

AGENDA FOR TUESDAY, AUGUST 2, 2005

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Councilwoman Bennett).
- III. Minute Approval.
- IV. Special Presentations.
- V. Ordinances – Second Reading:
- VI. Ordinances – First Reading:
 - a) MR-2005-064 Thomas B. and Janis A. Wilkey (Close & Abandon). An ordinance closing and abandoning the part of the unopened 400 block of Noll (Old Union) 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 Planning and Public Works – see alternate version.)**

MR-2005-064 Thomas B. and Janis A. Wilkey (Close & Abandon). An ordinance closing and abandoning the part of the unopened 400 block of Noll (Old Union) 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 and Public Works.)**
 - b) MR-2005-084 James Parton (Close & Abandon). An ordinance closing and abandoning an unnamed, unopened street beginning on the east line of the 1600 block of Bush Road, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Recommended for denial by Planning and Public Works.)**
 - c) MR-2005-104 Barbara Reedy (Close & Abandon). An ordinance closing and abandoning an unopened portion of Poplar Street and an unnamed street located east of the east line of the 5600 block of Dayton Boulevard, 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 Public Works – see alternate versions.)**

MR-2005-104 Barbara Reedy (Close & Abandon). An ordinance closing and abandoning an unopened portion of Poplar Street and an unnamed street located east of the east line of the 5600 block of Dayton Boulevard, 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.)**

MR-2005-104 Barbara Reedy (Close & Abandon). An ordinance closing and abandoning an unopened portion of Poplar Street and an unnamed street located east of the east line of the 5600 block of Dayton Boulevard, 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 Public Works.)**

Agenda for Tuesday, August 2, 2005

Page 2 of 7

VII. Resolutions:

- a) A resolution authorizing the appointment of Sabrina Carlson as special policeman (unarmed) for the City of Chattanooga Department of Public Works, to do special duty as prescribed herein, subject to certain conditions.
- b) A resolution authorizing the execution of Change Order No. 1 (Final), relative to Contract No. E-03-020, Bituminous Pavement Resurfacing Contract, with C. W. Matthews, which change order decreases the contract amount by \$26.10, for a revised contract amount not to exceed \$1,599,973.90.
- c) A resolution authorizing the execution of Change Order No. 2 (Final), relative to Contract No. W-03-002, Market Street Storm Drainage and Intersection Improvements – 1st Street to 4th Street, with Talley Construction Company, Inc., which change order decreases the contract amount by \$108,804.16, for a revised contract amount not to exceed \$1,309,147.91.
- d) A resolution authorizing the purchase of a right-of-way, slope easement, and temporary construction easement at 7420 Igou Gap Road, Tax Map No. 159A-A-010, Tract No. 06, from R&E Properties, LLC, relative to the Igou Gap Road Widening Project, Contract No. E-03-011, for an amount not to exceed \$368.00.
- e) A resolution authorizing Janet R. Brooks to use temporarily an alleyway located behind 4808 Alabama Avenue to install a fence and to maintain the alleyway, as shown on the drawings attached hereto and made a part hereof by reference, subject to certain conditions.
- f) A resolution authorizing the award of Contract E-05-005, Bituminous Pavement Resurfacing, to Highways, Inc. for a total amount not to exceed \$650,000.00. **(Added by permission of Council Chairman Robinson.)**

VIII. Overtime Report.

IX. Departmental Reports:

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

X. Other Business.

XI. Committee Reports.

Agenda for Tuesday, August 2, 2005
Page 3 of 7

- XII. Agenda Session for Tuesday, August 9, 2005.
- XIII. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
- XIV. Adjournment.

XII. Agenda Session for Tuesday, August 9, 2005:

AGENDA FOR TUESDAY, AUGUST 9, 2005

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilman Robinson).
3. Minute Approval.
4. Special Presentations.
5. Ordinances – Second Reading:
 - a) MR-2005-064 Thomas B. and Janis A. Wilkey (Close & Abandon). An ordinance closing and abandoning the part of the unopened 400 block of Noll (Old Union) 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 Planning and Public Works – see alternate version.)**

MR-2005-064 Thomas B. and Janis A. Wilkey (Close & Abandon). An ordinance closing and abandoning the part of the unopened 400 block of Noll (Old Union) 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 and Public Works.)**
 - b) MR-2005-084 James Parton (Close & Abandon). An ordinance closing and abandoning an unnamed, unopened street beginning on the east line of the 1600 block of Bush Road, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Recommended for denial by Planning and Public Works.)**
 - c) MR-2005-104 Barbara Reedy (Close & Abandon). An ordinance closing and abandoning an unopened portion of Poplar Street and an unnamed street located east of the east line of the 5600 block of Dayton Boulevard, 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 Public Works – see alternate versions.)**

MR-2005-104 Barbara Reedy (Close & Abandon). An ordinance closing and abandoning an unopened portion of Poplar Street and an unnamed street located east of the east line of the 5600 block of Dayton Boulevard, 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.)**

MR-2005-104 Barbara Reedy (Close & Abandon). An ordinance closing and abandoning an unopened portion of Poplar Street and an unnamed street located east of the east line of the 5600 block of Dayton Boulevard, 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 Public Works.)**

6. Ordinances – First Reading:

a) An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, by amending Article V, Sections 120, 150, 160, 253, 403, and 410 relative to Residential Planned Unit Development (P.U.D.) approval by special exceptions permit in Residential zones.

b) 2005-092 DL Enterprises (from R-4 to C-2). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 5540 Highway 153, more particularly described herein, from R-4 Special Zone to C-2 Convenience Commercial Zone, subject to certain conditions. **(Not recommended for approval by Planning or Staff – see alternate versions.)**

2005-092 DL Enterprises (from R-4 to C-2). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone **a portion of** a tract of land located at 5540 Highway 153, more particularly described herein, from R-4 Special Zone to C-2 Convenience Commercial Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

2005-092 DL Enterprises (from R-4 to C-5). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 5540 Highway 153, more particularly described herein, from R-4 Special Zone to **C-5 Neighborhood Commercial Zone**, subject to certain conditions. **(Recommended for approval by Staff.)**

c) 2005-098 Earlene P. Stewart (from R-2 to R-3). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 2510 Laura Street, more particularly described herein, from R-2 Residential Zone to R-3 Residential Zone, subject to certain conditions. **(Deferred from 7-12-05. Not recommended for approval by Planning. Recommended for denial by Staff.)**

2005-098 Earlene P. Stewart (from R-2 to R-3). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 2510 Laura Street, more particularly described herein, from R-2 Residential Zone to R-3 Residential Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

- d) 2005-125 Chattanooga Development, LLC (from M-1 to C-3). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 509 Riverfront Parkway, more particularly described herein, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions. **(Not recommended for approval by Planning – see alternate version.)**

2005-125 Chattanooga Development, LLC (from M-1 to C-3). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 509 Riverfront Parkway, more particularly described herein, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

- e) 2005-126 Thomas Charles Reese (from R-1 to C-2). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone a tract of land located at 704 Ashland Terrace, more particularly described herein, from R-1 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions. **(Not recommended for approval by Planning – see alternate version.)**

2005-126 Thomas Charles Reese (from R-1 to C-2). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to rezone **a portion of** a tract of land located at 704 Ashland Terrace, more particularly described herein, from R-1 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions. **(Recommended for approval by Planning.)**

- f) 2005-131 Bobby Fairbanks (Lift Conditions). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to lift Condition 4 imposed in Ordinance No. 11246 on a tract of land located at 7371 Applegate Lane, being more particularly described herein, subject to certain conditions. **(Not recommended for approval by Planning – see alternate version. Recommended for denial by Staff.)**

2005-131 Bobby Fairbanks (Lift Conditions). An ordinance to amend Ordinance No. 6958, as amended, known as the Zoning Ordinance, so as to lift Conditions **2 and 4** imposed in Ordinance No. 11246 on a tract of land located at 7371 Applegate Lane, being more particularly described herein, subject to certain conditions. **(Recommended for approval by Planning.)**

7. Resolutions:

- a) 2005-034 DMW Group, LLC – Dave Pearson (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 tracts of land located at 1700 and 8600 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.)**

Agenda for Tuesday, August 2, 2005

Page 7 of 7

- b) A resolution authorizing the Chief of the Chattanooga Police Department to enter into a Lease Agreement with Eastgate Town Center, LLC, relative to the lease of certain space in Eastgate Mall for continued use as a precinct station.
- 8. Overtime Report.
- 9. Departmental Reports:
 - a) Department of Human Services.
 - b) Department of Parks and Recreation.
 - c) Department of Public Works.
 - d) Department of Neighborhood Services.
 - e) Department of Education, Arts and Culture.
 - f) Fire Department.
 - g) Police Department.
 - h) Department of Personnel.
 - i) Department of Finance and Administration
 - j) City Attorney.
- 10. Other Business.
- 11. Committee Reports.
- 12. Agenda Session for Tuesday, August 16, 2005.
- 13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
- 14. Adjournment.