

AGENDA FOR TUESDAY, NOVEMBER 2, 2004

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Chairman Benson).
- III. Minute Approval.
- IV. Special Presentations.
- V. Ordinances – Second & Third Reading:
 - a) MR-2004-173 Jerry and Treva Ritchie and Jimmy Wayne Dickey (Close & Abandon). An ordinance closing and abandoning an unopened alley located between the 4200 block of Walnut Street and the 4100 block of Pine Street, more particularly described herein, subject to certain conditions.
 - b) MR-2004-174 Jimmy Wayne Dickey (Close & Abandon). An ordinance closing and abandoning of Mill Street and Garden Street located within the property boundaries at 4106 Pine Street, more particularly described herein, subject to certain conditions.
 - c) MR-2004-178 Carol C. Moss (Close & Abandon). An ordinance closing and abandoning of an unopened alley beginning on the west line of the 4200 block of Walnut Street, more particularly described herein, subject to certain conditions.
 - d) An ordinance to amend Chattanooga City Code, Part II, Chapter 2, Article III, relative to personnel policies.
- VI. Ordinances - First Reading:
- VII. Resolutions:
 - a) A resolution authorizing Cory C. Allison to use temporarily the City's right-of-way located at 401 North Market Street to install a sign, as shown on the drawing attached hereto and made a part hereof by reference, subject to certain conditions.
 - b) A resolution authorizing the execution of Change Order No. 1, relative to the M.L. King Boulevard/Bailey Avenue and McCallie Avenue two-way conversion, Contract No. E-02-003, with Talley Construction Company, Inc., which change order decreases the contract amount by \$130,095.50, for a revised contract amount not to exceed \$1,216,326.10.
 - c) A resolution authorizing the Administrator of the Department of Parks, Recreation, Arts & Culture to execute a contract with WDB Contracting, LLC for the installation of automatic entrance doors at the Tyner/East Brainerd Recreation Center in an amount not to exceed \$23,587.00.

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- d) A resolution authorizing the execution of Change Order No. 1, relative to installation of an HVAC System at the John A. Patten Recreation Center's Auditorium, with JDC Industrial Mechanical Systems, Inc., which change order increases the contract amount by \$1,544.40, for a revised contract price of \$53,742.88.
- e) A resolution authorizing the Mayor of the City of Chattanooga to execute all documents necessary to convey the City's interest in and to Lot 10, Enterprise South Industrial Park, Tax Map No. 130-001.01, as shown on the map attached hereto and made a part hereof by reference, jointly owned by the City of Chattanooga and Hamilton County, to the State of Tennessee for the construction of a new Tennessee Department of Transportation Region II Headquarters Facility.

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, November 9, 2004.

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

XIV. Adjournment.

XII. Agenda Session for Tuesday, November 9, 2004:

AGENDA FOR TUESDAY, NOVEMBER 9, 2004

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilman Franklin).
3. Minute Approval.
4. Special Presentations.
5. Ordinances – Second & Third Reading:
 - a) An ordinance to amend Part II, Chattanooga City Code, Chapter 31, by adding new Sections 31-325.1 through 325.9 known as the Timber Removal Ordinance and by amending Subsections 31-321(b) and (c). **(Approved on First reading 9/21/04. 2nd & 3rd Reading deferred from 9/21/04, 10/12/04 & 10/19/04.)**
6. Ordinances - First Reading:
 - a) MR-2004-188 Ray Beeler c/o Beeler Impression Products, Inc. (Close & Abandon). An ordinance closing and abandoning an unnamed alley between the 300 blocks of South Lyerly Street and Watkins Street, more particularly described herein. **(Recommended for denial by Planning, Staff, & Public Works.)**
 - b) 2004-204 Arlington East Partnership (Lift Conditions). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to lift conditions imposed in Ordinance No. 8547, Section 2, on property located at 7249 East Brainerd Road, being more particularly described herein, subject to certain conditions. **(Not recommended for approval by Planning - see alternate version.)**

2004-204 Arlington East Partnership (Lift Conditions). An ordinance to amend Ordinance 6958, as amended, known as the Zoning Ordinance, so as to lift conditions imposed in Ordinance No. 8547, Section 2, relative to the west property line only, on property located at 7249 East Brainerd Road, being more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning.)**
 - c) 2004-206 Tanner K. C. Espy (From C-5 to C-2). An ordinance to amend Ordinance 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 8244 East Brainerd Road, more particularly described herein, from C-5 Neighborhood Commercial Zone to C-2 Convenience Commercial Zone. **(Recommended for denial by Planning.)**

- d) MR-2004-207 New Hope Church of God in Christ c/o Velicia Hambrick (Close and Abandon). An ordinance closing and abandoning an unopened alley located parallel to the 1700 blocks of Stanfiel Street and Dodson Avenue, more particularly described herein. **(Recommended for approval by Planning and Public Works.)**
- e) 2004-213 Hamilton County c/o Becky Browder (From M-2 and R-4 to C-4). An ordinance to amend ordinance 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 3901 Jenkins Road, more particularly described herein, from M-2 Light Industrial Zone and R-4 Special Zone to C-4 Planned Commerce Center Zone. **(Recommended for approval by Planning.)**
- f) 2004-214 DeFoor Brothers Development, LLC (From R-1 to R-4). An ordinance to amend Ordinance 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located at 2317 and 2321 Timberlane Trail, more particularly described herein, from R-1 Residential Zone to R-4 Special Zone. **(Not recommended for approval by Planning and Staff - see alternate versions.)**

2004-214 DeFoor Brothers Development, LLC (From R-1 to R-4). An ordinance to amend Ordinance 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located at 2317 and 2321 Timberlane Trail, more particularly described herein, from R-1 Residential Zone to R-4 Special Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

2004-214 DeFoor Brothers Development, LLC (From R-1 to R-4). An ordinance to amend Ordinance 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located at 2317 and 2321 Timberlane Trail, more particularly described herein, from R-1 Residential Zone to R-4 Special Zone, subject to certain conditions. **(Recommended for approval by Staff.)**

- g) 2004-215 DeFoor Brothers Development, LLC (From R-1 to R-4). An ordinance to amend Ordinance 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located at 2313, 2317, 2319 and 2325 Napier Drive, more particularly described herein, from R-1 Residential Zone to R-4 Special Zone. **(Not recommended for approval by Planning and Staff - see alternate versions.)**

2004-215 DeFoor Brothers Development, LLC (From R-1 to R-4). An ordinance to amend Ordinance 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located at 2313, 2317, 2319 and 2325 Napier Drive, more particularly described herein, from R-1 Residential Zone to R-4 Special Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

2004-215 DeFoor Brothers Development, LLC (From R-1 to R-4). An ordinance to amend Ordinance 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located at 2313, 2317, 2319 and 2325 Napier Drive, more particularly described herein, from R-1 Residential Zone to R-4 Special Zone, subject to certain conditions. **(Recommended for approval by Staff.)**

- h) 2004-216 DeFoor Brothers Development, LLC (From R-1 to R-4). An ordinance to amend Ordinance 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located at 2324 Napier Drive, 7315 and 7318 McCutcheon Road, and 2329, 2333, and 2337 Timberlane Trail, more particularly described herein, from R-1 Residential Zone to R-4 Special Zone. **(Not recommended for approval by Planning and Staff - see alternate versions.)**

2004-216 DeFoor Brothers Development, LLC (From R-1 to R-4). An ordinance to amend Ordinance 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located at 2324 Napier Drive, 7315 and 7318 McCutcheon Road, and 2329, 2333, and 2337 Timberlane Trail, more particularly described herein, from R-1 Residential Zone to R-4 Special Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

2004-216 DeFoor Brothers Development, LLC (From R-1 to R-4). An ordinance to amend Ordinance 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located at 2324 Napier Drive, 7315 and 7318 McCutcheon Road, and 2329, 2333, and 2337 Timberlane Trail, more particularly described herein, from R-1 Residential Zone to R-4 Special Zone, subject to certain conditions. **(Recommended for approval by Staff.)**

- i) 2004-217 DeFoor Brothers Development, LLC (From R-1 to R-4). An ordinance to amend Ordinance 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located at 7301, 7307, 7313, and 7319 McCutcheon Road, more particularly described herein, from R-1 Residential Zone to R-4 Special Zone. **(Not recommended for approval by Planning and Staff - see alternate versions.)**

2004-217 DeFoor Brothers Development, LLC (From R-1 to R-4). An ordinance to amend Ordinance 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located at 7301, 7307, 7313, and 7319 McCutcheon Road, more particularly described herein, from R-1 Residential Zone to R-4 Special Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

2004-217 DeFoor Brothers Development, LLC (From R-1 to R-4). An ordinance to amend Ordinance 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located at 7301, 7307, 7313, and 7319 McCutcheon Road, more particularly described herein, from R-1 Residential Zone to R-4 Special Zone, subject to certain conditions. **(Recommended for approval by Staff.)**

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- j) MR-2004-221 Jeffrey M. Dalrymple (Close and Abandon). An ordinance closing and abandoning an unopened alley located on the south line of the 1800 block of Elmendorf Street, more particularly described herein. **(Not recommended for approval by Public Works - see alternate version.)**

MR-2004-221 Jeffrey M. Dalrymple (Close and Abandon). An ordinance closing and abandoning an unopened alley located on the south line of the 1800 block of Elmendorf Street, more particularly described herein, subject to certain conditions. **(Recommended for approval by Public Works.)**

- k) 2004-222 RMP, LLC (From R-2 to M-1). An ordinance to amend Ordinance 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 2909 Faxon Street, more particularly described herein, from R-2 Residential Zone to M-1 Manufacturing Zone. **(Not recommended for approval by Planning - see alternate version.)**

2004-222 RMP, LLC (From R-2 to M-1). An ordinance to amend Ordinance 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 2909 Faxon Street, more particularly described herein, from R-2 Residential Zone to M-1 Manufacturing Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

- l) 2004-223 Kinsey Probasco & Associates (From R-3 and M-1 to O-1). An ordinance to amend Ordinance 6958, as amended, known as the Zoning Ordinance, so as to rezone tracts of land located at 1301 and 1311 Citico Avenue, more particularly described herein, from R-3 Residential Zone and M-1 Manufacturing Zone to O-1 Office Zone. **(Recommended for approval by Planning.)**

7. Resolutions:

- a) A resolution authorizing the adoption of the Rossville Boulevard Community Plan.
- b) A resolution authorizing the adoption of the Land Use Plan updates for the Hixson-North River Community Plan.
- c) A resolution requesting the Chattanooga-Hamilton County Regional Planning Agency to conduct a zoning study for certain properties located in the Rossville Boulevard Community.
- d) A resolution approving the adoption of the Hamilton County Natural Hazards Mitigation Plan 2004.
- e) 2004-023 Iris Knoll Development Company (Final PUD). A resolution approving a Special Exceptions Permit for a Planned Unit Development known as the Iris Knoll Planned Unit Development on a tract of land located in the 6600 block of

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Sandwich Road, more particularly described herein and as shown on the Final Planned Unit Development Plan, subject to certain conditions.

- f) 2004-090 Wise Properties-TN, LLC (Final PUD). A resolution approving a Special Exceptions Permit for a Planned Unit Development known as the Townhomes Over Chattanooga Planned Unit Development, on a tract of land located in the 500 blocks of Woodland and Forest Avenues, more particularly described herein and as shown on the Final Planned Unit Development Plan, subject to certain conditions.

 - g) 2004-225 S. Reginald Ruff, III (Preliminary PUD). A resolution approving a Preliminary Planned Unit Development Special Exceptions Permit for a proposed addition and change of boundary of the Planned Unit Development known as the Spencer J. McCallie Homes Planned Unit Development, on tracts of land located in the 400 block of West 35th Street, the 600 block of West 37th Street, the 3700 block of Chandler Avenue, the 300 and 400 blocks of Water Street, and the 300 block of 38th Street, more particularly described herein and as shown on the map attached, subject to certain conditions.
- 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, November 16, 2004.
 - 13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
 - 14. Adjournment.