

**First Reading:** \_\_\_\_\_  
**Second Reading:** \_\_\_\_\_

MR-2014-041  
Christopher A. Ciocci  
Chattanooga Coca-Cola

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE CLOSING AND ABANDONING THE  
SEWER EASEMENT OFF THE 2100 BLOCK OF WEST  
SHEPHERD ROAD.

---

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF  
CHATTANOOGA, TENNESSEE, That the sewer easement off the 2100 block of West  
Shepherd Road, 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 sewer easement off the 2100 Block of West  
Shepherd Road. The sewer easement begins at Manhole #S  
138O042 then runs approximately 1200 linear feet northeast to  
Manhole #S 148B050. Sewer easement runs along Tax Map No.  
138O-B-001.11.

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

/mem

# City of Chattanooga



## Resolution Request Form

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

Date: May 16, 2014

Preparer: William C. Payne

Department: Public Works

Brief Description of Purpose for Resolution:

Resolution Number (if approved by Council):

District 6

A City Council Action is requested to authorize the request of Christopher A. Ciocci for Chattanooga Coca Cola for the abandonment of a sewer easement off the 2100 Block of West Shepherd Road, as referenced in Case No. 2014-041.

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:** Bertran Kuyrkendall; Brandon Sutton  
**Date:** May 16, 2014  
**Re:** Christopher A. Ciocci/ For Chattanooga Coca Cola  
Case No. MR 2014-041  
2100 Block of West Shepherd Road

## Recommendations Regarding Abandonment Request

---

I have completed the review of Mr. Ciocci's request for abandon of a sewer easement off the 2100 Block of West Shepherd Road. The sewer easement begins at Manhole #S1380042 then runs approximately 1200 linear feet northeast to Manhole #S148B050. Sewer easement runs along Tax Map 1380-B-001.11 as shown on the attached map. My comments are as follows:

1. Redevelopment is proposed for this area.
2. The applicant intends to combine lots to construct a larger building in the vicinity of this sanitary sewer line.
3. The sanitary sewer can be relocated to connect with an existing sanitary sewer along the eastern property line.

Therefore, I recommend the following: The request for abandonment of said is approved with conditions.

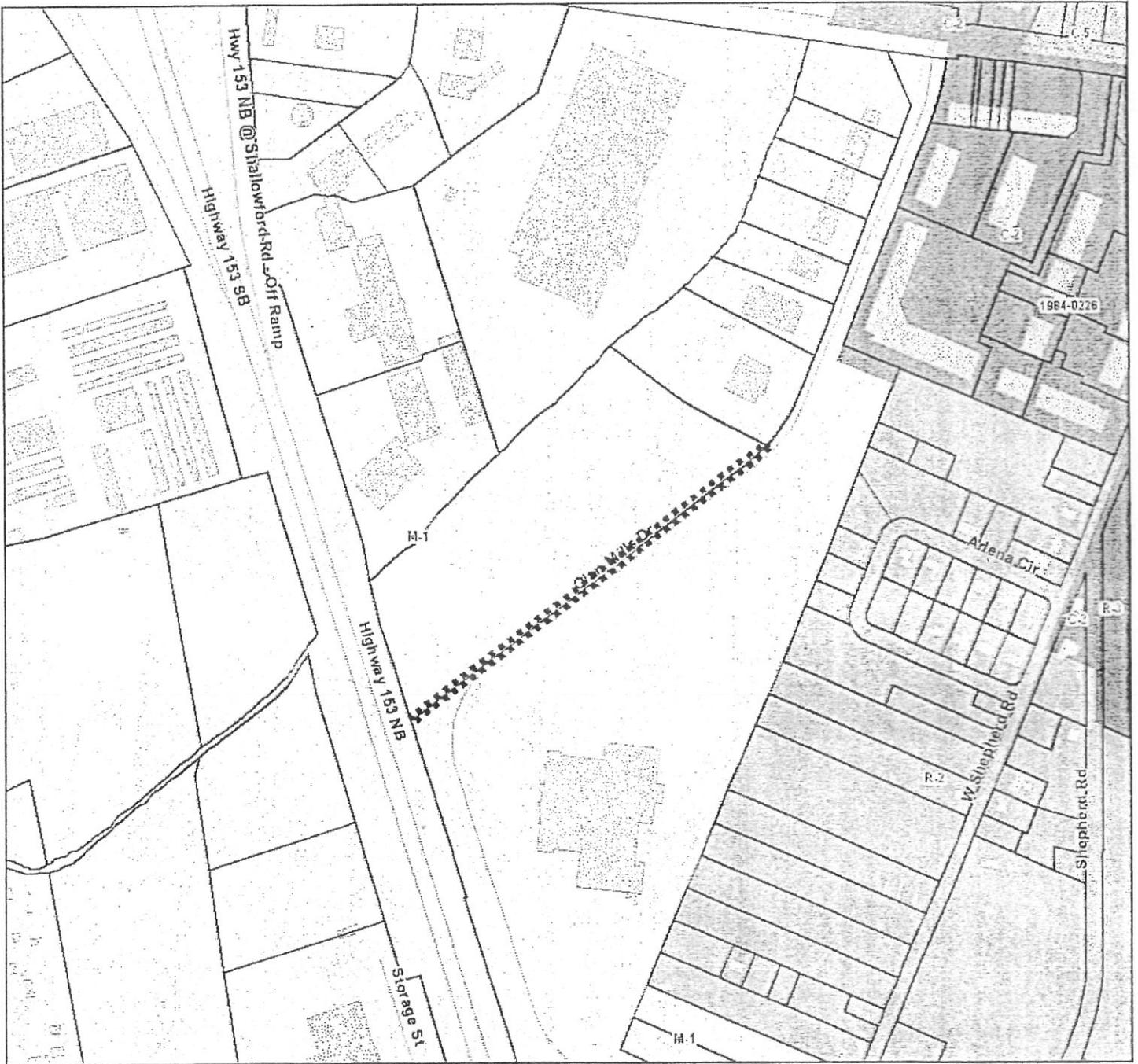
1. Subject to relocation as approved by the City Engineer.

**CLOSURE/ABANDONMENT APPLICATION FORM**

<b>CASE NUMBER:</b>	<b>MR 2014-041</b>	<b>Date Submitted: 4-9-2014</b>
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)		
<b>1 Applicant Request(Mandatory Referral per TCA 13-4-104)</b>		
<b>Closure/Abandonment</b>	<b>Alley</b>	<b>Street</b> <input checked="" type="checkbox"/> <b>Sewer</b> <input type="checkbox"/> <b>Other</b> <input type="checkbox"/>
Name of Street or Right-Of-Way:		
<input type="checkbox"/> Open	<input type="checkbox"/> Unopened	Length/Width: 20' x approx. 1200 linear feet
Beginning: Manhole #S1380042		
Ending: Manhole #S 148B050		
<b>2 Property Information</b>		
Property Address:	2100 block of West Shepherd Road	
Property Tax Map Number(s):	1380-B-001.11	
<b>3 Proposed Development</b>		
Reason for Request and/or Proposed Use:	Abandon the sewer easement, relocate/re-route existing sewer to allow new building development	
<b>4 Site Characteristics</b>		
Current Zoning:	M-1	
Current Use:	Vacant	
Adjacent Uses:	Commercial, Residential	
<b>5 Applicant Information</b>		
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: Design Group Facility Solutions c/o Christopher A. Ciocci/For Chattanooga Coca Cola	Address: 5 Chenell Drive	
Check one:	<input checked="" type="checkbox"/> I am the property owner	<input type="checkbox"/> I am not the property owner
City: Concord	State: NH	Zip Code: 03301
Phone 1: 1-603-225-0010	Phone 2: 1-603-496-5167	Phone 3: Fax: 1-603-225-0761
<b>6 Property Owner Information (if not applicant)</b>		
Name: Dillard Partnership	Phone: 423-775-6462	
Address: 2631 Rhea County Hwy Dayton, TN 37321		
<b>Office Use Only:</b>		
Planning District:6	Neighborhood: Friends of East Brainerd, Brainerd-East Brainerd Chamber, Shepherd Community Action Council	
Hamilton Co. Comm. District: 5	Chatt. Council District: 6	Other Municipality:
Staff Rec:	PC Action/Date:	Legislative Action/Date/Ordinance:
<b>Checklist</b>		
<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	Total Acres to be considered:	<input checked="" type="checkbox"/> Deeds <input checked="" type="checkbox"/> Plats, if applicable
Deed Book(s): 6279-0774		
Plat Book/Page: N/A	<input checked="" type="checkbox"/> Notice Signs	Number of Notice Signs: 1
<input checked="" type="checkbox"/> Filing Fee: \$350.00	<input type="checkbox"/> Cash	<input checked="" type="checkbox"/> Check Check Number: 70-2322-719
Planning Commission meeting date: 5-9-2014	Application processed by: Taken by Marcia Parker and Processed by Trevor Slayton	

## STAFF CASE REPORT TO PLANNING COMMISSION

<b>Case Number:</b>	<b>MR 2014-041</b>	<b>PC Meeting Date: 05-12-14</b>
<b>STAFF RECOMMENDATION:</b>	<b>APPROVE</b>	
<b>Land Use &amp; Transportation Comments:</b>		
<b>Planning Staff:</b>	<p><b><u>Applicant Request Overview</u></b>                      This is a request to abandon a sewer easement located in the 2100 block of West Shepherd Road in order to relocate/re-route existing sewer to allow new building development.</p> <p><b><u>Site Description</u></b>                      The property is the former Olan Mills site located near Highway 153 between the Shallowford Road and Shepherd Road exits. Adjacent to the site are commercial and residential uses.</p> <p><b><u>Zoning History</u></b>                      Ordinance No. 12820, dated March 18, 2014, rezoned adjacent properties at 2125 and 2129 W. Shepherd Road to M-1 Manufacturing Zone, subject to an entrance and exit on West Shepherd Road to be used for vehicular access and truck check-in and check-out gate with related structures and canopies only.</p>	
<b>Infrastructure &amp; Operational Comments:</b>	<p>All land development projects are reviewed by City Engineering &amp; Water Quality staff, Traffic Engineering &amp; 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 department below as comments recommended to be attached to the final ordinance.</p>	
<b>Public Works Staff:</b>	Public Works has no objection to this abandonment. Relocation is subject to approval of the City Engineer.	
<b>Summary</b>	<p>The Regional Planning Agency is recommending approval of the proposed abandonment of a sewer easement as the applicant intends to relocate/re-route existing sewer.</p>	



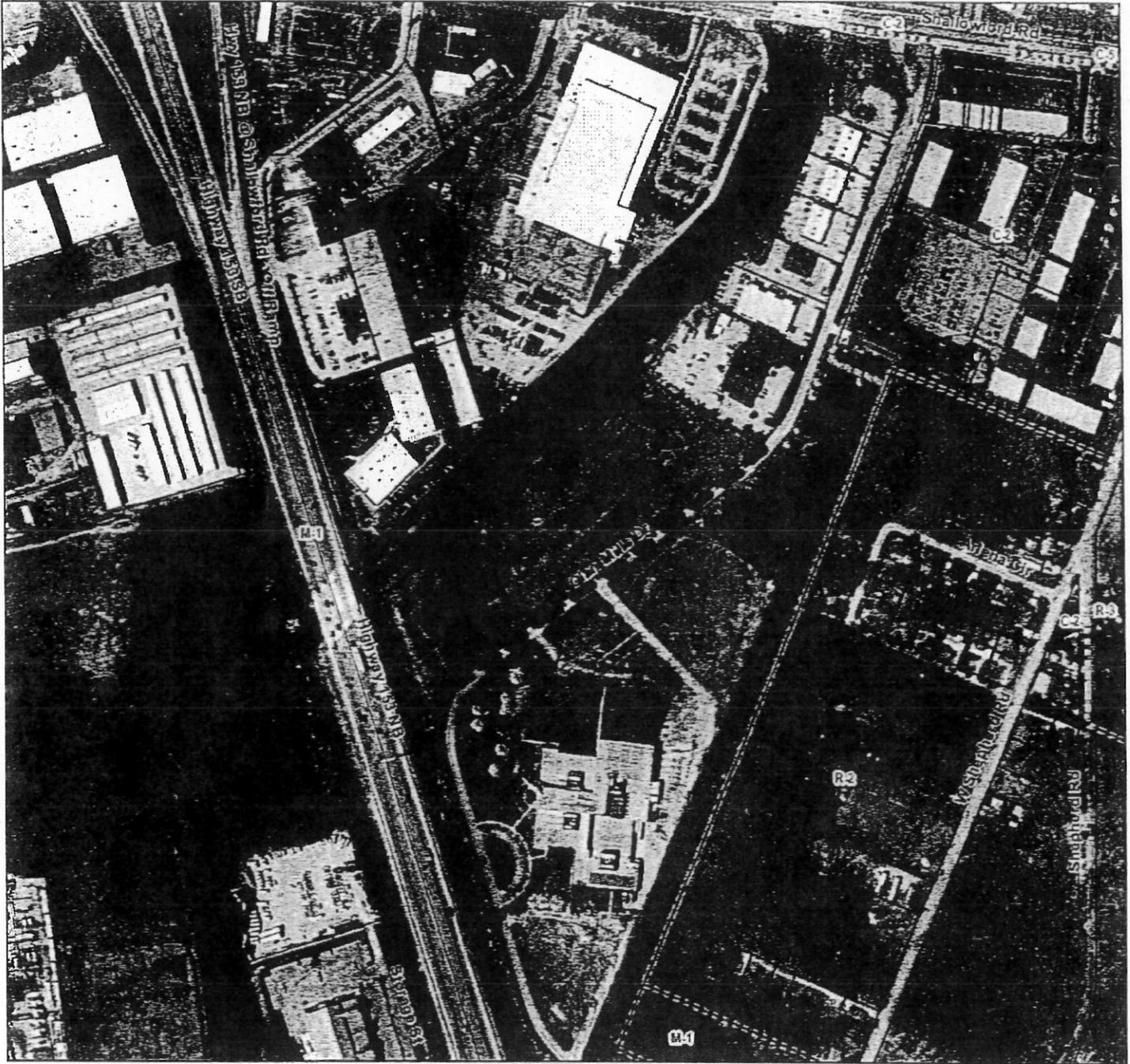
# MR 2014-041 Sewer Easement Abandonment



400 ft

Chattanooga Hamilton County Regional Planning Agency





# MR 2014-041 Sewer Easement Abandonment



400 ft

Chattanooga Hamilton County Regional Planning Agency



MR-2014-041 City of Chattanooga  
May 12, 2014

RESOLUTION

WHEREAS, Design Group Facility Solutions/Christopher A. Ciocci for Chattanooga Coca Cola/Dillard Partnership 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 sewer easement off the 2100 Block of West Shepherd Road.

Abandonment of a sewer easement off the 2100 Block of West Shepherd Road. The sewer easement begins at Manhole #S 138O042 then runs approximately 1200 linear feet northeast to Manhole #S 148B050. Sewer easement runs along Tax Map 138O-B-001.11 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on May 12, 2014,

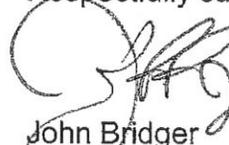
AND WHEREAS, the Planning Commission heard and considered all statements favoring the petition,

AND WHEREAS, no one was present in opposition to the petition,

AND WHEREAS, the Planning Commission has studied the petition in relation to existing zoning and land use and potential patterns of development.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on May 12, 2014, recommended to the Members of the City Council of the City of Chattanooga that this petition for a Mandatory Referral to abandon the sewer easement, relocate/re-route existing sewer to allow new building development be approved.

Respectfully submitted,



John Bridger  
Secretary

**DESIGN GROUP**  
**FACILITY SOLUTIONS**  
 5 CHERNELL DRIVE, BOX 3, CONCORD, NEW HAMPSHIRE 03301  
 PHONE: (603) 225-0010 FAX: (603) 225-0761

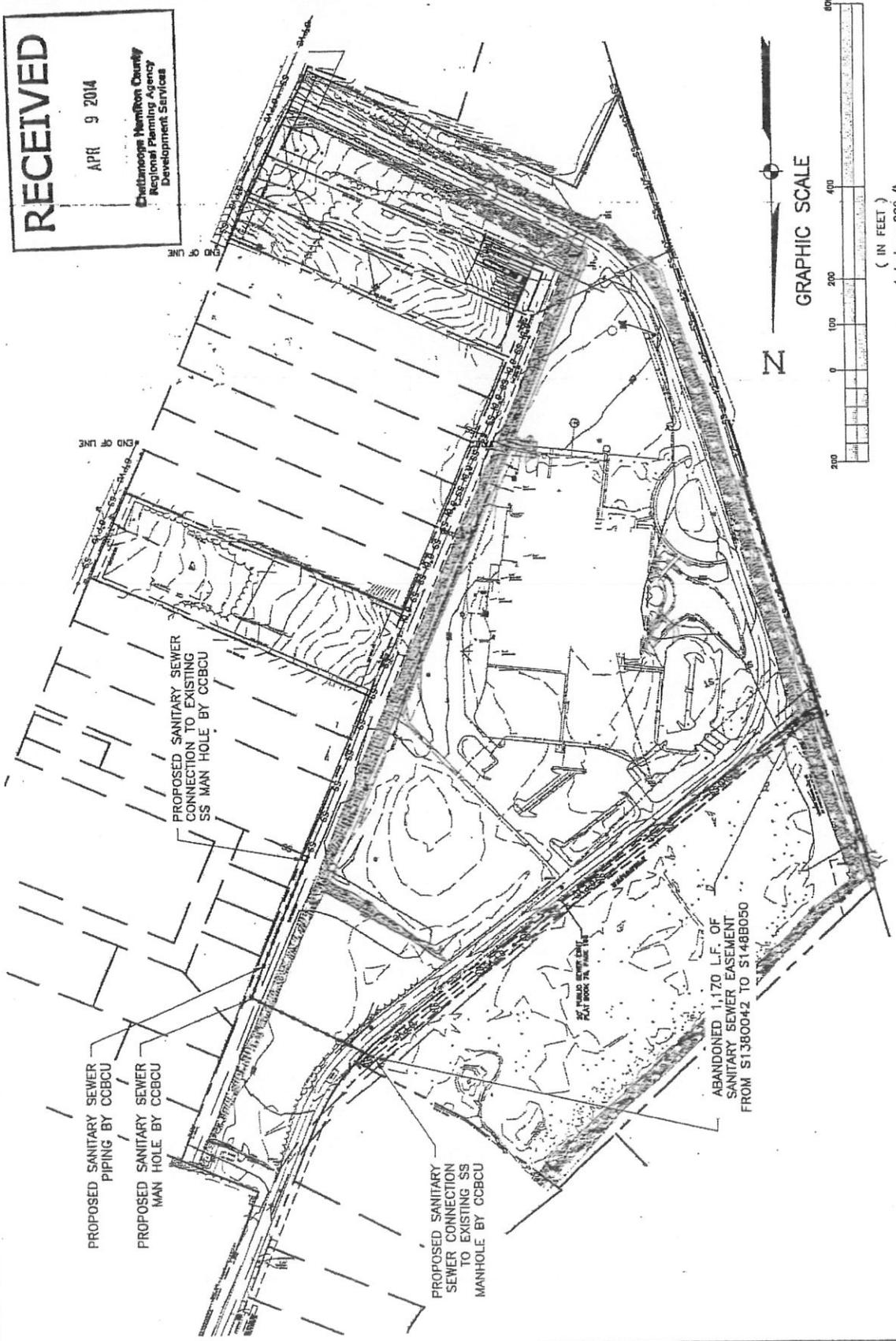
CLIENT: COCA-COLA BOTTLING CO. UNITED  
 PROJECT: PROJECT HEARTLAND  
 TITLE: ABANDONED SANITARY SEWER EASEMENT  
 SKETCH NO. SKC-D  
 PROJECT NO. 13183  
 DATE 04/08/14  
 © 2014 DESIGN GROUP FACILITY SOLUTIONS, INC.  
 DRAWN BY GAR CHECKED BY CAC

MR 2014-104

**RECEIVED**

APR 9 2014

Cheshirehampton County  
 Regional Planning Agency  
 Development Services



DATE PLOTTED: 4/8/2014 2:00:08 PM PLOTTED BY: Lewis, Garrett (DG-CNC)





**CITY OF CHATTANOOGA**

**PUBLIC WORKS DEPARTMENT**

**WORK ORDER**

**Project/Funding:**

**Work Order Number:** 131846

**Address:** 2100 Block of West Shepherd Road

Required Work Type: ENG - RPA Cases						
<b>WO</b>	<b>Initiated</b>	<b>Requested</b>	<b>Priority:</b>	<b>District:</b>	<b>Transferred</b>	<b>Status:</b>
<b>Initiated:</b> 5/2/2014 10:16:58 AM	<b>By:</b> KING, CAROL A	<b>By:</b> PAYNE, WILLIAM C	ROUTINE		<b>To/Submitted</b> <b>to:</b> BOWEN, EDWARD L	Under Investigation

**Instructions:**

**Comments:** By KING, CAROL A: 5/2/2014 10:18:29 AM  
Abandon the sewer easement, relocate and reroute existing sewer to allow new building development

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

**Associated Service Requests(s), If Any:**

Request ID	Problem Code	Request Description			Request Priority	Incident Address
Customer Call #	Customer Title	First Name	Middle Initial	Last Name	Address	Apt. #

City	Zip	Address Type	Home Phone	Work Phone	Other Phone	Date & Time Of Call
------	-----	--------------	------------	------------	-------------	---------------------