

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

MR-2014-122  
Waters-Holland/Chattanooga Engineering Group

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

AN ORDINANCE CLOSING AND ABANDONING OF A  
SANITARY SEWER EASEMENT LOCATED AT 2409  
JENKINS ROAD, SUBJECT TO CERTAIN CONDITIONS.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF  
CHATTANOOGA, TENNESSEE, That the sanitary sewer easement located at 2409 Jenkins  
Road, more particularly described herein, and as shown on the maps attached hereto and made a  
part hereof by reference, be and are hereby closed and abandoned:

Sewer easement Abandonment of part of a sewer easement  
beginning at Station 183+13, extending approximately 128 feet  
and ending at Station 181+85, located on property at 2409 Jenkins  
Road. Tax Map No. 149B-C-027 (part).

SECTION 2. BE IT FURTHER ORDAINED, That this abandonment shall be subject to  
the relocation of the sanitary sewer as approved by the City Engineer.

SECTION 3. 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: December 2, 2014

Preparer: William C. Payne

Department: Public Works

Brief Description of Purpose for Resolution:

Resolution Number (if approved by Council): District 4

A City Council ordinance is requested for the abandonment of a sewer sanitary Easement located at 2409 Jenkins Road, as referenced in Case No. 2014-122, subject to certain conditions.

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.

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:** Lee Norris

**From:** Bill Payne

**cc:** Dennis Malone

**Date:** December 1, 2014

**Re:** Waters-Holland/Chattanooga Engineering Group  
Case No. MR 2014-122  
2409 Jenkins Road

## Recommendations Regarding Abandonment Request

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I have completed the review Waters-Holland's request for sewer easement abandonment beginning at Station 183+13, extending approximately 128 feet and ending at Station 181+85, located on property at 2409 Jenkins Road. Tax Map 149B-C-027 (part) as shown on the attached map.

My comments are as follows:

- The city of Chattanooga has sanitary sewer infrastructure in the subject portion of the easement.
- The Planning Commission recommends approval.

Therefore, I recommend the following: The request for abandonment of this easement be approved with condition:

- Subject to relocation of the sanitary sewer as approved by the City Engineer.

MR-2014-122 City of Chattanooga  
November 10, 2014

RESOLUTION

WHEREAS, Chattanooga Engineering Group/Waters-Holland, LLC petitioned the Chattanooga-Hamilton County Regional Planning Commission to recommend to the Members of the City Council of the City of Chattanooga to grant approval of a Mandatory Referral pursuant to T.C.A. 13-4-104, for the Abandonment of Sewer Easement located at 2409 Jenkins Road.

Sewer easement Abandonment of part of a sewer easement beginning at Station 183+13, extending approximately 128 feet and ending at Station 181+85, located on property at 2409 Jenkins Road. Tax Map 149B-C-027 (part) as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on November 10, 2014,

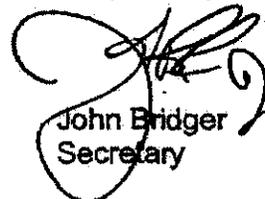
AND WHEREAS, the Planning Commission heard and considered all statements favoring the petition,

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 November 10, 2014, recommended to the Members of the City Council of the City of Chattanooga that this petition for a Mandatory Referral to redirect sewer and easement be approved.

Respectfully submitted,



John Bridger  
Secretary



## STAFF CASE REPORT TO PLANNING COMMISSION

Case Number:	MR-2014-122	PC Meeting Date: 11-10-14
Applicant Request:	Abandonment of sewer easement	
Property Location:	2409 Jenkins Road	
Property Owner:	Waters-Holland LLC	
Applicant:	Chattanooga Engineering Group	
Staff Recommendation:	APPROVE	

### PROJECT ANALYSIS

#### RPA Land Use & Transportation Comments

##### Project Description

The applicant requests abandonment of a sewer easement of approximately 20' by 128' because the sewer makes one lot in the tract of land located at 2409 Jenkins Road unusable. The applicant intends to redirect the sewer and easement.

##### Site Description

The 3.5 acre site is zoned R-T/Z Residential Townhouse Zero Lot Line Zone. The current use on the site is a single-family residence. Adjacent land uses include townhomes and the Brainerd Lodge.

##### Plans/Policies

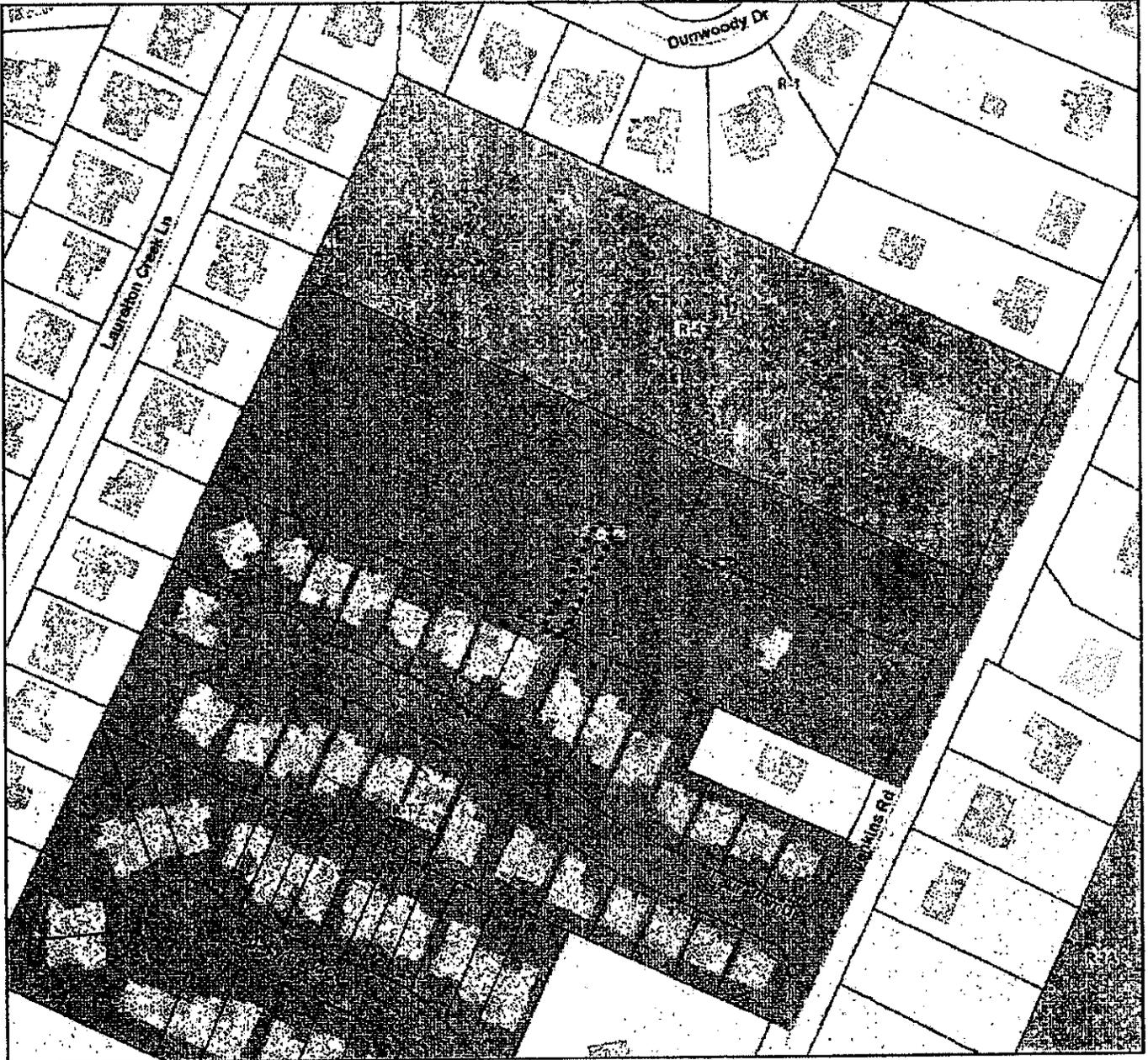
The site is within the Hamilton Place Community Plan. The plan offers no guidance on sewer easements.

#### City Departmental Infrastructure & Operational Comments

All land development projects are reviewed by City Engineering & Water Quality staff, Transportation Department 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.

#### RPA Summary

The Regional Planning Agency is recommending approval of this request to abandon a sewer easement because the applicant intends to redirect the sewer and easement for the purpose of neighborhood development.



## MR 2014-122 Sewer Easement Abandonment

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. MR-2014-122:

Approve



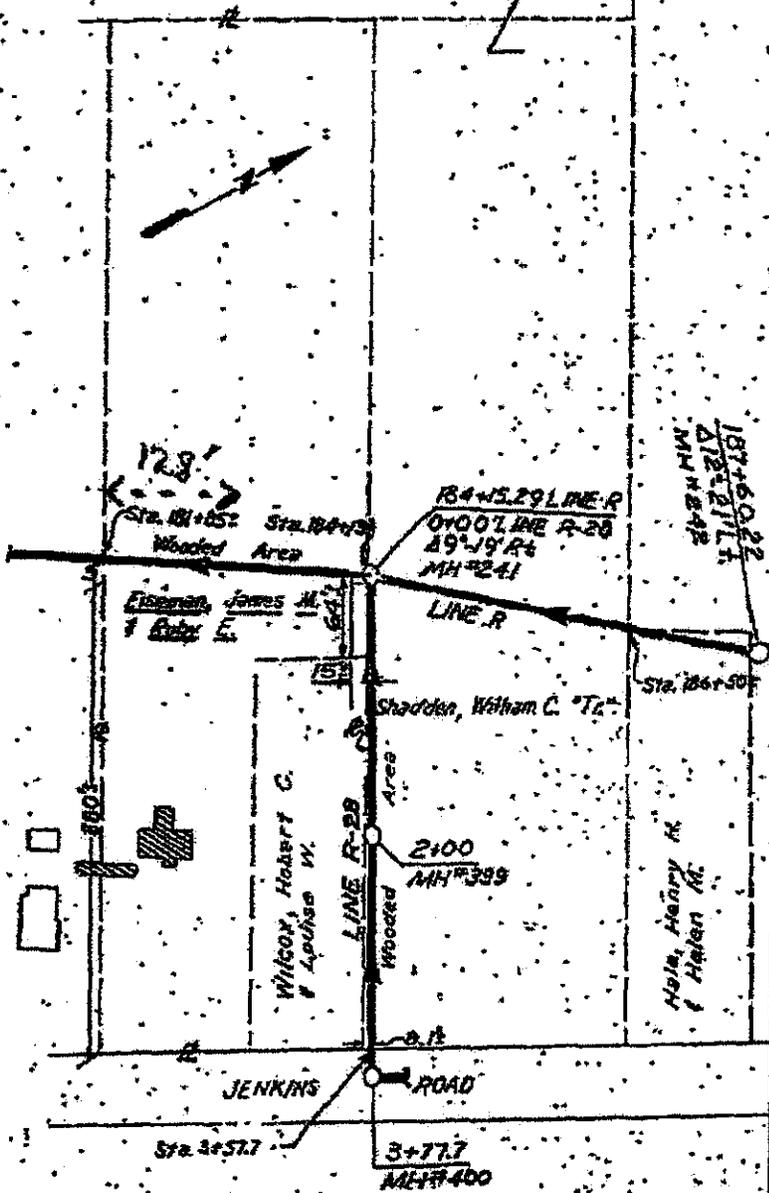
150 ft



**Chattanooga Hamilton County Regional Planning Agency**

**RPA**

Box 2456 No. 441



Part of Lot Part 4 Wells Acres Subdivision  
Property of JAMES M. EISENHART AND RUBY E.

Having Proposed Easements

CITY OF CHATTANOOGA, TENNESSEE  
Department of Public Works  
Paul F. Clark, Commissioner,  
Ellis L. Spencer, City Engineer

NEED BOOK	2104	PG	662
LOC BOOK	70	PG	54
TOPG MAP NO.	518		
CHECKING NO.	2000/1000	2-4	
SURVEY BOOK	128	PG	1-8



**CITY OF CHATTANOOGA**

**PUBLIC WORKS DEPARTMENT**

**WORK ORDER**

**Project/Funding:**

**Work Order Number:** 141169

**Address:** 2409 Jenkins Rd

<b>Required Work Type:</b> 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> 11/18/2014 8:50:12 AM	<b>By:</b> KING, CAROL A	<b>By:</b> PAYNE, WILLIAM C	ROUTINE	4	<b>To/Submitted to:</b> *ENGINEERING, ENGINEERING	Under Investigation

**Instructions:** Water Hollands, LLC  
P.O. Box 28052  
Chattanooga, TN 37424

**Comments:** By KING, CAROL A: 11/18/2014 9:00:05 AM  
Neighborhood Development sewer makes 1 lot unusable, redirecting sewer and easement.

**Date Completed:**                      **Supervisor:** NORRIS, DONALD L    **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
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