

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

MR-2009-011
Provident Life & Accident Ins. Co.
c/o Richard Meadows

ORDINANCE NO. 12227

AN ORDINANCE CLOSING AND ABANDONING THE 200 BLOCK OF EAST 5TH STREET, MORE PARTICULARLY DESCRIBED HEREIN AND AS SHOWN ON THE MAP AND DRAWINGS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That there be and is hereby closed and abandoned the 200 block of East 5th Street, more particularly described below and as shown on the map and drawings attached hereto and made a part hereof by reference:

Abandonment of the 200 block of East 5th Street beginning at the east line of the 500 block of Walnut Street thence some 250 feet northeast to the 500 block of Lookout Street. Said street separates two unplatted tracts of land located at 451 Lookout Street and 500 Walnut Street. Tax Map 135M-E-002 and 004.

SECTION 2. BE IT FURTHER ORDAINED, That this closure and abandonment shall be subject to:

1. Ordinance No. 11090 (Case No. MR-2000-189) being rescinded to rededicate portions of East 5th Street and Walnut Street back to the City;
2. Applicant shall present a site plan to the RPA and Public Works Department for review prior to the physical closure of East 5th Street;
3. Applicant shall be responsible for the costs to accommodate the conversion to two-way traffic of Walnut Street from East 4th Street to East 5th Street and East 5th Street from Walnut Street to Cherry Street;

4. Applicant shall be responsible for the costs of any additional signalization at the East 4th Street and Walnut Street intersection and at the East 4th Street and Cherry Street intersection, if required;

5. Applicant shall work with the Urban Design Center and the Department of Public Works for the planning and installation of traffic calming devices and landscaping on Walnut Street from East 5th Street to East 6th Street. Applicant shall be responsible for the costs associated with the installation of traffic calming devices and the associated landscaping; and

6. A 20' wide path must be maintained on East 5th Street for emergency vehicle access.

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

_____ March 31 _____, 2009.

Linda Bennett
CHAIRPERSON

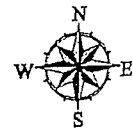
APPROVED: _____ DISAPPROVED: _____

DATE: 4-3 _____, 2009

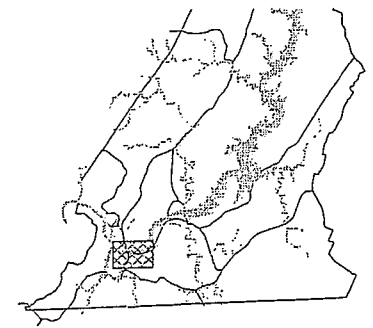
[Signature]
MAYOR

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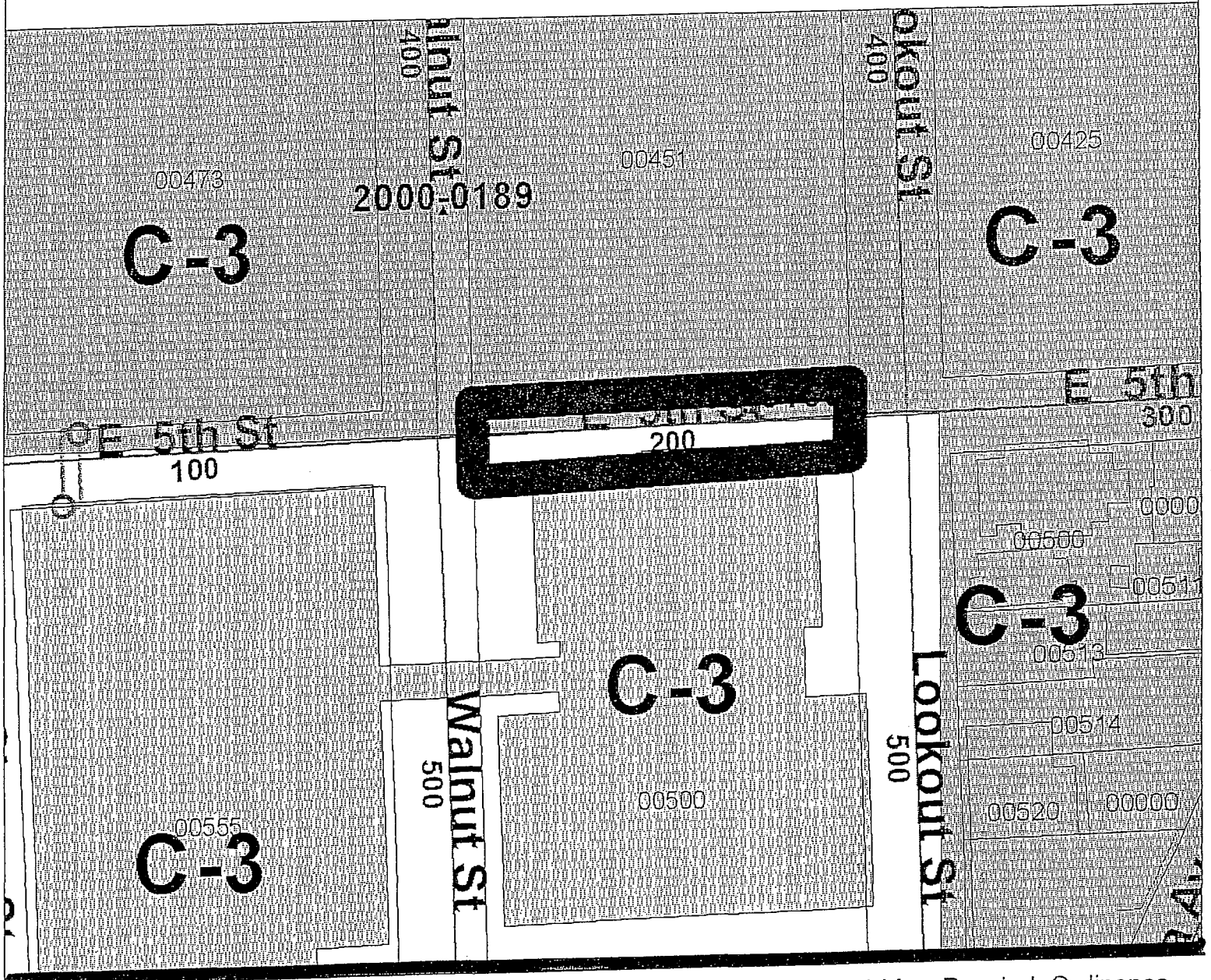
CHATTANOOGA
CASE NO.: 2009-0011
PC MEETING DATE: 2/9/2009
MR ABANDON STREET R-O-W



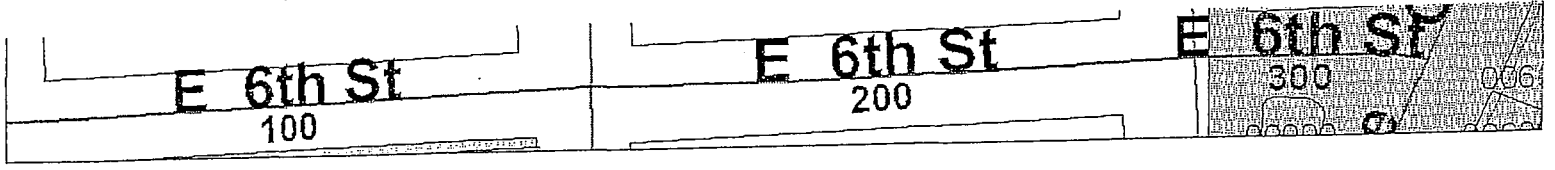
1 in. = 100.0 feet



Revised Request

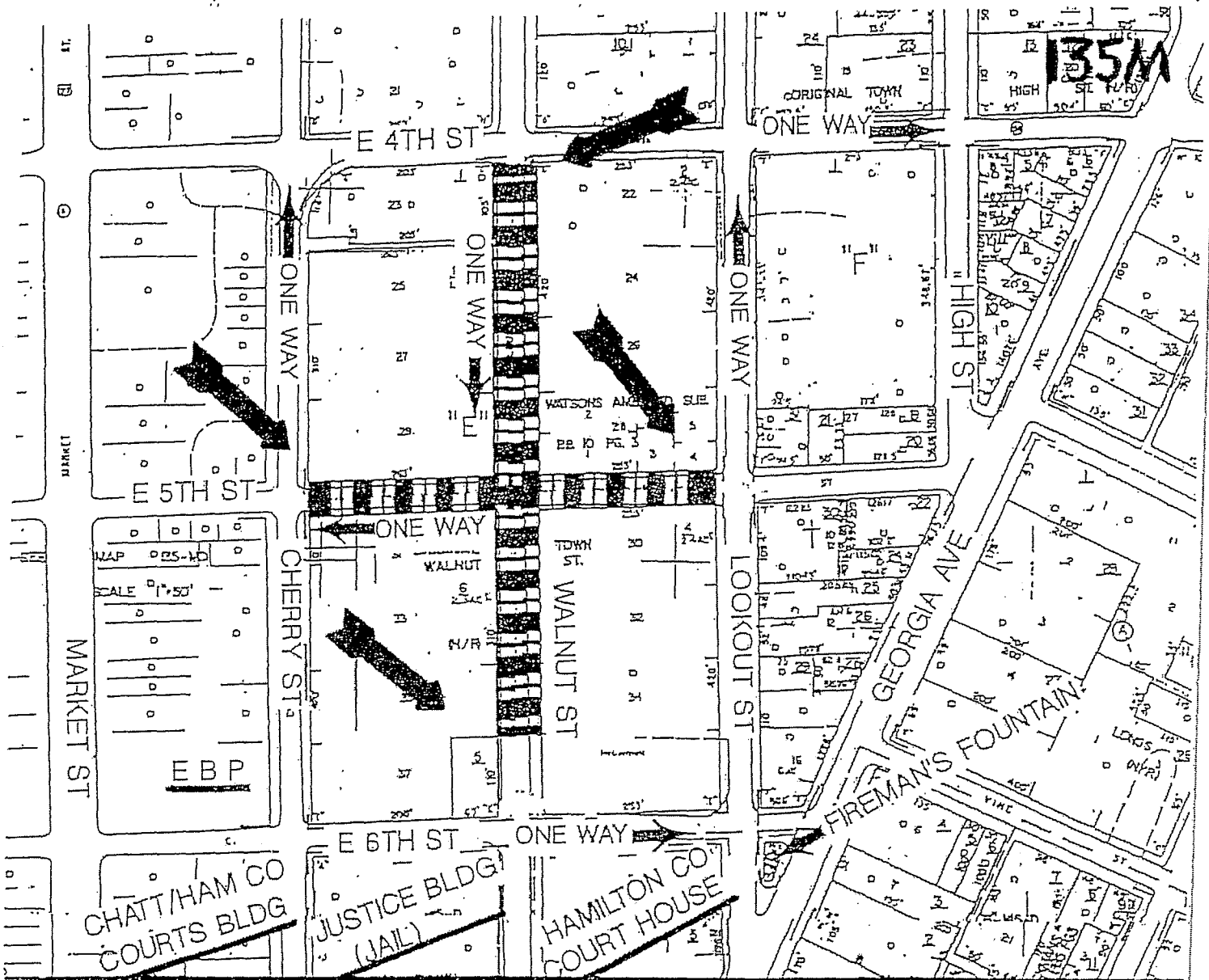


PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2009-011: Rescind Ordinance 11090 and Approve revised request for the closure of East 5th Street between Lookout Street and Walnut Street, subject to certain conditions as stated in the Planning Commission Resolution.



STAFF RECOMMENDATION TO RECIND

ORDINANCE # 11090

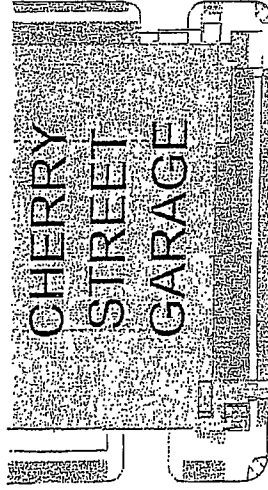


PLANNING COMMISSION RECOMMENDATION FOR CASE 2000-189 - Approve, subject to:

- 1) The applicant shall not close either the Walnut Street or 5th 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 5th 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 5th 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.

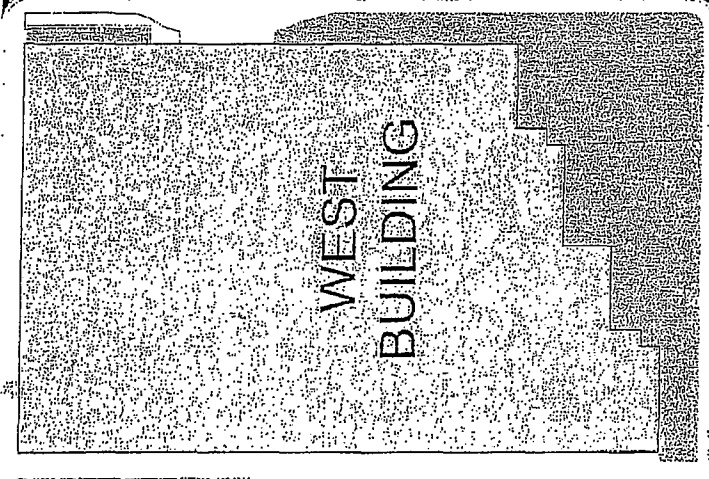
CHATTANOOGA-HAMILTON COUNTY REGIONAL PLANNING COMMISSION
SEPTEMBER 2000 CASE NO. 2000-189
MANDATORY REFERRAL: ABANDON STREET R-O-W'S

2009-011



CHERRY STREET GARAGE

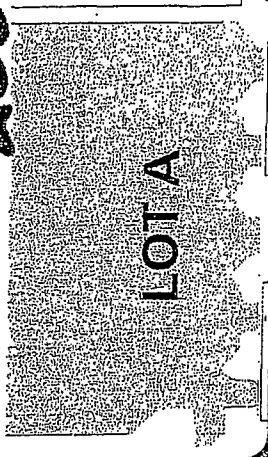
E FIFTH STREET



WEST BUILDING

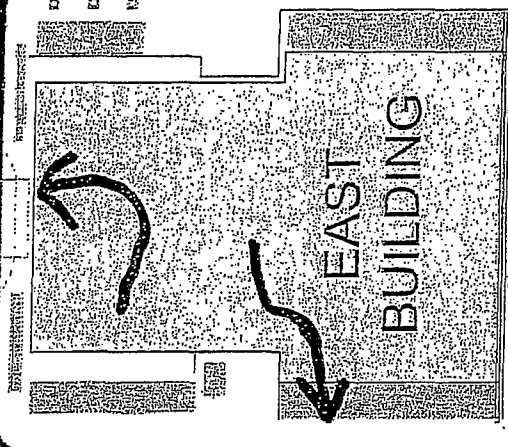
E SIXTH STREET

ST. CLOSURE

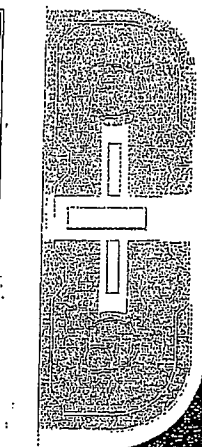


LOT A

STREET CLOSURE



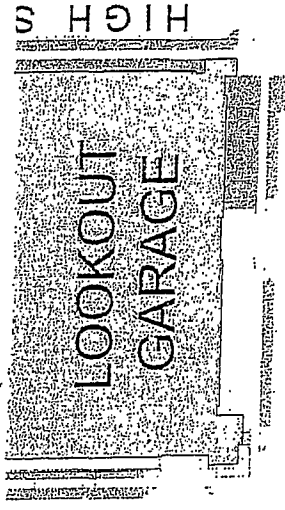
EAST BUILDING



HAMILTON COUNTY COURTHOUSE

CHERRY STREET

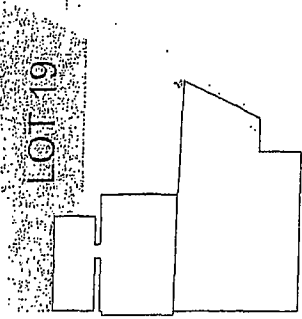
LOOKOUT STREET



LOOKOUT GARAGE



LOT 16



LOT 19

VINE STRE

HIGH S

GEORG