

First Reading: _____

Second Reading: _____

MR 2016-029
M&M Industries, Inc.
District 5

ORDINANCE NO. _____

AN ORDINANCE CLOSING AND ABANDONING A SEWER
EASEMENT LOCATED AT 6162 ENTERPRISE PARK DRIVE.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That the sewer easement located at 6162 Enterprise Park Drive, as shown on the maps attached hereto and made a part hereof by reference, be and is hereby closed and abandoned:

Abandonment of parts of two existing sewer easements recorded as Lot 61 Bonny Oaks Industrial & Office Park Subdivision in Plat Book 96, Page 159, ROHC. Each portion to be abandoned is shown on the applicant submitted site plan dated February 1, 2016 and labeled as approximately 1,630 square feet at one location and 1,524 square feet at the second location. Easements are located at or near MF#50026 and identified as beginning at manhole ID#S138B010 and S138B012. Tax Map No. 129P-B-008.14.

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/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 #

5

A City Council resolution is requested to close and abandon a sewer easement located at 6162 Enterprise Park Drive, Tax Map 129P-B-008.14, as referenced in Case No. MR 2016-029.

Name of Vendor/Contractor/Grant, etc. NA

New Contract/Project? (Yes or No) NA

Total project cost \$ NA

Funds Budgeted? (YES or NO) NA

Total City of Chattanooga Portion \$ NA

Provide Fund NA

City Amount Funded \$ NA

Provide Cost Center NA

New City Funding Required \$ NA

Proposed Funding Source if not budgeted NA

City's Match Percentage % 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: M&M Industries, Inc.
Case No. MR 2016-029
6162 Enterprise Park Drive-District 5

Recommendations Regarding Abandonment Request

I have completed the review of Case No. MR 2016-029 to abandonment of parts of two existing sewer easements recorded as Lot 61 Bonny Oaks Industrial & Office Park Subdivision in Plat Book 96, Page 159, ROHC. Each portion to be abandoned is shown on the applicant submitted site plan dated February 1, 2016 and labeled as approximately 1,630 square feet at one location and 1,524 square feet at the second location. Easement are located at or near MF#50026 and identified as beginning at manhole ID#S138B010 and S138B012. Tax map 129PB-008.14 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 does not have 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.

WO # 162864

Chattanooga-Hamilton County Regional Planning Agency

CLOSURE/ABANDONMENT APPLICATION FORM

| | | | |
|---|---|---|--|
| CASE NUMBER: | MR 2016-029 | Date Submitted: | 1-20-2016 |
| (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 type="checkbox"/> Street | <input checked="" type="checkbox"/> Sewer <input type="checkbox"/> Other |
| Name of Street or Right-Of-Way: MF # 50026 | | | |
| | <input type="checkbox"/> Open | <input type="checkbox"/> Unopened | Length/Width: Varies -- See Exhibit |
| Beginning: City Manhole ID# S138B010 & S138B012 | | | |
| Ending: Approximately 60 feet northwest into property | | | |
| 2 Property Information | | | |
| Property Address: | 6162 Enterprise Park Drive | | |
| Property Tax Map Number(s): | 129P-B-008.14 | | |
| 3 Proposed Development | | | |
| Reason for Request and/or Proposed Use: | Abandonment of existing unopened sewer easement for proposed Industrial Development | | |
| 4 Site Characteristics | | | |
| Current Zoning: | M-2 | | |
| Current Use: | Undeveloped | | |
| Adjacent Uses: | Office & Industrial | | |
| 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: M & M Industries Inc. | | Address: 316 Corporate Place | |
| Check one: | <input checked="" type="checkbox"/> I am the property owner | <input type="checkbox"/> I am not the property owner | |
| City: Chattanooga | State: TN | Zip Code: 37419 | Email: |
| Phone 1: 423-821-3302 | Phone 2: | Phone 3: | Fax: |
| 6 Property Owner Information (if not applicant) | | | |
| Name: | Phone: | | |
| Address: | | | |
| Office Use Only: | | | |
| Planning District: 6 | | Neighborhood: CNAC, BEBC, FOEB | |
| Hamilton Co. Comm. District: 5 | Chatt. Council District: 5 | 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: N/A | <input checked="" type="checkbox"/> Deeds | <input checked="" type="checkbox"/> Plats, if applicable |
| Deed Book(s): 10611-792 | | | |
| Plat Book/Page: 96-159 | | <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: 5967 |
| Planning Commission meeting date: 3-14-2016 | | Application processed by: Marcia Parker | |

MR-2016-029 City of Chattanooga
March 14, 2016

RESOLUTION

WHEREAS, M & M Industries, Inc. 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 a portion of two Sewer Easements located at 6162 Enterprise Park Drive.

Abandonment of parts of two existing sewer easements recorded as Lot 61 Bonny Oaks Industrial & Office Park Subdivision in Plat Book 96, Page 159, ROHC. Each portion to be abandoned is shown on the applicant submitted site plan dated February 1, 2016 and labeled as approximately 1,630 square feet at one location and 1,524 square feet at the second location. Easements are located at or near MF#50026 and identified as beginning at manhole ID#S138B010 and S138B012. Tax Map 129P-B-008.14 as shown on the attached map.

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

AND WHEREAS, the Planning Commission has determined that the proposal would not set a precedent for future requests.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on March 14, 2016, recommended to the Members of the City Council of the City of Chattanooga that this petition for Sewer Abandonment of unopened sewer easement for proposed Industrial Development be approved.

Respectfully submitted,



John Bridger
Secretary

PLANNING COMMISSION CASE REPORT

Case Number: MR 2016-029

PC Meeting Date: 03-14-16

Applicant Request

Mandatory Referral: for abandonment of sewer easement

| | |
|--------------------|----------------------------|
| Property Location: | 6162 Enterprise Park Drive |
| Property Owner: | M & M Industries Inc. |
| Applicant: | M & M Industries Inc. |

Project Description

- Proposal: Abandonment of existing unopened sewer easement for proposed Industrial Development

Site Analysis

Site Description

- Location: The sewer easement seeking to be abandoned is at the east and west corners of the Southern property line.
- Current Land Uses: The site is currently vacant adjacent to a vacant parcel on the west and an industrial development to the east.

Key Findings

- The proposed structure does not raise concerns regarding location, lighting, or height.
- The proposal would not set a precedent for future requests.

Staff Recommendation

Approve



MR 2016-029 Sewer Easement Abandonment



300 ft

Chattanooga Hamilton County Regional Planning Agency





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

Work Order Number: 162864

Address: 6162 Enterprise Park Dr

| | | | | | | |
|--|-------------------------------|-----------------------------------|------------------|--------------------------------------|---|------------------------|
| Required Work Type: ENG - Temporary Use | | | | Category: Administration Date | | |
| Needed: 5/20/2016 2:56:36 PM | | | | | | |
| WO | Initiated | Requested | Priority: | District: | Transferred | Status: |
| Initiated: 3/21/2016 2:56:36 PM | By: KING, CAROLA | By: PAYNE, WILLIAM C | Medium | 1290 | To/Submitted to: HOLLAND, JUSTIN C | Under Investigation |

Instructions: Abandonment of existing unopened sewer easement for proposal Industrial Development

Date Completed: **Supervisor: HOLLAND, JUSTIN C** **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 | |