

AGENDA FOR TUESDAY, MAY 4, 2010

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Council Chair Rico.)
- III. Minute Approval.
- IV. Special Presentations.
- V. Ordinances – Final Reading:
- VI. Ordinances – First Reading:
 - a) An ordinance to amend Chattanooga City Code, Part II, Section 14-2, in order to adopt the National Electrical Code of 2008 as the official Electrical Code of the City of Chattanooga and to amend Section 14-3, regarding certain amendments to the 2008 National Electrical Code. **(Revised.)**
- VII. Resolutions:
 - a) A resolution authorizing the Mayor to execute a Settlement Agreement and Mutual Release with Siemens Water Technologies Corporation in the amount of \$2,281,942.45.
 - b) A resolution authorizing the Police Department to apply for and accept a Governor's Highway Safety Office Grant for the Chattanooga Drives Safe and Sober Program to pay for overtime for roadside sobriety checkpoints in the amount of \$50,016.16.
 - c) A resolution authorizing the Police Department to apply for and accept a Governor's Highway Safety Office Grant for the Chattanooga Drives Safe and Sober Program to pay for overtime for multiple violations and speed enforcement in the amount of \$50,016.16.
 - d) A resolution authorizing the Police Department to accept a grant from Walmart in the amount of \$1,000.00 for SWAT to purchase load-bearing equipment to carry and deploy with other recently purchased equipment.
- VIII. Overtime Report.

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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 & 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.

XII. Agenda Session for Tuesday, May 11, 2010.

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

XIV. Adjournment.

XII. Agenda Session for Tuesday, May 11, 2010:

AGENDA FOR TUESDAY, MAY 11, 2010

1. Call to Order.
2. Pledge of Allegiance/Invocation (Councilman McGary.)
3. Minute Approval.
4. Special Presentations.
5. Ordinances - Final Reading:
 - a) An ordinance to amend Chattanooga City Code, Part II, Section 14-2, in order to adopt the National Electrical Code of 2008 as the official Electrical Code of the City of Chattanooga and to amend Section 14-3, regarding certain amendments to the 2008 National Electrical Code.
6. Ordinances – First Reading:
 - a) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Article IV, Section 38-401(1)(f), Planned Unit Development: Residential Regarding Major Changes.
 - b) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Article IV, Section 38-32, General Regulations relative to allowing the Chattanooga-Hamilton County Regional Planning Commission to approve variances for lot size, lot frontage, and setbacks relative to the creation of lots as part of a new subdivision.
 - c) An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, Article II, Definitions and Article V, Division 3, RT-1 Residential Townhouse Zone, and Division 5, R-T/Z Residential Townhouse/Zero Lot Line Zone regarding Townhouses.
 - d) 2010-036-Thomas Palmer (Lift Conditions). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to lift the conditions imposed in Ordinance No. 11974 (Case No. 2007-058) on tracts of land located at 1601, 1607, and 1613 Rossville Avenue, more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference, subject to certain conditions. **(District 7, Planning Version.) (Staff recommends deferring for a site plan and a parking plan.)**

2010-036-Thomas Palmer (Lift Conditions). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to lift the conditions imposed in Ordinance No. 11974 (Case No. 2007-058) on tracts of land located at 1601, 1607, and 1613 Rossville Avenue, more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference. **(Applicant Version.)**

- e) 2010-039-City of Chattanooga-RPA (Temporary R-1, RT-1, R-2, R-3, R-5, and C-2 to Permanent R-1, RT-1, R-3, R-5, and C-2). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone tracts of land located at 6851 and 6857 Big Ridge Road, 1438 Dahl Springs Lane, and various properties in the 6400-6500 blocks of Fairview Road and 6400-6800, and 7000 blocks of Hixson Pike, more particularly described herein from temporary R-1 Residential Zone, RT-1 Residential Townhouse Zone, R-2 Residential Zone, R-3 Residential Zone, R-5 Residential Zone, and C-2 Convenience Commercial Zones to permanent R-1 Residential Zone, RT-1 Residential Zone, R-3 Residential Zone, R-5 Residential Zone, and C-2 Convenience Commercial Zones. **(District 3.) (Recommended for approval by Planning.)**

- f) 2010-041-Jerry Hagan (Lift and Amend Condition). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to lift and amend Condition Number 2 imposed in Ordinance No. 11246 on a tract of land located at 7374 Applegate Lane, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(District 4, Staff Version.)**

2010-041-Jerry Hagan (Lift and Amend Condition). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to lift and amend Condition Number 2 imposed in Ordinance No. 11246 on a tract of land located at 7374 Applegate Lane, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Applicant Version). (Recommended for denial by Planning.)**

- g) 2010-042-Robert McNutt (R-1 Residential Zone to C-3 Central Business Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 784 East Martin Luther King Boulevard, more particularly described herein, from R-1 Residential Zone to C-3 Central Business Zone, subject to certain conditions. **(District 8, Planning Version.)**

2010-042-Robert McNutt (R-1 Residential Zone to C-3 Central Business Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 784 East Martin Luther King Boulevard, more particularly described herein, from R-1 Residential Zone to C-3 Central Business Zone. **(Applicant Version.)**

- h) 2010-050-Ken DeFoor/Valor GP (R-1 Residential Zone to R-4 Special Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 7518 Standifer Gap Road, more particularly described herein, from R-1 Residential Zone to R-4 Special Zone, subject to certain conditions. **(District 4, Planning Version.)**

2010-050-Ken DeFoor/Valor GP (R-1 Residential Zone to R-4 Special Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 7518 Standifer Gap Road, more particularly described herein, from R-1 Residential Zone to R-4 Special Zone. **(Applicant Version.)**

- i) 2010-051-John S. Wise (M-1 Manufacturing Zone to C-3 Central Business Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 203 East Main Street, more particularly described herein, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions. **(District 8, Planning Version.) (Staff recommends deferring until parking plan is submitted to satisfy the concerns of the Traffic Engineering Department.)**

2010-051-John S. Wise (M-1 Manufacturing Zone to C-3 Central Business Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a tract of land located at 203 East Main Street, more particularly described herein, from M-1 Manufacturing Zone to C-3 Central Business Zone. **(Applicant Version.)**

- j) 2010-054-Ann Jones-Pierre (R-3 Residential Zone to R-4 Special Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone tracts of land located at 1141 East 3rd Street and 1144 Garfield Street, more particularly described herein, from R-3 Residential Zone to R-4 Special Zone, subject to certain conditions. **(District 8, Planning Version.) (Planning recommends R-4 be denied, but approve O-1.)**

2010-054-Ann Jones-Pierre (R-3 Residential Zone to R-4 Special Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone tracts of land located at 1141 East 3rd Street and 1144 Garfield Street, more particularly described herein, from R-3 Residential Zone to R-4 Special Zone. **(Applicant Version.)**

7. Resolutions:

- a) A resolution authorizing the Mayor to execute an agreement with Hamilton County and the Tennessee Department of Transportation for a \$1,723,601.00 Transportation Enhancement Grant for construction of the Downtown Riverwalk and providing \$215,450.00 in matching funds in the fiscal year 2011 Capital Budget which matches dollar for dollar the contribution provided by Hamilton County for this purpose.
- b) A resolution authorizing the Administrator of the Department of Public Works to enter into an agreement with Brown and Caldwell for engineering services for the implementation of equipment maintenance and reliability improvement program, in an amount not to exceed \$1,573,800.00. **(Deferred from 4/27/10.)**
- c) 2010-038-Mi Belvin (Special Exceptions Permit). A resolution approving a Special Exceptions Permit for a duplex in R-1 Residential Zone, on a tract of land located at 4317 Norcross Road, more particularly described herein. **(District 2.)**
- d) 2010-045-Bragg Point Properties, LLC (Special Exceptions Permit (PUD)). A resolution approving a Preliminary and Final Planned Unit Development Special Exceptions Permit for a Proposed Planned Unit Development, known as Bragg Point Properties, LLC, on a tract of land located at 3144 through 3212 South Crest Place, more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference, subject to certain conditions. **(District 9, Planning Version.)**

2010-045-Bragg Point Properties, LLC (Special Exceptions Permit (PUD)). A resolution approving a Preliminary and Final Planned Unit Development Special Exceptions Permit for a Proposed Planned Unit Development, known as Bragg Point Properties, LLC, on a tract of land located at 3144 through 3212 South Crest Place, more particularly described herein and as shown on the map and drawing attached hereto and made a part hereof by reference. **(Applicant Version.)**

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 & Culture.
- f) Fire Department.
- g) Police Department.
- h) Department of Personnel.
- i) Department of Finance and Administration
- j) City Attorney.

10. Other Business.

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11. Committee Reports.
12. Agenda Session for Tuesday, May 18, 2010.
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.