

**AGENDA FOR TUESDAY, MARCH 8, 2005**

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilman Page).
- III. Minute Approval.
- IV. Special Presentations.

**Recognition of Delegation from Albania**

- V. Ordinances – Second Reading:
- VI. Ordinances – First Reading:

- a) An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, by amending Article V, Section 1213(1)(c), relative to the application procedure for Preliminary Planned Unit Development.

- b) 2004-242 City of Chattanooga (from C-2, R-3, and R-4 to R-1). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone properties within the Rossville Boulevard Community, more particularly described herein, from C-2 Convenience Commercial Zone, R-3 Residential Zone, and R-4 Special Zone to R-1 Residential Zone. **(Not recommended for approval by Planning – see alternate version.)**

2004-242 City of Chattanooga (from C-2, R-3, and R-4 to R-1). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone properties within the Rossville Boulevard Community, more particularly described herein and as shown on the zoning study and maps attached hereto and made a part hereof by reference, from C-2 Convenience Commercial Zone, R-3 Residential Zone, and R-4 Special Zone to R-1 Residential Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

- c) 2005-007 Erwin Marine Sales, Inc. (from R-1 and C-2 to R-1 and R-T/Z). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone tracts of land located at 4500 and 4501 Gann Store Road, more particularly described herein, from R-1 Residential Zone and C-2 Convenience Commercial Zone to R-1 Residential Zone and R-T/Z Residential Townhouse/Zero Lot Line Zone. **Not recommended for approval by Planning or Staff – see alternate versions.)**

2005-007 Erwin Marine Sales, Inc. (from R-1 and C-2 to R-1 and R-T/Z). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone tracts of land located at 4500 and 4501 Gann Store Road, more particularly described herein, from R-1 Residential Zone and C-2 Convenience Commercial Zone to R-1 Residential Zone and R-T/Z Residential Townhouse/Zero Lot Line Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

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- d) 2005-017 City of Chattanooga (from R-2 and R-3 to R-1 and R-4). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone properties within the St. Elmo Neighborhood, more particularly described herein, from R-2 Residential Zone and R-3 Residential Zone to R-1 Residential Zone and R-4 Special Zone. **(Not recommended for approval by Planning – see alternate version.)**

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- e) 2005-020 Charles L. Lockwood and Frankie L. Lockwood (from R-3 to R-5). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone a tract of land located at 2632 Boyce Street, more particularly described herein, from R-3 Residential Zone to R-5 Residential Zone. **(Not recommended for approval by Planning – see alternate version.)**

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- f) 2005-022 Ken DeFoor (Amend Conditions). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to amend conditions 1, 3, 4, 5, and 8 imposed in Ordinance No. 11337, per the list and site plan attached hereto and made a part hereof by reference, on a tract of land located at 1606 Gunbarrel Road, being more particularly described herein. **(Not recommended for approval by Planning - see alternate version.)**

2005-022 Ken DeFoor (Amend Conditions). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to amend conditions 1, 3, 4, 5, and 8 imposed in Ordinance No. 11337, per the list and site plan attached hereto and made a part hereof by reference, on a tract of land located at 1606 Gunbarrel Road, being more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning.)**

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- g) 2005-025 DeFoor Brothers Development, LLC (from R-1 to R-4). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone a tract of land located at 2325 Timberlane Trail, more particularly described herein, from R-1 Residential Zone to R-4 Special Zone. **(Recommended for approval by Planning.)**

### VII. Resolutions:

- a) A resolution authorizing James E. Citty to use temporarily the City's right-of-way at 1410 Cowart Street to install nine (9) awnings, as shown on the drawing attached hereto and made a part hereof by reference, subject to certain conditions.
- b) A resolution authorizing the Office of the City Attorney to institute eminent domain proceedings pursuant to Chattanooga City Code, Section 21-126, against Curtis Reeves and Lorenzo Ervin and/or their heirs for property which has been certified by the Vacant Property Review Commission at 2014 Citico Avenue, Chattanooga, Tennessee.
- c) A resolution authorizing the Office of the City Attorney to institute eminent domain proceedings pursuant to Chattanooga City Code, Section 21-126, against Edward L. Williams and/or his heirs for property which has been certified by the Vacant Property Review Commission at 2637 Andrews Street, Chattanooga, Tennessee.
- d) A resolution authorizing the Office of the City Attorney to institute eminent domain proceedings pursuant to Chattanooga City Code, Section 21-126, against Leland M. Rucker and/or his heirs for property which has been certified by the Vacant Property Review Commission at 5416 Dorsey Street, Chattanooga, Tennessee.
- e) A resolution authorizing the Office of the City Attorney to institute eminent domain proceedings pursuant to Chattanooga City Code, Section 21-126, against Elizabeth Ladd Layne and Stuart A. Layne and/or their heirs for property which has been certified by the Vacant Property Review Commission at 5818 North Park Road, Chattanooga, Tennessee.
- f) A resolution rescinding prior Resolution No. 24346 and authorizing the refunding of certain general obligation bonds of the City of Chattanooga and the issuance and sale of an amount not to exceed \$118,000,000 principal amount of the City of Chattanooga, General Obligation Bonds, Series 2005 A. **(Added by permission of Council Chair Benson.)**

### VIII. Overtime Report.

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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, March 15, 2005.

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

XIV. Adjournment.

**XII. Agenda Session for Tuesday, March 15, 2005:**

**AGENDA FOR TUESDAY, MARCH 15, 2005**

1. Call to Order.
2. Pledge of Allegiance/Invocation (Council Chair Benson).
3. Minute Approval.
4. Special Presentations.
5. Ordinances – Second Reading:
  - a) An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, by amending Article V, Section 1213(1)(c), relative to the application procedure for Preliminary Planned Unit Development.
  - b) 2004-242 City of Chattanooga (from C-2, R-3, and R-4 to R-1). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone properties within the Rossville Boulevard Community, more particularly described herein, from C-2 Convenience Commercial Zone, R-3 Residential Zone, and R-4 Special Zone to R-1 Residential Zone. **(Not recommended for approval by Planning – see alternate version.)**

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- g) 2005-025 DeFoor Brothers Development, LLC (from R-1 to R-4). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone a tract of land located at 2325 Timberlane Trail, more particularly described herein, from R-1 Residential Zone to R-4 Special Zone. **(Recommended for approval by Planning.)**
6. Ordinances – First Reading:
7. Resolutions:
- a) A resolution authorizing the execution of Change Order No. 1, relative to Market Street storm drainage and intersection improvements – 1<sup>st</sup> Street to 4<sup>th</sup> Street, Contract No. W-03-002, with Talley Construction Company, Inc., which change order increases the contract amount by \$20,275.00, for a revised contract amount not to exceed \$1,317,952.07.
  - b) A resolution authorizing Chattanooga Loft Company to use temporarily the City's right-of-way at 47 East Main and 55 East Main Street to install four (4) awnings on the front of the building facing Main Street, as shown on the drawing attached hereto and made a part hereof by reference, subject to certain conditions.
  - c) A resolution authorizing the Administrator of the Department of Public Works to execute an agreement with Orange Grove Center, Inc., relative to continuing to provide facilities, equipment, labor and services required to receive, handle, sort, process and market recyclables for the City's Recycling Program for the Fiscal Years 2005-2006 and 2006-2007, for an amount not to exceed \$375,000.00 annually.
  - d) A resolution authorizing the appointment of Kevin J. Dossett as special policeman (armed) for Erlanger Health Systems, to do special duty as prescribed herein, subject to certain conditions.
  - e) A resolution authorizing the appointment of Lynn H. Pickel, Buford Ashley, James R. Higdon, and Lee M. Starnes as special policemen (unarmed) for the City of Chattanooga Department of Public Works, to do special duty as prescribed herein, subject to certain conditions.
  - f) A resolution authorizing the appointment of Youssuf Abdulazeez and Heather Ritchie as special policemen (unarmed) for the City of Chattanooga Department of Public Works Stormwater Management Division, to do special duty as prescribed herein, subject to certain conditions.
8. Overtime Report.

**Agenda for Tuesday, March 8, 2005**

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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, March 22, 2005.
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.