

AGENDA FOR TUESDAY, SEPTEMBER 14, 2004

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Chairman Franklin).
- III. Minute Approval.
- IV. Special Presentations.
- V. Ordinances – Second & Third Reading:
- VI. Ordinances - First Reading:
 - a) An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, by amending Article VIII, Section 108(2), relative to time limit confirmation for Board of Zoning Appeals Decisions.
 - b) MR-2004169 Bo South Tennessee, Inc. (Close and Abandon). An ordinance closing and abandoning an unopened alley located between the south line of the 1800 block of 21st Street and the north line of the 1800 block of 23rd Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Not recommended for approval by Public Works, Planning, and Staff - see alternate version.)**

MR-2004169 Bo South Tennessee, Inc. (Close and Abandon). An ordinance closing and abandoning an unopened alley located between the south line of the 1800 block of 21st Street and the north line of the 1800 block of 23rd Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval by Planning.)**
 - c) 2004-154 Pete Cory (from R-1 to R-2). To rezone a tract of land located in the 1700 block of Joiner Road, more particularly described herein. **(Not recommended for approval by Planning and Staff - see alternate versions.)**

2004-154 Pete Cory (from R-1 to R-2). To rezone a tract of land located in the 1700 block of Joiner Road, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning.)**

2004-154 Pete Cory (from R-1 to R-2). To rezone a tract of land located in the 1700 block of Joiner Road, more particularly described herein, subject to certain conditions. **(Recommended for approval by Staff.)**

2004-154 Pete Cory (from R-1 to R-2). To rezone a tract of land located in the 1700 block of Joiner Road, more particularly described herein, subject to certain conditions. **(Recommended for approval by City Attorney - See Memo.)**
 - d) 2004-159 Richard Volz (from R-2 to C-2). To rezone a tract of land located at 2332 Standifer Gap Road, more particularly described herein. **(Not recommended for approval by Planning and Staff.)**

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- e) 2004-160 Joe Sliger (from R-3 to C-2). To rezone tracts of land located at 1635 and 2639 Rossville Avenue, more particularly described herein. **(Not recommended for approval by Planning and Staff - see alternate versions.)**

2004-160 Joe Sliger (from R-3 to C-2). To rezone tracts of land located at 1635 and 2639 Rossville Avenue, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning.)**

2004-160 Joe Sliger (from R-3 to C-3). To rezone tracts of land located at 1635 and 2639 Rossville Avenue, more particularly described herein, subject to certain conditions. **(Recommended for approval by Staff.)**

2004-160 Joe Sliger (from R-3 to C-3). To rezone tracts of land located at 1635 and 2639 Rossville Avenue, more particularly described herein, subject to certain conditions. **(Recommended for approval by City Attorney - See Memo)**

- f) 2004-165 Ray D. Slatton (from R-1 to C-2). To rezone a tract of land located at 6052 Highway 153, more particularly described herein. **(Not recommended for approval by Planning and Staff. - see alternative version.)**

2004-165 Ray D. Slatton (from R-1 to C-2). To rezone a tract of land located at 6052 Highway 153, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning.)**

VII. Resolutions:

- a) A resolution authorizing the purchase of a permanent stormwater easement from Shelley J. Moore, Parcel No. 145L-D-018, relative to the 17th Street Stormwater Graywater Project, for a total consideration of \$2,346.66.
- b) A resolution authorizing the adoption of the East Chattanooga Area Plan.
- c) A resolution directing the Regional Planning Agency to conduct a zoning study for certain properties in the East Chattanooga area.
- d) 2004-155 Pete Cory (Preliminary PUD). A resolution approving a Preliminary Planned Unit Development Special Exceptions Permit for a proposed Planned Unit Development known as Magnolia Gardens Planned Unit Development, on a tract of land located in the 1700 block of Joiner Road, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Not recommended for approval by Planning and Staff - see alternate version.)**

2004-155 Pete Cory (Preliminary PUD). A resolution approving a Preliminary Planned Unit Development Special Exceptions Permit for a proposed Planned Unit Development known as Magnolia Gardens Planned Unit Development, on a tract of land located in the 1700 block of Joiner Road, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval by Planning.)**

2004-155 Pete Cory (Preliminary PUD). A resolution approving a Preliminary Planned Unit Development Special Exceptions Permit for a proposed Planned Unit Development known as Magnolia Gardens Planned Unit Development, on a tract of land located in the 1700 block of Joiner Road, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval by Staff.)**

- e) 2004-166 David Pearson and Mark Walters (Preliminary PUD). A resolution approving a Preliminary Planned Unit Development Special Exceptions Permit for a proposed Planned Unit Development known as Petty Crossing Planned Unit Development, on a tract of land located at 1700 Petty Road, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Not recommended for approval by Planning and Staff - see alternate version.)**

2004-166 David Pearson and Mark Walters (Preliminary PUD). A resolution approving a Preliminary Planned Unit Development Special Exceptions Permit for a proposed Planned Unit Development known as Petty Crossing Planned Unit Development, on a tract of land located at 1700 Petty Road, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval by Planning and Staff.)**

- f) 2004-170 Waterhaven Development Partnership (Preliminary PUD). A resolution approving a Preliminary Planned Unit Development Special Exceptions Permit for a proposed Planned Unit Development known as Waterhaven Planned Unit Development, on a tract of land located at 2869 Harrison Pike, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Not recommended for approval by Planning and Staff - see alternate version.)**

2004-170 Waterhaven Development Partnership (Preliminary PUD). A resolution approving a Preliminary Planned Unit Development Special Exceptions Permit for a proposed Planned Unit Development known as Waterhaven Planned Unit Development, on a tract of land located at 2869 Harrison Pike, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval by Planning.)**

2004-170 Waterhaven Development Partnership (Preliminary PUD). A resolution approving a Preliminary Planned Unit Development Special Exceptions Permit for a proposed Planned Unit Development known as Waterhaven Planned Unit Development, on a tract of land located at 2869 Harrison Pike, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions. **(Recommended for approval by Staff.)**

- g) A resolution authorizing the Mayor to execute a contract with First Tennessee National Corporation to provide lockbox and branch collection services for property tax payments. **(Added by permission of the Legal and Legislative Committee.)**

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- h) A resolution authorizing the Chattanooga-Hamilton County Regional Planning Agency to update the previously adopted Hixson-North River Community Plan. **(Added by permission of the Legal and Legislative Committee.)**

VIII. Overtime Report.

IX. Departmental Reports:

- a) Department of Human Services.
- b) Department of Parks, Recreation, Arts & Culture.
- c) Department of Public Works.
- d) Fire Department.
- e) Police Department.
- f) Department of Personnel.
- g) Department of Neighborhood Services.
- h) Department of Finance and Administration
- i) City Attorney.

X. Other Business.

XI. Committee Reports.

XII. Agenda Session for Tuesday, September 21, 2004.

XIII. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.

XIV. Adjournment.

XII. Agenda Session for Tuesday, September 21, 2004:

AGENDA FOR TUESDAY, SEPTEMBER 21, 2004

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilman Littlefield).
3. Minute Approval.
4. Special Presentations.
5. Ordinances – Second & Third Reading:
 - a) An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, by amending Article VIII, Section 108(2), relative to time limit confirmation for Board of Zoning Appeals Decisions.
 - b) MR-2004169 Bo South Tennessee, Inc. (Close and Abandon). An ordinance closing and abandoning an unopened alley located between the south line of the 1800 block of 21st Street and the north line of the 1800 block of 23rd Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Not recommended for approval by Public Works, Planning, and Staff - see alternate version.)**

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2004-154 Pete Cory (from R-1 to R-2). To rezone a tract of land located in the 1700 block of Joiner Road, more particularly described herein, subject to certain conditions. **(Recommended for approval by City Attorney - See Memo.)**

XII. Agenda Session for Tuesday, September 21, 2004 (continued):

d) 2004-159 Richard Volz (from R-2 to C-2). To rezone a tract of land located at 2332 Standifer Gap Road, more particularly described herein. **(Not recommended for approval by Planning and Staff.)**

e) 2004-160 Joe Sliger (from R-3 to C-2). To rezone tracts of land located at 1635 and 2639 Rossville Avenue, more particularly described herein. **(Not recommended for approval by Planning and Staff - see alternate versions.)**

2004-160 Joe Sliger (from R-3 to C-2). To rezone tracts of land located at 1635 and 2639 Rossville Avenue, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning.)**

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f) 2004-165 Ray D. Slatton (from R-1 to C-2). To rezone a tract of land located at 6052 Highway 153, more particularly described herein. **(Not recommended for approval by Planning and Staff. - see alternative version.)**

2004-165 Ray D. Slatton (from R-1 to C-2). To rezone a tract of land located at 6052 Highway 153, more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning.)**

6. Ordinances - First Reading:

7. Resolutions:

a) A resolution to make certain findings relating to the TMIO, Inc. Project, to delegate certain authority to the Industrial Development Board of the City of Chattanooga, and to authorize the Mayor to enter into and execute an agreement for payment in lieu of ad valorem taxes. **(Deferred from 9/14/04.)**

b) A resolution to make certain findings relating to the Regis Corporation Project, to delegate certain authority to the Industrial Development Board of the City of Chattanooga, and to authorize the Mayor to enter into and execute an agreement for payment in lieu of ad valorem taxes. **(Deferred from 9/14/04.)**

c) A resolution authorizing the Fire Chief to apply for and accept a grant from the United States Department of Homeland Security, Office of Domestic Preparedness, 2004 Fire Prevention and Safety Grant Program in the Fiscal Year 2005, in the amount of \$38,070.20, which, if awarded, will require local matching funds of \$16,315.80.

XII. Agenda Session for Tuesday, September 21, 2004 (continued):

- d) A resolution authorizing the Administrator of the Department of Public Works to execute an Agreement with Khafra Engineering Consultants, Inc., relative to Contract No. E-04-022-101, 8th Street Improvements-Baldwin Street to Palmetto Street, for professional engineering services in an amount not to exceed \$14,800.00.
 - e) A resolution authorizing William P. Glascock to use temporarily the City's right-of-way of the north end of St. Elmo Avenue located north of West 31st Street at the cul-de-sac, Tax Map No. 155F-A-005.04, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference, to include installing curbs, gutters, parking areas, drainage, points of ingress/egress, etc., subject to certain conditions.
 - f) A resolution authorizing Albert J. Cirighano, Sr. to use temporarily the City's right-of-way of the 5700 block of Lake Resort Drive to install a canopy signage in the City's right-of-way and a free-standing sign, more particularly described herein and as shown on the drawings attached hereto and made a part hereof by reference, subject to certain conditions.
 - g) A resolution authorizing the Administrator of the Department of Public Works to execute an agreement with the United States Department of Agriculture Animal and Plant Health Inspection Service (APHIS) Wildlife Services (WS), relative to control of human health and safety risks and property damage associated with birds, in an amount not to exceed \$9,500.00.
8. Overtime Report.
9. Departmental Reports:
- a) Department of Human Services.
 - b) Department of Parks, Recreation, Arts & Culture.
 - c) Department of Public Works.
 - d) Fire Department.
 - e) Police Department.
 - f) Department of Personnel.
 - g) Department of Neighborhood Services.
 - h) Department of Finance and Administration
 - i) City Attorney.
10. Other Business.
11. Committee Reports.
12. Agenda Session for Tuesday, September 28, 2004.
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.