

First Reading: January 15, 2019
Second Reading: January 22, 2019

MR-2018-230
City of Chattanooga-Real Property
c/o Gail Hart
District 8
Planning Version

ORDINANCE NO. 13419

AN ORDINANCE CLOSING AND ABANDONING MULTIPLE RIGHTS-OF-WAY IN THE 1900 BLOCK OF ROANOKE AVENUE, FORMERLY KNOWN AS HARRIET TUBMAN HOMES, TO FACILITATE FUTURE DEVELOPMENT, AS 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 multiple rights-of-way in the 1900 block of Roanoke Avenue, formerly known as Harriet Tubman Homes, to facilitate future development, as detailed on the attached map, be and are hereby closed and abandoned:

Abandonment of the unopened 1800 and 1900 blocks of Hardy Street, the unopened 1700 and 1800 blocks of Heaton Street, the unopened 2000 and 2100 blocks of North Hawthorne Street, the unopened 1900 thru 2900 blocks of North Hickory Street, the unopened 1900 block of Sherman Street and the unopened 1900 thru 2000 blocks of Sholar Avenue.

Abandonment of the unopened 1800 and 1900 blocks of Hardy Street beginning at its intersection with the north line of the unopened 1900 block of North Hickory Street, thence northwestwardly and southeastwardly some 2188 feet to its intersection with the west line of the 2000 block of Roanoke Avenue. Said street separates Tax Map Nos. 136E-A-005, 006 and 008 from 136E-A-009 thru 011.

Abandonment of the unopened 1700 and 1800 blocks of Heaton Street beginning at its intersection with the south line of the unopened 1900 block of North Hickory Street thence southeastwardly some 1121 feet to its intersection with the west line of the 1900 block of Roanoke Avenue. Said street separates Tax Map Nos. 136E-A-010 and 012 from 136E-A-013.

Abandonment of the unopened 2000 and 2100 blocks of North Hawthorne Street beginning at its intersection with the north line of the unopened 1700 block of Heaton Street thence northeastwardly some 571 feet to its intersection with the unopened south line of the 2000 block of Sholar Avenue. Said street separates Tax Map Nos. 136E-A-006 and 010 from 136E-A-005, 011 and 012.

Abandonment of the unopened 1900 thru 2900 blocks of North Hickory Street beginning at its intersection with the north line of the 1600 block of Southern Street thence 798 feet northeastwardly to the south line of the unopened 1800 block of Hardy Street. Said street separates Tax Map Nos. 136E-A-008 and 009 from 136E-A-010 and 013.

Abandonment of the unopened 1900 and 2000 blocks of Sholar Avenue beginning at its intersection with the north line of the 1600 block of Southern Street thence northeastwardly and southwestwardly some 2693 feet to its intersection with the east line of the unopened 1800 block of Hardy Street. Said street separates Tax Map Nos. 136E-A-005, 007 and the Norfolk Southern Right of Way from 136E-A-008.

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 as required for any subsequent construction work. Council action for this item does not constitute a permit for construction work; and
- 2) Subject to the retention of full-width utility easement(s) as required by said utilities, including, but not limited to Tennessee American Water and City of Chattanooga Public Works, in the location specified on the utility cards attached with this Ordinance.

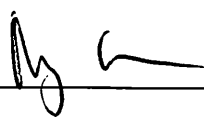
SECTION 3. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two (2) weeks from and after its passage.

Passed on second and final reading: January 22, 2019



CHAIRPERSON

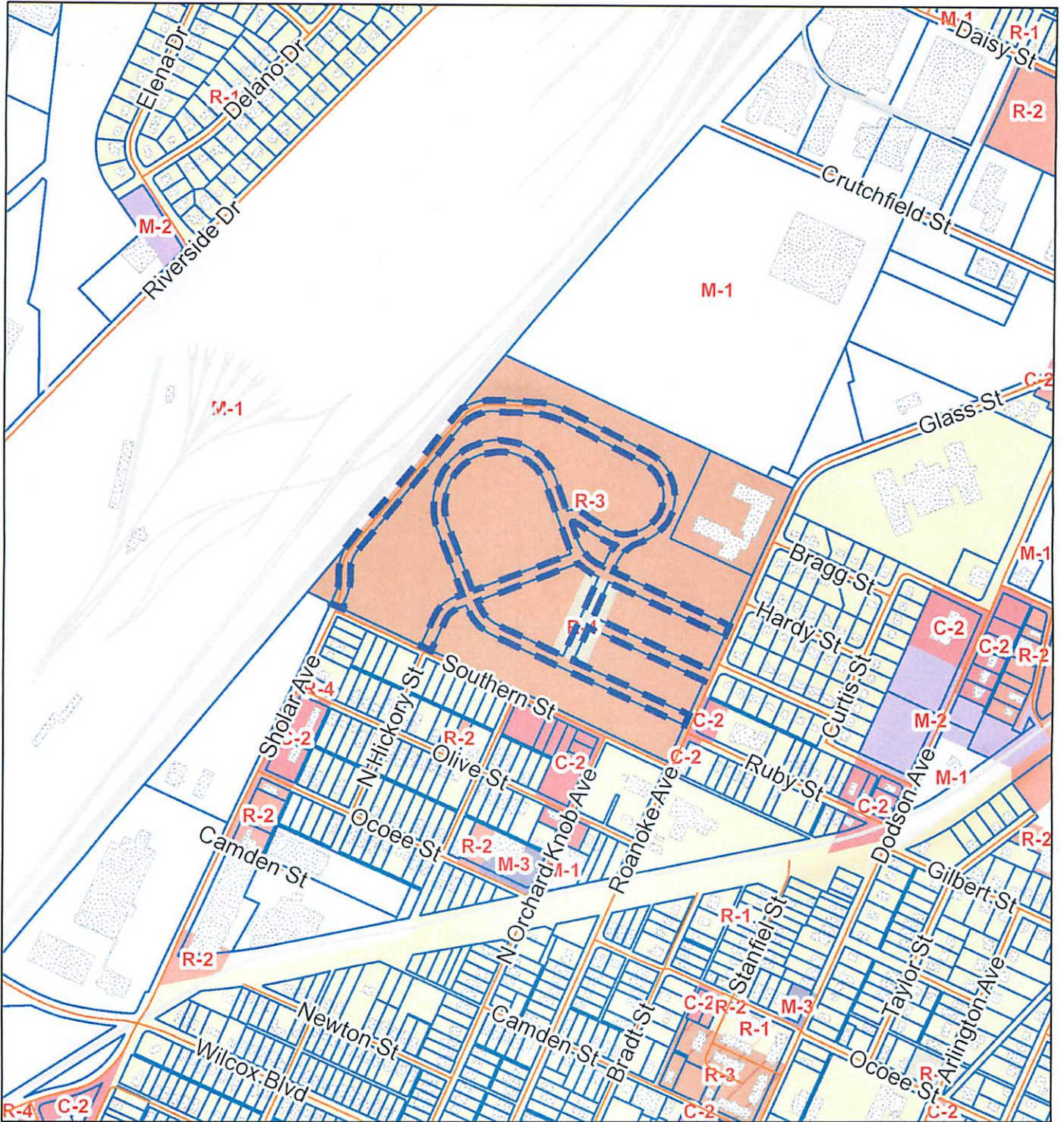
APPROVED: DISAPPROVED:



MAYOR

/mem

MR 2018-0230 Abandonment





Ronnette McElvain <rmcelvain@chattanooga.gov>

RE: Abandonment/Closure cases to December Planning Commission Meeting

1 message

Smith, Marcus A. <MASMIT@southernco.com>
To: Ronnette McElvain <rmcelvain@chattanooga.gov>
Cc: "Smith, Marcus A." <MASMIT@southernco.com>

Sat, Nov 10, 2018 at 10:26 AM

Hello Ronnette,

I have a question about case mr2018-0218. If I could get someone to contact me I would appreciate it.

Thanks,

Marcus A Smith

Operations Foreman

Chattanooga-8000

423-490-4262 office

423-421-5654 mobile

masmit@southernco.com



From: Ronnette McElvain [mailto:rmcelvain@chattanooga.gov]

Sent: Tuesday, November 06, 2018 4:34 PM

To: Bonnie Mumpower; mcgheewd@epb.net; meagan.catalina@amwater.com; Brandon Sutton; Spain, Roger; Smith, Marcus A.; Bill Payne; Michael Wright; Austin Garrett; Hendrix, Mike; RAY.RUCKER@tn.gov; Brad Scott; Jeremy.Sims@tn.gov; rl7928@att.com; rl928@arr.com; JAMES_PATTERSON4@comcast.com

Subject: Abandonment/Closure cases to December Planning Commission Meeting

All Utilities and Others concerned with Closure and Abandonment Applications,



Ronnette McElvain <rmcelvain@chattanooga.gov>

RE: Abandonment/Closure cases to December Planning Commission Meeting

1 message

McGhee, Billy <Mcgheewd@epb.net>
To: Ronnette McElvain <rmcelvain@chattanooga.gov>

Thu, Nov 8, 2018 at 9:09 AM

All closures are O.K. Thanks.

BILLY McGHEE

ELECTRIC POWER BOARD



P.O. BOX 182255

CHATTANOOGA, TN 37422

Ph. 423-648-3259

 Please consider the lilies before printing this e-mail.

From: Ronnette McElvain [mailto:rmcelvain@chattanooga.gov]

Sent: Tuesday, November 06, 2018 4:34 PM

To: Bonnie Mumpower <bmumpower@chattanooga.gov>; McGhee, Billy <Mcgheewd@epb.net>; meagan.catalina@amwater.com; Brandon Sutton <bsutton@chattanooga.gov>; Spain, Roger <Roger_Spain2@comcast.com>; masmit@southernco.com; Bill Payne <bpayne@chattanooga.gov>; Michael Wright <mwright@chattanooga.gov>; Austin Garrett <agarrett@chattanooga.gov>; Hendrix, Mike <MikeHe@hamiltontn.gov>; RAY.RUCKER@tn.gov; Brad Scott <Brad.Scott@tn.gov>; Jeremy.Sims@tn.gov; rl7928@att.com; rl928@arr.com; Patterson, James <James_Patterson4@comcast.com>

Subject: Abandonment/Closure cases to December Planning Commission Meeting

All Utilities and Others concerned with Closure and Abandonment Applications,

To enable us to have a written record of your receipt of our notification and for your convenience please email your responses. Attached below are the Closure/Abandonment Applications and Maps which list each case for the



Ronnette McElvain <rmcelvain@chattanooga.gov>

Abandonment/Closure Cases to December Planning Commission

1 message

Megan L Catalina <Megan.Catalina@amwater.com>
To: "rmcelvain@chattanooga.gov" <rmcelvain@chattanooga.gov>

Mon, Nov 12, 2018 at 11:02 AM

Hello,

MR 2018-0218 – Closure Not OK – see attached

MR-2018-0221 – Not TNAW Service Area

MR-2018-0224 – Not TNAW Service Area

MR-2018-0225 – Closure Not OK- see attached

MR-2018-0230 – Closure Not OK – see attached

Thanks,

Megan Catalina

GIS Supervisor

O (423) 771-4777

C (423) 619-9914

F (423) 495-9227

Megan.catalina@amwater.com

Internal 7-520-4777




www.tennesseeamwater.com




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www.amwater.com

3 attachments

 MR20180230.doc
37K

 MR20180225.doc
37K

 MR20180218.doc
37K



Megan Catalina
Tennessee American Water
Engineering Department
1500 Riverside Drive
Chattanooga, TN 37406

P 423-771-4777
F 423-267-9384

November 12, 2018,

Chattanooga/Hamilton County Regional Planning Commission
1250 Market St, Suite 2000
Chattanooga, TN 37402

Re: Closure and Abandonment Case No. MR 2018-0218

To Director Bryan Shults,

Tennessee American Water request that an easement be retained in the full width of the existing right-of-way at abandonment of the portion beginning at the 100 block of Noll St and ending at 610 Hamilton Ave.

Sincerely,

Megan Catalina
GIS Supervisor
Tennessee American Water



Megan Catalina
Tennessee American Water
Engineering Department
1500 Riverside Drive
Chattanooga, TN 37406

P 423-771-4777
F 423-267-9384

November 12, 2018,

Chattanooga/Hamilton County Regional Planning Commission
1250 Market St, Suite 2000
Chattanooga, TN 37402

Re: Closure and Abandonment Case No. MR 2018-0225

To Director Bryan Shults,

Tennessee American Water request that an easement be retained in the full width of the existing right-of-way at abandonment of the 800 block of Airport Rd. Beginning at S148P700 and ending at S148P021.

Sincerely,

Megan Catalina
GIS Supervisor
Tennessee American Water



Megan Catalina
Tennessee American Water
Engineering Department
1500 Riverside Drive
Chattanooga, TN 37406

P 423-771-4777
F 423-267-9384

November 12, 2018,

Chattanooga/Hamilton County Regional Planning Commission
1250 Market St, Suite 2000
Chattanooga, TN 37402

Re: Closure and Abandonment Case No. MR 2018-0230

To Director Bryan Shults,

Tennessee American Water request that an easement be retained in the full width of the existing right-of-way at abandonment of the properties in the 1900 block of Roanoke Ave.

Sincerely,

Megan Catalina
GIS Supervisor
Tennessee American Water



Ronnette McElvain <rmcelvain@chattanooga.gov>

Re: Abandonment/Closure cases to December Planning Commission Meeting

1 message

Bonnie Mumpower <bmumpower@chattanooga.gov>

Wed, Nov 7, 2018 at 8:34 AM

To: Ronnette McElvain <rmcelvain@chattanooga.gov>

2018-218 is approved with a 20' sanitary sewer easement.
2018-224 is approved with a 20' sanitary sewer easement.
2018-225 is approved with a 20' sanitary sewer and 20' storm easement.
2018-230 is approved with a 20' sanitary sewer and 20' storm easement.
Thank you,

On Tue, Nov 6, 2018 at 4:33 PM, Ronnette McElvain <rmcelvain@chattanooga.gov> wrote:

All Utilities and Others concerned with Closure and Abandonment Applications,

To enable us to have a written record of your receipt of our notification and for your convenience please email your responses. Attached below are the Closure/Abandonment Applications and Maps which list each case for the December 10, 2018, Planning Commission Meeting. If easements and/or any other requirements are necessary, please send an email or letter with the pertinent information to our office. If nothing is required, please respond/reply back to this email: "Yes to all Closures are O.K." alone will be sufficient. In order to properly advise the Planning Commission and Jurisdictional Commission, it is necessary that we hear from you by **November 14, 2018**. Please send email to: rmcelvain@chattanooga.gov. We feel that this procedure may expedite the process for all concerned, while providing us with an accurate record of each notification.

The hearing will take place at 1:00 p.m., Hamilton County Court House in the County Commission Room, 4th Floor, 625 Georgia Avenue, Chattanooga, Tennessee 37402. The Planning Commission recommendation will be sent to the local government having jurisdiction for their action. Schedules of when cases will be heard by local governments is listed below (if not deferred at Planning Commission):

City of Chattanooga:

· Second Tuesday of the following month at 6:00 p.m. (City Council Building)



Ronnette McElvain <rmcelvain@chattanooga.gov>

Re: Abandonment/Closure cases to December Planning Commission Meeting

1 message

Brandon Sutton <bsutton@chattanooga.gov>

Tue, Nov 6, 2018 at 5:53 PM

To: Ronnette McElvain <rmcelvain@chattanooga.gov>

Ronnette -

See below for our department's comments:

- **MR 2018-0218:** No issues with partial abandonment as it meets the private interest of resolving a legacy encroachment. Remaining ROW should be ample to meet any future public use such as pedestrian connectivity, utilities, etc.
- **MR 2018-0221:** N/A - County.
- **MR 2018-0224:** No CDOT issues.
- **MR 2018-0230:** Request appears to align with the City's adopted abandonment policy:
 - Meets the requirement for significant private/public interest: proposed redevelopment, as well as goals for job creation and benefits to the surrounding community.
 - Meets the requirement of having no further need for the public or City to retain the ROW. The streets are blocked and have limited use since sidewalks and curbing were removed, and no other destinations exist within the Tubman property.
 - *Note: CDOT may be likely to make the abandonment conditional to the approval of the proposed rezoning - perhaps with a formal condition and reversionary clause, or alternatively by timing the abandonment ordinance to go before Council after the rezoning is set.*
 - *(While not expressly conditional to the requested abandonment, connectivity might warrant consideration in the proposal with new interconnected streets, sidewalks, etc.. Such a transportation network might align with the proposed development plan while also building a block size that's compatible with those seen in the surrounding neighborhood.)*

Thanks,

Brandon Sutton, PLA
Transportation Design Manager
Chattanooga Department of Transportation
423.643.5919 // bsutton@chattanooga.gov



On Tue, Nov 6, 2018 at 4:34 PM Ronnette McElvain <rmcelvain@chattanooga.gov> wrote:

All Utilities and Others concerned with Closure and Abandonment Applications,

To enable us to have a written record of your receipt of our notification and for your convenience please email your responses. Attached below are the Closure/Abandonment Applications and Maps which list each case for the December 10, 2018, Planning Commission Meeting. If easements and/or any other requirements are necessary, please send an email or letter with the pertinent information to our office. If nothing is required, please respond/reply back to this email: "Yes to all Closures are O.K." alone will be sufficient. In order to properly advise the Planning Commission and Jurisdictional Commission, it is necessary that we hear from you by **November 14, 2018**. Please send email to: rmcelvain@chattanooga.gov. We feel that this procedure may expedite the



Ronnette McElvain <rmcelvain@chattanooga.gov>

Re: Abandonment/Closure cases to December Planning Commission Meeting

1 message

Michael Wright <mwright@chattanooga.gov>
To: Ronnette McElvain <rmcelvain@chattanooga.gov>

Wed, Nov 7, 2018 at 11:05 AM

Yes to all closures

On Tue, Nov 6, 2018 at 4:34 PM Ronnette McElvain <rmcelvain@chattanooga.gov> wrote:

All Utilities and Others concerned with Closure and Abandonment Applications,

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City of Chattanooga:

- Second Tuesday of the following month at 6:00 p.m. (City Council Building)
- Right-of-Way Closures will be placed on agenda by the Transportation Department.
- Sewer & Drainage Easement Abandonment will be placed on agenda by Public Works Department.



Ronnette McElvain <rmcelvain@chattanooga.gov>

Re: Abandonment/Closure cases to December Planning Commission Meeting

1 message

Austin Garrett <agarrett@chattanooga.gov>

Wed, Nov 7, 2018 at 2:10 PM

To: Ronnette McElvain <rmcelvain@chattanooga.gov>

No issues with CPD.

On Tue, Nov 6, 2018 at 4:34 PM Ronnette McElvain <rmcelvain@chattanooga.gov> wrote:

All Utilities and Others concerned with Closure and Abandonment Applications,

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- Sewer & Drainage Easement Abandonment will be placed on agenda by Public Works Department.



Ronnette McElvain <rmcelvain@chattanooga.gov>

RE: Abandonment/Closure cases to December Planning Commission Meeting

1 message

Brad Scott <Brad.Scott@tn.gov>

Wed, Nov 14, 2018 at 1:14 PM

To: Ronnette McElvain <rmcelvain@chattanooga.gov>

Cc: Jeremy Sims <Jeremy.Sims@tn.gov>

Yes to all Closures are O.K."

From: Ronnette McElvain [mailto:rmcelvain@chattanooga.gov]

Sent: Tuesday, November 6, 2018 4:34 PM

To: Bonnie Mumpower; mcgheewd@epb.net; meagan.catalina@amwater.com; Brandon Sutton; Spain, Roger; masmit@southernco.com; Bill Payne; Michael Wright; Austin Garrett; Hendrix, Mike; RAY.RUCKER@tn.gov; Brad Scott; Jeremy Sims; rl7928@att.com; rl928@arr.com; JAMES_PATTERSON4@comcast.com

Subject: Abandonment/Closure cases to December Planning Commission Meeting

*** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. ***

All Utilities and Others concerned with Closure and Abandonment Applications,

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Ronnette McElvain <rmcelvain@chattanooga.gov>

RE: [EXTERNAL] Abandonment/Closure cases to December Planning Commission Meeting

1 message

Spain, Roger <Roger_Spain2@comcast.com>
To: Ronnette McElvain <rmcelvain@chattanooga.gov>

Mon, Nov 19, 2018 at 9:51 AM

Yes to all Closures are O.K.

From: Ronnette McElvain <rmcelvain@chattanooga.gov>

Sent: Tuesday, November 6, 2018 4:34 PM

To: Bonnie Mumpower <bmumpower@chattanooga.gov>; mcgheewd@epb.net; meagan.catalina@amwater.com; Brandon Sutton <bsutton@chattanooga.gov>; Spain, Roger <Roger_Spain2@cable.comcast.com>; masmit@southernco.com; Bill Payne <bpayne@chattanooga.gov>; Michael Wright <mwright@chattanooga.gov>; Austin Garrett <agarrett@chattanooga.gov>; Hendrix, Mike <MikeHe@hamiltontn.gov>; RAY.RUCKER@tn.gov; Brad Scott <Brad.Scott@tn.gov>; Jeremy.Sims@tn.gov; rl928@att.com; rl928@arr.com; Patterson, James <James_Patterson4@cable.comcast.com>

Subject: [EXTERNAL] Abandonment/Closure cases to December Planning Commission Meeting

All Utilities and Others concerned with Closure and Abandonment Applications,

To enable us to have a written record of your receipt of our notification and for your convenience please email your responses. Attached below are the Closure/Abandonment Applications and Maps which list each case for the December 10, 2018, Planning Commission Meeting. If easements and/or any other requirements are necessary, please send an email or letter with the pertinent information to our office. If nothing is required, please respond/reply back to this email: "Yes to all Closures are O.K." alone will be sufficient. In order to properly advise the Planning Commission and Jurisdictional Commission, it is necessary that we hear from you by **November 14, 2018**. Please send email to: rmcelvain@chattanooga.gov. We feel that this procedure may expedite the process for all concerned, while providing us with an accurate record of each notification.

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Ronnette McElvain <rmcelvain@chattanooga.gov>

FW: Abandonment/Closure cases to December Planning Commission Meeting

1 message

Harrison, Mark <MarkH@hamiltonn.gov>

Wed, Nov 21, 2018 at 9:19 AM

To: "rmcelvain@chattanooga.gov" <rmcelvain@chattanooga.gov>

Ronnette, we have no objections to the requested abandonment.

Thank you,

Mark



Please note that WWTA's mission is to provide reliable, courteous and low-cost sewer service within our service area in order to promote economic development, eliminate health problems and protect the environment. If you see something that I/we can do to better meet this mission, please let me know.

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From: Grajdieru, Tanea

Sent: Tuesday, November 20, 2018 8:27 AM

To: Harrison, Mark

Subject: RE: Abandonment/Closure cases to December Planning Commission Meeting

Mark,