

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

MR-2015-079  
Passpointe Engineering, PLLC/Jan Pass  
District 7

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

AN ORDINANCE CLOSING AND ABANDONING A  
SANITARY SEWER EASEMENT LOCATED AT 102  
WALNUT STREET, SUBJECT TO CERTAIN CONDITIONS.

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SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That a sanitary sewer easement located at 102 Walnut 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 a 20-foot wide sanitary sewer easement beginning 50 feet upstream of Manhole 2+72 Line 1 (MF#100591) extending 240 feet and ending at Manhole 4, as shown on Lot 2, Original Town Walnut Street, Plat Book 101, Page 73, ROHC. Tax Map No. 135L-C-005.

SECTION 2. BE IT FURTHER ORDAINED, That this abandonment shall be subject to 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

/vmm

# City of Chattanooga



## Resolution/Ordinance Request Form

Date Prepared: 6-29-2015

Preparer: William C. Payne

Department: Public Works

**Brief Description of Purpose for Resolution/Ordinance:**      **Res./Ord. #**      **District # 7**

A City Council Action is requested to approve the request of Passpointe Engineering for the abandonment of a sanitary sewer easement on property of 102 Walnut Street, as reference in Case No. MR-2015-079, subject to certain conditions.

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)**

Reviewed by: \_\_\_\_\_

FINANCE OFFICE

Approved by:   
DESIGNATED OFFICIAL/ADMINISTRATOR

Please submit completed form to @budget, City Attorney and City Finance Officer

Revised: October, 2011

# Memorandum

**To:** Lee Norris  
**From:** Bill Payne   
**Cc:** Dennis Malone  
**Date:** June 29, 2015  
**Re:** Passpointe Engineering, PLLC/Jan Pass  
Case No. MR 2015-079  
102 Walnut Street-District 7

## Recommendations Regarding Abandonment Request

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I have completed the review of Case No. MR 2015-079 to abandon a 20 foot wide sewer easement on property at 102 Walnut Street, beginning 50 feet upstream of Manhole 2+72 Line 1 (MF#100591) extending 240 feet and ending at Manhole 4, as shown on Lot 2, Original Town Walnut Street, Plat Book 101, Page 73, ROHC. Tax Map 135L-C-005 as shown on the attached map.

My comments are as follows:

- The applicant desires to abandon the sanitary sewer for development of site.
- 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, subject to relocation of the sanitary sewer as approved by the City Engineer.

WO# 149917

**CLOSURE/ABANDONMENT APPLICATION FORM**

<b>CASE NUMBER:</b>	MR 2015-079	<b>Date Submitted:</b> 04-29-2015	
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)			
<b>1 Applicant Request</b> (Mandatory Referral per TCA 13-4-104)			
<b>Closure/Abandonment</b>	<input type="checkbox"/> Alley	<input checked="" type="checkbox"/> Street	<input type="checkbox"/> Sewer <input type="checkbox"/> Other
Name of Street or Right-Of-Way: Sanitary Sewer & Easement			
	<input type="checkbox"/> Open	<input type="checkbox"/> Unopened	Length/Width: ~240LF with 20' SSE
Beginning: 50' upstream of MH 2+72 Line 1 MF#100591			
Ending: MH#4, 18' upstream of existing MH 5+22 Line 1			
<b>2 Property Information</b>			
Property Address:	102 Walnut Street		
Property Tax Map Number(s):	135L-C-005		
<b>3 Proposed Development</b>			
Reason for Request and/or Proposed Use:	Request to abandon a section of existing sewer and easement upon relocation of that section outside of the proposed construction of new hotel parking deck, and mostly in the ROW of Riverside Drive		
<b>4 Site Characteristics</b>			
Current Zoning:	C-3		
Current Use:	Vacant office building & parking lot		
Adjacent Uses:	Retail & high density 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: Passpointe Engineering, PLLC/Jan Pass		Address: 2719 Hickory Valley Road, Suite B	
Check one:	<input type="checkbox"/> I am the property owner	<input checked="" type="checkbox"/> I am <b>not</b> the property owner	
City: Chattanooga	State: TN	Zip Code: 37421	Email: janpass@passpointe.com
Phone 1: 423-451-6601	Phone 2:	Phone 3:	Fax:
<b>6 Property Owner Information</b> (if not applicant)			
Name: Vision Walnut Street, LLC		Phone: 423-664-4452	
Address: 411 Broad Street Suite 401 Chattanooga, TN 37402			
<b>Office Use Only:</b>			
Planning District: 8A		Neighborhood: CNAC/Downtown Owners Collective	
Hamilton Co. Comm. District: 6		Chatt. Council District: 7	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"/>	
<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): 10381-496			
Plat Book/Page: 101-73		<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: 2046		Planning Commission meeting date: June 8 <sup>th</sup> , 2015	
Application processed by: Marcia Parker			

MR-2015-079 City of Chattanooga  
June 8, 2015

RESOLUTION

WHEREAS, Passpointe Engineering, LLC c/o Jan Pass & Vision Walnut Street, LLC 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 section of existing sewer and easement upon relocation of that section outside of the proposed construction of new hotel parking deck, and mostly in the Right-of-Way of Riverside Drive. Sewer easement is located at 102 Walnut Street.

Abandonment of a 20 foot wide sewer easement beginning 50 feet upstream of Manhole 2+72 Line 1 (MF#100591) extending 240 feet and ending at Manhole 4, as shown on Lot 2, Original Town Walnut Street, Plat Book 101, Page 73, ROHC. Tax Map 135L-C-005 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on June 8, 2015,

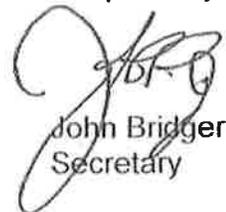
AND WHEREAS, the Planning Commission heard and considered all statements favoring the petition,

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 June 8, 2015, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved.

Respectfully submitted,



John Bridger  
Secretary



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

**Work Order Number: 149917**

**Address:** 102 Walnut Street

<b>Required Work Type:</b> ENG - RPA Cases			<b>Category:</b> Administration		<b>Date Needed:</b> 6/25/2015	
1:42:55 PM						
<b>WO Initiated:</b> 6/15/2015 1:42:55 PM	<b>Initiated By:</b> KING, CAROL A	<b>Requested By:</b> PAYNE, WILLIAM C	<b>Priority:</b> Medium	<b>District:</b> 7	<b>Transferred To/Submitted to:</b> *ENGINEERING, ENGINEERING	<b>Status:</b> Under Investigation

**Instructions:** Passpointe Engineering, PLLC/Jan Pas  
 2719 Hickory Valley Road, Suite B  
 Chattanooga, TN 37421  
 janpass@passpointe.com  
 423-451-6601

By KING, CAROL A: 6/15/2015 2:01:11 PM  
 Request to abandon a section of existing sewer and easement upon relocation of that section outside of the proposed construction of new hotel parking deck, and mostly in the ROW of Riverside Drive

**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	

# RPA Zoning Application Policy

Chattanooga-Hamilton County Regional Planning Agency / 1250 Market Street / Suite 2000 / Development Resource Center  
Chattanooga, Tennessee 37402

## INSTALLATION OF REZONING SIGNS

No rezoning signs should be displayed on the property until 5-business days after the application deadline. This allows time for the applicant to withdraw their request, if they desire, before posting the public notice sign. Once the sign is posted, the request cannot be removed from the Chattanooga-Hamilton County Regional Planning Commission agenda.

## REQUESTS TO DEFER

After filing an application with the RPA, an applicant may request (in writing) to defer the case *within* 5 business days following the zoning application deadline. The zoning application deadline is the 4<sup>th</sup> Monday of the month.

Any request to defer a case *after* the 5 business day period following the zoning application deadline, must be made at the scheduled Planning Commission meeting. Action to allow deferral of the zoning application will be determined by the Planning Commission.

## REQUESTS TO WITHDRAW

After filing an application with the RPA, an applicant may request (in writing) that their case be *withdrawn* at any time before the Planning Commission meeting. Such a request will be honored and the zoning case will be removed from the Planning Commission agenda. A request to withdraw a case may also be made at the Planning Commission meeting.

CaseNumber MR 2015-079 Date: 4, 29, 2015

Applicant

Signature: 

*Signature verifies that applicant has read, understands all of the information on the application for the above case number, agrees with information provided, is responsible for installing and maintaining notice sign(s), and acknowledges that a site plan submitted as required for the application review process is for informational purposes only and, unless specified by ordinance or resolution, does not constitute a "development plan" under Tennessee Code Annotated Section 13-3-413 or Section 13-4-310 and therefore does not establish a vested property right.*





# Transmittal

**To:** Regional Planning Agency  
 1250 Market St  
**Address:** Chattanooga, TN 37402

**From:** Jan C. Pass, PE

**Date:** 04/28/2015

**Proj#:** 14-048

**Re:** Sewer Abandonment

**CC:** Vision Walnut St, PVDesign, File

Urgent     For Review     Please Comment     Please Reply     For Your Use

● Please find the following attached or enclosed:

Date	Copies	PPE No.	Description
04/28/15	1	14-048	Letter from Passpointe Engineering, LLC
04/28/15	1	14-048	Closure/Abandonment Application Form
04/28/15	1	14-048	Letter of Authority from Owner
04/28/15	1	14-048	Walnut St. Boutique Hotel – Sanitary Sewer Plan & Profile, sheet CU1.1, dated 4/24/15.
04/28/15	1	14-048	Microfilm # 50047 Drawing – Zoomed to relevant section with proposed information added
04/28/15	1	14-048	Check #2046

● **Remarks:** \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

● **Received By:** \_\_\_\_\_

**Passpointe Engineering, PLLC**  
2719 Hickory Valley Road, Suite B  
Chattanooga, Tennessee 37421  
(423) 451-6601



April 28, 2015

Regional Planning Agency  
1250 Market St  
Chattanooga, TN 37402

Re: Walnut Street Boutique Hotel, Project No: 14-048

Dear Sir or Madam:

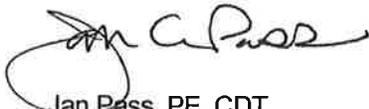
Abandonment of a section of sanitary sewer line and associated easement as specified on the attached CLOSURE/ABANDONMENT APPLICATION FORM is being requested for construction of proposed Walnut Street Boutique Hotel and Parking Garage.

The existing sewer line is being proposed to be moved eastward into the ROW of Riverside Drive. This will require 4 new manholes, the abandonment of approximately 240 LF of existing sewer line and associated 20 ft. easement, and new 20 ft. easement following the new sewer alignment. The building construction will be built over most of the sewer line that is requested to be abandoned. The existing line will be plugged and filled with flowable fill.

New manholes and sewer lines shall be constructed in accordance with City of Chattanooga/Hamilton County Design & Construction Standards.

Please contact Maria Price at (423) 521-2484 with questions/clarification or myself at the number listed above. Thank you for your time and consideration.

Sincerely,



Jan Pass, PE, CDT  
President

attachments

CC: Hiten Patel, Director of Development, Vision Walnut Street, LLC  
Craig Peavy, PV Design

To: Jan C. Pass, PE, CDT, President  
Passpointe Engineering, PLLC  
2719 Hickory Valley Road, Suite B  
Chattanooga, TN 37421  
423.451.6601 office  
423.240.7022 mobile  
[janpass@passpointe.com](mailto:janpass@passpointe.com)

From: Hiten Patel  
Director of Development  
Vision Hospitality Group, Inc.  
411 Broad Street  
Suite 401  
Chattanooga, TN 37402  
423.892.1010 office  
423.664.4452 direct

April 28, 2015

Dear Sir/Madam,

Please accept this letter as formal authorization for Passpointe Engineering, PLLC to submit applications, permits, and other documents pertaining to the planned construction project of Vision Walnut Street, LLC. Should you have any questions, please contact me at the information below.

Sincerely,



Hiten Patel  
Director of Development  
Vision Walnut Street, LLC  
423.664.4452



