

First Reading: _____
Second Reading: _____

MR 2016-021
Bobby Fairbanks
District 4

ORDINANCE NO. _____

AN ORDINANCE CLOSING AND ABANDONING A SEWER
EASEMENT LOCATED AT 7373 AND 7385 APPLGATE
LANE, SUBJECT TO CERTAIN CONDITIONS.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
CHATTANOOGA, TENNESSEE, That the sewer easement located at 7373 and 7385 Applegate
Lane, as shown on the maps attached hereto and made a part hereof by reference, be and is
hereby closed and abandoned, subject to certain conditions:

Abandonment of an existing sewer and easement beginning 98 feet
south of existing MH #647, Line "R", MF #50466 thence some
256 feet north to the existing MH #647A, Line "R", MF 50466.
Tax Map Nos. 158E-C-003.02 and 003.03.

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/Ordinance Request Form

Date Prepared: April 19, 2016

Preparer: William C Payne, P.E.

Department: Public Works

Brief Description of Purpose for Resolution/Ordinance:

Res./Ord. # _____

Council District # _____

4

A City Council resolution is requested to close and abandon a sewer easement located at 7373 & 7385 Applegate Lane, Tax Map 158E-C-003.02 & 003.03, as referenced in Case No. MR 2016-021, 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: _____

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: Justin Holland
From: Bill Payne 
Cc: Dennis Malone
Date: April 19, 2016
Re: Ashford Square Retirement Community
Case No. MR 2016-021
7373 & 7385 Applegate Lane-District 4

Recommendations Regarding Abandonment Request

I have completed the review of Case No. MR 2016-021 to abandon an existing sanitary sewer and easement on the property at 7373 & 7385 Applegate Lane, beginning 98 feet south of existing MH #647, Line "R", MF #50466 thence some 256 feet north to the existing MH #647A, Line "R", MF #50466, Tax Map 158E-C-003.02 and 003.3 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#161193

CLOSURE/ABANDONMENT APPLICATION FORM

CASE NUMBER:	MR 2016-021	Date Submitted: 12-28-2015
(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	<input type="checkbox"/> Alley	<input checked="" type="checkbox"/> Street
	<input checked="" type="checkbox"/> Sewer	<input type="checkbox"/> Other
Name of Street or Right-Of-Way:		
<input checked="" type="checkbox"/> Open	<input type="checkbox"/> Unopened	Length/Width: 211' L x 20' W
Beginning: 98' South of existing MH # 647, Line "R", MF # 50466		
Ending: 113' North of existing MH # 647, Line "R", MF # 50466		
2 Property Information		
Property Address:	7373 & 7385 Applegate Lane	
Property Tax Map Number(s):	158E-C-003.02 & 003.03	
3 Proposed Development		
Reason for Request and/or Proposed Use:	Relocation of existing sewer for proposed office development	
4 Site Characteristics		
Current Zoning:	O-1	
Current Use:	Vacant	
Adjacent Uses:	Vacant & Commercial	
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: Bobby Fairbanks	Address: 7005 Lakeshore Drive	
Check one:	<input checked="" type="checkbox"/> I am the property owner	<input checked="" type="checkbox"/> I am not the property owner
City: Chattanooga	State: TN	Zip Code: 37416
Phone 1: 423-413-4496	Phone 2:	Phone 3:
Email:		
Fax:		
6 Property Owner Information (if not applicant)		
Name: Same	Phone:	
Address:		
Office Use Only:		
Planning District: 10	Neighborhood: CNAC, BEBC, FOEB, Panorama Heights & Concord Highlands	
Hamilton Co. Comm. District: 8	Chatt. Council District: 4	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	Total Acres to be considered:	<input checked="" type="checkbox"/> Deeds
<input checked="" type="checkbox"/> Plats, if applicable		
Deed Book(s): 9454-67		
Plat Book/Page: 41-368	<input checked="" type="checkbox"/> Notice Signs	Number of Notice Signs: 2
<input checked="" type="checkbox"/> Filing Fee: 350.00	<input type="checkbox"/> Cash	<input checked="" type="checkbox"/> Check
Check Number: 10957		
Planning Commission meeting date: 2-8-2016		Application processed by: Marcia Parker



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

Work Order Number: 161193

Address: 7373 & 7385 Applegate Lane

Required Work Type: ENG - Temporary Use

Category: Administration Date

Needed: 4/12/2016 3:02:18 PM

WO	Initiated	Requested	Priority:	District:	Transferred	Status:
Initiated:	By:	By:	Medium	4	To/Submitted	Under
2/12/2016	KING,	PAYNE,			to:	Investigation
3:02:18 PM	CAROL A	WILLIAM C			HOLLAND,	
					JUSTIN C	

Instructions: Relocation of existing sewer for proposed office development

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, Bobby Fairbanks 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 an existing sewer and sewer easement located at 7373 and 7385 Applegate Lane.

Abandonment of an existing sewer and easement beginning 98 feet south of existing MH #647, Line "R", MF #50466 thence some 256 feet north to the existing MH #647A, Line "R", MF 50466. Tax Map 158E-C-003.02 and 003.03 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on February 8, 2016,

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 February 8, 2016, recommended to the Members of the City Council of the City of Chattanooga that this petition for a Mandatory Referral to abandon existing sewer easement for relocation be approved.

Respectfully submitted,



John Bridger
Secretary

PLANNING COMMISSION CASE REPORT

Case Number: MR 2016-021

PC Meeting Date: 02-08-16

Applicant Request

Mandatory Referral for abandonment and relocation of sewer easement

Property Location: 7373 & 7385 Applegate Lane

Property Owner: Bobby Fairbanks

Applicant: Bobby Fairbanks

Project Description

- The applicant is asking to abandon and relocate an existing sewer easement to accommodate the placement at a proposed office development.

Site Analysis

Site Description

- The existing sewer easement portion being abandoned and relocated exists entirely within the two properties. (Parcel 158E-C-003.02 and 158E-C-003.03)
- Site Description: The project site is located on the northeast side of Applegate at the bend.
- Access: Access from Applegate Lane.
- Zoning History: The site is currently zoned O-1 Office Zone. The site was rezoned from R-1 Residential to O-1 Office Zone 2002. (Ordinance #11246).

Key Findings

- The relocation of the sewer line is to occur within the two properties.
- The proposal is consistent with the development form of the area.

Staff Recommendation

Approve



MR 2016-021 Sewer Easement Abandonment





198 ft

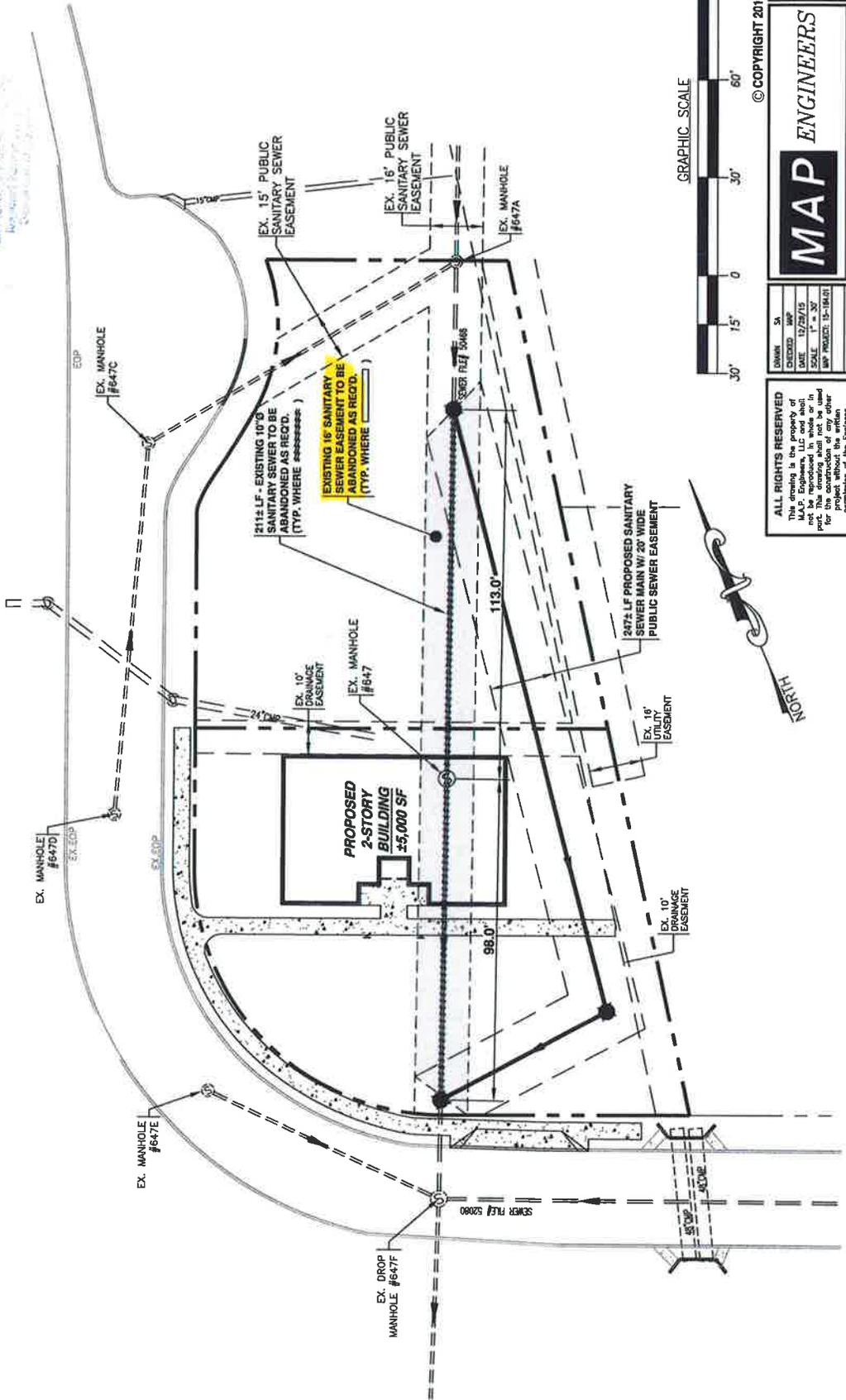
Chattanooga Hamilton County Regional Planning Agency



2016-02

RECEIVED

DEC 23 2015



GRAPHIC SCALE



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Tel: (423) 655-5554
Fax: (423) 485-8110

MAP ENGINEERS

OWNER	SA
CHECKED	MP
DATE	12/29/15
SCALE	1" = 30'
REV	PROJECT 15-18401

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7280 Applegate Ln.
Chattanooga, TN 37421