

First Reading: _____

Second Reading: _____

MR 2016-034
Steward Advanced Materials, LLC
District 7

ORDINANCE NO. _____

AN ORDINANCE CLOSING AND ABANDONING A PORTION OF THE RIGHT-OF-WAY LOCATED ALONG THE 3500 AND 3600 BLOCKS OF JEROME AVENUE, DETAILED ON THE ATTACHED MAP, TO ALLEVIATE ENCROACHMENT OF THE EXISTING BUILDING INTO THE RIGHT-OF-WAY, SUBJECT TO CERTAIN CONDITIONS.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That a portion of the right-of-way located along the 3500 and 3600 blocks of Jerome Avenue, detailed on the attached map, to alleviate encroachment of the existing building into the right-of-way, be and is hereby closed and abandoned:

Abandonment of a 3' strip of the western right-of-way of the 3500 and 3600 blocks of Jerome Avenue beginning at the northeast corner of Tax Map 167D-F-010 thence southwest 538.75' to the southeast corner of said parcel. Said portion of said right-of-way separates Block 113, Corrective Plat of the East End Land Company Addition #1 from the 3500 and 3600 blocks of Jerome Avenue. Tax Map No. 167D-F-010.

SECTION 2. BE IT FURTHER ORDAINED, That this abandonment shall be subject to the following conditions:

- 1) The applicant shall obtain necessary permits and approvals from the City of Chattanooga Land Development Office; and
- 2) The abandonment shall be subject to the retention of a full-width utility easement(s) and the recommendations of said utilities, including Tennessee American Water, City of Chattanooga Public Works, and AT&T, as attached in this package.

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

City of Chattanooga



Resolution/Ordinance Request Form

Date Prepared: April 21, 2016

Preparer: Bertran Kuyrkendall

Department: Transportation

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

An ordinance approving the request of Steward Advanced Materials, LLC, owner of the adjacent property, to abandon a portion of the right-of-way along the 3500 and 3600 blocks of Jerome Avenue, detailed on the attached map, to alleviate encroachment of existing building into right-of-way as referenced in Case No. MR 2016-034.

APPROVED WITH CONDITIONS

Name of Vendor/Contractor/Grant, etc. _____	New Contract/Project? (Yes or No) _____	N/A
Total project cost \$ _____	Funds Budgeted? (YES or NO) _____	N/A
Total City of Chattanooga Portion \$ _____	Provide <u>Fund</u> _____	N/A
City Amount Funded \$ _____	Provide <u>Cost Center</u> _____	N/A
New City Funding Required \$ _____	Proposed Funding Source if not budgeted _____	N/A
City's Match Percentage % _____	Grant Period (if applicable) _____	N/A

List all other funding sources and amount for each contributor.

<u>Amount(s)</u>	<u>Grantor(s)</u>
_____	_____
_____	_____
_____	_____
_____	_____

Agency Grant Number _____

CFDA Number if known _____

Other comments: (Include contingency amount, contractor, and other information useful in preparing resolution)

Approved by: _____

Reviewed by: FINANCE OFFICE

DESIGNATED OFFICIAL/ADMINISTRATOR

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

Revised: October, 2011

Memorandum

To: Brandon Sutton *BS*
From: Kari Lawman
cc: Bert Kuyrkendall
Date: April 21, 2016
Re: Steward Advanced Materials, LLC
Case No. MR 2016-034
3500 and 3600 blocks of Jerome Avenue

RECOMMENDATION: APPROVAL WITH CONDITIONS

This application was received by the Chattanooga-Hamilton County Regional Planning Agency (RPA) on January 22, 2016, from property owner, Steward Advanced Materials, LLC. The abandonment was approved by Planning Commission at its March 14, 2016 meeting (see attached case report and resolution). The agent is requesting the abandonment of a portion of the right-of-way along the 3500 and 3600 blocks of Jerome Avenue.

After review, granting this Abandonment does not conflict with the public's interest.

Therefore, I recommend the request for ***Abandonment of said portions of right-of-way be granted with the following conditions:***

- The applicant shall obtain necessary permits and approvals from the City of Chattanooga Land Development Office.
- Subject to the retention of a full-width utility easement(s) and the recommendations of said utilities, including Tennessee American Water, City of Chattanooga Public Works, and AT&T, as attached in the following package.

CLOSURE/ABANDONMENT APPLICATION FORM

CASE NUMBER:	MR 2016-034	Date Submitted: 1-22-2016
(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/Partial
	<input type="checkbox"/> Sewer	<input type="checkbox"/> Other
Name of Street or Right-Of-Way: Jerome Avenue		
	<input type="checkbox"/> Open	<input type="checkbox"/> Unopened
Length/Width: 538.75' x 3'		
Beginning: Northwestern corner of Jerome Avenue & West 38 th Street		
Ending: Southwestern corner of Jerome Avenue & 15 Alley		
2 Property Information		
Property Address:	1245 East 38 th Street	
Property Tax Map Number(s):	167D-F-010	
3 Proposed Development		
Reason for Request and/or Proposed Use:	Rectify existing encroachment into Right-Of-Way	
4 Site Characteristics		
Current Zoning:	M-1	
Current Use:	Manufacturing & related Office	
Adjacent Uses:	R-2 & R-5, & some vacant lots	
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: Steward Advanced Materials, LLC	Address: 1245 East 38 th Street	
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: 37407
	Email: dvernetti@stewardmaterials.com	
Phone 1: 423-468-1845	Phone 2: 423-243-7043	Phone 3: _____
		Fax: _____
6 Property Owner Information (if not applicant)		
Name: Same	Phone: _____	
Address: _____		
Office Use Only:		
Planning District: 4	Neighborhood: CNAC	
Hamilton Co. Comm. District: 4	Chatt. Council District: 7	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): 10609-873		
Plat Book/Page: 47-312	<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: 40277
Planning Commission meeting date: 3-14-2016	Application processed by: Marcia Parker	

MR-2016-034 City of Chattanooga
March 14, 2016

RESOLUTION

WHEREAS, Steward Advanced Materials, 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 abandonment of a portion of the western right-of-way of the 3500 and 3600 blocks of Jerome Avenue.

Abandonment of a 3' strip of the western right-of-way of the 3500 and 3600 blocks of Jerome Avenue beginning at the northeast corner of Tax Map 167D-F-010 thence southwest 538.75' to the southeast corner of said parcel. Said portion of said right-of-way separates Block 113, Corrective Plat of the East End Land Company Addition #1 from the 3500 and 3600 blocks of Jerome Avenue. Tax Map 167D-F-010 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,

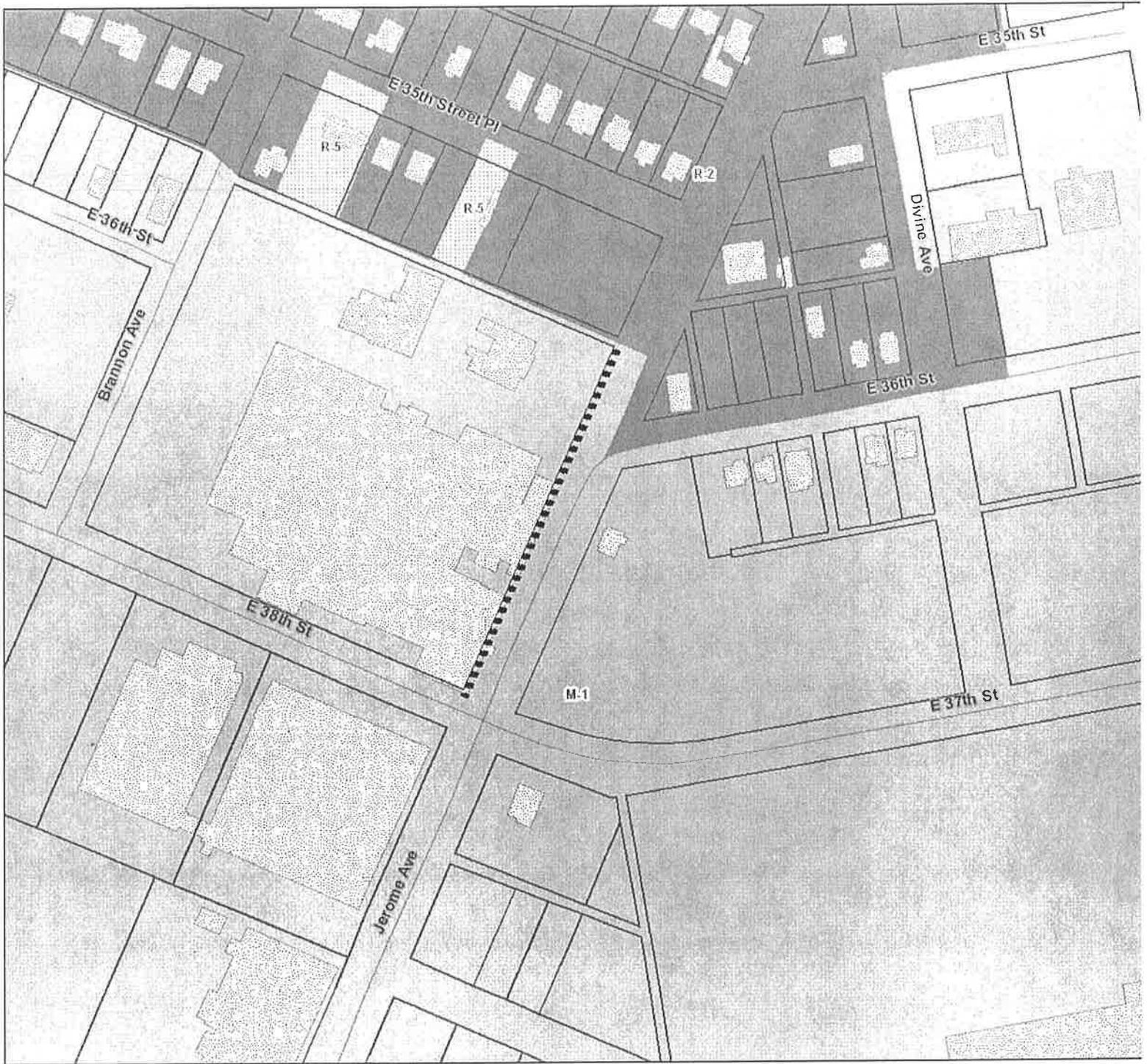
AND WHEREAS, the Planning Commission has determined that the proposal is consistent with the development form of the area.

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 be approved.

Respectfully submitted,



John Bridger
Secretary



MR 2016-034 Abandonment

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. MR-2016-034: Approve



200 ft



PLANNING COMMISSION CASE REPORT

Case Number: MR 2016-034

PC Meeting Date: 03-14-16

Applicant Request

Mandatory Referral for abandonment of street right-of-way

Property Location:	3500 & 3600 blocks Jerome Avenue
Property Owner:	Steward Advanced Materials, LLC
Applicant:	Steward Advanced Materials, LLC

Project Description

- Proposal: Abandonment of a strip of right-of-way to alleviate encroachment of existing building on to right-of-way.

Site Analysis

Site Description

- Location: The abandonment is a 3 feet wide strip along building face starting at the corner of Jerome Avenue and West 38th Street heading northeast along Jerome Avenue for approximately 540 feet.

Plans/Policies/Regulations

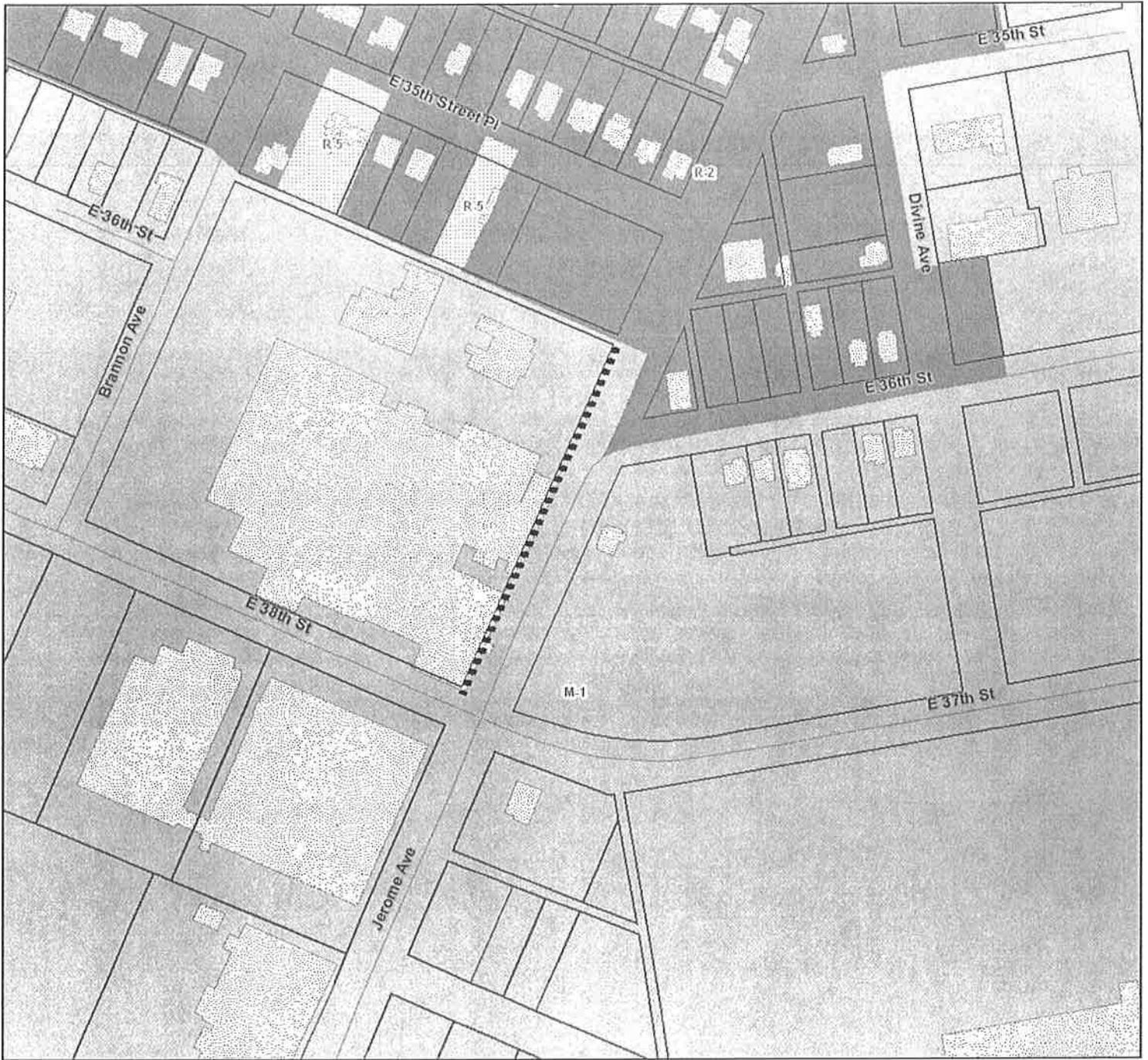
- It is the policy of the Regional Planning Agency and other public agencies to retain rights-of-way for public use and only to recommend the permanent closure and abandonment of rights-of-way when it is concluded that the public has no further need to retain the right-of-way and that its abandonment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

Key Findings

- The proposal is consistent with the development form of the area.
- The existing loading docks which extend beyond the requested abandonment of Right-Of-Way have been confirmed with the Chattanooga as being in the process of removal from building.

Staff Recommendation

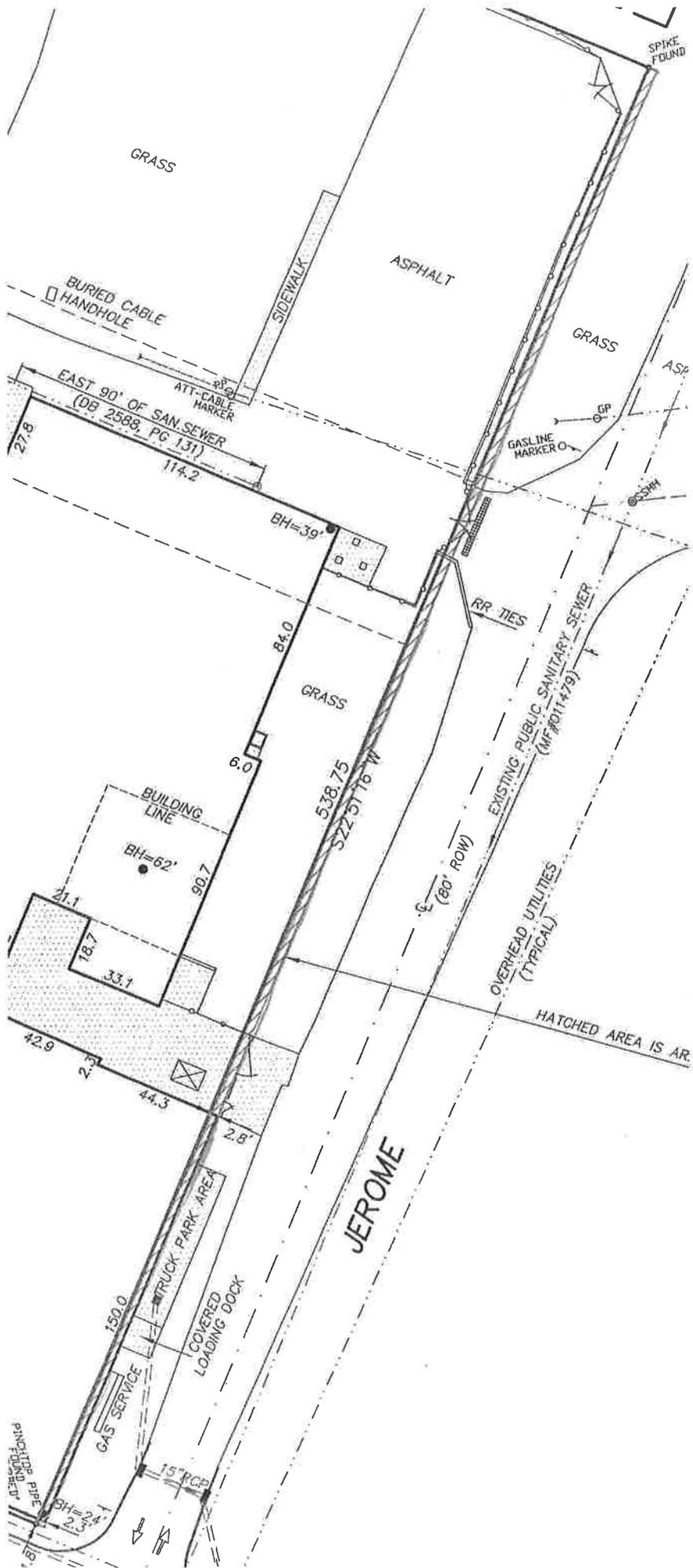
Approve



MR 2016-034 Abandonment

Chattanooga Hamilton County Regional Planning Agency

200 ft



2016-034

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2016-030		✓
MR 2016-032	✓	
MR 2016-034	✓	
MR 2016-038	✓	

* Comments forthcoming

W.W. H. Cleveland Grimes

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2016-032		✓
- We have a water main supplying residences on the road. If all residences are removed and the need for the current water system is removed then HUD is in support of closure; if given written approval of all landowners that are in agreement		

* Comments forthcoming

Tilson Utility District
Greg Butler

3-4-16
P.C.

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2016-034	✓	
MR 2016-038		X

* Comments forthcoming

In American water & Megan Catalina

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2016-030	✓	
MR 2016-032		✓
MR 2016-034	✓	
MR 2016-038	✓	

* Comments forthcoming

Comcast Cable
Roger Spain / James Patters

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2016-030	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MR 2016-032	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MR 2016-034	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MR 2016-038	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Harold Hyde - 2-25-16		

* Comments forthcoming

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2016-030	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MR 2016-032	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MR 2016-034	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MR 2016-038	<input checked="" type="checkbox"/>	<input type="checkbox"/>

* Comments forthcoming

Dept of Transportation
 Mike White
 Jackie White

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2016-032	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MR 2016-034	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MR 2016-038	<input checked="" type="checkbox"/>	<input type="checkbox"/>

* Comments forthcoming

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2016-032	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MR 2016-034	<input checked="" type="checkbox"/>	<input type="checkbox"/>
RETAIN 20' STORM SEWER EASEMENT		
RETAIN 20' SANITARY SEWER EASEMENT		

* Comments forthcoming

City Engineer
 Bill Payne
 BMO/2/2/1

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2016-032	✓	
MR 2016-034	✓	
MR 2016-038	✓	

* Comments forthcoming

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2016-032		RH
MR 2016-034		RH
MR 2016-038		RH

* Comments forthcoming

Chattanooga Fire Dept.
Kandall Ferron

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2016-030	✓	
MR 2016-032	✓	
MR 2016-034	✓	
MR 2016-038	✓	

* Comments forthcoming

Ray Rucker

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2016-030	✓	
MR 2016-032	✓	
MR 2016-034	✓	
MR 2016-038	✓	

* Comments forthcoming

W. P. B.
Billy McHenry

Abandonment/Closure Cards

Abandonment/Closure Cards

BUD
2/17/16

Don Mount
Bill

Case No.	Closure O.K.	
	Yes	No
MR 2016-030	✓	
MR 2016-032		✓
MR 2016-034		✓
MR 2016-038	✓	

* Comments forthcoming

Case No.	Closure O.K.	
	Yes	No
MR 2016-038	✓	
RETAIN A 20' STORM SEWER EASEMENT		

* Comments forthcoming

CITY ENGINEER
BILL FAYNE