

First Reading: _____
Second Reading: _____

MR 2016-032
Scenic Land Company, LLC/
Jack Lonas & Trusts
District 1

ORDINANCE NO. _____

AN ORDINANCE CLOSING AND ABANDONING THE 100 BLOCK OF DODSON ROAD AND ALL UNOPENED AND UNNAMED RIGHTS-OF-WAY WITHIN THE RECORDED, BUT UNDEVELOPED, GRUBBS SUBDIVISION, SUBJECT TO CERTAIN CONDITIONS.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That the 100 block of Dodson Road and all unopened and unnamed rights-of-way within the recorded, but undeveloped, Grubbs Subdivision, and as shown on the maps attached hereto and made a part hereof by reference, be and are hereby closed and abandoned, subject to certain conditions:

Abandonment of the 100 block of Dodson Road and all unopened rights-of-way within Grubbs Subdivision as shown in Plat Book 12, Page 45, ROHC that appear within Tax Map Nos. 091H-C-002, 002.01, 003, 004 and 091A-B-001, 001.01 and 091I-B-018.

SECTION 2. BE IT FURTHER ORDAINED, That this abandonment shall be subject to Street Closure for Master Planned Multi Use Requirements.

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

/mem

MR-2016-032 City of Chattanooga
March 14, 2016

RESOLUTION

WHEREAS, Scenic Land Company, LLC/Jack Lonas & Trusts 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 abandonment of 100 block of Dodson Road and all unopened and unnamed Rights-of-way within the recorded, but undeveloped, Grubbs Subdivision.

Abandonment of the 100 block of Dodson Road and all unopened rights-of-way within Grubbs Subdivision as shown in Plat Book 12, Page 45, ROHC that appear within Tax Map 091H-C-002, 002.01, 003, 004 and 091A-B-001, 001.01 and 091I-B-018 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,

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 Street Closure for Master Planned Multi Use Requirements be approved.

Respectfully submitted,



John Bridger
Secretary

PLANNING COMMISSION CASE REPORT

Case Number: MR 2016-032

PC Meeting Date: 03-14-16

Applicant Request

Mandatory Referral for abandonment of street right-of-way

Property Location: 100 block of Dodson Road

Property Owner: Jack Lonas & Trusts

Applicant: Scenic Land Company LLC

Project Description

- Proposal: Abandonment of multiple street right-of-ways to allow development of master planned development.

Site Analysis

Site Description

- Location: Abandonment of Dodson Road and all unopened and unnamed right-of-ways within parcels 091A-B-001, 091A-B-001.01, 091H-C-002, 091H-B-002.01, 091H-C-003, 091H-C-004.
- Current Access: Access to site is available through Highway 153.

Plans/Policies/Regulations

- It is the policy of the Regional Planning Agency and other public agencies to retain rights-of-way for public use and only to recommend the permanent closure and abandonment of rights-of-way when it is concluded that the public has no further need to retain the right-of-way and that its abandonment is necessary to achieve a significant private or public interest.

Key Findings

- The public has no further need to retain these alley rights-of-way and their abandonment is necessary to implement a development permitted by the current zone.

Staff Recommendation

Approve.

CLOSURE/ABANDONMENT APPLICATION FORM

CASE NUMBER:	MR 2016-032	Date Submitted: 1-23-2016
(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 checked="" type="checkbox"/> Street <input type="checkbox"/> Sewer <input type="checkbox"/> Other	
	Name of Street or Right-Of-Way: Dodson Road and all unopened unnamed R-O-W within Grubb's S/D in PB 12 PG 45	
	<input type="checkbox"/> Open <input checked="" type="checkbox"/> Unopened	Length/Width:
	Beginning: See Attached Drawing	
	Ending:	
2 Property Information		
Property Address:	100 block of Dodson Road	
Property Tax Map Number(s):	91H-C-002, 002.01, 003 & 004, 091A-B-001 & 001.01, 91I-B-018	
3 Proposed Development		
Reason for Request and/or Proposed Use:	Master Planned Multi Use Requirements	
4 Site Characteristics		
Current Zoning:	R-1, R-3, R-4, C-2	
Current Use:	Residential	
Adjacent Uses:	Residential & 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: Scenic Land Company LLC	Address: 820 Broad Street, Suite 400	
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: 37402
		Email: duane@gentechconstruction.com
Phone 1: 423-267-3373	Phone 2:	Phone 3: Fax: 423-267-3402
6 Property Owner Information (if not applicant)		
Name: Jack Lonas & Trusts (See attached letter)	Phone: Attorney-Michael Jennings 423-892-3402	
Address: 116 Dodson Road Hixson, TN 37343		
Office Use Only:		
Planning District: 2	Neighborhood: CNAC, Friends of Hixson, North Hixson	
Hamilton Co. Comm. District: 3	Chatt. Council District: 1	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 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): 10294-737		
Plat Book/Page: 12-45	<input checked="" type="checkbox"/> Notice Signs	Number of Notice Signs: 1
<input checked="" type="checkbox"/> Filing Fee: 350.00	Cash	<input checked="" type="checkbox"/> Check Check Number: 1172
Planning Commission meeting date: 3-14-2016	Application processed by: Pattie Dodd	



MR 2016-032 Abandonment

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. MR-2016-032: Approve



1,305 ft



Chattanooga Hamilton County Regional Planning Agency





MR 2016-032 Abandonment



1,305 ft

Chattanooga Hamilton County Regional Planning Agency





March 21, 2016

RE: Petition No. MR-2016-032

Scenic Land Company, LLC
820 Broad Street
Suite 400
Chattanooga, TN 37402

Gentlemen:

Your petition was reviewed by the Planning Commission on Monday, March 14, 2016, and is now being sent to the City Transportation Department for review. Therefore, any questions regarding the future disposition of your petition should be directed to the City Transportation Department, telephone number 643-5950.

The City Council will hear your request when the City Transportation Department forwards it on for their consideration.

The Planning Commission recommended to the City Council that your petition requesting abandonment of street right-of-way in the 100 block of Dodson Road be approved. However, this recommendation might be accepted, rejected or amended by the City Council. Final action on your petition will also be subject to determination of need for utility easements which might cross the land.

If we can assist you further, please call. Thank you for your patience and cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read 'Greg Haynes', is written over a faint, larger version of the same signature.

Greg Haynes, Director
Development Services

cc: Jack Lonas & Trusts

GH:sh
ClosuresDoc