

AMENDED AGENDA FOR TUESDAY, SEPTEMBER 14, 2010

- I. Call to Order.
- II. Pledge of Allegiance/Invocation (Council Chairman 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, Chapter 38, Zoning Ordinance, Division 10, MXU – Mixed Use Zone, Section 38-133, Area Requirements, Subsection (3) regarding the minimum lot size in the MXU Mixed Use Zone.
 - b) 2010-069 Page Family Properties, Inc. (R-2 Residential Zone to M-2 Manufacturing Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone tracts of land located at 1500 and 1506 East 51st Street, more particularly described herein, from R-2 Residential Zone to M-2 Manufacturing Zone, subject to certain conditions. **(Planning version, District No. 7.)**

2010-069 Page Family Properties, Inc. (R-2 Residential Zone to M-1 Manufacturing Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone tracts of land located at 1500 and 1506 East 51st Street, more particularly described herein, from R-2 Residential Zone to M-1 Manufacturing Zone. **(Applicant version.)**
 - c) 2010-099 Jerry Hagan (Amend Conditions). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to **lift** the conditions imposed in Ordinance No. 11313-3B (Case No. 2002-113) on tracts of land located at 7373 and 7385 Applegate Lane, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Recommended for denial by Planning, District No. 4.) (Corrected.)**
 - d) 2010-111 Joseph L. Parks (R-1 Residential Zone to MXU Mixed Use Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a part of a tract of land located at 3904 Cummings Road, more particularly described herein, from R-1 Residential Zone to MXU Mixed Use Zone, subject to certain conditions. **(Planning version, District No. 1.)**

2010-111 Joseph L. Parks (R-1 Residential Zone to MXU Mixed Use Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a part of a tract of land located at 3904 Cummings Road, more particularly described herein, from R-1 Residential Zone to MXU Mixed Use Zone. **(Applicant version.)**

VII. Resolutions:

- a) 2010-112 Joseph L. Parks for Obar Investments (Special Exceptions Permit). A resolution approving a Preliminary and Final Planned Unit Development Special Exceptions Permit for a Planned Unit Development, known as Black Creek Phase 5B formerly Woodlands Phase 5, on tracts of land located at 819 River Gorge Drive and 3904 Cummings Road, more particularly described herein and as shown on the map and drawings attached hereto and made a part hereof by reference, subject to certain conditions. **(District 1.)**

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 & 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, September 21, 2010

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

XIV. Adjournment.

AGENDA FOR TUESDAY, SEPTEMBER 21, 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, Chapter 38, Zoning Ordinance, Division 10, MXU – Mixed Use Zone, Section 38-133, Area Requirements, Subsection (3) regarding the minimum lot size in the MXU Mixed Use Zone.
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2010-069 Page Family Properties, Inc. (R-2 Residential Zone to M-1 Manufacturing Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone tracts of land located at 1500 and 1506 East 51st Street, more particularly described herein, from R-2 Residential Zone to M-1 Manufacturing Zone. **(Applicant version.)**
 - c) 2010-099 Jerry Hagan (Amend Conditions). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to amend the conditions imposed in Ordinance No. 11313-3B (Case No. 2002-113) on tracts of land located at 7373 and 7385 Applegate Lane, more particularly described herein and as shown on the map attached hereto and made a part hereof by reference. **(Recommended for denial by Planning, District No. 4.)**
 - d) 2010-111 Joseph L. Parks (R-1 Residential Zone to MXU Mixed Use Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a part of a tract of land located at 3904 Cummings Road, more particularly described herein, from R-1 Residential Zone to MXU Mixed Use Zone, subject to certain conditions. **(Planning version, District No. 1.)**

2010-111 Joseph L. Parks (R-1 Residential Zone to MXU Mixed Use Zone). An ordinance to amend Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, so as to rezone a part of a tract of land located at 3904 Cummings Road, more particularly described herein, from R-1 Residential Zone to MXU Mixed Use Zone. **(Applicant version.)**

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6. Ordinances – First Reading:

7. Resolutions:

- a) A resolution amending Resolution No. 26116, adopted October 20, 2009, relative to the agreement for the Closure/Post Closure Plan for the North Hawthorne/Wood Recycling Solid Waste Processing Unit, with the State of Tennessee, Division of Solid Waste Management, by deleting “not to exceed \$32,371.00,” and substituting in lieu thereof “not to exceed \$32,759.00.”
- b) A resolution amending Resolution No. 26114, adopted October 20, 2009, relative to the agreement with the Closure/Post Closure Plan for the capping of Birchwood with the State of Tennessee, Division of Solid Waste Management, by deleting “not to exceed \$6,311,902.00,” and substituting in lieu thereof “not to exceed \$6,383,802.00.”
- c) A resolution amending Resolution No. 26117, adopted October 20, 2009, relative to the agreement with the Closure/Post Closure Plan for the City Landfill, Lateral Expansion, Area 3, with the State of Tennessee, Division of Solid Waste Management, by deleting “not to exceed \$6,712,810.00,” and substituting in lieu thereof “not to exceed \$6,793,364.00.”
- d) A resolution amending Resolution No. 26115, adopted October 20, 2009, relative to the agreement with the Closure/Post Closure Plan for the Summit Sanitary Landfill with the State of Tennessee, Division of Solid Waste Management, by deleting “not to exceed \$2,832,657.00,” and substituting in lieu thereof “not to exceed \$2,715,773.00.”
- e) A resolution authorizing Dorris P. Shober on behalf of Lupi’s Pizza Pies to use temporarily the right-of-way located at 406 Broad Street for the placement of a canopy over a portion of the right-of-way and two iron benches and two flower urns, as shown on the map attached hereto and made a part hereof by reference, subject to certain conditions.
- f) A resolution authorizing the award of Contract No. E-09-002-203, City Sidewalk Contract-Southside Area, to Integrated Properties, LLC, in the amount of \$11,824.50, with a contingency amount of \$1,200.00, for an amount not to exceed \$13,024.50.
- g) A resolution authorizing the award of Contract No. E-03-028-204, Hamill Road Improvements – Highway 153 to Hixson Pike, Phase 4, to Brown Brothers, Inc., in the amount of \$509,013.00, with a contingency amount of \$51,000.00, for an amount not to exceed \$560,013.00.
- h) A resolution authorizing the Mayor to execute a track connection proposal letter agreement with Norfolk Southern Railway Company for railroad track connection and realignment to service Enterprise South Industrial Park on property located between Noah Reid Road and Enterprise South Industrial Park, as shown on the attached maps, and jointly owned by the City of Chattanooga and Hamilton County and managed by the Hamilton County Railroad Authority.

- i) A resolution authorizing the Administrator of the Department of Parks and Recreation to enter into a lease agreement with ERMC of America for the lease and management of the Skate Park and Pro Shop known as Chatttown Skate Park.
 - j) **MR-2010-129 City of Chattanooga c/o Dan Thornton.** A resolution declaring the property as surplus and authorizing the sale to Eastside Utility District from Hamilton County and the City of Chattanooga, authorizing the Director of General Services to enter into and execute an “Offer to Purchase,” and authorizing the Director of General Services to execute a deed and other necessary closing documents conveying said property to Eastside Utility District upon payment of the sale price, located at Tract 20, Enterprise South Industrial Park (ESIP), which fronts Hickory Valley Road, more particularly described herein. (District 4.) (Revised.)
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.
11. Committee Reports.
12. Agenda Session for Tuesday, September 28, 2010.
13. Recognition of Persons Wishing to Address the Council on Non-Agenda Matters.
14. Adjournment.