-08-2013	
(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	Alley	<input checked="" type="checkbox"/>	Street
			Sewer
			Other
Name of Street or Right-Of-Way: Noll Street			
	Open	<input checked="" type="checkbox"/>	Unopened
		Length/Width: approx. 40' x 120' (Including 25' turn radius)	
Beginning: East end of unopened Noll Street			
Ending: Druid Street Right-of-Way @ 135D-M-017 and 135D-T-002			
2 Property Information			
Property Address:	Eastern portion of the 500 block of Noll Street		
Property Tax Map Number(s):	135D-M-017 and 135D-T-002		
3 Proposed Development			
Reason for Request and/or Proposed Use:	Road is too steep for use (i.e. Approximately 50' Grade). Closure would allow petitioner to re-plat for improved building sites		
4 Site Characteristics			
Current Zoning:	R-1		
Current Use:	Vacant		
Adjacent Uses:	Vacant		
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 M. 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:	Phone 3:	Fax:
6 Property Owner Information (if not applicant)			
Name:		Phone:	
Address:			
Office Use Only:			
Planning District: 8b		Neighborhood: North Shore Neighborhood and Northshore 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 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:	<input checked="" type="checkbox"/>	Deeds
<input checked="" type="checkbox"/>	Plats, if applicable	<input checked="" type="checkbox"/>	Notice Signs
Deed Book(s): ITEM-65010		Number of Notice Signs: 1	
Plat Book/Page: 61-279		<input checked="" type="checkbox"/>	Cash
<input checked="" type="checkbox"/>	Filing Fee: \$350.00	<input checked="" type="checkbox"/>	Check
Check Number: 3254		Application processed by: Trevor Slayton	
Planning Commission meeting date: 12-9-2013			

MR-2013-157 City of Chattanooga
December 9, 2013

RESOLUTION

WHEREAS, John M. 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 the 500 Block of Noll Street.

Abandonment of the unopened 500 Block of Noll Street beginning at the northeast corner of Lot 17, Block J, Revised Frazier & Colville's Addition to Hill City, Plat Book 61, Page 279, ROHC, thence west some 126 feet to the southwest corner of Lot Twenty-Two (22). Tax Maps 135D-M-017 and 135D-T-002 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on December 9, 2013,

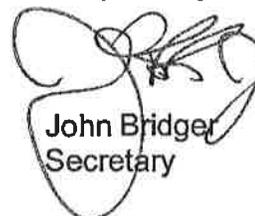
AND WHEREAS, the Planning Commission heard and considered all statements favoring the petition,

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 December 9, 2013, recommended to the Members of the City Council of the City of Chattanooga that this petition be denied.

Respectfully submitted,



John Bridger
Secretary

STAFF RECOMMENDATION TO PLANNING COMMISSION

Case Number: MR 2013-157 PC Meeting Date: 12-09-2013

STAFF RECOMMENDATION:

DENY

Land Use & Transportation
Comments

Planning Staff:

Applicant Request Overview

The applicant is requesting the closure of a portion of the 500 block of Noll Street beginning at the west property line of parcels 135D-M-017 and 135D-T-002 and ending at the Druid Lane right-of-way.

Plans/Policies

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.

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.

The evaluation of this right-of-way street closure was based on the following review factors:

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 improve connectivity in the neighborhood.
5. Street is unpaved and forested.
6. Adjacent properties will maintain access off of Druid Lane.
7. The applicant is applying for the closure because they think the road is too steep for use, and the closure would allow the petitioner to re-plat for an improved building site.

In addition, the North Shore Plan recommends promoting connectivity through a distributed network of roads, sidewalks, bicycle facilities, and multi-use paths. The plans suggests that the alternative, a lack of connections, leads to isolated uses, which in turn lead to a suburban style of development that should be avoided in the urban area.

Staff Recommendation

The Regional Planning Agency is recommending denial of the closure request as the right-of-way has the potential to improve connectivity in the neighborhood especially for the long, approximately 1,240 foot block of Druid Lane. The only opportunity for access to Druid Lane is the one-way Tucker Street. The only opportunities for egress from Druid Lane are Tucker Street and East Manning Street, which is also one-way.

STAFF RECOMMENDATION TO PLANNING COMMISSION

	<p>A future connection through the 500 block of Noll Street could improve access and egress for Druid Lane.</p>
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>
Transportation Department Staff:	<p>The City Transportation Engineer does not approve of the proposed closure because of the potential of the right-of-way to improve future pedestrian and possibly automobile connectivity.</p>



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

Project/Funding:

Work Order Number: * 1 2 4 6 0 0 *

Address: 500 BLOCK OF NOLL STREET

Tax Map/Grid: 145L

Required Work Type: ENG - RPA Cases		Category: ADMIN	Date Needed: 12/13/2013	Status: UNDIV
WO Initiated: 12/3/2013 3:47:43 PM	Initiated By: KING, CAROL A	Requested By: BOWEN, EDWARD L	Priority: 3	Transferred To/Submitted to: BOWEN, EDWARD L - 12/3/2013 3:49:39 PM
		District: 8		

Instructions:

Comments:
By KING, CAROL A: 12/3/2013 3:53:48 PM
Road is too steep for use (i.e. approximately 50' grade) Closure would allow petitioner to re-plate for improved building site.

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 M. Mc Donald	(423) 838-1289		37403	

Work Comments/Results: synpropertiesdirect@hotmail.com



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: December 9th, 2013

TIME: 1:00 PM

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

CASE NO. MR 2013-157

JURISDICTION: Chattanooga

APPLICANT: John McDonald

TYPE OF CHANGE: Beginning at the East end of unopened Noll Street to end of parcel approximately 125 feet plus or minus (Tax Map 135D-M 017)

LOCATION A portion of the 500 block of Noll Street

(SEE MAP ON REVERSE SIDE)



MR 2013-157 Abandonment of a Portion of the 500 Block of Neil St



125 ft



Chattanooga Hamilton County Regional Planning Agency

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-157		X
Gas main on Druid Ln. @ the eastern end of this proposal. Approved 11-21-13		

* Comments forthcoming

Design Engineering Division
Bent Kaykendall

Wattava Gas Co
Havala ttdg

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-157		✓
Future Pedestrian connectivity For The Neighborhood.		

* Comments forthcoming

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-157	✓	

* Comments forthcoming

WWT #
Cleveland Engrs

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2013-157		RH

* Comments forthcoming

Chattanooga Fire Dept
Kandall Ferron

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
NR 2013-157	X	

* Comments forthcoming

Comcast Cable I.D.
Mike Schulte

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
NR 2013-157	✓	

* Comments forthcoming

Dept of Transportation
M. Marie Wolfe

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
NR 2013-157	✓	

* Comments forthcoming

IN American Water Co
Robbie Thriver

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
NR 2013-157	✓	

* Comments forthcoming

Dept of Transportation
Ray Rucker

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
NR 2013-157	X	

BHD
11/19/13

City Engineer
Bill Payne

* Comments forthcoming

A

11/26/2013 16:56

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
NR 2013-157		✓

Bill Smith
Don Smith

* Comments forthcoming

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
NR 2013-157		✓

H.P.B.
Billy McChery

* Comments forthcoming

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
NR 2013-157		✓

City Police Dept.
David R Fyfe

* Comments forthcoming

**John McDonald
Case: MR 2013-157
500 block of Noll Street at Druid Lane**



CLOSED

UNOPEN

UNOPEN

Druid

604

594

514

515

N