First Reading:_____
Second Reading:_____

MR 2016-045
David Daveney/Ridgedale Baptist Church
District 6

ORDINANCE NO. _____

AN ORDINANCE CLOSING AND ABANDONING AN UNNAMED ALLEY AT THE REAR OF THE PROPERTY LOCATED AT 6400 LEE HIGHWAY, DETAILED ON THE ATTACHED MAP, SUBJECT TO CERTAIN CONDITIONS.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That the unnamed alley at the rear of the property located at 6400 Lee Highway, detailed on the attached map, be and is hereby closed and abandoned:

> Abandonment of an unopened alley located southeast of the 6400 block of Lee Highway beginning at the northwest corner of Tax Map 148N-A-014 thence southwest some 753 feet to the southwest corner of said parcel. Said alley separates Lot 2, Final Plat Lots 1 and 2, Holder Properties Subdivision, Plat Book 80, Page 26, ROHC and an unplatted tract of land located at 1831 Hickory Valley Road from Part of Lots 17 thru 20, F B Holts Subdivision, Plat Book 7, Page 22, ROHC. Tax Map Nos. 148N-A-002, 003 and 014.

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 the City of Chattanooga Public Works, 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 # 6

An ordinance approving the request of David Daveney, agent for the owner of the adjacent property Ridgedale Baptist Church, to abandon an unnamed alley at the rear of the property at 6400 Lee Highway, detailed on the attached map, as referenced in Case No. MR 2016-045

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 Fund	N/A
City Amount Funded	$ -	Provide Cost Center	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.

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: _____

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: David Daveney for Ridgedale Baptist Church
Case No. MR 2016-045
Unnamed alley off of the 6400 block of Lee Highway

RECOMMENDATION: APPROVAL WITH CONDITIONS

This application was received by the Chattanooga-Hamilton County Regional Planning Agency (RPA) on February 8, 2016, from David Daveney, agent for the property owner, Ridgedale Baptist Church. The abandonment was approved by Planning Commission at its April 11, 2016 meeting (see attached case report and resolution). The agent is requesting the abandonment of an unnamed alley at the rear of the property.

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 City of Chattanooga Public Works, as attached in the following package.

Chattanooga-Hamilton County Regional Planning Agency

CLOSURE/ABANDONMENT APPLICATION FORM

CASE NUMBER:	MR 2016-045				**Date Submitted: 2-8-2016**		
(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	x	**Alley**		**Street**		**Sewer**		**Other**
	Name of Street or Right-Of-Way:						
		Open	x	Unopened	Length/Width: 753' x 10' +/-		
	Beginning: At the Northwest corner of 148N-A-014						
	Ending: going in a Southwestwardly direction approximately 753' plus or minus to the southwest corner of 148N-A-014						
2 Property Information							
Property Address:	Unnamed alley off of the 6400 block of Lee Highway						
Property Tax Map Number(s):	148N-A-002, 003 & 148N-A 014						
3 Proposed Development							
Reason for Request and/or Proposed Use:	Abandon						
4 Site Characteristics							
Current Zoning:	R-1, R-4, & C-2						
Current Use:	Vacant Land						
Adjacent Uses:	Residential & Office						
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: David Davaney				Address: 414 Vine Street			
Check one:		I **am** the property owner		x	I am **not** the property owner		
City: Chattanooga	State: TN	Zip Code: 37403		Email: dfd@charterre.com			
Phone 1: 423-667-3819	Phone 2:		Phone 3:			Fax: 423-266-1432	
6 Property Owner Information (if not applicant)							
Name: Ridgedale Baptist Church			Phone: 423-499-0994				
Address: 1831 Hickory Valley Road Chattanooga, TN 37421							
Office Use Only:							
Planning District: 10			Neighborhood: CNAC, FOEB, BEBC				
Hamilton Co. Comm. District: 8		Chatt. Council District: 6		Other Municipality:			
Staff Rec:	PC Action/Date:		Legislative Action/Date/Ordinance:				
Checklist							
x	Application Complete	x	Ownership Verification	x	Map of Proposed Zoning Area with dimensions		
	Site Plan, if required		Total Acres to be considered:	x	Deeds	x	Plats, if applicable
Deed Book(s): 4242-822, 7307-922, 8500-697							
Plat Book/Page: 7-22, 80-26			x	Notice Signs		Number of Notice Signs: 1	
x	Filing Fee: 350.00		Cash	x	Check	Check Number: 37080	
Planning Commission meeting date: 4-11-2016			Application processed by: J Ware & M Parker				

MR-2016-045 City of Chattanooga
April 11, 2016

RESOLUTION

WHEREAS, David Davaney & Ridgedale Baptist Church petitioned the Chattanooga-Hamilton County Regional Planning Commission to recommend to the Members of the City Council of the City of Chattanooga to grant approval of a Mandatory Referral pursuant to T.C.A. 13-4-104 for Abandonment of an unopened alley off of the 6400 block of Lee Highway.

Abandonment of an unopened alley located southeast of the 6400 block of Lee Highway beginning at the northwest corner of Tax Map 148N-A-014 thence southwest some 753 feet to the southwest corner of said parcel. Said alley separates Lot 2, Final Plat Lots 1 and 2, Holder Properties Subdivision, Plat Book 80, Page 26, ROHC and an unplatted tract of land located at 1831 Hickory Valley Road from Part of Lots 17 thru 20, F B Holts Subdivision, Plat Book 7, Page 22, ROHC. Tax Map 148N-A-002, 003 and 014 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on April 11, 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 April 11, 2016, recommended to the Members of the City Council of the City of Chattanooga that this petition for a Mandatory Referral to abandon an unnamed alley off of the 6400 block of Lee Highway be approved.

Respectfully submitted,

John Bridger
Secretary

MR 2016-045 Abandonment

PLANNING COMMISSION RECOMMENDATION FOR
CASE NO. MR-2016-045: Approve

North

350 ft

Chattanooga Hamilton County Regional Planning Agency

RPA

Chattanooga-Hamilton County Regional

PLANNING COMMISSION CASE REPORT

Case Number: MR-2016-045 **PC Meeting Date:** 04-11-16

Applicant Request

Mandatory Referral for Abandonment of Alley Right-Of-Way

Property Location:	**Unnamed alley off of the 6400 block of Lee Highway**
Property Owner:	Ridgedale Baptist Church
Applicant:	David Davaney

Project Description

- Proposal: Abandonment of a portion of unnamed alley.

Site Analysis

Site Description

- Location: Closure of alley beginning at the north-west corner of 148N-A-014 going in a south-west direction approximately 753' to the southwest corner of 148N-A-014.

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 alley right-of-way is unopened.
- Abandonment of right-of-way will not landlock any parcels

Staff Recommendation

Approve

MR 2016-045 Abandonment

North

350 ft

Chattanooga Hamilton County Regional Planning Agency

RPA

Abandonment/Closure Cards

W.W.T.A.
Cleveland Grimes

Case No.	Closure O.K. Yes	Closure O.K. No
MR 2016-045	✓	
MR 2016-046	✓	

* Comments forthcoming

Abandonment/Closure Cards

4-11-16
P.C.

TN American Water Co
Meagan Cottrline

Case No.	Closure O.K. Yes	Closure O.K. No
MR 2016-045	X	
MR 2016-046	X	

* Comments forthcoming

Abandonment/Closure Cards

Design Engineering - Division
Brandon Sutton

Case No.	Closure O.K. Yes	Closure O.K. No
MR 2016-045	✓	
MR 2016-046	✓	

* Comments forthcoming

Abandonment/Closure Cards

Chattanooga Police Dept.
Lt. David Gibb

Case No.	Closure O.K. Yes	Closure O.K. No
MR 2016-045	✓	
MR 2016-046	✓	

* Comments forthcoming

Abandonment/Closure Cards

Chattanooga Fire Dept.
Randall Herron

Case No.	Closure O.K. Yes	Closure O.K. No
MR 2016-045	RH	
MR 2016-046	RH	

* Comments forthcoming

Abandonment/Closure Cards

Comcast Cable
Power Spain / James Patterson

Case No.	Closure O.K. Yes	Closure O.K. No
MR 2016-045	✓	
MR 2016-046	✓	

* Comments forthcoming

Abandonment/Closure Cards

City Engineer
Bill Payne

BW
2/23/16

Case No.	Closure O.K. Yes	Closure O.K. No
MR 2016-045	✓ (*)	
MR 2016-046	✓ (*)	
(*) RETAIN 20' STORM SEWER EASEMENTS		

* Comments forthcoming

Abandonment/Closure Cards

Dept of Transportation
Ray Rucker

Case No.	Closure O.K. Yes	Closure O.K. No
MR 2016-045	✓	
MR 2016-046	✓	

* Comments forthcoming

Dept. of Transportation
Jackie Wolfe

Abandonment/Closure Cards

Case No.	Closure O.K. Yes	Closure O.K. No
MR 2016-045	✓	
MR 2016-046	✓	

* Comments forthcoming

Chattanooga Gas Co
Harold Hyde

Abandonment/Closure Cards

Case No.	Closure O.K. Yes	Closure O.K. No
MR 2016-045	✓	
MR 2016-046	✓	
Harold Hyde 3-2-16		

* Comments forthcoming

E.P.B.
Billy McGhee

Abandonment/Closure Cards

Case No.	Closure O.K. Yes	Closure O.K. No
MR 2016-045	✓	
MR 2016-046		✓

* Comments forthcoming

Abandonment/Closure Cards

Case No.	Closure O.K.	
	Yes	No
MR 2016-045	✓	
MR 2016-046	✓	

Bell South Pon Mounts

* Comments forthcoming

Emailed 3-10-16
Karen B Flood "KF2071 at att.com"