

1ST READING 3-24-09  
2ND READING 3-31-09  
INDEX NO. \_\_\_\_\_

ORDINANCE NO. 12226

AN ORDINANCE RESCINDING ORDINANCE NO. 11090 (CASE NO. MR-2000-189) WHICH CLOSED AND ABANDONED THE 400 AND 500 BLOCKS OF WALNUT STREET AND THE 100 AND 200 BLOCKS OF 5<sup>TH</sup> STREET, AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Ordinance No. 11090 (Case No. MR-2000-189) be and is hereby rescinded to rededicate the 400 and 500 blocks of Walnut Street and the 100 and 200 blocks of 5<sup>th</sup> Street back to the City, as shown on the map attached hereto and made a part hereof by reference.

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

March 31, 2009.

Linda Bennett  
CHAIRPERSON

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

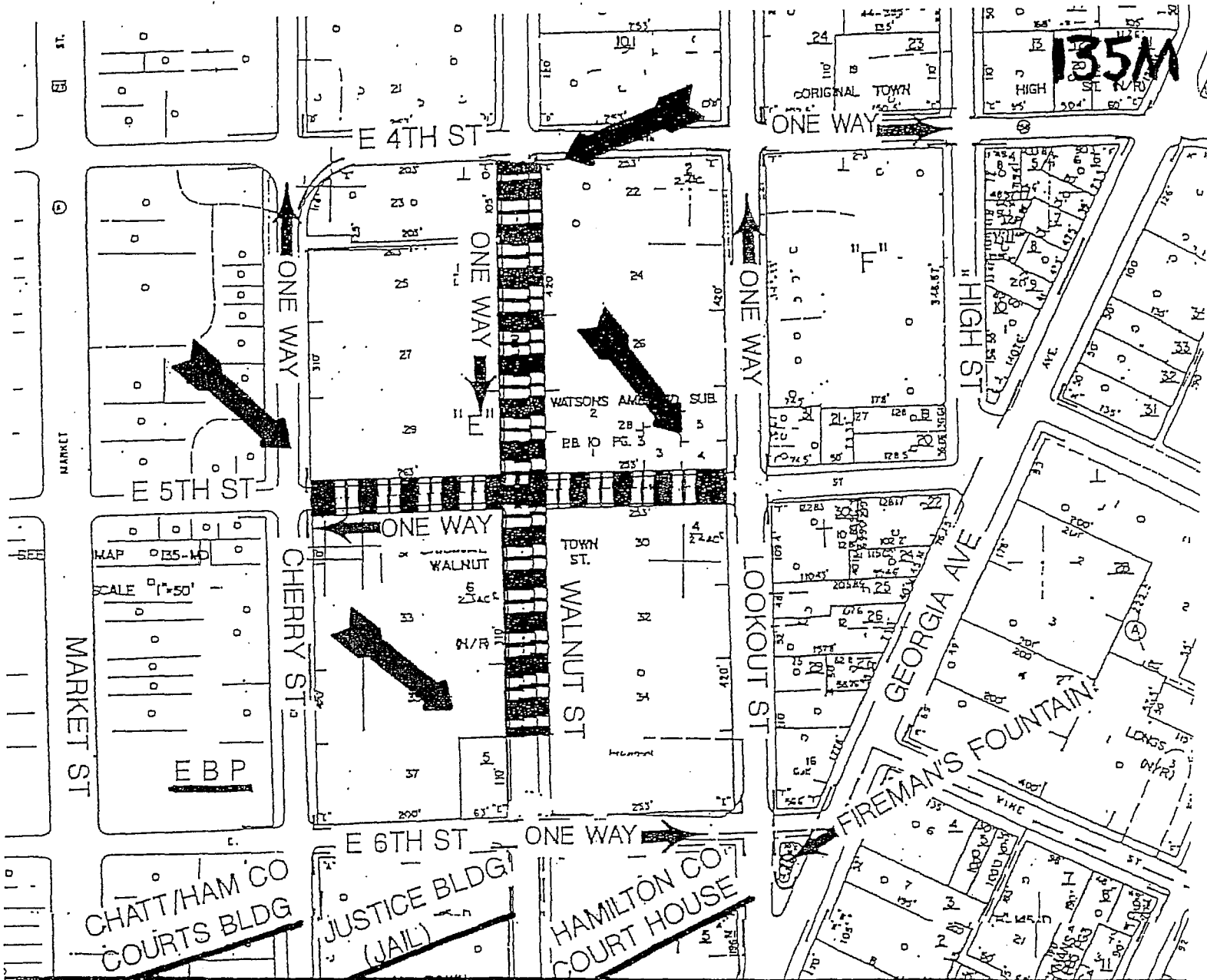
DATE: 4-3, 2009

[Signature]  
MAYOR

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# STAFF RECOMMENDATION TO RECIND

## *& Planning* ORDINANCE # 11090



PLANNING COMMISSION RECOMMENDATION FOR CASE 2000-189 - Approve, subject to:

- 1) The applicant shall not close either the Walnut Street or 5<sup>th</sup> Street right-of-way to traffic until the letting of the contract for their proposed office and parking garage;
- 2) Pedestrian access on both Walnut Street and 5<sup>th</sup> Street shall be maintained permanently, except possibly during the construction of the proposed office and parking garage, if necessary, for the protection of the pedestrians;
- 3) If the applicant does not start their office and parking garage expansion within 15 years of the abandonment of these rights-of-way, the applicant shall donate the property back to the City for the City to maintain the public right-of-way on both 5<sup>th</sup> and Walnut Streets;
- 4) Work with Urban Design Center to insure that the site plan fits into the downtown requirements for pedestrian access through the property and scale of public open space; and
- 5) Site plan being brought back before the Planning Commission.

CHATTANOOGA-HAMILTON COUNTY REGIONAL PLANNING COMMISSION  
SEPTEMBER 2000 CASE NO. 2000-189  
MANDATORY REFERRAL: ABANDON STREET R-O-W'S