

AGENDA FOR TUESDAY, MAY 3, 2005

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilman Benson).
- III. Minute Approval.
- IV. Special Presentations.
- V. Ordinances – Second Reading:
- VI. Ordinances – First Reading:
 - a) 2005-003 City of Chattanooga (Close & Abandon). An ordinance closing and abandoning an unopened portion of the City’s right-of-way along the west line of the 300 block of North Lyerly Street, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Recommended for approval by Public Works. Not recommended for approval by Planning – see alternate version.)**

2005-003 City of Chattanooga (Close & Abandon). An ordinance closing and abandoning an unopened portion of the City’s right-of-way along the west line of the 300 block of North Lyerly 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.)**
 - b) 2005-033 Chattanooga Neighborhood Enterprise (from R-3 & M-1 to C-3). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone tracts of land located at 1902, 1904, and 1910 Rossville Avenue, more particularly described herein, from R-3 Residential Zone and M-1 Manufacturing Zone to C-3 Central Business Zone. **(Not recommended for approval by Planning or City Attorney– see alternate versions and City Attorney Memo.) (Deferred from 4/19/05.)**

2005-033 Chattanooga Neighborhood Enterprise (from R-3 & M-1 to C-3). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone tracts of land located at 1902, 1904, and 1910 Rossville Avenue, more particularly described herein, from R-3 Residential Zone and M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions. **(Recommended for approval by Planning, but not City Attorney - see alternate version and City Attorney Memo.)**

2005-033 Chattanooga Neighborhood Enterprise (from R-3 & M-1 to C-3). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone tracts of land located at 1902, 1904, and 1910 Rossville Avenue, more particularly described herein, from R-3 Residential Zone and M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions. **(Recommended for approval by City Attorney - see City Attorney Memo.)**

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VII. Resolutions:

- a) A resolution to authorize the transfer and assignment of the rights and obligations of KMC Telecom III, Inc. as set forth in its franchise with the City to CenturyTel Acquisitions, LLC.
- b) A resolution adopting the City of Chattanooga's Consolidated Plan for 2005-2010, a copy of which is attached hereto and made a part hereof by reference. **(Added by permission of the Legal and Legislative Committee.)**
- c) A resolution authorizing the Administrator of the Department of Public Works to authorize a payment in an amount up to \$100,000.00 to the Tennessee Department of Environment and Conservation (TDEC) in accordance with the Commissioner's Order and Assessment dated April 12, 2005. **(Added by permission of Council Vice-Chairman Pierce.)**
- d) A resolution authorizing Jim Lane to use temporarily the City's right-of-way at the intersection of Hampshire Street and Hamill Road to install a subdivision entrance sign, as shown on the drawing attached hereto and made a part hereof by reference, subject to certain conditions. **(Added by permission of Council Vice-Chairman Pierce.)**

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, May 10, 2005.

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

XIV. Adjournment.

XII. Agenda Session for Tuesday, May 10, 2005:

AGENDA FOR TUESDAY, MAY 10, 2005

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilman Franklin).
3. Minute Approval.
4. Special Presentations.
5. Ordinances – Second Reading:
6. Ordinances – First Reading:
 - a) MR-2002-014 Joe Glover (Close & Abandon). An ordinance closing and abandoning an unnamed alley located in the 300 block of Workman Road (previously Hamill Road), more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Recommended for approval by Planning and Public Works.)**
 - b) MR-2003-141 South Broad Associates, LLC (Close & Abandon). An ordinance closing and abandoning an eight inch (8”) V.C. Pipe located in the old 34th Street right-of-way, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Recommended for approval by Planning and Public Works.)**
 - c) 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.) (Deferred from 11-9-04)**

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.)**
 - d) 2005-047 Walter L. and Barbara H. Crox (From R-1 to R-4)U. An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone a tract of land located at 4340 Bonny Oaks Drive, more particularly described herein, from R-1 Residential Zone to R-4 Special Zone. **(Not recommended for approval by Planning – see alternate version.)**

2005-047 Walter L. and Barbara H. Crox (From R-1 to R-4)U. An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone a tract of land located at 4340 Bonny Oaks Drive, more particularly described herein, from R-1 Residential Zone to R-4 Special Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

- e) 2005-051 Stan Phillips (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 1017 Mountain Creek Road, more particularly described herein, from R-1 Residential Zone to R-4 Special Zone. **(Recommended for approval by Planning.)**
- f) 2005-054 D L Developers, LLC (From R1 to R-T/Z). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone a tract of land located at 5506 Cassandra Smith Road, more particularly described herein, from R-1 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone. **(Not recommended for approval by Planning – see alternate version.)**

2005-054 D L Developers, LLC (From R1 to R-T/Z). An ordinance to amend Ordinance No. 6958, known as the Zoning Ordinance, so as to rezone a tract of land located at 5506 Cassandra Smith Road, more particularly described herein, from R-1 Residential Zone to R-T/Z Residential Townhouse/Zero Lot Line Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

7. Resolutions:

- a) A resolution authorizing Ken DeFoor to use temporarily an existing sewer easement at 600 River Street, more particularly described herein and as shown on the drawing attached hereto and made a part hereof by reference, to allow balconies to overhang into the sewer easement, subject to certain conditions.
- b) A resolution authorizing Adam Kinsey to use temporarily the City's right-of-way on Market Street in front of TGI Fridays to install a canopy sign projecting approximately four feet six inches into said right-of-way, as shown on the drawing attached hereto and made a part hereof by reference, subject to certain conditions.
- c) A resolution authorizing Mike B. Kelley to use temporarily the City's right-of-way on North Creek Road to plant seven (7) Class 1 trees, as shown on the drawing attached hereto and made a part hereof by reference, subject to certain conditions.
- d) A resolution authorizing the U.S. Department of the Interior, National Park Service, to use temporarily the City's right-of-way on Moccasin Bend Access Road to install a temporary entrance sign, as shown on the drawings attached hereto and made a part hereof by reference, subject to certain conditions.
- e) A resolution authorizing the award of Contract No. E-05-003-101, Walnut Street Bridge Fifth Biennial Inspection, to Lichtenstein Consulting Engineers, Inc. for a total amount not to exceed \$37,500.

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- f) A resolution authorizing the purchase of a right-of-way, permanent drainage easement, and temporary construction easement from Clifford and Louise A. Wolfe at 2105 Hamill Road, Parcel No. 110J-A-012, Tract No. A-12, relative to the Hamill Road Widening at Highway 153 Project, Contract No. E-02-008, for an amount not to exceed \$18,416.00.
 - g) A resolution authorizing the execution of Change Order No. 1, relative to Contract No. E-04-001-100, Pavement Condition Data and Management Program, with QORE Property Sciences, which change order increases the contract amount by \$55,000.00, for a revised contract amount not to exceed \$205,000.00.
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, May 17, 2005.
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.