

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

MR 2015-102  
Gabe Thomas, Collier Construction  
District 7

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

AN ORDINANCE CLOSING AND ABANDONING EXISTING  
SEWER EASEMENTS AND LINES LOCATED AT 3100 ST.  
ELMO AVENUE, SUBJECT TO CERTAIN CONDITIONS.

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SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF  
CHATTANOOGA, TENNESSEE, That existing sanitary sewer easements and lines located at  
3100 St. Elmo Avenue, and as shown on the maps attached hereto and made a part hereof by  
reference, be and are hereby closed and abandoned:

Abandonment of existing sewer easements and lines as shown on  
Sheet # EX-2 of the Site Plat for the 100 South Broad Project as  
drawn by DJS of A.D. Engineering Services, Inc. on July 21, 2015  
which are located on Lots B1 and parts of Lots B2 thru B5 of the  
Robert Scholze Addition Number 1 as shown in Plat Book 5, Page  
54 and being the property described in Deed Book 10400, Page  
395, ROHC. Tax Map No. 155F-A-009.

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: \_\_\_\_\_  
\_\_\_\_\_

/vmm

# City of Chattanooga



## Resolution/Ordinance Request Form

Date Prepared: November 30, 2015

Preparer: William C. Payne, P.E.

Department: Public Works

Brief Description of Purpose for Resolution/Ordinance:

Res./Ord. # \_\_\_\_\_ Council District # 7

A City Council resolution is requested to close and abandon a sewer easement located at 3100 St. Elmo Avenue, Tax Map 155F-A-009, as referenced in Case No. MR 2015-102, subject to certain conditions.

Name of Vendor/Contractor/Grant, etc. NA  
Total project cost \$ NA  
Total City of Chattanooga Portion \$ NA  
City Amount Funded \$ NA  
New City Funding Required \$ NA  
City's Match Percentage % NA

New Contract/Project? (Yes or No) NA  
Funds Budgeted? (YES or NO) NA  
Provide Fund NA  
Provide Cost Center NA  
Proposed Funding Source if not budgeted NA  
Grant Period (if applicable) NA

### 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: [Signature]  
DESIGNATED OFFICIAL/ADMINISTRATOR

Reviewed by: FINANCE OFFICE

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

Revised: 1/26/09

# Memorandum

**To:** Lee Norris  
**From:** Bill Payne  
**Cc:** Dennis Malone  
**Date:** November 30, 2015  
**Re:** Gabe Thomas, Collier Construction  
Case No. MR 2015-102  
3100 St. Elmo Avenue-District 7

## Recommendations Regarding Abandonment Request

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I have completed the review of Case No. MR 2015-102 for abandonment of existing sewer easements and lines as shown on Sheet # EX-2 of the Site Plat for the 100 South Broad Project as drawn by DJS of A.D. Engineering Services, INC on July 21, 2015 which are located on Lots B1 and Parts of Lots B2 thru B5 of the Robert Scholze Addition Number 1 as shown in Plat Book 5, Page 54 and being the property described in Deed Book 10400, Page 395, ROHC. Tax Map 155F-A-009 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.



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

**Work Order Number: 154596**

**Address: 3100 Stl Elmo Avenue**

<b>Required Work Type:</b> ENG - Temporary Use				<b>Category:</b> Administration		
<b>Needed:</b> 11/22/2015 9:53:48 AM				<b>Date</b>		
<b>WO Initiated:</b> 9/23/2015 9:53:48 AM	<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:** Abandon an existing, inactive industrial sewer across property for a new Subdivision. Remove/induce retained easements in abandoned R/W on Ordinance #11401

**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	



RESOLUTION

WHEREAS, Gabe Thomas/Collier Construction/Astir, LLC petitioned the Chattanooga-Hamilton County Regional Planning Commission to recommend to the Members of the City Council of the City of Chattanooga granting approval of a Mandatory Referral pursuant to T.C.A. 13-4-104, for the abandonment of Existing Sewer Easements and Line on property located at 3100 Saint Elmo Avenue.

Abandonment of existing sewer easements and lines as shown on Sheet # EX-2 of the Site Plat for the 100 South Broad Project as drawn by DJS of A. D. Engineering Services, INC on July 21, 2015 which are located on Lots B1 and Parts of Lots B2 thru B5 of the Robert Scholze Addition Number 1 as shown in Plat Book 5, Page 54 and being the property described in Deed Book 10400, Page 395, ROHC. Tax Map 155F-A-009 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on September 14, 2015,

AND WHEREAS, the Planning Commission heard and considered all statements regarding 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 September 14, 2015, recommended to the Members of the City Council of the City of Chattanooga that this petition for a Mandatory Referral to abandon sewer easement for new subdivision be approved.

Respectfully submitted,



John Bridger  
Secretary



# MR 2015-102 Sewer Easement Abandonment

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. MR-2015-102:  
Approve



256 ft



Chattanooga Hamilton County Regional Planning Agency





**PLANNING COMMISSION CASE REPORT**

Case Number: MR 2015-102

PC Meeting Date: 09-14-15

**Applicant Request****Mandatory Referral: Sewer Easement Abandonment**

Property Location:	3100 St Elmo Avenue
Property Owner:	Astir LLC/Collier Construction
Applicant:	Astir LLC/Collier Construction

**Project Description**

- Proposal: Abandon an existing inactive industrial sewer line and easement for new residential development.

**Site Analysis****Site Description**

- Location: The sewer lines are located on the west side of St. Elmo Avenue at the intersection with West 31<sup>st</sup> Street.
- Current Access: St. Elmo Avenue
- Current Land Uses: The site is currently vacant. Various business and office uses are located across St. Elmo Avenue to the east.

**Zoning History**

- The site is currently zoned R-T/Z Residential Townhouse Zone and UGC Urban General Commercial Zone.
- The site was rezoned from M-1 Manufacturing to R-T/Z Residential Townhouse and UGC Urban General Commercial zones in 2015. (Ordinance #12936).
- Adjacent properties in all directions are zoned M-1 Manufacturing.

**Plans/Policies/Regulations**

- The South Broad Redevelopment Plan (adopted by City Council in 2003) recommends mixed-use development for this area to include commercial, office, and residential uses with sidewalk connections.

**Key Findings**

- The proposal is supported by the recommendations of the adopted Land Use Plan for the area due to its necessity for implementing a mixed-use development on the site.
- New development will be required to install new connections to the existing sewer line in St. Elmo Avenue.

**Staff Recommendation**

Approve.



# MR 2015-102 Sewer Easement Abandonment



Chattanooga Hamilton County Regional Planning Agency



256 ft

